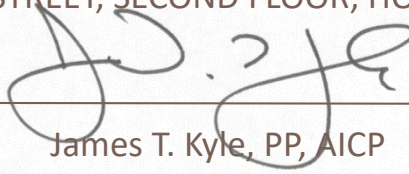


PERIODIC REEXAMINATION OF THE TOWN OF CLINTON MASTER PLAN AND DEVELOPMENT REGULATIONS

PREPARED BY THE TOWN OF CLINTON LAND USE BOARD
WITH ASSISTANCE FROM

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The original of this document was signed and sealed

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



12/6/2018

Town of Clinton

43 Leigh Street, Clinton, New Jersey 08809

Periodic Reexamination of the Town of Clinton Master Plan and Development Regulations

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Introduction

The New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.) requires that each municipality within the State of New Jersey periodically reexamine its Master Plan and development regulations, and prepare and adopt by resolution, a report on the findings of such reexamination. The Reexamination Report, prepared by the Land Use Board at least every 10 years, must include the following components (N.J.S.A. 40:55D-89):

- a) The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b) The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c) The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- d) The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- e) The recommendations of the Land Use Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The current Town of Clinton Master Plan was adopted by the Land Use Board pursuant to Article 3 of the MLUL (N.J.S.A. 40:55D-28) on May 6, 2008. This periodic reexamination report represents the first reexamination of the 2008 Master Plan. In the 10 years since adoption of the Master Plan, not much has physically changed in Clinton. Residents still enjoy a quaint yet bustling downtown, with restaurants and shops that draw visitors from around the State and beyond. Historic homes sit along tree-lined streets, forming a fabric the town has become known for. Residents can walk to Main Street for dinner, visit the Hunterdon Art Museum and take in an exhibit, or simply sit by the South Branch and listen to water tumble over the dam. As idyllic as this sounds, the Town is on the verge of change. Change that if not managed properly, could negatively impact much of what residents and visitors prize about Clinton.

Every municipality in the State of New Jersey has a constitutional obligation to provide its fair share of affordable housing. This was decided by the New Jersey Supreme Court in what have become known as the Mt. Laurel cases. While those cases and the Fair Housing Act of 1985 form the foundation of affordable housing provision, much has changed since the adoption of the 2008 Master Plan relative to determining compliance. The Council on Affordable Housing is no more, and jurisdiction over affordable housing matters has been transferred to the Courts. Fair Share Housing Center, an affordable housing advocacy group located in Cherry Hill, engaged the Courts and municipalities around the State as part of the declaratory judgment process implemented by the New Jersey Supreme Court, a process designed to ultimately determine municipal obligations. The Town of Clinton chose to settle its declaratory judgment action with Fair Share Housing Center and the lone intervenor in that action, as the risk of unknown outcomes that had the potential to radically alter the Town was seen as too great. It is this process that for better or worse will shape the future of Clinton. But the Town has chosen to be proactive, and through settlement of affordable housing litigation and use of the redevelopment process will largely determine its own fate.

While redevelopment has been discussed in the past, since adoption of the 2008 Master Plan, Clinton has been proactive in identifying redevelopment opportunities. In 2016 Mayor and Council designated what is now called the Riverside Redevelopment Area as an “area in need of redevelopment”. They also authorized the Land Use Board to conduct a preliminary investigation in the area including the former A&P supermarket along Old Highway 22.

Much of the foundation that formed the goals and objectives of the 2008 Master Plan remains valid today, but the Land Use Board recommends that the goals and objectives, along with the Land Use Plan element, undergo comprehensive review and update in 2019. There are other elements of the Master Plan that also require minor updating, such as the Conservation Plan, the Circulation Plan, the Parks, Recreation and Open Space Plan and the Community Facilities Plan, which should also be addressed at the time the Land Use Plan and Goals and Objectives are prepared. Most of the updates to the latter master plan elements relate to the availability of more recent data. But the reexamination report is a good opportunity to document current issues in the community, which given imminent change is important. Additionally, over time, the Board and Zoning Officer have documented inconsistencies and issues in the Land Use Ordinance that this reexamination seeks to remedy, and modifications are proposed in this report.

A) THE MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF THE ADOPTION OF THE LAST REEXAMINATION REPORT.

The 2008 Master Plan was prepared after reexamination reports of the prior Master Plan in both 2002 and 2007. The Goals and Objectives of that plan included the following:

2008 Master Plan Goals and Objectives

LAND USE

GOAL: Achieve 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 historical character of the community.

Objective: Encourage the proper use and reuse of land, particularly the remaining vacant parcels, to meet the needs of the current and future residents.

Objective: Channel commercial uses into the existing commercial and office zones and discourage conversion of residential dwellings in residential zones to nonresidential commercial and office uses.

Objective: Prohibit residential development on the north side of Route 31 that would require the transportation of school children across the highway to the Clinton Public School.

Objective: Encourage uses that generate low and off peak traffic and very limited truck traffic.

Objective: Promote development designs that reflect, enhance and preserve the Town's architectural and historical character.

Objective: 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.

Objective: Adopt an historic district ordinance to provide standards for historic preservation.

OPEN SPACE AND RECREATION

GOAL: Provide for the conservation and preservation of open space and for the recreational enjoyment of present and future generations of the Towns of Clinton.

Objective: Preserve the scenic quality and the recreational opportunities of the South Branch of the Raritan River and its tributaries and acquire and retain public access to the River corridors.

Objective: Continue to provide for the active and passive recreational needs of the community.

Objective: Preserve buildings and neighborhoods of historic and cultural significance within the Town of Clinton.

Objective: Link the two town's pedestrian systems and connect to bike and pedestrian systems outside of Clinton.

ENVIRONMENTAL

GOAL: Provide for an aesthetic and healthful environment for present and future generations.

Objective: Protect the environmental quality of the River corridor and its tributaries.

Objective: Address the noise pollution created by Routes I-78 and 31.

Objective: Reduce air pollution resulting from traffic.

Objective: Encourage remediation of any brownfield tracts within the Town.

GOAL: Encourage new construction and building rehabilitation that has a reduced impact on the land which it is located.

Objective: Encourage reduced site disturbance for all new development and site improvements.

Objective: Encourage the retention of the natural landscape and existing habitat on undeveloped sites.

GOAL: Encourage new construction and building rehabilitation that reduces the impacts of development on the natural environment at a local, regional and global scale.

Objective: Provide for reduced heat island effects through shading of impervious cover, open grid paving systems and paving materials with a high solar reflectance.

Objective: Reduce and mitigate light pollution.

Objective: Encourage new construction and building rehabilitation to reduce energy needs through such techniques as, but not limited to, increased daylighting, energy efficient windows and HVAC systems, energy recovery systems and ventilation cooling.

Objective: Encourage the use of alternative forms of energy, such as but not limited to, solar thermal systems and photovoltaic systems.

Objective: Encourage the reuse of building materials and building materials with recycled content.

Objective: Encourage the use of rapidly renewable materials and certified wood.

GOAL: Encourage new construction and building rehabilitation that provides improved indoor environmental quality.

Objective: Encourage the use of natural ventilation by new and rehabilitated buildings.

Objective: Encourage the use of materials that release fewer and less harmful chemical compounds.

Objective: Encourage improved building occupant access to daylighting and individual thermal control.

UTILITIES

GOAL: Provide safe and adequate utilities for the Town's residents.

WATER SUPPLY

Objective: Protect water resources through the requirement of sound land use management.

Objective: Encourage water efficient landscaping through the use of non-potable water for landscape watering and through the use of plantings that require no or reduced irrigation.

Objective: Reduce water use throughout the Town and its water franchises by

encouraging low flow fixtures and water reuse, such as but not limited to rainwater harvesting and graywater systems.

SANITARY SEWER

Objective: Work to insure the proper infrastructure to alleviate any conditions which adversely affect the efficient operation of the wastewater treatment plant.

STORM DRAINAGE AND FLOOD CONTROL

Objective: Provide for the coordination and consistency of all municipal, county, state, and federal flood control programs on behalf of Clinton, its citizens and property.

SOLID WASTE

Objective: Provide an adequate system for the collection, disposal and recycling of solid waste to insure the protection of the public health, the abatement of air and water pollution violations, the conservation of land and materials, and the improvement of community appearance.

HOUSING

GOAL: Retain the small town character of residential neighborhoods, encouraging suitable housing for all incomes, ages, and life styles of the citizens of Clinton.

Objective: Maintain the housing stock in a safe and sanitary condition, while retaining its historic character.

Objective: Encourage a variety of senior housing options within the community.

Objective: Work to insure quality housing of varied design to promote residential character and community identity.

Objective: Consider the creation of enabling zoning for age-restricted housing.

Objective: Encourage housing for a mix of income levels and household types.

TRAFFIC AND TRANSPORTATION

GOAL: Provide for a balanced circulation system that most efficiently serves the economic, social and environmental structures of the Town of Clinton and contiguous areas.

Objective: Provide a street system of adequate capacity to accommodate present and anticipated traffic volume safely and efficiently.

Objective: Discourage through traffic on local streets and direct traffic away from residential areas.

Objective: Provide parking facilities to satisfy the needs of both the commercial and historical needs of the town.

Objective: Create a system of sidewalks and bikeways that allow non-vehicular access and circulation throughout the Town and provide safe pedestrian access.

Objective: Continue coordination with surrounding municipalities and the County to

provide alternate routes around the Town to relieve detouring traffic when I-78 is tied-up or closed.

The Land Use Plan in the 2008 Master Plan presented discussion on a number of planning issues that were impacting Clinton at the time. These are identified below, including a synopsis of relevant discussion.

Affordable Housing

At the time, it was noted the Town had submitted its 2006 plan to the Council on Affordable Housing (COAH) for consideration and substantive certification. In 2007, the Appellate Division invalidated a portion of the substantive rules found at N.J.A.C. 5:94, and COAH had not taken action on the Town's plan by that time. The situation would be monitored, and new rules were anticipated in 2008. The plan also included a description of how the Town implements developer participation in the affordable housing process, first through a growth share ordinance and second through density bonuses in nonresidential areas where a 15% increase in floor area is permitted with a contribution of \$3.75 per square foot of additional floor area.

Billboards

Billboards are discussed as having the potential to impact the Town's historic and traditional character and are seen as out of scale no matter where they may be located. It was noted that the Town's historic and traditional character is of utmost importance.

Building Footprint Size & Configuration

With few exceptions, the majority of commercial buildings in the Town are of small scale, with footprints of 1,000 square feet or less, and some of 500 square feet or less in the Historic District. There are larger scale buildings in the eastern portion of the Town along Old Highway 22 and in the western part along Route 173. Discussion focused on the potential impact of large-scale buildings and blank or monotonous walls and the impact they can have on the historic character of the Town. It was recommended that new buildings be limited in scale so as to create compatibility between new and existing structures. Where large scale buildings are required, they should be broken down into bays to better manage scale.

Green Building

The 2008 Master Plan presented significant discussion on green building, espousing the environmental and economic benefits of implementing green technologies, many of which are specifically identified. Along with this, alternative forms of transportation, mainly walking, bicycling, carpooling and vehicles classified as zero or low emission are offered as a way to further the green movement. It was recommended that the development regulations be reviewed to see if incentives could be offered to entice developers to utilize green technologies.

Impact of Interstate 78 & State Highway Route 31

The two highways running through Clinton and their impact on quality of life are noted, and the need for additional measures to protect quality of life and safety were identified. Specifically, additional noise buffers such as landscaped berms and structural noise barriers appear warranted where the highways abut residential uses and public open space.

Infill Development

While it is noted that vacant land is limited in Town, new development and expansion opportunities do exist. Any construction should be consistent with the scale, massing and character of the site and/or surrounding area. A project to the contrary can impact the integrity of the area, and can threaten the integrity of the historic district. The plan recommends the following principles to guide infill development and building expansions:

- The building style should be compatible with the style and era of buildings adjacent and nearby;
- Streetscape elements, such as but not limited to, street trees, sidewalks and street furniture should continue consistent with the surrounding streetscape;
- Landscape elements, such as but not limited to, hedges and plant massings should continue consistent with nearby lots;
- The building setback should be an average of the surrounding buildings in order to ensure consistency in the streetscape; and
- The building massing, including the width to height ratio, should be consistent with adjacent and nearby structures.

Wireless Telecommunication Facilities

The potential impact of wireless telecommunications facilities on the traditional and historic character of the Town are discussed, balanced with the need to provide such facilities in a modern world. The following conditions were noted to better guide siting and design of such facilities:

- Collocation and stealth telecommunication facilities, when designed properly, provide expanded wireless service with minimal visual impact;
- The appearance of towers are damaging to the integrity of the Historic District;
- The appearance of towers is damaging to the character of residential districts; and
- The equipment compound can have negative visual impact if not well screened with evergreen trees and a provide fence.
- Consideration should be given to publicly-owned facilities for potential locations.

Designing Clinton – Community Design Workshop

In June of 2007, the Town held an all day community design workshop that sought solutions to four areas where improvement or redevelopment is anticipated. As part of the process, stakeholders worked with design professionals to identify opportunities and constraints, then set forth design solutions that outlined preferred development alternatives. Below is a summary of opportunities and constraints for each area, as well as a summary of the preferred design solution.

THE MOEBUS TRACT

Covering approximately 31 acres south of Route 31 and west of George's Place, the Moebus Tract sits along the South Branch of the Raritan River and provides vistas of undeveloped farmland to residents in town and on lots surrounding the property. Gently sloping from Route 31 to the southwest, the site is mostly cultivated but does contain some wooded areas and wetlands. It is also subject to a 300' Highlands Water Quality Buffer that limits development close to the river. As part of the workshop, the following opportunities and constraints were identified:

Opportunities

- There is potential for a greenway along the South Branch of the Raritan.
- The highpoint of the tract provides exceptional views to the west.
- Pedestrian access to Center Street could be provided from the driveway serving Lot 34.
- There is potential to extend Fairview Avenue into the tract which would improve integration with the surrounding residential neighborhood.
- The tract has access to Route 31.

Constraints

- The tract contains environmental constraints from floodplain and wetlands to steep topography.
- Vehicles traveling Route 31 create highway noise on the tract.
- There are historic residences along Center Street whose corresponding historic character should be protected.
- The tract is underlain by limestone with the potential for sinkholes.
- The site cannot be tied into the residential fabric of the Clinton neighborhood unless a connection is made with Fairview Avenue and Georges Place.
- Development of the tract will impact viewsheds of neighborhoods to the west.

The resulting design solutions, which centered on residential and mixed-use opportunities, yielded the following implementing recommendations:

- This tract should be rezoned to permit the development of $\frac{3}{4}$ acre detached single-family residences
- Buffering;
- Screening of parking from Route 31, as well as the nearby residences; and
- Any residential development should be clustered with the associated open space preserved for conservation and passive recreation.
- A network of trails should be provided. Said trails should accommodate not just pedestrians but also bicyclists. Addition, the trails should be integrated with the South Branch of the Raritan and should include access to the water and possibly a crossing of the waterway.



THE ROUTE 173 CORRIDOR

The corridor consists of State Route 173 from the eastern edge of town bordering Clinton Township to the point where the highway crosses the South Branch of the Raritan River. It contains a variety of nonresidential uses and is the center of the Town's commerce. Residential uses flank the corridor to the north and south along Center Street and south of Interstate 78. The following opportunities and constraints were identified:

Opportunities

- Potential redevelopment of underutilized properties exists, primarily, in the eastern portion of the corridor.
- There is an existing designated redevelopment area located on the "Wargo" tract, Block 23, Lots 13 and 13.01.
- There is strong demand for commercial services in the area.
- Potential access to adjacent residential neighborhoods exists at the northern side of the corridor.
- This corridor is the eastern gateway to the Town.

Constraints

- The firehouse is unfriendly to Main Street. This is a use that does not generate pedestrian traffic and is therefore inappropriate in the Town's commercial core.
- Much of the designated redevelopment area, the Wargo tract, is located in a floodplain.
- The eastern portion of Route 173 is too wide and encourages speeding, therefore reducing pedestrian and bicycle safety.
- The area of Route 173 generally between New Street and Leigh Street is dangerous. This area has 90 degree front-in parking along the stores with little buffer area between the rear of the parking spaces and the cartway. Motorists backing out of parking spaces must be very cautious not to collide with vehicles traveling west on Route 173.
- The corridor has incomplete sidewalk connections.

A total of six design solutions were offered relative to the 173 corridor. Many were focused on improved circulation, but also involved creation of an entertainment district with a mix of residential uses and improved parking along Leigh and New Streets. The following implementing recommendations resulted:

- A new zoning district should be created that encompasses the existing office uses and the area envisioned for office and mixed-use at the eastern end of Route 173. This zone district should require that only a minimal amount of parking abut the street. Additionally, design guidelines should be created to ensure that the architecture and site design of the area is consistent with the vision for a gateway to the Town and should complement the Town's scale and historic character.
- The C-1, C2 and C-4 zone districts should be amended to require that buildings, not parking areas, abut streets.
- The permitted uses in the C-1, C2 and C-4 zone districts should be amended to eliminate uses that are not part of retail or entertainment uses.
- Amend the C-4 district to permit senior housing as a conditional use. Such conditions should

include, but not be limited to, location at the rear of non-residential or mixed use buildings along Route 173, pedestrian access to Route 173 and the provision of recreational amenities.

- Work with New Jersey Department of Transportation to reconfigure Route 173 to provide
- parallel and diagonal parking, pedestrian and bicycle facilities and other streetscape amenities.
- Work with the New Jersey Department of Environmental Protection to provide a multi-use trail along and across the Beaver Brook.
- Evaluate alternative locations for the public works building, firehouse and post office.
- Prepare a Redevelopment Plan for the Wargo Tract that requires a mixed-use building(s) and parking for surrounding businesses.





WEST MAIN STREET AND THE LUMBER YARD AREA

This corridor extends from the South Branch of the Raritan River west to the Holiday Inn and includes a variety of nonresidential uses as well as single-family homes. Discussion included provisions for mixed-use zoning to address eventual redevelopment of the lumber yard. The following opportunities and constraints were identified:

Opportunities

- A greenway connection to West Main Street from the Industrial tract through the lumberyard is possible.
- While currently successful, the Lumberyard may seek to redevelop in the future.
- Connections between West Main Street and the Knolls residential neighborhood, located to the north of West Main Street, are possible.

Constraints

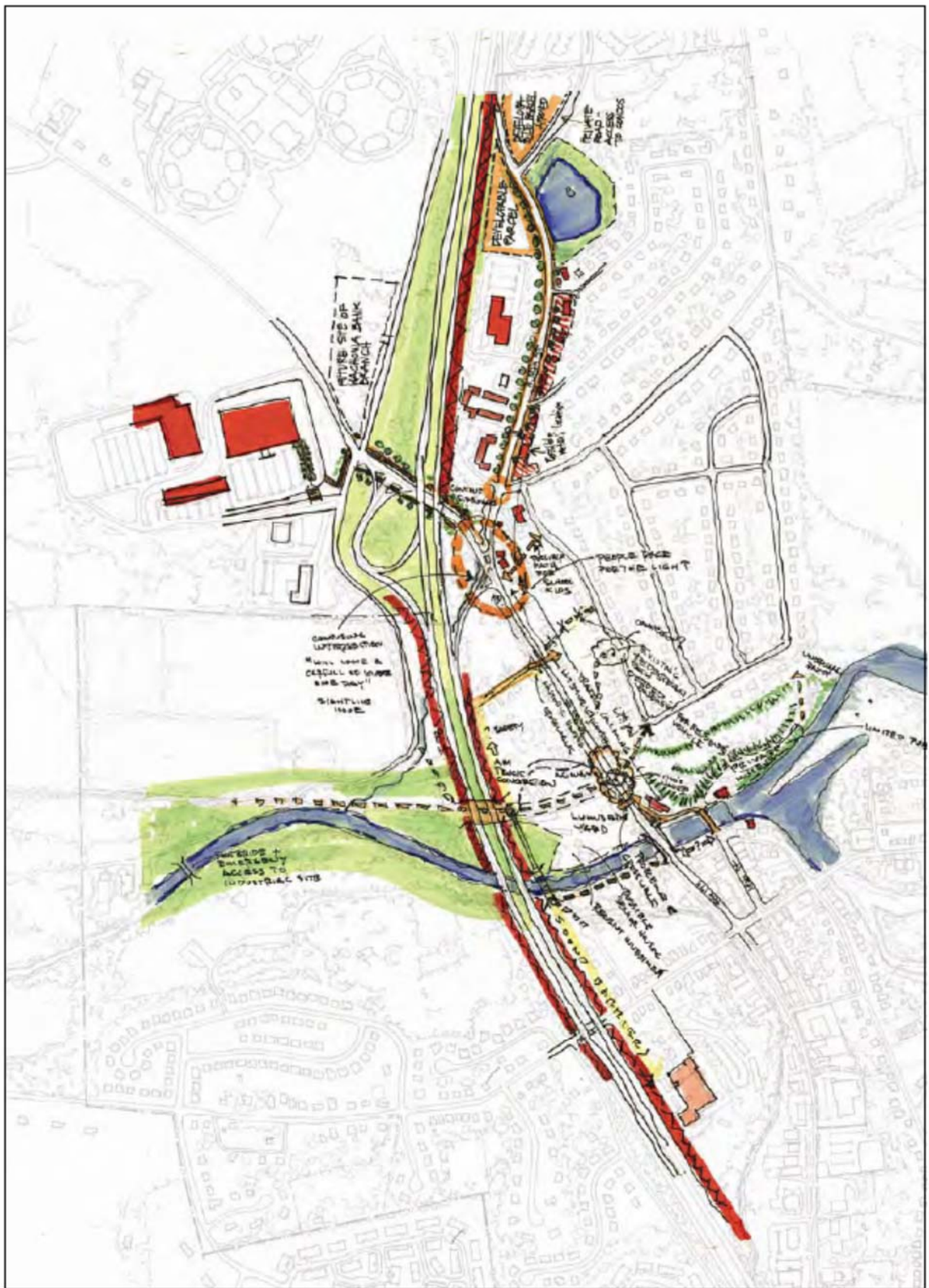
- Vehicular congestion at and surrounding Exit 15 creates dangers for motorists, pedestrians and bicyclists.
- Steep topography separates the residential neighborhood, known as the Knolls, from the eastern portion of West Main Street. As a result, residents currently walk to Union Road, west of Exit 15, to access West Main Street.
- Traffic speeds and volumes along West Main Street are deteriorating residential quality of life.
- Highway noise from Interstate 78 is deteriorating residential quality of life for the neighborhoods to the north.

- The non-residential uses west of Exit 15 are isolated with no interior connections.
- Pedestrian facilities are poor, despite that West Main Street is commonly used by school children to walk to the Clinton Elementary School.

Design solutions for development and redevelopment of the area focused on circulation improvements, infill development and redevelopment of the lumber yard. There was also significant discussion on the need for improvement of the exit 15 interchange, to provide better traffic flow but to also protect pedestrians in the area. The following implementing recommendations were set forth:

- Create an overlay zoning district for the area of the lumber yard to permit senior housing and mixed-use development. This overlay zone should require that the layout of the tract encompass traditional design principles such as but not limited to buildings located close to the street, parking at the rear of buildings and the use of blocks rather than cul-de-sacs.
- Additionally, the overlay should include open space and passive recreation requirements in order to encourage alternative modes of transportation and access to and enjoyment of the South Branch of the Raritan.
- Revise the OB-1 district to require that development be located close to street with all parking located at the rear of the buildings and all access to the lots provided at the side or rear. Additional revisions should require shared access and parking with neighboring lots and, prohibit access to West Main Street where rear access is provided.
- Work with the owner(s) of the lumber yard to provide a marked trail through the property that will connect the Landsdown Trail to West Main Street.
- Work with the owner(s) of the lumber yard to provide a boat launch to the South Branch of the Raritan.
- Provide a connection between Marudy Street and West Main Street in order to connect the Knolls to the eastern portion of West Main Street.
- Work with the New Jersey Department of Transportation to provide streetscape improvements, such as sidewalks, street trees and pedestrian crossings on West Main Street, west of Exit 15.
- Work with the New Jersey Department of Transportation to provide a noise buffer between Interstate 78 and the residential neighborhood to the south.
- Work with the owner(s) of the Holiday Inn to provide pedestrian access to the tract from West Main Street.
- When available, purchase Block 2, Lot 28 for conversion to a landscaped island and pocket park.
- Work with the New Jersey Department of Transportation to reconfigure Exit 15 to further reduce congestion, increase motorist safety and improve pedestrian and bicycle facilities in accordance with the design solution prepared at the Workshop.
- Evaluate the feasibility of moving the historic building on Block 4, Lot 2. If feasible, move the building to the front of the lot and conduct historic rehabilitation of the building.





THE INDUSTRIAL TRACT

This area of approximately 73 acres encompasses lands west of the South Branch of the Raritan River, south of Interstate 78 and east of the Walmart shopping center, located in Franklin Township. The area is currently farmed, but is included in the Industrial zone. The following opportunities and constraints were identified:

Opportunities

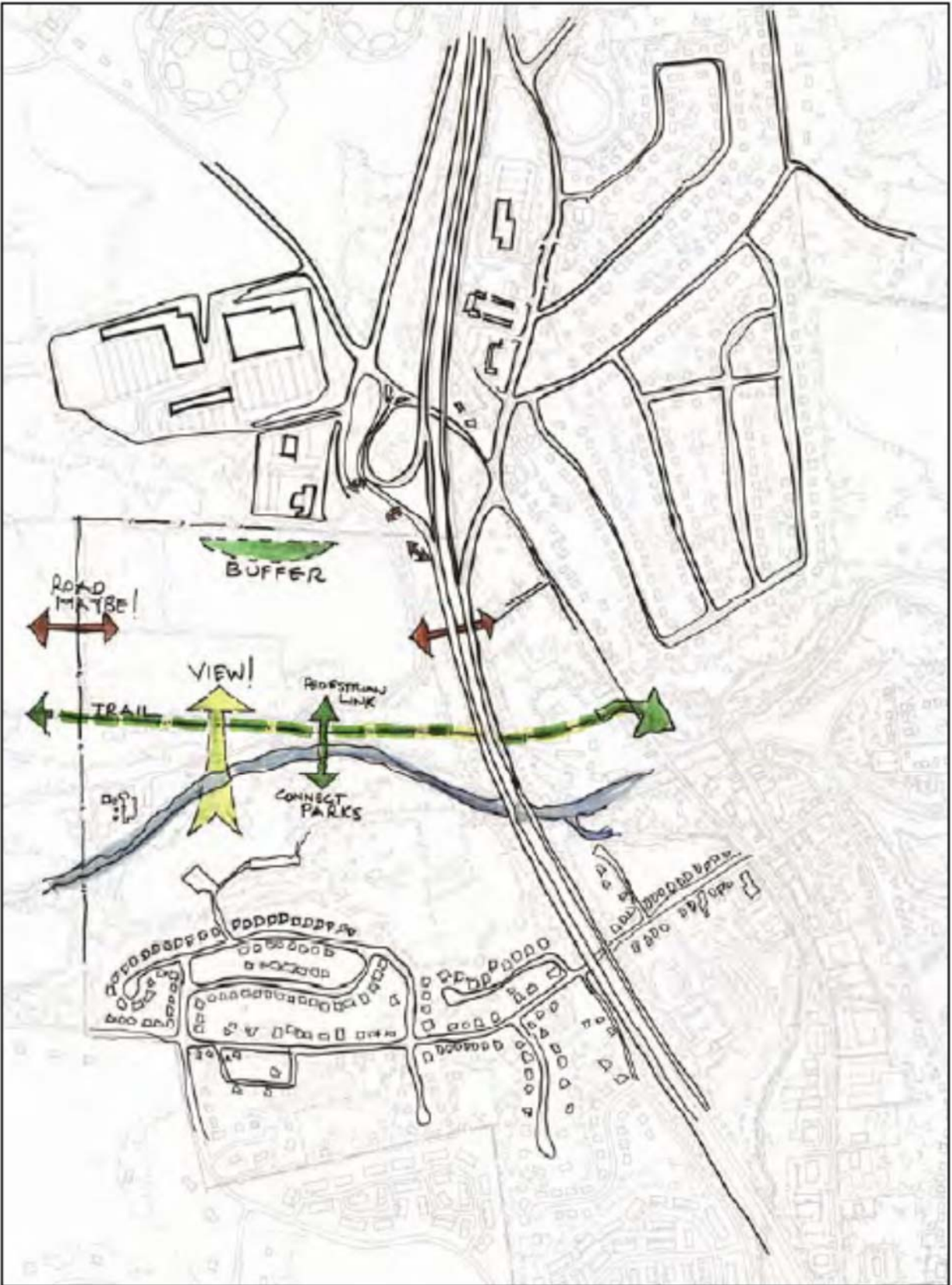
- The tract provides access to the South Branch of the Raritan.
- Hunterdon County's Landsdown Trail runs through the property.
- The tract is in proximity to regional streets, including Clinton-Pittstown Road (County Route 513) and Interstate 78.

Constraints

- Noise from Interstate 78 has a detrimental impact on the tract.
- The intersection providing access to the tract, which includes Interstate 78's off-ramp to Clinton Pittstown Road, is beyond capacity and therefore experiences severe vehicle congestion.
- Vehicle access to the tract is limited to one street which only connect to Clinton Pittstown Road.
- The tract contains steep slopes and floodplain is located along the South Branch of the Raritan.
- Odors from the wastewater treatment facility which may have a detrimental impact on the tract should be addressed by potential developers.
- The tract is visible from the residential neighborhood across the South Branch of the Raritan.
- The tract has a poor connection to the remaining Town, especially for "rapid response" by fire, rescue and police.
- Adjacent commercial uses in Franklin Township are visible from the tract and spill light onto the tract.

The design solutions focused on maintaining nonresidential development for the site, and discussed a variety of access alternatives. The following implementing recommendations were noted:

- Provide an overlay zoning district or conditional uses for the tract that permits the construction of an extended stay hotel and/or non-contiguous transfer of development to the Route 173 corridor.
- Require that development of the tract be fully screened from residential neighborhoods.
- Work with the New Jersey Department of Environmental Protection to provide a crossing of the South Branch of the Raritan. This crossing should be available for use by pedestrians and bicyclists.
- Work with the New Jersey Department of Transportation about providing access from the Interstate 78 on-ramp located at the front of the tract.
- Work with the Hunterdon County Park Commission to determine if access to the tract via the Landsdown Trail is feasible. If so, provide said access.





RESIDENTIAL LAND USES

This section of the Land Use Plan documents the fact that residential areas in the Town of Clinton are in good shape, and the Town remains an attractive place to live. It was noted that there is little remaining development potential, but that the “Twin Ponds” project is anticipated to provide a mix of market and affordable units and the Clinton Garden Apartments has approval to construct another 22-unit building. Further, this section of the plan identified the need for architectural standards for new and rehabilitated residences, and that separate standards should be developed for homes in the Historic District. The intent of the historic property standards is not to mimic historic buildings, but rather insure that new development is compatible with the small to moderate scale and historic character that exists.

NONRESIDENTIAL AND MIXED LAND USES

As is the case today, the plan identifies the fact that unlike residential areas of Clinton, the nonresidentially zoned portion of the Town has significant development potential. Of note was a lack of

standards to insure compatibility of new nonresidential development with the small-scale of existing buildings and the Town's historic character. It is reiterated that a need exists for two sets of standards to address buildings both in and out of the Historic District. The following site design standards were also recommended:

- Screening and location of parking and loading areas. Parking and loading should be screened from neighboring uses. Parking and loading in front of buildings is unsightly, discourages pedestrian and bicycle access, and detracts from the Town's historic character. These items should be screened with a landscaped buffer, fencing and/or a wall.
- Screening and location of unsightly objects. Unsightly objects, such as dumpsters, air conditioning units, and electric meters should be located out of view of the right-of-way and neighboring uses. Additionally, these items should be screened with a landscaped buffer, fencing and/or a wall.
- Signage should be appropriately sized and should be reflective of the Town's historic character.
- Buildings should share parking and access where ever practicable via cross-access easements.
- Many of the Town's non-residential properties are constrained by the area required for individual access and parking, and the associated screening required. Shared parking and access will provide for a more logical lot and building arrangement. Additionally, it will reduce the number of curb cuts, therefore improving vehicle flow, pedestrian and bicycle safety and the historic character of the Town.
- Adequate buffering and screening should be provided between uses of different intensities, such as but not limited to single-family detached adjacent to multi-family uses and nonresidential uses adjacent to residential uses. Such standards are critical in a Town such as Clinton where uses of different intensities are in very close proximity and light spillage, noise, odors and the appearance of parking and loading can have a negative impact on residential quality of life.
- Lighting levels should be controlled so as to provide the minimum amount of light levels necessary for adequate safety and to eliminate glare and reduce light pollution to the extent practical. Such standards are critical in a Town such as Clinton where the residential and non-residential uses are in very close proximity and light from non-residential uses easily spill onto residential properties.

Additionally, discussion presented on each of the four commercial districts included recommendations, as noted below:

C-1 Downtown Commercial:

- Require that buildings be located close to the street via a minimum and maximum front yard setback;
- Require that all parking be located at the rear of a building;
- Where applicable, require cross-access easements to facilitate shared access and shared parking and reduce curbcuts;
- Prohibit office uses as permitted uses on the first floor.

C-2 Transitional Commercial

- Require that buildings be located close to the street via a minimum and maximum front yard setback;
- Require that all parking be located at the rear of a building;
- Require cross-access easements to facilitate shared access and shared parking and reduce curbcuts along West Main Street;
- Create an overlay zoning district for the area of the lumber yard to permit senior housing and mixed use development. This overlay zone should require that the layout of the tract encompass traditional design principles such as but not limited to buildings located close to the street, parking at the rear of buildings and the use of blocks rather than cul-de-sacs.
- Additionally, the overlay should include open space and passive recreation requirements in order to encourage alternative modes of transportation and access to and enjoyment of the South Branch of the Raritan.

C-3 Highway Oriented Commercial District

- Require that buildings be located close to the street via a minimum and maximum front yard setback;
- Require that all parking be located at the rear of a building;
- Require cross-access easements to facilitate shared access and shared parking and reduce curbcuts along West Main Street.

C-4 Locally Oriented Commercial District

- Require that buildings be located close to the street via a minimum and maximum front yard setback;
- Require that all parking be located at the rear of a building;
- Require cross-access easements to facilitate shared access and shared parking and reduce curbcuts along Route 173;
- Expand the permitted entertainment uses to include other uses such as but not limited to bowling alleys as conditional uses. The currently permitted use, indoor theaters, should also be revised to a conditional use as it presents the same challenges to the Town as other entertainment uses. Conditions should include but not be limited to lot size, provision of adequate parking and architectural design, and a limit on floor area ratio.
- Eliminate automobile repair and service garages from the list of permitted uses since these uses are wholly incompatible with the character of the area from the Community Design Workshop since it is in proximity to the Historic District and recommendations for the area indicate a desired shift away from vehicle oriented uses;
- Amend the C-4 district to permit senior housing as a conditional use. Such conditions should include, but not be limited to, location at the rear of non-residential or mixed use buildings along Route 173, pedestrian access to Route 173 and the provision of recreational amenities.

There was specific recommendation that the Industrial Tract be included in an overlay zone that would provide alternative uses for the property, including age-restricted housing and extended stay hotels. The overlay was recommended to also include the following:

- The development of the site, excluding any recreation activities, should be limited to the area within 1,000 feet of the property line along Interstate 78;
- An open space area adjacent to the South Branch of the Raritan River;
- Complete screening of the development from residential properties;
- Screening of the adjacent commercial uses in Franklin Township;
- Maximum building height of three (3) stories; and
- Maximum building size of 150,000 square feet.

B) THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO SUCH DATE.

Affordable Housing

Post 2008, the Town never received a determination on the housing plan submitted in 2006. Clinton eventually submitted a declaratory judgment action to the Court in 2015 and ultimately negotiated settlement of that action with Fair Share Housing Center. The final Prior Round Obligation is 51 units, the Rehabilitation Share is 18 units and the Third Round Obligation is 116 units. The Town also settled with the intervenor/owner of the Moebus Tract, wherein the developer will be given the ability to build a total of 56 townhome units and commercial development along Route 31. They will also provide 10 age-restricted affordable housing units, to be built off-site. After a Fairness Hearing, currently scheduled for December 20, 2018, the Land Use Board will have 4 months to prepare a Housing Element and Fair Share Plan to implement the terms of the settlement agreement with Fair Share Housing Center.

Billboards

While no billboards exist in the Town, the threat and potential negative impacts still exists. The Land Use Ordinance prohibits billboards anywhere within Clinton, a prohibition that should continue.

Building Footprint Size & Configuration

The concerns expressed in the Master Plan still remain valid, and have yet to be addressed through adoption of standards other than typical bulk and intensity controls. Given the developed nature of the Historic District and limited opportunity for new development, a question remains whether such standards should be considered.

Green Building

There has been no movement to include green building standards in the Land Use Ordinance.

Impact of Interstate 78 & State Highway Route 31

While certain properties along the highways have landscape berms that provide buffering, no sound or safety barriers have been installed along either highway.

Infill Development

The principles recommended have not been incorporated as design standards in the Land Use Ordinance.

Wireless Telecommunication Facilities

The Town adopted a comprehensive wireless telecommunications facility ordinance in 2010.

Designing Clinton – Community Design Workshop

THE MOEBUS TRACT

As part of settlement of litigation with the owner of the Moebus Tract, the Town has agreed to adopt zoning standards that will permit development of no more than 56 townhome units and a modest amount of commercial development at the front of the site along Route 31. The settlement agreement stipulates that no access will be permitted other than from Route 31, although pedestrian and emergency access to Center Street via Central Avenue is allowed. The settlement also requires the developer to donate to the Town all lands that are within the required 300' water quality buffer for the South Branch of the Raritan River, and includes a portion of Central Avenue and land surrounding the existing dwelling. Ultimately this settlement responds to a number of the design solutions that came out of the Workshop, and better addresses resident's concerns over potential impacts to surrounding properties, particularly as it pertains to access to Center Street.

THE ROUTE 173 CORRIDOR

In reviewing the implementation recommendations, none have been enacted to date. The Land Use Board, as part of update of the Land Use Plan in 2019, will need to reassess these recommendations given the fact that so much time has passed. It should be noted that while a redevelopment plan was not prepared for the Wargo Tract, it is included in the Riverside Redevelopment Area.

WEST MAIN STREET AND THE LUMBER YARD AREA

Many of these recommendations remain unfulfilled. With respect to the lumber yard, the parcels are included in the Riverside Redevelopment Area and mixed-use development or housing is anticipated in the future. Part of potential redevelopment of the lumber yard and the adjacent Global Ag parcel is consideration to relocating the Landsdown Trail so a greenway can be created along the river. The County has been approached and is amenable to a diversion to accomplish this.

THE INDUSTRIAL TRACT

None of the recommendations have been implemented at this time. As part of its review of the Land Use Plan in 2019, the Land Use Board should consider whether the Industrial zoning remains appropriate for this parcel.

Residential Land Uses

The Historic Preservation Commission has prepared guidelines that are a part of this reexamination report (see Appendix 1), and will be considered for inclusion as part of the Land Use Ordinance.

Nonresidential and Mixed Land Uses

Many of the site design standards discussed in this section of the Master Plan are implemented through site plan design standards. There are still no comprehensive architectural standards to address the appearance of nonresidential buildings however.

Additionally, many of the recommendations for the C-1, C-2, C-3 and C-4 districts, as well as the suggested overlay for the Industrial Tract, remain unfulfilled. It is noted that the Land Use Board will consider suggestions for the Industrial Tract as part of the update of the Land Use Plan element in 2019.

C) THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES, AND OBJECTIVES FORMING THE BASIS FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS AS LAST REVISED, WITH PARTICULAR REGARD TO THE DENSITY AND DISTRIBUTION OF POPULATION AND LAND USES, HOUSING CONDITIONS, CIRCULATION, CONSERVATION OF NATURAL RESOURCES, ENERGY CONSERVATION, COLLECTION, DISPOSITION, AND RECYCLING OF DESIGNATED RECYCLABLE MATERIALS, AND CHANGES IN STATE, COUNTY AND MUNICIPAL POLICIES AND OBJECTIVES.

Since adoption of the Master Plan in 2008, there have been a number of significant changes in the assumptions, policies and objectives that form the basis of the Master Plan. These are discussed in detail below.

Since 2015, the Town of Clinton has been engaged in affordable housing litigation related to a declaratory judgment action filed in accordance with a process set forth by the New Jersey Supreme Court. It took three years to settle litigation with Fair Share Housing Center and the owner of the Moebus Tract to arrive at agreed upon affordable housing obligations and a plan for inclusion of the Moebus Tract in the Town's Fair Share Plan. Aside from the Moebus Tract, there are a number of other areas in Clinton that have been identified for new development and redevelopment that will aid in meeting the 1999-2025 affordable housing obligation of 166 units. Overall, the construction of approximately 395 new housing units (which includes affordable housing units) is anticipated through 2025, representing a 38% increase in overall housing stock. The Town currently has approximately 1,043 housing units according to the 2016 American Community Survey 5-year estimates.

In December of 2009, the Town of Clinton submitted a petition to the New Jersey Highlands Council for conformance to the Highlands Regional Master Plan for both the Planning and Preservation Areas. The petition was deemed complete by the Council on March 15, 2010 and Council staff issued a Final Consistency Review and Recommendations Report on January 11, 2011. It was not until late 2016,

however, that the Town began fulfilling the requirements for plan conformance, adopting the Environmental Resource Inventory, Highlands Element of the Master Plan and checklist ordinance. A reexamination report specific to Highlands-related issues was adopted on October 4, 2016. With conformance to the Highlands Regional Master Plan comes an added layer of regulation for both the Preservation Area and the Planning Area, the latter of which covers the majority of the developed areas of the Town.

Redevelopment and the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et. seq.) has started to play a major role in the rejuvenation of certain problem areas in Clinton. The first major redevelopment area, known as the Riverside Redevelopment Area, was designated by Mayor and Council in late 2016. It encompasses the former Global Ag site, the former Music Hall, Fox Lumber, the Exxon Station, the Wargo Tract, the Krauszer's and the former Fine Diner, now home to Project Brunch.



Recommended "Riverside Redevelopment Area"
 A Portion of the Town of Clinton
 Hunterdon County, New Jersey
 Data Sources: NJDOT

Map Prepared by:
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KPKYLE
 PLANNING
 & DESIGN

Map Scale: 1"=250'
 0 60 120 240 360 480 Feet

In early 2019 the Land Use Board will embark on preparation of a redevelopment plan for this area, with the goal of permitting mixed-use on the Global Ag and Fox Lumber sites. The Wargo Tract, located on the east side of the South Branch, will be reviewed for potential new development, but should also be considered for public parking lot to help alleviate parking concerns in the downtown.

The Mayor and Council in 2018 authorized the Land Use Board to study the area around the former A&P on the north side of Old Highway 22. Once the only supermarket in Clinton, the A&P has been dark for a number of years. Picking up on some of the recommendations from the Community Design Workshop in 2007, the goal in redeveloping this area will be to pull buildings closer to the roadway and create a more pedestrian friendly, mixed-use environment. Multifamily housing will assist the Town in continuing to meet its affordable housing obligations and help transform this area into something more in keeping with Main Street to the west.

The provision of public water continues to be a potential issue for future development in the Town of Clinton. Located in a water deficit subwatershed, as identified by NJDEP and the Highlands Regional Master Plan, the total water allocation available by permit cannot be withdrawn from the ground, and new wells are not permitted. While there is capacity available, it was long ago allocated to other users and its ultimate fate is yet to be determined. Development pressure for office buildings and industrial

facilities other than warehouse has eased significantly, but pressure for housing continues to mount, particularly as surrounding municipalities who share the Clinton water system scramble to meet affordable housing obligations.

D) THE SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES AND STANDARDS, OR WHETHER A NEW PLAN OR REGULATIONS SHOULD BE PREPARED.

There are a number of areas of the 2008 Master Plan that are out of date. The Master Plan subcommittee has reviewed the prior plan and recommends the Land Use Board prepare a new Land Use Plan Element in 2019. The Goals and Objectives should also be reviewed in detail and updated, as changes to the assumptions that formed their basis in 2008 demand they be revised to confirm current thinking and expand where needed. It should be noted however that many of them continue to be valid. One such objective prohibits new residential development on the north side of Route 31 that would require the transportation of children to the Clinton public school. This area is disconnected from the rest of town and remains appropriate for nonresidential development, with its strong orientation to the highway corridor.

Affordable Housing

As has been discussed throughout this reexamination report, there are a number of sites that have been identified in the settlement agreement reached with Fair Share Housing Center this year that will be included in the Town’s Fair Share Plan to produce needed affordable housing (see map at right). Overall, Clinton must plan to meet a Rehabilitation Share of 18 units, a Prior Round Obligation of 51 units and a Third Round Obligation of 116 units. Unfortunately, with the production of affordable housing units come market rate housing units, generally at a rate of 4 or 5 market rate units for each affordable unit, depending on whether they are for-sale units or rental units. While Mayor and Council



have sought projects that will provide maximum setasides and make full use of rental bonus credits, it is likely a total of around 395 new housing units will be constructed by 2025, representing a 38% increase in Clinton's current housing stock of approximately 1,043 units.

The majority of these units will be developed in the Riverside Redevelopment Area (approximately 162 total units) and what will likely be the future Old Highway Redevelopment Area including the former A&P (approximately 111 units). Redevelopment plans will be prepared for both of these areas sometime in 2019 in order to permit inclusionary development. The Holiday Inn lot was recently subdivided by the owner, with a newly created 2 acre lot designed to accommodate 50 new apartments on the western side of the tract. With the higher density Twin Ponds and Union Gap Village developments in this area, it is a good location for additional development. A new affordable housing zoning district will be created to permit development of the site with inclusionary development.

The Moebus Tract is intended to be developed with a total of 56 new townhomes, and 10 age-restricted affordable housing units will be constructed off-site by the developer to address the required setaside. A new zoning district will be created to encompass the property, permitting mixed-use development. While many residents have expressed disappointment that the tract will be developed at all, settlement of litigation with the intervenor means the Town avoids the potential of 280 multifamily units being built on the site. The settlement also permits commercial development along Route 31 that will provide much needed nonresidential ratables and will generate nonresidential development fees to assist the Town in rehabilitating substandard housing units occupied by low and moderate income families.

A significant number of affordable housing units have been built in Clinton over the years, including 44 for-sale units in Alton Place, 12 rental units in Twin Ponds and 7 rental units in the recently constructed Halstead Place project. Other additional affordable housing credits were achieved with group home bedrooms (8 total), accessory apartments (3 total) and rental bonus credits, totaling 42 over both the Prior Round and the Third Round.

Historic Preservation Guidelines

The Town of Clinton Historic Preservation Commission has worked diligently to develop guidelines for historic properties. These guidelines include standards to be followed by property owners when developing within the Clinton Historic District, altering the exterior of a historic structure or making changes to properties that are designated as Historic Landmarks. Currently such projects are not required to obtain a Certificate of Appropriateness from the Commission, but must obtain all required zoning and building permits. The Land Use Board recommends Mayor and Council implement a review process whereby the Commission would consider a Certificate of Appropriateness for projects in the Clinton Historic District.

Appendix 1 sets forth the guidelines prepared by the Town of Clinton Historic Preservation Commission. While the Land Use Board recommends Mayor and Council permit the Commission to utilize these in conjunction with their review process, it is also recommended these be immediately incorporated as design standards in the subdivision and site plan section of the Land Use Ordinance. This would, in part,

address the recommendation in the 2008 Master Plan that nonresidential building standards be implemented. It will also allow an added layer of review that can be implemented by the Land Use Board in conjunction with the subdivision and site plan review process.

Specific Changes Recommended to the Land Use Ordinance

Since adoption of the 2008 Master Plan, a number of inconsistencies have been identified in the Land Use Ordinance that need to be addressed. These are presented below, and amendments should be considered by Mayor and Council.

1. Section 88-44(B)(1)(g) sets forth lighting standards for parking areas and other portions of the premises related to site plans. This section is reproduced below in its entirety, with recommended changes noted.

(g) Adequate illumination of parking areas and other portions of the premises requiring area lighting shall be provided and shall meet the following criteria:

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

[2] No light source, including sign lights, shall exceed a height of 15 feet.

[3] All lights shall be shielded to restrict the maximum apex angle of the cone of illumination to 150°.

[4] The light intensity provided at ground level shall be a minimum of ~~0.30.5~~ footcandle anywhere and shall average a minimum of ~~0.51.0~~ 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.

[5] The light intensity ~~along any property line anywhere~~ shall not exceed ~~0.50.3~~ footcandle ~~along any property line~~ or ~~0.30.1~~ footcandle if a residential property line.

[6] 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.

[7] Provision shall be made for reduction in the intensity of illumination to the minimum need for security purposes when the facility is not in operation.

[8] The style of any light or light standard shall be consistent with the architectural style of the principal building.

[9] Freestanding lights shall be protected to avoid being damaged by vehicles.

[10] Spotlights and floodlights shall be so located and directed as not to project light beyond the property or to create a nuisance or hazard.

[11] Whenever possible, walkways shall be lighted with low or mushroom-type standards.

[12] Flashing, moving, rotating or strings of lights, except holiday lights, are prohibited.

2. As discussed in the reexamination report, it is recommended that the Town of Clinton Historic Preservation Guidelines be adapted for use as design standards in the Land Use Ordinance. A new section should be established as follows:

§ 88-44.1 Design Standards

- (1) Purpose and Intent. The Mayor and Council and Land Use Board of the Town of Clinton find that the Town's historic district, structures and resources play a pivotal role in defining the character of Clinton. They represent an identity that is prized by residents and visitors, and their protection is part of promoting the general welfare envisioned by the New Jersey Municipal Land Use Law. The below standards are necessary to continue to promote the general welfare, and to create a desirable visual environment through creative development techniques and good civic design and arrangement. They are also necessary to promote the conservation of historic sites and districts.
- (2) Rehabilitation. In rehabilitating structures, sensitive rehabilitation involving the least amount of intervention or change should be undertaken and adhere to the following guidelines:
 - (a) Identify, retain, and preserve the overall form, materials, and details that are important in defining the architectural and historical character of the building and site.
 - (b) Protect and maintain historic materials and features. This involves protection from other work that may occur in proximity to the historic materials, as well as protection through regular maintenance. A regular program of protection and maintenance usually involves the least degree of intervention and can prevent or postpone extensive and costly work.
 - (c) Repair rather than replace deteriorated historic materials and features. Repairs maintain the building in its current condition while making it weather-resistant and structurally sound. Repairs should involve the least intervention possible, concentrating specifically on areas of deterioration. When repair is not possible, the CHPC encourages replacement in-kind, reproducing by new construction the original feature exactly, including the original material, finish, detailing, and texture. Although not preferred, substitute materials are acceptable when they convey the original appearance and finish of the original feature.
 - (d) Replace missing or deteriorated historic materials and features when the extent of deterioration precludes repair. As with repair, the preferred approach is to replace the entire feature in-kind to match the original material, finish, detailing, and texture. Since this is not always technically or financially feasible, substitute materials are acceptable when they convey the original appearance and finish of the original feature.
 - (e) Reconstruct missing historical features if adequate historical, pictorial, and physical documentation exists so the feature may be accurately reproduced. The addition of features from other historic buildings or addition of historical elements for which there is no documentation is not appropriate.
 - (f) Alterations and additions are sometimes needed to ensure the continued use of a building. An alteration involves returning a building to a useful condition while saving those parts that represent its historical, architectural or cultural significance. It is

important that alterations do not radically alter, obscure or destroy character-defining spaces, materials, features, or finishes. An addition, however, is new construction at the exterior of an existing building and should be avoided. If proposed, new additions should be clearly differentiated but compatible in size, mass, form, fenestration, detailing and style with the historic building, and constructed at a less visible side or rear elevation so character-defining features are not radically obscured, damaged, or destroyed.

- (3) Alterations, Renovations and Adaptive Reuse. Alterations and renovations are sometimes needed to ensure the continued use of a building but have the potential to alter the character of historic properties. When considering alterations or renovations, great care should be given to the original building and its relationship to the alteration or renovation. In adaptive reuse projects, alterations or renovations may be necessary to use a building for a different purpose from the current use or the use for which the building was originally designed. Similar to alterations or renovations, great care should be given to the original building and its relationship to the alteration or renovation. The following guidelines should be followed:
- (a) Identify, retain and preserve the character defining features of the historic building
 - (b) Minimize alteration of the original design, materials, and features
 - (c) Implement new design elements and scale that are compatible with the historic building and setting
 - (d) Utilize materials and techniques that are compatible with the historic building and setting
 - (e) Maintain the appropriate historic contextual setting
- (4) New Construction. New construction within the Town of Clinton can dramatically alter the appearance of the historic district and its streetscape. Because of the sensitivity of the area, property owners should take great care when proposing new construction. Contemporary design will be reviewed within the context of the streetscape and the neighborhood. These Design Guidelines are intended to provide the elements and principals of appropriate design to allow maximum creativity while allowing plans for new construction to be assessed fairly, objectively and consistently. These Design Guidelines are intended to encourage the designer of new construction to consider existing historic buildings as a starting point in the design process and not the final goal. The following guidelines should be followed:
- (a) Preserve the cohesive ambiance of the Town of Clinton with compatible, sympathetic, and contemporary construction
 - (b) Match setbacks (distances to property lines) of adjacent buildings on a streetscape
 - (c) New structures should be compatible in terms of proportion, scale, form, materials, fenestration, roof configuration, details and finishes indicative of the architectural history of the Town of Clinton.
 - (d) Larger structures, when needed, should be broken down into multiple bays, each no wider than 25'. Long, monotonous blank walls should be avoided where visible from the street. Building facades should be articulated and bays should be offset to provide visual interest. Flat roofs should be avoided.

- (5) Demolition of Historic Resources. The demolition of all or portions of resources on Historic Landmark properties or within a Historic District is considered a drastic action, as it alters the character of the streetscape, surrounding buildings and the demolition site. Once resources or buildings that contribute to the heritage of the community are destroyed, they cannot be replaced. This could represent a lost educational resource for the community whether the building was an example of past construction techniques or has associations with a significant individual or event in our history. As a result, demolition of a Historic Landmark or significant building within a Historic District is rarely considered to be an appropriate option. The property owner should engage in an evaluation of the significance of the historic resource and exhaust all reasonable measures to permit reuse of a historic resource prior to considering demolition. Demolition is only recommended if it involves a non-significant addition or portion of the building, provided the demolition will not adversely affect those portions of a resource that are significant or unless it involves a complete non-significant resource.
3. Section 88-51(D) outlines the method for delineating the Flood Plain District, which essentially acts as an added layer to the zoning map. Since adoption of this ordinance, new floodplain information has been issued by FEMA and a new map depicting these areas should be prepared and included in the ordinance. The zoning map should also depict this area as an overlay.
 4. Sections 88-52(F) should be removed from the ordinance. The cluster standards contained in (F) are obsolete, as the R-1 district no longer exists and there are no lots greater than 5 acres in the current R-2 district.
 5. Section 88-53(C) should be amended to permit automated teller machines (ATM's) as accessory uses.
 6. Section 88-53(E) should be eliminated, as it no longer represents a valid approach to collecting development fees with the end of the moratorium on nonresidential development fees.
 7. Section 88-54(E) should be eliminated, as it no longer represents a valid approach to collecting development fees with the end of the moratorium on nonresidential development fees.
 8. Section 88-55(E) should be eliminated, as it no longer represents a valid approach to collecting development fees with the end of the moratorium on nonresidential development fees.
 9. Section 88-55.1(B)(2) should be amended to read "Banks and financial institutions, including drive up teller windows and drive up automated teller machines". This addresses such facilities that already exist in the zone and is consistent with how the ordinance has been interpreted in the past.
 10. Section 88-56(F) should be eliminated, as it no longer represents a valid approach to collecting development fees with the end of the moratorium on nonresidential development fees.
 11. Section 88-57(E) should be eliminated, as it no longer represents a valid approach to collecting development fees with the end of the moratorium on nonresidential development fees.
 12. Section 88-58(E) should be eliminated, as it no longer represents a valid approach to collecting development fees with the end of the moratorium on nonresidential development fees.
 13. Section 88-58(F) and 88-58(G) should be eliminated, as density bonuses are no longer appropriate given existing and anticipated development in the area.

14. Section 88-58.2(A) should be amended to include nursing homes and assisted living facilities as permitted principal uses.
15. Section 88-58.2(A) should be amended to include restaurant, fast food as a permitted principal use. The ordinance that will be adopted for the Moebus Tract across the highway will permit fast food restaurants and the isolated location of the OB-4 District and orientation to the highway make it appropriate for such use.
16. Section 88-60(Y) should be updated at the time the Housing Element and Fair Share Plan is adopted by the Land Use Board, if Mayor and Council choose to implement such a program. If accessory apartments are not anticipated, this section should be eliminated.
17. Section 88-60.1 should be eliminated in its entirety, as the growth share provisions were invalidated by the New Jersey Supreme Court.
18. Section 88-62(A) should be updated to indicate that residential parking requirements are per the New Jersey Residential Site Improvement Standards.
19. The Zoning Map should be updated to include the Carbonate Area District and Carbonate Rock District overlays as described in Section 88-64.2(D).

E) THE RECOMMENDATIONS OF THE LAND USE BOARD CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS ADOPTED PURSUANT TO THE “LOCAL REDEVELOPMENT AND HOUSING LAW,” INTO THE LAND USE PLAN ELEMENT OF THE MUNICIPAL MASTER PLAN, AND RECOMMENDED CHANGES, IF ANY, IN THE LOCAL DEVELOPMENT REGULATIONS NECESSARY TO EFFECTUATE THE REDEVELOPMENT PLANS OF THE MUNICIPALITY.

As discussed in this reexamination report, Mayor and Council designated the Riverside Redevelopment Area as an “area in need of redevelopment” in accordance with provisions of the Local Redevelopment and Housing Law in late 2016. Additionally, they authorized investigation of the Old Highway area for possible designation as an area in need of redevelopment. As the Land Use Board prepares a new Land Use Plan in 2019, any redevelopment areas should be incorporated into the Land Use Plan, as the standards set forth in the redevelopment plans will supersede the underlying zoning requirements. The zoning map should also be amended to depict designated redevelopment areas.

APPENDIX 1

Town of Clinton Historic Preservation Commission

GUIDELINES FOR HISTORIC PROPERTIES

These *Guidelines* were developed in conjunction with the Town of Clinton Historic Preservation Commission (CHPC). The CHPC reviews Certificate of Appropriateness (COA) applications for exterior alteration of a historic house, new construction within the context of historic buildings, or other changes to properties locally designated as a Historic Landmark or within a local Historic District. The applicant is responsible for complying with the provisions of the Zoning and Building Codes at the time of application. The applicant must obtain a Certificate of Appropriateness (COA) from the CHPC as well as all other required permits prior to proceeding with any work. For more information, or to obtain permit applications, please call the Town of Clinton at (908) 735-8616.

WHY IS HISTORIC PRESERVATION IMPORTANT IN THE TOWN OF CLINTON?

The Town of Clinton recognizes that the character and quality of life enjoyed by its citizens depends in great measure upon the Town's rich heritage. This historical, cultural, architectural, archeological, social and economic heritage is entrusted to each generation, enriched and passed on to future generations.

WHAT IS AN HISTORIC RESOURCE?

A Historic District or Historic Landmark is an individual building, structure, site, object, or district that has been determined to have historical significance and whose distinctive character conveys a unique architectural and cultural heritage.

While Historic Landmarks represent individual properties, Historic Districts are comprised of significant concentrations or linkages of historic resources, historically united by plan or development. Although all properties within Historic Districts

are important to the sense of place, it is understood that some resources are more significant than others. Resources in the Town of Clinton's Historic District are classified into three categories:

- **Key:** resources that would individually qualify for Historic Landmark status
- **Contributing:** resources that are integral components because they date from the same time period or are architecturally significant
- **Non-Contributing:** resources that are not historically or architecturally significant

WHAT ARE THE BENEFITS OF HISTORIC RESOURCES?

Although each property owner can define the benefits of a historic resource based upon his or her personal experience, historic resources have been found to:

- Increase neighborhood stability and property values
- Preserve the physical history of the area
- Promote an appreciation of the physical environment
- Foster community pride and self-image
- Increase the awareness and appreciation of local history and local tourism

WHY HAVE DESIGN GUIDELINES?

The *Design Guidelines* are intended to act as a tool to help manage change and protect the Town of Clinton's architectural and historical resources. They are intended to provide information and guiding principles rather than as act as rigid rules to property owners, design professionals, contractors, the CHPC and the Town of Clinton with regard to historic resources.

It is recommended that applicants review the information in the *Design Guidelines* during the early stages of planning a project. Familiarity with this material can assist in moving a project forward quickly, saving applicants both time and money.

WHAT IS THE CHPC?

The Town of Clinton Historic Preservation Commission (CHPC) is a public advisory body established in 1990 to help protect the architectural and cultural heritage of the Town of Clinton. Among its responsibilities, the CHPC considers the effects of proposed exterior changes to individual, locally designated Historic Landmarks, and to locally designated buildings and properties within Historic Districts, and comments on the appropriateness of those changes.

WHAT IS THE CHPC'S ROLE?

The CHPC works to promote continued local preservation in an effort to maintain Clinton's historical, cultural, architectural, archaeological, economic and social heritage for future generations.

The CHPC conducts monthly meetings and has the power and duty to:

- Issue a Certificate of Appropriateness (COA) for the repair, erection, replacement, reconstruction, alteration, restoration, demolition, or razing of any building or structure, in whole or in part, within the Town of Clinton.
- Promote the Town's continued historic preservation efforts through advisory, educational and informational functions

The CHPC is also available to attend informal meetings with property owners considering a project that might require a Certificate of Appropriateness.

WHEN IS A COA REQUIRED?

In most instances, property owners or tenants will interact with the CHPC when applying for a Certificate of Appropriateness (COA) for a proposed project. If work is proposed at a Historic Landmark or on any property within the boundaries of the Clinton Historic District, the Town requires that an applicant obtain a COA. The types of projects reviewed by the CHPC include:

- Change of the exterior appearance of any building, structure, site, object or improvement including additions, alteration, reconstruction, or replacement of materials
- Relocation or demolition of any building, structure, site, object or improvement
- New construction projects.

The CHPC reviews the proposed changes to determine whether they are appropriate to the individual property and within the surrounding historic context with regard to the architectural style, general design, arrangement, location, and materials. Once the CHPC determines the proposed changes are appropriate, they will consider whether a COA should be issued for the proposed work.

It should also be noted a COA is a prerequisite for the granting of a building permit, which is required for any construction project. Each project is also subject to Town review for compliance with zoning, building, and safety codes.

WHEN IS A COA NOT REQUIRED?

- The CHPC does not review any interior changes, unless they affect the exterior appearance of the building, although building permits may be required for interior work.
- The CHPC does not review paint colors when the proposed work is limited to re-painting.
- A COA is also not required for work that in the Commission's opinion constitutes in-kind repair or replacement deemed "ordinary maintenance and repair." Property owners must demonstrate that their project constitutes "ordinary maintenance and repair" by providing photographs, project descriptions and information regarding proposed materials to the CHPC.

COA APPLICATION REVIEW PROCESS

To have your Certificate of Appropriateness (COA) application reviewed by the CHPC, it must be submitted with the appropriate materials to the Town of Clinton Administration Building **by 4:30 p.m. 14 days prior to the CHPC meeting at which the application is to be reviewed.** CHPC meetings typically occur the third Wednesday of each month. Please call (908) 735-8616 to confirm the meeting dates. The CHPC must have all required information to review an application

for a COA. If all required information is not submitted, the application may be tabled until all information is received.

It is recommended the applicant or a project representative attend the CHPC meeting to answer questions or clarify information. At the meeting, the application will either be approved with or without conditions, tabled pending additional information, or denied.

If the application is approved or approved with conditions by the CHPC, and the applicant accepts the stipulated conditions, the applicant can obtain a COA from the Town of Clinton within a week of the CHPC meeting. If the CHPC finds the application does not meet our guidelines, the CHPC reserves the right to recommend changes to the proposed project.

GUIDELINES FOR CHPC DECISIONS:

When reviewing a proposed project, the CHPC is guided by principles contained in *The Secretary of the Interior's Standards for the Treatment of Historic Properties*, more specifically, the *Standards for Rehabilitation*. The *Standards for Rehabilitation* set forth common-sense guidelines that allow property owners and tenants sensitive contemporary uses for sites while retaining their architectural and cultural heritage.

In reviewing projects, the CHPC encourages sensitive rehabilitation involving the least amount of intervention or change as identified in the following guidelines:

- **Identify, retain, and preserve** the overall form, materials, and details that are important in defining the architectural and historical character of the building and site.
- **Protect and maintain** historic materials and features. This involves protection from other work that may occur in proximity to the historic materials, as well as protection through regular maintenance. A regular program of protection and maintenance usually involves the least degree of intervention and can prevent or postpone extensive and costly work.
- **Repair rather than replace** deteriorated historic materials and features. Repairs maintain the building in its current condition while making it weather-resistant and structurally sound. Repairs should involve the least intervention possible, concentrating specifically on areas of deterioration. When repair is not possible, the CHPC encourages replacement in-kind, reproducing by new construction the original feature exactly, including the original material, finish, detailing, and texture. Although not preferred, substitute materials are acceptable when they convey the original appearance and finish of the original feature.
- **Replace** missing or deteriorated historic materials and features when the extent of deterioration precludes repair. As with repair, the preferred approach is to replace the entire feature in-kind to match the original material, finish, detailing, and texture. Since this is not always technically or financially feasible, substitute materials are acceptable when they convey the original appearance and finish of the original feature.
- **Reconstruct** missing historical features if adequate historical, pictorial, and physical documentation exists so the feature may be accurately reproduced. The addition of features from other historic buildings or addition of historical elements for which there is no documentation is not appropriate.
- **Alterations and additions** are sometimes needed to ensure the continued use of a building. An alteration involves returning a building to a useful condition while saving those parts that represent its historical, architectural or cultural significance. It is important that alterations do not radically alter, obscure or destroy character-defining spaces, materials, features, or finishes. An addition, however, is new construction at the exterior of an existing building and should be avoided. If proposed, new additions should be clearly differentiated but compatible in size, mass, form, fenestration, detailing and style with the historic building, and constructed at a less visible side or rear elevation so character-defining features are not radically obscured, damaged, or destroyed.

THE SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

The following *Standards for Rehabilitation* were developed in 1995 by the National Park Service of the U.S. Department of the Interior. They are the national standards that guide rehabilitation work on historic resources and are used by the Town of Clinton's CHPC when rendering its recommendations.

Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural or architectural values.

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the historic property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Rehabilitation as a Treatment: *When repair and replacement of deteriorated features are necessary; when alterations or additions to the property are planned for a new or continued use; and when its depiction at a particular period of time is not appropriate, Rehabilitation may be considered as a treatment. Prior to undertaking work, a documentation plan for Rehabilitation should be developed.*

MAINTENANCE IS PRESERVATION

General maintenance should be a regular part of any property, particularly historic buildings. Lack of regular upkeep, such as gutter cleaning and painting, can result in accelerated deterioration of building elements and features. In the case of historic buildings, these features may represent the character defining elements of the building that are difficult and costly to replace. Regular, smaller investments at a property to identify and correct potential problems may not only improve its overall appearance and value, but can also prevent or postpone extensive and costly future repairs.

The CHPC encourages:

- Prolonging the life of original materials on historic structures through regular maintenance
- Avoiding replacement of original materials with newer materials

REPAIRS AND REPLACEMENT

When it is no longer feasible to maintain a historic feature, repairs or replacement in-kind may be necessary. Repairs maintain the building in its current condition while making it weather-resistant and structurally sound, concentrating specifically on areas of deterioration. When repair is not possible, the CHPC encourages replacement in-kind. Similar to a regular maintenance program, these activities can prevent or postpone extensive and costly future repairs. *The CHPC encourages:*

- Non-intrusive repairs, focused at deteriorated areas, stabilizing and protecting the building's important materials and features
- When repair is not possible, replacement in-kind to the greatest extent possible, reproducing by new construction the

original feature exactly, matching the original material, size, scale, finish, detailing, and texture, and utilizing similar techniques

- When replacement in-kind is not possible, the use of compatible materials and techniques that convey an appearance similar to the original feature, similar in design, color, texture, finish, and visual quality to the historic elements

ALTERATIONS AND RENOVATIONS

Alterations and renovations are sometimes needed to ensure the continued use of a building but have the potential to alter the character of historic properties. When considering alterations or renovations, great care should be given to the original building and its relationship to the alteration or renovation.

The CHPC encourages:

- Identification, retention, and preservation of the character defining features of the historic building
- Minimal alteration to the original design, materials, and features
- New design elements and scale that are compatible with the historic building and setting
- Use of materials and techniques that are compatible to the historic building and setting
- Maintaining the appropriate historic contextual setting

ADAPTIVE REUSE

In adaptive reuse projects, alterations or renovations may be necessary to use a building for a different purpose from the current use or the use for which the building was originally designed. Similar to alterations or renovations, great care should be given to the original building and its relationship to the alteration or renovation.

Examples of Adaptive Reuse:

- Conversion of a house to apartments or offices
- Conversion of industrial or commercial buildings into housing
- Conversion of institutional buildings into commercial space

Benefits of Adaptive Reuse:

- Retention of historic district character and high-quality historic materials and craftsmanship
- Promotes stability of ownership and occupancy of historic resources
- Potential cost savings over new construction
- Presence of established neighborhood and existing infrastructure

NEW CONSTRUCTION

New construction within the Town of Clinton can dramatically alter the appearance of the historic district and its streetscape. Because of the sensitivity of the area, property owners should take great care when proposing new construction. Contemporary design will be reviewed within the context of the streetscape and the neighborhood.

These Design Guidelines are intended to provide the elements and principals of appropriate design to allow maximum creativity while allowing plans for new construction to be assessed fairly, objectively and consistently. These Design Guidelines are intended to encourage the designer of new construction to consider existing historic buildings as a starting point in the design process and not the final goal.

The CHPC encourages:

- Preservation of the cohesive ambiance of the Town of Clinton with compatible, sympathetic, and contemporary construction
- Matching setbacks (distances to property lines) of adjacent buildings on a streetscape
- Compatible siting, proportion, scale, form, materials, fenestration, roof configuration, details and finishes indicative of the architectural history of the Town of Clinton.

ADDITIONS AND NEW CONSTRUCTION

Additions and new construction on Historic Landmark properties and those within the Town of Clinton can dramatically

alter the appearance of the Landmark, District and surrounding landscapes. Although the duplication of historic styles is not encouraged, contemporary design must be reviewed within the context of historic resources and their surroundings. Because of the sensitivity of the area, property owners should take great care when proposing either an addition or new construction to a Historic Landmark or within a Historic District.

The CHPC encourages:

- Preservation of the cohesive ambiance of historic resources with compatible, sympathetic, and contemporary construction
- Compatible siting, proportion, scale, form, materials, fenestration, roof configuration, details, and finishes
- Construction of additions at secondary elevations wherever possible, subordinate to the historic building, and compatible with the design of the property and neighborhood
- Construction of additions so the historic building fabric is not radically changed, obscured, damaged, or destroyed

DEMOLITION OF HISTORIC RESOURCES

The demolition of all or portions of resources on Historic Landmark properties or within a Historic District is considered a drastic action, as it alters the character of the streetscape, surrounding buildings and the demolition site. Once resources or buildings that contribute to the heritage of the community are destroyed, they cannot be replaced. This could represent a lost educational resource for the community whether the building was an example of past construction techniques or has associations with a significant individual or event in our history. As a result, demolition of a Historic Landmark or significant building within a Historic District is rarely considered to be an appropriate option.

The CHPC encourages:

- An evaluation of the significance of the historic resources
- Exhaustion of all reasonable measures to permit reuse of a historic resource prior to considering demolition

The CHPC does not recommend demolition unless:

- The proposed demolition involves a non-significant addition or portion of the building, provided the demolition will not adversely affect those portions of a resource that are significant
- The proposed demolition involves a non-significant resource, provided the demolition will not adversely affect those parts of the site that are significant

FREQUENTLY ASKED QUESTIONS

Q: How do I make sure my project will be approved by the CHPC?

A: It is helpful to have an understanding of what makes your property architecturally or culturally significant when considering a project. This will allow you to make informed decisions about the proposed project with an understanding of some of the issues considered by the CHPC.

Q: Is the review process expensive? Do I need to hire an outside professional?

A: There is no fee associated with the review process, but proper preparation and filing of a complete and timely application can reduce the additional time required to complete the process. Carefully reviewing these Guidelines for the Certificate of Appropriateness prior to hiring a design professional or contractor can assist in the early planning stages of your project.

You are welcome to submit applications for work without the assistance of a design professional or contractor. If you are retaining the services of a professional, it is helpful to work with architects, contractors, or similar professionals familiar with the requirements of working with Historic Landmarks within the Town of Clinton. Before submitting your application, verify the application is complete and all materials are included with your submission.

Q: I am planning a complex project. When is the best time to talk to the CHPC?

A: The best time to talk to the CHPC is early in the process, before you invest a lot of time and money in the design process. If you would like to discuss your project informally with the CHPC to obtain an informational review before finalizing your plans, please contact the Town of Clinton at (908) 735-8616.

Q: What information do I need to submit with my application?

A: The specific submission requirements will vary based upon the complexity of the proposed project. All applications should include:

- A completed application form
- Photographs of the overall building with details of any proposed work areas
- Description of the proposed work
- Drawings or sketches indicating the proposed changes
- Information regarding the proposed exterior materials

Q: Can I begin construction immediately after I receive CHPC approval?

A: CHPC review and approval is required prior to the granting of a building permit. Each project is also subject to Town of Clinton review for compliance with zoning, building, and safety codes, and a building permit must also be issued by the construction department prior to commencement of any work. You must obtain a Certificate of Appropriateness and all necessary permits before proceeding with any work. If the CHPC recommends an application for approval and no other permits are required, it is possible to obtain an approved COA within one week following the CHPC meeting. If the complexity of the project requires other permits or reviews, the Town of Clinton will make every effort to perform simultaneous reviews and minimize any potential delays.

GLOSSARY OF ARCHITECTURAL TERMS:

The following page depicts diagrams representing composite buildings and provide a basic vocabulary of architectural elements and terms. Please refer to the individual *Guidelines* and Dictionaries for additional information sources.

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The following diagrams represent composite buildings and provide a basic vocabulary of architectural elements and terms. Please refer to the individual *Guidelines* and *Dictionaries* for additional information sources.

