

## **EXHIBIT B**



# **BOROUGH OF DUNELLEN FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

PREPARED BY DMR ARCHITECTS  
JUNE 2025

ADOPTED BY THE DUNELLEN PLANNING BOARD  
JUNE 23, 2025

ENDORSED BY THE BOROUGH COUNCIL  
\_\_\_\_\_, 2025

# ACKNOWLEDGMENTS

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Michael Collins Esq. - Board Attorney  
 Lou Ploskonka, P.E. CME Associates - Board Engineer

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 Scott Olsen - CFO  
 Lauren Staats - Municipal Clerk  
 Scott Brescher - Construction Official  
 Michael Mullin - Zoning Officer

## BOROUGH PROFESSIONALS

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William Robertson, Esq.  
 Jessica Almeida, Esq.  
 Sandy Galacio, Esq.  
 Charles Liebman, Esq.  
 Tiena Cofoni, Esq.

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## EXECUTIVE SUMMARY

This Fourth Round Housing Element and Fair Share Plan ("HEFSP" or "Plan") has been prepared for the Borough of Dunellen ("Borough" or "Dunellen") in Middlesex County, New Jersey, in order to comply with its affordable housing obligation in accordance with the Fair Housing Act of 1985 (N.J.S.A. 52:27D-301 et seq.) ("FHA") as amended by the bill known as A4/S50 or P.L. 2024 c.2, signed by Governor Phil Murphy on March 20, 2024.

An HEFSP is a document required by the FHA to be adopted by each municipality in the state to identify and address their respective, allocated need for safe and adequate housing for low- and moderate-income households, in order for the municipality to control the development of land through its zoning powers. The HEFSP establishes the manner and means by which the Borough of Dunellen will satisfy its State-mandated affordable housing or fair share obligation as that obligation is established in the Settlement Agreement. The Fair Share obligation is comprised of three components:

- ▶ The **Present Need** obligation, which reflects the estimated number of housing units in the Borough which are occupied by low- and moderate-income households and are in deteriorated condition that can be corrected through rehabilitation<sup>1</sup>. This obligation is also known as the "Rehabilitation Share", and the Borough's obligation for this component is **79** units.
- ▶ The Prospective Need obligation, which reflects the number of affordable units the Borough must create to address its share of the projected "regional" need for low- and moderate-income housing for the period running from July 1, 2025 to June 30, 2035. That number is **23** units.
- ▶ A "review" of the Borough's satisfaction of its Prospective Need obligations from the First, Second, and Third Rounds, also referred to in this Plan as "Prior Rounds".

## WHAT IS AFFORDABLE HOUSING

In 1975, the New Jersey Supreme Court ("Supreme Court") ruled in the case of Southern Burlington County NAACP v. The Township of Mount Laurel, now simply referred to as "Mount Laurel I", that every "developing" municipality in the State of New Jersey has a constitutional obligation to provide a reasonable opportunity for the construction of housing that is affordable to low- and moderate-income households. Eight years later, in 1983, the Supreme Court decided in what is known as "Mount Laurel II" that every municipality, regardless if its stage of development, must provide that opportunity for construction of affordable housing.

Two years after the Mount Laurel II decision, the New Jersey State Legislature adopted the Fair Housing Act which, among other things, created the Council on Affordable Housing ("COAH") to:

- ▶ Establish housing regions for calculation of housing need, qualifying incomes, housing cost, and other factors;
- ▶ Estimating low- and moderate-income housing needs;
- ▶ Establishing the rules and means by which each municipality may address its need; and
- ▶ Create a process for reviewing and "certifying" that need has been met.

The Fair Housing Act, when first adopted, identified only the income categories of "low" and "moderate" income households, but was updated to include the category of "very-low" income in 2008 as part of the legislation known as the "Roberts Bill", which made a number of changes to

### Figure 1. Fair Housing Act Income Categories

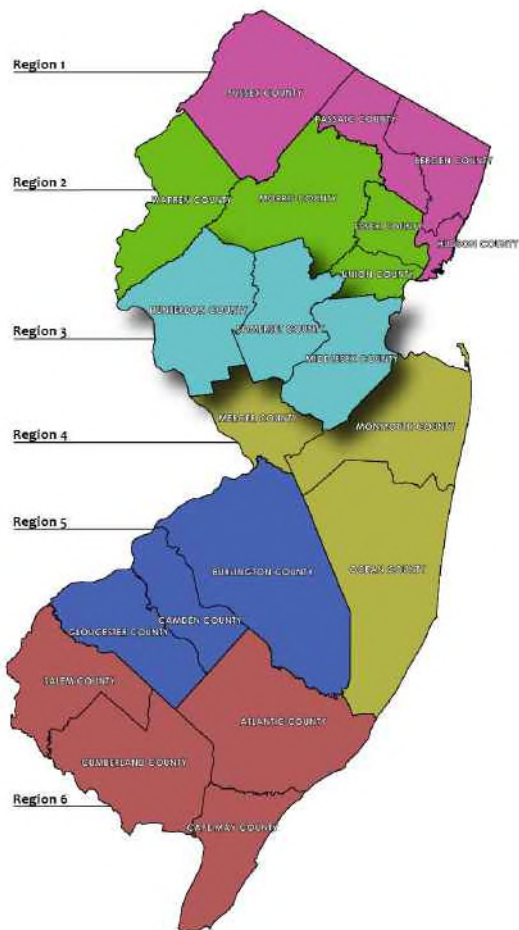
Very-Low Income Household: Earns 30% or less of Regional Median Income  
Low-Income Household: Earns 30% to 50% of Regional Median Income  
Moderate Income Household: Earns 50% to 80% of Regional Median Income

<sup>1</sup> Rehabilitation: Defined as the repair, renovation, alteration, or reconstruction of any building or structure, pursuant to the Rehabilitation Subcode, N.J.A.C. 5:23-6

the Act. The three categories are defined in Figure 1 - “Fair Housing Act Income Categories”.

The values for what constitute very-low, low, or moderate income are based on the median incomes in COAH-defined “Regions”. The Fair Housing Act tasked COAH with the delineation of these “Regions” having between two and four counties each which have “significant social, economic, and income similarities and which constitute to the greatest extent practicable the primary metropolitan statistical areas” reflected by the U.S. Census. Map 1 - “COAH Region Map” shows the current housing regions.

The Fair Housing Act defers to HUD and other “recognized” standards to define what makes housing “affordable”. HUD has, since the 1980s, considered housing to be affordable where the cost of such housing is less than 30% of the household’s income. This rate has also been adopted by banks and other institutions as the threshold for “affordability”. In practice, affordable housing in New Jersey must adhere to the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.1 et seq, which uses the 30% threshold for renter-household income and a 28% threshold for homeowner-household income. The UHAC also establishes additional standards to ensure that affordable housing units are available to households of various sizes and incomes and priced affordably, as shown in Figure 2 - “Required Distributions” and Figure 3 - “Affordability Standards”



Map 1. COAH Region Map, with Region 3 highlighted, consisting of Middlesex, Somerset, and Hunterdon Counties

## NEW JERSEY MOUNT LAUREL HISTORY

### FIRST AND SECOND ROUNDS

COAH published what has come to be known as its “first round” rules (N.J.A.C. 5:92-1 et seq.) to calculate the affordable housing need which municipalities would be required to address between 1987 and 1993, and established the acceptable means to address that need. The rules included a calculation of an existing need based on an estimate of substandard housing that was occupied by low- and moderate-income households (commonly referred to as “present need”, as well as a projection of future demand for housing opportunities by low- and moderate-income households (commonly referred to as “prospective need” or “new construction obligation”). The income classifications were based on the income metrics established by the U.S. Department of Housing and Urban Development. The present need would be addressed by rehabilitating existing substandard housing and the prospective need would be addressed by creating new housing.

In 1994, COAH adopted N.J.A.C. 5:93-1 et seq. which retroactively recalculated the present and prospective needs for 1987 to 1993 and provided new calculations of those needs for the period of 1993 to 1999. While the rules at the time were considered to be COAH’s “second round” of rules, the obligations calculated through those rules are referred to today as the “Prior Round” because the Second Round need numbers were recalculated and combined with the need calculated for 1987 to 1993.

### THIRD ROUND RULES

While the Fair Housing Act required COAH to adopt new rules in 1999, COAH did not adopt its Third Round rules until 2004, meaning there had been a five year gap following the effective period of the Second Round rules and the creation of new rules and need calculations. The 2004-adopted rules, located at N.J.A.C. 5:94-1 and 5:95-1 et seq., calculated a need period extending from 1999 to 2014 in order to capture the five years when rules were not in place and to project Prospective Need over the next 10 years (In 2001 the Fair Housing Act was amended to extend the effective time frame of any future-adopted COAH rules from the original 6 years used in Rounds 1 and 2 to a period of 10 years).

The 2004-adopted Third Round rules used a new method called "Growth Share" for calculating municipal new-construction obligation. Growth Share tied each municipality's affordable housing obligation to actual residential and non-residential growth between 2004 to 2014. The New Jersey Appellate Court invalidated substantial portions of the Third Round rules, including the Growth Share methodology, in the January 25, 2007 decision In re Adoption of N.J.A.C. 5:94 and 5:95, and ordered COAH to adopt amendments to the rules within six (6) months.

COAH *did* adopt amended rules more than 15 months later on June 2, 2008 (N.J.A.C. 5:96 and 5:97), which used a modified Growth Share methodology establishing a need for the period of 1999-2018, which had to be addressed by 2018, and recalculating the Prior Round obligations and the means of addressing those obligations. Once again, however, the new rules were challenged and largely invalidated in 2010 due to the continued use of the Growth Share methodology to calculate municipal obligations despite the methodology being struck down in 2007.

COAH once more attempted to adopt Third Round rules in 2014. Draft rules were published in April 30 of that year and scheduled for a decision on adoption on October 20, 2014. At that October 20 meeting, COAH deadlocked in its vote to adopt the rules and did not reschedule to consider the rules again, effectively failing to adopt the new rules.

### MOUNT LAUREL IV

After COAH failed to adopt its 2014 draft rules, Fair Share Housing Center, a prominent advocacy organization for the creation of affordable housing in New Jersey, filed with the New Jersey Supreme Court a motion in aid of litigant's rights. On March 10, 2015, the Supreme Court issued a ruling on that Motion In re Adoption of N.J.A.C. 5:96 & 5:97, which is now commonly referred to as "Mount Laurel IV", which transferred COAH's responsibilities to designated Mount Laurel trial judges. These responsibilities primarily consist of reviewing and approving municipal Housing Elements and Fair Share Plans. Additionally, the Mount Laurel IV decision directed municipalities to file Declaratory Judgments with those judges to seek to find themselves in compliance with their fair share obligations,

#### Figure 2. Required Distributions

Within and across all developments addressing the Borough's Prospective Need, the following ratios must be met:

##### **Income Distribution: Income Categories as a % of affordable units**

- Moderate Income: 50% or less
- Low Income: 37% or more
- Very-Low Income: 13% or more

##### **Bedroom Distribution: Unit type as a % of affordable units (non-age-restricted development)**

- One-Bedroom or Studios: 20% or less
- Two-Bedroom: At least 30%
- Three-Bedroom: At least 20%

#### Figure 3. Affordability Standards

##### **Rentals Units:**

- Maximum Rent: Affordable to 60% of RMI
- Average Rent: Affordable to 52% of RMI

##### **For-Sale Units**

- Maximum Rent: Affordable to 70% of RMI
- Average Rent: Affordable to 55% of RMI

RMI=Regional Median Income



and to prepare Housing Element and Fair Share Plans based on COAH's Second Round rules and those portions of COAH's 2008-adopted Third Round rules that were upheld by the Appellate Division in 2010.

Given that the Supreme Court did not establish the affordable housing obligations that each municipality would be required to address, there had been much debate in the years following the Mount Laurel IV decision as to how to calculate municipal present and prospective need obligations in a manner that complies with that decision as well as Appellate Division decisions that had invalidated earlier versions of the Third Round rules. Numbers had been offered by experts recruited by Fair Share Housing Center, a consortium of municipalities, and even the Courts.

#### Figure 4. Builder's Remedy

Defined at N.J.S.A. 52:27D-328 as "a court imposed remedy for a litigant who is an individual or a profit-making entity in which the court requires a municipality to utilize zoning techniques such as mandatory set-asides or density bonuses which provide for the economic viability of a residential development by including housing which is not for low and moderate income households."

As an intervenor recognized by the Courts in the affordable housing matters, Fair Share Housing Center (FSHC) has played a key role in municipalities' Declaratory Judgment actions to be certified as compliant with their affordable housing obligation. As a result, municipalities have been required to enter into Settlement Agreements with FSHC as part of their compliance actions.

On March 8, 2018, The Honorable Judge Mary Jacobson of the Superior Court of New Jersey Law Division in Mercer County published her opinion in the Matters of the Municipality of Princeton and the Township of West Windsor settling on a methodology for establishing the affordable housing obligations of municipalities in the vicinage containing Mercer County. Judges across New Jersey have since accepted and adopted her opinion and it has served as the basis for affordable housing settlement agreements since that time. Up until that point, most Settlement Agreements sought to find a middle ground between the affordable housing obligation calculations offered by the various "numbers" experts.

Historically, a municipality that prepared a Housing Element and Fair Share Plan for compliance with the Fair Housing Act would prepare and submit a Plan to COAH pursuant to COAH's rules and seek "substantive certification", a documented determination by COAH that a municipality's HEFSP complies with COAH's regulations and the FHA. Substantive certification would have the affect of protecting municipality's from "builder's remedy" lawsuits, defined in Figure 4 - "Builder's Remedy". Rather than seeking substantive certification, a municipality currently participating in the affordable housing compliance process is seeking a Judgment of Compliance from the Court stating that the municipality has adopted an HEFSP and any ordinances and resolutions required to implement that HEFSP according to the Supreme Court's Mount Laurel IV decision, which has the same affect as substantive certification.

#### FOURTH ROUND RULES

On March 20, 2024, Governor Phil Murphy signed into law the bill known as A4/S50, which amended the Fair Housing Act ("FHA" or "Act") to abolish the Council on Affordable Housing ("COAH") and set forth the processes by which municipal affordable housing obligations will be determined and satisfied for the Fourth Affordable Housing Round (beginning on July 1, 2025 and terminating on June 30, 2035) and beyond.

The Bill tasked the New Jersey Department of Community Affairs ("DCA") with determining municipal affordable housing obligations for the Fourth Round by October 20, 2024, and required municipalities to declare their affordable housing obligations by binding resolution no later than January 31, 2025, and to adopt their HEFSPs by June 30, 2025, along with draft implementing ordinances, adopted resolutions, and supporting documents. Ordinances are to be adopted by March 16, 2026.

The Bill also created a new body called the Affordable Housing Dispute Resolution Program (Program)

which will be responsible for reviewing plans for consistency with the Fair Housing Act and handling challenges to municipalities' stated housing obligations or to their affordable housing plans.

# THE AFFORDABLE HOUSING OBLIGATION

The Borough's obligation consists of two components:

- The "Prospective Need" new construction obligation reflecting the need for affordable housing projected between 2025 and 2035; and
- The "Present Need" or "Rehabilitation" obligation, reflecting the number of estimated housing units in the municipality that are substandard and occupied by low- and moderate-income households.

The Plan must also review the Borough's satisfaction of its new construction obligation for the previous three rounds.

## DETERMINING PROSPECTIVE NEED

Prospective Need obligations are calculated at the housing Region level and allocated to the municipalities within the region based on household income, non-residential property values, and land use factors, which are meant to reflect the municipality's wealth, job opportunities, and land availability<sup>2</sup>. These obligations are required to be addressed through the creation of new affordable units, the renewal of affordability controls on existing affordable housing units (Figure 6 - "Affordability Controls" ), or the creation of zoning or redevelopment plans that provide for a realistic opportunity create affordable housing units.

Present Need obligations are calculated at the local level using estimates from the U.S. Census or American Community Survey of the number of existing deficient housing units occupied by low- and moderate-income, with deficiency based upon a lack of plumbing, kitchen facilities, age of housing, and crowding<sup>3</sup>. Present Need is typically addressed by funding and/or participating in programs that offer to rehabilitate deficient housing with income-qualified owner or renter occupants in exchange for 10-year deed restrictions, although it may be addressed by building new housing as well.

The NJ DCA<sup>4</sup> published its non-binding calculations of the Prospective and Present Needs for every municipality in New Jersey on October 18, 2024, based upon the methodology prescribed in A4/S50. The DCA determined that the Borough had a **79-unit Present Need**, and a **23-unit Prospective Need**. In a resolution passed on January 21, 2025, the Borough accepted DCA's calculations while reserving the right to adjust its Present Need and Prospective Need through two tools authorized by P.L. 2024, c.2 and Prior Round rules that have not been invalidated by Court rulings or prohibited by P.L. 2024, c.2.

## Figure 5. 4th Round Housing Plan Ratios

The affordable housing development and units addressing the Borough's Prospective Need Obligation must also comply with the following ratios:

*Family Unit: Affordable units that are available to families (i.e. units that are not age-restricted or for persons with special needs) must comprise at least half of:*

- All affordable units
- All rental units
- All very-low income units

*Rental Minimum: At least 25% of affordable units shall be rentals;*

*Age-Restricted Maximum: Not more than 30% of affordable units*

*Transitional Housing: Not more than 10% of the obligation*

*Very-Low Income Units: At least 13% of affordable units*

## Figure 6. Affordability Controls

Controls by deed restriction, contract, or other legal or binding means which ensure that housing units remain affordable to low- and moderate-income households over a certain period of time in accordance with the Fair Housing Act and applicable regulations.

<sup>2</sup> N.J.S.A. 52:27D-304.3.c

<sup>3</sup> N.J.S.A. 52:27D-304.3.b

<sup>4</sup> Department of Community Affairs

## SATISFACTION OF THE PROSPECTIVE NEED

Satisfaction of the Prospective Need is subject to certain restrictions and minimum requirements, some of which are detailed in **Figure 5 - "Housing Plan Ratios"**.

The Fourth Round Rules allow municipalities to claim a number of bonus credits equal to not more than 25% of the Prospective Need for the units from the types of projects listed below. Bonuses are per unit falling into the respective category:

- Special Needs/Supportive Housing - 1 bonus credit per bedroom
- Non-Profit Partnership - 0.5 bonus credits per affordable unit
- Transit Oriented (0.5 mile from public transit stop) - 0.5 bonus credits per affordable unit
- Age-Restricted Units - 0.5 bonus credits per age-restricted affordable unit available for up to 10% of the age-restricted units.
- Surplus Very-Low Income Units - 0.5 bonus credits per affordable unit
- Surplus Three-Bedroom Units - 0.5 bonus credits per surplus 3-BR unit
- Redevelopment of commercial properties - 0.5 bonus credits per affordable unit
- Extension of Affordability Controls - 1 bonus credit per affordable unit with extended controls
- Municipally-Sponsored Development (contribute lands or funds equal to at least 10% of cost of constructing a 100% affordable development) - 1 bonus credit per affordable unit with extended controls
- Market-to-Affordable Program - 1 bonus credit per affordable unit

# WHAT IS A HOUSING ELEMENT AND FAIR SHARE PLAN

A Housing Element and Fair Share Plan is a document required by the New Jersey Fair Housing Act of 1985 ("FHA") to be adopted by each municipality in the state to identify and address their respective, allocated need for safe and adequate housing for low- and moderate-income households.

As the next section of this report discusses, the "need" and the manner in which that "need" can be addressed had historically been promulgated by the Council on Affordable Housing (COAH), an entity created by the Fair Housing Act in 1985.

However, A4/S50 (P.L. 2024, c.2.) amended the Fair Housing Act and other statutes such that it disbanded COAH, restructured the jurisdictional regime for the administration of the affordable housing process, and established the Fair Housing Act as the regulatory document for calculating and addressing the affordable housing obligation. Where the amended Fair Housing Act falls short in outlining the means of determining and satisfying a municipality's responsibilities, it permits municipalities, the Courts, and developers to rely on previously accepted and upheld practices and rules to fill in the gaps in the statute. See "Figure 8. Section 24 of P.L. 2024, c.2 (Section 311.m of the Fair Housing Act)" on page 12.

The affordable housing "need" identified and addressed in this Plan is comprised of the Present Need and Fourth Round Prospective Need for 2025 to 2035, and is based on the methodology detailed in A4/S50, which largely codifies the methodology that was approved by the Honorable Mary C. Jacobson of Mercer County in 2018 to resolve disputes over the Third Round methodology in the absence of COAH or legislative intervention.

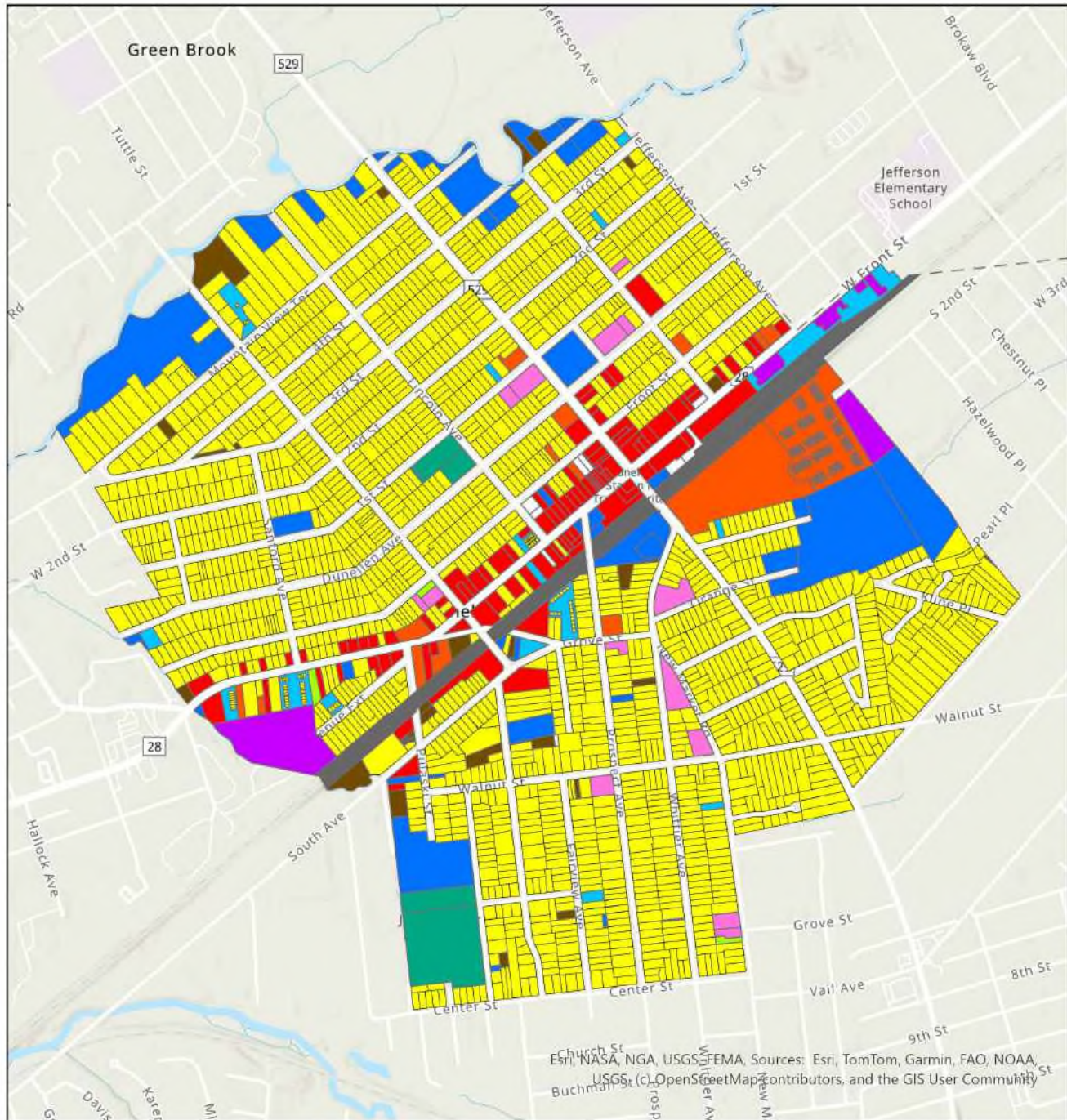
## Figure 7. Required HEFSP Contents

- Inventory of municipal housing stock and occupant characteristics;
- Demographic analysis;
- Analysis of existing and 10-year projected employment characteristics;
- 10-year housing stock projection;
- Determination of municipal present and prospective needs for low- and moderate-income housing;
- Consideration of lands most appropriate for the construction of low- and moderate-income housing and/or identification of existing structures appropriate to convert to low- and moderate-income housing;
- Analysis of the extent to which municipal ordinances and other local factors advance or detract from the goal of preserving multi-generational family continuity;
- An analysis of consistency with the State Development and Redevelopment Plan, including water, wastewater, stormwater, and multi-modal transportation based on guidance and technical assistance from the State Planning Commission

## Figure 8. Section 24 of P.L. 2024, c.2 (Section 311.m of the Fair Housing Act)

- All parties shall be entitled to rely upon regulations on municipal credits, adjustments, and compliance mechanisms adopted by the Council on Affordable Housing unless those regulations are contradicted by statute, including but not limited to P.L.2024, c.2 (C.52:27D-304.1 et al.), or binding court decisions.





## DUNELLEN 2024 ASSESSED LAND USE

- |  |   |
|--|---|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: yellow; border: 1px solid black;"></span> 1- to 4-Family Dwellings      | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightgreen; border: 1px solid black;"></span> Other School Property      |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: orange; border: 1px solid black;"></span> Multi-Family                  | <span style="display: inline-block; width: 15px; height: 15px; background-color: lightblue; border: 1px solid black;"></span> Other Tax Exempt Properties |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: red; border: 1px solid black;"></span> Commercial                       | <span style="display: inline-block; width: 15px; height: 15px; background-color: grey; border: 1px solid black;"></span> Railroad                         |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: purple; border: 1px solid black;"></span> Industrial                    | <span style="display: inline-block; width: 15px; height: 15px; background-color: white; border: 1px solid black;"></span> No Data/Parking & Common Areas  |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: blue; border: 1px solid black;"></span> Public Property                 | <span style="display: inline-block; width: 15px; height: 15px; background-color: brown; border: 1px solid black;"></span> Vacant                          |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: green; border: 1px solid black;"></span> Public School                  |   |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: pink; border: 1px solid black;"></span> Religious & Charitable Property |   |



**DMR**  
ARCHITECTS

Map 2. Land Use as assessed by the Tax Assessor

## ABOUT DUNELLEN

The Borough of Dunellen is a primarily residential community at the northern edge of Middlesex County N.J. approximately 30 miles southwest of New York City. It lies astride N.J State Highway Route 28 and the Raritan Valley rail line of New Jersey Transit. The Dunellen Station on the Raritan Valley Line provides commuter rail service to Newark ,N.J. and from there to New York. It is bordered on the south by Piscataway Township in Middlesex County, on the north by Green Brook Township in Somerset County , on the east by the City of Plainfield in Union County and on the west by Middlesex Borough in Middlesex County. Dunellen is a small borough containing only 1.06 square miles. The 2020 population according to the U.S. Census was 7,637. The Borough enjoys the nickname of “ The Miracle Mile “ owing to its thriving downtown.

### AFFORDABLE HOUSING HISTORY

The Borough of Dunellen prepared its first Housing Plan Element and Fair Share Plan in response to COAH’s Third Round rules and to address its “growth share” obligation in January of 2006. The Borough subsequently petitioned COAH for substantive certification of this plan on February 8, 2006. After the Appellate Division invalidated the Third Round Rules, COAH adopted a second iteration of these rules in 2008. The Borough re-petitioned COAH for substantive certification of its Housing Plan Element and Fair Share Plan in February of 2009. However, the Borough did not receive substantive certification from COAH for its 2006 Plan and the Appellate Division invalidated the revised Third Round Rules in 2010.

Following the Supreme Court’s 2015 Mount Laurel IV decision, the Borough entered into settlement negotiations with Fair Share Housing Center to come to an agreement regarding the Borough’s obligations and the manner in which those obligations would be met. The agreement assigned the Borough a 118-unit Prospective Need for the years 1999 to 2025, which was adjusted to a “realistic development potential” of 22 units, with an “unmet need” of 96 units. The obligation was satisfied through an amendment to the Borough’s Downtown Redevelopment Plan to incentivize mixed-use development with an affordable housing set-aside, and facilitating the redevelopment of the former Art Color Factory site to the mixed-use development now known as “The Nell”.

### WHAT IS “AFFORDABLE” IN DUNELLEN

Dunellen is located in Housing Region 3, which includes Middlesex, Somerset, and Hunterdon Counties. Whereas COAH has historically had the responsibility of annually publishing “income limits” establishing the maximum very-low, low-, and moderate-income household incomes based on household size in each region, as well as the maximum value of assets qualifying households may own, that responsibility now falls with the New Jersey Housing and Mortgage Finance Agency (“HMFA”). Income limits are generally calculated based on HUD’s methodology for calculating its own income limits.

Chart 1 - “2024 Region 3 Income Limits” summarizes the maximum incomes for very-low, low, and moderate income households in Region 3 by household size as published for the year 2025 by NJ HMFA.

Chart 1. 2025 Region 3 Income Limits

HOUSEHOLD INCOME CATEGORY	1-PERSON	2-PERSON	3-PERSON	4-PERSON	5-PERSON
MODERATE	\$85,920	\$98,240	\$110,480	\$122,720	\$132,560
LOW	\$53,700	\$61,400	\$69,050	\$76,700	\$82,850
VERY-LOW	\$32,220	\$36,840	\$41,430	\$46,020	\$49,710

Source: Affordable Housing Professionals of NJ/FSHC 2024 Affordable Housing Regional Income Limits

Based on the Uniform Housing Affordability Controls (UHAC) at N.J.A.C. 5:80-26.3, the “gross” rent for affordable units, which means the rents and any utilities and services (example: trash, gas, electric,

water/sewer) included therein, cannot exceed 30% of gross incomes at the 30% of regional median income level for very-low income units, 50% of regional median income level for low-income units, or 60% of regional median income for moderate income units.

The UHAC limits the highest affordable-unit sales price to that which is affordable to moderate income households earning 70% of regional median income. Affordability for for-sale / homeowner units are more variable than rental units as they depend upon current mortgage rates, homeowner insurance rates, and homeowner association or condominium fees, but are not affected by utilities. Additionally, unlike affordable rents, which are based upon 30% of gross household income, sales prices are considered to be affordable when the costs of the mortgage, insurance, and HOA/Condo fees are less than or equal to 28% of gross household income.

As of the writing of this Plan, the HMFA has not yet published calculators, like those previously provided by COAH or the Affordable Housing Professionals of New Jersey, to assist in calculating affordable rents or sales prices. However, based on the guidelines for affordability as a percentage of household income, affordable monthly renter and homeowner costs for a 1, 2, or 3 bedroom unit would be as follows. See [Chart 2 - "2025 Region 2 Affordable Rents"](#) and [Chart 3 - "2025 Region 2 Affordable Monthly Costs for Homeowners"](#).

Chart 2. 2025 Region 3 Affordable Rents

HOUSEHOLD INCOME CATEGORY	1-BEDROOM (1.5-PERSON H.H.)	2-BEDROOM (3-PERSON H.H.)	3-BEDROOM (4.5-PERSON H.H.)
MODERATE (60% RMI)	\$1,727	\$2,072	\$2,393
LOW	\$1,439	\$1,726	\$1,994
VERY-LOW	\$863	\$1,036	\$1,197

Source: NJHMFA 2025 UHAC Affordable Regional Income Limits

Chart 3. 2025 Region 3 Affordable Monthly Costs for Homeowners

HOUSEHOLD INCOME CATEGORY	1-BEDROOM (1.5-PERSON H.H.)	2-BEDROOM (3-PERSON H.H.)	3-BEDROOM (4.5-PERSON H.H.)
MODERATE (70% RMI)	\$1,880	\$2,256	\$2,606
LOW	\$1,343	\$1,611	\$1,861
VERY-LOW	\$806	\$967	\$1,117

Source: NJHMFA 2025 UHAC Affordable Regional Income Limits



# DUNELLEN BOROUGH DEMOGRAPHICS AND HOUSING STOCK

## INTRODUCTION

This section of the Housing Element and Fair Share Plan is intended to provide the following information required at N.J.S.A. 52:27D-310:

- ▶ An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated;
- ▶ A projection of the municipality's housing stock, including the probable future construction of low and moderate income housing, for the next ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;
- ▶ An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age; and
- ▶ An analysis of the existing and probable future employment characteristics of the municipality.

The data in this section represents the most recent data publicly available from standard and typical data sources used in preparing Housing Elements, including from the 2019-2023 Five-year American Community Survey (ACS) data published by the U.S. Census Bureau, Longitudinal Employer Household Data (LEHD) published by the U.S. Census Bureau, and labor statistics published by the New Jersey Department of Labor and Workforce Development (LWD), which are standard data sources for use in preparing this section. Due to statistical methods used to create some of these data sources, there may be actual or perceived discrepancies between the story told by the data versus true "on the ground" conditions.

## HOUSING CHARACTERISTICS

Chart 4 - "Housing Units in Dunellen Borough by Type of Structure, Tenure and Occupancy Status in 2023" displays the total number of housing units in the Borough broken down by tenure type (renter or owner) and the type of building containing the housing unit(s). More than six out of every

ten (64%) of the housing units is in a detached single-family house, typical for suburban communities in New Jersey. Only 3% of the housing units are in apartment buildings with 20 or more units. The remainder of the Borough's housing is in buildings with 2 units (16%), small apartment buildings with 3 to 19 units (16%) and mobile homes (6 units). The 2023 ACS data shows vacancy rates of 10% for detached single family houses and 18% for buildings with 2 units. The vacancy rate was 0% for all other unit types. As would be expected over 90% of the Borough's single-family housing stock is owner occupied while the two unit stock consists of 59% rentals.

Chart 4. Housing Units in Dunellen Borough by Type of Structure, Tenure, and Occupancy Status in 2023

TYPE OF BUILDING/STRUCTURE	TOTAL UNITS	PERCENT OF TOTAL	OWNER OCCUPIED	RENTER OCCUPIED	NOT OCCUPIED
1, DETACHED	1,757	64%	1,424	155	178
1, ATTACHED	34	1%	34	0	0
2 UNITS	427	16%	99	252	76
3 OR 4	210	8%	0	210	0
5 TO 9	157	6%	0	157	0
10 TO 19	51	2%	0	51	0
20 TO 49	0	0%	0	0	0
50 OR MORE	83	3%	0	83	0
MOBILE HOME	6	0%	6	0	0
BOAT, RV, VAN, ETC.	0	0%	0	0	0
<b>TOTAL</b>	<b>2,725 (100%)</b>	<b>100%</b>	<b>1,563 (57.35%)</b>	<b>908 (33.32%)</b>	<b>254 (9.33%)</b>

Source: 2023 American Community Survey - 5 year estimate (B25024, B25032)

Chart 5. Housing Units in Dunellen Borough by Year Built and Tenancy Type in 2023

Chart 5 - "Housing Units in Dunellen Borough by Year Built and Tenancy Type in 2023" breaks down the number of housing units occupied in 2023 by the time period in which they were built, as well as whether the units were owner or renter occupied. The chart shows that over 41% were built in 1939 or earlier, another 19% were built between 1940 and 1959 and nearly 27% were built between 1960 and 1979. Between 1980 and 2009 only 4% were built before a growth spurt between 2010 and 2019 produced nearly 9% of the current occupied housing stock. Much of the renter occupied housing stock was constructed between 1970 and 1979 or between 2010 and 2019 when both periods combined contributed over 50% of the entire renter housing stock constructed. This is reflected in the median year of construction of renter occupied units (1977) compared with the median year of construction for owner occupied units (1970).

YEAR BUILT	OCCUPIED UNITS	PERCENT OF TOTAL	OWNER	RENTER
2020 OR LATER	-	0.00%	-	0
2010 TO 2019	215	8.70%	66	149
2000 TO 2009	46	1.86%	18	28
1990 TO 1999	48	1.94%	27	21
1980 TO 1989	7	0.28%	7	0
1970 TO 1979	400	16.19%	84	316
1960 TO 1969	263	10.64%	165	98
1950 TO 1959	305	12.34%	273	32
1940 TO 1949	168	6.80%	168	0
1939 OR EARLIER	1,019	41.24%	755	264
(%) OF TOTAL	2,471	100.00%	1,563	908
MEDIAN YEAR BUILT	1973		1970	1977

Source: 2023 American Community Survey - 5 year estimate (B25035, B25036, B25037)

Chart 6. Housing Units in Dunellen Borough by Number of Rooms in a Unit in 2023

ROOMS	# OF UNITS	%
1 ROOM	130	4.77%
2 ROOMS	54	1.98%
3 ROOMS	337	12.37%
4 ROOMS	112	4.11%
5 ROOMS	675	24.77%
6 ROOMS	558	20.48%
7 ROOMS	600	22.02%
8 ROOMS	115	4.22%
9+ ROOMS	144	5.28%
TOTAL	2,725	100.00%
MEDIAN # OF ROOMS	5.6	

Source: 2023 American Community Survey - 5 year estimate (DP04)

Chart 6 - "Housing Units in Dunellen Borough by Number of Rooms in a Unit in 2023" shows the number of units in Dunellen by their number of rooms. The most common configuration is 5, 6 or 7 rooms which together constitute over two-thirds of the total units. Less than 7% of units have 1 or 2 rooms, those with 3 rooms make up 12.37%, while those with more than 7 rooms constitute 9.5%. The average number of rooms reflects the solid middle-income nature of Dunellen.

Chart 7 - "Housing Units in Dunellen Borough by Number of Bedrooms In 2023" indicates that nearly half of the housing units in Dunellen have 3 bedrooms (48.37%) and another 17.62% have 4 or more bedrooms, consistent with the predominantly single-family nature of the Borough's housing stock.

Chart 7. Housing Units in Dunellen Borough by Number of Bedrooms in 2023

BEDROOMS	# OF UNITS	%
EFFICIENCY	151	5.54%
1 BEDROOM	322	11.82%
2 BEDROOMS	454	16.66%
3 BEDROOMS	1318	48.37%
4 BEDROOMS	421	15.45%
5 BEDROOMS	59	2.17%
5 OR MORE BEDROOMS	2,725	100.00%
TOTAL	2,725	100%

Source: 2023 American Community Survey - 5 year estimate (DP04)



**Chart 8 - "Owner-Occupied Housing Units in Dunellen Borough by Value in 2023"** compares the estimated housing values of owner-occupied housing in 2015 and 2023 according to American Community Survey data. The plurality of home values was between \$200,000 and \$299,000 in 2015 (43.64%) jumping to a value between \$300,000 and \$499,000 in 2023 (61.36%). The median occupied home value was \$282,400 in 2015 and \$380,200 in 2023.

Chart 8. Housing Units in Dunellen Borough by Value

HOUSING UNIT VALUE	2015 UNITS	%	2022 UNITS	%
LESS THAN \$50,000	9	0.51%	85	5.44%
\$50,000-\$99,000	31	1.75%	0	0.00%
\$100,000-\$149,000	0	0.00%	0	0.00%
\$150,000-\$199,000	218	12.32%	16	1.02%
\$200,000-\$299,000	772	43.64%	213	13.63%
\$300,000-\$499,000	702	39.68%	959	61.36%
\$500,000-\$999,999	37	2.09%	290	18.55%
\$1,000,000 OR MORE	0	0.00%	0	0.00%
<b>TOTAL</b>	<b>1,769</b>	<b>100.00%</b>	<b>1,563</b>	<b>100.00%</b>
<b>MEDIAN (NOMINAL)</b>	<b>\$282,400</b>	<b>(X)</b>	<b>\$380,200</b>	<b>(X)</b>
<b>MEDIAN (REAL, 2023)</b>	<b>\$362,088</b>			

Source: 2015 and 2023 American Community Survey - 5 year estimate (DP04, B25075)

**Chart 9 - "Housing Units in Dunellen Borough, Middlesex County, and New Jersey by Gross Rent in 2023"** compares gross rent payments in Dunellen Borough, the entirety of Middlesex County, and the State of New Jersey in 2023. Housing costs for renters in Dunellen are generally lower than those across Middlesex County and the rest of the state. The median rent in Dunellen was \$1,461 compared to \$1,810 for Middlesex County and \$1,653 for New Jersey. Only 5.90% of renters pay more than \$2,500 each month in Dunellen versus 12.93% in Middlesex County and 14.34% across New Jersey; while 54.98% pay less than \$1,500 per month in Dunellen versus 29.12% in Middlesex County and 41.26% across New Jersey.

Chart 9. Housing Units in Dunellen Borough, Middlesex County, and New Jersey by Gross Rent in 2023

GROSS RENT	DUNELLEN BOROUGH		MIDDLESEX COUNTY		NEW JERSEY	
	UNITS	%	UNITS	%	UNITS	%
LESS THAN \$500	83	9.61%	4,968	4.59%	76,830	6.27%
\$500 TO \$999	23	2.66%	4,691	4.33%	106,648	8.70%
\$1,000 TO \$1,499	369	42.71%	21,863	20.20%	322,368	26.29%
\$1,500 TO \$1,999	136	15.74%	36,441	33.67%	349,936	28.54%
\$2,000 TO \$2,499	202	23.38%	26,270	24.27%	194,492	15.86%
\$2,500 TO \$2,999	51	5.90%	9,099	8.41%	82,425	6.72%
\$3,000 OR MORE	0	0.00%	4,894	4.52%	93,469	7.62%
<b>MEDIAN DOLLARS</b>	<b>\$1,461</b>	<b>(X)</b>	<b>\$1,810</b>	<b>(X)</b>	<b>\$1,653</b>	<b>(X)</b>
<b>NO CASH RENT</b>	<b>44</b>	<b>(X)</b>	<b>3,421</b>	<b>(X)</b>	<b>36,705</b>	<b>(X)</b>
<b>TOTAL OCCUPIED RENTAL UNITS</b>	<b>864</b>	<b>(X)</b>	<b>108,226</b>	<b>(X)</b>	<b>1,226,168</b>	<b>(X)</b>

Source: 2023 American Community Survey - 5 year estimate (DP04, B25063)

Chart 10 - "Housing Units in Dunellen Borough by Tenure and Monthly Cost of Housing as a Percent of Household Income in 2023". Housing is considered to be affordable if costs associated with occupying that housing unit are lower than 28% of gross household income for owner occupied units and 30% of gross household income for renter occupied units. Households paying more than 30% of their gross income (before taxes and other deductions) for housing are considered to be "cost burdened", and households paying more than 50% of their gross income for housing are considered to be "severely cost burdened". Chart 10 shows that 34.64% of households in Dunellen are cost burdened, including 23.88% who are severely cost burdened. The rates are higher among renters where 53.85% are cost burdened including 25.11% who are severely cost burdened.

Chart 10. Housing Units in Dunellen Borough by Tenure and by Monthly Cost of Housing as a Percent of Household Income in 2023

MONTHLY COST AS % OF INCOME	OWNER	%	RENTER	%	ALL OCCUPIED	%
LESS THAN 10%	142	9.09%	22	2.42%	164	6.64%
10 TO 14.9%	296	18.94%	32	3.52%	328	13.27%
15 TO 19.9%	178	11.39%	162	17.84%	340	13.76%
20 TO 24.9%	198	12.67%	151	16.63%	349	14.12%
25 TO 29.9%	172	11.00%	8	0.88%	180	7.28%
30 TO 34.9%	70	4.48%	140	15.42%	210	8.50%
35 TO 39.9%	72	4.61%	41	4.52%	113	4.57%
40 TO 49.9%	73	4.67%	80	8.81%	153	6.19%
50% OR MORE	362	23.16%	228	25.11%	590	23.88%
NOT COMPUTED	0	0%	44	4.85%	44	1.78%
<b>TOTAL H.H.</b>	<b>1,563</b>	<b>100.00%</b>	<b>908</b>	<b>100.00%</b>	<b>2,471</b>	<b>100.00%</b>
<b>TOTAL COST BURDENED</b>	<b>577</b>	<b>36.92%</b>	<b>489</b>	<b>53.85%</b>	<b>856</b>	<b>34.64%</b>

Source: 2023 American Community Survey - 5 year estimate (B25070, B25091)

### POPULATION AND HOUSEHOLD CHARACTERISTICS

Chart 11 - "Population Changes in Dunellen Borough, Middlesex County, and New Jersey Between 2000 and 2023" compares the population change over the last two-and-a-half decades in Dunellen, Middlesex County and New Jersey. The trend across the three jurisdictions between 2000 and 2023 has been different with Dunellen growing significantly (+13%) Middlesex County declining slightly (-2.6%) and the State growing moderately (+10.1%). Dunellen grew significantly between 2000 and 2015 (+7.99%) while during the same period Middlesex County declined by 6.09% and the State grew by 5.82%. Between 2015 and 2023 all three jurisdictions grew nominally; Dunellen grew 4.7%, Middlesex County grew 3.8% and the State grew 4.1%.

Chart 11. Population Changes in Dunellen Borough, Middlesex County, and New Jersey between 2000 and 2023

LOCATION	2000	2015	00-'15 CHANGE	2023	15-'23 CHANGE	00' TO 23' CHANGE
DUNELLEN BOROUGH	6,823	7,368	7.99%	7,711	4.7%	13.0%
MIDDLESEX	884,118	830,300	-6.09%	861,535	3.8%	-2.6%
NEW JERSEY	8,414,350	8,904,413	5.82%	9,267,014	4.1%	10.1%

Source: 2000 and 2010 Decennial Census, 2023 American Community Survey

Chart 12 - "Population Age Distribution in 2015 and 2023" shows the age distribution of individuals living in Dunellen, and the change in age distribution between 2015 and 2023. Similar to many communities in New Jersey the Dunellen population got older between 2015 and 2023. The most significant changes from a percentage standpoint were increases of 18.00 % and 13.40% in the 35 to 44 and 65+ age categories, respectively and decreases of 11.62% and 8.46% in the 45 to 54 and 25 to 34 age categories, respectively. Unlike many other communities around New Jersey,

Chart 12. Population Age Distribution in 2015 and 2023.

AGE GROUP (YEARS OLD)	2015	% OF TOTAL	2023	% OF TOTAL	CHANGE
UNDER 5	643	8.73%	465	6.03%	-27.68%
5 TO 9	247	3.35%	265	3.44%	7.29%
10 TO 14	652	8.85%	642	8.33%	-1.53%
15 TO 19	415	5.63%	625	8.11%	50.60%
20 TO 24	446	6.05%	535	6.94%	19.96%
25 TO 34	1,005	13.64%	652	8.46%	-35.12%
35 TO 44	885	12.01%	1,388	18.00%	56.84%
45 TO 54	1,255	17.03%	896	11.62%	-28.61%
55 TO 59	562	7.63%	685	8.88%	21.89%
60 TO 64	540	7.33%	525	6.81%	-2.78%
65+	718	9.74%	1,033	13.40%	43.87%
<b>TOTAL</b>	<b>7,368</b>	<b>100.00%</b>	<b>7,711</b>	<b>100.00%</b>	<b>4.66%</b>
<b>MEDIAN AGE (YEARS OLD)</b>	<b>37.60</b>	<b>(X)</b>	<b>41.70</b>	<b>(X)</b>	<b>(X)</b>

Source: 2015 and 2023 American Community Survey - 5 year estimate (DP05)

Chart 13 - "Households in Dunellen Borough by Type in 2023" breaks down households in Dunellen by type (married, single, etc.). The Census Bureau defines a household as consisting of "all the people who occupy a given housing unit including related family members and unrelated people, if any, such as lodgers, foster children, wards, or employees". A person living alone or a group of unrelated people sharing a housing unit is also counted as a household. The count of households excludes group quarters.

Chart 13. Households in Dunellen Borough by Type

HOUSEHOLD TYPE	2015		2023	
	# OF HOUSEHOLDS	%	# OF HOUSEHOLDS	%
MARRIED COUPLE	1,178	56.42%	1,497	70.51%
WITH CHILD UNDER 18	450	21.55%	674	31.75%
COHABITANT COUPLE	(X)	(X)	137	6.45%
WITH CHILD UNDER 18	(X)	(X)	90	4.24%
SINGLE MALE	189	9.05%	338	15.92%
WITH CHILD UNDER 18	73	3.50%	14	0.66%
SINGLE FEMALE	434	20.79%	499	23.50%
WITH CHILD UNDER 18	332	15.90%	16	0.75%
LIVING ALONE	427	20.45%	466	21.95%
65 AND OLDER	86	4.12%	117	5.51%
<b>TOTAL</b>	<b>2,088</b>	<b>100.00%</b>	<b>2,123</b>	<b>100.00%</b>

Source: 2015 and 2023 American Community Survey (DP02)

Married couples made up 56.42% of households in Dunellen in 2015 and 70.51% in 2023. Roughly 40% of these married households had children younger than 18 years living at home. Single female households outnumbered single male households in both 2015 and 2023. Seniors over 65 living alone was a low 4.12% in 2015 and 5.51% in 2023.

Chart 14 - "Average Household Size in Dunellen Borough in 2015 and 2023" shows that average household size has increased for both owner occupied and renter households between 2015 and 2023. Average household size increased from 3.06 to 3.11 for owner occupied households between 2015 and 2023 and increased from 2.98 to 3.11 for renter households between 2015 and 2023.

Chart 14. Average Household Size in Dunellen

HOUSEHOLD TYPE	AVERAGE HH SIZE	
	2015	2023
OWNER	3.06	3.11
RENTER	2.98	3.11
<b>ALL HOUSEHOLDS</b>	<b>3.04</b>	<b>3.11</b>

Source: 2015 and 2023 American Community Survey (DP02, DP04)

## ECONOMIC CHARACTERISTICS

Chart 15 - "Households in Dunellen Borough by Income (2023)" shows that approximately 60% of households in Dunellen earned less than \$100,000 a year in 2023 and approximately 40% earned more than \$100,000. The median household income was \$84,789 in 2023 which was lower than the New Jersey household median income of \$99,781, which was second highest among all states.

Chart 15. Households in Dunellen by Income (2023)

HOUSEHOLD INCOME	# OF HOUSEHOLDS	%
LESS THAN \$10,000	230	9.31%
\$10,000 TO \$14,999	201	8.13%
\$15,000 TO \$24,999	29	1.17%
\$25,000 TO \$34,999	37	1.50%
\$35,000 TO \$49,999	258	10.44%
\$50,000 TO \$74,999	308	12.46%
\$75,000 TO \$99,999	373	15.10%
\$100,000 TO \$149,999	490	19.83%
\$150,000 TO \$199,999	239	9.67%
\$200,000 OR MORE	306	12.38%
<b>MEDIAN INCOME</b>	<b>\$84,789</b>	<b>(X)</b>

Source: 2023 American Community Survey - 5 year estimate (DP03)

Chart 16 - "Poverty Rates in Dunellen Borough, Middlesex County, and New Jersey 2023" shows the distribution of individuals and families living below the poverty level. Dunellen has a higher poverty rate for both individuals and families than Middlesex County and the State. The poverty rate for individuals is about 2 ½ times that of the County and State and the poverty rate for families is nearly 3-½ times that of the County and State.

Chart 16. Poverty Rates in Dunellen, Middlesex County, and New Jersey

LOCATION	INDIVIDUAL POVERTY	FAMILY POVERTY
DUNELLEN BOROUGH	23.10%	24.50%
MIDDLESEX COUNTY	8.50%	6.20%
NEW JERSEY	9.80%	7%

Source: 2023 American Community Survey - 5 year estimate (DP03)

Chart 17 - "Employed Dunellen Borough Residents by Sector" shows the number of employed Dunellen residents by sector as defined by the North American Industrial Classification System (NAICS). The most represented industries of resident employment in Dunellen are the professional, scientific, management administration and waste management industries at 18.17%. Retail trade is the next most represented industry at 13.74% followed by construction at 12.38%. A relatively low number (for a New Jersey municipality) are employed in education, health care, and social assistance (9.77%).

Chart 17. Employed Dunellen Residents by Sector

SECTOR	NUMBER	PERCENT
AGRICULTURE, FORESTRY, MINING, FISHING & HUNTING	0	0.00%
CONSTRUCTION	464	12.38%
MANUFACTURING	229	6.11%
WHOLESALE TRADE	200	5.34%
RETAIL TRADE	515	13.74%
TRANSPORTATION, WAREHOUSING, UTILITIES	256	6.83%
INFORMATION	88	2.35%
FINANCE/INSURANCE, REAL ESTATE	348	9.29%
PROFESSIONAL, SCIENTIFIC, MANAGEMENT, ADMINISTRATION, WASTE MGMT.	681	18.17%
EDUCATION, HEALTH CARE, SOCIAL ASSISTANCE	366	9.77%
ARTS, ENTERTAINMENT, RECREATION, HOSPITALITY	302	8.06%
OTHER SERVICES	236	6.30%
PUBLIC ADMIN	62	1.65%
<b>TOTAL EMPLOYED WORKFORCE</b>	<b>3,747</b>	<b>100.00%</b>

Source: 2023 American Community Survey - 5 year estimate (DP03)

Chart 18 - "Employed Dunellen Residents by Occupation Category" shows the number of employed Dunellen residents by "Occupation", which describes the nature of the jobs performed. The leading occupation was management, business, science and arts at 31.31% followed by sales and office occupations at 23.59%. The remaining three occupation groups are all clustered at around 15%.

Chart 18. Employed Dunellen Residents by Occupation Category

OCCUPATION CATEGORY	NUMBER	PERCENT
MANAGEMENT, BUSINESS, SCIENCE, ARTS	1,173	31.31%
SERVICE	553	14.76%
SALES AND OFFICE	884	23.59%
NATURAL RESOURCES, CONSTRUCTION, MAINTENANCE	540	14.41%
PRODUCTION, TRANSPORTATION, MATERIALS	597	15.93%
<b>TOTAL EMPLOYED WORKFORCE</b>	<b>3,747</b>	<b>100.00%</b>

Source: 2023 American Community Survey - 5 year estimate (DP03)

Chart 19 - "Labor Force and Unemployment Rates for Dunellen Borough 2015 - 2023". This chart provides estimates on number of employed persons, unemployed persons and the unemployment rate in Dunellen from 2015 through 2023 from the New Jersey Department of Labor and Workforce Development. The lowest unemployment rate occurred in 2019 when it was 3.1%. The highest rate of unemployment was in 2020 at 8.8% during the Covid pandemic. By 2023 the unemployment rate had recovered to 4.2%. Between 2015 and 2023 the workforce in Dunellen increased by slightly more than 300 people (7.3%).

Chart 19. Labor Force and Unemployment Rates Since 2015

YEAR	LABOR FORCE	EMPLOYED PERSONS	UNEMPLOYED PERSONS (#)	UNEMPLOYMENT RATE (%)
2015	4,533	4,302	231	5.1
2016	4,535	4,340	195	4.3
2017	4,686	4,493	193	4.1
2018	4,643	4,479	164	3.5
2019	4,697	4,550	147	3.1
2020	4,589	4,186	403	8.8
2021	4,626	4,346	280	6.1
2022	4,718	4,563	155	3.3
2023	4,815	4,615	200	4.2

Source: NJ Department of Labor and Workforce Development  
Annual Average Labor Estimates by Municipality

Chart 20 - "Mode of Commute for Employed Residents of Dunellen Borough, Middlesex County and New Jersey in 2023" shows the means of commuting to work for employed residents at the local, County, and State level in 2023. More Dunellen residents drove alone or carpooled to work (79.4%) than County (71.3%) or State (69.8%) residents. The percentage of Dunellen residents who took public transportation to work was similar to the County percentage but less than the State percentage. The percentage of Dunellen residents who worked from home (7.50%) was less than half of the percentage of County (16.10%) or State residents (16.70%).

Chart 20. Mode of Commute for Employed Residents of Dunellen Borough, Middlesex County, and New Jersey

MODE OF TRANSPORT	DUNELLEN	MIDDLESEX COUNTY	NEW JERSEY
DROVE ALONE	69.30%	63.10%	61.50%
CARPOOLED	10.10%	8.20%	8.30%
PUBLIC TRANSPORTATION	6.40%	6.30%	8.00%
WALKED	0.00%	2.80%	3.00%
OTHER MEANS	6.80%	3.40%	2.50%
WORKED FROM HOME	7.50%	16.10%	16.70%
MEAN COMMUTE TIME (MINUTES)	28	31.9	30.3

Source: 2023 American Community Survey - 5 year estimate (DP03)



Chart 21. Number of Employees in Dunellen Covered by Unemployment Insurance in 2023

EMPLOYMENT SECTOR	2023 AVERAGE NUMBER OF EMPLOYERS / FIRMS	2023 AVERAGE NUMBER OF EMPLOYEES	AVERAGE ANNUAL WAGES IN 2023
FEDERAL GOVERNMENT	1	19	\$79,868
LOCAL GOVERNMENT (INCLUDING EDUCATION)	3	277	\$66,165
LOCAL PUBLIC EDUCATION ONLY	1	193	\$71,197
CONSTRUCTION	16	92	\$52,090
MANUFACTURING	7	42	\$61,364
RETAIL TRADE	16	139	\$30,385
TRANSPORTATION/WAREHOUSING	18	31	\$34,855
FINANCE/INSURANCE	5	17	\$79,748
PROFESSIONAL / TECHNICAL	9	26	\$83,604
ADMINISTRATION / WASTE REMEDIATION	12	32	\$52,350
HEALTH / SOCIAL SERVICES	13	48	\$28,267
ACCOMMODATIONS / FOOD	19	159	\$24,657
OTHER	15	89	\$31,443
UNCLASSIFIED	12	19	\$27,813
<b>PRIVATE SECTOR TOTAL</b>	<b>158</b>	<b>777</b>	<b>\$40,902</b>
<b>ALL TOTALS</b>	<b>162</b>	<b>1,073</b>	<b>\$48,113</b>

Source: NJ LWD 2023 Covered Employment - Annual Municipal Data By Sector

Employees who work in Dunellen that were covered by Unemployment Insurance are reflected in Chart 21 – “Number of Employees in Dunellen Borough Covered by Unemployment Insurance in 2023 “. Employees covered by unemployment insurance represent approximately 95% of all workers in the state of New Jersey. This chart indicates that there were 777 private sector employees employed by 158 firms and another 296 employees employed by federal and local government and 193 employed in local education. The highest annual wage was enjoyed by those employed in the private Professional/Technical sector ( \$83,604) followed by the Federal Government sector (\$79,863) and local government education (\$71,197). The lowest average annual wage was in the Accommodations/Food sector (\$24,657). The average annual wage for all employees in Dunellen in 2023 was \$48,113.

## HOUSING, EMPLOYMENT, AND POPULATION PROJECTIONS

The North Jersey Transportation Planning Authority (NJTPA) publishes demographic forecasts for future population, households, and employment levels in north Jersey municipalities. In 2021 NJTPA published the forecasts shown in **Chart 22 – “Projection of Population, Households, Employment from 2015 – 2050”**. The NJTPA's projections for Dunellen Borough's population and employment in 2023 was fairly accurate with actual population and employment exceeding NJTPA's projections by roughly 2% and 5%, respectively. NJTPA projects a 2050 population for Dunellen of 8,547 (annualized rate of change of 0.4%), 3,038 households, and 1,256 jobs. In 2035, the year the Fourth Affordable Housing Round ends, NJTPA projects a population of 8,131 in Dunellen across 2,254 households.

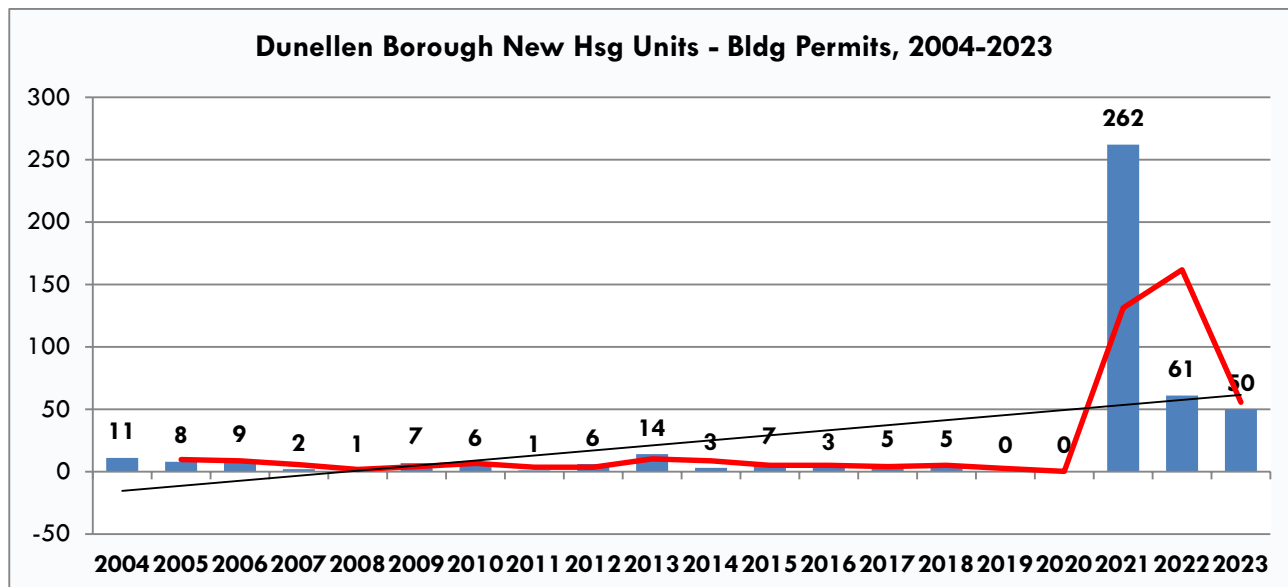
Chart 22. Projection of Population, Households, Employment from 2015-2050

DEMO YEAR	DUNELLEN BOROUGH					
	2015 ACTUAL	2023 PROJECTED	2023 ACTUAL	2035 PROJECTED*	2050 PROJECTED	ANNUALIZED RATE OF CHANGE
POPULATION	7,323	7,586	7,711	8,131	8,547	0.4%
HOUSEHOLDS	2,579	2,684	2,123	2,254	3,038	0.50%
EMPLOYMENT	961	1,022	1,073	1,176	1,256	0.77%

Source: NJTPA Municipal Demographics Forecast, 2021

\*Based on 2023 actual data

The HEFSP is required to include a projection of the number of housing units to be constructed in a municipality during the Fourth Round based on known factors including historic development patterns and pending development applications. According to the NJ DCA's Development Trend Viewer tool, which provides data on building and demolition permits through 2023, the Borough issued building permits for 396 units between 2013 and 2023, for an average of 39.6 units a year. The trend-line in the chart below shows that building permit issuance peaked in 2021 with an estimate of 262 permits and has mellowed out since. The same data source suggests that only 14 housing units were demolished during the same 10-year period, for a net total of 382 new units permitted.



## CONSIDERATION OF LANDS

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The Fair Housing Act requires the HEFSP to include “A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing”.

In identifying lands appropriate for construction of low- and moderate-income housing to address its Fourth Round Obligation, the Borough considered lands proposed for inclusionary development by their owners or interested developers, as well as the capacity of its Downtown Redevelopment Area, which was used to address its Third Round unmet need, to continue to produce affordable housing over the next decade.

With regards to lands proposed for inclusionary development, the Borough worked with an interested developer to designate the property at 130 South 2nd Street to redevelop an abandoned industrial complex with an inclusionary residential project. No other realistic opportunities for inclusionary development emerged outside of the Downtown Redevelopment Area for consideration in the Borough’s Fourth Round Housing Plan.

# FAIR SHARE PLAN

Dunellen's Fourth Round Housing Element and Fair Share Plan lays out the Borough's plan to satisfy its 23-unit Prospective Need (new construction obligation) for the years 2025 to 2035.

## VACANT LAND ADJUSTMENT

As a largely built-out municipality, the Borough is eligible to seek an adjustment to its Prospective Need based upon an analysis of available vacant land, commonly referred to as a "vacant land adjustment". The rules for conducting an analysis of vacant land to request a vacant land adjustment are located at N.J.S.A. 52:27D-310.1.

The analysis begins with an identification of vacant public and private land, based upon the criteria identified in the rules. Properties or portions thereof may then be shown to be unavailable or undevelopable based on the presence of deed restrictions, designation of land for open space purposes, the presence of environmental constraints, and other conditions. The analysis is a theoretical exercise; none of the lands identified as vacant are required to provide for affordable housing, as long as a suitable mechanism to create the affordable housing units is provided for.

At the conclusion of the Vacant Land Analysis, the municipality calculates what is called a "Realistic Development Potential" (RDP) by applying an appropriate density to the available vacant lands to calculate the total number of units that can be created, and assuming that 20% of those units could be affordable based on standard set-asides. In the case of Dunellen, the analysis identified just one property that generated an **RDP of six (6) units**, from the 130 South 2nd Street Redevelopment Site.

P.L. 2024, c.2 added a new requirement to N.J.S.A. 52:27D-310.1, requiring towns that request a vacant land adjustment to "identify sufficient parcels likely to redevelop during the current round of obligations to address at least 25 percent of the prospective need obligation that has been adjusted and adopt realistic zoning that allows for such adjusted obligation, or demonstrate why the municipality is unable to do so".

This language has been subject to a variety of interpretations, particularly as to what the "prospective need obligation that has been

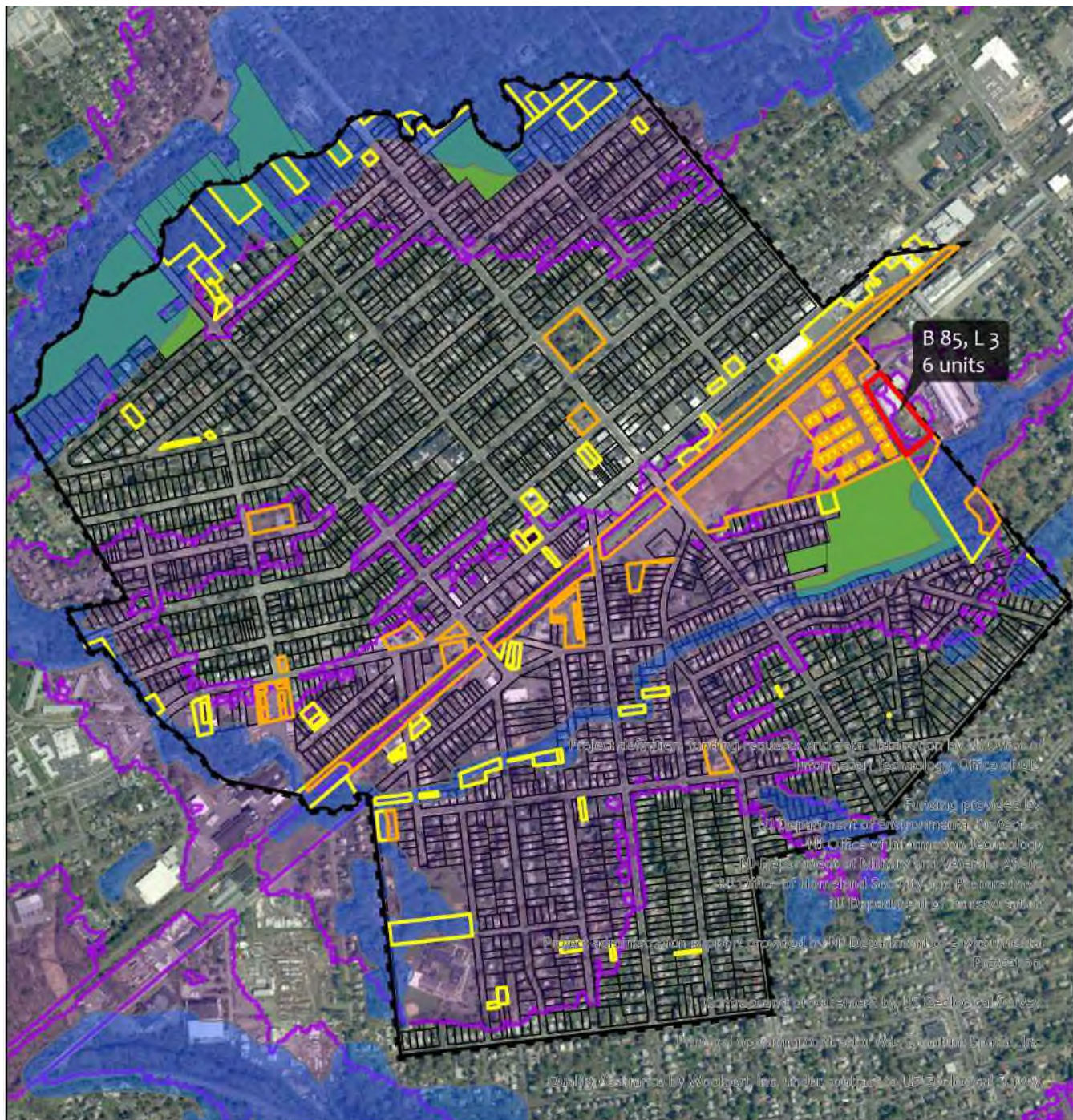
### Figure 9. Vacant Land Adjustment

Vacant land is previously defined in the rules of the now defunct Council on Affordable housing as "undeveloped and unused land area" which has clear title and is free of encumbrances which preclude development for low- and moderate-income housing.

The following categories of land can be excluded from the inventory of vacant land (N.J.S.A. 52:27D-310.1):

- Local government owned land restricted by resolution prior to 1/1/1997 for public purposes other than housing;
- Land listed in the municipal master plan as being dedicated, by easement or otherwise, for purposes of conservation, park lands or open space and which is owned, leased, licensed, or in any manner operated by a county, municipality or tax-exempt, nonprofit organization including a local board of education, or by more than one municipality by joint agreement;
- Any vacant contiguous parcels of land in private ownership of a size which would accommodate fewer than five housing units based on appropriate housing densities;
- Sites listed on the State Register of Historic Places or National Register of Historic Places prior to the date of filing a housing element and fair share plan;
- Preserved agricultural lands;
- Sites designated for active recreation that are designated for recreational purposes in the municipal master plan; and
- Environmentally sensitive lands where development is prohibited by any State or federal agency, including, but not limited to, the Highlands Water Protection and Planning Council, established pursuant to section 4 of P.L.2004, c.120 (C.13:20-4), for lands in the Highlands Preservation Area, and lands in the Highlands Planning Area for Highlands-conforming municipalities.





## DUNELLEN FOURTH ROUND VACANT LAND ANALYSIS

### Vacant Land Analysis

- RDP Eligible
- Analyzed - Not RDP Eligible
- Environmentally Constrained, Undersized

- Water/Wetland Buffer Areas
- State Open Space Mapping
- NJ Inland Design Flood Elevation (FEMA 1% Chance Annual Flood Plus 3 Feet) (Mapped by Rutgers)
- Dunellen 2024 Parcels



Map 3. Vacant land analysis map



adjusted” or the “adjusted obligation” refers to. Out of an abundance of caution, this plan has been prepared to comply with the interpretation of the statute which would account for the production of the largest number of units over the next 10 years. This interpretation, touted by Fair Share Housing Center, states that a municipality must adopt a plan that satisfies, at a minimum, the RDP plus 25% of the Unmet Need<sup>1</sup> by adopting zoning on lands that have a realistic probability of being redeveloped. Dunellen’s analysis of its vacant land resulted in an RDP of 6 units (See Appendix 4), making its Unmet Need 17 units (23-6=17). A quarter of 17 is 5, rounded up to the nearest whole number. **This Plan provides for realistic opportunities for the production of more than the 11 units required by this interpretation.**

### **PRIOR ROUND PLANS & MECHANISMS**

The Borough has satisfied its Third Round RDP of 22 units and unmet need of 96 units through the redevelopment of the Art Color Factory site and the enforcement of its affordable housing set-aside requirements in the Downtown Redevelopment Area.

The Nell is substantially complete with 58 affordable units. An additional 11 affordable units have been built and 32 more units have been approved in the Downtown, for a total of 101 affordable units created through the Borough’s Third Round compliance mechanisms.

The Borough recently became aware that the mixed-use development at 364-368 North Avenue, which was required as part of the Third Round Settlement Agreement and Third Round Plan, may not have provided the two (2) affordable units that were proposed against the Borough’s Third Round unmet need. The Borough will use the tools and resources available to it to attempt to cause the two (2) affordable units to be created at the original site or at another development controlled or proposed by the developer of 364-268 North Avenue.

### **FOURTH ROUND**

The Borough will satisfy its six (6) unit RDP with the redevelopment of 130 South 2nd Street and the presumed 5-unit minimum Unmet Need through continued enforcement of its highly successful Downtown Redevelopment Plan.

### **130 SOUTH 2ND STREET -BLOCK 85, LOT 3 (APPENDIX 6)**

The South 2nd Street site, Block 85, Lot 3, an abandoned industrial property at the border with Piscataway, was declared to be an area in need of redevelopment in 2023. The Borough authorized the preparation of a Redevelopment Plan for the site, which is attached in draft form to the appendices of this Plan. The Redevelopment Plan as written would permit an inclusionary development consisting of up to 35 stacked townhome units including 6 affordable units on the two acre site.

**The six (6) affordable units on the site will be eligible for one (1) bonus credit, resulting in a total of seven (7) credits against the six (6) unit RDP, for a surplus of one (1) credit.**

The rules of the Council on Affordable Housing (COAH) at N.J.A.C. 5:97-5.3(b) required fair share plans to demonstrate that sites intended for inclusionary development are “available, suitable, developable and approvable, as defined in N.J.A.C. 5:93-1”. Operating on the presumption that those rules continue to be valid, the “suitability analysis”, as it has historically been referred, is below:

- *“Available site” means a site with clear title, free of encumbrances which preclude development for low- and moderate-income housing.*

The Borough is not aware of any deed restrictions or other legal encumbrances that would preclude redevelopment of the site for affordable housing.

<sup>1</sup> Unmet Need= Prospective Need minus RDP

- *“Suitable site” means a site that is adjacent to compatible land uses, has access to appropriate streets and is consistent with the environmental policies delineated in N.J.A.C. 5:93-4.*

The site is contiguous to the “The Nell” mixed-use development, to the west, and will be part of a larger inclusionary redevelopment extending into Piscataway, to the east. It is in close proximity to the Borough’s downtown and to amenities such as the library and open space areas.

- *“Developable site” means a site that has access to appropriate water and sewer infrastructure, and is consistent with the applicable areawide water quality management plan (including the wastewater management plan) or is included in an amendment to the areawide water quality management plan submitted to and under review by DEP.*

The site is served by public water and sewer and is consistent with the areawide water quality management plan.

- *“Approvable site” means a site that may be developed for low and moderate income housing in a manner consistent with the rules or regulations of all agencies with jurisdiction over the site. A site may be approvable although not currently zoned for low and moderate income housing.*

The site is developable consistent with the Residential Site Improvement Standards, N.J.A.C. 5:21.

## DOWNTOWN REDEVELOPMENT PLAN (APPENDIX 7)

Dunellen’s Downtown Redevelopment Area, amended in 2016 in accordance with the Third Round Settlement Agreement with Fair Share Housing Center, has been an engine of growth for the Borough. As previously stated, there have been more than 100 affordable units created in the Downtown. In the Borough’s 2023 Climate Resilience Plan, which included a build-out analysis based on current zoning, it was projected that at full build-out the Borough’s Downtown (with the exception of Redevelopment sites 1, 2, and 3, which include The Nell and the properties immediately surrounding the NJ Transit train station) and “B” business zones could theoretically be built out with over 1,700 units if every property was redeveloped with mixed-use with certain assumptions about bulk and parking layout. If this were the case, a 15% set-aside across the board would result in 255 affordable units. Redevelopment Site 1, consisting of the properties on the north side of the train station, had a projected build-out of 67 units, which could theoretically provide for an additional 11 affordable units. Based on this information, the Borough does not believe any changes are needed to the Downtown Redevelopment Plan to provide for the minimum 5-unit unmet need.

## REHABILITATION (APPENDIX 11)

The ORDER FIXING MUNICIPAL OBLIGATIONS FOR “PRESENT NEED” AND “PROSPECTIVE NEED” FOR THE FORTH ROUND HOUSING CYCLE BY The Hon. Thomas Daniel McCloskey, J.S.C. filed March 24, 2025 established the “present need” obligation of Dunellen Borough as 79 affordable units. However, the Borough’s Construction Official conducted a Structural Conditions Survey in April 2025 which identified 27 single-family dwellings that were in need of rehabilitation.

COAH’s rules for conducting this survey allow the municipality to multiply the number identified (27 units, in this case) by a “deterioration ratio”, which is meant to reflect the percentage of deficient units that are likely to be occupied by low- and moderate-income households. In previous affordable housing rounds, COAH published deficiency ratios at the region or county level. In this Round, the percentages of low- and moderate-income households in deficient housing were calculated at the municipal level. According to the Present Need calculation sheet provided by NJ DCA, 75.9% of overcrowded housing in Dunellen is estimated to be occupied by low- and moderate-income households. If this is the appropriate deterioration ratio to apply, **the Borough must provide funding to rehabilitate 21 units.**

N.J.A.C.5:93-1.3 defines a dwelling needing rehabilitation as "... a housing unit with health and safety code violations that require the repair or replacement of a major system." Major systems include foundations, exterior cladding, roofing, plumbing, heating, windows and doors and lead abatement.

The Borough of Dunellen will satisfy it's rehabilitation obligation of 21 units through it's continued participation in the Middlesex County Housing First program. The Housing First program is Middlesex County's program for the rehabilitation of low and moderate income housing. The Housing First program is funded by the County Board of Commissioners. The Borough will also commit to funding a local rehabilitation program through current and future affordable housing trust fund revenues, and will tap other funding sources as needed where the trust fund falls short.

## OTHER HEFSP REQUIREMENTS

### ADMINISTRATION AND MARKETING OF AFFORDABLE HOUSING

Dunellen's current and future affordable housing inventory and programs are and will be administered by CGP&H. The Borough's affordable housing and development fee ordinances were amended during the Third Round to reflect the terms and conditions of the Settlement Agreement with Fair Share Housing Center and the regulations in effect at the time. The Borough will amend those ordinances as may be needed at such time that the New Jersey Department of Community Affairs and the Housing and Mortgage Finance Agency adopt their proposed new and updated rules at N.J.A.C. 5:99 and N.J.A.C. 5:80-26.1 et seq., which pertain to the administration of affordable housing and expenditure of affordable housing trust funds. Similarly, the Borough's administrative agents may amend their manuals and materials as needed to reflect those and any other new and updated rules.

### COST GENERATION

The Fair Housing Act requires the Fair Share Plan to detail efforts by the municipality to eliminate features of municipal land use ordinances and regulations that generate unnecessary or prohibitive costs on builders of inclusionary or affordable housing. The Borough has or will facilitate the creation of the affordable housing units identified in this Plan by adopting redevelopment plans (for eligible sites) which reasonably accommodate the developments conceptually agreed upon between the parties.

### MULTIGENERATIONAL FAMILY HOUSING CONSISTENCY

The Multigenerational Family Housing Continuity Commission was established by the State of New Jersey in 2021. As noted in N.J.S.A. 52:27D-329.20, one of the primary duties of the Commission is to "prepare and adopt recommendations on how State government, local government, community organizations, private entities, and community members may most effectively advance the goal of enabling senior citizens to reside at the homes of their extended families, thereby preserving and enhancing multigenerational family continuity, through the modification of State and local laws and policies in the areas of housing, land use planning, parking and streetscape planning, and other relevant areas." As of the date of this HEFSP, the Multigenerational Family Housing Continuity Commission has not yet adopted any recommendations to .

### STATE DEVELOPMENT & REDEVELOPMENT PLAN CONSISTENCY

The sites included and proposed to satisfy the Fourth Round Prospective Need are located in Planning Area 1 - Metropolitan Planning Area, which is the priority area for the creation of inclusionary housing through redevelopment. The sites are in proximity to public transit, supporting multi-modal transportation, and all of the sites are located outside of environmentally constrained or sensitive areas, or will be designed in accordance with NJ DEP regulations to mitigate environmental concerns. All of the sites are in approved sewer service areas.



## CONCLUSION

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This 2025 Fourth Round Housing Element and Fair Share Plan prepared for and adopted by the Borough of Dunellen, Middlesex County, New Jersey, complies with P.L. 2024, c.2, the Fair Housing Act of New Jersey, and all applicable regulations. It also maintains consistency and compliance with the Settlement Agreement entered into between the Borough and Fair Share Housing Center on May 16, 2016.

The Plan provides a realistic opportunity for the creation of affordable housing in Dunellen through 2035 and beyond, through redevelopment planning and cooperation with developers interested in providing their fair share of affordable housing. The Plan addresses the 6-unit Realistic Development Potential claimed through a vacant land adjustment, and also exceeds any and all interpretations of the vacant land adjustment rules at P.L. 2024, c.2 with regards to an “unmet need” for the Fourth Round.

The Appendices to this HEFSP include other required components of the Plan including the Spending Plan, adopting and endorsing resolutions, documentation of the creditworthiness of the affordable housing mechanisms, and documentation concerning the affirmative marketing and administration of the Borough’s affordable housing program.



# **BOROUGH OF DUNELLEN FOURTH ROUND HOUSING ELEMENT AND FAIR SHARE PLAN**

## **APPENDIX**

# **APPENDIX**

# **1**

# **SPENDING PLAN**

# APPENDIX

## 2

### RESOLUTION OF INTENT TO FUND



# **APPENDIX**

## **3**

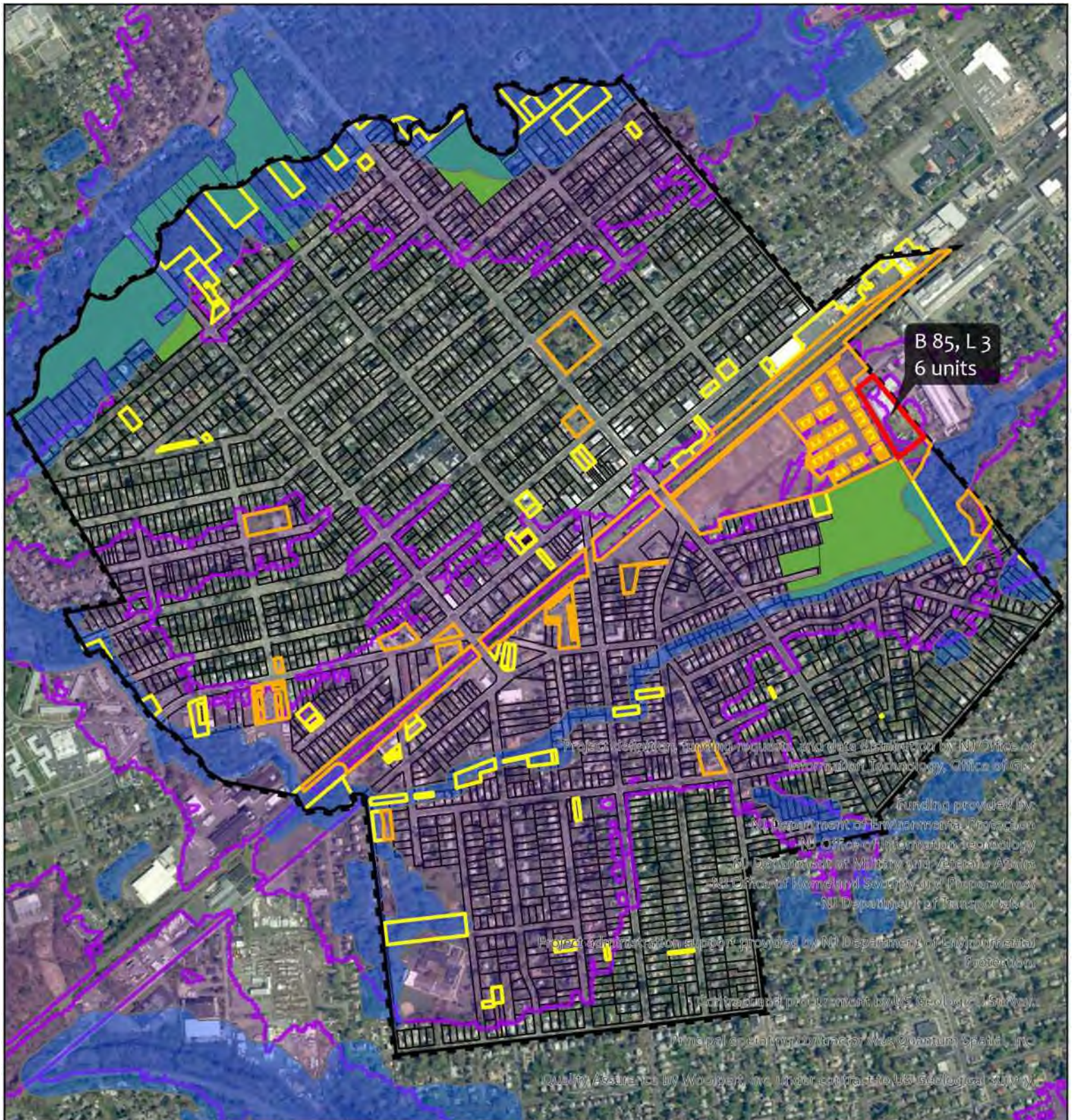
### **RESOLUTIONS OF ADOPTION & ENDORSEMENT**

# APPENDIX

## 4

### VACANT LAND ANALYSIS





## DUNELLEN FOURTH ROUND VACANT LAND ANALYSIS

### Vacant Land Analysis

- RDP Eligible
- Analyzed - Not RDP Eligible
- Environmentally Constrained, Undersized

- Water/Wetland Buffer Areas
- State Open Space Mapping
- NJ Inland Design Flood Elevation (FEMA 1% Chance Annual Flood Plus 3 Feet)(Mapped by Rutgers)
- Dunellen 2024 Parcels



**DMR**  
ARCHITECTS



Address	Block	Lot	Gross Acres	Net Acres	Density* (Unit/Acre)	Total Units	Set-Aside	Notes	RDP
130 SO SECOND ST	85	3	2.30	2.30	10	22	5	Vacant industrial building	6
100 SOUTH WASHINGTON AVE	85	1.02	6.99	6.99	10	69	14	- so 2nd ave Red. Area	0
150 NORTH AVE	1	14	0.23	0.23	10	2	0	Developed - The Nell	0
NORTH AVE	51	4	2.27	2.27	10	22	5	Approved Third Round	0
NORTH AVE	51	5	4.80	4.80	10	47	10	Unmet Need	0
	2	19	0.14	0.14	10	1	0	Redevelopment Project	0
111 THIRD STREET	9	1.02	0.12	0.12	10	1	0	NJT Rail R.O.W.	0
300 N WASHINGTON AVE.	27	1	2.09	2.09	10	20	4	NJT Rail R.O.W.	0
205 NO WASHINGTON AVE	30	26	0.52	0.52	10	5	1	Developed - Assessed on	0
	32	4	0.14	0.14	10	1	0	different lot number	0
	32	5	0.17	0.17	10	1	0	Developed - Assessed on	0
	66	12	0.10	0.10	10	1	0	different lot number	0
	32	14	0.23	0.23	10	2	0	Developed - Assessed on	0
	32	14.01	0.11	0.11	10	1	0	different lot number	0
400 NORTH AVENUE	33	23	0.23	0.23	10	2	0		0
649 GROVE ST	67	4	0.14	0.14	10	1	0	Parking	0
191 SO. MADISON AVE.	67	7	0.02	0.02	10	0	0	Parking	0
201 GROVE ST	67	3	0.16	0.16	10	1	0	Parking	0
NORTH AVE	51	2	2.45	2.45	10	24	5	NJT Rail R.O.W.	0
171 SO. MADISON AVE.	67	6	0.11	0.11	10	1	0		0
COLUMBIA ST	83	16	0.36	0.36	10	3	0		0
100 SOUTH WASHINGTON AVE	85	1.01	10.20	10.20	10	102	21	Developed - The Nell	0
NORTH AVE	51	6	0.67	0.67	10	6	2	NJT Rail R.O.W.	0
NORTH AVE	51	3	1.87	1.87	10	18	4	NJT Rail R.O.W.	0
	86	4.03	0.24	0.24	10	2	0	Parking	0
118 NEW MARKET RD.	70	12	0.47	0.47	10	4	0		0
813 NO. WASHINGTON AVE.	17	1.02	0.13	0.13	10	1	0		0
452-456 MOUNTAIN VIEW TER	18	8.02	0.89	0.43	10	4	0	Common land for 2-fam	0
THIRD ST	39	12	0.04	0.04	10	0	0		0
SANFORD AVE	37	12	0.98	0.98	10	9	2	Park	0
MOUNTAINVIEW TERR	40	10	0.26	0.26	10	2	0		0
THIRD ST	39	11	0.13	0.13	10	1	0		0
UNKNOWN LOCATIONS	78	32.03	0.00	0.00	10	0	0		0
308 OAK PARKWAY	74	18	0.02	0.02	10	0	0		0
264 NEW MARKET ROAD	73	4	0.62	0.62	10	6	2	Former church, flood hazard encumbered	0
384A WHITTIER AVE.	61	22.01	0.05	0.05	10	0	0		0
226 WHITTIER AVE	63	7	0.20	0.14	10	1	0		0
623 WALNUT ST	60	51	0.12	0.12	10	1	0		0
391-395 FAIRVIEW AVE.REAR	60	33	0.07	0.07	10	0	0		0
390 FAIRVIEW AVENUE	57.01	2.02	0.20	0.20	10	1	0	Developed - Assessed on different lot	0



236 SO. MADISON AVE	54	18.02	0.57	0.11	10	1	0		0
495 BOUND BROOK RD	50	1	0.10	0.10	20	1	0		0
BOUND BROOK RD	50	2	0.46	0.46	20	9	2	Parking lot for active uses	0
501-513 NORTH AVE	65	1	0.22	0.22	20	4	0		0
656 BOUND BROOK RD	34	22	0.11	0.11	15	1	0		0
NORTH AVENUE	51	1.01	4.33	3.42	10	34	7	NJT Rail R.O.W.	0
129 PULASKI STREET	53	13	0.11	0.11	10	1	0		0
131 PULASKI ST	53	12	0.20	0.20	10	1	0		0
140 PULASKI ST	52	4.01	0.06	0.06	10	0	0	Gravel parking and storage area	0
142 PULASKI ST	52	4	0.04	0.04	10	0	0	Gravel parking and storage area	0
144 PULASKI ST	52	3	0.03	0.03	10	0	0	Gravel parking and storage area	0
146 PULASKI ST	52	2	0.03	0.03	10	0	0	Gravel parking and storage area	0
648-654 NORTH AVE	49	18.03	0.30	0.30	10	3	0	Common condo parking and lawn area	0
675 BOUND BROOK RD	49	36.0	1.03	1.03	10	10	2	Common condo parking and lawn area	0
HIGH & HALL ST	55	11	1.92	0.25	10	2	0		0
213-223 HALL ST	55	5	0.58	0.27	10	2	0		0
CENTER STREET	57.02	27.03	0.16	0.16	10	1	0		0
421 HIGH ST.	57.02	26.0	0.07	0.07	10	0	0		0
768 BOUND BROOK RD	48	16	0.24	0.07	10	0	0		0
741 BOUND BROOK ROAD	49	42.0	0.46	0.32	10	3	0	Common condo parking and lawn area	0
PEARL PL	83	18	5.15	0.81	10	8	2	Vacant land, floodplain constrained	0
PEARL PL	83	18	5.15	0.71	10	7	2	Open Space	0

\*Densities are hypothetical for the purposes of the analysis. Third Round Vacant Land Analysis used 10 units per acre.

# APPENDIX

## 5

# RESOLUTION DECLARING AFFORDABLE HOUSING OBLIGATIONS

**01-21-2025: # 53**

**RESOLUTION OF THE BOROUGH OF DUNELLEN  
ESTABLISHING THE BOROUGH'S FOURTH ROUND PRESENT AND  
PROSPECTIVE AFFORDABLE HOUSING OBLIGATIONS**

**WHEREAS**, the New Jersey Supreme Court declared that the discriminatory use of zoning powers was illegal and provided, as a matter of constitutional law, that each developing municipality "must, by its land use regulations, make realistically possible the opportunity for an appropriate variety and choice of housing for all categories of people who may desire to live there, of course including those of low and moderate income," In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 6 (2015) ("Mount Laurel IV"), citing S. Burlington County. NAACP v. Township of Mount Laurel ("Mount Laurel I"), 67 N.J. 151, 179, 187, appeal dismissed and cert. denied, 423 U.S. 808, 96 S. Ct. 18, 46 L. Ed. 2d 28 (1975), and that this constitutional obligation requires that towns must provide "a realistic opportunity for the construction of [their] fair share of the present and prospective regional need for low and moderate income housing," Id., citing S. Burlington County NAACP v. Township of Mount Laurel ("Mount Laurel II"), 92 N.J. 158, 205 (1983), (together with Mount Laurel I, the "Mount Laurel Doctrine"); and

**WHEREAS**, pursuant to Mount Laurel IV, the Borough of Dunellen (the "Borough") filed a declaratory judgment action on July 7, 2015, entitled "In the Matter of the Application of the Borough of Dunellen" Docket No. MID-L-3947-15, seeking a judicial declaration that its Housing Element and Fair Share Plan ("3rd Round HEFSP") satisfied the "fair share" of the regional need for very low - low- and moderate-income housing, pursuant to the Mount Laurel Doctrine; and

**WHEREAS**, that culminated in a settlement agreement with Fair Share Housing Center ("FSHC") on March 18, 2016; and

**WHEREAS**, on December 16, 2016, the Court entered a Final Judgment of Compliance and Repose, granting the Borough immunity from Builder's Remedy lawsuits until July 1, 2025; and

**WHEREAS**, on March 20, 2024, Governor Murphy signed P.L.2024, c.2. (hereinafter "A4") into law, amending the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 to -329 (the "Act") and establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the Mount Laurel doctrine for the years 2025 – 2035 (the "Fourth Round"); and

**WHEREAS**, A4 required the New Jersey Department of Community Affairs (the "DCA") to produce non-binding estimates of need for present and prospective need for low- and moderate- income housing in each municipality for the Fourth Round on or before October 20, 2024; and

**WHEREAS**, on October 18, 2024, in furtherance of such requirement, the DCA issued a report entitled “Affordable Housing Obligations for 2025-2035 (Fourth Round) Methodology and Background” (the “**DCA Report**”) which report established the final calculation and obligations for each municipality in New Jersey, including the Borough; and

**WHEREAS**, the DCA Report calculated the Borough’s Fourth Round obligation as follows: a Present Need or Rehabilitation Obligation of 79 and a Prospective Need or New Construction Obligation of 23; and

**WHEREAS**, Section 3 of A4 provides “the municipality’s determination of its fair share obligation shall have a presumption of validity, if established in accordance with sections 6 and 7” of A4; and

**WHEREAS**, the Borough’s professionals, including legal counsel and affordable housing consultants, utilized the formulas established in sections 6 and 7 of A4 and have determined to accept the DCA estimate of need as described in the DCA Report; and

**WHEREAS**, A4 provides that a municipality shall adopt a binding resolution determining the present and prospective fair share obligation no later than January 31, 2025; and

**WHEREAS**, the Borough’s calculation of need is entitled to a “presumption of validity” as it complies with Sections 6 and 7 of A4; and

**WHEREAS**, the Borough specifically reserves the right to adjust the Fourth Round Obligation calculated by DCA based the following adjustments or others identified during the process of promulgating a Fourth Round Housing Element and Fair Share Plan (“**4th Round HEFSP**”): 1) a “windshield survey” or similar survey which accounts for a lower estimate of present need; 2) a Vacant Land Adjustment predicated upon a lack of vacant, developable and suitable land; 3) a Durational Adjustment (whether predicated upon lack of sewer or lack of water or both); 4) an adjustment to the Land Capacity Factor; and/or 5) an adjustment predicated upon regional planning entity formulas, inputs, or considerations, including, but not limited to the County and State Regional Master Plan; and

**WHEREAS**, in addition to the foregoing, the Borough specifically reserves all rights and positions, without prejudice, to revoke this resolution and commitment in the event of a successful challenge to A4 in the context of Borough of Montvale, et al. v. State of New Jersey, Docket No. MER-L-1778-24 or any other such action challenging A4 or calculations of Fourth Round Present or Prospective Obligations, or any legislation adopted and signed into law by the Governor of New Jersey altering the deadlines and/or requirements of A4; and

**WHEREAS**, in addition to the foregoing, nothing in A4 requires or can require an increase in the Borough’s Fourth Round Present or Prospective Need Obligations based on a



successful downward challenge of any other municipality in the region since the plain language and clear intent of A4 is to establish, for example, unchallenged numbers by default on March 1, 2025; and

**WHEREAS**, pursuant to the Administrative Directive #14-24, dated December 13, 2024 (the “Directive”), implementing the Affordable Housing Dispute Resolution Program (the “Program”), a municipality seeking certification with the Act, shall file an action in the form of a declaratory judgment complaint in the county in which the municipality is located; and

**WHEREAS**, the Borough authorizes the filing of a declaratory judgment action pursuant to the Directive within forty-eight hours after the adoption of this resolution to seek compliance with the Act; and

**WHEREAS**, the Borough further authorizes its professionals to prepare the 4th Round HEFSP and present the same for adoption prior to June 30, 2025; and

**WHEREAS**, in light of the above, the Borough finds it is in the best interest of the Borough to declare its Fourth Round Present and Prospective Need Obligations, authorize the filing of a declaratory judgment action pursuant to the Directive, and direct its professionals to prepare a 4th Round HEFSP, all in accordance with A4.

**NOW THEREFORE BE IT RESOLVED** by the Borough Council of the Borough of Dunellen, in the County of Middlesex, New Jersey, as follows:

**Section 1.** The foregoing recitals are hereby incorporated by reference as if fully set forth herein.

**Section 2.** The Borough’s Fourth Round obligation is adopted as follows: a Present Need or Rehabilitation Obligation of 79 and a Prospective Need or New Construction Obligation of 23, as described above, and subject to all reservations of rights, including but not limited to:

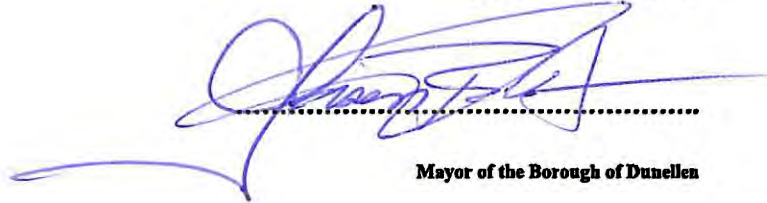
- A. The right to adjust the number based on one or any of the following: a windshield survey, vacant land assessment, durational adjustments, variations in the Land Capacity Factor, and/or regional planning inputs; and
- B. The right to revoke this resolution in the event of a successful legal challenge to A4 or the Act, any legislative changes to A4 and signed into law by the Governor, or to the calculations of Fourth Round Present or Prospective Obligations.

**Section 3.** The Borough authorizes its professionals to file a declaratory judgment action within forty-eight hours after the adoption of this resolution in order to comply with the Directive.

**Section 4.** The Borough further authorizes its professionals to prepare the 4th Round HEFSP and present the same for adoption prior to June 30, 2025.

**Section 5.** This resolution shall take effect immediately.

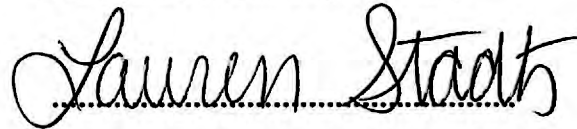
**Approved January 21, 2025**



.....

**Mayor of the Borough of Dunellen**

**I certify the foregoing to be a true and correct abstract of a resolution regularly passed at a meeting of the Council of the Borough of Dunellen, held on January 21, 2025 and in that respect a true and correct copy of its minutes.**



.....

**Municipal Clerk of the Borough of Dunellen**

# APPENDIX

## 6

# 130 SOUTH 2ND AVENUE DRAFT REDEVELOPMENT PLAN



# South Second Street Redevelopment Plan

Block 85: Lot 3

**BOROUGH OF DUNELLEN,  
MIDDLESEX COUNTY, NEW JERSEY**

**June 2025**

DRAFT  
PENDING ADOPTION

**Prepared By:**  
DMR Architects  
777 Terrace Avenue  
Hasbrouck Heights, NJ 07604



DRAFT  
PENDING ADOPTION

**ACKNOWLEDGEMENTS****Mayor and Council**

Mayor Jason F. Clinto  
Council President Cole Sigmon  
Councilwoman Teresa Albertson  
Councilwoman Crisol-Iris Lantz  
Councilman William Scott  
Councilwoman Trina Rios  
Councilman Hal VanDermark

**Borough Administration**

Administrator - William Robins, RMC  
CFO - Scott Olsen  
Clerk - Lauren Staats  
Construction Official - Michael Rossi  
Zoning Officer - Michael Mullin

**Planning Board**

Roger Dornbierer - Chairman  
Adam Gordon -Vice Chair  
Mayor Jason Clinto  
Erik Walker - Member  
Thomas D'Amico - Member  
Theresa Ratner - Member  
Barbara Seif - Member  
Christopher Brillante - Alt Member  
Robert Krause - Alt Member  
William Scott-Council Member  
Derryck White-Secretary

**Planning Board Secretary**

Cherron Rountree

**Planning Board Staff**

Lou Ploskonka PE, CME Associates  
Daniel Hauben, AICP PP, DMR Architects

DRAFT  
PENDING ADOPTION

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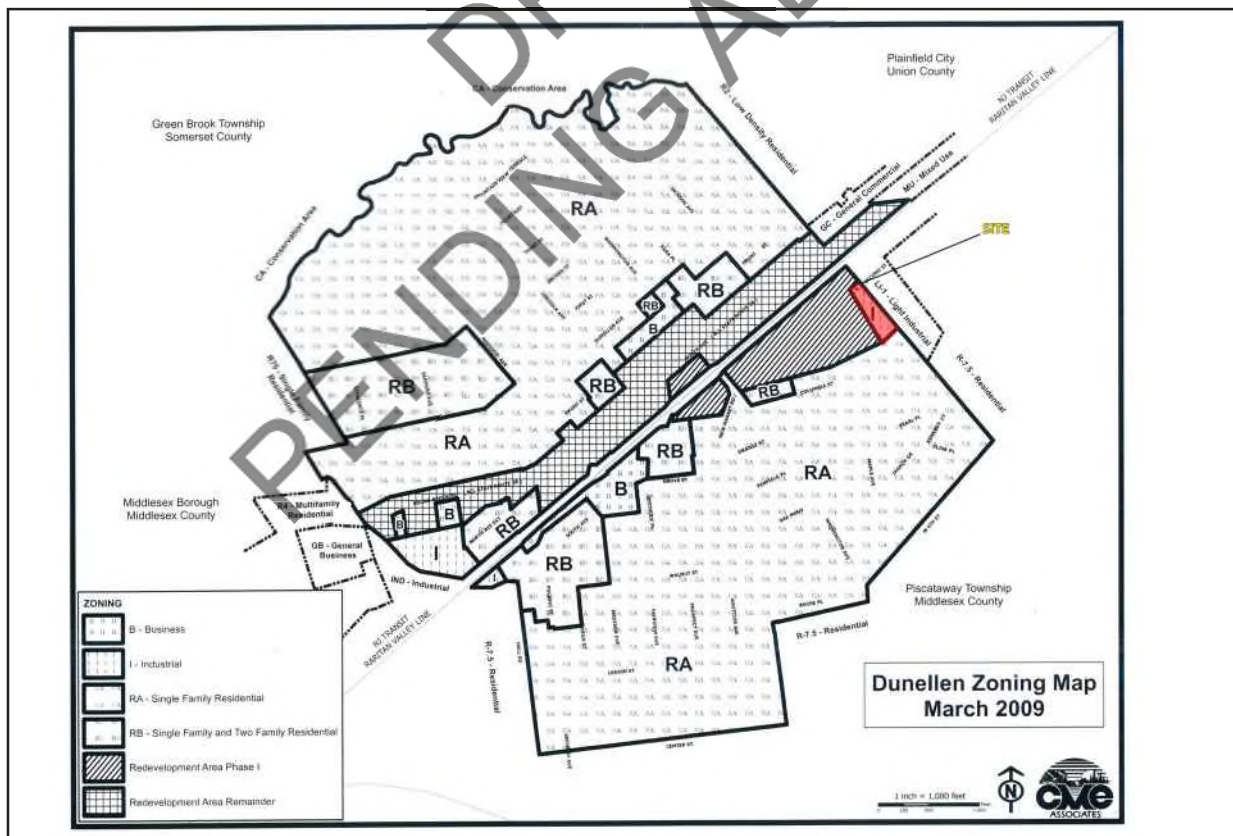


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PENDING ADOPTION

## BACKGROUND INFORMATION

### Borough of Dunellen:

The Borough of Dunellen is a primarily residential community at the northern edge of Middlesex County N.J. approximately 30 miles southwest of New York City. It lies astride N.J State Highway Route 28 and the Raritan Valley rail line of New Jersey Transit. The Dunellen Station on the Raritan Valley Line provides commuter rail service to Newark ,N.J. and from there to New York. It is bordered on the south by Piscataway Township in Middlesex County, on the north by Green Brook Township in Somerset County , on the east by the City of Plainfield in Union County and on the west by Middlesex Borough in Middlesex County. Dunellen is a small borough containing only 1.06 square miles. The 2020 population according to the U.S. Census was 7,637. The Borough enjoys the nickname of “ The Miracle Mile “ owing to its thriving downtown.

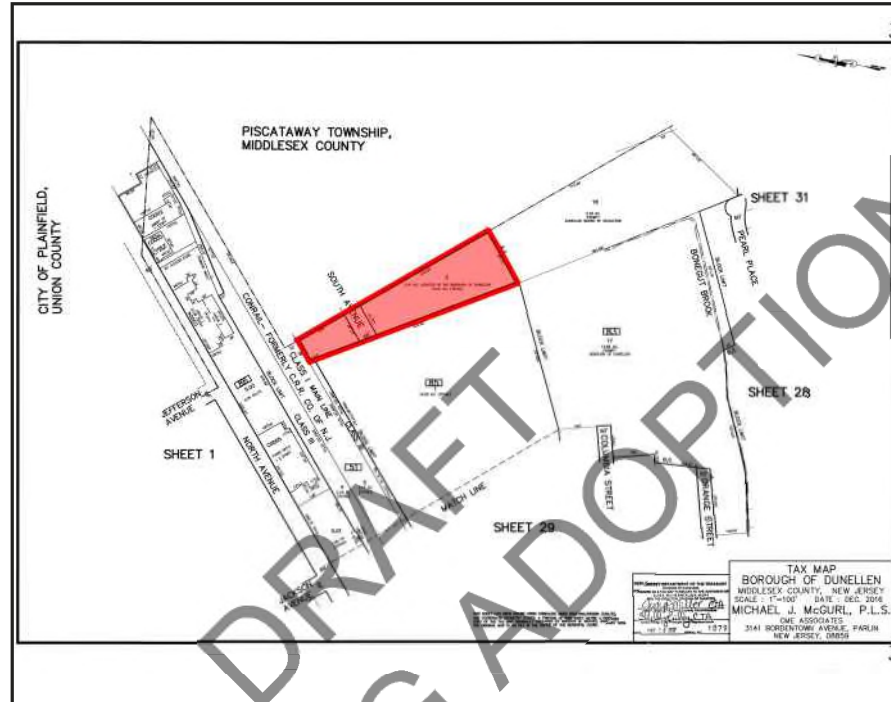


Map 1: Borough of Dunellen - Zoning Map

BOROUGH OF DUNELLEN

SOUTH 2ND STREET REDEVELOPMENT PLAN

BACKGROUND INFORMATION



Map 2: Redevelopment Plan Area (Block 85 - Lot 3)



Map 3: Redevelopment Plan Area (Block 85 - Lot 3)

## 1. INTRODUCTION:

### 1.A: STATUTORY BASIS FOR THE REDEVELOPMENT PLAN:

This Redevelopment Plan has been prepared for Block 85 , Lot 3 ( “ Redevelopment Area “ ) within the Borough of Dunellen in Middlesex County , N.J. in the LI-1 Light Industrial Zone south of the Raritan Valley Line. It abuts the Township of Piscataway. On March 3, 2023 the Borough Council of the Borough of Dunellen adopted a resolution directing the Planning Board of the Borough of Dunellen to conduct an investigation to determine whether Block 85 , lot 3 meets the criteria set forth in the LRHL to be designated as a non-condemnation area in need of redevelopment. Subsequently, the Planning Board on June 26, 2023 determined that the property met the criteria under the LRHL to be designated as a non-condemnation area in need of redevelopment and the Borough Council adopted resolution 04-15-2024:#131 designating the property as a non-condemnation area in need of redevelopment . The Borough Council of the Borough of Dunellen adopted resolution No. 83 on February 3, 2025 which authorized DMR Architects to prepare a redevelopment plan for the Redevelopment Area pursuant to the LRHL.

### 1.B: DESCRIPTION OF THE REDEVELOPMENT AREA:

The subject property currently contains an abandoned warehouse/office facility and adjacent gravel parking lot surrounded by a chain linked fence. Immediately to the west is a new residential community, "The Nell", across South Washington Avenue from Dunellen Train Station and Dunellen Public Library. These units are part of the Downtown Redevelopment area.

### 1.C: OBJECTIVES OF THE REDEVELOPMENT PLAN

1. Facilitate a comprehensive integrated approach to redevelopment of the site for a multi-family residential development as a principal permitted use along with related customary accessory uses.
2. A unified integrated design that ensures the proper relationship and visual and physical linkages of building location, parking, landscape amenity, architectural elements, public open spaces, vehicular and pedestrian circulation features, access to the surrounding road network and utilities.
3. The overall approach to the site's redevelopment shall incorporate specified smart growth principles including such issues as compact building design; promotion of a distinctive, attractive community with a strong sense of place while permitting planned growth in an area of the community with established infrastructure.

**2. GENERAL PROVISIONS:****2.A: SITE PLAN & SUBDIVISION REVIEW:**

Prior to commencement of any construction within the Redevelopment Area, a site plan prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Land Development Ordinance of the Borough of Dunellen shall be submitted by the applicant for review specific to this Redevelopment Plan for completeness and compliance, prior to any submission to the Planning Board, so that compliance with the Redevelopment Plan can be determined. This shall also pertain to revisions or additions prior to, during and after completion of the improvements.

**2.B: ADVERSE INFLUENCES:**

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

**2.C: NON-DISCRIMINATION PROVISIONS:**

No covenant, lease, conveyance or other instrument shall be affected or executed by the Borough Council or by the developer or any of his/her successors or assignees, whereby land within the Redevelopment Area is restricted upon the basis of age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, or sex in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. Any contractor or subcontractor engaged to perform work within the Redevelopment Area shall, where applicable, state in all solicitations or advertisements for employees placed by or on behalf of the contractor, or subcontractor, that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability or sex.

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

**2.D: DURATION OF THE PLAN:**

The provisions of this Redevelopment Plan and the restrictions with respect thereto shall be in effect for a period of thirty (30) years from the date of approval by the Borough Council.

**2.E: DEVIATION REQUESTS:**

In accordance with N.J.S.A. 40:55D-70 c(1), the Planning Board may grant variances allowing deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic



conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any such regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon the developer of such property.

In accordance with N.J.S.A. 40:55c(2), the Planning Board may also grant such relief where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of the Plan and the benefits of the deviation would substantially outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of this Redevelopment Plan.

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

Notwithstanding the above, any changes to the uses permitted in the Redevelopment Area, any deviation from any of the Conditional Uses or any change requiring a “d” variance in accordance with N.J.S.A. 40:55D-70 shall be permitted only by means of an amendment of the Redevelopment Plan by the Borough Council and only upon a finding that such amendment would be consistent with and in furtherance of the goals and objectives of the Plan.

#### **2.F: PROCEDURE FOR AMENDING THE APPROVED PLAN:**

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of State law. If the designated redeveloper requests such amendment said redeveloper shall pay for reasonable consulting costs, fees and expenses to undertake such amendment.

### 3. REDEVELOPMENT PLAN COMPONENTS:

#### 3.A: REQUIRED COMPONENTS OF THE REDEVELOPMENT PLAN:

N.J.S.A. 40A:12A-7 requires that a redevelopment plan include an outline for the planning, development, or redevelopment, of the Redevelopment Area sufficient to indicate the following:

1. Its relationship to definite local objectives as to appropriate land use, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provisions for the temporary and permanent relocation, as necessary for residents in the project area, including an estimate of the extent of which decent, safe, and sanitary dwelling units affordable to displace residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment area, which is proposed to be acquired in accordance with this plan.
5. Any significant relationship of the redevelopment plan to:
  - The master plans of contiguous municipalities;
  - The master plan of the county in which the municipality is located;
  - The State Development and Redevelopment Plan adopted pursuant to the “State Planning Act” P.L. 1985, c.398 (C.52:18A-196 et al.).
6. An inventory (as of the date of the adoption of the resolution finding the area to be in need of redevelopment) of all housing units affordable to low and moderate income households, as defined pursuant to N.J.S.A. 52:27D-304, that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan.
8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
9. The redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” N.J.S.A. 52:27D-301 et seq. and the housing element of the municipal master plan.
10. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the “Municipal Land Use Law,” P.L.1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the “Municipal Land Use Law,”

P.L.1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

All provisions of a redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

### **3.B: NOTE ON PLAN TERMINOLOGY:**

Throughout this Redevelopment Plan, a distinction is made between “shall” and “should.”

“Shall” means that a developer is required to comply with the specific regulation, without deviation.

“Should” means that a developer is encouraged to comply, but is not required to do so.

### **3.C: TEMPORARY AND PERMANENT RELOCATION:**

The Local Redevelopment and Housing Law requires that any redevelopment plan make adequate provision for temporary or permanent relocation of any resident in the project area. The designation does not permit condemnation and the property does not currently include any residential units so the relocation requirement is not applicable.

### **3.D: IDENTIFICATION OF PROPERTY TO BE ACQUIRED:**

The Local Redevelopment and Housing Law requires that any redevelopment plan identify any property within the redevelopment area, which is proposed to be acquired in accordance with the redevelopment plan. The area has been designated as a non-condemnation Redevelopment Area; as such, the Borough is not authorized to use eminent domain and to acquire any properties within the Redevelopment Area.

### **3.E: AFFORDABLE HOUSING:**

The redevelopment area within Dunellen shall provide six ( 6 ) affordable units, which shall comply in all ways with the Uniform Housing Affordability Controls ("UHAC") at N.J.A.C. 5:80-26.1, any applicable requirements of P.L. 2024, c.2., and any affordable housing statues and regulations adopted subsequent to the adoption of this Redevelopment Plan.

### **3.F: LONG TERM FINANCING CONSIDERATIONS:**

Long term financing is not contemplated for this project.

### **3.G: TRAFFIC STUDY:**

A traffic study shall be provided as a part of any site plan submission to the Planning Board. The analysis should forecast additional traffic associated with both the proposed development and taking into account all approved and constructed projects within a 1/2 mile. The study should determine vehicular and pedestrian improvements necessary to accommodate the proposed development to help ensure safe and

reasonable traffic conditions and reduce the negative impacts created by the development for existing intersections within the 1/2 mile study area.

### 3.H: PUBLIC ELECTRIC VEHICLES:

This redevelopment plan requires the identification of appropriate locations for the development of zero-emission vehicle fueling and charging infrastructure in compliance to P.L. 2021, c171, the State's electric vehicle supply/service equipment (EVSE).

### 3.I: EXISTING ZONING:

The subject properties are located within the Borough of Dunellen LI-1 Light Industrial Zone, where warehousing facilities are permitted. However, as of recently the Light Industrial zones regulations were abolished by the Borough with the assumption that there would not be a significant amount of industrial development in the future. However, the zone is still in tact, and listed on the Borough's official Zoning Map. The property is by law and regulation still subject to the requirements put forth in the most recent version of the Borough's LI-1 Light Industrial zoning ordinance.

### 3.J: MASTER PLAN CONSISTENCY:

The Redevelopment Plan for Block 85 , lot 3 is consistent with the goals and objectives of the Borough of Dunellen Master Plan of 2011 and the Master Plan Reexamination of 2023. The Redevelopment Plan for Block 85 , lot 3 is essentially an extension to the Downtown Redevelopment Plan which encompassed a significant area of the Borough extending up to the subject property boundary. The Redevelopment Plan will not adversely affect the Master Plan or zoning of Piscataway or any other neighboring municipality. The Redevelopment Plan is consistent with several objectives of both the 2011 Master Plan and 2023 Reexamination including:

1. Promotion of the redevelopment plan
2. Allow for the creation of housing choices for a wide range of income levels
3. Advance strategies for meeting the Borough's affordable housing obligation

The redevelopment area is contiguous to the Township of Piscataway which, in the area of Block 85 , lot 3, is similarly zoned as light industrial and which is also a redevelopment area proposed for similar residential uses.

The redevelopment area as proposed is consistent with the goals and objectives of the Middlesex County Growth Management Plan which encourages redevelopment.

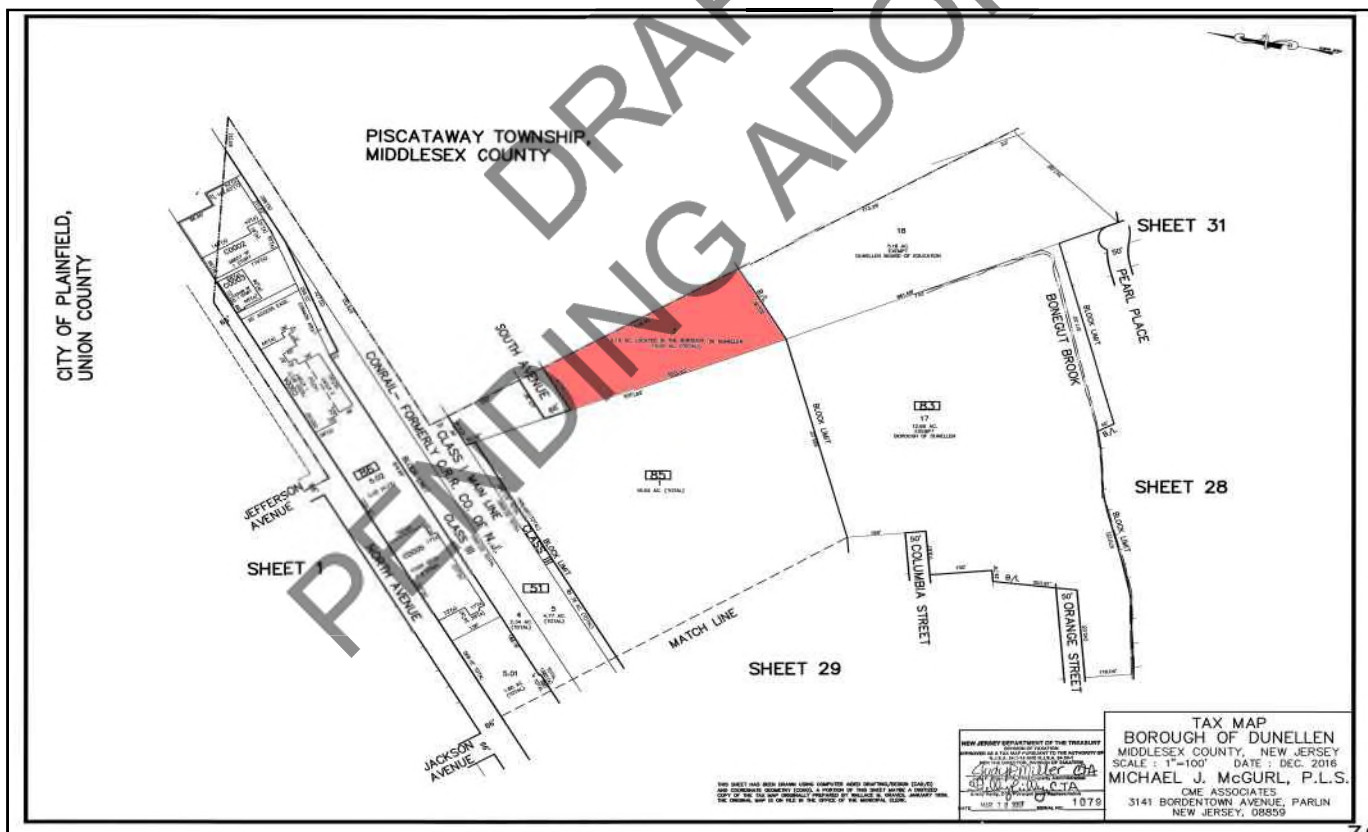
The N.J. State Development and Redevelopment Plan ( SDRP ) includes Dunellen and the subject property in the PA 1 Metropolitan Planning Area. The SDRP policy objectives indicate that much of the State's development and development should occur in PA 1. In particular, the subject redevelopment area is consistent with PA 1 policy objectives related to land use, housing , economic development and redevelopment.

### MLUL Purposes:

1. Purpose A: To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare.

2. Purpose E: To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.
3. Purpose I: To promote a desirable visual environment through creative development techniques and good civic design and arrangement.
4. Purpose M: To encourage 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.

Consistency Comment: This redevelopment plan proposes multi-family residential within the recommended areas of the Land Use Plan map. It promotes appropriate development in areas that will not adversely affect existing single family neighborhoods with development techniques that are appropriate and in context with the surrounding area. Further it is located in an area with existing infrastructure that represents a efficient use of the land.



Map 3: Redevelopment Plan Area (Block 85 - Lot 3)



**4. ZONING / BULK STANDARDS:****4.A: PERMITTED LAND USES:**

The following uses are the primary permitted uses in the Redevelopment Plan:

1. Stacked Townhomes

**4.B: PERMITTED ACCESSORY USES FOR ALL PERMITTED USES:**

1. Lobbies on the ground floor providing access to residential uses on the upper floors
2. Loading spaces and docks, recycling and refuse storage areas
3. Roads, parking lots, garages and driveways
4. Turf, planted areas and open space areas
5. Sidewalks and plazas
6. Recreation facilities, provided that such facilities are not commercial in operation and are restricted to the use of the occupants of the project.
7. Other uses that are permitted provided they are accessory and subordinate to the principle permitted use and are for the exclusive use by and benefits of residents and their guest including:
  - a. Management and Leasing Office
  - b. Conference center, meeting room
  - c. Fitness Center
  - d. Amenities
  - e. Storage lockers / facilities
  - f. Bicycle storage
  - g. Services
8. Accessory structures shall comply in all respects with the requirements of the principal structure.
  - a. No accessory structure shall be located closer to the street right-of-way line than the required front yard setback of the principal use.
  - b. No portion of an accessory structure shall include living quarters except parking structures as an accessory use may contain residential over the structure.
9. When an accessory structure is attached to the principal structure, it shall comply in all respects with the requirements applicable to the principal structure.
10. In no event shall the height of an accessory structure exceed the height of the principal building.

**4.C: BULK REQUIREMENTS:**

- |                                |        |
|--------------------------------|--------|
| 1. Minimum Lot Area:           | 2.0 ac |
| 2. Maximum Number of Units:    | 35 un  |
| 3. Minimum Affordable Units:   | 20%    |
| 4. Minimum Setback Front Yard: | N/A    |

5. Minimum Setback Rear/Side Yard: 20 ft
6. Minimum Setback Buffer to Nonresidential use: 20 ft
  - Setback may be reduced to 0 ft when directly abutting a compatible residential setback.
7. Maximum Building Coverage: 25%
8. Internal Standards:
  - Minimum Building Setback from Road: 20 ft
  - Minimum Building to Building Separation:
    - Front to Front/Side: 70 ft
    - Side to Side: 35 ft
    - Rear to Rear: 45 ft
    - Rear to Side: 40 ft
9. Maximum Building Height: 45 ft
10. Maximum Building Length: 180 ft
11. Maximum Units per Building: 12 un

#### 4.D: PARKING AND CIRCULATION REQUIREMENTS:

##### 1. **Parking Requirements:**

The minimum parking requirements for the Redevelopment Area are as follows:

<u>Number of Bedrooms</u>	<u>Parking Ratio</u>
2 Bedroom unit	1.5 sp per unit
3 Bedroom unit	2.0 sp per unit
4 Bedroom unit	2.5 sp per unit

##### **Notes:**

- a. When the formula for required parking spaces results in a fraction of a space exceeding 0.49, a full space shall be required.
  - b. Up to 10% of the required parking stalls may be designated for compact cars.
  - c. Electronic vehicle parking and “make-ready” parking spaces shall be provided in accordance with State statutes and/or Borough parking standards codifying such statutes.
  - d. Accessory uses do not require parking.
  - e. Dead-end parking aisles shall include room to allow vehicles to safely reverse out of spaces at the end of the aisle.
2. **Setback Maneuvering:** No surface parking space or parking space maneuvering area is permitted within any required parking setback, except driveways providing access to the parking area may be installed across these areas.
  3. **Handicapped Accessible Parking Requirements:** Required per statute

**4. Additional Off-Street Parking Regulations:**

- a. Off-street parking space dimensions shall be 9'-0" x 18'-0".
- b. Perpendicular (90-degree) Off street parking spaces shall be accessed by aisles 24'-0" in width.

**5. Off-Street Loading:** Buildings and structures, excluding parking structures, subject to the provisions of this section, must provide off-street service/delivery parking spaces, also known as loading spaces.**5. DEFINITIONS:****5.A: DEFINITIONS:**

It is the intention of this Redevelopment Plan to supersede the existing zoning ( except as noted herein) as provided under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. The definitions of the Borough Land Use Ordinance (Section 115 – 7 Definitions ) shall apply to this plan , unless this plan provides a superseding definition within this document.

**6. CONCEPTUAL SITE PLANS / RENDERINGS:****6.A: REDEVELOPMENT ILLUSTRATIVE PLANS:**

The Illustrative Plan provides the design of the site including the development of 30 stacked townhomes units (6 of them are affordable units) with a 3-story residential building over a surface grade garage parking area beneath the townhome. The design standards in this section shall apply to the redevelopment area.





**Figure 1:** Existing Conditions  
Courtesy of KHovnanian Homes



**Figure 2:** Existing Site Plan  
Courtesy of KHovnanian Homes





Figure 3: Conceptual Site Plan with Affordable Housing  
Courtesy of KHovnanian Homes





Figure 4: Conceptual Exterior Elevation  
Courtesy of KHovnanian Homes



Figure 5: Conceptual Elevations -Affordable Stacked Townhomes  
Courtesy of KHovnanian Homes



## DMR Architects

**SOUTH SECOND STREET**DUNELLEN, NJ  
FLOOR PLANS*KHovnanian*  
Homes

AFFORDABLE STACKED TOWNHOMES 3-STORY – 24' X 64'

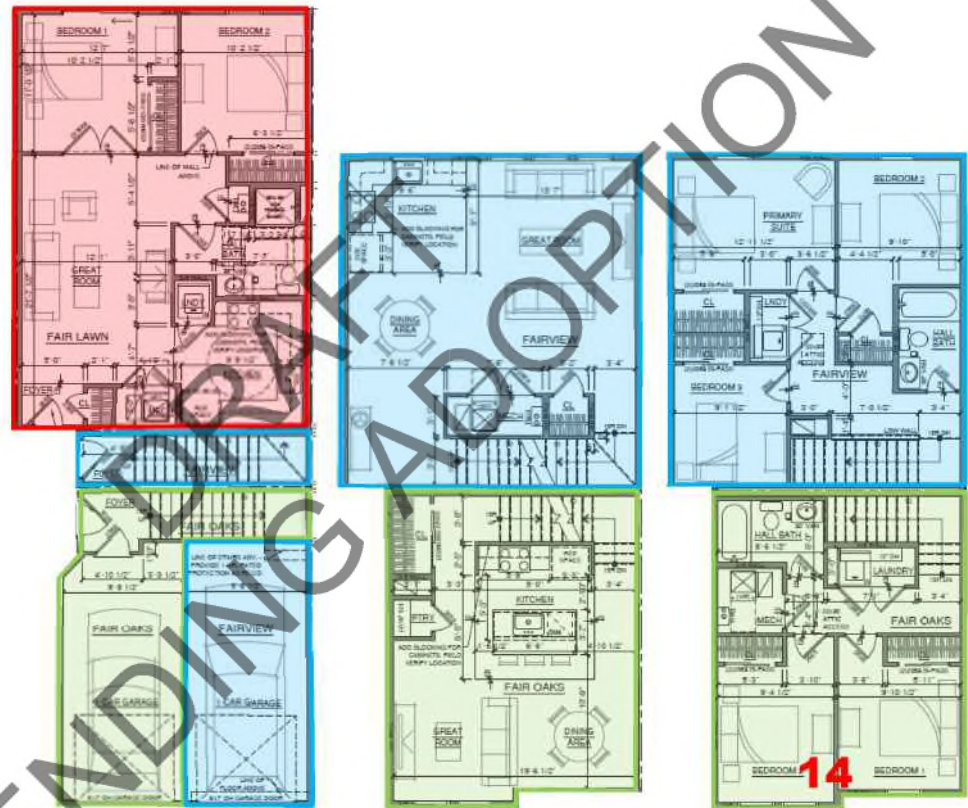
**FAIR LAWN** – 753 SQFT**FAIR OAKS** – 998 SQFT**FAIRVIEW** – 1,259 SQFT

Figure 7: Conceptual Floor Plans  
Courtesy of KHovnanian Homes

## 7. DESIGN STANDARDS

The design standards in this section provide the criteria for the redevelopment area. Any future development is subject to these provisions and shall be built in accordance with the minimum design standards specified in this section.

### 7.A: BUILDING ARCHITECTURAL MATERIALS & CHARACTER:

1. All buildings shall be constructed with high quality materials that reinforce pedestrian scale.
2. Primary building materials shall include: manufactured stone veneer, concrete sills, cement board siding, and brick masonry and aluminum and glass. Vinyl siding of any kind is strictly prohibited.
3. Elements such as cornices, belt courses, corbelling, molding, string courses, ornamentation, changes in material or color, and other sculpturing of the base are strongly recommended and should be provided to add special interest.
4. Special attention must be given to the design of entrances to the buildings.
5. Buildings shall be broken up vertically into a base, a middle and a top and horizontally into bays, through the use of building articulation or change in materials.

### 7.B: MECHANICAL EQUIPMENT SCREENING:

1. All mechanical equipment shall be screened.
2. All rooftop mechanical equipment including cell phone antennae shall be screened from view from all adjacent public streets, open spaces and parks in all directions to minimize the negative impact from the street.
3. Screening materials shall be consistent with the architectural detail, color and materials of the building; Wire mesh screening is not permitted.
4. If wall pack ventilation units are being used they are required to compliment the adjacent building material color.

### 7.C: LIGHTING/SIGNAGE:

1. All lighting and signage shall meet the requirements of the Borough of Dunellen Zoning Ordinance.

### 7.D: LANDSCAPE / STREETScape STANDARDS:

1. Street Trees: Trees are required for every 50 linear feet of street or roads internal to the site subject to the standards in items A through E under this section.
  - a. Street tree species shall be reviewed and approved by the Borough Engineer at site plan application.
  - b. No tree shall be planted which is identified by the New Jersey Department of Environmental Protection as an invasive species.
  - c. Trees should be installed at a 3.0" to 3.5" caliper.
  - d. Prior to installation a 4'-0" by 8'-0" minimum area should be treated and prepared for tree root growth.

e. A min. 2 year watering plan shall be put into place.

**2. Interior Landscape Planting:**

- a. Planting islands not located under the building shall be provided at the end of all parking.
- b. For trees located in a planting island with a minimum area of 150 square feet of pervious surface.

**7.E:ON-SITE LANDSCAPING AND SCREENING:**

**1. Screening from Adjacent Properties:**

- a. There shall be a minimum planted buffer that meets the setback requirements along any property line which shall have a minimum 1 tree and 5 shrubs for every 500 square feet of buffer area.
- b. Existing trees shall be preserved within 10 feet of all property lines that do not front a public street.

**2. Other Required Screening:** The following uses must be screened from abutting property and view from a public street:

- a. Surface parking shall be screened from the public right of way with a minimum 3 foot high masonry wall or permanent landscape evergreen hedge.
- b. On-site dumpsters, recycling containers (except for recycling containers located at recycling collection centers), or solid waste handling areas in side yards shall be screened with a closed 6 foot tall fence on 3 sides, except that the exterior building wall may be used in lieu of fencing on one side when the storage area is adjacent to the building.



## 8. CONSISTENCY WITH STATE DEVELOPMENT AND REDEVELOPMENT PLANS:

### 8.A: STATE DEVELOPMENT AND REDEVELOPMENT PLAN (SDRP):

In reviewing the New Jersey State Development and Redevelopment Plan Volumes 1 - 4 the following information pertains to goals and policies for a program of rehabilitation which discuss the development and redevelopment policies for urban areas.

#### 1. Volume II – State Plan Goals and Policies include the following:

- a. Revitalize the State's Cities and Town Centers: Revitalize New Jersey's cities and towns by investing wisely and sufficiently in improvements in their infrastructure systems, public spending programs, tax incentives and regulatory programs to leverage private investment and to encourage infill and redevelopment in ways that are consistent with the State Plan's vision and goals.
- b. Promote Beneficial Economic Growth: Promote beneficial economic growth in locations and in ways that improve the quality of life and the standard of living for all New Jersey residents by providing infrastructure in advance of, or concurrent with, the impacts of new development sufficient to maintain adequate facility standards, by encouraging partnerships and collaborative planning with the private sector and by capitalizing on the State's strategic location, economic strengths including its existing business enterprises, entrepreneurship, the research and development capacity of its institutions of higher learning, skilled workforce, cultural diversity and logistic facilities in ways that are consistent with the State Plan's vision and goals.
- c. Protect the Environment, Prevent and Clean up Pollution: Protect the environment, prevent and clean up pollution by planning for growth in compact forms at locations, densities and intensities that protect land, air and water quality, allow expeditious regulatory reviews and encourage multi-modal transportation alternatives to the automobile to help achieve and maintain acceptable air quality standards.
- d. Provide Adequate Public Facilities and Services at Reasonable Cost: Provide adequate public facilities and services by supporting investments based on comprehensive planning and by providing financial incentives for jurisdictions that cooperate in providing public infrastructure and shared services. Encourage the use of infrastructure needs assessments and life-cycle costing. Provide adequate public facilities in ways that are consistent with the State Plan's vision and goals.
- e. Increase Energy Efficiencies and Reduce Greenhouse Gas Emissions: Increase Energy Efficiencies and Reduce Greenhouse Gas Emissions by promoting the improved coordination and integration of transportation planning and land-use planning and decision-making to reduce vehicle miles traveled (VMT); and by the citing, development, design and use of green-building construction materials and techniques in ways that are consistent with the State Plan's vision and goals.

#### 2. The State Planning Act (N.J.S.A. 52:18A-196 et seq.) states:

- a. "Among the goals of the act is the following: ... conserve its natural resources, revitalize its urban centers, protect the quality of its environment, and provide needed housing and adequate public

services at a reasonable cost while promoting beneficial economic growth, development and renewal.”

- b. “It is in the public interest to encourage development, redevelopment and economic growth in locations that are well situated with respect to present or anticipated public services and facilities, giving appropriate priority to the redevelopment, repair, rehabilitation or replacement of existing facilities and to discourage development where it may impair or destroy natural resources or environmental qualities that are vital to the health and well-being of the present and future citizens of this state.” (N.J.S.A. 52:18A-196 (d))

### 3. The State Plan Policy Map (SPPM):

- a. Recognizes that New Jersey requires different approaches in its Metropolitan, Suburban, Rural and Environmentally Sensitive Planning Areas. The New Jersey State Development and Redevelopment Plan adopted by the State Planning Commission, places the Borough of North Arlington in Planning Area 1 - the Metropolitan Planning Area and states.
- b. The Metropolitan Planning Area: This Planning Area includes a variety of municipalities that range from large Urban Centers to 19th century towns shaped by commuter rail and post-war suburbs. The Communities in this Planning Area have strong ties to major metropolitan centers – New York/Newark/Jersey City metropolitan region; the Philadelphia/Camden/Trenton Metropolitan Region; and on a smaller scale the Easton/Phillipsburg Metropolitan Region.
- c. These municipalities have many things in common: mature settlement patterns; infrastructure systems that are approaching their reasonable life expectancy; an aging housing stock in need of rehabilitation; recognition that redevelopment will be the predominant form of growth; and a growing realization of the need to regionalize services and systems. In addition, the wide and often affordable choice of housing in proximity to New York and Philadelphia has attracted significant immigration, resulting in noticeable changes in demographic characteristics overtime.
- d. **In the Metropolitan Planning Area, the State Plan’s intent is to do the following:**
  - i. Provide for much of the State’s future development and redevelopment;
  - ii. Revitalize Cities and Towns;
  - iii. Take advantage of increased densities and compact building design;
  - iv. Encourage distinctive, attractive neighborhoods with a strong sense of place;
  - v. Provide for mixed-use concentrations of residential and commercial activity;
  - vi. Create a wide range of residential housing opportunities and choices with income mix;
  - vii. Provide for a variety of multi-modal transportation alternatives;
  - viii. Prioritize clean-up and redevelopment of brownfields and greyfields sites;
  - ix. Create cultural centers of state-wide significance;
  - x. Re-design any existing areas of low-density sprawl.

## APPENDICIES

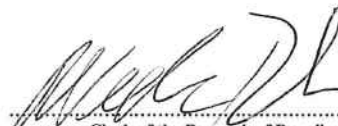
Resolutions Authorizing Investigation &  
Redevelopment Plan

DRAFT  
PENDING ADOPTION

01-09-2023: #9

**BE IT RESOLVED BY THE GOVERNING BODY OF THE BOROUGH OF DUNELLEN, NEW JERSEY, THAT:**

DMR Architects is awarded a contract to undertake a Preliminary Investigation and Redevelopment Need Study Preparation for Block 85, Lot 3, at a cost not to exceed \$12,450.00.

  
Clerk of the Borough of Dunellen

Approved 1/9/2023

  
Mayor of the Borough of Dunellen

I certify the foregoing to be a true and correct abstract of a resolution regularly passed at a meeting of the Common Council of the Borough of Dunellen, held

1/9/2023  
and in that respect a true and correct copy of its minutes.

  
Clerk of the Borough of Dunellen

02-03-2025: # 83

**RESOLUTION OF THE BOROUGH OF DUNELLEN  
COUNTY OF MIDDLESEX, STATE OF NEW JERSEY  
AUTHORIZING DMR ARCHITECTS TO PREPARE REDEVELOPMENT PLAN FOR  
BLOCK 85 LOT 3**

**WHEREAS**, the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A. 40A:12A-1 et seq., authorizes municipalities to determine whether certain parcels of land within the municipality constitute areas in need of redevelopment; and

**WHEREAS**, on March 3, 2023 the Borough Council of the Borough of Dunellen ("Council") adopted Resolution 03-06-2023: #2 directing the Planning Board of the Borough of Dunellen ("Planning Board") to conduct an investigation to determine whether certain property located within the Borough and designated as Block 85, Lot 3 on the Borough's official tax map, more commonly known as 130 South 2<sup>nd</sup> Street (the "Property") meets the criteria set forth in the LRHL to be designated as a non-condemnation area in need of redevelopment; and

**WHEREAS**, on June 26, 2023, at its duly noticed regular meeting the Planning Board conducted a hearing on whether the Property met the criteria under the LRHL to be designated as a non-condemnation area in need of redevelopment and reviewed the investigation report prepared by DMR Architects dated April 2023; and

**WHEREAS**, on June 26, 2023 the Planning Board determined that the Property met the criteria under the LRHL to be designated as a non-condemnation area in need of redevelopment and adopted a resolution recommending that the Property be so designated, which resolution was transmitted to the Council; and

**WHEREAS**, on April 15, 2024, the Council adopted Resolution 04-15-2024:#131 designating the Property as a non-condemnation area in need of redevelopment; and

**WHEREAS**, pursuant to the LRHL the Council desires to authorize DMR Architects to prepare a redevelopment plan for the Property.

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of the Borough of Dunellen, County of Middlesex, State of New Jersey, as follows:

1. That DMR Architects shall and hereby is authorized to prepare a redevelopment plan for the Property pursuant to the LRHL, at a cost to be determined by redevelopment counsel or planner, to be charged to account number 5-01-21-181-000-299 under Purchase Order #25-00243.

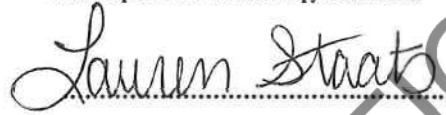


Approved February 3, 2025



Mayor of the Borough of Dunellen

I certify the foregoing to be a true and correct abstract of a resolution regularly passed at a meeting of the Council of the Borough of Dunellen, held on February 3, 2025 and in that respect a true and correct copy of its minutes.



Municipal Clerk of the Borough of Dunellen

DRAFT  
PENDING ADOPTION

# APPENDIX

## 7

# DOWNTOWN REDEVELOPMENT PLAN

# **Amended and Restated Dunellen Downtown Redevelopment Plan, Phase 1**

**Borough of Dunellen**

**Middlesex County**

**Adopted by the Dunellen Borough Council**

**May 16, 2016**

**Amended June 7<sup>th</sup>, 2021**

**Amended February 7<sup>th</sup>, 2022**

**Amended July 5<sup>th</sup>, 2022**

**Amended July 3<sup>rd</sup>, 2023**



## **Downtown Redevelopment Plan**

### **Borough of Dunellen Mayor and Council**

Mayor Robert J. Seader

Council President:	Kenneth Baudendistel
Councilman:	Kevin Andrew Bachorik
Councilman:	Kenneth Bayer
Councilman:	Jason Cilento
Councilman:	Jeremy Lowder
Councilman:	Joseph Petracca

### **Borough of Dunellen Planning and Zoning Board**

Members	Class Membership
Roger Dornbierer, Chairman	I
Robert Krause, Co-Chairman	IV
Thomas D'Amico	III
Barbara Seif	IV
Randee Staats	IV
Adam Gordon, Secretary	IV
Scott Luthman	II
Kenneth Bayer, Councilman	IV
Mayor Robert J. Seader	

### **Consultants**

#### **Middlesex County Improvement Authority**

Richard Pucci, Executive Director

Donna Rendeiro, Director of Economic Development

#### **DeCotiis, Fitzpatrick, Cole & Wisler, LLP**

Francis X. Regan, Esq.



**CME Associates**

3141 Bordentown Avenue

Parlin, NJ 08859

Michael J. McClelland, P.E., P.P., C.M.E.

Bruce J. Rydel, P.P., AICP

**Law Offices of Robert F. Dato**

313 Amboy Avenue

Woodbridge, NJ 07095

Robert F. Dato, Esq.

*As to Amended and Restated Downtown Redevelopment Plan (May 2016):*

**CME Associates**

Jennifer Beahm, P.P., AICP

**Windels Marx Lane & Mittendorf, LLP**

Sandy L. Galacio, Jr., Esq.

*As to Amended and Restated Downtown Redevelopment Plan (amended February 2022):*

**Borough of Dunellen Mayor and Council**

Mayor Jason F. Cilento

Council President:	Trina Rios
Councilwoman:	Teresa Albertson
Councilwoman:	Jessica Dunne
Councilman:	Joseph Paltjon
Councilman:	Daniel Cole Sigmon
Councilman:	Harold VanDermark

**Borough of Dunellen Planning and Zoning Board**

Members

Roger Dornbierer, Chairman

Barbara Seif, Member

Thomas D'Amico, Member

Adam Gordon, Member

Theresa Ratner, Member

Erik Walker, Member

Christopher Brillante, Alternate  
Member

Robert Krause, Alternate Member

Michael Mullin, Zoning Officer

Stacy Narvesen, Council Member

Lauren Staats, Secretary  
Jason Cilento, Mayor

**Consultants**

**DMR Architects**

Francis Reiner,, PP, LLA  
Gabriel Bailer, PP, AICP

**Windels Marx Lane & Mittendorf, LLP**

Charles B. Liebling, Esq.  
Sandy L. Galacio, Jr., Esq.

*As to Amended and Restated Downtown Redevelopment Plan (amended July 2023):*

**Borough of Dunellen Mayor and Council**

Mayor Jason F. Cilento

Council President:	Trina Rios
Councilwoman:	Teresa Albertson
Councilwoman:	Jessica Dunne
Councilman:	Joseph Paltjon
Councilman:	Daniel Cole Sigmon
Councilman:	Harold VanDermark

**Borough of Dunellen Planning and Zoning Board**

Members

Roger Dornbierer, Chairman  
Barbara Seif, Member  
Thomas D'Amico, Member  
Adam Gordon, Member  
Theresa Ratner, Member  
Erik Walker, Member  
Christopher Brillante, Alternate  
Member  
Robert Krause, Alternate Member  
Michael Mullin, Zoning Officer  
Stacy Narvesen, Council Member  
Lauren Staats, Secretary  
Jason Cilento, Mayor

**Consultants**

**DMR Architects**

Francis Reiner,, PP, LLA  
Daniel Hauben, PP, AICP, LEED Green Associate

**Windels Marx Lane & Mittendorf, LLP**

Charles B. Liebling, Esq.  
Sandy L. Galacio, Jr., Esq.

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## **SECTION 1 - INTRODUCTION**

### **1.1 Introduction**

During the past few years, the Borough of Dunellen has focused its efforts to an ongoing project to redevelop its downtown or "Main Street," which are North Avenue and Bound Brook Road (State Highway 28) from the municipal boundaries with the City of Plainfield in the east to the Borough of Middlesex in the west. This area also includes Washington Avenue (County Road 529) from Front Street (north) to New Market Road (south) (County Road 665). The decline of industry and the increase of storefront vacancies prompted this effort.

To revitalize this area, the Mayor and Council have determined that one of the most effective planning and implementation strategies is the use of the redevelopment process in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A: 12A-1 et seq.). It is the conjunction of Washington Avenue at New Jersey Transit's Raritan Valley Line and North Avenue that is the epicenter of Dunellen Downtown Center, and the catalyst for the redevelopment of the Borough's "Main Street" district.

The purpose of the 2016 Amended and Restated Dunellen Downtown Redevelopment Plan is to consolidate the various amendments to the plan that have occurred since its initial adoption in 2003, to address the requirements of the project proposed for Site #3, and to incorporate the terms and conditions of the settlement agreement concluded with Fair Share Housing Center in connection with the Borough's Mt. Laurel litigation captioned In the Matter of the Application of the Borough of Dunellen, County of Middlesex, Docket No. MID-L-3947-15.

## **SECTION 2 - DESIGNATION OF AREA AND PLAN DEVELOPMENT**

### **2.1 Designation of Redevelopment Area**

The process, consistent with Local Redevelopment and Housing Law, followed by the Borough in the determination as to the area's qualification and designation as an area in need of redevelopment, is summarized as follows:

- The Dunellen Borough Council on October 15, 2001 authorized the Dunellen Planning Board to conduct a preliminary investigation as to whether the study area qualifies as an area in need of redevelopment.
- To assist the Dunellen Planning Board in that preliminary investigation, the Borough of Dunellen retained the firm of DeCotiis, Fitzpatrick, Cole and Wisler, LLP ("DeCotiis"). The Middlesex County Improvement Authority ("MCIA") also assisted the Borough in its redevelopment efforts. In addition, the Planning Board Chairman created a sub-committee of Planning Board members to conduct a study and survey of the area and prepare a report on the findings of the survey, entitled "Report on a Study to Determine the Qualification of the Dunellen Downtown Redevelopment Study Area as a Redevelopment Area" undated as referred to in resolution of the Borough of Dunellen Borough Council dated October 15, 2001. This report had been reviewed and revised by DeCotiis and the MCIA to assure consistency with the requirements of the Local Redevelopment and Housing Law.
- The Dunellen Planning Board at their December 9, 2002 meeting scheduled a public hearing for February 24, 2003 at which time the matter of the designation of the area as an area in need of redevelopment would be reconsidered.
- Prior to the hearing, a legal notice was published twice in the Borough's official newspaper and a map of the area and statement as required by statute was prepared and the owner of record of all the properties in the study area were duly notified of the hearing.
- At the hearing, the Dunellen Planning Board considered information and objections both oral and written and made them parts of the public record.
- The Dunellen Planning Board, after due consideration of applicable documentation and objections, recommended to the Dunellen Borough Council by resolution granted April 28, 2003 and memorialized May 12, 2003, that the study area be designated as an area in need of redevelopment.
- After receiving the recommendation of the Dunellen Planning Board, the Dunellen Borough Council adopted a resolution dated May 5, 2003 determining the area in need of redevelopment.
- Block 83, Lot 1 was designated as an area in need of redevelopment by the Borough Council on October 2, 2019 after study and recommendation by the Dunellen Planning Board.

- Block 85, Lot 2 was designated as an area in need of development by the Borough Council on December 2, 2019 after study and recommendation by the Dunellen Planning Board.

## **2.2 Redevelopment Plan Preparation Process**

After the Dunellen Borough Council determined that the area was in need of redevelopment, a redevelopment plan was prepared and adopted by ordinance by the Dunellen Borough Council. The process, consistent with the Local Redevelopment and Housing Law, that was followed by the Borough in the preparation and adoption of a redevelopment plan is summarized as follows:

The Dunellen Borough Council authorized the Dunellen Planning Board to prepare a redevelopment plan for the area.

- To assist the Dunellen Planning Board, the Borough of Dunellen originally retained DeCotiis, Fitzpatrick, Cole and Wisler, LLP. The Middlesex County Improvement Authority also assisted in preparing the first edition of the required redevelopment plan. In February of 2004, the Planning Board retained Robert Dato, Esq., as Planning Board attorney, and CME Associates, as Planning Board planner.
- The redevelopment plan was considered by the Dunellen Planning Board following the public hearing at which time the Planning Board recommended adopting the redevelopment plan.
- The Dunellen Planning Board after considering the redevelopment plan provided a report to the Dunellen Borough Council of its recommendation concerning the redevelopment plan.
- The Dunellen Borough Council considered the redevelopment plan for adoption as an ordinance. The redevelopment plan, last revised on July 12, 2004, was adopted by ordinance on August 9, 2004. The redevelopment plan was subsequently amended by ordinance on June 6, 2011, August 5, 2013, November 3, 2014 and February 22, 2016.

## SECTION 3 - STATUTORY REQUIREMENTS OF REDEVELOPMENT PLAN

### 3.1 Statutory Requirements

According to the "Local Redevelopment and Housing Law", the redevelopment plan shall include an outline for the planning, development, redevelopment or rehabilitation of the area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements in the project area;
3. Adequate provision for the temporary and permanent relocation as necessary of residents in the project area including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Redevelopment Plan;
5. Any significant relationship of the Redevelopment Plan to:
  - The Master Plans of contiguous municipalities;
  - The Master Plan of the County in which the municipality is located; and
  - The State Development and Redevelopment Plan adopted pursuant to the "State Planning Act" P.L. 1985, c.398 (C52:18A-196 et al.).

## SECTION 4 - REDEVELOPMENT AREA DESCRIPTION AND CONTEXT

### 4.1 Description of the Redevelopment Area

As a result of the Planning Board reexamining the original redevelopment plan, it was decided that a phased timing approach would better suit the needs of the Borough by focusing first on redevelopment of the Dunellen Downtown Center. One or more subsequent phases 'may be considered' to address the remaining areas identified in the determination of need study. This Redevelopment Plan is applicable to the following properties located in the Borough of Dunellen, County of Middlesex, State of New Jersey, identified as the Dunellen Downtown Redevelopment Area, Phase I. consisting of Blocks and Lots as depicted on the Official Tax Map of the Borough of Dunellen, and as shown on the attached "Redevelopment Area Map" that has been determined by the Dunellen Planning Board and the Dunellen Borough Council as an area in need of redevelopment:

#### Phase 1-Redevelopment Area

Area	Block Number	Lot Number
Site#1  South side of North Avenue between Prospect Avenue South Washington Avenue, and NJ Transit property	69	1, 1.01, 2, 2.01, and 3
Site#2  South Washington Avenue, New Market Road, Prospect Avenue, and NJ Transit property	70	13 and 13.01
Site #3  South Washington Avenue between NJ Transit property and Columbia Street (Art Color Property)	83 85	1 1 and 2

This Redevelopment Plan also considers the following properties located in the Borough of Dunellen, County of Middlesex, State of New Jersey as future areas to be redeveloped consistent with the initial Dunellen Redevelopment Area.

#### Downtown Core – Redevelopment Area

Area	Block Number	Lot Number
Between North Avenue and Front Street between North Washington Avenue and Jackson Avenue	2	10, 11.01, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20
Between North Avenue and Front Street between Lincoln Avenue North Washington Avenue	32	1, 2, 3, 4, front of 7, front of 11, entirety of 14.01, 14, 15, 16, 17, front of 18, entirety of 19, 20, 21, 22, 23, 24, 24.01, front of 25, entirety of 26, 27, 28



North Avenue between Madison Avenue and Lincoln Avenue	33	14, 14.01, 15, 16, 17, 18, 19, 20, 21, 22, 23
Bound Brook Road from Sanford Avenue to Madison Avenue	34	10.01, 22, 23, 24, 24.01, 25, 26, 27.01, 27.02, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 38.01, 38.02
Bound Brook Road from Middlesex border to Pulaski Street	49	25, 26, 27.01, 28, 29, 30, 31, 32, 33, 34, 35,
Bound Brook Road between Pulaski Street and Madison Avenue and bordered on NJ Transit	50	1, 2, 3, 4, 5, 6
Rail Right of Way	51	1, 2 & 3 – NJ Transit property
Bordered by Bound Brook Road, Madison Avenue and North Avenue	65	1
North Avenue between Madison Avenue and Prospect Street	66	1, 2, 3, 4, 5, 6.01, 7, 8, 9, 10.01, 10.02, 11, 12, 13, 14, 15.01, 15.02, 16, 17, 17.01, 18, 19, 20
South east corner of North Avenue and North Washington Avenue to NJ Transit property, and northeast to the Plainfield City border	86	1, 3

### Transition Areas

Area	Block Number	Lot Number
Bound Brook Road from Sanford Avenue to Middlesex Border north side of street	48	16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28
Bound Brook Road from Sanford Avenue to Middlesex Border south side of street	49	37, 38, 39.01, 39.02, 40, 41, 43, 44
North Avenue from Jackson Avenue to Plainfield City border north side of street	1	14, 15.01, 15.02, 16, 17, 18, 19, 20, 21, 22, 23

### Front Street Transition Area

Area	Block Number	Lot Number
Front Street between Washington Avenue and Lincoln Avenue	32	5, 6, rear of 7, entirety of 8, 9, 10, rear of 11, entirety of 12, 13, rear of 18, rear of 25

### Flex Transition Area

Area	Block Number	Lot Number
North Avenue from Jackson	86	2, 4, 4.02, 4.03, 5

Avenue to Plainfield City border, south side of street		
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## 4.2 **Redevelopment Area Context**

The Borough of Dunellen is located in the northwest section of Middlesex County, approximately thirty miles southwest of New York and sixty-five miles northeast of Philadelphia. Encompassing approximately one square mile, Dunellen has an estimated 2010 population of 7,227 persons. Abutting the communities of Plainfield in Union County, Green Brook in Somerset County and Piscataway and Middlesex in Middlesex County, Dunellen is traversed by State Highway Route 28, which is the Borough's main street running east/west. State Highway Route 22 is located about one mile north of and parallel to Route 28 Washington Avenue (County Road 529) runs north/south intersecting North Avenue and is a major connection to Interstate 287 and Route 22.

The Borough is a developed residential community with a central commercial area. In the center of the business district is a train station served by the New Jersey Transit Raritan Valley line that terminates at Newark Penn Station. The train station is viewed by the Borough as a key element of the redevelopment of the area. The area is also served by two bus lines.

Like many similar urban communities, Dunellen has experienced the loss of manufacturing jobs that developed along the rail lines in the early 20th century. While the loss of jobs and ratables has impacted the community and resulted in a lack of investment in the business district, the rail lines continue to be a focus of the Borough with commuters from the Borough and surrounding communities using the train station to access jobs in the employment centers of Newark, Jersey City and New York City. The rail line still represents opportunities for the Borough's future. But rather than as a center of manufacturing, the Borough happens to be a center for residential and commercial development, which takes advantage of its location near the train station.

The redevelopment area is located generally in the center of the Borough along the Borough's main commercial thoroughfare, North Avenue/Bound Brook Road (State Highway 28), which intersects with Washington Avenue (County Road 529). The area includes all properties along North Avenue from Bound Brook Road to Jefferson Avenue, Bound Brook Road from Madison Avenue to Borough of Middlesex border, together with properties along Washington Avenue from Columbia Street to Front Street. The south side of Front Street between Lincoln Avenue and Jackson Avenue are also included in the redevelopment area.

## 4.3 **Existing Land Uses**

The Redevelopment area as noted above encompasses the entire downtown commercial area. The area includes approximately 150 properties varying in use. The area consists of more than 70 acres, excluding the rail right-of-way. The uses include retail, office, residential, industrial, public and vacant land.

Approximately two-thirds of the area is zoned B-Business which permits typical commercial uses, along with both single and two-family dwellings. The area zoned B-

Business is generally located along North Avenue/Bound Brook Road. The RB-Two family residential zone is located along Bound Brook Road between Madison Avenue and Pulaski Street.

The generality of uses noted in the redevelopment area may be summarized as follows:

#### **4.3.1 Retail Uses**

As may be expected in a business district, retail uses are the most significant land use in the area. The majority of these land uses are located on the ground floor of the structures located along North Avenue from Madison Avenue to Jefferson Avenue with some retail uses being located on North Washington Avenue.

#### **4.3.2 Residential Uses**

Residential uses comprise almost one-third of the properties in the area. This excludes apartments that may be located above or behind retail uses. The presence of single and two-family dwellings in the study area, while permitted by zoning is inconsistent with the typical downtown business district.

#### **4.3.3 Industrial Uses**

The two major Industrial properties in the area are the former Art Color property that consists of approximately 19 acres with 450,000 square feet of warehouse and manufacturing space; and the former National Starch property also on North Avenue, much of which remains vacant, except for a warehouse that has been converted to an indoor ice rink.

#### **4.3.4 Public Uses**

The public uses located in the area include Borough Hall at the corner of North and Prospect Avenues, the public library on New Market Road and the extensive holdings of the Dunellen Parking Authority, which include the Skinner Plaza parking lot on South Washington Avenue, public parking along the rail embankments and along Front Street, and two buildings on Front Street.

#### **4.3.5 Vacant Land**

There are two unimproved parcels on Bound Brook Road between Madison Avenue and Pulaski Street that are presently used for storage of vehicles and equipment numbered Block 49, Lot 29, and Block 34, Lot 28.

#### **4.3.6 Other Uses**

There are at least eight (8) automotive related uses including a gas station in the area.

## **SECTION 5 - PLAN GOALS AND OBJECTIVES**

### **5.1 Plan's Goals**

In general, the Plan attempts to revitalize the Borough's economic base and create locations for new job opportunities and locations for uses that are currently in demand. The specific goals of the Plan are as follows:

1. To promote the effective use of all the Redevelopment property and to increase the property tax base of the Borough.
2. To improve utilization of the land in the Redevelopment Area, which by virtue of its proximity to transportation could be more effectively employed for the community benefit.
3. To revitalize the area with the inclusion of land uses of appropriate type scope and scale to meet the demands of the market area.
4. To remediate contaminated sites as part of the redevelopment process.
5. To create a new mixed-use area, including multi-family residential uses and affordable housing.
6. To promote the creation of job opportunities in the Borough that will provide opportunities for both existing residents as well for others in the area.
7. To improve business opportunities through promotion of new and diverse economic activities.
8. To maximize the leveraging of public and private funds to accomplish comprehensive redevelopment of the area.
9. To redevelop land occupied by obsolete structures and uses.
10. To improve property values within the area to increase local revenues.
11. To enhance the image of the area.
12. To improve the public image elements of the streetscape through landscaping, street furniture, paving, lighting and pedestrian linkages.

### **5.2 Plan's Objectives**

1. Physical Objectives - to enhance the physical environment present in the redevelopment area including the following:
  - Eliminate physical and functional deterioration by removing structures, which are either substandard, functionally obsolete, or exert an adverse influence on the area.
  - Support private and public improvements intended to develop an attractive and

aesthetically pleasing environment for residents, workers and users of the area.

2. Land Use Objectives – to support better land use in the redevelopment area including the following:
  - Support and create new residential uses appropriate to the redevelopment area as a means of expanding the vitality of the area;
  - Discourage industrial uses which are nonconforming to the zoning codes and detrimental to the surrounding neighborhood.
3. Transportation Objectives - objectives to support transportation initiatives in the redevelopment area including the following:
  - Continue the NJDOT enhancement program by bringing decorative lights from the train station down into the business district.
  - Construct a shared parking deck on the existing lot for both commuters and consumers.
  - Encourage the improvement through consolidation and redesign of existing public and private parking areas throughout the redevelopment area. In particular, in the rear of properties in Block 32 commonly known as the block fronting on North Avenue and Front Street between Lincoln Avenue and North Washington Avenue and Block 66 commonly known as the block fronting on North Avenue between Madison Avenue and Prospect Avenue.
  - Enhance traffic flow through the parking deck to maximize efficient traffic flow and allow access to downtown shops.
  - Create pedestrian oriented and Transit Village oriented development as the town's central focus.
4. Recreational Objectives - to support recreational uses in the redevelopment area to include the following:
  - Require large development parcels to provide a portion of the developed area for recreation and open space use.
5. Other Public Improvements Objectives - to support the upgrading of public infrastructure such as sewers, streets, sidewalks and similar public improvements.
6. Economic Objectives - to support economic development initiatives in the redevelopment area of the redevelopment plan.
  - Encourage economic development and related activities, which will support increased employment opportunities, tax rates, and economic growth in the area and borough.



- Support private and public investment in the area, which will tend to generate economic growth and expanded employment opportunities in the area and borough.
- Leverage private capital investment with available state and federal programs.

## **SECTION 6 - REDEVELOPMENT OPPORTUNITIES**

### **6.1 Redevelopment Opportunities**

The Redevelopment Area is located in the center of the Borough, paralleling State Highway Route 28 and County Road Route 529. Based upon such assets as its regional location, train station, public parking, visibility from the adjacent roadways and the desire of the Borough leaders and private property owners to effectuate change, the development opportunities for the area are significant. The Plan recognizes all these features and provides the groundwork for the development of varied uses that integrate the principles of comprehensive planning. During the Borough's redevelopment planning process, it has divided the Redevelopment Area into seven (7) sub-districts to encourage redevelopment in an orderly and deliberate fashion. The following is a summary of those areas and the types of uses the Borough envisions for the redevelopment of the areas:

### **6.2 Site #1. Train Station North- (Block 69/All Lots)**

This area is located in the heart of downtown Dunellen and includes the entire south side of the block along North Avenue from Washington Avenue to Prospect Avenue. North Avenue (State Highway 28) is the major north/south road through the center of the Borough. Washington Avenue is a major county connector road between Route 22 in Green Brook and Route 287 in Piscataway. Borough Hall is located on the opposite corner of Prospect Avenue.

The entire area is approximately 1.84 acres and consists of a gas station, the Borough post office, a Provident Bank branch with drive-up window, a parking lot for municipal business and the police and municipal employee parking lot. The parking lot has been identified as a brownfield site.

Due to its prime location in the downtown, this area is a priority for redevelopment. The redevelopment area should be redeveloped to include a full-service municipal complex envisioning municipal offices including all police functions, library relocation and other "Towne Center" amenities such as the Post Office, a bank, and retail establishments. This assemblage should maximize utilization of the real estate in this central location contemplating structured parking and three or four story massing taking full advantage of the location for central services.

Approximately 50% of the area is presently used for parking to support the bank, post office, train station and Borough Hall. The shared use of this parking should be better defined in order to enhance the viability of the area. While this parking is necessary, it is unattractive and inefficient. Ideally, structured parking to accommodate the master municipal complex, post office, bank, and retail/office should be constructed. The parking areas may be enhanced with the construction of a small plaza with planting areas and street furniture to create a "sense of place". This will require coordination and cooperation amongst the Borough, the bank and the post office. Generally, these types of users are amenable to cooperating with these types of civic improvements.

Since this area is at the center of the downtown area, with the train station, Borough Hall and post office all in close proximity, it is the place where many visitors first

experience Dunellen. Therefore, focusing the redevelopment of this area in this manner should enable the Borough to achieve immediate visible improvements. The redeveloper should include in his proposal the interaction of this main site with Sites 2 and 3 in order to create a harmonious redevelopment setting with all three sites having some degree of pedestrian/Transit Village orientation.

The redevelopment of the former gas station property will unlikely be achieved through the use of private financing by the developer. It is anticipated that the developer would contribute toward the enhancement of the area's public improvements. The Borough has received grant funding to pay for part or all of the site investigation and remediation.

The improvements proposed such as a small plaza, landscaping, parking lot improvements and street furniture will be paid for through a variety of sources including public and private funds. Federal, state, county and local funds, including community development block grants, N.J. Transit, N.J.D.O.T., along with funds from the private property owners will be used.

This site must include the appropriate number and type of affordable housing units as required by the State of New Jersey affordable housing laws that are in place at the time the site is developed.

While this Plan envisions that this site will be redeveloped with non-residential uses, the Borough shall require any redevelopment project containing a residential component to include an affordable housing set-aside for qualified low and moderate income individuals and households in accordance with the Borough's Housing Element and FairShare Plan prepared February 1, 2016, as may be amended from time to time, and the terms of the settlement agreement between the Borough and the Fair Share Housing Center (FSHC) in the Matter of the Application of the Borough of Dunellen, County of Middlesex, Docket No. MID-L-3947-15. Any redevelopment project containing a residential component shall provide a mandatory minimum fifteen percent (15%) affordable housing set-aside for rental units and a mandatory twenty percent (20%) set-aside for for-sale units. In the event that the inclusionary set-aside percentage (15% for rentals / 20% for-sale) of the total number of residential units does not result in a full integer refer to §89-13.B(4) of Dunellen's code. Such units shall be constructed, marketed, administered and occupied by income eligible households in accordance with the Uniform Housing Affordability Controls (UHAC, N.J.A.C. 5:80-26.1 et seq.).

### **6.3 Site #2. Train Station South- (Block 70/Lot 13 and 13.01)**

This area is located on the other side of the railroad from the Train Station North area and is adjacent to the N.J. Transit train station and the Borough's library. The property is triangular in shape and is 2.88 acres in size. It is owned by the Borough and used for public parking, primarily for commuter use. The parking lot is currently operated by the Dunellen Parking Authority. The neighborhood located south of the area is primarily single family residential.

This area is attractive for redevelopment due to its location adjacent to the train station and the fact that it is already owned by the Borough. However, the cooperation of the Parking Authority is required due to its leasing of the property for public parking. The

redevelopment of this area may also require the relocation or reconfiguration of the library's parking lot. Alternatively, the library should ideally be incorporated into the new municipal complex and the library and surface parking of this tract replaced with structure parking and retail/office.

The goals for redeveloping this area include an increase in the number of public parking spaces, while encouraging new development with a mix of commercial uses. Due to the nearby single family residential uses, the height of any structures will be limited to no more than three stories. The redeveloper should include in its proposal, the interaction of this site with Sites 1 and 3 in order to create a harmonious redevelopment setting with all three sites having some degree of pedestrian/Transit Village orientation. The site should contain a pedestrian feature so as to permit those utilizing the site to gain access to the other sites. Integrated into the design for this site should be a covered bus station.

It is likely that the South Washington Avenue/New Market Road frontage would include ground floor commercial with parking or residential above. The interior of the area, near the train station, should be developed with multi-level parking connected to the South Washington Avenue development and the train station.

It is anticipated that the Borough, in conjunction with the Parking Authority, would utilize a request for proposal process to solicit redevelopment proposals from developers for this area. Any development would be privately financed. The public parking component of the project would be constructed and financed through creative means to reduce the Borough's need to incur public debt. The Borough's ownership of the project area should provide it greater flexibility in structuring financing for the parking. Also, the involvement of the Parking Authority and its ability to issue debt represents another alternative for financing the public parking component.

This site must include the appropriate number and type of affordable housing units as required by the State of New Jersey affordable housing laws that are in place at the time the site is developed.

While this Plan envisions that this site will be redeveloped with non-residential uses, the Borough shall require any redevelopment project containing a residential component to include an affordable housing set-aside for qualified low and moderate income individuals and households in accordance with the Borough's Housing Element and FairShare Plan prepared February 1, 2016, as may be amended from time to time, and the terms of the settlement agreement between the Borough and the Fair Share Housing Center (FSHC) in the Matter of the Application of the Borough of Dunellen, County of Middlesex, Docket No. MID-L-3947-15. Any redevelopment project containing a residential component shall provide a mandatory minimum fifteen percent (15%) affordable housing set-aside for rental units and a mandatory twenty percent (20%) set-aside for for-sale units. In the event that the inclusionary set-aside percentage (15% for rentals / 20% for-sale) of the total number of residential units does not result in a full integer refer to §89-13.B(4) of Dunellen's code. Such units shall be constructed, marketed, administered and occupied by income eligible households in accordance with the Uniform Housing Affordability Controls (UHAC, N.J.A.C. 5:80-26.1 et seq.).

#### **6.4 Site #3. South Washington Avenue between rail line and Columbia Street-**

**(Block 85/Lot 1 & 2; Block 83/Lot 1)**

This area is located south of the rail line with frontage on South Washington Avenue and runs east to the Township of Piscataway municipal boundary. The adjacent neighborhood is single family residential with a Borough park, Columbia, located south of the area, currently undergoing major revitalization and enhancement.

The area consists of approximately 19 acres and contains a large industrial building, formerly a manufacturing plant, which currently contains a mix of uses including a gym, and warehousing and manufacturing facilities. Due to the previous use for manufacturing, the area may have environmental issues that would have to be addressed prior to its redevelopment. In addition, the buildings are occupied and may require the relocation of the tenants.

The Borough would like to encourage the redevelopment of the area for mixed residential/commercial development with unobtrusive parking facilities. The average density for this area should be 21 units per acre. The redeveloper should include in its proposal the pedestrian interaction of this site with Site 2 in order to create a harmonious redevelopment setting with all three sites having some degree of pedestrian/Transit Village orientation. The site should contain a pedestrian feature so as to permit those utilizing the site to gain access to the other sites.

This site must include the appropriate number and type of affordable housing units as required by the State of New Jersey affordable housing laws that are in place at the time the site is developed.

The redevelopment of this site shall include an affordable housing set-aside of fifteen percent (15%) for low and moderate income individuals and households in accordance with the Borough's Housing Element and Fair Share Plan prepared February 1, 2016, as may be amended from time to time, and the terms of the settlement agreement between the Borough and the Fair Share Housing Center (FSHC) in the Matter of the Application of the Borough of Dunellen, County of Middlesex, Docket No. MID-L-3947-15. The redevelopment of the site shall result in the construction of a minimum of 58 affordable non-age-restricted rental units on the site in accordance with the Borough's Fair Share Plan, the terms of the settlement agreement, the redevelopment agreement between the Borough and the designated Redeveloper, and the provisions of Section 7 herein. Such units shall be constructed, marketed, administered and occupied by income eligible households in accordance with the Uniform Housing Affordability Controls (UHAC, N.J.A.C. 5:80-26.1 et seq.)

**6.5 Remainder Parcels In Vicinity of Route 28 – “Downtown Core”**

Drawing momentum from the successful redevelopment of the Downtown Center, it is anticipated that redevelopment of the Downtown Core outlined in Section 4 of this Plan will occur in subsequent phase or phases as redevelopment or perhaps rehabilitation. Such activity should be contemplated in concert with the Downtown Redevelopment Phase 1 to ensure consistency of effort and to provide guidance to property owners looking to capitalize on the anticipated dramatic downtown enhancement that will draw pedestrians through the length of the commercial district.



As with Site #1, Site #2, and Site #3, the Borough shall require any redevelopment project containing a residential component to include an affordable housing set-aside for low and moderate income individuals and households in accordance with the Borough's Housing Element and Fair Share Plan prepared February 1, 2016, as may be amended from time to time, and the terms of the settlement agreement between the Borough and the Fair Share Housing Center (FSHC) in the Matter of the Application of the Borough of Dunellen, County of Middlesex, Docket No. MID-L-3947-15. Any redevelopment project

containing a residential component shall provide a mandatory minimum fifteen percent (15%) affordable housing set-aside for rental units and a mandatory twenty percent (20%) set-aside for for-sale units. In the event that the inclusionary set-aside percentage (15% for rentals / 20% for-sale) of the total number of residential units does not result in a full integer refer to §89-13.B(4) of Dunellen's code. Such units shall be constructed, marketed, administered and occupied by income eligible households in accordance with the Uniform Housing Affordability Controls (UHAC, N.J.A.C. 5:80-26.1 et seq.)

## **6.6 Transition Areas**

Understanding the importance of further development for the gateways to the Borough and proper development of properties bordering the Borough's residential neighborhoods, the Redevelopment Plan has been amended to include "transition areas" from the western gateway of Dunellen at the Middlesex border to Sanford Avenue, and from the eastern gateway of Dunellen at the Plainfield City border to Jackson Avenue. Noting that these transition areas are on the outer rims of the Redevelopment Area, these areas permit residential uses on the ground floor to provide appropriate density to support the Downtown Core of Dunellen. Any development in these areas is subject to the same affordable housing requirements as the Downtown Core pursuant to Section 6.1.4.

## **6.7 Front Street Transition Area**

This area, consisting of those lots fronting upon Front Street between Washington Avenue and Lincoln Avenue on the south side of the street, at the rear of Block 32, functions as the transition between the residential neighborhood to the west and the Downtown Core. The lots currently include parking lots for businesses on North Avenue, dwellings, commercial uses at the corners of Lincoln and Washington Avenues, and the Borough Parking Authority properties. The Borough does not believe these properties fronting upon Front Street are appropriate for stand-alone mixed-use development, but should be permitted to be developed as either multi-family projects or as part of mixed-use projects that have their primary frontage on North Avenue or Washington Avenue. The Borough will also explore opportunities to acquire property or enter into agreements with property owners or developers to create public parking along Front Street to support North Avenue. Any development in these areas is subject to the same affordable housing requirements as the Downtown Core pursuant to Section 6.1.4.

## **6.8 Flex Transition Area**

This area consists of a single lot, Block 86, Lot 5, which extends 1,697 feet from the

Piscataway border along the south side of North Avenue and which is occupied by a mixture of retail, industrial, and commercial recreation buildings and uses. The rear of the lot abuts a New Jersey Transit owned lot adjacent to the rail right of way. The existing conditions on this lot, including its size, existing improvements, and contiguity with the NJ Transit properties, make it appropriate for uses which require greater land area than may be available in other sections of the Downtown and which would contribute to the vitality of the Downtown Core and overall quality of life. Any development in these areas is subject to the same affordable housing requirements as the Downtown Core pursuant to Section 6.1.4.

## **SECTION 7 - PROPOSED REDEVELOPMENT AREA LAND USE AND BUILDING REQUIREMENTS**

### **7.1 Land Use and Building Requirements**

Based upon preliminary interest and analysis of the Redevelopment Area's opportunities and constraints, a land use plan was created to take advantage of existing and potential physical and economic opportunities in the Redevelopment Area and to achieve the goals and objectives of the Redevelopment Plan. The proposed land uses in the Redevelopment Area are varied to take advantage of the different opportunities that are present in the Redevelopment Area and are flexible enough to respond to market conditions at the time of site planning and development. The land uses are proposed for each Redevelopment Site and standards for each site have been created. The permitted uses and design standards within each site and the design standards to the entire Redevelopment Area are detailed in the following Parcel Standards and General Standards section.

### **7.2 Relationship of Plan to the Borough Land Development (Zoning) Regulations**

The land use controls and building restrictions set forth in this Redevelopment Plan shall apply to all new development within the Redevelopment Area and shall supersede any requirements set forth in the Borough of Dunellen Zoning Ordinance. All existing uses will be permitted to remain in the Redevelopment Area; however, any change in use or major alterations to any building or structures will be required to meet the land use and building requirements contained in this Redevelopment Plan. All the redevelopment regulations not addressed herein shall remain applicable. It is recognized that all development is contingent upon all necessary state, county and local approvals.

Site plan approval from the Borough's Planning Board in accordance with the Municipal Land Use Law ("MLUL") shall be required for all development within the Redevelopment Area, together with any other local approvals that may be required under a Redevelopment Agreement, which shall also be required. The Planning Board shall have the authority to grant variances that would be considered (c) variances under the MLUL and design waivers during the site plan approval process. No Land Use Board of the Borough shall have the authority to grant any variance that would be considered a(d) variance under the MLUL. Any proposed variation to this Redevelopment Plan that would be considered a (d) variance shall require an amendment to this Redevelopment Plan by Ordinance in accordance with the Local Redevelopment and Housing Law.

### **7.3 Land Use Map**

A Land Use Map has been developed to highlight the various areas for redevelopment keyed to the following Land Use and Building Requirements.

### **7.4 Definitions**

The definitions provided below shall supplement the definitions contained in the Borough Code for the purposes of this Redevelopment Plan:

**Adult Entertainment/Theaters:** Establishments offering sexually-oriented live entertainment or screening sexually-oriented films or videos. These shall be prohibited within the Borough of Dunellen.

**Artist Studio:** A place of work for an artist, artisan, or craftsperson involved in the creation of unique drawings, paintings, sculptures, glasswork, furniture, apparel, home decorations, jewelry, toys, and the like, and which may include the permanent residence of such person.

**Indoor Recreation:** An establishment providing indoor facilities for recreational activities and games, and rendering services or selling merchandise incidental to those activities and games.

**Personal and Business Services:** Establishments primarily engaged in providing services to a person and/or caring for that person's personal goods or apparel, or providing services to other business establishments. Examples of personal services include barber shops, beauty services, laundry, health clubs and gyms, clothing rental, and domestic services, professional photographers, instructional studios, financial services such as banking and accounting, and the like. Examples of business services include advertising services, mailing and shipping services (but not distribution centers), equipment rental and leasing (provided that there is no outdoor storage of such equipment), photo development services, and the like.

**Retail:** Establishments engaged in the sale or rental of goods or merchandise and in rendering services incidental to the sale or rental of such goods or merchandise, but not including wholesale of merchandise to other businesses. Such establishments shall be open to the public for in-person, on-premises transactions, and may offer delivery or shipping of merchandise typically stocked on-site. Show-room retail formats, in which on-premises merchandise is for display only, are permitted provided that the premises are open to the public and purchase orders may be completed on premises or remotely.

## **7.5 Land Use and Building Requirements**

### **7.5.1 Standards Applicable to the Entire Redevelopment Area**

#### **1. Permitted Uses:**

- a. Municipal facilities;
- b. Non-municipal emergency response facilities;
- c. Uses which are customarily accessory to any principally permitted uses;
- d. Rooftop and parking-lot solar installations, including "front of the meter" and "behind the meter" installations.

#### **2. Minimum unit size:**

- a. Studio unit – 500 sf exclusive of balconies or other outdoor seating areas.
- b. One (1) bedroom unit – 700 sf inclusive of balconies or other outdoor seating areas.
- c. Two (2) bedroom unit – 800 sf inclusive of balconies or other outdoor seating

areas.

- d. Three (3) bedroom unit – 1,000 sf inclusive of balconies or other outdoor seating areas.
3. Front side and rear Setback Requirements. Front yard setback is a minimum of 16 feet measured from the face of the curb, except where otherwise stated. Front yard setback does not include building overhangs such as awnings and balconies.
4. Materials. Materials used shall be conducive to creating a Railroad Town (Transit Village) environment, encouraging the use of brick, awnings, planters and wrought iron railings.
5. Landscape Requirements. The minimum area devoted to landscaped open space shall be ten (10) percent of the total lot area. Landscaped area is required to be native species of New Jersey with the exception of the nonnative Cherry tree variety type. If possible, depending on site constraints, and approvals, rain gardens located adjacent to subject property upon which a development is proposed, counts towards the ten (10) percent landscaping requirement.
6. Lighting. Decorative lighting in accordance with Borough specifications shall be used. Alternative lighting designs will be considered by the Planning Board. All street lights furnished by a developer shall include self-watering hanging planters.
7. Walkways. All walkways shall use decorative pavers. Pervious pavers are strongly recommended.
8. Trash receptacles and benches. Both trash receptacles and benches are required and shall be of materials complementing the buildings and the Railroad Town theme as selected by the Planning Board.
9. Rear setback to residential uses. A rear yard setback of no less than 12 feet shall be required between any building and a property line shared with an existing residential property or any residential (R-A, R-B, and the like) zone boundary. The rear yard shall include a combination of trees, shrubs, and opaque fence to provide privacy, attenuation noise, and prevent light encroachment into residential properties.
10. Affordable Housing Requirement. The Borough shall require any redevelopment project containing a residential component to include an affordable housing set-aside for qualified low and moderate income individuals and households in accordance with the Borough's Housing Element and Fair Share Plan prepared February 1, 2016, as may be amended from time to time, and the terms of the settlement agreement between the Borough and the Fair Share Housing Center (FSHC) in the Matter of the Application of the Borough of Dunellen, County of Middlesex, Docket No. MID-L-3947-15. Any redevelopment project containing a residential component shall provide a mandatory minimum fifteen percent (15%) affordable housing set-aside for rental units and a mandatory twenty percent (20%) set-aside for for-sale units. In the event that the inclusionary set-aside percentage (15% for rentals / 20% for-sale) of the total number of residential units does not result in a full integer, refer to §89-13.B(4) of Dunellen's code. Such units shall be constructed, marketed, administered and occupied by income eligible households in accordance with the Uniform Housing



Affordability Controls (UHAC, N.J.A.C. 5:80-26.1 et seq.).

11. Workforce Housing. Redevelopers are strongly encouraged to work with the Borough as part of the negotiation of a redevelopers agreement to set aside additional units for households earning incomes between 80% and 120% of regional median income, referred to herein as “Middle Income”.

- a. These units would not be counted towards the low- and moderate-income housing set-aside required by this Redevelopment Plan and the Borough Code;
- b. The units would be subject to a period of control similar to what is required for affordable units. The period of control would be negotiated with the Borough as part of the Redevelopment Agreement;
- c. The Borough, as part of a Redevelopment Agreement, may require the Redeveloper to advertise middle-income units to local residents before advertising to the general public;
- d. The maximum rent for middle-income restricted units within each affordable development shall be affordable to households earning no more than 100% of median income, and the average rent for restricted middle-income units shall be affordable to households earning no more than 90% of median income;
- e. The maximum sales price of middle-income restricted ownership units within each affordable development shall be affordable to households earning no more than 110% of median income, and each affordable development must achieve an affordability average of 95% for restricted ownership units; in achieving this affordability average, middle-income ownership units must be available for at least two different prices for each bedroom type;
- f. The standards for bedroom distribution, the determination of what is considered “affordable”, requirements for annual rent increases, and other standards and procedures for creating and controlling the affordability and accessibility of a middle-income unit shall be the same as those standards required for creating and controlling low- and moderate-income units, except as superseded by this section;
- g. The Middle-Income units will be administered by the Borough’s administrative agent unless otherwise established in a Redeveloper’s Agreement.

#### **7.5.2 Site #1. Train Station North (Block 69/All Lots)**

##### **Principal Permitted Uses:**

1. Mixed-Use consisting of one or more permitted commercial uses on the ground story and residential units and/or office uses on the upper two stories. Permitted ground level commercial uses shall be limited to:
  - a. Personal and business service establishments;
  - b. Offices;

- c. Restaurants, which are also permitted on rooftops;
  - d. Entertainment, except adult;
  - e. Arts & cultural institutions including galleries, theaters (except “adult”), museums;
  - f. Indoor recreation, including billiards, hatchet throwing, miniature golf, and the like;
  - g. Retail;
  - h. Craft breweries, distilleries, winery salesrooms, brewpubs, and cider and meadery establishments;
  - i. Uses permitted in Section 7.5.1.
2. Public Open Space. Public open space should be included in this tract as a Town Park center that can be enjoyed by the pedestrians of the Borough.
  3. Bus shelters and related facilities.

**Residential Unit Type** - Residential units shall be “for sale” with a possible exception for age restricted rentals.

**Building Requirements:** The maximum building height shall be three (3) stories.

### **7.5.3     Site #2. Train Station South (Block 70/Lot 13 and 13.01)**

#### **Principal Permitted Uses:**

1. Mixed-Use consisting of one or more permitted commercial uses on the ground story and residential units, structured parking, and/or office uses on the upper two stories. Permitted ground level commercial uses shall be limited to:
  - a. Personal and business service establishments;
  - b. Offices;
  - c. Restaurants;
  - d. Craft breweries, distilleries, winery salesrooms, brewpubs, and cider and meadery establishments;
  - e. Entertainment, except adult;
  - f. Arts & cultural institutions including galleries, theaters, museums, and crafting/work spaces for artists;
  - g. Uses permitted in Section 7.5.1.
2. Public Open Space. Potential public open space should be considered in this parcel as a Town Park center that can be enjoyed by the pedestrians of the Borough.
3. Bus shelters and related facilities.

**Parking Garage Requirements.** A multi-story parking deck shall be a required element of any redevelopment of this property, and shall be designed and utilized as shared parking for the downtown commercial district as well as for commuters utilizing the train and buses.

**Building Requirements:** The maximum building height shall be three (3) stories.

#### **7.5.4 Site #3. South Washington Avenue (Block 85/Lots 1 & 2; Block 83/Lot 1)**

##### **Principal Permitted Uses:**

**Commercial/Retail/Residential/Recreational.** This land use designation contemplates a mixed-use development not exceeding four (4) stories that may include residential, commercial/retail, office, craft breweries, craft distilleries, winery salesrooms, brewpubs and cider and meadery establishments and recreational uses. Only retail and commercial uses shall be permitted on the ground floor of a building(s) ("First Floor Commercial/Retail") that immediately fronts or faces South Washington Avenue. Office and residential uses shall be permitted on the floors above the ground floor of said buildings. Residential development shall be permitted on all floors in any building that does not immediately front on South Washington Avenue, with the maximum number of residential units in all buildings not to exceed 382 in number. The residential development may include an activity center and other typical uses and structures accessory to residential uses. To facilitate this mixed use development, the property may be subdivided into two or more parcels but shall be subject to a unified development plan. Notwithstanding any subdivision of the property, density shall be calculated based upon the total land area in the unified plan. Ground Floor Commercial/Retail uses may include (but is not limited to) personal and business service establishments, restaurants, retail stores, bakeries, delicatessens, drug stores, beauty parlors, food stores and supermarkets, all of which may include drive-through facilities. Any residential development may be for sale or rental, or a combination thereof, at the option of the developer, except as may be otherwise provided in a redevelopment agreement.

##### **Building Requirements:**

1. Building height requirements. The maximum building height shall be a maximum of four (4) stories and no higher than fifty-five (55) feet.
2. Density requirement. The maximum dwelling unit density shall be twenty-one (21) per acre. Minimum unit sizes at Section 7.5.1 do not apply.
3. Front, side, and rear Setback Requirements. There shall be no front yard, side yard or rear yard setback requirements to existing property lines or to new property lines created by a subdivision. All new structures or buildings shall be located at the front property line to provide a continuous street wall.
4. Minimum Building Separation Requirements:

- a. Front to Front – 60 feet
  - b. Rear to Rear and Rear to Side – 40 feet
  - c. Side to Side – 25 feet
5. Landscape Requirements. The minimum area devoted to landscaped open space shall be ten (10) percent of Site # 3 and shall include landscaped areas in between buildings.
  6. Residential Site Improvement Standards (RSIS). RSIS shall be applicable to residential uses within Site #3. Notwithstanding the parking requirements of the RSIS, however, the Borough of Dunellen Planning Board may, in its discretion pursuant to N.J.A.C. 5:21-3.1, approve an alternative parking standard pursuant to N.J.A.C. 5:21-4.14(c) due to the availability of mass transit. If there is any conflict or inconsistency between RSIS and this Redevelopment Plan with respect to residential uses, RSIS shall control.
  7. Affordable Housing Requirements. A minimum of fifteen percent (15%) of all residential units shall be affordable to low- and moderate-income individuals and households. A minimum of 58 affordable, non-age-restricted rental units shall be provided on the site in accordance with the Borough's 2016 Housing Element and Fair Share Plan and the provisions of the plans, agreements, statutes and codes referenced therein. Rental units may be utilized to satisfy the entire number of affordable housing units that are required based upon the total number of rental and for-sale residential units.

### **7.5.5 Downtown Core**

#### **Principal Permitted Uses:**

1. Mixed Use-Consisting of one or more permitted commercial uses on the ground story and residential units and/or office uses on the upper two stories. Permitted ground level commercial uses shall be limited to permitted stand-alone uses in the Downtown Core and the following:
  - a. Personal and business service establishments;
  - b. Offices;
  - c. Restaurants;
  - d. Craft breweries, distilleries, winery salesrooms, brewpubs, and cider and meadery establishments;
  - e. Entertainment, except adult;
  - f. Indoor recreation, including billiards, hatchet throwing, miniature golf, and the like;
  - g. Retail;
  - h. Uses permitted at Section 7.5.1.
2. Assembly spaces with or without on-site food preparation;

3. Arts & cultural institutions including galleries, theaters, museums, and crafting/work spaces for artists;
4. Public Open Space.

### **Building Requirements:**

1. Building height requirements. The maximum building height shall be three stories.

## **7.5.6 Transition Areas**

### **Principal Permitted Uses:**

1. Multi-family residential; or
2. Mixed Use-Consisting of one or more permitted commercial uses on the ground story and residential units and/or office uses on the upper two stories. Permitted ground level commercial uses shall be limited to:
  - a. Personal and business service establishments;
  - b. Offices;
  - c. Restaurants;
  - d. Craft breweries, distilleries, winery salesrooms, brewpubs, and cider and meadery establishments;
  - e. Retail;
  - f. Artist working/crafting spaces; and
  - g. Uses permitted at Section 7.5.1.
3. Public Open Space.

### **Conditionally Permitted Uses**

1. Artist studios, as defined in this Redevelopment Plan, provided that:
  - a. Any residential unit shall be vertically or horizontally separated from the working section of the Studio;
    - i. The residential unit must contain full and operational kitchen and bathroom facilities;
    - ii. The residential unit shall not exceed one-third (1/3) the total floor area of the building containing the Artist Studio use;
    - iii. Any residential unit occupied by minor children shall contain a minimum of two bedrooms;
    - iv. The residential unit shall only be occupied by the artist utilizing the studio and their family;
    - v. The residential unit and studio work space may have separate and distinct exterior access points, but must have interior cross access.



- b. The artistic or crafting activity taking place on the property shall be subject to the performance standards at §115-39;
- c. A studio work space may be shared by multiple artists, and only one of those artists must reside in any attached residential unit;
- d. The Borough may inspect any studio containing a residential unit every two (2) years to ensure compliance with this section;
- e. It is strongly encouraged that the studio adaptively reuse existing residential or non-residential buildings in the Downtown. Spaces intended for residential habitation shall meet all applicable state, federal, and local codes for a dwelling.

### **Building Requirements:**

- 1. Building height requirements. The maximum building height shall be three stories.
- 2. Ground Floor Uses: When residential uses are proposed on the ground floor within the transition areas, the design of the ground floor facing a public street is strongly encouraged to include a storefront design with accessory residential uses such as the lobby, amenity, fitness, or other similar type of accessory use.

## **7.5.7 Front Street Transition**

### **Principal Permitted Uses:**

- 1. Multi-family residential;
- 2. Municipal facilities;
- 3. Public Open Space.

### **Conditionally Permitted Uses:**

- 1. Mixed-Use consisting of one or more permitted commercial uses on the ground story and residential units and/or office uses on the upper two stories. Permitted ground level commercial uses include:
  - a. Personal and business service establishments;
  - b. Offices;
  - c. Restaurants;
  - d. Craft breweries, distilleries, winery salesrooms, brewpubs, and cider and meadery establishments;
  - e. Uses permitted at Section 7.5.1.

Mixed-use development and any uses or structures which are accessory to a mixed-use development shall only be permitted in the Front Street Transition Area as part of a development that has its primary frontage on North Avenue or Washington Avenue. For the purpose of this paragraph, “primary frontage” shall be the frontage from which any storefronts or lobby areas are accessed.

**Building Requirements:**

1. Building height requirements. The maximum building height shall be two and one-half (2.5) stories.
2. Ground Floor Uses: When residential uses are proposed on the ground floor within the transition areas, the design of the ground floor facing a public street is strongly encouraged to include a storefront design with accessory residential uses such as the lobby, amenity, fitness, or other similar type of accessory use.

**7.5.8 Flex Transition Area****Principal Permitted Uses:**

1. Multi-family residential; or
2. Mixed Use-Consisting of one or more permitted non-residential uses on the ground story and residential units and/or office uses on the upper two stories. Permitted ground level commercial uses shall be limited to:
  - a. Personal and business service establishments;
  - b. Offices;
  - c. Restaurants;
  - d. Craft breweries, distilleries, winery salesrooms, brewpubs, and cider and meadery establishments;
  - e. Retail;
  - f. Arts & cultural institutions including galleries, theaters, museums, and artist working/crafting spaces;
  - g. Indoor recreation, including billiards, hatchet throwing, miniature golf, and the like;
  - h. Supermarkets and grocery stores;
  - i. Uses permitted at Section 7.5.1.
3. Non-residential buildings consisting of one or more of the ground-level uses listed under 7.5.8.2, and/or any the following uses:
  - a. Film studios;
  - b. Visual and/or audio production facilities;
  - c. Assembly spaces with or without on-site food preparation;
  - d. Office;
4. Public Open Space.

**Building Requirements:**

1. Building height requirements. The maximum building height shall be three stories.
2. Ground Floor Uses: When residential uses are proposed on the ground floor within the

transition areas, the design of the ground floor facing a public street is strongly encouraged to include a storefront design with accessory residential uses such as the lobby, amenity, fitness, or other similar type of accessory use.

## **SECTION 8 - GENERAL DESIGN STANDARDS**

### **8.1 Design Standards**

This section details the overall design standards in the Area in terms of streetscape design; the visual appearance of Route 28/North Avenue and Washington Avenue; open space design, lighting and landscaping design; site design guidelines; storage, service and loading areas; refuse and recycling collection areas; the screening of exterior mechanical equipment; signage; outdoor dining; architectural design; and parking requirements. These standards are to be used in conjunction with Site Standards.

### **8.2 Streetscape Requirements**

The streetscape is the primary image-setting area and includes all public streets. The area between the face of the building and the edge of the pavement is designated streetscape landscape area and is subject to the following standards:

1. Benches, recycled plastics with wrought iron frame
2. Metal or Iron Trash Receptacles matching benches
3. Native shrubs, decorative trees, and ground cover of New Jersey. Nonnative Cherry trees are permitted to be planted.
4. Walkways made of brick and or decorative mason materials. Pervious pavers are strongly recommended
5. Planters
6. Awnings (types, style, signage, lighting]
7. Decorative and/or American Flag
8. Self-watering flower pots and planters
9. Bicycle racks

### **8.3 Green and Biophilic Design**

The Borough strongly encourages developers to provide what are often called “green” or “biophilic” design elements, such as exterior living walls, living canopies, and green roofs that incorporate or cover traditionally manufactured surfaces with plants, mosses, and other forms of natural coverage. These features should be designed to reduce stormwater runoff and potable water usage by using collected rainwater, greywater, condensation runoff from air conditioning units, or other alternative water sources in lieu of potable water.

Additionally, the Borough strongly encourages projects with a building coverage of at least half an acre to utilize rainwater collection and reuse for non-drinking purposes including for lawn irrigation and toilet flushing in order to reduce stormwater beyond what is required by the NJ DEP.

### **8.4 Street Trees Along North Avenue, Bound Brook Road (State Highway Route 28), and Washington Avenue**

The visual appearance of Route 28 is important because it serves as an entranceway into the commercial/office portion of the Area, which then leads into downtown Dunellen. Additionally, Washington Avenue serves as the main entranceway into downtown Dunellen and its commercial area.

Deciduous decorative trees, native to New Jersey shall be planted along these corridors approximately 50- foot on-center and in relation to building facade. Nonnative Flowering Cherry trees are permitted to be planted. Minor deviations from this spacing may be permitted by the Planning Board to accommodate driveways, street lighting, and other furnishings as appropriate for sound site planning and streetscape design. Trees shall be over 12 feet in height; a minimum 3-inch caliper and shall be planted on the street side of any sidewalk. The Borough Shade Tree Commission shall be consulted regarding all specifications regarding new or replacement street trees, and Shade Tree Commission comments shall be provided to the Planning Board for action.

## **8.5 Open Space Design, Lighting and the Public Realm**

The goal of the open space design standards is to improve the visual environment of the area through landscaping and other amenities in order to attract people to the area. People are naturally attracted to areas that appear inviting, comfortable and safe. The following standards have been created to achieve this goal.

1. All new public open space in the transit village district must be designed to be integrated into the public pedestrian circulation system. Open spaces shall be so located as to provide for maximum usability and to create a harmonious relationship between buildings and the open space within the Area.
2. New public open space in the transit village district cannot be designed as a residual space between buildings. It must contribute to the public's safe and direct pedestrian access to the train station. It must be designed without barriers, fences, gates or signs that imply that the route is for use of the development's residents only.
3. All improved public open space shall incorporate elements such as native shrubbery, attractive paving materials, street furniture, lighting, low walls, gazebos, fountains and other architectural and artistic amenities so as to produce a pleasant environment at all levels. Benches shall be placed perpendicular to the street, or, if necessary, parallel but facing away from the street. Bollards, native decorative trees, and other street furniture should be used to protect pedestrians and buildings from errant drivers. Nonnative Cherry trees are permitted to be planted. Comfortable and attractive street furniture that is accessible to the physically disabled should be provided in public spaces for public enjoyment and comfort. Street furniture may include seating and tables, drinking fountains, trash receptacles, information kiosks, and directories. Street furniture such as benches, planters, trash receptacles, bollards, kiosks, public art, bulletin boards, parking meters, newspaper racks, mail boxes, and light poles shall be installed so they are out of the way of the main pedestrian walkway.
4. All areas not covered by building, pavement or impervious surface shall be landscaped by a mix of native evergreen and deciduous decorative trees, shrubbery and herbaceous plants, including grass-native species proven to resist the urban



environment in this area. Native evergreen screen planting shall be a minimum of four (4) feet in height. Nonnative Cherry trees are permitted to be planted. Native deciduous shrubs shall be a minimum of twelve to eighteen (12 to 18) inches in height. Material shall be planted, balled, and burlapped and be of specimen quality as established by the American Association of Nurserymen. At initial planting said material shall provide a screen from the top of the planting to within six (6) inches of grade. Other plant materials shall be dense and of specimen quality as determined above. All native decorative deciduous trees shall be a minimum of three (3) inches in caliper or twelve (12) feet in height. Nonnative Cherry trees are permitted to be planted.

5. Outdoor plazas shall be encouraged in public areas. Adequate native landscaping and street furniture of a style complementary to the surrounding facades shall be used.
6. Public art in the forms of sculpture, murals, artist-designed street furnishings, etc. should be integrated into the outdoor environments associated with new public redevelopment projects.
7. Adequate and appropriate lighting shall be provided to promote a sense of security in the public open space.
8. All trash dumpsters shall be adequately secured, enclosed, and screened on all sides by native landscaping or other types of attractive materials.
9. All fences and walls shall be designed as integrated parts of the overall architectural and site design. All materials shall be durable and finished in textures and colors complementary to the overall architectural design.
10. Conspicuous chain link fencing without screening and/or native landscaping shall not be permitted.
11. Public sidewalk areas shall be landscaped with native species of New Jersey and durably paved and shall be properly illuminated with safe and adequate lighting. Nonnative Cherry trees are permitted to be planted.
12. Maintenance of landscaping on public property or right-of-way shall be the subject of a Developer's Agreement.
13. All utilities shall be located underground.

### **8.6 Transit Supportive Site Design Guidelines**

Strong transit supportive site design guidelines are essential for insuring a compact and pedestrian friendly environment with a successful public realm. An important goal of the Plan is to seamlessly knit together public and private sites with each other, the downtown, and the train station.

All buildings in their design and layout should be an integral part of the total development for the parcel. The building's design shall endeavor to achieve compatibility in scale, form,

functional utility, appropriateness and relationship to adjoining buildings. Each building fronting on a public street must use materials appropriate for fostering a Railroad Town feel, with brick or durable masonry material on portions of the front façade of the building being the most desirable.

All structures within the Redevelopment Area shall be designed and maintained so as to improve the visual appearance of Dunellen as viewed from within and beyond the Borough's borders.

### 1. Integration of Transit

- a. All new development should relate to the transit station as a vital element of the downtown.
- b. The transit station should be fully integrated into the design of the pedestrian environment.
- c. Where any new development is located on an established bus route, bus turnouts and shelters should be incorporated into the site design in consultation with NJ Transit.

### 2. Pedestrian Connectivity

- a. Continuous sidewalks should be provided along all public street frontages.
- b. Sidewalks connecting the transit station to key destinations should be as direct and visually unobstructed as possible.
- c. In areas slated for outdoor dining, there must be six feet of unobstructed sidewalk available for the exclusive use of pedestrians.
- d. Driveway curb cuts should be kept to a minimum on primary public pedestrian routes.
- e. Where sidewalks interface with driveways, the sidewalk material and level should continue across the driveway.
- f. Eliminate security fences, gates and barriers between different uses (except to protect the privacy and security of private open space).
- g. Bicycle networks should run throughout the transit village district and link directly to the transit station with clear signage leading the way. In Site #3, a bicycle route to South Washington Avenue shall be provided within the development, and bicycle parking shall be provided on-site.

### 3. Building Placement and Street Walls

- a. All structures within the Redevelopment Area shall be situated with proper consideration of their relationship to other buildings, both existing and proposed, in terms of light, air, and usable open spaces, access to public rights-of-way and off-street parking, height, and bulk.
- b. Groups of related buildings shall be designed to present a harmonious

appearance in terms of building silhouette; architectural style and scale; massing of building form; surface material, finish, and texture; decorative features; window and doorway proportions; entry way placement and location; signage; and landscaping.

- c. All buildings fronting a public street shall be placed directly up to the sidewalk in order to maintain a continuous building street wall along public streets.
- d. Buildings in Sites # 1 and # 2 and any building in Site #3 along South Washington Avenue should be oriented so that the entrances are clearly identifiable and open directly onto a public sidewalk or plaza.
- e. The main entrance of a corner building on public streets should be placed on a diagonal and oriented to the intersection.
- f. Buildings along arterial streets should be placed in order to allow for the use of common driveways where a reduction in the number of curb openings will enhance the streetscape and promote traffic safety.
- g. All loading areas must be located in a rear yard and screened from view from public rights-of-way.
- h. No drive-through establishments are permitted within the transit village district, with the exception of banks and the retail/commercial uses in Site #3.

#### 4. New Streets

- a. The layout of new streets shall be in a grid pattern or modified grid pattern, emphasizing interconnected streets.
- b. The street grid should be maintained wherever possible. Where the street grid is interrupted by steep slopes or other topographical variations, walkways or stairways should be built to maintain pedestrian continuity.
- c. It is desirable to have streets with block faces of 400 feet in length or less. For blocks over 600 feet, provide a mid-block cut-through for pedestrians.
- d. The use of service alleys for commercial / retail uses is encouraged.

#### 5. Off-Street Parking and Circulation

- a. Off-street parking is an integral component of the Plan. The importance of such parking, however, is not intended to dictate project design.
- b. Off Street parking facilities shall be provided with convenient and safe access to public rights of way and shall be illuminated so as to reflect light away from any adjoining properties.
- c. Minimum Off-Street Parking Standards shall be as set forth in Section 8.13 herein. If no Off-Street Parking Standard is specified in Section 8.13, the current municipal code shall apply.
- d. Off-Street parking and loading areas shall be coordinated with the public street

system. Shared parking among mixed uses shall be encouraged and may be factored in for purposes of calculations, but with any proposed shared parking to be subject to the approval of the Planning Board.

- e. Parking for principal permitted uses may, at the discretion of the Planning Board and in conjunction with a site plan and/or subdivision application, be granted relief from the parking requirements provided credible evidence is presented that the parking needs of such uses can be met by existing on- street spaces and off-street public or private parking lots. The Planning Board may require the furnishing of written authorization of the owners of such off-street parking lots that the specified numbers of parking spaces in such a lot are available and will be designated for daily or overnight parking for such use.
- f. No off-street parking shall be allowed between a public street or pedestrian way and the required frontage for a building.
- g. Off-street parking shall only be allowed in surface lots on the side or rear of a building, in an underground lot or in a parking structure.
- h. Parking lots should be designed to minimize conflicts between vehicles and pedestrians.
- i. Pedestrian walkways are encouraged to service the parking area.
- j. Where a parking lot is located along a public street, no more than 60 feet of frontage is permitted.
- k. Parking lot entrances and exits should be designed away from primary pedestrian routes.
- l. Parking bays in excess of twelve (12) spaces in length should be divided by intermediate landscaped islands. Landscape islands should provide at least one parking stall width of landscape area for planting native decorative trees and groundcovers. Nonnative Cherry trees are permitted to be planted.
- m. Any surface parking facility shall be landscaped and include (1) native shade tree for every twenty (20) parking spaces.
- n. Lighted sidewalks should extend between rear or side parking areas and building entrances.
- o. Residential garages should be as inconspicuous from the public street as possible to maintain a traditional neighborhood feel.

## 6. Parking Structures

- a. The ground floor facade of any parking structure abutting a street or walkway should be wrapped with retail or office use.
- b. Facades should be designed and architecturally detailed like other commercial buildings within the district.
- c. Windows or other openings should be provided that echo those of surrounding buildings.
- d. Top decks of parking structures visible from other properties should be designed with trellises and for landscaping sufficient to screen portions of the visible area.

## **8.7 Storage, Service and Loading Areas**

Storage, service, maintenance, and loading areas shall be constructed, maintained, and used in accordance with the following conditions:

1. Off-street loading shall be provided for all commercial uses in accordance with the municipal code or in accordance with the following schedule where specific provision is not addressed by Code.
  - a. One off-street loading space for the first full 25,000 square feet of total gross building floor area.
  - b. One additional off-street loading space for each subsequent 25,000 square feet or portion thereof of total gross building floor area.

Each off-street loading space shall be at least 12 feet in width, 50 feet in length and have a height clearance of at least 14 feet and shall be separate from off-street parking facilities.

2. Loading areas are permitted in rear yards or side yards only, provided that they are screened from public view.
3. No loading, storage or service area shall be located between the building line and the street line, i.e., in the front yard.
4. Provisions shall be made on site for any necessary vehicle loading, and no on-street vehicle loading or idling shall be permitted.
5. No materials, supplies, or equipment, including trucks or other motor vehicles, shall be stored upon site except inside a closed building or behind a durable material wall not less than six (6) feet in height, screening such materials, supplies, or vehicles from adjacent sites so as not to be visible from neighboring properties and streets. Any outdoor storage areas shall be located within the rear portions of a site.
6. Where curbside loading areas are not designated nearby, designated loading or staging spaces should be provided for mail and parcel delivery vehicles and moving trucks within the parking and circulation areas for any residential or mixed-use development.

## **8.8 Refuse and Recycling Collection Areas**

1. All outdoor refuse and recycling containers shall be visually screened within a durable enclosure, six (6) feet or higher, so as not to be visible from adjacent lots or sites.
2. Refuse and recycling collection enclosures should be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.
3. Refuse and recycling collection areas should be so located upon the lot as to provide clear and convenient access to refuse collection vehicles.



4. Refuse collection areas should be designated and located upon the lot as to be convenient for the deposition of refuse generated on the site.
5. Refuse and recycling collection areas should be effectively designed to contain all refuse generated on site and deposited between collections. Deposited refuse should not be visible from outside the refuse enclosure.

## **8.9 Screening of Exterior Mechanical Equipment**

1. In areas where rooftops can be viewed from adjacent roadways, rooftop equipment (including solar panels on flat roofs) shall be screened to the greatest extent possible, and/or shall be painted to match the roof. If such rooftop equipment is visible from the public road, it shall be finished to match the facade of the building.
2. Conventional mechanical and electrical equipment, which is part of the building space, such as heating, ventilating, the air conditioning system and lighting and general power, where ground mounted, shall be screened from view with evergreen landscaping.
3. Electrical equipment shall be mounted on the interior of a building wherever possible. When interior mounting is not practical, electrical equipment shall be mounted in a location where it is substantially screened from public view. In no case shall exterior electrical equipment be mounted on the street side or primary exposure side of any building.
4. Process equipment such as stacks, hoppers, bins, storage vessels, blowers, compressors, piping, ducting, conveyors and the like, which are ground mounted, shall be enclosed with screen walls to match the principal buildings.
5. Transformers that may be visible shall be screened with either plantings or a durable noncombustible enclosure. Transformer enclosures should be designed of durable materials with finishes and colors which are unified and harmonious with the overall architectural theme.
6. Satellite dishes are encouraged to be roof mounted if possible and shall not be visible from the public road or sidewalks.
7. Solar panels on sloped roofs shall not project beyond the roof peak.

## **8.10 Signage**

Signage for commercial and retail buildings shall be an essential and permanent component of the building design and shall be compatible with building materials and colors. Design of the signs shall be compatible to the Railroad Town (Transit Village) environment. Only signs that identify uses within the buildings are permitted.

In Site #3, no more than two (2) identification signs shall be permitted at the main entrance, which may include multi-use signs. The maximum area of each identification sign shall be seventy-two (72) square feet.

The standards for signage are to be found in the Municipal Code and based on the United States Sign Council recommendations.

### **8.11 Outdoor Dining**

Where permitted, seasonal outdoor dining as an accessory use to a restaurant shall be permitted with the following provisions:

1. Restaurants shall not place any table, sign, or umbrella, or other item in such a manner as to block or impair pedestrians utilizing the sidewalk, walkways or building entrances/egress, municipal signs, receptacles or garbage, public bench, or other public amenity including fire hydrants. Outdoor seating is only permitted if indoor seating is also available. The materials used for outdoor furniture must be approved by the Planning Board.
2. Restaurants must provide for the disposal of recycled cans/bottles and garbage. Receptacles for garbage shall be used for commercial refuse. Sidewalk areas shall be kept clean during hours of operation.
3. Drive-in or drive-through service shall be prohibited.
4. No portion of any sidewalk dining equipment, including chairs, table and opened umbrellas, shall encroach upon the sidewalk in a manner to block, impede or cover adjacent store fronts, doors, or windows in front of any other business establishment.
5. An outdoor dining permit must be visibly displayed for all outdoor seating. Unless otherwise covered by this section, outdoor dining shall comply with the applicable provisions of the Municipal Code and Ordinances, including but not limited to Ordinance 2012-04.

### **8.12 Transit Supportive Architectural Design Guidelines**

Transit supportive architectural design guidelines are important for insuring, among other goals, appropriate building massing, orientation, scale, entries, windows, facades and roofs. Buildings fronting on a public street shall be designed to have attractive, finished appearances from all public spaces and shall comply with the following guidelines.

1. Facades
  - a. Buildings should have a well-defined front facade with primary entrances facing the street.
  - b. Buildings should be aligned so that the dominant lines of their facades parallel the line of the street and create a well-defined edge.
  - c. The primary façade(s) (viewable by the public from streets and parking lots) of buildings of 60 feet or greater in width should be articulated into smaller increments through the following or similar techniques:
    - i. Stepping back or extending forward abut compatible materials.

- ii. Division into storefronts with separate display windows and entrances.
  - iii. Arcades, awnings, window bays, balconies or similar ornamental features.
  - iv. Variation in rooflines to reinforce the articulation of the primary façade.
  - v. Use of different buildings materials that are contextual to the building façade.
- d. It should be recognized that buildings will be viewed from a variety of vantage points. Consequently, the placement of doors, windows, balconies, changes in materials, or roof height, etc., should be designed to provide an attractive and harmonious design on all sides.
  - e. Rear facades should be designed as an integral part of the overall building with similar materials and detail treatments.
  - f. In general, buildings over two stories should have a well-defined base, middle and top. The base, or ground floor, should appear visually distinct from the upper stories, through the use of a change in building materials, window shape or size, an intermediate cornice line, an awning, arcade or portico, or similar techniques.
  - g. Portions of upper stories (above the second or third level) should be stepped back from the line of the front facade to provide areas for outdoor terraces, rooftop patios, etc.
  - h. Architectural details such as ornamental cornices, arched windows and warm-toned brick with bands of contrasting color are encouraged in new construction. The contemporary adaptation of historic and vernacular residential, institutional and commercial styles found elsewhere in the municipality is encouraged.

## 2. Transparency: Window and Door Openings

- a. For nonresidential or mixed-use buildings, window and door openings should comprise at least 60 percent of the length and at least 30 percent of the area of the ground floor of the primary street facade.
- b. For nonresidential or mixed-use buildings, a minimum of 20 percent of the ground level of side and rear facades not fronting a public street should consist of window and door openings.
- c. For nonresidential or mixed-use buildings, a minimum of 20 percent of all sides of upper story facades should consist of window or balcony/door openings.
- d. For residential buildings, a minimum of 20 percent of primary (street-facing) facades and 15 percent of other facades including upper stories should consist of window and door openings providing residents within the buildings a visual connection to activity on the sidewalk and street.
- e. Glass on street facing doors and windows should be clear or lightly tinted, allowing views into and out of the interior. Mirrored, dark tinted, or opaque or

glass block should not be used.

### 3. Building Entrances

- a. Primary building entrances on all buildings should face on a public street or walkway, or be linked to that street by a clearly defined and visible walkway or courtyard. Additional secondary entrances should be oriented to a secondary street or parking area.
- b. Residential entries should be separate and distinct from commercial entrances.
- c. In the case of a corner building or a building abutting more than one street, the street with the higher classification should be considered primary. The main entrance should be placed at sidewalk grade.
- d. Non-residential building entries should be designed with one or more of the following:
  - i. Canopy, portico, overhang, arcade or arch above the entrance.
  - ii. Recesses or projections in the building facade surrounding the entrance.
  - iii. Display windows surrounding the entrance.
  - iv. Architectural detailing such as brickwork or ornamental moldings.
  - v. Planting areas, pots or window boxes for seasonal landscaping.
- e. Porches, steps, roof overhangs, hooded front doors or similar architectural elements should be used to define the primary entrances to all residences.

### 4. Building Materials

- a. Buildings should be constructed of durable, high-quality materials such as: brick, natural stone, manufactured stone, vinyl siding, fiber cement siding, textured, patterned and/or integrally colored cast-in-place concrete, integrally colored, precast concrete masonry units (provided that surfaces are molded, serrated or treated to give wall surfaces a three-dimensional texture).
- b. Stucco or exterior insulating finish system is acceptable above the first floor of the façade visible to public sidewalks and street.
- c. Buildings may include architectural metal decorative panels, structural elements and decorative support or trim members.
- d. Buildings may not be constructed of unadorned plain or painted concrete block, unarticulated or blank, tilt-up concrete panels, pre-fabricated metal building systems, or glass curtain wall systems, fiberglass, or asphalt.

### 5. Roof Design

- a. Roof lines and cornice details shall be completed in a three-dimensional manner so that the features on the back of the roof or similar unfinished areas are not visible.
- b. Buildings may be designed with pitched and/or flat roofs. Flat roofs should be defined with a discernable cornice line.

- c. Variations in roof type, height, and/or distinct, separate roof segments should be considered as a means of creating greater visual interest, identifying changes in use, areas of ownership or reducing monotony.
- d. Pitched roofs such as gable, hip, shed or mansard roofs should be clad with highly durable materials such as standing seam metal, slate, asphalt shingles, ceramic or fireproof composite tiles.

## 6. Equipment Screening

- a. All rooftop equipment should be screened from view from adjacent streets, public rights-of-way and adjacent properties. Preferably, rooftop equipment should be screened by the building parapet, or should be located out of view from the ground.
- b. Exterior mechanical equipment such as ductwork should not be located on primary building facades.
- c. Soft water tanks, gas meters, and electrical meters should also be screened from public view wherever possible.
- d. All screening shall be architecturally compatible with the primary structure. The screening should be part of the articulation of the building and not appear to be an afterthought. Sound attenuation to mechanical equipment is also encouraged.

## 7. Franchise Architecture

- a. Franchise architecture (building design that is trademarked or identified with a particular chain or corporation and is generic in nature) is generally discouraged unless it employs a traditional storefront commercial style. Franchises or national chains should create context sensitive buildings that are sustainable and reusable.

## 8. Awnings

- a. Awnings, overhangs and arcades are encouraged, where pedestrians are expected to walk and shop, to provide overhead protection and to create significant entrances.
- b. Where awnings are used, canvas or fabric awnings are preferable. If glass or metal awnings are employed, they should closely complement the building's architectural character and aesthetic. Back lighted awnings and canopy signs should not be used.
- c. Awning standards are found within the Borough's sign ordinance.

### **8.13 Transit Supportive Parking Requirements**

Parking standards within the transit village district should reflect proximity to high frequency transit service, pedestrian-friendly built forms, and mix of uses.

1. For new and rehabilitated sites under 20,000 sf there will be no on-site parking



requirements for restaurants, commercial, retail, personal service establishment uses, theaters, bars, and nightclubs.

2. For new and rehabilitated sites, the on-site parking requirements for residential uses are as follows:
  - a. Studio unit – one (1) parking space per unit
  - b. One (1) bedroom unit – one (1) parking space per unit
  - c. Two (2) bedroom units – one and half (1.5) parking space per unit
  - d. Three (3) bedroom units – one and three quarters (1.75) parking space per unit
3. For new and rehabilitated sites 20,000 sf or over, required on-site parking for restaurants, commercial, retail, personal service establishment uses, theaters, bars and nightclubs may be reduced by up to 50% by providing a shared parking analysis. The shared parking analysis must be prepared by a qualified parking expert or licensed professional planner and be based on the anticipated hours of operation and specific operational characteristics of the anticipated users in the proposed development. On street parking located adjacent and contiguous to the property only, may be counted toward the restaurants, commercial, retail, personal service establishment uses, theaters, bars, and nightclubs parking requirements only for the proposed development.
4. For uses that are ancillary to a larger business, no additional parking will be required. [Example- a snack shop within an office building or hotel.]
5. All parking spaces shall be a minimum of nine (9) feet in width by eighteen (18) feet in depth. Aisles shall be a minimum of twenty-four (24) feet in width.
6. Solar canopies erected on surface parking lots shall provide vertical clearance of at least 12 feet.
7. Parking should be shared among different buildings and facilities whenever possible to take advantage of different peak periods. [Example - an office building can share parking with a restaurant.]
  - a. For large shared parking arrangements, jurisdictions are encouraged to require formal shared parking agreements that are recorded with the jurisdiction.
8. A reduction in the number of off-street parking spaces required (excluding parking spaces for persons with disabilities) shall be permitted for the provision of bicycle parking provided that no fee is required for using the bicycle parking.
  - b. The reduction in the number of automobile parking spaces shall be reduced by one (1) space for each bicycle parking space provided, up to ten (10) percent of the total required spaces.
  - c. Bicycle parking shall be at least as conveniently located as the most

convenient automobile spaces, other than those spaces for persons with disabilities.

- d. Bicycle parking shall be an integral part of the overall site layout and designed to minimize visual clutter.
  - e. Bicycle parking shall be provided in a well-lighted area.
  - f. Bicycle Parking Spaces outside of a building shall be located within one hundred (100) feet (as the crow flies) of the primary building entrance.
  - g. All bicycle parking areas shall afford a four (4) foot wide access aisle to ensure safe access to spaces.
  - h. Bicycle parking shall be located so as to protect bicycles from automobile damage.
  - i. All Bicycle Racks and lockers shall be securely anchored to the ground or building structure.
  - j. Bicycle Parking Spaces shall not interfere with pedestrian circulation and shall adhere to ADA requirements.
9. Payment in Lieu of Parking (PILOP): It is the policy of this Plan that, when practicable, parking requirements are to be met on site. However, if a new or rehabilitated development subject to this Plan is unable to meet the parking requirements of this Plan as a result of undue difficulty or hardship, the Borough, as redevelopment entity, may, in its discretion, require the redeveloper thereof to make a Payment in Lieu of Parking (PILOP) to satisfy, in whole or in part, all or a portion of such parking deficit. Such requirement will be documented in the redevelopment agreement and/or the Declaration of Covenants and Restrictions for the development, as appropriate. In the event that the Borough opts not to require a PILOP and/or to the extent that a parking deficit is not satisfied through a PILOP, the redeveloper will be required to apply for a variance with respect to such parking deficit and satisfy all legally required standards of proof in order for such variance to be granted.

The PILOP may include but not be limited to (a) a one-time payment to the Borough per deficient parking space and/or (b) a requirement that the redeveloper lease one (1) parking space per deficient parking space at a municipal parking lot, or if not available or practical, at a private parking lot. These leases are to be maintained for the life of the development, such obligation to be set forth in the Declaration of Covenants and Restrictions to be recorded against the redevelopment property and in a restriction to be recorded against any private property supplying a replacement space. Any change to a PILOP must be approved by the Borough Council.

All initial PILOP payments will be paid into the Borough's Parking Improvement Program Trust Fund at the time of and as a condition of issuance of construction permits for the development. To secure payment of redeveloper's obligation to the Parking Improvement Program Trust Fund, a municipal assessment for a local improvement

pursuant to N.J.S.A. 40:56 et seq. shall be placed upon the real estate that is the subject of PILOP. The provisions of N.J.S.A. 40:56 et seq. shall apply in the event of a default or late payment.

Prior to collecting a PILOP payment, the Borough shall apply to the State of New Jersey, Department of Community Affairs, Local Finance Board pursuant to administrative rule, for its approval and establishment of a dedicated and restricted trust fund (the Borough's Parking Improvement Program Trust Fund) for deposit of such payments. The PILOP payments collected and deposited into the Parking Improvement Program Trust Fund shall be dedicated to provide for: engineering and design; traffic and other feasibility studies; acquisition through purchase or condemnation; erection, construction of or installation of off-street parking facilities, parking structures, or equipment; and other associated parking project development costs. The expenditure of such funds for said purposes shall be made at the time and in the manner determined by the Borough to be in the best interests of the Borough in providing off-street parking.

10. All applications are required to comply State regulation P.L. 2021, c.171 *An ordinance authorizing and encouraging electric vehicle supply/service equipment (EVSE) and make ready parking spaces*. For new and rehabilitated sites, each application involving a multiple dwelling with five or more units of dwelling space the developer or owner, as applicable, shall:
- a. prepare as Make-Ready parking spaces at least 15 percent of the required off-street parking spaces, and install EVSE in at least one-third of the 15 percent of Make-Ready parking spaces;
  - b. within three years following the date of the issuance of the certificate of occupancy, install EVSE in an additional one-third of the original 15 percent of Make-Ready parking spaces; and
  - c. within six years following the date of the issuance of the certificate of occupancy, install EVSE in the final one-third of the original 15 percent of Make-Ready parking spaces.
  - d. Throughout the installation of EVSE in the Make-Ready parking spaces, at least five percent of the electric vehicle supply equipment shall be accessible for people with disabilities.

Each application involving a parking lot or garage not covered in 8.13.19 shall:

- a. Install at least one Make-Ready parking space if there will be 50 or fewer off-street parking spaces.
- b. Install at least two Make-Ready parking spaces if there will be 51 to 75 off-street parking spaces.
- c. Install at least three Make-Ready parking spaces if there will be 76 to 100 off-street parking spaces.
- d. Install at least four Make-Ready parking spaces, at least one of which shall be accessible for people with disabilities, if there will be 101 to 150 off-street parking spaces.

- e. Install at least four percent of the total parking spaces as Make-Ready parking spaces, at least five percent of which shall be accessible for people with disabilities, if there will be more than 150 off-street parking spaces.
- f. In lieu of installing Make-Ready parking spaces, a parking lot or garage may install EVSE to satisfy the requirements of this subsection.

All parking spaces with EVSE and Make-Ready equipment shall be included in the calculation of minimum required parking spaces, pursuant to Section 8.13.

A parking space prepared with EVSE or Make-Ready equipment shall count as at least two parking spaces for the purpose of complying with a minimum parking space requirement. This shall result in a reduction of no more than 10 percent of the total required parking.

All parking spaces calculations for EVSE and Make-Ready equipment shall be rounded up to the next full parking space.

Additional installation of EVSE and Make-Ready parking spaces above what is required above may be encouraged, but shall not be required in development projects.

## **SECTION 9 - PLAN OF ACTION**

### **9.1 Development Schedule**

Due to the magnitude of the proposed Plan, redevelopment can be expected to occur in multiple phases with one or more developers. The interrelationships among the components of the Plan may require careful sequencing so that there can be synergy among the redevelopment sites.

Each phase may consist of a single land use or a mixture of land uses, provided that such phases shall be capable of operating in a manner consistent with the intent and purpose of the Plan. As a result of phased development, sureties or other performance guarantees for completion of infrastructure and the project components may be required.

The Development Schedule, phasing and performance guaranties may be addressed in a Redevelopment Agreement between the Borough and one (1) or more redevelopers.

### **9.2 Property To Be Acquired**

The intent of this Redevelopment Plan is to facilitate private property redevelopment and ownership. Therefore, no acquisition of privately owned properties by the Borough is anticipated by this Plan. However, a public-private joint venture between a governmental agency and the redevelopers may be possible.

### **9.3 Relocation**

The Borough of Dunellen will provide all displaced tenants and landowners with the

appropriate relocation assistance, pursuant to applicable State and Federal law, should relocation be necessary. Such assistance will be provided through an appropriately designated office that will assist in any relocation of persons, businesses or other entities. If relocation is not directly caused by the Redevelopment Plan, the Borough assumes no responsibility for relocation of people or businesses.

#### **9.4 Incentives and Project Funding**

The Borough of Dunellen may provide redevelopment incentives, including tax abatement/exemption and redevelopment bond financing programs.

#### **9.5 Redevelopment Agreement**

A redeveloper undertaking a redevelopment project under this Redevelopment Plan shall do so only pursuant to and in accordance with a Redevelopment Agreement between the redeveloper and the Borough of Dunellen.

### **SECTION 10 - RELATIONSHIP TO PLANS OF OTHER JURISDICTIONS**

#### **10.1 Contiguous Municipalities**

Dunellen lies adjacent to the City of Plainfield, the Township of Piscataway, the Township of Green Brook and the Borough of Middlesex. The Redevelopment Area is contiguous to the City of Plainfield, the Borough of Middlesex and the Township of Piscataway.

- The northeast portion of the redevelopment area, at North Avenue and Jefferson Avenue is contiguous to the City of Plainfield. The uses in Plainfield are industrial and commercial, including National Starch.
- The southwest portion of the redevelopment area, at Bound Brook Road, is contiguous to the Borough of Middlesex. The uses in Middlesex are commercial, which is inconsistent with the business zoning in Dunellen.
- The northeast portion of the redevelopment area, at the Art Color property, is contiguous to the Township of Piscataway. The uses in Piscataway are industrial, which is consistent with the industrial zoning in Dunellen.
- The Township of Green Brook is located approximately one mile from the redevelopment area and is not contiguous to the redevelopment area.

#### **10.2 Middlesex County Growth Management Plan**

The Middlesex County Growth Management Plan has been adopted in three phases: Phase I in July 1990; Phase II in July 1992; and Phase III in December 1995. The redevelopment plan is consistent with the goals and objectives of the Growth Management Plan.

#### **10.3 State Development and Redevelopment Plan**



The State Development and Redevelopment Plan (SDRP) adopted March 1, 2001 designates the area of Dunellen in which the redevelopment plan is situated as being part of the PA1 Metropolitan Planning Area (PA1). The PA1 includes a variety of communities that range from large urban centers to 19th century towns shaped by commuter rail and post-war suburbs. The SDRP policies for the PA1 are to provide for much of the state's future redevelopment. The redevelopment plan will promote for the following PA1 policy objectives of the SDRP in the following ways:

- (1) **Land Use:** Promote redevelopment and development in Cores and Neighborhoods of Center 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 beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature.

*The redevelopment plan's primary focus is to revitalize the downtown area of the Borough, an area that has seen limited investment, but an area that has many opportunities to become a vital part of the community again through the development of underutilized properties and the enhancement of existing properties.*

- (2) **Housing:** Provide a full range of housing choices through redevelopment, new construction, rehabilitation, adaptive reuse of non-residential buildings, and the introduction of new housing stock through maintenance, rehabilitation and flexible regulation.

*While the redevelopment plan notes the Inconsistencies in development in the downtown area with a mix of dwellings in the business zone, one of the goals is to encourage mixed use development with residential, including low and moderate income housing, and commercial focusing on the proximity to the train station.*

- (3) **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 businesses. Encourage job training and other incentives to retain and attract businesses. Encourage private sector investment through supportive government regulations, policies, and programs, including taxpolicies and expedited review of proposals that support appropriate redevelopment.

*The major goals and objectives of the redevelopment plan are to encourage new investment that will result in the generation of tax ratables, jobs, and an increase in property values throughout the community, and increasing patronage of local businesses and support of the local economy.*

- (4) **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. Preserve and stabilize general aviation airports and, where appropriate, encourage community economic development and promote complementary uses for airport property such as business centers.

*The train station and the location of the downtown at the crossroads of state Highway 28 and County Road 529 are key elements to the redevelopment of the area. Focusing redevelopment in and around the train station is critical to encouraging greater use of public transit and alternative means of transportation to reduce automobile dependency and reduce air pollution.*

- (5) **Natural Resource Conservation:** Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts, scenic vistas, wildlife habitats and to Critical Environmental Sites and Historic and Cultural sites. Give special emphasis to improving air quality. Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link to other Planning Areas.

*The redevelopment area includes a number of former industrial and commercial properties that are vacant and underutilized and have environmental problems. The goal is to remediate and reuse these properties in a beneficial manner that will support the revitalization of the downtown area and the community.*

- (6) **Agriculture:** Use development and redevelopment opportunities wherever appropriate and economically feasible to meet the needs of the agricultural industry for intensive agricultural production, packaging and processing, adding value operations, marketing, exporting and other shipping. Provide opportunities for farms, greenhouses, farmers markets and community gardens.

*Not applicable in the Borough.*

- (7) **Recreation:** Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels by concentrating on the maintenance and rehabilitation of existing parks and open space while expanding and linking the system through redevelopment and reclamation projects.

*The redevelopment plan includes requirements for the enhancement of the streetscape and for the provision of additional open space in any new development for the benefit of the community.*

- (8) **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.

*The nature of the redevelopment plan is "redevelopment." It takes advantage of the state statutes to provide for mixed use development working with property owners and developers to induce development in an area which has been underutilized and has lacked new investment.*

- (9) **Historic Preservation:** Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to redevelop. Coordinate historic preservation with tourism efforts.

*While the redevelopment area does not contain a large number of historically significant structures, the goal is to rehabilitate and reuse those that do exist. The large vision is to encourage the revitalization of a downtown area that grows around the rail as an early suburb and industrial hub. The changing economics dictates that the future of the downtown is for mixed use residential and commercial development that will serve the larger community and utilize the benefits of the train station.*

- (10) **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.

*The infrastructure of the redevelopment area will be improved through streetscape improvements, improvements for expanded public parking, enhancements to the train station, along with creation of public open spaces.*

- (11) **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.

*The very ideology of this policy is embodied in the spirit and thrust of the redevelopment plan. The redevelopment plan is a progressive initiative undertaken by the Borough to facilitate redevelopment in an area of its community that needs it most. In addition, the effort is being supported by the County of Middlesex, through the involvement of the Middlesex County Improvement Authority (MCIA). The Borough, working closely with the MCIA is aggressively seeking funding from all levels of government and from the private sector to support this redevelopment.*

## **SECTION 11 - ADMINISTRATIVE AND PROCEDURAL REQUIREMENTS**

### **11.1 Amending the Redevelopment Plan**

Upon compliance with the requirements of applicable law, the Mayor and Council of the Borough of Dunellen may amend, revise or modify this Redevelopment Plan as circumstances may make such changes appropriate.

With respect to projects for which a redevelopment agreement with the Borough has been executed prior to the adoption of an amendment to the Redevelopment Plan, but for which site plan approval has not yet been obtained, changes reflected in the amendment that may conflict with the project plans serving as the basis for such agreement shall not apply

and those requirements that were in effect on the date of execution of the redevelopment agreement shall control.

### **11.2 Duration of Redevelopment Plan**

The Redevelopment Plan, as amended, and as addressed by Phases, shall be in full force and effect for a period of time from the date of approval of this Plan by the Mayor and Council, until either.

- a. all the redevelopment phases have been certified as complete and the redevelopment plan has been fully implemented, or
- b. for the duration of any long-term tax exemption that has been granted; whichever date is later.

### **11.3 Conveyance of Land**

The intent of this Redevelopment Plan is to facilitate private property redevelopment and ownership. The Local Redevelopment and Housing Law and the Plan, however, authorizes the Borough or its designee, to exercise its powers to acquire property or to eliminate or modify any restrictive covenants, easements or similar property interests which may undermine the Implementation of the Plan on all properties in the Redevelopment Area. The Mayor and Council or its designee, may sell, lease, or otherwise convey to a redeveloper(s) for redevelopment, subject to the restriction, controls and requirements of this Redevelopment Plan, all or any portion of the land within the Redevelopment Area that becomes available for disposal by the municipality as a result of public action under the Plan. The Borough reserves the right to formulate an agreement under any of the above-referenced arrangements and to enforce resale covenants.

### **11.4 Redeveloper(s) Selection**

The Borough or its designee may implement elements of the Plan by participating in a Request for Proposal (RFP) process. It is anticipated that the Mayor and Council, or its designee will designate a redeveloper(s) for the project and the Mayor and Council will finalize the designation through execution of a redevelopment agreement(s). The Mayor and Borough Council will determine the specifics of the RFP process.

### **11.5 Redevelopment Agreements**

All agreements with redeveloper(s) shall contain the following provisions:

1. The redeveloper(s) will be obligated to carry out the specific improvements in accordance with the Redevelopment Plan.
2. The redeveloper(s), its successors or assigns shall devote land within the Redevelopment Area to the uses specified in this Redevelopment Plan.
3. The redeveloper(s) shall begin and complete the development of said land for the uses required in this Redevelopment Plan within a period of time which the Mayor and Council fix as reasonable.

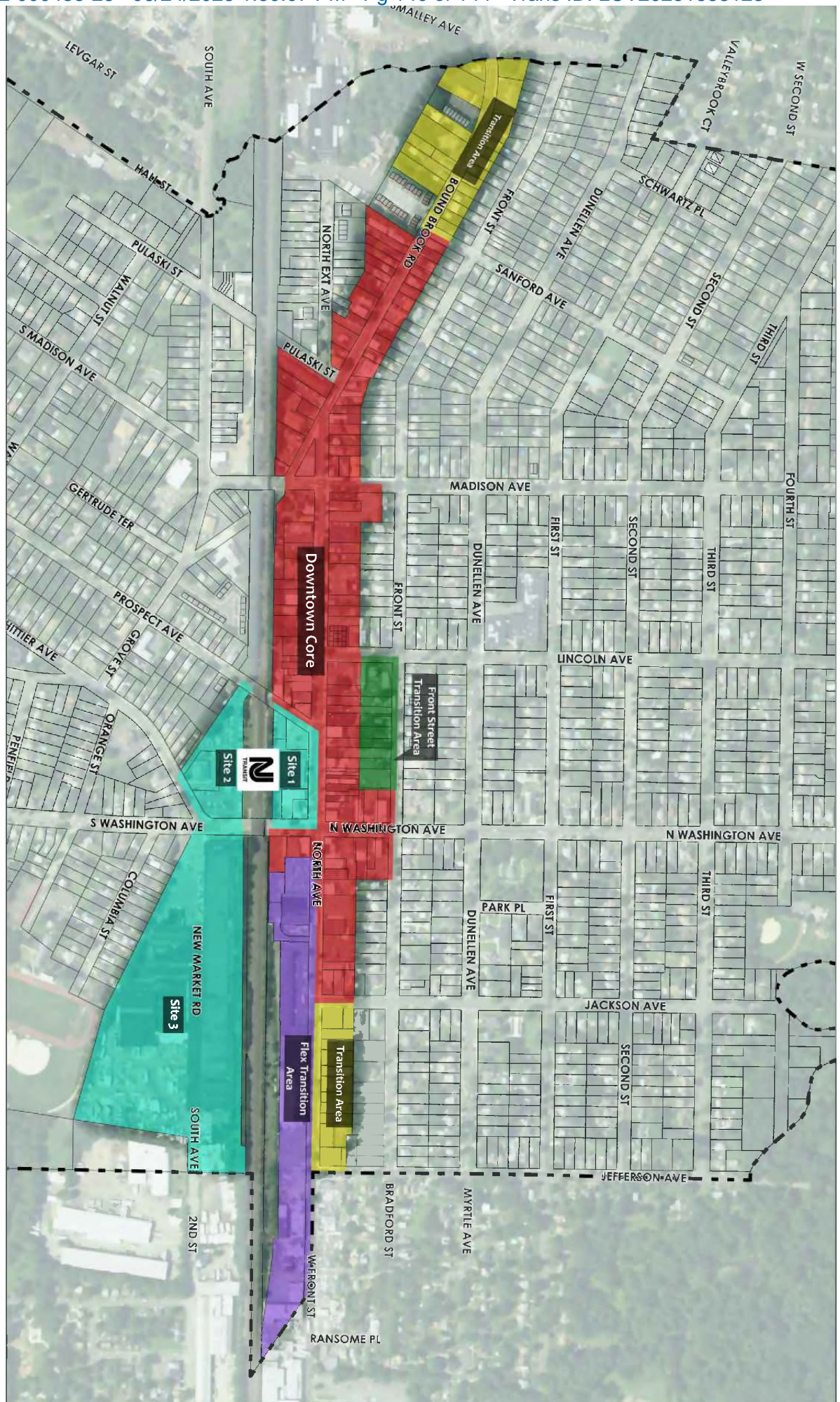
4. The redeveloper(s) will not be permitted to sell, lease, or otherwise transfer or dispose of property within the Redevelopment Area without prior written consent of the Mayor and Council, or as otherwise may be permitted in a Redevelopment Agreement.
5. Upon completion of the required improvements, the conditions determined to exist at the time the Redevelopment Area was determined to be in need of redevelopment shall be deemed to no longer exist and the land and improvements thereon shall no longer be subject to eminent domain as a result of those determinations.



6. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s), the Mayor and Council, or successors, lessees, or assigns of either of them, by which land in the Redevelopment Area is restricted as to sale, lease, or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, gender or marital status.
7. Neither the redeveloper(s) nor the Mayor and Council, nor the successors, lessees, or assigns or either of them shall discriminate upon the basis of race, creed, religion, ancestry, national origin, gender or marital status in the sale, lease or rental or in the use and occupancy of the land or improvements erected or to be erected thereon, or any part thereof, in the Redevelopment Area.
8. Any other provisions as may be deemed necessary to effectuate the purposes of the Local Redevelopment and Housing Law.

# Exhibit 1

## Redevelopment Plan Area Map



# DUNELLEN DOWNTOWN REDEVELOPMENT AREAS

BOROUGH OF DUNELLEN, MIDDLESEX COUNTY

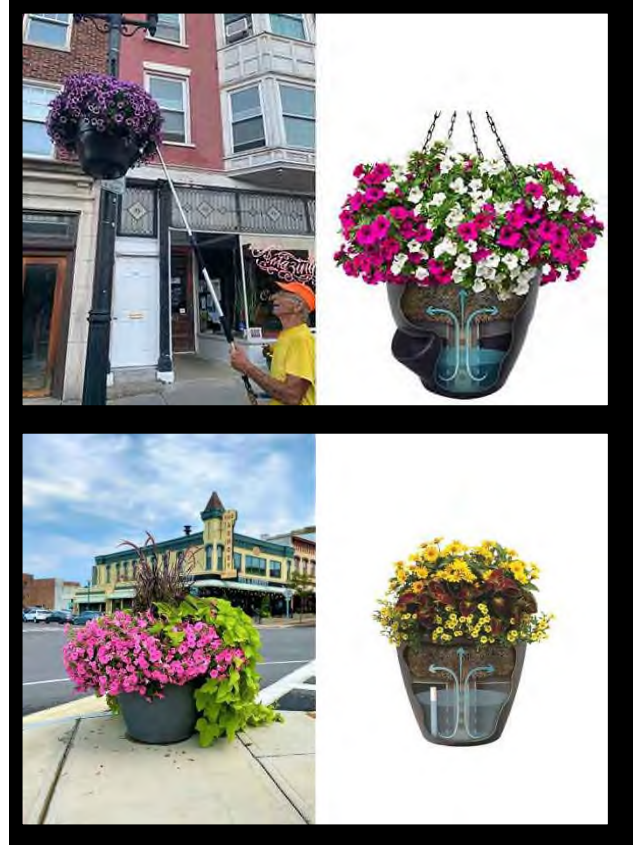
JUNE 2023



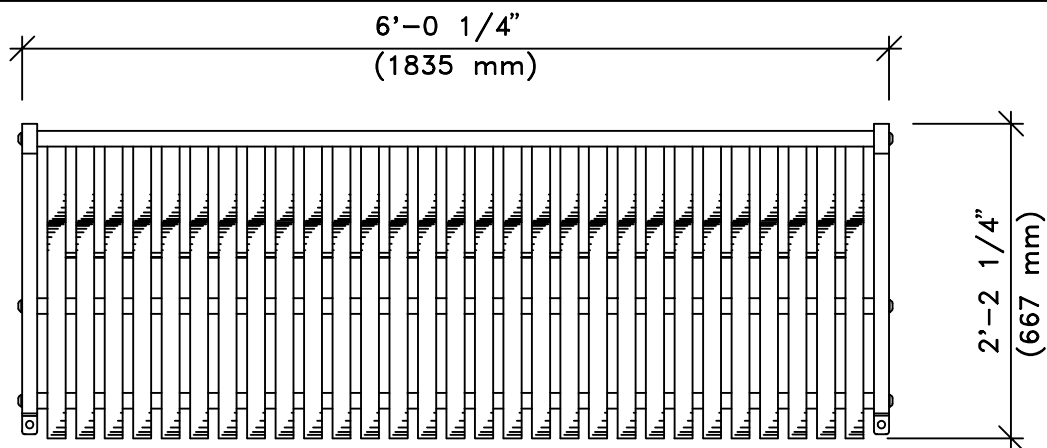
## Exhibit 2

### Street furnishing specifications

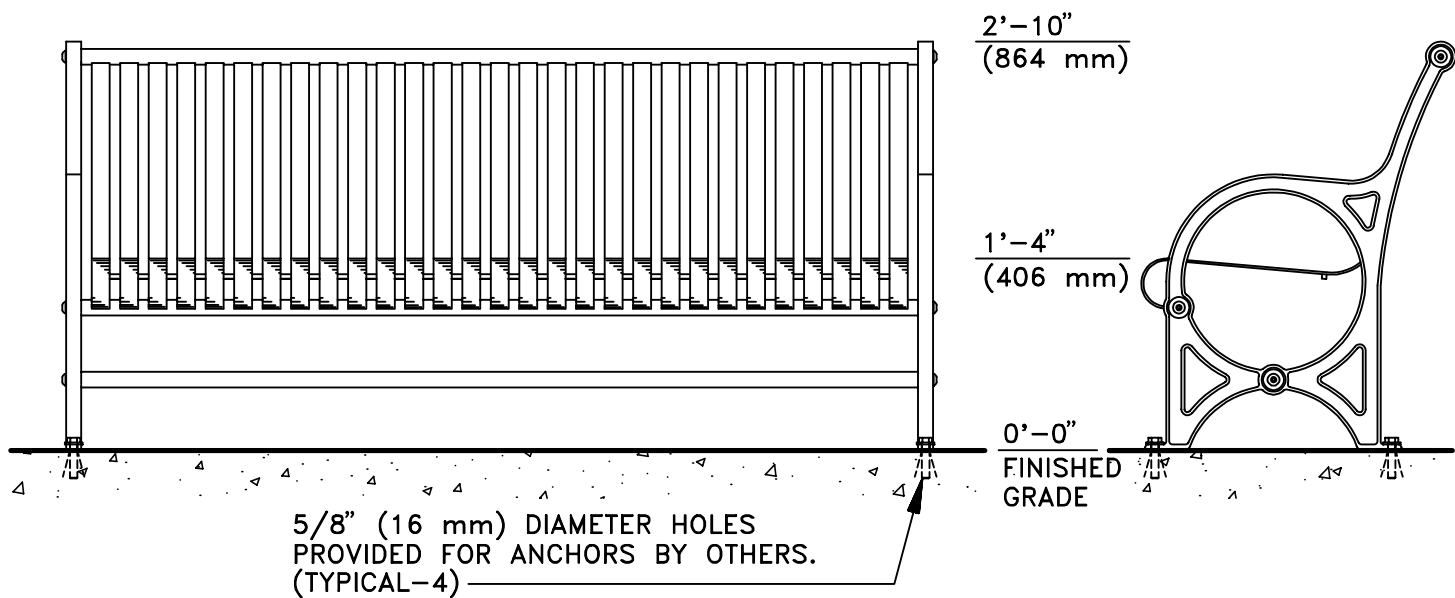
Earth Planter Pro-series 22 Self Watering Hanging Baskets: 22" diameter; 1 cubic foot soil; 4 Gallon Water Reservoir – reduces watering cycles to 2x per week (mid-summer national average)



Earth Planter Urban Vase 31: 25.75"x31"; 3.2 cubic feet of soil; water capacity 18 gallons



TOP VIEW



FRONT VIEW

END VIEW

AVAILABLE IN 2', 4', 6' (SHOWN) AND 8' NOMINAL LENGTHS.  
OTHER LENGTHS AVAILABLE UPON REQUEST.

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Authorization for use is hereby granted to architects, landscape architects and similar design professionals solely for the purpose of specifying TimberForm products.



Scale  
3/4" = 1'-0"

Drawn by: AT 07-04-10  
Ck'd by:



**COLUMBIA CASCADE COMPANY**

Makers of TimberForm®, PipeLine®,  
RePlay®, TimberForm®-2, InterPlay®,  
CycLoops® and CycLocker® Products.

1300 S.W. Sixth Avenue, Suite 310 Telephone 503/223-1157  
Portland, Oregon 97201-3464 Facsimile 503/223-4530  
U.S.A.

WWW.TIMBERFORM.COM

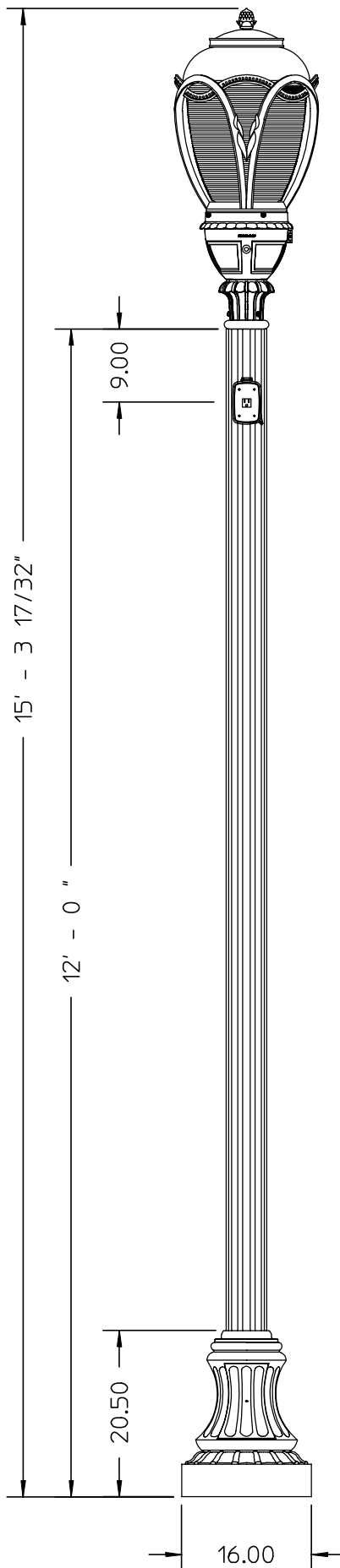
Title:

**TIMBERFORM CREST  
MODEL NO. 2311-6  
BENCH WITH ARMRESTS**

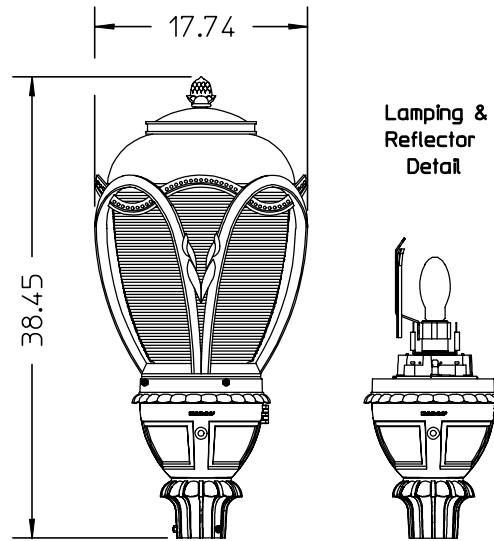
Drawing No.  
W-2311-6

Sheet  
1 of 1





Luminaire Detail  
Scale 1:16



Lamping &  
Reflector  
Detail

C/C	PART #	DESCRIPTION
05-3200	S5824C-A	Capitol, 100W HPS, T5, Black
04-1280	SP5844-A	Classic I Pole, 12', Black

PRODUCT APPROVALS

HADCO

JAZ

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Full  
Specification  
Drawing  
(Complete Assembly)



**PSEG**

PUBLIC SERVICE ELECTRIC  
AND GAS COMPANY  
NEWARK, N.J.

**PHILIPS**

**HADCO**

100 Craftway P.O. Box 128  
Littlestown, Pennsylvania 17340-0128  
Phone 717-359-7131  
Fax 717-359-9515  
www.hadco.com

JOB NAME:

*Dunellen*

REP. TERRITORY:

*52*

DRAWN BY:

*SMK*

SCALE:

*1:20*

DATE:

*08/20/09*

DRAWING NUMBER:

*C6025-DWG01*

REP:

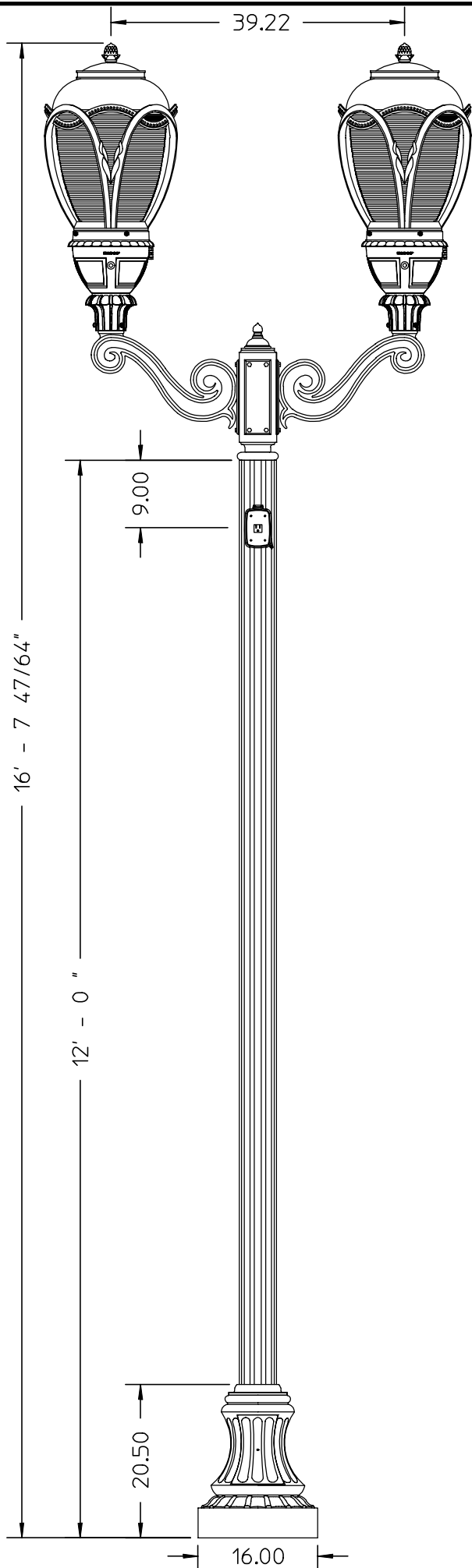
*Dave Murphy & Assoc.*

REV: *A*

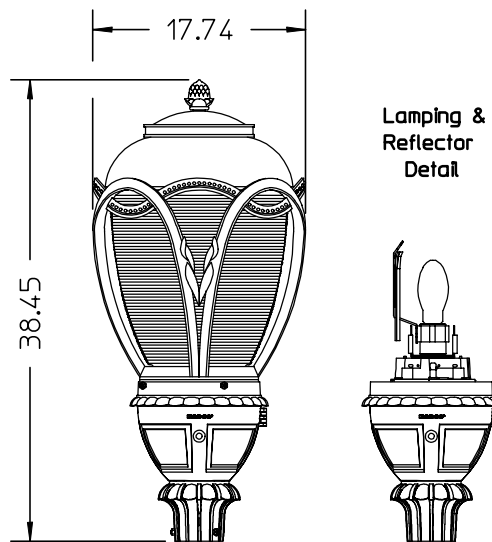
PCN: *09-080*

BY: .

DATE: .



Luminaire Detail  
Scale 1:16



Lamping &  
Reflector  
Detail

C/C	PART #	DESCRIPTION
05-3200	S5824C-A	Capitol, 100W HPS, T5, Black
05-0195	SA5841-A	Imperial Arm, 2-Lite, Black
04-1280	SP5844-A	Classic I Pole, 12', Black

PRODUCT APPROVALS

HADCO

*JAZ*

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JOB NAME:

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DRAWN BY:

*SMK*

SCALE:

*1:20*

DATE:

*08/20/09*

DRAWING NUMBER:

*C6025-DWG02*

REP:

*Dave Murphy & Assoc.*

REV: *A*

PCN: *09-080*

BY: .

DATE: .