



Preliminary Investigation of an Area in Need of
Redevelopment (Non-Condensation) for

Three Bridges Block 81

Study Area



SEPTEMBER 30, 2022

Readington Township, Hunterdon County, New Jersey

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Adopted pursuant to N.J.S.A. 40A:12A-1, *The New Jersey Local Redevelopment and Housing Law*, as a Non-Condensation Preliminary Investigation by the Planning Board on October 11, 2022.

Endorsed and designated by the Township Committee on October 17, 2022.

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A signed and sealed copy of this document is available at the municipal building.



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INTRODUCTION

The Township Committee of Readington directed the Planning Board, pursuant to Resolution #R-2022-132 (adopted on September 6, 2022), to conduct a preliminary investigation to determine whether the study area adjacent to the village of Three Bridges qualified as an *area in need of redevelopment* (AINR), according to the criteria established at N.J.S.A. 40A:12A-1 et seq., known as the “*Local Redevelopment and Housing Law*” (a.k.a “LRHL”, See Appendix A). The lot comprising the study area was identified in the resolution as Block 81, Lot 1. The resolution directed the Planning Board to undertake an investigation such that the power of eminent domain could not be exercised in the event the area was designated an area in need of redevelopment. The Planning Board directed this office to prepare such an investigation.

The redevelopment process began with the Township Committee’s direction to the Planning Board to conduct a preliminary investigation of the Redevelopment Area to determine if it met the statutory criteria for designation as an area in need of redevelopment, pursuant to the LRHL, N.J.S.A. 40A:12A-1 et seq. (Resolution #R-2021-60, adopted April 5, 2021). The original resolution, Resolution #R-2018-95, only included Block 81, Lot 1 in the study area. Subsequently, in order to consider whether the other contiguous properties in Block 81 would meet the criteria for redevelopment and set the stage for comprehensive redevelopment of the properties, the Township expanded the study area by Resolution #R-2021-60 to include Block 81, Lots 2, 3, and 4. The resolutions directed the Planning Board to undertake an investigation such that the power of eminent domain could not be exercised in the event the area was designated an area in need of redevelopment.

Pursuant to Township direction, a draft report entitled Preliminary Investigation of an Area in Need of Redevelopment (Non-Condemnation) for Three Bridges Block 81, dated April 6, 2022 was prepared. The evidence and conclusions articulated in the report were presented to the Planning Board and the public at a hearing on April 11, 2022. After the consideration of all evidence presented at the public hearing, the Planning Board found the statutory criteria for an area in need of redevelopment under the LRHL (N.J.S.A. 40A:12A-1) was met for the entirety of the study area and recommended to the Township Committee that all properties within the study area be designated as an “area in need of redevelopment”. Pursuant to the public hearing

NJ Local Redevelopment and Housing Law: *Redevelopment Process*

- Governing body directs the planning board to undertake a preliminary investigation to determine whether or not an identified area is in need of redevelopment.
- Planning board conducts an investigation and holds a public hearing on the proposed redevelopment-area designation.
- Based on the planning board’s recommendation, governing body may designate all or some of the study area as an “area in need of redevelopment”.
- The governing body prepares a redevelopment plan for the area, or directs the planning board to prepare the plan.
- The governing body adopts the redevelopment plan
- The governing body or another public agency/ authority designated as the “redevelopment entity” that oversees the implementation of the redevelopment plan.
- The redevelopment entity selects a redeveloper(s) to undertake a project(s) that implement the plan.

Preliminary Investigation of an Area in Need of Redevelopment (Non-Condemnation) for Three Bridges Block 81, Lot 1



conducted by the Planning Board, minor revisions to the draft report were incorporated in the final report dated April 18, 2022.

On May 2, 2022, the Township Committee accepted the Planning Board's recommendation and designated the study area as the Block 81 Redevelopment Area (Resolution #R-2022-27) without the ability for the Township to use eminent domain.

On June 30, 2022, Flemington Associates, owner of Block 81 lots 2 and 3, filed a complaint challenging the designation of the study area as an area in need of redevelopment.

In response to the complaint filed by Flemington Associates, the Township rescinded the designation of Block 81 Lots 1, 2, 3, & 4 as an area in need of redevelopment (Resolution #R-2022-136) on September 19, 2022. The Planning Board directed this office to undertake an investigation, pursuant to the Township direction, for Block 81 Lot 1.

This report, which constitutes a *Preliminary Investigation* of the Three Bridges Block 81 Study Area, is the statutorily-enabled vehicle by which the Planning Board may respond to the Township Committee's request to study the area in question. It provides an examination of the existing conditions of the study area, depicted through mapping, photography, and written descriptions. The study is based on an in-person site inspections along with other data. The analysis and compiled information is compared to the criteria contained within the LRHL and, based on that comparison, a recommendation is made as to whether it should be classified as an AINR.

Statutory Authority and Process

Under New Jersey's *Local Redevelopment and Housing Law*, N.J.S.A. 40A:12A-1 et seq., (LRHL) municipalities are empowered to determine whether an area is in need of rehabilitation or redevelopment, to adopt a redevelopment plan, and to implement and carry out redevelopment projects. The Township of Readington must follow the statutorily defined process set forth in the LRHL. This process may result in the adoption of a redevelopment plan, which is a new set of development regulations, along with the ability to offer enhanced fiscal tools that may act as incentives to prospective redevelopers. Ultimately, it is a means to lay the groundwork for redevelopment that benefits, both, the public and private interests.



STUDY AREA DESCRIPTION

Location and Existing Conditions: The *Study Area* is located near the intersection of US Highway Route 202 and Railroad Avenue, abutting both roadways. It consists of 20.07 acres of unimproved land in the southeastern quadrant of the Township.

Adjacent uses include the following:

- The village of Three Bridges, and single-family detached residences to the east. Three Bridges is one of the three largest village centers in the Township and contains a mix of residential, commercial and public uses.
- US Highway Route 202 abuts the study area on the north side.
- Railroad Avenue abuts the study area to the south.
- A vacant lot, indicated as having an agricultural use in the tax database, to the west.

Study Area Description: Block 81, Lot 1 (702 Route 202) is owned by the Township of Readington and comprises the entirety of the *Study Area*. The tract has frontage on U.S. Route 202 and Railroad Avenue. The lot contains 20.07 acres of land and is classified in the MOD IV database as Class 15C (public). The property contains a tributary to the South Branch Raritan River that runs through the northwestern portion of the property before edging into neighboring lot 2 as it flows to the south under Railroad Avenue and then on to the South Branch. Freshwater wetlands are associated with the stream that impact the extent to which the property may be developed. Pursuant to a Letter of Interpretation (attached to this report as Appendix C) issued by the New Jersey Department of Environmental Protection (NJDEP), the wetlands are of an intermediate value and are subject to a transition area (buffer) of 50 feet.



Block 81, Lot 1



The only obvious development within the lot includes the culvert that conveys the stream under U.S. Route 202 and a hunting stand. The property is otherwise covered in trees, shrubs and herbaceous plants that represent a late successional condition, supplanting the conditions related to long-abandoned agricultural use.

Utilities

Sanitary Sewer Service: The study area is outside of a public sewer service area. This means that no more than two (2) single-family dwellings may be developed on the property, each served by individual sub-surface septic disposal beds. The sewer service area for Three Bridges is located adjacent to the property. Public sanitary sewer for the Three Bridges sewer service area is treated by the Raritan Township Municipal Utilities Authority (RTMUA) pursuant to an agreement with Readington Township. Block 81, Lot 1 is not located within the sewer service area. Readington Township is seeking to extend sewer service to the study area and has submitted an application the NJDEP for a Water Quality Management Plan amendment to include Block 81, Lot 1 within the Three Bridges sewer service area. As of September 14, 2022 the application is still under review by NJDEP and the final resolution is uncertain.

Water Service: The *Study Area* is located within the public water service and franchise area¹.

Zoning

Existing Zoning: The Study Area is located within the Multi-Family Affordable Housing 2.5 (MFAH-2.5) zoning district. This zone constitutes an overlay district, which leaves the underlying AR Agricultural Residential zoning intact, but provides optional enhanced zoning intended to permit the development of affordable housing as part of the Township's court-approved settlement and the 2020 Amended Housing Plan Element and Fair Share Plan. Permitted principal uses in the MFAH-2.5 district include municipally-sponsored affordable multifamily residential homes and inclusionary affordable multifamily residential homes. The (MFAH-2.5) zoning district was adopted on December 20, 2021. Such zoning rights cannot be utilized without public sanitary sewer service.

Prior Zoning: The property was previously zoned as MFAH-2 and MFAH-5, overlay districts intended to provide enhance zoning for affordable housing, along with the AR Agricultural Residential zone. The MFAH-2 zoning district permitted multifamily apartments and townhouses while the MFAH-5 zoning district permitted multifamily rental apartments affordable to low- and moderate-income eligible households. This zoning was enacted in 2020.

¹ As indicated in the NJDEP Public Community Water Purveyor Service Areas Data, 2019.



Prior to the MFAH-5 zone, the Study Area was zoned AR Agricultural Residential. The AR zone, which still underlies the MFAH-2.5 zone, permits agriculture; detached single-family dwelling units; public and private open space and parks; community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, community residences for persons with head injuries, and adult family care homes for elderly persons and physically disabled adults, and; farmer's markets. No development applications were pursued pursuant to the AR regulations.

Prior to the AR zoning, from 2000 to 2009, the property was zoned SC-3 Senior Citizen-3, which permitted, among other uses, continuing care retirement communities and age-restricted multifamily residential uses. No development applications were pursued pursuant to the SC-3 regulations.

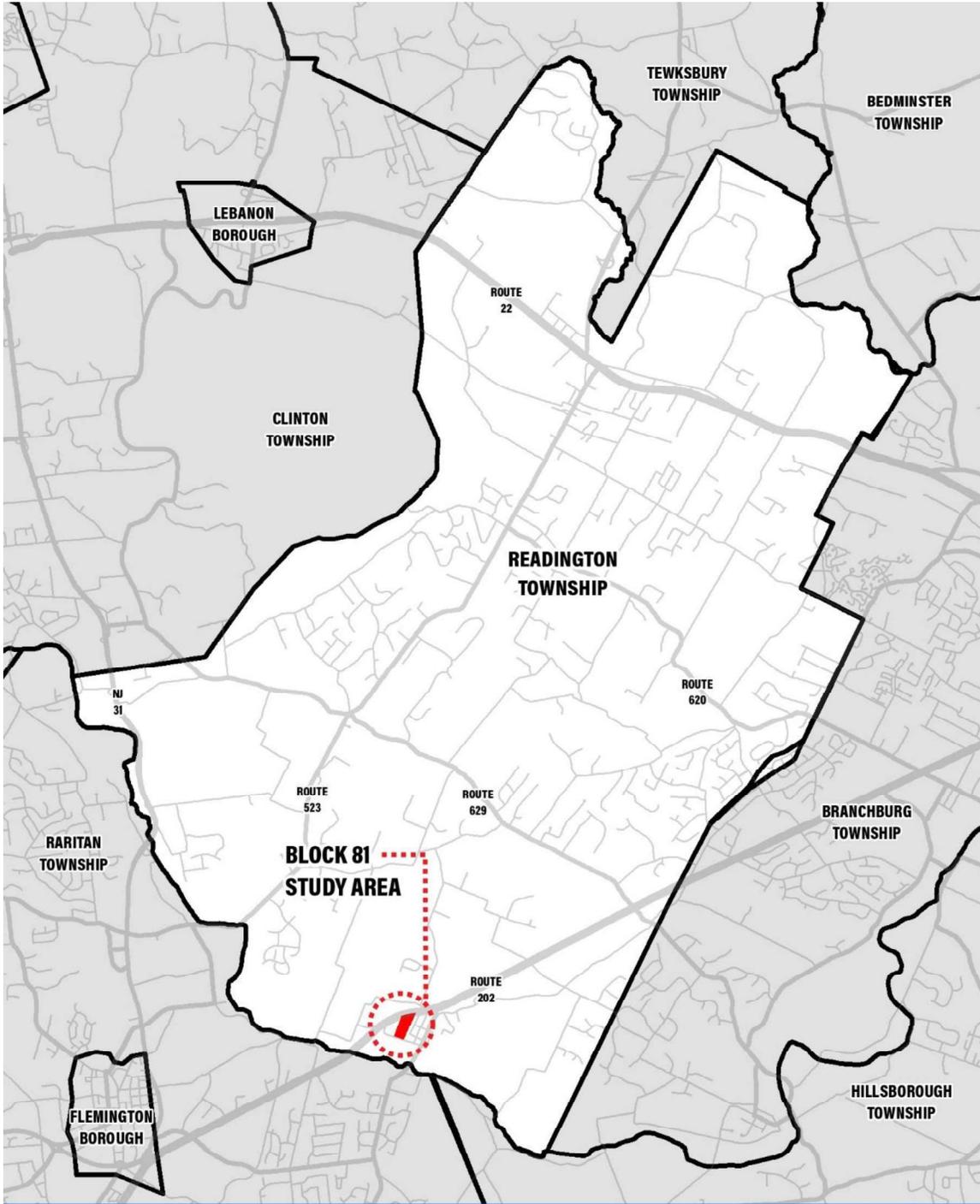
Development Application History

Block 81, Lot 1 has been the subject of four (4) development applications for which there are available records. A plan proposed in 1996 by Dias Investment Corp. consisted of three (3) office buildings and one (1) day care center facility. The Application received preliminary site plan approval in 1997. Final site plan approval was denied by the Planning Board on December 11, 2000.

Litigation: Two (2) separate actions by the Planning Board lead to the Applicant, Dias Investment Corp., initiating litigation against the Township. The first was for a zone change and the second was for denying an extension of preliminary approval. All litigation regarding this party has been resolved.

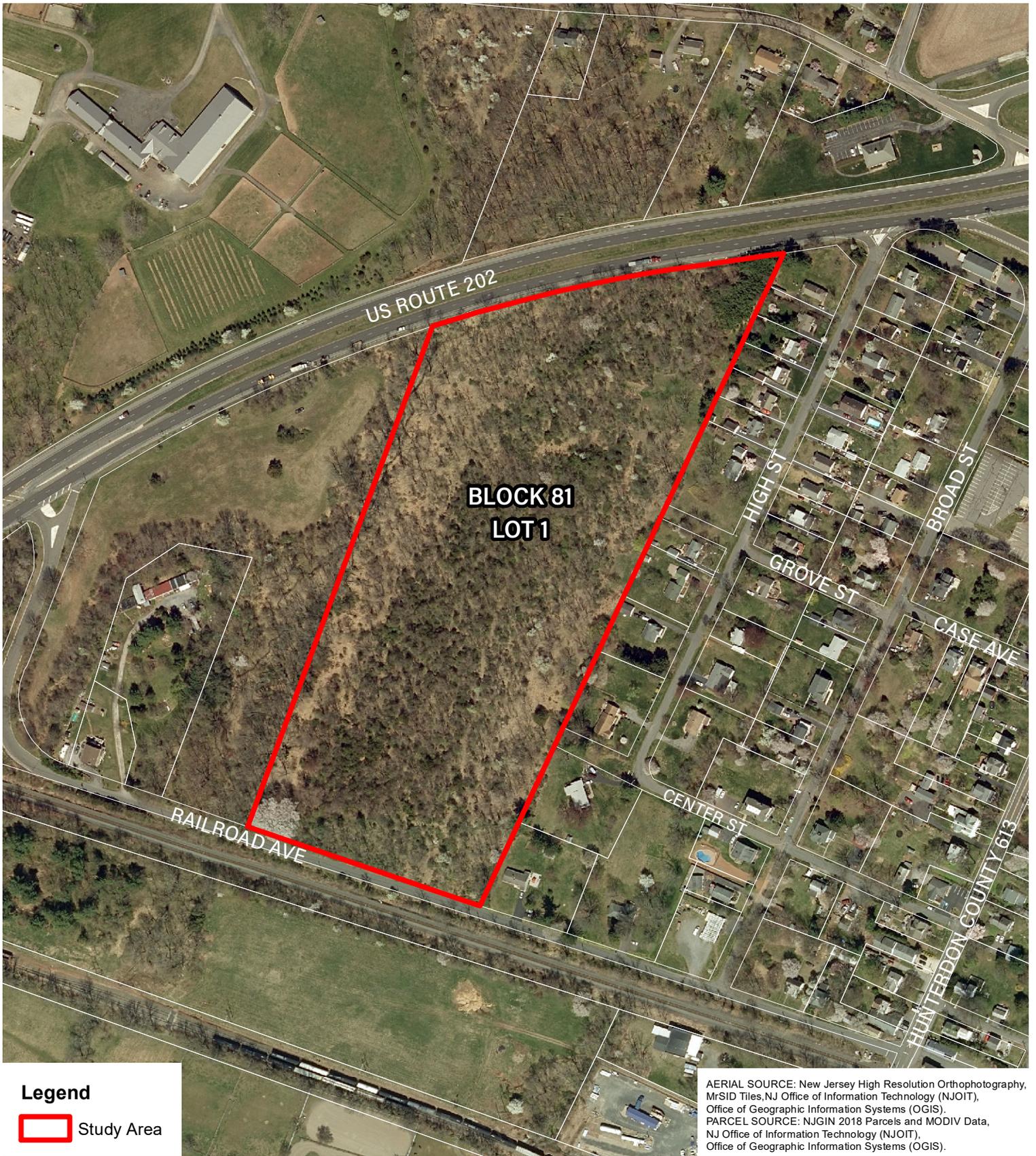
Ownership

Block	Lot	Area (acres)	Parcel Address	Owner of Record
81	1	20.07	702 Route 202	Township of Readington
Total:		20.07		



Location Map  N.T.S.

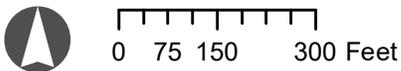
Preliminary Investigation of an Area in Need of Redevelopment (Non-Condemnation) for Three Bridges Block 81, Lot 1



Legend

 Study Area

AERIAL SOURCE: New Jersey High Resolution Orthophotography, MrSID Tiles, NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS).
 PARCEL SOURCE: NJGIN 2018 Parcels and MODIV Data, NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS).



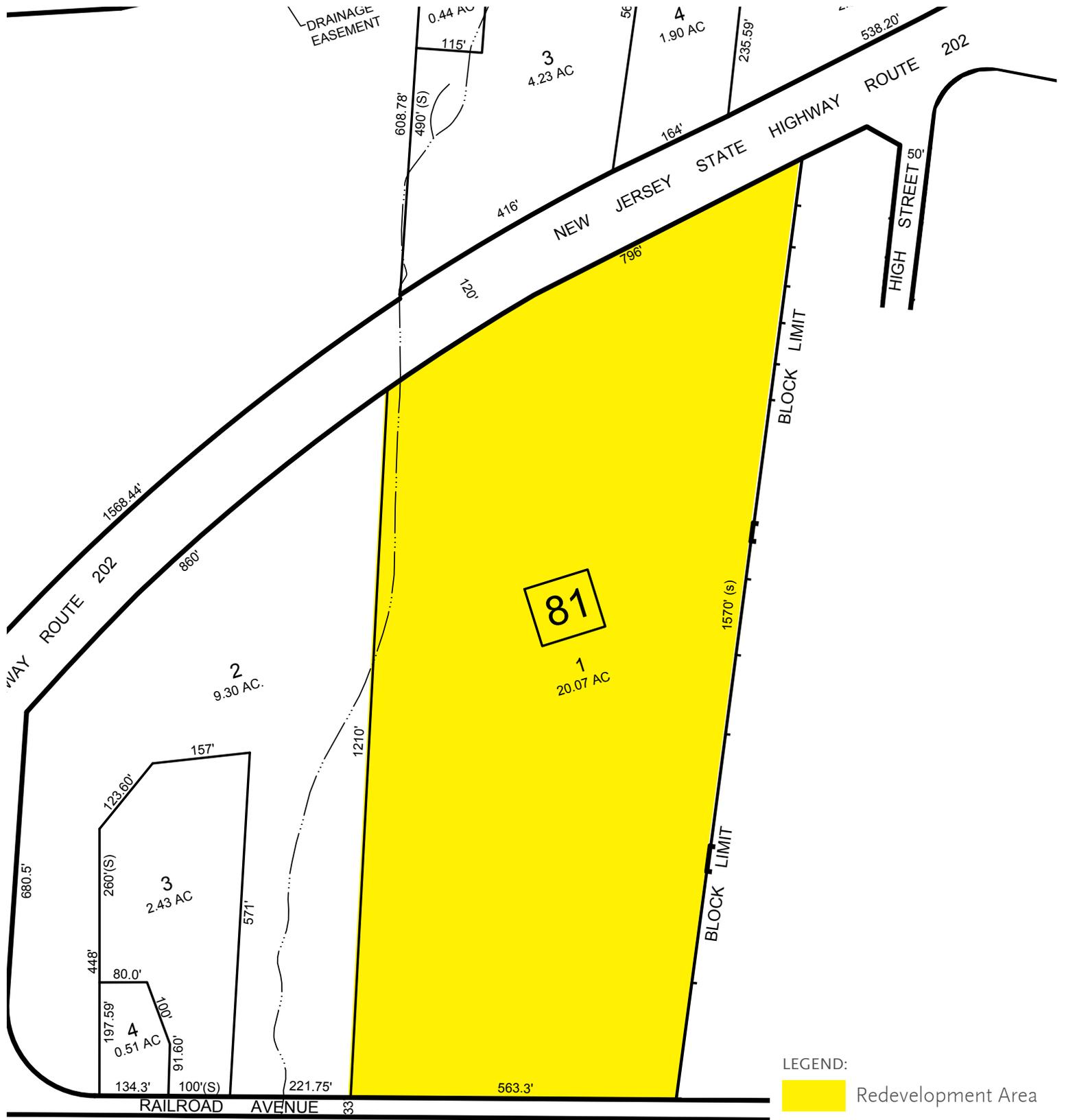
PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT:
 THREE BRIDGES STUDY AREA

2020 Aerial Photo

Clarke Caton Hintz ● ● ■
 Architecture
 Planning
 Landscape Architecture

LOCATION:
 Readington Township, Hunterdon County, New Jersey

DATE:
 September 2022



LEGEND:
 Redevelopment Area

SOURCE:
 Tax Maps of Readington Township, Sheet 26.2.
 Drawn by Pamela L. Mathews, P.E., L.S.,
 of Van Cleef Engineering Assoc., Inc. Dated November 2018



N.T.S.

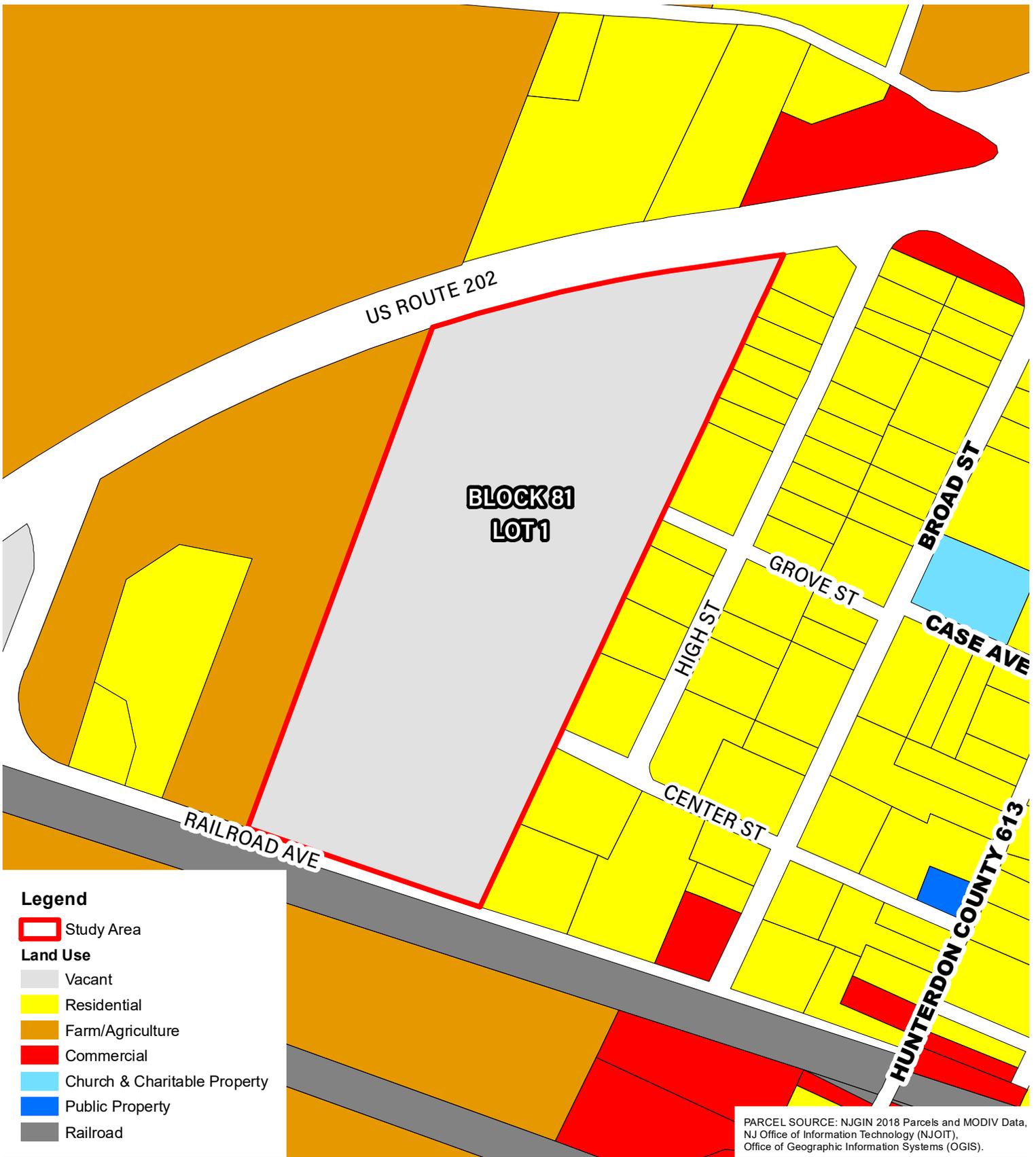
Clarke Caton Hintz ● ● ■
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 Planning
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PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT:
 THREE BRIDGES STUDY AREA

Tax Map

LOCATION:
 Readington Township, Hunterdon County, New Jersey

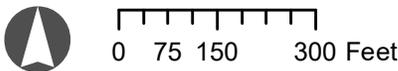
DATE:
 September 2022



Legend

- Study Area
- Land Use**
- Vacant
- Residential
- Farm/Agriculture
- Commercial
- Church & Charitable Property
- Public Property
- Railroad

PARCEL SOURCE: NJGIN 2018 Parcels and MODIV Data, NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS).



PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT:
THREE BRIDGES STUDY AREA

Existing Land Use

Clarke Caton Hintz ● ● ●
 Architecture
 Planning
 Landscape Architecture

LOCATION:
 Readington Township, Hunterdon County, New Jersey

DATE:
 September 2022



APPLICATION OF REDEVELOPMENT CRITERIA TO THE STUDY AREA

Criteria set forth in the LRHL at N.J.S.A. 40A:12A-5 provides the basis for the determination of an area in need of redevelopment (AINR). Although there are a variety of factors that could apply to an area, an area qualifies as being in need of redevelopment if it meets at least one (1) of the eight (8) statutory criteria. These criteria are commonly identified by the letter (a-h) corresponding to the paragraphs of Section 5 of the LRHL. They relate to the impact of a particular area on public health, safety and welfare, primarily through conditions of deterioration, obsolescence, disrepair and faulty designs. The absence of use and an area's relationship to an Urban Enterprise Zone or "smart growth" area are also addressed in the criteria.

In addition to the criteria contained at N.J.S.A. 40A:12A-5, the LRHL also permits the designation of areas, or portions of study areas that are not necessarily detrimental to the public health, safety and welfare to be designated as an area in need of redevelopment when their inclusion facilitates the redevelopment of the remaining area. At N.J.S.A. 40A:12A-3, the LRHL defines a "redevelopment area" or "area in need of redevelopment" to include:

"...lands, buildings, or improvements which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is found necessary, with or without change in their condition, for the effective redevelopment of the area of which they are a part."

Redevelopment Criteria "a" through "d" (N.J.S.A. 40A:12A-5)

- a. The generality of buildings is substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency, or redevelopment entity, or unimproved land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.



Block 81 Lot 1

Public Ownership

Readington Township owns Block 81, Lot 1, the entirety of the Study Area. In its most basic interpretation, criterion “c” should be fulfilled by virtue of this public ownership, since the first component of the criterion indicates it to be satisfied by “*Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity...*” This would make sense, since a public entity could decide to use such properties as part of a redevelopment initiative through a public, private or public/private project. Furthermore, the need to exercise of the power of eminent domain would be nonexistent in such cases, thus there would be no “threat” of a taking private lands. The criteria within the LRHL is designed to ensure that redevelopment areas are not designated in an arbitrary manner and, therefore, protect private property from unnecessary takings. There is no such concern in this context. With criterion “c” the LRHL appears to be providing this tool to redevelopment entities to provide the ability to utilize public lands for redevelopment where such designation is in the public interest and poses no threat to private property rights.

However, an isolated lower court decision in South Jersey reads an unnecessary variable into the statute. In a 1998 case entitled, Winters v. Twp. of Voorhees (320 N.J. Super. 150), Judge Orlando found in favor of plaintiffs that challenged the ability of Voorhees Township to declare an area in need of redevelopment solely based on the fact that it was owned by a governmental entity below the level of the State government. Judge Orlando found that a misplaced comma in criterion C meant that a Planning Board must find not only that governmentally owned land was involved, but that it also had to meet the condition being poorly located, remote, lacking access, topographic condition or poor soil conditions to the degree that *it could not feasibly be developed by private capital*. In other words, Judge Orlando made the requirement under criteria C conjunctive.

Redevelopment Criteria “e” through “h” (N.J.S.A. 40A:12A-5)

- e. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of real property therein or other conditions, resulting in the stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the “New Jersey Urban Enterprise Zones Act,” P.L. 1983, c.303 (C.52:27H-60 et seq.) *(subject to limited redevelopment powers)*
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Preliminary Investigation of an Area in Need of Redevelopment (Non-Condemnation) for Three Bridges Block 81, Lot 1



Criterion C is repeated below.

Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

It is instructive to compare this portion of the LHRL with the prior law, the Blighted Area Act (N.J.S.A. 40:55-21.1(c), repealed) as did Judge Orlando. This reads as follows:

Unimproved vacant land, which has remained so for a period of ten years prior to the determination hereinafter referred to, and which land by reason of its location, or remoteness from developed sections or portions of such municipality, or lack of means of access to such other parts thereof, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.

In other words, the LHRL added, “Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity” to the beginning of the earlier law and this criterion. Instead of reading the criterion as creating two different classes of land, Judge Orlando believed that the lack of a semi-colon after the word “entity” instead requires that the Planning Board find that governmentally owned land is not likely to be developed through private capital. The judge, however, failed to indicate in the decision how one could expect to redevelop land that is not held by a private entity through private money (or “capital” in the decision). By definition, land in public ownership is not available for development by the private sector. It is exactly the provisions in the redevelopment law - declaring an area in need of redevelopment, creating a redevelopment plan and issuing a Request for Proposal to redevelopment - that can lead to the leveraging of private dollars coupled with the public asset of land to further growth. Thus, the conjunctive interpretation by Judge Orlando renders superfluous the added language of: , “Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity” and the word “or”.

In other words, if a publicly-owned property must also be poorly located, remote, lack access, exhibit problematic topography or poor soil conditions to the degree that it could not feasibly be developed by private capital, then why distinguish “*Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity...*” within the criterion? Why create two classes of properties when there is no distinction between the characteristics that must be evident satisfy the criterion? Why not just say land?

This line of thinking found in the Winters decision was unchallenged as cited in a 2004 decision, Concerned Citizens of Princeton, Inc. et al v. Mayor and Council of the Borough of



Princeton, (851 A.2d 685, 370 N.J. Super. 429). However, this case was not focused on the distinction highlighted above, but rather a challenge that designation of municipal properties for an area in need of redevelopment may only be based on criterion “c”. On that point, the Court found that criteria other than “c” may be used on public land. Unfortunately, it parroted Winters in explaining that when using criterion “c” a property, whether public or private, must satisfy the conditions articulated under “c”. While the Winters decision raises questions regarding the actual meaning, and application of the statute, the investigation herein does not rely simply on municipal ownership in the satisfaction of criterion “c”. In other words, this investigation demonstrates that the area qualifies even under Judge Orlando’s stricter, and in our opinion incorrect, interpretation

Unimproved Land for Greater than 10 Years

The Study Area has been unimproved for at least 20 years prior to the Adoption of Resolution #2022-132 such that it satisfies that portion of criterion “c”. According to historic aerials, since at least 2002 the site has been unimproved. The series of aerials, provided on the following page of this report, includes images from 2002, 2007, 2012 and 2017 and describes the following:

2002: The 2002 aerial indicates forest conditions with no development present. There are gaps between areas with trees where there is also no development.

2007: The 2007 aerial indicates forest conditions with no development present. There are gaps between areas with trees where there is also no development. The forest conditions have increased and the trees appear larger and more lush.

2012: The 2012 aerial indicates forest conditions with no development present. There are still gaps between areas with trees where there is also no development, but they have been reduced in size as the trees have grown larger.

2017: The 2017 aerial indicates forest conditions with no development present. There gaps are nonexistent and the lot is entirely covered in trees.

Thus, the period of “unimprovement” of the study area exceeds the 10-year period identified in the LRHL. The Study Area has been owned by Readington Township since 2018 and was owned by Blue Sky US Properties Inc. from 2014 – 2018.



2002 Aerial

N.T.S.



2007 Aerial

N.T.S.



2012 Aerial

N.T.S.



2017 Aerial

N.T.S.

2002 AERIAL SOURCE: New Jersey 2002 High Resolution Orthophotography Web Map Service (WMS) (2009 Version), NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS), Published May 1, 2009.

2012 AERIAL SOURCE: New Jersey 2012-2013 High Resolution Orthophotography, Natural Color Web Map Service (WMS), NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS), Published March 1, 2013.

2007 AERIAL SOURCE: New Jersey 2007-2008 High Resolution Orthophotography, Natural Color Web Map Service (WMS), State of New Jersey Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS), Published December 1, 2009.

2017 AERIAL SOURCE: New Jersey 2017 National Agricultural Imagery Program (NAIP) Orthophotography, Web Map Service (WMS), NJ Office of Information Technology (NJGIT), Office of Geographic Information Systems (OGIS), Published June 8, 2018.



N.T.S.

Clarke Caton Hintz
Architecture
Planning
Landscape Architecture



PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT:
THREE BRIDGES STUDY AREA

2002-2017 Aerial Photos

LOCATION:
Readington Township, Hunterdon County, New Jersey

DATE:
September 2022



Location: Outside of Sewer Service Area

The Study Area is located outside of a sewer service area. The nearest public sewer service area is the Three Bridges Sewer Service Area (SSA) that is part of the Raritan Township Municipal Utilities Authority (RTMUA) system. This property cannot connect to the RTMUA system unless it is located within an SSA.

The study area is currently zoned for multi-family affordable dwellings pursuant to the Multi-Family Affordable Housing 2.5 (MFAH-2.5) zone. The MFAH-2.5 regulations are designed to fulfill Readington's court-approved settlement and Housing Plan Element/Fair Share Plan as part of the Township's obligation to provide affordable housing. Lack of access to public sewer is a barrier to the development of this property pursuant to the MFAH-2.5 regulations.

MFAH-2.5 is an overlay zone, with the Agricultural Residential AR zone underlying. The AR zone permits single family dwellings on lots no less than eight (8) acres in area. Such lots could be serviced by individual subsurface septic disposal beds, assuming the soils would be suitable. The AR zone has been in place since 2009 and, prior to the Township's acquisition in 2018, no applications for private development were made.

Prior to the creation of the AR zone, since 2000 the study area had been zoned Senior Citizen -3 SC-3. This zone permitted small-lot single-family homes, townhouses, multifamily, continuing care retirement community, assisted living and long-term care facilities. Between the adoption of the SC-3 and the adoption of the AR, no development applications were made to develop pursuant to the SC-3 zone standards.

Readington has made an application to the NJDEP to extend the SSA to the study area. The application is subject to publishing and public review, as well as contingent on conformance with, and agreement on, any conditions necessary to connect to the RTMUA system. This may include significant cost to a developer, both in terms of permitting, engineering and construction expenses. The lack of interest in development of the study area suggests that the lack of sewer access, and the costs involved, are barriers to development. Designation of the study area as an area in need of redevelopment provides a vehicle by which Readington may assist a developer with the additional cost associated with connecting to the public sanitary sewer infrastructure through long-term tax exemption/PILOT agreements.

Location: Outside of a "Ready to Grow" Area

As discussed, the MFAH-2.5 regulations are designed to fulfill Readington's court-approved settlement and Housing Plan Element/Fair Share Plan as part of the Township's obligation to provide affordable housing. These regulations provide for a 100% affordable, non-age-restricted development consisting of multi-family apartments. This constitutes a "municipally-sponsored" project. In the study area.



Municipally-sponsored projects are developed, in most cases, by developers that specialize in affordable housing. That is the case in Readington, whereby the Township has entered into an agreement with PIRHL to develop up to 80 affordable family apartments in the study area. Such projects are dependent on financial subsidies to realize the project. In New Jersey, Low Income Housing Tax Credit (LIHTC) financing is a resource that many developers, including PIRHL, utilize to help finance their projects. Without such financing, a project may not be realized or may result in massive costs to a municipal sponsor. Readington’s planned 80-unit project in the study area will rely on LIHTC to move forward.

LIHTC are awarded on a competitive basis through the NJ Housing Mortgage and Finance Agency (NJHMFA). NJHMFA has established criteria by which projects that apply for LIHTC financing may be ranked in order to provide as much subjectivity as possible in awarding projects. These awards are highly competitive, such that project must have a perfect score in order to have a chance to receive financing. These criteria are found within NJAC 5:30-33.1 et seq. known as the Low Income Housing Tax Credit Qualified Allocation Plan (QAP)². The introduction of the QAP identifies its purpose:

5:80-33.1 Introduction

The New Jersey Housing and Mortgage Finance Agency (NJHMFA) allocates these credits to qualified taxpayers and thereafter monitors their compliance with Section 42 of the Code. The rules in this subchapter set forth the standards and procedures used by NJHMFA to perform its allocation and monitoring responsibilities and this subchapter represents the qualified allocation plan for New Jersey required by Section 42 of the Code.

The QAP contains a series ranking criteria and assigns point values to each. When a project meets a criteria, those points are assigned to the scoring for the project. One of the criteria, for which points are awarded, is for projects that are located within a “ready to grow” area. Two (2) points are awarded for projects in a ready to grow area:

5:80-33.15 Point system for the Family Cycle

(a) The point system for the Family Cycle shall be as follows:

² Low Income Housing Tax Credit Qualified Allocation Plan (QAP):

https://nj.gov/dca/hmfa/developers/docs/lihtc/qap/tc_qap_proposed_2019_2020.pdf.



7. *Projects located within a ready to grow area shall be awarded two points*

The QAP defines a ready to grow area as:

5:80-33.2 Definitions

“Ready to grow area” means an area that has the capacity for growth and has received recognition from the State of this capacity, either through a planning process or through documentation that adequate water supply and wastewater infrastructure are available to serve the project. A project shall be considered to be in a ready to grow area if it is located within at least one of the areas designated in 1 and 2 below by the tax credit application deadline:

1. A smart growth area or, alternatively, an area suitable for growth as may be defined when the State Planning Commission revises and readopts the State Strategic Plan and adopts regulations to refine this definition as it pertains to Statewide planning areas; and

A smart growth area is defined in the QAP as:

“Smart growth areas” means areas that promote growth in compact forms and protect the character of existing stable communities. A compact form of development combines an efficient use of land, natural resources, and public services. An area shall be considered to be a smart growth area if it is within Planning Area 1, Planning Area 2, or within a Designated Center on the State Plan Policy Map. In the Pinelands Area, an area shall be considered to be a smart growth area if it is within a Regional Growth Area, a Pinelands Village, or a Pinelands Town.

The study area is not in a smart growth area as it is located in Planning Area 3, Fringe.

2. An area that has the water and wastewater capacity and infrastructure to serve the project and that also has at least one of the features in 2i through 2vi below:

There is capacity to serve the planned municipally-sponsored affordable housing development within Readington’s allocation of wastewater gallonage.

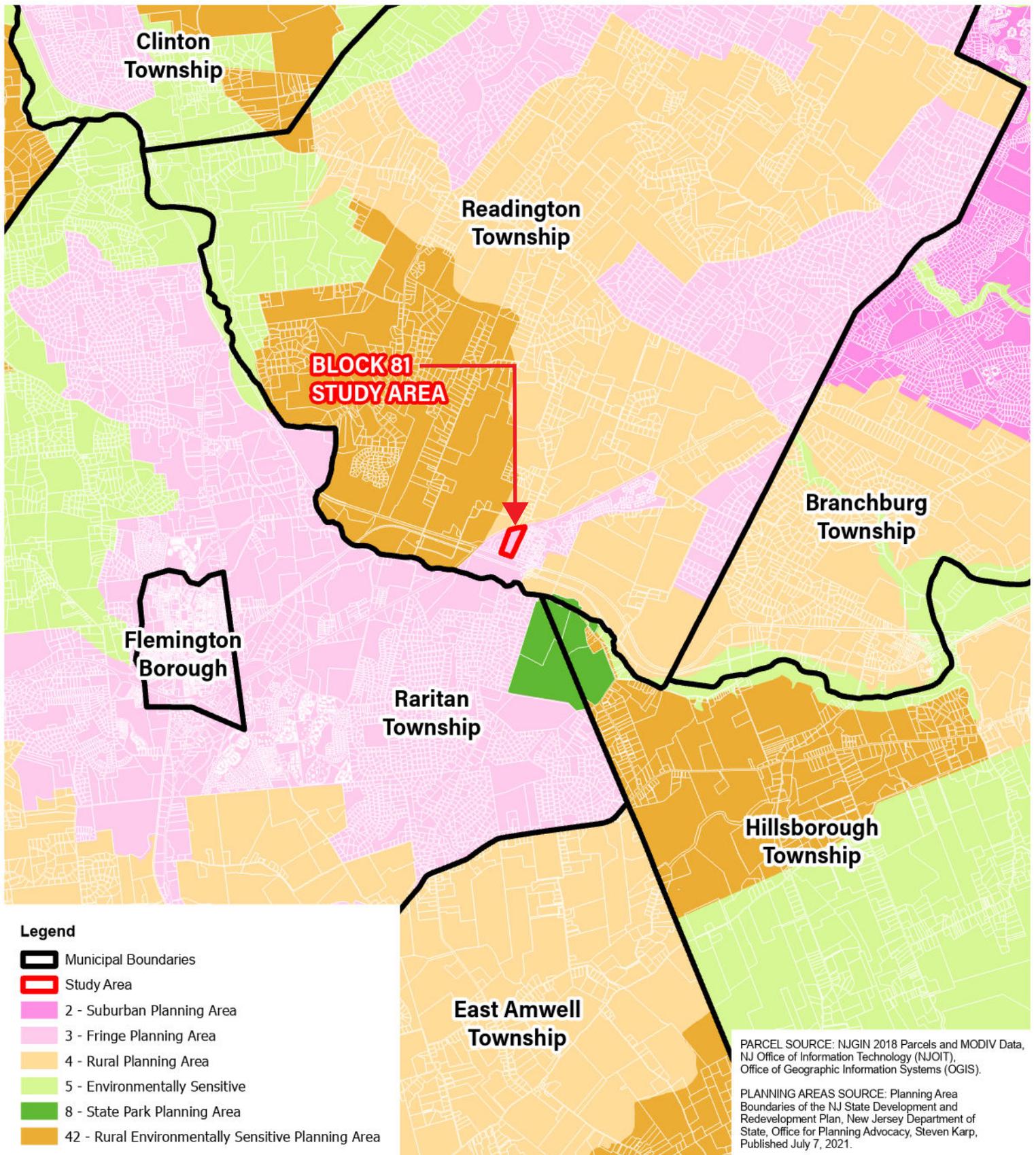
i. Is located within an area in need of redevelopment or an area in need of rehabilitation, as defined at N.J.S.A. 40A:12A-3;

The study area is not in a redevelopment area.

ii. Is located within a previously Designated Center on the State Plan Policy Map;

The study area is not in a previously Designated Center.

Preliminary Investigation of an Area in Need of Redevelopment (Non-Condemnation) for Three Bridges Block 81, Lot 1

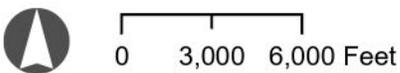


Legend

-  Municipal Boundaries
-  Study Area
-  2 - Suburban Planning Area
-  3 - Fringe Planning Area
-  4 - Rural Planning Area
-  5 - Environmentally Sensitive
-  8 - State Park Planning Area
-  42 - Rural Environmentally Sensitive Planning Area

PARCEL SOURCE: NJGIN 2018 Parcels and MODIV Data, NJ Office of Information Technology (NJIT), Office of Geographic Information Systems (OGIS).

PLANNING AREAS SOURCE: Planning Area Boundaries of the NJ State Development and Redevelopment Plan, New Jersey Department of State, Office for Planning Advocacy, Steven Karp, Published July 7, 2021.

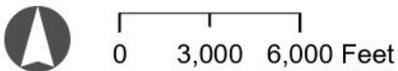
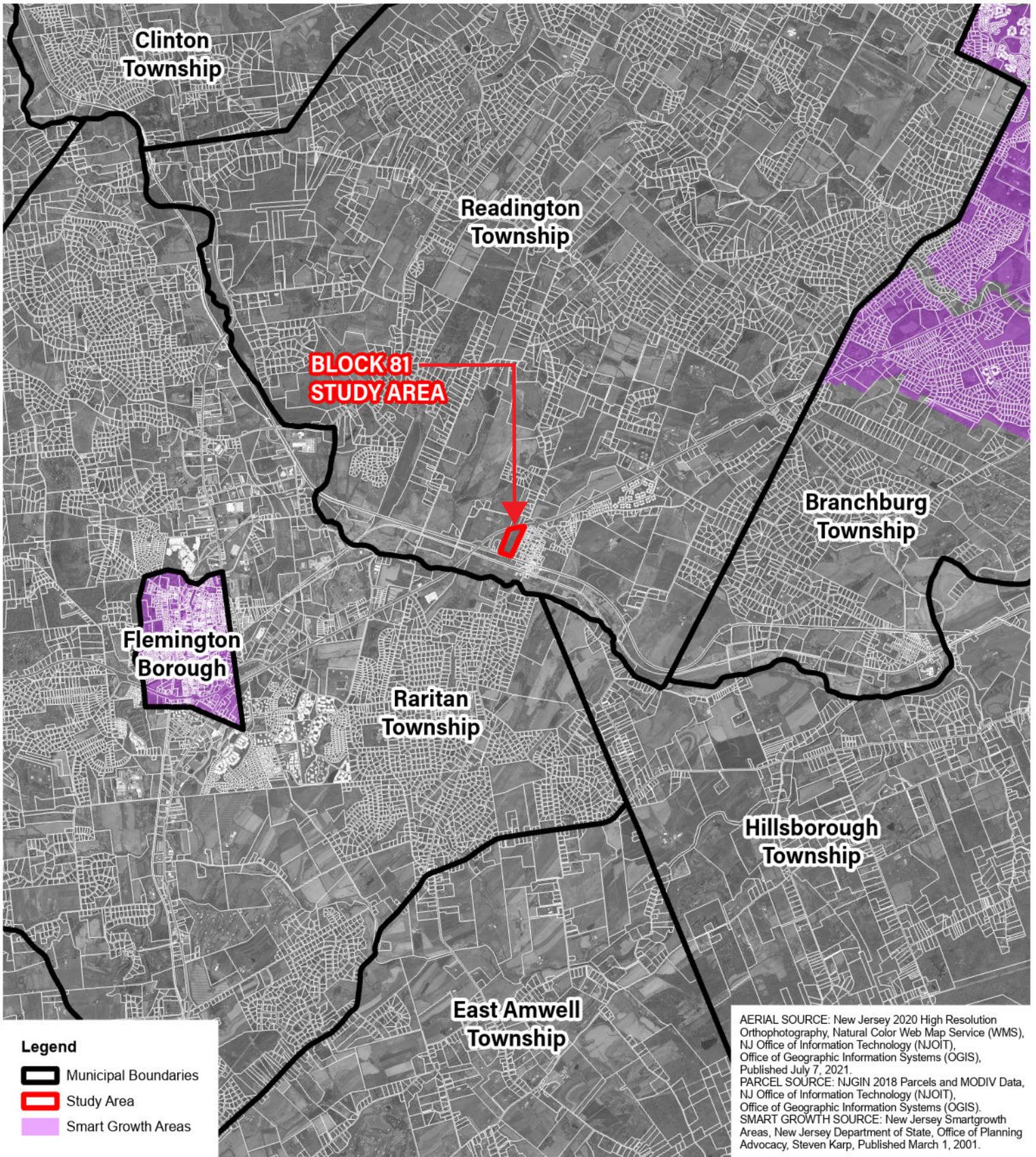


PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT:
THREE BRIDGES STUDY AREA

NJ State Planning Areas

LOCATION:
Readington Township, Hunterdon County, New Jersey

DATE:
September 2022



PRELIMINARY INVESTIGATION OF AN AREA IN NEED OF REDEVELOPMENT:
 THREE BRIDGES STUDY AREA

Smart Growth Areas



iii. Is located within a municipality whose master plan has received Plan Endorsement from the State Planning Commission and the project is consistent with the housing element within the endorsed master plan;

The study area is not in a located within a municipality whose master plan has received Plan Endorsement.

iv. Contains a site with an existing building footprint within which the project will be built;

The study area does not contain an existing building.

The Township has endeavored to purchase this persistently vacant property and to activate it to further its affordable housing obligations. Due to its location outside of a “smart growth area” and outside of a redevelopment area, the study area’s location is a barrier to private development. LIHTC financing is a key component to the planned development of the study area. Since the study area is not in a “smart growth area”, Readington’s planned municipally-sponsored affordable housing project within the study area cannot receive the “ready to grow” points of the QAP and cannot obtain a full score. If unable to obtain a fully scoring application, the project will not be competitive in obtaining LIHTC financing and will, in all likelihood, require massive municipal subsidies that could jeopardize the project and the provision of affordable housing.

Designation of this long-vacant property as an area in need of redevelopment provides the ability for a project to obtain the “ready to grow” points of the QAP and the submission of a competitive application to the NJHMFA for LIHTC financing. Such an award would advance the public welfare through the provision of affordable housing and the activation of this vacant site.



RECOMMENDATION

This report and appendices constitute a preliminary investigation for determining an Area in Need of Redevelopment as directed by the Township Committee of Readington Township. It is the conclusion of this preliminary investigation that the Study Area qualifies under the criteria set forth at N.J.S.A. 40A:12A-1 et seq., to be designated as an Area in Need of Redevelopment. The Study Area satisfies criterion “c” based on Readington Township’s ownership of Block 81, Lot 1, the lack of development for longer 10 years, the site’s location outside of the sewer service area and the location being outside of a “Ready to Grow” area.



SUBSEQUENT PROCEDURAL STEPS

Public Hearing

Upon receipt of this preliminary investigation, the Planning Board is required to hold a public hearing. Notices for the hearing are required to be published in the newspaper of record in the municipality once each week for two (2) consecutive weeks. A copy of the notice should be mailed to the last owner of record of each property within the proposed Redevelopment Area. The newspaper notice should be published in the official paper.

Planning Board Recommendation to Township Committee

Once the hearing has been completed, the Planning Board makes a recommendation to the Township Committee that the delineated area, or any part of such an area, should or should not be determined to be an Area in Need of Redevelopment. The Township Committee may then adopt a resolution determining that the delineated area, or portion, is a Redevelopment Area. Notice of such determination is then sent to each objector who has sent in a written protest.

Redevelopment Plan

If so designated by the township, the next action would be the creation and adoption of a redevelopment plan for the Redevelopment Area. A Redevelopment Plan is adopted by ordinance by the Township Committee before any project is initiated. Depending on the nature of the Redevelopment Plan, it may contain some or all

Redevelopment Plan: Required Elements (N.J.S.A. 40A:12A-7.a)

- The plan's relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- Proposed land uses and building requirements in the project area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
- The relationship of the plan to the master plans of contiguous municipalities, the master plan of the county in which the municipality is located, and the State Development and Redevelopment Plan.
- Pursuant to N.J.S.A. 40A:12A-7.c., the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law", N.J.S.A. 40:55D-1 et seq

Preliminary Investigation of an Area in Need of Redevelopment (Non-Condemnation) for Three Bridges Block 81, Lot 1



of the land use controls for a particular Redevelopment Area. Furthermore, a plan may be created in such a way as to provide for detailed recommendations regarding circulation, open space, housing urban design and architecture. At a minimum, pursuant to N.J.S.A. 40A:12A-7.a, a redevelopment plan is required to address a series of required elements. A Redevelopment Plan should be, either, substantially consistent with the municipal master plan or designed to effect the master plan.



APPENDIX A

Township Resolution #R-2022-132

**RESOLUTION OF THE TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY**

WHEREAS, pursuant to *N.J.S.A. 40A: 12A- 6a* and Resolution # R-2018-95, adopted on September 17, 2018, the Township Committee of the Township of Readington ("Township Committee") directed and authorized the Township of Readington Planning Board ("Planning Board") to conduct an investigation and public hearing to determine whether all or a portion of certain property identified on the tax maps of the Township of Readington (the "Township") as Block 81, Lot 1 constitutes a non-condemnation area in need of redevelopment certain areas of the Township constitute areas in need of redevelopment (the "Study Area"), as set forth in *N.J.S.A. 40A:12A-5*, pursuant to the Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1*, et seq. (the "Redevelopment Law"); and

WHEREAS, on April 5, 2021, the Township Committee adopted Resolution No. R-2021-60 expanding the Study Area to include three additional lots in Block 81, specifically Block 81, Lots 2, 3, and 4, and directing the Board to undertake an investigation to determine whether all or a portion of certain property identified on the tax maps of the Township as Block 81, Lots 1, 2, 3, and 4 constitutes a non-condemnation area in need of redevelopment (the "Amended Study Area"), pursuant to the Redevelopment Law; and

WHEREAS, as required by the Redevelopment Law, a redevelopment investigation report was prepared of the above Amended Study Area entitled "Preliminary Investigation of an Area in Need of Redevelopment (Condemnation-Eligible) for "Three Bridges Block 81 Study Area" dated April 6, 2022 (the "Report"); and

WHEREAS, the Planning Board, after giving proper notice to all property owners affected by, or interested in, the proposed redevelopment designation and in accordance with *N.J.S.A. 40A-12A-6b*, held a public hearing concerning the Report on April 11, 2022 , at which time all interested individuals and the general public were provided with an opportunity to voice all of their questions and concerns to the Planning Board; and

WHEREAS, as a result of the comments made at the public hearing, the Report was amended to incorporate some minor changes; and

WHEREAS, after study and deliberation of the statements and testimony made during the public hearing and expert testimony of the Planner, as well as consideration of the aforementioned Report, as amended, and all evidence presented during the course of the public hearing, the Planning Board adopted a Resolution on April 25, 2022 (the "April 25, 2022 Resolution") recommending to the Township Committee that the Amended Study Area comprising Block 81, Lots 1,2,3 and 4 qualifies as, and should be declared, a non-condemnation area in need of redevelopment as defined under the Redevelopment Law; and

WHEREAS, on May 2, 2022 based on the recommendations of the Planning Board, the Township Committee adopted Resolution #R-2022-77 endorsing the conclusions of the Planning

Board with respect to the Amended Study Area and the Report, and authorizing the preparation of a Redevelopment Plan. Upon its preparation, the Township Committee introduced an Ordinance on June 6, 2022 approving the Redevelopment Plan which was prepared for the Amended Study Area; and

WHEREAS, prior to the public hearing on adoption of the above-referenced ordinance, a lawsuit was instituted against the Township and Planning Board by the owner of Block 81, Lot 2. The owner's complaint challenges the Planning Board's recommendation regarding the Amended Study Area as an area in Need of Redevelopment, and the Township's subsequent endorsement of the investigation report as set forth in Resolution #R-2022-77; and

WHEREAS, based upon the information which has come to light in the owner's complaint, the Township Committee has determined that it would be in the public interest to direct the Planning Board to investigate the Amended Study Area to determine whether or not it should be further amended to include Block 81, Lot 1, only, as an area in need of redevelopment and if, so, to re-examine and articulate the criteria and other necessary factors that are applicable to that particular property's designation; and

WHEREAS, pursuant to Section 40A:12A-6 of the Redevelopment Law, the Township Committee shall state whether the redevelopment area shall be a "non-condemnation redevelopment area" which is defined as a redevelopment area that shall not use the power of eminent domain authorized by the Redevelopment Law, or whether the redevelopment area shall be a "condemnation redevelopment area", which is defined as a redevelopment area that may use the power of eminent domain authorized by the Redevelopment law; and

WHEREAS, upon the completion of the investigation and public hearing, the Planning Board shall provide recommendations to the Township Committee as to its investigation of the Amended Study Area, all in accordance with Section 6 of the Redevelopment Law, specifically N.J.S.A. 40A:12A-6.

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. The Township Committee hereby authorizes the Planning Board to conduct an investigation pursuant to Section 6 of the Redevelopment Law, specifically, N.J.S.A. 40A:12A-1, et seq., to determine whether or not the Amended Study Area currently comprising Block 81, Lots 1, 2, 3 and 4, and depicted on the map entitled "Three Bridges Redevelopment Study Area" and attached to this resolution as "Schedule A" should be further amended to include only Block 81, Lot 1 as an area in need of redevelopment. Any such conclusion shall be based on a determination that the designation of Block 81, Lot 1 as an area in need of redevelopment meets the criteria set forth in Section 5 of the Redevelopment Law, N.J.S.A. 40A:12A-1, et seq., and shall be based on factors in addition to those that presently appear in the investigation report previously recommended by the Planning Board.

2. Any redevelopment area created pursuant to this authorization shall be a "non-condemnation" Redevelopment area pursuant to N.J.S.A. 40A:12A-6.

3. As part of its investigation, the Planning Board shall prepare a map showing the boundaries of the updated study area and the location of the parcel(s) contained therein. There shall be a statement appended to the map setting forth the basis for the investigation.

4. The Planning Board shall conduct a public hearing, after giving due notice, of the proposed boundaries of the updated study area and the date of the hearing to any persons who are interested in or would be affected by a determination that the area delineated in the notice is a redevelopment area in accordance with the requirements of Section 6 of the Redevelopment Law, specifically, N.J.S.A. 40A:12A-6.

5. At the hearing, the Planning Board shall hear from all persons who are interested in or would be affected by a determination that the amended study area is a redevelopment area. All objections to a determination that the updated study area is an area in need of redevelopment and evidence in support of those objections shall be received and considered by the Planning Board and made part of the public record.

6. After conducting its investigation, preparing a map of the amended study area, conducting a public hearing at which all objections to the designation are received and considered, the Planning Board shall make a recommendation to the Township Committee as to whether the Township Committee should designate all or a portion of the amended study area as an area in need of redevelopment pursuant to the Redevelopment Law.

7. The Township Clerk or her designee shall forward a copy of this Resolution to the Readington Township Planning Board.

8. This Resolution shall be effective immediately.

CERTIFICATION

I, **KARIN M PARKER**, Clerk of the Township of Readington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and correct copy of a Resolution adopted by the Township Committee on the 6th day of September, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of this body this 7th day of September, 2022.


Karin M Parker, RMC
Municipal Clerk



APPENDIX B

Township Resolution #R-2022-136

**RESOLUTION OF THE TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY**

WHEREAS, on May 2, 2022, based on the recommendations of the Planning Board, the Township Committee adopted Resolution #R-2022-77 endorsing the conclusions of the Planning Board with respect to the Amended Block 81 Redevelopment Area, which was subsequently challenged by the owner of Block 81, Lot 1; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-6a, et seq., and Resolution #R-2022-132, adopted on September 6, 2022, the Township Committee of the Township of Readington ("Township Committee") directed and authorized the Township of Readington Planning Board ("Planning Board") to conduct an investigation as to whether the Amended Study Area currently comprising Block 81, Lots 1, 2, 3, and 4, as to whether it should be further amended to only include Block 81, Lot 1, as an area in need of redevelopment; and

WHEREAS, the Township now wishes to clarify that by way of the new study on the amended area in need of redevelopment, the prior study shall no longer be legally operative.

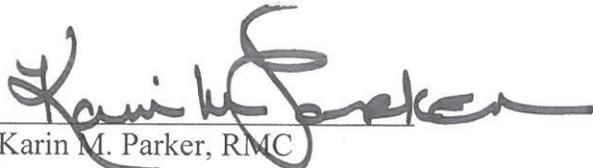
NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. Resolution #R-2022-77 is hereby repealed in its entirety.
2. This Resolution shall take effect immediately.

CERTIFICATION

I, **Karin M. Parker**, Clerk of the Township of Readington, County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be true a true and correct copy of the Resolution adopted by the Township Committee on the 19th day of September 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and the official seal of this body this 20th day of September 2022.


Karin M. Parker, RMC
Municipal Clerk



Appendix C
NJDEP Letter of Interpretation



State of New Jersey

PHILIP D. MURPHY
Governor

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SHAWN M. LATOURETTE
Commissioner

SHEILA Y. OLIVER
Lt. Governor

Division of Land Resource Protection
Mail Code 501-02A
P.O. Box 420
Trenton, New Jersey 08625-0420
www.nj.gov/dep/landuse

Vita Mekovetz
Township of Readington
509 Route 523
Whitehouse Station, New Jersey 08889

03/18/2022

RE: Freshwater Wetlands Letter of Interpretation: Line Verification
File No.: 1022-20-0002.1, Activity Number: FWW200001
Applicant: Readington Township
Block: 81; Lot: 1
Readington Township, Hunterdon County
Watershed: Raritan River SB (3 Bridges to Spruce Run)
Sub-watershed: Raritan River SB (Three Bridges-Prescott Bk)

Dear Mr. Mekovetz:

This letter is in response to your request for a Letter of Interpretation to have Division of Land Resource Protection (Division) staff verify the boundary of the freshwater wetlands and/or State open waters on the referenced property.

In accordance with agreements between the State of New Jersey Department of Environmental Protection (NJDEP), the U.S. Army Corps of Engineers (USACOE) Philadelphia and New York Districts, and the U.S. Environmental Protection Agency (USEPA), the NJDEP is the lead agency for establishing the extent of State and Federally regulated wetlands and waters. The USEPA and/or USACOE retain the right to reevaluate and modify the jurisdictional determination at any time should the information prove to be incomplete or inaccurate.

Based upon the information submitted, and upon a site inspection conducted by Division staff on April 13, 2021, the Division has determined that the wetlands and waters boundary line(s) as shown on the plan map entitled: "**PLAN OF WETLANDS FOR BLOCK 91 LOT 1 SITUATED IN READINGTON TOWNSHIP HUNTERDON COUNTY, NEW JERSEY**", consisting of one (1) sheet, dated February 19, 2020, last revised June 2, 2021, and prepared by Carl M. Herrman, P.L.S. of Van Cleef Engineering Associates, LLC, is accurate as shown.

The freshwater wetlands and waters boundary line(s), as determined in this letter, must be shown on any future site development plans. The line(s) should be labeled with the above file number and the following note:

"Freshwater Wetlands/Waters Boundary Line as verified by NJDEP"

Wetlands Resource Value Classification ("RVC")

In addition, the Division has determined that the resource value and the standard transition area or buffer required adjacent to the delineated wetlands are as follows:

Intermediate: All wetlands on and adjacent to the subject property as shown on the above referenced plans. [50 foot wetland transition area]

State Open Water: Within wetlands and State open water flag SOW A-25 through SOW A-19 as shown on the above referenced plans. [No wetland transition area]

RVC may affect requirements for wetland and/or transition area permitting. This classification may affect the requirements for an Individual Wetlands Permit (see N.J.A.C. 7:7A-9 and 10), the types of Statewide General Permits available for the property (see N.J.A.C. 7:7A-5 and 7) and any modification available through a transition area waiver (see N.J.A.C. 7:7A-8). Please refer to the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B-1 et seq.) and implementing rules for additional information. Please note that State open waters regulated under the Flood Hazard Area Control Act rules are present onsite. These waters will require a riparian zone under the Flood Hazard Area Control Act rules at N.J.A.C. 7:13-4.1. In order to determine the flood hazard elevation and the limits of any riparian zone on site, the applicant may obtain a Flood Hazard Area Verification (see N.J.A.C. 7:13-5.1) that determines all areas regulated under the Flood Hazard Area Control Act rules.

Wetlands resource value classification is based on the best information available to the Division. The classification is subject to reevaluation at any time if additional or updated information is made available, including, but not limited to, information supplied by the applicant.

General Information

Pursuant to the Freshwater Wetlands Protection Act Rules, you are entitled to rely upon this jurisdictional determination for a period of five years from the date of this letter unless it is determined that the letter is based on inaccurate or incomplete information. Should additional information be disclosed or discovered, the Division reserves the right to void the original letter of interpretation and issue a revised letter of interpretation.

Regulated activities proposed within a wetland, wetland transition area or water area, as defined by N.J.A.C. 7:7A-2.2 and 2.3 of the Freshwater Wetlands Protection Act rules, require a permit from this office unless specifically exempted at N.J.A.C. 7:7A-2.4. The approved plan and supporting jurisdictional limit information are now part of the Division's public records.

Please be advised that any surface water features on the site or adjacent to the site may possess flood hazard areas and/or riparian zones and development within these areas may be subject to the Flood Hazard Area Control Act rules at N.J.A.C. 7:13. The Division can verify the extent of flood hazard areas and/or riparian zones through a flood hazard area verification under the application procedures set forth at N.J.A.C. 7:13-5.1.

This letter in no way legalizes any fill which may have been placed, or other regulated activities which may have occurred on-site. This determination of jurisdiction extent or presence does not make a finding that wetlands or water areas are "isolated" or part of a surface water tributary system unless specifically called out in this letter as such. Furthermore, obtaining this determination does not affect your responsibility to obtain any local, State, or Federal permits which may be required.

Recording

Within 90 calendar days of the date of this letter, the applicant shall submit the following information to the clerk of each county in which the site is located, and shall send proof to the Division that this information is recorded on the deed of each lot referenced in the letter of interpretation:

1. The Department file number for the letter of interpretation;
2. The approval and expiration date of the letter of interpretation;
3. A metes and bounds description of the wetland boundary approved under the letter of interpretation;
4. The width and location of any transition area approved under the letter of interpretation; and
5. The following statement: "The State of New Jersey has determined that all or a portion of this lot lies in a freshwater wetland and/or transition area. Certain activities in wetlands and transition areas are regulated by the New Jersey Department of Environmental Protection and some activities may be prohibited on this site or may first require a freshwater wetland permit. Contact the Division of Land Use Regulation at (609) 777-0454 or <http://www.nj.gov/dep/landuse> for more information prior to any construction onsite."

Failure to have this information recorded in the deed of each lot and/or to submit proof of recording to the Division constitutes a violation of the Freshwater Wetlands Protection Act rules and may result in suspension or termination of the letter of interpretation and/or subject the applicant to enforcement action pursuant to N.J.A.C. 7:7A-22.

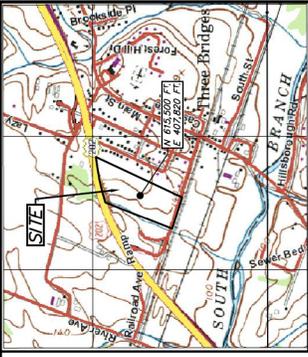
In accordance with N.J.A.C. 7:7A-21, any person who is aggrieved by this decision may request a hearing within 30 days of the date the decision is published in the DEP Bulletin by writing to: New Jersey Department of Environmental Protection, Office of Legal Affairs, Attention: Adjudicatory Hearing Requests, Mail Code 401-04L, P.O. Box 402, 401 East State Street, 7th Floor, Trenton, NJ 08625-0402. This request must include a completed copy of the Administrative Hearing Request Checklist found at www.state.nj.us/dep/landuse/forms. Hearing requests received after 30 days of publication notice may be denied. The DEP Bulletin is available on the Department's website at www.state.nj.us/dep/bulletin. In addition to your hearing request, you may file a request with the Office of Dispute Resolution to engage in alternative dispute resolution. Please see the website www.nj.gov/dep/odr for more information on this process.

Please contact Michael Tropiano of our staff by e-mail at Michael.Tropiano@dep.nj.gov or by phone at (609) 777-0454 should you have any questions regarding this letter. Be sure to indicate the Department's file number in all communication.

Sincerely,

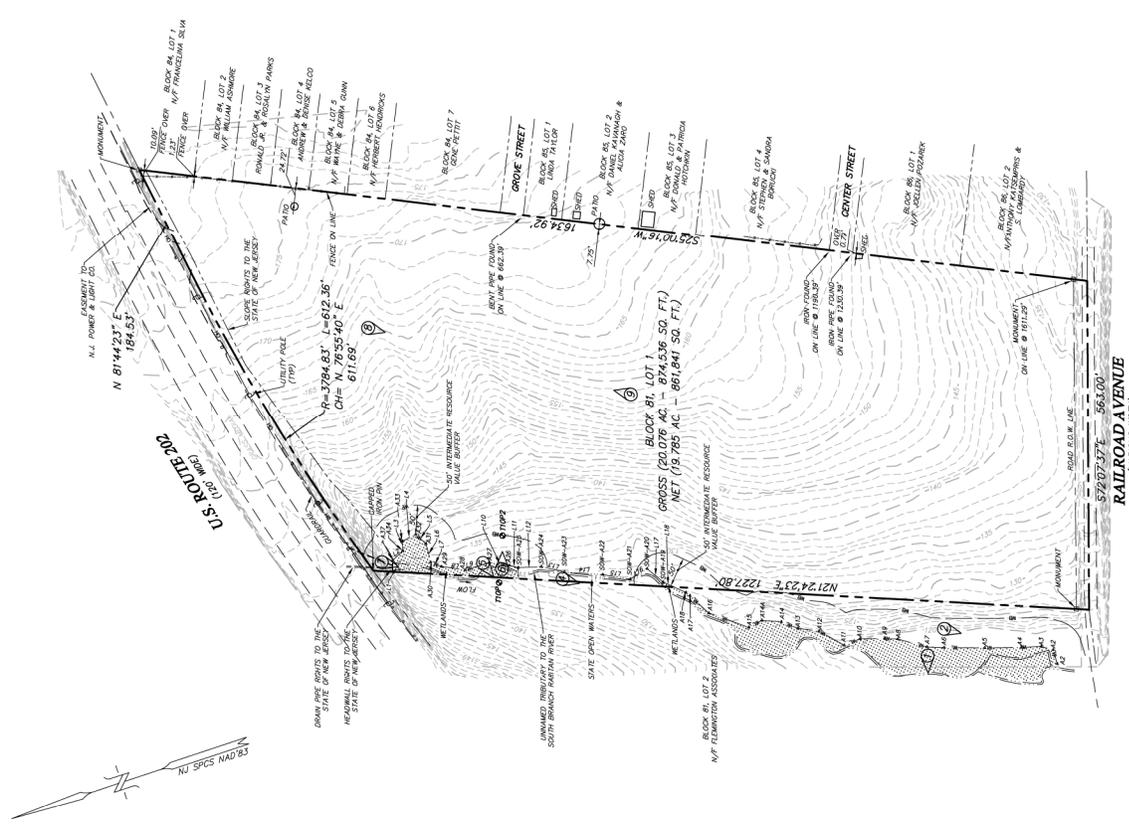

Christopher Squazzo, Environmental Specialist III
Division of Land Resource Protection

c: Readington Township Municipal Clerk **w/plan**
Readington Township Municipal Construction Official
Agent – David C. Krueger **w/plan**



LEGEND:

---	PROPERTY LINE	---	STREAM EDGE
---	ADJACENT PROPERTY LINE	---	TRANSECT WITH OBSERVATIONS POINTS
---	FENCE	---	WETLANDS/WATERS LINE
---	UTILITY POLE	---	WETLANDS LINE SEGMENT ID
---	SON	---	WETLANDS POINT
---	PAVEMENT EDGE	---	STATE OPEN WATERS POINT
---	CONTOUR LINE	---	WETLANDS BUFFER LINE
---	SPOT ELEVATION	---	WETLANDS HATCH
---	PHOTOGRAPH LOCATION AND DIRECTION		



GENERAL SURVEY NOTES:

1. PROPERTY KNOWN AS LOT 1 IN BLOCK 81 AS SHOWN ON THE TAX MAP OF READINGTON TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY, SHEET NO. 26.
2. GROSS LOT AREA = 20,078 ACRES.
3. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS SURVEY ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. ALL UTILITIES, INCLUDING THOSE ABANDONED OR NOT IN SERVICE, MAY BE SHOWN. THE LOCATION OF ALL UTILITIES SHOULD BE VERIFIED AS TO LOCATION AND DEPTH BY THE PROPER UTILITY COMPANIES.
4. BOUNDARY INFORMATION SHOWN IS BASED UPON REFERENCE NO. 2.
5. THE HORIZONTAL DATUM IS BASED UPON NAD 1983 PER VRS RTK OPS OBSERVATIONS. UNITS ARE BASED UPON U.S. SURVEY FEET.
6. THE VERTICAL DATUM SHOWN IS BASED UPON REFERENCE NO. 3.

SURVEY REFERENCES:

1. TAX MAP FOR READINGTON TOWNSHIP, HUNTERDON COUNTY, NEW JERSEY, SHEET NO. 26.
2. PLAN ENTITLED "SURVEY OF LAND FOR BLUE SKY U.S. PROPERTIES, INC." PREPARED BY BORNEN AND BORNEN ASSOCIATES, DATED NOVEMBER 2017.
3. PLAN ENTITLED "CONCEPT PLAN & TOPO OF READINGTON EXECUTIVE OFFICE" PREPARED BY STUBER AND WELDONNET, P.A., DATED JULY 25, 1994.



DATE:	FEBRUARY 19, 2020
SCALE:	1"=100'
DESIGNED BY:	SJY
DRAWN BY:	DMH
CHECKED BY:	DMH
REVISED PER ENVIRONMENTAL TECH. INC. DMH	6/27/21
REVISIONS	AUTH. DATE. JOB NO. 6807/009

Van Cleef
ENGINEERING ASSOCIATES, LLC
194 MANHATTAN AVENUE, SUITE 1500, HUNTERDON, NJ 08839
TEL: 908.348.1000 FAX: 908.348.1001
NJ LIC. CERT. NO. 3404810000

PLAN OF WETLANDS FOR
BLOCK 81 LOT 1
SITUATED IN
READINGTON TOWNSHIP
HUNTERDON COUNTY, NEW JERSEY

Carl M. Herrman
Carl M. Herrman, P.L.S.
Professional Land Surveyor, New Jersey Lic. No. GS-42271





Appendix D

Planning Board Resolution (Recommendation to Township)

READINGTON TOWNSHIP PLANNING BOARD

RESOLUTION MEMORIALIZING RECOMMENDATION THAT BLOCK 81, LOT 1 BE DESIGNATED AS A NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12-1 ET SEQ.

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.*, (the “**Redevelopment Law**”) authorizes municipalities to determine whether certain parcels of land within the municipality constitute an “area in need of redevelopment,” as defined in the Redevelopment Law; and

WHEREAS, on September 6, 2022, the Township Committee of Readington Township (the “**Township Committee**”) adopted Resolution No. R-2022-132 directing the Township Planning Board (the “**Board**”) to undertake an investigation to determine whether all or a portion of certain property identified on the tax maps of the Township of Readington (the “**Township**”) as Block 81, Lot 1, and which is adjacent to the Village of Three Bridges, qualifies a non-condemnation area in need of redevelopment (the “**Study Area**”) pursuant to the Redevelopment Law; and

WHEREAS, the Board thereafter directed its planning consultant, Clarke Caton Hintz (“**CCH**”) to prepare a redevelopment area investigation report of the above-referenced Study Area in accordance with the Redevelopment Law, and CCH prepared such a report titled “Preliminary Investigation of an Area in Need of Redevelopment (Condemnation-Eligible) for Three Bridges Block 81 Study Area” dated September 30, 2022 (the “**Report**”); and

WHEREAS, pursuant to the Redevelopment Law, the Board conducted a duly noticed public hearing concerning the Report on October 11, 2022, hearing sworn testimony by Michael F. Sullivan, ASLA, AICP (a principal of CCH and signatory on the Report), and giving all persons who are interested in or would be affected by a determination regarding the Study Area the opportunity to question Mr. Sullivan and to have their comments heard by the Board; and

WHEREAS, after consideration of the Report, the testimony of Mr. Sullivan and comments made by persons who were interested in or would be affected by a determination regarding the Study Area, the Board recommends to the Township Committee that Block 81, Lot 1 be declared a non-condemnation area in need of redevelopment, in accordance with the Redevelopment Law, for the reasons set forth in the Report;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD ON OCTOBER 11, 2022 AS FOLLOWS:

1. Recommendation – Area in Need of Redevelopment. The Board accepts and adopts the recommendation contained in the Report, a copy of which amended Report

is attached hereto, and hereby recommends that Block 81, Lot 1 be declared a non-condemnation area in need of redevelopment, in accordance with the Redevelopment Law, for the reasons set forth in the Report.

2. Transmission to the Township Committee. The Report, and the findings of fact and conclusions contained therein, is hereby incorporated herein by reference in its entirety herein. The Board Secretary is hereby directed to transmit a copy of this Resolution with the Report attached hereto to the Township Committee.

VOTE ON MOTION DULY MADE AND SECONDED ON OCTOBER 11, 2022:

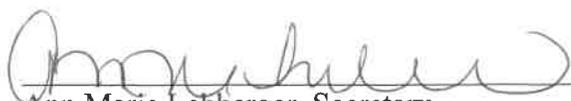
THOSE IN FAVOR: ALBANESE, ALLEN, COOK, FILLER, JOHN, MUELLER, ROHRBACH & VILLA.

THOSE AGAINST: NONE.

This Resolution was adopted on November 14, 2022, with the roll call vote on the memorialization as follows:

	Yes:	No:	Absent:	Not Voting:
Allen	X			
Albanese	X			
Cook	X			
Filler	X			
Hindle				X
John			X	
Monaco				X
Mueller			X	
Rohrbach			X	
Villa	X			
Hendrickson				X

I hereby certify that the foregoing resolution was adopted by the Readington Township Planning Board at a public meeting held on November 14, 2022.


 Ann Marie Lehberger, Secretary
 Readington Township Planning Board.



Appendix D

Township Resolution #R-2022-161

**RESOLUTION OF THE TOWNSHIP OF READINGTON
COUNTY OF HUNTERDON AND STATE OF NEW JERSEY**

WHEREAS, pursuant to *N.J.S.A.* 40A:12A-6a and Resolutions # R-2022-132 and #R-2022-136, adopted on September 6, 2022 and September 19, 2022, respectively (hereinafter collectively referred to as the "Resolution"), the Township Committee of the Township of Readington ("Township Committee") directed and authorized the Township of Readington Planning Board ("Planning Board") to conduct an investigation and public hearing to determine whether all or a portion of certain property identified on the tax maps of the Township of Readington (the "Township") as Block 81, Lot 1 constitutes a non-condemnation area in need of redevelopment (the "Study Area"), as set forth in *N.J.S.A.* 40A:12A-5, pursuant to the Redevelopment and Housing Law, *N.J.S.A.* 40A:12A-1, et seq. (the "Redevelopment Law"); and

WHEREAS, as required by the Redevelopment Law, a redevelopment preliminary investigation report was prepared of the above Study Area entitled "Preliminary Investigation of an Area in Need of Redevelopment (Non-Condensation) for Three Bridges Block 81 Study Area" dated September 30, 2022 (the "Report"); and

WHEREAS, the Planning Board, after giving proper notice to all property owners affected by, or interested in, the proposed redevelopment designation and in accordance with *N.J.S.A.* 40A-12A-6b, held a public hearing concerning the Report on October 11, 2022 at which time all interested individuals and the general public were provided with an opportunity to voice all of their questions and concerns to the Planning Board; and

WHEREAS, after study and deliberation of the statements and testimony made during the public hearing and expert testimony of the Planner, as well as consideration of the aforementioned Report and all evidence presented during the course of the public hearing, the Planning Board approved, by motion duly made and seconded, a recommendation to the Township Committee that the Study Area comprising Block 81, Lot 1 be designated as, and should be declared, a non-condemnation area in need of redevelopment as defined under the Redevelopment Law; and

NOW, THEREFORE BE IT RESOLVED BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF READINGTON AS FOLLOWS:

1. For the reasons set forth herein and in the preamble of this resolution, which are made a part of the findings hereof, the Township Committee endorses the findings of fact and conclusions of law made by the Planning Board at its October 11, 2022 hearing, as well as the preliminary investigative findings and recommendations described in the Report and the testimony prepared by the Planner with respect to the Study Area.

2. Based on the recommendation of the Planning Board, the Township Committee

hereby determines that the Study Area, specifically, Block 81, Lot 1, satisfies the criteria contained in the Redevelopment Law, N.J.S.A. 40A:12A-1, et seq., particularly 40A:12A-5c, based on the Township's ownership of Block 81, Lot 1, the vacant and undeveloped condition of the Study Area for a period of longer than 10 years prior to Resolution # R-2022-132, adopted September 6, 2022, directing the Planning Board to conduct a Preliminary Investigation of the Study Area, the Study Area's location outside of the public sanitary sewer service area, and the Study Area's location outside of a "Ready to Grow", area, all as further described in the Report, which is incorporated by reference, as if fully set forth herein. Accordingly, Block 81, Lot 1 is hereby designated and declared as an area in need of redevelopment (non-condemnation) in accordance with the aforementioned Redevelopment Law.

3. The Township Clerk or her designee, is hereby directed to serve within ten (10) days a copy of this Resolution and Report upon each person described by N.J.S.A. 40A:12A-6b.(5)(d) and shall so notify the New Jersey Commissioner of the Department of Community Affairs, with service in the manner prescribed by N.J.S.A. 40A:12A-6b.(5)(c)

4. The Planning Board is hereby authorized and directed to undertake preparation of a redevelopment plan for the entirety of the Study Area to be adopted by ordinance by the Township Committee, pursuant to N.J.S.A. 40A:12A-7, et seq.

5. A copy of the Report shall remain available in the Township Clerk's office for public inspection, together with this Resolution.

6. The Township Clerk or her designee shall forward a copy of this Resolution to the Readington Township Planning Board.

7. This Resolution shall be effective immediately.

CERTIFICATION

I, KARIN M PARKER, Clerk of the Township of Readington, County of Hunterdon, State of New Jersey, do hereby certify the forgoing to be a true and correct copy of a Resolution adopted by the Township Committee on the 17th of October, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of this Township this 18th of October, 2022.


Karin M Parker RMC
Municipal Clerk