

Merchantville, May 23, 2016

A Caucus meeting of Borough Council was held at 7:30 PM, Monday, May 23, 2016. Mayor Edward Brennan presided. Pledge of Allegiance and Silent Prayer were observed. Announcement was made that the meeting had been advertised in accordance with the regulations prescribed by the "Open Public Meetings Act".

ROLL CALL: Council Present: Swann, Grasso and McLoone. Clerk Brouse and Attorney Higgins were present.

PUBLIC-NONE

Mara Wuebker, Ragan Design-Overview of Plan Amendments. Mara provided background goals, consistent with Master Plan and pedestrian friendly environment, parking, business district as well as living space. Creating a destination downtown

Mayor added, we have done much of the work that a developer would have done. We hope that the developer would conform to it and the difficult part is done.

PUBLIC HEARING ON ORDINANCE for second reading and adoption

16-03 Redevelopment Plan Amendment

Nicole Eiland-10 E Chestnut-concerned about the entrance from Centre Street, too narrow. How will a trash truck get in and out?

Shawn Waldron-118 E. Park Avenue-smaller scale, this concept is what others have found to work, no parking problem, just a parking perception. Average parking is less than in the Cherry Hill Mall lot.

ADOPT ORDINANCE 16-03 Redevelopment Plan Amendment-On a motion of Mr. Grasso and second of Ms. Swann, Council adopted the following Ordinance:

**BOROUGH OF MERCHANTVILLE
CAMDEN COUNTY, NEW JERSEY
ORDINANCE 16-03**

**AN ORDINANCE ADOPTING A REDEVELOPMENT PLAN
AMENDMENT FOR BLOCK 29, LOTS 1-17, BLOCK 33, LOTS 5,
6 AND 7, 12, 13 and 13.01, BLOCK 61, A PORTION OF LOT 4 IN
MERCHANTVILLE, NEW JERSEY
DOWNTOWN REDEVELOPMENT AREA**

WHEREAS, the Borough Council of Merchantville, in the County of Camden, New Jersey (the "Borough") is empowered to declare an area in need of redevelopment and to adopt a redevelopment plan pursuant to which redevelopment projects are to be undertaken and carried out, in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 *et seq.* (the "Redevelopment Law"); and

WHEREAS, on September 27, 2004, Borough Council, via Ordinance 04-27, adopted a Report entitled, "Merchantville Town Centre East Study Area Determination of Needs Study and Redevelopment Plan," thereby declaring Block 29, Lots 1-17, Block 33, Lots 5-7, 12-13.01, Block 61, p/o Lot 4 in Merchantville, New Jersey 08109 to be in need of redevelopment and adopting a Redevelopment Plan therefor; and

WHEREAS, the Town Centre East Redevelopment Area is now referred to as the Downtown Redevelopment Area; and

WHEREAS, the Borough's Professional Planner, Ragan Design Group, facilitated a renewed redevelopment planning initiative for the Downtown Redevelopment Area with the assistance of a TCDI grant sponsored by the Delaware Valley Regional Planning Commission (DVRPC); and

WHEREAS, Ragan Design Group has prepared a Redevelopment Plan Amendment after holding numerous redevelopment committee meetings, facilitating a public workshop, and conducting various public outreach efforts; and

WHEREAS, on April 11, 2016, Borough Council directed the Joint Land Use Board to review the Redevelopment Plan Amendment for comments and for consistency with the Master Plan; and

WHEREAS, on _____, the Joint Land Use Board of the Borough reviewed the Redevelopment Plan Amendment prepared by Ragan Design Group, concluding that the Redevelopment Plan Amendment is consistent with the Master Plan of the Borough, memorialized in Resolution Number _____; and

WHEREAS, on _____, public notice of the public hearing on the Redevelopment Plan Amendment was published in _____; and

WHEREAS, on _____, a copy of the proposed Redevelopment Plan, including Zoning Ordinance amendment, was posted on the public notice board in the Merchantville Borough Municipal Building; and

WHEREAS, on _____, notice by personal service or certified mail of the public hearing on the Redevelopment Plan Amendment was made to the Camden County Planning Board; and

WHEREAS, Borough Council believes the adoption of the Redevelopment Plan Amendment is in the best interests of the municipality.

NOW THEREFORE BE IT ORDAINED by the Borough Council of Merchantville as follows:

Article I. Adoption of Redevelopment Plan Amendment. The Redevelopment Plan Amendment, attached hereto as Exhibit A, is hereby adopted pursuant to the terms of N.J.S.A. 40A:12A-7 of the Redevelopment Law.

Article II. Amendment to the Zoning Ordinance. The Redevelopment Plan Amendment is an explicit amendment to the Land Use Code of the Borough of Merchantville and related zoning district maps as it relates to the Downtown Redevelopment Area (formerly Town Centre East Redevelopment Area). The Merchantville Zoning Ordinance is hereby amended in accordance with the Redevelopment Plan Amendment adopted herewith, as follows:

A. Permitted Uses

Article VIII, B-1 Central Business District, of the Zoning Ordinance shall be amended to create a new section as follows:

§94-33.5 Permitted Principal Uses – Downtown Redevelopment Zone (formerly Town Centre East Redevelopment Zone)

Permitted principal uses are intended to have active facades on the ground floor. Therefore, permitted principal uses shall be as follows:

- A. Retail sales of goods and services;
- B. Travel agencies, real estate offices, and opticians;
- C. Offices and professional offices on upper floors (other than those listed in §94-33.5B above);
- D. Restaurants with indoor and/or outdoor seating; See outdoor dining requirements in §94-36.1.J.
- E. Banks and other similar financial institutions;
- F. Art studios, displays and/or galleries for artistic endeavors and production, including painting, sculpting, ceramics, jewelry, glass blowing, photography, hand-made furniture, and similar activities;
- G. Dinner theaters, community theaters, and similar uses;

- H. Indoor cultural and historic displays of artifacts and/or artistic media, such as museums and galleries;
- I. Physical fitness centers, martial arts studios, dance studios, and similar uses;
- J. Child care centers, primary education facilities, secondary education facilities on upper floors;
- K. Post-secondary education facilities (including colleges, technical training schools, community colleges, nursing schools and classes for same) on upper floors;
- L. Pedestrian Plazas, Piazzas, Courtyards and similar uses.

The two properties in the Downtown Redevelopment Zone that are located on Maple Avenue (Block 33, Lots 12, 13) shall follow the underlying base zoning.

B. Conditional Uses

Article VIII, B-1 Central Business District, of the Zoning Ordinance shall be amended to create a new section as follows:

§94-33.6 Conditional Uses – Downtown Redevelopment Zone (formerly Town Centre East Redevelopment Zone)

Conditional uses shall be as follows:

- A. Residential dwelling units on upper floors, provided the following conditions are met:
 - (1) The minimum indoor living space area shall be 600 square feet per unit; and
 - (2) There shall be a mix of studio, one-bedroom, and two-bedroom units; and
 - (3) Private useable outdoor living space (i.e., outdoor balcony or patio).
 - (4) If a residential dwelling unit will be counted towards meeting the Borough's affordable housing obligation, one or more of these conditions may be waived.
- B. Single Family Attached Dwellings (Townhouses) and Semi-Detached Dwellings (Twins), provided the following conditions are met:
 - (1) Located along East Chestnut Avenue; and
 - (2) Front door entrance shall face the multi-use path; and
 - (3) The minimum lot area of 1,500 square feet; and
 - (4) Minimum lot width of twenty (20) feet; and
 - (5) Minimum front yard setback of five (5) feet from Block 61, Lot 4; and
 - (6) Minimum side yard setback for each end unit of five (5) feet; and
 - (7) Minimum rear yard setback of 10 feet; and
 - (8) Private rear yard of 200 square feet minimum.
- C. Micro-brewery, craft-brewery, craft-distillery tasting room, winery tasting-room, and similar uses, provided the following conditions are met:
 - (1) No outdoor storage; and
 - (2) Business operations close by 11 pm.
- D. Structured Parking Garage, provided the following conditions are met:
 - (1) The street level of the parking garage facing Park Avenue and Centre Street is occupied with permitted uses to maintain street level activity; and
 - (2) The street level of the parking garage facing East Chestnut Avenue is landscaped to soften the visual impact of the parking garage on the users of the multi-use path and the visual impact on the residential houses on the north side of East Chestnut Avenue.
- E. Bed and Breakfast, which provides overnight lodging and serves breakfast to guests, provided the following conditions are met:

- (1) The owner or primary operator resides on the premises; and
 - (2) Occupancy by guests shall be limited to more than 10 consecutive days; and
 - (3) Each bedroom and/or suite has a private bathroom facility; and
 - (4) Located along East Chestnut Avenue in a detached building with at least one front door entrance facing the multi-use path; or
 - (5) Located in the former PNC Bank building located on Block 29, Lot 2.
- F. Bowling alleys, billiards, and electronic or mechanical games, provided the following condition is met:
- (1) There is a full-service restaurant on the premises, where 30% or more of the total volume of sales for the business is food and beverage served to the public for consumption on the premises. A full-service restaurant in this context is defined as a food and beverage establishment with a broad menu and a wait staff providing table service.
- G. The following conditional uses, listed together for efficiency purposes, have the same conditions:
- (1) Offices and professional offices on the street level, other than those listed in §94-33.5B above;
 - (2) Child care centers, primary education facilities, and secondary education facilities on the street level;
 - (3) Post-secondary education facilities (including colleges, technical training schools, and community colleges, nursing schools and classes for same) on the street level;
 - (4) Conference centers, meeting space, and banquet facilities;
- Provided the following conditions are met:
- (a) Located along East Chestnut Avenue, with at least one front door entrance facing the multi-use path; or
 - (b) Located in the former PNC Bank building on Block 29, Lot 2; or
 - (c) Located in the existing office building on Block 29, Lot 16; or
 - (d) Located elsewhere on the street level, provided the portion of the building façade facing a public right of way or pedestrian-oriented civic area is occupied with a permitted use.
- H. Nothing in this section eliminates the applicant's responsibility for meeting all other requirements of the land development ordinances, including site plan review standards and performance assurances.

C. Prohibited Uses

Article VIII, B-1 Central Business District, of the Zoning Ordinance shall be amended to create a new section as follows:

§94-33.7 Prohibited Uses – Downtown Redevelopment Zone (formerly Town Centre East Redevelopment Zone)

Prohibited uses shall be as follows:

- A. Tattooing; Body Piercing;
- B. Retail service businesses whose service includes any type of massage (excepting yoga studios, physical therapy uses, and certified ayurvedic healing operations that are licensed and regulated by the New Jersey Board of Massage and Body Work, pursuant to the provisions of NJSA §45:11-53 et seq. and §45:11-68 et seq., which are expressly permitted in this district);
- C. Boarding homes and community residential homes;
- D. Gas stations;
- E. Self-storage facilities;
- F. Automobile sales, service, repair;
- G. Detached single-family dwellings;
- H. Industrial Uses;
- I. Sexually-oriented businesses, as that term is defined in NJSA 2C:33-12.2;
- J. Retail and/or wholesale businesses whose sales include any type of firearm, including, but not limited to: handguns, rifles, ammunition, and the like.

D. Area and Yard Requirements

Article VIII, B-1 Central Business District, §94-34, Area and Yard Requirements, shall be amended to add the following sub-section.

- E. There shall be a minimum required building setback of five (5) feet from the property line of Block 61, Lot 4 in the Downtown Redevelopment Zone (formerly Town Centre East Redevelopment Zone).

E. Building Height

Article IV, §94-19, Schedule of District Regulations, shall be amended to reflect the Principal building height in the Downtown Redevelopment Zone to be no greater than 48 feet in height, and no greater than 3 stories, as set forth in Ordinance 08-08. Only Borough Council has jurisdiction to amend the maximum building height.

F. Parking Standards

Article IX, Off-Street Parking Regulations, of the Zoning Ordinance shall be amended to create a new section as follows:

§94-53.1 Parking Schedule for the Downtown Redevelopment Zone (formerly Town Centre East Redevelopment Zone)**A. Residential**

Apartments or Condominiums

Studio:	1 parking space per unit
One Bedroom:	1 parking space per unit
Two Bedrooms:	1.5 parking spaces per unit
Three Bedrooms or more:	2 parking spaces per unit
Senior:	.5 parking space per unit
All other Residential Uses:	2 parking spaces per unit

B. Non-Residential

Non-Residential Uses: 3 parking spaces per 1,000 GFA.

C. Shared Parking

Applicants may reduce the total amount of parking required, by demonstrating at the time of site plan review that the off-set parking demand patterns of proposed uses will reduce the total amount of parking demand.

G. Jurisdiction for Variances

Article VIII, B-1 Central Business District of the Zoning Ordinance shall be amended to create a new section as follows:

§94-36.2 Jurisdiction for Variances in the Downtown Redevelopment Zone (formerly Town Centre East Redevelopment Zone)

The Joint Land Use Board maintains its typical jurisdiction to grant variances from permitted uses, conditional uses, prohibited uses, area and yard requirements, and parking standards (other than building height) in accordance with the Municipal Land Use Law, with one exception. Only Borough Council has jurisdiction to alter the maximum building height. This section purposely amends the original Redevelopment Plan adopted in 2004 that required all changes to be approved by both the Borough Council and the Joint Land Use Board, or their designees.¹

H. Design Standards

The purpose of establishing criteria for architectural design and exterior treatment of buildings is to ensure quality construction that contributes to the community image of permanence and visual aesthetics that harmonize with the historic character and pedestrian-orientation of the Downtown. Article VIII, B-1 Central Business District, of the Zoning Ordinance shall be amended to create a new section as follows:

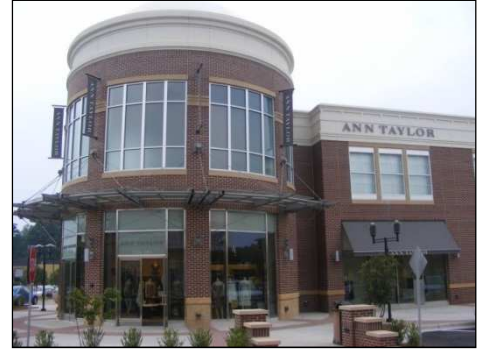
§94-36.1 Building and Architectural Design Standards for Downtown Redevelopment Zone (formerly Town Centre East Redevelopment Zone).**A. Building Placement**

Placement of buildings shall reinforce pedestrian character and enhance street level activity.

¹ 2004 Redevelopment Plan at p. 16.

B. Building Orientation

Front facades of buildings shall be oriented, and shall relate both functionally and visually, towards streets and pedestrian-oriented civic areas. All 'first-impression' entrances abutting the public right of way to the piazza or pedestrian promenade shall be accentuated with distinctive architectural features.



C. Building Materials

1. Permitted Materials. The following primary building façade materials are permitted up to 100% of the building facade: brick, natural stone masonry, horizontal wood or cementitious clapboard. The following secondary or façade materials are permitted up to 50% of the building facade: vinyl or aluminum siding on upper floors, and smooth or subtle textured stucco. The following accent materials are permitted up to 15% of the building façade: tiles, metal (for beams, lintels, trim elements, ornaments). A variety of buildings using a variety of building materials is desired.
2. Prohibited Materials. The following building façade materials are prohibited: concrete block, faux-etched brick or textured stucco that mimics the rectangular pattern of brick masonry, highly textured stucco surfaces, glass block, mirror or metalized reflective glass, plywood, or unfinished wood. Materials that are inconsistent with the chosen architectural style are inappropriate, i.e. a Victorian style building that utilizes textured stucco.

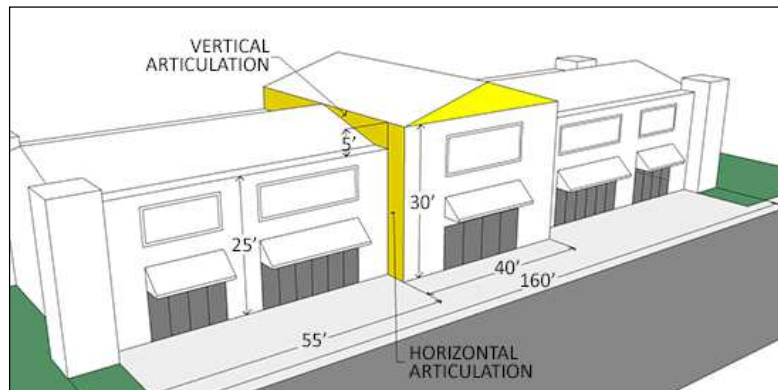
D. Walls and Windows

1. Street Level Requirements. Ground floor front facades shall comprise a minimum of 50 percent clear window area, with windows providing views of display areas of the inside of the building. These ground floor windows shall begin between 12 to 24 inches above ground level and shall end below 86 inches above ground level.
2. Prohibited. Smoked, reflective, or black glass in windows is prohibited.
3. Architectural Treatments Required. Walls or portions of walls where windows are not provided shall have architectural treatments designed to break up the bulk of the wall, including at least four of the following treatments: concrete or masonry plinth at the base of the wall; belt courses of a different texture or color; projecting cornice; projecting metal canopy; decorative tilework; trellis containing planting; medallions; sign band; artwork; vertical/ horizontal articulation of the facade; lighting fixtures; awnings; overhangs; or a similar architectural element not listed above.
4. Blank Walls Prohibited. Blank walls shall not be permitted along any exterior which are highly visible from a street or pedestrian-oriented civic area (i.e., piazza or pedestrian promenade). Sides or rear facades of buildings that are visible to a parking lot or the street shall comprise a minimum of 25 percent window area, with windows interspersed across the façade. Rear and side facades shall have colors and materials that are similar to the front façade.



E. Building Mass and Human Scale

1. **Human Scale.** Building facades should provide architectural elements and proportion that relate to the human scale of the desired pedestrian environment of the downtown.
2. **Large buildings.** Large buildings shall be divided by architectural features into distinct modules, such as 20 to 25 feet (the typical width of a single storefront), to give the appearance of a collection of smaller buildings and additions. A large, monotonous building mass is prohibited. Features shall be used to break down the scale of a building and add architectural interest, including, but not limited to: vertical and horizontal articulation, first-floor windows and awnings, etc. See Architectural Treatments Required Above.



2. **Long Continuous Façade Prohibited.** Buildings must have at least a 2 foot break in depth in all front facades for every fifty-five (55) feet of continuous façade. Such breaks may be met through the use of porches, porticos, building extensions, building recesses, balconies, towers, and other architectural treatments.

F. Roofs

1. **Screen Utilities.** Buildings shall use parapets or minimum pitch of 6:12 roof styles to conceal flat roofs, elevator and stair shafts, large vents, and rooftop equipment such as HVAC units along all roof edges.
2. **Roof Design.** It is not appropriate to use a roof size, shape, or slope that is not typically seen in the downtown. However, flat roofs with a false mansard style shall not be replicated.

G. Loading, and Utilitarian Needs

1. **Location.** Loading doors, service doors, and loading areas shall not be located in any façade facing a street.
2. **Screening.** All loading docks and permanent outdoor solid waste receptacles shall be screened by a fence, brick wall, landscaping, and/or a combination thereof. In no case shall the solid waste receptacle be visible.
3. **Common Service Area.** When multiple commercial uses are planned, loading and delivery receivable areas shall be consolidated into common service areas located to the side or rear of the buildings.
4. **Hours of Truck Deliveries.** There shall be no truck deliveries between the hours of 12am and 6am within fifty (50) feet of a residential use.

H. Surface Parking lots

1. **Buffer Requirements.** Parking lots visible from a street or the multi-use path shall have a landscape buffer for the purpose of shielding headlights. The maximum shrub height is 3 ½ feet.
2. **Location.** Surface parking shall not be located in front of a building (i.e., no suburban-style parking lots). Parking shall be located to the side and rear of buildings.
3. **Cross Easements.** Each lot shall have cross access easements for its parking areas and access driveways guaranteeing access to adjacent lots within the Redevelopment Area. Interconnections shall be logically placed and easily identifiable to ensure convenient traffic flow.

I. Structured Parking Garage

1. **First Floor Design Requirements.** If a structured parking garage is planned in the Redevelopment Area, it shall be permitted where at least 70% of the first floor street elevation of the structured

parking facility is occupied with permitted uses facing the street. It shall have design treatments such as colonnades, awnings, landscaping, street furniture, and other public amenities to create the appearance of an occupied building. Blank walls are not permitted.

2. Upper Floor Design Requirements. Cars shall be generally visually screened from the street through features such as grills, lattices, mock windows, louvers, false facades, etc. Such screening shall be in keeping with the rest of the building's architectural style and materials.

J. Piazza /Pedestrian Promenade Area (“Pedestrian-Oriented Civic Area”)

1. Focal point of Redevelopment Area. It is envisioned that a pedestrian-oriented civic area will be the central organizing feature of the Redevelopment Area to create a vibrant central social district. It shall be designed for usable, public space with restaurant outdoor seating as a focal point within the Redevelopment Area, predominantly surrounded by the front facades of buildings.
2. Public Access. Public access shall be guaranteed to the pedestrian-oriented civic area through a deed restriction, public access easement, or other means acceptable to the municipal governing body and shall be recorded prior to occupancy. Public access to the pedestrian-oriented civic area shall be as easy and straightforward as possible.
3. Size. The pedestrian-oriented civic area should be in the order of 10,000 – 12,000 square feet.
4. Design Amenities. The pedestrian-oriented civic area shall include a defining central element, such as a dancing fountain, outdoor stage, or other approved amenity. It shall also be improved with a variety of other amenities, such as sculptures, public art, shade trees, pedestrian-scale lighting, accent lighting, benches, decorative café-style lights, trellises, and/or other features to help provide a sense of place. Decorative bollards shall be installed at the entrance of the pedestrian-oriented civic area along East Park Avenue for pedestrian safety. These improvements shall be provided in locations and amounts that are acceptable to the Joint Land Use Board. If the Borough is intended to take ownership and/or maintenance responsibilities of these design amenities, Borough Council approval shall also be required.
5. Surface Materials: Approximately 10% of the pedestrian-oriented civic area shall be landscaped with trees, shrubs, and decorative landscape planters or plantings with year round interest. All pedestrian spaces shall incorporate special paving, such as colored/stained and sealed concrete, stamped concrete, stone blend mixture, brick or other unit paver, slate, or similar high quality materials.
6. Vehicular traffic prohibited. The pedestrian-oriented civic area shall not be used for parking, loading, or vehicular access, during business hours, except emergency and maintenance vehicular access.

K. Outdoor Dining Standards

1. Pedestrian Safety. Outdoor dining space shall not impede pedestrian traffic flow. A minimum unobstructed pathway of three feet shall be maintained around the outdoor seating area. There shall be adequate space to ensure handicapped accessibility and to permit the movement of patrons and wait staff.



2. Furniture. Table and chairs shall not be plastic. All chairs within an establishment's seating area must match each other by being similar design, construction, and color. Umbrellas shall not have advertising on them, except for the name or logo of the establishment.
3. Dining Barriers. Dining barriers are not required to define a restaurant establishment's outdoor dining space. However, if they are utilized, they shall meet the following standards.
 - a. Material. Dining barriers can be either metal decorative fences or landscaped planters. No chain-link fences, cyclone fencing, or chicken wire is permitted. Barriers must be freestanding without any permanent attachment to buildings, sidewalks, or infrastructure, unless located on private property. Decorative fences must be a dark color metal (aluminum, steel, iron, or similar).

- b. Height. Dining barriers must be a minimum of 3' high, but no higher than 4' high. All dining barriers must be detectable to visually impaired pedestrians who employ a cane for guidance. For landscaped planters, the planters may not exceed 3' above the sidewalk and the plant material may not exceed 8' above the sidewalk.
 - c. Condition. All material must be kept in good condition, without visible fading, dents, tears, rust, corrosion, or chipped, peeling paint. All landscaped planters must have living plant materials contained in them. Artificial plants are not permitted. Dead plants in the container must be replaced.
4. Accessibility Requirements. If any of the standards above are found to be inconsistent with the requirements of the Americans with Disabilities Act, or the State Building Code, the ADA or building code shall control.

L. Sidewalks

There shall be a minimum sidewalk width of 8 feet along all street frontages with retail, restaurant, and related uses. Sidewalks with a minimum width of 5 feet are required along all street frontages with other uses. Sidewalks are required to connect the street frontage to all front building entrances, parking areas, plazas, and any other destination that generates pedestrian traffic. Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points, such as the multi-use path.

M. Lighting

Any development activity that proposes outdoor illumination shall include a detailed outdoor illumination plan. The outdoor illumination plan shall, at a minimum, include lighting fixture cut sheets for all exterior lighting fixtures such as: type of unit, color of unit, wattage of unit, lumen output of unit, the cut-off classification of the unit, pole specification, proposed pole height (including base), as well as a photometric (foot-candle) site plan that shows typical foot-candle contours. The following standards shall be met:

- 1. Pole Height. Pedestrian-pole light height shall be consistent with the pole height of other pedestrian-oriented lights located elsewhere in the downtown. The maximum pole height for parking lot illumination shall be 24' high.
- 2. Luminaire Style. The luminaire style shall reflect the traditional early-1900s style to coordinate with the acorn lighting fixtures that are currently located elsewhere in the downtown.
- 3. Light Levels. The minimum light level within any portion of a property, other than single-family residential, which is intended to be utilized by residents, employees, customers or visitors shall be maintained at 0.50 foot candles. The recommended foot candles for parking areas is 1.0.
- 4. Layout. The layout of outdoor lighting fixtures shall be designed so that the poles do not interfere with other elements of the site plan such as trees, landscaping, or parking. In general, poles shall be kept at least twenty feet (20') away from the trunk of any large maturing tree and at least ten feet (10') away from any small maturing tree, or the tree's root protection zone, whichever is greater.
- 5. Minimize Glare and Pollution. Outdoor lighting fixtures shall be designed to minimize glare, light trespass and light pollution to the extent possible while maintaining nighttime safety and security.

N. Street Trees

A minimum of one tree for every 30 linear feet of street frontage(s) shall be required. Trees shall be planted at regular intervals, but the spacing may be adjusted due to the location of utility poles and/or driveways, as approved by the Joint Land Use Board. The species and mix of trees shall be approved by the Shade Tree Commission. The minimum planting size shall be 2.5 inches caliper for trees, balled and burlapped. At least 25 square feet of planting area shall be available for each tree.

O. Sustainability

New buildings and major renovations to existing buildings are encouraged to meet LEED certification. LEED is an acronym for Leadership in Energy and Environmental Design, which is a voluntary, nationally recognized third-party certification system for green building projects created and maintained by the U.S. Green Building Council (USGBC). Green strategies reduce developments' impact on the environment, provide health and productivity benefits, all well as cost savings over time.

P. Jurisdiction for Design Standard Waivers

Any deviation from a design standard shall require a waiver by the Joint Land Use Board from the specific design standard. A waiver shall only be granted where the benefits of granting the waiver outweigh the detriments of requiring the standard to be implemented and where the waiver will not impair the overall intent

and purpose of the Redevelopment Plan. This amends the original Redevelopment Plan adopted in 2004 that required all design changes to be approved by both the Borough Council and the Joint Land Use Board, or their designees.²

Historic Preservation Commission (HPC) review shall be in accordance with Article VIIB, Historic Preservation Commission of the Zoning Ordinance. Where both Joint Land Use Board and Historic Preservation Commission approval is required, all reasonable efforts should be made to hold a joint HPC and JLUB meeting in order to efficiently review applications in the Redevelopment Area.

Article III. Codification. If codification reveals there is a conflict between the foregoing section numbers and/or letters and the existing code, the Borough Clerk is authorized to organizationally change the section numbers and/or letters in order to avoid confusion in the code.

Article III. Inconsistency. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistencies and should any section, clause, sentence, phrase or provision of any item in this ordinance be declared unconstitutional or invalid by a Court of competent jurisdiction, such decision shall not affect the remaining portions of this Ordinance.

Article IV. Public Inspection. A copy of this Ordinance and the Redevelopment Plan Amendment shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Article V. Effective Date. This Ordinance shall take effect upon final passage and publication in accordance with the laws of the State of New Jersey and upon the filing of same with the Camden County Planning Board as required by N.J.S.A. 40:55D-16.

NEW BUSINESS

Approve Use of Facility for National Night Out-On a motion of Mr. Grasso and second of Mr. McLoone, Council approved the use of facility for National Night Out.

Transfer Navy Ship Wheel to Canadian Museum of History permanently-On a motion of Ms. Swann and second of Mr. McLoone, Council approved the transfer of the Navy Ship Wheel.

OLD BUSINESS

SeeClickFix roll our June 6th
Russell Avenue meeting this evening-positive

Resolutions to be approved during the caucus meeting

Resolutions for agenda-the following are business resolutions that will be included on the agenda for the council meeting:

Approve Liquor License
Approve Liquor License
RFP redevelopment area, advertise

Ordinances for adoption-the following ordinances that will be included on the agenda for the council meeting:

16-08 Adding Chapter 33A, Flood Damage Prevention

Ordinance for introduction-the following ordinances will be included on the agenda for the Council meeting:

PRIVATE SESSION-On a motion of Mr. Grasso and second of Mr. McLoone, Council voted to go into Private Session

R16-79

² 2004 Redevelopment Plan at p. 16.

**RESOLUTION OF THE BOROUGH OF MERCHANTVILLE,
COUNTY OF CAMDEN AND STATE OF NEW JERSEY
AUTHORIZING A PRIVATE SESSION OF COUNCIL**

_____ offered the following resolution and moved its adoption:

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Merchantville, County of Camden, State of New Jersey, as follows:

1. The public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:

Matters of Possible Litigation

3. It is anticipated at this time that the above stated subject matter shall be made public.
4. This Resolution shall take effect immediately.

Seconded by _____ and adopted on roll call by the following vote:

	Yes	No	Abstain	Absent
Mr. Volkert	()	()	()	()
M. Swann	()	()	()	()
Mr. Grasso	()	()	()	()
Mr. Sperrazza	()	()	()	()
Mr. McLoone	()	()	()	()
Mr. Perno	()	()	()	()

Dated: **May 23, 2016**

MOTION TO ADJOURN:

On the motion of _____ and second of Mr. _____, the meeting was adjourned at _____ PM.

DENISE BROUSE, BOROUGH CLERK