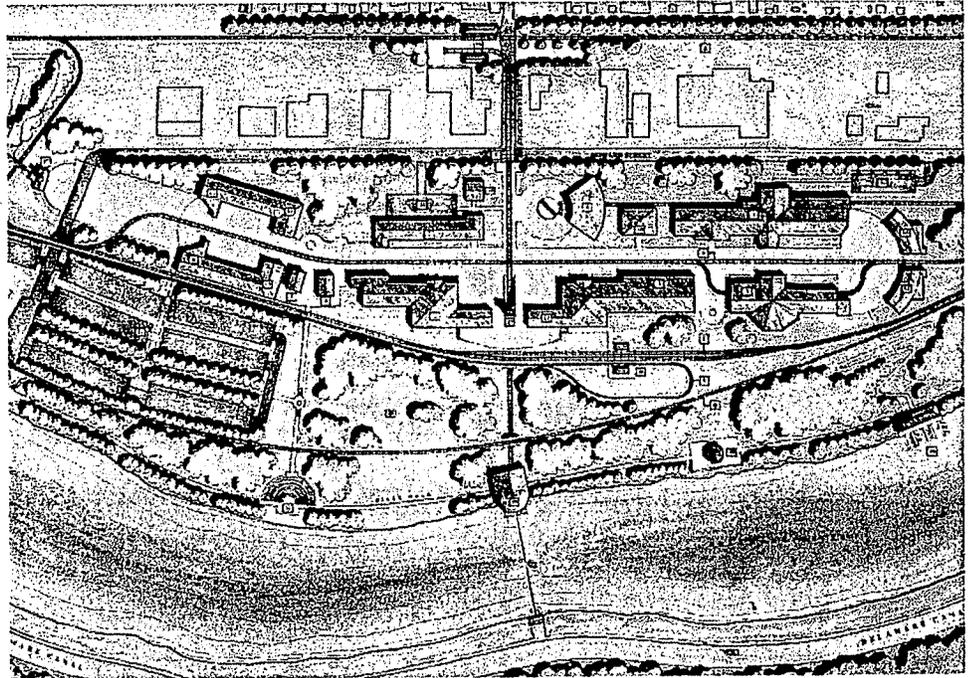


**Redevelopment Plan
for the
Delaware River Area**



The Town of Phillipsburg, Warren County, NJ

Prepared for the Town Council, Town of Phillipsburg

Abeles Phillips Preiss & Shapiro, Inc.

Planning & Real Estate Consultants

October 1999

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**I. Introduction and
Redevelopment
Plan Area
Boundary
Description**

The following is the Redevelopment Plan for property located along the Delaware River in the Town of Phillipsburg (known as the "redevelopment area"). The redevelopment area consists of approximately one-hundred and thirty-five (135) acres of land located on the southwestern side of the Town in the area known as "Riverside." The redevelopment area is located near the historic South Main Street retail and residential district. The redevelopment area boundaries are shown in Figure 1, and are defined as the area bounded generally by an active railroad right-of-way and largely residential development to the east; the streets and developed residential and commercial properties adjacent to South Main Street to the north (including Mercer Street, McKeen Street, Howard Street and Market Street); an active rail line to the west; and the Delaware River to the south.

In August 1997 the Town Council adopted a resolution authorizing a study of this area in order to determine if it was in "need of redevelopment." A report entitled "Redevelopment Area Study For The Area Bounded Generally by the Norfolk Southern Railroad Rights-of-Way; the Populated Areas of Phillipsburg; and the Delaware River in the Town of Phillipsburg, New Jersey" was prepared by Abeles Phillips Preiss & Shapiro, Inc. and submitted to the Phillipsburg Planning Board in December 1998. A public hearing was then held by the Planning Board to determine whether the area should be designated "in need of redevelopment" pursuant to the Local Redevelopment and Housing Law (NJSA 40A:12A-1 et seq.). On February 25, 1999, the Planning Board adopted a resolution finding the area to be "in need of redevelopment." On April 6, 1999, the Mayor and Council of the Town of Phillipsburg approved the Planning Board's determination, and declared the area "in need of redevelopment" pursuant to NJSA 40A:12-6.

The overall goal of the Redevelopment Plan is to permit the area to be redeveloped through the use of such governmental authority and powers not available to the private sector, pursuant to the Redevelopment and Housing Law.

This report is written pursuant to §40A:12A-7 of the Local Redevelopment and Housing Law which provides that "no redevelopment projects shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the municipal governing body upon its finding that specifically delineated project area is located in an area in need of redevelopment or an area in need of rehabilitation or both..." according to criteria set forth in Section 5 or Section 14 of PL1992.C79 (C40A:12A-5 or 40A:12A-14) as appropriate.

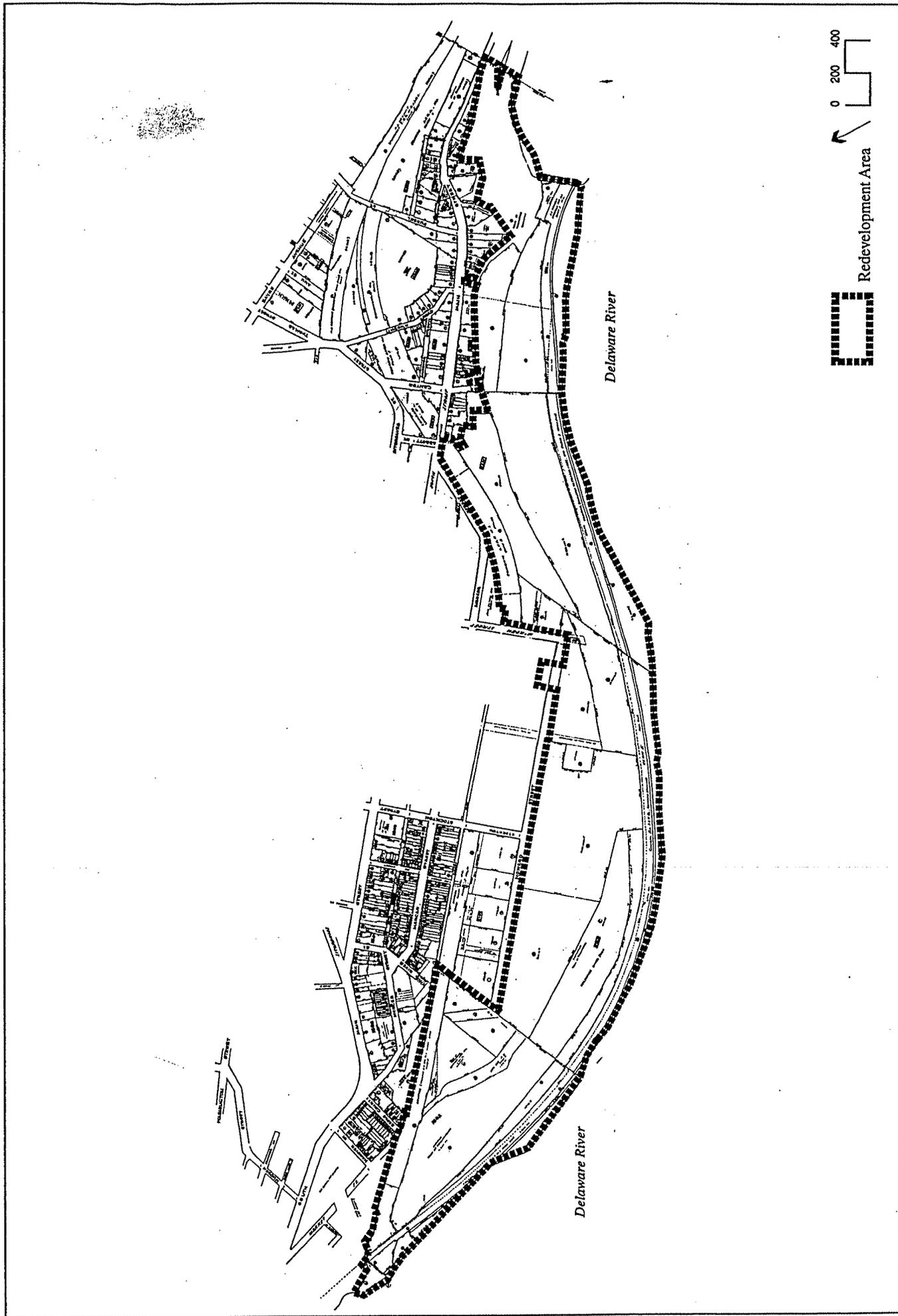


Figure 1: Redevelopment Area Boundary

II. Relationship to Local Objectives

A. Relationship to Intent and Purpose of the Master Plan

The Town of Phillipsburg's objectives with respect to the redevelopment of the Town as a whole and the redevelopment area in particular are expressed in the Master Plan, adopted in September 1988, and in the Reexamination of the Master Plan undertaken in 1996.

With regard to land uses, the 1988 Master Plan notes that the redevelopment area represents one of the few available large developable sites within the Town. It further expresses as the intent of the Master Plan to promote the redevelopment of these lands in a manner that will be beneficial to the Town to "encourage major developable vacant lands to develop to their highest and best use in ways that most benefit the Town of Phillipsburg." In addition, one of the recommendations of the 1996 Master Plan Re-Examination Report was to undertake a redevelopment study of the "Riverfront area in Area 2," which was subsequently completed. The 1996 Re-Examination Report also recognizes the needs for economic development. It indicates as a land use goal and objective "...the reuse and reconstruction of existing commercial and industrial buildings which have been vacated."

With respect to traffic and circulation, the Master Plan recognizes the need to minimize the impact of industry-related traffic on the residential and commercial areas of the Town, and particularly the South Main Street CBD. In general, it recognizes the need to "reduce conflicts between residential and industrial uses." The Master Plan also states as a transportation objective that "traffic congestion, including congestion created by trucks on local residential roads, should be relieved to improve safety, air standards, and accessibility." Further, the 1988 Master Plan indicates that there are transportation issues that must be addressed. In particular, it states that "trucks traveling to and from Phillipsburg's manufacturing and warehousing centers are often misdirected onto local roads," which "...impedes traffic flow and creates excessive pollution."

With regard to the South Main Street CBD, the 1988 Master Plan recognizes the historic significance of the area as "...Phillipsburg's original business district with its origins in the 19th century." It further highlights as an "existing transportation issue" that there is a conflict of truck traffic, and especially in the Howard Street/South Main Street area. It also includes the following among its land use objectives: maintain South Main Street from Union Square to Hudson Street and from Mercer Street to McKeen Street as a mixed-use Central Business District.

The Master Plan recommended at that time that the Town adopt a comprehensive truck route ordinance that would direct truck traffic off South Main Street, and also install appropriate directional signage.

With respect to recreation and tourism, the Master Plan Re-Examination Report, undertaken in 1996, indicates as a land use goal and objective to "...build upon the importance of the Delaware River's presence in Phillipsburg...and to provide recreation for individuals."

B. Relationship to the Intent and Purpose of the Zoning Ordinance

The redevelopment area is currently zoned I-1 Industrial-Light zone, as per the Town of Phillipsburg Zoning Ordinance (Section 72-65). Although this zoning designation indicates as its purpose "...to provide areas suitable for industrial uses, with the appropriate controls to protect surrounding zones," the 1988 Master Plan recommends among its general land use objectives that the zoning be amended "to better reflect existing conditions and the highest and best uses as shown on the Master Plan." The Master Plan further recommends that the Town update its Land Development Ordinances "to improve their efficiency, usefulness, and effectiveness."

The industrial use of the redevelopment area has declined over the last decade. In recent years Phillipsburg has seen a renewed interest in preserving its historic CBD (on nearby South Main Street) and establishing a regional historic tourist center. The largely unused redevelopment area is seen as a critical part of this plan. Thus, there is a clear policy directive to modify the development requirements within the redevelopment area in order to promote these objectives, and especially with regard to permitted uses, bulk and access.

To achieve this, the Redevelopment Plan creates two (2) new zoning districts to be mapped exclusively within the redevelopment area as a replacement to the current I-1 Industrial-Light zone (which covers the entire redevelopment area). One of these zones will be designated the Historic/Recreation zone, and other zone will be designated the Low-Impact Industrial zone. The nature and the requirements of these districts are described in a subsequent section of the Redevelopment Plan.

The Town of Phillipsburg shall pass an ordinance adopting this Redevelopment Plan

that shall also contain an explicit amendment to the zoning district map included in the zoning ordinance. The amended map shall indicate the redevelopment area to which the Redevelopment Plan applies.

C. Redevelopment Plan Goals and Objectives

The specific goals and objectives of the Redevelopment Plan are as follows.

1. To provide for industrial land uses that will eliminate blight, promote economic development and growth opportunities, and serve the needs of the community.
2. To provide for an increase in the economic base of the redevelopment area and entire Town by redeveloping underutilized and non-productive properties.
3. To encourage development of the redevelopment area in a manner that is compatible with the character of adjacent neighborhoods and land uses, and to minimize any negative impacts on these neighborhoods.
4. To minimize the negative impact of existing industrial uses on the redevelopment of the redevelopment area and the surrounding communities.
5. To promote tourism opportunities to enhance the economic base of the community by capitalizing on the history of the Town and the region.
6. To promote access to and the recreational use of Phillipsburg's Delaware River waterfront.
7. To enhance accessibility to and utilization of the existing Delaware River Park.
8. To ensure on-site recreational and cultural improvements are developed in such a manner so as to provide for linkages to a variety of tourist, recreational and cultural facilities in the Town of Phillipsburg and the region.

III. Strategic Plan

The Redevelopment Plan reflects the Town's desire to redevelop the area in a manner that meets the objectives cited. To accomplish this goal the plan for land uses creates two distinct development zones within the redevelopment area. It also provides recommendations for redevelopment actions to occur within the area, and further provides for activities that may extend beyond the redevelopment area boundaries.

A. Land Uses

1. Historic/Recreation District

In terms of land uses, the plan recognizes that the redevelopment area provides a unique opportunity for exploring and interpreting the historic significance of Phillipsburg with regard to transportation in the region, and for also promoting historic tourism in the region. In addition, the redevelopment area provides valuable recreational opportunities through the enhancement of access to the Delaware River and its shoreline. To achieve this, the Redevelopment Plan designates a portion of the redevelopment area for exclusive development of historic/cultural and recreational facilities focused on the Delaware River.

This portion of the redevelopment area constitutes roughly two-thirds of the entire district, extending from its west end in a southerly direction to a point near McKean Street, and also extending the full width of the redevelopment area from the Delaware River to Howard Street. This area consists of the following parcels: Block 1502, Lots 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52 and 53¹; Block 2102, Lots 1, 2, 3, 4, 5, 8, 9, 10, 11 and an undesignated lot (located between Lots 1 and 8); and portions of Block 2201, Lots 14, 15, 16 and 17 (the portions defined by a line extending along the southern boundary of Lot 14 from a point at which the western boundary and the southern boundary of Lot 14 intersect, for a distance of 600 feet in an easterly direction and then north to the northern boundary of Lot 14 and south to the Delaware River). The Historic/Recreation District is shown in Figure 2.

Currently there are three (3) active uses located within the district. These include the Phillipsburg Pistol Club facility, the Delaware River Park and a portion of the Belvidere River Railroad right-of-way (known as the "Bel-Del" line). In addition, the former Tippet & Wood building is largely abandoned. The remainder of the district is vacant and unused. Currently, the only public access to this district

1. Block 1502, Lot 53, constituting a portion of Delaware Park, was included in the redevelopment area and redevelopment area designation report, and has been included in this Redevelopment Plan. However, this lot does not appear in the Town Council's resolutions authorizing the preparation of the redevelopment area designation study and the Redevelopment Plan.

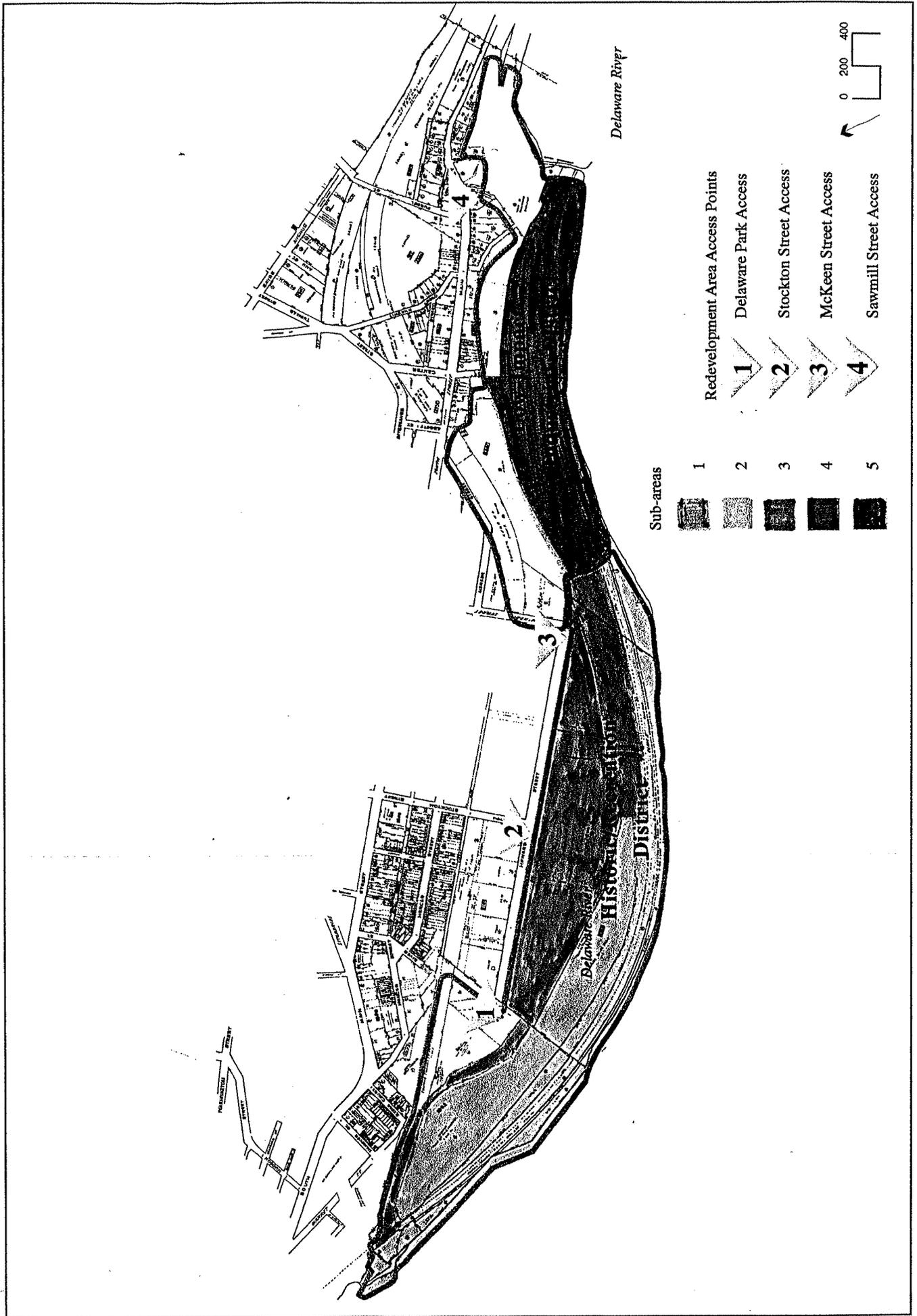


Figure 2: Development Districts and Sub-Areas

is at the west end of Howard Street, via an accessway that serves Delaware Park. The topography of this district is varied, with an initial drop in grade from Howard Street south, followed by a large flat area and then another drop in grade in the area of the Bel-Del right-of-way, followed by a drop of 50 feet to the Delaware River. At the north end of the district is Delaware River Park, which includes the 60 foot tall twin peaks of Mount Parnasus. The northerly perimeter area and southern-most section of the district are mostly wooded, with the level center section largely open.

The intent of the Redevelopment Plan is to reserve the undeveloped portions of this district for uses related to historic and cultural interpretation as well as for recreational uses, and to also provide a buffer to the industrial uses in the easterly portion of the redevelopment area. For illustration purposes, these uses are depicted within three (3) sub-areas, shown on Figure 2. An historic transportation museum is slated for development on a large portion of the district's acreage (indicated as sub-area 1). This facility would provide for the display and interpretation of Phillipsburg's role in the history of commercial and passenger transportation within the region. It would utilize the Tippet & Wood building, other to-be-constructed buildings and outdoor displays of artifacts. This facility is currently in the planning stages.

The Delaware River frontage (indicated as sub-area 2) would be slated for development of a hiking and biking trail. Planning for the development of this trail is now underway. Included in this sub-area is the existing Delaware Park. Also included will be the installation of pedestrian access over the active Bel-Del right-of-way. Access to the trail will be via Delaware Park and/or the museum facility, which will provide supportive recreation facilities, such as parking (possibly shared with the park and museum) and public transport to other areas of the Town.

A buffer zone (indicated as sub-area 3) would include land located at the westerly end of the Historic/Recreation District on Block 2102, Lot 4, and the westerly portion of Block 2201, Lot 14. It is envisioned that the museum facility that will be constructed in the easterly portion of the Historic/Recreation District will draw a significant visitorship. In that event, an appropriate buffer will be needed between this facility and the industrial uses to the east. However, it is also possible that this sub-area could be developed in the future for a use compatible with Historic/Recreation District uses (e.g., restaurant).

The proposed use of the district will be codified in the Phillipsburg Zoning

Ordinance by designation as the "HR-Historic/Recreation Zone." The specific provisions of the HR-Historic/Recreation Zone are described below. The zoning district boundaries are shown on Figure 3.

Principal Permitted Uses:

- Museums
- Outdoor display of historic artifacts
- Parks
- Recreation facilities limited to picnic areas and facilities, outdoor sports facilities, fields and walkways.
- Walkways and bikeways.
- Rail right-of-way and trackage

Permitted Accessory Uses:

- Parking that serves a permitted principal use.
- Retail establishments that are related to and serve users of the permitted principal uses, but limited to restaurants and souvenir shops no more than 1,500 square feet in size.
- Offices that service a permitted principal use.
- Rail vehicle storage serving rail right-of-way and trackage
- Ancillary facilities serving rail right-of-way and trackage
- Public comfort stations
- Fences and walls

Bulk Standards:

• Minimum Lot Area (square feet)	20,000
• Minimum Lot Frontage (feet)	100
• Minimum Front Yard (feet)	30
• Minimum Side Yard (feet)	30
• Minimum Rear Yard (feet)	30
• Minimum Floor Area (square feet)	NA
• Maximum Density	NA
• Maximum Height (feet)	50
• Maximum Coverage (percentage)	NA

Design Standards:

- Buffers—Where permitted principal and accessory uses abut the boundaries of the Historic/ Recreation zone and/or abut uses within the zone that are not permitted uses, a vegetative buffer at least twenty (20) feet deep shall be

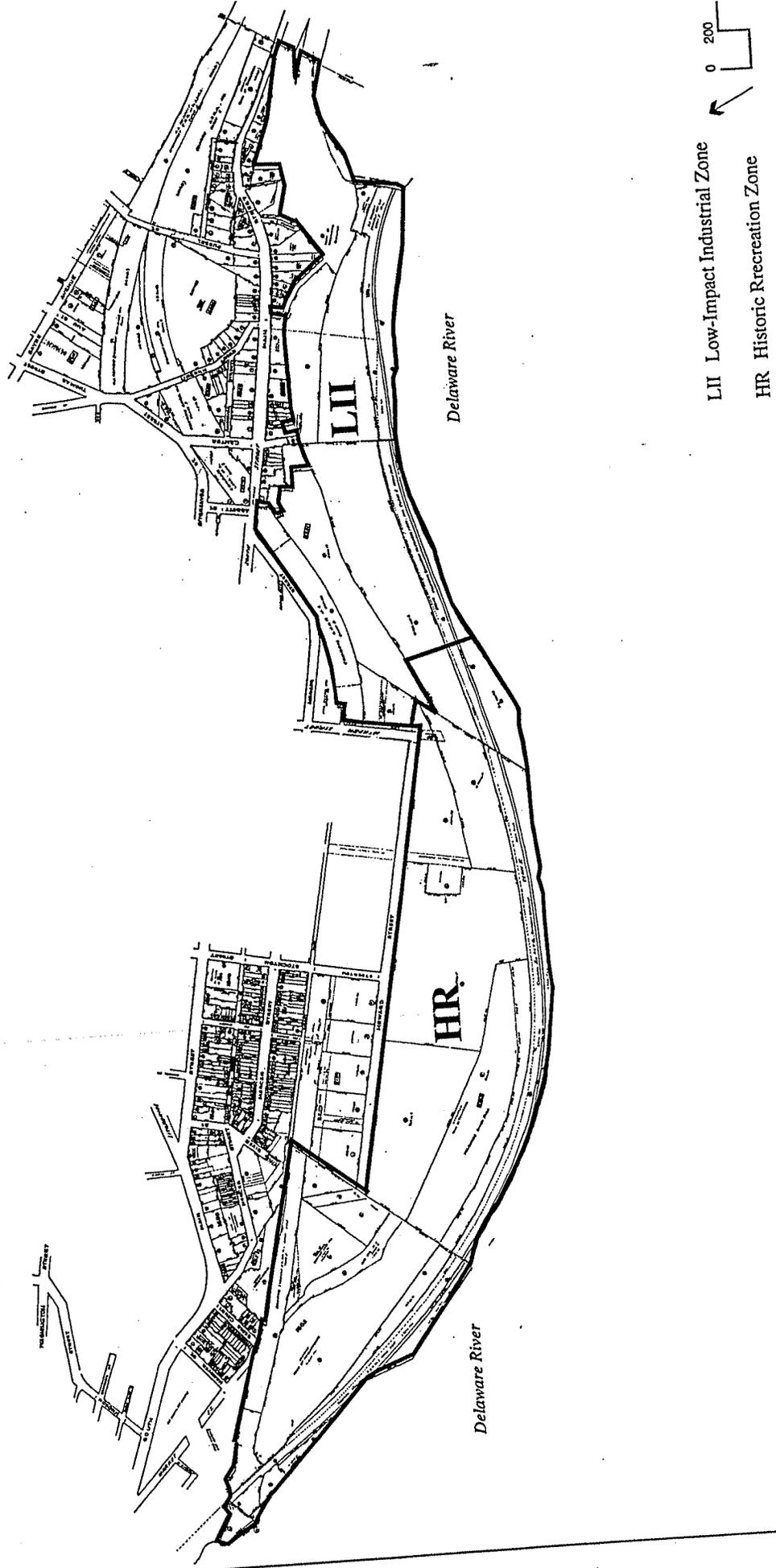


Figure 3: Redevelopment Area Zoning

installed. The buffer shall consist of natural materials that will effectively screen the view of the adjoining uses during all four seasons of the year, to the extent deemed satisfactory by the Planning Board. Existing vegetation that meets these conditions shall be considered to satisfy the buffer requirement.

Access Standards:

- Vehicular access to the zone shall be limited to three (3) locations as follows:
 - McKean Street at the point it intersects the HR Zone boundary;
 - Stockton Street at the point it intersects the HR Zone boundary;
 - Access drive to Delaware Park (at the north end of Howard Street) at the point it intersects the HR Zone boundary.

2. Low-Impact Industrial District

The plan recognizes that the redevelopment area possesses one of the few remaining large unutilized tracts within the Town of Phillipsburg. As such, there are opportunities for development of commercial uses that can contribute to the economic base of the Town in a manner that will minimally impact the surrounding residential districts and recreational areas. To this end, the plan designates a portion of the redevelopment area for the development of low-impact industrial uses.

This district constitutes approximately one-third of the redevelopment area, extending from its east end to a point immediately east of McKean Street for the full width of the redevelopment area. This district consists of the following parcels: Block 2007, Lot 7; Block 2201, Lots 9, 11, 12, portions of 14, 15, 16 and 17 (excluding the portions defined by a line extending along the southern boundary of Lot 14 from a point at which the western boundary and the southern boundary of Lot 14 intersect for a distance of 600 feet in an easterly direction, and then north to the northern boundary of Lot 14 and south to the Delaware River); and Block 2505, Lots 2, 18, 32, 41, 42, 43, 44 and 45. The District is shown on Figure 2.

Currently there are five (5) active uses located in to the Low-Impact Industrial district; four of which are located along the northern perimeter of the redevelopment area. These include the Ray-Craft & Son facility, which recycles metals; the White Rox Chemical facility; the Andover Morris School; and the Phillipsburg Sewer Treatment Plant. In addition, the Bel-Del railroad right-of-way is located along the southern perimeter of the district. The remainder of the district is large-

ly vacant. There is, however, an unused warehouse structure and a small abandoned office building, as well as a small paved area located on Lot 41.

The only access to this district is via Sawmill Street, which exists in part as a public right-of-way and in part as an easement which traverses several adjoining lots. There are also other potential points of access not currently open to traffic, including the portion of a Town-owned lot (Block 2505, Lot 32) extending from South Main Street to the easement portion of Sawmill Street; and a Town-owned lot (Block 2505, Lot 2) extending from the end of the Center Street right-of-way (near Andover Morris School) to Lot 41. Neither of these potential access points is suitable for truck use.

The topography of this district is varied. Along a portion of the northerly perimeter is an elevated railroad right-of-way that has been abandoned. To the south and east, the land is mostly level, before dropping off in the area of the Bel-Del right-of-way and down to the Delaware River. The bulk of this district comprises largely open areas, with the exceptions being the former elevated right-of-way, the Delaware River frontage and the extreme western sections.

The intent of the Redevelopment Plan is to reserve the bulk of the undeveloped portion of this district for uses that will generate tax revenue and employment for the Town but have only minimal impacts on surrounding uses. It is also the intent of the redevelopment plan to preserve the Delaware River frontage to provide for the extension of the hiking and biking trail referred to previously. For illustration purposes, these uses are depicted within two (2) sub-areas shown in Figure 2.

The bulk of the level, open areas of this district are slated for the development of a lumber and building materials transshipment and retail facility (indicated as sub-area 4). This facility would consist of a rail siding for receiving bulk materials as well as outdoor storage of building materials. The lumberyard would utilize existing vacant structures in this district. The facility is currently in the planning stages. In addition, existing industrial and institutional uses, by virtue of their location on the perimeter of the district, will only minimally impact other uses that may be located in this or the Historic/Recreation district.

The Delaware River frontage to the south of the Bel-Del right-of-way would be reserved for an extension of the hiking and biking trail now under development for the Delaware River frontage (indicated as sub-area 5).

The proposed use of the district will be codified in the Phillipsburg Zoning Ordinance by designation as the "LII-Low-Impact Industrial Zone."² The specific provisions of the LII-Low-Impact Industrial Zone are described below. The zoning district boundaries are shown in Figure 3.

Principal Permitted Uses

- Distribution facilities, excluding trucking businesses whose primary activity is transportation services or hauling for hire to others
- Warehouses
- Lumber and building materials storage
- Parks
- Walkways and bikeways
- Rail right-of-way and trackage

Permitted Accessory Uses:

- Outdoor storage that serves a permitted principal use
- Parking that serves a permitted principal use
- Offices that serve a permitted principal use
- Retail sales that serve a permitted principal use
- Rail vehicle storage serving permitted rail right-of-way and trackage use
- Ancillary facilities serving permitted rail right-of-way and trackage use
- Fences and walls

Bulk Standards:

• Minimum Lot Area (square feet)	25,000
• Minimum Lot Frontage (feet)	NA
• Minimum Front Yard (feet)	30
• Minimum Side Yard (feet)	30
• Minimum Rear Yard (feet)	30
• Minimum Floor Area (square feet)	NA
• Maximum Density	NA
• Maximum Height (feet)	36
• Maximum Coverage (percentage)	NA

Performance Standards:

- Buildings in the LII Zone or parts thereof must be located a distance from the boundaries of the LII Zone equal to twice the height of the tallest structure or assemblage of stored material or equipment.
- Trips by trucks in excess of four (4) tons gross vehicle weight or in excess of

2. Block 2007, Lot 7 will not be included in LII Zone. This property will retain its current I-1 Zone designation.

- 28 feet in length shall not exceed eight (8) round trips per day, per business.
- Standards applicable to the I-1 Industrial-Light Zone, pursuant to §72-69, A-H and J, of the Town of Phillipsburg Zoning Ordinance.

Design Standards:

- Buffers—Where permitted principal and accessory uses abut the boundaries of the Historic/Recreation zone and/or abut uses within the zone that are not permitted uses, a vegetative buffer at least twenty (20) feet deep shall be installed. The buffer shall consist of natural materials that will effectively screen the view of the adjoining uses during all four seasons of the year, to the extent deemed satisfactory by the Planning Board. Existing vegetation that meets these conditions shall be considered to satisfy the buffer requirement.

Access Standards:

- Vehicular access to the zone shall be limited to the public right-of-way of Sawmill Street, and all existing and to-be-acquired easements across Town property. No other vehicular access shall be permitted.

B. Redevelopment Actions

The Redevelopment Plan provides for a number of actions in support of the overall plan objectives. These actions are as follows:

1. Properties to be Acquired

The Town of Phillipsburg currently has ownership of a number of properties in the redevelopment area. These properties include Delaware Park, the Phillipsburg Sewer Treatment plant and several small parcels in the northeastern section of the redevelopment area. In addition, the NJDEP owns portions of the area fronting on the Delaware River. The remainder of the redevelopment area is privately owned.

It is the intention of the Town to acquire the property and improvements on Block 2102, Lots 11 and 5 for the purpose of developing an historic transportation museum. This will include the reuse of portions of the former Tippett & Wood building for museum facilities. The Redevelopment Plan ordinance conferring responsibility for redevelopment plan implementation on the Municipal Council of the Town of Phillipsburg provides the governing body with the authority to utilize the

powers of eminent domain only for the acquisition of unoccupied properties. Since the Tippet & Wood property is currently occupied, it is the intention of the Town to negotiate the voluntary sale of the property by its owners.

The Town also intends to acquire property on Block 2102, Lots 2 and 3 to accommodate development of the historic transportation museum, as well as the construction of structures, rail sidings and outdoor display areas. The property will also provide a means of access to the Delaware River waterfront and the proposed hiking and biking trails. This property is currently vacant.

Finally, the Town intends to acquire an undesignated lot located on Block 2102, between Lots 1 and 8. This is a vacant, privately owned parcel situated between the Delaware Park property and the Bel-Del right-of-way. Acquisition of this parcel provides an opportunity to enlarge the park and enhance any potential linkage between the parkland and the hiking and biking trails to be located on the adjacent NJDEP waterfront property.

2. Traffic Circulation

The plan recognizes that there are issues related to the movement of truck traffic through the historic retail and residential portions of South Main Street near the redevelopment area. The development of portions of the redevelopment area for light industrial uses proposed in the plan may include the additions of truck trips to and from the area potentially impacting the residential and commercial areas of the Town, and South Main Street in particular.

In order to minimize the impact of truck traffic along South Main Street, it is proposed that a restriction be placed on the direction of travel of those trucks exiting the LII-Low-Impact Zone which are either in excess of (4) tons gross vehicle weight, or in excess of 28 feet in length. Such trucks will be restricted to right turns only from Sawmill Street onto South Main Street. In addition, as indicated previously, the redevelopment area seeks to limit the impacts of industrial uses in the LII zone. This includes a limitation on vehicular access to the redevelopment area. Thus, only one means of access may be provided into the LII zone and this shall be via the Sawmill Street right-of-way and access easements. Further, it is the intent of the Redevelopment Plan to create clear and inviting "gateways" to the HR district for vehicles and pedestrians visiting its historic facilities. To that end, the Redevelopment Plan will limit access to the HR zone to three (3) points.

These are (1) McKean Street at the point it intersects the redevelopment area boundary; (2) Stockton Street at the point it intersects the redevelopment area boundary; and (3) the access drive to Delaware Park (at the north end of Howard Street) at the point it intersects the redevelopment area boundary. These access restrictions, which are highlighted in Figure 2, are included as part of the redevelopment area zoning provisions discussed above.

3. Linkages

The plan recognizes that the redevelopment area provides opportunities to develop physical and thematic "linkages" to other areas of Phillipsburg and the region that will enhance the community's image as a historic and cultural center, and also foster economic development for the Town through development of tourist attractions and facilities. Included would be linkages to the historic Union Square (and to Easton, Pennsylvania, via a proposed trolley across the "free bridge") and the historic South Main Street retail and residential area. It is anticipated that trolley bus service for visitors could be provided between these points and the transportation museum located in redevelopment area. Such service would also provide access (via the transportation museum) to and from the hiking and biking trails proposed for the Delaware River waterfront. The trolley bus would allow visitors to utilize the redevelopment area parking areas (Delaware Park and the transportation museum) for visits to sites and attractions outside the redevelopment area.

A "miniature" rail line is also contemplated for the redevelopment area, and planning for such a service is now underway. This represents an expansion of an existing local railroad attraction operated by the Phillipsburg Railroad Historians (PRRH). The PRRH operates a rail ride on the Centerville & Southwestern Railroad (C&S), a replica of the former line in miniature. The attraction currently operates on a short track adjacent to the PRRH facility. It is anticipated that the trackage could be extended via existing abandoned rights-of-way into the redevelopment area, and a station could be provided at a point near the transportation museum and hiking and biking trail access. The enlarged C&S line would provide access to and from the redevelopment area to a proposed education center adjacent to the current PRRH facility in downtown Phillipsburg. It would also allow visitors to utilize parking in the redevelopment area for visits to the education center and downtown.

Finally, it is envisioned that historic rail excursion service will be provided on the Bel-Del rail line to include a station stop in the redevelopment area immediately south of the transportation museum. This station would be a logical embarkation point for round trip excursions to points east and west. Such service would be an important adjunct to the transportation museum, and would be a major draw for tourists. The transportation museum could provide parking for visitors, and repair facilities and marshaling yards for excursion rolling stock.

IV. General Provisions

A. Interim uses may be established, subject to site plan approval by the Planning Board, provided that such uses will not have an adverse effect upon existing or contemplated development during the interim use period. Interim uses may be granted for a period of up to three (3) years, and may be renewed at the discretion of the Planning Board.

B. No building shall be constructed over a public easement in the redevelopment area without prior written approval of the Engineer of the Town of Phillipsburg.

C. Site Plan and Subdivision Review

1. Prior to commencement of construction, site plans for the construction and/or rehabilitation of improvements within the redevelopment area, prepared in accordance with the requirements of the Municipal Land Use Law (NJSA 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Planning Board of the Town of Phillipsburg so that compliance with the Redevelopment Plan can be determined.

2. Any subdivision of lots and parcels of land within the redevelopment area shall be in accordance with the requirements of this Plan and the subdivision ordinance of the Town of Phillipsburg.

3. No construction or alteration to existing or proposed construction shall take place until a site plan reflecting such additional or revised construction has been submitted to, and approved by, the Planning Board. This pertains to revisions or additions prior to, during and after completion of the improvements.

D. Adverse Influences

No use or reuse shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

E. Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Council of the Town of Phillipsburg or by a developer or any of his successors or assignees, whereby land within the redevelopment area is restricted by the Council of the Town of Phillipsburg, or the developer upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Redevelopment Area on the basis of race, creed, color or national origin.

F. Duration of the Plan

The provisions of this plan specifying the redevelopment of the redevelopment area and the requirements and restrictions with respect thereto shall be in effect for a period of forty (40) years from the date of approval of this plan by the Council of the Town of Phillipsburg.

G. Deviation Requests

The Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in NJSA 40:55D-12.a. and b.

H. Adjacent Municipalities

Phillipsburg

The Town of Phillipsburg is bordered by the municipalities of Lopatcong and Greenwich. None of these communities directly abut the redevelopment area. Redevelopment of the area as the primary goal of the Redevelopment Plan is consistent with the efforts of adjacent communities and will not have any adverse impact on adjacent municipalities.

**V. Other Provisions
Necessary to Meet
State and Local
Requirements**

In accordance with NJSA 40A:12A-1 et seq., known as "The Redevelopment and Housing Law," the following statements are made:

A. The Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.

B. The Plan lays out the proposed land uses and building requirements for the redevelopment area.

C. The required amount of relocation necessary to fully implement the Redevelopment Plan is expected to be minimal or nonexistent given the nature of the parcels. However, to the extent that residents in the redevelopment area are displaced by the condemnation and/or acquisition of property by the Town of Phillipsburg, adequate provision for the temporary and permanent relocation of such residents, as necessary, shall be made in accordance with all applicable state and federal regulations. It is estimated that should such displacement occur, there are decent, safe and sanitary dwelling units affordable to these residents within the local housing market, and that such replacement housing shall be offered to such residents along with relocation assistance as required by law.

D. As indicated in Section II.A of this Redevelopment Plan, this Redevelopment Plan is consistent with the Master Plan for the Town of Phillipsburg. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.

E. This Redevelopment Plan shall supersede all provisions of the Zoning Ordinance of the Town of Phillipsburg that are specifically addressed herein. In all situations where zoning issues are not specifically addressed herein, the Phillipsburg Zoning Ordinance shall, however, remain in effect. No variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. The Planning Board alone shall have the authority to grant deviations from the requirements of this Plan, as provided herein. Final adoption of this Plan by the Council of the Town of Phillipsburg shall be considered an amendment of the Town of Phillipsburg Zoning Map.

VI. Procedure for Amending the Approved Plan

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of law. A fee of \$500 shall be paid by the party requesting such amendment, unless the request issues from an agency of the Town. The Planning Board, at their sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a Professional Planner, licensed in the State of New Jersey.