

TOWN OF HARRISON

COUNTY OF HUDSON

ORDINANCE NO. 1434

AN ORDINANCE OF THE TOWN OF HARRISON, COUNTY OF HUDSON, STATE OF NEW JERSEY ADOPTING AMENDMENTS TO THE REDEVELOPMENT PLAN FOR THE VO-TOYS REDEVELOPMENT AREA

WHEREAS, the Mayor and Council of the Town of Harrison (“Town”) desire to adopt amendments to the RCA Vo-Toys Redevelopment Plan, prepared by Heyer, Gruel, & Associates PA; and

WHEREAS, the Town previously established a Redevelopment Area, pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.), which Area is commonly referred to as the “Vo-Toys Redevelopment Area”; and

WHEREAS, a Redevelopment Plan for the Redevelopment Area was prepared by Heyer, Gruel, & Associates and adopted in September, 2012; and

WHEREAS, an amended Redevelopment Plan for the Redevelopment Area was prepared by Heyer, Gruel, & Associates and adopted on June 25, 2014 (hereinafter the “2014 Plan”); and

WHEREAS, since the adoption of the 2014 Plan there have been changes in conditions and circumstances; and

WHEREAS, due to the changes, the Town and the Designated Redeveloper entered into an amended Redevelopment Agreement, dated March 9, 2020 (hereinafter the “2020 RDA”); and

WHEREAS, pursuant to the 2020 RDA, it is necessary to further amend the Plan.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Harrison, County of Hudson, State of New Jersey, as follows:

- Section 1. The amended RCA Vo-Toys Redevelopment Plan, prepared by Heyer, Gruel & Associates and attached as Exhibit A, is hereby adopted.
- Section 2. All prior Ordinances, which are inconsistent with the provisions of this Ordinance, as well as any prior versions of the above referenced Plan, are hereby repealed to the extent of such inconsistency.
- Section 3. This Ordinance shall become effective immediately upon final passage and publication as requires by law.

/s/ Ellen Mendoza

Councilwoman Ellen Mendoza

Introduced: 04-20-2021

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council held on April 20, 2021, the foregoing Ordinance passed on first reading.

Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT		X	X			
M. CAMANO			X			
J. DOLAGHAN			X			
J. DORAN	X		X			
J. HUARANGA			X			
E. MENDOZA			X			
F. NASCIMENTO			X			
E. VILLALTA			X			
J. FIFE			X			

Adopted: 05-18-2021

Approved: _____
Mayor James A. Fife

I, Paul J. Zarbetski, Town Clerk of the Town of Harrison, County of Hudson, State of New Jersey, hereby certify that at a Meeting of the Mayor and Council duly held on May 18, 2021 the foregoing Ordinance, previously published according to law, was adopted on second reading, approved by the Mayor, spread in full in the ordinance book, and published according to law.

Paul J. Zarbetski, Town Clerk

Town Council	Moved	Seconded	Yes	No	Abstain	Absent
L. BENNETT		X	X			
M. CAMANO			X			
M. DOLAGHAN			X			
J. DORAN	X		X			
J. HUARANGA			X			
E. MENDOZA			X			
F. NASCIMENTO			X			
E. VILLALTA						X
J. FIFE			X			

EXHIBIT A

AMENDED RCA VO-TOYS REDEVELOPMENT PLAN



RCA VO-TOYS REDEVELOPMENT PLAN
TOWN OF HARRISON, COUNTY OF HUDSON, NEW JERSEY
APRIL 19, 2021

Prepared by
HGA

Originally Adopted September 2012
Amended June 25, 2014
Amended ____, 2021

RCA REDEVELOPMENT PLAN

RCA REDEVELOPMENT PLAN

Town of Harrison
County of Hudson, New Jersey

April 2021

Adopted _____



Prepared by:
Heyer, Gruel & Associates
Community Planning Consultants

236 Broad Street
Red Bank, NJ 07701
732-741-2900

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

Susan S Gruel, PP #1955

M. McKinley Mertz, PP #6368,
AICP, LEED Green Associate

CONTENTS

INTRODUCTION 4

 HISTORY OF THE SITE AND REDEVELOPMENT EFFORTS 4

STATUTORY REQUIREMENTS 7

PLAN PRINCIPLES 8

GOALS AND OBJECTIVES 8

RELATIONSHIP OF PLAN TO TOWN LAND DEVELOPMENT REGULATIONS 9

LAND USE PLAN 10

 DEFINITIONS 10

 RESIDENTIAL DISTRICT 12

 FLEX DISTRICT 13

 CELLULAR/WIRELESS COMMUNICATION TOWERS 14

 DESIGN STANDARDS 15

CONCEPT PLAN 22

RELATIONSHIP TO OTHER PLANS 28

 TOWN OF HARRISON MASTER PLAN 28

 HUDSON COUNTY MASTER PLAN 28

 MASTER PLANS OF ADJACENT MUNICIPALITIES 28

 NJ STATE STRATEGIC PLAN 28

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS 29

 PROPERTY ACQUISITION 29

 RELOCATION 29

 AFFORDABLE HOUSING 29

 REDEVELOPMENT ENTITY 29

 SELECTION OF A DESIGNATED DEVELOPER 29

 APPOINTMENT OF A DESIGNATED REDEVELOPER 29

 CONDITIONS IN REDEVELOPMENT AGREEMENT 29

 REVIEW PROCESS 30

 DURATION OF REDEVELOPMENT PLAN 31

 AMENDING THE REDEVELOPMENT PLAN 31

RCA REDEVELOPMENT PLAN

INTRODUCTION

In the 19th and early 20th centuries, the Town of Harrison was an industrial power in the New York/New Jersey region. However, like most industrial centers across the county, the Town saw its industrial base significantly decline beginning in the mid-20th century, partly due to the increase in the service economy. When the industries left or closed, their vacant buildings remained. These under-utilized areas that were once the heart of the Town's economy have now become remnants of a bygone era, where properties are falling into disrepair from years of neglect. The Town has been actively revitalizing its industrial areas, most notably along the Passaic River waterfront, and using redevelopment as a tool to transform these areas into a thriving urban community. The Vo-Toys Redevelopment Area is one such area that was previously home to several thriving industrial and manufacturing companies.

As shown in the attached aerial map, the Vo-Toys Redevelopment Area is centrally located within the Town of Harrison. The Area comprises Block 156 Lot 1 and Block 131 Lot 17 (formerly Lots 17-24) along South Fifth Street. Together, the two sites represent an entranceway to the Town, with Harrison's principal downtown corridor to the north and the Waterfront Redevelopment Area to the south. Block 131 is one of the first sites a driver will see when exiting westbound from Interstate 280 into Harrison. The two blocks that comprise the Area are diagonally opposite one another at the intersection of South Fifth Street and Bergen Street.

To the north and east of the Area are established residential neighborhoods consisting of predominantly single- and two-family homes. South and west of the properties are commercial and older industrial properties with a shopping center located on the northwest intersection of South Fifth and Bergen Streets and older warehouses located along Essex Street. A PSE&G substation was recently reconstructed at the southeast corner of South Fifth and Bergen Street.

The Harrison PATH Station is located approximately 0.25 miles away to the south. Pursuant to the Waterfront Redevelopment Plan, South Fifth Street will be extended south of Interstate 280, providing a more direct walking path from the Vo-Toys Redevelopment Area to the PATH Station.

Block 156 Lot 1 is the entire block bound by Sussex Street to the north, Bergen Street to the south, Sixth Street to the east, and South Fifth Street to the west. The block is developed with three industrial warehouse brick structures that were constructed in the early 20th century. The second site, which is held in common ownership with Block 156 Lot 1, is the easternmost portion of Block 131, consisting of Lot 17, and is currently a surface parking lot. It is bound to the north by Bergen Street, to the east by Fifth Street, and to the south by Essex Street. To the west of this site is the remainder of Block 131, which is developed with a Seabra Foods grocery store, a Wendy's fast food restaurant, and accompanying surface parking lots.

HISTORY OF THE SITE AND REDEVELOPMENT EFFORTS

Both sites were once part of the larger campus of Edison Lamp Company and the Edison General Electric Company, later to be known as the General Electric Company of America ("GE"). The Radiophone Corporation of America ("RCA") occupied the buildings between the 1930s and 1970s until Vo-Toys, Inc. acquired the site in 1976 for use as a distribution and storage center for pet toys. Vo-Toys, Inc. sold the property to an affiliate, V.I.P. Realty Associates, in 1990. Vo-Toys, Inc. continued to occupy the site until 2015, when the property was purchased by BRG Harrison Lofts Urban Renewal, LLC ("BRG").

On January 3, 2012, the Mayor and Council of the Town of Harrison adopted resolution #R-201-21 requesting that the Town Planning Board investigate the Vo-Toys area to determine whether it would qualify as an area in need of redevelopment as defined in the Local Redevelopment and Housing Law. A preliminary investigation was undertaken, and on July 11, 2012, the Planning

Board adopted a resolution recommending that Block 131 Lots 17-24, and Block 156 Lot 1, be designated as an area in need of redevelopment. The Mayor and Town Council officially declared this as an area in need of redevelopment by a resolution dated July 17, 2012.

A Redevelopment Plan was adopted in September 2012 to guide the redevelopment efforts of the site. The intent was to adaptively reuse the three historic buildings for multi-family purposes; parking was to be provided on the first floor of the largest building and by the construction of a new five-level parking garage to be built on Block 131. The site received preliminary and final site plan approval from the Town of Harrison's Planning Board on July 24, 2013 to adaptively reuse the three existing buildings on Block 156 Lot 1 for a 320-unit residential development and to build a parking garage on Block 131.

An Amended Redevelopment Plan was adopted by the Town Council on June 25, 2014 to permit an increase in height on Block 156, and the site received subsequent amended site plan approvals on March 25, 2015 and December 2, 2015 to construct 345 residential units.

In November 2014, prior to BRG's purchase of the Site from V.I.P. Realty Associates, BRG and prior owner General Electric entered into an Indemnity and Settlement Agreement (ISA) concerning, among other things, BRG's plans for redevelopment of the Site and the Parties' respective obligations with respect to Site remediation. Following its purchase of the Site, BRG discovered elevated levels of mercury (in excess of those disclosed in its prior due diligence efforts) within the building structures on the Main Parcel. Thereafter, a dispute arose between BRG and GE regarding, among other things, their respective responsibility to pay for the remediation of the mercury in the buildings pursuant to the 2014 ISA and applicable law.

In May 2018, NJDEP requested that the U.S. Environmental Protection Agency ("EPA") consider requiring a CERCLA removal action to address mercury

contamination in the Site buildings. EPA subsequently initiated a Removal Site Evaluation to determine whether the Site was eligible for a removal action and concluded it was eligible. In July 2019 GE entered into an Administrative Settlement Agreement and Order on Consent with EPA, relating to a removal action for Building C at the Site and pre-investigative work with respect to the removal of Buildings A and B (the "2019 ASAO"). GE has commenced the work set forth in the 2019 ASAO and in December 2020 GE executed an Amendment to the 2019 ASAO which formally expanded the removal action to include Buildings A & B at the Site. The buildings on the site are currently vacant and secured to ensure the safety of nearby residents. As indicated in the pictures below, barriers and fencing have been placed around the majority of Block 156.

This document serves as the third amendment to the Vo-Toys Redevelopment Plan and guides future development of the Vo-Toys site.



RCA REDEVELOPMENT PLAN
INTRODUCTION



STATUTORY REQUIREMENTS

According to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.), the Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements in the project area;
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the Redevelopment Area proposed to be acquired in accordance with the Redevelopment Plan;
5. Any significant relationship of the Redevelopment Plan to:
 - The Master Plans of contiguous municipalities;
 - The Master Plan of the County in which the municipality is located; and
 - The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" PL 1985, C398 (C52:18A-196 et al.).
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985 c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.
8. A plan for proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

PLAN PRINCIPLES

The purpose of this Plan is to guide the redevelopment of the Vo-Toys properties in a manner that supports the Town's objectives and contributes to the revitalization of Harrison. The Redevelopment Area should be redeveloped for uses that complement the residential and commercial land uses of the surrounding neighborhood and contribute to their wellbeing.

While the original intent of the Redevelopment Area was to maintain the existing structures, the extensive contamination issues associated with the buildings preclude any potential for the adaptive reuse of the buildings. Therefore, the purpose of this Amended Plan is to provide for the development of new structures that do not conflict with the surrounding neighborhoods and continue to provide for urban living in Harrison.

The recent Covid-19 pandemic has created a dramatic and sudden shift in the way people conduct their day-to-day lives. There has been a measurable increase in work-from-home policies, with many businesses acknowledging that a full return to the traditional office environment may never happen, and online presence and home deliveries have intensified. There is also a demand and need for expanded open space in urban areas. Redevelopment of the Area should take into account this new way of life and adaptations that have been undertaken for purposes of social distancing and public health.

The pandemic has also changed the way retail and commercial spaces are designed and ultimately experienced by their users. Given how recently these new trends have emerged, the new normal of commercial spaces has yet to be fully realized. New non-residential development within the Area should therefore provide flexibility in both the physical space and the permitted uses. Flexibility that allows spaces to adapt to the needs of the end users will be more viable in the long term as the pandemic continues to change the way we experience places outside our homes.

The redevelopment of the Area should be done with sustainability and green design in mind for every step of the process. The redevelopment should incorporate the latest in green building technology and design and green stormwater management practices to the extent it is practically and financially feasible, as well as promote mass transit ridership.

GOALS AND OBJECTIVES

1. To redevelop the existing Vo-Toys property into residential and commercial uses that will contribute to the welfare of the community.
2. To create an attractive gateway to the Town with a modern design and contemporary uses.
3. To improve the utilization of the Area, which can be effectively redeveloped for the broader community's benefit.
4. To encourage architectural design that will contribute to a more interesting streetscape at the sidewalk level.
5. To improve the physical appearance of the Area through appropriate site design.
6. To promote economic development by providing for a mix of uses with flexible commercial spaces that allows for a variety of tenants and users.
7. To offer open space amenities for residents.
8. To encourage the use of mass transit and the promote the walkability of Harrison.
9. To promote sustainable design principles and practices in the construction of modern, energy efficient buildings.

RELATIONSHIP OF PLAN TO TOWN LAND DEVELOPMENT REGULATIONS

The Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. In order to implement the Redevelopment Plan's goals and objectives, this Plan supersedes the use, bulk, and design standard provisions of the Town Land Development Regulations. Existing engineering standards, performance standards, and definitions shall apply.

Any deviation from permitted standards, which would result in a "d" variance pursuant to N.J.S.A. 40:55D-70d shall be addressed as an amendment to the Plan. The Board of Adjustment shall not have authority to allow deviations from N.J.S.A. 40:55D-70d. Any deviation from N.J.S.A. 40:55D-70d would require a Plan amendment.

The Planning Board shall have power to grant relief from other bulk and dimensional requirements of the Plan to the same extent as the Board may grant relief from bulk and dimensional requirements pursuant to the Municipal Land Use Law. The Planning Board shall consider the comments of the Harrison Redevelopment Agency when evaluating relief from the bulk requirements.

All exceptions or waivers from design standards from the requirements for site plan or subdivision approval shall be granted by the Harrison Planning Board.

All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq. An application requesting a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accordance with the public notice requirements set forth in N.J.S.A. 40:55D-12a & b.

Final adoption of this Redevelopment Plan by the Mayor and Town Council shall be considered an amendment to the Town's Zoning Ordinance and Official Zoning Map.



LAND USE PLAN

The Redevelopment Area consists of Block 156 Lot 1 and Block 131 Lot 17 (formerly Lots 17-24). The following Land Use Plan has been developed to take advantage of the potential opportunities of the Area and provide for its cohesive redevelopment in accordance with the Plan's goals and objectives.

This Plan identifies two distinct land use districts: Block 156 Lot 1 will be within the Residential District and Block 131 Lots 17-24 will be within the Flex District. The intent is for both districts to be developed cohesively in one comprehensive plan. Each district is subject to standards set forth in this Land Use Plan, designed to suit the unique circumstances of each site.

Any deviation from the bulk and parking standards set forth in this plan shall require a variance. Any deviation from the design standards set forth in this plan shall require a design waiver.

DEFINITIONS

Business Incubators – Organizations that support startups entering the beginning stages of building their company. Incubators typically provide an assortment of targeted resources and services, including mentorship, access to financing, educational resources, networking opportunities, etc.

Coworking Arrangements - Coworking arrangements shall be defined as a space in which workers, typically from different companies, share an office space. Such spaces provide for the use of common infrastructure, such as equipment, utilities, custodial services, etc.

Fitness Center – An establishment that houses exercise equipment and space for the purposes of physical exercise. This use is sometimes combined with wellness centers.

Flex Office Space - Flex office space shall be defined as space that allows for a portion of the space to be finished as traditional office space for administrative duties, and a portion retained for uses such as research and development, digital and media arts, movie production, information technology, etc. Flex spaces can be easily converted and altered to meet the needs of the individual tenants. Flex spaces could also have a retail component.

Pop-Up Retail Space – Pop-Up Retail Spaces are short-term, rotating, or temporary uses located in commercial storefronts. The purpose of these spaces is to provide flexibility and create an active storefront, which will provide greater marketability than a vacant one when the real estate market does not support long-term traditional leases. Temporary pop-ups allow the landlord to continue marketing the space for a long-term tenant while an active tenant provides an amenity to the community. Uses permitted in pop-up retail space shall be retail sales, service, entertainment, food service, and other similar operations.

Wellness Center – Facilities having programs intent to promote and maintain a state of physical well-being for optimal performance and health.



RCA REDEVELOPMENT PLAN
LAND USE PLAN

RESIDENTIAL DISTRICT

Purpose: The Residential District is intended to provide for new residential construction that will serve the needs of the future residents of the Area. While the original buildings will be demolished due to environmental issues, the original architectural design aesthetic may be an inspiration for the design of the new development on this site. Parking shall be provided by on-site structured parking and by parking in the Flex District.

Permitted Principal Uses

- Multi-family residences
- Rooftop wireless communication facilities

Accessory Uses

Uses and structures customarily incidental to the principal permitted use, including but not limited to structured parking, outdoor plaza spaces, signage, lobby space, fitness/wellness centers as an amenity to residents, coworking, tenant storage and bike storage spaces as an amenity to residents, clubrooms, lounges, and rooftop amenities.

Bulk Standards

Maximum Height: 7 stories pursuant to the Concept Plan found in this Redevelopment Plan

Height Exceptions: Appurtenances attached to the roof of the principal structure such as stair bulkheads, elevator bulkheads, HVAC and other mechanical equipment shall be permitted to exceed the height by no more than 12 feet or by such height as is necessary to accomplish the purpose for which it is intended, whichever dimension is less. Any Cellular/Wireless Communication Towers, Antennas, and Associated Facilities and Devices located on the roof shall be governed by the specific standards found in this Plan.

Required Upper Floor Stepback: A minimum 6-foot stepback is required beginning at the third floor along the Sussex Street frontage.

Maximum Lot Coverage: 100%

Maximum Number of Units: 500 units

Setback Requirements:

- Minimum: 0 feet
- Maximum: 10 feet for architectural features and offsets. This standard shall not apply for ramps/features designed to meet ADA requirements, building entry plazas or rooftop features, including mechanical equipment, stair/elevator towers, or trellises, furniture, etc. associated with the rooftop amenity space.

Parking Requirements:

- Residential: One space per dwelling unit. Should the residential parking standard be reevaluated and reduced at the Town level, this Plan would have the benefit of the reduction without requiring a Plan amendment.
- Residential amenity space (including but not limited to co-working space and fitness facilities for the residents) shall not trigger additional parking requirements beyond the residential requirement.
- Any portion of the parking requirement that cannot be met on-site through a structured parking garage shall be provided in the Flex District.
- At least 2% of the overall parking requirement shall be met through electric vehicle (EV) charging stations. However, at the time of construction, only 20% of the required EV stations are required to be installed. The remainder are allowed to be "banked" and installed when the demand arises. For

example, if 10 EV stations are required, only two are required to be built at the time of construction.

- e. Bicycle Parking: Interior bicycle storage shall be provided for residential tenants at a ratio of one space per five units.

FLEX DISTRICT

Purpose: The Flex District is intended to provide for flexibility in development that will complement the Residential District as well as the surrounding neighborhoods. A mix of uses are permitted on this site, including structured parking, flexible office operations and coworking arrangements to provide for a range of opportunities that will appeal to an array of potential tenants.

Permitted Principal Uses

- Retail sales and service
- Restaurants
- Professional office space (e.g. medical, dental, legal)
- Fitness/wellness centers
- Financial institutions
- Flex office space
- Coworking arrangements
- Business Incubators
- Pop-up retail space
- Temporary e-learning centers
- Movie theaters and similar entertainment uses
- Rooftop Wireless Communication Facilities
- Structured parking, including for tenants from the Residential District

- Recreational use as an amenity and, at owners' option, recreational use for tenants from the Residential District
- Drive-thru uses shall not be permitted

Accessory Uses

Uses and structures customarily incidental to the principal permitted uses, including but not limited to structured parking, outdoor plaza spaces, signage, lobby space, and rooftop amenities.

Bulk Standards

Maximum Height: 7 stories

Height Exceptions: Appurtenances attached to the roof of the principal structure such as stair bulkheads, elevator bulkheads, HVAC and other mechanical equipment shall be permitted to exceed the height by no more than 12 feet or by such height as is necessary to accomplish the purpose for which it is intended, whichever dimension is less. Any Cellular/Wireless Communication Towers, Antennas, and Associated Facilities and Devices located on the roof shall be governed by the specific standards found in this Plan.

Maximum Lot Coverage: 100%

Setback Requirements:

- a. Minimum: 0 feet
- b. Maximum: 10 feet for architectural features and offsets. This standard shall not apply in the event parking spaces are located in the front yard along Essex Street or at the rear abutting the adjacent property.

Minimum Parking Requirements:

- a. Office/Retail/Financial Institutions/Movie Theaters: One space per 1,000 square feet of gross floor area
- b. Restaurant: One space per four seats
- c. Flex office space: One space per 2,000 square feet of gross floor area
- d. Coworking arrangements: One space per 1,500 square feet of gross floor area
- e. If the applicant can show there are sufficient on-street parking spaces within the immediate vicinity of the site, then the Board may consider the availability of on-street parking spaces as a means to meet the non-residential parking requirement.
- f. Temporary pop-up retail or e-learning centers shall not have additional parking requirements.
- g. At least 2% of the overall parking requirement shall be met through electric vehicle (EV) charging stations. However, at the time of construction, only 20% of the required EV stations are required to be installed. The remainder are allowed to be "banked" and installed when the demand arises. For example, if 10 EV stations are required, only two are required to be built at the time of construction.
- h. Surface parking shall be permitted in the front yard along Essex Street but shall not be permitted to front along South 5th Street or Bergen Street.

CELLULAR/WIRELESS COMMUNICATION TOWERS

(including antennas and associated facilities and devices; herein after collectively referred to as "wireless communication facilities")

The Redevelopment Plan acknowledges the inherent benefits that can be derived from the construction and operation of wireless communication facilities and acknowledges that certain state and/or federal laws and /or regulations specifically address such antennas and towers on which they are located. The purpose of this section is to provide sound land use policies, procedures, and regulations for the location and placement of wireless communication towers and antennas in order to protect the community from visual and other adverse impacts.

General Standards

- 1. Wireless communication facilities shall be permitted on the rooftop or flush against the exterior building wall.
- 2. Any equipment shelter associated with the wireless communication facilities shall be located internally within the building or on the rooftop.
- 3. Wireless communication facilities are required to be structurally sound and not create any hazards to the general public.
- 4. Wireless communication facilities shall be designed, located, and screened to blend with and into the surrounding architecture and design so as to eliminate, to the maximum extent practical, adverse visual impacts through the use of color, camouflaging, architectural treatment, and other means.
- 5. Antennas must be spaced and positioned in such a way as to not interfere with the building's architecture or design features.
- 6. All wiring and/or cable tray devices must be positioned in a way that is not visible to the public.
- 7. The maximum height of an antenna on an existing structure is 8 feet above the roof of the building to which it is attached.

- 8. Operators of wireless communication facilities shall notify the Town when the use of such equipment is discontinued. Antennas that are not in use for wireless communication purposes for 6 months shall be removed by the provider at its cost. This removal shall occur within 90 days of the end of such 6-month period.

Site Plan Application Requirements

- 1. The applicant must submit a report from a qualified expert certifying that the wireless communication facilities comply with the latest structural and wind loading requirements as set forth in the International Building Code and the Electronic Industries Association (EIA) and for the Telecommunication Industry Association (TIA), as it may include a description of the number and type of antennas any proposed tower is designed to accommodate.
- 2. The applicant shall provide a certified statement from a qualified expert indicating the projected effective radiated power of all transmitted signals, and the probable radiation pattern with an analysis of any potential reception interference by electronic receiving devices. This statement must attest to the project's compliance with all Federal and State requirements for human and animal exposure to radio frequency emissions.
- 3. The applicant must provide evidence that there is an existing gap in service that can only be closed by the installation of a new or additional antenna at the proposed location.
- 4. The applicant must provide a report illustrating all existing and proposed wireless communication facilities in the Town, any such antennas or towers in the abutting towns within 2 miles of the proposed location that provide service to areas within the Town, and any changes known to the applicant to be proposed within the following twelve-month period, including the discontinuance or relation of existing antennas or towers.

- 5. The applicant must provide photographic simulations of the site showing all public rights-of-way of the site as it would appear with the proposed equipment.
- 6. Every modification to wireless communication antennas shall be subject to site plan review and approval unless exempted by federal regulation. A modification constitutes an increase in the number or size of wireless communication antennas or an alteration in the placement of wireless communication antennas in such a manner as to increase their visibility in any way.

DESIGN STANDARDS

Architectural Standards

- 1. The Redeveloper is encouraged to look to the architecture of the prior industrial buildings on the site as inspiration for the architectural design of the new project. Materials such as brick, glass, metal, fiber cement such as "hardyboard," and precast concrete shall be utilized. Synthetic stucco and vinyl siding are not permitted.
- 2. Blank walls in excess of 20 feet in height or length shall be designed to contribute to the visual interest of the streetscape, either through architectural details, or other artistic improvements. They shall not be left blank.
- 3. Building designs shall incorporate modulation and articulation, including changes in textures, materials, colors, as well as massing reveals in order to create visual intrigue and pedestrian-scaled façades.
- 4. Parking structures should be designed to minimize their visual impacts. They should be architecturally compatible with the overall design and contribute to the visual interest of the streetscape.

- 5. Window placement shall be utilized to help articulate the building's aesthetics and designed to create depth and offsets of the walls.
- 6. Adequate lighting throughout the site should be provided by lighting fixtures that are compatible to the overall building design.
- 7. Gutters and downspouts shall be made of galvanized steel, copper, or aluminum.
- 8. Openings in the building face of parking structures should be screened to reduce the impact of headlights from vehicles within the parking structure on the first two levels.
- 9. Projecting elements on the building face such as balconies may encroach up to 4 feet into public right-of-way beginning above the first floor. Balconies that recess into to the building massing are encouraged as a tool to provide articulation and create a dynamic building aesthetic.
- 10. Green roofs, or landscaped areas on roof structures are strongly encouraged. Where green roofs or landscaped areas are not provided, high-reflectance roof materials shall be utilized to mitigate heat island effect.
- 11. Awnings are permitted and shall have a metal structure covered with canvas, metal or like product. Awnings may have a front skirt; the bottom of the skirt shall not be scalloped.
- 12. The bottom edge of an awning shall be a minimum of 8 feet above grade.

Streetscape/Landscaping Standards

- 1. Design of landscaped areas shall utilize the best management practices regarding maintenance.
- 2. All plant species installed shall be appropriate for the particular climate and urban location of the Redevelopment Area.
- 3. Street trees of a species suitable for the environment shall be installed

along each sidewalk at a spacing of 30 feet on center wherever feasible. Clear sidewalk widths shall be a minimum of 5 feet. In the event that the placement of a street tree would reduce a clear walking width to less than 5 feet, the 5-foot sidewalk width shall prevail.

- 4. Street trees shall be installed with a 4' x 4' tree grate set parallel and flush to the curb. Tree grates shall be made of heavy grade cast iron or cast aluminum silver or bright gray finish or recycled polygrate plastic. The center hole shall be expandable to accommodate tree growth.
- 5. Fences shall be constructed of aluminum or steel and have stucco or masonry piers. Chain link or wooden fences shall only be permitted temporarily during environmental investigation/remediation and during the construction process. The Board may consider the use of chain link or wooden fencing for recreational uses (e.g. soccer field, tennis or basketball court) subject to appropriate screening and other techniques to mitigate the visual impact.
- 6. New street furniture shall be compatible with the design of the buildings as well as the streetscape.
- 7. Street light fixtures shall be a maximum of 18 feet in height, and the supporting light pole shall not exceed 20 feet in height.
- 8. Street lights shall be coordinated with other street furniture and street trees.
- 9. Street lights shall be mounted on fixtures which arc towards the ground plane.
- 10. Public bicycle parking shall be installed within 100 feet of all public building entrances. This obligation does not apply to garage entrances nor access entrances to loading docks, trash rooms or other utility rooms.

Parking and Circulation Standards

- 1. All 90-degree perpendicular angled parking spaces shall be a minimum of

9 feet in width and 18 feet in depth where drive aisle widths are less than 24 feet. Where drive aisle widths are 24 feet or greater, parking spaces may be a minimum of 8.5 feet in width.

2. Up to 20% of parking spaces may be designated for compact cars and may be a minimum of 8 feet in width and 15 feet in depth.
3. Parking garage entrances should be minimized and located on secondary streets where possible.
4. Vehicular access to parking areas and parking structures should be designed to minimize any conflicts with pedestrians.

Mechanical Equipment/Building Services Standards

1. Building loading, move-in/out, service areas:
 - a. In the Residential District, loading areas may be located on South 5th Street, South 6th Street, or Bergen Street. Any loading on South 5th Street shall not be within 75 feet of the intersection with Bergen Street. Any loading on Bergen Street shall not be within 200 feet of the intersection with 5th Street.
 - b. In the Flex District, all on-street building loading and move-in/out areas shall be located on Essex or South 5th Street. Any loading on South 5th Street shall not be within 75 feet of the intersection with Bergen Street.
2. Rideshare pick-up/drop-off areas
 - a. Subject to the approval by all requisite governmental authorities, on-street parking stalls may be redesignated for use exclusive as rideshare areas, which areas shall be provided on-street near a building entrance. The purpose of this area is to provide a designated area for ridesharing services such as Uber and Lyft to avoid double parking situations as well as blocked parking spaces. Appropriate street signage and street markings shall be installed to identify the

area. Subject to the approval by all requisite governmental authorities, there shall be a minimum of one designated area in the Residential District.

3. Mechanical equipment located on the site or on the roof must be screened if visible to the public.
4. Trash and recycling shall be internally located in the building and hidden from public view.
5. Efforts shall be made to make utilities as visually unobtrusive as possible.
6. Meters and access panels shall not be visible to the public.

Signage Standards

1. All signage shall be coordinated, original, and aesthetically compatible. Signs shall be legible and dimensionally proportional.
2. Sign area is calculated by the smallest plane figure enclosing all design elements.
3. Signage shall be integrated into the overall architectural design of the building.
4. A single building mounted project ID sign shall be permitted on each façade of the building. The signs shall not to exceed 25 square feet excluding signs for retailer users and other commercial users.
5. Each commercial/office use is permitted no more than two signs, not to exceed 40 square feet in total.
6. Horizontally oriented signage shall not protrude above the sill line of the second floor (vertically oriented banners or blade signage are exempt.)
7. No sign shall project above the roof line.
8. Street and directional signage and street lighting should be aesthetically unified or complementary.

9. Blade signs shall be a minimum of eight feet above grade and shall be a maximum size of six square feet. A blade sign is defined as a vertically oriented wall sign.

Permitted Signs

1. Blade signage, neon signage, individual backlit letters, iconographic signage
2. Overhead lamps or uplamps may illuminate signs.
3. On-site advertising
4. Temporary signs advertising the development for up to 24 months subject to site plan approval. The aforementioned sign sizes do not apply to temporary advertising signs. Proposed dimensions for temporary signs shall be approved by the Planning Board during the site plan approval process.

Prohibited Signs

1. Flashing signs, signs which vary in luminous intensity, and box signage
2. Moving signs or signs which provide the illusion of movement
3. Freestanding signs
4. Billboards/Off-site advertising signs

Recommended Design Strategies to Promote Safety in the Post-Covid-19 World

All development is encouraged to be designed with a post-Covid-19 world in mind, providing well ventilated interior areas as well as outdoor options and sufficient sanitation measures. The following list consists of recommended strategies but is in no way exhaustive.

1. Provide an Energy Recovery Ventilation (ERV) system or similar to increase interior ventilation. ERVs is an air exchange system that enhances indoor air quality by facilitating outdoor air ventilation and reducing energy use.

2. Install ceiling fans in each residential unit to help circulate air.
3. Ensure every unit has access to open space through both large, shared courtyards and private balcony space.
4. Provide a dedicated remote work/learn space in each unit if practicable. These spaces could be within small alcoves.
5. Provide insulation between floors and between adjacent units to reduce the transfer of noise between units.
6. Utilize easy-to-clean, non-porous materials, such as brass, where feasible, such as for bathroom/kitchen fixtures and design elements in lobbies.
7. Utilize cleanable upholstery and surface material in common areas.
8. Provide germ-killing UV lights in mail/package rooms as well as in units. The in-unit lights should be placed near the door so that tenants can disinfect shoes, bags, packages, etc. without carrying such items far into the apartment.
9. Provide sanitation stations in lobbies and common areas.
10. Utilize touchless technology where physically and economically feasible.

Sustainable Building Standards

All development will be required to comply with the following Green Standards. A minimum of 20 of the following 29 standards must be provided.

1. **Passive Solar, Ventilation & Shading Design**

Passive Solar - The basic natural processes used in passive solar energy are the thermal energy flows associated with radiation, conduction and natural convection. When sunlight strikes a building, the building materials can reflect, transmit or absorb the solar radiation. These basic responses to solar heat lead to design elements, material choices and placements that can provide heating and cooling effects in a home. Passive solar energy means that mechanical means are not employed to utilize solar

energy.

Solar Photovoltaic Readiness – Roofs should be constructed to accommodate a future solar PV system. This includes ensuring that the roofing structure and finish material can bear the structure required to add a solar PV array. In addition, there must be a 2" (minimum) conduit run that provides roof-to-electrical panel room connectivity.

Passive Ventilation & Shading – Buildings and windows should be oriented to resist cold northern winds and lack of sun in the winter and open to warmer southern breezes in the summer. Apply suitable roof overhangs, awnings and/or deciduous trees.

2. *Pedestrian Paths (Sidewalks)*

Build sidewalks that are wide, pleasant, and buffered from automobile traffic. Create pleasant walkways and bikeways through site to community areas, between buildings, surrounding neighborhoods, and parking.

3. *Ducts and HVAC protected from dust during construction and/or cleaned prior to occupancy*

Completely seal duct and HVAC equipment openings with plastic film and tape, or other suitable material, until after final cleaning of unit. If system is used during construction, install MERV 8 filters on all return grills. In addition (or as an alternative), thoroughly flush and vacuum all ducts prior to system startup and upon completion of all construction and finish work.

4. *Low VOC Interior Paints and Finishes*

Follow VOC limits for all paints.

5. *Low VOC Adhesives and Sealants*

Follow VOC limits for all adhesives and sealants.

6. *MERV 8 (or higher) air filters in ducted forced air systems*

Install pleated furnace filters, minimum MERV 8, during testing and balanced of HVAC system and for the life of the system. If running ducted forced air system during construction, use MERV 8 filters during construction, replace regularly, and prior to system testing and balancing.

7. *Combustion Devices Directly Vented or Sealed*

With the exception of gas stoves, all combustion devices must be power vented or sealed combustion.

8. *Automatic Bathroom Ventilation*

Install fans that directly vent to the outside in bathroom with automatic timer control. This is also a minimum requirement for ENERGY STAR Certification. Fans shall have a maximum of 1.5 sones (noise level).

9. *Direct Vent of Kitchen*

All kitchen exhausts shall be directly vented to the outside.

10. *Encapsulation of non-UF (Urea Formaldehyde) free composite cabinets*

If Urea Formaldehyde is in any particleboard or other composite wood product incorporated into the interior of the project (cabinetry, countertops, etc.), all exposed edges (those not covered by another, sealing material – including backs) must be coated and sealed with water-based polyurethane or approved paint to slow the out-gassing rate of harmful toxins. Sealing can be done in shop, before delivery, however, if the cabinetry is cut on-site, the cut faces must be resealed prior to installation.

11. *Insulation with Low Formaldehyde Content*

The most common form of insulation in homes today is fiberglass, fabricated primarily from silica sand, which is spun into glass fibers and held together with an acrylic phenol-formaldehyde binder. There are brands of fiberglass insulation that do not contain phenol-formaldehyde

binding agents and are an unfaced white batt insulation bonded with a formaldehyde free thermosetting resin. The Uniform Construction Code prohibits urea-formaldehyde foam insulation. The binder used in batt insulation should be phenol-formaldehyde-free.

One of the more reasonable priced alternatives to fiberglass insulation is cellulose spray-in insulation; of which recycled newspaper is a major component. Other alternative insulation systems to consider are soy foam, recycled denim, and oyster shell insulation.

12. *Operable Windows*

Choose windows that can be opened. Operable windows provide opportunities for natural heating, cooling, and ventilation as well as providing a direct connection to the outdoors and the neighborhood. Also, ensure that the window is easily operable. For example, if the window is too heavy to lift and does not have a lip to grab then it is not readily operable; this could really be an issue for frail or elderly residents, who would have to call for assistance.

13. *Smoke-Free Building*

Implement and enforce a "no smoking" policy in all common and individual living areas of all buildings. Common areas include rental or sales offices, entrances, hallways, resident services areas and laundry rooms.

14. *Exterior Wall Drainage Plane*

Provide exterior wall drainage plane using building paper, housewrap or layered water-resistant sheathings (rigid insulation or a foil covered structural sheathing) with seams taped or sealed.

15. *Window Flashing Details*

All windows and exterior openings must demonstrate best practices for flashing details in order to create a weather resistant barrier. Details must be developed to meet the intent for both the window and wall system

manufacturer's products. Window details will show pan and sill flashing, damming the edges of the bottom sill flashing, and location of weep holes to exterior facade.

16. *Roof*

Roof warranty should be 30 years for pitched roofs and 20 years for flat roofs.

17. *All Units ENERGY STAR Certified*

All Projects are required to be Energy Star Certified or Equivalent as a threshold.

18. *ENERGY STAR Appliances*

Refrigerator, clothes washer, and dishwasher must be ENERGY STAR rated.

19. *ENERGY STAR Lighting Fixtures*

Install ENERGY STAR labeled lighting fixtures or the ENERGY STAR Advanced Lighting Package in all interior units, and use ENERGY STAR or high-efficiency commercial grade fixtures in all common areas and outdoors. Also, install ENERGY STAR or equivalent energy efficient lamps in all fixtures.

20. *Windows with Low-E coating*

All windows installed should meet ENERGY STAR guidelines and have a low-E coating.

21. *Occupancy and Daylighting Controls*

Lighting in community and meeting rooms, laundry, and other common spaces, must have occupancy and automatic daylight controls to reduce energy use when unoccupied. Common space does not include hallways, stairwells and any means of egress. For example, exterior porch and site lighting has daylight sensors and controls.

22. *High Energy Factor Water Heaters beyond ENERGY STAR Requirements*

Install water heater with energy factor greater than 60% AFUE for gas fired units and 0.95 for electric. For unit-by-unit water heaters, use electric water heater (tank type) of 0.91 EF (efficiency) or greater; a natural gas water heater (tank type) of 0.60 or greater for 50-gallon, 0.62 EF or greater for 40-gallon, or 0.65 EF or greater for an instantaneous model (tankless).

23. *Easy to Use Programmable Thermostats*

Provide a seven-day, digital programmable thermostat that runs on 24volts of the HVAC system, with battery backup, and no mercury. Make buttons large and system easy to use.

24. *Recycle or salvage construction and demolition debris*

Develop plan and protocol to properly sort and dispose of construction waste material separate from recycled material. Establish a system for daily collection and separation of materials designated to be recycled including concrete, metals, wood, recyclable plastics, bottles and cardboard, at a minimum.

25. *Recycling Centers in Common Areas*

Design buildings with easy access to recycling stations that are well marked, easy to understand and accessible and compatible with county or municipal recycling programs

26. *Low-Flow Fixtures*

Faucets shall be a maximum of 1.5 gpm in the kitchen, and 0.5 gpm for the bathroom. Showerheads shall be a maximum of 2 gpm.

27. *High Efficiency Toilets*

Toilets shall have an efficiency of 1.3 gallons per flush, or better (less). Dual-flush toilets can also be used with a maximum flush of 1.3 gallons.

28. *Green Roofs*

Green roofs (roofs with a vegetative surface and substrate) provide

for better stormwater management, better regulation of building temperatures, and reduced heat island effect. An additional benefit of green roofs is that they have been shown to increase the marketability of a building and provide a significant aesthetic benefit to building occupants.

29. *Pursue LEED Certification (Leadership in Energy and Environmental Design)*

This certification program is a nationally accepted benchmark for the design, construction, and operation of high-performance green buildings.

CONCEPT PLAN

PROPOSED CONCEPT PLAN

An illustrative concept plan has been developed for the Residential District in accordance with the standards of this Redevelopment Plan. The concept plan is for illustrative purposes only and the standards in this Plan take precedence. Development of the Residential District shall be substantially consistent with the illustrative concept plan in terms of massing, height, and programming. A concept plan for the Flex District has not yet been developed, and so is not included in this Redevelopment Plan.

Residential District Proposal – Conceptual Design

A 7-story residential building is proposed in the Residential District with on-site parking provided in a garage wrapped with residential units, lobby and amenity space, and mechanical/utility/storage spaces. The primary lobby entrance is at the southwest corner of the building (Bergen Street/South Fifth Street corner). Residential units on the ground level, which are accessed by internal hallways, will front on Sussex Street as well as the eastern section of Bergen Street; residential units on the second floor and above the second floor will front on all four streets.

The building proposes 491 units, mixed between studios, 1-bedrooms, 1-bedroom plus a den, and 2-bedroom units. An amenity courtyard is centrally located on the second floor, above the parking deck. A 6-foot stepback is depicted along the Sussex Street frontage, commencing at the 3rd floor and continuing through the 7th floor. The 7th floor contains residential units with amenity spaces at the southwest corner, including a pool, lounge chairs, and various club room and lounge-type spaces.



⊕ 1ST FLOOR PLAN
Scale: 1" = 40'-0"

PARKING STALL TYPE	COUNT
FIRST FLOOR	
ADA STALL	3
STANDARD STALL	131
TOTAL	134

491 UNITS TOTAL
447 TOTAL PARKING SPACES REQUIRED BY 35 WAIVER
331 SPACES PROVIDED OFF-SITE

A-101
1ST FLOOR PLAN
Scale: 1" = 40'-0"

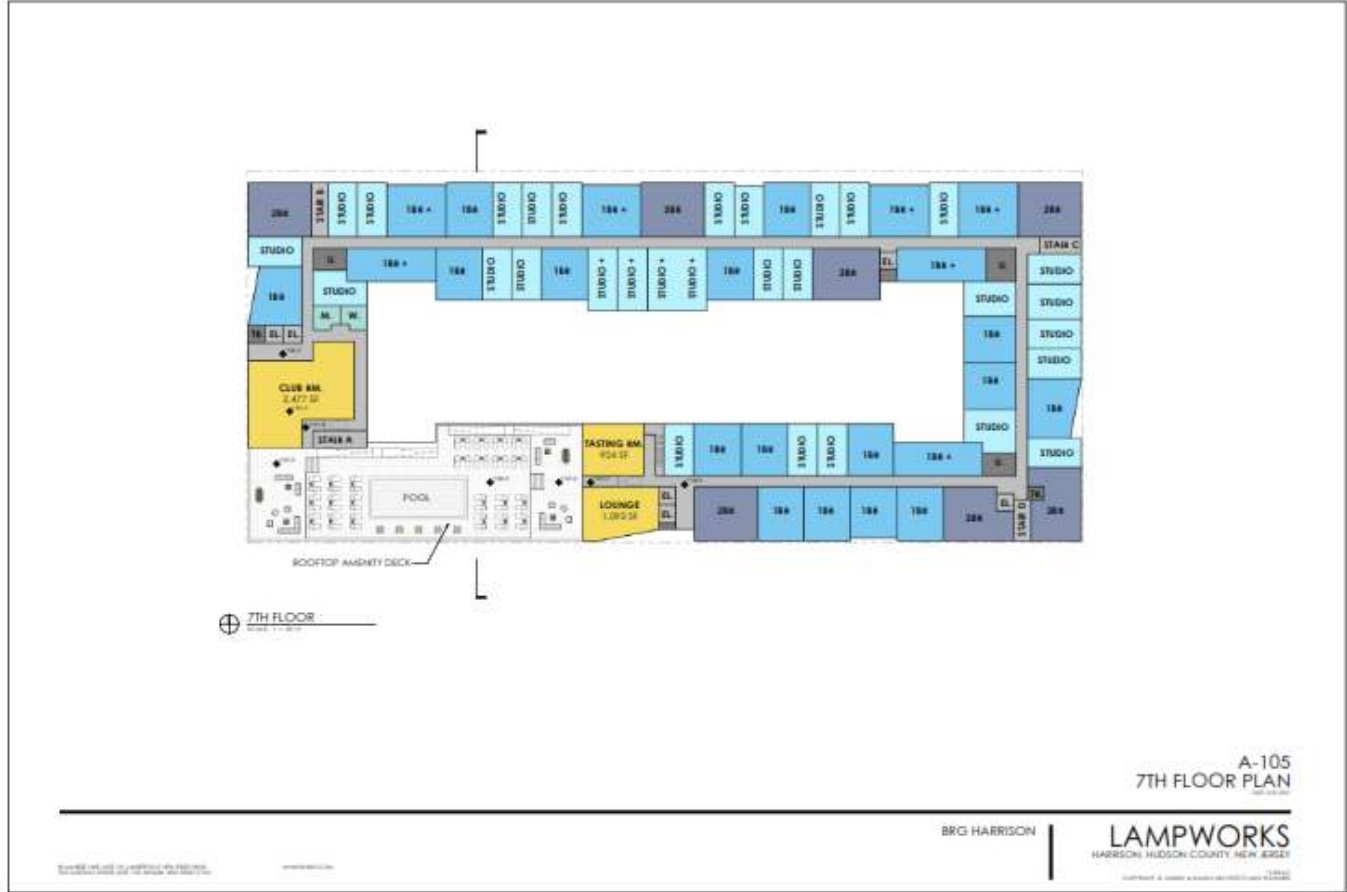
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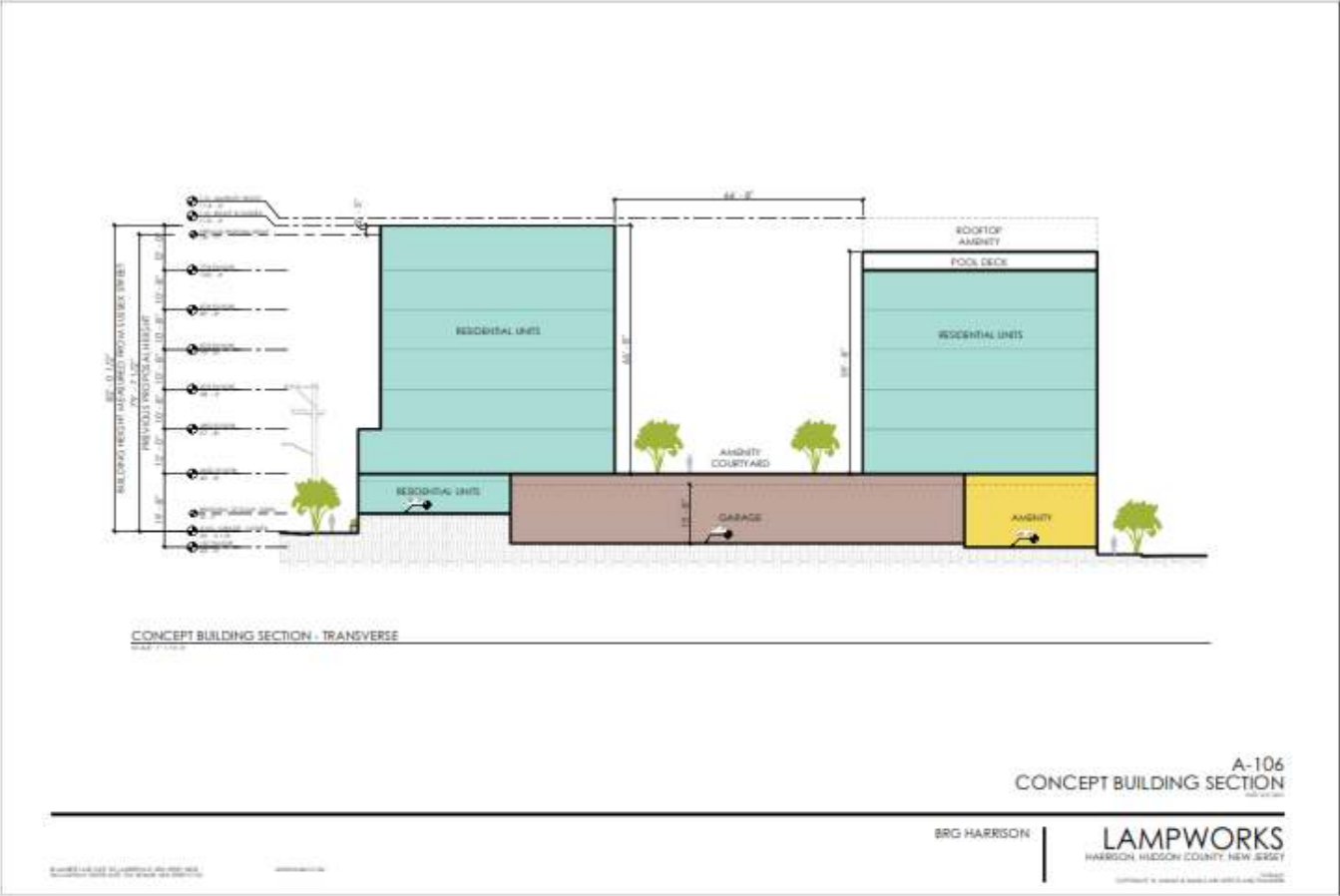


⊕ 2ND FLOOR PLAN
Scale: 1" = 40'-0"

A-102
2ND FLOOR PLAN
Scale: 1" = 40'-0"

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RELATIONSHIP TO OTHER PLANS

TOWN OF HARRISON MASTER PLAN

The Town of Harrison adopted a Master Plan Reexamination Report in 2017 and a subsequent Reexamination report in 2020. This Redevelopment Plan is consistent with the goals, objectives and recommendations of both the 2017 and 2020 Reexamination Reports. The Reexamination Reports recommend that the Town capitalize on redevelopment efforts, while redeveloping the waterfront and strengthening the connections between the waterfront, the PATH Station, and the downtown area. Both reports note that redevelopment within Harrison continues to generate employment growth as well as increase tax ratables.

HUDSON COUNTY MASTER PLAN

Hudson County Adopted a Master Plan Reexamination Report on February 21, 2017. This Plan is consistent with the following goals and objectives of the 2017 Re-examination report:

- To integrate land use planning with transportation of all modes, with a particular focus on pedestrian and bicycle accessibility and major activity hubs.
 - Encourage the location of commercial and residential development, especially mixed-use, near existing or proposed transit corridors.
- To maintain and improve areas that provide centers for employment, education, entertainment facilities, services, shopping and other resources.
- To provide for a full range of retail businesses and personal services in suitable locations that serve that needs of the County
- Encourage the planning and location of compatible development.
 - Encourage the development of complementary land uses in proximity to commercial areas.

- To promote the development of walkable communities fully linked and integrated with the pedestrian transportation grid.
 - Encourage compact development within walking distance of mixed-use centers.

MASTER PLANS OF ADJACENT MUNICIPALITIES

The Redevelopment Area is located in the center of Harrison, and not near the border of any neighboring municipality. The redevelopment should have minimal or negligible impacts on the plans of any adjacent municipalities.

NJ STATE STRATEGIC PLAN

The draft State Strategic Plan, the state's development and redevelopment plan, states that one of its primary goals is to encourage development in areas with existing infrastructure, such as this Redevelopment Area. This Redevelopment Plan advances the goals of the draft State Strategic Plan.

ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS

PROPERTY ACQUISITION

The use of condemnation is not anticipated at this time.

RELOCATION

There are no existing businesses or tenants that will need to be relocated as a result of this Plan.

AFFORDABLE HOUSING

No affordable housing units are identified to be removed as part of the implementation of this Redevelopment Plan. Any affordable housing obligation incurred by the redeveloper shall be addressed through a Redeveloper Agreement.

The developer shall address affordable housing consistent with Section 4.07 of the executed Amended and Restated Redevelopment Agreement, dated March 9, 2020.

REDEVELOPMENT ENTITY

The Harrison Redevelopment Agency (HRA) shall serve as the Redevelopment Entity.

SELECTION OF A DESIGNATED DEVELOPER

In order to redevelop a property within the Redevelopment Area, an individual or entity must first be designated as a Redeveloper by the HRA.

Potential redevelopers will be required to submit to the Redevelopment Entity for review and approval prior to the designation of a redeveloper at a minimum:

- Financial responsibility and capability
- Estimated development cost
- Estimated time schedule

- Conceptual site plans including visual plans and elevations at a minimum.
- Fiscal impact analysis

After review and evaluation of all proposals by the Redevelopment Entity, the Entity may select one developer and proceed to negotiate a Memorandum of Understanding. The Entity may also reject all proposals.

APPOINTMENT OF A DESIGNATED REDEVELOPER

Upon the selection of a Designated Redeveloper, the Redevelopment Entity shall then proceed to negotiate a formal Redevelopment Agreement.

Designation of a Redeveloper by the Redevelopment Entity shall be subject to the execution of an appropriate Redevelopment Agreement. The estimates referred to in the previous section shall be finalized by the designated Redeveloper at the time of execution of such agreement.

On January 16, 2013, the HRA designed BRG Harrison Lofts Urban Renewal, LLC (BRG) as the Redeveloper of the subject properties. Pursuant to the 2013 designation and any and all subsequent extensions, BRG remains the Designated Redeveloper of the subject properties.

Prior to the commencement of construction of any improvements on Redevelopment Area land, final plans and specifications must be submitted to the Redevelopment Entity and then to the Planning Board for site plan approval as required pursuant to the Municipal Land Use Law (NJSA 40:55D-1 et seq.) by the Redeveloper for approval to insure conformance with the approved preliminary submission.

CONDITIONS IN REDEVELOPMENT AGREEMENT

1. Each Redevelopment Agreement shall be contingent upon the following conditions, restrictions, and/or requirements.
2. The Redevelopment Agreement shall incorporate the pertinent

ADMINISTRATIVE AND PROCEDURAL

aspects of the selected developer's proposal and will address financial considerations, planning, phasing, development and such other issues as deemed appropriate and/or as required according to state law in order to implement the Redevelopment Plan.

3. A Designated Redeveloper shall be obligated to complete on-site improvements as approved, together with any specified off-site improvements, as may be required in accordance with the Redevelopment Plan.
4. The deed of conveyance shall include a restriction that the Designated Redeveloper and his successors or assigns shall devote land to the use(s) specified in the Designated Redeveloper's final plan and shall not devote such land to any other uses.
5. No Designated Redeveloper shall be permitted to dispose of property until all required improvements are completed, unless the prior written consent of the Town of Harrison and the Redevelopment Entity have been obtained.
6. The consent of the Town of Harrison and the Redevelopment Entity shall be required prior to the disposition of all or any of the Designated Redeveloper's interest in the Redevelopment Area. Such consent shall be effective upon the completion by the Designated Redeveloper of all on and off-site improvements as may have been approved and required.
7. No covenant, agreement, lease, conveyance, or other instrument shall be effective or executed by the Town of Harrison and the Redevelopment Entity or by purchasers or lessees from them, or by any successors in interest of such purchasers or lessees, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex, or marital status.

8. The Redeveloper shall pay to the Redevelopment Entity a fee for the purpose of defraying its costs incurred in connection with this Plan and the Redeveloper's project.
9. The Redevelopment Entity and the Town of Harrison reserve the right to terminate any Redeveloper Agreement with a Designated Redeveloper subject to the terms and conditions of the Redevelopment Agreement.

REVIEW PROCESS

All development proposals within the Redevelopment Area shall submit concept development plans to the Harrison Redevelopment Agency (HRA) for review and approval. If HRA determines that the plans are not in conformance with the Redevelopment Plan or the conditions of the Redeveloper Agreement, Harrison Redevelopment Agency shall advise the Redeveloper of the issues that give rise to such non-conformance. The Redeveloper shall then revise the plans and resubmit them as many times as necessary to receive approval from the Harrison Redevelopment Agency. Upon conceptual approval by the Harrison Redevelopment Agency, the development plans shall then be submitted to the Planning Board for development approval pursuant to statute (NJSA 40:55D et seq.)

The minimum submission to the HRA shall include the following:

- Conceptual site plan, including parking and landscaping
- Building floor plans, with detail emphasis on the sidewalk level
- Building elevations
- Building sections at a scale sufficient to discern detail at the sidewalk level
- Detailed information sufficient to describe architectural character, materials, and color
- Explanation illustrating how the project is in compliance with the Redevelopment Plan

The redeveloper shall be responsible for paying the costs associated with having the relevant professionals review and comment on the project. Costs associated with this review shall be billed at the hourly rate of the professional so retained by the HRA.

DURATION OF REDEVELOPMENT PLAN

During the time that the Redevelopment Plan is in effect, any party acting as a redeveloper (as defined in the LRHL) must obtain the approval of the HRA (unless the HRA has been dissolved in which event the municipal governing body assumes the responsibility). The Redevelopment Plan will remain in effect for 30 years. After that period the Zoning Ordinance will regulate the development of the Redevelopment Area.

AMENDING THE REDEVELOPMENT PLAN

This Redevelopment Plan may be amended from time to time in compliance with the requirements of law, provided that with respect to any land in the project area previously disposed of by the Redevelopment Entity for use in accordance with the Redevelopment Plan, the Entity will notice the owner of such land whose interests therein may be materially affected by such amendment.