

# EXHIBIT A

**TOWN OF PHILLIPSBURG  
DISTRICT 5 AMENDMENT – RIVERSIDE INDUSTRIAL  
RIVERFRONT REDEVELOPMENT PLAN (RRP)**

Prepared for the Town of Phillipsburg Council

Prepared by Van Cleef Engineering Associates



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### **Purpose for Amended Redevelopment Plan**

The purpose of this plan amendment is to propose an industrial use to the overall redevelopment plan that will change the existing Riverside Residential to Riverside Industrial. This amendment refers to Districts 3 and 5 of the Riverfront Redevelopment Plan although only District 5 is proposed to have alterations to the permitted uses and bulk standards. Specifically this amendment refers to Block 2102 Lots 1, 2, and 11 (**Figure 1**).

The proposed industrial use was found to be consistent with the goals and objectives of the Master Plan in a report prepared by the Town's Planner, Van Cleef Engineering Associates, on February 25, 2021. That report cited previous iterations of zoning in this area of the riverfront that were industrial in nature. In 2012 the Town adopted a Riverfront Redevelopment Plan that was prepared for a several hundred unit apartment complex which remains undeveloped. In the past 15 years the Town has struggled to find a suitable use for this site. The conclusion of the consistency review report and previous zoning designations over the past 30 years made clear that the Town envisioned District 5 as a non-residential, light industrial area, notwithstanding the adoption of the 2012 Riverfront Redevelopment Plan.

Goals and Objectives in the previous Land Use Plans provide the foundation for these uses and identify measures to ensure there is consideration for any off-site impacts and for neighboring residential uses. Given that the subject parcels are located adjacent to an existing I-1 zone, a Riverside Commercial Zone, and an established municipal park, the report concluded there would appear to be little-to-no impact on the immediate neighboring properties if an amended redevelopment plan were to implement Heavy Industrial zoning standards. As with any large development, off-site impacts like traffic will need to be considered due to the project's proximity to the downtown.

It is for these reasons this Redevelopment Plan Amendment has been prepared to effectuate the redevelopment of Districts 3 and 5 of the Riverfront Redevelopment Area with the conditions stipulated in the consistency review report.

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## I. INTRODUCTION

The following Redevelopment Plan Amendment addresses the land situated on Block 2102, Lots 1, 2 and 11 located in Districts 3 and 5 of the Riverfront Redevelopment Area. The Districts are currently in the Recreational Heritage and Riverside Residential districts, respectively. The Town wishes to incorporate Lot 1 (a portion of Delaware River Park that intersects Lot 2) into District 5 and to designate all of District 5 Riverside Industrial. District 3 will remain designated as Riverside Recreation-Heritage. The purpose of this change is to provide ample space for future industrial development that is appropriately located adjacent to other similar industrial and commercial uses, and away from residential.

The properties in question are located along the southwestern border of the Town of Phillipsburg along the Delaware River. The properties share a border with Delaware River Park to the north (a Town-owned property), a series of light industrial properties along Howard Street to the east, a series of commercial properties to the south and the Delaware River to the west. The subject lots total approximately 43.6 acres in size and are currently vacant with overgrown vegetation.

On April 19, 2005, the Phillipsburg Town Council adopted Resolution 2005-77 authorizing a redevelopment study for the riverfront. Later that year, the Town Council approved the redevelopment study, designating the 2.5 mile stretch of riverfront an "Area In Need of Redevelopment" pursuant to the Local Housing and Redevelopment Law (NJSA 40A:12A-14). On August 2, 2005, the Town Council also adopted the first iteration of the Riverfront Redevelopment Plan (Resolution # 2005-30).

In 2012 the Town once again authorized an investigation into a revision of the Riverfront Redevelopment Plan. On June 27, 2013, Town Council held a public hearing for the proposed revisions and on November 4, 2013, the Town adopted the Revised Riverfront Redevelopment Plan (Ord #2013-19).

In 2021 and after another investigation into revisions to Districts 3 and 5, the Town has authorized its planner, Van Cleef Engineering Associates, LLC, to prepare this amendment to the Revised Riverfront Redevelopment Plan, to incorporate industrial uses into District 5 of the redevelopment area.

Again, this redevelopment plan amendment refers only to Districts 3 and 5 of the riverfront redevelopment area.

## REQUIRED PLAN COMPONENTS

This document has been prepared in accordance with Section 40A:12A-7a of the LRHL, which requires redevelopment plans to include for the planning, development, redevelopment or rehabilitation of the designated area. Specifically:

1. The Plan's relationship to definite local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. (See Chapter II.)
2. Proposed land uses and building requirements in the project area. (See Chapter IV.)
3. Adequate provisions for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced

residents will be available to them in the existing local housing market. (See Chapter IV.)

4. An identification of any property within the area, which is proposed to be acquired in accordance with the redevelopment plan. (See Chapter IV.)
5. Any significant relationship of the redevelopment plan to the master plans of contiguous municipalities; the master plan of the county in which the municipality is located; the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18A-196 et al.).
6. Description of the plan relationship to pertinent municipal development regulations as defined in the Municipal Land Use Law (MLUL). The plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the study area. (See Chapter II.)
7. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan. (See Chapter III, VI.)

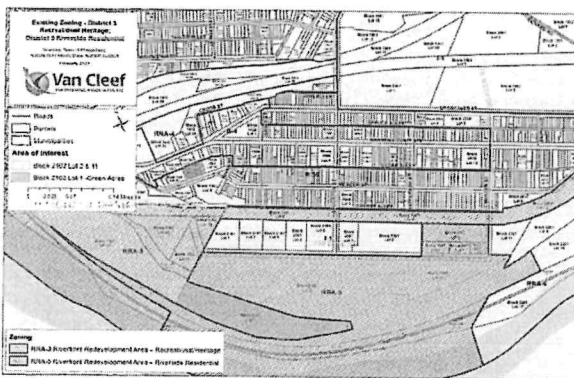
- Lot 1 is 7.52 acres located within District 3 (Recreational Heritage) and is identified on the Town's Recreation and Open Space Inventory as municipal Open Space. As a part of this project, the Town is requesting a diversion from the NJDEP to remove this property from the ROSI so that it may become a part of the Redevelopment Plan for this project. The lot is an oddly shaped parcel that extends from Delaware River Park to the northwest of the site. It is surrounded by Lot 2 in District 5 and is therefore a logical parcel to include in the proposed redevelopment amendment to the redevelopment plan.
- Lot 2 is 31.3 acres located within District 5 (Riverfront Residential) with frontage on Howard Street and with rear access to the active railroad that parallels the river.
- Lot 11 is 4.89 acres located within District 5 (Riverfront Residential) and adjacent to Lot 2 with frontage on Howard Street. Lots 2 and 11 both have boundaries with the adjacent Redevelopment District 6 – Riverside Commercial.

Map 1 below illustrates the Redevelopment Area on an aerial map of a portion of the Phillipsburg Riverfront.

## II. REDEVELOPMENT AREA

The subject parcels (Block 2102, Lots 1, 2, and 11) are located within Districts 3 & 5 and total approximately 43.6 acres in size. All three lots are currently vacant with overgrown vegetation.

Map 1: Aerial Map of Redevelopment Plan Area (Districts 3 & 5) parcels within Town of Phillipsburg



One purpose of the redevelopment plan is to incorporate Block 2102 Lot 1 (the Green Acres parcel shown in green in the map) into District 5 of the redevelopment area. This would require the Town request a Green Acres diversion so that the parcel could be developed as industrial, as proposed.

It does present an issue with direct access to a major road, but that could be remedied with the extension of the access easement from the neighborhood road. A project of this size would normally require a traffic impact study, and should an alternative access route not be available, this Redevelopment Plan will require such a study to determine the additional trips and propose improvements to distribute the trips to minimize the impact on the existing neighborhood.

### REDEVELOPMENT AREA (DISTRICT 5) BOUNDARY DESCRIPTION

Beginning at the westerly corner of the west side of Block 2102, Lot 2, at the riverfront, thence:

Northeasterly 642 feet along the northern border of Lot 2 to the intersection with Howard Street, thence;

Southeasterly 2,488 feet along Howard Street to the intersection with Block 2201 Lot 11, thence;

Southeasterly 171.5 feet to the intersection with Block 2201 Lot 9, and following the border of this lot to the intersection with Block 2201 Lot 14, thence;

Southerly 184 feet along the western border of Block 2201, Lot 14 to Lot 15 the following the border of Lot 15 for 498 feet and turning west for 354 feet, along the border with Block 2201 Lot 17 to the intersection with the riverfront, thence;

Turning westerly to follow the riverfront 2,755 feet north to the point of beginning.

## EXISTING CONDITIONS

The character of neighborhood development in the immediate vicinity of Districts 3 and 5 of the Riverfront Redevelopment Area is notable because of overgrown vegetation and underutilized space on the subject parcels, including the nearby Delaware River Park. The 2017 Revised Riverfront Redevelopment Plan states overarching goals to promote new uses that would range in activities based on their locations. Prior to the area being designated Riverside Residential the zoning designation for this area was Light Industrial / Manufacturing which is in line with the light industrial uses currently located along Howard Street.

During the 2013 revisions to the 2005 Redevelopment Area and Plan the Town entertained a proposal for a 400+ unit residential complex, however seven years later that development never materialized. The Town is now looking to return this District to industrial, again to match the existing light industrial uses in the area.

Beyond the industrial uses on Howard Street, the neighborhood consists of single-family and multi-family residential homes on nearby Mercer Street and South Main Street. Stockton Street and McKeen Street are the only two means of access to the Redevelopment Area and South Main Street is a County Road where the Town had received funding to implement revitalization strategies, and that work is on-going.

## LAND USE PLAN

For the purpose of this Plan, the Land Use Plan shall supersede the existing RRA-5 (District 5) zoning, as shown on Map 1 and the standards outline herein will control.

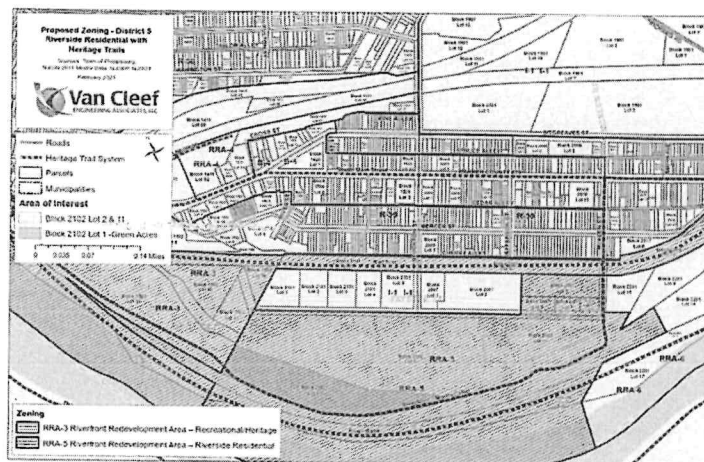
This amended redevelopment plan makes strong recommendations that every effort must be made to ensure the quality of life for residents in the nearby neighborhoods is protected and that the ongoing efforts to revitalize South Main Street are not deterred in any way. In fact, the proposed industrial uses have the potential to be an economic driver for the downtown and therefore this plan amendment makes recommendations for protecting the character of the adjacent neighborhoods and downtown, and integrating the new uses as best as we can. This can be accomplished with an extension of Howard Street south to join up with South Main Street, somewhere around Center Street. This will ensure any new truck traffic is able to access the new industrial uses without traversing downtown.

This plan also makes recommendations for integrating the Town's historic trail system into any site plan that will be submitted for development review. Map 2 shows the proposed changes to District 5 along with the proximity to the Town's Heritage Trail system. It is easy to see how extending Howard Street could also provide for the Riverfront-Morris Canal trail to follow alongside this route and out to South Main Street.

The requirements of this Plan shall be implemented under a Redevelopment Agreement(s) with the Town Council, acting as the Redevelopment Entity for the development of the property for uses permitted in this Redevelopment Plan that are not provided for in the underlying zoning districts.



Map 2: Proposed District 5 Map with Proposed Heritage Trail System



#### PLAN RELATIONSHIP TO ZONING

The Zoning Map, as shown on Map 3, identifies the municipal zoning districts. The Redevelopment Areas, hatched in blue and red provide for a Superseding Plan, allowing the Redevelopment Entity and Planning Board to approve the uses outlined in Section IV of this Plan for the property.

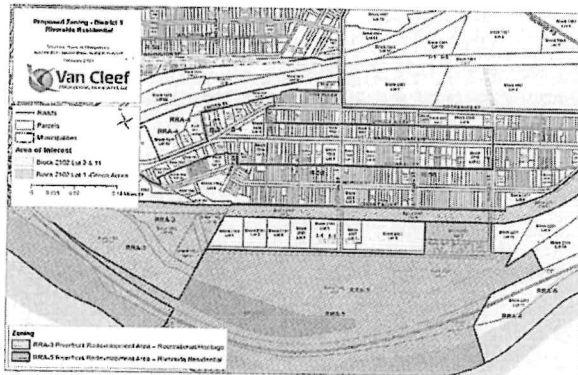
According to the 2013 Reexamination Report, the Town adopted a Master Plan update in 2004 to address a number of issues identified in the 2004 Reexamination Report. Among them were issues with Land Use related to Industrial uses being located adjacent to incompatible residential uses. The 2004 Master Plan Update made these recommendations for

Industrial Land Uses, which this amendment to the Redevelopment Plan addresses:

1. Encourage the development and expansion of businesses and industries that will generate jobs and provide services for local residents and provide functional, accessible, and cost effective locations within the Town for industrial uses.
2. Encourage and aid incompatible non-residential uses to find alternate, more appropriate locations within the Town.
3. Provide for adaptive reuse of obsolete industrial buildings and properties located in residential areas to enhance their compatibility with surrounding uses.
4. Review design standards for industrial uses, giving proper consideration to off-site impacts such as traffic, noise, lights, screening, landscaping, and location of loading areas.

Lots 2 and 11 about the I-1 Industrial zone along Howard Street and the RRA-6 (Riverside Commercial District) to the south which permits light industrial and commercial uses respectively. This characterizing language and the existing conditions were the basis for the regulations created for this plan.

Map 3: Town of Phillipsburg Zoning with Redevelopment Areas



### III. PLAN VISION, GOALS & OBJECTIVES

#### PLAN VISION

The vision of the entire Riverfront Redevelopment Plan is to encourage the appropriate uses along appropriate sections of the 2.5-mile riverfront; that was the impetus for dividing the riverfront into characterizing districts where various uses would be directed. The Town envisioned a reimagined Union Square at the heart of the riverfront, flanked on either side by the uses important to the founding of the Town: Industrial uses to the

north and south, as well as a celebration of the historic transportation routes traversed by trains and canal boats. As is the case with District 5, residential was never really an appropriate use for this location – adjacent to industrial and commercial properties and an underutilized park – and in amending the redevelopment plan in this way, the Town is adhering to its riverfront industrial roots while incorporating and celebrating the historic transportation routes that will provide visual access to the river for all to enjoy.

The rehabilitation of this property will rectify a blight condition of the vacant and overgrown site, while also assisting the Town in providing additional economic development within proximity to the downtown.

#### PLAN GOALS

The Town of Phillipsburg establishes the following goals for the District 5 Amendment to the Riverfront Redevelopment Plan:

#### LAND USE

- A. To provide for new uses of the Redevelopment Area by redeveloping portions of the riverfront.
- B. To rehabilitate properties that have fallen into disrepair or are underutilized.
- C. To provide a variety of land uses in the Town.
- D. To activate economic development drivers within the proximity of downtown while ensuring the nearby neighborhood character is preserved and even enhanced.
- E. To promote industrial design that fits within the context of the existing community and the riverfront aesthetics.

- F. To promote industrial development that contributes to the public sphere physically, socially, and financially.

#### TRAFFIC CIRCULATION

- A. To minimize the impact of traffic on existing residential streets.
- B. To find alternate routes to re-route truck traffic away from downtown.

#### PARKING

- A. To provide adequate parking standards that take the existing site constraints into account, while aiming for an overall decrease in vehicle dependency.

#### PUBLIC RECREATION

- A. To provide new connections to existing public open space and existing heritage trail system.
- B. To ensure open space and trail connections are accessible to the public.

#### PLAN OBJECTIVES

In order to achieve these goals set forth above, the objectives for the Redevelopment Plan Area are:

- A. To allow for flexibility in types of industrial uses permitted in District 5.
- B. To provide adequate parking spaces for industrial uses (per RSIS), including handicap-accessible spaces (per ADA);

- C. To promote the following existing neighborhood streets as such and to discourage truck traffic on these streets:
  - a. River Street;
  - b. Fox Street;
  - c. Stockton Street;
  - d. Jefferson Street;
  - e. McKeen Street;
  - f. Cedar Alley;
  - g. Mercer Street;
  - h. Cherry Alley.
- D. To create an alternative route from District 5 to South Main Street via an extension of Howard Street to the south.
- E. To create design standards that will improve the quality of the public environment;
- F. To promote, preserve and enhance the existing trail systems as an attractive Town asset;
- G. To strengthen the existing neighborhoods through collaboration between the new and existing industrial uses to increase community access, participation, strategic funding, and better connectivity.

### IV. REDEVELOPMENT PLAN

This chapter of the Amended RRP provides the general provisions, including the review process, as well as land use and design requirements for this Redevelopment Plan.

#### GENERAL PROVISIONS

#### RELOCATION

No temporary or permanent relocation of residents is contemplated, as there are no occupied residential units currently located in this Redevelopment Plan Area.

#### REDEVELOPMENT ACTIONS

New industrial structure, parking lot and related landscaping, lighting, etc. uses will be restricted to lots 1, 2 and 11 (District 5). A connection to the Heritage Trail system will be located along the river side of the structure and an alternate truck route to South Main Street – bypassing the existing residential neighborhood – will be constructed as part of this project. Appropriate stormwater detention facilities will be constructed to serve the project.

#### PROPERTIES TO BE ACQUIRED

As this Redevelopment Plan addresses an Area In Need of Redevelopment without Condemnation, the Local Redevelopment and Housing Law provides that the redevelopment powers, except for acquisition of private property through the use of eminent domain, are available in the Redevelopment Plan Area with the adoption of this redevelopment plan.

This Redevelopment Plan only pertains to Lots 1, 2, and 11 of Block 2102 which is currently owned by the redeveloper. Therefore, no private property is identified for acquisition within this Redevelopment Area.

#### WAIVERS FROM REDEVELOPMENT PLAN REQUIREMENTS

Variation from one or more of the specific development requirements set forth in this Redevelopment Plan may be necessary in certain circumstances for the effective redevelopment of the Redevelopment Area, or to meet state or federal permit requirements. In such an instance, the Town of Phillipsburg Land Use Board may allow deviations from specific bulk, parking or design requirements, if specifically authorized to do so by the Redevelopment Entity (Town Council) or any committee that it may designate, provided the designated redeveloper demonstrates that such deviation is necessary for the feasibility of the project, will not substantially impair the intent of the Redevelopment Plan and will not present any detriment to the public health, safety and welfare.

#### REVIEW PROCEDURES

The review procedures for this Plan are as follows:

- The Town Council, acting as the Redevelopment Entity, shall review the proposed redevelopment project within the Riverfront Redevelopment Plan Area governed by this Amended Redevelopment Plan to ensure that such project is consistent with the Redevelopment Plan and relevant redeveloper agreement. Such review shall occur prior to the submission of the redevelopment project(s) to the Planning Board for site plan approval.
- As part of its review, the Redevelopment Entity may require the redeveloper to submit a proposed site plan application to a subcommittee of the Redevelopment Entity prior to the submission of such applications to the Planning Board. Such Committee may include members of the Redevelopment Entity and any other members and/or professionals as determined necessary and

appropriate. Such Committee shall make its recommendations to the full Redevelopment Entity for formal authorization to proceed to the Planning Board for development approval.

- In undertaking its review, the Redevelopment Entity shall determine whether the proposal is consistent with this Redevelopment Plan and relevant redeveloper agreement. In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the plan.
- Following this determination, the development application shall be submitted to the Town of Phillipsburg Planning Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55-1 et seq.
- The Planning Board shall deem any application for redevelopment subject to this Redevelopment Plan incomplete if the applicant has not executed a redevelopment agreement and the applicant has not been designated as the redeveloper by the Redevelopment Entity. Additionally, the Planning Board shall deem any application for redevelopment subject to this Redevelopment Plan incomplete if the applicant has not received approval from the Redevelopment Entity or any committee that it may designate for such purpose, stating that the application is consistent with the Redevelopment Plan and Redevelopment Agreement.
- Neither the Planning Board nor the Board of Adjustment shall grant any deviations from the use provisions of this Redevelopment Plan. Any proposed changes to the

Redevelopment Plan involving specific permitted or conditionally permitted land uses shall be in the form of an amendment to the Redevelopment Plan adopted by the Mayor and Council, in accordance with the procedures set forth in the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.

#### LAND USE & DEVELOPMENT REQUIREMENTS

This Redevelopment Plan has been designed to change the existing residential designation of District 5 to a designation for Industrial development in the context of the adjacent industrial and commercial uses. The superseding regulations for Lots 1, 2, and 11 (District 5) will permit industrial zoning uses and standards that comport with the Town's I-2 Zoning District and will apply the following options as they best pertain to the site.

A developer will have the option to choose to develop all or a portion of the lot in accordance with the uses and standards for the underlying zoning, or to develop all or part of the lots / redevelopment area in accordance with the standards outlined herein.

#### AMENDED DISTRICT 5 RIVERFRONT REDEVELOPMENT PLAN (RRP) USE AND BULK REQUIREMENTS

The specific land uses and standards that are applicable to District 5 of the RRP Area are outlined in Section II of this Plan. Where any controls pose a conflict with the below regulations, the provisions of this Plan shall control. It is the purpose of this zone to provide areas suitable for industrial uses, with appropriate controls to protect surrounding zones.

##### A. Permitted Principal Uses:

- (1) Processes of manufacturing, fabrication, packaging and treatment or conversion of products.
- (2) Scientific or research laboratories devoted to research, design and/or experimentation and processing and fabricating incidental thereto.
- (3) Office buildings for business, professional, executive and administrative purposes.
- (4) Warehouses and storage yards.
- (5) Wholesale businesses.
- (6) Retail sales associated with the principal use of the building.
- (7) Trucking terminals.
- (8) Lumberyards and similar operations requiring bulk storage of materials, such as plumbing and building construction supplies, including the retail sale of such materials.

B. Permitted Accessory Uses:

- (1) Off-street parking and loading spaces in accordance with Article VII of the Town Code.
- (2) Signs in accordance with Article VIII of the Town Code.
- (3) Other uses which are customarily associated with and incidental to the uses listed in §625-71.

The following bulk standards are also required:

A. Bulk Requirements

- (1) Same as the I-2 Heavy Industrial standards in the Phillipsburg Town Code

B. Additional Area, Yard, and Building Requirements

- (1) No more than one principal structure shall be permitted on a single lot, provided the principal

structure has direct public or private street access.

- (2) New or renovated buildings shall be designed to retain the prevailing façade setback adjacent to the sidewalk.
- (3) No loading areas shall face or exit directly onto the street.
- (4) Parking and outdoor storage should be located to the rear or side of the building, and be screened by walls, fences or landscaping.

C. Streets

- (1) All public and private streets, both external and internal (including street grading and paving), driveways, parking areas, sidewalks, curbs, gutters, street lighting, shade trees, water mains and water systems, culverts, storm sewers, and such other improvements as may be found necessary in the public interest shall be installed in accordance with the standards adopted for subdivisions of land, and the building permit therein shall not be issued unless and until an adequate performance guarantee for the purpose of insuring proper installation of the improvements is posted with the Town Clerk in a form approved by the Town Attorney and in an amount determined by the Town Engineer to be sufficient to insure the completion of all required improvements.
- (2) A traffic impact study inclusive of a computer simulation of projected traffic impacts is required at the time that the redevelopment agreement is negotiated. The scope of the traffic impact study shall be based on the data of existing traffic at key intersections leading to the redevelopment area and how new traffic from the redevelopment projects would be

distributed so that any necessary improvements to the street network and traffic control measures can be assessed and addressed in the agreement.

D. Off-street parking

- (1) RSIS shall be followed for residential uses. Shared parking is encouraged between uses and between parcels, subject to approval of the Redevelopment Entity in the redevelopment agreement and the Land Use Board at the time of site plan approval.
- (2) All parking lots shall be adequately lighted; either with wall mounted or post-mounted ornamental fixtures. Lights shall be adequately shielded from adjacent properties.

E. Pedestrian accessibility

- (1) Sidewalks shall be provided along all street frontages
- (2) All sidewalks shall be a minimum of five feet wide
- (3) All sidewalks shall be designated to provide access for the physically disabled
- (4) Access ramps shall be conveniently placed and sloped to provide easy connection to streets and sidewalks, in conformance with the Americans with Disabilities Act

F. Signage

- (1) The redevelopment project shall include a comprehensive signage plan for review and approval of the Redevelopment Entity and Land Use Board.

G. Recreation

- (1) An area dedicated to recreation shall be developed with facilities suitable to serve the public.
  - i. Such a facility must be in the form of a multi-use path and include connections to the adjacent Delaware River Park and the Heritage Trail System.
  - ii. It shall be located in an area which will not be detrimental to adjacent property owners by virtue of noise, light, and any other objectionable feature emanating from such facility.
  - iii. The recreation facility shall not be located at the front of any structure on the site and it should incorporate appropriate signage, lighting, and other amenities (e.g. benches) along a multi-use path.

H. Sewage Disposal

- (1) No development shall be approved until approval of plans for disposal of sewerage, in accordance with the standards set forth by the County Sewerage Authority, are met. The performance guarantee outlined in this section is also applicable to sewerage disposal.

I. Screening

- (1) Where the development abuts a commercial use, an evergreen planting screen having a minimum width of five (5) feet shall be provided. The screen shall consist primarily of evergreen trees so as to provide visual obstruction. The

planting material shall be at least six (6) feet high at the time of planting. It shall be the responsibility of the owner or developer to carry out this planting and to promote such maintenance and care as is required to obtain the effect intended by the original plan.

J. Affordable Housing

- (1) The redevelopment project will be subject to the Town's Non-Residential Development Fee.

**ARCHITECTURAL DESIGN STANDARDS**

Any new building proposed for the Redevelopment Plan Area will have to be carefully designed, and shall abide by the following standards in addition to the zoning standards stated above.

A. Style

- (1) The structures or buildings shall incorporate architectural details such as a well-defined entrance, proportionally sized windows, cornices and columns. All buildings shall be constructed with an exterior of brick or stone or concrete.

B. Materials

- (1) The exterior of a building shall consist of durable, long-lasting materials, such as masonry and fiber-cement siding, and shall be consistent throughout the entirety of that building, but may vary from building to building in a sequential manner in order to provide some architectural continuity.

C. Articulation

- (1) All street-facing building walls shall have a clearly defined base, body and cap.

- (2) The body section of a façade may be horizontally divided at the floor, lintel or sill levels with belt courses.

- (3) The architectural treatment of a façade shall be completely continued around all street-facing facades of a building. All sides of a building shall be architecturally designed so as to be consistent with regard to style, materials, colors and details.

- (4) Building exteriors shall have vertical and/or horizontal offsets to create visual breaks on the exterior. These offsets may consist of pilasters, projecting bays, changes in façade materials, balconies, etc.

- (5) Long, blank, windowless, monotonous or uninterrupted walls are not permitted on the front or side of a building.

D. Entrances

- (1) All entrances to a building shall be defined and articulated by architectural elements such as lintels, pediments, pilasters, columns, overhangs, porticos or awnings. These elements shall be compatible with the style and materials of the building.

- (2) Entrances may also be defined by planters or other landscape features.



## V. REDEVELOPER INCENTIVES / PILOT PROGRAM

With the designation of the properties regulated by this Redevelopment Plan as an Area In Need of Redevelopment, this redevelopment project will be eligible for tax exemptions for 30 years from the completion of the entire project, or unit of the project if the project is undertaken in units, or not more than 35 years from the execution of the financial agreement between the municipality and the urban renewal entity under the Long Term Tax Exemption Law (N.J.S.A. 40A:20-1 et seq.).

Any tax exemption(s) for the redevelopment of the three properties (Block 2102, Lots 1, 2 and 11) would need to be addressed as part of the Redevelopment Agreement. Such tax exemptions will be set forth in a Financial Agreement between the redeveloper and the Town. The Town is under no obligation to offer or otherwise agree to a Long Term Tax Exemption and any such agreement shall be only upon the mutual agreement of the redeveloper and the Town.

## VI. RELATIONSHIP TO ZONING

### ZONING PROVISIONS

#### EFFECT OF PLAN

The Redevelopment Plan constitutes a superseding plan to permit the redevelopment of the Redevelopment Plan Area as stated in Section II of this Redevelopment Plan.

#### TERMS AND DEFINITIONS

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in Chapter 625 of the Zoning Ordinance of the Town of Phillipsburg.

#### OTHER APPLICABLE DESIGN & PERFORMANCE STANDARDS

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the Zoning Ordinance of the Town of Phillipsburg.

#### CONFLICT

Any word, phrase, clause, section or provision of this plan, found by a court and other jurisdiction to be invalid, illegal or unconstitutional, such word, phrase, section or provision shall be deemed servable and the remainder of the Redevelopment Plan shall remain in full force and effect.

#### ZONING MAP REVISION

Because this Redevelopment Plan constitutes a superseding plan the Official Zoning Map of the Town of Phillipsburg is hereby amended to incorporate Lot 1 into District 5 and to designate the three subject lots in Block 2102 as "RRA-5 Industrial District".

## VII. AMENDMENTS & DURATION

#### AMENDMENTS TO THE REDEVELOPMENT PLAN

This plan may be amended from time to time in accordance with the procedures of the LRHL. To the extent that any such amendment materially affects the terms and conditions of duly executed redevelopment agreements between one or more redevelopers and the Town of Phillipsburg, the provisions of the redevelopment plan amendment will be contingent upon the amendment of the redevelopment agreement to provide for the Plan amendment.

#### RECOMMENDATIONS FOR REDEVELOPMENT AGREEMENT PROVISIONS

While this amendment to the Riverfront Redevelopment Plan provides an outline for the redevelopment of District 5, the details of how the redevelopment will be implemented will need to be specified in the Redevelopment Agreement that is negotiated between the Town and the redeveloper(s). No development shall proceed to the Town of Phillipsburg Planning Board for site plan approval until after a Redevelopment Agreement is executed by the Town of Phillipsburg in accordance with Section 9 of the Local Redevelopment and Housing Law. The Redevelopment Agreement shall conform to the provisions of this Redevelopment Plan.

#### CERTIFICATES OF COMPLETION & COMPLIANCE

Upon the inspection and verification by the Mayor and Council that the redevelopment of a parcel subject to a redeveloper agreement has been completed, a Certificate of Completion and Compliance will be issued to the redeveloper

and such parcel will be deemed no longer in need of redevelopment nor rehabilitation.

This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated Area, or until the Redevelopment Plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Mayor and Council. At such time the provisions of the Redevelopment Plan, as amended, shall be codified into the Zoning Ordinance of the Town of Phillipsburg.

#### SEVERABILITY

The provisions of this Redevelopment Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section or provision of this Redevelopment Plan to be invalid, illegal or unconstitutional, the word, phrase, clause, section or provision shall be deemed severable and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.

#### SELECTION OF REDEVELOPER(S)

In order to assure that the vision of the Redevelopment Plan will be successfully implemented in an effective and timely way in order to promptly achieve the public purpose goals of the Plan, the Mayor and Council, acting as the Redevelopment Entity, will designate the redeveloper(s) for any redevelopment project in the area governed by this Redevelopment Plan. All redeveloper(s) will be required to execute a redevelopment agreement satisfactory to the Redevelopment Entity as one of the requirements to be designated as the redeveloper(s).

It is anticipated that the implementation of this Redevelopment Plan may designate a pre-selected redeveloper, or utilize a process for the competitive selection of one or more redeveloper(s). The intent of this section of the Plan is to set forth the procedural standards to guide redeveloper selection. The Mayor and Council, acting as the Redevelopment Entity may, at any time, proactively solicit potential redevelopers by utilizing appropriate methods of advertisement and other forms of communication, or may, in its discretion, entertain an unsolicited proposal from a prospective redeveloper(s) for redevelopment of the Redevelopment Plan Area.

The following provisions regarding redevelopment are hereby included in connection with the implementation of this Redevelopment Plan and the selection of a redeveloper(s) for any property included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations to the contrary:

1. The redeveloper, its successor or assigns shall develop the property in accordance with the uses and building requirements specified in the Redevelopment Plan.
2. Until the required improvements are completed and a Certificate of Completion is issued by the Redevelopment Entity, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redeveloper agreement, lease, deed or other instrument shall remain in full force and effect.
3. The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and

financial guarantees of the redeveloper(s) and any other provisions to assure the successful completion of the project.

4. The designated redeveloper(s) shall be responsible for any installation or upgrade of infrastructure related to their project whether on-site or off-site. Infrastructure items include, but are not limited to gas, electric, water, sanitary and storm sewers, telecommunications, recreation or open space, streets, curbs, sidewalks, street lighting and street trees or other improvements. The extent of the designated redeveloper's responsibility will be outlined in the redeveloper's agreements with the Town. All utilities shall be placed underground.
5. All infrastructure improvements shall comply with applicable local, state and federal law and regulations, including the Americans with Disabilities Act and the Prevailing Wage Law, where applicable.
6. In addition to the provision of the infrastructure items set forth herein, the Redevelopment Agreement may provide that the redeveloper(s) will agree to provide amenities, benefits, fees and payments in addition to those authorized under the Municipal Land Use Law.