

EXPLANATORY STATEMENT:

The purpose of this ordinance is to adopt the Quarry Redevelopment Plan for the Millington Quarry site, including Block 6001, Lot 6, located at 135 Stonehouse Road, in accordance with the provisions set forth in the New Jersey Local Redevelopment and Housing Law (LRHL; N.J.S.A. 40A:12A-1 et seq.), which requires the adoption of a Redevelopment Plan prepared in accordance with N.J.S.A. 40A:12A-7 to guide future land use and development in a designated Redevelopment Area, which in this case is Block 6001, Lot 6, a Non-condemnation Redevelopment Area duly designated by the Township of Bernards as set forth in Resolution #2017-0156 adopted by the Bernards Township Committee on February 28, 2017 declaring the Millington Quarry, Inc. Property is a Non-Condemnation Redevelopment Area according to the statutory criteria set forth in N.J.S.A. 40A:12A-5. When adopted, this ordinance will (1) amend § 21-10.1 entitled “Classes of Zones” to delete the M-1 Mining Zone and replace it with the Quarry Redevelopment Plan which shall become part of the Zoning Ordinance; (2) amend § 21-10.2.a.1, the Zoning Map of the Township of Bernards to change the zoning designation of Block 6001, Lot 6 from M-1 Mining Zone to Quarry Redevelopment Zone; and (3) amend §21-10.9, titled “M-1 Mining Zone”, to delete the provisions of this section entirely and replace it with a new §21-10.9, titled “Quarry Redevelopment Plan Zone” including the provisions of this Quarry Redevelopment Plan.

ORDINANCE #

An Ordinance of the Township of Bernards, County of Somerset, State of New Jersey,
Adopting the Quarry Redevelopment Plan, and
Amending, Revising and Supplementing the Code of the Township of Bernards,
Chapter 21, “Revised Land Use Ordinances” to Delete the M-1 Mining Zone, Amending the
Zoning Map of the Township of Bernards and Replacing the M-1 Mining Zone provisions with
new Quarry Redevelopment Plan Provisions.

BE IT ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that the Quarry Redevelopment Plan on file with the Clerk of the Township is hereby adopted and pursuant to N.J.S.A. 40A:12A-7 (c) it shall supersede the provisions of the Land Development Ordinance for the Redevelopment Plan Area and the zoning district map is hereby amended to include the Quarry Redevelopment Plan in the zoning ordinance, and the zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Bernards, County of Somerset and State of New Jersey, that Chapter 21, entitled “Land Development”, of the Code of the Township of Bernards shall be amended, revised and supplemented as follows:

Section 1. Amend Chapter XXI, Land Development, Article IV, Zoning, § 21-10.1 entitled “Classes of Zones” to delete the M-1 Mining Zone and replace it with the Quarry Redevelopment Plan Zone (QRP Zone).

Section 2. Amend Chapter XXI, Land Development, Article IV, Zoning, § 21-10.2.a.1, the Zoning Map of the Township of Bernards to change the zoning designation of Block 6001, Lot 6 from M-1 Mining Zone to QRP Quarry Redevelopment Plan Zone which will be controlled by the provisions of the Quarry Redevelopment Plan.

Section 3. Amend Chapter XXI, Land Development, Article IV, Zoning, §21-10.9, titled “M-1 Mining Zone”, to delete the provisions of this section entirely and replace it with the “QRP Quarry Redevelopment Plan Zone” which shall become codified as part of the Township’s Land Development Ordinance as a new §21-10.9, titled “QRP Quarry Redevelopment Plan Zone”, as follows:

**Township of Bernards
Quarry Redevelopment Plan
Block 6001, Lot 6**

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1.0 INTRODUCTION.

1.1 Basis for the Plan.

This Redevelopment Plan (Quarry Redevelopment Plan) has been prepared pursuant to New Jersey’s Local Redevelopment and Housing Law (LRHL) for Block 6001, Lot 6 (“Redevelopment Area”), an approximately 179-acre site located at 135 Stonehouse Road in Basking Ridge New Jersey (see figure 1 Redevelopment Area). This Redevelopment Plan will guide future redevelopment of this site for the general welfare and improved quality of life in the community.



The Redevelopment Area is the site of the former Millington Quarry operation that mined basalt rock for more than 100 years in this 179-acre site that is situated between Stonehouse Road and Pond Hill Road. All quarrying has ceased and reclamation of the remaining post-industrial mining and quarrying landscape has resulted in partial restoration of the site that was left devoid of healthy topsoil. The

Figure 1: Redevelopment Area (+/-179 acres)

remaining land character and physical condition of the site has prompted a need to enact local policies that will prevent further erosion of the local economic base and a desire to establish a sustainable and vibrant community. This is particularly important since the Township's residential taxpayers must absorb the costs when commercial ratables, such as that of the past quarry operations, are lost or devalued as is the case with the current condition of the property.

1.2 Redevelopment Planning Process.

The Local Redevelopment and Housing Law (LRHL, N.J.S.A. 40A:12A-1 et seq.) establishes the process for a municipality to follow to utilize the State's redevelopment powers to reinvigorate deteriorated land use conditions, such as the quarry site, and guide future use and redevelopment to promote the public health, safety and welfare of the community. The designation of a redevelopment area and adoption of a redevelopment plan are the cornerstones of municipal redevelopment planning powers, which, in this case, permit Bernards Township to plan and zone in a manner that can remedy the blighting and potentially deleterious effects of the past quarry operations on the community.

The Township Committee, by way of a Resolution No. 2016-0311, authorized and directed the Planning Board to conduct a preliminary investigation pursuant to the LRHL to determine whether the property identified as Block 6001, Lot 6, located at 135 Stonehouse Road, and commonly referred to as the Millington Quarry (the "Study Area," or "Redevelopment Area"), constitutes an area in need of non-condemnation redevelopment.

In accordance with the criteria set forth in N.J.S.A. 40A:12A-5, and after a duly noticed hearing on December 6, 2016, the Planning Board recommended to the Township Committee that this 179+/- acre property should be designated a "A Non-condemnation Redevelopment Area". These findings were memorialized in a Planning Board resolution dated January 17, 2017. The Board found that the quarry site established the need for redevelopment and consequently recommended designation of a Non-condemnation Redevelopment Area in accordance with N.J.S.A. 40A:12A-5 b. & c. The Township Committee accepted the Planning Board's recommendation and designated the site a Non-condemnation Redevelopment Area on February 28, 2017, which is depicted on Figure 1 above.

Figure 2 below outlines the process for designating a Non-Condensation Redevelopment Area and for the governing body to adopt a redevelopment plan. Briefly stated, the process is (1) the governing body authorizes the Planning Board to conduct a preliminary investigation; (2) the Planning Board prepares its investigation and conducts a public hearing on the investigation; (3) following the public hearing, the Planning Board recommends to the governing body to designate or not designate a “Non-condemnation Redevelopment Area”, which in this case the Planning Board recommended to designate a Non-condemnation Redevelopment Area; (4) the governing body acts, or does not act on the Planning Board’s recommendation, which in this case the governing body acted on the recommendation by designating the quarry a non-condemnation redevelopment area. Once the redevelopment area is designated, the process requires preparation and adoption of the redevelopment plan, which the governing body has caused to be prepared for possible adoption as an ordinance

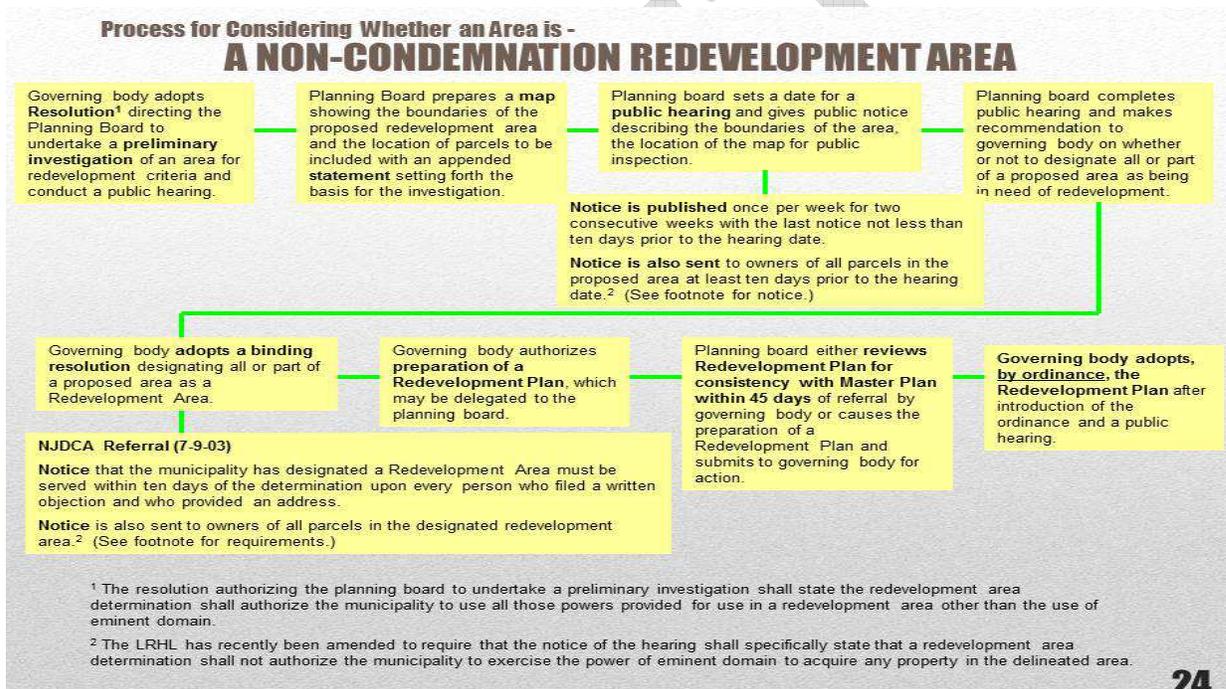


Figure 2 that will guide future development of the redevelopment area much the same way that zoning guides development in a community. The Law requires a Planning Board review and comment on the plan regarding consistency with the Master Plan prior to adoption of the plan by the governing body as an ordinance. The Law provides that “All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan” N.J.S.A. 40A:12A-7 d. Moreover, the governing body may adopt a redevelopment plan that is inconsistent with the Master Plan, or is not designed to effectuate the Master Plan, by affirmative vote of a majority of its full authorized membership provided that the governing body includes a statement of reasons in the redevelopment plan for so acting.

Based on the “Bernards Township Master Plan Goals and Objectives,” set forth in this Plan, the

Quarry Redevelopment Plan, which seeks to advance a range of general goals for the community that are articulated in the Master Plan, can be viewed as substantially consistent with the Master Plan and designed to effectuate the master plan. Therefore the Governing Body finds that it is appropriate to adopt the Plan despite the limited inconsistency with the Master Plan described therein.

The governing body directed the Township Planner, planning consultant and staff to prepare a redevelopment plan coordinated with the redevelopment vision that was initially developed by the Township's Quarry Task Force, which was presented to the public at Township Committee meetings during 2016 & 2017 and subsequently during the summer of 2017 at public meetings that involved presentations by the contract purchaser / prospective redeveloper of the quarry. That redevelopment vision, which is set forth in this Redevelopment Plan, calls for a variety of land uses, including various types of residential development, mixed use commercial and non-residential development and recreation & open space uses oriented toward the future lake that will emerge within the quarry from the discontinuation of pumping groundwater out of the quarry that enabled the large-scale quarry once conducted on site. The Township's planning professionals consulted with the contract purchaser / redeveloper of the quarry site in the development of this Redevelopment Plan to ensure that future development plans are consistent with the redevelopment vision for the quarry and that the Redevelopment Plan is economically achievable and marketable from a development perspective.

The redevelopment vision and this Redevelopment Plan advance the objectives of creating a vibrant, economically productive center of activity in the community for residents of all ages by providing a variety of housing choices, a diversity of commercial, employment, entertainment and open space uses. This is a departure from the Master Plan, which presently calls for 2-acre residential zoning, however, this Redevelopment Plan is consistent with a number of Master Plan goals and objectives that will be implemented in an alternative fashion to the primarily Euclidian zoning precepts (single use zoning) that prevail in the Township's zoning ordinance – that is to encourage a mix of uses within a single area as opposed to zones that draw distinct boundaries among the Township's various zoning districts that are primarily aimed at segregating uses into separate zones (primarily the Euclidian zoning model).

1.3 Overview of Redevelopment Area.

Bernards Township has long been known for desirable residential neighborhoods and commercial areas and employment centers that together establish a suburban setting and an enviable quality of life. The Bernards Township Master Plan ("BTMP") has evolved over time with the overriding objective of preserving and enhancing the quality of life for Bernards' residents and businesses.

The Redevelopment Area is comprised of 179.76 acres located within the Township's Mining/Industrial Zone. This former quarry site has ceased operations and gone through an

extensive reclamation process, which positions the Quarry for rebirth as a center of community and economic activity, including a variety of housing choices, open space and recreation uses.



Bernards Township is located in the northeast corner of Somerset County, blessed with excellent regional highway accessibility, including the intersection of I-287 and I-78, and NJ Transit rail access to major regional employment centers located to the east. Figure 3 (above) illustrates the location of the Quarry Redevelopment Area and surrounding development in Bernards Township.

1.4 Overview of Quarry Redevelopment Plan/Substantial Consistency with Master Plan

Figure 4 below illustrates the Township’s land use character by property class and identifies a predominantly residential character, including areas surrounding the Quarry Redevelopment Area (the “Industrial” area in purple is the Quarry Redevelopment Area). The NJ Transit commuter rail right-of-way extends along the length of the north and east property boundaries. The west side of the Redevelopment Area abuts Stonehouse Road (County Route 613). Single-family detached residential neighborhoods straddle Stonehouse Road to the southwest, west and northwest of the property. To the north and east of the rail

line, additional single-family detached residential neighborhoods exist. Finally, more single-family detached residential neighborhoods adjoin the Redevelopment Area to the south.

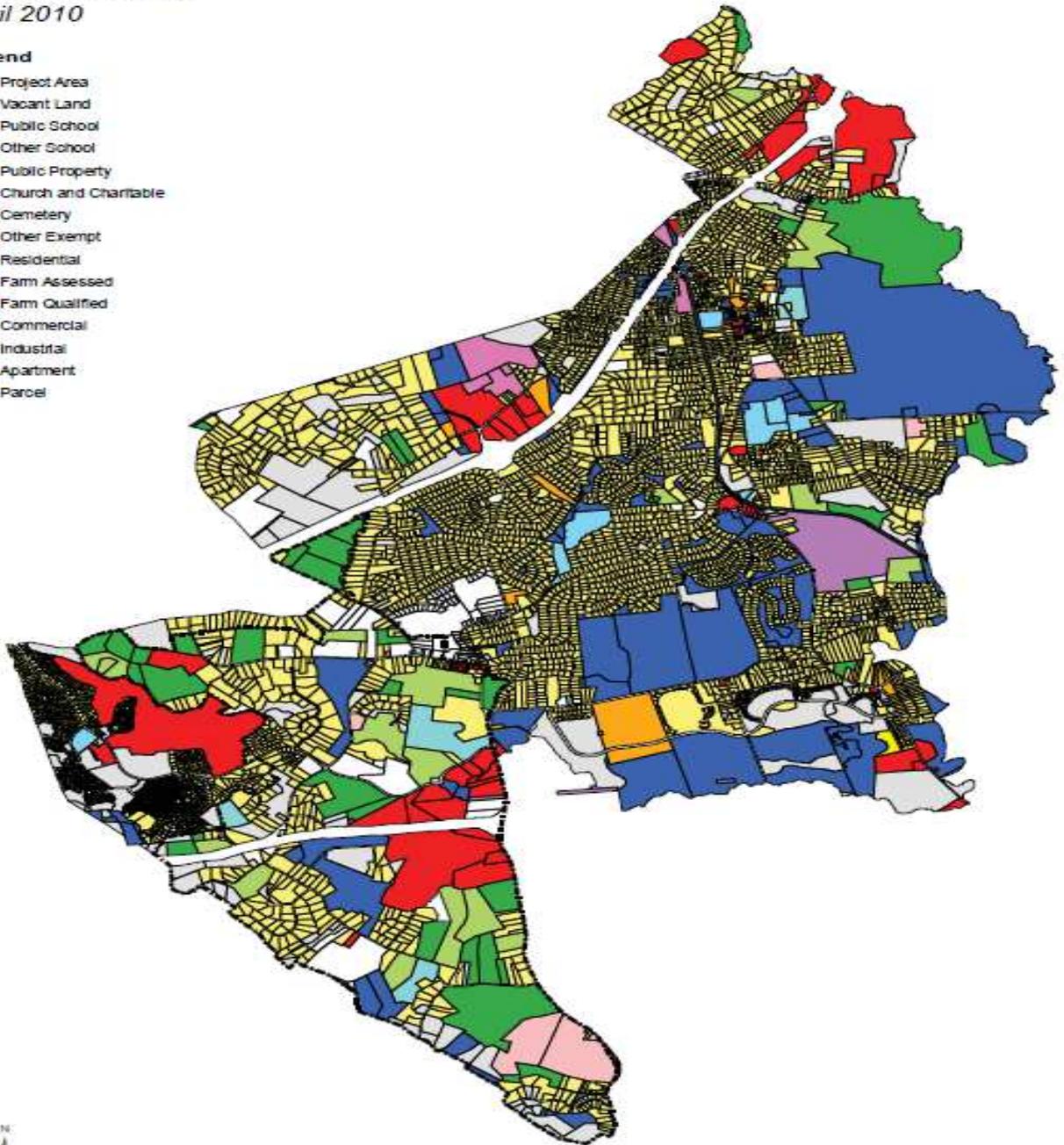
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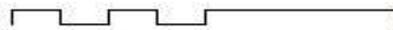
Property Class
*Bernards Township,
 Somerset County*
 April 2010

Figure XII

Legend

-  Project Area
-  Vacant Land
-  Public School
-  Other School
-  Public Property
-  Church and Charitable
-  Cemetery
-  Other Exempt
-  Residential
-  Farm Assessed
-  Farm Qualified
-  Commercial
-  Industrial
-  Apartment
-  Parcel



 Miles

Data Source:
 Bernards Township

BANISC
 ASSOCIATES

Figure 4 Property Class

Bernards Township Master Plan Goals and Objectives

The Bernards Township Master Plan, adopted in 2010, cites the following goals and objectives that this Redevelopment Plan seeks to advance and build upon through the redevelopment of the Quarry:

Master Plan Goals:

1. To protect neighborhood and community character and to retain and improve on the attractive streetscapes throughout the Township.

This redevelopment plan seeks to protect existing neighborhoods and community character and improve on Bernards' attractive streetscapes through the adaptive reuse of the quarry landscape and future lake utilizing careful siting and design techniques for a mix of uses that will be served by context-sensitive, pedestrian-friendly streetscapes that complement Bernards' extensive network of attractive neighborhood streetscapes.

2. To promote and encourage social comity, civic responsibility and neighborliness, which are key quality of life indicators in Bernards.

This redevelopment plan establishes a framework for future development that will encourage social comity, civic interaction and promote neighborliness among the neighborhoods for future residents and mixed use and recreation areas that are designed to serve Bernards' existing residents and visitors to the community.

3. To promote sustainable practices in the design, construction and operation of public and private facilities.

This redevelopment plan requires private development and maintenance of infrastructure and public access areas that also incorporates limited public infrastructure development to advance cost-effective redevelopment, positive ratable growth and beneficial economic land uses while at the same time providing residents with opportunities for recreation, outdoor enjoyment, entertainment and appreciation of the reclaimed quarry environment.

10. To maintain sufficient flexibility in development regulations to permit a variety of housing types serving a broad range of income levels.

This redevelopment plan responds to the evolution of development trends and market demand toward a diverse range of housing at varied costs to serve the need of existing and future residents by providing alternatives to the Township's traditional neighborhoods with single-family detached homes. This plan provides for a mix of neighborhoods including relatively modest-scale single-family detached housing, attached housing and rental flats in a mixed-use configuration that will serve those within emerging demographic groups of diverse income ranges, such as the Township's "empty nesters", the millennial population and smaller families. The mix

of housing provided also recognizes affordable housing needs within an overall density that is designed to be economically feasible from a development perspective recognizing the substantial redevelopment costs associated with adaptive reuse of the post quarry mining landscape that remains since quarry operations have ceased. Recognizing the Township's constitutional affordable housing obligation, this plan envisions a limited range of affordable housing choices, including group homes, veterans housing and family rental housing to be situated among the diverse range of housing choices that will be provided in new planned neighborhoods in the quarry.

14. To maintain a high level of citizen involvement in the land use planning process based on an informed citizenry.

The Bernards Township Committee's Redevelopment planning process involved the creation of a task force to identify local redevelopment goals and objectives for the quarry, which were presented at regular Township Committee meetings and informal public information meetings for outreach to Bernards' citizens and to gain citizen involvement in the process. Guiding redevelopment principles, goals and objectives for the quarry redevelopment that were gleaned from this process, which this Redevelopment Plan seeks to advance, include:

1. A permanent cessation to quarry operations;
2. Improved quality of life for Bernards Township's residents;
3. An environmentally friendly and sustainable redevelopment of the quarry that:
 - Includes a pedestrian friendly design with walkability and connectivity throughout and among uses in the redevelopment area and linkages to surrounding neighborhoods;
 - Provides comprehensive and efficient connectivity serving conventional vehicular access, pedestrians, bicyclists and the commuters utilizing the Lyons station;
 - Is consistent with Bernards Township's Green Building and Environmental Sustainability Plan Element of the Master Plan
 - Includes innovative environmentally-friendly design in all aspects of development, including stormwater management, community infrastructure (utilities, roads, lighting, etc.), parks, landscaping and buildings;
 - Minimizes soil importation and truck traffic to accommodate redevelopment through careful site design;
 - Enhances habitat including native plants and wildlife;
4. A usable private lake that allows for public access with:
 - A privately managed lake with limited public access that eliminates Bernards Township's liability and maintenance obligations

- Water-based recreation with safe public lakeside access
 - Ongoing lake water quality monitoring.
5. A fiscally-responsible plan that yields positive economic and fiscal impacts for Bernards Township’s residents;
- Assess and quantify impact to school age population
 - Establish privately built and managed amenities that allow public use
 - Allow for a variety of uses that will result in a positive fiscal impact on the Township’s tax base
 - Must be fiscally positive
 - Create employment
 - Improve and diversify local economic activity
6. A variety of uses, such as “live”, “work”, “play” uses to ensure future viability of the community, including.
- Mixed Uses with a variety of non-residential and residential uses designed to enhance the quality of life for Bernards’ residents as well as for economic utility to enhance the Township’s tax base and ensure redevelopment economic viability;
 - A mix and choice of housing and neighborhoods for a range of ages and needs, including:
 - Empty Nesters
 - Millennials
 - All ages

Public comment received during the Township Committee’s public outreach efforts reinforced these basic redevelopment principles, goals and objectives, specifically including:

- Lake Water Quality – Monitor water quality in the new lake through a comprehensive lake management program.
- Attract millennials, by including commercial/hospitality features not currently available in the Township, such as an authentic local natural craft brewery.
- Allow for mixed use development providing a mix of parks and restaurants and other opportunities to meet, socialize and dine outside, including public gathering spaces.
- Adopt a redevelopment plan that will heal wounds on the landscape.
- The Committee also received public comment that the mixed-use redevelopment objectives advanced during public sessions are very encouraging to some members of the public;

This redevelopment plan also seeks to further the following Master Plan objectives:

Land Use and Management Objectives

2. The densities and intensities of permitted development on the limited remaining vacant lands should respect the environmental capabilities and limitations of these lands.
4. To plan for a reasonable balance among various land uses that respects and reflects the goals of the Master Plan.

Community Facilities and Infrastructure Objectives

4. To the maximum extent practical and legal, all future development should pay its proportionate share of any required off-tract improvements for community facilities and infrastructure.
5. Within the designated sewerred areas of the Township, development should be limited so as to not exceed the capacity of the sewage treatment plant.
7. All future development that increases lot coverage should be designed to reduce stormwater runoff to protect existing and future residents against flooding, to reduce erosion and protect water quality and to promote aquifer recharge
8. Township design standards for infrastructure improvements, both private and public, should include considerations for sustainable design features and minimizing future maintenance costs.

Recreation/Open Space Objectives

1. A wide range of recreational facilities should be provided and adequately maintained to meet the needs of all Township residents.
7. Continue to promote and enhance local stewardship of open spaces.

Traffic and Circulation Objectives

3. Pathways for walking and biking, serving as connections between community facilities (commercial and employment and historic sites, parks, playgrounds, schools, transportation nodes) should be encouraged and considered in all site plan and subdivision applications.
7. Additional sidewalks and bikeways should be considered to connect residences with major pedestrian generators and destinations (schools, recreational facilities, shopping, etc.).
8. The Township should continue to require off-tract improvements from developers to provide additional road capacity as needed.
9. The Township should continue requiring pedestrian circulation ways where appropriate and to connect with major pedestrian generators.

10. Improve pedestrian friendliness throughout Bernards, and especially in the historic settlements of Basking Ridge, Liberty Corner and Madisonville.

Housing Objectives

1. To maintain a reasonable diversity of housing to serve diverse household needs.
2. To continue to meet the Township's commitment to providing its fair share of low and moderate-income housing.
3. To maintain the affordability of low- and moderate-income units within the community.

Nonresidential Development Objectives

1. Nonresidential development should be planned for appropriate areas where it will be compatible with and not adversely impact residential development within the Township.

2. Office zoning should be limited to maintain a balance of uses and to reduce traffic impacts on existing and planned Township infrastructure and the effects of noise, glare and light spill-over on the quality of life in residential neighborhoods.



3. Strip commercial development should be discouraged through stringent site planning standards including the use of common driveways, common rear yard parking areas and unified sign plans.

4. Retail shopping opportunities in the existing business zones should be strengthened by restricting office uses from ground floor areas.

6. Future uses for the quarry that can preserve open space and protect the Long Hill ridgeline should be explored.

Environmental Resources Objectives

1. Identify and protect environmentally sensitive areas within the Township, including moderate and steep slopes, wetlands, flood plains, water bodies, ridge lines and areas of significant vegetation.

2. Preserve ridge lines in their natural state. Roof lines should be kept below the ridge line to preserve distant views and significant vegetation along the ridge lines should be maintained.

5. Require conservation easements on environmentally sensitive areas in private ownership to prevent future disturbance.

7. Utilize native vegetation as replacement plantings in areas of disturbance.
12. Maintain and/or provide natural vegetation in stream corridors and buffer areas in order to maintain and improve water quality, wildlife corridors and opportunities for passive and active recreation.
13. Plan and manage land uses to preserve, protect and enhance surface water and groundwater quality, in part by managing the impacts of development on headwaters tributaries.
14. Preserve and protect the high-quality waterways in the Township from point and non-point source pollution. Wherever appropriate, Best Management Practices (BMP's), such as, but not limited to, buffering, created wetlands, multistage storm water treatment systems, drywell infiltration systems for groundwater recharge, and storm water bio-retention strategies, should be used to maximize groundwater recharge and protect downstream public drinking water supplies.

Agriculture & Farmland Preservation Objectives

1. Promote a better environment for agriculture to continue as a business by preserving as many agricultural operations as possible, utilizing a variety of land preservation techniques.
2. Analyze issues affecting the survival of economically viable agriculture in Bernards and identify strategies to support the survival of viable farming operations and family farms.
3. Develop strategies focused on maintaining agricultural activities in the community including promoting farming, encouraging future farmers and citizenry to participate in this necessary industry.

Compatibility with Other Planning Efforts

2. The Township Master Plan should take into account Somerset County Master Plan and the State Development and Redevelopment Plan, as well as other State and County planning documents.

Conclusion: Substantial Consistency with Master Plan

The Quarry Redevelopment Plan seeks to advance a range of general goals for the community that are articulated in the Master Plan (and cited above), and the Plan seeks to advance the goal of maintaining a stable tax base, while at the same time incorporating these additional general goals for maintaining a high-quality of life:

1. To protect open space,
2. To connect neighborhoods with pathways/greenways,

3. To encourage coordinated access and control traffic impacts,
4. To create recreation, entertainment and commercial resources accessible to residents of all ages, including youth, families and aging adults, and
5. To protect community character through thoughtful and deliberate redevelopment of the Quarry that will establish new neighborhoods and residential, commercial, recreation and employment uses as an asset to the community.

1.5 Quarry Redevelopment Plan Consistency with LRHL:

At N.J.S.A. 40A:12A-7, Adoption of redevelopment plan, the LRHL identifies the requirement that “The redevelopment plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area [Non-condemnation Redevelopment Area] sufficient to indicate” consistency with N.J.S.A. 40A:12A-7 a.(1)-(5). Statements addressing consistency with this requirement of the statute are provided below:

Consistency with N.J.S.A. 40A:12A-7 a. (1). Relationship to definite local objectives.

As indicated above, the Quarry Redevelopment Plan has a strong relationship to Bernards Township’s local objectives as pertain to land use, density of population, and improved traffic and access to public transportation and as are identified in the Bernards Township Master Plan and have been developed through the public Quarry redevelopment planning process. The Plan calls for the development of public utilities, recreation and community facilities and a comprehensive network of primarily private improvements to serve the redevelopment of the quarry and public access to a range of commercial, recreation, and quasi-public facilities for the benefit and use and enjoyment of all residents, which are described below.

Consistency with N.J.S.A. 40A:12A-7 a. (2). Proposed land uses and building requirements.

This redevelopment plan establishes the land use and building requirements for the Quarry Redevelopment Plan Area which is also referred to herein as the Quarry Redevelopment Plan Zone (QRP Zone), which calls for a variety of residential, commercial, office, recreation and open space uses, which are depicted on the Conceptual Redevelopment Plan (Exhibit 1) below.



Quarry redevelopment authorized under this Redevelopment Plan will include mixed use configurations of different types of uses, some of which may be combined under one roof, and some of which may be mixed within areas delineated with the Quarry Redevelopment Plan Zone (also referred to herein as the “Quarry Redevelopment Zone”) as sub-districts within the zone. The Redevelopment Plan is guided by a general concept development plan that depicts the approximate arrangement and distribution of uses in the QRP Zone within four subdistricts: the Mixed Use, Mixed Residential, Cottage and Agritourism & Recreation Subdistricts, which will be designated within the Quarry Redevelopment Plan Zone. The proposed land uses depicted on the Conceptual Redevelopment Plan for the Quarry Redevelopment Plan Zone are summarized, as follows:

Agritourism & Recreation District

- Restaurant: 7,500 SF – 15,000 SF;

Cottage Residential District

- Multi-Family Dwellings / Townhouses: 28 Units;
- Single-Family Detached Dwellings: 47 Units;

Mixed Residential District

- Multi-Family Dwellings / Flats: 30 Units;
- Multi-Family Dwellings / Townhouses: 45 Units;

Mixed Use District

- Non-Residential Development:
 - Hotel / Rental Suites: 100 – 250 Rooms/Suites;
 - Office: 60,000 SF (Mixed Use Building Configuration);
 - Retail/Restaurant/Service Mixed Use: 20,000 SF - 30,000 SF (Lakefront Development);
 - Retail/Restaurant/Service/Market: 110,000 SF (Mixed Use Buildings);
- Residential Development:
 - Rental apartments: 50 Units (Mixed Use Building Configuration); and
 - Affordable housing: 35 Units (Mixed Use Building Configuration).

In addition to these proposed land uses, this Redevelopment Plan calls for a variety of Public Use and Access Improvements to be provided, as follows:

Lakefront Recreation uses:

1. A boardwalk/pier shall be provided at the edge of the lakefront. Nonresidential lakefront development may be organized along the boardwalk/pier, a portion of which may be developed beyond water's edge surrounded by the boardwalk/pier.
2. An amphitheater shall be developed at lakeside for outdoor performances and civic gathering, including concerts, shows, movies and similar outdoor activities.
3. Lakefront open space including a trail network for access to the lakefront, waterfront appreciation and limited recreation activities.

Roads and paths

1. A comprehensive network of public access roads shall be provided including private residential streets and through-tract roads, which shall include access to Stonehouse Road and Pond Hill Road. Pond Hill Road access shall be developed through the existing 50' public right-of-way that was previously approved as a stub for access between the quarry tract (the Cottage Residential District in this Plan) and Tall Timber Lane for through access to Pond Hill Road.

2. Meandering walking trails shall be developed through and around the perimeter of the tract, including through the Agritourism and Recreation District, which shall be connected to cross- and through-tract pathways developed within the Mixed Use, Cottage and the Mixed Residential Districts.
3. A path along the Stonehouse Road frontage shall be provided, however, subject to Planning Board approval, an alternative pedestrian alignment or connection, such as a path toward achieving pedestrian access on the east side of Stonehouse Road to Lyons and South Finley Avenue, may be accepted in-lieu of the path.

Off-tract improvements

1. The existing public path along Stonehouse Road shall be improved by the redeveloper to a width of 8' and resurfaced to a standard acceptable to the Township Engineer to provide safe, enhanced access to South Finley Avenue. Appropriate traffic control shall be added to facilitate safe pedestrian and commuter movements across Stonehouse Road to the existing pedestrian path.
2. A sidewalk and stairs connecting South Finley Avenue to the Lyon's NJ Transit Station shall be constructed by the redeveloper in the vicinity of the railroad overpass on South Finley Avenue.
3. Walking and bicycle path connections through the tract and extending off tract to Pond Hill Road and to and across Stonehouse Road shall be constructed by the redeveloper. Appropriate traffic controls shall be installed as may be required by the Planning Board.

The building requirements to guide redevelopment within the Quarry Redevelopment Zone and its sub-districts are detailed in Appendix A of this Plan. Additional requirements that will guide Quarry redevelopment site plan and subdivision approval are detailed in the narrative portion of this Redevelopment Plan in Section 4, Site Planning and Design (below).

Consistency with N.J.A.S.A. 40A:12A-7 a. (3). Temporary or permanent relocation of residents.

This plan involves the redevelopment of vacant land including no residential occupants or residential uses that will be displaced. This statutory standard is not applicable to the Quarry Redevelopment Plan.

Consistency with N.J.A.S.A. 40A:12A-7 a. (4). Acquisition of land.

This statutory standard is not applicable to the Quarry Redevelopment Plan because this plan envisions no public acquisition of land within the Quarry Redevelopment Zone.

Consistency with N.J.A.S.A. 40A:12A-7 a. (5). Other planning considerations.

Significant relationship to:

(a) Contiguous municipalities – The Quarry Redevelopment Zone is not contiguous to municipalities adjoining Bernards Township. As such, there is no significant relationship between the Quarry Redevelopment Plan and the master plan of a contiguous municipality.

(b) The master plan of the County – The Quarry Redevelopment Zone is situated within the “Growth Management” category as depicted on the Somerset County Land Use Management Map in the 1987 Somerset County Master Plan. The Quarry Redevelopment Plan advances several goals and land use management policies set forth in the Somerset County Master Plan beginning on page 17 of the Plan, including:

Goal #3. To continue planning for large blocks of contiguous open space to provide for multiple public purposes such as active and passive recreation space, water supply, storm water control, wildlife habitats, visual breaks between areas of development, sites for major county and state facilities, and areas to separate agriculture from nonagriculture uses.

Goal #4. To relate development activities to long-range trends and the essential utilities and services necessary to support future development in an economical and environmentally-sound manner.

Goal #5. To focus future development opportunities in and around logical areas of existing development by encouraging a variety of housing types, convenient employment opportunities, and investments in utilities and transit facilities in defined areas. The effort should be to prevent further sprawl development by increasing the capacity and efficiency of existing core areas of development in order to attract and accommodate new development.

Goal #6. To discourage sprawl development patterns, and to that end, discourage the extension of water, sewer and highway systems into areas considered inappropriate for development. Public and quasi-public investments should be directed to upgrading and providing additional capacity to the existing systems by modernizing them, improving their capacities, replacing deteriorated sections and, in the case of water and sewer systems, minimizing leaks, expanding treatment capacities and improving the quality of potable water and the quality of effluent before it is discharged into the ground or the rivers and streams.

Goal #8. To preserve a safe, healthy and visually pleasing environment by encouraging the wise use of natural resources; preventing development in environmentally sensitive areas such as steep slopes, floodplains, and wetlands and preserving them through appropriate maintenance easements and dedications as common property or public open space; fostering building and landscape designs that encourage visually pleasing

buffers, facades, and spatial relationships; and providing opportunities for economical, safe and environmentally-sound programs for disposing of sanitary, solid, toxic and hazardous wastes.

Land Use Management Policy #1. Maintain a balance between housing, jobs and support services.

Land Use Management Policy #3. Maintain adequate open space/recreation.

Land Use Management Policy #5. Promote mixed-use and high-quality design standards.

The redevelopment policies, strategies and provisions of this Redevelopment Plan are consistent with and advance the County Master Plan Goals and Land Use Management Policies cited above.

(c) The State Development and Redevelopment Plan (SDRP) – The Quarry Redevelopment Zone is situated within Planning Area 2, the Suburban Planning Area, in the State Development and Redevelopment Plan (SDRP), where the intent of the SDRP is to:

- Provide for much of the State's future development.
- Promote growth in center-based developments by increasing densities and employing attractive community design to encourage more compact forms of development.
- Protect the character of existing stable communities.
- Promote increased coordination and integration of transportation planning and land-use decision-making.
- Encourage multi-modal transportation alternatives to the automobile.
- Protect natural resources.

SDRP adopted planning policies and recommended strategies are substantially advanced by this Redevelopment Plan, as highlighted in the following SDRP policy and strategy excerpts:

#1. Revitalize the State's Cities and Towns – Revitalize New Jersey's cities and towns by investing wisely and sufficiently in improvements in their infrastructure systems, employing public spending programs, tax incentives and regulatory programs to leverage private investment and to encourage infill and redevelopment in ways that are consistent with the State Plan's vision and goals.

The Quarry Redevelopment Plan is designed to revitalize and reclaim the post-industrial quarry landscape that has been left behind on the 179± acre site. Remaining quarry lands are an infill development opportunity envisioned for revitalization in the SDRP.

#3. Promote Beneficial Economic Growth – Promote beneficial economic growth in locations and in ways that improve the quality of life and the standard of living for all New Jersey residents. Provide infrastructure in advance of, or concurrent with, the impacts of new development sufficient to maintain adequate facility standards. Encourage partnerships and collaborative planning with the private sector and capitalize on the State's strategic location, and economic strengths including its existing business enterprises, entrepreneurship, the research and development capacity of its institutions of higher learning, skilled workforce, cultural diversity and logistic facilities in ways that are consistent with the State Plan's vision and goals.

The Quarry Redevelopment Plan is aimed at improving the quality of life for all of Bernards' residents by promoting a diverse and varied mix of economically beneficial residential, commercial, retail, office, recreation and open space uses. The Quarry Redevelopment Plan capitalizes on the Township's excellent strategic location in New Jersey and its economic strength as a stable community, which is consistent with the PA2 intent to promote center-based planning within the vacant quarry site and to protect the character of Bernards Township, an existing stable community.

#5. Economic Development – Promote beneficial economic growth to improve New Jersey's quality of life and standard of living by encouraging economic development through facilitating access to capital, supporting research and development, promoting appropriate education and training, building strategically upon the State's economic and geographic strengths, and influencing the location of employment activities in proximity to affordable and workforce housing, accessible to multi-modal transportation alternatives with facilities that are planned and constructed in environmentally sound ways, and in accordance with the vision and goals of the State Plan.

The Quarry Redevelopment Plan seeks to promote economic growth to improve quality of life and the standard of living in the Township by diversifying housing choices, establishing increased accessibility to mass transit, providing infrastructure that encourages other modes of transportation (pedestrian and bicyclist) and requiring environmentally sound design through reclamation and revitalization of the quarry.

#6. Housing – Preserve and expand the supply of safe, decent and reasonably priced housing while meeting the constitutional mandate with respect to affordable housing through improved planning, regulatory reform, supportive infrastructure investments, housing subsidies, tax and discounted fee incentives and municipal property tax relief in ways that are consistent with the vision and goals of the State Plan.

The Quarry Redevelopment Plan provides for a variety of reasonably priced housing choices, including a modest component of affordable housing through mixed-use design options that are not currently widely available throughout the Township.

#8 Ensure Sound, Coordinated and Integrated Statewide Planning – Ensure sound, coordinated and integrated statewide planning using the State Plan as a guide to planning and growth related decisions at all levels of government in ways that are consistent with State Plan’s vision and goals.

SDRP strategies are brought into focus with the following strategy descriptions:

#19. Designing More Sustainable Built Environments – Tailor community design, intensity and form to fit with local needs that may vary from urban centers to first suburbs in need of redevelopment to retrofitting newer suburban communities to center-based development for rural and environmentally sensitive areas to create spatially defined, visually appealing and functionally efficient places with respect to each of those different contexts in ways that help to create a distinctive identity, build to human scale and establish a sense of place that enhances economic viability and includes circulation patterns that facilitate multi-modal transportation alternatives to the automobile in ways that are consistent with the vision and goals of the State Plan.

The Quarry Redevelopment Plan is tailored to advance specific community design objectives including spatially defined, visually appealing and functionally efficient development. The plan is designed to effectuate adaptive reuse of a barren post-industrial quarrying landscape and create a human sense of place similar to SDRP center-based planning principles. The variety of mixed use development options provided for in the Plan are designed to create a distinctive identity, and at the same time promote multi-modal transportation and circulation throughout the quarry and with connections to adjacent community destinations including mass transit at the Lyons Station.

Summary of SDRP consistency - The Quarry Redevelopment Plan is substantially

consistent with and promotes a variety of SDRP policies and strategies consistent with the planning intent for Planning Area 2, the Suburban Planning Area, within which the Quarry Redevelopment Area is situated. Redevelopment permitted uses and design standards are aimed at replacing and effectively reclaiming and revitalizing the Quarry post-industrial landscape that remains after over 100 years of resource extraction from the site. The overall aim of this Redevelopment Plan is to revitalize the quarry in a way that promotes enhanced quality of life experiences and economically-beneficial development for the community. This is all consistent with SDRP planning goals and objectives.

Consistency with N.J.S.A. 40A:12A-7 b. Affordable Housing.

This Plan includes a requirement for the provision of 35 units of affordable housing. This is based on the accepted 15% affordable rental housing formula that applies to developments that address the municipal Fair Share Obligation, which is included to address a portion of the Township's affordable housing obligation.

Consistency with N.J.A.S.A. 40A:12A-7 c. Relationship to Development Regulations

Relationship with existing municipal development regulations / Amendment to Bernards Township Zoning Map – This redevelopment plan establishes redevelopment regulations that replace the existing M-1 Mining Zone, which is the zoning designation for the quarry tract. The M-1 Mining Zone designation was designed for stone quarrying until such time as all quarrying activity has ceased and the quarry use abandoned. Upon cessation of quarrying operations, the M-1 Zone allows development of single-family detached dwellings on two-acre lots. This Redevelopment Plan anticipates a markedly different land use approach to post-quarrying operations that incorporates new mixed-use development and public access uses into the future use and redevelopment strategy of the quarry.

Consistent with N.J.S.A. 40A:12A-7 c, the Quarry Redevelopment Plan supersedes the M-1 Zone provisions of the Land Development Ordinance for the Redevelopment Plan Area. The Land Development Ordinance is hereby amended by replacing the M-1 Zone regulations with the Quarry Redevelopment Plan.

Bernards Township Zoning Map Amendment – The Ordinance adopting this Plan specifically amends the Bernards Township Zoning map included in the zoning ordinance. The zoning district map shall indicate that the Quarry Redevelopment Plan Zone (QRP Zone) regulations apply for Block 6001, Lot 6 – the Quarry Redevelopment Area; the M-1 Zone regulations are replaced. Consistency with N.J.A.S.A. 40A:12A-7 d. – Master Plan.

N.J.S.A. 40A:12A-7. d. provides, as follows:

“All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not

designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.”

The Quarry Redevelopment Plan is substantially consistent with and advances numerous Master Plan Goals and Objectives that are identified in the section above entitled “Bernards Township Master Plan Goals and Objectives”, as such the Governing Body is authorized to adopt it. The reasons for adopting this redevelopment plan are explained throughout this Plan, however, the primary reason for adopting this Redevelopment Plan to replace existing M-1 Zoning is summarized as follows: to redevelop the quarry with a mix of uses and development intensities that (1) address a broad range of housing choices, including affordable housing, (2) provide public recreation and public access to the lakefront that will be established in the quarry, (3) broaden and expand the supply and availability of commercial, retail, restaurant and hospitality uses capable of providing Bernards’ residents with enhanced quality of life experiences and opportunities, (4) expand the municipal employment base, (5) expand the tax ratable base of the community by providing for economically beneficial adaptive reuse of the now inactive quarry site, and (6) create a mixed use, vibrant addition to the community in a fashion that emulates the mixed use principles that make the historic villages of Basking Ridge and Liberty Corner the quality of life cornerstones of Bernards Township.

Bernards Township has a long history of proactive sustained planning that has advanced most of these and other Master Plan objectives. The mixed-use objectives of this Plan are established as a comprehensive planning strategy for redevelopment of the quarry to create a vital and exciting combination of land uses and experiences for Bernards’ residents, expand the municipal tax base and opportunities for employment, diversify housing choices and opportunities for outdoor recreation, and at the same time address a portion of the Township’s affordable housing obligation. Bernards Township’s planning initiatives, such as this one, have historically resulted in growth of the residential portion of the municipality, economically beneficial and attractive commercial and employment centers, protection of the existing mixed-use historic centers of Basking Ridge and Liberty Corner, which are the pride of the community, and environmental protection of the Township’s natural landscape and ecosystems. The Township’s sustained planning and implementation of comprehensive plans, such as this redevelopment plan, increased the supply of extensive and widely distributed public open spaces, created a comprehensive system of parks, expanded recreation facilities serving all age groups and established an extensive path and bikeway network all of which has raised and sustained a high-quality of life for Bernards’ residents. Concerns for public safety, community character and the livability of historic village areas have included effective strategies such as traffic calming and context sensitive architecture and design in Bernards Township focused on protecting community character. This Redevelopment Plan advances these and additional community development and protection objectives in a comprehensive redevelopment strategy to redevelop the 179-acre barren quarry and incorporate the site into the community with durable viability and tangible community of life improvements in the community.

1.6 Vision, Goals and Context for the Redevelopment Area.

This Redevelopment Plan establishes Bernards Township's vision for redevelopment and a roadmap for transformation of the former Millington Quarry and the barren landscape that exists today. The Redevelopment Plan addresses opportunities and constraints specific to the site, identifies future uses, spatial orientation and distribution of future development with an overall redevelopment design and an implementation strategy for new residential and economically beneficial land uses that complement and reinforce Bernards Township's diverse and desirable community character. The Redevelopment Plan seeks to manage impacts to adjoining neighborhoods and the community as a whole through careful site design. The provisions of the Plan seek to ensure that redevelopment of the quarry proceeds in a coordinate fashion.

1.7 The Vision for Redevelopment.

Bernards Township vision for the Redevelopment Area is a mixed-use community that stimulates economic opportunity, regenerates natural systems and provides a high quality of life and social well-being nestled into the fabric of Bernards Township. Mixed use is modeled and embraced in this Plan to emulate the success of the centuries' old design of Bernards' two premier examples of mixed use in the community: Basking Ridge and Liberty Corner. This plan certainly embraces the mixed-use strategy in a modern era. The Plan is to create the kind of economic and social viability and desirability of these two historic villages through contemporary design and the most up-to-date land use practices by embracing the challenge of reclaiming the now vacant post-industrial quarry landscape with innovative planning.

2.0 REDEVELOPMENT STRATEGY.

2.1 Goals and Objectives.

The following broad goals and more specific objectives will guide the redevelopment process. The goal is to provide a robust mixed-use development that regenerates ecologies, enhances social and cultural values, and stimulates sustainable economies. Objectives to obtain said goals include:

- To provide additional community open space with public access for recreation and ecological diversity.
- To establish long-term viability of the Redevelopment Area and protect adjoining neighborhoods.
- To promote the economic health of Bernards Township within the region.
- To yield fiscal benefits to Bernards Township.
- To create sustained vitality and durability of future development of the quarry through higher-density residential, pedestrian-friendly uses and infrastructure

for alternative modes of transportation consistent with smart growth planning principles.

- To provide opportunities for new construction employment and new permanent employment within the Township.
- To establish new commercial and residential uses that will expand the level of all business activity within the Township.
- To increase the Township's economic base by redeveloping and reclaiming this underutilized and unproductive property.
- To establish an aesthetically attractive, cohesive and functionally vibrant built environment through high-quality design and construction guided by architectural standards and a spatially coordinated Redevelopment Plan.
- To create a destination with a distinct identity, an inviting streetscape, engaging public spaces, architecturally coherent and harmonious built elements and interesting and varied uses that result in a strong sense of place within the community.
- To create distinctive and inviting gateways into the site that establish identity and a sense of place within the community.
- To punctuate the sense of place with a boulevard and a comprehensive internal network of streetscapes linking site uses, areas and neighborhoods, and including an internal pedestrian network that connects to areas outside of the Quarry.
- To plan and design building height-to-street-width ratios appropriate to the type of development envisioned and to create internal blocks of development and neighborhoods inspired by sound community design principles.
- To provide a network of well-designed public open spaces and public access areas throughout the Redevelopment Area that are connected to the greater community.
- To Plan and design redevelopment to be environmentally, economically and socially sustainable.
- To plan land uses and development intensities that are both beneficial to the community and marketable for the developer.
- To secure municipal fiscal benefits from Redevelopment of the quarry.
- To incorporate environmentally-sustainable and regenerative alternatives into the design wherever practicable, including:
 - Emerging energy efficiency or renewable energy technologies in buildings and site design
 - Low or no impact materials
 - Cradle to cradle regenerative design principles
 - Regenerative ecological strategies

3.0 LAND USE, DEVELOPMENT YIELD, BULK AND PARKING.

This Redevelopment Plan shall supersede Bernards Township's Land Use Ordinance in the event of conflicts between the ordinance and this Redevelopment Plan. The general standards set forth in the Bernards Township Land Use Ordinance shall continue to apply except when inconsistent with the standards set forth in Appendix A. The Conceptual Redevelopment Plan (Exhibit 1) is intended as an illustrative plan and is not meant to be a precise blueprint for redevelopment. This Plan envisions that the conceptual plan will guide the process and the Planning Board may allow deviations from the conceptual plan to the extent that such deviations are consistent with the themes of the overall conceptual plan. Nonetheless, the relationships among and between uses and the proportions of various uses within the redevelopment are intended to be followed as reasonably practicable. The Governing Body intends that in the future this Redevelopment Plan will be incorporated in and will amend the BTMP, Land Use Plan Element, Future Land Use Map, and Housing Element and Fair Share Plan.

The intent of this Plan is to redevelop the site in a way that will complement and enhance the aesthetic character of the adjacent neighborhoods with a design that will improve walkability and create a network of "complete streets" that offer safe, functional, and attractive alternatives to conventional vehicular travel.

4.0 Site Planning and Design.

The Quarry Redevelopment Zone (QRP Zone) is composed of one Zone with four subdistricts shown on the conceptual plan, described as follows:

4.1 MIXED-USE DISTRICT: Permitted development within the Mixed-Use District is a complex, yet unified, array of uses designed to enhance quality of life in Bernards Township by permitting development in a spatially efficient, mixed use setting.

The Mixed-Use District allows for most of the site to remain open and undeveloped and to concentrate development in certain areas where higher density development will be encouraged, providing an opportunity for a diversity of uses in these locations to support the Redevelopment Plan's vision and goals. The Mixed-Use District occupies the largest area of the property to be developed with direct access from Stonehouse Road on its western boundary and from Pond Hill Road on the east boundary of the tract. Within this district, this plan provides for diversity in housing, office, retail, recreation and open space blended with close-knit development, expansive open space and naturally attractive scenic landscapes to promote walkability, character and a strong sense of place as the fabric of the community.

Housing will be attached within the Mixed Use District, and situated above first floor nonresidential uses. Attached housing will be incorporated among nonresidential uses in the district. The attached housing will include outdoor amenities that provide light and air for the residences, including porches and terraces, which may include roof-top terraces, for residents to have access to the outdoors as part of this lifestyle choice. Up to 50 units of attached

housing (apartments) are permitted within the Mixed Use District, and an additional 35 units of affordable housing are required (15% of all residential units constructed within the QRP Zone), which are envisioned to include 4 – 5 separate group homes (supportive and special needs housing) to serve a variety of needs, housing targeted to the needs of a particular population, such as veterans (10 units), and family rental units.

The Mixed Use District shall include a substantial component of lakefront nonresidential development including restaurant, commercial use and outdoor areas suitable for public recreation, and civic and entertainment experiences. This shall include a boardwalk/pier, an outdoor amphitheater and parkland suitable for outdoor relaxation and appreciation of the lakefront.

Summary of Mixed Use District permitted development:

1. Up to 170,000 sq. ft. of office, commercial, retail and restaurant uses in the southwest portion of the Mixed Use District (south area);
2. A minimum of 20,000 sq. ft. and a maximum of 30,000 sq. ft. of lakefront retail and commercial uses, including lakeside and lakefront restaurants;
3. A Hotel / Hospitality Use with not less than 100 rooms and not more than 250 rooms, which shall include a restaurant and bar of not more than 5,000 sq. ft. and which may include a 2,500 sq. ft. of retail boutique shops on first floor/street level, which 7,500 sq. ft. would be in addition to any indoor/outdoor lounges or seating areas, and service amenities such as a gymnasium or health club facilities that may be included in the hotel/hospitality nonresidential development; and
4. Lakefront amphitheater, boardwalk/pier and open space.

4.2 COTTAGE DISTRICT: Permitted development within the Cottage District is designated on the southeast side of the quarry and extends from the southerly boundary of the quarry tract to the future lakefront encompassing the southeast side of the tract. Development within the Cottage District is limited to detached single-family housing (47 units) and townhouses (28 units). This district will include a complex of open areas and meandering public access paths and trails for pedestrian and bicycle access from the future residences to the lakefront without the need for accessing the local road network. Open spaces and a managed natural landscape, including created wetlands and pockets of natural habitat including dense vegetation will be established within and among the neighborhoods in this District.

4.3 MIXED RESIDENTIAL DISTRICT: The Mixed Residential District is designed to further diversify housing choices within the QRP Zone. Housing shall be organized in a compact arrangement within reasonably close proximity to the future lake and lakeside commercial, entertainment and recreation amenities. Two types of housing shall be provided including flats (30 units) and townhouses (45 units). Within this district, pedestrian access through the neighborhood with connecting linkages to adjoining mixed use areas as well as the local

pedestrian path on Stonehouse Road shall be provided.

4.4 AGRITOURISM & RECREATION DISTRICT: This district encompasses the west and north sides of the quarry tract and all of the lake frontage on the west and north sides of the future lake. This area shall include trails that provide pedestrian access around the future lake that will be connected to the paths and roads in the Mixed Residential, Mixed Use and Cottage Districts and will include portions of complete perimeter access trail around the quarry tract. A restaurant is permitted on the west side of this district in the vicinity of the existing quarry office building (minimum of 7,500 sq. ft. and a maximum of 15,000 sq. ft.) An additional active/adventure recreation use area is envisioned within the Agritourism & Recreation District within the relatively flat area and southeast-facing slopes of the northwest portion of the tract, which may include lakefront recreation uses.

Summary of development permitted / required in these four Districts in the QRP Zone:

- 215,000 SF of office, retail, commercial and service uses;
- A 100 – 250 room hotel/rental suites facility;
- 235 Units of residential housing (including 35 units of affordable housing); and
- Public use & access improvements described above.

Street Locations, Configurations and Parking: Vehicular access to the site shall come from two points of access off Stonehouse Road, and shall include a third point of access from Pond Hill through Tall Timber Lane to be restricted to residential use. This limited access approach to managing traffic through Tall Timber Lane will include restrictions against commercial and construction vehicles with trailers and without trailers. This restriction is intended to limit traffic impacts to existing residential areas. The three access points to the quarry shall be designed to efficiently serve traffic and accommodate visitation to public uses, services and open space within the QRP Zone. The access points to Stonehouse Road shall be situated to minimize disruption of traffic along Stonehouse Road. Pedestrian/trail connections shall also be provided to Overlook Avenue and Tall Timber Lane, utilizing existing rights-of-way linking each road with the quarry site.

The development shall incorporate a boulevard access design and may include on street parking, which may also be incorporated into other access roads. Parking fields, where utilized, shall be situated adjacent to and within reasonably close proximity to the buildings they will serve but shall be arranged to minimize the appearance of large masses of paving and incorporate landscaping as required by the local ordinance and the Planning Board during site plan review.

The roadway network shall be designed to eliminate unnecessary through-traffic within the redevelopment area, such as minimizing commercial traffic through residential areas. For example, the planned hotel / hospitality use shall be directly accessed from the boulevard and not through access roads to residences in the Mixed Residential District.

Streetscape Improvements: The visual and aesthetic character of the new mixed-use development is a very high priority. Development with frontage on the boulevard shall have: continuous buildings with common setbacks that may be slightly staggered at varying intervals; wide sidewalks serving pedestrians and making accommodations for cyclists where appropriate; and a landmark terminus with enhancements for public gathering. Hardscapes, landscape and key site design elements shall be coordinated with building and site design so that primary building facades enliven a pedestrian friendly environment and provide a visually coherent and attractive sense of place.

A streetscape plan shall be required for each component of residential and non-residential development, which shall identify the materials to be used for street, sidewalk and curb construction, the size, species and locations of all street trees and other horticulture materials, and the types and locations of street furniture. Sidewalk areas shall be adequate for the movement of pedestrian traffic through the Redevelopment Area and shall vary in width dependent on intensity and location and shall be of an appropriate width in areas likely to support bicycle traffic. Residential streets or “lanes” shall be designed to minimize their visual and environmental impact.

Efficiently moving vehicular traffic into and across the site via attractive streetscapes is important to the quality of life on site and nearby. Essential to this transit network is the promotion of alternatives to the automobiles such as walking and bicycling routes which shall be integrated into a comprehensive circulation plan for the District that provides access throughout all development and passive open space area in the District. The elements along the boulevard streetscape shall include:

- Continuity of buildings fronted by broad sidewalks,
- Paving materials,
- Sidewalks and shared use trails,
- Seating,
- Bike Racks,
- Trash receptacles,
- Planters and decorative elements,
- Intersection lighting,
- Utility accessories, and
- Mixed use commercial streetscape/sidewalk design shall strive to provide uninterrupted covered sidewalk (for example through the use of building elements or awnings) to accommodate pedestrian movements during inclement weather and outdoor seating areas should be provided where appropriate.

The required elements for the private rural lanes serving residential areas are:

- Narrower pedestrian scale streets for traffic calming and minimal storm water impact.

- Lanes that may terminate with courtyards rather than “loop” together.
- Lanes that may not have curbing or sidewalks, rather pedestrian trails may connect residential areas to the main boulevard and appropriate edge treatments will be utilized in lieu of curbing.
- Lighting shall be limited to preserve dark sky and limit light pollution.

Open Space Elements: The character of open spaces in the redevelopment area will shape the feeling of openness on the site and will offer opportunities for people to enjoy the outdoors and each other. Three types of open spaces shall be provided, including a neighborhood greenway, a perimeter greenway and waterfront access. Open space shall be broken down and provided within each use sector, private lots, public open spaces, public trails, public recreation, private commercial, private multi-family uses.

Building Orientation: Mixed-use buildings shall create a "sense of place" along the boulevard and encourage walkability and a lively pedestrian environment. Multi-story buildings shall create a gateway to communicate a sense of enclosure. All building orientation shall incorporate sustainable development design to the extent economically feasible. As used in this section, ""Sustainable" development, which refers to energy efficient design and construction techniques, is strongly encouraged, but Leadership in Energy and Environmental Design (LEED) certification or other such certifications are not required by this redevelopment plan.

Signage: Signage within the Quarry Redevelopment Zone shall be appropriately scaled and coordinated with the building architecture and streetscape design. The design, materials, lighting, size and placement of signs shall enhance the visual and aesthetic character and contribute to the overall sense of place of the community. All signage shall comply with the general requirements of Sections §21-17.1 and §21-17.2, “Signage”, and shall be included in a comprehensive signage program to be submitted for approval by the Planning Board.

5.0 Redevelopment Actions.

Demolition: The Redevelopment Area shall be completely cleared of existing structures above grade.

New Construction: Construction of new structures and other improvements will take place as proposed in this Redevelopment Plan and approved by the Planning Board in accordance with a schedule for redevelopment approved by the Planning Board. The redeveloper will be required to enter into a Redevelopment Agreement with the Township Committee that stipulates the precise nature and extent of the improvements to be made and their timing and phasing shall be governed as provided therein.

Properties to be Acquired: This Redevelopment Plan does not require Bernards Township to

acquire any privately-owned property within the Redevelopment Area, however nothing in this Redevelopment Plan precludes the Township for acquiring any land or interest that may be deemed appropriate to the goals and objectives of this plan.

Relocation: This Redevelopment Plan will not displace any residents or businesses. Therefore, no relocation is required.

Other Actions: In addition to the demolition and new construction described above, several other actions may be taken to further the goals of this Plan. These actions may include, but shall not be limited to:

1. Provisions for infrastructure necessary to service new development.
2. Environmental remediation.
3. Vacation of public utility easements and other easements and rights-of-way as may be necessary to effectuate redevelopment.

5.1 **Plan Implementation.**

This Redevelopment Plan is the initial step is a multi-step approval and implementation process. The Redevelopment Plan guides the range and intensity of development that will be permitted in the Quarry much the same way zoning controls development in the community today. However, some of the components of the redevelopment implementation process enable the municipality to carefully manage redevelopment outcomes, not all of which are typically available to the municipality under ordinary zoning. The redevelopment implementation process includes:

1. Township Committee adopts the Quarry Redevelopment Plan;
2. Township Committee designates the redeveloper for the Quarry;
3. Township Committee and Redeveloper enter into a redevelopment agreement that addresses a range of issues, such as, but not limited to:
 - a. A schedule for development identifying the timeline for constructing Redevelopment Plan permitted development within the various subdistricts of the Quarry Redevelopment Zone (phasing).
 - b. Requirements and limitations pertaining to construction traffic, the importation of fill soil and topsoil to establish suitable soil conditions throughout the site, commercial traffic restrictions on public roads.
 - c. Identification of conditions pertaining to operations and management of the various components of development permitted in the Redevelopment Plan (i.e. public access assurances, delegation of maintenance responsibilities, liquor licensing, rental agreements and affordable housing requirements, etc.)

- d. Financial agreements that the governing body may deem appropriate, such as a payment-in-lieu of taxes agreement, a municipal service cost remuneration agreement.
 - e. Off tract improvements, such as roadway, pedestrian and bike-way improvements.
 - f. Conditions and specifications regarding water pumping and lake level.
4. Redeveloper applies for normal site plan and subdivision approval from the Planning Board, however, the local approvals will be closely coordinated with the Redevelopment Plan and the Township's Redevelopment Agreement with the Redeveloper; and
 5. Redevelopment construction activities – regulated through the Redevelopment Agreement and Planning Board approvals.

5.2 Administrative Provisions.

Redevelopment activities within the Redevelopment Area shall comply with all requirements in any executed redevelopment agreement between a designated redeveloper and the Township of Bernards and all requirements of Planning Board subdivision and/or site plan approval. Where there may be conflict between the requirements of a redevelopment agreement between a designated redeveloper and the Township of Bernards, and an approval granted by the Planning Board for redevelopment, the redevelopment agreement with the Township of Bernards shall control, subject to technical approval by the Township Engineer.

6.0 General Provisions.

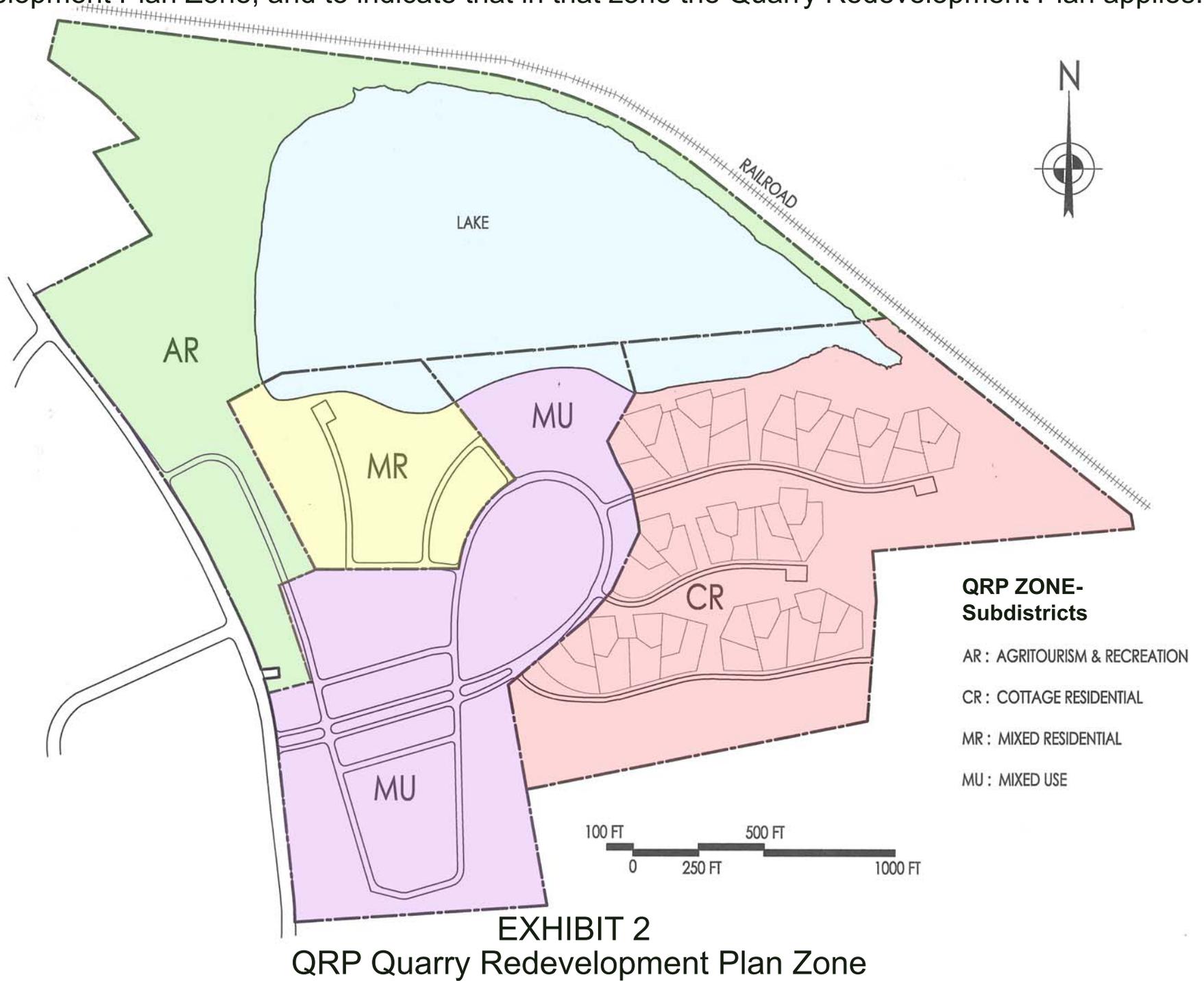
6.1 Amendments to Zoning Map and Land Use Ordinance.

The Zoning Map of the Township of Bernards, as referenced in § 21-10.2.a.1, is revised such that the zoning designation of Lot 6 in Block 6001 is changed from M-1 Mining to QRP Quarry Redevelopment as depicted on Exhibit 2. For purposes of redevelopment, the Redevelopment Area shall be subject to the bulk standards and requirements as described in this Redevelopment Plan including Appendix A.

6.2 Variances and Requests for Design Exceptions.

The Planning Board shall have the authority to grant variances from the bulk and development standards of this plan in accordance with N.J.S.A. 40:55D-70.c.

The Township of Bernards Zoning Map, as referenced in § 21-10.2.a.1, is revised to designate the redevelopment plan area identified on this Exhibit 2 (Block 6001, Lot 6) will be the QRP Quarry Redevelopment Plan Zone, and to indicate that in that zone the Quarry Redevelopment Plan applies.



A proposed deviation from the exact location of any permitted use in the QRP Zone that may vary from the location of the use identified on Quarry Redevelopment Concept Plan and/or the sub-districts identified therein, may be approved by the Planning Board without an appeal to the Board of Adjustment for relief under N.J.S.A. 40:55D-70.d.(1).

The requirements of N.J.S.A. 40:55D-12 shall govern notice of all applications under this Redevelopment Plan, including any obligation to specify required variances and exceptions. All proposed variance relief or design exception relief shall be sufficiently detailed in public notice of applications so as to identify the nature and extent of the relief requested from the Board.

The Planning Board may also grant design exceptions in accordance with N.J.S.A. 40:55D-51. a. & b., as may be reasonable and within the general purpose and intent of the provisions of this redevelopment plan as pertains to subdivision or plan approval of this Redevelopment ordinance, if the literal enforcement of one or more provisions of the ordinance is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

Notwithstanding the above, no variances shall be granted that would permit a use or principal structure not permitted by the Redevelopment Plan, which may be modified by a duly adopted amendment to this Redevelopment Plan.

6.3 Exceptions to New Jersey Residential Site Improvement Standards (“RSIS”).

Notwithstanding the requirements of RSIS, given the nature of the site and the proposed redevelopment contemplated in this plan, the governing body encourages the Planning Board to give consideration to the following alternative standards with an eye toward potentially granting de minimis exceptions from certain RSIS standards to permit such alternative standards if the Planning Board determines that an alternative standard is reasonable and within the general purpose and intent of the RSIS standards and that literal enforcement of the RSIS provision is impracticable or will exact undue hardship because of peculiar conditions pertaining to development within the Redevelopment Area, and, the de minimis exception advances the design goals and objectives of this plan and where, in the opinion of the Planning Board, the alternative standard results in no potential detriment to public safety. Examples of the types of de minimis exceptions that may be granted, include:

- N.J.A.C. 5:21-4.1 Street Hierarchy – The proposed private streets and residential alleys may be considered “rural lanes” for the purpose of applying the design standard, notwithstanding the fact that the residential lots fronting thereon may have less than one acre in lot size or may be unlotted development.

- N.J.A.C. 5:21-4.14.3 Parking: Number of Spaces – A two car garage and driveway combination may count as 4 off-street parking spaces, provided however, that not less than 22' is provided between sidewalks and garage doors in a driveway.
- N.J.A.C. 5:21-4.17(c) Curb construction standards – curbs shall not necessarily be required at drainage inlets along rural lanes.
- N.J.A.C. 5:21-4.19 Street grade, intersection pavement and lighting construction standards – The proposed street grade, curve and intersection design criteria for maximum grade, minimum centerline radius, minimum tangent length between reverse curves and curb radii may be waived to permit private streets that are more consistent with a rural and natural setting.

6.4 **Modification of Height Limitations.**

Given the topography and nature of the site, the Planning Board shall have the authority to modify the maximum building height standards set forth in Appendix A for buildings in the Mixed Use and Mixed Residential Districts, to allow an increase in height that exceeds the maximum building height standards by ten feet or more or 10% or more, where the following criteria are met: (1) the specific architectural design objectives or physical arrangement of buildings of this plan may be advanced by such increases in height and (2) where it is adequately demonstrated to the satisfaction of the Planning Board through the use of cross-sections or other exhibits that such increases in height will not be detrimental to preservation of ridge lines in their natural state, and that the height of roof lines are so designed as to preserve uninterrupted distant views from off site to the extent possible, and that significant vegetation along the ridge lines is maintained. Such increases in height shall be within the express authority of the Planning Board, and not be deemed to constitute a variance, exception or redevelopment plan deviation.

6.5 **Fill and Soil Importation, Truck Traffic**

The use of fill shall be minimized to the extent achievable and any required fill shall be subject to testing for contamination or any substance potentially harmful to humans prior to importation.

Soil importation and placement shall adhere to and follow all procedures for soil importation that are set forth in "Section 2. Soil Importation" and "Section 3 Soil Testing" of the Settlement Agreement and Release, dated the 29th of April, 2014, by and between Bernards Township and Millington Quarry, Inc., except to the extent that the Township Committee may modify the terms and requirements specified therein. No fill or soil shall be brought to the quarry site until contamination test results are provided and approved by the Township's professionals in accordance with the testing procedures set forth in the April 2014 Settlement Agreement and Release.

To support healthy growth and the long-term viability of the proposed tree and landscape planting installations, appropriate measures will be taken to mitigate the existing infertile site soils, providing a hospitable environment suitable for plant growth. Such measures will include importation of suitable planting soils and may include amendment of existing on-site soils, as well as other strategies yet to be determined. The areas of soil placement/mitigation shall be adequate to support the proposed landscape improvements and provide for their long-term viability. These measures shall be compiled and portrayed on a Soil Improvement Plan, which shall be subject to review and approval by the Planning Board as part of any subdivision or site plan application submitted to the Planning Board.

A sufficient amount of topsoil shall be required and provided by the Redeveloper/applicant to establish a suitable biomantle to sustain a healthy and diverse array of vegetation suitable to the use of the land. The Planning Board may require soil importation and placement and/or soil amendments in sufficient quantity that it deems necessary to ensure that a sufficiently suitable quantity and quality of soil is provided to adequately support the long-term viability of all landscaped areas and areas requiring suitable ground cover to effectively reclaim all fill areas within the quarry tract.

The amount of truck traffic permitted in relation to fill and/or soil importation shall adhere to and conform with the provisions of "Section 4, Truck Traffic" of the Settlement Agreement and Release, dated the 29th of April, 2014, by and between Bernards Township and Millington Quarry, Inc., except to the extent that the Township Committee may modify the terms and requirements specified therein.

6.6 Water Use, Fertilizers and Integrated Pest Management

Consistent with Environmental Resource Objective #17 of the Bernards Township MP, which is: "Promote sustainable landscape management and restoration practices that maximize use of native plant material and reduce reliance on fertilizers, pesticides, herbicides and irrigation", and the Township's own policy of Integrated Pest Management advanced in the Township's Green Element of the Master Plan, the applicant shall submit an overall Water Use, Fertilizer and Integrated Pest Management Plan for all landscaped and created habitat areas in the QRP Zone. The Plan shall provide sufficient detail to demonstrate consistency with Environmental Resource Objective #17, shall include a long-term strategy for integrated pest management, and shall detail native plant materials to be used in the landscaping plan. The Water Use, Fertilizer and Integrated Pest Management Plan shall be subject to review and approval by the Planning Board.

6.7 Site Plan and Subdivision Review / Redevelopment Phasing.

Within the Redevelopment Area, subdivisions and/or site plans providing for the demolition of existing improvements and construction of new buildings and other improvements shall be prepared in accordance with the requirements of the Municipal Land Use Law ("MLUL") (N.J.S.A. 40:55D- 1 et seq.) and shall be submitted by the redeveloper for review and

approval by the Bernards Township Planning Board.

To assure the comprehensive and coordinated development of the Redevelopment Area, any site plan presented to the Bernards Planning Board shall be substantially consistent with the terms of this Redevelopment Plan including the elements described in Appendix A of this Plan. Final site plans shall be submitted in a phased manner outlining on the phasing and timing of improvements within the Redevelopment Area, consistent with Appendix A of this Redevelopment Plan. However, the Planning Board may grant minor deviations from the specific criteria outlined in the concept and Redevelopment Plan, when it can be demonstrated such deviations meet the overall goals of the Redevelopment Plan.

The criteria for the consideration and approval of the site plan shall be conformance with the requirements of this Redevelopment Plan, the site plan provisions of the MLUL, the Bernards Township Land Use Ordinance to the limited extent that it remain applicable based on the terms of this Plan, and the executed Redevelopment Agreement between the redeveloper and Bernards Township.

As part of the site plan application and approval process, the redeveloper shall submit a phasing plan, which shall maintain a reasonable mix of uses as the project proceeds so as not to overbuild one use group at the beginning of the project. To meet that objective, a suitable proportion of proposed nonresidential development must accompany any proposed residential development. The phasing plan shall identify proposed development phasing such that

not more than 35% of the residential units (70 units) may receive certificates of occupancy unless 25% of the nonresidential floor area (sq. ft.) (53,750 sq. ft. of the allowable 215,000 sq. ft.) has received certificates of occupancy, which shall include a lakefront restaurant and boardwalk/pier;

not more than 50% of the residential units (100 units) may receive certificates of occupancy unless 50% of the total nonresidential floor area (107,500 sq. ft.) has received certificates of occupancy;

not more than 75% of the residential units (150 units) may receive certificates of occupancy unless 75% of the total nonresidential floor area (161,250 sq. ft.) has received certificates of occupancy; and

not more than 90% of the residential units (180 units) may receive certificates of occupancy unless 90% of the total nonresidential floor area (193,500 sq. ft.) has received certificates of occupancy.

The redeveloper shall propose phasing for the remaining 10% of residential development (remaining 20 units) to receive certificates of occupancy based on completion and certificates of occupancy for the remaining 10% of nonresidential floor area (21,500 sq. ft.) to be

approved.

Moreover, the certificate of occupancy for the 50 Mixed Use Building Apartments in the Mixed Use District will not be issued until 50% of the floor area of the hotel is completed.

Notwithstanding the phasing requirements above, the phasing plan shall set forth a schedule that provides certificates of occupancy for required affordable housing in accordance with the following schedule:

| <u>Percentage of Market-rate Units Completed</u> | <u>Minimum Percentage of Low- and Moderate-Income Units Completed</u> |
|--|---|
| 25 | 0 |
| 25 + 1 | 10 |
| 50 | 50 |
| 75 | 75 |
| 90 | 100 |

In addition, the Redeveloper will be required to complete the amphitheater and the “oval park” before it will be entitled to receive the first 35% of the certificates of occupancy for residential development (70 units) on the Project.

For good cause shown by the redeveloper/applicant, the Planning Board may vary the phasing standards cited above, but in no case, shall the delivery of affordable units vary from the schedule for affordable housing development identified in the table above.

6.8 Adverse Influences.

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration.

6.9 Non-Discrimination Provisions.

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by any redeveloper or any of his successors or assignees, whereby the sale, lease, use or occupancy of land within the Redevelopment Area is restricted on the basis of race, creed, color, sexual orientation or national origin. Appropriate covenants, running with the land in perpetuity, shall prohibit any such restrictions and shall be included in the disposition instruments.

6.10 Duration of Plan.

It is the intention of this Redevelopment Plan to fully redevelop the quarry site in accordance

with this Redevelopment Plan and for the designation of the Redevelopment Area to be extinguished upon completion of all approved development in the Redevelopment Area. It shall be a condition of final site plan approval that the redeveloper/developer shall be required, upon completion of all approved development, to procure from the Township Engineer a “certificate of completion”, which may be issued by the Township Engineer upon finding that all development constructed within the Redevelopment Area conforms to all development approvals obtained for redevelopment of the quarry. Upon such finding and issuance of a “certificate of completion”, the designation of a “Non-condemnation Redevelopment Area” for all property so designated shall be extinguished. However, the development standards for redevelopment adopted in this Redevelopment Plan shall remain in full force and effect for the QRP Zone as designated in Chapter 21, Land Use Ordinance of the Township of Bernards.

7.0 OTHER PROVISIONS.

7.1 Statement about Redevelopment.

In accordance with N.J.S.A. 40A:12A-1 et seq., known as the Local Redevelopment and Housing Law (LRHL), the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the Plan objectives.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- The Redevelopment Plan does not envision a need to acquire privately-owned properties or to relocate any residents or businesses.
- The Redevelopment Plan is substantially consistent with a number of the Bernards Township Master Plan goals and objectives; however, the Plan is inconsistent the Land Use Plan Element designation for Block 6001, Lot 6. This Redevelopment Plan is consistent with goals and policies of the Somerset County Master Plan and is also consistent with goals and objectives of the New Jersey SDRP.
- This Redevelopment Plan shall supersede all provisions of the Zoning and Land Development Regulations of the Township of Bernards Township regulating development in the area addressed by this Redevelopment Plan, except where stated otherwise within the text of this Plan. By final adoption of this Plan, the Township Committee is also authorizing an amendment of the Bernards Township Zoning Map.

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

7.2 Procedures for Amending Approved Plan

This Redevelopment Plan may be amended from time to time upon in accordance with the provisions of state law. A non-refundable application fee shall be paid pursuant to site plan fee schedule found in the Bernards Township Land Use Ordinance by the party requesting such amendment. No fee shall be required to amend this Redevelopment Plan if the request is issued from any agency of Bernards Township. The Township Committee, at its sole discretion, may require the party requesting the amendment(s) to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey; or, the Township Committee may require the posting of an escrow fee for the services of a professional planner to prepare any studies or reports that may be required by the Township Committee or by applicable law.

APPENDIX A.

Chapter 21, titled “Land Development”, of the Code of the Township of Bernards shall be amended, revised and supplemented as follows:

1. §21-10.1, titled “Classes of Zones”, shall be amended to delete the M-1 Mining Zone, and add the QRP Quarry Redevelopment Plan Zone, as follows:

| Zone | Description | Permitted Forms of Development |
|----------------|----------------------|--------------------------------|
| M-1 | Mining | Industrial |
| QRP | Quarry Redevelopment | Redevelopment |

2. The Zoning Map of the Township of Bernards, as referenced in § 21-10.2.a.1, is revised such that the zoning designation of Lot 6 in Block 6001 is changed from M-1 Mining to QRP Quarry Redevelopment Plan.

3. §21-10.9, titled “M-1 Mining Zone”, is deleted in its entirety and replaced with a new §21-10.9, titled “QRP Quarry Redevelopment Plan Zone” (also referred to herein as the “Quarry Redevelopment Zone”), as follows:

§21-10.9. QRP Quarry Redevelopment Plan Zone.

Development within the QRP Quarry Redevelopment Plan Zone shall comply with all provisions of this chapter except as otherwise provided in the Quarry Redevelopment Plan and this subsection. The Quarry Redevelopment Plan in its entirety shall be incorporated into this chapter upon adoption by the Township Committee.

a. Definitions.

AGRITOURISM AND RECREATION DISTRICT: A designated development district for recreational activities, agritourism, and open space.

COTTAGE RESIDENTIAL DISTRICT: A designated development district for single-family and multi-family housing types, primarily comprised of single-family detached housing and passive open space.

HOTEL/RENTAL SUITES: One or more buildings containing guest sleeping rooms that may be suites, with amenity space as described below, available for rental to the public, with or without meals. The hotel/rental suites may be contracted for occupancy for one night or longer basis, including long term rentals. A Hotel/Rental Suites use may offer accessory services and amenities including but not be limited to the following, all of which are

designed to generally describe the features of this use (a) indoor facilities and services consisting of housekeeping services, furnished and unfurnished hotel/rental suites, café, vending facilities, lobby/lounge/gallery structures and facilities, maintenance facilities, and a state of the art business center which may contain a business lounge, computer center/cyber café, video conferencing facilities, telecommunications facilities, multi-media presentation facilities, copy/production facilities, theater with permanent seating for not more than 35 people, media screen room, meeting rooms and conference facilities, breakout rooms, fitness center, yoga room, spa, massage facilities and other business support areas, and (b) outdoor amenities consisting of pool, cabanas, fire pit, passive recreation seating, meeting areas with outdoor furniture, and barbeque facilities, with these areas being known collectively as amenity space. The hotel/rental suite use shall be considered a nonresidential use.

MIXED-USE DISTRICT: A designated development district allowing a mixture of two or more residential, commercial, institutional, or recreational uses, and their accessory uses, in a mixed-use development.

MIXED RESIDENTIAL DISTRICT: A designated development district allowing for a mix of multi-family housing types and passive and/or active open space.

MULTI-FAMILY DWELLING UNIT/MIXED-USE BUILDING APARTMENTS: A dwelling unit within a building combining multiple independent single floor dwelling units, each containing private bath and kitchen facilities, with one or more additional principal uses, where the independent units within the building are owned and managed by a building owner or a third party and the independent units are leased to the occupants.

MULTI-FAMILY DWELLING UNIT/FLAT: A dwelling unit within a building containing solely multiple independent single floor dwelling units, each containing private bath and kitchen facilities along with common area amenities, owned and managed by a building owner or condominium association.

MULTI-FAMILY DWELLING UNIT/TOWNHOUSE: Shall mean a multi-floor, single-family attached dwelling unit sharing common vertical walls with other similar dwellings on one or both sides where a townhouse homeowner's association shall be used to manage common issues.

SPECIALTY GROCERY/FARM MARKET: A specialty grocery store focused on selling higher quality foodstuffs and dry goods. Products shall focus on limited production, boutique, or locally grown/sourced items. A significant portion of the store's products will be organic or

sustainable in nature and may predominantly feature store specific or other small label brands, and may include indoor and outdoor seating.

- b. Uses. One or more principal uses and accessory uses shall be permitted in each development district, as set forth below.
 1. Agritourism and Recreation District.
 - (a) Principal Nonresidential uses:
 - (1) Farming, agriculture, and horticulture not including the raising or keeping of livestock.
 - (2) Open Space, Public or Private.
 - (3) Public Parks, roads and other public uses.
 - (4) Child care center.
 - (5) Open space and outdoor recreational facilities such as gardens, bicycle paths, jogging and fitness trails, passive sitting areas, amphitheater, boardwalks/piers, lakeside recreation areas, and other recreational and action/adventure type facilities including but not limited to canoe rentals, zip lines, skating, a swimming pool, food concession stands and pavilions.
 - (6) Restaurant (without drive through) which may include indoor and outdoor seating at grade or on rooftops, and which may include on-premises brewing and consumption and special formal events such as weddings, corporate meetings, gatherings and similar functions.
 - (7) Wireless telecommunications antennas and facilities affixed to existing or approved structures conforming to height regulations, not including towers.
 - (b) Principal Residential uses. Residential uses are not permitted.
 - (c) Accessory uses:
 - (1) Accessory uses customarily incidental to any permitted principal use.
 2. Cottage Residential District:
 - (a) Principal Nonresidential uses:
 - (1) Open Space, Public or Private.
 - (2) Public Parks, roads and other public uses
 - (3) Lakeside recreation areas.
 - (b) Principal Residential uses:
 - (1) Multi-Family Dwelling Unit/Townhouse.
 - (2) Single-Family Detached Dwelling.
 - (c) Accessory uses:
 - (1) Accessory uses and structures customarily incidental to the permitted principal use. Accessory buildings shall be permitted only on single-family detached dwelling lots.
 3. Mixed Residential District:
 - (a) Principal Nonresidential uses:
 - (1) Open Space, Public or Private.
 - (2) Public Parks, roads and other public uses.

- (3) Child care center.
- (4) Wireless telecommunications antennas and facilities affixed to existing or approved structures conforming to height regulations, not including towers.
- (b) Principal Residential uses:
 - (1) Multi-Family Dwelling Unit/Flat.
 - (2) Multi-Family Dwelling Unit/Townhouse.
- (c) Accessory uses:
 - (1) Accessory uses customarily incidental to the permitted principal use, not including residential accessory structures.
- 4. Mixed Use District:
 - (a) Principal Nonresidential uses:
 - (1) Adult Day-Care Center.
 - (2) Banks and other financial institutions (with or without drive through)
 - (3) Child Care Center.
 - (4) Conference Inn.
 - (5) Congregate Residences.
 - (6) Country Inn.
 - (7) Farming, agriculture, and horticulture not including the raising or keeping of livestock.
 - (8) Delivery Restaurant.
 - (9) Health Club.
 - (10) Hotel/Rental Suites.
 - (11) Independent Living Unit.
 - (12) Institutional Use.
 - (13) Liquor Store.
 - (14) Office, General or Professional.
 - (15) Open Space, Public or Private.
 - (16) Public Parks, roads and other public uses
 - (17) Open space and outdoor recreational facilities such as gardens, bicycle paths, jogging and fitness trails, passive sitting areas, amphitheater, boardwalks/piers, lakeside recreation areas, and other recreational and action/adventure type facilities including but not limited to canoe rentals, zip lines, skating, a swimming pool, food concession stands and pavilions.
 - (18) Restaurant (without drive through) which may include indoor and outdoor seating at grade or on rooftops, and which may include on-premises brewing and consumption and special formal events such as weddings, corporate meetings, gatherings and similar functions.
 - (19) Retail Outlet Store.
 - (20) Retail Sales and Services.
 - (21) Specialty Grocery/Farm Market.
 - (22) Specialty Food Store.

(23) Wireless telecommunications antennas and facilities affixed to existing or approved structures conforming to height regulations, not including towers.

(b) Principal Residential uses:

(1) Multi-Family Dwelling Unit/Mixed-Use Building Apartments.

(c) Accessory uses:

(1) Accessory uses customarily incidental to the permitted principal use.

c. Allowable Development.

| Allowable Development - Nonresidential Uses | | | |
|--|---|-----------------|----------------------|
| District | Conference Inn, Country Inn, and/or Hotel/Rental Suites | Office | Other Permitted Uses |
| Agritourism and Recreation | - | - | 15,000sf |
| Cottage Residential | - | - | - |
| Mixed Residential | - | - | - |
| Mixed Use | 150 units ^{1,2} | 60,000sf | 140,000sf |
| Total | 150 units^{1,2} | 60,000sf | 155,000sf |
| ¹ Units refers to sleeping rooms, suites or a combination of both. | | | |
| ² May be increased up to 250 units subject to submission of a traffic impact analysis demonstrating to the satisfaction of the Planning Board that traffic attributed to the increase in units shall not have a significant detrimental impact on adjoining roads during the peak hour. | | | |

| Allowable Development - Residential Uses | | | | |
|--|--|-----------------------------------|--|----------------------------------|
| District | Multi-Family Dwelling Unit/Mixed-Use Building Apartments | Multi-Family Dwelling Unit/ Flats | Multi-Family Dwelling Unit/ Townhouses | Single-Family Detached Dwellings |
| Agritourism and Recreation | - | - | - | - |
| Cottage Residential | - | - | 28 du | 47 du |
| Mixed Residential | - | 30 du | 45 du | - |
| Mixed Use | 50 du ¹ | - | - | - |
| Total | 50 du¹ | 30 du | 73 du | 47 du |
| ¹ Not including 35 affordable units, which shall be provided in the Mixed Use District. | | | | |

1. Overall tract:

(a) Maximum nonresidential floor area, excluding conference inn, country inn, and hotel/rental suites: 215,000 square feet.

(b) Maximum number of dwelling units, including affordable units: 235.

(c) 15% of all residential units shall be affordable units (35 units)

2. Agritourism and Recreation District:

(a) Minimum nonresidential floor area: 7,500sf, which shall include a restaurant.

- (b) Maximum nonresidential floor area: 15,000 square feet.
- 3. Cottage Residential District:
 - (a) Maximum number of dwelling units:
 - (1) Multi-Family Dwelling Unit/Townhouse: 28.
 - (2) Single-Family Detached Dwelling: 47.
- 4. Mixed Residential District:
 - (a) Maximum number of dwelling units:
 - (1) Multi-Family Dwelling Unit/Flats: 30.
 - (2) Multi-Family Dwelling Unit/Townhouse: 45.
- 5. Mixed Use District:
 - (a) Nonresidential uses:
 - (1) A Conference Inn, Country Inn, and/or Hotel/Rental Suites use, singly and in combination, shall contain no more than 150 sleeping rooms and/or suites, however, the maximum number of sleeping rooms and/or suites may be increased up to 250 subject to submission of a traffic impact analysis demonstrating to the satisfaction of the Planning Board that traffic attributed to the increase shall not have a significant detrimental impact on adjoining roads during the peak hour. Each Conference Inn, Country Inn, and Hotel/Rental Suites use shall comply with the following:
 - [a] The minimum number of sleeping rooms and/or suites shall be 100.
 - [b] The use shall include a restaurant not exceeding 5,000 square feet in floor area and retail uses (boutique shops) not exceeding 2,500 square feet in floor area, all of which floor area shall be in addition to any indoor/outdoor lounges, seating areas, and service amenities such as health club facilities that may be provided for guests of the use, and shall not be counted when calculating the floor area of allowable development.
 - (2) Maximum Office floor area: 60,000 square feet.
 - (3) Maximum Specialty Grocery/Farm Market floor area: 60,000 square feet.
 - (4) Other nonresidential uses:
 - [a] Minimum lakefront floor area: 20,000sf, which shall include a restaurant.
 - [b] Maximum lakefront floor area: 30,000sf.
 - [c] Maximum total floor area 140,000 square feet.
 - [d] Maximum floor area for any single user/tenant: 60,000 square feet.
 - (b) Maximum number of dwelling units:
 - (1) Multi-Family Dwelling Unit/Mixed-Use Building Apartments: 50, plus 35 affordable units.
- d. Development standards applicable to the overall tract:
 - 1. Minimum tract size: one hundred and seventy-five (175) contiguous acres.
 - 2. Building Setback. The minimum setback for any building from an exterior tract boundary shall be 100 feet, except as follows:
 - (a) Building setback along the Stonehouse Road corridor. If specifically approved by the Planning Board, a building(s) may be located less than 100 feet, but not less than 50

feet, from Stonehouse Road, or from any lot located between the tract and Stonehouse Road provided the intervening lot does not contain a residential use. The applicant must demonstrate that the building(s) is located and designed to minimize disturbance and limit intrusion upon the existing Stonehouse Road streetscape. The purpose of this setback provision is to acknowledge that, due to the existing topographic conditions within the Quarry Redevelopment Plan Zone, most buildings in the zone will have limited visibility from the surrounding public roadways, and it is desirable to establish a substantial gateway to quarry redevelopment and a visual relationship between the proposed development and the existing community, provided the existing community character is protected.

3. Buffers.

(a) A buffer not less than 50 feet wide shall be provided along all exterior tract boundaries, and screening and buffering shall be provided in accordance with Section 21-28, except as follows:

(1) Buffer along the Stonehouse Road corridor. If specifically approved by the Planning Board, a buffer less than 50 feet wide and/or not in full compliance with Section 21-28 may be provided along Stonehouse Road, or along any lot located between the tract and Stonehouse Road provided the intervening lot does not contain a residential use. In addition to the construction permitted in a buffer area pursuant to §21-28.2.b, farming, agriculture, and horticulture uses may be permitted within a buffer along the Stonehouse Road corridor, if specifically approved by the Board.

(2) A buffer shall not be required where an exterior tract boundary adjoins a railroad right-of-way, except that existing vegetative land cover along this boundary shall remain to the extent practicable with the addition of a pedestrian/bicycle path and appropriate public safety improvements that shall be required by the Board.

(b) A buffer not less than 50 feet wide in accordance with Section 21-28 shall be provided between any nonresidential building and any residential lot in the cottage residential district, and between any parking area and any residential lot in the cottage residential district.

4. Steep Slopes. Areas with slopes ranging from 0% to 14.9% are not restricted to development. Disturbance within areas with slopes of 15% or greater may be permitted by the Planning Board if the applicant provides detailed grading plans and architectural plans demonstrating that drainage and erosion problems will not result from the development and that the architecture is specifically designed to accommodate the topography.

5. Retaining Walls. Retaining walls shall comply with §21-16.3, except the Planning Board may approve a retaining wall(s) of a height greater than eight feet provided that measures are taken to mitigate the visual impacts and provide for appropriate levels of safety. This height exception shall not apply in the cottage residential district. All retaining walls shall be of a nature which is consistent with the materiality and visual

aesthetic of the overall tract, and shall comply with all applicable construction codes. Keystone or similar modular block retaining wall construction shall not be used where possible.

6. Signage. The applicant shall submit for Board approval a comprehensive signage program identifying in sufficient detail the locations, dimensions, materials, colors, and means of illumination (if any) for all proposed signs. The signage program may include a variety of signs intended to identify the development as a whole, the neighborhoods within the development, and the individual residential and nonresidential uses. All signs shall be appropriately scaled and coordinated with the building architecture and streetscape design, and shall comply with the general provisions and requirements of §21-17.1 and §21-17.2. In its review of the signage program, the Planning Board may compare the proposed signage with the sign provisions applicable to similar residential and nonresidential uses as set forth in §21-17.3, §21-17.4, and §21-17.5, however, such comparison is not intended to discourage creativity where the proposed signage is designed to enhance the visual and aesthetic character and contribute to the overall sense of place within the Quarry Redevelopment Plan Zone.
7. Streets and Paths. A comprehensive network of streets and paths accessible to the public shall be provided as shown on the motor vehicle, bicycle, and pedestrian circulation plan approved by the Planning Board, including:
 - (a) Private residential streets and through-tract streets, including access to Stonehouse Road, which shall provide for all types of vehicular traffic, and access to Pond Hill Road, via Tall Timber Lane, which shall include a prohibition against commercial trucks, commercial and landscaping trailers and construction vehicles through Tall Timber Lane. Public roads providing primary access to the tract from existing public roads may be approved by the Planning Board.
 - (b) The applicant shall improve the existing pedestrian path on the westerly side of Stonehouse Road, including widening the path to 8 feet where practicable, to provide safe access from the tract to South Finley Avenue. Traffic control measures shall be provided to facilitate safe pedestrian movements across Stonehouse Road to the existing path.
 - (c) The applicant shall construct an 8 foot wide path along the tract's Stonehouse Road frontage in order to facilitate safe pedestrian and bicycle movement along the easterly side of Stonehouse Road, unless an alternative plan is approved by the Planning Board.
 - (d) The applicant shall provide pedestrian path improvements and stairs, as necessary, connecting South Finley Avenue to the Lyons Train Station, in the vicinity of the railroad overpass on South Finley Avenue.
 - (e) Meandering pedestrian/bicycle paths/trails shall be constructed to provide a loop around the perimeter of the tract, access between and amongst the four development districts, access to the lakefront, and access to the adjoining public rights-of-way at Stonehouse Road, Pond Hill Road, Tall Timber Lane, and Overlook Avenue. Appropriate safety controls, which may include fencing, landscaping,

- berms, warning signs, etc., shall be provided to effectively separate public access from potential public safety hazards such as, but not limited to rock faces, cliffs, steep slopes and the lake, which shall be subject to approval by the Planning Board.
- (f) A boulevard streetscape providing continuity of buildings fronted by broad sidewalks to the extent feasible, paving materials consistent with the architectural design of the boulevard buildings, sidewalks and shared use trails, bike racks, trash receptacles, planters and decorative elements, intersection and landscape lighting, utility accessories, and covered sidewalks (for example through the use of building elements or awnings) and outdoor seating areas where appropriate.
8. Public Open Space, Recreation, and Lakefront Access. Open space and recreation areas accessible to the public shall be provided as shown on the open space and recreation plan approved by the Planning Board, including:
- (a) A boardwalk/pier providing public access to the lakefront.
- (b) A lakeside amphitheater for outdoor activities such as performances, civic gatherings, concerts, and movies.
- (c) A centrally located open space/park/recreation area containing a minimum area of five contiguous acres. The contiguous area comprising this open space shall be shaped such that a circle with a diameter of 450 feet can be inscribed within the limits of the area.
- (d) A lakeside access area, which shall include not less than 400 feet of lakeside shoreline public recreation in addition to any boardwalk/pier access provided.
- e. Development Standards for the following uses:
1. Nonresidential uses:
- (a) Minimum building setback from curb or edge of pavement/vehicular surface: 12 feet.
- (b) Minimum distance between two buildings containing nonresidential uses: 20 feet.
- (c) Minimum distance between a building containing a nonresidential use and a building containing only a residential use(s): 75 feet.
- (d) Maximum building height (See Figure 207 at the end of this chapter)
- (1) Conference Inn, Country Inn, and/or Hotel/Rental Suites: 4 Stories and 48 feet.
- (2) Mixed-Use with Mixed-Use Building Apartments: 4 Stories and 48 feet.
- (3) Office: 4 stories and 48 feet
- (4) Specialty Grocery/Farm Market: 1 story and 35 feet.
- (5) Freestanding restaurant and other nonresidential buildings: 1 story and 35 feet.
- (e) No more than 5,000 square feet shall be devoted to pharmacy uses, unless included in a mixed use configuration or specialty grocery/farm market use, which shall not include a drive-through.
- (f) Restaurants and retail uses may extend their uses onto adjacent sidewalk areas provided safe pedestrian circulation is not impeded. In all cases, sidewalks shall provide barrier-free access in compliance with all applicable construction codes and the standards and guidelines of the Americans with Disabilities Act.

- (g) Eating and drinking establishments may extend their uses onto rooftops if specifically approved by the Planning Board, and these rooftop areas shall not be counted when calculating the floor area of allowable development.
 - (h) For any mixed-use building along the boulevard, i.e. any building containing a nonresidential use and mixed-use building apartments, not less than 75% of the first-floor area shall be occupied by retail uses or restaurants.
 - (i) For any building containing a nonresidential use, not more than 25% of any first-floor area shall be occupied by office uses.
 - (j) No dwelling unit shall be located on the first floor of a building containing a nonresidential use.
 - (k) Driveway access to nonresidential uses, other than emergency access, shall be separate from driveways providing access to residential uses, other than mixed-use building apartments.
2. Multi-Family Dwelling Unit / Townhouse.
 - (a) Maximum building height:
 - (1) In the Mixed Residential District: 2½ stories and 35 feet (See Figure 207 at the end of this chapter)
 - (2) In the Cottage Residential District: 2½ stories and 35 feet.
 - (b) Minimum distance between townhouse buildings: 20 feet.
 - (c) Minimum distance between a townhouse building and a single-family detached dwelling: 75 feet.
 - (d) Minimum front building setback from the right-of-way line of a public street: 10 feet.
 - (e) Minimum front building setback from the curb or edge of pavement/vehicular surface of a private street: 10 feet.
 - (f) Minimum rear building setback: 50 feet.
 - (g) Minimum floor area per unit: 2,000 square feet.
 - (h) Minimum number of bedrooms per unit: 2.
 - (i) Minimum number of garage parking spaces per unit: 2.
 3. Multi-Family Dwelling Unit / Mixed-Use Building Apartments.
 - (a) Maximum Floor Area per unit: 2,000 square feet.
 - (b) Maximum number of Bedrooms per unit: 2.
 4. Multi-Family Dwelling Unit / Flats.
 - (a) Maximum building height: 4 stories and 48 feet. (See Figure 207 at the end of this chapter)
 - (b) Minimum distance between buildings: 20 feet.
 - (c) Minimum building setback from curb or edge of pavement/vehicular surface: 10 feet.
 - (d) Minimum Floor Area per unit: 1,500 square feet.
 - (e) Maximum number of Bedrooms per unit: 3.
 - (1) At least 60% of the units shall be 2-bedroom units.
 - (2) At least 20% of the units shall be one-bedroom or loft-type units.

5. Single-Family Detached Dwellings.

(a) Lot Dimensions.

- (1) Minimum lot area: 10,000 square feet.
- (2) Maximum lot area: 30,000 square feet.
- (3) Minimum lot frontage on a common driveway, private street, or public street: 25 feet.
- (4) Minimum lot circle: 75 feet. The lot circle is the diameter of the largest circle which can be inscribed within the lot lines.

(b) Setbacks for Principal Buildings. Setbacks from public streets shall be measured from the right-of-way line. Setbacks from private streets and common driveways shall be measured from the curb or edge of pavement/vehicular surface. Building footprints indicating front, side, and rear yard designations shall be shown on the plans approved by the Planning Board.

- (1) Minimum front yard setback from a common driveway: 20 feet.
- (2) Minimum front yard setback from a private or public street: 25 feet.
- (3) Minimum side yard setback: 10 feet.
- (4) Minimum rear yard setback: 10 feet.
- (5) Minimum combined setbacks for all required yards: 100 feet.

(c) Maximum building height: 2½ stories and 35 feet.

(d) Maximum building coverage: 25%.

(e) Maximum lot coverage: 40%.

(f) Access to Lots. Vehicular access to each lot shall be directly from a common driveway extending from a private or public street, however, the Planning Board may approve one or more lots with direct access from a private or public street if access from a common driveway is impractical. In any case, each lot shall have only one point of vehicular access, which shall be from a common driveway, private street or public street.

(g) Accessory Buildings.

- (1) Accessory buildings shall not be located in a front yard.
- (2) Minimum side setback: 10 feet.
- (3) Minimum rear setback: 10 feet.
- (4) Maximum number of accessory buildings per lot: one.
- (5) Maximum building footprint: 200 square feet.
- (6) Maximum building height: 20 feet.

f. General Development Regulations.

1. Phasing. The phasing plan shall identify proposed development phasing as follows:

(a) Not more than 35% of the residential units (70 units) may receive certificates of occupancy unless 25% of the nonresidential floor area (53,750 sq. ft. of the allowable 215,000 sq. ft.) has received certificates of occupancy, which shall include a lakefront restaurant and boardwalk/pier.

(b) Not more than 35% of the residential units (70 units) may receive certificates of occupancy unless the amphitheater and the "oval park" has been completed.

- (c) Not more than 50% of the residential units (100 units) may receive certificates of occupancy unless 50% of the total nonresidential floor area (107,500 sq. ft.) has received certificates of occupancy.
- (d) Not more than 75% of the residential units (150 units) may receive certificates of occupancy unless 75% of the total nonresidential floor area (161,250 sq. ft.) has received certificates of occupancy.
- (e) Not more than 90% of the residential units (180 units) may receive certificates of occupancy unless 90% of the total nonresidential floor area (193,500 sq. ft.) has received certificates of occupancy.
- (f) The redeveloper shall propose phasing for the remaining 10% of residential units (20 units) to receive certificates of occupancy based on completion and certificates of occupancy for the remaining 10% of nonresidential floor area (21,500 sq. ft.), which phasing shall be subject to approval by the Planning Board.
- (g) No certificate of occupancy for the 50 mixed use building apartments will be issued until 50% of the floor area of the hotel/rental suites use (or conference inn or country inn) is completed.
- (h) Notwithstanding the phasing requirements above, the phasing plan shall set forth a schedule that provides certificates of occupancy for required affordable housing in accordance with the following schedule:

| Percentage of Market-rate Units <u>Completed</u> | Minimum Percentage of Low- and Moderate-Income Units <u>Completed</u> |
|--|---|
| 25 | 0 |
| 25 + 1 | 10 |
| 50 | 50 |
| 75 | 75 |
| 90 | 100 |

- (i) For good cause shown by the redeveloper/applicant, the Planning Board may vary the phasing standards cited above, but in no case, shall the delivery of affordable units vary from the schedule for affordable housing development identified in the table above.
2. Site Design.
- (a) A hierarchy of pedestrian friendly paths shall be integrated throughout the development community interconnecting the site amenities and the greater community.
 - (b) Landscaped areas, buffers, watercourses, ponds, drainage facilities and detention basins shall be considered natural surface areas for purposes of bulk calculations and located anywhere within the tract, subject to compliance with Section 21-28.2.
 - (c) The arrangement of buildings, uses, parking areas and streets shall be designed to advance the design principles reflected in the redevelopment concept plan.

3. Parking.
 - (a) Minimum required number of parking spaces.
 - (1) Residential Uses - Parking shall be in accordance with the New Jersey Residential Site Improvement Standards (RSIS, N.J.A.C. 5:21) provided the Planning Board may grant de minimis exceptions from those standards as set forth in the RSIS and the Quarry Redevelopment Plan.
 - (2) Conference Inn, Country Inn, or Hotel/Rental Suites – 1.5 spaces per sleeping room or suite.
 - (3) Commercial, including Retail, Uses – 4.0 spaces per 1,000 square feet of gross floor area.
 - (4) Banks / Financial Institutions – 4.0 spaces per 1,000 square feet of gross floor area.
 - (5) Offices – 3.0 spaces per 1,000 square feet of gross floor area.
 - (6) Medical offices – 4.0 spaces per 1,000 square feet of gross floor area.
 - (7) Restaurants (not including restaurants part of conference inn, country inn, or hotel/rental suites facility) – 1.0 space per 150 square feet of gross floor area.
 - (b) Any building containing more than one use shall meet the combined parking space requirements for all uses in the building, however, the parking supply for two or more uses may be shared, in full or in part, when specifically approved by the Planning Board. Shared parking arrangements may be approved by the Board only where appropriate because of definable separate demand schedules which shall be set forth in a parking study submitted by the applicant.
4. Building Orientation and Design.
 - (a) Orientation.
 - (1) Mixed-use buildings shall create a streetscape along the boulevard and encourage walkability and a lively pedestrian environment. Outdoor dining, including dining on sidewalks, shall be permitted at any café or restaurant in the retail/mixed-use streetscape.
 - (b) Massing.
 - (1) Buildings shall utilize primarily traditional materials such as brick, stone, steel, wood and glass and facades shall be articulated to break larger building masses into individual bays or segments extending upward through all levels of the building.
 - (2) Where appropriate, the design of building facades shall incorporate separate design elements and detail to articulate a base, middle and top, using features such as horizontal banding, varying floor heights, sizes of window openings, canopies, cornices and changes in material, texture and fenestration patterns.
 - (3) All buildings shall have pitched roofs, except where otherwise approved by the Planning Board for residential rooftop porches and terraces and nonresidential rooftop accessory uses.
 - (4) Buildings higher than three stories shall be designed with façade setbacks in accordance with Figures 208 and 209 at the end of this chapter, however,

façade setbacks in accordance with Figures 208 and 209 shall not be required for a building with a sloped roof when the roof pitch is not steeper than 12 horizontal to 12 vertical (45 degrees).

(c) Detailing.

- (1) Fenestration (the placement of windows on a building) shall provide transparency between the private spaces inside commercial buildings and the public realm of the sidewalk and street to engage potential patrons on the sidewalk.
 - (2) The first floors of buildings along the boulevard shall have a retail character with storefront style windows that maximize the visibility of the first floor interior space. Entryways shall include features to give orientation and add character to the front façade, such as canopies, porticos, overhangs, recesses and projections. Mixed use commercial streetscape/sidewalk design shall strive to provide uninterrupted covered sidewalk to accommodate pedestrian movements during inclement weather.
 - (3) Materials – At least two and no more than three different materials shall be employed as primary materials on any building façade, except as may be approved by the Planning Board. Non-street facing facades and roofs shall be given the same attention to detail and fenestrations as street facing facades and roofs where visible from public view. Natural materials, or synthetic materials that are closely representative of their historic predecessors, such as cementitious siding board or composite simulated wood material shall be encouraged. Low-grade products such as vinyl siding, dryvit or fiberglass/asphalt roofing are prohibited.
 - (4) Building signage shall comply with the comprehensive signage program approved by the Planning Board.
 - (5) All mechanical/utility equipment placed on the roof of any building shall be properly screened from public view in a manner that is architecturally interesting and compatible with the style, materials, colors, and details of such building.
5. Traffic.
- (a) A detailed traffic analysis will be provided to the township for review and approval as part of the site plan and subdivision approval process.
6. Subdivision. The Planning Board may approve the subdivision of the overall tract and of each development district for financing, phasing, or other purposes, provided that all requirements applicable to the overall tract are satisfied, and the layout and details of the subdivision demonstrate that the proposed individual lots are of such size and geometry as to be able to function as an integrated component of the overall tract and Redevelopment Plan. In order to obtain subdivision approval, the following is required:
- (a) The applicant must demonstrate that the resulting lots function as though the subdivision had not occurred.

- (b) The applicant must provide a deed(s) of conveyance, appropriate deed conditions, easements and covenants, in perpetuity, in a form satisfactory to the Township Attorney which assures the seamless function of the entire tract.
- (c) The applicant must assure that adequate provisions have been made for the joint and unrestricted use of all on-site and off-site improvements.
- (d) The applicant must assure that adequate provisions have been made for the perpetual maintenance and upkeep of on-site and off-site improvements, including lands, buildings and structures pursuant to the terms of all Planning Board conditions and developer's agreements.

g. Approval Procedures.

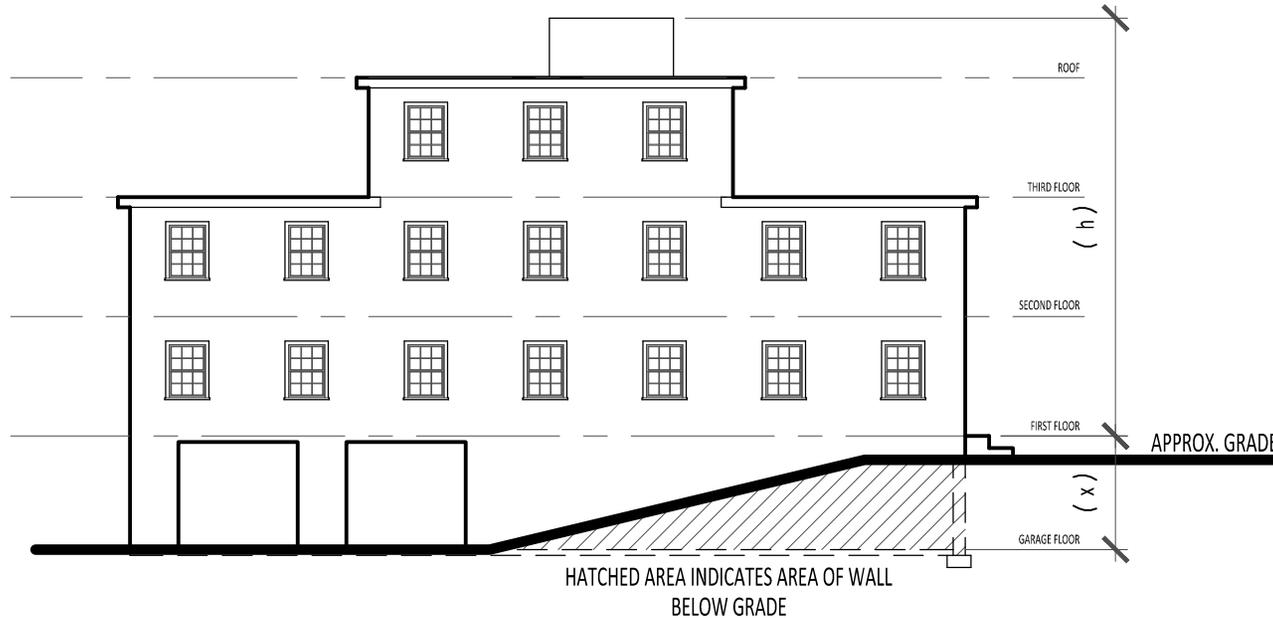
1. Site Plan and Subdivision Approval. The applicant shall submit to the Planning Board a preliminary site plan and/or subdivision plan designed in substantial conformance with the Redevelopment Plan and provide such data as required for preliminary site plan or subdivision applications. Simultaneous preliminary and final site plan and subdivision applications may be entertained if requested by the redeveloper. In addition to the submission requirements set forth in Article VII of this chapter, a complete application shall include the following:
 - (a) An overall conceptual development plan for the Redevelopment Area identifying land use types, building heights, approximate floor areas of each building and the number of residential units.
 - (b) Architectural elevations, renderings and floor plans conforming to the architectural design standards for the Redevelopment Area.
 - (c) A Boulevard streetscape plan, indicating the overall roadway design, locations and materials to be used, including pavements, trees and other plantings and any street furniture.
 - (d) Motor Vehicle, Bicycle, and Pedestrian Circulation plan.
 - (e) Parking, loading and vehicular access plan.
 - (f) Landscape, open space and recreation plan.
 - (g) A Soil Improvement Plan.
 - (h) A Water Use, Fertilizer and Integrated Pest Management Plan.
 - (i) Utility plan.
 - (j) Storm water management plan.
 - (k) Phasing plan.
 - (l) A Comprehensive Signage Program identifying in sufficient detail the locations, dimensions, materials, colors, and means of illumination (if any) for all proposed signs.
 - (m) A Lake Management Plan.
 - (n) A Fiscal Impact Analysis.
2. Final Site Plan Application. The applicant may submit to the Planning Board a Final site plan application along with the preliminary application or separately for any phase of development for which the applicant wishes to proceed.

3. Development Agreement. The redeveloper shall enter into an agreement with the municipality pursuant to the provisions of N.J.S.A. 40:55D-39 within 90 days of a memorialized Board resolution of final site plan approval setting forth variations from ordinary standards for preliminary and final approval to provide increased flexibility and promote mutual agreement between the applicant and the municipality at the time of conceptual master site plan approval. The substance of the Developer's Agreement shall be consistent with the laws of the State of New Jersey, the Bernards Land Use Code and the conditions and standards applicable to development in the zone.
4. Plan Amendment. Amendments to the Redevelopment Plan may be adopted in order to meet changing circumstances within and affecting the Redevelopment Area and the Township, with consent of the redeveloper during the period after the Redevelopment Agreement has been executed to identify the redeveloper's obligations. Any site plan must be consistent with the adopted or amended Redevelopment Plan and conform to the design requirements of the ordinance and approved by the Planning Board.

Figures 207, 208 and 209, which are referenced in §21-10.9.e.1(d), §21-10.9.e.2(a)(1), §21-10.9.e.4(a), and §21-10.9.f.4(b)(4) shall be added at the end of the codified ordinance.

DRAFT

FIGURE 207: BUILDING HEIGHT IN THE QUARRY REDEVELOPMENT PLAN ZONE
 THIS FIGURE APPLIES TO RESIDENTIAL AND NON-RESIDENTIAL BUILDINGS IN THE MIXED-USE AND MIXED-RESIDENTIAL DISTRICTS
 IN THE QUARRY REDEVELOPMENT PLAN ZONE.



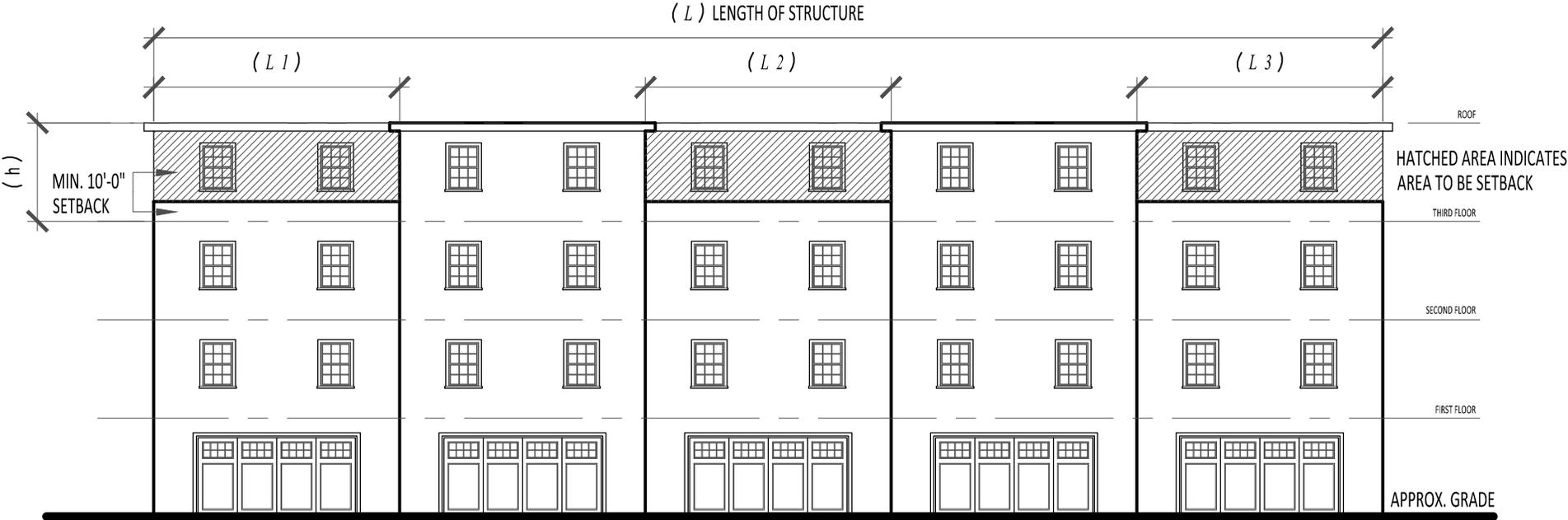
IF ONE-THIRD OR MORE OF THE SUM AREA OF THE PERIMETER WALL SURFACE OF A GARAGE LEVEL IS BELOW FINISHED GRADE THEN THE OVERALL BUILDING HEIGHT SHALL BE MEASURED FROM THE FINISHED FLOOR IMMEDIATELY ABOVE THE GARAGE TO THE HIGHEST POINT OF THE BUILDING (h).

THE AREA OF THE PERIMETER WALL BELOW FINISHED GRADE SHALL BE DETERMINED BY MEASURING THE HEIGHT FROM THE FINISHED FLOOR SERVING THE GARAGE TO THE FINISH FLOOR IMMEDIATELY ABOVE THE GARAGE AND MULTIPLYING BY THE TOTAL LENGTH OF THE PERIMETER WALL.

GIVEN THE TOPOGRAPHY AND NATURE OF THE SITE, THE PLANNING BOARD SHALL HAVE THE AUTHORITY TO MODIFY THE MAXIMUM BUILDING HEIGHT STANDARDS IN THE MIXED USE AND MIXED RESIDENTIAL DISTRICTS, TO ALLOW AN INCREASE IN HEIGHT THAT EXCEEDS THE MAXIMUM BUILDING HEIGHT STANDARDS BY TEN FEET OR MORE OR 10% OR MORE, WHERE THE FOLLOWING CRITERIA ARE MET: (1) THE SPECIFIC ARCHITECTURAL DESIGN OBJECTIVES OR PHYSICAL ARRANGEMENT OF BUILDINGS OF THIS PLAN MAY BE ADVANCED BY SUCH INCREASES IN HEIGHT AND (2) WHERE IT IS ADEQUATELY DEMONSTRATED TO THE SATISFACTION OF THE PLANNING BOARD THROUGH THE USE OF CROSS-SECTIONS OR OTHER EXHIBITS THAT SUCH INCREASES IN HEIGHT WILL NOT BE DETRIMENTAL TO PRESERVATION OF RIDGE LINES IN THEIR NATURAL STATE, AND THAT THE HEIGHT OF ROOF LINES ARE SO DESIGNED AS TO PRESERVE UNINTERRUPTED DISTANT VIEWS FROM OFF SITE TO THE EXTENT POSSIBLE, AND THAT SIGNIFICANT VEGETATION ALONG THE RIDGE LINES IS MAINTAINED. SUCH INCREASES IN HEIGHT SHALL BE WITHIN THE EXPRESS AUTHORITY OF THE PLANNING BOARD, AND NOT BE DEEMED TO CONSTITUTE A VARIANCE, EXCEPTION OR REDEVELOPMENT PLAN DEVIATION.

FIGURE 207

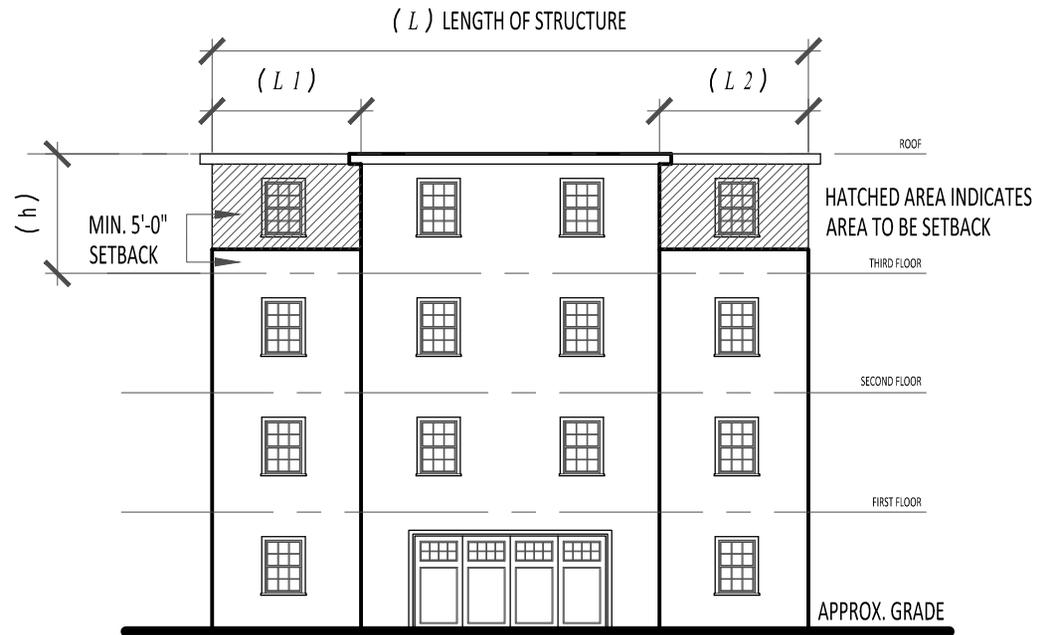
FIGURE 208: BUILDINGS IN THE QUARRY REDEVELOPMENT PLAN ZONE - STREET FACING FACADES



ANY BUILDING OVER THREE STORIES SHALL REQUIRE THAT NO LESS THAN 50% OF THE FOURTH FLOOR FACADE AREA ADJACENT TO OR FACING ANY STREET OR DRIVEWAY BE SET BACK NO LESS THAN TEN ADDITIONAL FEET FROM THE FACE OF THE BUILDING BELOW. THE AREA OF THE FOURTH FLOOR FACADE SHALL BE MEASURED VERTICALLY (h) FROM THE FINISHED FOURTH FLOOR TO THE TOP OF THE HIGHEST POINT OF THE BUILDING AND MULTIPLIED BY (L) THE LENGTH OF THE ENTIRE BUILDING. THE AREA TO BE SET BACK SHALL MULTIPLY (h) BY THE AGGREGATE OF $(L1+L2+L3$ ETC.)

FIGURE 208

FIGURE 209 - BUILDINGS IN THE QUARRY REDEVELOPMENT PLAN ZONE -
NON-STREET FACING FACADES



ANY BUILDINGS OVER THREE STORIES SHALL REQUIRE THAT NO LESS THAN 25% OF THE FOURTH FLOOR FACADE AREA NOT ADJACENT TO ANY STREET OR DRIVEWAY MUST BE SET BACK AT LEAST FIVE FEET FROM THE FACE OF THE BUILDING BELOW. THE AREA OF THE FOURTH FLOOR FACADE SHALL BE MEASURED VERTICALLY (h) FROM THE FINISHED FOURTH FLOOR TO THE TOP OF THE HIGHEST POINT OF THE BUILDING AND MULTIPLIED BY (l) THE LENGTH OF THE ENTIRE BUILDING. THE AREA TO BE SET BACK SHALL MULTIPLY (h) BY THE AGGREGATE OF $(l1+l2 \text{ ETC.})$

FIGURE 209