

AN ORDINANCE OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, NEW JERSEY ADOPTING THE DISTRICT 5 (RIVERSIDE INDUSTRIAL) AMENDMENT - RIVERFRONT REDEVELOPMENT PLAN

WHEREAS, the municipal council (“**Town Council**”) of the Town previously determined that the properties identified as Block 2102, Lots 1, 2.01, and 2.02 (the “**Property**”) on the official tax maps of the Town constituted an area in need of redevelopment (the “**Riverfront Redevelopment Area**”) in accordance with the requirements of the Redevelopment Law; and

WHEREAS, Peron Construction, LLC (the “**Redeveloper**”) was previously designated by the Town Council as the Redeveloper for the Property and intends to enter a Redevelopment Agreement with the Town for the development of one industrial building of approximately 360,000 square feet; railroad access, associated parking, supporting infrastructure and improvements on the property identified on the Property; and

WHEREAS, the Redeveloper has indicated to the Town that a potential manufacturing and storage users for the Property requires a 65-foot building height;

WHEREAS, the Town will amend the Revised RRP to change District 5 from Riverside Residential to Riverside Industrial, to (i) permit industrial uses and allow the related amendments to accommodate the aforementioned purposes as specifically set forth in the attached **EXHIBIT A**; and (ii) to permit a 65-foot building height (collectively, the “**District 5 Amendment – RRP**”);

WHEREAS, the Town approves of the District 5 Amendment - RRP to support the development of the Property;

WHEREAS, the Town will adopt the District 5 Amendment- RRP and refer the matter to the Land Use Board for review anew pursuant to N.J.S.A.40A:12A-7(e).

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND TOWN COUNCIL OF PHILLIPSBURG, IN THE COUNTY OF WARREN, AS FOLLOWS:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The District 5 Amendment – Riverfront Redevelopment Plan is hereby adopted pursuant to the terms of the Redevelopment Law.
3. The zoning district map included in the zoning ordinance of the Town is hereby amended to reference and delineate the District 5 Amendment – Riverfront Redevelopment Plan. The District 5 Amendment – Riverfront Redevelopment Plan shall supersede the applicable development regulations of the Town’s municipal code, as and where indicated
4. The Project shall include a commercial rail interconnection with the adjacent Belvidere & Delaware River Railway.
5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of the Ordinance.

6. A copy of the Ordinance and the District 5 Amendment - RRP shall be available for public inspection at the office of the Town Clerk during regular business hours.
7. This Ordinance shall take effect in accordance with all applicable laws.

(Attestation)

Lorraine Loudenberry,
Acting Town Clerk