

ORDINANCE 1895- 2014

**ORDINANCE AUTHORIZING ADOPTION BY THE TOWNSHIP OF GALLOWAY
OF A REDEVELOPMENT PLAN FOR BLOCK 529, LOTS 10, 11, 12, 13 & 14 WITHIN
THE WHITE HORSE PIKE CORRIDOR PHASE II – POMONA ROAD
REDEVELOPMENT AREA “KENNEDY’S BAR AND GRILL & POMONA FIRE
HOUSE” BLOCK 529, LOTS 10, 11, 12, 13 & 14**

WHEREAS, the Township of Galloway, (the "Township"), in the County of Atlantic, State of New Jersey, has designated an area within the Township, known as the White Horse Pike Corridor Phase II – Pomona Road Redevelopment Area (“Redevelopment Area”), as being in need of redevelopment pursuant to N.J.S.A. 40A:12-1 *et seq.*; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a Governing Body may adopt, revise or amend a redevelopment plan for an “area in need of redevelopment”; and

WHEREAS, in order to facilitate the development and rehabilitation of the Township, the Township has prepared the “White Horse Pike Corridor, Phase II - Pomona Road, Kennedy’s Bar and Grill & Pomona Fire House, Portion of Tract 3, Block 529, Lots 10, 11, 12, 13 & 14 Redevelopment Plan” for the Township of Galloway (the “Redevelopment Plan”); and

WHEREAS, the Redevelopment Plan provides a broad overview for the planning, development, redevelopment and rehabilitation of the Township for purposes of improving conditions within the Township; and

WHEREAS, the Township Council has determined that it is in the best interest of the Township to adopt the Redevelopment Plan to effectuate redevelopment and rehabilitation within the Township; and

WHEREAS, pursuant to N.J.S.A. 40A:12-7, the governing body referred the attached Redevelopment Plan to the Planning Board for review and approval following introduction and first reading; and

WHEREAS, the Planning Board recommended adoption of the Redevelopment Plan by the Township Council via Resolution ___-2014, which shall be considered the report of the Planning Board to the Township Council as required by N.J.S.A. 40A:12A-7(e).

NOW THEREFORE BE IT ORDAINED by the Township Council of the Township of Galloway as follows:

Section 1. The Township hereby adopts the Redevelopment Plan for the Township of Galloway.

Section 2. Mayor and Council declares and determines that said Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for

the development and rehabilitation of the Township and is otherwise in conformance with N.J.S.A. 40A:12A-1, et seq.; and

Section 3. The governing body of the Township of Galloway shall have, be entitled to, and is hereby vested all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan.

Section 4. The Redevelopment Plan shall supersede any other local development regulation to the extent set forth in the Plan and the Township of Galloway Zoning Map is hereby amended to conform with the provisions of the Redevelopment Plan; and

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. In the event any clause section or paragraph of the ordinance is deemed invalid or unenforceable for any reason, it is the intent of Township Council that the balance of the Ordinance remains in full force and effect to the extent it allows the Township to meet the goals of the Ordinance.

Section 7. A certified copy of this ordinance is to be forwarded to the Pinelands Commission for certification.

Section 8. This Ordinance shall take effect after final adoption and publication according to law.

ATTEST:

TOWNSHIP OF GALLOWAY

KELLI DANIELI, Acting Township Clerk

DON PURDY, Mayor

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Coppola					
Gargione					
Gorman					
Maldonado					
Meadows					
Tyrrell					
Purdy					

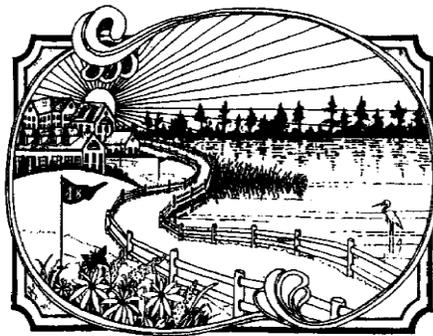
REDEVELOPMENT PLAN

**WHITE HORSE PIKE CORRIDOR
PHASE II - POMONA ROAD
KENNEDY'S BAR AND GRILL & POMONA FIRE HOUSE
PORTION OF TRACT 3
BLOCK 529, LOTS 10, 11, 12, 13 & 14**

GALLOWAY TOWNSHIP, ATLANTIC COUNTY

DRAFT – October 9, 2014

**Prepared for:
Galloway Township**



**TOWNSHIP OF GALLOWAY
300 E. JIMMIE LEEDS ROAD,
GALLOWAY, NJ 08205**

As recommended by the Planning Board on _____;
Adopted by the Governing Body on _____;
Certified by the Pinelands Commission on _____.

REDEVELOPMENT PLAN
WHITE HORSE PIKE CORRIDOR
PHASE II - POMONA ROAD
KENNEDY'S BAR AND GRILL & POMONA FIRE HOUSE
PORTION OF TRACT 3
BLOCK 529, LOTS 10, 11, 12, 13 & 14
GALLOWAY TOWNSHIP, ATLANTIC COUNTY

MAYOR

Don Purdy

COUNCIL MEMBERS

Anthony J. Coppola, Jr. Deputy Mayor
Frank M. Gargione
Jim Gorman
Robert Maldonado
Timothy Meadows
Bryan J. Tyrrell, Ph.D.

PLANNING BOARD

Ken Sooy, Chairman
Robert Bruno
Anthony J. Coppola, Jr., Deputy Mayor
Jim Cox
Matthew Geese
Tom Guceroni
Daniel Jones
Betty Mannis
Pat Moran
Don Purdy, Mayor
Charles Wimberg

PREPARED BY:

Tiffany A. CuvIELLO, AICP, PP#5533

The original of this document was signed and
sealed in accordance with NJAC 13:41-1.3.b

TABLE OF CONTENTS

INTRODUCTION	1
DESCRIPTION OF REDEVELOPMENT AREA	1
GOALS AND OBJECTIVES	4
PLAN PROPOSALS	4
Definitions	4
Land Use and Building Requirements.....	4
General Provisions	8
Relocation	10
Acquisition.....	10
Affordable Housing	10
RELATIONSHIP TO OTHER PLANS	10
Township Plans – (N.J.S.A. 40A:12A-7d).....	10
Plans of Surrounding Municipalities - (N.J.S.A. 40A:12A-7a(5)(a))	11
County Plans - (N.J.S.A. 40A:12A-7a(5)(b)).....	11
State Development and Redevelopment Plan - (N.J.S.A. 40A:12A-7a(5)(c))	12
ADMINISTRATION.....	12
General Provisions	12
Redeveloper Entity.....	13
Agreements with Redevelopers	13
Time Limits.....	14
Discrimination Ban	14
Deviations from Provisions of Approved Redevelopment Plan	14
Amendments to Approved Redevelopment Plan.....	15
Repeal and Severability Statements.....	15
CONCLUSION.....	15

Exhibits

Exhibit I – Tax Map

Exhibit II – Concept Plan – “Concept M” prepared by Arthur W. Ponzio Co. & Associates, Inc.

INTRODUCTION

On July 14, 2009 the Galloway Township Council by Resolution #209-2009 had directed the Planning Board to investigate properties along the White Horse Pike and surrounding area to determine if they were in Need of Rehabilitation or Redevelopment in accordance with the New Jersey Local Housing and Redevelopment Law N.J.S.A. 40A:12A-1 et. Seq. (LHRL). On December 2, 2010, the Galloway Township Planning Board held a public hearing and determined that the parcels in the Phase II Pomona Road Redevelopment Area (identified in the tables below) satisfied the criteria under the LHRL as an area in need of redevelopment by Resolution #14-2010. The Township Council adopted the Planning Board's determination on December 14, 2010 pursuant to Resolution #300-2010.

A redevelopment plan is necessary in order to improve the conditions that have resulted in this determination; therefore the Galloway Township Planning Board has prepared this Redevelopment Plan for consideration and adoption by the Galloway Township Council. The plan is designed to encourage investment into the Phase II Redevelopment Area through economic incentives and modified land use regulations.

This Redevelopment Plan is designed specifically for the former Kennedy's Bar and Pomona Fire House property within Tract 3 on Block 529, Lots 10, 11, 12, 13 & 14. This is a part of the entire Phase II Redevelopment Area. Separate Redevelopment Plans will be adopted at a later date to address the balance of the Phase II Redevelopment Area.

DESCRIPTION OF REDEVELOPMENT AREA

The Phase II Redevelopment Area includes the four corners at the intersection of Pomona Road and the White Horse Pike. As noted, this plan is specific to the former Kennedy's Bar and Pomona Fire House property within Tract 3 on Block 529, Lots 10, 11, 12, 13 & 14. This is a part of the entire Phase II Redevelopment Area.

The Phase II Redevelopment area is separated into four separate tracts consistent with the four corners of the intersection. Tract 1 begins on the south side of the White Horse Pike and is bounded to the east by Genoa Avenue, the west by Pomona Road, to the south by Atlantic Avenue, and to the north by the White Horse Pike. Tract 2 is bounded to the west by Pomona Road, to the south by the White Horse Pike. The eastern boundary is located opposite Rosemarie Avenue beginning at the boundary with lot 12 in block 528 and the southern boundary is formed by the Atlantic City Rail Line. Tract 3 is bounded on the west by Genoa Avenue and extends east to Pomona Road. The northern boundary is formed by Langley Avenue and the southern boundary is the White Horse Pike. Tract

4 completes the Redevelopment Area, bounded on the west by Pomona Road extending east to Rosemarie Avenue. The White Horse Pike forms the southern boundary and the northern boundary is formed by the rear of lots 1 through 12 in block 558.

The complete Phase II Redevelopment Area is depicted on Sheet 2, Tax Map of Exhibit I and consists of the Blocks and Lots identified below.

The area is zoned as HC-2 (Highway Commercial) and is part of the Pinelands Village of Pomona. The purpose of the Highway Commercial District is to encourage commercial development along the White Horse Pike. This commercial development is intended to serve the needs of the Township residents, residents of the region and traveling motorists. The Highway Commercial districts were created in response to the Pinelands Comprehensive Management Plan which designates areas for both development and preservation throughout the Pinelands National Reserve. Around 1980, the Township of Galloway adopted zoning regulations that were consistent with the Pinelands land management areas, which included this area for commercial development.

Tract 1		
Block	Lot	Street Address
526	1	423 S Pomona Road
526	2	421 S. Pomona Road
526	3	419 S. Pomona Road
526	4	282 W. White Horse Pike
526	5	White Horse Pike
526	6	288 W. White Horse Pike
526	7	Atlantic Avenue
526	8	Atlantic Avenue
526	9	290 W. White Horse Pike
526	10	Landlocked
526	11	White Horse Pike
526	12	White Horse Pike
526	13	424 S Genoa Avenue
526	14	297 Atlantic Avenue
526	15	422 S. Genoa Avenue
526	17	416 S Genoa Avenue

Tract 3		
Block	Lot	Street Address
529	1	404 S Genoa Avenue
529	2	297 W. White Horse Pike
529	3.01	295 W. White Horse Pike
529	3.02	294 Langley Avenue
529	3.03	White Horse Pike
529	4	292 Langley Avenue
529	5	293 W. White Horse Pike
529	6	291 W. White Horse Pike
529	7.01	289 W. White Horse Pike
529	7.02	288A Langley Avenue
529	7.03	286-288 Langley
529	8	285 W. White Horse Pike
529	9	281 W. White Horse Pike
529	10	279 W. White Horse Pike
529	12	Langley Avenue
529	13	407 S Pomona Road
529	11	White Horse Pike
529	14	275 W. White Horse Pike

Tract 2		
Block	Lot	Street Address
527	1	430 S Pomona Road
527	2	423 George Avenue
527	4	421 George Avenue
527	5	428 S Pomona Road
527	6	426 S Pomona Road
527	7	419 George Avenue
527	8, 9 & 10	424 S Pomona Road
527	11	278 W. White Horse Pike
528	1	424 George Avenue
528	2	422 George Avenue
528	3	George Avenue
528	4	George Avenue
528	5	276 W. White Horse Pike
528	6	272 W. White Horse Pike
528	7	White Horse Pike
528	8	White Horse Pike
528	9	White Horse Pike
528	10	White Horse Pike
528	11	252 W. White Horse Pike

Tract 4		
Block	Lot	Street Address
558	13	273 W. White Horse Pike
558	14	269 W. White Horse Pike
558	15.01	261 W. White Horse Pike
558	15.02	257 W. White Horse Pike
558	15.03	253 W. White Horse Pike

GOALS AND OBJECTIVES

The primary goals of this Redevelopment Plan are to encourage the revitalization and redevelopment of the White Horse Pike at Pomona Road, to enhance the Township's economic base and to encourage the creation of new jobs. In order to fulfill these purposes, the following goals are created for the Redevelopment Area:

- Provide for a balanced mix of land uses that will promote the revitalization of the White Horse Pike corridor.
- Encourage opportunities for new commercial development at the intersection of Pomona Road and the White Horse Pike.
- Create new job opportunities.
- Encourage the retention and expansion of existing businesses.

PLAN PROPOSALS

This Redevelopment Plan is designed to address the redevelopment on Block 529, Lots 10, 11, 12, 13 & 14, and shall be referred to as the Pomona Road 1 Redevelopment District (PR-1). The subject parcel is located within Tract 3 and was the former Kennedy's Bar and Grill and Pomona Fire House. The redevelopment for the remaining parcels in the Phase II Redevelopment Area will be the subject of a future Redevelopment Plan(s).

Definitions

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this plan by reference.

Land Use and Building Requirements

In order to effectuate the goals and objectives it is necessary to adjust the bulk and use requirements of the existing Highway Commercial (HC-2) zoning district. This redevelopment plan shall supersede the existing zoning. All design criteria of the Township Land Development Ordinance are applicable to the future development unless specifically modified below.

It is therefore recommended that the parcels identified above as Block 529, Lots 10, 11, 12, 13 & 14 in the Redevelopment Area be subject to the following:

- A. **Permitted Uses:** Convenience store with fueling service dispensing facility under one operating entity as a single integrated use.
- B. **Bulk Standards:** The following standards supersede and replace any such standard in the Land Management ordinance.
1. Minimum Lot Area: 1 acre
 2. Minimum Lot width: 150 feet
 3. Minimum Setbacks
 - a. Front Yard – White Horse Pike and Pomona Road: 50 feet
 - b. Front Yard – Langley Avenue: 70 feet
 - c. Side Yard: 25 feet
 4. Maximum Building Coverage: 40 %
 5. Maximum Lot Coverage: 80%
 6. Maximum Building Height: 35 feet
- C. **Buffers and Landscaping shall be provided in accordance with the following:**
The following standards supersede and replace any such standard in the Land Management ordinance.
1. A minimum buffer of 7-feet shall be provided to all streets from the parking areas. The buffer area shall include shade trees in accordance with the Land Use ordinance Section 233-51 and low growing shrubs and decorative material to enhance the streetscape. Along Langley Avenue the landscaping shall include a hedge row to prevent headlight glare and to screen the parking area from the residential units on Langley Avenue. stormwater basin may be within the required buffer.
 2. A 15-foot buffer from the parking area shall be provided along the northwestern property line (Lot 9). The development should include a combination of fencing and landscaping along the common property line. The fencing may include a 4-foot to 6-foot solid fence or wall combined with evergreen and deciduous trees. The purpose of the landscaping is to screen the common property line and buffer the adjoining storage yard from the development parcel.
 3. Landscaping is required along the perimeter of the stormwater management basins. To the extent possible landscaping material may be provided along the side slopes of the basins to create an attractive streetscape along the White Horse Pike.

4. The development of the parcel is exempt from the requirements of Section 233-52 of the Land Use Ordinance.
 5. Landscaping shall be provided at the base of the freestanding signage.
- D. **Design Criteria:** The following standards supersede and replace any such standard in the Land Management ordinance.
1. Curb and Sidewalk shall be provided along all street frontages. Sidewalks shall consist of a minimum width of four-feet.
 2. Driveway access to Langley Avenue shall be placed in a location so that it does not allow for headlight glare into the adjoining residential homes.
 3. The driveway access to Langley Avenue shall restrict left-turn movements onto Langley Avenue to local traffic only provided that local truck traffic shall be further limited to trucks weighing less than five (5) ton.
 4. Fencing around the stormwater management basins is permitted in the front yard. The fencing shall not exceed a height of 4-feet and shall not interfere with driveway or intersection visibility. All fencing shall be located outside of required sight-triangles. The stormwater management fencing shall consist of a white vinyl split-rail material with mesh backing.
 5. The Pomona Fire House Siren is to be maintained on the subject property along Langley Avenue. The Siren shall be located outside of any required sight triangles. There is no minimum setback requirement to the pole and siren.
- E. **Parking:** The following standards supersede and replace any such standard in the Land Management ordinance.
1. Minimum Parking Setbacks
 - a. To common property line: 15-feet
 - b. To Langley Avenue: 7-feet
 - c. To White Horse Pike: 10-feet
 - d. To Pomona Road: 10-feet
 2. Landscaping shall be provided between all parking areas and property lines to mitigate headlight glare and screen the parking area. Along the street frontages the landscaping may be low-growing material so as to not screen the entire development.

3. All parking stalls located along the building frontage shall have a minimum width of 10-feet and a minimum depth of 20-feet. All other stalls shall conform to the size requirements of the land use ordinance.
- F. **Signage:** The following standards supersede and replace any such standard in the Land Management ordinance.
1. Freestanding signage is permitted along the White Horse Pike and Pomona Road with a maximum height of 30 feet and a maximum area of 100 square feet including digital price change area. Only one freestanding sign is permitted on each street frontage identified. Signage is not permitted along Langley Avenue with the exception of directional signage as permitted below.
 2. Freestanding signs shall be setback a minimum of 5-feet from the right-of-way. In no case shall any freestanding sign be located within a sight-triangle or interfere with visibility at driveways and intersections.
 3. A maximum of two directional signs are permitted at each driveway identifying entrance or exit respectively. Directional signs may have a total height of 6-feet and a maximum area of 10 square feet. Directional signage shall be located outside of the sight-triangle.
 4. Wall mounted signage is permitted on the façade facing the White Horse Pike and the façade along Pomona Road. The maximum sign area on each façade shall not exceed 75 square feet.
 5. Wall mounted signage is permitted on the façade that faces Langley Avenue to identify the building entrance, if a public entrance is provided. The maximum wall mounted sign area on the Langley Avenue façade shall not exceed 40 square feet.
 6. Canopy signage is permitted facing the White Horse Pike and Pomona Road. The maximum sign area on the canopy shall not exceed 40 square feet per street frontage.
 7. Signage is permitted under the canopy.

G. Site Plan Approval/Submission Criteria

1. The subject parcel is located within the Pinelands Management Area and is subject to the rules and regulations of the Pinelands Comprehensive Management Plan. Therefore the applicant is not required to prepare and submit an Environmental Impact Statement pursuant to Section 233-30.1A(28)(a) or Section 233-59 of the ordinance.
2. The subject parcel is not required to submit a Community Impact Statement in accordance with the requirements of Section 233-30.1A(28)(c) of the ordinance.

As required by N.J.S.A. 40A:12A-7c, the zoning map will be amended to include the Pomona Road 1 Redevelopment District (PR-1) for the referenced properties.

General Provisions

The continued revitalization of this area is important to the Township. In order to facilitate the revitalization of these properties the following actions are permissible under the plan:

1. The use of short term tax abatements or exemptions as authorized by State statute N.J.S.A. 40A:21-1 et seq. are permitted. The tax abatement or exemption program will encourage property owners to make improvements without suffering the initial cost associated with the increased assessment.
2. The use of long term tax exemptions as authorized by State statute N.J.S.A. 40A:20-1 et seq. are permitted. The long term tax exemption would permit a payment in-lieu of taxes (PILOT) for up to 30 years as determined and approved by the Township Redevelopment Entity. In accordance with the statute, the long term exemption would apply to the value of the new improvements, not the value of the land.
3. Undertake redevelopment projects, and for this purpose issue bonds in accordance with the provisions of section 29 of P.L. 1992, c.79 (C.40A:12A-29).
4. Prepare or arrange by contract for the provision of professional services and the preparation of plans by registered architects, licensed professional engineers or planners, or other consultants for the carrying out of redevelopment projects.
5. Arrange or contract with public agencies or redevelopers for the planning, construction, or undertaking of any project or redevelopment work, or any part

thereof; negotiate and collect revenue from a redeveloper to defray the costs of the redevelopment entity, including where applicable the costs incurred in conjunction with bonds, notes or other obligations issued by the redevelopment entity, and to secure payment of such revenue; as part of any such arrangement or contract, provide for extension of credit, or making of loans, to redevelopers to finance any project or redevelopment work, or upon a finding that the project or redevelopment work would not be undertaken but for the provision of financial assistance, or would not be undertaken in its intended scope without the provision of financial assistance, provide as part of an arrangement or contract for capital grants to redevelopers; and arrange or contract with public agencies or redevelopers for the opening, grading or closing of streets, roads, roadways, alleys, or other places or for the furnishing of facilities or for the acquisition by such agency of property options or property rights or for the furnishing of property or services in connection with a redevelopment area. (N.J.S.A. 40A:12A-8)

Any development that occurs within the Redevelopment Area shall comply with the following as required by N.J.S.A. 40A:12A-1 et seq.:

1. The Township of Galloway and any redeveloper shall comply with all statutes of the State of New Jersey governing development and redevelopment including but not limited to N.J.S.A. 40:55D-1 et seq., N.J.S.A. 40A:12A-1 et seq. and N.J.A.C. 7:50-1 et. seq.
2. The Township of Galloway or redeveloper shall agree to comply with all applicable application submission requirements, design standards and development regulations of the Township of Galloway, County of Atlantic and State of New Jersey except where variances and waivers are properly approved. (N.J.S.A. 40A:12A-13 et seq).
3. The Township of Galloway Planning Board shall review and approve all plans and specifications for development with respect to conformance with this Redevelopment Plan and the Municipal Land Use Law (N.J.S.A. 40:55D-1 et.seq.).
4. The redeveloper shall be required to furnish escrows and performance guarantees as required by the Township of Galloway Planning Board. (N.J.S.A. 40:55D-53).
5. Any affordable housing obligations that may result from any development in the Area shall be addressed in accordance with the requirements of the Fair Housing Act (N.J.S.A. 52:27D-301 et seq.), the rules and regulations of the N.J. Council on Affordable Housing (COAH), as now existing or hereafter amended, the housing element of the Township's Master Plan and any Development Ordinances. Contributions by Redevelopers towards any COAH obligations of

the Township shall be addressed in a redevelopment agreement between the Redeveloper and the Township.

Relocation

There are no housing units located within the limits of the subject property for this redevelopment plan (Block 529, Lots 10, 11, 12, 13 & 14), therefore there is no need to make accommodations for the temporary or permanent relocation of residents. (N.J.S.A. 40A:12A-7a(3))

Acquisition

There is no proposal to acquire property in this redevelopment plan. (N.J.S.A. 40A:12A-7a(4))

Affordable Housing

There are no housing units existing within the limits of the subject property for this redevelopment plan, therefore there is no need for an inventory of units or an affordable housing replacement plan. (N.J.S.A. 40A:12A-7a(7))

RELATIONSHIP TO OTHER PLANS

An important requirement of a Redevelopment Plan is consistency with the goals and objectives of already adopted plans for the area. This Redevelopment Plan is specifically designed to promote the commercial redevelopment of the subject property. The proposed land use is a permitted use therefore the redevelopment plan is promoting the existing Highway Commercial (HC-2) zoning designation. The recognition that the existing zoning remains appropriate for the area but is not being realized enhances the fact that the redevelopment plan is consistent with local objectives. (N.J.S.A. 40A:12A-7a(1)).

Township Plans – (N.J.S.A. 40A:12A-7d)

The Master Plan for the Township of Galloway was adopted on March 1, 2001, with a subsequent Reexamination and update on March 22, 2007 and July 12, 2007. This Redevelopment Plan helps to achieve the following Master Plan Goals:

- Promote infill and redevelopment in appropriate locations and at appropriate densities.
- Ensure compatibility wherever possible between existing and proposed land uses.

- Establish a strong non-residential ratable tax base without negatively impacting the quality of life for residents.
- Encourage the development or relocation of small or incubator businesses that will enhance the diversity of products or markets offered to the residents of the Township and region.
- Capitalize on proximity to or location of major transportation corridors such as the White Horse Pike, U.S. Route 9, and the Garden State Parkway.
- Establish zoning categories and intensities which reflect the availability of infrastructure and recognizes different environmental conditions.
- Encourage site design standards that will minimize impacts on properties in surrounding zoning districts.
- Create performance standards that will help to mitigate potential conflicts for proposed development.
- Promote non-residential development in appropriate locations.
- Promote the Township as a premier business location because of the close proximity to the casino industry in Atlantic City and the William J. Hughes FAATC, Atlantic City International Airport, and the New Jersey Commuter rail service.

Plans of Surrounding Municipalities - (N.J.S.A. 40A:12A-7a(5)(a))

The redevelopment area does not border any nearby municipality. It is in close proximity to the Atlantic City International Airport and the FAA Tech Center. The closest municipalities are Egg Harbor Township and Hamilton Township. In Egg Harbor Township the zoning includes industrial (M1) and encompasses the Atlantic City Airport and FAA Tech Center. In Hamilton Township the zoning also includes the FAA Tech Center. Along the shared border of the municipalities, the zoning is industrial consistent with the Airport and Tech Center. The commercial zoning along the White Horse Pike is proximate to these areas and allows for professional and retail services to be provided for the area businesses and residents. This redevelopment plan is consistent with this goal and the ongoing developments in Egg Harbor and Hamilton Townships.

County Plans - (N.J.S.A. 40A:12A-7a(5)(b))

The following goals and objectives of the Atlantic County Master Plan adopted in October of 2000 are advanced by the proposed redevelopment:

- Promote quality growth and development in areas where capital facilities are available.

- To discourage growth in areas that would require unplanned extension of capital facilities.
- Promote lands for a diversity of economic development opportunities within the communities of Atlantic County

The proposed redevelopment plan is therefore consistent with the Master Plan of Atlantic County.

State Development and Redevelopment Plan - (N.J.S.A. 40A:12A-7a(5)(c))

Any redevelopment is also consistent with the State Development and Redevelopment Plan. Approximately 69% (removing waterways from the Township's total land area) of the total land area in the Township of Galloway is subject to the rules and regulations of the Pinelands Comprehensive Management Plan (all land west of the Garden State Parkway).

The redevelopment area is located in a Pinelands Village. In 1999 the State Planning Commission recognized through a Memorandum of Agreement with the NJ State Pinelands Commission that a Pinelands Village was equivalent to a Village Center under the State Plan. The State Plan describes a Village Center as "primarily mixed residential places that offer a small core with limited public facilities, consumer services and community activities." Additionally the State Plan policy for Centers includes "providing land for growth in Centers, balancing growth between Centers within a region to accommodate projected growth, utilizing capacity information to designate Centers, and designing Centers to make them attractive, livable and compact communities."

The Redevelopment Plan is consistent with the State Development and Redevelopment Plan.

ADMINISTRATION

General Provisions

The definitions provided in N.J.S.A. 40A:12A-3 are incorporated into this plan by reference.

Any plans or plats approved by the Township of Galloway or its agencies and subsidiaries prior to the adoption of this redevelopment plan shall not be subject to the requirements of this redevelopment plan.

Redeveloper Entity

As permitted under N.J.S.A. 40A:12A-4, the Governing Body is hereby designated the entity to implement this redevelopment plan. When necessary for the implementation of this plan, the Township of Galloway may enter into an agreement with a redeveloper for any construction or other work forming a part of this redevelopment plan. (N.J.S.A. 40A:12A-4-(c))

Agreements with Redevelopers

In accordance with N.J.S.A. 40A:12A-9, the following shall apply to all redeveloper agreements:

1. All agreements, leases, deeds and other instruments between the redevelopment entity and a redeveloper shall contain a covenant running with the land requiring that the owner shall construct only the uses established in the current redevelopment plan. All agreements shall include a provision requiring the redeveloper to begin the building of the improvements for those uses within a period of time which the redevelopment entity fixes as reasonable.
2. The redeveloper shall agree to retain interest in the project until the completion of construction and development of the specific project. The redeveloper shall agree not to lease, sell or transfer interest or any part thereof without prior written approval of the redevelopment entity.
3. Upon completion of the required improvements, the conditions determined to exist at the time the area was determined to be in need of redevelopment shall be deemed to no longer exist. Thus, the land and improvements thereon shall no longer be subject to this plan and the Local Redevelopment and Housing Law.
4. The covenants, provisions and controls shall be deemed satisfied upon termination of the agreements and covenants entered into by the redeveloper to construct the improvements and to perform the redevelopment. The rights of any third party acquired prior to termination of the agreements, including, but not limited to, any tax exemption or abatement granted pursuant to law, shall not be negatively affected by termination and satisfaction of the covenants.

A lease to a redeveloper may provide that all improvements shall become the property of the municipality or redevelopment entity. The execution of a lease with that provision shall not impose upon the municipality or redevelopment

entity any liability for the financing, construction, management or operation of any redevelopment project, or any part thereof.

Time Limits

The redeveloper of a specific project within the development area shall begin the development of land and construction of improvements within a reasonable period of time to be determined in an agreement between Township of Galloway and a duly designated redeveloper. (N.J.S.A. 40A:12A-8(f)).

Discrimination Ban

No covenant, lease conveyance or other instrument shall be executed by the redevelopment entity or the redeveloper whereby land or structures with this redevelopment is restricted upon the basis of race, creed, color, gender, marital status, age, disability, familial status or national origin.

The termination of this plan shall in no way permit the land or structures of the redevelopment area to be restricted on the basis of race, creed, color, gender, marital status, age, disability, familial status or national origin.

Deviations from Provisions of Approved Redevelopment Plan

The Planning Board may review and retain jurisdiction over applications requiring relief for deviations from this Redevelopment Plan or other Township development ordinances, except as set forth below. Accordingly, an amendment to the Redevelopment Plan shall not be necessary if the selected developer(s) desires to deviate from the bulk provisions set forth in this Redevelopment Plan or the pertinent sections of the Galloway Development Regulations and Zoning Ordinance, the PR-1 Overlay Zone, or from the design standards set forth in this Redevelopment Plan or other Township development ordinances so long as the Redeveloper obtains an appropriate variance from the Planning Board. All requests for such relief shall be made to the Planning Board accompanied by a complete application for development as otherwise required by Township ordinance. Decisions on such requests shall be made in accordance with the legal standards set forth in N.J.S.A. 40:55D-70(c) in the case of requests for relief from zoning standards, and in accordance with the legal standards set forth in N.J.S.A. 40:55D-51 in the case of requests for relief from design standards.

No deviations shall be granted that result in any of the following effects or conditions:

1. To allow a use not specifically permitted within the Project Area;
2. Deviation from the phasing plan for public improvements or other contractual obligations of the redeveloper to the Redevelopment Authority.

Amendments to Approved Redevelopment Plan

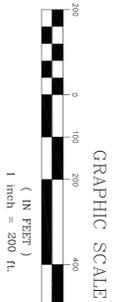
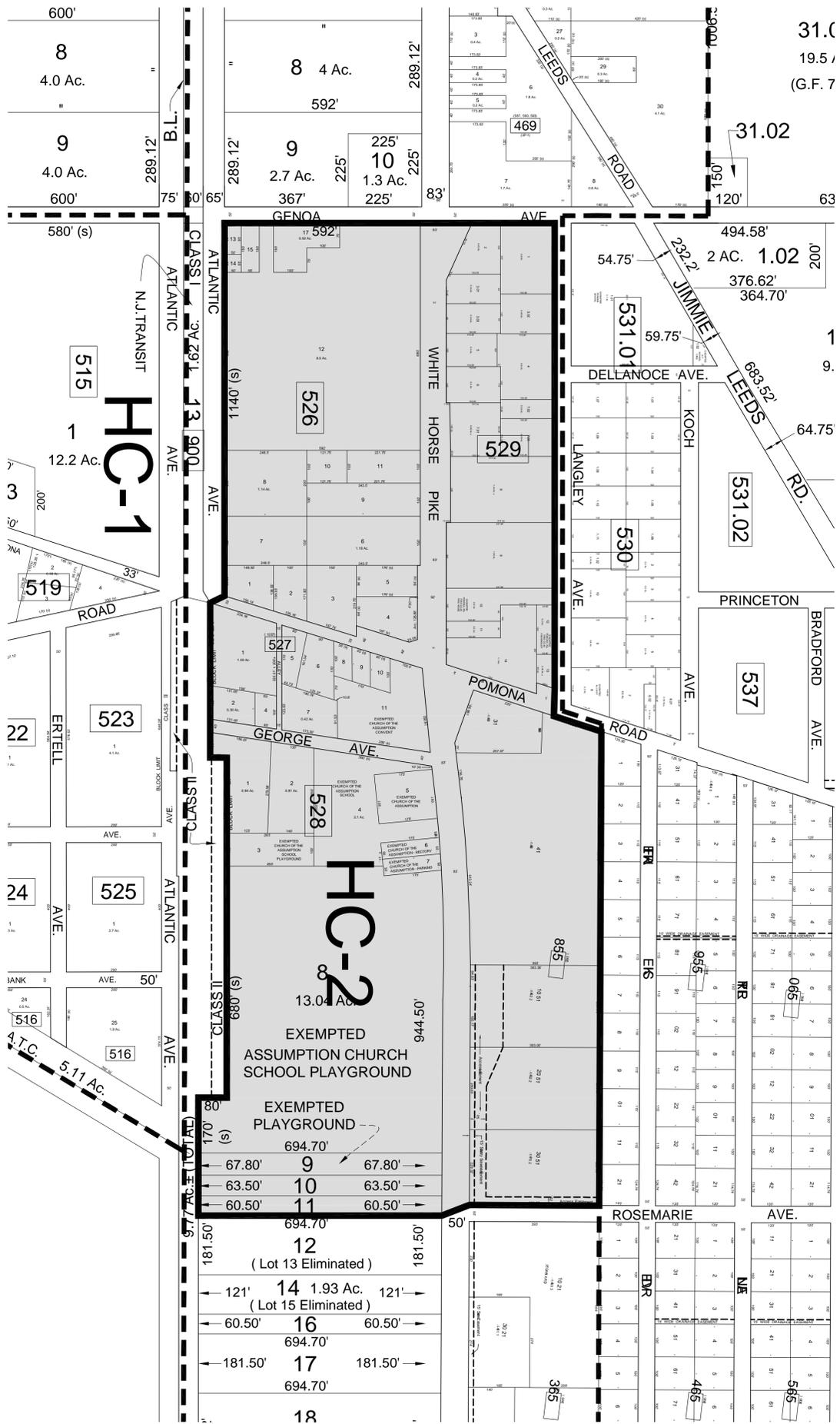
This Redevelopment Plan may be amended from time to time in accordance with the provisions of the Local Redevelopment and Housing Law of 1992, as may be amended.

Repeal and Severability Statements

All ordinances or parts of ordinances inconsistent with this Redevelopment Plan are repealed to the extent of such inconsistency only. If any provision or regulation of this redevelopment plans should be judged invalid by a court of competent jurisdiction, such order or plan shall not affect the remaining portions of this plan which shall remain in full force and effect.

CONCLUSION

The Redevelopment Plan for the Kennedy's Bar and Grill and Pomona Fire House parcel is designed to spur new development in an area where investment has been non-existent. The proposed improvements will contribute to the economic health of the Township and the surrounding neighborhoods. The Redevelopment Plan will improve not only the economic health but begin to restore balance to the Township's economic base and create new job opportunities.



LEGEND

- ZONE BOUNDARY
- PHASE BOUNDARY
- HC-1 HIGHWAY COMMERCIAL ZONE
- HC-2 HIGHWAY COMMERCIAL ZONE

<p>Galloway Township Atlantic County, New Jersey</p> <p style="text-align: center;">White Horse Pike Redevelopment Phase 2</p>	<p style="text-align: center;">POLISTINA Associates, LLC Engineers & Planners</p> <p>6684 Washington Avenue Egg Harbor Township, NJ 08234 Phone: (609) 646-2950</p> <p style="font-size: small;">State Board of Professional Engineers & Land Surveyors Certificate of Authorization No. 24GA28591200</p>	<p>Vincent J. Polistina Professional Engineer New Jersey License No. 41978</p> <p style="text-align: right;">Date _____</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 25%;">Date</td> <td style="width: 25%;">Revision</td> <td style="width: 25%;">By</td> <td style="width: 25%;"></td> </tr> <tr> <td>Designed STAFF</td> <td>Drawn STAFF</td> <td>Checked VJP</td> <td>Approved VJP</td> </tr> <tr> <td colspan="3"></td> <td>Date 4-17-14</td> </tr> </table>	Date	Revision	By		Designed STAFF	Drawn STAFF	Checked VJP	Approved VJP				Date 4-17-14
Date	Revision	By													
Designed STAFF	Drawn STAFF	Checked VJP	Approved VJP												
			Date 4-17-14												
Job No. 5700.28	Sheet No. 3														
Order Total 3	Total 11														