

Below please find a synopsis of public comments received by the Division of Planning in response to the 2/27/12 draft of *Newark’s River: Public Access & Redevelopment Plan*, and responses with regard to the revised draft plan. Thank you to all that submitted comments and questions. For more information, visit www.newarkriver.wordpress.com, email newarkriverfront@gmail.com, or call the Newark Planning Division at (973) 733-3917.

Area	Author	Comment	Response (all page numbers refer to 6/4/12 revision)
Overall	3/13/12 Information Session	What kind of development is allowed?	The plan allows a mix of residential, retail, office, and industrial uses, with the mix tailored to the opportunities and constraints of particular areas. You can see the uses allowed in specific areas in the maps in Section 4. Building Uses on pages 18-31.
Overall	3/13/12 Information Session	What are the responsibilities of private developers?	Private developers are required to comply with the rules for building contained in the plan, including building uses and sizes, as well as public access to and along the river.
Overall	3/13/12 Information Session	Will green buildings be required?	The City of Newark strongly encourages environmentally friendly buildings, including EnergyStar and LEED designations, but does not require these designations for all projects. The plan does include specific green provisions such as a maximum impervious area of 55% for front yards of lots less than 5000 square feet or less than 50 feet wide (page 48). Specific public development assistance funds require certain additional measures such as those found in the <i>Mandatory Minimum Design & Construction Standards for Home Construction</i> used by the Division of Housing & Real Estate.
Overall	3/13/12 Information Session	How do we make sure the rules get enforced?	All projects to be built under the plan will be heard at public hearings by either the Central Planning Board or the Zoning Board of Appeals (page 58). Once a project is complete, City Code Enforcement Officers are tasked with monitoring and ticketing violations.
Overall	3/13/12 Information Session Nancy Zak, Ironbound resident	How does new zoning address commercial antennas? Commercial antennas should not be allowed in riverfront zones	Commercial antennas are not permitted as of right within the plan area. In all areas of the plan outside of Dedicated Residential zones, commercial antennas are a conditional use, meaning that special conditions must be met in order for the use to be permissible (page 29).

Overall	Ed Marchese, Nereid Boat Club Riverfront Advisory Group	Plan should address needs of recreational boaters, including boat ramps and other access points from river to land. Public marinas, boat ramps, and floating docks should be added to allowable uses. Plan should allow for public dock adjacent to Penn Station for water access	We agree, and have added “boat docks, marinas, and ramps” to the list of allowed uses for all zones (page 23).
Overall	Ed Marchese, Nereid Boat Club	Newark Riverfront Walkway Design Standards should address design of public boat ramps and boat docks	We would like to develop this in a future addendum to the plan.
Overall	3/13/12 Information Session	What land is protected for open space?	The plan requires 30-40-foot-wide continuous walkway along the river’s edge with regular upland connections at street ends as shown on Required Public Right-of-Way Maps on pages 39-41. Additionally, areas zoned for Open Space as shown on pages 21-22 are reserved for park and park-related uses.
Overall	Mary Sue Price, Director, Newark Museum	There should be a placeholder for significant public art (as in major sculpture) if feasible.	Several areas in the plan are zoned for open space, making great future sites for public art.
Overall	Nicolas Ronderos, Economic and Community Development Director, Regional Plan Association	To ensure public management of riverfront open space and public access with the public in mind, Plan should include optional provision to transfer all easements to the State, County, or City of Newark, while continuing to have property owners pay maintenance cost.	We agree in concept. Under the plan, property for the riverfront walkway must be eased in perpetuity to the State and the City, while operations and maintenance remain the responsibility of the property owner (page 38). If at some point in the future, a new or existing entity is able to take responsibility for operations and maintenance of the walkway, we anticipate that the transfer of responsibility, and any attending financial arrangements, would be accomplished through an operational agreement.

Overall	Deborah A. Mans, Baykeeper & Executive Director, NY/NJ Baykeeper Nancy Zak, Ironbound resident	Strongly support inclusion of required public right-of-way to provide parallel and perpendicular access to Newark's Passaic Riverfront. Access points to the river and view corridors are very important	We agree as depicted in Section 6. Required Public Right-of-Way, pages 38-44.
Overall	Nancy Zak, Ironbound resident	On page 50, specify what a tree is, not just a little green fir tree 2 ft high. we need shade trees.	Requirements and standards for trees planted by private entities as part of a project's site plan requirements are set in Section 40:4 of the Zoning Resolution. Currently trees must be a minimum of 2 to 2.5 inches caliper and 8 feet tall.
Overall	Nancy Zak, Ironbound resident	Definitions on Page 18 should match new zoning for Master Plan	As the Master Plan is still in progress, the provisions of this plan will be incorporated into it.
Overall	Anker West, Ironbound resident	p. 4 consultants to the City are not included as authors	The plan was authored by the City's Division of Planning.
Overall	Anker West, Ironbound resident	p. 22 zoning maps should have brief building height notations in parenthesis next to color coded key	Height requirements are listed on page 32 in Section 4. Building Bulk and not on maps in case of the need to amend the plan and assure consistency.
Overall	Anker West, Ironbound resident	The entire 81 mile length of Passaic river should become a greenway, with Newark leading the way, should be declared in your plan.	We find this a provocative idea, and hope that the provisions of this plan support regional planning efforts around the Passaic River.
Overall	Anker West, Ironbound resident	I see no efforts of coordinating Newark riverfront redevelopment with the Town of Harrison, in Hudson County.	Redevelopment officials in Harrison were consulted during the development of the plan, and the riverfront greenway described in the October 2003 Harrison Waterfront Development Plan, when realized, will be linked with the Newark riverfront walkway via the pedestrian crossing on the Jackson Street bridge.

<p>Overall</p>	<p>3/13/12 Information Session</p> <p>Anker West, Ironbound resident</p> <p>Leonard Thomas, Ironbound resident</p>	<p>Are parking lots permitted? Can’t they be required to be underground?</p> <p>P.16 restrict rather than expand surface parking, especially in Ironbound, where vast surface parking area(s) cover entire city blocks have recently come to city attention as crime ridden dead zones for neighbors and pedestrians, especially important as there are recent plans to expand these vast parking area dead zones from Penn Station up to Union street. These parking lots have zero benefit to residents and the City, and add crime, danger, liability, and sully Newark's reputation. The City planning department should set as goal to eliminate all surface parking in Ironbound and Downtown, within (10?) years, visitors can arrive via excellent public transportation.</p> <p>In the matter of parking, I think we have missed the boat. instead of requiring trees on the parking lot, we should require the lot of over 100 cars should be required to be underground. Why cluster our limited landscape with these growing numbers of public parking places which add nothing to the community but desolate places for crime and eyesores. With mass transit operation that will get you to most of your destinations easily why are we still encouraging public parking and all of the pollution the additional cars traffic brings.</p> <p>Like Donald Shoup says in his book <i>The High Cost of Free Parking</i>, change the minimum parking requirements to Maximum Parking Limits</p>	<p>Parking lots are not permitted as a primary use on a site throughout the plan area. Accessory parking lots that support other uses are permitted, with appropriate design requirements including landscaping (page 47). Also, to encourage walking and use of public transit, this plan uses the lower parking requirements utilized in the City’s 2009 <i>Broad Street Station Redevelopment Plan</i>. Unfortunately, the costs of underground parking (approximately \$30,000 per space) make it financially infeasible for most development projects.</p>
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Overall	3/13/12 Information Session Leonard Thomas, Ironbound resident	How does the plan address stormwater management? All new erected building or those that have been more that 20% rehabilitated should make provision for rainwater capture and reuse as well as being required to utilized roof top gardens to help alleviate the effects that the lack of green space causes on the heat retention of the city. Preferably older buildings should be require to do the same in a reasonable time frame.	As with all development projects, buildings in the plan area will be reviewed by the City’s Departments of Engineering and Water & Sewer for compliance with City stormwater regulations, which require on-site capture of all stormwater. In addition, the plan sets a maximum impervious area of 55% for front yards of lots less than 5000 square feet or less than 50 feet wide (page 48). Additional permeable surface helps absorb and manage stormwater.
Overall	Gary Johnson, North Ward resident	There should be bike parking near every amenity in the park. The proposed length of the riverfront trail is more than three miles, which is a long walk for many people but an easy distance to ride a bike. When high-school kids ride their bikes to the park to play soccer, they must be able to park their bikes near the soccer field. All access points should be with two-way streets to allow for cyclists to ride safely both entering and exiting the park, instead of putting access at intersections with one-way streets, which is dangerous when cyclists ride the wrong way on a one-way street. Consider requiring minimum bike parking for future development, especially for larger construction projects (residential, retail, or office).	We agree, and plan to incorporate bicycle parking into all publicly-developed riverfront access areas, such as the recently completed Essex County Riverfront Park. As bicycle infrastructure is developed by the public section, we will consider recommended or required bicycle accommodations as part of private developments.
Overall	Gary Johnson, North Ward resident	Park vehicles should be small, like a golf cart, instead of the pickup trucks or SUVs that you see in some parks. There should be a single access point from the street for these vehicles, with bollard preventing motor vehicle access elsewhere, thus ensuring safety for park users.	While beyond the purview of this plan, park operations and maintenance are key concerns for the City and its partners. We encourage you to remain active in these discussions, perhaps through Friends of Riverfront Park.

Overall	Gary Johnson, North Ward resident	No more drive-ins should be allowed anywhere in the city of Newark.	While the entire city is beyond the purview of this plan, the plan only allows Drive-Through Restaurants as a conditional use. Among the conditions that must be satisfied are that the drive-through is not within 1000 feet of schools, hospitals, nursing homes, churches, or libraries. Full conditions are listed on page 30. Further, the impact of any permitted drive-throughs are mitigated in specified area by the Active Streetfront Design Requirements found on page 54.
Overall	Gary Johnson, North Ward resident	Any retail store of, let’s say 20,000 sq ft or more, should require at least five stories of either housing or office space above. This is prevent a supermarket or big-box store from consuming land with a one-story building and excessive amounts of parking. There should be a city-wide limit (maybe 30,000 or 40,000 sq ft) on the maximum amount of retail space in a single store.	The plan requires minimum building height in designated areas (page 32), and encourages large-format retail primarily in the area between Route 280 and Clay Street (page 20), and here only with the provision of public riverfront access.
Ironbound	Bill Hammer, President Shifman Mattress Company	How will the new zoning affect us as a manufacturer? Will it prohibit us from getting building permits for additions or building a new factory someday?	The zoning for the Shifman mattress facility allows and encourages the development and continuous of manufacturing, as shown on page 22..

<p>Ironbound</p>	<p>Joe DellaFave, Executive Director, Ironbound Community Corporation</p> <p>Gary Johnson, North Ward resident</p> <p>Leonard Thomas, Ironbound resident</p>	<p>Under recommended zoning, how tall would be expect buildings in the zone near Penn Station?</p> <p>Maximize the number of housing units and jobs within walking distance of Newark Penn Station by requiring those buildings to be at least 20-30 stories tall, and limit on-site car parking to maximize the use of transit. Public access to upper-most floor of a future</p> <p>Placing or allowing buildings of 10 - 30 stories in the area east of Penn Station seems to be working against the whole concept of the Ironbound to date. Ironbound is a residential neighborhood for the most part in that area. On one hand buildings of that height would make it a walled city and would do more to isolate it physically from the rest of Newark. On the hand developers seem intent on pushing the limits of any zoning ordinances that are in place. Ten stories will become 11 and 12, 30 will become 40. This is not the vision that we see for our community.</p>	<p>To take advantage of both the transit-oriented potential of the area around Penn Station, and to preserve the value of the existing Ironbound neighborhood fabric, the proposed zoning allows five-story buildings south of Market Street, ten-story buildings between Market Street and Raymond Boulevard, and thirty stories on and north of the New Jersey Transit / Horizon Blue Cross Blue Shield building (shown on page 22 and listed on page 32). However, maximum allowable heights are often not achieved by actual built projects. For example, most of downtown Newark has no height limits, although the tallest building since 1931 has been the National Newark Building at 466 feet.</p>
<p>Ironbound</p>	<p>Joe DellaFave, Executive Director, Ironbound Community Corporation</p> <p>Nancy Zak, Ironbound resident</p>	<p>Terrell Homes should not be rezoned. As R3, the area already accommodates 5 stories or 55'. Rezoning will provoke unnecessary concern over demolition. Should remain dedicated residential.</p>	<p>We agree, and have revised the zoning map on page 22 to show the Terrell Homes lot as Dedicated Residential.</p>

Ironbound	Joe DellaFave, Executive Director, Ironbound Community Corporation Nancy Zak, Ironbound resident	Area north of Terrell Homes should only allow Light Industrial.	We agree, and have revised the zoning map on page 22 to show the lots directly to the east of Terrell Homes as Mixed-Use 1 (Light Industrial, Residential, Retail).
Ironbound	Joe DellaFave, Executive Director, Ironbound Community Corporation	Triangle bw Madison and Van Buren and Market and Raymond should be limited to 5 stories.	We agree, as reflected on the zoning map on page 22.
Ironbound	Perris Straughter, Urban Enterprise Zone	Coordinate East Ferry zoning with recommendations from Ballantine study	We agree, and have incorporated the Ballantine area into plan as recommended.
Ironbound	Joe DellaFave, Executive Director, Ironbound Community Corporation Nancy Zak, Ironbound resident	Light industrial should only be allowed along frontages of Raymond Blvd, Fleming, Market, and Ferry, and within Ballantine footprint and nearby Christie St properties. with block interiors (Jefferson, Madison, Monroe, Jackson, Van Buren, Polk, and bw Raymond and Market on Somme, Fillmore, Read, Mott, Lexington, Oxford, Freeman, Carmen Court, and between Raymond and Ferry on Brill, Richards, Schalk, and Christie from Fleming to Ferry) as dedicated residential.	We generally agree, and have revised the zoning map on page 22 to generally show Dedicated Residential on block interiors, with Mixed-Use 1 (Light Industrial, Residential, Retail) shown at block ends and on lots containing existing non-nuisance non-residential uses.

<p>Ironbound</p>	<p>Joe DellaFave, Executive Director, Ironbound Community Corporation</p> <p>Nancy Zak, Ironbound resident</p> <p>Leonard Thomas, Ironbound resident</p> <p>Anker West, Ironbound resident</p>	<p>Medical Arts Building at Ferry and Market should be removed from plan or be zoned with 5-story limit. Parcels across street along Raymond Blvd and Market Street should be zoned with 5-story limit.</p> <p>Most of neighborhood should be limited to three stories to match prevailing height of homes</p> <p>p. 7 Setting limits of 5 stories for the buildings east of Prospect would effectively set them on the chopping block for urban removal. The homes in that area are 3 stories high. the neighborhood is not blighted and the target or rehabilitation because of poor housing maintenance, but changing the height limits for the whole area would do just that. Again I have to state the fact that developers have already tried to build 7 and 8 story buildings in the area using as an excuse "well if you stand next to the building you can't really see the top stories, so they aren't really 8 stories." Or the other favorite, "that is not really the top of the building, it the elevator shaft and that story and a half doesn't really count in the height of a building". As silly as these sound, I have been present at Planning board and zoning board meetings where reasoning like this was accepted.</p> <p>on p. 7. limit height of all buildings in Ironbound to max 5 stories to keep pedestrian scale and create contrast between high rise downtown.</p>	<p>As shown on page 22, the revised plan preserves existing the height limit of five stories with a setback above the third story for all lots south of Market Street. We feel that this height limit, matching the current regulation and accommodating the heights of existing buildings, strikes a healthy balance between density and livability.</p>
<p>Ironbound</p>	<p>Nancy Zak, Ironbound resident</p>	<p>There should not be a building on top of Penn Station.</p>	<p>In addition to existing historic protections on Newark Penn Station, the revised zoning shows on page 22 that the underlying zoning allows only five stories.</p>

Ironbound	Nancy Zak, Ironbound resident	Aspen Riverpark should be zoned designated residential	We agree, and have revised the zoning map on page 22 to show the Aspen Riverpark lot as Dedicated Residential.
Ironbound	Nancy Zak, Ironbound resident	Should be a provision for new housing to contain some units for low-income residential	While we agree that affordability is a continuing concern in the Ironbound housing market, this concept did not find widespread support through the planning process.
Ironbound/ Downtown	Anker West, Ironbound resident	P. 7 public river access should be maximized around and at Penn Station, West and East sides, especially with talk of private developers expressed interest in minimizing public access there.	We agree, and pages 40 and 41 of the plan show the required minimum public access in this area.
Ironbound	Anker West, Ironbound resident	On street parking should be opened up on NJRR ave and Raymond Blvd. This will calm traffic, and accommodate vehicles without creating dead zones.	While NJRR Avenue is outside the plan area, we agree this concept should be studied by the City’s Department of Engineering and Parking Authority as a way to enhance connection between the neighborhood and the riverfront.
Ironbound	Leonard Thomas, Ironbound resident	Page 31 - Additional ordinances should be in place to ensure that animals are not being slaughters on site at meat markets. There has been some evidence in the past that this has been taking place causing problems with the drains and sewer systems in the area.	As noted on pages 25 and 31, meat and fish markets are conditional and not permitted as-of-right in any area of the plan. Conditions of this plan require that the “applicant must provide evidence of the provision of an odor control system to ensure that no smells or odors would be noticeable outside the establishment. Further, the application process to the Central Planning Board includes review by the City’s Department of Water and Sewer for any anticipated sewer impacts.

Ironbound	Gary Johnson, North Ward resident	<p>At all access points, there should be a paved path that leads the cyclists and pedestrians between the waterfront esplanade and the nearby street. Raymond Blvd has traffic lights at Chapel St, Freeman St, Jefferson St, Prospect St, and Raymond Plaza East, all of which are two-way streets. Also, the intersection of Raymond Blvd with Providence St (one-way northbound) and Read St (one-way southbound) would also be OK. Somme St is a southbound-only street, so neighborhood residents would ride their bikes northbound (the wrong way) on that street to get to the park, which puts them in places where drivers would not look, thus raising the probability of a head-on bike-vs-car accident. Therefore, Somme St would not be a good access point for cyclists. Freeman St would be a popular access point for cyclists coming over the Truck 1&9 bridge from Jersey City. Downtown Newark (Penn Station) and downtown Jersey City (Exchange Place) are only seven miles apart, so this will be a popular travel route, and it will draw visitors to Newark, just like the Hudson River Waterfront Walkway draws people to Jersey City, Hoboken, etc.</p>	<p>As shown on pages 38-41, this plan sets clear and mandatory requirements for public access from neighborhoods and the downtown to the riverfront walkway, usually requiring perpendicular riverfront access at the ends of existing streets. We hope that this plan sets a foundation for further and better connections for pedestrians, bicyclists, roller-skaters and others to travel to, along, and from the riverfront.</p>
Downtown	Joseph Taylor, CEO Matrix	<p>Would the City consider allowing the construction of a two-story parking deck on the riverfront parcel?</p>	<p>The plan does not allow parking as primary use. However, it does allow structured parking as a accessory use if designed and built in compliance with the public riverfront access (page 40) and design requirements (page 46-53) of the plan.</p>
Lower Broadway	Riverfront Advisory Group	<p>The City needs to advertise rail access as a major asset to this portion of the waterfront.</p> <p>Is there a role for green businesses and how can City push that agenda?</p>	<p>The plan strongly supports industrial uses in the Lower Broadway and North Ward Riverfronts that take advantage of environmentally-friendly marine and rail transportation</p>

Lower Broadway	Michael Edelson, Hellring Lindeman Goldstein & Siegal LLP, on behalf of Betesh Group	Assemblage north of Clay Street should allow 16 stories as-of-right	The revised plan allows heights in this area up to 14 stories with provision of public open space near Fourth Avenue.
Lower Broadway	Michael Edelson, Hellring Lindeman Goldstein & Siegal LLP, on behalf of Betesh Group	Height bonus area should extend south to Clay Street.	We agree as reflected on the Lower Broadway Overlay Map on page 35.
Lower Broadway	Michael Edelson, Hellring Lindeman Goldstein & Siegal LLP, on behalf of Betesh Group	Big box and large-format retail should be permitted between Route 280 and Clay Street	We agree, as shown on the Lower Broadway Zoning Map on page 20 and listed on page 24.
Lower Broadway	Michael Edelson, Hellring Lindeman Goldstein & Siegal LLP, on behalf of Betesh Group	Plan should allow Central Planning Board to grant variances from the requirements of the Plan by a standard less stringent than MLUL NJSA 40:55D-70. Current plan would make it virtually impossible under the law to obtain a variance from height limitations as set forth in the Plan to increase height 10% or more above the heights provided for in the Plan.	We believe the provided variance procedures (page 58) are adequate.
Lower Broadway	3/13/12 Information Session	Will the plan provide new riverfront parks north of 280?	While there is little riverfront land north of 280 that is currently in public ownership, the plan allows for a height bonus between Clay Street and Fourth Avenue in exchange for 1 acre of space to be deeded to the City for use as a park.

North Ward	Riverfront Advisory Group	Consider use of cemetery as open space – historic tours of cemetery currently exist but not currently used as open space resource	We agree that this is an intriguing idea for further development.
North Ward	Deborah A. Mans, Baykeeper & Executive Director, NY/NJ Baykeeper	Supports water dependent uses and redevelopment in the North Ward Area.	We agree, and the plan accordingly creates a dedicated industrial zone in the North Ward between 4th and Riverside Avenue.