



LINCOLN AVENUE REDEVELOPMENT PLAN

AUGUST 2006

KEPG #311.00

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Lincoln Avenue Redevelopment Plan

August 2006

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I. INTRODUCTION

A. AUTHORIZATION

The Township of Buena Vista has determined that the area of the Township defined as the Lincoln Avenue Redevelopment Area as set forth in the Planning Board's Resolution No. 22-05, dated September 15, 2005 (Exhibit A) and pursuant to the Township Committee's Resolution No. 131-2006, dated June 12, 2006, included herein by reference (Exhibit B), has been determined to be an "Area in Need of Redevelopment" pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12a-1 et seq.¹. Accordingly, this area shall be referred to as the "Lincoln Avenue Redevelopment Area" ("Redevelopment Area"). Exhibit C is being reserved for the Planning Board's Resolution of acceptance and recommendation to the Township Committee for the adoption of the Lincoln Avenue Redevelopment Plan. Exhibit D is being reserved for the required Ordinance to be adopted by the Township Committee accepting the recommendation of the Planning Board and adopting the Lincoln Avenue Redevelopment Plan with the boundaries as identified in Exhibit E, Lincoln Avenue Redevelopment Plan Tax Block and Lot Map, of this report and pursuant to the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40a:12-1, et seq.

B. PURPOSE AND GOALS

The Township, having undertaken the prescribed process to determine that the Redevelopment Area exhibits conditions which meet the statutory criteria for an "Area in Need of Redevelopment", must now prepare a Redevelopment Plan.

The Redevelopment Plan will provide a mechanism by which the public and private entities will be legally linked for the orderly planning and redevelopment of the Redevelopment Area.

Such action will be undertaken in a manner that will be consistent with the applicable statutes and with the Goals and Objectives of the Master Plan of Buena Vista Township.

The Plan will provide the planning principles to further Smart Growth planning initiatives within the Redevelopment Area – protection of the environment, high quality design / development standards, circulation planning, etc.

1. Upon adoption by the Governing Body, the Redevelopment Plan shall satisfy all statutory requirements and constitute the legal prerequisite for the Redevelopment actions outlined herein.
2. The Redevelopment Plan will also provide a process which will form a partnership with private landowners to enhance and encourage private enterprise to develop land with public support and participation in a manner beneficial to both parties.
3. It is the goal and purpose of the redevelopment process not only to provide incentives for controlled development within the redevelopment area, but to do so in a manner which is consistent with regional planning strategies, the State's Office of Smart Growth, Smart Future Planning initiatives and environmentally sustainable techniques

¹ Hereinafter referred to as the Redevelopment Statute.

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which render the redevelopment initiatives as a prototype for the immediate region as well as the State.

4. The implementation of the redevelopment process will provide for various development options within this area – such development options may be carried out by Buena Vista Township or private entities / developers. The decision of the Redevelopment Authority (Township Committee) as designated, to utilize an entity for a development proposal should not preclude the Redevelopment Authority from working with another entity (public or private) for a separate development proposal.

By incorporating these purposes and goals via the redevelopment process, it is the intent of the Redevelopment Plan to create a participatory partnership between public and private entities that could maintain a competitive posture in the region.

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II. BACKGROUND

The Lincoln Avenue Redevelopment Area consists of approximately ±20.41 acres and comprises Block 5501, Lots 21 and 22, with the project area being exclusive of public rights-of-way and is located completely within the Office Campus Overlay (OC) Zoning District of the Non-Pinelands portion of Buena Vista Township.

The Redevelopment Area is located along Lincoln Avenue which is the main source of vehicular access to the area and is oriented in a north / south direction. Lincoln Avenue also serves as the municipal boundary line between the Borough of Buena and Buena Vista Township. The boundaries of the Study Area established by the Township are identified in Exhibit E entitled "Lincoln Avenue Redevelopment Plan Tax Block and Lot Map". This figure defines the boundaries of the site as excerpted from the Township's Tax Maps. The project area is generally positioned along a north to south axis along Lincoln Avenue and is bounded by Tax Lot 22.02 to the north, Tax Lot 6 to the east, Tax Lot 13 to the southeast, Tax Lot 20 to the southwest, and the Borough of Buena (Lincoln Avenue) to the west.

The Lincoln Avenue Redevelopment Area is located within the Non-Pinelands Natural Reserve area of the Township and is located completely within the Office Campus Overlay (OC) Zoning District. The OC Zoning District was created on November 12, 1993 as an overlay to the underlying Residence Agriculture Zoning District with the intent to encourage additional economic development opportunities for the Township. The majority of the surrounding land uses are residential with the exception of the parcels immediately to the north of the project site. The commercial office complex of the IGI Buena Vista Corporate Center is located to the north of the site, Cranberry Run, an age-restricted residential community is located to the east of the project site and wooded / residential lots are located to the south of the project site. To the west of the project site and located within the Borough of Buena is the R-4 Residential Zoning District where several residential use properties are located along the Lincoln Avenue frontage.

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III. DEFINITIONS

For the purposes of this Redevelopment Plan, the terms are as follows:

- A. "Township" shall mean the Township of Buena Vista, New Jersey, a body corporate and politic, and unless otherwise indicated includes its Governing Body, elected officials, officers and staff.
- B. "Lincoln Avenue Redevelopment Area" and "Redevelopment Area" shall mean the subject area that is defined throughout this Plan and noted in Exhibits E, F, G and H maps and plans. This area has been determined to be an "Area in Need of Redevelopment" pursuant to N.J.S.A. 40A:12A-1 et seq. by Buena Vista Township, Planning Board Resolution No. 22-05, attached as Exhibit A and Buena Vista Township Committee Resolution No. 131-2006, attached as Exhibit B.
- C. "Development Parcel" shall mean any of the parcels or easements created within the Redevelopment Area.
- D. "Land Use Code" shall mean Chapter 49 of the Development Regulations of the Township of Buena Vista, as may be amended from time to time, or Land Use Regulations written specifically for the project and included in this report.
- E. "Local Redevelopment and Housing Law" and "Redevelopment Statute" shall mean N.J.S.A. 40A:12A-1 et seq.
- F. "Lot Coverage" shall mean the percentage of land area occupied by the principal and accessory buildings on a Development Parcel at grade level or above, excluding roof overhangs.
- G. "Planning Board" shall mean the Planning Board of Buena Vista Township.
- H. "Developer" shall mean the corporation, partnership or other entity designated by the Redevelopment Authority as Developer, pursuant to the Redevelopment Statute and having entered or been chosen to enter into a Developer's Agreement with the Redevelopment Authority for the purposes of advancing this Redevelopment Plan.
- I. "Developer's Agreement" shall mean a contract made by and between the Developer and the Redevelopment Authority which shall detail the specific rights, responsibilities and obligations of the Township and the Developer related to the conveyance of lands and the construction of a Redevelopment Project thereon. The Developer's Agreement shall include, at a minimum:
 - 1. The development concepts, site plan and related documents for the undertakings proposed.
 - 2. A schedule for the commencement and completion of improvements.
 - 3. The Developer's plan for compliance with the Public Policy Goals and Redevelopment Plan Objectives as outlined herein.
 - 4. Provisions for termination of agreement in the event of default by public or private entities.
 - 5. A schedule of review and adoption of the required public actions.

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6. Such other provisions as may be required by law.
- J. "Redevelopment Authority" shall mean the Township of Buena Vista, acting as the implementing agent for this Redevelopment Plan in accordance with and under the provisions of N.J.S.A. 40A:12a-1 et seq.
- K. "Redevelopment Project" shall mean the facility constructed on a Development Parcel(s) pursuant to and consistent with this Redevelopment Plan.
- L. "State" shall mean the State of New Jersey and shall include all applicable agencies and instrumentalities thereof.
- M. "Host Community" shall mean that community which also legally functions as the "Redevelopment Authority."
- N. "New Urbanism" and "Neo-Traditional Neighborhood Design" is a town planning principle that has gained acceptance in recent years as being one solution to a variety of problems in suburban communities throughout the country. Traditional neighborhoods are more compact communities designed to encourage bicycling and walking for short trips by providing destinations close to home and work, and by providing sidewalks for a safe environment for walking and biking. These neighborhoods are reminiscent of 18th and 19th century American and European towns, along with modern considerations for the automobile. Neo-traditional planning techniques incorporate opportunities for mixed use development that utilizes the highest quality urban design. Such design should reflect the character of the immediate area.
- O. Transfer of Development Rights in accordance with local, county, state and federal guidelines.

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IV. REDEVELOPMENT AREA

A. SITE CONTEXT

1. The Redevelopment Area is located in the Township of Buena Vista, County of Atlantic, and State of New Jersey. Exhibit E, Lincoln Avenue Redevelopment Plan Tax Block and Lot Map, illustrates the tax parcel block and lot identification of the parcels within the Redevelopment Area.
2. The Redevelopment Area is located along Lincoln Avenue, which provides vehicular access in a north / south direction to the project area. Lincoln Avenue intersects Wheat Road which then continues on to intersect with Routes 40 and 54 approximately 2000 ft. to the northeast of the project site.
3. The Redevelopment Area exists as privately owned, land which is vacant of any structures with existing wetlands areas and upland areas featuring grasses and mature trees.
4. The Redevelopment Area is located in an area of the Township that is outside of the Pinelands Natural Reserve and is located within the Office Campus Overlay (O-C) Zoning District. The Office Campus Zoning District was created to help spur economic development within the Residence / Agriculture Zoning District. Exhibit H, Existing Zoning Map, illustrates the Township's Land Use and Zoning Plans as relating to the Redevelopment Area as well as the adjacent Borough of Buena Zoning District to the west of Lincoln Avenue. Any proposed development must be done with respect to existing wetlands and any other natural features. Development must also be consistent with the New Jersey Department of Environmental Protection regulations and the New Jersey State Development and Redevelopment Plan. Additionally, Exhibit I, Existing Surrounding Land Uses Map provides an overview of the existing land uses and further establishes that the proposed project of age-restricted residential single family dwellings is consistent to the surrounding land uses.

B. BOUNDARIES

1. The project boundary map as shown in Exhibit E, Lincoln Avenue Redevelopment Plan Tax Block and Lot Map, delineates the boundaries of the Redevelopment Area and utilizes the Buena Vista Township Tax Maps to further clarify the project site. Further analysis of the boundaries is provided through Exhibit F, Lincoln Avenue Redevelopment Plan Aerial Map, Illustrating Wetlands, which represents the existing site, surrounding land configurations and delineates approximate locations of existing wetlands; Exhibit H, which notes the Township's existing Zoning Plan as well as the Borough of Buena adjacent zoning; and Exhibit I, which illustrates the existing surrounding land uses to the Redevelopment Area.

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V. STATEMENT OF PURPOSE AND INTENT

A. GENERAL STATEMENT

1. This document constitutes a Redevelopment Plan under the provisions of the Local Redevelopment and Housing Law. Upon adoption, the Redevelopment Authority will be empowered to negotiate with and enter into Developer's Agreement(s) with a Developer(s) for the purpose of advancing Buena Vista Township's Public Policy Goals and Redevelopment Plan Objectives as more particularly described in the following sections.

B. PUBLIC POLICY GOALS

1. The purpose of this Redevelopment Plan is to provide the mechanism (i.e., a public / private partnership) to encourage economic development in the Redevelopment Area by:
 - a. Instituting public / private partnerships to initiate infrastructure improvements necessary to service this strategically located but underutilized area.
 - b. Preparing Land Use Regulations that address the required standards for the age-restricted, single-family dwellings and common open space areas including, but not limited to, a clubhouse, passive and active recreational areas.
 - c. Initiating mutually supportive public financial initiatives that would complement private sector investment in major infrastructure and roadway improvements without which the project area could not be as successfully developed.
 - d. Allowing for the widest possible range of redevelopment initiatives, the Township may make available to the Developer such financial and other assistance as may be at its disposal through the powers of the Redevelopment Statute and / or other applicable redevelopment statutes. The types and extent of such assistance shall be negotiated within the context of the Developer's Agreement between the Township and the individual Developer.

C. REDEVELOPMENT PLAN OBJECTIVES

1. To put into place plan initiatives that would reverse the underutilization of the formerly residential / agricultural zoning and office campus overlay zone.
2. To develop financial and regulatory incentives to encourage public / private partnerships to redevelop the subject tracts.
3. To provide for the protection of the environmental amenities that exist within this Redevelopment Area, including but not limited to the wetlands, the soils, protected species of flora and fauna, etc. Any development that occurs within the Redevelopment Area must utilize and respect the environmental attributes that exist within this area.

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4. To establish public / private partnerships by encouraging *“...coordination of 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.”* (M.L.U.L. C.40:55D-2m).
5. *“To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies.”* (M.L.U.L. C40.55D-2f).
6. *“To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight.”* (M.L.U.L. C.40:55D-2h).
7. *“To promote a desirable visual environment through creative development techniques and good civic design and arrangements.”* (M.L.U.L. C.40:55-2i).
8. To provide incentives to promote the growth of new private sector development in the form of age-restricted, single-family residential development, which will enhance, strengthen and diversify the Township's and the region's residential economic base. Such development should fully incorporate the principles of Smart Growth and Neo-traditional Planning.
9. To reverse the underutilization of the lands within the Redevelopment Area which since November 12, 1993, have been included in an overlay zoning area intended to attract viable economic development opportunities for the Township and which to date continue to remain vacant of uses consistent with the Office Campus Overlay Zoning.
10. Encourage the highest quality development that utilizes the principles of Smart Growth and good urban design.
11. Foster intelligent use and allocation of land.

D. DESIGNATION OF DEVELOPER

1. It is the intention of the Township, upon adoption of this Redevelopment Plan, to coordinate the redevelopment process with a designated Developer(s) for the Redevelopment Area. Said Developer(s) may be an entity which, in the opinion of the Redevelopment Authority:
 - a. Has a substantial history of residential and age-restricted residential development with an extensive history of neo-traditional concepts, or shows that they can embrace such concepts;
 - b. Has sound credit and financial history; and,
 - c. Can demonstrate successful history of development projects of a similar nature on a similar scale.
2. In addition to the above, the Redevelopment Authority shall, at its sole discretion, request any and all other information regarding qualifications of the private sector Developer(s).

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VI. REDEVELOPMENT PLAN

A. GENERAL PLAN

1. The Redevelopment Area will be developed with age-restricted, single-family style dwelling units which will have several different model homes with varying façade components to ensure a varied combination of residential structures which will compliment the existing surrounding residential character of the area. Additionally, the development will include both active and passive recreational amenities along with a clubhouse facility, which will serve as the focal community center in the Redevelopment Area. The development will also include all required infrastructure, public improvements, stormwater management facilities and significant landscaping and buffers.

2. Smart Growth / Planning

The aforementioned can be implemented utilizing the strategies of Smart Growth – mixing different uses, preserving the environment, striving for sustainable development, maintaining the unique character of an area rather than realizing “cookie-cutter” development that is not representative of the local area.

B. PROPOSED REDEVELOPMENT ACTIONS

1. The proposed redevelopment actions are being initiated to:
 - Put into place a public / private partnership that will result in the development of the Redevelopment Area into a high quality, age-restricted, single-family development which will be consistent with the existing character of the area.
 - Provide adequate sewer and water service to the Redevelopment Area to enable the development of this strategically located site.
 - Create a unique development with on-site amenities including, but not limited to, a clubhouse, passive and active recreational areas.
 - Create additional residential opportunities which will blend with the character and scale of existing residential uses within the vicinity.
 - Protect the existing environmentally sensitive areas of the Redevelopment Area to be incorporated into the development and provide additional assets and enhancements for the project site.
 - Provide landscaped buffers along the Redevelopment Area boundaries to enhance those boundary areas and provide screening for the surrounding land uses.
 - Enhance and strengthen the Lincoln Avenue streetscape along the Redevelopment Area frontage.

2. Acquisition

There are two parcels reported on the tax roles for this Redevelopment Area that occupy 20.41 acres (see Exhibit E, Lincoln Avenue Redevelopment Plan Tax Block and Lot Map, with 100% of the lands being privately owned. Acquisition of

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real property is an option that the Township has pursued in the recent past and may continue to exercise in accordance with the Local Redevelopment and Housing Law. As required pursuant to N.J.S.A. 40A:12A-8b & c, upon adoption of this Redevelopment Plan, the Township shall be statutorily permitted to acquire real property either through good-faith negotiations with the private property owner or, upon failure of said good-faith negotiations, through the condemnation (eminent domain) process pursuant to N.J.S.A. 20:3-a et seq. to effectuate the Plan, if it so chooses.

3. Consolidation

The two existing parcels of the Redevelopment Area were previously consolidated and any further subdivision of the land is not contemplated at this time.

4. Designation and Conveyance

Upon adoption of this Redevelopment Plan, the Township shall be statutorily permitted to designate a Developer for development of the Redevelopment Area and to negotiate and enter into a Developer's Agreement with said Developer.

5. Actions Subsequent to Conveyance

Subject to the provisions of the negotiated Developer's Agreement, the Township may agree to provide tax abatement, an arrangement for Payment In Lieu of Taxes [P.I.L.O.T.] (consistent with the law), and / or other financial assistance, as the Township deems necessary.

C. LAND USE PLAN

1. General

- a. The following regulations, controls and restrictions provide standards for the physical development of the Redevelopment Area in accordance with the Statement of Purpose and Intent of this Redevelopment Plan. They are intended to provide parameters within which the Developer and its professionals are encouraged to generate detailed plans in cooperation with the Township's staff, to produce a Redevelopment Project of outstanding design capable of competing in a regional commercial and residential market.
- b. The land development controls as contained within Exhibit K, Proposed Area and Bulk Standards and Permitted Uses, as well as the Supplemental Land Use Provisions, page 11, have been generated to provide a framework to ensure an efficient and integrated Redevelopment Project reflective of "good civic design and arrangements" (New Jersey M.L.U.L. 40:55d-2).
- c. The development concepts and general design plan for undertaking the proposal will be reviewed as part of a pre-approval design review process where the Redevelopment Authority, through its professional staff, shall discuss and review the intent, purpose and anticipated outcome of the architecture and design. Ultimate approval of this process will be by the Redevelopment Authority as part of the Developer's Agreement to be negotiated between the Township and the Developer. A report defining

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compliance with the pre-approval design process shall be submitted to the Planning Board as part of the site plan review process.

- d. The above notwithstanding, pursuant to N.J.S.A. 40A:12A-13, all projects within the Redevelopment Area shall be submitted to the Planning Board for review and approval in accordance with the requirements for review and approval of subdivisions and site plans as set forth by ordinance and adopted pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.).
- e. Consistent with its responsibility pursuant to N.J.S.A. 40A:12A-13, the Planning Board shall retain the right, at time of Site Plan Review and Approval, to require such off-site improvements as may be necessary for the effective implementation of this Redevelopment Plan.

2. Permitted Uses

Permitted Uses within the Lincoln Avenue Redevelopment Area, see Exhibit K, Proposed Area and Bulk Standards and Permitted Uses, for a matrix illustrating the following uses and recommended Area & Bulk Regulations. The permitted uses shall include, age-restricted single-family dwellings; clubhouse facility; active recreational amenities; passive recreational amenities; stormwater management facilities; wetlands and buffer areas; landscaping buffer areas; and signage for purposes of identifying the development and the on-site amenities.

3. Supplemental Land Use Provisions

a. Preamble

The entire Redevelopment Area shall be governed by the Land Use Provisions contained herein. These Provisions are intended to establish standards that will architecturally define commercial and retail structures to be located within the subject Redevelopment Area. Therefore, the Developer and its professional staff are encouraged to exercise maximum ingenuity, creativity and freedom of design consistent with the objectives of this Redevelopment Plan.

The Redevelopment Authority recognizes that a variety of factors will influence the final design of the Redevelopment Project and has not attempted, in these and other controls of this Redevelopment Plan, to anticipate every possible design solution. Rather, the controls and regulations governing structural form and architectural character within the Redevelopment Area are designed to promote a unifying framework for the Redevelopment Area in accordance with the following areas:

- (1) Implement the overall Conceptual Site Plan, Exhibit L, with the Final Site Plan being subject to review and approval of the Buena Vista Planning Board and Township Committee, as well as, any other outside agency necessary and required approvals.

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- (2) In addition to (1) above, it is the intent of the Land Use Provisions of the Redevelopment Plan to require upgraded standards within the Redevelopment Area and relating to the following:
- (a) Pedestrian access and circulation;
 - (b) Public transportation linkages;
 - (c) Security Plan;
 - (d) Façade treatment of the clubhouse and individual dwelling units;
 - (e) Building orientation plan incorporating views, vistas, identification points, and nodes, etc. that recognize the relationships between buildings as well as the edge conditions defined along the perimeter of the Redevelopment Area boundary;
 - (f) A Landscape Plan shall be prepared by a Certified Landscape Architect licensed in the State of New Jersey. At a minimum, the Landscape Plan shall contain a Planting Schedule listing all plant material by size, common name and scientific name, quantities and symbol to identify planted location
 - (g) The Landscape Plan shall defines ornamental as well as buffer plantings for common areas and individual building lots;
 - (h) Signage graphics delineating style, size, color, and placement within the Redevelopment Area;
 - (i) Parking Plan that defines vehicular parking and truck delivery;
 - (j) Lighting Plan, both security and ornamental; and,
 - (k) Other elements defined by the Redevelopment Design Review process, the Planning Board and the Governing Body / Township Committee.

(3) Additional Requirements

(a) Age-Restricted Single-Family Dwelling Building Orientation

- i. Dwelling units shall not front directly along Lincoln Avenue.
- ii. Driveway access for all dwelling unit lots shall be gained through the internal street system and shall not front directly along Lincoln Avenue.
- iii. There shall be a varied mix of building styles and façade designs with no two identical buildings being located directly adjacent to one another.
- iv. A minimum distance of fifteen (15) feet shall be maintained between all dwelling units.

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(b) Accessory Use Structures

- i. Accessory use structures are permitted in conjunction with a residential use as the primary structure.
- ii. Accessory use structures shall not exceed a floor area of 100 square feet.
- iii. Accessory use structure setbacks shall be a minimum of 5 feet behind the rear building wall line of the principal structure, a minimum of a 5 foot side yard setback and a minimum of a 5 foot rear yard setback.
- iv. Accessory use structures will require the approval from the Redevelopment Area Homeowners Association prior to installation.
- v. Accessory use structures shall feature a landscaped buffer around the perimeter to enable the structure to blend into the surrounding residential character.

(c) Landscape controls for the Clubhouse Area

- i. All parking and loading areas shall be landscaped.
- ii. Foundation plantings shall be incorporated around the building perimeter.
- iii. A landscaping buffer shall be provided between any proposed active or passive recreational amenities, adjacent residential dwellings and public or private streets.
- iv. Fencing shall be permitted throughout the Clubhouse Area and shall not exceed a height of six feet and shall be of a decorative material such as wood, vinyl or aluminum.
- v. No chain link fencing shall be permitted throughout the Clubhouse Area.

(d) Buffers and Landscaping along Redevelopment Area Perimeter

- i. Adjacent to the Lincoln Avenue frontage, landscaped buffers shall be not less than thirty (30) feet in width and shall be protected by an easement.
- ii. Along Redevelopment Area perimeter lines which abut adjacent residential zoning districts or residential uses, landscaped buffers shall be not less than thirty (30) feet in width and shall be protected by an easement.
- iii. Along Redevelopment Area perimeter lines which abut adjacent commercial zoning districts or commercial uses, landscaped buffers shall be not less than thirty (30) feet in width and shall be protected by an easement.

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iv. Buffers may be comprised of earth berms, fences and landscaping, which shall be of a sufficient quantity and size to screen parked automobiles from the view of those at grade or first-floor level in adjacent homes and to prevent the shining of automobile headlights into the yards of adjacent property. In general, the buffers shall provide a visual screen between areas of the Redevelopment Area and any uses on adjacent parcels in the immediate vicinity of the Redevelopment Area. Fencing shall be permitted as part of a buffer area with a maximum height not to exceed a six (6) feet above the finished grade of the area of installation. The fencing material must be decorative and no chain link fences will be permitted within the buffer areas. In addition, shade trees shall be provided in the buffer areas at a rate of one (1) tree per five hundred (500) square feet of buffer area in combination with shrubs, both coniferous and deciduous, as well as perennials and where appropriate annuals.

(e) Landscaping within Stormwater Management Facilities

- i. Landscaping shall be provided around the perimeter of stormwater management basin areas, which are created within the Redevelopment Area, and shall consist of a combination of trees and shrubs.
- ii. The minimum landscaping buffer shall be fifteen (15) feet in width and shall be protected through an easement.
- iii. The landscaping buffer shall also include a combination of earth berms, fences and landscaping which will provide a visual screen which will create an aesthetic amenity between the basin areas and adjacent residential dwellings.
- iv. No chain link fences will be permitted throughout the stormwater management facilities of the Redevelopment Area.

(f) Street Trees

- i. Street trees shall be incorporated along all streets, both public and private, at a planting rate of 35-40 feet on center with a planting size of 2½ inch to 3½ inch caliper, with varying species planted throughout the Redevelopment Area streetscape.

(g) Lighting Standards

- i. All lighting standards shall conform to the Township's General Ordinances.
- ii. Light standards shall be of a decorative, pedestrian scale style fixture.
- iii. Light poles shall not exceed a maximum height of 20 feet.

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- iv. Light from on-site lighting shall not spill out onto other adjacent properties and rights-of-ways which are outside of the Redevelopment Area project site or internal street system.
- v. No cobra head style light fixtures or standards are permitted throughout the Redevelopment Area.

(h) Fences

- i. No fences will be permitted on any of the individual age-restricted single-family dwelling unit lots.
- ii. Fencing which is incorporated throughout the remainder of the site shall not exceed six feet in height and shall be constructed of a decorative material such as wood, vinyl or aluminum.
- iii. No chain link fencing will be permitted throughout the Redevelopment Area.

(i) Design and Performance Standards

- i. All other applicable design and performance standards listed in the Township of Buena Vista General Ordinances and Development Regulations (Chapter 49) are adopted herein by reference.
- ii. The Redevelopment Area shall also be subject to the Residential Site Improvement Standards, New Jersey Administrative Code, Title 5, Chapter 21.
- iii. The Redevelopment Area shall also be subject to the environmental and stormwater standards, rules and regulations of the New Jersey Department of Environmental Protection.

4. Easement Plan

- a. The Redevelopment Authority shall have the right to develop and devise an Easement Plan in order to provide a cohesive Circulation and an Access Plan to maximize efficiency in land utilization and traffic management.
- b. A Final Easement Plan, including existing and proposed utility easements, municipal dedications, vacations and / or the granting of air or subsurface rights, as well as issues related to improved traffic circulation both to and from the Redevelopment Area and internal to the Redevelopment Area shall be more fully addressed. The Township Engineer, in concert with the Developer's Engineer, hereinafter referred to as the Engineering Team, shall refine the concept for any such contemplated improvements.

(1) Dedications and/or Realignments

Dedications related to boundary streets shall be effectuated as the Engineering Team refines the concept for the contemplated improvements.

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(2) Access

Access to the Redevelopment Area shall be from proposed new streets and / or from existing streets with the necessary improvements.

5. Redevelopment Authority and Planning Board

The Planning Board, at time of Site Plan Review and without formal amendment to this Redevelopment Plan, may approve minor modifications in or changes to Bulk, Height, Landscape, Signage and Parking requirements if deemed to be in the best interest of project implementation and if accordingly supported by the Board's professional planning staff.

A minor modification is defined as a standard with less than five (5) percent deviation from any original standard stipulated herein.

6. Utility Controls

A Utility Location and Access Plan shall be prepared and submitted showing at a minimum the following:

- a. The location of all utilities to the redevelopment site shall be underground. Access of utilities to the specific redevelopment sites shall be via rear locations;
- b. The Utility Plan shall be coordinated with the Landscape and Site Design Plan.
- c. Utilities penetrating defined buffer or preserved woodlands shall do so with the least amount of impact to mature trees.

7. Standards and Controls of General Applicability

a. Jurisdiction

The provisions of this Redevelopment Plan are those of the Buena Vista Township and do not substitute for any law, code, rule or regulation established by any State or Federal agency.

b. Applicability of Other Standards

- (1) In addition to the standards set forth in this Redevelopment Plan, all development within the Redevelopment Area shall comply with the applicable laws, codes, rules and regulations established by any State or Federal agency.
- (2) The above notwithstanding, whenever local codes or regulations (other than those found in the N.J.S.A.40A:12A et seq.) contain comparable but less restrictive provisions or requirements than set forth in this Redevelopment Plan, the standards set forth herein shall govern.
- (3) The provisions of the N.J.S.A.40A:12A et seq., except as specifically provided for in this Redevelopment Plan, shall not apply to land or

**Buena Vista Township – Lincoln Avenue
Redevelopment Plan
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structures within the Redevelopment Area, such provisions being superseded hereby.

- (4) The Township recognizes that certain environmental issues may exist within the Redevelopment Area, including, but not limited to significant amounts of wetlands on site, possible soils contamination, and / or the location of endangered species (flora and / or fauna) on site. Upon adoption of this Redevelopment Plan, the Developer shall provide proof to the Township that the development and the Site proposed for development will not disturb existing wetlands on site, or have a negative impact upon any endangered species (flora and / or fauna). Additionally the Developer must prove that the site is free of contamination prior to any construction on site. Responsibility for any clean-up or any environmental action shall be assigned between parties within the context of the Developer's Agreement.

**Buena Vista Township – Lincoln Avenue
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August 2006**

VII. EQUAL OPPORTUNITY

No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the Redevelopment Authority or by the Developer (or any successors in interest) whereby the land or improvements in the Redevelopment Area are restricted, either by the Redevelopment Authority or the Developer (or any successors in interest) upon the basis of race, creed, color, ancestry, sex, national origin, family status, disability or sexual preference in the sale, lease, use or occupancy thereof. The foregoing restrictions, as well as the provisions of N.J.S.A. 40A:12A-9 shall be implemented by appropriate covenants or other provisions in the Developer's Agreement and/or disposition instruments as covenants running with the land.

**Buena Vista Township – Lincoln Avenue
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August 2006**

VIII. PROVISIONS NECESSARY TO MEET STATUTORY REQUIREMENTS

A. "REDEVELOPMENT AREA" DESIGNATION

The Planning Board of Buena Vista Township did, by Resolution No. 22-05 (followed up by the Township Committee's Resolution No. 131-2006) determine the Redevelopment Area to be an "Area in Need of Redevelopment" pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.). "Redevelopment Area" designation is a prerequisite for the promulgation of a Redevelopment Plan and/or Redevelopment Project pursuant to N.J.S.A. 40a:12A-7.

Upon adoption through Ordinance by the Governing Body, this document shall constitute a "Redevelopment Plan" under the provisions of the Local Redevelopment and Housing Law. It includes an outline for the planning, development and redevelopment of the Redevelopment Area as follows:

B. RELATIONSHIP TO DEFINITE LOCAL OBJECTIVES [N.J.S.A. 40A:12A-7a(1)]

The Township's Public Policy Goals and Redevelopment Plan Objectives are outlined in Section V of this Redevelopment Plan and are incorporated herein by reference.

1. Other Public Improvements

The Township may decide to implement public improvements that are in accordance with this Plan or further the goals and objectives of this Plan.

C. PROPOSED LAND USES AND BUILDING REQUIREMENTS [N.J.S.A. 40A:12A-7a(2)]

The Land Use Provisions and related controls are outlined in the Land Use Plan, Easement Plan, Utility Controls and related sections of this Redevelopment Plan.

D. PROVISION FOR TEMPORARY AND PERMANENT RELOCATION [N.J.S.A. 40A:12A-7a(3)]

No Relocation Plan is anticipated given the fact that properties contemplated for redevelopment action are on privately owned lands which are currently vacant of any structures which would not require any relocation action; therefore there is no relocation envisioned within this Redevelopment Area at this time.

E. IDENTIFICATION OF PROPERTY TO BE ACQUIRED [N.J.S.A. 40A:12A-7a(4)]

Any property to be acquired by the Township via eminent domain in the future to further the goals and objectives of this Redevelopment Plan, will be done so in accordance with all applicable regulations pursuant to New Jersey Local Redevelopment and Housing laws.

**Buena Vista Township – Lincoln Avenue
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F. **SIGNIFICANT RELATIONSHIPS OF THE REDEVELOPMENT PLAN TO OTHER PLANS
[N.J.S.A. 40A:12a-7a(5)a]**

The Land Use components of this Redevelopment Plan do not materially differ from those in place prior to the adoption of this Redevelopment Plan. Accordingly, there is no change in the relationship between this Redevelopment Plan and (a) the Master Plans of the Township of Buena Vista and contiguous municipalities, (b) the Master Plan of the County and (c) the State Development and Redevelopment Plan (SDRP) beyond those relationships which existed prior to the adoption of this Redevelopment Plan. Said relationships have formally been addressed by the duly adopted Master Plan and subsequent updates of the Township and incorporated herewith.

The Redevelopment Area consists of the lands located within Block 5501, Lots 21 and 22 along Lincoln Avenue which serves as a boundary line between Buena Vista Township and the Borough of Buena. The boundaries of the Redevelopment Area established by the Township are identified herein as Exhibit E entitled "Lincoln Avenue Redevelopment Plan Tax Block and Lot Map". This figure defines the boundaries of the site as excerpted from the Township's Tax Maps as well as Exhibit F, Aerial Map Illustrating Wetlands which identifies the potentially environmentally sensitive areas of the Redevelopment Area. Essentially, the project area, which is generally positioned along an north to south axis along Lincoln Avenue and is bounded by the IGI Buena Vista Corporate Center to the north, Cranberry Run Age-Restricted Residential area to the east, wooded and residential use lands to the south, and opposite Lincoln Avenue and within the Borough of Buena is the R-4 Residential Zoning District which features residential uses to the west.

G. **RELATIONSHIP TO PERTINENT MUNICIPAL DEVELOPMENT REGULATIONS
[N.J.S.A. 40A:12a-7a(5)c]**

The relationship of this Redevelopment Plan to pertinent municipal development regulations is outlined in the Land Use Plan of this Redevelopment Plan.

H. **PROPOSED ZONING CHANGES [N.J.S.A. 40A:12a7a(5)c]**

1. At the time of adoption of this Redevelopment Plan, the Redevelopment Area incorporated the Office Campus (OC) Overlay Zoning District, as illustrated on Exhibit H, Existing Zoning Districts, with information from the Buena Vista Township Zoning Map, dated November 1993.
2. Any Ordinance adopting this Redevelopment Plan shall contain language indicating that this Redevelopment Plan is an explicit amendment to the Land Use Code of Buena Vista Township and related zoning district maps.

I. **CONSISTENCY WITH MUNICIPAL MASTER PLAN**

This Redevelopment Plan is consistent with and is designed to effectuate the duly adopted Master Plan of Buena Vista Township.

This Plan proposes to create the necessary recommended plan for the Redevelopment Area as well as incorporate design / development standards.

**Buena Vista Township – Lincoln Avenue
Redevelopment Plan
August 2006**

IX. REDEVELOPMENT AUTHORITY AND PLAN INTERPRETATION

- A. Consistent with subsection VI.B.4 of this Redevelopment Plan, by entering into the negotiated Developer's Agreement, the Redevelopment Authority shall have approved the development concepts and general design plan for all undertakings proposed for the Redevelopment Area.
- B. Consistent with subsection VI.C.1.c of this Redevelopment Plan, the Redevelopment Authority, or its designee, shall review and approve all plans related to the Redevelopment Project for the purpose of verifying consistence with the Developer's Agreement prior to the Developer's submission to the Planning Board for Site Plan Review and Approval.
- C. The above notwithstanding, pursuant to N.J.S.A. 40A:12A-13, the Planning Board shall have the sole responsibility to determine conformance of a Developer's concept and design with zoning controls set forth in subsection VI.C.2 of this Redevelopment Plan.

**Buena Vista Township – Lincoln Avenue
Redevelopment Plan
August 2006**

X. DURATION OF PROVISIONS AND EFFECTIVE DATE

- A. This Redevelopment Plan, as it may be amended from time to time, shall be in effect for a period of thirty (30) years from the date of adoption by the Governing Body.
- B. Upon completion of construction on a particular Development Parcel and the issuance by the Township of all permanent Certificate(s) of Occupancy for said Development Parcel, and at the request of the Developer, the Township shall issue the Developer a "Certificate of Completion and Compliance" for said Parcel, certifying that the Redevelopment Project was completed in accordance with this Redevelopment Plan and further certifying that the applicable provisions of the Developer's Agreement, including provisions related to N.J.S.A. 40A:12A-9a, have been satisfied.
- C. Upon the issuance of a Certificate of Completion and Compliance for all of the Redevelopment Projects in all of the Development Parcels, or at the expiration of this Redevelopment Plan pursuant to Section XI.A. herein, whichever shall occur first, the controls outlined in this Redevelopment Plan, with the exception of Section VI.C. (Land Use Plan) and Section VII. (Equal Opportunity), shall terminate and the Redevelopment Area shall revert to such Township Zoning as may be adopted by the Township at that time pursuant to N.J.S.A. 40:55D-1 et seq. Unless otherwise addressed by an affirmative action of the Township, the appropriate sections of the Township's Land Use Code shall hereby be amended to include the Land Use Provisions (Section VI.C) of this Redevelopment Plan.

**Buena Vista Township – Lincoln Avenue
Redevelopment Plan
August 2006**

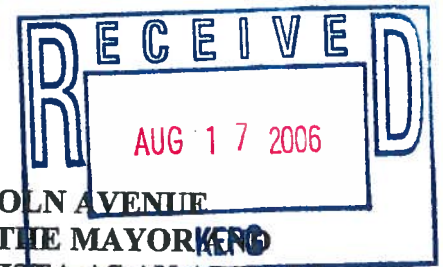
XI. PROCEDURES FOR AMENDING THE APPROVED REDEVELOPMENT PLAN

- A. This Redevelopment Plan may be amended from time to time upon compliance with all applicable laws and statutes and upon approval of the Governing Body. In addition to any other requirements, including but not limited to those imposed by N.J.S.A. 40A:12a-13, mutual agreement between the Township and the Developer is required where a Developer's Agreement is in place and where an amendment would change the controls governing the use of land under said Agreement or otherwise modify obligations under the Developer's Agreement.

**Buena Vista Township – Lincoln Avenue
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August 2006**

EXHIBIT A

**RESOLUTION NO. 22-05, FROM THE PLANNING BOARD
RECOMMENDING THE REDEVELOPMENT AREA BE DEEMED AN 'AREA IN NEED OF
REDEVELOPMENT'**



**RESOLUTION NO. 22-05
A RESOLUTION TO RECOMMEND THAT THE LINCOLN AVENUE
REDEVELOPMENT STUDY AREA BE DETERMINED BY THE MAYOR AND
TOWNSHIP COMMITTEE OF THE TOWNSHIP OF BUENA VISTA AS AN AREA IN
NEED OF REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A-5**

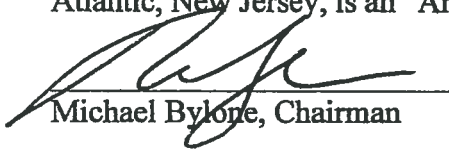
WHEREAS, the Mayor and Township Committee Members of the Township of Buena Vista have determined that certain areas within the Township should be preliminarily investigated by the Buena Vista Township Planning Board for determination of whether said properties are an "Area in Need of Redevelopment" pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., and have made such recommendation to the Planning Board; and,

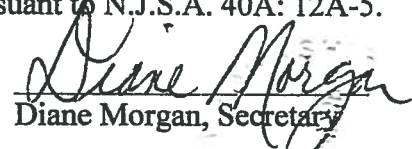
WHEREAS, the Buena Vista Township Planning Board has undertaken the necessary investigation into whether or not the Lincoln Avenue Redevelopment Study Area within Buena Vista Township may be recommended to the Mayor and Township Committee as an "Area in Need of Redevelopment;" and,

WHEREAS, the Buena Vista Township Planning Board conducted a Public Hearing which was duly noticed in accordance with N.J.S.A. 40A:12A-5 on September 15, 2005, at 7:00 p.m. in the Municipal Building of the Township of Buena Vista located at 890 Harding Highway, Buena Vista Township, New Jersey, for the purpose of acting upon the determination of whether or not property located at Block 5501, Lots 21 and 22, all on the Official Tax Map for the Township of Buena Vista, County of Atlantic, New Jersey, was an "Area in Need of Redevelopment" and whether or not such recommendation should be made to the Municipal Governing Body of the Township of Buena Vista; and,

NOW, THEREFORE BE IT RESOLVED by the Township of Buena Vista Planning Board as follows:

It is hereby recommended to the Mayor and Township Committee of the Township of Buena Vista, that said municipal governing body determine that the area designated as Block 5501, Lots 21 and 22, all on the Official Tax Map for the Township of Buena Vista, County of Atlantic, New Jersey, is an "Area in Need of Redevelopment" pursuant to N.J.S.A. 40A: 12A-5.


Michael Bylone, Chairman


Diane Morgan, Secretary

Date: September 15, 2005



**Buena Vista Township – Lincoln Avenue
Redevelopment Plan
August 2006**

EXHIBIT B

**RESOLUTION NO. 131-2006, FROM THE GOVERNING BODY / TOWNSHIP COMMITTEE
DESIGNATING THE REDEVELOPMENT AREA AS AN 'AREA IN NEED OF REDEVELOPMENT' AND
DIRECTING THE PLANNING BOARD TO PREPARE A REDEVELOPMENT PLAN.**

**RESOLUTION NO. 131-2006
 A RESOLUTION TO DESIGNATE AND DETERMINE THE
 LINCOLN AVENUE REDEVELOPMENT STUDY AREA AS AN
 AREA THAT IS IN NEED OF REDEVELOPMENT AND TO FURTHER
 AUTHORIZE A REDEVELOPMENT PLAN**

WHEREAS, the Buena Vista Township Planning Board has conducted an Area in Need of Redevelopment Analysis concerning whether the Lincoln Avenue Redevelopment Study Area should be determined to be an Area in Need of Redevelopment as defined in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and,

WHEREAS, the Buena Vista Township Planning Board on September 15, 2005, adopted a Resolution determining that the Lincoln Avenue Redevelopment Study Area meets the criteria of the Local Redevelopment and Housing Law, and in that Resolution recommended that the Buena Vista Township Committee proceed to declare the property an Area in Need of Redevelopment under that Act; and,

WHEREAS, the Buena Vista Township Committee has determined that for the reasons set forth in the Resolution of the Buena Vista Township Planning Board and the Lincoln Avenue Area in Need of Redevelopment Analysis Report, the proposed Lincoln Avenue Redevelopment Area is suitable for age-restricted residential development and due to existing conditions where lands have remained vacant and underutilized for a period of ten or more years cannot likely be developed through the instrumentality of solely private capital; and,

WHEREAS, any development which is undertaken within the Lincoln Avenue Redevelopment Area must be in the best interest on both a long term and short term basis for Buena Vista Township and its citizens; and,

WHEREAS, the provisions of the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. provide the most appropriate means of obtaining suitable development of the Lincoln Avenue Redevelopment Area and that a Redevelopment Plan must be formulated under the provisions of the Local Redevelopment and Housing Law in order to determine the most suitable uses of the Lincoln Avenue Redevelopment Area; and,

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Buena Vista as follows:

In accordance with N.J.S.A. 40A-12A-1 et seq., the Lincoln Avenue Redevelopment Area as outlined within the Area in Need of Redevelopment Analysis Report as presented to the Buena Vista Township Planning Board is hereby designated and determined to be an Area in Need of Redevelopment as defined in the Local Redevelopment and Housing Law.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to seek a suitable professional to expeditiously undertake the necessary Redevelopment Plan in the manner required and outlined by the Local Redevelopment and Housing Law.

BY: 
 CHUCK CHIARELLO-MAYOR

DATED: JUNE 12, 2006

ADOPTED: JUNE 12, 2006

ATTEST:

 LINDA M. GONZALES, ACTING AS TOWNSHIP CLERK

I hereby certify the above to be a true copy of Resolution No. 131-2006 adopted by the Township Committee at a Regular Meeting held on June 12, 2006.


 LINDA M. GONZALES, ACTING AS TOWNSHIP CLERK

	Y	N	ABSENT	ABSTAIN
BARBER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
BYLONE	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KELLY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
RIVERA	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CHIARELLO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Buena Vista Township – Lincoln Avenue
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August 2006**

EXHIBIT C

**RESERVED FOR FUTURE PLANNING BOARD RESOLUTION RECOMMENDING TO TOWNSHIP
COMMITTEE THE ADOPTION OF THE REDEVELOPMENT PLAN**

**Buena Vista Township – Lincoln Avenue
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August 2006**

EXHIBIT D

**RESERVED FOR FUTURE GOVERNING BODY / TOWNSHIP COMMITTEE ORDINANCE ADOPTING
THE REDEVELOPMENT PLAN**

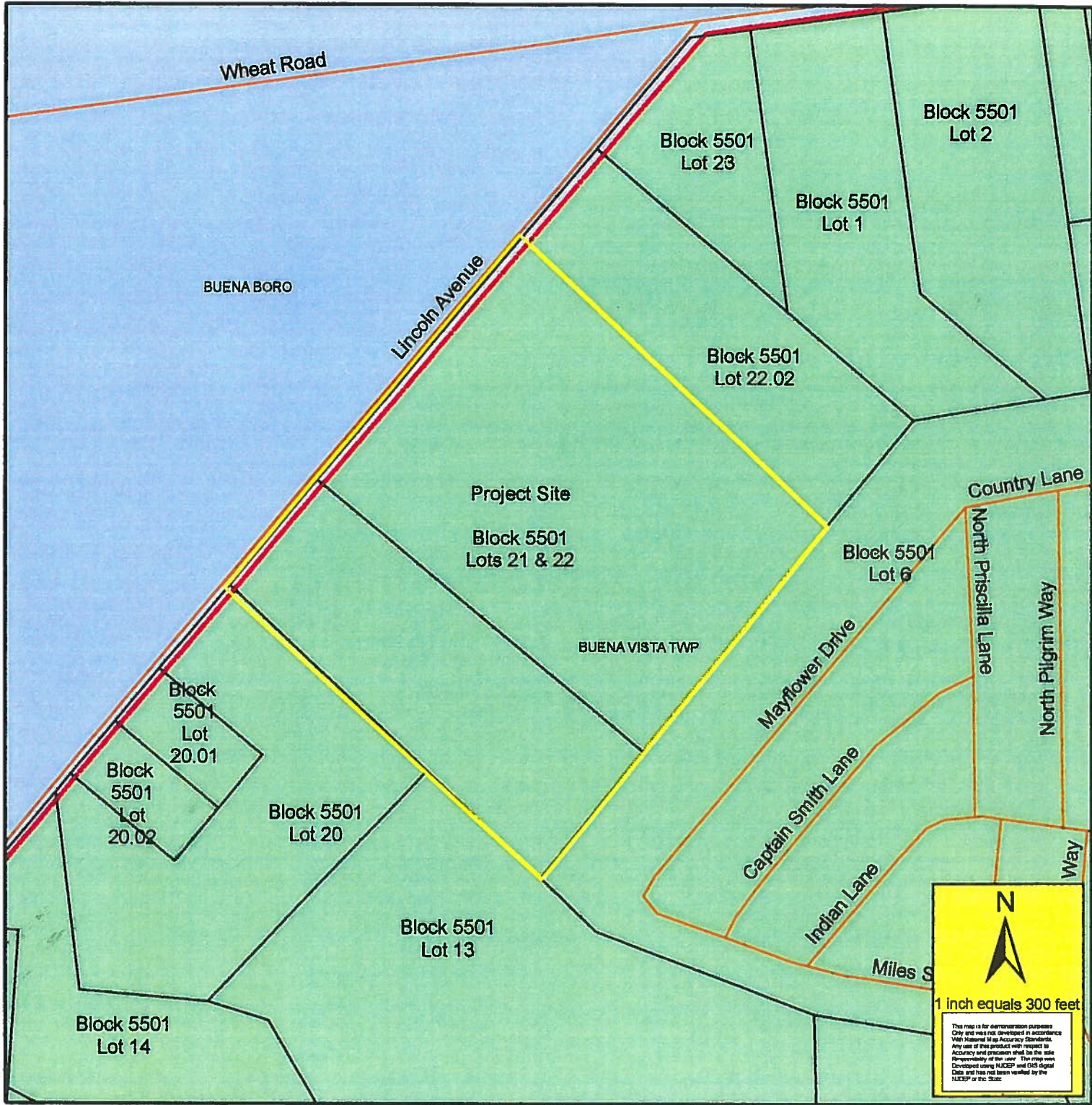
**Buena Vista Township – Lincoln Avenue
Redevelopment Plan
August 2006**

EXHIBIT E

**LINCOLN AVENUE REDEVELOPMENT PLAN
TAX BLOCK AND LOT MAP**

This map defines the boundaries of the site, the municipal boundary line and shows the existing surrounding parcels as excerpted from the Buena Vista Township Tax Map, Page 55, dated January 1989.

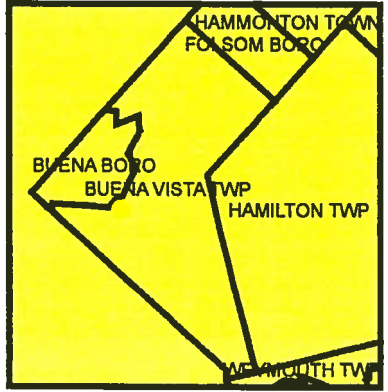
**Exhibit E
Lincoln Avenue Redevelopment Plan Tax Block and Lot Map**



N

1 inch equals 300 feet

This map is for demonstration purposes only and was not developed in accordance with National Map Accuracy Standards. Any use of this product with respect to Accuracy and precision shall be the sole responsibility of the user. This map was developed using NJCEP and GIS digital data and has not been verified by the NJCEP or the State.



- Legend**
- Streets
 - Buena Vista Tax Parcels
 - Municipal Boundary
 - Redevelopment Area

KEPG # 311.00
Municipality: Buena Township

karabashian
eddington planning group

27 Gordon Alley
Atlantic City, NJ 08401
phone: 609 347 0811 • fax: 609 347 1819 • kepbmngroup.com

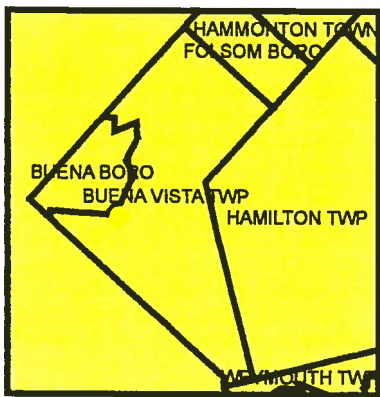
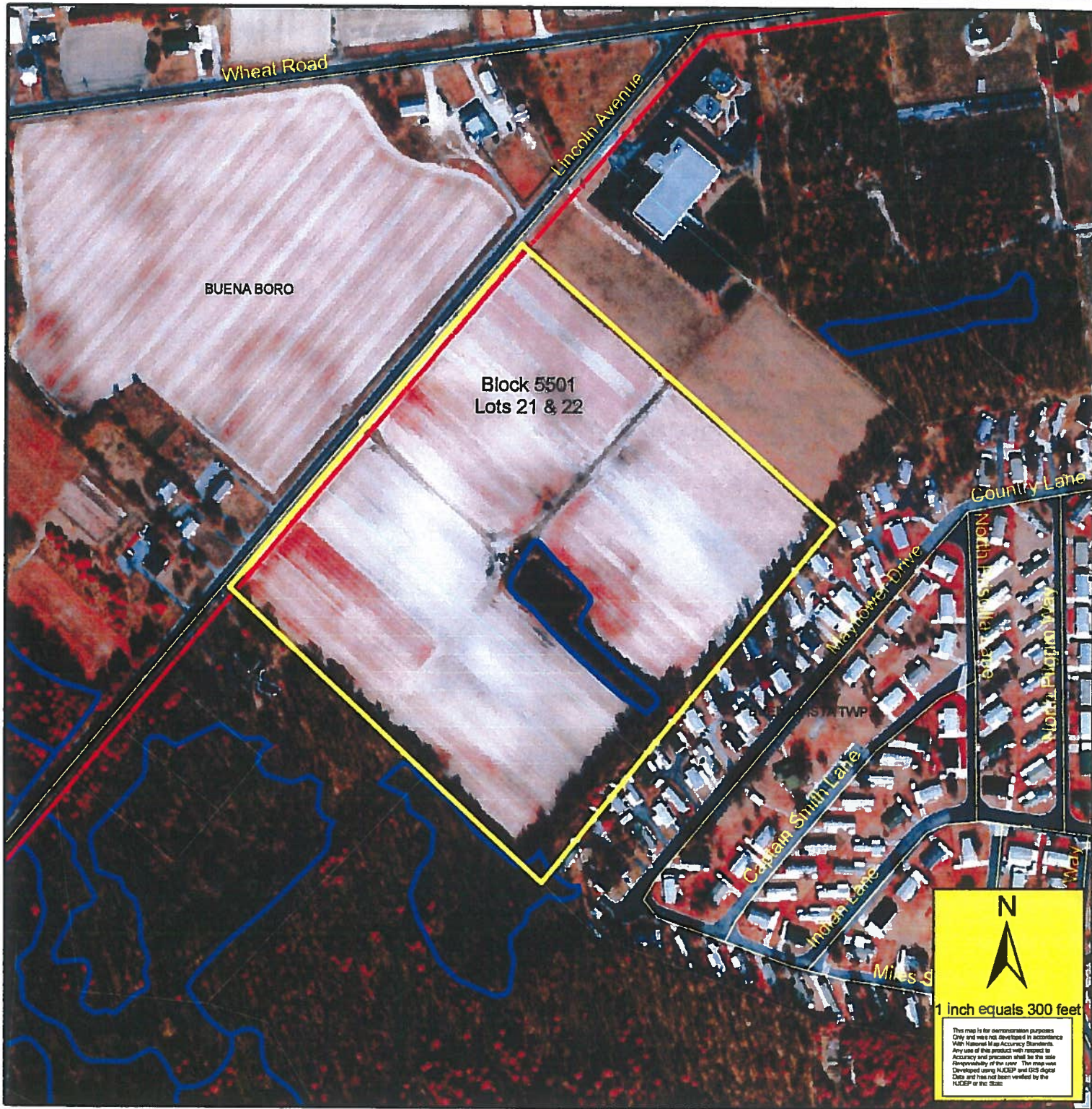
**Buena Vista Township – Lincoln Avenue
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August 2006**

EXHIBIT F

AERIAL MAP ILLUSTRATING WETLANDS

The Aerial Map illustrates the wetlands areas as well as identifies the surrounding land uses and lot configurations. The map further identifies that the Redevelopment Area is vacant of any structures and features open grass areas, wetland areas and existing mature trees. The source of wetlands delineated on the map was taken from the State of New Jersey, Department of Environmental Protection information.

**Exhibit F
Aerial Map Illustrating Wetlands**



Legend

-  Streets
-  Buena Vista Tax Parcels
-  Wetlands
-  Municipal Boundary
-  Site

KEPG # 311.00

Municipality: Buena Township

karabashian
eddington planning group

27 garden alley
atlantic city nj 08101
phone 609 347 0311 • fax 609 347 1811 • kaplannrj@icp.com

This map is for demonstration purposes only and was not developed in accordance with National Map Accuracy Standards. Any use of this product with respect to Accuracy and precision shall be the sole responsibility of the user. This map was developed using NJDEP and GIS digital data and has not been verified by the NJDEP or the State.

**Buena Vista Township – Lincoln Avenue
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EXHIBIT G

**STATE OF NEW JERSEY, DEPARTMENT OF ENVIRONMENTAL PROTECTION,
LETTER OF INTERPRETATION**

The attached Letter of Interpretation, dated September 9, 2005, from the State of New Jersey, Department of Environmental Protection details that although freshwater wetlands and State Open Waters are present no buffers or transition areas are required along either condition and any regulated activities within those areas will require a permit from the NJ DEP offices.



State of New Jersey

Department of Environmental Protection
LAND USE REGULATION PROGRAM
PO BOX 439
TRENTON, NJ 08625-0439
(609) 292-8115 (Fax)
www.state.nj.us/dep/landuse

Richard J. Codey
Acting Governor

Bradley M. Campbell
Commissioner

SEP 09 2005

Rick Ricciardi, P.P
Marathon Engineering & Environmental Services, Inc.
510 Heron Drive, Suite 100
Swedesboro, NJ 08085

RE: Letter of Interpretation
Presence/Absence Determination
File No.: 0105-05-0001.1 (FWW 050001)
Applicant: Bellevue Properties Development Group, L.L.C.
Block: 5501; Lot(s): 21 & 22
Township of Buena Vista, Atlantic County

RECEIVED
SEP 22 2005
BELLEVUE PROPERTIES

Dear Mr. Ricciardi:

This letter is in response to your request for a Letter of Interpretation from the Land Use Regulation Program indicating the presence or absence of freshwater wetlands and waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection, the U.S. Army Corps of Engineers Philadelphia and New York Districts, and the U.S. Environmental Protection Agency, the NJDEP, Land Use Regulation Program is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retains the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based on the information submitted, and upon a site inspection conducted by Program staff on August 16, 2005, the Land Use Regulation Program has determined that freshwater wetlands and State Open Waters are present. The ditches located along the southern property boundary are of ordinary resource value and the standard transition area or buffer required adjacent to these wetlands is 0 feet. The irrigation pond is considered State open waters. A transition area is not required adjacent to State open waters. Any regulated activities proposed within these areas will require a permit from this office pursuant to the Freshwater Wetlands Protection Act rules, N.J.A.C. 7:7A.

In addition, the wetlands have been identified as being priority wetlands by the U.S. Environmental Protection Agency. This classification may affect the types of permits or transition area waivers available for the above referenced property.

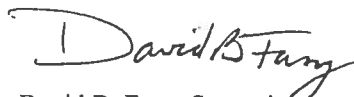
It should be noted that this determination of wetlands classification is based on the best information presently available to the Department. The classification is subject to change if this information is no longer accurate, or as additional information is made available to the Department, including, but not limited to, information supplied by the applicant.

Pursuant to the Freshwater Wetlands Protection Act Rules (N.J.A.C. 7:7A), you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter. This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have been conducted on this site. This determination does not affect your responsibility to obtain any State, Federal, county or municipal permits which may be required.

In accordance with N.J.A.C. 7:7A-1.7, any person who is aggrieved by this decision may request a hearing within 30 days of the decision date by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, P.O. Box 402, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist.

Please contact April Grabowski of our staff at (609) 292-8262 should you have any questions regarding this letter. Be sure to indicate the Program's file number in all communication.

Sincerely,



David B. Fanz, Supervisor
Bureau of Coastal Regulation

c: Buena Vista Township Clerk
Buena Vista Township Construction Official

**Buena Vista Township – Lincoln Avenue
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August 2006**

EXHIBIT H

TAX PARCEL PROFILE REPORT

The chart below articulates the size, ownership, condition of titles, zoning, value and location of the Redevelopment Area parcels. This information was obtained from the Buena Vista Tax Assessors Office.

A simple review of the document indicates the following facts:

1. There is one lot, due to a previous consolidation of Lots 21 and 22.
2. The total acreage is 20.41 acres.
3. The site is located within the Office Campus Overlay (O-C) Zoning District, with a base zoning of the Residence / Agriculture (RA) Zoning District.
4. Private ownership accounts for the entire parcel acreage.
5. All of the land within the Redevelopment Area is currently vacant of any structures.
6. Of the total area of 20.41 acres, only ±0.74 acres are considered wetlands as per NJDEP (GIS) data, with the remaining area of the parcel noted as uplands.

Block	Lot	Acreage	Land Use	Owner	Address	City, State	Zip Code	Municipality
5501	21 & 22	20.41	3B- Qualified Farm	Bellevue Property Group	219 N. White Horse Pike	Hammonton, NJ	08037	Buena Vista

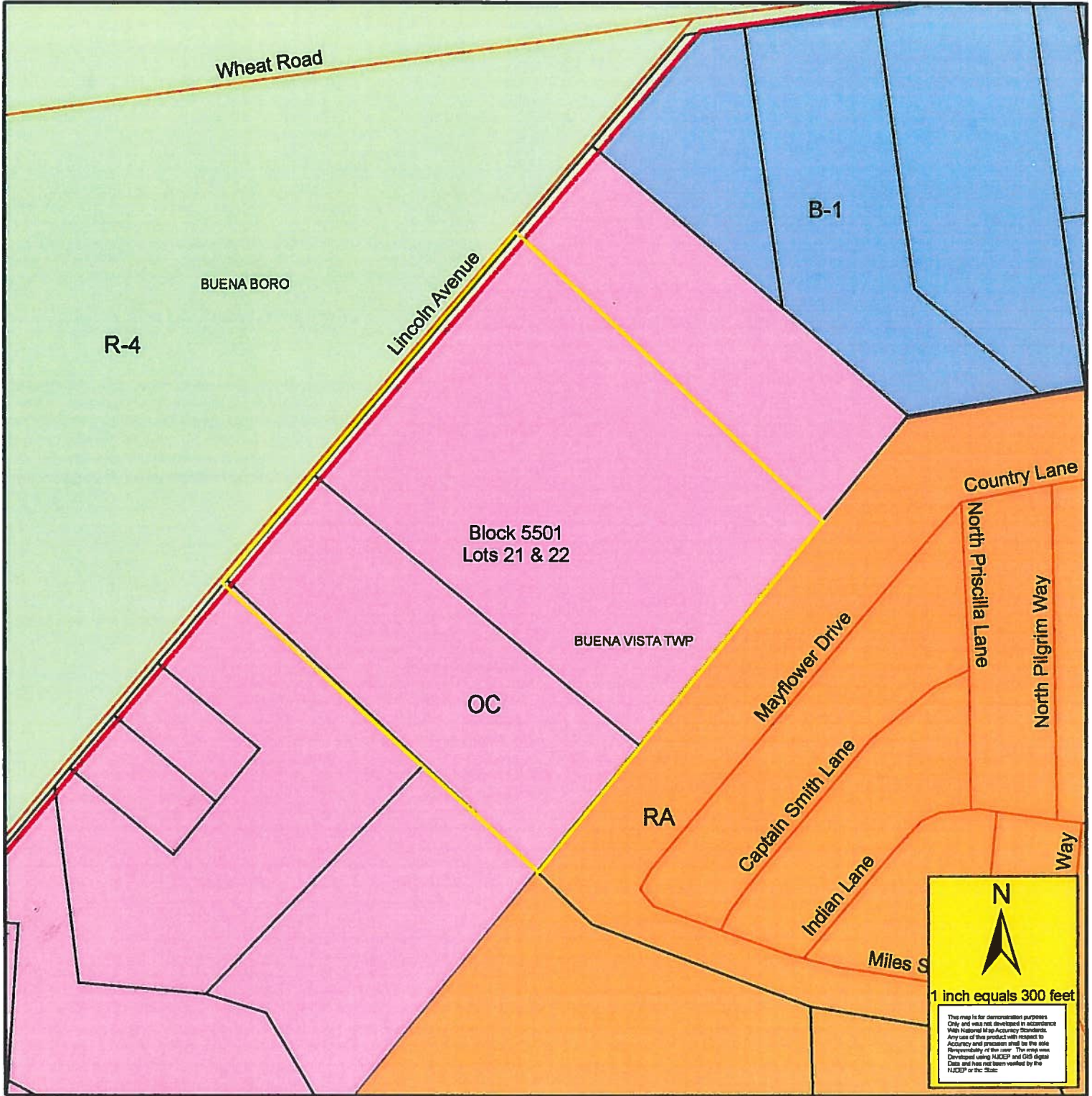
Source: Buena Vista Township, Tax Assessor Office.

**Buena Vista Township – Lincoln Avenue
Redevelopment Plan
August 2006**

EXHIBIT I

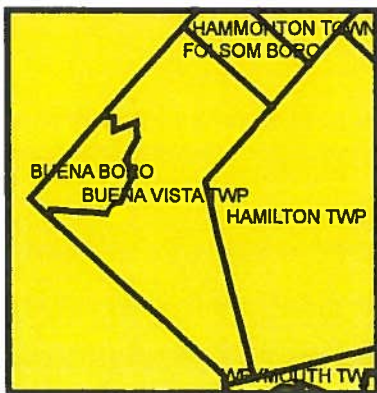
EXISTING ZONING DISTRICTS MAP

**Exhibit I
Existing Zoning**



N
1 inch equals 300 feet

This map is for demonstration purposes only and was not developed in accordance with National Map Accuracy Standards. Any use of this product with respect to Accuracy and precision shall be the sole responsibility of the user. The map was developed using HACEP and GIG digital data and has not been verified by the HUDOP or the State.



Legend

- Streets
- Buena Vista Tax Parcels
- Municipal Boundary
- Redevelopment Area

Zoning

- Buena Vista
- B-1 Business
- RA Residence/Ag
- OC Office Campus Overlay
- Buena Boro
- R-4 Residential

KEPG # 311.00

Municipality: Buena Township

**karabashian
eddington planning group**

27 Gordon's Alley
Atlantic City, NJ 08401
phone 609 347 0311 • fax 609 347 1819 • keplnrvngg@group.com

Source: Buena Vista Township Land Use and Zoning Plan, 11/12/93
Buena Boro Zoning Map 1991

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EXHIBIT J

**EXISTING ZONING ORDINANCE REGULATIONS FOR THE
OFFICE CAMPUS (O-C) ZONING DISTRICT**

Office Campus Overlay (OC) Zoning District Regulations

§49-88.1(A): Within the OC Zoning District, no lot, land, building or structures shall be erected, altered, developed or used unless such action complies with the schedule in §49-74 and all standard and regulation set forth in this chapter.

Permitted uses in the Office Campus Overlay Zone are as follows §49-88.1(B):

1. Business offices not involving retail sales, retail services or personal services.
2. Medical or dental clinic or laboratory.
3. Research and engineering activities involving technical investigations or study for product development and similar activities.
4. An office building with five thousand (5,000) square feet or more of gross floor area may utilize a portion of the first floor, not to exceed twenty-five percent (25%) of the gross floor area of the office building, for types of retail trade which are ancillary to the office use and/or service office workers. Such retail use must be located on the first floor of the office building and shall not be permitted in a separate building on the site. The types of retail uses permitted include:
 - a. Restaurants and luncheonettes, but not including drive-in restaurants or restaurants which depend largely on take-out service for off-premises consumption.
 - b. Delicatessens, bakeries, and confectionary stores, but not including self-service food markets (supermarkets) or meat and poultry markets.
 - c. Personal service establishments, such as barbershops, beauty shops, tailoring and dressmaking shops and dry-cleaning shops, but not including self-service laundries, dancing and music schools, day nurseries or radio, television or appliance repair shops.
 - d. Drugstores, stationery supplies, tobacco and periodical stores and specialty shops, but no including department stores, junior department stores, hardware stores plumbing supply shops or appliance stores.
 - e. Other retail uses which are normally and/or continually utilized by offices and office workers during normal working hours and do not primarily service the non-office worker and/or evening shopper.

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Permitted conditional uses, subject to the provision of Article 8 of this chapter, shall be as follows §49-88.1(C):

1. Life-care facility or development (§49-125)
2. Public service infrastructure (§49-117)
3. Mini-storage facilities (§49-126)
4. Warehouses and flex buildings (§49-127)
5. Business parks (§49-128)

Area and Bulk Requirements for the Office Campus Overlay (OC) Zoning District, §49-74

District	Area (acres)	Lot Width	Lot Depth	Side Yard	Front Yard	Rear Yard	Coverage
OC	3.0	200 feet	200 feet	30 feet	75 feet	30 feet	65%

Source: Buena Vista Township Development Regulations, Chapter 49, 1995.
Compiled by Karabashian Eddington Planning Group, LLC, August 2006.

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EXHIBIT K

**PROPOSED PERMITTED USES AND
AREA / BULK STANDARDS**

Permitted Uses	Minimum Lot Size	Minimum Lot Width	Minimum Lot Depth	Front Yard	Side Yard	Rear Yard	Maximum Building Height	Maximum Impervious Coverage	Maximum Building Coverage
Age-Restricted Single-Family Dwellings (40 ft. x 40 ft. building envelope)	5,775 Square Feet	55 feet	105 feet	25 feet	7.5 feet	30 feet	35 feet	50%	40%
Accessory Use Structures (Principal use, residential only)	N/A	N/A	N/A	5 feet behind rear wall of principal	5 feet	5 feet	15 feet	N/A	N/A
Clubhouse	30,000 Square Feet	N/A	N/A	20 feet	10 feet	40 feet	35 feet	60%	40%

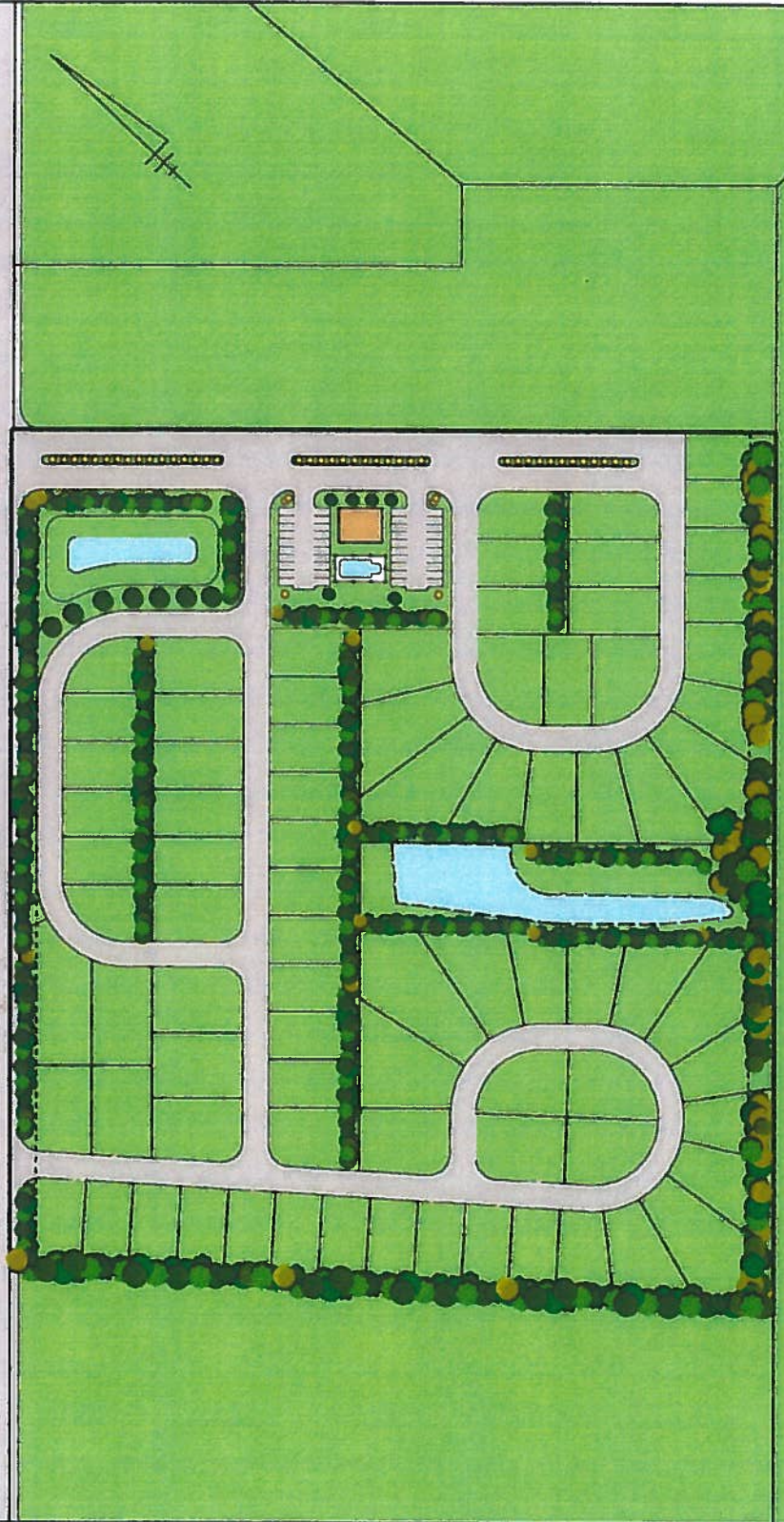
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EXHIBIT L

PROPOSED CONCEPTUAL SITE PLAN

The proposed Conceptual Site Plan delineates the proposed interior street configuration, the proposed Clubhouse location, stormwater management areas and eighty-two (82) individual dwelling lots. The plan also delineates the area of proposed landscaping buffers along the project boundaries as well as interior buffers between the dwellings and the Clubhouse, stormwater areas and other adjacent dwellings. This plan is in no way intended as the final plan of lots for the project but rather a concept of the potential configuration of the project site. Beyond the Redevelopment process the project site plan will require future review by the Buena Vista Township Planning Board as well as adherence to all required and necessary outside agency approvals. The Conceptual Site Plan was prepared by The Butler Group and is dated April 14, 2005.

Lincoln Avenue (Atlantic County Route No. 655)
off from 1944



Conceptual Sketch
"The Greenidge at Blount Vista"
Blount Vista, Lots 21 and 22
Blount County, Georgia
Atlantic County, New Jersey

Butler Group
Blount County, Georgia
Blount County, New Jersey
Phone: (706) 777-0799
Fax: (706) 777-1111

John T. Butler, PLS
27 Lower East Street, Suite 100
Blount County, Georgia 30701
Phone: (706) 777-0799
Fax: (706) 777-1111

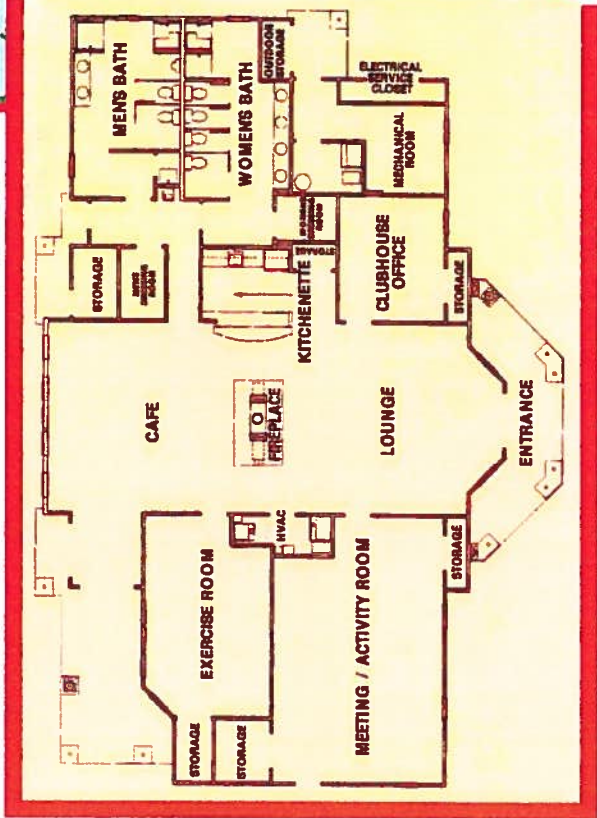
Total Lot Count: 28

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EXHIBIT M

PROPOSED CLUBHOUSE ELEVATION AND PLAN

The proposed Clubhouse elevation and plan graphic has been prepared by Beazer Homes and reflects the type and style of community facility proposed as part of the project.



Clubhouse

 *Beazer Homes*

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EXHIBIT N

PROPOSED DWELLING MODEL 'AUGUSTA' ELEVATION AND PLAN

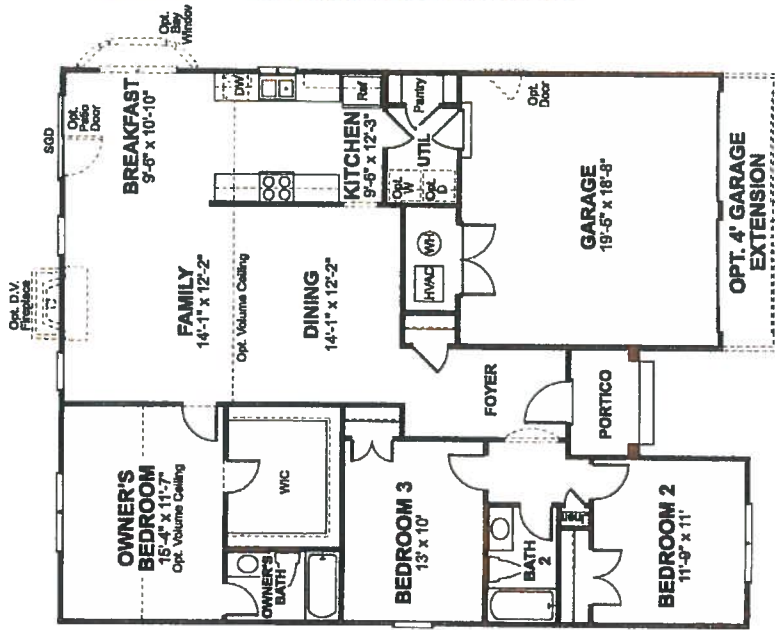
The proposed dwelling model 'Augusta' elevation and plan graphic has been prepared by Beazer Homes and reflects one of the basic home models which will be incorporated into the project site. The delineated square footage of 1,482 square feet is a basic starting point for this model style and could fluctuate given the type of design extras incorporated by the future homeowner. Additionally, the façade is also a basic foundation upon which design extras as desired by a future homeowner will ultimately vary the facade of this model type.



Augusta

1482 sq ft

 **Beazer Homes**

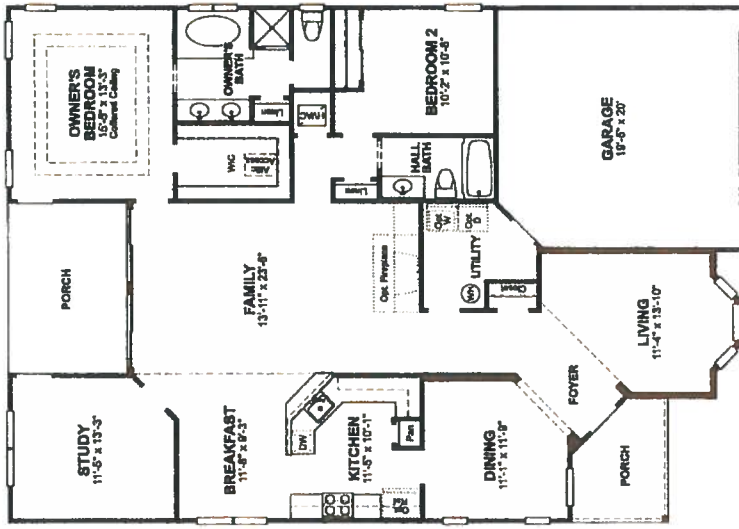


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EXHIBIT O

PROPOSED DWELLING MODEL 'LINCOLN' ELEVATION AND PLAN

The proposed dwelling model 'Lincoln' elevation and plan graphic has been prepared by Beazer Homes and reflects one of the basic home models which will be incorporated into the project site. The delineated square footage of 1,735 square feet is a basic starting point for this model style and could fluctuate given the type of design extras incorporated by the future homeowner. Additionally, the façade is also a basic foundation upon which design extras as desired by a future homeowner will ultimately vary the facade of this model type.



Lincoln

1735 sq ft

 Beazer Homes

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EXHIBIT P

PROPOSED DWELLING MODEL 'JEFFERSON' ELEVATION AND PLAN

The proposed dwelling model 'Jefferson' elevation and plan graphic has been prepared by Beazer Homes and reflects one of the basic home models which will be incorporated into the project site. The delineated square footage of 1,847 square feet is a basic starting point for this model style and could fluctuate given the type of design extras incorporated by the future homeowner. Additionally, the façade is also a basic foundation upon which design extras as desired by a future homeowner will ultimately vary the facade of this model type.



Jefferson

1847 sq ft

 **Beazer Homes**

