

March 20, 2026

Chairman William Duffy and Board Members
Town of Phillipsburg Land Use Board
120 Fillmore Street
Phillipsburg, NJ 08865

RE: Consistency Review
Town of Phillipsburg Ordinance No. O2026-08
Designating Data Centers as a Prohibited Use in All Zones

Dear Chairman Duffy and Board Members,

Van Cleef Engineering Associates (VCEA) has completed a consistency/inconsistency review of the Town of Phillipsburg Council Ordinance O2026-08 (attached), Amending Chapter 625-98, “Prohibited Uses,” to designate data centers as a prohibited use in all zones. This report was prepared in accordance with the Municipal Land Use Law (MLUL) Section 40:55D-26 to identify items within the proposed amendment that are inconsistent with the Town Master Plan.

I. **Summary of Ordinance**

The Town of Phillipsburg seeks to amend Chapter 625, “Zoning,” Article XX – “Miscellaneous Provisions” – specifically, Chapter 625-98, “Prohibited Uses,” of the Phillipsburg Town Code to include all data centers and any uses related to the same to the list of uses prohibited in all zones pursuant to §625-98.A.

OFFICE LOCATIONS

www.vancleefengineering.com

Hillsborough, NJ
908-359-8291

Mt. Arlington, NJ
862-284-1100

Phillipsburg, NJ
908-454-3080

Doylestown, PA
215-345-1876

Pottstown, PA
610-323-4040

Hamilton, NJ
609-689-1100

Toms River, NJ
732-573-0490

Freehold, NJ
732-303-8700

Bethlehem, PA
610-332-1772

Master Plan Consistency and Inconsistency Review

The following is a review/analysis of the goals, objectives, recommendations and similar from the most current master plan reexamination, adopted January 2025.

i. Goals & Objectives

Conservation:

- a. Identify and preserve environmental features.
 - **Consistent** – The ordinance proposes prohibiting a use that presents significant challenges to local air quality and water consumption, and thus generally preserves the Town’s environmental features.
- b. Create a Riverfront Development Plan for the entire length of river frontage providing for river related activities, businesses, housing and access plans for trails and view areas.
 - **Not Applicable** – The ordinance does not create or modify any proposed riverfront development plans.
- c. Create a continuous greenway/trail system along the Lopatcong Creek and the Morris Canal.
 - **Not Applicable** – The ordinance does not propose or alter any greenway projects.
- d. Identify, remediate and reuse brownfield sites.
 - **Not Applicable** – The ordinance does not alter any provisions relating to brownfield sites.

Land Use:

- a. Undertake a comprehensive update of the Land Use Element to conform to State requirements for climate change hazard vulnerability assessment.
 - **Not Applicable** – The ordinance does not propose to modify the Land Use Element.
- b. Establish zoning standards for multifamily conversion, expansion of single-family homes, and in-fill development, particularly related to intensity of use and provision of on-site parking.
 - **Not Applicable** – The ordinance does not modify procedures or standards for multifamily conversion.
- c. Add senior housing options to residential zone districts to allow both new construction and adaptive reuse of existing structures.
 - **Not Applicable** – The ordinance does not pertain specifically to senior housing.

-
- d. Review and revise standards for buffering, screening, lighting, and parking for non-residential uses adjacent to residences.
 - **Not Applicable** – The ordinance does not propose or modify any site design standards.
 - e. Review the allowed uses and design standards for neighborhood businesses with an eye to mitigating potential adverse impacts on residential uses.
 - **Not Applicable** – The ordinance does not propose or modify any site design standards.
 - f. Review the design standards for development on the Route 22 commercial corridor and develop streetscape standards to enhance both the appearance and accessibility of the corridor uses.
 - **Not Applicable** – The ordinance does not propose or modify any site design standards.
 - g. Review the location and permitted uses in the Town’s industrial zones and review design standards related to off-site impacts, such as traffic, noise, lights, screening, landscaping, and loading areas.
 - **Not Applicable** – The ordinance does not propose or modify any site design standards.
 - h. Identify obsolete buildings and uses and provide for adaptive reuse for housing or new non-residential uses that are compatible with the surrounding neighborhood.
 - **Not Applicable** – The ordinance does not create or modify any provisions for adaptive reuse of obsolete buildings.

Housing:

- a. Identify neighborhoods and units in need of additional rehabilitation, prioritize them and allocate funding accordingly. Explore programs to increase affordable homeownership, such as the Section 8 Homeownership Program, low interest loans to first time homebuyers, and such programs as may be available through the New Jersey Department of Community Affairs.
 - **Not Applicable** – The ordinance does not propose or modify any affordable housing programs.
- b. Identify obsolete buildings and uses and provide for their adaptive reuse for affordable and market-rate age-restricted active adult/senior housing, or specialty housing.
 - **Not Applicable** – The ordinance does not create or modify any provisions for adaptive reuse of obsolete buildings.

Circulation:

General Goals & Objectives:

- a. Encourage through traffic to use the State and Federal highway system and create disincentives for “short-cutting” through the community.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- b. Revise the zoning code to eliminate truck-dependent uses from areas with limited access to the major highway network. Identify specific truck routes through Town to local industrial zones/tracts.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- c. Develop and implement a pedestrian/bicycle circulation plan, to provide both neighborhood circulation and access to major community attractions.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- d. Promote public transportation options, including signed bus stops and shelters, and commuter parking arrangements.
 - **Not Applicable** – The ordinance does not propose or modify any transit options.
- e. Inclusion of any additional goals and objectives as adopted by the previously approved Circulation Plan.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.

Pedestrian Goals & Objectives:

- a. As part of the Capital Improvements Program, all roadways that are improved should have sidewalk inspection, restoration and/or construction as part of their budgets in order to maintain a complete, safe and fully walkable sidewalk network. That is in alignment with the Town’s Complete Streets Policy.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement budgets.
- b. The Town should consider pursuing street beautification grants to further develop South Main Street with updated lighting and sidewalks.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.

-
- c. Coordination with railway companies to inspect the conditions of sidewalk crossings within their jurisdictions.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
 - d. Installation of additional fencing to secure steep cliffs.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
 - e. Designation via ordinance of the entire “Walkability Audit Route” as a future “Complete Street”, with supports for all modes of transportation, inclusive of biking and walking.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
 - f. Coordinate with DPW to ensure streets are kept tidy and free of debris.
 - **Not Applicable** – The ordinance has no bearing on any DPW budgets or activities.
 - g. Development of funding sources to key mid-block crossings as part of the Capital Improvements Program.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement budgets.
 - h. Install “No Parking” striping, such as yellow curbing near crosswalks and intersections to promote safe pedestrian visibility.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
 - i. Create Pedestrian Safety Campaigns to educate citizens on the dangers of roadways and promote local enforcement of existing regulations.
 - **Not Applicable** – The ordinance has no bearing on public safety budgets or activities.
 - j. Require applications to follow best practices with pedestrian infrastructure during the site plan review process.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
 - k. Pursue traffic calming measures such as speed humps in key locations to promote pedestrian safety.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.

- l. Develop better signage and striping for crosswalks to promote safety.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- m. Require business owners and NJDOT along Route 22 to complete and maintain sidewalk conditions.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- n. Consider “No Right Turn on Red” restrictions within Phillipsburg, especially around Route 22.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- o. Develop community group committees to focus on pedestrian activities.
 - **Not Applicable** – The ordinance does not propose or modify any citizen committees.
- p. Incorporate “Complete Streets” ideology into school safety by including traffic calming and protective signage and apply for grants as soon as possible for such improvements.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- q. Develop grade separated pedestrian crossings such as elevated walkways for access across Route 22 through development projects and grants.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- r. Provide a pedestrian crossing signal and crosswalk at the intersection of Fisher Ave and Roseberry per Engineering traffic Studies.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- s. Reduce jay-walking and crossing along Route 22 at non-intersection locations (mid-block) by means of infrastructure, enforcement, or social programs, as required.
 - **Not Applicable** – The ordinance has no bearing on public safety budgets or activities.
- t. Reconstruction of problematic roads with consideration for “road diets” to shorten crossing times.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- u. Maintain a list of possible grant opportunities to pursue as applicable.
 - **Not Applicable** – The ordinance has no bearing on grant opportunities.

- v. Reconstruction of retaining walls in critical areas that support sidewalk.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- w. Develop a Pedestrians Improvements Plan similar to the existing Roadway Program to coordinate and prioritize pedestrian improvements within Phillipsburg.
 - **Not Applicable** – The ordinance has no bearing on capital improvement programs.
- x. Coordinate with utility companies to relocate poles and other obstructions from public sidewalks to maintain adequate clear space as required by ADA and other affiliated regulations.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- y. Keep monitoring school walking routes and maintain working relations with local schools to coordinate routes with enforcement zones.
 - **Not Applicable** – The ordinance has no bearing on public safety budgets or activities.
- z. Install accessible curb ramps at all intersections.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- aa. Install accessible pedestrian traffic signal buttons and equipment at signalized intersections.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

Trail Goals & Objectives:

- a. Support the City of Easton in its endeavors with the Rails to Trails Bridge.
 - **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.
- b. Adoption of the Trails Map.
 - **Not Applicable** – The ordinance has no bearing on any trail projects or budgets.
- c. Develop and install wayfinding signage.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- d. Construction of the “Ice House-Kent Street Pedestrian Overpass.”
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

-
- e. Pursue Rails to Trails Grants to the greatest extent possible for the abandoned railways in Phillipsburg as noted on the Trails Map.
 - **Not Applicable** – The ordinance has no bearing on any trail projects or budgets.
 - f. Provide connectivity within Phillipsburg to the trail system with gateways and access points.
 - **Not Applicable** – The ordinance has no bearing on any trail projects or budgets.
 - g. Pursue Rails to Trails Grants as often as possible to convert defunct/abandoned trails to workable pedestrian and biking facilities.
 - **Not Applicable** – The ordinance has no bearing on any trail projects or budgets.
 - h. Coordinate with Warren County to facilitate local and regional projects such as improvements to the Route 22 to connect to the Scenic Byway and/or the Morris Canal Greenway.
 - **Not Applicable** – The ordinance has no bearing on any trail projects or budgets.
 - i. Support the Township of Lopatcong with any development of the Morris Canal Greenway.
 - **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.
 - j. Completion of all trails within the Trails Map.
 - **Not Applicable** – The ordinance has no bearing on any trail projects or budgets.
 - k. Creation of a Parks Department to facilitate maintenance, grant opportunities and future trail improvements.
 - **Not Applicable** – The ordinance does not propose the creation or modification of any departments.
 - l. Finalize and fully implement the Morris Canal Greenway Corridor within the limits of Phillipsburg.
 - **Not Applicable** – The ordinance has no bearing on any trail projects or budgets.
 - m. Form and maintain regional partnerships with local organizations to coordinate trail goals and broader initiatives, inclusive of the ones listed within the plan.
 - **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.

n. Coordinate the Land Use Plan with the proposed trail system to support trail-associated uses such as hotels, shops, and eateries.

- **Not Applicable** – The ordinance does not propose to modify the Land Use Element.

Bicycle Infrastructure Goals & Objectives:

a. Pass a resolution prohibiting the use of bicycles on sidewalks within the Town of Phillipsburg.

- **Not Applicable** – The ordinance does not propose or alter any statutes relating to bicycles

b. Adopt the Phillipsburg Bikeway Network as an ordinance to facilitate grants.

- **Not Applicable** – The ordinance does not propose or modify any cycling plans or projects.

c. Install signage, “Sharrows”, and bicycle parking infrastructure along the Phillipsburg Bikeway Network.

- **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

d. Fix any found potholes and other rideability issues along the Phillipsburg Bikeway Network to promote safe travel.

- **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

e. Coordinate with local community groups to promote biking events within the Town, possibly utilizing the Phillipsburg Bikeway Network.

- **Not Applicable** – The ordinance does not propose or modify any cycling programs or events.

f. Coordinate with Warren Heritage Trail Committee to develop a parallel bikeway to the Scenic Byway Corridor that interferes with the Phillipsburg Bikeway Network.

- **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.

g. Coordinate with Easton regarding the Delaware Canal Trail Railroad Bridge that can interface with the Phillipsburg Bikeway Network.

- **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.

h. Utilize Capital Road Improvements and Municipal Aid Grants from the NJODOT as applicable to develop and reconstruct portions of the Phillipsburg Bikeway Network as need demands.

- **Not Applicable** – The ordinance does not pertain to any grant funding opportunities.

Truck Goals & Objectives:

- a. Install signs that designate low clearance hazards for trucks.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- b. Install wayfinding signs that may reduce truck movement conflicts.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- c. Develop/participate in planning discussions on truck routes with regional planning agencies such as NJTPA and Warren County, as Phillipsburg becomes a cut through to access Route 22.
 - **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.
- d. Finish/Obtain approval for the Truck Route Designation Report and coordinate with the NJDOT as necessary.
 - **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.
- e. Identify obstructions with the truck route as they coordinate with industry to relocate or remove them.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- f. Improve intersections and routes utilized by trucks to reduce impact to Town.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- g. Develop improved truck turn around at Union Square to reduce the need of trucks to utilize South Main Street.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- h. Coordinate with rail providers to reduce clearance conflicts within the Town.
 - **Not Applicable** – The ordinance does not propose or alter any activities coordinated with rail providers.
- i. Improve access to rail lines to reduce truck demand at local businesses.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

- j. Develop a partnership with the County to facilitate future truck traffic studies and improvements.
 - **Not Applicable** – The ordinance does not pertain to any intergovernmental coordination.
- k. Explore the possibility of a Howard Street industrial bypass to reduce the impacts of industrial truck traffic on local streets.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

Parking Goals & Objectives:

- a. Coordinate with developers in the Riverfront Redevelopment Area to construct larger parking facilities for the Downtown.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- b. Continue monitoring parking permit usage and adjust parking ordinance as required.
 - **Not Applicable** – The ordinance does not propose any modifications to parking ordinances.
- c. Maintain existing parking lot payments and facilities.
 - **Not Applicable** – The ordinance has no bearing on any DPW budgets or activities.
- d. Consider changing the direction of roadways to allow for additional parking on certain roads.
 - **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.
- e. Add parking wherever feasible as opportunities arise.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- f. Consider constructing permanent parking facilities in target areas to relieve parking congestion downtown.
 - **Not Applicable** – The ordinance has no bearing on any capital improvement projects.
- g. Coordinate with developers and redevelopments to add parking to the greatest extent possible with off-street parking.
 - **Not Applicable** – The ordinance does not propose any modifications to parking ordinances.

-
- h. Consider developing shared parking agreements between existing businesses and organizations during off-hours to alleviate problem areas.
 - **Not Applicable** – The ordinance does not propose any modifications to parking ordinances.
 - i. Review and revise zoning to better help control parking and parking requirements.
 - **Not Applicable** – The ordinance does not propose any modifications to zone standards.
 - j. Investigate locations for electrical vehicle parking and pursue associated grant opportunities. The State has changed its Energy Master Plan goals to move up EV only new vehicle sales to 2035, which could result in a significant need for EV parking.
 - **Not Applicable** – The ordinance does not propose any modifications to parking ordinances.
 - k. Adopt legislation based on the Model Municipal EV ordinance produced by NJ DCA to achieve conformance with regulatory requirements under the amended MLUL regarding the permitting of electric vehicle charging stations.
 - **Not Applicable** – The ordinance does not propose any modifications to parking ordinances.
 - l. Consider overflow parking areas which shuttles could alleviate parking shortages or changing technical enable automation in vehicles that enable vehicles to be parked further from destinations.
 - **Not Applicable** – The ordinance does not propose or modify any parking facilities.

Public Transit Goals & Objectives:

- a. Maintain existing shuttle services as coverage routes to facilitate local circulation to citizens without vehicles in Phillipsburg.
 - **Not Applicable** – The ordinance does not pertain to any new or existing transit options.
- b. Coordinate with Transit Providers to add stops as requested (such as the Hillcrest Apartments and/or Senior Center areas).
 - **Not Applicable** – The ordinance does not pertain to any new or existing transit options.

-
- c. Develop and maintain relations with public transit coordinators and routinely check in to keep goals and objectives in alignment with this document and vice-versa.
 - **Not Applicable** – The ordinance does not modify any arrangements with public transit coordinators.
 - d. Maintain support for a future extension of the Raritan Valley line into Phillipsburg.
 - **Not Applicable** – The ordinance does not pertain to any new or existing transit options.
 - e. Maintain support for senior citizens in regard to bus access.
 - **Not Applicable** – The ordinance does not pertain to any new or existing transit options.

Community Facilities, Recreation, and Open Space:

- a. Inventory existing community facilities and programs, incorporating the Community School Plan as part of the inventory and prepare a neighborhood needs assessments.
 - **Not Applicable** – The ordinance has no bearing on any existing community facilities or programs.
- b. Develop a recreation and open space plan to provide parks and recreational opportunities throughout the Town and file a ROSI with the Green Acres program to ensure funding eligibility.
 - **Not Applicable** – The ordinance has no bearing on any open space plan element or open space inventory.

Historic Preservation:

- a. Develop an architectural style manual to provide advisory/non-binding guidelines for restoration of historic places and for new construction so as not to impact historical landmarks or districts.
 - **Not Applicable** – The ordinance does not propose or alter any historic preservation practices or policies.
- b. Continue maintenance of the Phillipsburg Register of Historic Places, adding and revising items on the register as needed.
 - **Not Applicable** – The ordinance does not propose or alter any historic preservation practices or policies.

-
- c. Develop a plan for the rehabilitation of the identified places, as needed, and re-use for economically viable purpose.
- **Not Applicable** – The ordinance does not propose or alter any historic preservation practices or policies.
- d. Coordinate historic preservation efforts with other Town initiatives such as the Riverfront Heritage Trail.
- **Not Applicable** – The ordinance does not propose or alter any historic preservation practices or policies.
- e. Consider participating in the Certified Local Government (CLG) program administered by the National Park Service through the NJ Historic Preservation Office. The CLG program offers municipalities the opportunity to participate more directly in state and federal historic preservation programs. Local governments requesting certification from the State Historic Preservation Office will be required to submit evidence that they meet the basic program criteria, which include establishment of a historic preservation review commission, as well as continued progress towards completion of a comprehensive survey and inventory of local historic resources, designation and protection of local landmarks and historic districts, and development of a process which ensures public participation in the local historic preservation program.
- **Not Applicable** – The ordinance does not propose or alter any historic preservation practices or policies.
- f. Use the redevelopment process to identify and redevelop vacant, underutilized or blighted properties. Inventory vacant, underutilized or blighted properties and create a priority list for new redevelopment sites.
- **Not Applicable** – The ordinance does not propose or alter any historic preservation practices or policies.
- g. Develop a regional marketing plan, including Easton, to promote business and tourism.
- **Not Applicable** – The ordinance does not propose or alter any historic preservation practices or policies.

Major Problems Identified:

When the reexamination report was prepared in 2013, it reviewed the problems and objectives identified in the 1988 Master Plan and 2004 Master Plan Update. The report identified few of these problems as resolved. These problems can be grouped into three categories: land use, housing, and transportation and circulation.

1) Nuisances created by heavy manufacturing plants adjacent to residential areas.

“As heavy manufacturing has declined both in Phillipsburg and generally, these issues have largely been eliminated. However, the decline of manufacturing has left the Town with a number of vacant and/or obsolete buildings and sites and a new issue, that of the appropriate re-use of these areas. Some of these areas have been the subject of redevelopment studies; however, a more comprehensive plan is needed to deal with issues that will arise from siting new uses on these properties, particularly related to traffic generation. In general, the Town of Phillipsburg should exercise flexibility in the redevelopment of such sites in accordance with local conditions, whether that be the continuation/restoration of industrial uses, or the establishment of new uses, depending on which is more suitable in each case.”

- **Not Applicable** – The ordinance does not propose any new zoning for manufacturing uses.

2) Lack of land available for future development.

“New development in Phillipsburg, of necessity, has largely been and will continue to be by way of re-use and redevelopment. Additional plans are needed for industrial sites and buildings, to provide viable, attractive, compatible and fiscally balanced uses to replace the obsolete and incompatible former uses.”

- **Not Applicable** – The ordinance does not propose any new provisions for redevelopment or adaptive reuse of existing buildings.

3) Encroachment onto undeveloped property.

“Because of the lack of available developable property and because there is such a demand for development, many of Phillipsburg’s steep slopes and ridges will be considered for construction. If not done properly, problems may occur with erosion, structural stability, and the obstruction of scenic views. New and increased regulation of critical areas ... by outside agencies... has helped to alleviate these concerns. However, little action has been taken by the Town to address these concerns.”

- **Not Applicable** – The ordinance does not propose or modify any design standards relating to steep slopes.

4) Zone boundaries of the zoning ordinance no longer reflect existing uses.

“Although the Zoning Ordinance was revised after the last reexamination (1996) to help correct this problem, there are still deviations and need for variances. This is typical of fully developed communities, where land uses may be intermixed. Flexibility is the key to achieving a viable and livable Town.”

- **Not Applicable** – The ordinance does not pertain to any existing land uses within the Town.

5) Substandard intersections.

“The Town has recognized the need for improvements to a number of intersections; however, many of the problem areas are complicated because multiple jurisdictions are involved, including the State Department of Transportation, County, abutting municipalities, the Delaware River Bridge Commission and/or a railroad. Some of the problem areas have been or are being addressed; others require action by other jurisdictions.”

- **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

6) Substandard streets.

“A regular road maintenance and improvement program has been instituted to address the issues related to the poor conditions of some of the roadways; however, there is often little that can be done about a road’s width or alignment, because of existing development. Phillipsburg’s streets, including its major local collectors, are typical of older, downtown areas and their constraints need to be considered when reviewing potential zone and use changes within the Town.”

- **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

7) Poor local circulation.

“Of continuing concern is the severe and worsening congestion on South Main Street. This ... is a regional circulation problem, caused primarily by Pennsylvania drivers seeking an alternative to the...Route 22 Bridge. Efforts to improve traffic flow through the Union Square traffic light discourage through traffic from “short-cutting” through Town, and providing reasonable alternatives are on-going.”

- **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

8) Poor regional circulation.

“There is still a very heavy and growing volume of traffic using Route 22, since much of the daily commuter traffic flow is eastward oriented, resulting in a substantial impact on Phillipsburg during peak hour problem periods.”

“Development in New Jersey Townships surrounding Phillipsburg has also increased local traffic volumes. While some road improvements have followed...to blunt the impact of the new traffic, their regional impact on the major road system has not been mitigated by capacity or system improvements. Lack of an additional New Jersey exit on I-78, west of Exit 3 in Greenwich, forces residents of new developments located in that area to travel unnecessarily long distances on already congested roadways, some of which are in the Town, to reach the Interstate.”

- **Not Applicable** – The ordinance has no bearing on any capital improvement projects.

9) Thru truck traffic on local streets.

“The decline of manufacturing and warehousing has reduced this concern somewhat; however, this issue continues to need attention and action, along with the other issues raised by the location of non-residential uses within the Town relative to access and residential neighbors.”

- **Not Applicable** – The ordinance has no bearing on circulation plans or design standards.

The current zoning state of the Town of Phillipsburg was analyzed in 2013 as part of the 2013 Master Plan Reexamination. The reexamination recommended changes to the Land Development Ordinance based on recommendations from the 2004 Master Plan Update’s Land Use Element, as well as the Ingersoll Rand and Riverfront Redevelopment Studies. These proposed changes are outlined below, along with an analysis of their current status.

10) Create a multifamily zone to reflect the existing multifamily housing in the R-50 zone west of Roseberry Street including portions of the surrounding B-2 zone as well as other non-conforming multi-family developments throughout the Town.

- **Not Applicable** – The ordinance does not propose any zoning changes in the area specified.

11) Include a portion of the I-1 zone located east of Warren Street and south of the extension of Anderson Street (middle school and residential properties) in the R-50 zone.

- **Not Applicable** – The ordinance does not propose any zoning changes in the area specified.

12) Convert a portion of the I-1 zone bounded by Wilson Street, Anderson Street, Warren Street and the railroad (vacant land) to the R-50 zone.

- **Not Applicable** – The ordinance does not propose any zoning changes in the area specified.

-
- 13) Review the B-2 zone along Route 22 and make appropriate boundary adjustments to reflect actual development; and prepare design standards to enhance the appearance and accessibility of the corridor. Incorporate appropriate recommendations from the 2009 Route 22 Corridor Improvement Plan.
- **Not Applicable** – The ordinance does not propose any zoning changes in the area specified.
- 14) The B-2 Highway Business zone at Center and Roseberry Streets should be rezoned for neighborhood commercial uses such as retail and service businesses to complement the Phillipsburg Commerce Park redevelopment area and the surrounding residential neighborhoods.
- **Not Applicable** – The ordinance does not propose any zoning changes along Center and Roseberry Streets.
- 15) The small I-2 Heavy Industrial zone on Lock Street north of Ridge Street appears to be a remnant of the original industrial zone that covered the Ingersoll Rand site prior to the redevelopment designation. The zone consists of residential properties and should be merged into the adjoining R-75 zone.
- **Not Applicable** – The ordinance does not propose any zoning changes in the area specified.
- 16) Merge the B-3 zone south of Union Square into the B-4 zone and make adjustments to the list of permitted uses as outlined in Table IV-1.
- **Not Applicable** – The ordinance does not propose any zoning changes in the area specified.
- 17) Convert the B-2 zone at the southern end of South main Street into a new “B-5” zone to differentiate it from the highway-oriented B-2 zone along route 22 and adjust the list of permitted uses as outlined in Table IV-1.
- **Not Applicable** – The ordinance does not propose any zoning changes in the area specified
- 18) Permit residential infill as a condition use in the B-4 and B-5 zones in accordance with R-50 standards where more than 50% of the block front is currently occupied by residential uses.
- **Not Applicable** – The ordinance does not propose any changes to permitted uses in the B-4 Zone

Summary of consistency and inconsistencies analysis

Pursuant to the MLUL a list of inconsistencies must be noted and recommendations for actions on those items are required to be provided. Our office has completed an extensive review of the proposed amendment and impact on the Town's Master Plan and associated plans and did not identify items that were ~~is~~ inherently inconsistent with the current master plan re-exam.

Should the Board find a reason to indicate items that are inconsistent, those items should be noted in their findings and recommendations to council. Further, with those items that are found to be inconsistent by the Board, an explanation should be included as to the reasons and recommendations to address the inconsistent item/matter.

Recommendations and Conclusion

VCEA recommends the Land Use Board find the amendment consistent with the Township Master Plan as described within in this report.

Very truly yours,

Van Cleef Engineering Associates

Timothy M. O'Brien

Timothy M. O'Brien, PE, PP, CME
Associate / Senior Professional Engineer



Elliot L. Godwin
Planner

cc: All Board Members via Planning Board Technical Assistant
Board Attorney via email

f:\projects\9100 - phillipsburg\9100 - gen eng\2026 van cleef\data center ban consistency review\2026-03-20 - data center ban consistency review-final.docx

ORDINANCE NO. 2026-08

AN ORDINANCE OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF PHILLIPSBURG, COUNTY OF WARREN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING THE PHILLIPSBURG TOWN CODE TO INCLUDE AND DESIGNATE DATA CENTERS AS A PROHIBITED USE IN ALL ZONES WITHIN THE TOWN OF PHILLIPSBURG

WHEREAS, the Town of Phillipsburg Master Plan emphasizes protection of the Town's rural character, agricultural lands, scenic landscapes, environmental resources, and historic and cultural heritage; and

WHEREAS, data centers, by nature, present an intense and unique form of use of land use and development, posing significant challenges related to electricity consumption, noise, air quality, water use, community character and long-term planning objectives; and

WHEREAS, preliminary data cited by Members of the New Jersey State Legislature has cautioned that large-scale data centers can use as much as 3 to 5 million gallons of water in a single day between liquid cooling and water consumed to generate the energy that powers them; and

WHEREAS, this extreme volume of water usage impacts homes and businesses both within the municipality and the surrounding communities; and

WHEREAS, preliminary studies noted by the State Legislature also indicate that some data centers require 300 MW of electricity, which is roughly equivalent to the output of a small modular nuclear reactor; and

WHEREAS, aside from increases in taxes and governmental services across the board, in only the last year the majority of the State has already seen consumer energy costs increase more than twenty percent (20%), with additional increases expected within the next few months; and

WHEREAS, the high-tech data centers that are proliferating throughout the state consume a large amount of electrical power at a time when energy costs are increasing for ratepayers; and

WHEREAS, it is well established that overdevelopment, urbanization and overuse of environmental resources impacts subterranean aquifers and the quality of drinking and other water resources and poses a substantial strain on community water resources; and

WHEREAS, the Governing Body is conscious of the hazards, such as depletion of critical groundwater resources, and the impact on the environmental and natural resources posed by the scope, depth and pervasiveness of large-scale commercial data center operations; and

WHEREAS, municipal regulations designed for the preservation of the environment and the protection of ecological values are a well-recognized, legitimate and proper exercise of municipality authority; and

WHEREAS, cutting and removal of trees has been found to cause and create increased soil erosion and dust, instability and deterioration in the value of surrounding property and other adverse environmental and geographical conditions; and

WHEREAS, dramatic increases and changes in population, development and the impact of certain data center operations on residents, businesses, the environment, and private and public property have imposed significant burdens on municipal resources and have created increased need to balance the rights and interests of the residents and general public with that of the legitimate rights of property owners to conduct business without unreasonable regulation; and

WHEREAS, in light of these significant changes in confluence with modern advancement in technology, scientific and environmental research that have allowed for a more accurate and comprehensive understanding of the hazards and dangers posed to surrounding property, environmental and natural resources, the general public, and the proliferation and expansion of governmental regulation of the environment, safety and business in general, that have occurred since the enactment of the municipalities zoning and development regulations, the Mayor and Council have determined it necessary and appropriate to amend and update its ordinances to adequately address data center uses in a manner that best reflects present needs and realities; and

WHEREAS, the Mayor and Council of the Town of Phillipsburg have determined that it is at this time necessary and appropriate, and in the best interest of the health, safety and welfare of its residents and members of the public who visit, travel or conduct business in the Town, to amend the Town Code of Ordinances to include all manner of data centers land use and development as a non-permitted use within the geographic boundaries of the Town and to otherwise improve and strengthen the nature, scope, manner and effectiveness of such regulations;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Town Council of the Town of Phillipsburg, in the County of Warren, State of New Jersey as follows:

Section 1. Chapter 625, entitled “Zoning.”, Article II – Definitions – specifically § 625-3, “Construction; definitions” of the Town of Phillipsburg Code is hereby amended and supplemented to add a new provision in Paragraph B. as follows:

DATA CENTER shall mean and include any facility used primarily for the storage, management, and processing of digital or electronic data, which houses computer and network systems, including associated components such as servers, network equipment and appliances, telecommunications, and data storage systems, systems for monitoring and managing infrastructure performance, Internet-related equipment and services, data communications connections, environmental controls, fire protection systems, and security systems and services. Typical accessory components of a data center may include transformers, electrical substations, environmental controls, fire suppression, generators, redundant power supplies and security facilities.

Section 2. Chapter 625, “Zoning”, Article XX – Miscellaneous Provisions – specifically, § 625-98, “Prohibited Uses” of the Phillipsburg Town Code is hereby amended and supplemented to add include the following:

§ 625-98. Prohibited Uses.

A. The following uses, as defined within § 625-3, are expressly prohibited from all zones established within the Town of Phillipsburg:

(1) [. . .]

(5) All Data Centers and any and all uses related to the same.

Section 3. The Town Clerk is directed to give notice at least ten (10) days prior to a hearing on the adoption of this Ordinance to the Warren County Planning Board and to all other persons or entities entitled thereto pursuant to N.J.S.A. 40:55D-15, including to the Clerk of adjoining municipalities.

Section 4. After introduction, the Town Clerk is hereby directed to submit a copy of the within Ordinance to the Land Use Board of the Town of Phillipsburg for its review in accordance with N.J.S.A. 40:55D-26 and N.J.S.A. 40:55D-64. The Land Use Board is directed to make and transmit to the Town Council, within thirty-five (35) days after referral, a report including identification of any provisions in the proposed Ordinance which are inconsistent with the Master Plan and recommendations concerning any inconsistencies and any other matter as the Board deems appropriate. Upon the adoption of this Ordinance, after public hearing, the Borough/Town/Town Clerk is further directed to publish notice of the passage and to file a copy of this Ordinance, as finally adopted, with the Warren County Planning Board, as required by N.J.S.A. 40:55D-16.

Section 5. Repealer. All ordinances or parts of ordinances contrary to or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency.

Section 6. Severability. Each section, subsection, paragraph, sentence, clause and phrase of this Ordinance is declared to be an independent section, subsection, sentence, clause and phrase. If any portion of this Ordinance, or its application to any person or circumstances, shall be adjudged or otherwise determined to be invalid, unconstitutional, preempted, void, or ineffective for any clause or reason, such determination shall not affect the remaining provisions of this Ordinance, and the application of such remaining provisions shall not be affected thereby and shall remain in full force and effect, and to this end, the provisions of this Ordinance are severable.

Section 7. Effective Date. This Ordinance shall take effect immediately upon final passage and publication according to law.

Section 8. Prior actions. All actions of the Town of Phillipsburg taken prior to the date of adoption hereof contemplated by this Ordinance are hereby ratified and approved.

Section 9. Codification. This Ordinance may be renumbered for codification purposes.

CERTIFICATION

I HEREBY CERTIFY this to be a true and correct Ordinance of the Mayor and Town Council of the Town of Phillipsburg introduced on February 24, 2026 and will be further considered for adoption after Public Hearing held on March 10, 2026 at 6:00 p.m. at the Envision Center Community Room, 535 Fisher Avenue, Phillipsburg, New Jersey 08865.

INTRODUCED: _____

ADOPTED: _____

Randy Piazza, Jr., Mayor

ATTEST:

Susan Turner, Acting Town Clerk