

PATERSON AVENUE REDEVELOPMENT PLAN AMENDMENT

TOWN OF NEWTON
SUSSEX COUNTY, NEW JERSEY



December 28, 2015



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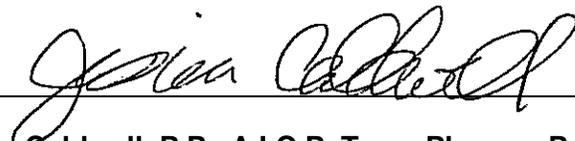
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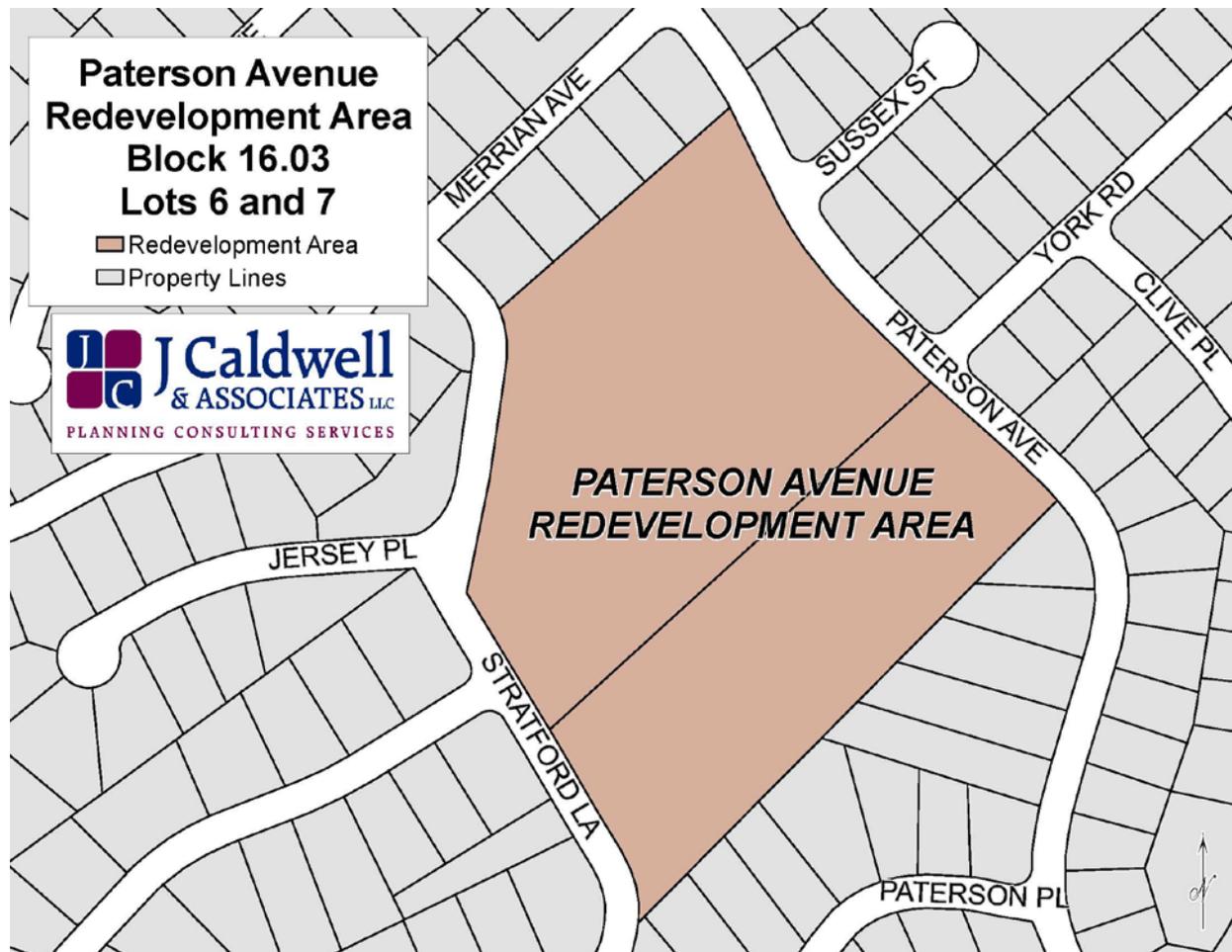
PLAN CONSISTENCY REVIEW

BACKGROUND

The Paterson Avenue Redevelopment Plan (the “Plan”) governs the Paterson Avenue Redevelopment Area, designated by the Town of Newton on December 10, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “Redevelopment Law”). The Plan was adopted by the Town Council on November 10, 2008 and amended on August 22, 2011 to permit the continuation of Light Industrial, Offices and Research and Development on the site.

The Plan Area consists of Block 16.03, Lots 6 and 7 (former Block 1201.02, Lots 2 and 2.01), along with the adjacent public rights-of-way along Paterson Avenue, Stratford Lane and Jersey Place as shown in the map below. The Plan Area covers 12.57 acres.

The purpose of this Plan Amendment is to provide for a greater variety of Light Industrial uses than previously proposed, specifically Food and Beverage Production with accessory Sampling Rooms, Retail Sales and Special Events, Craft Breweries with accessory Tasting Room, Retail Sales, Tours and Special Events and Craft Distilleries with accessory Tasting Room, Retail Sales, Tours and Special Events. The Plan Amendment will encourage the rehabilitation of the existing industrial buildings on the site, and improve the appearance and compatibility of the industrial uses with the surrounding residential neighborhood.



AMENDMENTS TO THE REDEVELOPMENT PLAN

The Redevelopment Plan contemplates the potential for amendments to the Plan. Section 9.1 of the Redevelopment Plan states the following: “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 development opportunities including rehabilitation of the existing buildings on the site to permit certain Light Industrial uses, namely Food and Beverage Production with accessory Sampling Rooms, Retail Sales and Special Events and Craft Distilleries and Craft Breweries, both with accessory Tasting Room, Retail Sales, Tours and Special Events.

The redevelopment goals as stated in the Plan focus on creating positive development opportunities within the Plan Area. The Plan Amendment seeks to further support the redevelopment goals by providing opportunity for rehabilitation of existing structures in addition to new development. 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 by encouraging high-quality development.
2. To maximize the participation of private developers while minimizing the participation of the public sector.
3. To enhance the positive visual character and safety of the Area and surrounding neighborhood through building placement and design, landscaping and streetscape improvements.

The proposal is also consistent with the Town of Newton Master Plan. In particular, the proposed amendment furthers the following goals:

1. To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all the citizens of Newton.
2. To encourage Light Industrial development subject to performance standards that would be compatible with the "Regional Center" development concept of Newton.

The proposal is also consistent with the New Jersey State Development and Redevelopment Plan (SRDP) which designates the Town of Newton as a Regional Center. Regional Centers should provide 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 the proposed use changes do not vary in a significant way from the existing uses for this area, which include other types of light industrial and function without negative impacts to adjacent municipalities' zone plans. In addition to the foregoing, the findings, analyses and elements required by N.J.S.A. 40A:12A-7 in the existing Plan are not affected by this Amendment and are incorporated herein by reference.

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

PATERSON AVENUE REDEVELOPMENT PLAN AMENDMENT

Generally:

Notwithstanding any other provision of this Redevelopment Plan to the contrary, graphics included in this Redevelopment Plan which represent residential and home office uses, including but not necessarily limited to Section 1.8, Development Axonometric Section 1.9 Illustrative Site Plan; and Section 4.1 Land Use Plan shall continue to apply to residential and home office uses permitted under this Redevelopment Plan and shall not be construed to prohibit Offices, Light Industrial, Research and Development, Warehouses, Craft Breweries, Craft Distilleries, Food and Beverage Production and other related accessory uses that are permitted in accordance with Section 4.1 of this Redevelopment Plan.

At Section 1.7, Goals of the Plan, under Redevelopment Goals, revise Goal #3 as follows:

To ensure that to the extent that Light Industrial and similar uses are developed within the Paterson Avenue Redevelopment Area, they are developed in a manner that does not create a nuisance to the surrounding residential neighborhood.

At Section 1.7, Goals of the Plan, under Redevelopment Objectives, revise Objective #2 as follows:

Rehabilitation or clearance of all dilapidated and underutilized structures.

At Section 2.1, Existing Zoning, revise the first paragraph as follows:

The Redevelopment Area is located in the T-3 Neighborhood Residential District.

At Section 3.0, Definitions, add the following:

Craft Brewery: An establishment primarily engaged in the production and distribution of beer, ale, or other malt beverages which may include accessory uses such as a Tasting Room, Retail Sales, Tours and Special Events. A Craft Brewery may manufacture up to 50,000 barrels of malt beverages per year for wholesale distribution, sale to retail establishments and directly to the consumer, with appropriate state and federal licenses.

Craft Distillery: An establishment primarily engaged in the production and distribution of distilled spirits which may include accessory uses such as a Tasting Room, Retail Sales, Tours and Special Events. A Craft Distillery may manufacture up to 20,000 gallons of distilled spirits per year for wholesale distribution, sale to retail establishments and directly to the consumer, with appropriate state and federal licenses.

Food and Beverage Production: The production of food or beverage products from raw goods and/or farm products, such as salsa from vegetables, cheese from milk, jams and pies from fruit, juice from fruits or vegetables, etc. (syn. value added food production). Food and beverage production facilities may include accessory uses such as a Sampling Room, Retail Sales and Special Events.

Silo: An exterior structure for the storage of bulk malt, grain and/or other dry ingredients for use in the production of food or beverages, and is accessory to a Craft Brewery, Craft Distillery or Food and Beverage Production facility.

Special Events: A single-day outdoor public gathering permitted as an accessory use to a Craft Brewery, Craft Distillery or Food and Beverage Production facility.

At Section 4.1, Land Use Regulations add the following to list of “Permitted Uses:”

Craft Breweries.

Craft Distilleries.

Food and Beverage Production.

At Section 4.1, Land Use Regulations amend the title of “Accessory Uses” to “Accessory Uses and Structures” and add the following to the list of “Accessory Uses and Structures”:

Silos.

Outdoor Seating Areas for Tasting/Sampling Rooms Associated with a Permitted Use.

Special Events, as an accessory use to Craft Breweries, Craft Distilleries or Food and Beverage Production, subject to the following use standards:

- 1) A maximum of one event per month or 12 Special Events annually per facility.
- 2) All Special Events shall end no later than 10:00 p.m.
- 3) Sound amplification shall be in accordance with local, county and state noise standards.
- 4) Outside vendors are permitted to sell food, beverages and merchandise during special events.

- 5) Tenants shall be responsible for parking management, outdoor security and trash pick-up.
- 6) Special Events must comply with all applicable municipal codes including, but not limited to the zoning code, health code, building code, alcoholic beverage code, and police department and fire department requirements.

At Section 6.2, Setback Regulations add “Craft Brewery”, “Craft Distillery” and “Food and Beverage Production” to the list of non-residential uses under bulk requirements as follows:

Bulk Requirements: Offices, Light Industrial, Research and Development, Warehouses, Craft Brewery, Craft Distillery and Food and Beverage Production.

At Section 6.3, Minimum and Maximum Height Regulations add “Craft Brewery (including Silos)” “Craft Distilleries (including Silos)” and “Food and Beverage Production” to the list of non-residential uses under height regulations as follows:

Office/Light Industrial/Research and Development/Warehouses/Craft Brewery (including Silos)/Craft Distilleries (including Silos)/Food and Beverage Production: Maximum structure height of 35 feet - composed of one or more stories. Notwithstanding any other provision of this Redevelopment Plan to the contrary, this Redevelopment Plan does not impose a minimum or maximum floor-to-ceiling height for Office, Light Industrial, Research and Development, Warehouse, Craft Brewery (including Silos), Craft Distillery (including Silos), Food and Beverage Production uses. Exhaust stacks may exceed height restrictions.

At Section 6.11, Building Signage and Lighting Standards add “Craft Brewery”, “Craft Distillery” and “Food and Beverage Production” to the list of sign requirements as follows:

5. Signs for Offices, Light Industrial, Research and Development and Warehouses. One (1) ground-mounted sign is permitted per lot with a maximum size of 40 square feet and a minimum setback of 10 feet is required.
6. Signs for Craft Breweries (including Tasting Room and Retail Sales), Craft Distilleries (including Tasting Room and Retail Sales) and Food and Beverage Production (including Sampling Room and Retail Sales).
 - a. Wall signs. Two (2) wall, awning/canopy or projecting/blade/hanging signs are permitted per road frontage and one (1) additional per non-frontage side per establishment. Wall signs may be one (1) square foot per lineal foot of façade. Awning/canopy signs may be four (4) square feet in area. Projection/blade/hanging sign may be eight (8) square feet in area.

- b. Directional signs. One (1) directional sign is permitted per ingress and egress. Directional signs may be four (4) square feet in area.
- c. Temporary signs. One (1) temporary sign/banner is permitted per establishment.
- d. Any signage standard not specified in this Redevelopment Plan shall be in accordance with the Town of Newton Sign Ordinance contained in §320-25, Sign standards.

At Section 6.12, Building Parking Standards, revise the list of parking requirements for non-residential uses to include “Craft Brewery”, “Craft Distillery” and “Food and Beverage Production” as follows:

6. Parking Requirements: Offices, Light Industrial, Research and Development, Warehouses, Craft Brewery, Craft Distillery and Food and Beverage Production: Notwithstanding any other provisions of this Redevelopment Plan to the contrary, parking requirements for Office, Light Industrial, Research and Development, Warehouses, Craft Breweries, Craft Distilleries and Food and Beverage Production shall be as follows:
 - a. Office, Light Industrial and Research and Development: One (1) space for 1,100 sq. ft. of floor area.
 - b. Warehouses: One (1) space per 2,500 sq. ft. of floor area.
 - c. Craft Brewery/Craft Distillery: One (1) space for 1,100 sq. ft. of floor area or one (1) for every two (2) customers allowed based on number of seats in the Tasting Room, whichever is greater, plus one (1) space per employee.
 - d. Food and Beverage Production: One (1) space for 1,100 sq. ft. of floor area or one (1) for every two (2) customers allowed based on number of seats in the Sampling Room, whichever is greater, plus one (1) space per employee.

At Section 7.10 Landscaping and Buffering – Offices, Light Industrial, Research and Development and Warehouses, revise the first paragraph of the landscaping and buffering standards to include “Craft Breweries (including Silos)”, Craft Distilleries (including Silos) and “Food and Beverage Production” as follows:

Notwithstanding any other provisions of this Redevelopment Plan to the contrary, the landscaping and buffering requirements with respect to landscaping and buffering for Offices, Light Industrial, Research and Development, Warehouses, Craft Breweries (including Silos), Craft Distilleries (including Silos) and Food and Beverage Production shall be as follows: