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Subject: Regarding the zoning of Newark Way
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To the Township Committee,

We are members of the Zoning Board of Adjustment, writing as residents of Maplewood.

The Board of Adjustment has tentatively approved the application for 17-21 Newark Way to modify the ZO Landscaping building to a retail/residential use. Two of us pointed out that, despite recent history, the Master Plan continues to defend the Commercial/Industrial (C-I) zone designation for Newark Way, forbidding these uses.

From [chapter 5](#), pp 133-134 [emphasis added]:

*5.4: As noted in the Strategies and Recommendations section, the use standards in both the CI and SLI districts should be broadened to include a range of arts-supportive, food-related, and light manufacturing uses such as art galleries, maker spaces, food production, and limited retail space to accompany light manufacturing. **New permitted uses should complement and not compete with existing industrial uses; thus, standard retail and restaurant uses should be carefully controlled so as not to push out long-established industrial uses, and the introduction of new residential uses should not be permitted.** Opportunities to introduce “green” businesses such as indoor agriculture, battery production and storage, recycling, and sustainable energy technology should also be explored. Conditions may need to be established on such uses to mitigate any impacts to adjacent areas and ensure an appropriate scale of development.*

This Board has seen several cases on Newark Way in recent years, all non-industrial uses. Some are food-related, the most significant being Artie’s, but we also approved 36 Newark Way as live/work artist studio and residence, as envisioned by the Master Plan.

The 17-21 Newark Way proposal is for two retail units in the existing structure after renovation and three apartments on a new second floor. Neither of these are permitted uses, and the language quoted above, in fact, strongly discourages them. Even so, six members of the Board determined that the benefits substantially outweighed any detriments, making approval justified.

Several local residents stayed up late to testify in favor of the application. Nobody testified in opposition.

We all sympathize with the existing industrial uses, but the C-I zone, at least on Newark Way, is a relic of another era. It’s clear where the market is driving this neighborhood, populated by young families that would greatly benefit from more housing that is appropriate to the zone and small businesses within walking distance. It is unreasonable for developers to have to navigate the red tape of the use variance process to fill these needs.

Accordingly, we recommend that the town initiate a process to develop a suitable supplement to the recent Master Plan. Perhaps there is a way to reassure and protect existing commercial/industrial

uses without inhibiting new uses.

Regards

Dick Lunde

Larry Seltzer

Greg Drechsler

Glenn Merry

James Fant