

REDEVELOPMENT PLAN

September 2022

Adopted October 2022 by Ordinance #2022-15

Amended December 2022 by Ordinance #2022-17



OLD YORK COUNTRY CLUB

CHESTERFIELD TOWNSHIP
BURLINGTON COUNTY, NEW JERSEY
Block 701, Lot 2.01
228 Old York Road



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

ACKNOWLEDGEMENTS

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Denise Koetas-Dale
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1 INTRODUCTION

1.1 PURPOSE

This Redevelopment Plan has been prepared for Block 701, Lot 2.01 within the Township of Chesterfield, Burlington County, New Jersey. The property is the site of the defunct Old York Country Club, a golf course and country club, and is currently designated within the “AG Agricultural District” on the Township of Chesterfield Zoning Map. This property is referred to herein as the “Rehabilitation Area.”

On February 27, 2020, per Resolution 2020-2-6, the Chesterfield Township Committee directed the Township’s Planning Board to study the aforementioned properties to determine whether they constituted an “Area in Need of Rehabilitation” in accordance with the criteria specified in the Local Redevelopment and Housing Law (LRHL) [N.J.S.A. 40A:12A-14(a) et seq]. In March 2020, the Planning Board recommended that Block 701, Lot 2.01 qualified as an Area in Need of Rehabilitation. Based on the findings of the Planning Board, the Township Committee adopted an Area in Need of Rehabilitation designation for the subject property in May 2020.

This Redevelopment Plan provides detailed standards and guidelines to facilitate a non-residential redevelopment of the Rehabilitation Area. Following the closure of the Old York Country Club, the Township proactively created this Redevelopment Plan to define the community’s desired redevelopment scenario for the property. As a uniquely large non-farm tract, the Township intends to capitalize on the property’s location in relation to the New Jersey Turnpike to facilitate the productive redevelopment of the tract without substantially impacting the surrounding area or undermining the Township’s farmland preservation, historic preservation, environmental protection, sustainability and other key planning objectives.

1.2 DESCRIPTION OF REHABILITATION AREA

Figure 1 shows the general location of the Rehabilitation Area, Figure 2 provides the aerial context, and Figure 3 illustrates the existing zoning designation. The Rehabilitation Area is ±156 acres in size and has ±300 feet of frontage along both Old York Road (County Route 660) at the northerly edge and along Bordentown Georgetown Road (County Route 545) at the easterly edge. Both of these roads offer access to the NJ Turnpike via US-206. The property is currently improved with an 18-hole golf course, a one-story clubhouse building, an outdoor swimming pool and various accessory structures.

The Rehabilitation Area is located in the westernmost portion of Chesterfield, and borders Bordentown Township to the north and Mansfield Township to the southwest. On the Chesterfield side, the Rehabilitation Area is mostly surrounded by undeveloped farmland, with a small number of residential properties along Old York Road and Bordentown Georgetown Road. The former Old York Country Club has a portion of its property located in Mansfield Township. As such, on the Mansfield side, the Rehabilitation Area is directly adjacent to a portion of the golf course and undeveloped woodlands that surround it. There is also a commercial area with large auto auction, auto repair, and other auto-service related businesses along NJ-68 slightly further south of the Rehabilitation Area. On the Bordentown side to the north, the Rehabilitation Area is adjacent to undeveloped woodlands and the Old York Stable. A 301,400 square foot warehouse at Route 206 and Old York Road was recently approved by the

Bordentown Planning Board. The Rehabilitation Area is also in close proximity to the commercial uses and auto-service related businesses along US-206 to the northwest.

1.3 PLAN OVERVIEW

The remaining Chapters of this Redevelopment Plan are organized as follows: Chapter 2 sets forth the development standards within the Rehabilitation Area, including permitted uses, lot and bulk standards, access and parking requirements, and other site design standards; Chapter 3 provides a Consistency Review to establish the Redevelopment Plan’s relationship to local objectives, the municipal master plan, and master plans of contiguous municipalities, the county, and the state; Chapter 4 summarizes the required redevelopment and rehabilitation actions; and Chapter 5 sets forth other general provisions of the Redevelopment Plan.

Figure 4 shows a concept plan for the proposed redevelopment project. The redeveloper to be designated by the Township Committee in accordance with Section 4.1 of this Redevelopment Plan (the “Redeveloper”) is required to develop the project in substantial consistency with Figure 4. However, the Redeveloper is also encouraged to make changes as necessary within the limits of the requirements and guidelines described in Chapter 2 to effectuate the Redevelopment Plan.

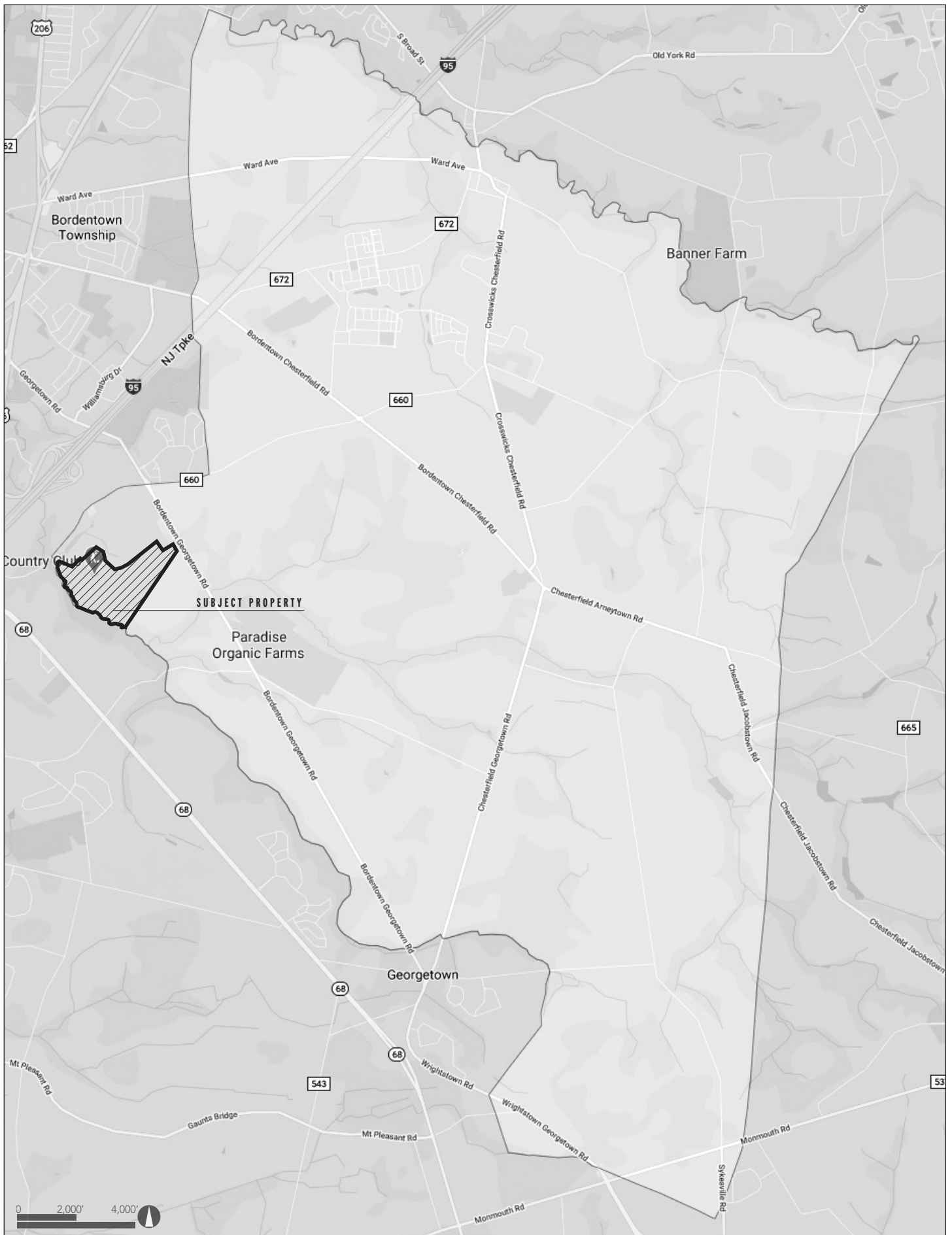


Figure 1: Location Old York Redevelopment Plan

Township of Chesterfield, Burlington County, New Jersey
2022



Figure 2: Aerial

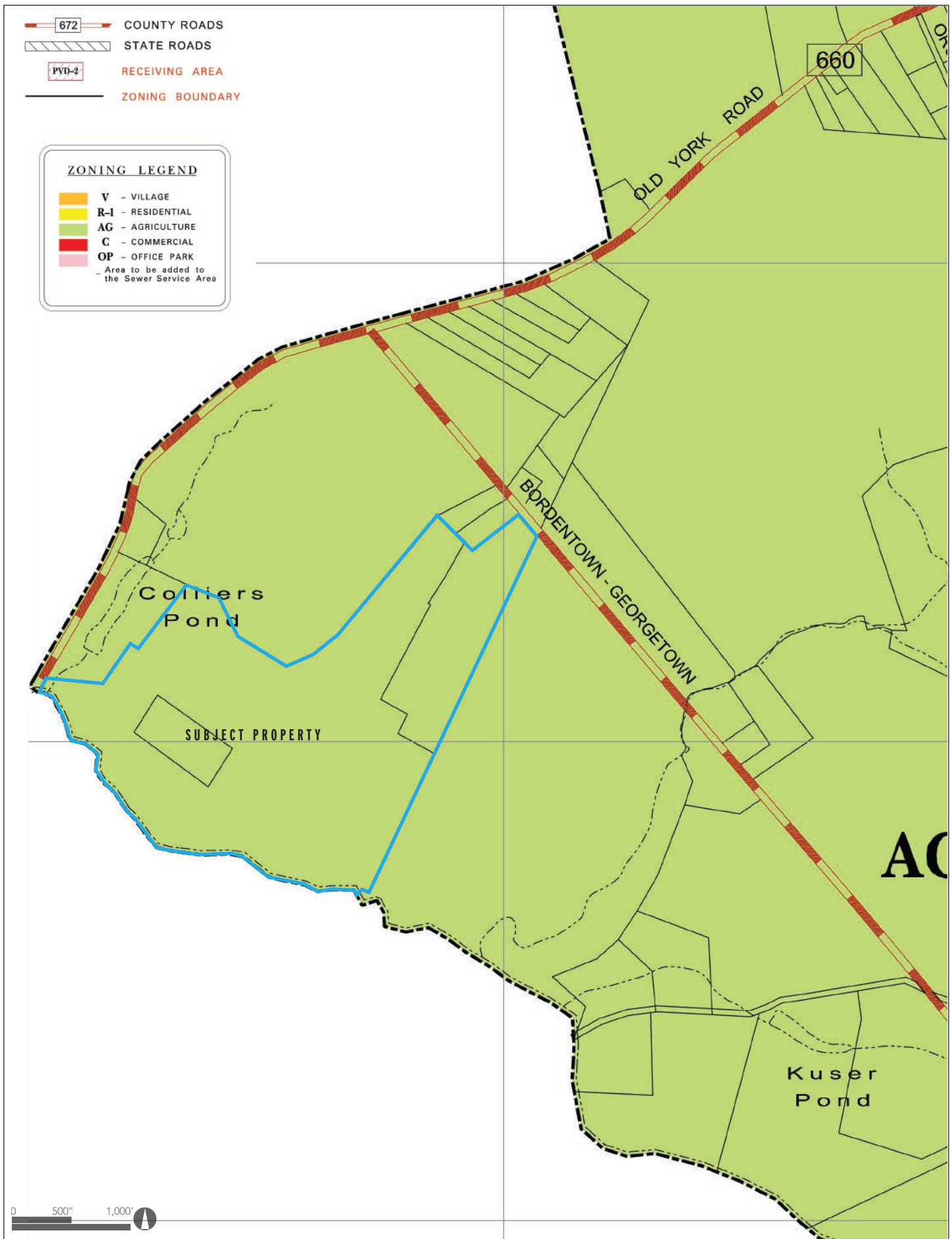


Figure 3: Current Zoning Old York Redevelopment Plan

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Figure 4: Concept Plan

2 DEVELOPMENT STANDARDS

2.1 RELATIONSHIP TO MUNICIPAL DEVELOPMENT REGULATIONS

The provisions set forth herein shall supersede the Land Development Ordinance of the Township of Chesterfield, except where specific provisions of the Land Development Ordinance are expressly indicated as being applicable. The adoption of this Redevelopment Plan by the Township of Chesterfield shall be considered an amendment to the Township’s Official Zoning Map.

2.2 PERMITTED PRINCIPAL USES

1. Light Industrial Uses
 - a. Light manufacturing
 - b. Fabrication
 - c. Assembly
2. Warehousing, including refrigerated (subject to such sound attenuation devices as are necessary to comply with NJDEP Noise regulations, N.J.A.C. 7:29)¹, but excluding parcel hub warehouses and fulfillment centers, which shall not be permitted.
3. Distribution Facilities, but excluding Last Mile Distribution Facilities, parcel hub warehouses, and fulfillment centers.²
4. Wholesaling³
5. Scientific or Research Facilities
6. Business or Professional Offices
7. Indoor Agriculture
8. Cannabis cultivation, manufacturing and wholesaling, so long as same is on a separate lot
9. Any combination of the above listed uses shall be permitted within the Rehabilitation Area.

2.3 PERMITTED ACCESSORY USES AND STRUCTURES

1. Off-street parking and loading
2. Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces
3. Tractor trailer parking and storage (for on-site usage only)
4. Signage
5. Fences and walls, including retaining walls and sound walls
6. Accessory offices
7. Retail space accessory to distribution, warehousing and storage facilities, not to exceed 5,000 square feet per tenant, and not to exceed 10,000 square feet in total; except no retail sales of products containing cannabis shall be permitted

¹ Defined as a “building used primarily for the storage of goods and materials.”

² Last Mile Distribution Facilities shall be defined as a distribution facility that moves goods to their final delivery destination for use or consumption, which is typically a residence, utilizing a fleet of small trucks and vans under a gross vehicle weight of 16,000 lbs (US Truck Class 4 and below).

³ Defined as “establishments or places of business primarily engaged in selling merchandise to other businesses, including retailers; industrial, commercial, or professional business users; and other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.” Wholesaling shall not include any direct-to-consumer retail sales.

8. Gate house or security guard house
9. Roof-mounted solar installations
10. Mechanical equipment
11. Fire protection and potable water supply storage tanks
12. Stormwater best management practices
13. Sewage treatment facilities
14. Any other use which is subordinate to, and customarily incidental to the principal use as determined by the Redevelopment Entity, which shall be the Township Committee.

2.4 BULK STANDARDS

Development in the Rehabilitation Area shall comply with the standards in Tables 1 and/or 2. All bulk standards shall be calculated based on the overall area and boundaries of the Rehabilitation Area, irrespective of any technical subdivision to accommodate the relocated 1740 Black House on its own tax lot (as permitted in Section 4.5). Multiple principal buildings, multiple permitted uses within a principal building and multiple tenants and/or owners within a principal building shall be allowed within the Rehabilitation Area.

Table 1. Rehabilitation Area Bulk Standards (for non-indoor agricultural permitted uses)

DEVELOPMENT STANDARDS	REQUIRED
Minimum Tract Area	100 acres
Maximum Impervious Coverage	50%
Maximum Building Coverage	20%
Maximum Gross Floor Area	1,300,000 sq. ft.
Minimum Landscape Buffer Adjacent to Residential Uses (see Section 2.6.5)	50 feet
PRINCIPAL BUILDING STANDARDS	REQUIRED
Maximum Building Height ⁴	65 feet
Minimum Setbacks	
- Old York Road	1,000 feet
- Bordentown Georgetown Road	1,900 feet
- All other tract boundaries	200 feet
Minimum Distance between Principal Buildings	40 feet

⁴ The vertical distance measured between the highest point of the building roof (excluding parapets, bulkheads, mechanical equipment, solar panels, access and utility penthouses and other similar appurtenances) and the average elevation of the finished grade as measured five feet from the foundation. The finished grade of berms and other mounding techniques that might be added around building foundations to increase the height of the finished grade and hence increase the allowable height of the building shall not be used for measuring building height. The term "finished grade," as used herein, shall not include grade recesses solely intended to accommodate truck loading docks, garage entrances or similar purposes; provided such recesses do not exceed four feet in depth below adjoining grade. Roof-mounted mechanical equipment, bulkheads, solar panels and other appurtenances shall have a maximum height of 7 feet above the flat roof surface.

ACCESSORY STRUCTURE STANDARDS ⁵	REQUIRED
Maximum Height	
- Water tanks	50 feet ⁶
- All other accessory structures	20 feet
Minimum Setbacks	
- Old York Road	750 feet
- Bordentown Georgetown Road	750 feet
- All other tract boundaries	50 feet

Table 2. Rehabilitation Area Bulk Standards (for indoor agricultural permitted uses)

DEVELOPMENT STANDARDS	REQUIRED
Minimum Tract Area	10 acres
Maximum Impervious Coverage	50%
Maximum Building Coverage	20%
Minimum Landscape Buffer Adjacent to Residential Uses (see Section 2.6.5)	50 feet
PRINCIPAL BUILDING STANDARDS	REQUIRED
Maximum Building Height	65 feet
Minimum Setbacks	
- Old York Road	1,000 feet
- Bordentown Georgetown Road	1,900 feet
- All other tract boundaries	200 feet
Minimum Distance between Principal Buildings	40 feet

2.5 PARKING REQUIREMENTS

Principal permitted uses within the Rehabilitation Area shall meet the minimum off-street parking requirements set forth below.

Warehouse/wholesale/distribution facilities:	1 space per 5,000 square feet of gross floor area
Scientific or research facilities:	4 spaces per 1,000 square feet of gross floor area
Light industrial:	3 spaces per 1,000 square feet of gross floor area
Indoor agriculture:	1 space per 5,000 square feet of gross floor area
Offices:	4 spaces per 1,000 square feet of gross floor area
Accessory retail space:	4 spaces per 1,000 square feet of gross floor area

⁵ Excludes the Black House and with the exception of a water tank, this shall not include structures and site improvements that are not buildings, such as retaining walls, fences, sound walls, driveways, curbing, light poles and similar features.

⁶ The maximum height of 50 feet for a water tank may be exceeded and waived by the Planning Board if it is demonstrated that additional height is necessary to establish the required water pressure.

Where any calculation results in a fraction of a space, the required amount of off-street parking shall be rounded up to the nearest whole number. All projects shall comply with State law P.L. 2021, c. 171 (C.40:55D-66.18 through C.40:55D-66.20) regarding electric vehicle/service equipment (EVSE) and make ready parking spaces, as applicable. Notwithstanding the foregoing, the redeveloper shall commit to providing additional electric vehicle charging spaces over the following ten (10) years for tractor-trailers. This commitment will be reflected in a Redevelopment Agreement to be executed by the Township and the redeveloper. This requirement reflects the acknowledgment by both Parties that the industry is changing, and that there is a move toward the greater use of electric tractor-trailer vehicles. The redeveloper will be required to report to the Township Committee at least every two (2) years, on the state of the industry, and on plans to add additional electric charging stations for tractor-trailers.

The redeveloper may request to land bank up to 30% of the total required parking spaces subject to the review and approval of the Planning Board; and

Tractor trailer parking spaces for warehouse/storage or distribution facilities shall be limited to no more than 2 trailer parking spaces per loading bay.

2.6 SITE DESIGN REQUIREMENTS

The site design requirements set forth herein shall supersede Article XII Design and Performance Standards and other relevant site design standards of the Township of Chesterfield Land Development Ordinance, except as expressly indicated.

2.6.1 Access and Circulation

- a. Access to the Rehabilitation Area by trucks and commercial vehicles shall be restricted to one driveway along Old York Road and limited to right-in and left-out movements.
- b. As illustrated in Figure 5, a dedicated egress driveway to Old York Road for right-out movements shall be provided for non-truck and non-commercial vehicles. An overhead barrier shall be installed to prohibit all truck and commercial vehicles from utilizing the right-out egress driveway. It is anticipated that the dedicated egress driveway will traverse adjacent Block 701, Lot 1.02.
- c. All vehicular traffic from the relocated Black House as depicted in Figures 4 and 5 shall utilize the driveway to be located on Lot 1.02.
- d. All parking areas, driveways and circulation areas shall be paved and curbed.
- e. Parking stalls for standard vehicles shall have minimum dimensions of 9 feet in width by 18 feet in length.
- f. Parking stalls for tractor trailers shall have minimum dimensions of 12 feet in width by 55 feet in length.
- g. Internal circulation driveways shall have the following minimum widths:
 - One-way circulation – 12 feet
 - Two-way circulation – 25 feet
- h. All internal off-street parking and circulation driveways, except for access driveways, shall be setback a minimum of 50 feet from any tract boundary.

2.6.2 Off-Street Loading

Warehouse and distribution facilities shall be required to provide at minimum one loading space with a minimum dimension of 12'x60' for each 20,000 square feet or part thereof.

2.6.3 Stormwater Management

All development within the Rehabilitation Area shall be subject to N.J.A.C. 7:8 Stormwater Management Rules, which shall supersede the requirements of §130-75 and §130-78.1A(1) and (2), B and C of the Township Code.

2.6.4 Flood Control and Flood Damage Prevention

All development within the Rehabilitation Area shall be subject to N.J.A.C. 7:13 Flood Hazard Area Control Act Rules, which shall supersede the requirements of Chapter 118 Flood Damage Prevention and §130-85 Flood Control of the Township code.

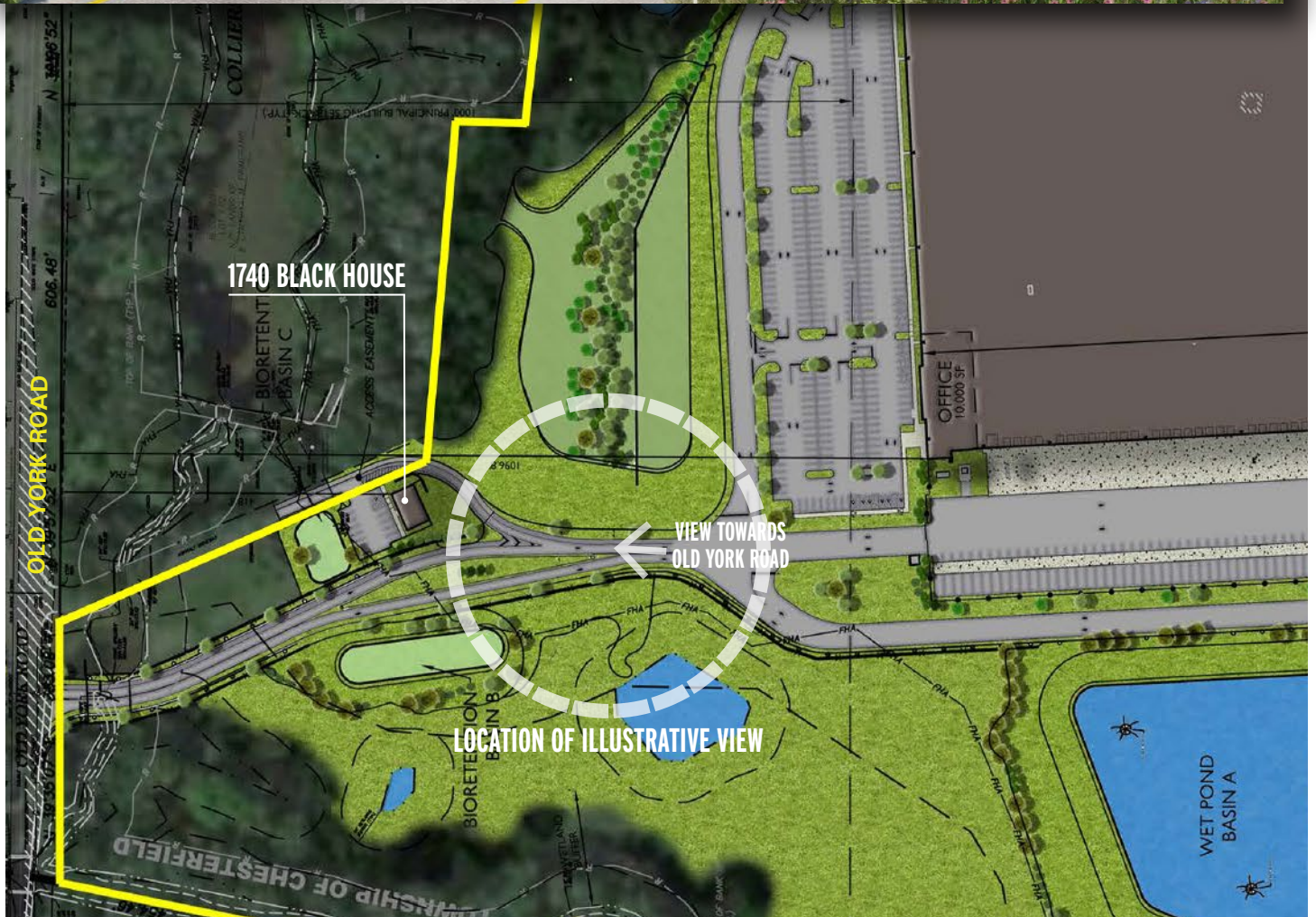


Figure 5: Illustrative View of Required Egress Driveway Configuration

Old York Redevelopment Plan

Township of Chesterfield, Burlington County, New Jersey
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2.6.5 Landscape Standards

a. Landscape Buffers and Islands

- i. The frontage of Old York Road shall include a decorative landscaping area comprised of a mixture of flowering plants, ornamental trees and evergreen shrubs.
- ii. A minimum of 1 tree for every 10 parking spaces shall be provided either in a landscaped island in the parking area, or within 10 feet of the perimeter of the parking area.
- iii. The easterly buffer along Lot 4 shall be designed in general accordance with the conceptual plan included as Figure 6 in order to create a dense visual screen. This buffer shall include:
 - (a) A planted berm with a minimum height of 15 feet.
 - (b) Trees planted on top of the berm which have a minimum height of 25 feet at the time of planting.
 - (c) The planted berm shall be contained in a landscape buffer easement requiring maintenance in perpetuity by the owner of Block 701, Lot 2.01.
- iv. A landscaped buffer with a minimum width of 50 feet shall be provided along the boundaries of the Rehabilitation Area adjacent to Block 701, Lots 1.02, 2.03 and 2.04. The buffer areas shall be contained in a landscape buffer easement requiring maintenance in perpetuity by the owner of Block 701, Lot 2.01, except in the event the owner of Lot 2.01 acquires Lots 1.02, 2.03 and/or 2.04 an easement shall not be required for the portions of the buffer along the lots under common ownership.
- v. Landscaping within a required landscape buffer area shall be composed of a mixture of deciduous and evergreen trees, shrubs, grasses and other plantings so as to provide a continuous, year-round buffer to mitigate and absorb sight and sound and impacts to adjacent properties.
- vi. Landscape buffers shall include a minimum of 4 of the tree species listed in §130-79.B(3) of the Township Code. A minimum of 2 of the species of trees must be evergreen varieties.
- vii. The width of the required buffer may be reduced to less than 50 feet in certain limited locations to accommodate necessary on-site utilities and infrastructure, if permitted by the Planning Board. However, any buffer areas less than 50 feet in width shall provide a berm, fence and/or enhanced plantings in order to ensure an adequate visual screen.
- viii. Drip irrigation and similar types of treated wastewater disposal shall be permitted within the required landscape buffer.

b. Trees

- i. Any mature tree on site that will be removed shall be replaced on a one-to-one basis. Mature trees shall be defined as any existing tree over 18 inches. All proposed trees shall be included in within the 1:1 replacement requirement.
- ii. All tree replacement shall be subject to §130-79 of the Township Code.
- iii. All trees shall be of a species identified in Section 130-79.B(3) of the Township Code.
- iv. All deciduous trees shall be a minimum of 2.5 inches in caliper at the time of planting.
- v. All evergreen trees shall be a minimum of 6 feet in height at the time of planting except as otherwise required at 2.6.5.a.iii for the easterly buffer.

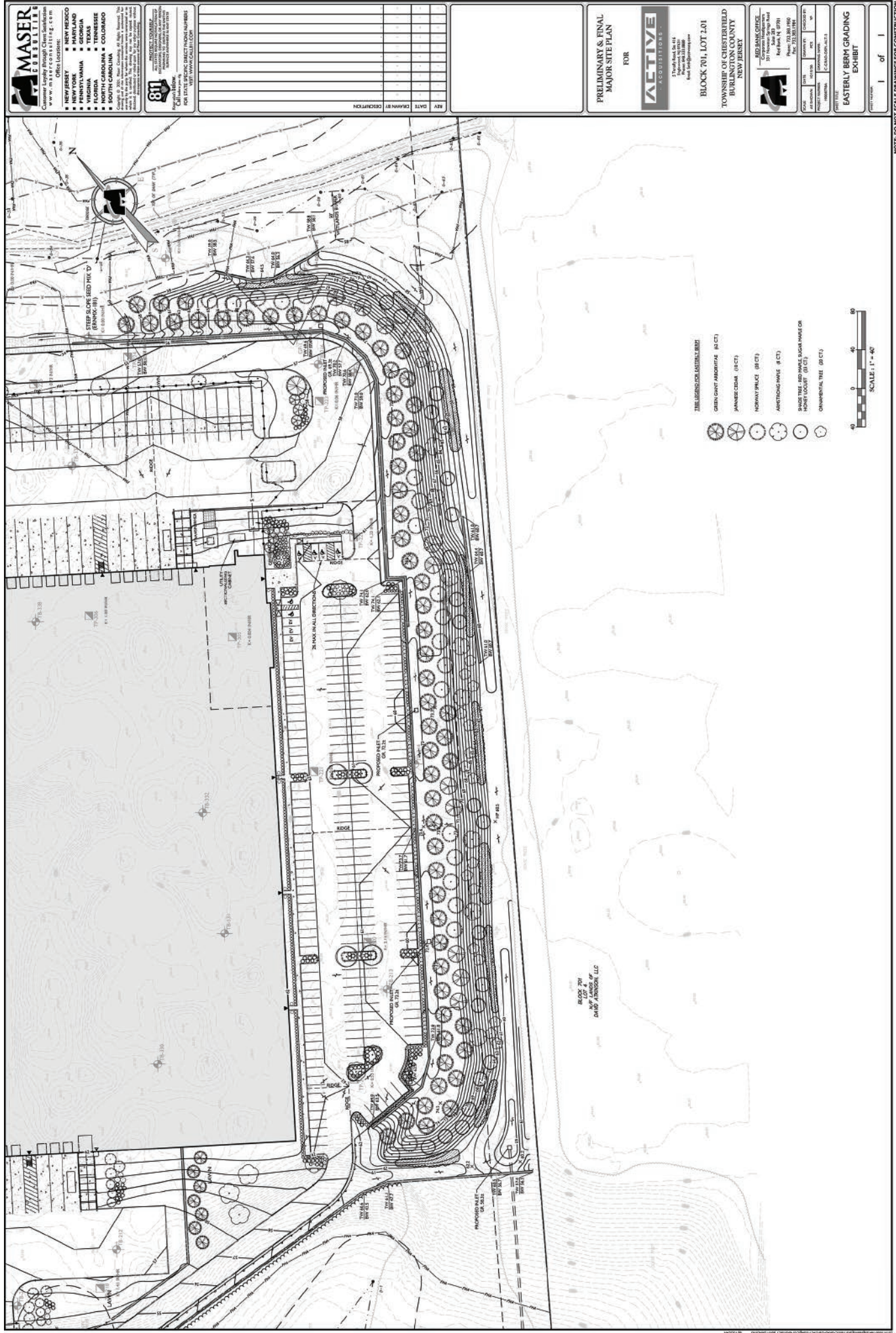


Figure 6: Conceptual Plan for Easterly Buffer | **Old York Redevelopment Plan**

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2.6.6 Lighting

All parking areas, driveways, loading areas, and walkways shall be illuminated for safety and security purposes. Lighting shall be designed to provide for security and safety, while minimizing and impacts on adjacent properties.

- a. All freestanding light fixtures shall have a maximum height of 25 feet.
- b. All building mounted lights shall have a maximum mounting height of 25 feet.
- c. All light fixtures shall be arranged so that lights are directed vertically down or inwards towards the site, with recessed light source and shielded to prevent light spillage onto adjacent properties.
- d. All lights shall be directed down to prevent excess light pollution.
- e. All parking areas, loading areas, or pedestrian walkways shall have a minimum level of illumination of 0.2 footcandles, and an average minimum of 0.5 footcandles throughout.
- f. The average minimum lighting can be provided by motion activated lights
- g. A maximum of 0.1 footcandles of illumination shall be permitted along any tract boundary line.
- h. Lighting color temperature shall be limited to a maximum of 3,000 Kelvin.

2.6.7 Fences

Fences within the Rehabilitation Area shall be subject to the following standards.

- a. All fences that will be visible from a public right-of-way shall be no greater than 8 feet in height.
- b. Chain link fences shall be screened or vinyl clad in any area that will be visible from a public right-of-way to reduce visual impact.
- c. Barbed wire or razor wire on fencing shall not be permitted.
- d. Sound walls and retaining walls shall be specifically excluded from fence restrictions.

2.6.8 Signs

The following requirements shall apply to all signage within the Rehabilitation Area.

- a. Monument Signs:
 - i. One (1) monument style sign may be permitted along Old York Road.
 - ii. The sign shall not interfere with any necessary sight triangle at the driveway intersection.
 - iii. The maximum height of a monument sign shall be 5 feet, inclusive of any base structure.
 - iv. Monument signs shall be composed of a brick or stone base at least 18 inches in height and surrounded by decorative landscaping.
 - v. The maximum sign area of a monument sign shall be 40 square feet, excluding the base.
 - vi. The monument sign shall be internally illuminated in order to provide adequate visibility to vehicular traffic accessing the site from Old York Road.
- b. Building-mounted Signs
 - i. A maximum of two (2) building or wall signs per tenant space with a sign area not to exceed 100 square feet each sign are permitted on each principal building or structure.
 - ii. Wall signs shall project no further than 8 inches from the face of the building.
 - iii. Building or wall signs shall have a maximum mounting height of 55 feet.
 - iv. Building-mounted signs may be illuminated with halo-lit channel letters or internal illumination.

- c. Directional or wayfinding signage may be provided throughout the site as needed to direct traffic to appropriate tenant spaces, parking or loading areas.
 - i. Directional signage shall have a maximum sign area of 8 square feet, and a maximum height of 4 feet.
- d. No freestanding, pylon, or projecting signs shall be permitted.

2.6.9 Renewable Energy Requirements

- a. A minimum of 50% of the anticipated energy demands for any permitted use shall be met through the use of on-site renewable energy in the form of solar generated and/or geothermal power.
- b. In lieu of 50% on-site renewable energy, the redeveloper is permitted to satisfy this requirement by demonstrating that the proposed building(s) would be eligible for LEED silver certification or greater.
- c. Any solar energy installations shall be subject to the provisions of §130-144, except subsections A(2), A(8),A(9), A(15) and E of §130-144 shall not be applicable to the Rehabilitation Area.

2.7 TECHNICAL SUBDIVISION

A project to be developed pursuant to this Redevelopment Plan may be of such a size or type so as to make sectionalization by subdivision and the use of different forms of ownership a practical necessity. Therefore, a technical subdivision for such a project may be required for marketing or financing purposes. An application for technical subdivision approval may be submitted with an application for approval of a site plan, or subsequent to the issuance of such an approval. Such an application shall be considered as a technical subdivision and treated as a minor subdivision application without the necessity to obtain bulk variances that would technically be required subject to the following:

- 1. The purpose of the application is to create a new lot for the purpose of financing or transfer of ownership within a development which is, or has been, the subject of site plan approval.
- 2. A technical subdivision may not substantially modify or otherwise adversely impact on the integrity of a previously approved development plan.
- 3. A technical subdivision must not reduce, limit or modify parking or access to parking.
- 4. If a technical subdivision includes the division of parking or other common areas or facilities, the subdivision shall be conditioned upon appropriate easements for parking, access, signage, stormwater management and/or utilities where necessary.

2.8 CANNABIS CULTIVATION, MANUFACTURING AND WHOLESALING REQUIREMENTS

All indoor cannabis cultivation, manufacturing and wholesaling uses shall be subject to the requirements set forth in § 130-48(K) of the Township Code.

3 PLAN CONSISTENCY

3.1 TOWNSHIP PLANNING GOALS AND OBJECTIVES

The closure of the Old York Country Club was not anticipated at the time of the most recent Master Plan Reexamination Report in 2017. As a result, the Master Plan does not provide any specific recommendations regarding the potential redevelopment of the property. However, the development of the Rehabilitation Area with a warehouse facility is not inconsistent with the goals and objectives of the Master Plan. The primary goals of the Township’s Master Plan are the preservation of the agricultural industry, and the protection of the rural character of the community. This Redevelopment Plan does not remove any active farmland from productive use, nor is this property targeted for agricultural use or preservation. Additionally, the setbacks and buffering required shall serve to maintain a rural aesthetic on Old York Road and Bordentown-Georgetown Road. The Township finds that the Rehabilitation Area is an appropriate location for a warehouse development as illustrated in Figure 4 for several reasons, including the property’s accessibility to the New Jersey Turnpike and Interstate 295 via Route 206. Based on the access restrictions imposed by this Redevelopment Plan, the operations of such a facility will generate minimal truck traffic impacts on local roadways in Chesterfield. Similarly, the size and shape of the property allow for substantial setbacks and buffering of the facility to minimize visual impacts to the character of the community. The requirements of the Redevelopment Plan will ensure that sensitive environmental features of the property will be protected. In addition, the Township’s sustainability and renewable energy objectives will be advanced by the renewable energy requirements of this Plan. Furthermore, the redevelopment of the Rehabilitation Area encourages the preservation and adaptive reuse of an existing historic structure (see Section 4.5). Thus, the adoption of this Redevelopment Plan is does not conflict with the Township’s planning objectives relative to farmland preservation, environmental protection, historic preservation and sustainability, and in this regard can be considered consistent with the Township’s Master Plan.

3.1.1 Notwithstanding the foregoing Section 3.1, it has been suggested by some members of the public that this Redevelopment Plan is not consistent with the Township’s Master Plan and/or is not designed to effectuate the Master Plan. To the extent such suggestion has credibility, the Township Committee, pursuant to N.J.S.A. 40A:12A-7(d), herewith sets forth its reasons for adopting this Redevelopment Plan.

- A. At the time the Township’s Master Plan was adopted in 1997, its focus was on the preservation of farmland and promoting the Township’s agricultural character through a then-newly crafted “Transfer of Development Rights” (“TDR”) legislative program. Commercial and industrial development were not priorities.
- B. Chesterfield is the only municipality in the State of New Jersey to successfully implement TDR, and residential development in the “Receiving Area” is now more than eighty percent (80%) completed. The limited commercial area in the Receiving Area has now also been built, but suffers from vacancy concerns.
- C. Chesterfield’s tax revenues are disproportionately derived from its residential development and farms. In fact, ninety-seven percent (97%) of Chesterfield’s tax ratable base is farmland and residential. The Township Committee recognizes the fragility of such a reliance on residences and farms as the nearly sole source of tax revenue.

- D. There are very few areas in the municipality where non-residential, non-agricultural pursuits can be achieved.
1. Of Chesterfield's 13,728 acres of land:
- (a) 7,956.36 acres are preserved and 577.39 are unpreserved (but with TDR Credits assigned to them);
 - (b) 689.55 acres are State-owned land;
 - (c) 583 acres comprise the "Receiving Area";
 - (d) 140 acres are recreation fields and/or open space outside the Receiving Area;
 - (e) Crosswicks and Recklesstown comprise 385 acres;
 - (f) Turnpike Roads comprise: 102.87 acres.
2. As a result, seventy-six percent (76%) of Chesterfield's land mass has been dedicated to the purposes of the 1997 Master Plan, and subsequent Master Plan Re-Examination Reports, and/or is physically not developable.
- E. However, no significant commercial or industrial initiatives have been undertaken since TDR was adopted in 1998.
- F. The five (5) highest ratables in this community are:
- (1) Transco Generator: \$5,297,500.00
 - (2) Colonial Pipeline: \$4,303,100.00
 - (3) Old York Village Shops: \$3,180,000.00
 - (4) Old York Country Club: \$3,000,000.00
 - (5) Horse Track: \$2,523,000.00
- G. The general welfare of the community is advanced when the municipality seeks industrial ratables to create a better economic balance for the community, vis-à-vis educational and governmental costs engendered by residential development. There is no question that the success of the TDR Program, and its resultant increase in school population and need for governmental services, has resulted in greater governmental expenditures. The Township Committee deems it appropriate to seek an opportunity to increase commercial/industrial tax ratables to mitigate increased municipal expenditures resulting from an increased residential population.
- H. The property in question, 156 +/- acres in size, is not a farm, and has not been a farm for years. The Township Committee has been informed that the costs and expenses a farmer would have to incur to return the property to tillable soil are prohibitive, such that it is unlikely to become farmland.

- I. However, the property, having been used commercially for decades, is appropriate for non-agricultural, non-residential, purposes. Its close proximity to Route 206 (1,900 +/- feet) makes it attractive for the uses identified as permitted and accessory uses in Sections 2.2 and 2.3 of this Plan. The Township Committee believes it is a good location for the uses identified in this Plan.
- J. In making its determination of the appropriateness of this area for these purposes, the Township has received the benefit of traffic reports, environmental reports, and a community impact statement, all of which have been posted to the Township’s website for public consumption, and are made part of the record on this Ordinance. The Committee has also received an analysis of the traffic studies from the Township Planner’s office, dated October 21, 2022; a memo from the Township Administrator, dated October 27, 2022, entitled “Data Related to Township Land uses, PVD, and Assessed Value Apportionment”; all of which documents are part of this legislative record and inform the Township Committee’s decision.
- K. The Township Committee believes that this Plan advances the following purposes of the MLUL:
 - N.J.S.A. 40:55D-2(a): To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare. [See the foregoing statements]
 - N.J.S.A. 40:55D-2(c): To provide adequate light, air and open space [most of the property will remain undeveloped].
 - N.J.S.A. 40:55D-2(g): To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens. [See the foregoing statements]
 - N.J.S.A. 40:55D-2(h): To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight [truck traffic going to and from Route 206 only]
 - N.J.S.A. 40:55D-2(i): To promote a desirable visual environment through creative development techniques and good civic design and arrangement [setback distances and landscaping/berming regulations]
 - N.J.S.A. 40:55D-2(j): To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land [Black House, solar in Sec. 2.6.9; and electric vehicle/service equipment (EV/SE) at Sec. 2.5, page 10]

While the Township Committee believes that the Redevelopment Plan is consistent with the Master Plan, as stated in Section 3.1 of the Plan, for purposes of completeness of the record, and should it be determined by a reviewing Court that the Redevelopment Plan is not consistent with the Master Plan, or is not designed to effectuate the Master Plan, the Township Committee adopts the foregoing as its reasons for adopting this Plan despite any such concerns.

3.2 MASTER PLANS OF CONTIGUOUS MUNICIPALITIES

The Rehabilitation Area is located at the border between the Township of Chesterfield and the Townships of Mansfield and Bordentown. As noted previously, a portion of the Old York Country Club golf course is located within Mansfield, and the Rehabilitation Area is further separated by dense woodlands from other auto-oriented uses along Route 68 in the Township. The redevelopment project envisioned in this Redevelopment Plan is compatible with these uses and is expected to have minimal impacts to Mansfield Township and its master plan goals. The envisioned redevelopment project is similarly compatible with the existing industrial uses located along Rising Sun Road in the Township of Bordentown and at intersection of Bordentown-Georgetown and Old York Road. Bordentown's REO zone is located directly across Old York Road from the Rehabilitation Area. A March 2022 amendment to the Township of Bordentown Master Plan recommended that warehouses no longer be permitted along the Route 130 and 206 corridors in the GC and REO zones. This directive was subsequently implemented via an amendment to the Bordentown zoning ordinance. However, since the Bordentown lands directly across from the Rehabilitation Area are not located directly along the Route 130 or Route 206 corridors, warehousing remains a permitted use on those properties on Old York Road in Bordentown. Therefore, this Redevelopment Plan is consistent with Bordentown's master plan and zoning for the REO-zoned properties directly across Old York Road from the Rehabilitation Area.

3.3 COUNTY MASTER PLAN

The proposed redevelopment and rehabilitation activities in this Redevelopment Plan will not adversely affect the transportation objectives of the 2017 Burlington County Highway Master Plan, encroach upon designated Farmland Preservation Areas of the 2009-2018 Burlington County Comprehensive Farmland Preservation Plan, or interfere with planned parks and trails projects envisioned in the 2014 Burlington County Open Space Master Plan.

3.4 STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The Rehabilitation Area is mostly located within the PA-4 Rural Planning Area of the 2001 State Development and Redevelopment Plan ("SDRP"), while a small portion south of Old York Road is designated within PA-2 Suburban Planning Area. In PA-4, the SDRP promotes the protection of the rural character and agricultural lands, while encouraging an appropriate level of growth and redevelopment to enhance economic development and support rural communities. In PA-2, the SDRP similarly encourages redevelopment and the provision of a wide range of land uses and users to achieve more balanced communities.

The redevelopment and rehabilitation activities envisioned in this Redevelopment will advance the intent and goals of PA-4 and PA-2. By redeveloping an already improved site with existing on-site wastewater disposal and infrastructure, the redevelopment project will not encroach upon valuable agricultural or other open space lands. Moreover, the envisioned development is compatible with the surrounding land use character and takes advantage of access to major transportation routes. As such, a redevelopment project promoted by this Redevelopment Plan can also bring off-farm economic development opportunities to support the nearby rural communities.

4 REDEVELOPMENT ACTIONS

4.1 REDEVELOPMENT AGREEMENT

The designated Redeveloper selected by the Township Committee shall enter into a Redevelopment Agreement with the Township to effectuate the goals and requirements of this Redevelopment Plan. The Redevelopment Agreement will stipulate the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein. The Redevelopment Agreement will also contain the terms, conditions, specifications, and description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to the Redeveloper's obligation to provide the necessary infrastructure and improvements, and to address municipal and community concerns regarding the various impacts the development will have on the community. Absent execution of such an Agreement, the redevelopment of the Rehabilitation Area shall not be permitted to proceed.

4.2 PROPERTY ACQUISITION

Pursuant to N.J.S.A. 40A:12A-15, the municipality shall not have the power to take or acquire private property by condemnation in furtherance of the Redevelopment Plan for a redevelopment project in an area in need of rehabilitation.

4.3 RELOCATION

This Redevelopment Plan does not anticipate the need for the statutory relocation of any residents or businesses within the Rehabilitation Area.

4.4 CONSTRUCTION

Construction of new structures and other improvements will take place as proposed in this Redevelopment Plan and in substantial consistency with the Concept Plan included as Figure 4 along with conceptual rendered elevations. Other actions needed to be undertaken to implement the Redevelopment Plan may include the clearance of dilapidated, deteriorated, obsolete, or underutilized structures or use; and provision for public improvements necessary to support new development.

4.5 HISTORIC STRUCTURE RELOCATION (BLACK HOUSE)

There is an existing historic structure located within the Rehabilitation Area that is commonly referred to as the 1740 Black House. The masonry building was constructed circa 1740 and is presently vacant. The designated Redeveloper shall be required to relocate the historic structure within the Rehabilitation Area or on the adjacent parcel known as Block 701, Lot 1.02. Prior to its relocation, the Redeveloper shall be required to conduct a Historic American Building Survey (HABS) Level II Documentation of the structure. This shall include a digital scan of the exterior of the building to create a 3D rendering.

The concept plan (as depicted in Figures 4 and 5) envisions the relocation of the 1740 Black House to an area located between the two egress driveways to Old York Road. However, this specific location is not required by this Redevelopment Plan and the structure may be relocated to another appropriate location within the Rehabilitation Area or on Block 701, Lot 1.02. To the extent the structure is

relocated within the Rehabilitation Area, the 1740 Black House is permitted to be adaptively reused for “business or professional offices” or “scientific or research facilities.” Pursuant to Section 2.7 of this Redevelopment Plan, the redeveloper shall be permitted, but not required, to create a technical subdivision of the overall property to accommodate the relocated 1740 Black House on a separate tax lot. Any lot within the Rehabilitation Area created for the relocated 1740 Black House shall be exempt from the bulk requirements for principal and accessory buildings as set forth in Section 2.4.

Notwithstanding the foregoing, no relocation, removal, or alteration of the 1740 Black House shall be undertaken without the review and approval of the State Historic Preservation Office (SHPO) with advisory input from the local Historic Preservation Commission, nor shall any recovered artifacts be disposed of without first offering same to the Township.

4.6 NON-RESIDENTIAL DEVELOPMENT FEE

The developer shall be responsible to make payment to the Township, pursuant to State law, regarding its non-residential developer’s affordable housing fee obligation, applicable to the subject development. The applicant’s affordable housing obligation shall be that required by applicable law.

4.7 OTHER ACTIONS

In addition to the proposed actions outlined above, other actions may be taken to further the goals of this Redevelopment Plan. These may include but shall not be limited to: 1) environmental remediation; and 2) creation and/or vacation of public utility easements and other easements and rights-of-way as may be necessary to effectuate redevelopment.

5 GENERAL PROVISIONS

5.1 AMENDMENT TO LAND DEVELOPMENT ORDINANCE AND MAP

This Redevelopment Plan shall constitute a Rehabilitation Area in the Land Development Ordinance of the Township of Chesterfield and modify specific provisions of the ordinance where expressly indicated. The official zoning map referenced in §37-2.2 of the Land Development Ordinance of the Township of Chesterfield is hereby amended to reference this Redevelopment Plan. Additionally, the listing of zoning districts in §37-2.1 of the Land Development Ordinance is hereby amended to include a reference to said Rehabilitation Area.

5.2 DEFINITIONS AND TERMINOLOGY

Except as otherwise provided herein, words that appear in this Redevelopment Plan shall be interpreted in accordance with Article II Definitions of the Township of Chesterfield Land Development Ordinance.

5.3 SUBDIVISION AND SITE PLAN REVIEW

All subdivision and site plan applications within the Rehabilitation Area shall be prepared and submitted to the Chesterfield Township Planning Board in accordance with Article XIV Development Review Procedures and Plat Details. In addition to the requirements of Article XIV, all applications for subdivision or site plan approval shall include the following information:

- a. Emergency Vehicle Access and Circulation Plan – Subject to review of the Township Fire Department
- b. Traffic Impact Study for all estimated trips generated by the redevelopment project
- c. Circulation and Site Usage Plan – This plan should define the anticipated types of trucks that will use the facilities proposed, how they access the site and buildings, the number of trucks anticipated, and how frequently they will enter and exit the site, as well as where they will park on site if not actively loading or unloading.
- d. Acoustical Impact Study
- e. Environmental Impact Statement, including a Cultural Resource Survey
- f. Historic Resource Relocation Plan
- g. Community Impact Statement
- h. Fiscal Impact Statement

In the case that a redevelopment project requires approvals by other agencies, the Redeveloper is required to submit copies of such applications and approvals to the Township to demonstrate compliance with applicable local, county, and State regulations to perfect any subdivision or site plan approval granted.

The Chesterfield Township Planning Board may grant deviations from the regulations contained within Chapter 2 of this Redevelopment Plan, where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property or by reasons of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any bulk regulation adopted pursuant to this Redevelopment Plan would result in peculiar difficulties to, or exceptional and undue hardship upon, the Redeveloper. The Chesterfield Township Planning Board may also grant such

relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Redevelopment Plan and the benefits of the deviation would outweigh any detriments. Additionally, no relief may be granted under the terms of this Section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan.

Notwithstanding the above, no deviations shall be granted that would permit any of the following: a use or principal structure that is not otherwise permitted by this Redevelopment Plan; an increase in the permitted maximum floor area; or an increase in the maximum permitted height of a principal structure by more than 10 feet or 10%, whichever is less. No deviation from the requirements herein shall be cognizable by the Township of Chesterfield Planning Board.

An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the requirements set forth in N.J.S.A. 40:55D-12a and b.

5.4 NON-DISCRIMINATION

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

Any contractor or subcontractor engaged to perform work within the Rehabilitation Area shall, where applicable, state in all solicitations or advertisements for employees placed by or on behalf of the contractor, or subcontractor, that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability or sex.

There shall be no restrictions of occupancy or use of any part of the Rehabilitation Area on the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, or sex in the sale, lease, use or occupancy thereof.

5.5 COMPLETION OF PLAN

Upon the inspection, verification, and approval by the Township Committee that the redevelopment within the Rehabilitation Area has been completed, a Certificate of Completion and Compliance shall be issued to the Redeveloper. All Redevelopment Agreements associated with the implementation of this Redevelopment Plan shall be in effect until the issuance of such a certificate, or such later date as set forth in such Redevelopment Agreement(s).

5.6 SEVERABILITY

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.

5.7 PROCEDURE FOR AMENDING PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of State law. An escrow fee of \$10,000 necessary to cover the municipal costs of professional services shall be paid by the party requesting such amendment, unless the request is issued from any agency of the Township of Chesterfield. The Township Committee, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendment(s), which study must be conducted by a professional planner licensed in the State of New Jersey.