
TOWN OF PHILLIPSBURG
Warren County, NJ

Revised **Phillipsburg Commerce Park
Redevelopment Plan**

Adopted by Town Council November 4, 2013



Amended March 12, 2020

Prepared for:
Phillipsburg Town Council



Prepared by:
Angela Knowles, PP/AICP, LEED-AP



Table of Contents

Section 1. Introduction.....1

- 1.1 Statutory Basis for the Redevelopment Plan
- 1.2 Description of the Redevelopment Area

Section 2. The Public Purpose.....2

- 2.1 Redevelopment Goals and Objectives
- 2.2 Relationship to Local Objectives

Section 3. The Redevelopment Plan.....4

- 3.1 Plan Overview
- 3.2 Definitions
- 3.3 Waivers
- 3.4 Land Use and Development Requirements
- 3.5 Provisions Related to Off-Site Improvements
- 3.6 Provisions Related to State and Federal Regulations
- 3.7 Provisions Related to Affordable Housing
- 3.8 Environmental Impact Statement

Section 4. General Provisions.....14

- 4.1 Relationship to the Zoning Ordinance
- 4.2 Acquisition and Relocation
- 4.3 Relationship to Other Plans

Section 5. Procedural Requirements.....16

- 5.1 Amending the Redevelopment Plan
- 5.2 Certificate of Completion
- 5.3 Approval Process

Map 1. Redevelopment Area.....20

Section 1. INTRODUCTION

1.1 Statutory Basis for the Redevelopment Plan

The current redevelopment plan for the Phillipsburg Commerce Park was adopted in two phases. In 2000 the Town declared the vacant southern portion of the former Ingersoll Rand tract as an “area in need of redevelopment” pursuant to the Local Redevelopment and Housing Law and subsequently adopted the Redevelopment Plan for Study Area #7. That plan was revised in 2002. In 2004 the redevelopment area was expanded to include the developed northern portion of the site (the core buildings), referred to as “Study Area #7A,” thereby incorporating all of the lands formerly owned by Ingersoll Rand into the redevelopment area. The Redevelopment Plan for Study Areas #7 and 7A was adopted in 2005.

As part of the Highlands Center planning process, Phillipsburg prepared an analysis of the 2005 redevelopment plan to determine its continued feasibility in light of evolving conditions and trends. Perhaps the most important change to impact the site was the transfer of title to the majority of the redevelopment area from Preferred Realty Investments, Inc. (PREI)/Phillipsburg Associates – the designated redeveloper – to the Town of Phillipsburg. As a result, PREI is neither the owner nor the designated redeveloper. Nor is the General Development Plan prepared by PREI necessarily the preferred plan for the site.

The *Ingersoll Rand Redevelopment Study – Final Report & Recommendations* concluded that the 2005 redevelopment plan was still basically sound but that certain provisions of the plan should be revisited and revised. To that end, the study outlined 13 recommendations for supporting the continued redevelopment of the site, including seven recommendations for amending the 2005 redevelopment plan, which are incorporated into this revised version of the plan entitled Phillipsburg Commerce Park Redevelopment Plan.

1.2 Description of the Redevelopment Area

This revised plan does not change the boundaries of the previously designated redevelopment area, which includes all of the lands formerly known as the Ingersoll Rand complex in Phillipsburg. Map 1 illustrates the current boundaries of the redevelopment area.

Section 2. THE PUBLIC PURPOSE

2.1. Redevelopment Goal and Objectives

The redevelopment plan envisions a large-scale industrial/office park, with good rail and highway access, buffered from the adjoining neighborhoods.

The plan's objectives are:

1. To make vacant land and buildings available for large-scale non-residential development in an appropriate location, thereby expanding the economic base of the Town through the use and redevelopment of underutilized and non-productive properties.
2. To provide for the removal or containment of contamination resulting from past industrial use of the study area, to the extent required by NJDEP, to allow future use of the site.
3. To promote development that will enhance employment opportunities for the Town's residents and to replace jobs lost with the decline of past activity in the area.
4. To improve general circulation within the Town and provide direct highway access to the study area by way of a roadway extension from the Center/Roseberry Street intersection through the tract and adjacent property in Lopatcong to Route 22.
5. To encourage development in the redevelopment area in a manner that is compatible with the unique character of the Valley View neighborhood and other adjacent residential neighborhoods, and to minimize any negative impacts on these neighborhoods.
6. To protect and preserve the stream corridor of the Lopatcong Creek and any associated wetlands.
7. To provide basic commercial services for the convenience of the employees within the redevelopment area and the adjacent residential neighborhoods.

2.2. Relationship to Local Objectives

The 2005 redevelopment plan cited various goals and objectives from Phillipsburg's 1988 Master Plan and 1996 Reexamination Report that supported the redevelopment activities proposed for the Phillipsburg Commerce Park. In particular, it cited Land Use Objective #7, which states: "To encourage major vacant developable lands to develop their highest and best use in ways that most benefit the Town of Phillipsburg." The 1988 Master Plan put a heavy emphasis on the appropriate development and redevelopment of the Ingersoll Rand tract as one of the few large industrial complexes not integrated into the surrounding residential development; and one of only two large remaining developable/redevelopable areas within the Town.

At the same time, the 1988 Master Plan reflected a concern for the impact that such large-scale development may cause. Some of the issues of concern, such as smoke, odor and other pollutants, are now heavily regulated and controlled by the State and Federal governments. However, truck traffic on local streets remained a major issue. In response, the 1988

transportation element recommended a new connector street from Green Street to Route 22, thus providing direct access from the site to the State highway.

Because of the site's general remoteness from residential uses and its access to Route 22 in Lopatcong Township, the Master Plan recommended that the Ingersoll tract be rezoned to Heavy Industry in keeping with its past use and the traditional industrial use of the area.

Phillipsburg's most recent statement of objectives is found in the 2004 Reexamination Report and Master Plan Update, both of which support the goals and objectives of the 1988 and 1996 documents. Specific objectives contained in the 2004 Master Plan Update that are supportive of the redevelopment plan include the following:

1. Identify, remediate and reuse brownfield sites.
2. Review and revise standards for buffering, screening, lighting, and parking for non-residential uses adjacent to residences.
3. 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.
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.
5. Reduce truck traffic on neighborhood residential streets.
6. Continue to build and improve local infrastructure to promote economic growth.
7. Use the redevelopment process to identify and redevelop vacant, underutilized or blighted properties, to expand the Town's economic base, enhance employment opportunities for its residents and improve its fiscal balance.
8. Develop public-private partnerships and use outside funding sources to leverage local tax dollars to plan and implement projects to promote business and industrial development in the Town.
9. Encourage the type and location of non-residential development that will minimize negative impacts on local residential neighborhoods, with special emphasis on traffic generation and accessibility to the regional highway network.
10. Preserve the Lopatcong Creek as a natural greenway.
11. Preserve and develop the Morris Canal as an historical transportation corridor and trail link to an expanding County-wide trail system.

Section 3. REDEVELOPMENT PLAN

3.1 Plan Overview

The redevelopment plan envisions a large-scale industrial/office park, with good rail and highway access, buffered from the adjoining neighborhoods. To that end, planned redevelopment activities will incorporate creative design practices and green building technology; and open space preservation and enhancement efforts.

A central component of the plan is the extension of a connector road from the Center/Roseberry Street intersection through the site and through contiguous lands in Lopatcong to a four-way signalized intersection at Route 22. The intention is to have the connector road serve as the primary access point to new development parcels either directly or through new internal roads. Exceptions would be made for small-scale retail uses designed to serve both the industrial park and adjacent neighborhoods; and active and passive recreational areas, which could be accessed directly from local streets.

A hallmark of the area's redevelopment will be the incorporation of meaningful green space and recreation opportunities. The Lopatcong Creek stream corridor will be preserved, and to the extent permitted by State regulations, utilized for recreational purposes available to the general public. Efforts will also be made to integrate the Morris Canal Greenway into the site. Green space will be found throughout the redevelopment area to define and connect the various components, to protect environmentally sensitive features and to buffer adjoining residential uses. Green building techniques are also encouraged to enhance the project's overall sustainability.

3.2 Definitions

All terms used herein shall have the same meaning as defined in the Phillipsburg Zoning Ordinance unless otherwise specified in this redevelopment plan.

3.3 Waivers

Variation from the requirements set forth in this redevelopment plan may be necessary in certain unusual circumstances or to meet state or federal permit requirements. In such an instance, the Phillipsburg Planning Board may waive certain bulk, parking or design requirements if the designated redeveloper demonstrates that such waiver will not substantially impair the intent of the redevelopment plan, and will not present a substantial detriment to the public health, safety and welfare. Any changes considered substantive or involving a use that is not permitted by this plan will require an amendment of this redevelopment plan in accordance with Section 5.1.

3.4 Land Use and Development Requirements

3.4.1 Permitted Uses

The following uses are permitted in the redevelopment area as well as accessory uses that are customarily incidental to the operation of a permitted use. All uses are subject to the requirements of the Redevelopment Plan Design Standards or as otherwise stated in this plan. Uses permitted by specific provision of the Municipal Land Use Law are also permitted in the redevelopment area.

Redevelopment Area Permitted Uses:

- a. Offices for business, professional, executive and administrative purposes, either as an independent operation or accessory to a permitted use.
- b. Medical and dental offices, clinics and labs.
- c. Manufacturing, including fabrication, assembly, packaging, treatment or conversion of products conducted entirely within the confines of a building; and limited to the production of finished products or parts thereof from component parts and semi-finished products and not involving reduction, conversion or manufacturing of primary raw materials except for drugs and pharmaceutical.
- d. Warehouse facilities either as an independent operation or accessory to a permitted use.
- e. Scientific or research laboratories devoted to research, design and/or experimentation and processing, and fabricating incidental thereto.
- f. Computer and data-processing centers.
- g. Printing and publishing.
- h. Food processing.
- i. Wholesale business including building trades and contractors.
- j. Lumberyards and bulk storage of plumbing and construction supplies.
- k. Indoor and outdoor recreation and fitness facilities including health clubs and spas.
- l. Livery services such as car rentals, bus, shuttle, and limousine services.
- m. Small-scale retail shops and service establishments including but not limited to banks, restaurants, business supplies, copying and courier services, and sundry goods, that are located adjacent to the connector road or to abutting local streets; and designed to serve the everyday needs of the businesses, employees and visitors within the redevelopment area and provide localized retail goods and services to adjacent neighborhoods.
- n. Ground-mounted Solar Photovoltaic Installations

3.4.2 Prohibited Uses

Any use that is not expressly permitted by this redevelopment plan is prohibited. For further clarification, the following uses are expressly prohibited in the redevelopment area:

- Toxic or hazardous waste collection, storage, transfer or processing.
- Refuse recycling, waste transfer stations, sludge or human waste recycling or processing.
- Any other use specifically prohibited by local ordinance.

In addition, no use 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, vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

3.4.3 Design Standards

The following design standards will be applied to all development in the redevelopment area. Any elements not covered by these standards will be subject to other appropriate provisions of this redevelopment plan and/or the Phillipsburg Zoning Ordinance. All redevelopment activities are also subject to applicable state and federal requirements.

(a) General

Number of Principal Structures – More than one principal structure is permitted on a redevelopment parcel as long as it is presented as part of a comprehensive development plan.

Parcel Size – It is the intention of this plan to encourage redevelopment on large consolidated parcels as part of a comprehensive plan. In the event of a subdivision, however, no single redevelopment parcel will be less than two acres. Each parcel shall have a minimum street frontage of 100 feet. In lieu of street frontage, a redeveloper must demonstrate that there are appropriate easements in place to provide access to a public street that will adequately support the proposed use of the site.

The minimum parcel size may be waived by the planning board to satisfy certain financing, ownership or management requirements provided that the redevelopment area continues to function as one comprehensive unit including cross-access and maintenance agreements.

Setbacks/Yards – There are no minimum front, side, or rear yard requirements within the redevelopment area with the exception that all structures will be set back a minimum distance of 100 feet from any property adjoining the redevelopment area where there is no intervening street. Yard requirements for small-scale retail shops and service establishments fronting Roseberry, Center or Green Streets will be determined based on the type and intensity of the proposed use and the adjoining use or zone.

The final layout of all structures in the redevelopment area will be subject to a concept plan approved by the Town Council acting as the redevelopment entity; and approval by the planning board during the site plan review process in accordance with Section 5.3. In all cases structures will be arranged to provide adequate light and air, a safe and efficient pedestrian and vehicular circulation system, the maximum amount of open space, appropriate access for the maintenance of all structures, and a visually pleasing environment. All setback areas are to be suitably landscaped consistent with the project's overall green space and recreation plan.

Building Height – The maximum height of all structures in the redevelopment area is as follows:

- Permitted uses a through k: 50 feet.
- Permitted uses l and m: 30 feet.

The planning board may allow certain minimal exceptions for architectural ornamentation and rooftop mechanical equipment during the site plan review process if it can be demonstrated that the exception will contribute to the architectural theme of the development or is necessary for the safe and efficient operation of the building; and will not create a visual detriment to surrounding properties. All rooftop mechanical equipment must be screened from view.

F.A.R. – The maximum floor area ratio for all permitted uses other than small-scale retail shops and service establishments is 0.4.

Land Coverage – Total impervious coverage should be kept to a minimum but in no case will it exceed 70% of the total redevelopment parcel.

(b) Signs

The redeveloper will prepare a comprehensive sign plan as part of the site plan process that will identify, locate and illustrate each proposed sign. The sign plan must demonstrate to the satisfaction of the planning board that the absolute minimum amount of signage is being used and that the following performance standards have been met:

- The requested signage is necessary for the reasonable identification of the tenants and is not prohibited by any other Phillipsburg ordinance.
- The requested signage will not contribute to visual clutter.
- The requested signage will not present any safety hazards.
- The requested signage will complement the architectural style of the development.
- All signs will be professionally designed and constructed of a durable material.
- Freestanding signs will be consolidated at strategic locations, be limited to the name and logo of the project or center, and be ground-based as opposed to pole-mounted.
- Tenant directory signs will be located internal to the site and away from the right-of-way.
- Façade signs will complement and not interfere with, be out of proportion with, or cover over a building's architectural details.

To the extent feasible, there will be a consistent design theme throughout the redevelopment area and all signs will enhance each other and will not detract from the overall unified appearance of the redevelopment area.

The planning board will reference the current Phillipsburg sign ordinance in its review of the proposed sign plan but may grant waivers from the sign ordinance if the above performance standards are satisfied and in accordance with Section 3.3.

(c) Green Space

Any portion of a redevelopment parcel that is not absolutely required for buildings, parking or loading will be devoted to green space, which may include landscaping, recreation facilities, buffers, open space, trails, and plazas. The redeveloper will prepare a comprehensive green space and recreation plan for review by the Town Council and planning board as part of the concept and site plan review process outlined in Section 5.3. The green space plan will be prepared by a certified/registered Landscape Architect and/or certified Forrester.

The green space plan will demonstrate how each of the following objectives will be achieved:

- Preservation of existing natural features including stream corridors.
- Protection of environmentally sensitive features.
- Providing recreation opportunities.
- Providing opportunities for pedestrian and bicycle circulation.
- Providing appropriate visual and noise buffers.
- Providing a soft transition between the redevelopment area and neighboring residential uses.
- Mitigation of “heat island” effects.
- Integration of green infrastructure for stormwater management (e.g. bio-swales and rain gardens).

Fragmentation of the green areas into numerous small strips will be avoided. Green spaces should be reasonably contiguous and whenever possible abut existing or potential open space on adjacent parcels to form the basis for an integrated greenway system.

The location and design of all buffer areas will be performance-based taking into account the intensity of use, noise, light, odor, and visual impacts on a case-by-case basis. Buffers will be subject to a higher standard where a redevelopment parcel abuts residential properties with no intervening street.

(d) Parking and Loading

Parking and loading facilities in the redevelopment area will be provided in accordance with the Phillipsburg zoning ordinance. The total number of parking spaces on any given parcel in the redevelopment area will not exceed 105% of the base requirement. The parking requirement may be adjusted by the planning board during the site plan review process based on a parking needs analysis prepared by the redeveloper.

Shared access and parking arrangements between adjoining properties are encouraged. Whenever possible and practical, each parcel will provide cross-access easements for parking and access driveways guaranteeing access to adjacent lots. Where shared parking is utilized, the required number of parking spaces may be reduced based on such factors as differing peak times of operation.

Surface lots are to be extensively landscaped in accordance with the comprehensive green space plan for the site. Tree islands are recommended at the ends of each aisle and interspersed within aisles to provide visual relief from long expanses of parking and to guide circulation. Whenever possible, surface parking should be screened from the street by buildings.

Safe pedestrian access to and through a parking lot is required, including striping, enhanced pavement markings, traffic calming features and sufficient lighting.

(e) Complete Streets

All roads within the redevelopment area will be designed in conformance with Phillipsburg's "complete streets" policy to ensure safe and efficient circulation for pedestrians, bicycles, cars, trucks, and busses. Complete streets include such features as sidewalks, enhanced crosswalks, curb extensions, pedestrian signals, bike lanes, bus stops/shelters, landscaped medians, and roundabouts based on the intended function of the roadway.

(f) Green Buildings

All buildings and facilities should be constructed in accordance with the LEED (Leadership in Energy & Environmental Design) Green Building Rating System or other comparable system for measuring sustainability. The LEED system is a voluntary national standard that defines high performance green buildings, which are healthier, more environmentally responsible, and more efficient structures.

Green buildings blend environmental, economic, and occupant-oriented performance features designed to:

- Improve air and water quality
- Reduce solid waste
- Conserve natural resources
- Minimize strain on local infrastructure
- Reduce energy and operating costs
- Optimize life-cycle economic performance
- Improve air, thermal and acoustic environments
- Enhance occupant comfort and health

Buildings constructed in accordance with the LEED rating system often optimize the use of natural daylight and ventilation, capture water runoff for internal use, utilize finishes and materials low in volatile organic compounds to improve indoor air quality, utilize recycled and renewable building materials, optimize climatic conditions for internal heating and cooling through site orientation and design, utilize energy efficient equipment and systems, and maximize the use of local materials to limit transportation costs.

The extent to which green design standards will be employed in a given project will be outlined in the redevelopment agreement between the redeveloper and the Town.

(g) Ground-mounted Solar Photovoltaic Installations

Ground-mounted solar facilities are a permitted use in the PCP Redevelopment Area and shall adhere to the standards for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, minimize impacts on scenic, natural and historic resources and to provide adequate assurance for the eventual decommissioning of such installations.

General Standards:

- Where Ground-Mounted Solar Photovoltaic Installations abut residential uses, there must be increased consideration for mitigating visual impact to the residential use. For example, such items as increased setbacks, visual screening or sound buffering and the like may be required by the Town;
- Where the Installation panels could pose sun glare to abutting properties or roadways, additional screening or other public safety measures may be considered;
- Operation and Maintenance Plan: The project proponent shall submit a plan for the operation and maintenance of the Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the Installation, storm water controls (per NJ DEP guidelines), as well as general procedures for operational maintenance of the Installation;
- Appurtenant Structures: All appurtenant structures to Ground-Mounted Solar Photovoltaic Installations shall be subject to reasonable regulations concerning the bulk and height of structures, building coverage requirements, lot area, setbacks, sound or noise level generated by equipment, open space and parking, as stipulated in other sections of this Redevelopment Plan. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures shall be screened from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

Design Standards:

- Lighting: Lighting of Ground-Mounted Solar Photovoltaic Installations shall be consistent with local, state and federal law. Lighting of other parts of the Installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be of reasonable height and reasonably shielded from abutting properties. Where feasible, light of the Ground-Mounted Solar Photovoltaic Installation and appurtenant structures shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
- Signage: Signs on Ground-Mounted Solar Photovoltaic Installations shall comply with Section 3.4.3(b) of this Redevelopment Plan. A sign that identifies the owner and provides a 24-hour emergency contact phone number shall be required. Ground-Mounted Solar Photovoltaic Installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the Installation.

Modifications:

- All material modifications to a Ground-Mounted Solar Photovoltaic Installation made after issuance of the required building permit shall require approval by the Town Engineer.

Abandonment or Decommissioning:

- Removal Requirements:
 - Any Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned shall be removed. The owner or operator shall physically remove the Installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Land Use Board and Town Engineer by certified mail of the proposed date of discontinued operations and plans for removal. The owner shall be responsible for all associated decommissioning activities and associated costs.
 - Decommissioning shall consist of:
 - Physical removal of all Ground-Mounted Solar Photovoltaic Installations, structures, equipment, security barriers and transmission lines from the site;
 - Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;
 - Stabilization or re-vegetation of the site as necessary to minimize erosion. The Land Use Board and Town Engineer may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

3.5 Provisions Related to Off-Site Improvements

The designated redeveloper or other such party responsible for the development of a property in the redevelopment area will be responsible for their fair share of 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, traffic control devices, telecommunications, streets, curbs, sidewalks, street lighting and street trees. The extent of the redeveloper's responsibility will be outlined in the redevelopment agreement with the Town. Off-site responsibility for properties not covered under the redevelopment agreement will be determined during the permit and/or site plan review phases.

All infrastructure improvements will comply with applicable local, state and federal codes including the Americans With Disabilities Act. All utilities will be placed underground, with the exception of overhead electric lines and associated structures to facilitate their functioning (i.e. utility poles).

3.6 Provisions Related to State and Federal Regulations

Certain redevelopment activities proposed in this plan may be subject to state and federal standards, regulations and permit requirements. The redeveloper is responsible for ensuring compliance with all applicable standards and obtaining necessary state and federal permits prior to the issuance of any construction permits.

3.7 Provisions Related to Affordable Housing

The redeveloper is responsible for providing any affordable housing obligation generated by the redevelopment activities in compliance with the current rules and regulations of the Council on Affordable Housing or its successors and the most current Phillipsburg housing element and fair share plan. The exact number and method of providing the units will be specified in the redevelopment agreement.

N.J.S.A. 40A:12A-7 requires an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure. The properties in the redevelopment area are commercial and industrial sites, farmland or vacant land. There are no residential properties in the redevelopment area.

3.8 Environmental Impact Statement

The redeveloper will prepare a comprehensive environmental impact statement (EIS) for review by the planning board as part of the site plan review process. The redeveloper will retain one or more qualified professionals to perform the necessary work. The EIS will be presented in a detailed descriptive report which will include written, graphic or other explanatory material. Certain requirements may be waived by the planning board if the redeveloper can prove conclusively that specific requirements are unwarranted. The EIS will discuss both the positive and negative on-tract and off-tract impacts of the development; and identify any negative impacts that are unavoidable and how those impacts will be mitigated.

The specific concerns to be considered include, but are not limited to, the following:

- a. Soil erosion and sedimentation resulting from surface runoff.
- b. Flooding and floodplain disruption.
- c. Degradation of surface water quality.
- d. Groundwater pollution.
- e. Water supply and water conservation.
- f. Site-specific Karst concerns, e.g. the potential for sinkholes.
- g. Sewage disposal.
- h. Solid waste disposal.

- i. Vegetation destruction.
- j. Disruption of wildlife habitats.
- k. Destruction of scenic and historic features.
- l. Air quality degradation.
- m. Noise levels.
- n. Energy utilization and conservation.
- o. Effect on public services, e.g. schools, fire, police, etc.
- p. Traffic congestion.
- q. Conformance with NJDEP requirements related to the ongoing site-remediation process.

Section 4. GENERAL PROVISIONS

4.1 Relationship to the Zoning Ordinance

The standards contained within this redevelopment plan supersede any conflicting regulations in the Phillipsburg zoning ordinance. In the case where a particular land use or site standard is not covered in this redevelopment plan, compliance with the Phillipsburg zoning ordinance or other applicable Phillipsburg code or ordinance will be required.

The Phillipsburg zoning map is hereby amended to indicate the merger of the RA-7 and RA-7A zones into one zone – the “Phillipsburg Commerce Park Redevelopment Area” or “PCPRA.”

4.2. Acquisition and Relocation

4.2.1 Acquisition Proposal

All properties within the redevelopment area are subject to acquisition under this plan for the purposes of conducting redevelopment activities including new construction, roads, and public space. The properties may be acquired either directly by a designated redeveloper or by the Town of Phillipsburg for transfer to a designated redeveloper. The proposed acquisitions will provide redevelopment parcels of sufficient size and dimension to enable the development of a comprehensively designed project.

4.2.1 Relocation Proposal

The Town of Phillipsburg, its agencies and/or the designated redeveloper will be responsible for providing relocation assistance as required by law. All costs associated with said acquisition and relocation will be borne by the designated redeveloper. Details related thereto will be determined within the context of the redevelopment agreement negotiated between the Town and the redeveloper.

The Town, its agencies and/or the designated redeveloper will be responsible for preparing a Workable Relocation Assistance Plan (WRAP), which must be filed with and approved by the New Jersey Department of Community Affairs prior to the physical relocation of any households or businesses. Relocation compensation and assistance would be provided in accordance with the approved WRAP.

4.3 Relationship to Other Plans

4.3.1 Plans of Adjacent Municipalities

In 2007, Lopatcong Township adopted a redevelopment plan for the 103 acres of the Ingersoll Rand site located in Lopatcong (see Map 1). The Lopatcong plan calls for the creation of a mixed-use project with retail and office uses as well as civic, open space, and affordable residential units. The plan contains extensive design guidelines related to site layout, building orientation, placement and design, facade treatments, pedestrian and bicycle circulation and amenities, open space, and landscaping. The connector road is recognized as a key element of both the Lopatcong and Phillipsburg redevelopment plans.

The Lopatcong plan does not appear to be in conflict with the Phillipsburg redevelopment plan in that Phillipsburg does not contemplate any substantial retail or residential space. Traffic impacts may be a concern although the proposed road and intersection improvements cited in the Route 22 Corridor Study should improve traffic conditions in general; and in certain instances improve direct access to the Ingersoll Rand site.

4.3.2 Warren County Strategic Growth Plan

The Warren County Strategic Growth Plan was adopted in 2005. The Phillipsburg Commerce Park Redevelopment Plan is consistent with the following county goals:

- Focus growth in existing centers and provide financial incentives to local government, school districts and developers to achieve this goal.
- Encourage desirable development that provides local employment opportunities in existing centers.

4.3.3 State Plans

The State Development and Redevelopment Plan is scheduled to be replaced by a new *State Strategic Plan*. The strategic plan will eliminate planning areas and focus on “priority growth investment areas” that will include designated redevelopment areas such as the Phillipsburg Commerce Park Redevelopment Area.

The redevelopment area is located in a designated Highlands Center and as such is targeted for sustainable economic development and redevelopment activities.

Section 5. PROCEDURAL REQUIREMENTS

5.1 Amending the Redevelopment Plan

This plan may be amended from time to time by the Town Council in accordance with the procedures of the Local Redevelopment and Housing Law. To the extent that any such amendment materially affects the terms and conditions of a duly executed redevelopment agreement between a redeveloper 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.

5.2 Certificate of Completion and Compliance

Upon the inspection and verification by Phillipsburg's redevelopment entity that the redevelopment of a parcel subject to a redevelopment 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.

This redevelopment plan will remain effective until the redevelopment area has been redeveloped and deemed no longer in need of redevelopment by the Town Council.

5.3 Approval Process

In order to ensure maximum compliance with the redevelopment plan, the following procedures will be followed for all properties in the redevelopment area.

5.3.1 General

Projects that consist solely of repair, renovation, or façade improvements of existing buildings, and do not alter the footprint of the building or otherwise intensify the use of the site, may proceed directly to the planning board in accordance with standard application procedures and other applicable provisions of this redevelopment plan. All other projects must first proceed to the Town Council acting as the redevelopment entity pursuant to Section 5.3.2 below.

5.3.2 Town Council

The Phillipsburg Town Council acting as the redevelopment entity will review all proposed redevelopment projects within the redevelopment area brought before it pursuant to Section 5.3.1 to ensure that each project is consistent with the redevelopment plan and any applicable redevelopment agreement. The Town Council's review will occur prior to the submission of a redevelopment project to the planning board.

In addition to determining whether the proposal is consistent with this redevelopment plan and any applicable redevelopment agreement, the Town Council may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the redevelopment plan and make recommendations for improvements to the proposed development.

5.3.3 Planning Board

All development applications will be submitted to the Phillipsburg Planning Board, either directly or through the Town Council as provided for in Sections 5.3.1 and 5.3.2. The application process will follow the usual site plan and subdivision procedures outlined in the Municipal Land Use Law and applicable Town ordinances.

The planning board will deem any application for redevelopment and/or rehabilitation for any property subject to this redevelopment plan incomplete if the applicant has not received approval from the Town Council in accordance with Section 5.3.2 indicating that the application is consistent with the redevelopment plan and redevelopment agreement.

The planning board may grant certain waivers from the requirements of this redevelopment plan in accordance with Section 3.3. All other proposed deviations from the plan would require a request to the Town Council for an amendment to the redevelopment plan. The Town Council is under no obligation to grant an amendment but may do so in its sole discretion.