

TOWN OF NEWTON

ORDINANCE 2026-7

ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MERRIAM GATEWAY REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, *et. seq.*

WHEREAS, the Merriam Gateway Redevelopment Plan governs a portion of the Town of Newton Rehabilitation Area, designated by the Town of Newton on April 23, 2007, pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq., and the Redevelopment Plan adopted by the Town Council in November 2010, amended in September 2012, March 2015, July 2017, and September 2020; and

WHEREAS, in accordance with the Redevelopment Law, the Municipal Council (the "Town Council") of the Town of Newton (the "Town") authorized and directed the Town Planning Board (the "Planning Board") to review the draft Redevelopment Plan Amendment, pursuant to N.J.S.A. 40A:12A-7(e); and

WHEREAS, following such review, the Planning Board has rendered its report and recommendations to the Town Council and noted the Redevelopment Plan is not inconsistent with the Town's Master Plan and with comments and recommendations, pursuant to N.J.S.A. 40A:12A-7(e); and

WHEREAS, the Town Council hereby finds it appropriate for an Amendment to the Redevelopment Plan to be adopted for the Redevelopment Area, the Redevelopment Plan being, among other things, substantially consistent with the Master Plan for the Town; and

WHEREAS, the Town Council now desires to adopt the Amendment to the Redevelopment Plan and to direct the applicable provisions of the Town's Zoning Ordinance/Code and Map be amended and superseded to reflect the provisions of the Amended Redevelopment Plan, as and to the extent set forth therein;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Newton as follows:

1. Generally. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. Adoption. The Amendment to the Redevelopment Plan, as filed in the Office of the Town Clerk and attached hereto as Exhibit A, is hereby approved and adopted.

3. Amendment of Zoning Ordinance and Map. The sections of the Town's Zoning Ordinance/Code and Map are hereby amended to incorporate and reflect the change in the Redevelopment Plan and, to the extent provided in the current Redevelopment Plan, are superseded thereby.
4. Severability. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereof shall not affect the remaining parts of this Ordinance.
5. All ordinances and/or parts of ordinance which are inconsistent with this Ordinance shall be repealed as to their inconsistencies only with this Ordinance.

NOTICE

TAKE NOTICE the above Ordinance was introduced at a regular meeting of the Town Council of the Town of Newton conducted on February 9, 2026. It was adopted, as amended, after final reading and public hearing thereon, at a meeting of the Newton Town Council conducted at 7:00 pm on March 9, 2026 in the Council Chambers at the Newton Municipal Building, 39 Trinity Street, Newton, New Jersey, and shall take effect in accordance with law.



Teresa A. Oswin, RMC
Municipal Clerk

EXHIBIT A



TOWN OF NEWTON

RESOLUTION #113-2026

March 9, 2026

“Resolution Rejecting the Recommendation of the Town of Newton Land Use Board Regarding the Adoption of Ordinance 2026-7”

WHEREAS, on February 9, 2026, the Town Council introduced Ordinance 2026-7, entitled “AN ORDINANCE OF THE TOWN OF NEWTON, IN THE COUNTY OF SUSSEX, NEW JERSEY, ADOPTING AN AMENDMENT TO THE REDEVELOPMENT PLAN FOR THE MERRIAM GATEWAY REDEVELOPMENT PLAN, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, *et. seq.*” (“Ordinance”); and

WHEREAS, the Ordinance seeks to amend the Merriam Gateway Redevelopment Plan to encourage the development of affordable housing units in accordance with the Consent Order that was entered by the Superior Court of the State of New Jersey on December 9, 2025, in the Town’s Declaratory Judgment action granting the Town a Conditional Compliance Certification, pursuant to N.J.S.A. 52:27D-304(q), with respect to the Town’s affordable housing obligations for the Fourth Round (2025-2035); and

WHEREAS, pursuant to N.J.S.A. 40:55D-26, the Town Council referred the Ordinance to the Town of Newton Land Use Board (“Board”) for its review and recommendation regarding the consistency of the Ordinance with the Town’s Master Plan; and

WHEREAS, the Board has transmitted a report to the Town Council in which the Board found that the Ordinance is inconsistent with the Master Plan due to the Board’s concerns that the proposed increases in the permitted densities: a) may impact the rural nature of the Town; b) would place a burden on municipal water and sewer infrastructure; c) is inconsistent with the Regional Town Center designation; and, d) would pose constraints to development in the Paterson Avenue Redevelopment Area; and

WHEREAS, the Town Council has reviewed the Board’s report and disagrees with the Board’s finding that the Ordinance is inconsistent with the Town’s Master Plan as the Ordinance is designed to achieve the overriding goal of providing the realistic development of affordable housing to meet the Town’s present and prospective housing needs, with particular attention to low and moderate income housing, consistent with the Town’s constitutional obligations under the Fair Housing Act and the Mount Laurel Doctrine; and

WHEREAS, the Town Council further finds that the adoption and implementation of the Ordinance is in the public interest and will promote the general welfare;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Town Council of the Town of Newton, County of Sussex, State of New Jersey that the Town hereby rejects the Board's recommendation regarding the adoption of Ordinance 2026-7 and hereby determines that Ordinance 2026-7 is consistent with the Town of Newton's Master Plan in that it meets the overriding goal of providing the realistic development of affordable housing to meet the Town's present and prospective housing needs, with particular attention to low and moderate income housing, consistent with the Town's constitutional obligations under the Fair Housing Act and the Mount Laurel Doctrine and is in the public interest and will promote the general welfare.

CERTIFICATION

THIS IS TO CERTIFY the above is a true copy of a Resolution adopted by the Town Council of the Town of Newton at a regular meeting of said Governing Body conducted on Monday, March 9, 2026.



Teresa A. Oswin, RMC
Municipal Clerk