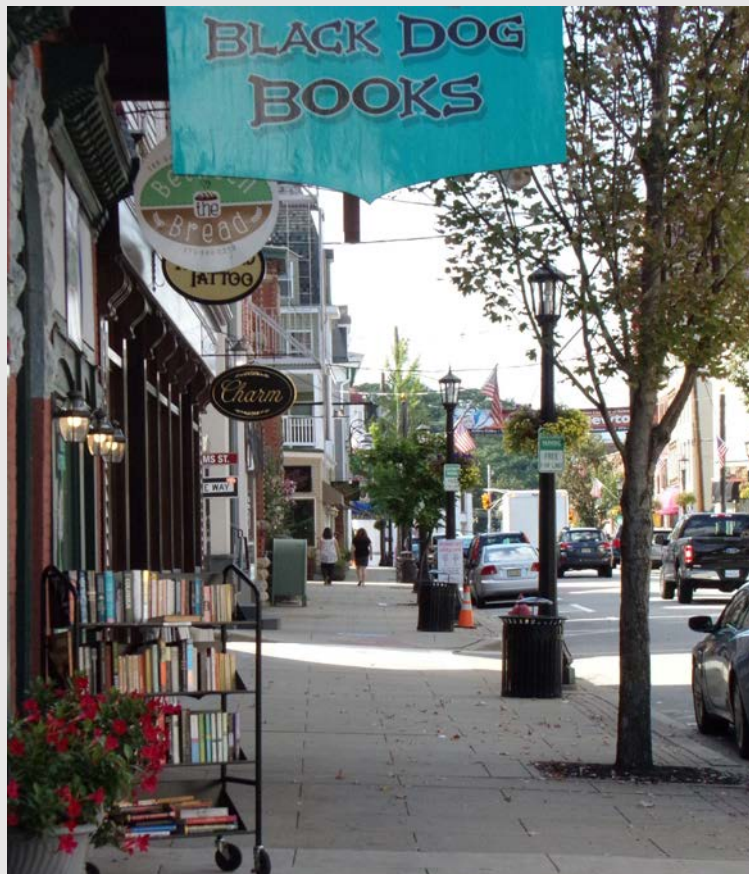

TOWN OF NEWTON

Sussex County, New Jersey

MASTER PLAN

REEXAMINATION REPORT



July 17, 2019



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INTRODUCTION

Municipal Land Use Law requires that municipalities prepare a reexamination of their master plan and development regulations at least every ten (10) years. The Town adopted a complete update to its Master Plan in August 2008. The last full updated Master Plan was adopted in 1996. The last reexamination report of the municipal master plan was adopted by the Planning Board by resolution dated August 2008; however, a Master Plan Reexamination was also adopted in December 2014, to propose and adopt amendments to the Master Plan required through the Plan Endorsement process with the State Planning Commission. Additionally, a Master Plan Reexamination Report was adopted in September 2016 specifically to address changes in affordable housing requirements in the State and adopt an updated Housing Element and Fair Share Plan. In 2009, the Town adopted a Circulation Element of the Master Plan. The Town received Plan Endorsement from the State Planning Commission on May 15, 2013. Also, in 2013, the Town Council adopted a Strategic Vision Plan for the downtown. Because the two Master Plan Reexamination reports completed since 2008 focused on specific issues facing the community, achieving Plan Endorsement and addressing affordable housing, this Report goes back to the 2008 Master Plan to reexamine that report in its entirety and incorporates the changes from 2009, 2014 and 2016.

Pursuant to N.J.S.A. 40:55D-89, the reexamination report must include the following:

- 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 reviewed with particular regard to 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; and

e. the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, C.79(C.40A:12A-1 et al.) 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.

Additionally, pursuant to 40:55D-93, each time the municipal master plan is reexamined, the stormwater control ordinance and stormwater management plan must also be reexamined and revised as needed.

REEXAMINATION OF THE MASTER PLAN

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

The last reexamination of Newton Town's Master Plan was the Reexamination Report and Master Plan Revision adopted by the Planning Board in August 2008. Reexamination Reports from 2104 and 2016 were also adopted to address amendments to the Master Plan required during Plan Endorsement and to update the Housing Element and Fair Share Plan. The Reexamination Report focuses on the entire Master Plan and generally refers back to the 2008 Master Plan. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report were the following, which also represent the general goals and objectives of the 2008 Master Plan:

1. To encourage municipal action to guide the appropriate use or development of all lands in Newton, in a manner that will promote the public health, safety, morals, and general welfare
2. To secure safety from fire, flood, panic, and other natural and man-made disasters
3. To provide adequate light, air, and open space
4. To ensure that the development of the Town does not conflict with the development and general welfare of neighboring municipalities, the County, and the State as a whole
5. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities, and regions and preservation of the environment

6. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies
7. To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all the citizens of Newton
8. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight
9. To promote a desirable visual environment through creative development techniques and good civic design and arrangement
10. To promote the conservation of historic sites and districts, open space, energy resources, and valuable natural resources in the Town and to prevent urban sprawl and degradation of the environment through improper use of land
11. To encourage planned unit developments which incorporate the best features of design and relate the type, design, and layout of residential, commercial, and recreational development to the particular site
12. To encourage senior citizen community housing construction
13. To encourage development of affordable housing within the Town of Newton
14. To encourage coordination of the various public and private procedures and activities shaping land development
15. To promote utilization of renewable energy resources
16. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs
17. To balance market rate and affordable housing within neighborhoods

The above-noted issues were raised in the 2008 Master Plan Report as having substantially evolved in scope from the prior adoption of the 1996 Master Plan and its 2003 Land Use amendments, where some of these items were listed as goals and objectives. These items have been fairly consistent issues facing the municipality and are relevant as incorporated goals and objectives in the Town's Master Plan.

N.J.S.A. 40:55D-89.b – The extent to which such problems and objectives have been reduced or have increased subsequent to the adoption of the last reexamination report

The problems and objectives noted above continue to be relevant issues facing the Town. Quality of life and environmental goals remain relatively unchanged and the Town seeks to maintain its existing character. The following examples are provided to show either how these problems have worsened or increased in importance since the last reexamination report, or how the Town has been successful in diminishing the issues and reaching objectives through careful land use planning and action.

2. To secure safety from fire, flood, panic, and other natural and man-made disasters

Newton's issue of flood hazard has increased and will continue to increase in importance as climate change brings stronger and more frequent storms. Municipalities are increasingly recognizing that sound stormwater management practices, including green infrastructure, have a connection to public health and economic development. In 2011, the Town adopted a revised flood damage prevention chapter to establish stricter construction standards in areas of special flood hazard. Since 2016, Newton has partnered with New Jersey Future and the Rutgers University Cooperative Extension Water Resources Program as a "Mainstreaming Green Infrastructure" Pilot Town. Through this collaboration, the Town now has a Reduction Action Plan to mitigate nuisance flooding and improve groundwater quality in the Town with strategically placed permeable surfaces and stormwater retention mechanisms.

8. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight

In 2015, the Town designated a portion of Spring Street as a one-way thoroughfare, adding 22 parking spaces to the downtown business district and implementing traffic-calming measures for pedestrian safety. A new location for the Newton Park & Ride proposed in the 2008 Master Plan, at the corner of Water and Trinity Streets, is not currently considered a viable option for the Town's transportation options.

9. To promote a desirable visual environment through creative development techniques and good civic design and arrangement

Proposed in the 2008 Master Plan Land Use Element, the Town adopted a form-based code made up of non-traditional transect zones and special districts in 2012. This type of code provides simple, visual guides and promotes specific building envelopes to encourage a visual environment appropriate for the area's level of density and intensity.

12. To encourage senior citizen community housing construction

The newly constructed Newton Town Centre adds 65 units of affordable senior housing to Newton's downtown business district. The building was fully rented within three months of opening.

15. To promote utilization of renewable energy resources

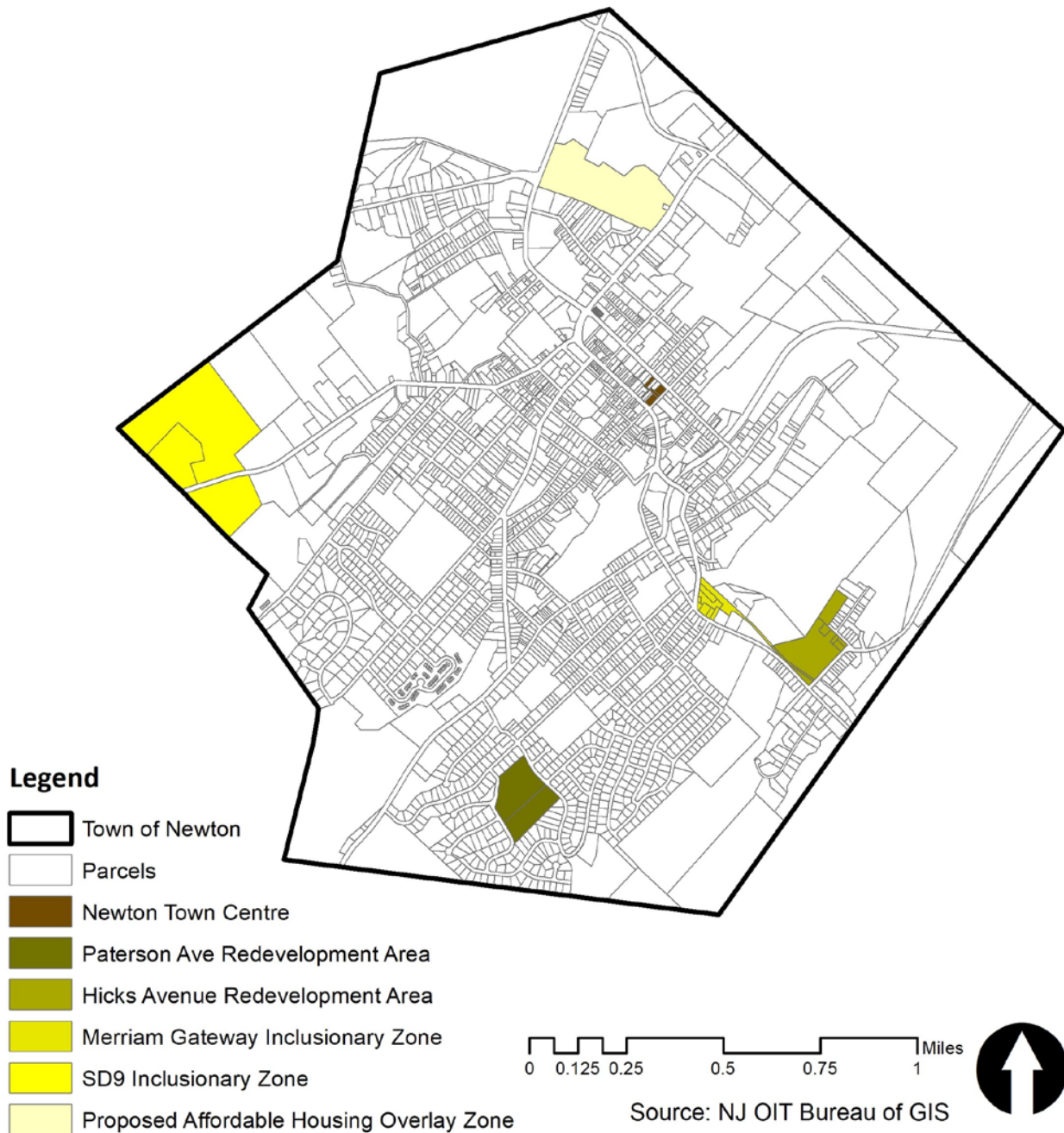
Newton added a chapter to its Revised General Ordinances to address wind and solar energy systems in 2009. The new ordinance intended to streamline the standards for the siting, design, and operation of alternative energy machinery and to promote its use within the Town.

17. To balance market rate and affordable housing within neighborhoods

The Town has a history of compliance with its obligation to provide affordable housing. The Town seeks to develop a balance of market rate and affordable housing throughout the municipality with the adoption of inclusionary zones, in which a pre-determined portion of housing development must be affordable (see map on next page). The Town's Special District 9: Planned Neighborhood Development District, along High Street on the western edge of the municipality, includes a 20% mandatory set-aside for affordable housing, 24% of which would meet density requirements for affordable rental units. The Town is also pursuing an Affordable Housing Overlay Zone to be first established between Mill and Water Streets in an area currently zoned SD-3, and several of its Redevelopment Areas have a required affordable housing component. A more detailed description of the Town's affordable housing plan is provided in the next section.

Affordable Housing Zones and Sites

Town of Newton, Sussex County



N.J.S.A. 40:55D-89.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 reviewed with particular regard to 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

The following review of updated demographics provides a basis for review of changes in the assumptions and policies underlying the Master Plan and if, some of the policies should be changed as a result of these shifts in data.

POPULATION

| Population Change: 1950-2017 | | | | | | |
|-------------------------------------|------------------------------------|-----------------|-------------------------------|-----------------|----------------------------|-----------------|
| | Town of Newton (Newton) | % Change | Sussex County (SC) | % Change | New Jersey (NJ) | % Change |
| 1950 | 5,781 | | 34,423 | | 4,835,329 | |
| 1960 | 6,563 | 13.5 | 49,255 | 43.1 | 6,066,782 | 25.5 |
| 1970 | 7,297 | 11.2 | 77,528 | 57.4 | 7,168,164 | 18.2 |
| 1980 | 7,748 | 6.2 | 116,119 | 49.8 | 7,364,823 | 2.7 |
| 1990 | 7,521 | -2.9 | 130,943 | 12.8 | 7,730,188 | 5.0 |
| 2000 | 8,244 | 9.6 | 144,166 | 10.1 | 8,414,350 | 8.9 |
| 2010 | 7,997 | -3.0 | 149,265 | 3.5 | 8,791,894 | 4.5 |
| 2017* | 7,937 | -0.8 | 143,570 | -3.8 | 8,960,161 | 1.9 |

Source: US Census; *2013-2017 American Community Survey Estimate

The 2008 Master Plan relied on 2000 US Census Data. At that time, the population of the Town had grown by just under 10 percent. After 2000, the population of the Town began to decline. The Town also experienced some population decline after 2010; however recently (2017) population dropped by just 0.8 percent. With new developments recently constructed and more on the horizon, it is likely that Newton will again shift toward population growth and exceed 2000 population numbers in 2020. This is a direct result of 2008 Master Plan policies that support development in the Town Core and surrounding areas and supported redevelopment of existing underdeveloped areas.

AGE

| Age Groups: 2017 | | | | | | |
|-------------------------|--------------|--------------|----------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Total population | 7,937 | 100.0 | 143,570 | 100.0 | 8,960,161 | 100.0 |
| Under 5 years | 399 | 5.0 | 6,605 | 4.6 | 526,716 | 5.9 |
| 5 to 9 years | 356 | 4.5 | 8,274 | 5.8 | 547,575 | 6.1 |
| 10 to 14 years | 204 | 2.6 | 9,013 | 6.3 | 571,455 | 6.4 |
| 15 to 19 years | 569 | 7.2 | 9,726 | 6.8 | 575,048 | 6.4 |
| 20 to 24 years | 652 | 8.2 | 8,788 | 6.1 | 575,668 | 6.4 |
| 25 to 34 years | 1,248 | 15.7 | 14,376 | 10.0 | 1,151,431 | 12.9 |
| 35 to 44 years | 838 | 10.6 | 16,821 | 11.7 | 1,165,156 | 13.0 |
| 45 to 54 years | 1,152 | 14.5 | 24,702 | 17.2 | 1,317,652 | 14.7 |
| 55 to 59 years | 690 | 8.7 | 12,571 | 8.8 | 636,863 | 7.1 |
| 60 to 64 years | 416 | 5.2 | 10,527 | 7.3 | 538,598 | 6.0 |
| 65 to 74 years | 567 | 7.1 | 13,979 | 9.7 | 755,476 | 8.4 |
| 75 to 84 years | 466 | 5.9 | 5,824 | 4.1 | 399,788 | 4.5 |
| 85 years and over | 380 | 4.8 | 2,364 | 1.6 | 198,735 | 2.2 |
| | | | | | | |
| Median age | 41.3 | | 44.1 | | 39.6 | |

Source: 2013-2017 American Community Survey Estimate

Since 2008, Newton has experienced a shift in age groups living in the Town. The number of young children (under 5 years) declined by 23 percent. Likewise, the number of school aged-children ages 5-14 have declined by 35 percent. The number of older teens, age 15-19 increased by 18 percent and young adults, age 20-24 increased in population by 30 percent. The number of residents ages 25 to 34 and 45 to 54 both remained about. While the number of residents ages 35-44 dropped by 41 percent. Seniors ages 55 and older increased in population in almost every age category.

The numbers of young children and school-aged children have dropped while young adult populations have increased. Child-bearing age and middle-age resident populations have stayed relatively flat and senior populations have increased. This is on-trend with demographics for urban areas, where young people and seniors have relocated in order to enjoy walkable downtowns and smaller home/apartment lifestyles. This balances the 2008 finding that the largest population groups were in the 35-49 age range. Overall, these findings support Newton's housing policies to provide a balance of housing types. Support and improvements to family housing stock may be necessary as well given population losses in school-age children.

RACE

| Race and Ethnicity: 2017 | | | | | | |
|--|--------------|--------------|----------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Total Population | 7,937 | 100.0 | 143,570 | 100.0 | 8,960,161 | 100.0 |
| One Race | 7,839 | 98.8 | 141,382 | 98.5 | 8,731,100 | 97.4 |
| White | 6,704 | 84.5 | 133,544 | 93.0 | 6,085,474 | 67.9 |
| Black or African American | 480 | 6.0 | 2,997 | 2.1 | 1,207,356 | 13.5 |
| American Indian or Alaska Native | 0 | 0.0 | 38 | 0.0 | 18,006 | 0.2 |
| Asian | 143 | 1.8 | 2,864 | 2.0 | 844,105 | 9.4 |
| Native Hawaiian and Other Pacific Islander | 0 | 0.0 | 14 | 0.0 | 3,013 | 0.0 |
| Some other race | 512 | 6.5 | 1,925 | 1.3 | 573,146 | 6.4 |
| Two or more races | 98 | 1.2 | 2,188 | 1.5 | 229,061 | 2.6 |
| | | | | | | |
| Hispanic or Latino of any race | 1,351 | 17.0 | 10,778 | 7.5 | 1,764,520 | 19.7 |

Source: 2013-2017 American Community Survey Estimate

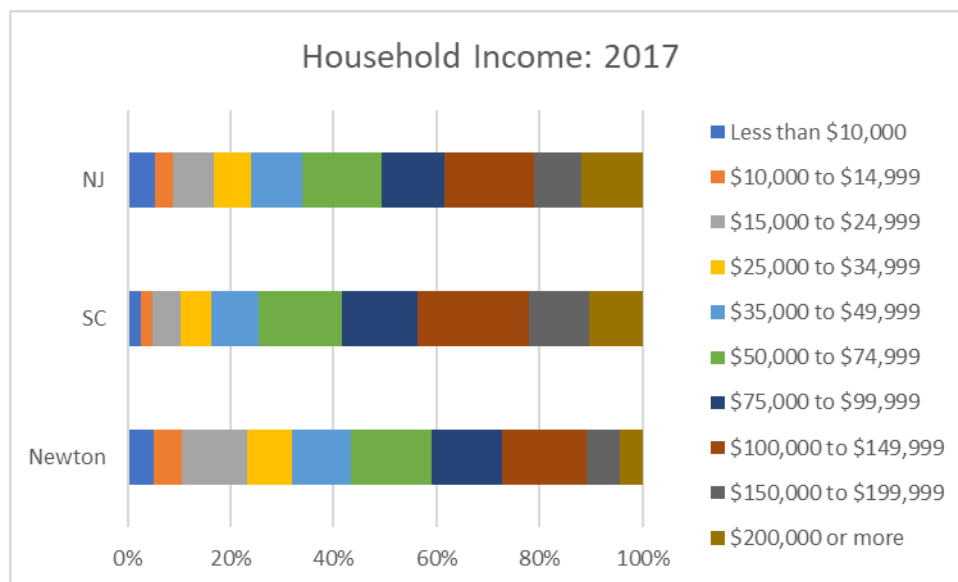
Newton has become more diverse since the 2000 US Census. At that time, total population of Black or African American residents was about 3 percent of the total. About 4 percent of the population was Latino or Hispanic and about 3 percent was some other race or ethnicity. Now, Newton has about 6 percent Black or African American population, just under 2 percent Asian and 6.5 percent some other race. In addition, 17 percent of the population identifies as Hispanic or Latino.

In general, Newton's population is more racially diverse than the County, and less racially diverse than the State. However, when analyzing the data since 2000, Newton is becoming more like the State with respect to racial diversity. Nearly 85 percent of the Town was White, compared with 93 percent of the County and 67.9 percent of the State. Black or African American residents made up 6 percent of the Town, which was nearly three times the County rate but fell below the State at 13.5 percent. Newton residents of any race who were Hispanic or Latino constituted 17 percent of the population, more than double the County percentage but still a few percentage points below the State.

INCOME

| Household Income: 2017 | | | | | | |
|-------------------------|--------------|--------------|---------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Total households | 3,263 | 100.0 | 53,618 | 100.0 | 3,199,111 | 100.0 |
| Less than \$10,000 | 168 | 5.1 | 1,420 | 2.6 | 170,840 | 5.3 |
| \$10,000 to \$14,999 | 175 | 5.4 | 1,133 | 2.1 | 113,188 | 3.5 |
| \$15,000 to \$24,999 | 411 | 12.6 | 2,890 | 5.4 | 247,138 | 7.7 |
| \$25,000 to \$34,999 | 285 | 8.7 | 3,313 | 6.2 | 232,026 | 7.3 |
| \$35,000 to \$49,999 | 375 | 11.5 | 4,839 | 9.0 | 322,263 | 10.1 |
| \$50,000 to \$74,999 | 509 | 15.6 | 8,719 | 16.3 | 490,325 | 15.3 |
| \$75,000 to \$99,999 | 451 | 13.8 | 7,852 | 14.6 | 390,092 | 12.2 |
| \$100,000 to \$149,999 | 538 | 16.5 | 11,591 | 21.6 | 556,938 | 17.4 |
| \$150,000 to \$199,999 | 209 | 6.4 | 6,265 | 11.7 | 296,256 | 9.3 |
| \$200,000 or more | 142 | 4.4 | 5,596 | 10.4 | 380,045 | 11.9 |
| | | | | | | |
| Median household income | 63,661 | | 89,238 | | 76,475 | |
| Median family income | 72,019 | | 102,430 | | 94,337 | |
| Median nonfamily income | 37,757 | | 51,629 | | 41,692 | |

Source: 2013-2017 American Community Survey Estimate



Source: 2013-2017 American Community Survey Estimate

As the County Seat, Newton has historically had a lower median income than the County as a whole. Incomes have risen in Newton; the median income of \$63,661 is up from \$56,484 in the 2008 Master Plan. Notably too, the number of higher income households has gone up while the number of lower income households has gone down. The number of households making less than \$15,000 dropped by 42 percent. The number of households making less than \$75,000 dropped by 23 percent, while the number of households making \$75,000 or more, went up by 41 percent.

While Newton's household incomes continue to be lower than State and County median incomes, the gap is closing. Newton's land use policies have promoted high wage job uses such as Thorlabs, the Newton Medical Center and Sussex County College. The presence of the County Administration Offices and County Courthouse also provide good paying jobs and support the economy of the Town.

Land use policies that continue to promote redevelopment and infill development will continue to improve the household income in the Town by improving the economic outlook of the Town's residents. Additional development also helps to stabilize the tax base of the Town, which helps homeowners within the Town by reducing their tax burdens. The Town's Form-Based Code and redevelopment plans have promoted redevelopment and infill development that maximizes the available land in Town while maintaining community character.

The Town has also promoted economic development in the Town Core, on Spring Street, Main Street and around the Town Square. The Town adopted a Strategic Vision Plan for the downtown in 2013. This plan identified strategic areas for improvement to address the land uses, visual appeal, safety concerns and so on. Currently, several investors are purchasing, renovating and/or redeveloping buildings along Spring Street. New businesses are also coming into the newly renovated spaces. The Newton Town Centre senior housing development over the former Town parking lot at the corner of Spring Street and Union Place has created 65 new senior affordable apartments on Spring Street along with a new commercial space. The renovation of the Style Shop building with seven new apartments and two new retail spaces has added life to Spring Street. While the process is slow, changes are occurring quickly and the positive economic development will continue to have a positive impact on the residents of the Town.

HOUSEHOLD SIZE

| Average Household Size: 2000-2017 | | | |
|-----------------------------------|--------|------|------|
| Year | Newton | SC | NJ |
| 2000* | 2.39 | 2.80 | 2.68 |
| 2010* | 2.34 | 2.69 | 2.68 |
| 2011 | 2.20 | 2.66 | 2.69 |
| 2012 | 2.20 | 2.67 | 2.70 |
| 2013 | 2.31 | 2.67 | 2.71 |
| 2014 | 2.33 | 2.67 | 2.72 |
| 2015 | 2.30 | 2.67 | 2.73 |
| 2016 | 2.30 | 2.66 | 2.73 |
| 2017 | 2.29 | 2.64 | 2.74 |

Source: *US Census; American Community Survey 5-Year Estimates

| Household Size by Household Type: 2017 | | | | | | |
|--|--------------|--------------|---------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Total households | 3,263 | 100.0 | 53,618 | 100.0 | 3,199,111 | 100.0 |
| Family households | 1,740 | 53.3 | 38,714 | 72.2 | 2,217,279 | 69.3 |
| 2-person household | 703 | 21.5 | 16,392 | 30.6 | 851,039 | 26.6 |
| 3-person household | 433 | 13.3 | 9,654 | 18.0 | 549,283 | 17.2 |
| 4-person household | 348 | 10.7 | 7,483 | 14.0 | 492,851 | 15.4 |
| 5-person household | 190 | 5.8 | 3,451 | 6.4 | 208,288 | 6.5 |
| 6-person household | 49 | 1.5 | 1,147 | 2.1 | 71,013 | 2.2 |
| 7-or-more person household | 17 | 0.5 | 587 | 1.1 | 44,805 | 1.4 |
| Nonfamily households | 1,523 | 46.7 | 14,904 | 27.8 | 981,832 | 30.7 |
| 1-person household | 1,257 | 38.5 | 12,065 | 22.5 | 822,446 | 25.7 |
| 2-person household | 260 | 8.0 | 2,623 | 4.9 | 131,776 | 4.1 |
| 3-person household | 6 | 0.2 | 122 | 0.2 | 17,094 | 0.5 |
| 4-person household | 0 | 0.0 | 94 | 0.2 | 7,216 | 0.2 |
| 5-person household | 0 | 0.0 | 0 | 0.0 | 2,154 | 0.1 |
| 6-person household | 0 | 0.0 | 0 | 0.0 | 758 | 0.0 |
| 7-or-more person household | 0 | 0.0 | 0 | 0.0 | 388 | 0.0 |

Source: 2013-2017 American Community Survey Estimate

Newton's average household size has been smaller than the County's and the State's. With the Town's increased populations of young people and seniors, there has been an increase in the number of single person households, while almost every other category of household size has been declining. With declining household sizes, smaller homes and multifamily residential

opportunities make sense within the community. Recently, townhouse developments and new multifamily projects have provided additional housing within the community. Policies that continue to promote housing for smaller household sizes should be supported.

EMPLOYMENT

| Employment Status: 2017 | | | | | | |
|-------------------------------------|--------------|--------------|----------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Population 16 years and over | 6,907 | 100.0 | 117,479 | 100.0 | 7,197,215 | 100.0 |
| In labor force | 4,060 | 58.8 | 80,575 | 68.6 | 4,724,242 | 65.6 |
| Civilian labor force | 4,060 | 58.8 | 80,518 | 68.5 | 4,716,191 | 65.5 |
| Employed | 3,884 | 56.2 | 75,370 | 64.2 | 4,388,024 | 61.0 |
| Unemployed | 176 | 2.5 | 5,148 | 4.4 | 328,167 | 4.6 |
| Armed Forces | 0 | 0.0 | 57 | 0.0 | 8,051 | 0.1 |
| Not in labor force | 2,847 | 41.2 | 36,904 | 31.4 | 2,472,973 | 34.4 |
| | | | | | | |
| Unemployment rate | 4.3% | | 6.4% | | 7.0% | |

Source: 2013-2017 American Community Survey Estimate

Newton is designated as a Regional Center in Sussex County by the State Planning Commission. The Town has a history of low unemployment within the Town. The Town's land use policies have promoted the development of Thorlabs headquarters, with over 350 high tech employees. A recent redevelopment project on Diller Avenue resulted in an approval to develop a 185,000 square foot facility to expand Thorlabs campus along with adaptive reuse a 12,000 square foot building. These facilities are expected to provide an additional 260 high tech employees. With expansion and improvements to the Newton Medical Center and Sussex County College, employment outlooks in Newton are excellent. The Town should continue to promote development and redevelopment that supports employment producing industries.

| Industries of Employed Population: 2017 | | | | | | |
|--|--------------|--------------|---------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Civilian employed population 16 years and over | 3,884 | 100.0 | 75,370 | 100.0 | 4,388,024 | 100.0 |
| Agriculture, forestry, fishing and hunting, and mining | 69 | 1.8 | 616 | 0.8 | 13,755 | 0.3 |
| Construction | 194 | 5.0 | 5,778 | 7.7 | 249,596 | 5.7 |
| Manufacturing | 317 | 8.2 | 6,991 | 9.3 | 362,892 | 8.3 |
| Wholesale trade | 91 | 2.3 | 2,475 | 3.3 | 149,340 | 3.4 |
| Retail trade | 658 | 16.9 | 9,111 | 12.1 | 488,795 | 11.1 |
| Transportation and warehousing, and utilities | 221 | 5.7 | 3,639 | 4.8 | 261,195 | 6.0 |
| Information | 31 | 0.8 | 1,991 | 2.6 | 123,449 | 2.8 |
| Finance and insurance, and real estate and rental and leasing | 256 | 6.6 | 5,306 | 7.0 | 372,301 | 8.5 |
| Professional, scientific, and management, and administrative and waste management services | 439 | 11.3 | 9,640 | 12.8 | 580,562 | 13.2 |
| Educational services, and health care and social assistance | 976 | 25.1 | 17,226 | 22.9 | 1,041,368 | 23.7 |
| Arts, entertainment, and recreation, and accommodation and food services | 296 | 7.6 | 5,868 | 7.8 | 366,508 | 8.4 |
| Other services, except public administration | 89 | 2.3 | 3,276 | 4.3 | 194,728 | 4.4 |
| Public administration | 247 | 6.4 | 3,453 | 4.6 | 183,535 | 4.2 |

Source: 2013-2017 American Community Survey Estimate

Newton's distribution of workers by industry tended to follow those of the County and State with a few notable exceptions. The Town's share of workers in "Agriculture, forestry, fishing and hunting, and mining," while a small number, was well over the County's and six times the rate of New Jersey. All 69 workers were in agriculture, forestry, fishing or hunting; none were employed in mining industries. Almost 17 percent of Newton workers were employed in "Retail trade," compared with 12.1% of the County and 11.1% of the State. This difference is most likely due to the many retail establishments in Newton's downtown business district. Over a quarter of Newton residents worked in "Educational services, and health care and social assistance", with the Town's school district, Sussex County Community College, and Newton Medical Center all providing employment in this industry. The Town also had a higher

proportion of residents employed in “Public administration” than the County and State, likely due to its position as the County seat and location of County administrative offices.

According to the New Jersey Department of Labor and Workforce Development, Newton had nearly 350 employers in 2017, either in federal, state, or local government, or the private sector. However, this information does not list non-profit or tax-exempt employers, persons who are self-employed, or companies located in the Town but headquartered elsewhere, so the actual number of employers in this regional center is likely larger still.

COMMUTING

| Means of Transportation to Work: 2017 | | | | | | |
|---|--------------|--------------|---------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Workers 16 years and over | 3,798 | 100.0 | 73,850 | 100.0 | 4,300,873 | 100.0 |
| Car, truck, or van | 3,330 | 87.7 | 67,279 | 91.1 | 3,418,708 | 79.5 |
| Drove alone | 2,951 | 77.7 | 61,889 | 83.8 | 3,074,062 | 71.5 |
| Carpooled | 379 | 10.0 | 5,390 | 7.3 | 344,646 | 8.0 |
| Public transportation (including taxicab) | 68 | 1.8 | 1,369 | 1.9 | 539,226 | 12.5 |
| Motorcycle | 0 | 0.0 | 80 | 0.1 | 2,273 | 0.1 |
| Bicycle | 69 | 1.8 | 103 | 0.1 | 13,684 | 0.3 |
| Walked | 181 | 4.8 | 851 | 1.2 | 128,622 | 3.0 |
| Other means | 34 | 0.9 | 316 | 0.4 | 46,159 | 1.1 |
| Worked at home | 116 | 3.1 | 3,852 | 5.2 | 181,388 | 4.2 |

Source: 2013-2017 American Community Survey Estimate

Most Newton residents drove to work, 87.7% of them, a share slightly lower than the County’s and eight percentage points higher than the State’s. Workers in Newton carpooled at a slightly higher rate than the State and higher still than the County. 6.6% of Newton residents biked or walked to work, exactly twice the State percentage and over five times the County rate, suggesting that the Town offers housing and employment in close proximity, located on bicycle and pedestrian-friendly streets. Land use policies from the Town’s 2009 Circulation Element that support complete streets and context sensitive design focused on improved walkability within the Town should continue to be supported. Creation of trails and bike paths would also have a positive impact on the Town.

| Place of Work: 2017 | | | | | | |
|------------------------------------|--------------|--------------|---------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Workers 16 years and over | 3,798 | 100.0 | 73,850 | 100.0 | 4,300,873 | 100.0 |
| Worked in state of residence | 3,650 | 96.1 | 68,622 | 92.9 | 3,701,734 | 86.1 |
| Worked in county of residence | 2,414 | 63.6 | 32,763 | 44.4 | 2,317,572 | 53.9 |
| Worked outside county of residence | 1,236 | 32.5 | 35,859 | 48.6 | 1,384,162 | 32.2 |
| Worked outside state of residence | 148 | 3.9 | 5,228 | 7.1 | 599,139 | 13.9 |

Source: 2013-2017 American Community Survey Estimate

Newton has more residents working within the County and State of residence, than both the State and County. This bodes well for residents of Newton, who as shown below, tend to have shorter commutes and the ability to walk and/or bike to work more readily.

| Travel Time to Work: 2017 | | | | | | |
|---|--------------|--------------|---------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Workers 16 years and over who did not work at home | 3,682 | 100.0 | 69,998 | 100.0 | 4,119,485 | 100.0 |
| Less than 10 minutes | 847 | 23.0 | 6,514 | 9.3 | 404,063 | 9.8 |
| 10 to 14 minutes | 525 | 14.3 | 6,296 | 9.0 | 482,520 | 11.7 |
| 15 to 19 minutes | 275 | 7.5 | 6,613 | 9.4 | 520,817 | 12.6 |
| 20 to 24 minutes | 378 | 10.3 | 7,409 | 10.6 | 541,904 | 13.2 |
| 25 to 29 minutes | 184 | 5.0 | 3,060 | 4.4 | 254,377 | 6.2 |
| 30 to 34 minutes | 284 | 7.7 | 7,507 | 10.7 | 546,275 | 13.3 |
| 35 to 44 minutes | 276 | 7.5 | 5,734 | 8.2 | 322,146 | 7.8 |
| 45 to 59 minutes | 314 | 8.5 | 9,223 | 13.2 | 406,064 | 9.9 |
| 60 or more minutes | 599 | 16.3 | 17,642 | 25.2 | 641,319 | 15.6 |
| | | | | | | |
| Mean travel time to work (minutes) | 28.3 | | 38.2 | | 31.5 | |

Source: 2013-2017 American Community Survey Estimate

EDUCATION

| Newton School District Enrollment: 2010-2018 | | |
|--|------------|----------|
| School Year | Enrollment | % Change |
| 2010-2011 | 1,525 | |
| 2011-2012 | 1,522 | -0.2 |
| 2012-2013 | 1,356 | -10.9 |
| 2013-2014 | 1,525 | 12.5 |
| 2014-2015 | 1,556 | 2.0 |
| 2015-2016 | 1,550 | -0.4 |
| 2016-2017 | 1,552 | 0.1 |
| 2017-2018 | 1,533 | -1.2 |

Source: New Jersey Department of Education

Newton's school district enrollment has fluctuated over the past decade, but generally student enrollment has remained flat over the last nearly 10 years. With drops in numbers of pre-school age and younger school-age children, these enrollment numbers are likely to decline or remain flat unless new families move into the area. Because of the economies of scale existing in school districts, it makes sense to try to maintain enrollment at sustainable levels. Promotion of additional family housing or improvements to existing family housing stock could potentially support school enrollment at sustainable levels.

HOUSING AND VACANCY

| Housing Status: 2017 | | | | | | |
|----------------------------|--------------|--------------|---------------|--------------|------------------|--------------|
| | Newton | % | SC | % | NJ | % |
| Total housing units | 3,686 | 100.0 | 62,275 | 100.0 | 3,595,055 | 100.0 |
| Occupied | 3,263 | 88.5 | 53,618 | 86.1 | 3,199,111 | 89.0 |
| Owner-occupied | 1,583 | 48.5 | 44,342 | 82.7 | 2,052,073 | 64.1 |
| Renter-occupied | 1,680 | 51.5 | 9,276 | 17.3 | 1,147,038 | 35.9 |
| Vacant | 423 | 11.5 | 8,657 | 13.9 | 395,944 | 11.0 |

Source: 2013-2017 American Community Survey Estimate

Newton has historically had a higher percentage of renter occupied homes than both the State and the County. While Newton has worked over the years to increase the number of homeowners in the Town, the percentages have stayed roughly the same since 2000. Promoting home ownership in the Town is still a worthy effort; however, more and more households particularly for young people and seniors are looking for rental units. This makes Newton desirable for those communities. Creating a variety of housing types available both for purchase and rental should continue to be a central housing policy within the Town.

Vacancy rates in Newton have climbed since 2000 during the housing boom. However, the current 11.5 percent vacancy rate is lower than that of the County and the State, such that it appears that vacant units are cycling back into the market at an efficient rate.

| Town of Newton Vacant Housing Units: 2000-2017 | | | | | |
|--|-------|--------|------|----------|------|
| Year | Total | Vacant | % | For rent | % |
| 2000* | 3,425 | 167 | 4.9 | 76 | 45.5 |
| 2010* | 3,479 | 309 | 8.9 | 137 | 44.3 |
| 2011 | 3,439 | 249 | 6.8 | 161 | 64.7 |
| 2012 | 3,691 | 297 | 8.0 | 180 | 60.6 |
| 2013 | 3,488 | 262 | 7.5 | 168 | 64.1 |
| 2014 | 3,525 | 355 | 10.1 | 200 | 56.3 |
| 2015 | 3,678 | 420 | 11.4 | 165 | 39.3 |
| 2016 | 3,649 | 396 | 10.9 | 117 | 29.5 |
| 2017 | 3,686 | 423 | 11.5 | 125 | 29.6 |

Source: *US Census; American Community Survey 5-Year Estimates

Newton's estimated population for 2017 (7,937) divided by its total housing units (3,686) is around 2.15, which is lower than the Town's average household size for 2017 (2.29). This suggests that Newton currently has more housing units than households to fill them. The vacancy rate has more than doubled since the 2000 Census, while the share of those vacant units that are available for rent has decreased since the 2011 estimate.

| Vacancy Status: 2000-2017 | | | | | | | |
|---------------------------|----------|----------------------|---------------|--------------------|----------|---------------------|--------------|
| Year | For rent | Rented, not occupied | For sale only | Sold, not occupied | Seasonal | For migrant workers | Other vacant |
| 2000* | 76 | 16 | 39 | N/A** | 11 | 0 | 25 |
| 2010* | 137 | 4 | 53 | 7 | 11 | 0 | 97 |
| 2011 | 161 | 31 | 34 | 0 | 0 | 0 | 23 |
| 2012 | 180 | 31 | 36 | 0 | 26 | 0 | 24 |
| 2013 | 168 | 32 | 0 | 0 | 36 | 0 | 26 |
| 2014 | 200 | 34 | 31 | 0 | 38 | 0 | 52 |
| 2015 | 165 | 73 | 31 | 0 | 70 | 0 | 81 |
| 2016 | 117 | 45 | 61 | 0 | 80 | 0 | 93 |
| 2017 | 125 | 39 | 124 | 0 | 37 | 0 | 98 |

Sources: *US Census, American Community Survey 5-Year Estimates

**The 2000 US Census combined units that were rented or sold but not occupied into one data point. The combined total for the Town of Newton in 2000 was 16 units.

In a full breakdown of vacancy status, housing units available for rent or for sale represented by far the most prominent type of vacancy. However, the estimates of units not yet occupied by a tenant and those classified as "Other vacant" or purely vacant have been rising over the past few years.

POVERTY

| Poverty Rate by Age Group: 2017 | | | | | | |
|---------------------------------|--------|-------|--------|-------|-----------|-------|
| | Newton | % | SC | % | NJ | % |
| Under 18 years* | 1,324 | 100.0 | 29,844 | 100.0 | 1,975,127 | 100.0 |
| Below poverty level | 305 | 23.0 | 1,877 | 6.3 | 301,515 | 15.3 |
| | | | | | | |
| 18 to 64 years* | 5,017 | 100.0 | 90,825 | 100.0 | 5,494,655 | 100.0 |
| Below poverty level | 668 | 13.3 | 4,822 | 5.3 | 528,728 | 9.6 |
| | | | | | | |
| 65 years and over* | 1,218 | 100.0 | 21,545 | 100.0 | 1,314,207 | 100.0 |
| Below poverty level | 99 | 8.1 | 874 | 4.1 | 108,009 | 8.2 |

Source: 2013-2017 American Community Survey Estimate

With the exception of residents 65 years and over, where the Town and State poverty rates are almost identical, Newton generally has higher poverty rates than the County and State. The Town's estimated share of children below the poverty rate (23.0%) was one and a half times that of the State and almost four times the County rate. Nearly 700 Town residents between 18 and 64 years of age were considered below the poverty level. As noted previously in this section, the overall numbers of low-income households have been declining since 2000.

AFFORDABLE HOUSING COMPLIANCE

Several court cases have shifted the requirement of affordable housing compliance from the Council on Affordable Housing (COAH) to the court system. The Town received a Declaratory Judgement from the Superior Court of New Jersey in May 2016, finding that the Town complies with its constitutional obligations for affordable housing and approving the Housing Element and Fair Share Plan dated December 2015. The Town of Newton is immune from builder's remedy litigation and exclusionary zoning challenges for ten years from the date of the Order, and the Court approved its Spending Plan for 2015 to 2025. Following is a history of the Town's compliance with affordable housing requirements:

Prior Round

The Town of Newton received Substantive Certification from COAH for Round 2 on November 1, 2000. The prior round obligation was 24 units, which was met through seven (7) prior cycle credits for the Sussex County ARC Group Homes and seventeen (17) post-1986 credits for the Birth Haven Group Home, Bristol Glen Assisted Living Facility and Merriam Gateway Inclusionary Project.

Third Round

The New Jersey Supreme Court in In re Adoption of N.J.A.C. 5:96 and 5:97 invalidated COAH's Third Round Rules and ordered municipalities under COAH's administrative review jurisdiction to file declaratory judgment actions with the Court by July 8, 2015. Newton sought a declaratory judgment that the Town is in compliance with its constitutional obligation to provide affordable housing

A Declaratory Judgment was granted by Superior Court by Order on May 27, 2016, finding that the Town of Newton is in compliance with its constitutional obligations for affordable housing and provides a realistic opportunity for low-and moderate-income housing. The Superior Court of New Jersey Law Division, Sussex County, approved the Town of Newton's Housing Element and Fair Share Plan, dated December 2015. The Township is immune from builder's remedy litigation and exclusionary zoning challenges for a period of ten (10) years from the date of the Order, a judicial equivalent of substantive certification, and its Spending Plan, 2015-2025 is approved by the Court.

The Third Round obligation for the Town approved by the Superior Court included 72 units of rehabilitation need and 83 units of prospective need.

For Third Round prospective need, the Town has employed a variety of techniques to address its obligation. The Town has adopted two inclusionary zones, one long-standing zone, known as the SD-9 Zone and an overlay zone, known as the AHO Zone. The Town has also included inclusionary zoning in three redevelopment zone areas: Paterson Avenue, Merriam Gateway and Hicks Avenue. The Town also has several group homes and apartments for homeless families, which address the Town's very low-income requirements. Additionally, the Town partnered with the RPM Development Group to develop a 65-unit Senior Affordable Housing Project over a Town-owned parking lot. There are two additional group home facilities proposed in the plan and one approved development at the Clayton Square development. The table below summarizes the Town's existing and proposed affordable units as they compare to the Town's obligations.

The Town's rehabilitation need is 72 units. A total of 21 units have been completed. Rehabilitation units can also be met with excess new units if produced in the Third Round. Additionally, the Town has a revolving loan fund from past Small Cities Grants to provide funding for rehabilitation of existing units.

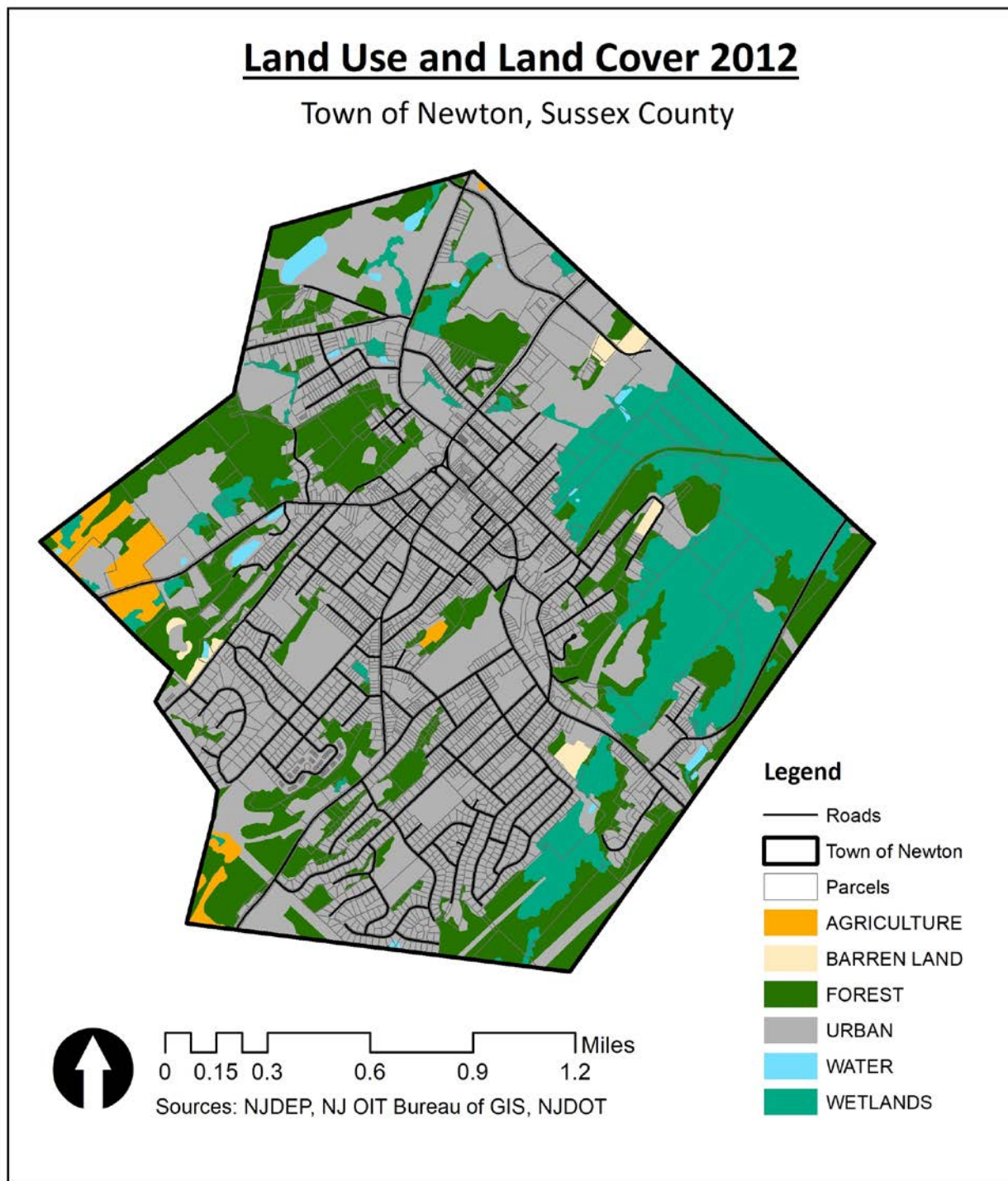
The Town seeks to develop a balance of market rate and affordable housing throughout the municipality with the adoption of inclusionary zones, in which a pre-determined portion of housing development must be affordable (on page 11). The Town's Special District 9: Planned Neighborhood Development District, along High Street on the western edge of the municipality, includes a 20% mandatory set-aside for affordable housing, 24% of which would meet density requirements for affordable rental units. The Town is also pursuing an Affordable Housing Overlay Zone to be first established between Mill and Water Streets in an area currently zoned SD-3, and several of its Redevelopment Areas have a required affordable housing component.

| Town of Newton Fair Share Plan Summary | | | | |
|--|---------------------------------|-----------|-----------|---------------|
| Project Name | Type | Units | Bonuses | Total Credits |
| PRIOR ROUND | | | | |
| Sussex County ARC Group Homes | Supportive/Special Needs rental | 7 | 0 | 7 |
| Birth Haven Group Home | Supportive/Special Needs rental | 6 | 0 | 6 |
| Bristol Glen Assisted Living Facility | Senior Rental | 1 | 0 | 1 |
| Merriam Gateway Inclusionary Project | Rental | 6 | 4 | 10 |
| Prior Round Total | | | | 24 |
| Prior Round Obligation | | | | 24 |
| THIRD ROUND | | | | |
| Completed Units | | | | |
| Bristol Glen Assisted Living | Senior Rental | 5 | 0 | 5 |
| Progressive Health Residential Health Care | Supportive/Special Needs rental | 4 | 0 | 5 |
| Samaritan Inn (<i>very low income</i>) | Alternative Living Arrangements | 11 | 11 | 22 |
| Katie's House Supportive Housing | Two, Two-Bedroom Group Homes | 4 | 4 | 4 |
| Community Options Group Home | One, Four-Bedroom Group Home | 4 | | 4 |
| Newton Town Centre | Senior Rental | 65 | | 15* |
| Total Completed | | 93 | 15 | 55 |
| Inclusionary Zoning | | | | |
| SD-9 | Family For-Sale | 54 | | 54 |
| SD-9 | Family Rental | 17 | | 17 |
| AHO | Family Rental | 18 | | 18 |
| Total Inclusionary | | 89 | | 89 |
| Redevelopment Plan | | | | |
| Paterson Avenue | Rental or for sale | 14 | | 14 |
| Hicks Avenue | Rental or for sale | 7 | | 7 |
| Merriam Gateway | Rental | 9 | | 9 |
| Total Redevelopment | | 30 | | 30 |
| Proposed Special Needs/Supportive Housing | | | | |
| SCARC, Inc. Group Home | Supportive/Special Needs rental | 6 | | 6 |
| CCI Foundation, Inc. | Group Home | 4 | | 4 |
| Total Proposed Group Homes | | 10 | | 10 |
| Development Approvals | | | | |
| Clayton Square | Family Rental | 6 | | 6 |
| Total Approved | | 6 | | 6 |
| Third Round Fair Share Plan Total | | | | 190 |
| Third Round Obligation | | | | 83 |

| | | | | |
|---|--|----|--|------------|
| | | | | |
| Potential Excess Credits to Apply to Present Need and Future Obligations | | | | 108 |
| *Senior Units to Carryover for Future Rounds | | | | 50 |
| Rehabilitation | | | | |
| Municipal Rehabilitation Program | Completed Rehabilitations | 21 | | 21 |
| Municipal Rehabilitation Program or New Construction | Proposed Rehabilitation or New Construction (excess credits) | 51 | | 51 |
| Third Round Rehabilitation/Present Need Total | | | | 72 |

LAND USE

Of Newton's 2,163.8 total acres, 58.4% or 1,263.5 acres were urban, 22.6% or 489.3 acres were forest, and 15.6% or 336.9 acres were wetlands. The remaining three percent of the Town was either agricultural, barren, or water. The Town had one of the highest proportions of urbanized land in Sussex County, attributable to its small size and developed historic core.



N.J.S.A. 40:55D-89.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

Overall, the updated demographics of the Town show improvements in the Town's demographics and point to the success of the Town's land use policies in promoting increased numbers of young people and seniors in the Town, increased household incomes and improved employment and economic development in the Town. The changes suggested below are proposed to address changes in regulations as well as proposals to fine tune existing policies and ordinances to better implement the successful policies of the Master Plan.

MASTER PLAN CHANGES

1. Statement on Smart Growth in Land Use Element

The New Jersey state legislature passed P.L. 2017, c.275, a law requiring the land use element of a municipal master plan to include a statement of strategy concerning smart growth, including the consideration of potential locations to install electric vehicle charging stations; storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure; and environmental sustainability. The law took effect on January 8, 2018.

2. Zoning Updates

The Master Plan should incorporate the Form-Based Code as adopted and amended since the 2008 Master Plan. This should include recommended ordinance changes in the following section. It should also discuss the Town's Redevelopment Plans adopted and amended since 2008, described below in Section E.

3. Stormwater Management Plan Update

The New Jersey Department of Environmental Protection (NJDEP) is proposing significant changes to the State's stormwater management requirements, notably shifting the incorporation of non-structural stormwater management strategies from a "maximum extent practicable" guideline to a requirement that green infrastructure be used to meet water quality, recharge, and volume control standards. These changes are expected to be adopted in late 2019. Following the State adoption, municipalities will then have one year to adopt changes to local stormwater management plans to ensure consistency with State law. NJDEP provides an adaptable sample municipal stormwater management plan, and New Jersey Future's Green Infrastructure Municipal Toolkit includes language recommendations to further incorporate green infrastructure into the management plan.

4. Updated Master Plan Goals and Objectives:

1. To encourage municipal action to guide the appropriate use or development of all lands in Newton, in a manner that will promote the public health, safety, morals, and general welfare
2. To secure safety from fire, flood, panic, and other natural and man-made disasters
3. To provide adequate light, air, and open space
4. To ensure that the development of the Town does not conflict with the development and general welfare of neighboring municipalities, the County, and the State as a whole
5. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities, and regions and preservation of the environment
6. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies
7. To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial, and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all the citizens of Newton
8. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight
9. To promote a desirable visual environment through creative development techniques and good civic design and arrangement
10. To promote the conservation of historic sites and districts, open space, energy resources, and valuable natural resources in the Town and to prevent urban sprawl and degradation of the environment through improper use of land
11. To encourage planned unit developments which incorporate the best features of design and relate the type, design, and layout of residential, commercial, and recreational development to the particular site

12. To encourage senior citizen community housing construction
13. To encourage development of affordable housing within the Town of Newton
14. To encourage coordination of the various public and private procedures and activities shaping land development
15. To promote utilization of renewable energy resources
16. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs
17. To balance market rate and affordable housing within neighborhoods
18. To encourage municipal policies and development that considers smart growth strategies including the consideration of potential locations to install electric vehicle charging stations; storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure; and environmental sustainability.
19. To promote and encourage an interconnected green infrastructure network in development and redevelopment throughout the Town to mitigate stormwater runoff and flood hazard, improve groundwater quality, and provide social, recreational, public health, and economic benefits.

ORDINANCE CHANGES

1. Ordinance to Adopt Affordable Housing Overlay Zone.

The Affordable Housing Overlay Zone, described above, has yet to be adopted in the municipal ordinances. Doing so would further consistency with the Housing Element and Fair Share Plan and produce another mechanism for the Town to reach its constitutional obligations to provide affordable housing in the future.

2. Stormwater Ordinance Review.

The Town of Newton will need to update its stormwater control ordinance to reflect any changes to its Stormwater Management Plan in the revision process. The ordinance was first adopted in 1970 and last amended in 2010.

3. Ordinance to Add “Green Infrastructure” to Definitions and Accessory Use Table.

The Town should consider adding a definition for the term “green infrastructure” to Chapter 320 Zoning: Form-Based Code, and its revised stormwater management plan. The following definition was adapted from New Jersey Future’s Green Infrastructure Municipal Toolkit: “An interconnected system of non-structural stormwater management strategies that use or mimic the natural water cycle to reduce stormwater runoff and prevent runoff pollution. Green infrastructure best management practices (BMP) manage runoff close to the source by retention, infiltration, evapotranspiration, and filtration. Green infrastructure BMPs include but are not limited to: bioretention systems including rain gardens, tree trenches and tree boxes; pervious paving systems; green roofs; grass swales; dry wells; vegetative filter strips; constructed stormwater wetlands, cisterns, or wet ponds for water capture and reuse; and downspout disconnection. Green infrastructure can be designed to capture and retain the Water Quality volume of 1.2 inches with no immediate surface discharge.”

Green infrastructure has a function and purpose in the Town’s parcels. As such, the Town should add the various types of green infrastructure as permitted accessory uses in the transect and special district zones appropriate for each strategy. For example, a bioswale or constructed wetland would not be appropriate in the T-6 Town Core district, while a rain barrel or a tree trench may be a fitting accessory use in any zone, depending on size and lot conditions.

4. Ordinance to Change Section 240-7(A)(2)(e).

This provision, within Section 240-7 Subdivision and site plan general design standards, regulates the design of a building containing several separate storefronts. The language of the provision should be amended as follows: “All storefronts shall include display windows with a sill height of not more than two feet from grade. Commercial buildings containing separate stores or open spaces shall be designed with architectural relief and interesting façade treatment to suggest the creation of separate spaces instead of repeated spaces of the same visual appearance.”

5. Ordinances to Change Accessory Building Setbacks in the T-3, T-4, and T-5 Transect Zones.

The Town should consider changing side and rear yard accessory building setbacks in the T-3, T-4, and T-5 transect zones from a set distance to a percentage of the lot’s dimensions. For example, if the rear yard setback of an accessory building in the T-3 transect zone is 10% of the lot depth, the rear yard setback of a lot 100 feet deep would be 10 feet. Likewise, the Town should consider a smaller minimum front yard setback for private garages and accessory apartments in these three zones. Small or irregularly-shaped lots may prevent some homeowners from meeting the required setbacks. A smaller minimum front yard setback (or larger maximum distance from the rear property line in the case of the T-5 transect zone) would allow these accessory structures in the side or front yard of the primary building in lots that accommodate such a layout.

6. Ordinance to Change Parking Requirements in the T-3, T-4, T-5, and T-6 Transect Zones.

The Town should consider allowing uncovered parking and front-entry garages in the first lot layer of the T-3, T-4, and T-5 transect zones at the discretion of the Planning Board, with greater scrutiny applied to T-5 lots. The Town should also consider an arrangement where residential parking spaces required in the T-6 transect zone may be waived, on a 1-to-1 basis, with the purchase of overnight parking passes in a municipal parking lot within a reasonable distance of the residential use.

7. Ordinance to Waive Parking Requirements in the T-6 for Commercial and Office Uses.

Changes of use in the T-6 often trigger parking requirements that cannot be met where lots are limited in size and parking is generally served by on-street and public parking lots. Allowing uses to change without triggering parking requirements would provide for new use to fill vacant spaces without the need for a variance.

8. Ordinance to Change Principal Building Front Yard Setback in the T-3 Transect Zone.

The T-3 Neighborhood Residential Zone encompasses a wide variety of residential character and streetscapes. To cater to the setbacks of older development, which tend to be smaller, and promote engaging streetscapes, this report recommends decreasing the minimum front yard setback from 35 feet to 25 feet.

9. Ordinance to Allow Ground-Floor Residential in the T-6 Transect Zone.

To promote residential use in and around the Town Core area, the Town should change “Flats or lofts (elevator fed),” currently permitted on any level except street level, to a permitted use in the T-6 transect zone permitted on any level, provided that the residential use occupies no more than 50 percent of the ground floor square footage. To be more descriptive, the use should be multi-family or apartments, as not all apartments are elevator fed.

10. Ordinance to Update Bonding Requirements to Match Revised State Statutes.

The MLUL provisions related to municipal bond requirements for developers has been updated. Town ordinances should be updated to reflect these changes.

11. Ordinance to Regulate Short-Term Rentals of Residential Properties (AirBNB). Develop a registration process for property owners seeking to rent their residential property as a short-term rental or AirBNB-type listing. The ordinance would require annual registration, providing a responsible party that can respond to the property within 24 hours and requiring the owner to obtain a rental certificate of occupancy every year.

N.J.S.A. 40:55D-89.e – The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, C.79(C.40A:12A-1 et al.) 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 Town of Newton has adopted and/or amended six (6) redevelopment plans and declared four (4) areas in need of redevelopment pursuant to the Local Redevelopment and Housing Law, P.L. 11992, c.79 (C.40A:12A-1 et al.) since the last Master Plan Reexamination. The adopted plans for these areas should be incorporated into the Master Plan, as recommended in the Master Plan Changes section above.

Sparta Avenue Redevelopment Plan

The Sparta Avenue Redevelopment Plan (the “Plan”) governs the Sparta Avenue Redevelopment Area, designated by the Town of Newton on April 25, 2005. The Plan was adopted on March 23, 2009, establishing superseding zoning for the 5.63-acre area covering Block 18.03, Lot 11, also known as 56 Sparta Avenue. The Plan permits light industrial, research and development, manufacturing, and offices. The site was redeveloped by Thorlabs, Inc., as their world headquarters, which houses offices, manufacturing, and research and development laboratories. The site became operational in February 2012. While the site is redeveloped, additional development potential exists under the redevelopment plan and may be pursued as a second phase of the development in the future.

Paterson Avenue Redevelopment Plan

The Paterson Avenue Redevelopment Plan (the “Plan”) governs the Paterson Avenue Redevelopment Area, designated by the Town of Newton on December 10, 2007. The Plan was adopted on November 10, 2008. The Plan covers 12.57 acres on Block 16.03, Lots 6 and 7, and permits small-lot single family residential and duplex development. On August 22, 2011, the Town Council adopted an amendment to the Paterson Avenue Redevelopment Plan to permit offices, light industrial, and research and development uses in the area. The Plan was further amended in 2015 to include food and beverage production and craft breweries and distilleries in its permitted uses.

Merriam Gateway Redevelopment Plan

The Merriam Gateway Redevelopment Plan (the “Plan”) governs a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007. The Plan was adopted by the Town Council in November 2010. The Plan Area includes 20 tax lots on portions of four tax blocks, as well as the adjacent street rights-of-way of portions of Sparta Avenue, Diller Avenue, Sussex Street, and Railroad Place. The lot and block numbers for the parcels located in the Plan Area are: Block 18.03, Lot 10; Block 22.02, Lots 8, 9, and 10; Block 18.02, Lots 9, 10, 11, 12, 14, 15, 16, and 17; and Block 22.04, Lots 1, 2, 3, 4, 5, 13, 14, and 15. The Plan Area covers 10.18 acres. The Merriam Gateway Redevelopment Plan was amended in September 2012 to expand the area and adjust bulk requirements, in 2015 to permit single-use commercial buildings, and again in 2017 to permit wireless communication facilities within the area. The Plan generally calls for mixed-use and multi-family residential development.

Hicks Avenue Redevelopment Plan

The Hicks Avenue Redevelopment Area was designated an Area in Need of Redevelopment by the Town Council on December 10, 2007. The Plan for the Area, which established superseding zoning, was adopted by the Town Council on December 22, 2008. The Plan Area includes eight (8) tax lots in Block 24.02, including portions of the adjacent street rights-of-way of Sparta Avenue, Hicks Avenue, and Smith Street. The Plan Area includes: Block 24.02, Lots 1, 2, 3, 4, 5, 6, 7, and 8 covering approximately 13.65 acres. The Town Council adopted an amendment to the Hicks Avenue Redevelopment Plan on August 11, 2014, including changes to water conservation design standards and additions to permitted building types. The plan calls for mixed-use and commercial development along Hicks Avenue and residential townhouses on the remainder of the development.

Armory/Shoprite Redevelopment Area

The Town of Newton Town Council designated the former Armory/Shoprite Area an Area in Need of Redevelopment on June 25, 2012. The area includes Block 10.01, Lots 5 and 6 and covers 10.33 acres. A Redevelopment Plan for the area has yet to be adopted.

McGuire Chevrolet Redevelopment Area

The Town of Newton Town Council declared the McGuire Chevrolet Area an Area in Need of Redevelopment on October 28, 2013. The Plan for the Area, which established superseding zoning, was adopted by the Town Council on March 23, 2015. The area includes Block 8.08, Lots 6, 7, 8, 9, 10, 11, 29, 30 and 31 covering 4.17 acres. The Plan permits a variety of institutional, commercial, office, light industrial, and residential uses, and as the area is located within Newton’s downtown business district, requires a certain level of mixed use, a hotel, and parking.

121 Water Street Redevelopment Area

The Town of Newton Town Council designated 121 Water Street, the former site of G&H Tractor Supply, an Area in Need of Redevelopment on February 26, 2018. The area includes Block 10.01, Lot 4 and covers approximately 5.0 acres. A Redevelopment Plan for the area has yet to be adopted.

Diller Avenue Redevelopment Area

The Town of Newton Town Council designated the Diller Avenue Redevelopment Area on December 10, 2018. A Redevelopment Plan was adopted by the Town council on December 26, 2018. The Area covers Block 18.02, Lots 2, 3, 19, 20, 21, 22, 23, 30, 31, and 32, approximately 5.0 acres. The Plan permits a variety of uses consistent with the T-4 and T-5 Transect Zones including light industrial, warehouse and manufacturing uses as the area is anticipated to be developed as part of Thorlabs campus.

