



REDEVELOPMENT PLAN FOR BLOCK 28, LOTS 15-21

BOROUGH OF NETCONG, NEW JERSEY

Prepared by **PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC** | Planning & Real Estate Consultants | Hoboken, NJ

Adopted: April 9, 2020

November 11, 2020

Amended: _____

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Prepared for

The Borough of Netcong, New Jersey

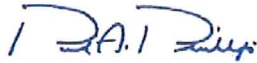
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The original of this plan was signed and sealed in accordance with N.J.S.A. 13:41-1.2

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1 INTRODUCTION

1.A Statutory Basis for the Redevelopment Plan

This Redevelopment Plan has been prepared for Block 28, Lots 15-21 (the “Plan Area”) within the Borough of Netcong (“Borough”) in Morris County, New Jersey. The Plan Area is located in the central portion of the Borough of Netcong and encompasses approximately 4 acres. The Plan Area is located adjacent to Netcong’s central business district across Main Street (U.S. 46) from the Netcong train station as shown in Figure 1.

On October 5, 2017, the Borough Council by resolution 2017-103 authorized the Planning Board to undertake a preliminary investigation to determine whether Block 28, Lots 15-21 met the statutory criteria for a “Non-Condensation Area in Need of Redevelopment” pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (LRHL). The Planning Board directed Phillips Preiss Grygiel LLC to conduct a Redevelopment Area Investigation. The subsequent study entitled *Area in Need of Redevelopment Investigation for Block 28, Lots 15-21, Borough of Netcong, New Jersey* was submitted in February 2018. A public hearing was subsequently held before the Netcong Planning Board regarding that investigation, where upon the Board recommended to the Borough Council that the Study Area qualified for “area in need of redevelopment” status. The Borough Council thereafter affirmed the Planning Board’s recommendation and formally declared the area “in need of redevelopment” on July 12, 2018.

1.B Description of Plan Area Boundaries and Existing Land Uses

The boundary of the Plan Area is shown in Figure 2. The Plan Area is irregularly shaped. Its boundaries are formed by Down Street to the west, Wiltop Road to the south, single family homes fronting on Wiltop Road to the east, and Main Street (U.S. 46) to the north. Lot 15 is improved with a single-family home and fronts on Wiltop Road. Lot 16 is improved with a Shop-Rite and accompanying parking area that is accessed from Main Street. Lot 17 is vacant and fronts on the Wiltop Road extension. Lots 18 through 21 are improved with vacant two-family homes fronting on Down Street.

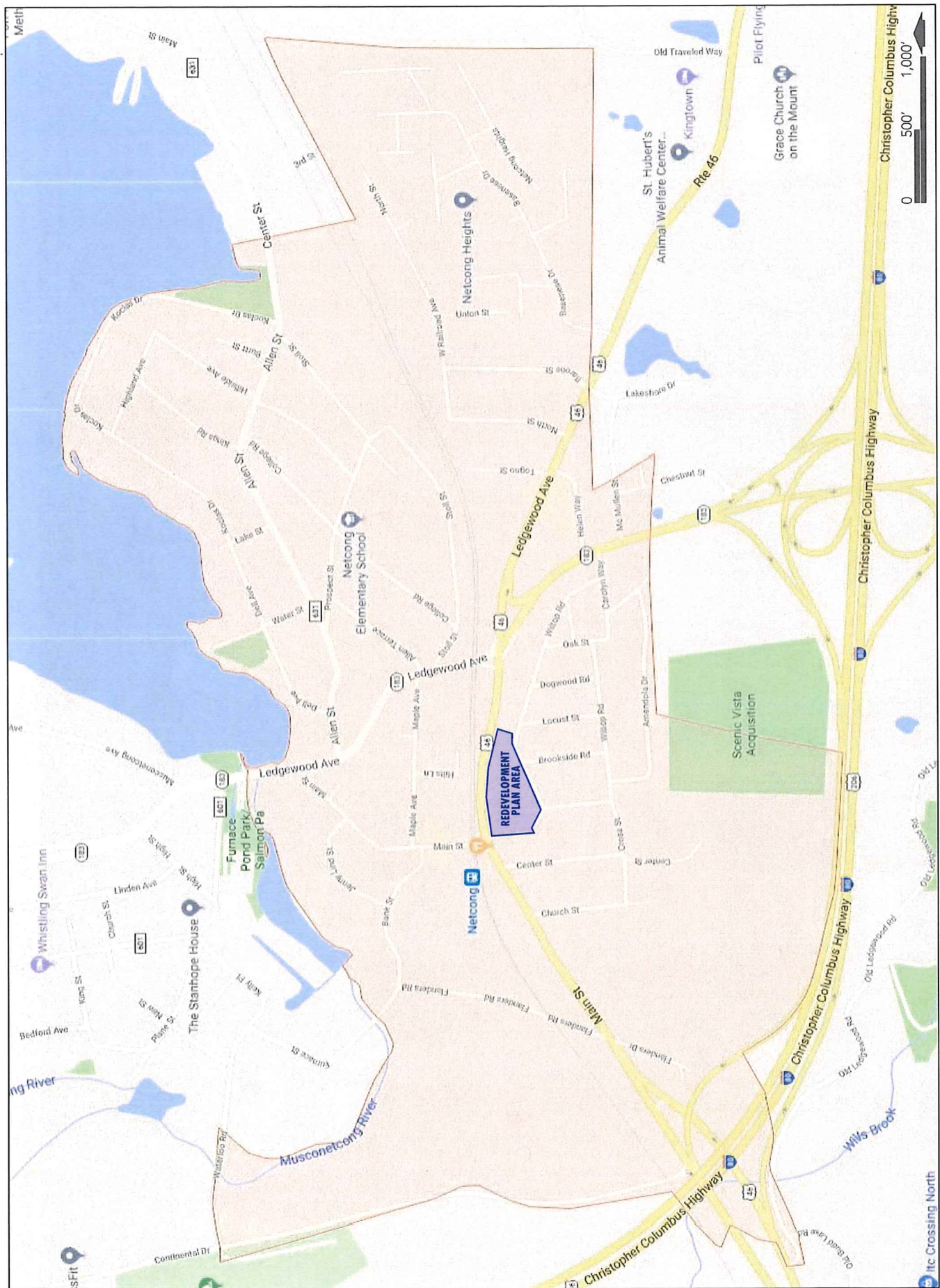


FIGURE 1: REDEVELOPMENT PLAN AREA LOCATION | REDEVELOPMENT PLAN FOR BLOCK 28, LOTS 15 - 21 | NETCONG NJ | PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2020

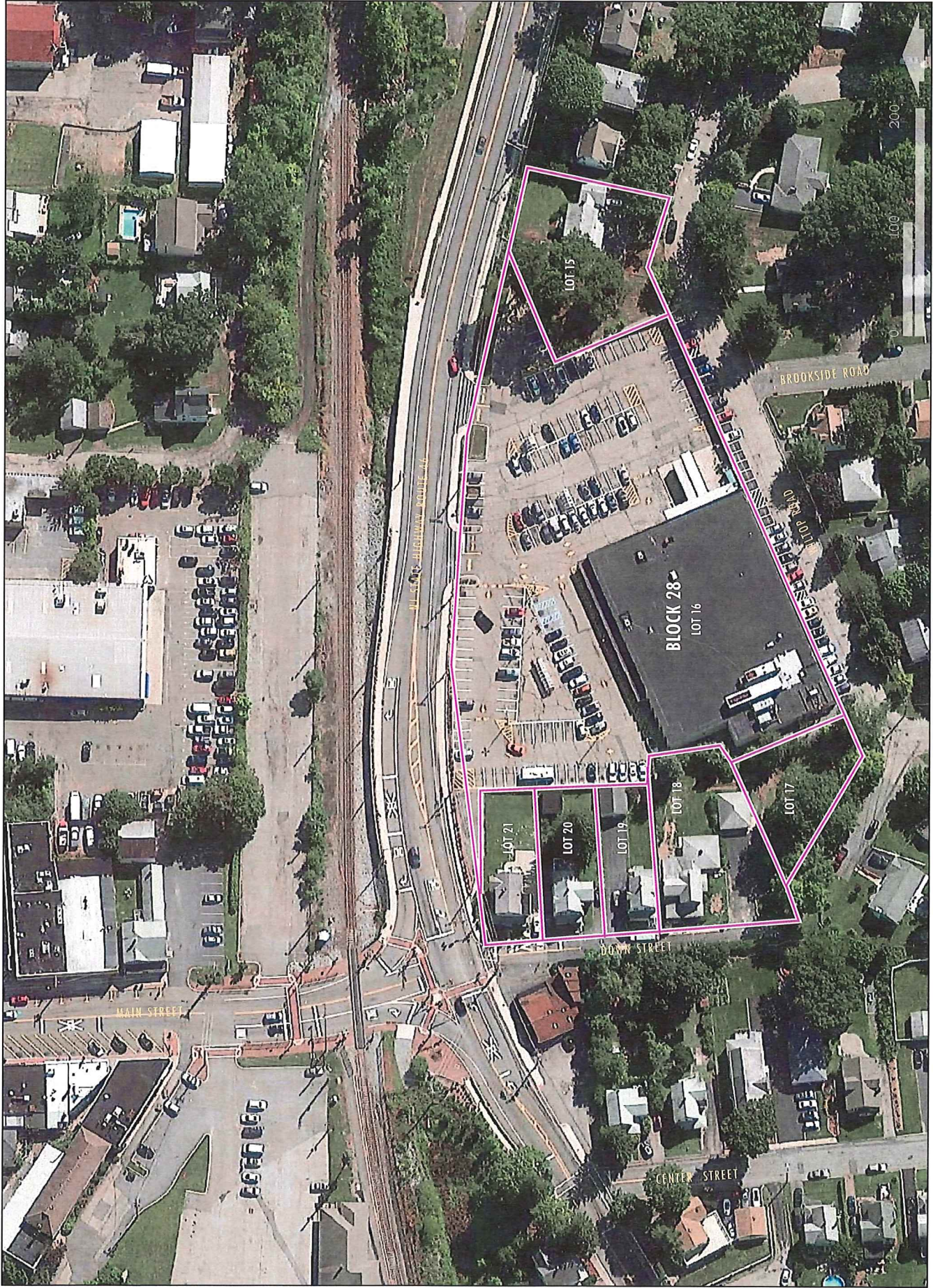


FIGURE 2: REDEVELOPMENT PLAN AREA BOUNDARIES | REDEVELOPMENT PLAN FOR BLOCK 28, LOTS 15 - 21 | BOROUGH OF NETCONG NJ | PHILLIPS PREISS GRYGIEL LEHENY HUGHES LLC 2020

2 PLAN VISION AND OBJECTIVES

2.A Redevelopment Plan Goals and Objectives

This Redevelopment Plan provides a framework for the redevelopment of property adjacent to Netcong's central business district across Main Street (U.S. 46) from the New Jersey Transit Netcong Station. The Redevelopment Plan sets forth standards and guidelines for land use, circulation, parking, and urban design. Some Plan elements are fixed while other standards are flexible and are to be used as guidelines for effectuating development that meets the Plan's goals and objectives described below.

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

- To provide for an increase in the economic base of the Redevelopment Area and the entire Borough by redeveloping underutilized and non-productive properties.
- To eliminate the negative impacts associated with vacant and unproductive residential dwellings.
- To provide for the revitalization of an area with a generally dated and uninviting appearance.
- To improve the aesthetics of the Shop-Rite property and larger Redevelopment Area in a manner that is compatible with the character of adjacent properties and land uses.
- To provide for development that exhibits a high-quality architectural standard.

2.B Relationship to Local Objectives

2.B.I Borough of Netcong Master Plan

The Master Plan for the Borough was completed in 1978 and amended through reexamination in 1988 and 1998. An amendment to the Land Use Plan Element occurred in 2003 in regard to the annexation of a portion of Roxbury Township. In 2005, the Borough adopted a master plan revision in the form of a Stormwater Management Plan. Most recently, in 2008, the Borough adopted a Master Plan Reexamination Report which noted that Netcong's downtown area, which is adjacent to the Plan Area, has been a focus for redevelopment and revitalization in recent years. A number of properties have been designated as areas in need of redevelopment under the LRHL and several redevelopment plans have been adopted which focus on new multi-family development in close proximity to the train station. The Master Plan reports that the Borough aggressively pursued and obtained "Center" designation from the State of New Jersey in the year 2000. The Borough formed an Economic Development Committee in 2001 and a Special Improvement District (SID) known as the Netcong Community Partnership was formed in that same year encompassing the Borough's business district. The Downtown Netcong SID provides assistance to local businesses and encourages owners to undertake property upgrades in the form of design, facade and sign improvements. The Borough further undertook a comprehensive streetscape improvement project along portions of

Main Street in 2002 and 2003 using a number of funding sources which included municipal bonding, a NJDOT grant and Morris County Community Development grant. Among the improvements completed were new sidewalks/pavers, strategic bump outs, new antique-style lighting, signage and a clock. Netcong has initiated a variety of other measures to bolster its downtown area and historic center. In 2002, the Borough adopted Center Design Criteria and a Sign Ordinance intended to establish a uniform design theme for the central business district. In 2005, Netcong was designated by NJ TRANSIT as a so-called "Transit Village."

This Redevelopment Plan is consistent with the Borough's Master Plan as it would permit significant reinvestment on a large commercial parcel adjacent to the downtown area.

2.B.II Borough of Netcong Zoning Ordinance

Under the current zone plan, the study area is located within two zoning districts. Block 28, Lots 15, 17, 18 and 19 are in the R-2 Single Family Residential Zone. Block 28, Lots 16, 20 and 21 are in the B-C Borough Center zone (see Figure 4). Parts of the B-C district are within a designated redevelopment area for which several redevelopment plans have been adopted as part of the Borough's overall downtown center development strategy.

2.B.II.1 R-2 Single Family Residential District

The following uses are permitted in the R-2 Residential Districts:

- (1) Single-family detached dwellings.
- (2) Churches, parish houses and burial mausoleums, owned by the church and located on the same lot or on a lot contiguous to the church property. Burial mausoleums shall be subject to Schedule I, Area and Bulk Requirements, 1 of Article VIII, Zoning, for the particular district in which the burial mausoleum is located.
- (3) Essential services such as municipal buildings, police and fire stations, libraries, public parks and playgrounds and schools.

Accessory uses customarily incident to residential uses are permitted in the residential zone district, provided that:

- (1) No accessory building shall exceed 15 feet in height.
- (2) Accessory buildings shall be at least 10 feet from any principal building situated on the same lot, unless an integral part thereof, and shall be at least five feet from any other accessory building.
- (3) Accessory buildings on corner lots may not be erected nearer to the street than the front yard required on the adjacent lot.
- (4) No accessory building shall be built in the front yard; nor shall an accessory building located within the rear yard be built closer than five feet to a side lot line nor closer than five feet to the rear lot line.

- (5) Accessory buildings built within the side yard shall meet the side yard requirements for the principal building.

No zoning permit shall be granted for the erection of a new dwelling nor a certificate of occupancy issued therefor unless there shall be included in such construction a garage, carport or approved shelter for not more than three motor vehicles, connected by an adequately surfaced driveway

Bulk requirements in the R-2 District are shown in Table 1.

Table 1: Bulk Requirements in the R-2 District

Standard	Requirement
Min. Lot Area	5,000 SF
Min. Lot Width	50 feet
Min. Lot Depth	100 feet
Min. Floor Area	800 SF
Max. Building Height	2.5/35 feet
Min. Front Yard	25 feet
Min. Side Yard	
	One Yard 7 feet
	Both 17 feet
Min. Rear Yard	25
Max. Impervious Coverage	40 percent

2.B.III B-C Borough Center District

The Borough Center (B-C) District and its regulations are intended to promote the appropriate development and redevelopment of a mixed-use commercial and residential downtown area of the Borough which serves the daily needs of the Borough residents and surrounding local areas. A mix of residential uses is also intended in the B-C District.

The following shall be permitted principal uses in the B-C District:

- (1) Individual retail stores, boutiques and specialty shops. Restaurants, cafes, taverns and other food and beverage establishments, excluding those with drive-up facilities.
- (2) Restaurants, cafes, taverns and other food and beverage establishments, excluding those with drive-up facilities.
- (3) Banks and financial offices. Studios for instruction in the arts, dancing, music, languages, photography and similar activities.
- (4) Studios for instruction in the arts, dancing, music, languages, photography and similar activities.
- (5) Professional, business and real estate offices. Personal service establishments limited to haircutting, tailoring, beauty parlors and retail dry-cleaning shops, not including bulk processing on or from the premises.

- (6) Personal service establishments limited to haircutting, tailoring, beauty parlors and re-tail dry-cleaning shops, not including bulk processing on or from the premises.
 - (7) Travel agencies.
 - (8) Studio, one-bedroom and two-bedroom apartments, as well as accessory apartment units consistent with the definitions and regulations of the New Jersey Council on Affordable Housing (COAH). All apartment uses are permitted only on second floors above permitted commercial uses.
 - (9) Studio, one-bedroom and two-bedroom apartments, as well as accessory apartment units consistent with the definitions and regulations of the New Jersey Council on Affordable Housing (COAH). All apartment uses are permitted only on second floors above permitted commercial uses.
 - (10) Municipal buildings and offices.
 - (11) Churches and parish homes.
 - (12) Theaters.
 - (13) Social halls, lodges and fraternal organizations. Age-restricted one-bedroom and two-bedroom senior housing units and executive temporary housing units in multiunit structures subject to the following density, bulk and coverage requirements:
 - (14) Age-restricted one-bedroom and two-bedroom senior housing units and executive temporary housing units in multiunit structures subject to the following density, bulk and coverage requirements:
 - (a) Minimum lot area: 3 acres.
 - (b) Maximum density: 12 units per acre.
 - (c) Minimum lot width: 100 feet.
 - (d) Minimum lot depth: 200 feet.
 - (e) Maximum building height: 3 stories/50 feet.
 - (f) Maximum front yard: 100 feet. Minimum side yard:
 - (g) Minimum side yard:
 - [1] One: 25 feet.
 - [2] Two: 50 feet.
 - (h) Minimum rear yard: 75 feet.
 - (i) Minimum open space: 30% of site area.
 - (j) Maximum building coverage: 25% of site area.
- (C) The following are permitted accessory uses in the B-C District:

- (1) Signs conforming to § 194-55H, Signs, of this chapter, as follows:
 - (a) Single-family residences per § 194-55H(2).
 - (b) Senior and executive housing per § 194-55H(3).
 - (c) Business uses per § 194-55H(4).
- (2) Parking and parking facilities pursuant to Article VI, Site Plan Review. Off-street parking for nonresidential uses shall comply with § 194-59E, Off-street parking. Residential uses shall comply with N.J.A.C. 5:21-4.14, Parking; number of spaces; N.J.A.C. 5:21-4.15, Parking space size; and N.J.A.C. 5:21-4.16, Parking lots.

D. Any use other than the permitted uses is prohibited. The following uses are specifically prohibited:

- (1) None of the foregoing uses shall be construed to include either as principal or accessory uses price or club retail or warehouse uses, auction establishments, commercial manufacturing, processing or assembly uses, warehousing or storage uses, junkyards or motor vehicle sales or service establishments.
- (2) Massage parlors.
- (3) Adult bookstores and entertainment uses.
- (4) Rooming houses and boardinghouses.
- (5) Financial service centers and tattoo parlors are not considered "retail stores, boutiques, and specialty shops" and are not permitted in the B-C District.

Table 2: Bulk Requirements in the B-C District

Standard	Requirement
Min. Lot Area	6,000 SF
Min. Lot Width	60 feet
Min. Lot Depth	100 feet
Max. FAR	1,000 SF
Max. Building Height	2/30 feet
Min. Front Yard	25 feet
Min. Side Yard	
	One Yard 5 feet
	Both 15 feet
Min. Rear Yard	25
Max. Impervious Coverage	60 percent

3 LAND USE & DEVELOPMENT PLAN

3.A Note on Plan Terminology

Throughout this Redevelopment Plan, a meaningful distinction is made in the regulations between “shall” and “should.”

“Shall” means that a developer is required to comply with the specific regulation, without deviation.

“Should” means that a developer is encouraged to comply but is not required to do so. If the exact recommendation cannot be met, the Planning Board will entertain any modification that meets the underlying spirit and intent of the regulation and/or the Redevelopment Plan generally.

3.B Conceptual Illustrations and Development Plans

The Appendix includes an illustrative development plan and conceptual building renderings that show the *intended* building massing / architectural detailing. While some of the design elements shown are fixed, as set forth in ensuing sections of the Plan, others are flexible and allow for changes to occur based on more complete site information and more detailed architectural and engineering plans.

3.C Land Uses & Bulk Standards

3.C.I Overview of Development

The intent of the Redevelopment Plan is to provide for the renovation, modernization and expansion of the existing $\pm 29,000$ square foot Shop-Rite supermarket. The following improvements are contemplated: an approximately $\pm 1,600$ square foot vestibule addition to the front façade of the existing grocery store; an approximately $\pm 15,000$ square foot addition connected to the eastern portion of the existing supermarket; an approximately $\pm 7,000$ square foot mezzanine above the ground level of the supermarket; and an approximately $\pm 15,000$ square foot expansion of the supermarket along the western portion of the property. Renovation of the exterior façade is also contemplated.

The existing surface parking area shall be expanded and restriped and the parking lot shall be connected via sidewalk to Wiltop Road where additional off-site parking spaces shall be provided. Other site improvements shall include the construction of new loading docks; a trash compactor; bike racks; new signage; and retaining walls. Additionally, existing lighting shall be upgraded and relocated on-site.

3.C.II Principal Permitted Uses

The principal permitted use in the Plan Area shall be a supermarket (with pharmacy and liquor departments). The supermarket use may include a fulfillment center of up to $\pm 20,000$ square feet.

3.C.III Permitted Accessory Uses

The following accessory uses are permitted:

- Off-street surface parking facilities.
- Off-street loading facilities.
- Sidewalk sales and promotions immediately adjacent to the supermarket and associated with the operation of the supermarket.
- Any use which is customarily incidental to the principal permitted use.

3.C.IV Building Height

The building height shall be measured from the average ground elevation around the foundation to the level of the highest point of the roof surface. The maximum building height shall be 30 feet, except that the supermarket may have up to two tower elements which shall have a maximum height of 34 feet.

3.C.V Building Lot and Setback Requirements

3.C.V.1 Minimum Lot Size

The minimum lot area shall be 3.75 acres.

3.C.V.2 Minimum Setbacks

The minimum setback from the Route 46 right-of-way shall be 50 feet.

The minimum setback from all other property lines shall be 10 feet except that the minimum setback from the Wiltop Road extension shall be 3 feet.

The minimum parking setback to a property line shall be 15 feet except that there shall be no minimum parking setback from the Route 46 right-of-way or from Wiltop Road.

3.C.V.3 Maximum Floor Area Ratio

The maximum floor area ratio shall be 0.40.

3.C.V.4 Maximum Impervious Coverage

The maximum impervious coverage shall be 95%.

3.D Parking

3.D.I Parking Ratios

Parking shall be provided at a ratio of 4 spaces per 1,000 square feet of floor area, including mezzanine area but excluding the area of the fulfillment center. The area devoted to the fulfillment center shall provide one parking space per 2,000 square feet of floor area. Off-site parking spaces striped along Wiltop Road may be included for the purposes of meeting the parking requirements.

Off-street parking spaces shall comply with the standards of the Americans with Disabilities Act (ADA).

3.D.II Parking Space Dimensions

All parking spaces shall be provided in paved off-street surface parking areas or in parking spaces along Wiltop Road. Parking along Wiltop Road shall be used primarily for employees. All parking stalls shall have a minimum width of 9 feet and a minimum depth of 18 feet.

3.D.III Parking Lot Design

Two-way parking lot aisles shall be a minimum of 24 feet in width. One-way drive aisles shall be a minimum of 16 feet in width with adjacent 60 degree parking; a minimum of 20 feet in width with adjacent 90 degree parking; and a minimum of 11 feet in width (with no adjacent parking). Drive-through lanes shall be a minimum of 9 feet in width.

Landscaping should be provided along the perimeter of the surface parking area.

A sidewalk shall connect the eastern side of the development with Wiltop Road.

3.D.IV Driveways

Two curb cuts for driveway access shall be permitted on Route 46 subject to NJDOT permitting requirements.

3.D.V Fire Aisle

A 30 foot wide aisle shall be provided adjacent to the front facade of the supermarkets to include a 6 foot wide fire (no parking) zone. No automobile parking shall be permitted between the fire aisle and the building, except that parcel pickup shall be permitted. Pedestrian walkways shall be permitted between the fire aisle and the buildings.

3.D.VI Loading Areas

A minimum of four truck loading bays shall be provided. Loading shall be permitted along the easterly side of the building only and such loading shall be dedicated to any permitted use (i.e., supermarket, liquor department, fulfillment center).

3.D.VII Sidewalks

In addition to the existing sidewalk located along Route 46 within the NJDOT right-of-way, sidewalks shall be constructed in the following locations: at the easterly end of the Plan Area connecting the parking area to Wiltop Road; at the westerly end of the supermarket connecting the walkway in front of the supermarket to Wiltop Road; and at the westerly end of the Plan Area traversing a new curbed island separating the parking area from Down Street and connecting to the existing sidewalk along Route 46.

3.D.VIII Sight Triangles

Sight triangles at existing or new unsignalized driveways along Route 46 shall not exacerbate the current level of non-conformity (i.e., in relation to Section 194:55.D) for sight triangles at existing unsignalized driveways along Route 46.

3.D.IX Retaining Walls

Retaining walls shall not exceed the greater of 13 feet in height or the maximum height of any existing retaining wall within the Plan Area.

3.E Design Standards

The design guidelines at Section 194-41 of the ordinance shall not be applicable to the redevelopment area, except for 194-41.A(3), (4) and (5), and as noted herein.

3.E.I Building Massing and Articulation

3.E.I.1 Vertical Differentiation

VERTICAL MASSING

Each facade plane should be defined through a series of vertical elements to add visual interest and break up large wall masses. This may include changes in materials, building projections, windows, columns or other architectural elements.

3.E.I.2 Horizontal Differentiation

HORIZONTAL MASSING

The base of the building along the front façade should be highlighted architecturally and differentiated from upper portions of the front façade in order to visually ground the building. Materials heavier in appearance are typically appropriate for the base of a building. The middle of the front façade should be distinguished from the base and top of the building by changes in material, and/or other appropriate means. The top of a building's front façade should be defined and differentiated at the roofline. A substantial cornice should be used at the top of the parapet wall or roof edge, providing a distinctive cap to the building façade. The top of the building's façade should incorporate some roof articulation such as flat and pitched-roof tower elements.

3.E.II Building Transparency

3.E.II.1 Entries

Pedestrian entries should be clearly visible and highlighted within facades through projections, recessions and/or material changes, as well as arcades, awnings, overhangs, and/or lighting.

3.E.II.2 Windows

Windows should occupy at least 20% of the front façade area of the supermarket and at least 20% of the front façade area of a bank or restaurant building.

3.E.III Outdoor Storage Areas and Trash Enclosures

Outdoor storage area screening materials and colors should be consistent with the overall theme of the building.

Outdoor trash and recycling areas shall be screened on all sides other than the front. Screening enclosures shall match the materials and design elements of the primary structure.

3.E.IV Materials

Building facades and ornamentation should be compatible in terms of architectural treatment, color and materials. Materials should be extended around corners and extensions in order to avoid a “pasted-on” appearance. Façade materials may include masonry, stone, EFIS/stucco, brick, and metal. Non-flat roof surfaces should be comprised of composite slate roof materials.

3.E.V Screening of Mechanical Equipment

The screening of roof-mounted and ground-mounted mechanical equipment (e.g. air conditioning, heating, ventilation ducts and exhaust vents, transformers and generators, and similar equipment, but excluding solar collectors and related equipment) shall be required.

Roof-top mechanical equipment shall be screened by solid and permanent roof-mounted screens. Screening should be compatible with the architectural style, materials, and color of the building. Such rooftop screening shall not exceed a height of ten (10) feet above the surface of the roof. The point from which the line of sight shall be measured to determine roof-top screening compliance shall be 40 feet from the front and rear of any building.

3.E.VI Utilities

All utilities must be buried underground. Overhead utility lines are prohibited, except to run lines from a pole on the southern side of Wiltop Road to the northern side of Wiltop Road and along the western side of any new driveway entrance from Down Street.

3.F Landscaped Buffers

Buffers consisting of fencing, trees, shrubbery and/or other appropriate landscaping shall be provided along perimeter property lines where possible. Buffer strips adjoining residential properties shall include a minimum 5-foot wide vegetated buffer and a maximum 6-foot high decorative fence.

3.G Signage

3.G.I Pylon Sign

One double side freestanding pylon sign shall be permitted within the Plan Area. The sign shall not be located within a sight triangle. Materials and colors shall be similar to the supermarket building. All sign panels shall be either internally illuminated or high definition LED panels.

The maximum height of the sign shall be 30 feet. The maximum sign area shall be 150 square feet. For a sign with two identical faces, only one face shall be included in the sign area calculation.

3.G.II Monument Signs

One freestanding double sided monument sign shall be permitted. The monument sign shall be a maximum of 6 feet in height. The maximum sign area shall be 60 square feet. For a sign with identical faces, only one face shall be included in the sign area calculation.

Ancillary signage associated with the drive-thru operations of a restaurant or bank shall be permitted subject to Planning Board approval regarding the particular specifications for same.

3.G.III Wall Mounted Signs

Wall signs shall be permitted on the front façade of each building in the Redevelopment Area. The maximum total sign area on the front façade of the supermarket shall be 5 percent of the area of the façade and the maximum total sign area on the front façade of any other building shall be 10% of the area of the façade.

A second wall sign shall be permitted on the easterly (side) façade of the supermarket with a maximum sign area of 2 percent of area of that façade. Additional wall signs shall be permitted on the side facades of any other building with a maximum sign area of 6 percent of the area of any such façade.

3.G.IV Entrance/Exit Signs

Freestanding double sided non-illuminated entrance and exit signs shall be permitted at access driveways. The maximum height of the signs shall be 4 feet and the maximum sign area shall be 4 square feet. Only one face shall be included in the sign area calculation.

3.G.V Walkway Sign

A single sided aluminum building or pole mounted sign containing the trademark logo of the supermarket shall be permitted at the entrance to the walkway connecting Wiltop Road to the Plan Area. Such sign shall be a maximum of 4 square feet, 2 feet in width and 2 feet in height.

3.G.VI Flag Poles

A maximum of two flag poles shall be permitted. Flags shall be limited to the following: American, State of New Jersey, Morris County, POW, Veterans or similar flags having a patriotic theme. Flags associated with the advertising of an on-site business shall be expressly prohibited.

4 RELATIONSHIP TO DEVELOPMENT REGULATIONS AND OTHER PLANS

4.A Relationship to the Borough of Netcong Zoning Ordinance

This Redevelopment Plan shall supersede the provisions of the Zoning Ordinance of the Borough of Netcong. In situations where zoning provisions are not specifically addressed herein, the Netcong Zoning Ordinance shall, however, remain in effect. No “d” variance from the requirements herein in accordance with N.J.S.A. 40:55D-70 shall be cognizable by the Zoning Board of Adjustment. Adoption of this Plan by the Borough Council shall be considered an amendment to the Borough of Netcong Zoning Map.

4.B Relationship to Master Plans of Adjacent Municipalities

The Borough of Netcong is bordered to the south and east by the Township of Roxbury; to the south and west by Mount Olive Township; and the Borough of Stanhope to the north. None of these municipalities abut the Redevelopment Area.

4.C Relationship to the Morris County Master Plan

4.C.I Future Land Use Element

As demonstrated in the nearly 45-year old Morris County Plan’s Future Land Use Element (1975), the Borough of Netcong has long been seen as the logical location for continued growth in Morris County. The Future Land Use Element states that Mount Olive Township, in which Netcong resides, has been experiencing dramatic growth. The Element proposes that the growth in the Township should be located in “one well-defined town center, where necessary future municipal services and mass transportation may be efficiently and economically provided.” The Element references Netcong’s good rail and highway access and plentiful water and sewer capacity to justify an eventual “Netcong Center” of 30,000 to 40,000 people “at densities necessary to yield a fairly compact urban unit,” and about 12,000 jobs. Today, the population and employment are far less than projected in 1975; however, the goal of using Netcong as a center for the County and the region remains valid.

4.C.II Transportation Element

The Morris County Plan’s Transportation Element (2018) includes the goal to conduct a coordinated, comprehensive, and cooperative transportation planning process. One of the objectives of this goal is to support integration of land use and transportation planning. This Redevelopment Plan is consistent with this goal and objective because it is a transit oriented development (TOD). The Plan envisions the expansion of a commercial development in close proximity to public transportation, i.e., the Netcong train station. The proximity of the commercial development to the train station, the

business district, and residential neighborhoods reduces the need to drive for shopping. Providing a mix of different land uses in close proximity also promotes pedestrian activity, fosters local economic development, enhances real estate values while minimizing the expenditure of public resources for streets and utilities, and makes the community more walkable.

4.D Relationship to the State Development and Redevelopment Plan

Among the 2001 State Plan's intentions is to revitalize the state's existing urban areas by directing growth and development to those areas. Netcong is listed as a designated *Regional Town Center* in the State Plan. The entire Borough is located within Planning Area 2 (PA2), the Suburban Planning Area, an area slated to receive much of the State's redevelopment, promoting growth in Centers and other compact forms while preserving the character of residential communities. The Suburban Planning Area should also protect natural resources, redesign areas of sprawl, reverse the current trend toward sprawl, and revitalize cities and towns. By virtue of its excellent access and prominent location, the Redevelopment Area is by all measures an appropriate location for new growth. The Redevelopment Plan will facilitate growth in this area.

This Redevelopment Plan proposes to replace an outdated and undersized supermarket with an expanded and modernized facility at a location proximate to Netcong's central business district. Its objectives are therefore consistent with the goals, strategies and policies of the State Plan.

4.E Relationship to NJDOT Transit Initiative Program

Netcong Borough is among the designated Transit Villages in New Jersey. As stated on the NJDOT Transit Initiative Program:

- A designated Transit Village is a municipality that has been recommended for designation by the interagency Transit Village Task Force. These municipalities have demonstrated a commitment to revitalizing and redeveloping the area around their transit facilities into compact, mixed-use neighborhoods with a strong residential component.
- A municipality can be designated a Transit Village only after much of the planning and background work has already been done on the municipal level. It may only be designated a Transit Village after the Transit Village Criteria have been met.

Being designated a Transit Village provides a municipality with the following benefits:

- State of New Jersey commitment to the municipality's vision for redevelopment.
- Coordination among the state agencies that make up the Transit Village Task Force.
- Priority funding from some state agencies.
- Technical assistance from some state agencies.
- Eligibility for grants from the New Jersey Department of Transportation (NJDOT).

As the Plan Area is within one-half mile of the Netcong train station, it falls within the area of focus for the Transit Village program. Therefore, this Redevelopment Plan espouses principles of transit-friendly development which promotes the enhancement of walking between the Plan Area and the business district including the train station.

5 REDEVELOPMENT ACTIONS

5.A Outline of Proposed Actions

New construction/building expansion and other improvements will take place as proposed in this Redevelopment Plan. Other actions that may need to be undertaken to implement the Redevelopment Plan may include the clearance of vacant, dilapidated, deteriorated, obsolete or underutilized structures and land; provisions for infrastructure necessary to service and support new development; and the creation and/or vacation of easements as may be necessary for redevelopment.

5.B Provision of Improvements

The designated redeveloper or other party responsible for redevelopment will be responsible for the installation or upgrade of infrastructure related to the project, whether on-site or off-site. Infrastructure items include, but are not limited to, gas, electric, water, sanitary and storm sewers, pumping stations, traffic control devices, telecommunications, streets, curbs, sidewalks, street lighting, street trees, and street furniture. The extent of the redeveloper's responsibility will be outlined in the redeveloper's agreement with the Borough of Netcong. All improvements will comply with applicable federal, state and local law.

5.C Properties to be Acquired

The Borough does not intend to use municipal funds to acquire any properties as part of this Redevelopment Plan.

5.D Easements

No building shall be constructed over a public easement in the Plan Area without prior written approval of the Engineer of the Borough of Netcong.

5.E Demolition

It is proposed that the Plan Area be completely cleared of residential buildings. The plan proposes a significant upgrade and expansion of the existing supermarket structure.

5.F New Construction

It is proposed that the Plan Area be developed with an expanded supermarket.

5.G Relocation

No relocation actions will be required to implement the Redevelopment Plan.

5.H Other Actions

In addition to the new construction described above, several other actions may be taken to further the goals of this plan. These actions may include, but shall not be limited to: (1) provisions for infrastructure necessary to service new development; (2) environmental remediation; (3) creation and/or vacation of public utility easements and other easements and rights of way as may be necessary for redevelopment.

6 GENERAL PROVISIONS

6.A Site Plan Review

Prior to commencement of construction, a site plan for the construction of improvements within the Redevelopment Area, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.) and the Site Plan Ordinance of the Borough of Netcong, shall be submitted by the applicant for review and approval by the Planning Board of the Borough of Netcong so that compliance with the Redevelopment Plan can be determined.

6.B Adverse Influences

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

6.C Non-Discrimination Provisions

The contractor or subcontractor, where applicable will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to age, race, creed, color, national origin, ancestry, marital status, affectional or sexual orientation, gender identity or expression, disability, nationality or sex.

6.D Duration of the Plan

The provisions of this Redevelopment Plan specifying the redevelopment of the Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of twenty (20) years from the date of approval of this Plan by the Mayor and Council of the Borough of Netcong.

6.E Deviation Requests

The Planning Board may grant variances allowing deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, pre-existing structures or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan, would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or

relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. An application for a variance from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12a and b.

Notwithstanding the above, any changes to the uses permitted in the Redevelopment Area or any change requiring a “d” variance in accordance with N.J.S.A. 40:55D-70 shall be permitted only by means of an amendment of the Redevelopment Plan by the Borough governing body, and only upon a finding that such amendment would be consistent with and in furtherance of the goals and objectives of the Plan.

7 **PROCEDURE FOR AMENDING THE APPROVED PLAN**

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. If the designated redeveloper requests such amendment that redeveloper shall pay a fee of \$2,000, as well as reimburse the Borough for reasonable costs, fees and expenses to undertake such amendment, unless the request is issued from an agency of the Borough. The Planning Board, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a professional planner licensed in the State of New Jersey. In addition, the Borough, at its sole discretion, may require the party requesting the amendments establish an escrow account with the municipality adequate to allow the Borough to retain a Professional Planner, licensed in the State of New Jersey, to review any proposed amendments to confirm that the intent of the Plan will not be compromised.

8 OTHER PROVISIONS

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

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- No relocation actions are contemplated as part of this Redevelopment Plan.
- No acquisition by the Borough of Netcong is contemplated as part of this Redevelopment Plan.
- As indicated in Chapter 2, this Redevelopment Plan is consistent with the Master Plan for the Borough of Netcong. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- This Redevelopment Plan shall supersede all provisions of the Zoning Ordinance of the Borough of Netcong regulating development in the area addressed by this Redevelopment Plan. In all situations where zoning issues are not specifically addressed herein, the Netcong Zoning Ordinance shall, however, remain in effect. No “d” variance from the requirements herein shall be cognizable by the Zoning Board of Adjustment. Adoption of this Plan by the Borough Council shall be considered an amendment of the Borough of Netcong Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.
- Any designated redeveloper must have a fully executed Redevelopment Agreement with the Borough prior to making any applications to the Planning Board.

9

APPENDIX: ILLUSTRATIVE DEVELOPMENT PLAN AND CONCEPTUAL ELEVATIONS

