

REDEVELOPMENT PLAN

SYLVAN WAY REDEVELOPMENT AREA

(BLOCK 202, LOT 1.9)

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY



PREPARED BY:



SUBMITTED: OCTOBER 26, 2023
REVISED: NOVEMBER 11, 2023
ARH File No. 6630050.02

PREPARED FOR:





**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

**PARSIPPANY-TROY HILLS
PLANNING BOARD**

**PARSIPPANY-TROY HILLS
GOVERNING BODY & ADMINISTRATION**

Tom Dinsmore, Chairman
John VonAchen, Vice-Chair
Anil Dadheech
Dominick Mele
Gordon Meth
Nick Napolitano
Jigar Shah
Ted Stanziale
Jennifer Vealey
Councilman Michael J. DePierro
Mayor James R. Barberio

James R. Barberio, Mayor
Loretta Gagnani, Council President
Michael J. DePierro, Council Vice-President
Paul Carifi Jr., Councilman
Justin Musella, Councilman
Frank Neglia, Councilman

Jamie Cryan, Business Administrator
Khaled Madin, Township Clerk & Registrar
Michael B. Lavery, Esq., Township Attorney

Nora O. Jolie, Board Secretary
Daniel R. Lagana, Esq., Board Attorney
Stuart B. Wiser, PP / AICP, Board Planner
Andrew Cangiano, PE / CME Board Engineer

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

Respectfully Submitted:

ARH ASSOCIATES

By:

Stuart B. Wiser, P.P., AICP

NJ Professional Planners License # LI005598

Christine Winter, P.P., AICP

NJ Professional Planners License # 33LI00643300





TABLE OF CONTENTS

<p>1.0 INTRODUCTION 1</p> <p>1.1 Background..... 1</p> <p>1.2 Authorizing Legislation..... 2</p> <p>1.3 Redevelopment Process..... 2</p> <p>1.4 Authorization & Purpose..... 4</p> <p>2.0 DEFINITIONS 5</p> <p>3.0 PRE-EXISTING CONDITIONS 12</p> <p>3.1 Delineation 12</p> <p>3.2 Zoning..... 12</p> <p>3.3 Smart Growth, New Urbanism & the Regulatory Environment..... 13</p> <p>3.3.1 Smart Growth 13</p> <p>3.3.2 New Urbanism 13</p> <p>3.3.3 State Development & Redevelopment Plan..... 15</p> <p>3.3.4 Implications for this Redevelopment Plan..... 16</p> <p>3.4 Environmental Conditions & Constraints 17</p> <p>3.4.1 Soils, Wetlands & Buffers 17</p> <p>3.4.2 Habitat/Threatened & Endangered Species 17</p> <p>3.5 Governmental Approvals..... 18</p> <p>4.0 MUNICIPAL GOALS & OBJECTIVES 19</p> <p>4.1 General Statements 19</p> <p>4.2 Municipal Land Use Law..... 20</p> <p>4.3 Redevelopment Plan Goals & Objectives 21</p> <p>5.0 ANTICIPATED REDEVELOPMENT ACTIONS..... 24</p> <p>5.1 Anticipated Redevelopment Actions..... 24</p>	<p>5.2 Authority24</p> <p>5.3 Redevelopers Designation.....24</p> <p>5.4 Redevelopment Agreement24</p> <p>5.5 Acquisition & Conveyance.....25</p> <p>5.5.1 Acquisition.....25</p> <p>5.5.2 Redeveloper’s Responsibilities Upon Acquisition.....26</p> <p>5.5.3 Property Designated Not-To-Be Acquired.....26</p> <p>5.6 Financial Assistance26</p> <p>6.0 STANDARDS & CONTROLS OF GENERAL APPLICABILITY 27</p> <p>6.1 Governing Regulations.....27</p> <p>6.2 Review Procedures, Interpretations & Responsibilities.....28</p> <p>6.2.1 Approval Process28</p> <p>6.2.2 Variances, Departures, Deviations & Design Waivers.....30</p> <p>6.2.3 Permitted Uses (General).....33</p> <p>7.0 LAND USE PLAN..... 34</p> <p>7.1 Overview34</p> <p>7.2 Parcelization Plan.....34</p> <p>7.3 Development Regulations35</p> <p>7.3.1 North Parcel.....37</p> <p style="padding-left: 20px;">A. Permitted Principal Uses & Structures.....37</p> <p style="padding-left: 20px;">B. Permitted Ancillary Uses & Structures.....37</p> <p style="padding-left: 20px;">C. Building Limit Controls.....39</p> <p>7.3.2 South Parcel.....40</p> <p style="padding-left: 20px;">A. Permitted Principal Uses & Structures.....40</p> <p style="padding-left: 20px;">B. Permitted Ancillary Uses & Structures.....40</p> <p style="padding-left: 20px;">C. Building Limit Controls.....42</p>
--	---



7.3.3 Affordable Housing Requirements 43

7.3.4 Construction Staging & Sales Trailers 44

7.4 Architectural Controls 46

7.4.1 General 46

7.4.2 General Design Philosophy 46

7.4.3 Building Orientation 47

7.4.4 Building Massing & Style 47

7.4.5 Roofs & Roof Materials 48

7.4.6 Façade Treatment & Materials 48

7.4.7 Entryways & Doors 50

7.4.8 Windows 50

7.4.9 Building Lighting 51

7.4.10 Colors 51

7.4.11 Ancillary Structures 51

7.4.12 Fences & Walls 51

7.4.13 Heating, Air Conditioning & Telecommunications 52

7.4.14 Trash & Recycling 52

7.4.15 Signage 52

8.0 CIRCULATION, PARKING & LOADING PLAN 56

8.1 Circulation 56

8.1.1 Sylvan Way 56

8.1.2 External Access 56

8.1.3 Internal Accessways 57

8.2 Curbing & Sidewalks 57

8.2.1 Curbing 57

8.2.2 Sidewalks 57

8.3 Parking 58

8.3.1 General Requirements 58

8.3.2 Surface Parking Lots 59

8.3.3 Structured Parking Lots 60

8.4 Loading 60

8.5 Final Circulation, Parking & Loading Plans 61

9.0 INFRASTRUCTURE CONTROLS63

9.1 Utility Services63

9.2 Floodplain, Wetlands & Stormwater Management63

9.3 Final Infrastructure Plan64

10.0 LANDSCAPING, STREETSCAPING, OPEN SPACE PROVISIONS & ENVIRONMENTAL PROTECTION MEASURES65

10.1 Landscaping & Streetscaping Plan65

10.2 Landscaping65

10.3 Streetscaping66

10.4 Lighting67

10.5 Open Space67

10.6 Environmental Protection Measures68

10.7 Final Landscaping, Streetscaping & Open Space/Environmental Mitigation Plan68

11.0 EQUAL OPPORTUNITY.....69

12.0 PROVISIONS NECESSARY TO MEET STATUTORY REQUIREMENTS71

12.1 Redevelopment Area Designation71

12.2 Redevelopment Plan71

12.2.1 Relationship to Definite Local Objectives71

12.2.2 Appropriate Land Uses71

12.2.3 Density of Population71

12.2.4 Public Transportation & Traffic71

12.2.5 Public Utilities72

12.2.6 Recreational & Community Facilities72

12.2.7 Other Public Improvements72



12.2.8 Proposed Land Use & Building Requirements 73

12.3 Provision for Temporary & Permanent
Relocation..... 73

12.4 Identification of Property-To-Be Acquired..... 74

12.5 Significant Relationship to Other Plans 74

12.5.1 Master Plans of Contiguous Municipalities 75

12.5.2 Morris County Master Plan 75

12.5.3 State Development & Redevelopment Plan 76

12.5.4 Highlands Regional Master Plan 76

12.6 Inventory of Existing Affordable Housing Units
to be Removed..... 77

12.7 Plan for Affordable Replacement Housing 77

12.8 Provisions for Affordable Housing 78

12.9 Zero Emission Vehicle Fueling & Charging
Infrastructure..... 78

12.10 Relationship to Pertinent Municipal
Development Regulations 79

12.11 Consistency with Municipal Master Plan 80

**13.0 EFFECTIVE DATE, DURATION & AMENDMENT
PROVISIONS 81**

13.1 Effective Date..... 81

13.2 Duration of Provisions..... 81

13.3 Procedures for Amending the Approved
Redevelopment Plan 81

14.0 CERTIFICATE OF COMPLETION & COMPLIANCE ... 82



1.0 INTRODUCTION

1.1 BACKGROUND

There exists in the Township of Parsippany-Troy Hills, Morris County, New Jersey, an approximately 18.64-acre (not including rights-of-way) area identified as Block 202, Lot 1.9 (also known as 6 Sylvan Way) on the Township's official Tax Maps.

The property at 6 Sylvan Way hosts a commercial office building, associated parking lots, and a recreation easement containing little league fields.

This area consists of an unproductive and soon to be vacant office building and other underutilized and unproductive improvements that exhibit conditions of deterioration and a

lack of proper development which results from forces which are amenable to correction and amelioration by the concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort.





1.2 AUTHORIZING LEGISLATION

In 1992, the New Jersey Legislature empowered municipalities to address conditions as described by adopting the *Local Redevelopment & Housing Law*¹, the purpose of which is to provide local officials with the tools and powers necessary to arrest and reverse such conditions and to promote the advancement of community interests through programs of redevelopment and/or rehabilitation of such lands.

Utilizing the comprehensive set of tools and techniques available only under the *Redevelopment Law*, municipalities may modify land use and zoning controls; acquire property deemed necessary for redevelopment; clear or provide for the clearance of such lands; install infrastructure and/or other site improvements; provide favorable tax and other financial incentives to facilitate redevelopment; and solicit for, negotiate / enter into partnerships with and transfer lands to public and private entities in order to accomplish certain defined municipal goals and objectives.

1.3 REDEVELOPMENT PROCESS

1.3.1 The first step in the Redevelopment process is for a municipal Governing Body to direct the municipal Planning Board to undertake what the *Redevelopment Law* terms a “Preliminary Investigation” to determine if the conditions in a targeted area (“Study Area”) conform with any of the 8 Criteria under which lands may be declared to be “In Need of Redevelopment” under sections 5 and 6 of the *Redevelopment Law*.

On March 21, 2023, the Parsippany-Troy Hills Township Council adopted Resolution No. R2023-058²; thereby authorizing and directing the Parsippany-Troy Hills Planning Board to conduct the necessary investigations and to undertake the necessary steps to determine whether or not the Sylvan Way Study Area, more particularly described as identified as Block 202, Lot 1.9 on the official Tax Map of the Township of Parsippany-Troy Hills, qualifies for designation as a non-condemnation Area in Need of Redevelopment under the criteria and pursuant to the public hearing process set forth in N.J.S.A. 40A:12A-1, et seq.

¹ N.J.S.A. 40A:12A-1 et seq. ~ “Redevelopment Law”

² On file with the Township Clerk and/or the Planning Board Secretary



On May 1, 2023, the Planning Board accepted the directive of the Township Council and assigned **ARH ASSOCIATES**,³ Licensed Professional Planners in the State of New Jersey and the Board's appointed Planner, to undertake the Investigation on its behalf.

In satisfaction of N.J.S.A. 40A:12A-6 b (1), a map showing the boundaries and location of the Study Area and a Statement for the Basis of this Preliminary Investigation were placed on file with the Township Clerk.

1.3.2 ARH Conducted its analysis and submitted a *Report of Findings*², dated June 6, 2023, detailing the conditions in the Study Area.

Pursuant to N.J.S.A. 40A:12A-6b (2) and (3), the Planning Board held a duly noticed public hearing on this matter⁴ to determine whether all or part of the area under Investigation qualified as an Area in Need of Redevelopment in accordance with the Redevelopment Law.

At the end of the public hearing, and after careful consideration of the Report of Findings and a presentation by **ARH**, as well as comments from members of the public in

attendance who elected to speak, the Planning Board, thereby found and recommended to the Township Council that the area under Investigation qualifies and therefore should be designated as a Non-Condemnation Area in Need of Redevelopment. A Memorializing Resolution was adopted at the July 24, 2023, Planning Board meeting and transmitted to the Township Council.

The Township Council received the Resolution and recommendations of the Planning Board, along with the *Report of Findings* and all relevant exhibits and materials. After carefully considering the analyses, findings, and recommendations of the Planning Board, the Township Council, on August 22, 2023, adopted Township Resolution No. R2023-121; thereby designating the Sylvan Way Study Area to be an Area in Need of Redevelopment.

1.3.3 N.J.S.A. 40A:12A-6 provides, in pertinent part:

*Upon the adoption of a resolution [designating an area to be In Need of Redevelopment], the clerk of the municipality shall, forthwith, transmit a copy of the resolution to the Commissioner of Community Affairs for review.
... If the Area in Need of Redevelopment is*

³ "ARH"

⁴ July 10, 2023



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

situated in an area in which development or redevelopment is to be encouraged pursuant to any State law or regulation promulgated pursuant thereto, then the determination shall take effect after the clerk has transmitted a copy of the resolution to the Commissioner...

Township Resolution No. R2023-121 was transmitted to the Commissioner of the New Jersey Department of Community Affairs Commissioner on August 25, 2023.

As detailed in §3.3.3 and §12.5.3 herein, the Redevelopment Area is located within a PA~1 (Metropolitan) Planning Area under the New Jersey State Development & Redevelopment Plan, and the Planning Area under the New Jersey Highlands Regional Master Plan ~ both of which encourage development and redevelopment. Accordingly, the Redevelopment Area designation for the [then] Sylvan Way Study Area took effect with the Clerk's transmittal to the NJDCA Commissioner.

1.4 AUTHORIZATION & PURPOSE

Having declared the Sylvan Way Study Area to be In Need of Redevelopment, the next step in the Redevelopment Process

is to prepare and adopt a Redevelopment Plan for the Redevelopment Area.

The purpose of this Redevelopment Plan is to provide a mechanism for the orderly (re)planning and (re)development of the Study Area consistent with the Municipal Goals & Objectives⁵ established herein.

This Redevelopment Plan satisfies all statutory requirements under the *Local Redevelopment & Housing Law* and, upon adoption by the Township Council, shall constitute the legal prerequisite for the Redevelopment Actions outlined herein.

⁵ §4.0 herein.



2.0 DEFINITIONS

For the purpose of this Redevelopment Plan, and in addition to any terms defined within the body of this document, the following terms shall have the meaning as set forth in this section. Terms not defined herein shall have the meaning set forth in the Township Code. Terms presented as singular or plural, masculine or feminine, shall be construed within the context in which they occur.

- 2.1** “Ancillary Use”, “Ancillary Building” or “Ancillary Structure” shall mean an Accessory Use, Building or Structure as defined in the Township Code, except that an Ancillary Use, Building or Structure need not be on the same lot as the Principal Use, Building or Structure it supports. A building containing living space shall never be considered an Ancillary Use, Building or Structure.
- 2.2** “Building Scale” shall mean the relationship between the mass of a building and its surroundings, including the width of the street, open space, and mass of surrounding buildings.
- 2.3** “Context” shall mean the character of the buildings, streetscape and neighborhood which surround a given building or site.
- 2.4** “Cornice” shall mean the top part of an Entablature, usually molded and projecting.
- 2.5** “Cupola” shall mean a small roof tower, usually rising from the roof ridge.
- 2.6** “Elevation” shall mean an exterior façade of a structure, its head-on view, or representation thereof drawn with no vanishing point.
- 2.7** “Entablature” shall mean an elaborated horizontal band along the exterior of a building, used primarily just beneath the roofline or on a building façade between floors.
- 2.8** “Environmental Constraints” shall mean natural features, resources, or land characteristics that require conservation measures or creative development techniques to prevent their degradation. In certain INSTANCES, such constraints may result in limited development or may preclude development on all or portions of a lot.
- For the purposes of this Redevelopment Plan, Environmental Constraints shall also include conditions placed on a property by a Relevant Permitting Agency.



- 2.9** “Façade” shall mean a building face or wall.
- 2.10** “Fenestration” shall mean window and other opening on a building façade.
- 2.11** “Governing Body” shall have the same meaning as Township Council⁶.
- 2.12** “Highlands Council” shall mean the Highlands Water Protection and Planning Council.
- 2.13** “Highlands RMP” shall mean the Highlands Regional Master Plan adopted in 2008.
- 2.14** “Independent Component of a Project” see “Redevelopment Project”.
- 2.15** “Local Lands & Building Law” shall mean N.J.S.A. 40A:12-1 et seq.
- 2.16** “Local Redevelopment & Housing Law” shall mean N.J.S.A. 40A:123A-1 et seq.
- 2.17** “Luxury Health & Fitness Center” shall mean a facility that provides physical fitness, sports, and recreational programs

and activities, including but not limited to, the use of weight-lifting, running, and aerobic exercise equipment, game courts, indoor and outdoor swimming pools and waterslides, individual and/or group yoga, Pilates, and other fitness classes and programs, and day camps; as well as health and wellness services, which may include chiropractic, physical therapy, medical aesthetic and massage services, blood draws, wellness and metabolic assessments, and other like and similar services; and personal services including hair and skin care, nail salons, day spas, beauty salons, and barbershops.

- 2.18** “Massing” shall mean the three-dimensional bulk of a structure (i.e., its height, width, and depth).
- 2.19** “Mezzanine or loft” shall mean an intermediate level between the floor and ceiling of any story and covering not more than 33% of the floor area of the room in which it is located.
- 2.20** “Municipal Land Use Law” shall mean N.J.S.A. 40A:55-1 et seq.

⁶ Within the context of various sections of this document, the terms “Township”, “Governing Body”, and “Parsippany” shall mean the Parsippany-Troy Hills Township Council.



2.21 “NJCA” shall mean the New Jersey Department of Community Affairs.⁷

2.22 “NJDEP” shall mean the New Jersey Department of Environmental Protection.⁷

2.23 “NJDOT” shall mean the New Jersey Department of Transportation.⁷

2.24 “Office of Planning Advocacy” (“OPA”) shall mean the successor to the New Jersey Office of Smart Growth (“OSG”) and the Office of State Planning (“OSP”); operating out of the office of the Secretary of State under the Lieutenant Governor.

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

2.25 “Parsippany”, “Parsippany-Troy Hills” and “Parsippany Troy-Hills Township” shall mean the Township of Parsippany-Troy Hills, a body corporate and politic, and unless otherwise indicated includes its Governing Body, elected officials, officers and staff.

2.26 “P.I.L.O.T.” shall mean a program of Payment-In-Lieu-of-Taxes as permitted under applicable law.

2.27 “Planning Board” shall mean the Parsippany-Troy Hills Planning Board, established pursuant to the Municipal Land Use Law and operating pursuant to the various regulations of the Township Code and other Relevant statutes, including the *Local Redevelopment & Housing Law*.

2.28 “Preliminary Investigation” shall mean the process under which the conditions in the Study Area were analyzed to determine conformance with the Statutory Criteria for Redevelopment Area designation under the *Local Redevelopment & Housing Law*.⁸

2.29 “Principal Use” or “Principal Building” shall mean the Use which is the main or primary activity on the property or the Building in which such Use takes place.

2.30 “Project” shall have the same meaning as “Redevelopment Project.”

2.31 “Project Concept(s)” shall mean the preliminary depiction of a proposed Redevelopment Project, or individual Phase or

⁷ And shall include all divisions and agencies thereof.

⁸ See also §2.45 herein.



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

Subphase thereof, and shall include, at a minimum, a conceptual site plan, color renderings of all building elevations, floor plans, budgetary information, and associated narrative Description of Project Elements sufficient to provide the Township with an understanding of the proposed Project, Phase, or Subphase thereof.

2.32 “Project Elements” shall mean any component of a Redevelopment Project.

2.33 “Project Plan(s)” shall mean a detailed depiction of a Redeveloper’s proposed Project, individual Phase, or Subphase thereof, and shall include all submission requirements for making application to the Planning Board pursuant to the Township’s existing Subdivision and Site Plan application procedures and this Redevelopment Plan.

2.34 “Proportion” shall mean the relationship or ratio between two dimensions, e.g., width of street to height of building wall or width to height of a window.

2.35 “Publication” shall mean the date printed on the cover of this Redevelopment Plan, which shall signify the date on which this Report was finalized for printing.

2.36 “Redeveloper” shall mean the corporation, partnership, or other entity or entities designated by the Township as Redeveloper pursuant to N.J.S.A. 40A:12A-1 et seq. and having entered into a Redevelopment Agreement for the purposes of advancing this Redevelopment Plan.

2.37 “Redeveloper Candidate” shall mean the corporation, partnership, or other entity or entities selected by the Township to pursue negotiations leading a Redevelopment Agreement for the purposes of advancing this Redevelopment Plan, but whose Redevelopment Agreement has yet to be executed.

2.38 “Redevelopment Agreement” shall mean a contract made by and between a designated Redeveloper (Candidate) and the Township⁹, which shall detail the specific rights, responsibilities, and obligations of both parties related to the

⁹ Acting in its capacity as Redevelopment Entity for this Redevelopment Plan.



development of a Redevelopment Project under this Redevelopment Plan.

Subject to the provisions of a Redevelopment Agreement, nothing in this Redevelopment Plan shall be construed to prohibit a Redevelopment Project from being developed as multiple components constructed in phases or subphases over time.

2.39 “Redevelopment Area” shall have the same meaning as the “Study Area.”

2.40 “Redevelopment Entity” shall mean the Governing Body of Parsippany-Troy Hills Township, acting as the implementing agent for this Redevelopment Plan in accordance with and under the provisions of N.J.S.A. 40A:12A-1 et seq.

2.41 “Redevelopment Law” shall have the same meaning as Local Redevelopment & Housing Law.

2.42 “Redevelopment Plan” shall mean this instant document entitled Redevelopment Plan: Sylvan Way Redevelopment Area (Block 202, Lots 1.9) Township of Parsippany-Troy Hills,

Morris County, New Jersey, prepared by **ARH ASSOCIATES** (date indicated on the front cover of this document).

Upon adoption by the Governing Body, this Redevelopment Plan shall satisfy all statutory requirements of the *Local Redevelopment & Housing Law* and shall constitute a Redevelopment Plan under N.J.S.A. 40A:12A-3 and 12A-7.

2.43 “Redevelopment Project” shall mean the construction of buildings and/or other improvements in the Redevelopment Area by designated Redeveloper in accordance with this Redevelopment Plan.

Subject to the provisions of a Redevelopment Agreement, nothing in this Redevelopment Plan shall be construed to prohibit or in any way limit a Redevelopment Project from being developed in Phases or Subphases over time.

Accordingly, the term “Redevelopment Project” shall be construed to include any Phases or Subphases thereof.

For the purposes of issuing a Certificate of Completion & Compliance¹⁰, an “Independent Component of a Redevelopment Project” shall mean any portion of a

¹⁰ §14.0 herein.



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

Redevelopment Project, Phase, or Subphase thereof, which can stand alone and be considered complete without completion of any connecting or non-connecting portion of such Project, Phase, or Subphase thereof.

- 2.44** “Relevant Permitting Agencies” shall mean any combination of Federal, State, and/or County agencies having jurisdiction over the Redevelopment Area or a Redevelopment Project.
- 2.45** “Report of Findings” shall mean the document entitled Report of Findings, Non-Condensation Preliminary Redevelopment Investigation, Sylvan Way Study Area (Block 202, Lot 1.9), Parsippany-Troy Hills, Morris County, New Jersey prepared by **ARH ASSOCIATES** (dated June 6, 2023).¹¹
- 2.46** “Review & Approval” shall mean the review and approval by the Planning Board of an application for Site Plan Approval, Subdivision Approval, and/or Redevelopment Plan Conformance as may be required to effectuate a Redevelopment Project.
- 2.47** “Right-of-Way” or “ROW” shall mean privately- or publicly owned lands used or intended to be used for the construction

of vehicular and/or pedestrian travel ways (cartways), public infrastructure, and pedestrian amenities, and shall be construed to include all lands and improvements between the property lines of opposing Blocks and/or Lots.

- 2.48** “State Plan” shall mean the *New Jersey State Development and Redevelopment Plan*, authorized via the State Planning Act of 1985 and last adopted in March 2021.
- 2.49** “Street Furniture” shall mean the functional elements of the streetscape, including, but not limited to, benches, trash receptacles, planters, kiosks, streetlights, and bollards.
- 2.50** “Streetscape” shall mean the built and planted elements of a Right-of-Way which define its character.
- 2.51** “Study Area” shall mean the approximately 18.64-acre (not including rights-of-way) area consisting of 1 lot fronting on Sylvan Way, as further described in Township Resolution R2023-058 and §1.0 herein.
- 2.52** “Texture” shall mean the exterior finish of a surface, ranging from smooth to coarse.

¹¹ On file with the Township Clerk and/or the Planning Board Secretary.



- 2.53** “Township” shall have the same meaning as Parsippany-Troy Hills Township.
- 2.54** “Township Code” shall mean, unless otherwise cited, Chapter 430 of the Parsippany-Troy Hills Township Municipal Code.
- 2.55** “Township Clerk” shall mean the municipal Clerk for the Township of Parsippany-Troy Hills, who is statutorily mandated custodian for the Township’s records.
- 2.56** “Zoning/Administrative Officer” shall mean the municipal official assigned to administratively approve land use applications not rising to the level of Review & Approval under this Redevelopment Plan and which would otherwise not require approval by the Planning Board or Zoning Board of Adjustment under the Township Code.



3.0 PRE-EXISTING CONDITIONS

3.1 DELINEATION

As authorized by the Township Council, this Redevelopment Plan encompasses the Lots as described in §1.0 herein.

3.2 ZONING

Prior to the adoption of this Redevelopment Plan, the lands subject to this Plan were located in the Township’s Research, Office and Laboratory (ROL) District.

Upon adoption of this Redevelopment Plan, land uses and building controls herein will govern.





3.3 SMART GROWTH, NEW URBANISM & THE REGULATORY ENVIRONMENT

3.3.1 SMART GROWTH

Smart Growth is a term given to planning theories and practices designed to combat the suburban sprawl experienced in New Jersey (and other states) in the post-World War II era.

Prior to the War, the nation's population generally lived in compact neighborhoods where people could walk from their homes to work, shop, or go to school, or could take advantage of public transportation for these needs. The post-War emergence of the American middle-class, the privately-owned automobile and the interstate and other highway systems provided the ability for people to retreat from cities to suburbia, with its larger lot sizes and cul-de-sac communities.

Over the decades, once new suburbs became old and tired. Simultaneously, the reliance on the automobile caused increased traffic congestion, as public transportation was replaced by the need to drive from 'secluded' communities to office parks, strip malls, and regional shopping centers.

As families perceived their quality of life diminishing, they began to flee these older, congested suburbs for the less-dense, ever-greener hinterland. Suburbs became urban, exurbs became suburban, and the open space that heretofore separated communities is rapidly disappearing. The result was "**SPRAWL**".

To combat sprawl while recognizing the need to accommodate ever-expanding populations, planners developed a series of principles known as Smart Growth. It is hoped that the application of these principles will redirect (re)development to Cities and other areas with existing infrastructure, and preserve green space, while still providing for the growth demand of the population.

Smart Growth principles are generally accepted by planners and lawmakers as guidelines for effective land use and design. They have been incorporated explicitly or implicitly into the body of state and local regulations adopted to combat sprawl.

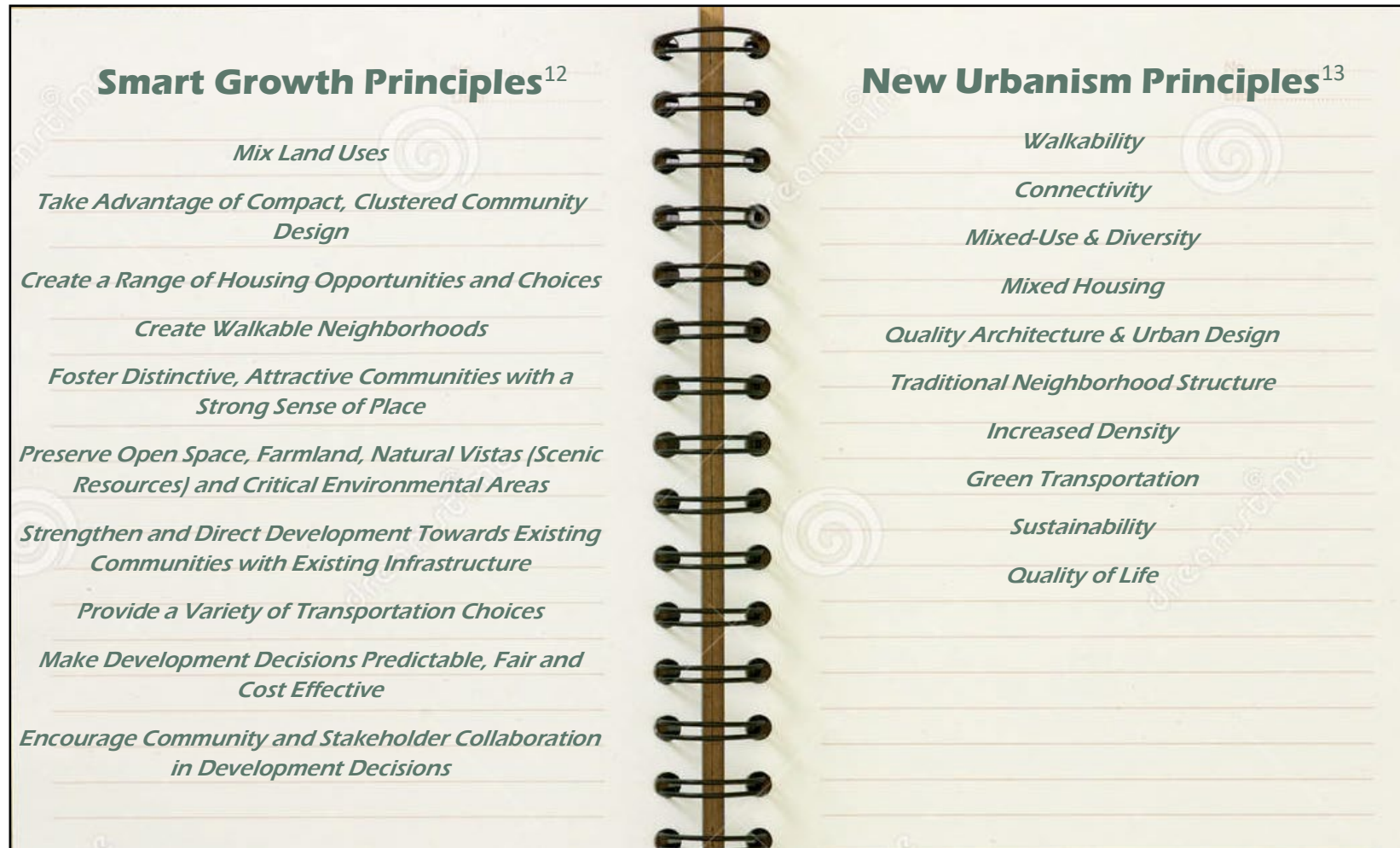
3.3.2 NEW URBANISM

Closely related to Smart Growth is the concept of New Urbanism, which is a return to the principals that historically



made neighborhoods successful as communities ~ when neighbors knew one another, and the street corner and front porch were venues for friendly interaction.

While all elements may not be appropriate for every application, they should be viewed as guides for good civic design.



Smart Growth Principles¹²

- Mix Land Uses*
- Take Advantage of Compact, Clustered Community Design*
- Create a Range of Housing Opportunities and Choices*
- Create Walkable Neighborhoods*
- Foster Distinctive, Attractive Communities with a Strong Sense of Place*
- Preserve Open Space, Farmland, Natural Vistas (Scenic Resources) and Critical Environmental Areas*
- Strengthen and Direct Development Towards Existing Communities with Existing Infrastructure*
- Provide a Variety of Transportation Choices*
- Make Development Decisions Predictable, Fair and Cost Effective*
- Encourage Community and Stakeholder Collaboration in Development Decisions*

New Urbanism Principles¹³

- Walkability*
- Connectivity*
- Mixed-Use & Diversity*
- Mixed Housing*
- Quality Architecture & Urban Design*
- Traditional Neighborhood Structure*
- Increased Density*
- Green Transportation*
- Sustainability*
- Quality of Life*

¹² <http://smartgrowth.org/smart-growth-principles/>

¹³ <http://newurbanism.org/newurbanism/principles.html>



3.3.3 STATE DEVELOPMENT & REDEVELOPMENT PLAN

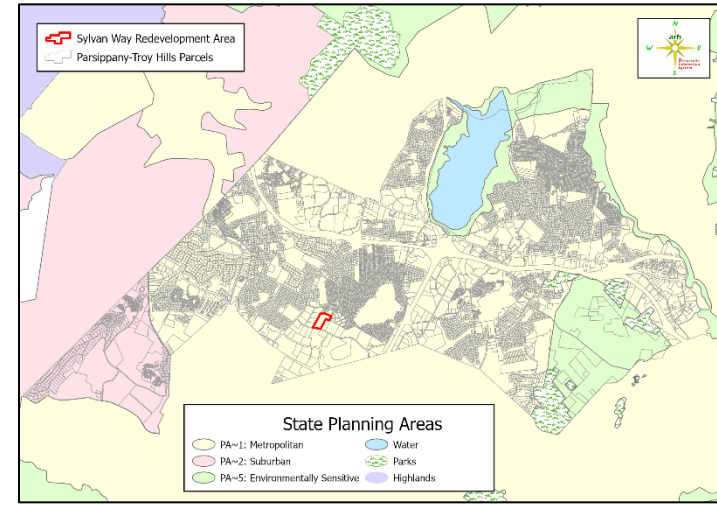
In New Jersey, Smart Growth principles are embodied in the *State Development & Redevelopment Plan*.¹⁴ promulgated by the State Planning Commission¹⁵, as the equivalent of a statewide master plan to guide development and investment, this document is an outline of the State’s policies related to Smart Growth and general planning principles.

Prepared as an interdepartmental effort between various State offices charged with managing growth in New Jersey¹⁶, the State Plan is the controlling policy guide regarding growth related issues on a statewide level.

The State Plan classifies the section of the Township under jurisdiction of this Redevelopment Plan as a ‘PA~1 (Metropolitan) Planning Area’. As detailed in the State Plan:

PA~1 (METROPOLITAN) PLANNING AREAS are designed to provide for much of the state’s future redevelopment; revitalize cities and towns; promote growth in compact forms; stabilize older suburbs; redesign areas of sprawl; and protect the

character of existing stable communities.¹⁷



To accomplish these goals, the *State Plan* has established a number of Policy Objectives. Pertinent to this Redevelopment Plan:¹⁸

LAND USE: Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single-use developments and enhance their linkages to the rest of the community. Ensure efficient and

¹⁴ “State Plan”

¹⁵ In conjunction with the New Jersey Office of State Planning (now entitled the Office of Planning Advocacy).

¹⁶ Principally, but not exclusively, NJDCA and NJDEP.

¹⁷ State Plan pg. 186

¹⁸ State Plan pg. 191-192



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

ECONOMIC DEVELOPMENT: *Promote economic development by encouraging strategic land assembly, site preparation and infill development, public/private partnerships and infrastructure improvements that support an identified role for the community within the regional marketplace. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies and programs, including tax policies and expedited review of proposals that support appropriate redevelopment.*

TRANSPORTATION: *Maintain and enhance a transportation system that capitalizes on high density settlement patterns by encouraging the use of public transit systems, walking and alternative modes of transportation to reduce automobile dependency, link Centers and Nodes, and create opportunities for transit-oriented redevelopment. Facilitate efficient goods movement through strategic investments and intermodal linkages...*

REDEVELOPMENT: *Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile.*

PUBLIC FACILITIES AND SERVICES: *Complete, repair or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region. Encourage the concentration of public facilities and services in Centers and Cores.*

INTERGOVERNMENTAL COORDINATION: *Regionalize as many public services as feasible and economical to enhance the cost-effective delivery of those services. Establish multi-jurisdictional policy and planning entities to guide the efforts of state, county and municipal governments to ensure compatible and coordinated redevelopment.*

3.3.4 IMPLICATIONS FOR THIS REDEVELOPMENT PLAN

The Smart Growth Planning Principles adopted by the *State Plan* are largely design- and process-based guidelines which become operationalized in the form of land use regulations and building controls. This Redevelopment Plan addresses - to the maximum extent practicable - Smart Growth Policy Objectives embodied in the *State Plan* as appropriate to the Sylvan Way Redevelopment Area.



3.4 ENVIRONMENTAL CONDITIONS & CONSTRAINTS

The Preliminary Investigation undertaken for the Sylvan Way Redevelopment Area identified wetlands buffers as potential constraints to this Redevelopment Plan.

3.4.1 SOILS, WETLANDS & BUFFERS

NJDEP has identified (mapped) Wetlands to the east of the Redevelopment Area. Such wetlands are encumbered by associated buffers. The Highlands rules define wetlands as “Open Water” and require a 300’ no-disturbance buffer. A small portion of the property is within this buffer at the northeast corner. Absent site-specific analyses and formal application to NJDEP and the Highlands Council, this Redevelopment Plan assumes a 300’ buffer.

¹⁹ NJDEP employs a 5-tiered species-based habitat method designed to associate each species with a specific set of Land Use / Land Cover (“LULC”) classes according to the habitat needs of the species. Detailed LULC class delineations allow for an accurate representation of imperiled and special concern species habitat by providing biologists with the ability to designate a specific set of LULC classes for each individual species-feature label combination.

Each species-habitat association is developed by performing a review of scientific literature and/or from information obtained through research and expert opinion. In addition, a special analysis of the LULC for species and their feature label components was used to guide the selection of particular LULC classes for the creation of species-specific patches of habitat. Habitat is valued only if it is appropriate for the species. (www.nj.gov/dep/gis/landscape.html)

- Rank 1: species-specific habitat that meets habitat-specific suitability requirements such as minimum size or core area criteria for endangered, threatened or special

3.4.2 HABITAT/THREATENED & ENDANGERED SPECIES

While no threatened or endangered species have been **found** within the Redevelopment Area, Rank 1 and 2 habitat-specific conditions¹⁹ have been identified.

Additionally, the U.S. Fish & Wildlife Service has identified the following species at or near the Area:

- Northern Long-eared Bat (*Myotis septentrionalis*: *Threatened Species*);
- Indiana Bat (*Myotis sodalist*: *Endangered Species*);
- Tricolored Bat (*Perimyotis subflavus*: *Proposed Endangered*);
- Bog Turtle (*Glyptemys muhlenbergii*: *Threatened*), and

concern wildlife species, but that do not intersect with any confirmed occurrences of such species.

Rank 1 habitat without documented occurrences are not necessarily absent of imperiled or special concern species. Thus, the Rank 1 designation is used for planning purposes, such as targeting areas for future wildlife surveys.

Imperiled species are typically not abundant across the landscape, a single occurrence may therefore represent a significant portion of the local population and often indicates the presence of a larger population.

- Rank 2: species-specific habitat containing 1 or more occurrences of species considered to be “of special concern”.



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

- Monarch Butterfly (*Danaus plexippus*: *Candidate*).

A Natural Heritage Database Request and a request to the U.S. Fish & Wildlife Service are required to confirm the actual species presence within or proximity to the Redevelopment Area. Once the presence of species is confirmed, a buffer may be required.

3.5 GOVERNMENTAL APPROVALS

Based on the information available to the Township at Publication, Governmental Approvals known or believed to be applicable to this Redevelopment Plan include, but may not be limited to:

- Parsippany-Troy Hills Township Council for determination of Redevelopment Plan Conformance;
- Parsippany-Troy Hills Planning Board for Subdivision and Site Plan approvals. Determination of Completeness shall be made by the Township's professionals in accordance with standard operating procedures;
- Parsippany-Troy Hills Department of Construction for Construction Permitting;
- Morris County Conservation District for Soil Erosion

and Sediment Control Plan certification;

- Morris County Planning Board for Subdivision approval (if applicable) and Site Plan approval (or exemption) related to Parsippany Road;
- Parsippany-Troy Hills Water Department and Sewer Utility for water and sewer permitting;
- Parsippany-Troy Hills Parks & Forestry for tree removal permitting;
- NJDEP for wetlands and other environmental permitting, sewer and water extension permitting, and such other permitting as may be required;
- Highlands Water Protection and Planning Council for such permitting as may be necessary; and
- United States Army Corps of Engineers, U.S. Environmental Protection Agency and/or the U.S. Fish & Wildlife Service for Federal regulations which may be applicable.



4.0 MUNICIPAL GOALS & OBJECTIVES

4.1 GENERAL STATEMENTS

4.1.1 This document constitutes a Redevelopment Plan under the provisions of the *Local Redevelopment & Housing Law*. The purpose of this document is to provide the mechanism, via one or more public/private partnerships, for the creation of one or more single-use project(s) within the Sylvan Way Redevelopment Area; thereby advancing the Goals & Objectives detailed herein.

Upon adoption of this Redevelopment Plan, the Township will be statutorily empowered to negotiate and enter into a Redevelopment Agreement with a selected Redeveloper Candidate for the purposes of advancing the Goals & Objectives articulated herein.

4.1.2 The Goals & Objectives articulated herein shall constitute the guiding principles for the activities anticipated under this Redevelopment Plan. Such activities may be undertaken by the Township or by a designated Redeveloper.

4.1.3 Township Policymakers recognize that it may be necessary to subordinate a particular Goal or Objective, or certain aspects of a particular Goal or Objective, in order to achieve other,

more imperative, Goals or Objectives. Within this context, the quantitative or qualitative value of any of the stated Goals or Objectives, as well as their relative importance to the Township and thus this Redevelopment Plan, shall be determined exclusively by the Township Council, acting in its capacity as Redevelopment Entity for this Redevelopment Plan.

Readers should therefore attach no importance to the order in which these Goals and Objectives are presented.

This Redevelopment Plan does not attempt to anticipate every possible Project Concept or land use solution. The provisions of this Plan have been crafted to provide qualified Redevelopers the flexibility necessary to develop Project(s) which advance(s) these Goals & Objectives.

4.1.4 Township Policymakers recognize the financial and planning realities related to the redevelopment of the Redevelopment Area and are in a position to make available such assistance as may be at the Township's disposal ~ through the powers the *Redevelopment Law* and/or other pro-development agencies and programs ~ should a particular project so merit.



Such assistance may include, but need not be limited to endorsing and/or ~ with the designated Redeveloper ~ making application for state and federal grant funds; endorsing and/or ~ with the designated Redeveloper ~ making application for state / federal environmental / other permits required to advance a Project; negotiating favorable property tax mechanisms;²⁰ and amending this Redevelopment Plan should such actions, in the sole opinion of the Township, be reasonably necessary to produce a superior product.

Any such assistance shall be addressed within the context of the Redevelopment Agreement to be negotiated between the Township and Redeveloper Candidate.

4.1.5 Responsibility (financial or otherwise) for the remediation of any conditions found to exist within, on or under any Redevelopment Plan property, or for compliance with any State or Federal requirements related thereto, shall be addressed between the Redeveloper and the current

property owner in accordance with applicable laws and regulations.

To the extent pertinent, such issues shall be recognized and addressed with the context of the Redevelopment Agreement to be negotiated between the Township and Redeveloper Candidate.

4.2 MUNICIPAL LAND USE LAW

This Redevelopment Plan has been crafted to advance the purposes of the New Jersey *Municipal Land Use Law*²¹ by:

- Constituting municipal action to guide the appropriate use and redevelopment of lands in a manner which will promote the public health, safety, morals, and general welfare;
- Providing for Redevelopment Projects in a manner which will secure safety from fire, flood, panic and other natural and man-made disasters;
- Ensuring that the Redevelopment Projects will provide

²⁰ i.e., the granting of tax abatement, Payment-in-Lieu-of-Tax (P.I.L.O.T.) Agreements, Economic Redevelopment & Growth Grant (ERGG) funding and Redevelopment Area bonds under applicable programs.

²¹ N.J.S.A. 40:55D-2



adequate light, air, and open space;

- Ensuring that redevelopment of the Sylvan Way Redevelopment Area does not conflict with the development and general welfare of neighboring municipalities, the County, and State as a whole;
- Providing sufficient space in appropriate locations for residential uses according to their respective environmental requirements in order to meet the need of Township citizens;
- Locating a Redevelopment Project in order to utilize existing transportation routes in order to promote the free flow of traffic and avoid congestion and blight;
- Promoting a desirable visual environment through creative development techniques and good civic design and arrangement;
- Preventing urban sprawl and degradation of the environment through improper use of land;
- Encouraging planned development which will incorporate the best features of design and relate the

type, design, and layout of development to the Study Area;

- Encouraging coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- Promoting the utilization of renewable energy resources;
- Promoting the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs;

4.3 REDEVELOPMENT PLAN GOALS & OBJECTIVES

4.3.1 Reverse or remove the conditions documented in the *Report of Findings*²² which led the Township to initiate the Redevelopment Process for 6 Sylvan Way.

4.3.2 Eliminate negative and/or blighting influences. Prevent the spread of such influences by the application of

²² §2.45 herein.



comprehensive Redevelopment Plan controls.

4.3.3 Remove and replace substandard and/or un/underproductive buildings or improvements where renovation/rehabilitation is not practicable or desirable, including where such buildings or improvements do not lend themselves to reuse in a manner consistent with this Redevelopment Plan.

4.3.4 Maximize tax revenue, generate tax ratables or otherwise provide for a return to the public sector²³ by the (redevelopment)and active(re)use of un/underutilized and/or un/underproductive lands which represent a lost opportunity for valuable contribution to the welfare of the community.

4.3.5 Stimulates development for the Sylvan Way Redevelopment Area by permitting flexibility in land use, project design and building regulations while protecting, to the extent practicable, the surrounding built and natural environment.

4.3.6 Reorganize and replan the Redevelopment Area via a combination lot consolidation and appropriate planning mechanisms in order to create a Redevelopment Parcel of

appropriate size and shape to facilitate a market-driven Project designed to advance and achieve the Municipal Goals & Objectives detailed herein.

4.3.7 Provide for land uses designed to stimulate, strengthen, and enhance the Township's economic base and provide for increased employment and business opportunities ~ including opportunities for Township residents ~ resulting from the (re)development and operation of a significant Redevelopment Project in the Redevelopment Area; and by so doing;

- Attract new businesses and retain and expand existing businesses in the Township; and thereby create business opportunities via the purchase of goods and services by the Redevelopment Project;
- Create direct employment opportunities and secondary employment by businesses providing goods and services to the Redevelopment Project; and
- Create jobs targeting the full spectrum of skill-levels; thereby supporting the widest possible employment

²³ Via P.I.L.O.T. or other appropriate mechanisms.



base for Township and non-Township residents during construction and operation of the Project.

- 4.3.8** Institute provisions to promote a comprehensively planned Redevelopment Project in a mutually supportive environment consistent with Smart Growth/New Urbanism Principles²⁴;
- 4.3.9** Provide for the appropriate siting, density, and development of residential uses;
- 4.3.10** Facilitate the development of affordable housing to meet the Township's fair share obligation;
- 4.3.11** Provide for adequate (surface and/or structured) parking to support the Redevelopment Project;
- 4.3.12** Promote the efficient and affective provision of necessary infrastructure and related services for the Redevelopment Area while addressing economic, regulatory, and permitting issues which may impede such improvements.
- 4.3.13** Minimize, to the maximum extent practicable and appropriate, fiscal and operational impacts to Township

residents which may result from under regulated uses within the Redevelopment Area. Such impacts may include, but are not limited to, provision of municipal services and increase in school district taxes related to an increase in the number of students enrolled in the Township's school system arising from a residential development.

- 4.3.14** Utilize zoning, tax abatement, and other financial and non-financial incentives and programs where appropriate, to achieve these Goals & Objectives.
- 4.3.15** Provide for appropriate aesthetics, visibility, and security.
- 4.3.16** To the extent reasonably practicable, work with the designated Redeveloper to minimize disruption to the land uses adjacent to the Redevelopment Area during and after construction.

Establish, where required by the Relevant Permitting Agencies, such Environmental Protection Measures as may be necessary and appropriate to protect any environmentally sensitive lands within or adjacent to the Redevelopment Area.

²⁴ §3.3 herein.



5.0 ANTICIPATED REDEVELOPMENT ACTIONS

5.1 ANTICIPATED REDEVELOPMENT ACTIONS

- A. The Redevelopment Actions anticipated under this Redevelopment Plan consist of:
- B. Establishing land use, building and other controls governing the form and function of the anticipated Redevelopment Project²⁵;
- C. Naming of a Redeveloper Candidate and subsequent negotiations therewith leading to a Redevelopment Agreement and Redeveloper designation;
- D. Redeveloper design, permitting, and construction of the approved Redevelopment Project; and
- E. Voluntary acquisition by the designated Redeveloper of any privately-owned lands as may be required to effectuate the anticipated Redevelopment Project²⁶;
- F. Identification of infrastructure improvements required to support the Redevelopment Project²⁷;

- G. Such other actions as may be necessary and convenient to effectuate this Redevelopment Plan.

5.2 AUTHORITY

The Parsippany-Troy Hills Township Council is designated Redevelopment Entity²⁸ for this Redevelopment Plan.

5.3 REDEVELOPERS DESIGNATION

Upon adoption of a Redevelopment Plan, and pursuant to N.J.S.A. 40A:12A-8 f. & g., designated Redevelopment Entities are empowered to solicit for and negotiate and enter into Redevelopment Agreements with designated Redevelopers for the purposes of advancing the municipality's goals and objectives for the Redevelopment Area.

5.4 REDEVELOPMENT AGREEMENT

Upon designation of an entity as Redeveloper Candidate, the Township shall commence negotiations leading to a Redevelopment Agreement with such entity. Such

²⁵ §6.0 - 10.0 herein.

²⁶ §5.5 herein.

²⁷ §8.0 & 9.0 herein.

²⁸ §2.40 herein.



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

Agreement shall include, at a minimum:

- The Project Concept and Description of Project Elements for the undertakings proposed;
- Details regarding compliance with the Municipal Goals & Objectives²⁹ of this Redevelopment Plan;
- Provisions for such Redeveloper Candidate / Redeveloper escrow(s) as may be deemed necessary to cover Township costs related to this Redevelopment process.
- Anticipated schedule for the commencement and completion of Project improvements, including design, permitting, construction, and opening;
- Environmental and other indemnification and insurance requirements;
- Provisions for termination of Redeveloper status in the event of default by the Redeveloper;
- Affordable Housing obligations;

- Issues identified within the body of this Redevelopment Plan as being subject to such Agreement; and
- Such other provisions as may arise during the negotiations, or which may be required by law.

5.5 ACQUISITION & CONVEYANCE

5.5.1 ACQUISITION

- A. Block 202, Lot 1.9 is privately owned.
- B. The *Redevelopment Law* specifically prohibits municipalities from acquiring lands for Redevelopment Projects via eminent domain in Non-Condensation Redevelopment Areas such as the Sylvan Way Redevelopment Area.

No Township acquisition or conveyance is therefore required to effectuate this Redevelopment Plan.³⁰
- C. The Redeveloper shall be responsible for the private, voluntary acquisition of lands within the Redevelopment

²⁹ §4.0 herein.

³⁰ The Township retains the powers of eminent domain for public uses such as Rights-of-Way and other qualifying purposes under the New Jersey *Local Lands & Buildings Law* (N.J.S.A.

40:60-1 et seq.), *Public Parks & Playgrounds Law* (N.J.S.A. 40:61-1 et seq.) or other related legislation.



Area in furtherance of the Redevelopment Plan.

5.5.2 REDEVELOPER'S RESPONSIBILITIES UPON ACQUISITION

- A. Upon acquisition of any lands within the Redevelopment Area, and subject to the provisions of the negotiated Redevelopment Agreement, the designated Redeveloper shall be responsible for all taxes which become due and owing on all property so owned or acquired; for all demolition, site work, and remediation; and for all planning, engineering, permitting, and other activities necessary for the development of the Redevelopment Project in accordance with this Plan.
- B. Redevelopment Area designation does not relieve property owners of their responsibility to maintain their property, regardless of how or when acquired, in a safe, healthful, and aesthetically acceptable condition.
- C. Such responsibilities attach to properties owned by a Redeveloper Candidate and/or designated Redeveloper, regardless of how or when their lands were acquired.

5.5.3 PROPERTY DESIGNATED NOT-TO-BE ACQUIRED

- A. Unless acquired prior to Publication of this Redevelopment Plan, Block 202, Lot 1.9 is subject to private Redeveloper acquisition pursuant to this §5.5 herein.
- B. This Redevelopment Plan operates under a Non-Condemnation Area designation. Accordingly, no lands under the jurisdiction of this Plan may be acquired via eminent domain for transfer to a Redeveloper. Such classification notwithstanding, the Township reserves the right to work with the Redeveloper to improve such Rights-of-Way as may be required to meet the needs of a Redevelopment Project.

5.6 FINANCIAL ASSISTANCE

Subject to the provisions of a negotiated Redevelopment Agreement, the Township may agree to provide tax abatement, a P.I.L.O.T arrangement and/or other financial assistance should a particular Project, at the sole discretion of the Governing Body, merit and require such assistance.



6.0 STANDARDS & CONTROLS OF GENERAL APPLICABILITY

6.1 GOVERNING REGULATIONS

6.1.1 All activities within the Redevelopment Area shall be governed by the provisions of this Redevelopment Plan, which were crafted to provide a setting within which the Redeveloper and its designers are encouraged to generate detailed plans to produce Projects of outstanding design and superior quality. Taken collectively, these provisions are intended to guide the use, massing and aesthetics of various building types in order to provide for Projects under this Plan. Within this framework, Redevelopers and designers are encouraged to exercise maximum ingenuity and creativity in order to achieve the Municipal Goals & Objectives³¹ detailed herein.

6.1.2 The provisions of this Redevelopment Plan are those of the Township of Parsippany-Troy Hills and do not substitute for any law, code, rule or regulation established by any County, State or Federal agency. All development under this Plan shall comply with such laws, codes, rules and regulations as

applicable.

6.1.3 Except where otherwise modified by this Redevelopment Plan, all property within the Redevelopment Area shall be governed by the standards and regulations contained in the Township Code. By reference, such provisions are included in and adopted by this Redevelopment Plan.

6.1.4 Should a County, State or Federal code or regulation contain comparable but less restrictive provisions than set forth herein, the standards set forth herein shall govern.

6.1.5 Interpretation or clarification of any conflicts or inconsistencies between provisions of the Township Code and this Redevelopment Plan shall be made by the Township Council, acting in its capacity as Redevelopment Entity for this Redevelopment Plan. Unless clearly dictated by the circumstances involved, any such conflict or inconsistency shall be resolved in favor of the provisions of this Plan.

³¹ §4.0 herein



6.2 REVIEW PROCEDURES, INTERPRETATIONS & RESPONSIBILITIES

6.2.1 APPROVAL PROCESS

- A. As part of the Redevelopment Agreement process³², the Township Council, acting in its capacity as the Redevelopment Entity for this Redevelopment Plan, shall review and approve the Project Concepts and Description of Project Elements proposed for the Redevelopment Project. Such approval shall both accept the Project for the community and ensure that the Project is consistent with this Redevelopment Plan.
- B. Understanding that Project(s) of the magnitude envisioned by this Redevelopment Plan necessarily evolve from concept to final design, the following approval process is established:
1. The designation of as Redeveloper Candidate³² shall serve as the Township Council's approval of such Project Concepts and Description of Project Elements, and as conditional certification of the Project's consistency with this Redevelopment Plan.

2. The action of entering into a Redevelopment Agreement with a Redeveloper Candidate shall serve as the Township Council's final approval of the Project Concepts and Description of Project Elements, and as its final certification of the Project's consistency with this Redevelopment Plan.
- C. Consistent with its responsibilities under the *Redevelopment Law*³³, the Planning Board shall review and approve the Project Plans for the Redevelopment project in accordance with the requirements for review and approval of subdivisions and site plans set forth by the Township Code and the *Municipal Land Use Law*.

No application for Site Plan or Subdivision Approval shall be heard by the Planning Board unless and until the Township Council, acting as Redevelopment Entity for this Redevelopment Plan, has granted final approval of the Project Concepts and Description of Project Elements in accordance with §6.2.1B. herein.

³² §5.4 herein.

³³ N.J.S.A. 40A:12A-13



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

D. Within the context of §6.2.1A., B. and C. herein, and subject to the requirements of the Relevant Permitting Agencies, as applicable:

1. The Township Council shall retain sole authority for the interpretation or clarification of the provisions of this Redevelopment Plan, including the permissibility of any use proposed. Such authority shall include whether or not any proposed use conforms with or falls under any of the several categories of Permitted Uses enumerated herein.
2. The Planning Board shall retain authority for the review and approval of all site plans and subdivisions proposed under the Redevelopment Plan. Appeal of any interpretation or clarification made by the Planning Board during the course of the Review & Approval process shall be made to the Township Council, acting in its capacity as Redevelopment Entity for this Redevelopment Plan; or to the Relevant Permitting Agencies, as applicable.

3. Consistent with the applicable provisions of the *Municipal Land Use Law*, the Planning Board shall retain the right, at time of Review & Approval, to require such off-site and/or off-tract improvements as may be lawful, necessary and proportionate to ensure the free flow of traffic, to mitigate other possible impacts to the public safety and welfare arising from a particular Redevelopment Project, and to otherwise ensure the effective implementation of this Redevelopment Plan consistent with the Municipal Goals & Objectives³⁴ of this Plan.

Appeal of a Planning Board interpretation of “necessary” and “proportionate” shall be made by the Township Council, acting in its capacity as Redevelopment Entity for this Redevelopment Plan.

4. Unless Planning Board approval is required by this Redevelopment Plan or by applicable sections of the Township Code and/or the *Municipal Land Use Law*, administrative land use approvals shall be governed by the procedures established in the Township Code.

³⁴ §4.0 herein.



6.2.2 VARIANCES, DEPARTURES, DEVIATIONS & DESIGN WAIVERS

The provisions of this Redevelopment Plan flow from the Township's power to (re)plan designated Redevelopment Areas under the *Local Redevelopment & Housing Law*³⁵ and not from the Township's power to zone under the *Municipal Land Use Law*³⁶. It is therefore within the context of the *Redevelopment Law* and not the *Municipal Land Use Law* that the Township has adopted the Land Use and other provisions of this Redevelopment Plan. Accordingly:

A. This Redevelopment Plan does not recognize the 'use (d)' variance' process under the *Municipal Land Use Law*³⁷. Principal Uses proposed but not permitted by this Redevelopment Plan shall require formal Plan amendment.

Certain Ancillary Uses, or specific elements or components of a Principal Use proposed by a Redeveloper but not envisioned by this Redevelopment Plan, may be permitted upon petition to the Township

Council and the Council's determination, in its sole and absolute discretion, that such use is consistent with the Municipal Goals & Objectives³⁸ of this Plan.

B. This Redevelopment Plan does not recognize the 'bulk (c)' variance' process under the *Municipal Land Use Law*³⁹. The processes for deviating from specific Building Limit Controls and other design regulations follows:

1. Deviation Allowance

With the exception of regulations pertaining to Maximum Building Height, the Planning Board may, at time of Review & Approval and without formal amendment to this Redevelopment Plan, approve departures from the Building Limit Controls and the quantifiable requirements of the Architectural Controls, Circulation, Parking & Loading Plan, Infrastructure Controls and the Landscaping, Streetscaping & Lighting Provisions of this

³⁵ N.J.S.A. 40A:12A-7

³⁶ N.J.S.A. 40:55D-62

³⁷ N.J.S.A. 40:55d-70d

³⁸ §4.0 herein.

³⁹ N.J.S.A. 40:55d-70c



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

Redevelopment Plan as may be requested by a Redeveloper.

Deviations shall only be granted for departures that are consistent with the intent of this Redevelopment Plan.

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

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

2. Design Waivers

a. A Redeveloper Candidate may petition the

Township Council for departure(s) from the non-quantifiable provisions of the Architectural Controls; Circulation, Parking, & Loading Plan; Infrastructure Controls; and the Landscaping, Streetscaping, & Lighting Provisions of this Redevelopment Plan in the form of Design Waivers requested as part of the Redevelopment Agreement negotiations process⁴⁰.

Any Design Waiver accepted by the Township Council shall explicitly be included as an exhibit to the executed Redevelopment Agreement, upon which it shall be treated as being consistent with this Redevelopment Plan. Waivers not so included shall be considered invalid.

b. A Redeveloper may petition the Planning Board for departures from the non-quantifiable provisions of the Architectural Controls; Circulation, Parking & Loading Plan; Infrastructure Controls; and the Landscaping, Streetscaping & Lighting Provisions of this

⁴⁰ §5.4



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

Redevelopment Plan in the form of Design Waivers requested at time of Review & Approval. Requests for such relief shall require clear justification as to why the standard should be relaxed.

- c. Design waivers shall only be granted for a Project whose totality of architecture exhibits ~ in the sole opinion of the Township Council if under subsection a. herein or the Planning Board if under subsection b. herein ~ superior design and quality, and further provided that such departure(s) are, in the opinion of the Township Council or Planning Board, as the case may be, consistent with the intent of this Redevelopment Plan.

In reviewing any such request(s), the Township Council or Planning Board, as the case may be, shall consider any individual request on the totality of its merits within the context of all such Waivers requested.

3. The provisions of §6.2.2B. herein notwithstanding, departure(s) from the requirements of this Redevelopment Plan necessitated to bring a Redevelopment Project into conformance with the regulations of any Relevant Permitting Agency may be permitted without formal Plan amendment, regardless of the percentage departure required, provided that such departure(s) are reviewed and accepted by the Planning Board within the context of the affected Project element. Departure(s) not accepted by the Planning Board shall require formal Plan Amendment.
- C. The Redevelopment provisions detailed herein are intended to work collectively in order to create a unified fabric of complimentary uses and structures within the Sylvan Way Redevelopment Area. As a result of such interrelationships, and Deviation or Departure from a specific Redevelopment Plan provision will likely impact other Plan provisions. Accordingly, any request for Deviation or Departure shall be reviewed within the context of the entirety of the Redevelopment provisions



to insure than all such impacts are identified and, to the extent practicable, minimized.

6.2.3 PERMITTED USES (GENERAL)

- A. Permitted Uses under this Redevelopment Plan are designed to provide for a critical mass of diverse yet complementary activities in order to achieve the Municipal Goals & Objectives⁴¹ of this Plan.
1. Subject to interpretation or clarification under §6.1.5 and §6.2.1D. herein, Permitted Uses shall be limited to the Permitted Principal and Ancillary Uses enumerated for the Redevelopment Parcel under §7.3 herein. ***Uses not specifically enumerated herein as Permitted are prohibited.***
 2. Redevelopers may engage in such uses themselves or may lease or sell a portion or portions of a Project to a third-party operator who will undertake such uses.

⁴¹ §4.0 herein.



7.0 LAND USE PLAN

7.1 OVERVIEW

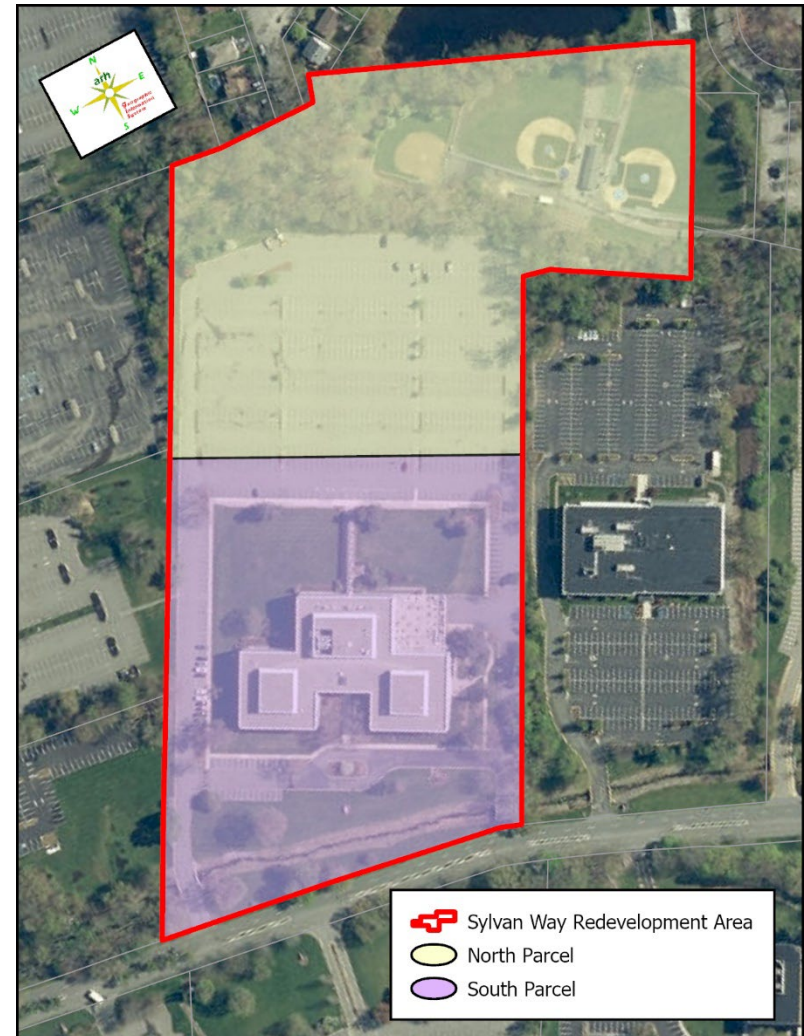
7.1.1 Development Regulations establish specific land use and building limit controls for the physical redevelopment of the Redevelopment Area. Within this framework, the Redeveloper is encouraged to exercise maximum ingenuity and creativity in order to achieve the Municipal Goals & Objectives of this Redevelopment Plan.

7.2 PARCELIZATION PLAN

This Parcelization Plan establishes 2 Redevelopment Districts of approximate size as follows:

- North Parcel: ~ 9.7 acres
- South Parcel: ~ 8.9 acres

7.2.1 Consistent with the Municipal Goals⁴² & Objectives of this Redevelopment Plan, the intent of the Parcelization Plan is to provide a setting for specific land uses and building types in order to master plan and facilitate a market-driven Project(s) that will stimulate, strengthen, and enhance the Township's



⁴² §4.0 herein.



- 7.2.2** economic base and provide for increased employment and business opportunities, while remaining sensitive to the Area's built and natural environments.
- 7.2.3** District boundary lines shall be flexibly interpreted and may be adjusted by the Township as part of the negotiated Redevelopment Agreement(s) based on the needs of the Project(s) as proposed, while remaining sensitive to the built and natural environments in proximity to such Project.
- 7.2.4** Permitted Uses and Building Limit Controls applicable to each Redevelopment Area District shall follow Parcel boundary lines.
- 7.2.5** Projects may be developed on any combination of Lots within a Redevelopment Area District, or may span District boundary lines, provided the Permitted Uses and Building Limit Controls applicable to each such Tract are respected.
- 7.2.6** The Township reserves the right to permit an Alternate Parcelization Plan should a particular Project or set of Projects merit such action.
- 7.2.7** Nothing herein shall prohibit a Redevelopment Area District form being developed in Phases as conditions dictate. Such

phasing shall be determined within the context of the applicable Redevelopment Agreement(s).

- 7.2.8** This Parcelization Plan assumes that Sylvan Way will generally remain in its current geometry but may be modified in some form to improve traffic flow in this section of the Township. Specific improvements will naturally be dependent on the needs of the Redevelopment Project and are therefore beyond the scope of this Redevelopment Plan.

7.3 DEVELOPMENT REGULATIONS

The following Development Regulations provide standards for the physical (re)development of the Sylvan Way Redevelopment Area. They are intended to guide the massing and aesthetics of the land uses and building types permitted.

This Redevelopment Plan recognizes that there is a Township Easement at the north end of the Redevelopment Tract that is currently developed with recreational facilities and athletic fields. This plan does not contemplate any proposed changes to this area.

Within this framework, the Redeveloper and its designers are encouraged to exercise maximum ingenuity and creativity in



***REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)***
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

order to achieve the Municipal Goals & Objectives⁴³ of this
Redevelopment Plan.

⁴³ §4.0 herein.



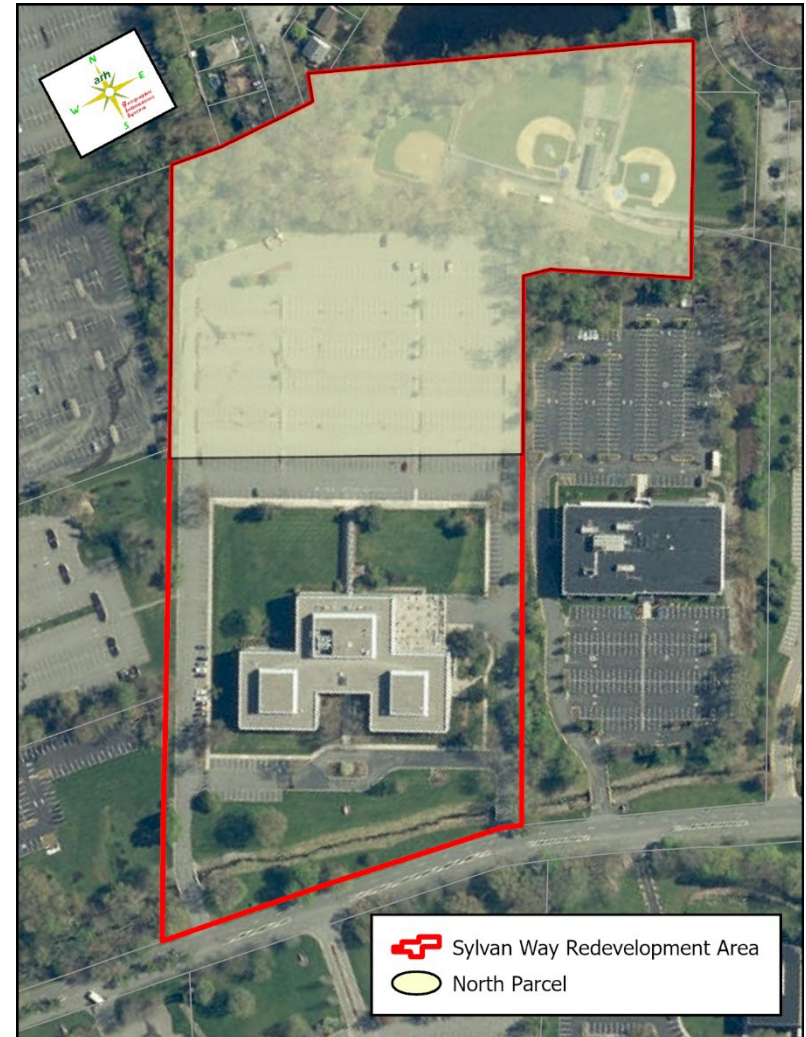
7.3.1 NORTH PARCEL

A. PERMITTED PRINCIPAL USES & STRUCTURES

1. Multifamily residential dwellings.
2. Open space & recreation.

B. PERMITTED ANCILLARY USES & STRUCTURES

1. Such Ancillary Uses and Structures as are normally and customarily associated with a Permitted Principal Use.
2. Subject to the provisions of Circulation, Parking, & Loading Plan⁴⁴ herein, surface and/or structured parking to support a Permitted Principal Use.
3. Fences and walls.
4. Signs in compliance with §7.4.15 herein.
5. Buildings for storage of maintenance equipment.
6. Private recreation buildings and facilities, including swimming pools, spas, workout rooms, pet spas, dog parks, common areas and the like, intended for use by residents of the premises.



⁴⁴ §8.0 herein.



7. Courtyards, patios, balconies, decks, rooftop terraces, fire pits, fireplaces, barbecue grills, pergolas, gazebos, and similar outdoor amenities.
8. Trash and recycling facilities intended for use by residents of the premises.
9. Solar panels.
10. Detention basins and other stormwater management facilities.
11. Zero Emission Vehicle Fueling & Charging Stations, subject to the provisions of §12.9 herein.
12. Subject to the provisions of §7.3.4 herein, the jurisdiction of all Relevant Permitting Agencies, and/or any terms or conditions addressed within the context of the Redevelopment Agreement, Construction Staging and/or Sales Trailers for the construction and/or marketing of a Redevelopment Project, including materials storage, trailers for office use, parking, and all other activities normally associated with development.



C. BUILDING LIMIT CONTROLS

While buildings may vary in terms of footprint and architectural elevations, they shall generally be compatible and complementary in scale, style, and detailing to the neighboring buildings within the Redevelopment Tract. Site and building design shall employ mass, scale, layout, materials, architectural, and other distinguishing features in order to establish character and prominence under a New Urbanism model⁴⁵.

Within the context of the foregoing, the following site and building controls shall be flexibly interpreted in order to achieve these design goals. These site and building controls shall be required for each of the parcels that comprise the Sylvan Way Redevelopment Area⁴⁶.

CATEGORY		REGULATION
Minimum Lot Size		9 acres
Minimum Setback	Front Yard ⁴⁷	25'
	Side Yard	25'
	Rear Yard	120'
Maximum Height ^{48,49}	Principal Building	5 stories/70'
Maximum Height	Parking Garage	7 levels/80'
Minimum Buffer from Residential Properties		100'
Minimum Building to Building Setback		60'
Maximum Density		280 units
Maximum Building Coverage		30%
Maximum Impervious Coverage		50%

⁴⁵ §3.3.2 herein.

⁴⁶ §2.39 herein.

⁴⁷ Front Yard setback shall be measured from the subdivision line to the building face.

⁴⁸ The bulkheads of stair or elevator elements up to 14 feet tall shall be exempt from the calculation of building height within the Redevelopment Area.

⁴⁹ Mezzanines and lofts, as defined in §2.19, shall not constitute a story or half story and shall be considered a portion of the story below.



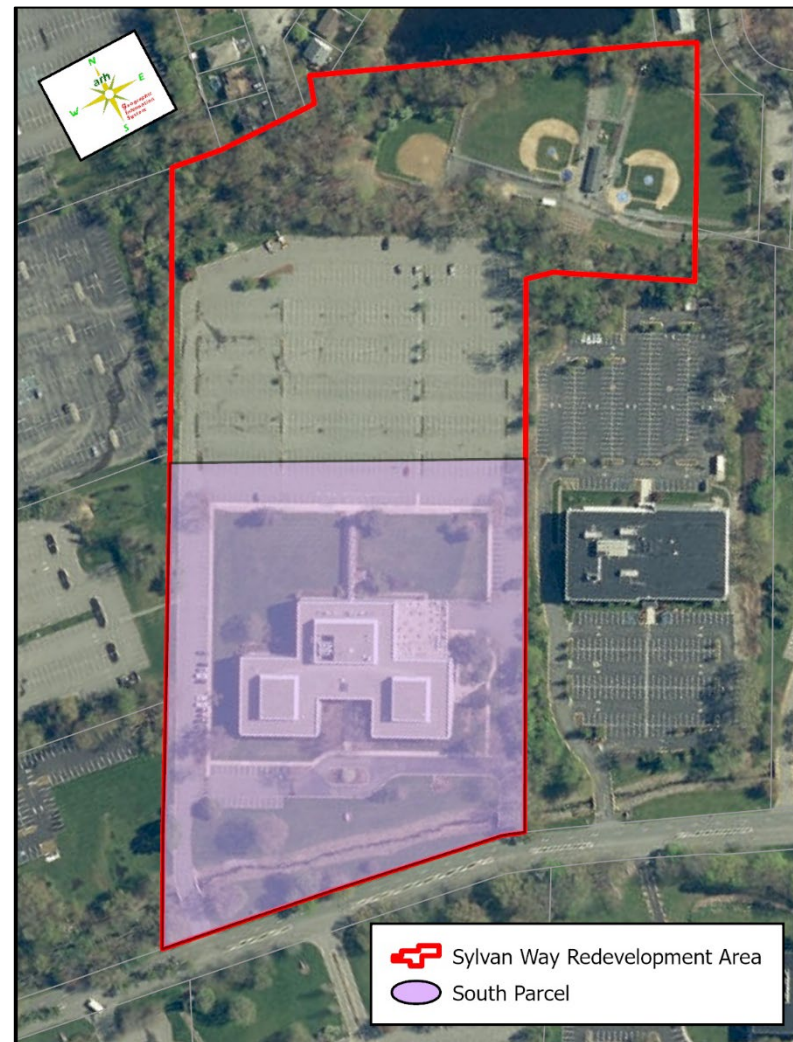
7.3.2 SOUTH PARCEL

A. PERMITTED PRINCIPAL USES & STRUCTURES

1. Luxury Health & Fitness Centers.⁵⁰

B. PERMITTED ANCILLARY USES & STRUCTURES

1. Such Ancillary Uses and Structures as are normally and customarily associated with a Permitted Principal Use.
2. The following accessory uses are permitted for the exclusive use of members and residents on the tract:
 - a. Indoor and outdoor playgrounds;
 - b. Fast casual and dine-in restaurants and cafes, excluding drive-thru operations;
 - c. Indoor and outdoor sale of food and beverages including alcohol;
 - d. Retail sale of health and fitness related items;
 - e. Spa treatment, inclusive of cosmetic and medical spa treatments;



⁵⁰ §2.17 herein.



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

- f. Salons for hair, nail, and skin care;
 - g. Child activity centers and daycare facilities;
 - h. Nutritional centers;
 - i. Saunas, steam rooms, whirlpool baths, spas, showers, lockers, and similar uses;
 - j. Pools and waterslides, Indoor and outdoor, associated patios, sun shades, patio furniture, storage, lighting, and other ancillary features.
 - k. Sports courts, and ancillary storage, screening, and lighting features.
3. Membership sales offices and preview centers.
 4. Subject to the provisions of Circulation, Parking, & Loading Plan⁵¹ herein, surface and/or structured parking to support a Permitted Principal Use.
 5. Fences and walls.
 6. Signs in compliance with §7.4.15 herein.
 7. Trash and recycling facilities.
 8. Solar panels.
 9. Detention basins and other stormwater management facilities.
 10. Zero Emission Vehicle Fueling & Charging Stations, subject to the provisions of §12.9 herein.
 11. Subject to the provisions of §7.3.4 herein, the jurisdiction of all Relevant Permitting Agencies, and/or any terms or conditions addressed within the context of the Redevelopment Agreement, Construction Staging and/or Sales Trailers for the construction and/or marketing of a Redevelopment Project, including materials storage, trailers for office use, parking, and all other activities normally associated with development.

⁵¹ §8.0 herein.



C. BUILDING LIMIT CONTROLS

While buildings may vary in terms of footprint and architectural elevations, they shall generally be compatible and complementary in scale, style, and detailing to the neighboring buildings within the Redevelopment Tract. Site and building design shall employ mass, scale, layout, materials, architectural, and other distinguishing features in order to establish character and prominence under a New Urbanism model⁵².

Within the context of the foregoing, the following site and building controls shall be flexibly interpreted in order to achieve these design goals. These site and building controls shall be required for each of the parcels that comprise the Sylvan Way Redevelopment Area⁵³.

CATEGORY		REGULATION
Minimum Lot Size		8 acres
Minimum Buffer Front Yard		100'
Maximum Building Coverage		30%
Maximum Impervious Coverage		65%
Principal Building		
Minimum Setback	Front Yard	150'
	Side Yard	40'
	Rear Yard	70'
Maximum Height		3 stories/50'
Accessory Structures		
Minimum Setback	Front Yard	130'
	Side Yard	40'
	Rear	40'
Maximum Height	Parking Garage	6 levels/80'
	Waterslides	45'
	Other Structures	15'/1.5 stories

⁵² §3.3.2 herein.

⁵³ §2.39 herein.



7.3.3 AFFORDABLE HOUSING REQUIREMENTS.

- A. All multifamily residential developments constructed in the Study Area shall set aside 20% of the total units actually constructed as affordable housing units and/or credits. The affordable housing requirement may be fulfilled, in part, through the provision of on-site supportive/special needs housing, where each bedroom shall count as one affordable housing credit.
- B. Except as set forth herein with regard to supportive/special needs housing, all affordable units to be produced pursuant to this section shall comply with the Township's Affordable Housing Ordinance at Article LX of the Township Code, as may be amended and supplemented and the Uniform Housing Affordability Controls (UHAC) (N.J.A.C. 5:80-26.1 et seq.), or any successor regulation. This includes, but is not limited to, the following requirements for all affordable units:
 1. The bedroom distribution of the family rental affordable units shall be in accordance with the UHAC. The income distribution of the family rental affordable units shall be in accordance with UHAC and shall also provide for a 13% set-aside of very-low-

income units as part of the income distribution. The foregoing bedroom and income distribution requirements pursuant to UHAC for family rental affordable units are inapplicable to any affordable supportive/special needs housing. However, the UHAC's requirements pertaining to bedroom distribution and income distribution shall be calculated based upon the number of family rental affordable units which are proposed, and not inclusive of any affordable supportive/special needs housing.

2. All affordable units shall be deed restricted for a period of at least 30 years from the date of the initial occupancy of each affordable unit (the deed restriction period). The affordability controls shall expire only after they are properly released by the Township and/or the Township's administrative agent at the Township's sole option in accordance with N.J.A.C. 5:80-26.11 for rental units or N.J.A.C. 5:80-26.5 for for-sale units.
3. All affordable units shall be administered by a qualified administrative agent paid for by the



developer.

4. Developers shall also comply with all of the other requirements of the Township's Affordable Housing Ordinance, including, but not limited to, affirmative marketing requirements, candidate qualification, and screening requirements, integrating the affordable units amongst the market rate units, and unit phasing requirements. Developers shall ensure that the affordable units are dispersed between the buildings on its site.

7.3.4 CONSTRUCTION STAGING & SALES TRAILERS

- A. Construction Staging/Sales Trailer Areas shall be enclosed by a lockable fence, which shall be removed upon completion of the Project, Phase, or Subphase thereof, for which the Area is intended.
- B. Any and all property belonging to any contractor shall be removed upon the completion of the work by said contractor, regardless of whether the totality of construction is completed.

- C. Unless used for a subsequent Phase or Subphase of a Redevelopment Project, all Construction Staging/Sales Trailer Areas shall be returned to their pre-construction condition upon completion of the Project, Phase, or Subphase thereof for which the Area is intended or shall be otherwise addressed as a finished component of the Project.
- D. In no event shall a Construction Staging/Sales Trailer Area, construction fence or the storage of equipment or materials remain in place for longer than 1 month after issue of the last Certificate of Completion & Compliance⁵⁴ for the last Phase or Subphase of the Project for which the Area, fence, equipment, or materials are intended.
- E. To effectuate the foregoing, the Redeveloper or each entity responsible for a Construction Staging/Sales Trailer Area shall post a bond, performance guarantee, or other surety with the Township, in an amount to be established by the Township Engineer, sufficient to compensate the Township for any costs incurred by the municipality in returning the area to its pre-development condition or to

⁵⁴ §14.0 herein.



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

otherwise address the area as a finished component of the Project.

In the event that the entity responsible for removing the Construction Staging/Sales Trailer Area and returning such Area to its pre-development (or finished) condition fails to do so as required herein, the Township shall claim payment under the bond, performance guarantee, or other surety, as the case may be, for the cost of the actions required to remove the Area and return it to its pre-development (or finished) condition, including all legal and administrative costs related thereto.

- F. Staging for construction of an off-tract improvement (i.e., construction outside of the Redevelopment Area) shall be permitted, provided such construction directly relates to the Redevelopment Project, including, but not limited to, traffic, infrastructure, or parking related improvements.

Staging for construction of an off-tract improvement not related to the Redevelopment Project shall require approval of the Township Council, acting in its capacity as Redevelopment Entity for this Redevelopment Plan.

- G. Unless Planning Board approval is required by this Redevelopment Plan or by the Township Code, activities under this §7.3.4 shall be approved by the Zoning Officer (in consultation with the Township Engineer or other officials as may be necessary), who may impose such restrictions and/or conditions as may be deemed reasonable and appropriate for the protection of Township infrastructure, the environmentally sensitive lands within or adjacent to the Redevelopment Area, and adjacent properties and land uses, both within and outside the lands under this Redevelopment Plan.

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

- H. Interpretation of any provision of this section shall be made by the Zoning Officer, which shall be exercised in accordance with the standards set forth herein for the protection of the public and the adjacent built and natural environment.



7.4 ARCHITECTURAL CONTROLS

7.4.1 GENERAL

- A. In conceptualizing their Projects, Redevelopers and designers shall recognize the significance of this development opportunity for the Township and shall generate designs which will achieve the Municipal Goals & Objectives⁵⁵ of this Redevelopment Plan.
- B. These Architectural Controls address the overall detailing of the buildings within the Sylvan Way Redevelopment Area in order to provide a framework for development while encouraging flexibility and diversity in design. They are intended to serve as guidelines for Redevelopers, designers, builders, and occupants of the Redevelopment Area.
- C. The following written controls are enhanced by the graphics included throughout this section, which were selected to illustrate the concepts at issue and reflect overall design intent. ***They are not intended to depict actual design mandates.***

Within this context, buildings may vary in terms of footprint, architectural elevations, window placement, roof type, height, entrances, and finishes. Colors, materials, and architectural detailing shall be compatible and repeated throughout the Redevelopment Area.

- D. The process from seeking Design Waivers from these Architectural Controls is addressed in §6.2.2B.2 herein.

7.4.2 GENERAL DESIGN PHILOSOPHY

- A. As a general rule, buildings should reflect a continuity of treatment by:
 - Maintaining building scale or subtly graduating changes;
 - Maintaining base courses and extending horizontal lines of fenestration;
 - Maintaining cornice lines in buildings of the same height; and
 - Echoing architectural styles and details, design themes, building materials, and colors as

⁵⁵ §4.0 herein.



recommended herein.

- B. The Redeveloper and its designers are encouraged to incorporate environmentally friendly, LEED⁵⁶ building and site systems and technologies in all Projects.

7.4.3 BUILDING ORIENTATION

- A. Spatial relationships between buildings/structures should be geometrically logical and/or architecturally formal. Buildings shall front towards and relate to the public Right-of-Way and/or internal access ways.
- B. Buildings on corner lots or curvilinear lots with multiple public views shall front towards and relate to each Right-



⁵⁶ "Leadership in Energy & Environmental Design"
(www.usgbc.org/DisplayPage.aspx?CategoryID=19).

of-Way.

- C. Multiple buildings within a Project shall relate to one another functionally and visually, and are encouraged to be organized around courtyards, greens, quadrangles, or Open Spaces.

7.4.4 BUILDING MASSING & STYLE

- A. Buildings shall avoid long, monotonous, uninterrupted walls or roof planes and shall be architecturally emphasized through fenestration, entrance treatment, and detailing.
- B. Building wall offsets, including projections, recesses, and changes in floor level, shall be used in order to add architectural interest and variety, and to relieve the visual effect of a long, undifferentiated wall.
- C. Corner buildings (on Corner Lots or on the corner of a Project), buildings on curvilinear lots with multiple public views, and buildings fronting open space and internal parking lots are considered significant structures since they have at least 2 facades visibly exposed to public



view. Such buildings shall be designed and enhanced by façade treatments (architectural embellishments) to emphasize such locations.

- D. Exterior public and semipublic spaces, such as courtyards or plazas, shall be designed to enhance surrounding buildings and provide amenities for users in the form of landscaping, streetscaping, lighting, street trees, benches, trash receptacles and other items of street furniture, as appropriate.

7.4.5 ROOFS & ROOF MATERIALS

- A. Roofline offsets shall be provided to add architectural interest and variety to the massing of a building and to relieve the effect of a long, undifferentiated roof.
- B. Architectural embellishments that add visual interest to roofs (e.g., dormers, cupolas, masonry chimneys, clock towers, etc.) are encouraged.
- C. Mansard roofs are discouraged on buildings less than 3 stories in height where the architecture can carry the style.
- D. Other roof types shall be appropriate to the building's architecture.

- E. Flat roofs shall have articulated cornice lines that generally correspond to consistent cornice line on neighboring buildings (where they exist).
- F. Solar roof installations are strongly encouraged.



7.4.6 FAÇADE TREATMENT & MATERIALS

- A. All building elevations shall be designed to be consistent with regard to style, materials, colors, and details. Major front façade architectural features shall be continued around all visibly exposed sides of such buildings.
- B. Horizontal articulation. Principal buildings shall be broken up horizontally into a base, middle, and top to minimize the apparent building height and mass through changes in building materials, variation in façade plane,



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY



top-floor step-backs, greater proportions of glazing, use of fenestration and accent lines to create a sense of rhythm and scale.

- C. Vertical articulation. Principal buildings shall be broken up vertically through division into a series of visual bays along elevations that face internal roadways or public streets. Non-residential buildings are permitted to use a change in materials to create vertical articulation along street-facing elevations. Further techniques may be used to create a sense of rhythm and scale using fenestration and accent lines.

Solid, blank, windowless walls or service areas visible from public view are discouraged. Where such a wall is necessitated by the requirements of the project the

effected façades shall be articulated using architectural details such as stepping and/or recessing walls, changes in material and/or colors.

Intense landscaping may also be appropriate.



- D. Permitted façade materials shall be brick, stone, or other masonry facing, fiber cement, cementitious and vinyl siding, metal panels, and glass. Stucco and EIFS are discouraged.
- E. Balconies, bay windows, cornices, eaves, and similar features are permitted to project outward up to 3 feet, as measured from the face of the building.
- F. Balconies shall be partially or fully inset into the building



façade.

- G. Projecting features are permitted to encroach into a required side yard up to 3 feet.
- H. Cantilevered roof elements may project up to fifteen (15) feet from the face of the building.



7.4.7 ENTRYWAYS & DOORS

The primary entrance shall be designed to be architecturally and functionally prominent on the primary façade of the building.

- A. Building entrances shall be emphasized by massing,



special architectural features, and/or changes in roof line.

- B. Secondary doors shall be architecturally compatible with the style, materials, colors and details of the building.

7.4.8 WINDOWS

- A. Fenestration shall be architecturally compatible with the style, materials, colors, and details of the building.
- B. To the extent possible, upper story windows shall be vertically aligned with the location of windows and doors on the ground level.
- C. Again, solid, blank, windowless walls or service areas



visible from public view are discouraged.

Where such a wall is necessitated by the requirements of the project the effected façades shall be articulated using architectural details such as stepping and/or recessing walls, changes in material and/or colors.

- D. Solid metal security gates or solid roll-down metal windows are prohibited where visible from public view.

Link or grill-type security devices are permitted if installed from the inside, within the window or door frames.

7.4.9 BUILDING LIGHTING

- A. Exterior building mounted light fixtures shall be architecturally compatible with the style, materials, colors, and details of the building.
- B. Lighting shall be adequate to the use while minimizing light pollution. Light shields shall be provided to minimize adverse impacts (glare, overhead sky glow) on adjacent properties.
- C. The type of light source used, and the light quality produced, shall be the same or compatible within the

Redevelopment Project. Facades shall be lit from the exterior, with lighting concealed through shielding or recessed behind architectural features. Mounting brackets and associated hardware shall be inconspicuous.

7.4.10 COLORS

- A. Roof colors shall be compatible with the color scheme used for the other building elements.
- B. Ancillary Structure colors shall be compatible with those of the Principal Structure.

7.4.11 ANCILLARY STRUCTURES

Ancillary Structures shall be screened from public view. Where screening is not appropriate, treatment shall be architecturally compatible with the Principal Structure.

7.4.12 FENCES & WALLS

- A. All fences and walls shall comply with §430-11 of the Township Code, except as superseded by the provisions of this Redevelopment Plan.
- B. Retaining walls shall be permitted to a height of 10 feet and shall not be subject to the tiering requirements of



§225-61 and/or relief from §430-345.

- C. The maximum fence height permitted in any yard shall be 6.5 feet high.
- D. Open- or closed-type privacy fences are permitted to screen accessory outdoor recreation areas, mechanical equipment, and solid waste storage facilities throughout the Redevelopment Area.

7.4.13 HEATING, AIR CONDITIONING & TELECOMMUNICATIONS

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



7.4.14 TRASH & RECYCLING

- A. Storage of trash and recycling shall be provided inside the principal building(s) and/or garage structure(s) where possible. When provided outside, trash and recycling shall be effectively screened with fencing and/or landscaping, to not be visible from public or private Right-of-Ways.
- B. The location of trash/recycling pick-up shall be oriented to create the least possible interference with internal and external traffic movement.

7.4.15 SIGNAGE

- A. Signage Plan, in sufficient scale and detail to clearly depict the size, placement, height, style, lettering, color, illumination, and method of installation for all Project signage shall be submitted as part of the Review & Approval process. Such Plan shall include - to the extent known at the time - all text and iconographic elements proposed for all buildings, as well as for the entirety of the site surrounding each building within the Project.
- B. Exterior signage shall identify uses, activities or functions of the Project. No advertising of any product, use or



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

activity outside of the Redevelopment Area shall be permitted.

- C. No vacant signs or sign boxes are permitted. Where vacancies occur, corresponding signage shall be immediately replaced with general Project signage.
- D. Similarly, any sign which falls into a state of disrepair shall immediately be repaired or replaced.
- E. All signs shall be professionally designed and constructed. Homemade-type (plywood, cardboard, coroplast, or similar) signs or home computer generated type signs are expressly prohibited.
- F. Signs may be internally lit with non-glaring lights or may be illuminated by external lighting such as shielded floodlights or gooseneck lighting.
- G. Two (2) monument signs are permitted for the Redevelopment Area. One (1) sign may be located at each driveway entrance from Sylvan Way.
 - 1. The maximum sign face area of each monument sign shall not exceed 50 square feet per side.
 - 2. No sign shall exceed 10 feet in height.

- 3. No sign shall exceed 11 feet in width.
- 4. No sign shall be located closer than 10 feet to a street.

H. Building Mounted Signs

- 1. Wall signs shall not project beyond the roofline.
- 2. A wall sign shall not project more than 18 inches from the building wall on which it is mounted and shall provide an under clearance of a minimum of 10 feet from the ground.
- 3. One (1) wall sign is permitted per non-residential principal building per elevation facing a public street or internal roadway.
 - a. Total maximum wall sign area shall not exceed 500 square feet.
- 4. Two (2) wall signs are permitted per residential building.
 - a. A total wall sign area of 100 square feet is permitted.



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

5. Two (2) wall signs are permitted per structured parking lot.
 - a. A total wall sign area of 220 square feet is permitted.
6. One projecting wall sign is permitted per principal building.
 - a. The maximum area of each projecting wall sign shall not exceed 70 square feet.
 - b. No sign shall exceed 21 feet in height or 3.5 feet in width.
 - c. No sign shall project more than four (4) feet from the building surface.
 - d. No sign shall extend above the roof of the principal building.
7. For principal structures containing any permitted use, a maximum of three (3) canopy signs shall be permitted to be affixed on top, on the face, or to the underside of a canopy structure, subject to the following standards:



- a. Total maximum canopy sign area per building shall not exceed 75 square feet.
 - b. The maximum height of each sign shall not exceed two (2) feet.
 - c. The maximum width of each sign shall not exceed a width equal to 80% of the width of the structure.
 - d. The minimum vertical clearance between ground level and the bottom of the sign shall not be less than ten (10) feet.
- I. Directional signs for the convenience of the general public to identify parking areas, loading zones, entrances,



exits and similar signs shall be limited in number as deemed reasonable and appropriate by the Planning Board to accomplish the sign's purpose. Such signs shall be set back a minimum of 10' from the property line and shall not exceed 6 square feet in area and 8 feet in height (measured from the finished grade to the top of the sign).

- J. Signs are not permitted within a sight triangle.



8.0 CIRCULATION, PARKING & LOADING PLAN

The requirements of Ordinance §430-275 (Plan and design standards, off-street parking and loading) shall apply except where specifically superseded by standards provided in this Redevelopment Plan.

8.1 CIRCULATION

8.1.1 SYLVAN WAY

This Circulation Plan generally maintains the Sylvan Way Right-of-Way in its current geometry, although improvements may be required to address the additional traffic generated by the Redevelopment Project.

While specific improvements will naturally be dependent on the Redevelopment Project proposed, improvements may include, but not be limited to:

- Improvements required to permit access to the Project from Sylvan Way.
- Modifications in pavement striping and traffic signage.
- Dedicated acceleration/deceleration lands and/or other

mechanisms to regulate turning movements.

- At-grade pedestrian crosswalks, traffic signals, and/or other physical and/or mechanical improvements to facilitate pedestrian and vehicular movement.

Details related to this process shall be addressed within the context of the Redevelopment Agreement to be negotiated between the Township and the Redeveloper.

8.1.2 EXTERNAL ACCESS

- A. Access to the interior of the Redevelopment Parcel from Sylvan Way shall be established utilizing Internal Accessways under §8.1.3 herein. Such Accessways shall be identified by the Redeveloper(s) as part of the Project Concept(s) and Description of Project Elements submitted under the Redevelopment Agreement process⁵⁷.
- B. The number of curb-cuts on Sylvan Way shall be minimized. Obsolete curb-cuts shall be eliminated

⁵⁷ §5.4 herein.



wherever possible.

- C. In addition to the improvements detailed herein, any repair or reconstruction of a public Right-of-Way necessitated by construction of a Redevelopment Project shall be the responsibility of the Redeveloper of the Project creating such a need.

8.1.3 INTERNAL ACCESSWAYS

- A. Internal access to each Redevelopment Parcel shall be made via centralized curb-cuts on Sylvan Way consistent with §8.1.2 herein.
- B. Internal circulation roadways should be designed to promote efficient circulation between parking areas and building entrances.
- C. Internal circulation driveways shall have the following minimum widths:
 - 1. One-way circulation: 12 feet
 - 2. Two-way circulation: 24 feet
- D. Driveways exclusive of curb return radii shall be not less than 12 feet nor more than 30 feet in width within the street right-of-way providing access.

- E. In order to minimize curb-cuts as required, one or more internal circulation way(s) shall be established via cross-easements through each Redevelopment Parcel. Such cross-easements shall work in conjunction with the Internal Accessways to interconnect the centralized curb-cuts and the parking areas for each Redevelopment Project. The language of such easements shall be submitted to the Planning Board Solicitor as part of the Review & Approval process.

8.2 CURBING & SIDEWALKS

8.2.1 CURBING

- A. Curbing shall be provided along all public and private rights-of-ways and along all internal circulation ways.
- B. Curbing shall not extend more than 6" above the finished pavement.
- C. Curb radii shall be as specified in the Township Code.

8.2.2 SIDEWALKS

- A. Sidewalks shall be pedestrian friendly and shall be lined with street trees to provide shade, aesthetics, and cohesion.



- B. Sidewalks shall be provided along at least one side of each internal roadway, where feasible. Internal walkways shall provide efficient access between building uses, outdoor features, and parking areas on the tract.
- C. Sidewalks shall have a minimum width of 4 feet. Additional width may be provided for streetscape treatment or other uses.
- D. In order to delineate crosswalks, sidewalks shall be continued across circulation way surfaces by means of contrasting paving materials or other appropriate treatment.
- E. All sidewalks shall have ADA accessible curb ramps at corners and elsewhere as appropriate.
- F. Sidewalks shall be provided along Sylvan Way.

8.3 PARKING

8.3.1 GENERAL REQUIREMENTS

The intent of this Parking Plan is to balance the uses permitted under this Redevelopment Plan with off-street

parking opportunities while minimizing impervious coverage.

- A. Minimum off-street parking requirements:
 - 1. Multifamily residential uses shall comply with Residential Site Improvement Standards (RSIS).⁵⁸
 - 2. Luxury health and fitness centers shall provide 1 space per 250 square feet of gross floor area.
 - 3. Parking for ancillary amenities or other customarily incidental uses to the principal use shall be included within the parking requirement for the Principal Use(s).
- B. Provisions for electric vehicle (“EV”) charging infrastructure and/or stations shall be provided in accordance with §430-277.1.
- C. Shared parking shall be permitted between uses within the tract, including between uses on individual lots created by a subdivision within the tract for up to 25% of the total number of parking spaces required for the tract. A shared parking analysis shall be submitted, prepared by a licensed professional engineer or professional planner

⁵⁸ N.J.A.C. 5:21-4.14



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

based on a widely accepted methodology, such as the models published by the Urban Land Institute, Institute of Transportation Engineers, or Victoria Transport Policy Institute. The shared parking analysis shall be subject to the review and approval of the Planning Board in coordination with the Township's professionals.

- D. Where the calculation of total parking required results in a fraction of space, such fraction shall be rounded up to the nearest whole number.
- E. Notwithstanding the above, a maximum of 25% of the required parking spaces are permitted to be compact spaces in conformance with §430-275A.(3).

8.3.2 SURFACE PARKING LOTS

- A. Surface parking lots shall balance the functional requirements of parking with the provision of pedestrian amenities. Lots shall include pedestrian crosswalks distinguished by paint, textured paving, or similar material, landscaping, and street furniture. Transition areas between parking and land uses shall be similarly designed and integrated into the wider network of pedestrian walkways.

- B. Parking lot layout, landscaping, buffering and screening shall be provided to minimize direct view of parked vehicles from streets and sidewalks; avoid spillover light, glare, noise, or exhaust fumes onto adjacent properties; and provide the parking area with a reasonable measure of shade.
- C. No parked vehicle shall extend into a driveway or parking lot circulation aisle or encroach into a public or private Right-of-Way.
- D. Parking stalls shall have a minimum dimension of 9' by 18'.
- E. Parking areas, driveways, and internal circulation aisles shall be set back a minimum of 5 feet from boundaries of the overall Redevelopment Area along a nonresidential zoning district and 10 feet along a residential zoning district, except in any required buffer area in which no such features are permitted.
- F. The interior of all parking lots shall be landscaped to provide shade and visual relief by way of protected planting islands or peninsulas within the perimeter of the lot.



1. Landscaped parking islands shall be provided in surface parking lots. A minimum of 1 tree for every 25 parking spaces shall be provided, where feasible, either within a landscaped island in the parking area, or within the overall Redevelopment Area.
2. Plant material shall be approved by the Township Forrester.

8.3.3 STRUCTURED PARKING LOTS

- A. Entry design. The maximum width of garage entries shall be 35 feet. Façade mounted lighting shall be installed on each side of garage entries. Roll-down gates are permitted, but they shall be visually permeable and recessed at least six inches relative to the garage wall to create shadow lines and dimensionality.
- B. Elevations of a standalone parking garage structure (not wrapped by habitable building area) that fronts on an internal circulation route or public roadway shall include screening which shall be fitted with high-quality metal mesh panels, grilles with a decorative pattern, pre-cast panels that mimic the architecture of the principal building and/or texture or punched openings that mimic

the style, size, proportion, or placement of windows on the associated principal building.

- C. Expanses of blank wall shall not exceed 20 feet on a garage structure or building.
- D. To the extent practicable, entry- and exit-ways to structured parking garages shall be from the side or rear of the garage so as not to be visible from a Right-of-Way. Where vehicular access must be provided from a street, front accessways shall be set back 10' further than the front wall of the building.
- E. Where exposed flat roofs are used as parking decks, pergolas, trellises, green roofs, solar panels or other screening elements above parked vehicles are encouraged to break of the expanse of parked vehicles.

8.4 LOADING

8.4.1 Loading areas shall be oriented in such a fashion as to create the least possible interference with traffic movement, both internal and external, to a Redevelopment Project.

8.4.2 Loading areas shall be totally within the Project site such that the vehicle(s) being loaded/off-loaded shall be off of any



public or private Right-of-Way.

8.4.3 §430-275V. and §430-277 shall not be applicable to the Redevelopment Area.

8.4.4 Loading areas and their driveways or other access points shall be appropriately screened and landscaped from view so as to be aesthetically pleasing and minimize direct views from adjacent properties or from public or private Rights-of-Way, and to minimize spill-over glare, noise, exhaust fumes or another nuisance.

8.4.5 Screening and buffering shall be achieved through walls, fence, and landscaping. Screening shall be a minimum of 5' tall, shall be visually impervious, and shall generally conform with the provisions of §10.2 herein.

8.4.6 Specific delivery, loading, and trash and recycling removal programs for each Redevelopment Project or portion thereof shall be determined within the context of the site constraints existing for such at time of Review & Approval.

8.5 FINAL CIRCULATION, PARKING & LOADING PLANS

8.5.1 A Final Circulation, Parking & Loading Plan for the Redevelopment Area, addressing all pertinent issues, shall be

more fully developed as the Redeveloper refines its Project Concepts and designs.

8.5.2 Each such Plan shall be approved by the Planning Board at time of Review & Approval, and shall address as applicable:

- Municipal dedications and vacations;
- Parking for residents and visitors;
- Internal circulation of vehicles and pedestrians; and
- Other actions related to improved traffic and pedestrian circulation to, from, and through this section of the Township.

8.5.3 Nothing herein shall prohibit a Redeveloper from pursuing circulation improvements as off-tract improvements for a Redevelopment Project. Any such improvements will be, by definition, on lands outside of the Redevelopment Area. Land use requirements will therefore fall under the jurisdiction of the Township Code and not this Redevelopment Plan. However, all such improvements shall be consistent with and designed to augment this Circulation, Parking & Loading Plan.

8.5.4 Details related to specific actions under this Circulation, Parking & Loading Plan shall be included in the



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

Redevelopment Agreement between the Township and Redeveloper Candidate. Such Agreement shall condition any municipal action related thereto upon Planning Board approval under the Review & Approval process.

8.5.5 Unless modified via specific provisions of a Redevelopment Agreement, the process of seeking Design Waivers from this Circulation, Parking, & Loading Plan are addressed in §6.2.2B.2 herein.



9.0 INFRASTRUCTURE CONTROLS

9.1 UTILITY SERVICES

9.1.1 Utility services⁵⁹ to the Redevelopment Area are available from Sylvan Way. A Utilities Survey, performed by a licensed Land Surveyor, is required for precise locations of subsurface elements and to locate at-grade or overhead lines.

9.1.2 The exact locations for utility lines and easements shall be established at the time of Review & Approval.

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

Redevelopers and their engineers are herewith put on notice that many, if not all, of the utilities servicing the Redevelopment Area feed or feed from existing lines servicing other sections of the municipality. This Redevelopment Plan will permit no interruption of service to these areas. Redevelopers shall comply with the

requirements of each individual utility to ensure uninterrupted service.

9.1.4 All infrastructure improvements and related easements shall comply with Township standards. All such improvements shall be inspected by the Township Engineer for compliance with such standards and shall be certified as compliant prior to municipal acceptance of same.

9.2 FLOODPLAIN, WETLANDS & STORMWATER MANAGEMENT

9.2.1 All designated floodplain areas and delineated wetlands shall comply with NJDEP requirements.

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

⁵⁹ Including electric, gas, water, communications (telephone) and cable television systems.



9.2.3 In lieu of peripheral fencing, basin edges shall be contoured and shaped to form low angles at the primary water line, thereby ensuring greater pedestrian safety.

9.3 FINAL INFRASTRUCTURE PLAN

9.3.1 A Final Infrastructure Plan, addressing all pertinent issues, shall be more fully developed as the Redeveloper refines its Project Concepts and designs.

9.3.2 Each such Plan shall be approved by the Planning Board at time of Review & Approval, and shall address, as applicable:

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

9.3.3 Nothing herein shall prohibit a Redeveloper from pursuing infrastructure improvements as off-tract improvements for a Redevelopment Project.



10.0 LANDSCAPING, STREETS CAPING, OPEN SPACE PROVISIONS & ENVIRONMENTAL PROTECTION MEASURES

10.1 LANDSCAPING & STREETS CAPING PLAN

10.1.1 A Landscaping & Streetscaping Plan, prepared by a New Jersey Licensed Landscape Architect⁶⁰, shall be submitted as part of the Review & Approval process. Such Plan shall be in sufficient scale and detail to clearly depict the placement, size, scope, and quantity of all landscaping/streetscaping elements and materials and shall address the aesthetic treatment for all publicly visible sections of the Redevelopment Area (whether public access is permitted or not), including all open space, sidewalks, parking lots, and infrastructure elements.

10.1.2 Each such Landscaping Plan shall include:

- Common name, botanical name, size at planting, and appropriate planting notes for all landscape elements;
- Number, locations, and appropriate notes for other Project elements; and

- Other relevant issues as appropriate.

10.1.3 All lands subject to this Redevelopment Plan shall either retain their natural features - to the extent that any exist - or be extensively landscaped and/or streetscaped with such natural and manmade materials as may be appropriate to the type and scale of the Redevelopment Project proposed. Such landscaping/streetscaping shall be provided in all areas not covered by buildings, parking lots, or other improvements.

10.2 LANDSCAPING

10.2.1 Landscape elements may include, but need not be limited to street trees, shade trees, shrubbery, hedges, ground covers and/or grasses, perennial and annual flowers, and other plant materials. Design shall feature repetition, structured patterns, and complimentary textures and colors in order to create an overall character for the Redevelopment Project.

⁶⁰ Augmented by a New Jersey Licensed Civil and/or Electrical Engineer, as appropriate.



10.2.2 All required buffers shall be devoid of parking areas, buildings, and detention basins, but may include principal access driveways, easements and drip irrigation.

10.2.3 Flood hazard areas and wetland and riparian buffers shall be exempt from the provision of landscaped buffering, though these areas shall be maintained or enhanced as required by Best Management Practices.

10.2.4 To the extent practicable, plant material shall consist of native species as well as those species traditionally found in the Parsippany-Troy Hills region. Non-native species may be employed to enhance aesthetic appeal. Species shall be appropriate to Parsippany's climatic zone. Types, location, and frequency of plantings shall be appropriate to the architecture of the Project to which they are intended to serve.

- A. Plant selection shall be varied to avoid a monoculture.
- B. Only nursery-grown plant materials are acceptable. All plant material shall be grown and installed in compliance with the current edition of the American Standard for

Nursery Stock (ANSI Z60.1) published by the American Horticulture Industry Association.

10.3 STREETSCLAPING

10.3.1 Streetscaping shall address the decorative treatment of all impervious surfaces, both internal to a Redevelopment Project and within any public or private Right-of-Way adjacent to a Project, in order to demarcate public spaces and help the Project blend in with the surrounding natural and built environment. Elements shall be appropriate to the Project proposed and shall be constructed of non-reflective materials.

10.3.2 Streetscaping elements may include, but need not be limited to, such functional and ornamental elements as decorative (textured) paving materials⁶¹; benches and other street furniture; fountains or other water features; trellises, pergolas, gazebos; fences and walls; decorative lighting (both pedestrian and architectural); and like and similar features.

⁶¹ Including, but not limited to, a combination of scored concrete, paver accents, and such non-traditional/New Urbanist landscape designs as curvilinear or meandering sidewalks with enhance planting beds, rain gardens, and other similar aesthetic treatment.



10.4 LIGHTING

10.4.1 A comprehensive Lighting Plan, addressing illumination of all public areas, parking lots, open spaces, and buildings, shall be submitted for the Redevelopment Project. Lighting shall be designed to provide security and safe movement of pedestrians and vehicles as well as to highlight Project elements in order to create an aesthetically pleasing environment.

10.4.2 The Lighting Plan shall depict the location, type and wattage of all luminaries, with i.s.o. footcandle radii and light cutoff angles indicated. Where pole mounted lighting is employed, pole design, height, foundation and support information is required.

- A. All freestanding light fixtures shall have a maximum height of 30 feet.
- B. All building mounted lights shall have a maximum mounting height of 25 feet above ground level elevation.

10.4.3 Site and building lighting shall blend with the architecture of the element(s) such lighting is designed to highlight.

10.4.4 Lighting shall be shielded, buffered, and directed to prevent light spillover, glare or reflection from impacting adjoining properties, including natural areas.

10.4.5 Security lighting shall illuminate all windows, doors, access drives to parking areas, and other public spaces as required.

10.4.6 The average minimum lighting can be provided by motion activated lights.

10.5 OPEN SPACE

Accessible Open Space areas, including on flat rooftops, are encouraged when appropriate to the Redevelopment Project, and may be developed as active or passive recreation areas. Treatment may include gardens or other decorative elements to create an attractive setting. Such areas shall be proprietary to a Permitted Use within a Project.

This Redevelopment Plan recognizes that there is a Township Easement at the north end of the property that is currently developed with recreational facilities and fields. This plan does not contemplate any changes to this area. There exists an access path through the wooded area connecting the existing parking lot to the fields. Any Redevelopment of the North Parcel shall maintain pedestrian access to this path.



10.6 ENVIRONMENTAL PROTECTION MEASURES

10.6.1 It is the goal of this Redevelopment Plan to maximize build-out of the Redevelopment Area in order to create the most productive Project possible; thereby achieving the Municipal Goals & Objectives established herein. Within this context, Township Policymakers recognize that environmental regulations outside the jurisdiction of this Plan may govern certain aspects of the Project. While it is not possible to know what, if any, conditions might be placed on the Redevelopment Project by the Highlands Council or other Relevant Permitting Agencies, this Redevelopment Plan recognizes that some such measures may be imposed.

10.6.2 The design of such Environmental Protection Measures, if required, shall be determined within the context of the governmental approvals granted by the Relevant Permitting Agencies.

10.7 FINAL LANDSCAPING, STREETSCAPING & OPEN SPACE/ENVIRONMENTAL MITIGATION PLAN

A Final Landscaping, Streetscaping & Open Space Plan for the Redevelopment Project, addressing all pertinent issues (including applicable Environmental Protection Measures), shall be more fully developed as the Redeveloper refines its

Project Concepts and designs, and shall be approved by the Planning Board at time of Review & Approval, and by the relevant Permitting Agencies as part of the permitting process.

The process of seeking design waivers from these provisions is addressed in §6.2.2B.2 herein.



11.0 EQUAL OPPORTUNITY

All activities in furtherance of this Redevelopment Plan, whether by the Redevelopment Entity, a Redeveloper Candidate, any contractor or subcontractor to a Redeveloper Candidate, a designated Redeveloper, any contractor or subcontractor to a designated Redeveloper, or any successors in interest to any of the foregoing ~ collectively referred to herein as “Responsible Party” ~ shall conform with all mandatory Equal Employment Opportunity language pursuant to the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1 et seq. and N.J.A.C. 17:27, as may be amended from time to time.

In furtherance thereof, and without limitation:

- 11.1** No Responsible Party engaged in activities under this Redevelopment Plan shall discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex.
- 11.2** Responsible Parties shall ensure that equal employment opportunity is afforded to applicants in recruitment and

employment, and that employees are treated during employment without regard to their age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex. Such equal employment opportunity shall include, but not be limited to employment, promotion, demotion, transfer, recruitment, recruitment advertising, layoff, termination, rates of pay or other forms of compensation, and selection for training (including apprenticeship).

- 11.3** No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Redevelopment Entity or by a Redeveloper or any successors in interest whereby the land or improvements subject to this Redevelopment Plan are restricted, either by the Redevelopment Entity or such Redeveloper or any successors in interest) upon the basis of age, race, creed, color, nation origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality, or sex in the sale, lease use, or occupancy thereof.



***REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY***

11.4 The provisions of this §11.0 as well as the provisions of N.J.S.A. 40A:12A-9, shall be implemented by appropriate covenants or other provisions in the Redevelopment Agreements and/or disposition instruments as covenants running with the land.



12.0 PROVISIONS NECESSARY TO MEET STATUTORY REQUIREMENTS

12.1 REDEVELOPMENT AREA DESIGNATION

The Parsippany Troy-Hills Township Council, via Resolution No. R2023-121 (adopted August 22, 2023), declared what was then known as the 6 Sylvan Way Study Area to be a “Non-Condemnation Area in Need of Redevelopment” pursuant to the *Local Redevelopment & Housing Law*. Redevelopment Area designation is a prerequisite for the promulgation of a Redevelopment Plan pursuant to N.J.S.A. 40A:12A-7.

12.2 REDEVELOPMENT PLAN

Upon adoption by the Governing Body, this document shall constitute a Redevelopment Plan under the provisions of the *Redevelopment Law*. It includes an outline for the (re)planning and (re)development of the Sylvan Way Redevelopment Area describe herein as follows:

12.2.1 RELATIONSHIP TO DEFINITE LOCAL OBJECTIVES⁶²

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

12.2.2 APPROPRIATE LAND USES

Permitted land uses under this Redevelopment Plan are detailed in §6.2.3 and the applicable subsections of §7.3 herein.

12.2.3 DENSITY OF POPULATION

Residential density is detail in §7.3.1C herein.

12.2.4 PUBLIC TRANSPORTATION & TRAFFIC

- A. This Redevelopment Plan does not alter the relationship of the Study Area as related to Public Transportation from that which existed prior to the lands being designated In Need of Redevelopment.
- B. As detailed in §7.2.7 and elsewhere in this Redevelopment Plan, the Township assumes that Sylvan Drive will generally remain in its current geometry but may be modified in some form to improve traffic flow in this section of the Township.
- C. Specific improvements will naturally be dependent on the Redevelopment Project and agreement by the

⁶² N.J.S.A. 40A:12A-7a(1)



Relevant Permitting Agencies and are therefore beyond the scope of this Redevelopment Plan. Issues related to traffic and vehicular circulation shall therefore be addressed as the Redeveloper refines its Final Circulation, Parking & Loading Plan⁶³ for the Redevelopment Project.

12.2.5 PUBLIC UTILITIES

Utility service and the Redeveloper's requirements relating thereto are outlined in §9.0 herein.

12.2.6 RECREATIONAL & COMMUNITY FACILITIES

- A. There is a Township owned easement at the North end of the Redevelopment Area containing little league fields. The facilities are to remain. No changes are proposed to this area as a result of this Redevelopment Plan.
- B. Accordingly, this Redevelopment Plan causes no change to the recreational and community facilities serving the Township from those which existed prior to the adoption of this Plan.
- C. It is not anticipated that the Redevelopment Project will

result in the development of any new community facilities. The Redeveloper may elect, however, to create some form of active or passive recreation as an amenity to its Project.

- D. Details related thereto shall be addressed as the Redeveloper finalizes its Project Concepts and Description of Project Elements attendant to the Review & Approval process.

12.2.7 OTHER PUBLIC IMPROVEMENTS

- A. Public improvements anticipated by this Redevelopment Plan include:
 - Improvements related to the roadway and infrastructure networks servicing the Redevelopment Area;
 - The remediation of any contamination found in, on or under the Redevelopment Area; and
 - Any Environmental Protection Measures that may be required by the Relevant Permitting Agencies.

⁶³ §8.5 herein.



Traffic and infrastructure improvements will have the added benefit of providing upgraded service to properties outside ~ but in the vicinity of ~ the Redevelopment Area.

To the extent that such improvements benefit parties other than the Redeveloper, they may be considered Other Public Improvements.

- B. While no *Other Public Improvements* are contemplated, this Redevelopment Plan permits such improvements as may be necessary to support the Redevelopment Project.
- C. Pursuant to §6.2.1D.3 herein, the Planning Board shall retain the right, at time of Review & Approval, to require such off-site and/or off-tract improvements as may be lawful, necessary and proportionate to ensure the free flow of traffic, to mitigate other possible impacts to the public safety and welfare arising from the Redevelopment Project, and to otherwise ensure the effective implementation of this Redevelopment Plan

consistent with the Municipal Goals & Objectives⁶⁴ of this Plan.

12.2.8 PROPOSED LAND USE & BUILDING REQUIREMENTS⁶⁵

The Standards & Controls of General Applicability⁶⁶; Land Use Plan⁶⁷; Circulation, Parking, & Loading Plan; Infrastructure Controls; and the Landscaping, Streetscaping, & Open Space Provisions / Environmental Mitigation Measures are detailed in §6.0 through §10.0 of this Redevelopment Plan.

12.3 PROVISION FOR TEMPORARY & PERMANENT RELOCATION

- 12.3.1 The *Redevelopment Law*⁶⁸ requires that a Redevelopment Plan include “adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market”.

⁶⁴ §4.0 herein.

⁶⁵ N.J.S.A. 40A:12A-7a(2)

⁶⁶ Governing Regulations; Review Procedures, Interpretations & Responsibilities; Variances, Departures, Deviations & Design Waivers; and Permitted Uses (General).

⁶⁷ Development Regulations and Architectural Controls

⁶⁸ N.J.S.A. 40A:12A-7a(3)



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

12.3.2 There are no residential units in the Redevelopment Area. The relocation provisions of the Redevelopment Law are therefore not applicable to this Redevelopment Plan.

12.4 IDENTIFICATION OF PROPERTY-TO-BE ACQUIRED⁶⁹

Identification of properties designated as “To-Be / Not-To-Be-Acquired” under this Redevelopment Plan is addressed in §5.5 herein.

12.5 SIGNIFICANT RELATIONSHIP TO OTHER PLANS⁷⁰

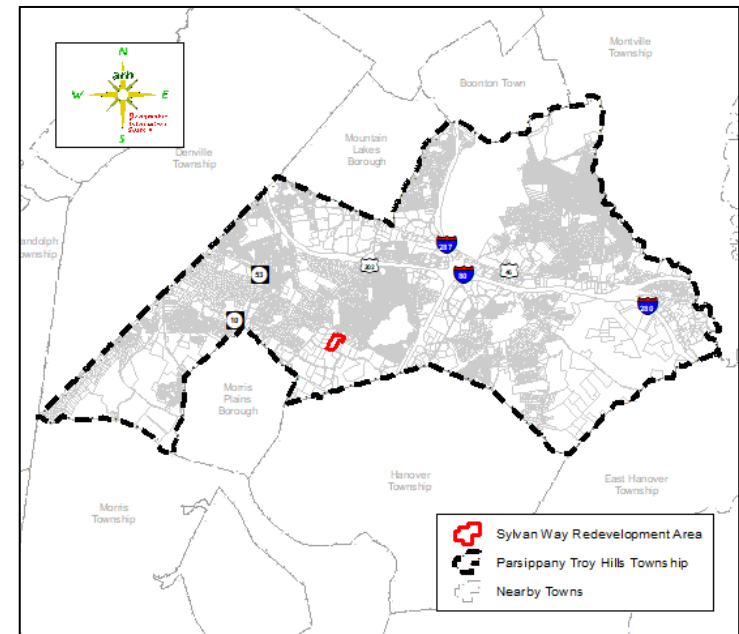
The *Redevelopment Law* requires a Redevelopment Plan to address any significant relationship of the Plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan.

A. Prior to the adoption of this Redevelopment Plan, the Redevelopment Area was subject to:

- The Township’s 2020 Master Plan;
- The Township Code;

- The Morris County Master Plan;
- The State Plan
- The Highlands Regional Master Plan; and
- The regulations of all Relevant Permitting Agencies.

B. Upon adoption of this Redevelopment Plan, the lands and buildings addressed herein shall be subject to the foregoing and this Redevelopment Plan.



⁶⁹ N.J.S.A. 40A:L12A7a(3)

⁷⁰ N.J.S.A. 40A:L12A7a(5)



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

12.5.1 MASTER PLANS OF CONTIGUOUS MUNICIPALITIES

Municipalities contiguous to Parsippany Troy-Hills are Boonton, Denville, East Hanover, Hanover, Montville, Morris Plains, Morris, Mountain Lakes, and Randolph. Given the location of the properties subject to this Redevelopment Plan vis-à-vis Parsippany's neighbors, the activities anticipated under this Redevelopment Plan are not expected to have any significant impact on the surrounding municipalities or their Master Plans.

12.5.2 MORRIS COUNTY MASTER PLAN

The 2020 Land Use Element of the Morris County Master Plan identifies the following goals and policy objectives relevant to this Redevelopment Plan:

- The efficient use of land and resources.
- Minimize Greenfield development where possible; prioritize redevelopment of Brownfield, Greyfield sites, obsolete land uses and other previously developed sites.
- Support the creation of diverse and robust economy, including a variety of economic uses and employment opportunities.

- Support the creation of diverse housing types that meet the needs of all age groups, income levels, and lifestyles.
- Support the integration of a variety of open space/greenway, park and recreation opportunities throughout Morris County, particularly in proximity to population concentrations, mixed-use areas, and major employment centers; support municipal efforts to expand and/or improve these opportunities.

The County Master Plan further recommends municipalities in Morris County consider utilization of the *New Jersey Local Redevelopment and Housing Law* to develop proactive plans for redevelopment.

The County Master Plan echoes observations made in the Township's Master Plan, including a recognition that market changes ranging from the Great Recession to the COVID-19 pandemic have affected the viability of commercial offices and resulted in vacancies or underutilized sites. The Plan Element projects that "new residential and/or mixed-use growth will focus increasingly on redevelopment of once



**REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)**

PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

nonresidential sites, aided by the reduction in demand for new office space...”

Redevelopment is projected to be the primary driver of future residential and economic/commercial growth. State Development & Redevelopment Plan

12.5.3 STATE DEVELOPMENT & REDEVELOPMENT PLAN

As addressed in §3.3.3 and §3.3.4 herein, this Redevelopment Plan is consistent with, supports, and is designed to effectuate the goals and objectives of the State Plan for PA~1 (Metropolitan Planning Areas).

Similar to the Master Plans of contiguous municipalities, there is no change in the relationship of this Redevelopment Plan to the State Plan from that which existed prior to the adoption of this Plan.

12.5.4 HIGHLANDS REGIONAL MASTER PLAN

The Highlands Region is split into two areas, the Preservation Area and the Planning Area. Parsippany-Troy Hills is located in the Planning Area. While compliance with the Highlands Regional Master Plan is required for municipalities in the

Preservation Area, it is voluntary for municipalities in the Planning Area.

In June 2020, Parsippany submitted a Petition for Plan Conformance to the Highlands Council, which was approved in December 2020.

The Goals of the Highlands Regional Master Plan (RMP) in the Planning Area include:

Encouraging - consistent with the State Development and Redevelopment Plan and smart growth strategies appropriate patterns of compatible residential, commercial and industrial development - redevelopment and economic growth while discouraging sprawl⁷¹.

Again, this Redevelopment Plan is consistent with, supports, and is designed to effectuate the goals and objectives of the State Plan for PA~1 (Metropolitan) Planning Areas.

Further, this Redevelopment Plan is consistent with Highlands Goals:

(6F⁷²) Support of compact development, mixed use development and redevelopment and maximization of water, wastewater and

⁷¹ Highlands RMP: pg. 39

⁷² Highlands RMP: pg. 190



transit infrastructure investments for future use of land and development within the Existing Community Zone.

(6H⁷³) Guide development away from environmentally sensitive and agricultural lands and promote development and redevelopment in or adjacent to existing developed lands.

(6K⁷⁴) Concentrate residential, commercial and industrial development, redevelopment, and economic growth in existing developed areas in locations with limited environmental constraints, access to existing utility, and transportation infrastructure.

(6O⁷⁵) Market-rate and affordable housing sufficient to meet the needs of the Highlands Region within the context of economic, social, and environmental considerations and constraints.

12.6 INVENTORY OF EXISTING AFFORDABLE HOUSING UNITS TO BE REMOVED

12.6.1 The *Redevelopment Law*⁷⁶ requires that a Redevelopment Plan include:

As of the date of the adoption of the resolution finding the area to be In Need of Redevelopment⁷⁷, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to ... 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.

There are no residential units in the Redevelopment Area to be removed. This provision is therefore not applicable to this Redevelopment Plan.

12.7 PLAN FOR AFFORDABLE REPLACEMENT HOUSING

12.7.1 The *Redevelopment Law*⁷⁸ requires that a Redevelopment Plan include:

*[a] plan for the provision 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***

⁷³ Highlands RMP: pg. 192

⁷⁴ Highlands RMP: pg. 195

⁷⁵ Highlands RMP: pg. 199

⁷⁶ N.J.S.A. 40A:12A-4a(6)

⁷⁷ As of September 19, 2023 (the date of adoption of Resolution No. R2023-0134)

⁷⁸ N.J.S.A. 40A:12A-7a(7)



controls and that is identified as to be removed as a result of implementation of the Redevelopment Plan. [emphasis added]

There are no residential units in the Redevelopment Area to be removed. This provision is therefore not applicable to this Redevelopment Plan.

12.8 PROVISIONS FOR AFFORDABLE HOUSING⁷⁹

12.8.1 In 2015, the New Jersey Supreme Court⁸⁰ removed jurisdiction of affordable housing matters from the New Jersey Council on Affordable Housing and placed it with the State's Superior Court. Subsequently, the Township's fair share obligations were determined in a settlement agreement between the Township and the Fair Share Housing Center in April of 2019.

12.8.2 Provisions for affordable housing are addressed in §7.3.3 herein.

12.8.3 Nothing herein shall prohibit the obligations generated by a particular Redevelopment Project from being satisfied via

negotiated agreement between the Township the Redeveloper of such Project and the (Re)developer of another Project either within or outside of the lands subject to this Redevelopment Plan.

12.9 ZERO EMISSION VEHICLE FUELING & CHARGING INFRASTRUCTURE

12.9.1 The *Redevelopment Law*⁸¹ requires that a Redevelopment Plan include:

[p]roposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

At Publication of the Redevelopment Plan, Electric Vehicle Charging Infrastructure in Parsippany is available at 14 locations⁸².

12.9.2 On July 9, 2021, Governor Phil Murphy signed an Act⁸³ requiring the Commissioner of the NJDCA to promulgate and “publish a Model Land Use Ordinance to address installation,

⁷⁹ N.J.S.A. 40A:12A-7b

⁸⁰ In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 (221 N.J. 1[2015])~a.k.a. “Mount Laurel IV”

⁸¹ N.J.S.A. 40A:12A-7a(8)

⁸² <https://njdep.maps.arcgis.com/apps/webappviewer/index.html?id=e41aa50dd8cd45faba8641b6be6097b1>

⁸³ P.L. 2021, Chapter 171



sightline, and setback requirements and other health- and safety-related specifications for electric vehicle supply equipment and Make-Read parking spaces”.

Such Model Ordinance became effective for all New Jersey municipalities on September 1, 2021.

12.9.3 The Township adopted its own Electric Vehicle Ordinance in December 2021⁸⁴. Such Ordinance is embodied in Township Code §430-277.1.

12.9.4 While zero-emission vehicle fueling and charging stations are included among the Ancillary Uses & Structures permitted by this Redevelopment Plan⁸⁵, this Plan requires the Redevelopment Project to conform with all State and municipal requirements regarding zero-emission fueling and charging.

12.10 RELATIONSHIP TO PERTINENT MUNICIPAL DEVELOPMENT REGULATIONS

12.10.1 Prior to the adoption of this Redevelopment Plan, 6 Sylvan Way was located in the Township’s Research, Office and

Laboratory (ROL) District. Land use and building regulations for this zone are found in Chapter 430 of the Township Code.

Upon adoption of this Redevelopment Plan, the provisions of this Plan shall govern.

12.10.2 The relationship of this Redevelopment Plan to pertinent municipal development regulations is outlined in §6.0 – 10.0 herein.

While certain Land Uses, Building Limit Controls, and development regulations / procedures of this Redevelopment Plan differ from those in place under the Township Code, they do not substantially alter the underlying nature of such existing provisions. Such modifications are deemed necessary and appropriate to achieve the Municipal Goals & Objectives⁸⁶ of this Redevelopment Plan.

Accordingly, the overall character planned for this section of the Township remains generally consistent with that planned prior to the adoption of this Redevelopment Plan.

12.10.3 Any Ordinance adopting this Redevelopment Plan shall

⁸⁴ Via Ordinance No. 2021:25

⁸⁵ §7.3.1B and §7.3.2B herein.

⁸⁶ §4.0 herein.



REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY

contain language indicating that this Plan is an explicit amendment to the Township's Zoning District Map and the land use and development provisions of the Township Code.

Upon adoption, the Township's Zoning Map shall be immediately modified to reflect this Redevelopment Plan.

12.11 CONSISTENCY WITH MUNICIPAL MASTER PLAN

12.11.1 The *Redevelopment Law*⁸⁷ provides, in pertinent part, that

All provisions of [a] Redevelopment plan [shall] be either substantially consistent with the municipal master plan or designed to effectuate the master plan...

12.11.2 The Township adopted its most-recent Comprehensive Master Plan in 2020. The Future Land Use Map identifies the Redevelopment Area for Corporate Office/Manufacturing.

The Plan recommends that this area:

*...retain the primary uses of office and manufacturing, but allow for a range of supporting and/or complementary uses to be permitted, such as **indoor recreation/entertainment**, hotels, **fitness**, daycare, assisted -living facilities, and **multifamily/mixed-use**. [emphasis added]*

The Permitted Uses as indicated in §6.2.3, §7.3.1A, and §7.3.2A are consistent with this designation.

12.11.3 The Master Plan⁸⁸ further supports an Economic Policy to:

Encourage redevelopment and infill development in existing commercial and office areas that are vacant or in need of reinvestment.

and recommends that the Township support development that responds to the market demand for modern uses.

This Redevelopment Plan provides the framework to redevelop a former vacant office building to meet current demands for housing. Accordingly, this Plan effectuates the Redevelopment recommendations under the Township's 2020 Master Plan.

⁸⁷ N.J.S.A. 40A:12A-7d

⁸⁸ Master Plan pg. 91



13.0 EFFECTIVE DATE, DURATION & AMENDMENT PROVISIONS

13.1 EFFECTIVE DATE

The Effective Date of this Redevelopment Plan Shall be the date the Ordinance adopting this Plan becomes effective.

13.2 DURATION OF PROVISIONS

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

13.2.2 Nothing shall be construed to limit the ability of the Governing Body to extend the duration of this Redevelopment Plan beyond that described hereinabove upon adoption of an Ordinance authorizing the same

13.3 PROCEDURES FOR AMENDING THE APPROVED REDEVELOPMENT PLAN

13.3.1 This Redevelopment Plan may be amended from time-to-time upon compliance with all applicable laws and statutes and upon approval of the Governing Body.

13.3.2 In addition to any other requirements, including but not limited to those imposed by N.J.S.A. 40A:12A-9 and 13, and any applicable provisions of a Redevelopment Agreement, mutual agreement between the Township and the Redeveloper is required where any amendment thereto would change the controls governing the use of lands under said Agreement.



14.0 CERTIFICATE OF COMPLETION & COMPLIANCE

14.1 Upon Completion of construction of a Redevelopment Project or any Independent Component thereof, and at the request of the Redeveloper, the Township⁸⁹ shall issue the Redeveloper a Certificate of Completion & Compliance for said Project or said Independent Component thereof, certifying that the Project, or the Independent Component thereof, was completed in accordance with this Redevelopment Plan, the Redevelopment Agreement and the Project Plans approved by the Planning Board as part of the Review & Approval process;⁹⁰ and further certifying that all applicable provisions of the Redevelopment Agreement, including provisions related to N.J.S.A. 40A:12A-7 to 9, have been satisfied.

14.2 Each such request shall be accompanied by as-built plans of the project or independent component thereof which is subject to the request, prepared, signed and sealed by the appropriate design professional, depicting the final constructed configuration of the project or independent

component thereof.

14.3 Upon the issuance of the final such Certificated of Completion & Compliance for the final component of the Redevelopment Project, or at the expiration of this Redevelopment Plan pursuant to §13.2 herein, whichever shall occur last, the conditions determined to exist at the time the Sylvan Way Redevelopment Area was declared to be In Need of Redevelopment shall, by definition, no longer exist. At such time, the controls contained in this Redevelopment Plan, with the exception of the Development Regulations (§7.3), Architectural Controls (§7.4), and the Equal Opportunity provisions (§11.0), shall terminate and the Redevelopment Area shall revert to such Township Zoning as may be adopted at that time pursuant to N.J.S.A. 40:55d-1 et seq.

14.4 Unless otherwise addressed by an affirmative action of the Governing Body, the appropriate sections of the Township Code shall be amended to include the Development

⁸⁹ Acting in its capacity as Redevelopment Entity for this Redevelopment Plan.

⁹⁰ Including, but not limited to, improvements not covered by the Certificate of Occupancy, e.g., public improvements, landscaping, etc.



***REDEVELOPMENT PLAN
SYLVAN WAY REDEVELOPMENT AREA
(BLOCK 202, LOT 1.9)
PARSIPPANY-TROY HILLS, MORRIS COUNTY, NEW JERSEY***

Regulations of this Redevelopment Plan⁹¹, which shall survive the expiration of this Plan.

14.5 The Certificate of Completion & Compliance process shall be independent of and shall not substitute for, the standard municipal Certificate of Occupancy process. Within this context, the Township⁹², at its discretion, may issue a Certificate of Completion & Compliance wither before, simultaneous with, or after issue of a Certificate of Occupancy.

⁹¹ §7.3 herein.

⁹² Acting in its capacity as Redevelopment Entity for this Redevelopment Plan.