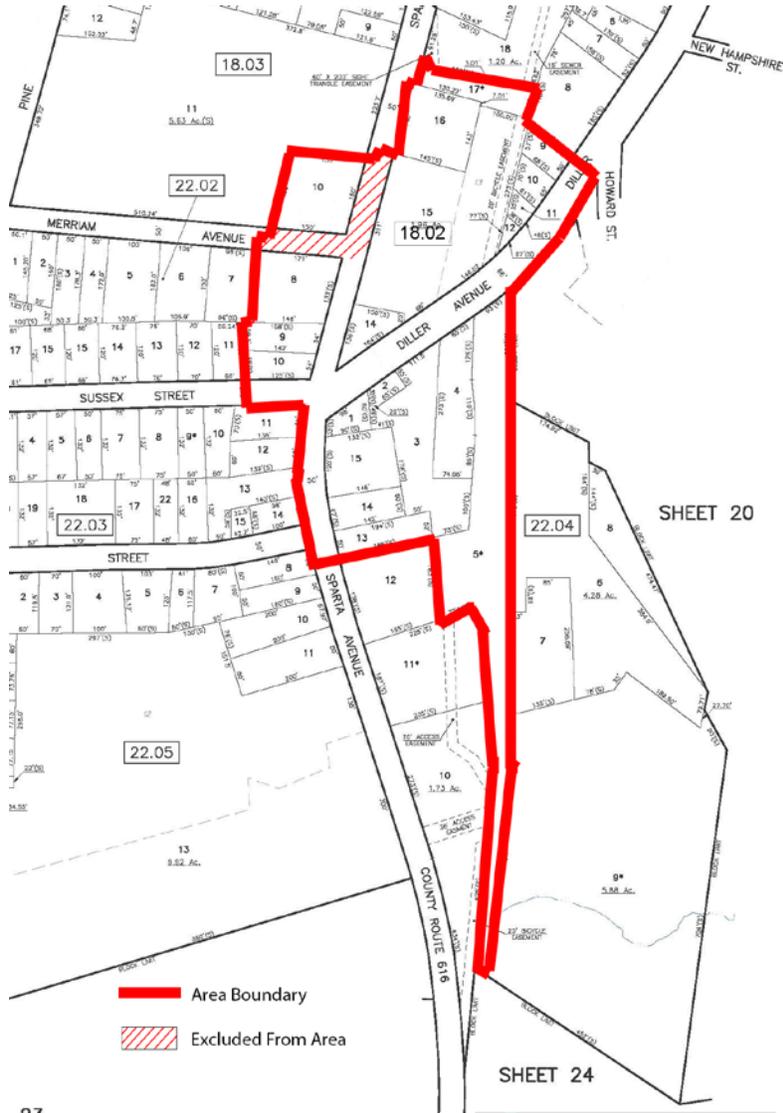


MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT TOWN OF NEWTON



February 19, 2015

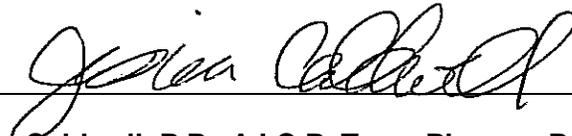


PLANNING CONSULTING SERVICES

MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT TOWN OF NEWTON, SUSSEX COUNTY

Table of Contents

PLAN CONSISTENCY REVIEW..... 3
 BACKGROUND..... 3
 AMENDMENTS TO THE REDEVELOPMENT PLAN 4
MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT..... 5



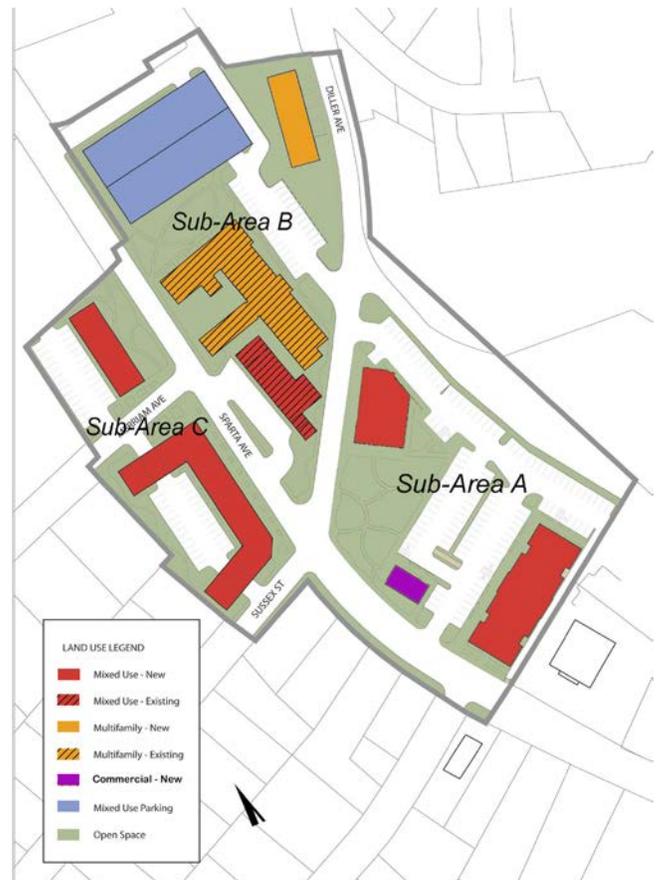
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PLAN CONSISTENCY REVIEW

BACKGROUND

The Merriam Gateway Redevelopment Plan (the “Plan”) governs a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”), including parcels, public streets and Rights-of-Way adjacent to and including Sparta Avenue and Diller Avenue (the “Plan Area”). The Plan was adopted by the Town Council in November 2010 and amended in September 2012.

The Plan Area includes 20 tax lots on portions of four tax blocks, as well as the adjacent street rights-of-way of portions of Sparta Avenue, Diller Avenue, Sussex Street, and Railroad Place. The Town of Newton has updated tax lot numbers since the adoption of the original Merriam Gateway Redevelopment Plan. The new lot and block numbers for the parcels located in the Plan Area are: Block 18.03, Lot 10 (former Block 1104, Lot 22); Block 22.02, Lots 8, 9, and 10 (former Block 1209, Lots 10, 11, 12.01); Block 18.02, Lots 9, 10, 11, 12, 14, 15, 16 and 17 (former Block 1301, Lots 1, 1.04, 10, 11, 12, 13, 14, 15, 16); and Block 22.04, Lots 1, 2, 3, 4, 5, 13, 14 and 15 (former Block 1308, Lots 1, 1.01, 1.02, 10, 11, 12, 13 and 14). The Plan Area covers 10.18 acres. The Plan divides the Plan Area into three (3) sub-areas: A, B and C. The parcels within Block 22.04 (former Block 1308) comprise Sub-Area A, the parcels within Block 18.02 (former Block 1301) comprise Sub-Area B, and the parcels within Blocks 18.03 and 22.02 (former Blocks 1104 and 1209 respectively) comprise Sub-Area C. The figure to the right shows the Sub-Areas along with the originally proposed conceptual layout for the area.



The purpose of this Plan Amendment is to provide for a greater variety of building types and uses than originally proposed. Currently the only commercial use permitted is mixed-use within a mixed-use structure. This means that structures must contain two or more usable stories and include at least two distinct uses. The Plan Amendment seeks to provide for single use and single story structures, provided they have a two story façade and to provide for additional commercial uses. Additionally, permitted uses are further clarified. As has been the case in the Town’s other redevelopment plans, this Plan Amendment makes the water use reduction and stormwater re-use optional. The result will provide for a greater variety of development options within the Plan Area.

AMENDMENTS TO THE REDEVELOPMENT PLAN

The Redevelopment Plan contemplates the potential for amendments to the Plan. At Section 8.0 of the Redevelopment Plan, it states, “As development occurs within the Area, development priorities and market demands may change. This Plan should have the ability to meet the changing needs of market demand, the Town of Newton and its citizens. Amendments may be required in order to accommodate these changes.” As noted previously, the amendments proposed are being developed to provide for greater commercial development opportunities including single-use commercial, office and light industrial buildings within the Plan Area.

The Redevelopment Goals stated in the Plan focus on creating positive development, rehabilitation and redevelopment within the Plan Area. The focus of these goals is met by creating greater opportunities to redevelop and rehabilitate uses within the Area. Some specific Redevelopment Goals furthered by this Plan Amendment are as follows:

1. To allow more efficient use of land and to expand the Town’s tax base.
2. To enhance the positive visual character and safety of the Area and surrounding neighborhood through building placement and design, landscaping and streetscape improvements.
3. To provide flexibility of design, while incorporating modern technologies and reflecting the architectural design vocabulary (design characteristics) of the surrounding neighborhood and the Town of Newton, and respecting the historic character of Newton.

The proposal is consistent with the Town of Newton Master Plan because the land use plan for this area also proposes single use buildings, office and industrial uses. The proposal is also consistent with the State Development and Redevelopment Plan which designates the Town of Newton as a Regional Center, which provides a variety of commercial and residential uses in a compact development pattern. For these reasons, the proposed Plan Amendments continue to further the stated goals of the Plan, the goals of the Town of Newton Master Plan and the State Development and Redevelopment Plan.

The proposed Plan Amendments do not impact the zoning plans of any adjacent municipalities as it does not vary in a significant way from the proposed uses for this area in the Town’s Master Plan, which was reviewed and determined to not have any impacts to the zone plans of adjacent municipalities.

Based upon the foregoing, it is recommended that the following amendments be made to the Merriam Gateway Redevelopment Plan.

MERRIAM GATEWAY REDEVELOPMENT PLAN AMENDMENT

At Section 3.0 Definitions, add the following:

Single-use: A building or structure which contains a single principal use.

At Section 4.1 Land Use Regulations, Permitted Uses, amend Item 1 and add Items 5 and 6 as follows:

1. Mixed Use Commercial: Ground floor Commercial Retail Services or Business/Office/Professional Uses with Commercial Retail Services, Business/Office/Professional or Light Industrial Uses on floors above. Structures shall comply with the bulk and dimensional standards in the Building Regulation Plan found further in this Plan. Permitted Uses shall be as per the Commercial Retail Services, Business/Office/Professional and Light Industrial Uses permitted in the T-5 Transect Zone of Section 320-2.C Permitted Uses in the Town's Form-Based Zoning Code.
5. Single-Use Commercial: Encompasses buildings with a single-use including Commercial Retail Services, Business/Office/Professional Uses or Light Industrial Uses. Structures shall comply with the bulk and dimensional standards in the Building Regulation Plan found further in this Plan. Permitted Uses shall be as per the Commercial Retail Services, Business/Office/Professional and Light Industrial Uses permitted in the T-5 Transect Zone of Section 320-2.C Permitted Uses in the Town's Form-Based Zoning Code.
6. Accessory Uses: Accessory uses to the permitted uses in this section shall include: parking, accessory storage of products or for maintenance of the property, sidewalk cafes and outdoor displays (March 1-Dec. 1 provided snow and ice are not present), and drive-through facilities.

At Section 4.2 Land Use Plan add the following discussion following the first paragraph:

The Land Use Plan below shows one of the many available options for redevelopment within the Plan Area. Other options encompassing permitted uses not shown in the Land Use Plan below may be developed on a lot by lot basis or by a combination of lots within the Area.

At Section 6.2, Building Envelope, Bulk & Setback Regulations add the following:

Setbacks: Setbacks are the distance between the property line and the outer edge of the building wall, expressed in feet. The setbacks below apply to principal structures. Accessory structures are not permitted in the front yard setback and must have a minimum 5' side and rear yard setback. The principal building setbacks below are delineated by building type. For descriptions of the varying building types, see page 46 of the Plan.

Sub-Area A (Block 22.04)

Front yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	10' min.
Landmark:	0' min.

Side yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	10' min.
Landmark:	5' min.

Rear yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	10' min.
Landmark:	10' min.

Sub-Area B (Block 18.02)

Front yard setback:

Multi-family:	10' min.
Mixed-use:	5' min.
Single-use:	5' min.
Landmark:	0' min.

Side yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	5' min.
Landmark:	5' min.

Rear yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	10' min.
Landmark:	10' min.

Sub-Area C (Blocks 18.03 & 22.02)

Front yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	10' min.
Landmark:	5' min.

Side yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	10' min.
Landmark:	5' min.

Rear yard setback:

Multi-family:	10' min.
Mixed-use:	10' min.
Single-use:	10' min.
Landmark:	10' min.

At Section 6.3 Building Height Regulations, add the following:

Single-use

Minimum 1.0 floor (must have 2 story façade on all four sides of the building)

Maximum 5.0 floors or 65 feet (measured from the mean front elevation to the highest point of the roof).

Single-use structures may be constructed with one floor of usable space; however the exterior façade should exhibit at least a 2 story façade on all four sides of the building. The overall massing of the structure should be in keeping with the design standards, buildable area and height standards of this Plan.

At Section 6.9 Green Building Standards, revise and supplement this section as follows:

7. Wastewater: Reduction of potable water use for building sewage conveyance by 50% is encouraged through the use of water-conserving fixtures or non-potable water, recycled greywater, and on-site or municipally treated wastewater.

8. Water Reduction: A reduction of 20% water use from the baseline calculated for the building (not including irrigation) is encouraged through the use of water-conserving fixtures and other methods such as re-use of greywater or stormwater.