

September 22, 2022

Chairman William Duffy
Town of Phillipsburg Planning Board
120 Filmore Street
Phillipsburg, NJ 08865

RE: Consistency Review Letter Report
Amendment to the Riverfront Redevelopment Plan
District No. 5 Building Height
VCEA Project No. 9102.063

Dear Mr. Duffy:

Van Cleef Engineering has undertaken a review of the requested amendment to Riverfront redevelopment plan in accordance with the Local Redevelopment and Housing Law (LRHL) Section 40A:12A-7e. This report was authorized by the Board at their August 25, 2022 meeting based on the resolution number 2022-191 which was passed by the Phillipsburg Town Council on August 16, 2022. The developer of the above referenced site which is located within redevelopment plan area has requested a change to maximum permitted height of the principal building to be increased to 65 feet from the current maximum height of 50 within the Riverside Industrial District no. 5.

Our office has reviewed the proposed amendment and finds the increase in building height to be acceptable based on the below background, findings and recommendations/conditions.

Background

The subject property currently is located in District No. 5 of the Riverfront development plan and received preliminary and final site plan approval for an industrial use development consisting of a 420,000 Square foot warehouse with no rail connection and a maximum height of 49 feet to the parapet. The owner and developer of the site has requested from the Town to amend the district to enable construction of cold storage facility that requires an overall height of 65 feet to accommodate roof mounted mechanical system(s) and structures. The developer indicated the increase in height would result in the ability to provide an interconnection to the railroad.

Findings

For this consistency report we considered recommendations and goals outlined in the Riverfront Redevelopment plan and the Town's Master Plan and the impact the requested change may pose to those standards. In addition, we consider the goals/considerations as detailed in our prior consistency report for this district dated February 25, 2021.

Current redevelopment plan

For this report we reviewed the impact to the height change based on the current redevelopment plan that

OFFICE LOCATIONS

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Lebanon, NJ 908-735-9500	Hamilton, NJ 609-689-1100	Toms River, NJ 732-573-0490	Freehold, NJ 732-303-8700	Bethlehem, PA 610-332-1772
Hillsborough, NJ 908-359-8291	Mt. Arlington, NJ 862-284-1100	Phillipsburg, NJ 908-454-3080	Doylestown, PA 215-345-1876	Leesport, PA 610-670-6630

includes an amendment to the permitted uses previously approved by the Town of Phillipsburg. That amendment included a consistency study prepared by Van Cleef Engineering dated February 25, 2021 which found industrial uses and I-2 standard were acceptable for this district. With the amendment, industrial uses were restricted to a maximum height of 50 feet. The requested change is to increase in height for industrial building to 65 feet for the purpose of mechanical systems and support structures that are needed for an industrial use. The change in height does not alter the goal of industrial use to be developed within the district and further promotes industrial uses within the district. In addition, the Applicant presented that the height increase may enable an industrial use that would include connectivity to the railroad that would reduce truck congestion (which was a consideration in the prior study), this rail connection may further benefit additional industrial users in the district/area to reduce truck traffic or improve their economics or possible tourist/recreation access.

Consistency with 2004 Master Plan

Our office evaluated the amendment with the latest Master Plan of the Town (2004). For this report with considered the findings of our prior report dated February 25, 2021. In our prior report, the 2004 Master Plan were found to include the statement “to provide functions, accessible, and cost effective location within the Town for industrial uses that enhance the economic for the individual uses and the Town as a whole”. The proposed amendment would be consistent with this goal as the amended building height would enable the construction of industrial use within a previously approved industrial zone that may result in enhanced economics for the Town and individuals through job creation/opportunity and through improvements to vacant land. The master plan included Land Use Plan elements that reflected a need to screen impacts between zones or different land uses, with the increase height needed for the mechanical systems, recommendations/conditions are noted to address the 2004 Master Plan standards related to buffers/screening of impacts.

Conclusions and Recommendations

Our office finds the increase in maximum permitted height would be consistent with Riverfront Redevelopment plan and Master Plan. The increase in height is recommended to be limited to enable installation of mechanical and utility systems on the roof system of a building that is 50 feet or less and overall building envelope would not exceed 65 feet.

Requested Conditions/Restrictions

- The maximum building height is limited to 50 feet, with additional a height allowance for installation of mechanical and utility systems to be installed up to a height of 15 feet from the roof line and shall result in overall building envelope height of not more than 65 feet.
- All rooftop mounted mechanical and utility systems shall be screened, to be consistent with the Master Plan goals to limit visual and noise impact of surrounding properties/zones/uses.
- All rooftop mounted mechanical and utility systems must be installed in a manner and setback that enables access to the roof by the Town of Phillipsburg Fire Department and other emergency services.
- Mechanical and utility systems should be understood to include refrigeration systems, ventilation

systems, HVAC, solar panel systems and stormwater green infrastructure systems. It should not include backup power generators or storage of fuels.

- The rooftop mechanical area may not be used for storage of goods or products or office space.
- The rooftop mechanical area may not be utilize for office space, but should not prevent enclosed mechanical cabinets and/or equipment control enclosures or life safety egress systems.

Considerations

- The Applicant has as part of the amendment request has indicated the amendment would may enable a cold storage facility that could utilize the rail road located adjacent to the property, which may require grading changes to the site. The Board and Council should consider if grading changes provide for rail access that if the site layout permits rail access is made accessible to additional users in the Town, as this would be in line with prior consistency report of address the need to limit trucks on the Town roads.
- In addition, the regrading for the rail connection, may enable additional river level access to the public and potential additional tourist access to the rail line, with this in mind the Board and Council should consider requesting plans that include improved rail access to the site review provisions to enable greater access to the river in conjunction with rail operator who would also benefit from such increase access. This provision would be consistent with the redevelopment plan goals for adjacent redevelopment recreation and open space area. In addition, this would be in line with the prior consistency report recommendations to address balance between these uses.

If you require additional information or have any questions, please feel free to contact me at my office.

Very truly yours,

Van Cleef Engineering Associates

Timothy M. O'Brien

Timothy M. O'Brien, PE, PP, CME
Land Use Board Engineer/Planner
NJ PE Lic. # 24GE05442500
NJ PP Lic #33LI00650900

cc: All Board Members via Planning Board Technical Assistant
Applicants Attorney via Email
Applicants Engineer via Email
Board Attorney via Email

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R2022-191

**RESOLUTION OF TOWN OF PHILLIPSBURG, COUNTY OF WARREN,
STATE OF NEW JERSEY DIRECTING THE PHILLIPSBURG PLANNING
BOARD TO PREPARE AN AMENDMENT TO THE RIVERFRONT
REDEVELOPMENT PLAN IN ORDER TO PERMIT 65 FOOT BUILDING
HEIGHT (DISTRICT 5)**

WHEREAS, the Riverfront Redevelopment Plan ("Plan") was first adopted in 2005 and most recently amended in 2013; and

WHEREAS, the Town Council desires to amend the Riverfront Redevelopment plan in order to permit 65 foot building heights within District 5; and

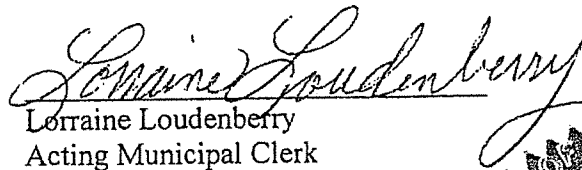
WHEREAS, in accordance with N.J.S.A. 40A:12A-7, the governing body of a municipality may direct the Planning Board to prepare an amendment to a redevelopment plan for a designated redevelopment area; and

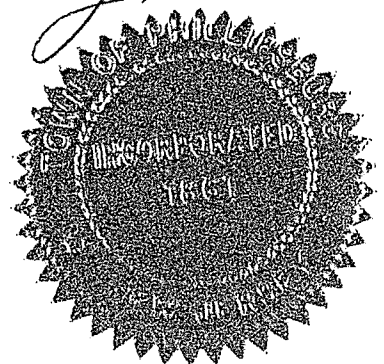
WHEREAS, the Town Council desires to direct the Planning Board to prepare an amendment to the Riverfront Redevelopment Plan (District 5) to permit 65 foot building heights within District 5; and

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of Phillipsburg, County of Warren, State of New Jersey that the Phillipsburg Planning Board is hereby directed, in accordance with N.J.S.A. 40A:12A-7, to prepare an amendment to the Riverfront Redevelopment plan to permit 65-foot building heights within District 5.

CERTIFICATION

I, Lorraine Loudenberg, Acting Municipal Clerk for the Town of Phillipsburg, do hereby certify that the foregoing is a true copy of a resolution duly adopted by the Town Council at their August 16, 2022 meeting.


Lorraine Loudenberg
Acting Municipal Clerk



**LEGAL NOTICE
TOWN OF PHILLIPSBURG
LAND USE BOARD
THURSDAY, OCTOBER 27, 2022**

**PRELIMINARY INVESTIGATION TO DETERMINE WHETHER A PROPOSED
AMENDMENT TO THE “REVISED RIVERFRONT REDEVOLPMENT PLAN” IS
CONSISTENT WITH THE TOWN’S MASTER PLAN**

PLEASE TAKE NOTICE THAT, in accordance with New Jersey’s “Local Redevelopment and Housing Law,” N.J.S. 40A:12A-1, *et. seq.*, the Town of Phillipsburg Land Use Board will hold a **PUBLIC HEARING** on the referral from the Phillipsburg Town Council of its Ordinance No. 2022-191, wherein the Town Council has requested the Land Use Board undertake a preliminary investigation to determine whether a proposed amendment to the Town’s “Revised Riverfront Development Plan” is consistent with the Town’s Master Plan on Thursday, October 27, 2022, at 7:00 p.m., in the Town Of Phillipsburg Housing Authority Building, Community Room located at 535 Fisher Ave. Phillipsburg, NJ 08865

PLEASE TAKE FURTHER NOTICE THAT any person or party who wishes to comment, or otherwise be heard, on the preliminary investigation may do so at the public hearing or may submit written comments to the Town of Phillipsburg Land Use Board prior to the public hearing date noted above. All documents relating to the preliminary investigation, including the following: a “Consistency Review Report: Proposed Amendment to the Riverfront Redevelopment Plan” and a map which sets forth the general boundaries of the properties within the Redevelopment Plan area, shall be on file and available for public inspection before the public hearing date noted above and may be inspected at the office of the Town of Phillipsburg Planning Board Clerk during normal business hours by calling Kelly Lefler, Clerk of the Land Use Board, at 908-454-5500, ext. 370, to schedule an appointment to review such documents. All written comments must be sent to the Clerk of the Land Use Board, 120 Filmore Street, Phillipsburg, New Jersey, 08865.

PLEASE TAKE FURTHER NOTICE THAT a copy of the Phillipsburg Town Council’s Ordinance No. 2022-191 is attached hereto and incorporated by reference herein this Notice.

PLEASE TAKE FURTHER NOTICE THAT, at the public hearing, the Land Use Board will consider all documents relating to the preliminary investigation and all public comments and may take action including formally recommending that the Phillipsburg Town Council adopt the proposed amendment to the “Revised Riverfront Redevelopment Plan.”

PLEASE TAKE FURTHER NOTICE THAT, at the public hearing, the Land Use Board will take action.