

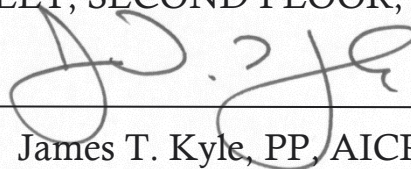
# REDEVELOPMENT PLAN FOR THE FORMER A&P SUPERMARKET

PREPARED BY THE TOWN OF CLINTON LAND USE  
BOARD

WITH ASSISTANCE FROM

KYLE + MCMANUS ASSOCIATES

2 EAST BROAD STREET, SECOND FLOOR, HOPEWELL, NJ 08525



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The original of this document was signed and sealed

in accordance with N.J.S.A. 45:14A-12



6/25/2020

Town of Clinton

43 Leigh Street, Clinton, New Jersey 08809

# Redevelopment Plan for the Former A&P Supermarket

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## Introduction

In October of 2019, the Mayor and Council of the Town of Clinton, with the adoption of Resolution #141-19, declared Lots 6, 25, 27, 28, 29, 30, 30.01, 31, 32, 33 and 34 in Block 21 as a non-condemnation area in need of redevelopment. This designation followed detailed investigation conducted by the Land Use Board and a public hearing where the Board recommended such designation; the area is now known as the “Old Highway Redevelopment Area”.

Aside from the obvious benefits of ameliorating deteriorating or unsavory conditions, redevelopment planning has tremendous benefits to the community from a land use planning perspective. First and foremost, it enables a municipality to establish new zoning parameters for redevelopment, parameters that can in some cases represent a significant departure from status quo zoning with respect to physical form, building materials and design and density. Whether treated as superseding existing zoning (as will be the case here) or as an overlay, a redevelopment plan offers the opportunity to be creative and meet emerging needs of the community through a small scale, self-contained planning process. Further, it can set forth a vision of how to best integrate redevelopment with existing structures, something that will be critical given the historic nature of Clinton and the character of buildings both in and around the redevelopment area.

Overall the Old Highway Redevelopment Area consists of approximately 17 acres of land between Center Street (to the north) and Old Highway 22 (to the south), west of the Town’s border with Clinton Township and east of New Street. While the majority of the redevelopment area contains existing occupied commercial and office uses, the most significant tract, the former A&P supermarket, has remained vacant since the store closed in 2015. The A&P tracts that are the subject of this plan total approximately 5.74 acres. As described in the preliminary investigation report, there are a number of conditions at the property that have negative impacts on surrounding properties, negative impacts that will be eliminated or otherwise addressed through redevelopment of the property.

This plan is intended to address redevelopment of Block 21, Lots 29, 30.01, 31, 32 and 33, as shown outlined in yellow on the map at right. Future redevelopment of additional parcels in the Old Highway Redevelopment Area will be addressed individually and as appropriate. It should be noted that redevelopment of this site is an integral part of the Town’s affordable housing plan, and the mixed-use





development contemplated will provide a setaside of units affordable to low and moderate income families.

## **Legal Basis for Redevelopment in New Jersey**

The New Jersey Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et. seq., enables municipalities to take advantage of a broad range of tools that assist in remedying deteriorated conditions and blight or lack of proper utilization of land that ultimately impacts the public good. Areas that exhibit a preponderance of vacant or underutilized structures, or lands that have remained underutilized for a length of time can ultimately impact the viability of surrounding uses to the detriment of the public interest. And while these tools have been used exclusively and often in New Jersey's larger urban areas like Jersey City, Newark, Paterson and East Orange, they are equally effective in suburban municipalities like Clinton.

Redevelopment starts with the governing body authorizing the Planning Board (or Land Use Board in the case of Clinton) to undertake a "Preliminary Investigation" of whether a certain area or group of parcels meet the redevelopment criteria outlined in N.J.S.A. 40A:12A-5. Somewhat recent changes in the LRHL require that the governing body, in its resolution authorizing the preliminary investigation, specify whether condemnation powers will be utilized in redevelopment efforts. In the case of this investigation, the governing body has already determined condemnation powers will not be used, branding this a "non-condemnation redevelopment area". This means the Town of Clinton will not seek to condemn any privately owned properties within the Old Highway Redevelopment Area for the purposes of redevelopment and will instead rely on normal market forces to drive the assemblage of land for new development. In this case, Mayor and Council authorized the redevelopment investigation with resolution #126-19, adopted on September 24, 2019.

While the LRHL does not prescribe an exact form for the preliminary investigation, it must contain, at a minimum, a map of the area studied and the location of parcels included along with a statement as to the basis for the investigation. The Land Use Board is required to hold a public hearing on the preliminary investigation, with notice given to affected property owners and general notice given by publication of the hearing in a newspaper of general circulation. Notice must be published for two consecutive weeks, the second publication occurring at least 10 days prior to the date of the hearing on the preliminary investigation. The hearing is held much like a hearing for land development applications, where interested parties and those immediately affected are afforded the opportunity to speak and enter evidence for the Board's consideration. At the conclusion of the public hearing, the Board is required to recommend to the governing body that all or any part of the area studied be determined, or not be determined, to be an area in need of redevelopment. The Town of Clinton Land Use Board conducted its public hearing on October 15, 2019 in accordance with the above requirements and recommended by resolution that Mayor and Council designate the area studied as an area in need of redevelopment.

Considering the recommendation of the Land Use Board, the governing body may adopt a resolution determining that the area studied, or any part thereof, is an area in need of redevelopment. Once adopted, the resolution must be forwarded to the Commissioner of Community Affairs for review; under certain circumstances explicit approval is required, which must be issued by the Commissioner within 30 days. The governing body must issue a notice of determination within 10 days to all property owners within the delineated area and any person who filed a written objection and specified an address where a notice of determination must be sent. Mayor and Council designated the Old Highway Redevelopment Area as an area in need of redevelopment via adoption of resolution #141-19 on October 22, 2019 (see Appendix). All other requirements have also been met.

Once an area is determined to be an area in need of redevelopment, the governing body must prepare or authorize the Land Use Board to prepare (as is the case here), a redevelopment plan. The LRHL specifies that “the redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:”

- (1) Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- (2) Proposed land uses and building requirements in the project area.
- (3) Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- (4) An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
- (5) Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.).
- (6) As of the date of the adoption of the resolution finding the area to be in need of redevelopment, 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.
- (7) A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls

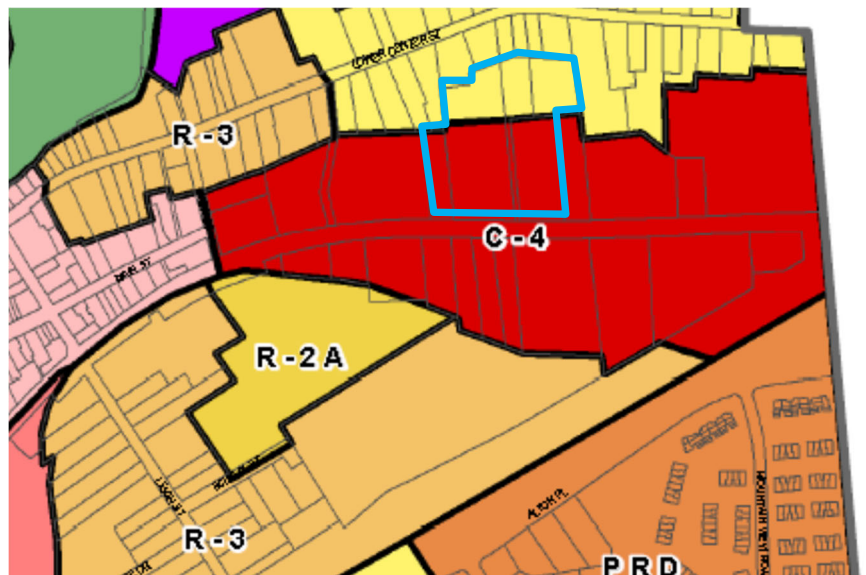
and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

Any redevelopment plan may include requirements for the provision of affordable housing, but it must contain discussion on the relationship of the plan to development regulations of the municipality and must be "substantially consistent with" or "designed to effectuate" the municipal master plan. Redevelopment plans are required to be adopted by ordinance and go through the normal procedure undertaken by the governing body for such an action. The only difference in this case is referral of the redevelopment plan to the Land Use Board for review in the context of the master plan. In accordance with the LRHL, if the Land Use Board prepares the redevelopment plan, as is the case here, the governing body need not refer the plan and ordinance back to the Land Use Board for review.

## Existing Zoning

The parcels that are subject to this redevelopment plan are located in both the C-4 Locally-Oriented Commercial District and the R-2 Residence District. A portion of the zoning map, depicted to the right, shows the parcels outlined in blue along with their current zoning designations.

The R-2 Residence District permits one-family dwellings along with public parks and playgrounds, public recreation buildings and facilities, municipal office and administration buildings and agricultural uses. Minimum lot area for one family dwellings is 15,000 square feet.



The C-4 Locally-Oriented Commercial District includes uses that constitute the Town's daily shopping and service uses. Permitted principal uses include stores and shops for retail business, banks and financial institutions, offices for business, executive, professional and administrative purposes, restaurants, cafes and taverns in which patrons are seated at tables or counters and are served food and drink by waiters or waitresses for consumption on the premises, funeral homes, studios for art, dancing, music, language, photography, and similar activities, indoor theaters, rescue squad buildings and firehouses, laundries and dry-cleaning establishments using nonflammable solvents and employing less than five persons, automobile repair and service garages, food markets, beauty salon, barbershop, day spa and health and fitness centers.

## **Environmental Constraints**

While none of the parcels in the redevelopment area are dramatically affected by flooding, the floodzone of the Beaver Brook, located south of Old Highway 22, does impact the southern boundaries of the parcels that are the subject of this redevelopment plan. While not a significant factor for existing nonresidential uses, residential uses could be impacted by current New Jersey Department of Environmental Protection (NJDEP) regulations relating to access. Residential uses must be afforded a means of ingress and egress that is not impacted by flooding, ensuring that residents can safely come and go during times when the area becomes inundated. Figure 1, on the following page, depicts the limits of the floodzone as mapped by FEMA, with the redevelopment parcels outlined in yellow. The redeveloper will be responsible for complying with all NJDEP regulations related to development and access within the delineated floodzone affecting the area.

Generally speaking the redevelopment area is relatively flat from Old Highway 22 up to 400' into the property. The remainder of the property contains steep slopes, which offset the parcels from residential uses along Center Street by some 25'. Figure 2, on Page 10, shows contours for the redevelopment parcels as well as critical slope data as mapped by the New Jersey Highlands Council. The redeveloper will be responsible for complying with slope regulations as outlined in Highlands Regional Master Plan and any requirements related to same in the Land Use Ordinance of the Town of Clinton.

It should be noted that parcels considered for redevelopment under this plan have no wetlands or other environmental constraints that would prohibit redevelopment as contemplated.



Figure 1: A&P Redevelopment Parcels and FEMA Floodplain

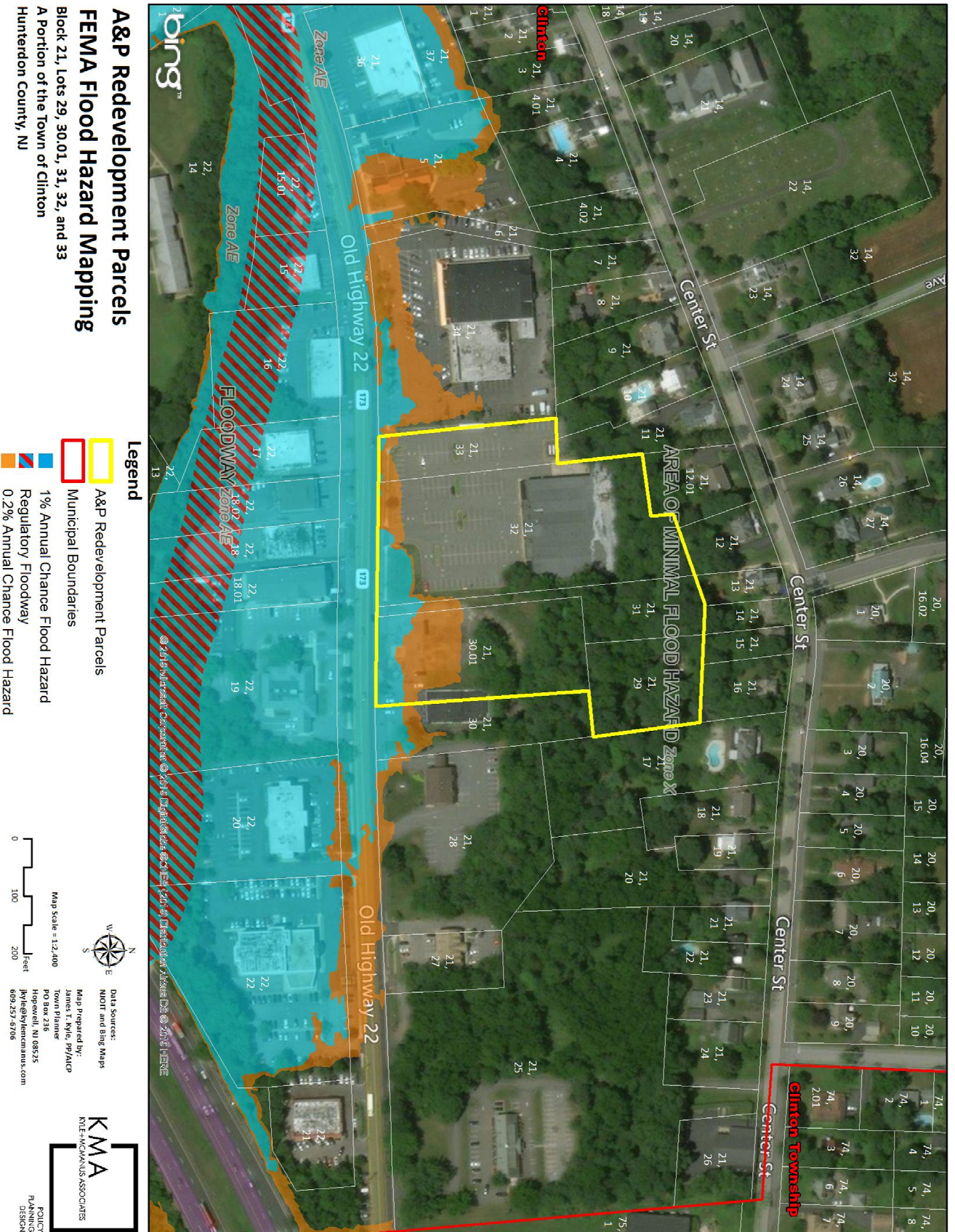
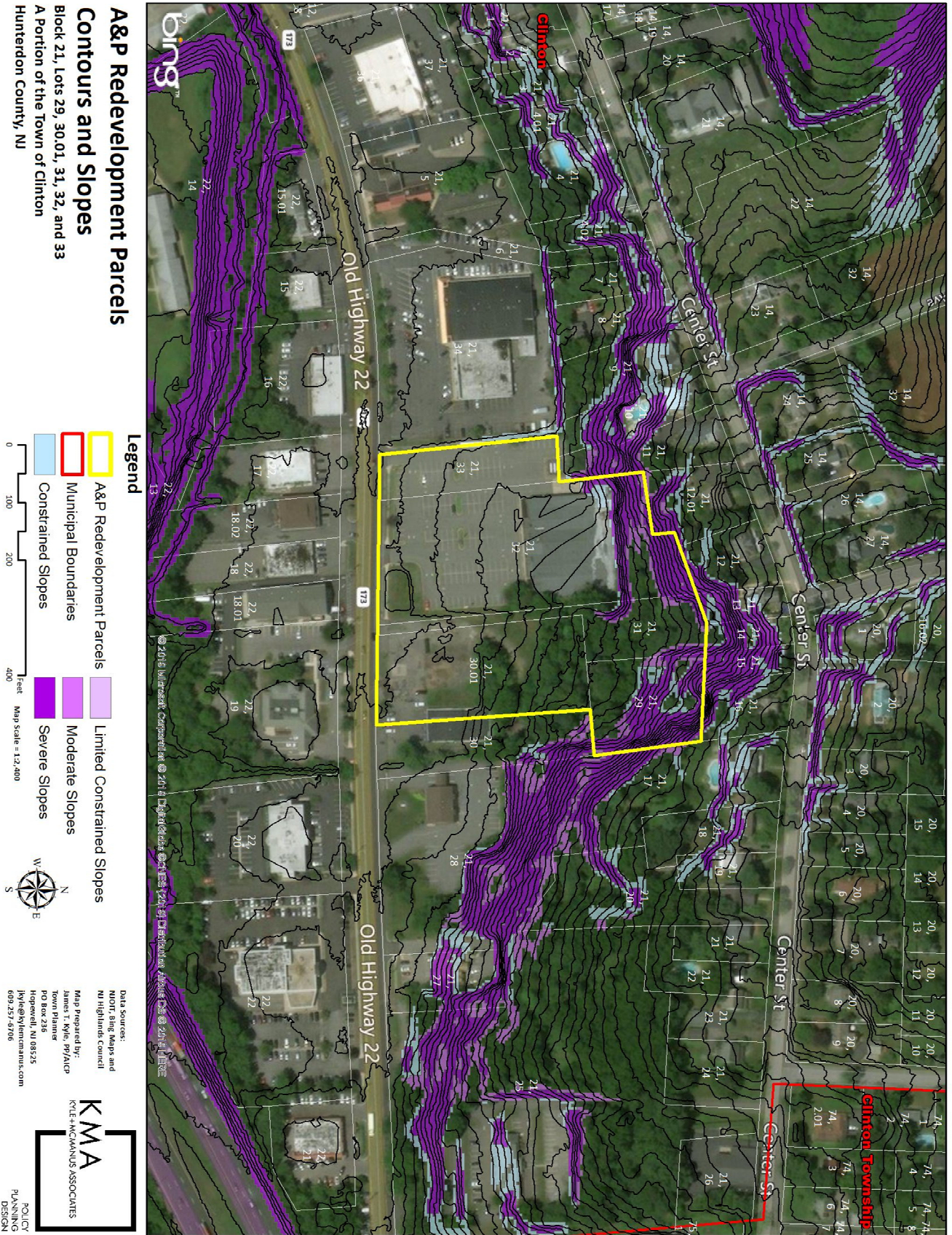




Figure 2: A&P Redevelopment Parcels and Slope Areas





## Redevelopment Plan Objectives

The following objectives are intended to guide redevelopment of the A&P parcels within the Old Highway Redevelopment Area.

1. Provide a meaningful redevelopment opportunity with a mix of residential and limited nonresidential uses at the former A&P site that supports and complements Main Street.
2. Provide opportunity for the creation of affordable housing in the form of multi-family rentals to help the Town continue to address its ongoing constitutional obligation to provide such opportunity.
3. Ensure that any redevelopment in the area is compatible with the architecture, style, scale and character of the nearby Historic District as well as the intended character of Old Highway 22.
4. Improve the pedestrian environment along Old Highway 22 and provide strong walking and biking connections to Main Street and the school.
5. Narrow the visual corridor along Old Highway 22 by pulling buildings as close to the roadway as NJDEP flood hazard regulations will allow.
6. Encourage the location of the majority of parking areas behind buildings and limit the prominence of parking as viewed from Old Highway 22.
7. Utilize pedestrian improvements, landscape treatments and street trees to improve the appearance of the Old Highway 22 corridor.
8. Incorporate design features that reduce the impact of redevelopment of the area on homes along Center Street, particularly as it relates to noise, lighting and visual impact.
9. Provide, to the greatest extent practical, interconnection between the redevelopment site and adjacent parcels for both automobiles and pedestrians.

## Development Regulations

The following section sets forth development regulations applicable to Block 21, Lots 29, 30.01, 31, 32 and 33 within the Old Highway Redevelopment Area. These regulations shall supersede the underlying C-4 and R-2 zoning currently in place for these properties, and any redevelopment proposed must be consistent with the requirements of this plan in terms of use, bulk, area and yard requirements as well as design regulations. Any departure from the permitted principal or accessory uses or maximum permitted residential density and/or number of units in this plan must be addressed through amendment of the plan by the Mayor and Council of the Town of Clinton. Any departure from the bulk regulations contained in this plan may be approved by the Town of Clinton Land Use Board in accordance with the same criteria considered for bulk variances under the New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-70c(1) or 70c(2). The redeveloper must demonstrate that the departure(s) proposed promote the purposes of the Municipal Land Use Law as outlined in N.J.S.A. 40:55D-2 and the objectives of this redevelopment plan, and that they can be granted without substantial detriment to the public good and that they will not impair the intent and purpose (objectives) of this redevelopment plan. Similarly, any departure(s) from the design regulations

contained in this redevelopment plan must be shown to be reasonable and within the general intent of the provisions and must be supported by demonstration that compliance is impracticable, or will exact undue hardship on the redeveloper because of peculiar conditions relative to the redevelopment parcels.

A. Applicability of other requirements

1. Unless specific requirements set forth in this redevelopment plan provide standards to the contrary, the redeveloper shall be subject to and comply with the provisions of Article VI, Subdivision and Site Plan Review, as outlined in the Land Use Ordinance of the Town of Clinton, §88-39 through §88-50.
2. The redeveloper shall be exempt from the requirements of §88-44C, environmental impact Statement.
3. The redeveloper shall be subject to and comply with the provisions of Article XIII, Stormwater Control, as outlined in the Land Use Ordinance of the Town of Clinton, §88-89 through §88-99.

B. Permitted Principal Uses

1. Mixed-use development consisting of multi-family housing comprised of one, two and three bedroom units not to exceed a maximum of one hundred twenty (120) total housing units. A minimum of 6,000 square feet of nonresidential floor area shall be provided, located on the ground floor only.
2. Nonresidential uses that are part of a mixed-use development may consist of any of the following:
  - i. Stores and shops for retail business
  - ii. Offices for business, executive, professional and administrative purposes, including offices for leasing or management agencies associated with the project
  - iii. Restaurants, cafes and taverns in which patrons are seated at tables or counters and are served food and drink by waiters or waitresses for consumption on the premises
  - iv. Winery, brewery and distillery uses conducted under license from the New Jersey Division of Alcoholic Beverage Control and including such facilities as wine, spirit or beer making, tasting rooms and retail sales.
  - v. Studios for art, dancing, music, language, photography, and similar activities
  - vi. Laundries and dry-cleaning establishments using nonflammable solvents and employing less than five persons
  - vii. Food markets, excluding convenience stores
  - viii. Day spa
  - ix. Health and fitness centers
  - x. Municipal or other public uses

3. Single family dwellings in existence at the time of adoption of this plan, which may continue as a residential use or be converted to any of the nonresidential uses identified above.

C. Permitted Accessory Uses

1. Off-street parking
2. Signs
3. Fences and walls
4. Light fixtures
5. Outdoor dining
6. Carports intended to support solar panels
7. Solar panels mounted to a roof or carport
8. Electric vehicle charging stations
9. Community and rooftop gardens
10. Rooftop decks and patios
11. Plazas
12. Open space, either public or private, including but not limited to rooftop decks, plazas, parks and play equipment.
13. A private swimming pool operated by a management company or condominium association solely intended for residents or tenants of the development
14. Uses customarily incidental to a permitted use
15. Cellular antennas and satellite dish antennas are strictly prohibited

D. Affordable Housing

1. A minimum of 20% of the total new units to be constructed on the redevelopment site shall be set aside and made available to low and moderate income households. Affordable housing units shall be developed in compliance with the Town's affordable housing ordinance and the Uniform Housing Affordability Controls (N.J.A.C. 5:80-21). Affordable housing units shall be managed by the redeveloper or his or her designated administrative agent, including but not limited to affirmative marketing, income qualification and records management. The redeveloper or his or her administrative agent shall work with the Town of Clinton Municipal Housing Liaison to comply with the reporting requirements of the State.
2. Affordable housing units shall be integrated and developed amongst market rate housing units.

E. Building Height

1. Minimum building height shall be 2 stories.
2. Maximum building height shall be 4 stories and not more than 50 feet. Any principal structure that is within 75' of Old Highway 22 shall inset a minimum of 50% of any 4<sup>th</sup> story from the main building face by a minimum of 10'. Inset areas may consist of rooftop decks, patios and gardens.

F. Area, Yard and Bulk Requirements

1. Minimum lot area shall be 21,780 square feet for lots not containing mixed use development.
2. Minimum lot area shall be 200,000 square feet for a lot containing mixed use development.
3. Minimum front yard setback shall be 30'.
4. Minimum side yard setback shall be 50'.
5. Minimum rear yard setback shall be 50'.
6. Maximum building coverage shall be 25%.
7. Maximum impervious coverage shall be 60%. Pervious materials utilized on-site shall not be considered impervious coverage.
8. Maximum floor area ratio shall be 0.85.
9. Minimum distance between buildings shall be 40'.
10. A landscape buffer consisting of a minimum of 50' shall be provided along the common property line with Lots 12, 12.01, 13, 14, 15 and 16. Said buffer shall consist of a mix of existing vegetation, which is to be retained to the maximum extent practical and renovated where necessary, as well as evergreen trees to provide a visual barrier to residential homes located along Center Street.
11. Parking and loading requirements.
  - i. All parking stalls shall be setback a minimum of 10' from adjacent properties and a minimum of 15' from the right-of-way of Old Highway 22.
  - ii. All drive aisles shall be setback a minimum of 5' from any property line, with the exception of those intended to provide cross-access to adjacent properties.
  - iii. Drive aisles shall be a minimum of 24' in width.
  - iv. Parking stalls shall measure a minimum of 9' in width and 18' in length.
  - v. No more than 12 parking stalls shall be provided in a row without a curbed landscape island.
  - vi. A minimum of 1.5 parking stalls per residential unit shall be provided on-site.
  - vii. A minimum of 1 parking stall per 250 square feet of nonresidential floor area shall be provided on-site in addition to parking required for residential uses.
  - viii. A minimum of 1 loading area measuring no less than 10' in width by 30' in length shall be provided for nonresidential uses on the site. The loading area may be located in either the front, side or rear of the principal structure.
12. Accessory structures shall not be located in any required front yard with the exception of permitted signage and light fixtures.
13. Signage shall comply with requirements for the C-4 Commercial Zone District as found in §88-64F of the Town of Clinton Land Use Ordinance.

#### G. Design Standards

1. Plazas
  - i. Plazas shall be designed in a manner to encourage public use and include amenities such as outdoor dining areas, benches, tables, seating walls, refuse

containers, bike racks and lighting. Plazas shall be constructed of pervious materials.

- ii. Plazas shall utilize landscaping and/or seating walls to define the space. Hedges shall be incorporated to provide separation between plazas and adjacent parking and walkways. Larger deciduous and ornamental trees shall be incorporated to provide shade.
- iii. Plazas shall contain clear paths a minimum of 6' in width to permit adequate circulation.

2. Walkways

- i. All walkways on-site shall be a minimum of 5' in width.
- ii. Walkways that abut parking stalls where vehicles will overhang the curb shall be a minimum of 6' in width.

3. Landscaping

- i. The redeveloper shall provide a comprehensive landscape plan for the redevelopment project.
- ii. All landscape areas shall be defined as planting beds dressed with mulch or other suitable groundcover.
- iii. Landscape areas shall be irrigated.
- iv. Street trees shall be provided along Old Highway 22, outside the right-of-way and in areas where they will not interfere with overhead utility wires. Street trees shall be provided at a rate of one tree per 40' of frontage and shall be located no closer than 30' nor more than 50' from any other street tree.
- v. Landscape islands within parking areas shall include either an ornamental or shade tree and groundcover plantings.
- vi. In areas where parking stalls face adjacent properties or the street, or where parking areas are visible from the street, hedges consisting of evergreen plant material a minimum of 3' in height at time of planting shall be installed.
- vii. All buildings shall include foundation plantings consisting of a mix of evergreen and deciduous shrubs, grasses and perennials and annual flowers. A mulched landscape bed a minimum of 3' in width shall be provided around the perimeter of the building.
- viii. Shade trees shall be provided on the site to be redeveloped at a rate of 4 shade trees per acre. Shade trees shall be required in addition to street trees and trees required to be planted in curbed islands within parking areas. Shade trees shall be planted adjacent to parking areas and buildings.
- ix. Appropriate native species shall be utilized to the greatest extent practical.

4. Lighting. Adequate illumination of parking areas and other portions of the premises requiring area lighting shall be provided and shall meet the following criteria:

- i. All lights shall be focused downward so that the direct source of light is not visible from adjoining streets or properties.

- ii. All lighting on rooftop decks or patios shall be shielded from adjoining properties and from the street so the direct source of light is not visible.
  - iii. No light source, including sign lights, shall exceed a height of 15 feet.
  - iv. All lights shall be shielded to restrict the maximum apex angle of the cone of illumination to 150°.
  - v. The light intensity provided at ground level shall be a minimum of 0.5 footcandle anywhere and shall average a minimum of 1.0 footcandle over the entire area. A uniformity ratio with an average to minimum of 5:1 and a maximum to minimum of 20:1 shall be maintained, except where enhanced security is necessary. In that case a uniformity ratio with an average to minimum of 5:1 and a maximum to minimum of 15:1 may be utilized.
  - vi. The light intensity along any property line shall not exceed 0.3 footcandle or 0.1 footcandle if a residential property line.
  - vii. For each fixture and lighted sign, the total quantity of light radiated above a horizontal plane passing through the light source shall not exceed 7 1/2% of the total quantity of light emitted from the light source.
  - viii. Provision shall be made for reduction in the intensity of illumination to the minimum needed for security purposes after 10pm.
  - ix. The style of any light or light standard shall be consistent with the architectural style of the principal building.
  - x. Freestanding lights shall be protected to avoid being damaged by vehicles.
  - xi. Whenever possible, walkways shall be lighted with low or mushroom-type standards.
  - xii. Flashing, moving, rotating or strings of lights, except holiday lights, are prohibited.
5. Refuse disposal and recycling.
- i. Appropriate facilities for the storage and disposal of solid waste and recyclable materials shall be provided on site.
  - ii. All outdoor facilities for the storage and disposal of solid waste and recyclable materials shall be situated on concrete pads surrounded by solid fencing a minimum of 6' in height with latched or locked gates. Fencing shall match the architectural style of the buildings.
  - iii. Outdoor facilities for the storage and disposal of solid waste and recyclable materials shall be located in a side or rear yard, and shall be a minimum of 5' from any side lot line and 50' from any rear property line.
  - iv. Outdoor facilities for the storage and disposal of solid waste and recyclable materials shall be appropriately screened utilizing evergreen shrubs and trees.
6. Architectural design.
- i. Architectural design shall seek to preserve the cohesive ambiance of the Town with structures that are compatible with and sympathetic to the historic



- character of Clinton and respect the scale and design of other structures in the area.
- ii. Structures should be broken down into multiple bays, each no wider than 30'. Building facades should be articulated and bays should be offset to provide visual interest.
  - iii. Building facades should be finished in wood, stone veneer, brick, fiber cement panel and/or cast stone. Metal and stucco should be used only for minor accentuation or other elements of the façade.
  - iv. Building entrances shall be articulated so they are easily identifiable utilizing awnings, architectural treatments, recesses or projections.
  - v. Awnings should have a matte finish and be constructed of colored natural or synthetic canvas, or other materials such as metal or glass.
  - vi. The maximum length of any continuous roofline shall not exceed 100'.
  - vii. Building roofs should be flat, gabled or mansard. Hipped roof structures are discouraged.
  - viii. Rooftop equipment such as mechanical units, vents and flues should be located centrally on the building roof, to the extent practicable. Any equipment that will likely be visible from publicly accessible areas, adjacent lots and the street should be screened using parapets, pitched roof forms or penthouses. Screening should be composed of materials that are the same or complementary to the building.
  - ix. Ground level mechanical equipment is discouraged. Where no practical alternative exists, such equipment shall be screened from view with plantings or a solid fence.

## General Provisions

### Redevelopment Authority

The Mayor and Council of the Town of Clinton shall act as the “Redevelopment Entity” pursuant to N.J.S.A. 40A-12A-4.c for the purposes of implementing this redevelopment plan and carrying out redevelopment projects. In doing so, the Mayor and Council shall have the powers set forth in N.J.S.A. 40A-12A-15 to effectuate all of its duties and responsibility in the execution and implementation of this redevelopment plan.

### Land Use Board Review

Review of applications for development shall be conducted by the Town of Clinton Land Use Board pursuant to N.J.S.A. 40:55D-1, et seq. Any departure from the permitted principal or accessory uses or maximum permitted residential density in this plan must be addressed through amendment of the plan by the Mayor and Council of the Town of Clinton. Any departure from the bulk regulations contained in this plan may be approved by the Town of Clinton Land Use Board in accordance with the same criteria considered for bulk variances under the New Jersey Municipal Land Use Law,

N.J.S.A. 40:55D-70c(1) or 70c(2). The redeveloper must demonstrate that the departure(s) proposed promote the purposes of the Municipal Land Use Law as outlined in N.J.S.A. 40:55D-2, and that they can be granted without substantial detriment to the public good and that they will not impair the intent and purpose (objectives) of this redevelopment plan. Similarly, any departure(s) from the design regulations contained in this redevelopment plan must be supported by demonstration that compliance is not possible due to practical difficulties, or that compliance with the regulation would exact undue hardship on the redeveloper.

### **Effect of Land Use Board Approval**

The effect of any Land Use Board approval shall be consistent with the rights granted by the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) except to the extent they may be modified by any redevelopment agreement between the Town and the redeveloper.

### **Acquisition of Property**

No property is proposed to be acquired by public entities in the redevelopment area as part of this redevelopment plan.

### **Relocation Provisions**

No property acquisition will be undertaken by a public entity or utilizing government funds pursuant to this redevelopment plan. Consequently, there will be no displacement of either residents or business that requires a Workable Relocation Assistance Program under N.J.A.C. 5:11-1 et seq.

## **Relationship to Definite Local Objectives**

This redevelopment plan is consistent with the general planning policies of the Town of Clinton and those of surrounding municipalities, the County and the State Development and Redevelopment Plan. While some of the provisions contained in this plan are intended to supersede requirements of the Land Use Ordinance of the Town of Clinton, those departures are largely consistent with the intent and purpose of the ordinance and the Town of Clinton Master Plan.

The Town's 2008 master plan set forth the general land use goal of achieving "*a proper balance in the distribution and spatial relationships among the various land uses to provide a varied and healthful environment for the Town's residents and to retain the small town residential and historic character of the community*". Relevant objectives related to this goal include:

- Encourage the property use and reuse of land, particularly remaining vacant parcels, to meet the needs of the current and future residents.
- Promote development designs that reflect, enhance and preserve the Town's architectural and historic character.
- Develop plans for the rejuvenation of Old route 22, with new urban design, and relating existing and new development to the historic center of town.

The master plan also set forth the housing goal of retaining “*the small town character of residential neighborhoods, encouraging suitable housing for all incomes, ages and lifestyles of the citizens of Clinton*”. Relevant objectives related to this goal include:

- Work to insure quality housing of varied design to promote residential character and community identity.
- Encourage housing for a mix of income levels and household types.

The 2008 master plan included discussion of the results of design charettes held by the Town in conjunction with preparation of that plan. Design solutions supported for the Old Highway 22 area included the mixed-use development permitted under this redevelopment plan.

Considering the goals and objectives of the master plan, the standards set forth in this redevelopment plan are designed to be consistent with and effectuate the Town’s long-standing planning policy. Redevelopment of the parcels that are the subject of this plan will carry out the goal of improving the Old Highway 22 corridor while providing variety in the Town’s housing stock. Situating higher-density development away from the core of historic single family neighborhoods will insure continued protection of these stable areas of the Town in a manner that will complement and further protect historic resources in Clinton.

## **Significant Relationship of the Redevelopment Plan to Other Municipal, County and State Plans**

### **Clinton Township**

The area of Clinton Township immediately near the redevelopment area is zoned OB-1 Office Building District, which permits offices, clubs, lodges and fraternal, civic and charitable organizations, banks, municipal buildings and uses, medical offices, nursery schools, funeral homes, nursing homes, vocational schools and studios, computer and data processing facilities, central telephone exchanges, child care centers, ambulatory care facilities, assisted living residences and residential health care facilities. The property immediately adjacent to the redevelopment area is home to Century Link, a communications company which provides service to the general area. Redevelopment of the area as proposed within this plan is not inconsistent with permitted uses in adjacent Clinton Township, nor will it have any negative impact on the continued use of developed parcels in the area.

### **Hunterdon County**

Hunterdon County’s Growth Management Plan was adopted in 2007 and presented a vision to take the County through 2020. General goals of the plan were aimed at preserving the County’s rural character, preserving farmland and open space and directing development to existing towns and villages. Given that the Town of Clinton is a center for population in the northern part of the County and exhibits a compact form of development, channeling of new residential growth and small-scale commercial uses to the redevelopment area is consistent with that vision.

The County also adopted the “Hunterdon County Comprehensive Economic Development Strategy” in 2014, which provided analysis of economic development-related data and metrics along with goals and objectives. Some relevant goals and objectives include channeling growth and development in the County in an efficient, context sensitive manner, repurpose existing underutilized commercial and industrial properties, create revitalized and vibrant communities by focusing development in town centers and for transit oriented development and support a variety and density in centers that seek redevelopment/revitalization.

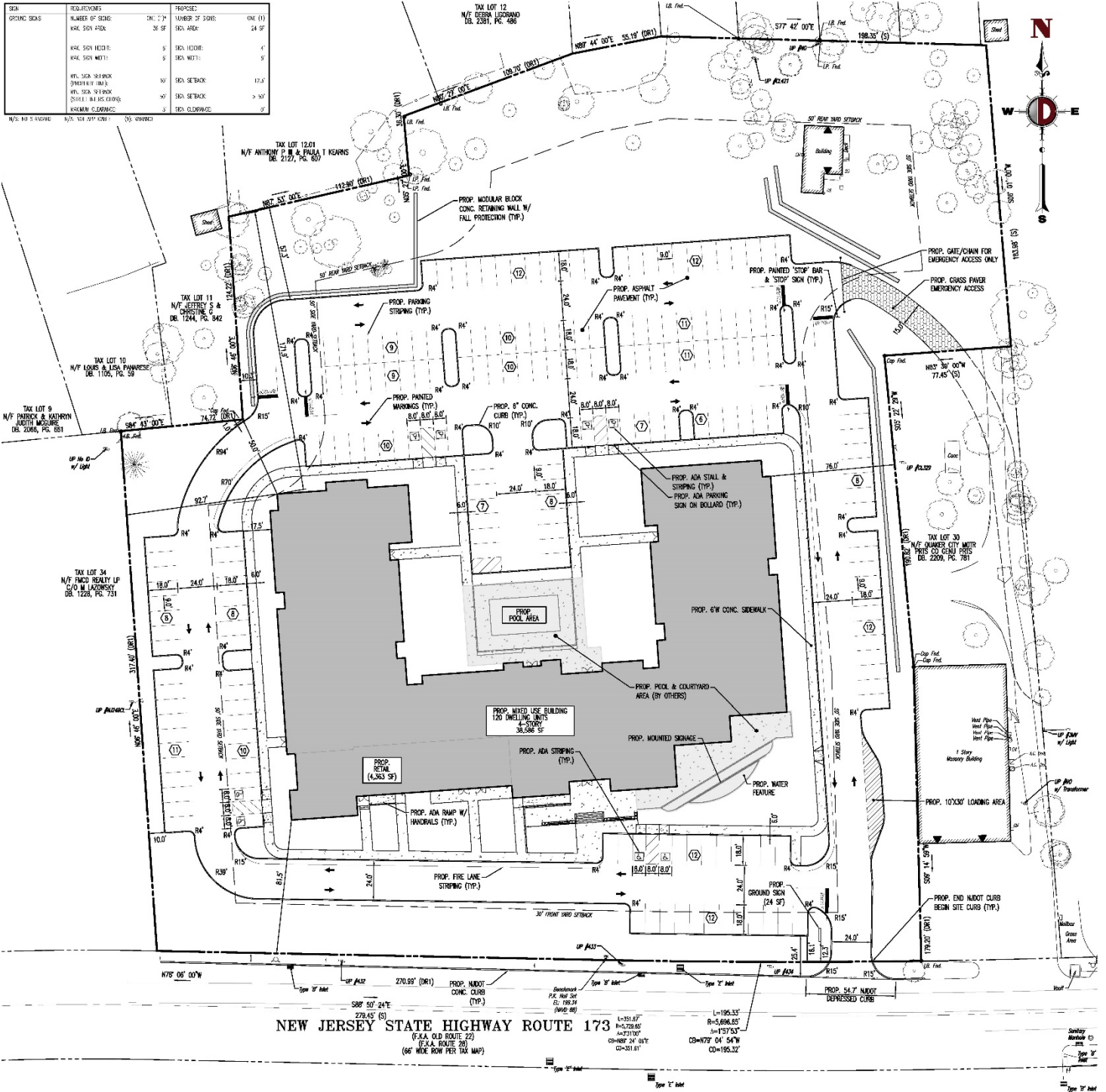
Overall this redevelopment plan carries out many of the growth management and economic development strategies that are supported by the County and can be seen as consistent with the County’s planning efforts.

### **State of New Jersey**

The 2001 State Development and Redevelopment Plan classifies the redevelopment area as PA-3, Fringe Planning Area. The intent for PA-3 areas is to accommodate growth in centers, protect the environs primarily as open lands, revitalize cities and towns, protect the character of existing stable communities, protect natural resources, provide a buffer between more developed areas and less developed areas and confine programmed sewers and public water services to centers. While not a designated center under the State Plan, Clinton is an existing developed area with water and sewer infrastructure that was identified as part of the Clinton Area regional center. This redevelopment plan is designed to carry out the intent of PA-3 and is consistent with that intent.

## **Appendices**

# Concept Plan





**Governing Body Designating Resolution**