



Clarke Caton Hintz

Architects

Planners

Landscape Architects

2009 Reexamination of the Master Plan

Station Place

400 Sullivan Way

Trenton NJ 08628

clarkecatonhintz.com

Tel: 609 883 8383

Fax: 609 883 4044

Readington Township **Hunterdon County, New Jersey**

John Clarke, FAIA

Philip Caton, FAICP

Carl Hintz, AICP, ASLA

John Hatch, AIA

George Hibbs, AIA

Brian Slauch, AICP

Michael Sullivan, AICP

Adopted
March 9, 2009



Clarke Caton Hintz

2009 Reexamination of the Master Plan

Readington Township

Hunterdon County, New Jersey

Adopted March 9, 2009

2009 Planning Board

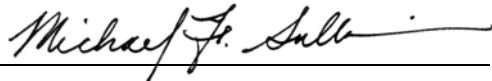
Marygrace Flynn, *Chair*
Elizabeth Duffy, *Vice Chair*
Julia Allen, *Mayor*
Jerry Cook
Cheryl Filler
John Klotz
Ronald Monaco
Gerard Shamey, *Township Committee*
Benjamin Smith

Linda Jacukowicz, *Secretary*
Valerie Kimson, Esq., *Planning Board Attorney*
John Hansen, PE, *Planning Board Engineer*
Michael Sullivan, ASLA, AICP, *Township Planner*

Prepared for the Readington Township Planning Board by

Michael F. Sullivan, ASLA, AICP

Brent Krasner, PP, AICP



NJ CLA #612 and NJ PP # 5153



NJ PP # 5948



Contents

	PAGE
I. Introduction	I
2. Past Planning Efforts	4
3. Major Problems and Objectives at the Time of the adoption of the 2007 Reexamination Report and the Extent to which they have changed	10
4. Relevant Changes in Assumptions, Policies & Objectives at the Local, County and State Levels	18
5. Recommended Changes	25



1. INTRODUCTION

The municipal Master Plan is a document, adopted by the Planning Board, which sets forth the policies for land use as envisioned by the municipality. The Master Plan is the principal document that addresses the manner and locations in which development, redevelopment, conservation or preservation occurs within a municipality. It is intended to guide the decisions made by public officials and those of private interests involving the use of land. Through its various elements, the Master Plan sets out a vision for the community in the coming years.

The Master Plan forms the legal foundation for the zoning ordinance and zoning map. New Jersey, among a handful of other states, specifically ties the planning of a community as embodied in the Master Plan with the zoning ordinance and zoning map. The zoning ordinance and map constitute the primary law governing the use of land at the local level. A zoning ordinance must be substantially consistent with the land use plan.

A Reexamination Report is a review of previously adopted master plans, amendments and local development regulations to determine whether the ideas and policy guidelines set forth therein are still applicable. The NJ land use law¹ requires that the Planning Board conduct a Reexamination at least every six years. Five specific topics are to be considered in the Reexamination Report. These are:

- a. *The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*
- b. *The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*
- c. *The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution*

¹ New Jersey. 1975. Chapter 55D. The Municipal Land Use Law, N.J.S.A. 40:55D-1 et. seq.



of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in state, county and municipal policies and objectives.

- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c.79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.²*

This reexamination report addresses the first four of the required items. The last item is not relevant, since no redevelopment areas exist or are presently contemplated within the Township.

Readington Township has experienced no great shifts in the overall goals and objectives of its land use policies. The umbrella policy of rural preservation, which has its genesis in the 1979 report of the Open Space Committee, continues to provide the overall direction for the master plan and land development ordinances. The experience of over 20 years of development under this set of policies, and the incremental incorporation of new information, has led to the evolution of Readington's Master Plan and Land Development Ordinance as they exist today.

A reexamination of the master plan is an opportunity to evaluate the status of existing policies, in light of recent conditions, and to provide necessary direction for future planning efforts. This reexamination report does not propose any major changes in direction for the Township. Rather, it contains recommendations for the evaluation and

² N.J.S.A. 40:55D-89

**Clarke Caton Hintz**

refinement of the individual components of Readington's planning documents, and implementing ordinances, in order to strengthen the established rural preservation policies of the Township.

Readington's last reexamination report was adopted on December 10, 2007, coincident with the required six-year interval. Although the Municipal Land Use Law requires that Master Plan reexaminations take place at intervals no greater than six years, there is no prohibition on the adoption of such reports on a more frequent basis. The 2009 reexamination report represents an update to the 2007 report to reflect, primarily, the occurrence of two significant issues that arose during 2008.

On July 7, 2008, the New Jersey Department of Environmental Protection (NJDEP) adopted the Water Quality Management Planning Rules. These rules provide that sewer service areas be reexamined to exclude critical habitat, including ranks 3, 4 and 5, pursuant to the NJ Landscapes data. More significantly, development reliant on subsurface septic disposal systems is limited to lots that are large enough to dilute septic effluent so that nitrates entering groundwater do not exceed a concentration of two (2) mg/l.

Also in 2008, the NJDEP released newly updated versions of the Landscape Project data, based on updated land use and land cover information, to identify critical habitat information. This includes the NJ Highlands and immediately adjacent areas, and represents a new methodology for delineating habitat.

Given these two new elements that factor into land use policies, Readington is updating its reexamination report of 2007 to address the implications to its master plan and land development ordinance.



2. PAST PLANNING EFFORTS

1990 Master Plan

The 1990 Master Plan, which (except for amendments) is currently in effect, was adopted by the Planning Board on January 22, 1990. Included within this document was a reexamination of the 1981 Master Plan and the following plan elements: Goals and Policies; Land Use; Housing; Conservation and Natural Resources; Agriculture; Community Facilities; Parks, Recreation and Open Space; Historic Preservation; Circulation; Utilities; Recycling; and a Statement of the Relationship to Other Planning Documents. Of these the Goals and Policies (partially amended), Land Use (partially amended), Community Facilities, Parks, Recreation and Open Space (partially amended), Historic Preservation, Utilities, and Recycling elements are still, at least partially, in effect.

1995 Housing Element

In accordance with the COAH rules, which require housing elements to be certified every six years, Readington adopted a new Housing Element on June 19, 1995. A subsequent amendment to the Housing Element on June 24, 1996 was approved by COAH. On August 9, 1999, the Planning Board again amended the Housing Plan to effectuate some minor modifications. The Township Committee endorsed the Fair Share Plan that reflected those modifications on December 4, 2000, sending both documents to COAH for certification. As of January 22, 2001, the 1995 Housing Element and Fair Share Plan were still under review by COAH. In the summer of 2001, COAH notified Readington that the accessory apartment provisions should be removed from the plan and replaced with another form of housing that would have a higher likelihood of implementation. The housing element and fair share plan were subsequently amended to substitute units to be developed under a regional contribution agreement for those units formerly provided for under the accessory apartment provisions. As the Township's Second Round Certification was valid for six years from 1997 and COAH had yet to adopt its Third Round (1987-2014) regulations, the Township received an extension of its Second Round substantive certification on May 11, 2005 (COAH initially granted an extension to Readington Township's substantive certification on February 4, 2003 pursuant to rules that were previously adopted by COAH).



1995 Reexamination of the Master Plan

This Reexamination Report was prepared pursuant to the Municipal Land Use Law and was adopted by the Planning Board on December 11, 1995. The key recommendations of that document were to develop a coordinated approach to land preservation and a development approach that integrated open space preservation in the approvals process. It also recommended a greenways network and a new emphasis on expanding the range of senior housing alternatives.

1998 Amendments to the Master Plan

This document contained a series of amendments that updated or replaced some, but not all, elements of the 1990 Master Plan. The Goals and Policies element was updated to strengthen the policies related to farmland preservation and natural resources conservation. The Land Use plan element was updated, creating a new land use classification known as AR Agricultural Residential. A new element – Conservation, Natural Resources and Agriculture - was created, replacing the formerly separate Conservation and Natural Resources / Agriculture elements. The Parks, Recreation and Open Space element was also updated. A description of the relationship between Readington’s zoning and the zoning of adjacent municipalities, Hunterdon County land use policies and State planning policies was included. The Planning Board adopted this amendment package on November 23, 1998. This served as the basis for the creation of the AR Agricultural Residential Zone, which lowered the effective residential density in the majority of the Township to one dwelling unit for every 5 acres, in the case of a cluster development, or 6 acres, in the case of a conventional residential subdivision. The recommendations contained within the 1998 Master Plan amendments were implemented through the adoption of the AR zone, which was adopted by the Township Committee on December 22, 1998.

2000 Supplement to the Master Plan: Photographic Tour of the AR Zone

Readington has a highly desirable character that is often described as rural, natural or agricultural. While this character has been acknowledged in the Township’s planning documents, no visual record of those elements had been produced. This document was created in order to provide such documentation of the rural and agricultural elements that embody the sense of place that is experienced throughout the Township. This inventory contains a series of photographs, with descriptions, that are linked to street maps depicting a “tour route”. The location and direction of each of the photographs is



Clarke Caton Hintz

indicated, so that one may be oriented with relative ease while viewing the document. It is anticipated that this visual inventory will be used to plan for the preservation of the various elements shown in the photographs and will be the basis for future land use and site development decisions. The Planning Board adopted this document on July 24, 2000.

2000 Amendment to the Master Plan: Senior Citizen Housing

This amendment was developed pursuant to recommendations contained within the 1995 Reexamination of the Master Plan, which called for the provision of additional senior citizen housing in appropriate locations within the Township. It examined potential sites with respect to several criteria, including proximity to the existing villages of Three Bridges and Whitehouse Station, proximity to sewer service areas, arterial roadway access and lot size. Recommendations were included for the location and type of senior citizen housing. The Planning Board adopted this amendment on September 11, 2000. This amendment served as the basis for the creation of new senior citizen zones that were adopted by the Township Committee on October 16, 2000.

2001 Amendment to the Master Plan: Parks, Recreation & Open Space; Circulation

This package of amendments was a direct result of a series of studies and reports that were produced in the spring of 2001. Coordinated by the Environmental Commission, these reports addressed critical wildlife habitat, local flora and fauna, water quality and open space and farmland preservation. Most prominently, a comprehensive Environmental Resource Inventory (ERI) was adopted which included many findings and recommendations regarding natural features within Readington. The amendments to the master plan brought renewed focus on open space preservation from the standpoint of habitat protection. It also documented a series of open space preservation priority areas and mapped those properties that should be targeted for preservation in the future. The series of reports, including the ERI, were adopted as appendices to the master plan.

Regarding circulation, this update responded to recent data indicating that small, privately owned airports were under increasing pressure to convert to non-airport uses. The circulation element recommended that the Township seek to preserve Solberg-Hunterdon airport, through municipal acquisition if deemed necessary.



Clarke Caton Hintz

2002 Amendment to the Master Plan: Goals and Policies; Land Use Plan; Conservation, Natural Resources and Agriculture Plan

In May of 2002, the list of Goals and Policies in the master plan was updated to add a policy regarding the protection of viewsheds. Specifically, under the category of environmental protection, the following policy was added: “protect and preserve the scenic viewsheds and scenic edges of public thoroughfares through the classification, location and configuration of land uses”

The Land Use Plan Element was updated to recommend the rezoning of three blocks along Route 202 in the southeastern portion of the Township. Blocks 80 and 94 were included in the Agricultural Residential (AR) land use classification in order to better align the land use plan with existing agricultural land uses. The impetus for this change also had its basis in the 2001 master plan reexamination and 2001 State Plan.

The land use plan was also amended to include block 82 within the SC-3 Senior Citizen housing land use category to make the development of senior housing more viable in this location.

2005 Housing Element and Fair Share Plan (COAH’s Third Round Version 1)

COAH’s Third Round introduced the concept of “growth share” that linked the production of affordable housing with residential and non-residential development that occurs in a municipality. This marked a significant departure from COAH’s prior two rounds of affordable housing which had previously assigned an affordable housing obligation as an absolute number to each municipality in the two rounds.

In November of 2005 the Township adopted its Third Round Housing Element and Fair Share Plan. Readington Township’s adopted 2005 plan addressed a third round affordable housing obligation of 546 units, which consisted of 394 units from the prior round obligation and a 152-unit growth share component. Readington petitioned the Council on Affordable Housing for substantive certification of its plan on December 20, 2005. Additionally, the Township has adopted a Growth Share Ordinance that requires future non-residential development to address the affordable housing generated by the amount of non-residential building square footage approved and constructed. COAH did not conduct a substantive review of the 2005 Plan and did not certify the Plan prior



Clarke Caton Hintz

to the issuance of the Appellate Court decision in January 2007³. However, due to COAH's revised substantive and procedural rules (effective June 2, 2008 and October 20, 2008), the Township has prepared an amended Third Round Housing Element and Fair Share Plan for submittal to COAH by December 31, 2008.

2007 Whitehouse Corridor Master Plan

In September of 2007 a draft of the Whitehouse Corridor Master Plan was completed. The objective of this plan is to create a vision for the Route 22 corridor and the Villages of Whitehouse and Whitehouse Station.

The plan seeks to address the undesirable aspects of the areas along Route 22 that do not reflect the historic character of the nearby villages or the rural areas of the Township. The plan proposes a variety of measures in order to curtail further isolated highway-oriented commercial development along Route 22.

The plan also provides design guidelines/standards for items such as site design, architecture, landscape design, and signage. These guidelines are also intended to curtail development inside and outside the villages that is incompatible with the historic character of the villages or larger rural character of the Township. Additionally, the plan provides recommendations for improved off-street parking in Whitehouse Station, additional vehicular, pedestrian and bicycle connections, and the provision of public facilities in Whitehouse Station.

Some elements (design standards) have been codified, while other elements (land use, wastewater) have not been incorporated within the master plan or LDO.

2008 Housing Element and Fair Share Plan (COAH's Third Round Version 2)

Based on the outcome of the January 2007 New Jersey Appellate Court decision, COAH adopted amendments to its rules to address the deficiencies identified by the Court. COAH's revised rules, effective on June 2, 2008, as well as a further rule revision, adopted September 22, 2008 and effective on October 20, 2008, provided residential development and job projections for the third round (which was expanded to encompass the years 2004 through 2018). Additionally, COAH revised its growth share ratios to

³ On January 25, 2007, the Appellate Division published a decision in the Matter of the Adoption of N.J.A.C. 5:94 and 5:95 by the New Jersey Council on Affordable Housing which invalidated the Council on Affordable Housing ("COAH") growth share provisions.



Clarke Caton Hintz

require one affordable housing unit for every four market rate housing units developed and one affordable housing unit for every 16 jobs created, still expressed as non-residential building square footage. The Township was required to revise its Third round plan to comply with these new rules.

Accordingly, on November 24, 2008 the Township adopted its revised Third Round Housing Element and Fair Share Plan. Readington Township's adopted 2008 plan addressed a third round affordable housing obligation of 586 units, which consisted of 394 units from the prior round obligation and a 192-unit growth share component. The third round obligation will be satisfied with 16 surplus prior round family sales units (Lake Cushetunk Woods), 33 bedrooms in special needs housing, a 10 unit rental market to affordable program, 48 age-restricted rentals in an expansion of the Mirota residential complex, 10 extensions of units with expiring controls, 36 units in two (2) municipally-sponsored construction sites, 12 family rental units as part of a mixed use development known as Cushetunk Manor.



3. MAJOR PROBLEMS AND OBJECTIVES AT THE TIME OF THE ADOPTION OF THE 2007 REEXAMINATION REPORT AND THE EXTENT TO WHICH THEY HAVE CHANGED (40:55D-89.a AND b)

Route 22-Implementation of Whitehouse Corridor Plan

Once the Whitehouse Corridor Plan is adopted, the Township should begin to implement the plan's recommendations including updates to the master plan and corresponding zoning changes.

The recommendations from the draft study of the Whitehouse Corridor have not yet been incorporated within the master plan and land development ordinance. The matter remains valid.

Sewer Service Area - Wastewater Management Plan

The wastewater management plan is significantly outdated. The plan should be updated to account for recent zoning changes including any changes that emerge from the recommendations of the Whitehouse Corridor Plan.

With the July 7, 2008 adoption of the Water Quality Management Planning Rules (NJAC 7:15), each County Board of Chosen Freeholders is now the agency with responsibility for preparing and amending Wastewater Management Plans ("WMPs"). WMPs are required to describe how and from where wastewater is collected, treated, and disposed of, as well as other information designed to assure that the groundwater and other elements of our environment are protected. Hunterdon County has initiated the process of creation of its WMP. As with the other Hunterdon County municipalities, Readington is to provide specified information to the County for consideration in the plan. As the County WMP is completed, Readington's wastewater management will be treated as a specific chapter of the overall County WMP. The deadline for Hunterdon County to submit its WMP to NJDEP is April 7, 2009.

Readington has begun working on the requirements of the Wastewater Management Plan (WMP) in 2008. This matter remains to be addressed, in light of the 2008 WQMP rules and other goals of the Township.



Clarke Caton Hintz

AR - Agricultural Residential Zone

The Agricultural Residential zone has been in place for almost 10 years. The Township should review the effectiveness of the AR zoning district in accomplishing its goals and determine what, if any, changes are needed to the district regulations and zone boundaries.

There have been no changes in the boundaries or regulations since the last reexamination. The matter of addressing nitrate dilution in unsewered areas of the Township, as well as other land use objectives, remains a valid issue and means revisiting the AR zone.

SSR - Steep Slope Residential Zone-Review of zone, is it accomplishing goals

The Township should review the effectiveness of the SSR zoning district in accomplishing its goals and determine what, if any, changes are needed to the district regulations and zone boundaries.

There have been no changes in the boundaries or regulations since the last reexamination. The matter of addressing nitrate dilution in unsewered areas of the Township, as well as other land use objectives, remains a valid issue and means revisiting the SSR zone

Rural Residential Zone Clustering

The Township should review the clustering provisions of the Rural Residential zoning district. These provisions allow an applicant to utilize smaller minimum lot sizes in exchange for setting aside a large portion of the tract for open space. Specifically, the minimum threshold for clustering, currently at 30 acres, should be revisited to determine if a lower threshold of 15 or 20 acres would allow for more opportunities for clustering. The Township now favors open space and conservation areas over agriculture in the Rural Residential district.

There have been no changes in the clustering threshold or open space controls since the last reexamination. The matter of addressing nitrate dilution in unsewered areas of the Township, as well as other land use objectives, remains a valid issue and means revisiting the RR zone



Clarke Caton Hintz

Affordable Housing

It is anticipated that Readington Township, as well as all municipalities under COAH's jurisdiction, will be required to amend their third round plan in 2008 to address COAH's revised third round regulations. Pending the release of the new rules the Township should revise its Third Round Plan and Growth Share Ordinance accordingly. The Township should investigate the possibility of incorporating group homes for the elderly as part of its housing plan.

This recommendation has been addressed. The Township adopted a revised Third Round Housing Element and Fair Share Plan (HEFSP) in December 2008. Group Homes were incorporated into the Township's plan. Readington should monitor the certification process with COAH in order to address any additional elements that may be required from COAH. Opportunities for implementation of the HEFSP should be considered and expedited, where consistent with the overall goals and objectives of Readington. While the matter has been largely addressed, ongoing oversight should continue.

Senior Citizen Housing

The previous changes to SC zones have been successful in creating opportunities for age restricted housing. However, other forms of senior living for individuals who require varying levels of care, or who are low income, have not materialized, despite their status as permitted uses. The Township should examine the existing senior citizen zoning districts to determine if any changes are needed to allow for group homes for the elderly and to further encourage the development of assisted living facilities.

The Township continues to value the creation of senior citizen housing where infrastructure capacity exists to support it. There have been no changes in the boundaries of senior housing zones or regulations governing senior housing of since the last reexamination. Senior housing opportunities, consistent with the wastewater capacity and other land use objectives, remains a valid issue.



Clarke Caton Hintz

Impervious Cover

The Township should examine the existing limits on impervious coverage to determine if any changes are necessary to better protect water quality and promote recharge.

This recommendation has yet to be addressed and remains valid.

Tree Protection/Woodlands

The LDO should be revised to create better protection of woodlands throughout Readington. The Township should investigate developing a tree replacement or reforestation ordinance.

This recommendation has yet to be addressed. Woodland protection concerns are highlighted with the release of updated NJDEP Landscapes Project habitat data (versions 2.1 and 3.0) Land use regulations to better protect woodlands and individual trees should be considered. Additionally, tree protection measures have not been codified. These issues remain valid.

Scenic Resources

Scenic resources, or viewsheds, within the Township should be identified and an ordinance drafted to ensure the preservation of this resource.

This issue was partially addressed in 2002 with the implementation of increased buffers in the B zone along Routes 22 and 202. The issue of identifying and protecting scenic viewsheds throughout the entire Township has yet to be addressed and remains valid.

B Business Zone – Old Route 28

It is recommended that the B district zoning along Old Highway 28 in Whitehouse be revised to reflect the existing residential neighborhood and to alleviate the burden to homeowners who are improving their dwellings.

Changes to the land use plan and Land Development Ordinance have not been made to address this matter. The draft plan for the Whitehouse Corridor examined these issues



Clarke Caton Hintz

and has made recommendations regarding the rezoning of these parcels to better align the zone plan with the goals and objectives of the master plan. The issue remains valid.

B Zone - Route 202-Three Bridges

Two areas zoned Business (B) remain along the Route 202 corridor. These areas should be studied to determine their compatibility with the surrounding zoning and if any zoning changes are necessary.

There have been no changes since the last reexamination report. This issue remains valid.

Open Space and Farmland Preservation

Preservation efforts should continue, given the ongoing support of the State and Hunterdon County. The Parks, Recreation and Open Space Plan along with the soon to be adopted Farmland Preservation Plan should be updated to reflect any changes in preservation priorities and opportunities as they arise, but no immediate changes are necessary to the master plan.

This issue has been partially addressed. The Township updated its Farmland Preservation Program and master plan element December 2008 in accordance with the newly adopted SADC rules. This was a new comprehensive Farmland Preservation Plan. New priorities within the Recreation and Open Space Plan have not been addressed since the last reexamination report and remain valid.

Community Farm Stand

The Township has expressed an interest in creating a public, community farm stand on Township owned property. This facility could be utilized by Township farmers to sell and display their produce in, ideally, a visible location along a major highway like Route 202 or Route 22. The Township should review current and potential sites and further investigate the feasibility of developing such a facility.

This issue has yet to be addressed and remains valid.



Clarke Caton Hintz

Historic Preservation Plan Element

The Township should review its Historic Preservation Element to determine if an update is necessary.

This has yet to be addressed and remains valid.

Circulation Plan Element

This element should be updated to reflect some of the recent County road modifications and to identify roads that contribute to the rural character of the Township. Pedestrian and bicycle circulation should also be addressed. Interrelationships between various transportation modes and public transportation should be evaluated.

This has yet to be addressed and remains valid.

Community Facilities Plan Element

This element should be updated to address some of the recent improvements to the municipal building, the preference of the Township for a North County Library in the vicinity of Routes 22 and 523, and public safety needs.

This has yet to be addressed and remains valid.

Residential Site Improvement Standards

The Land Development Ordinance should be revised to incorporate RSIS standards, by reference, and to remove any standards that are in conflict.

This has yet to be addressed and remains valid.

Hunterdon County Agriculture Development Area (ADA)

The boundaries of the ADA should be examined to determine whether changes are appropriate. Certain properties should be examined to see if they should be added to the



Clarke Caton Hintz

ADA. Changes in the ADA boundary may warrant revisions to the boundaries of zoning districts.

The ADA boundary in Readington has been amended several times over the last decade. There have been no changes in the ADA boundary since the last reexamination report. Readington Township should reexamine the current boundary of the certified ADA and suggest changes if changes were advisable to the CADB. This issue remains valid.

Sustainability Audit

A sustainability audit is an exercise that examines a community's master plan and zoning ordinance to assess their environmental impacts. The Township should undertake a sustainability audit to determine if any changes are needed to land use ordinances to improve the sustainability of development within the Township (e.g. reducing water and energy consumption). Similarly, a review of the master plan should be undertaken to recommend changes that protect natural resources, encourage environmentally friendly land use, and promote efficient patterns of development.

This has yet to be addressed and remains valid.

Local Scenic Roadways

The Township should investigate the feasibility of establishing a local scenic roadway program for Township-owned roads similar to the scenic byway program administered by the NJ Department of Transportation.

This issue has yet to be addressed and remains valid.

Religious/Assembly Uses

The Township should review its current zoning regulations pertaining to religious and assembly uses. These uses should be removed as permitted uses in residential zones and be allowed as principal uses in industrial and commercial zones only.

This issue has not yet been addressed and remains valid.



RO - Research Office Zone

The RO zone along Route 22 should be evaluated to determine if a more appropriate designation is warranted. These areas should also be evaluated with respect to land preservation objectives.

The draft study of the Whitehouse Corridor examined these issues regarding the rezoning of these parcels to better align the zone plan with the goals and objectives of the master plan. No changes have been made. This issue remains valid.

Parking Lot Design

The parking lot standards should be redesigned to require more shade trees, put lower limits on impervious cover and permit the utilization of alternative pavements where appropriate.

In 2003 the parking lot landscape standards were amended to increase tree planting requirements to one tree per every three parking spaces. The stormwater ordinance, adopted in 2002 and amended in 2007, allows for the use of pervious pavements as an alternative to asphalt in parking areas. The limits on impervious cover have not been changed since 2001, and that issue remains valid.

Flora and Fauna

The LDO should be revised to require protection of critical wildlife habitats, possibly through the use of buffers or overlay zones.

The release of updated NJDEP Landscapes Project habitat data suggests a renewed look at this information in the context of zoning district designations and regulations. This issue remains valid.

Recycling Plan Element

The Recycling Plan element should be updated.

This issue has yet to be addressed and remains valid.



4. RELEVANT CHANGES IN ASSUMPTIONS, POLICIES & OBJECTIVES AT THE LOCAL, COUNTY AND STATE LEVELS (40:55D-89.c)

2008 Water Quality Management Act – Revised Wastewater Management Plan Rules

In 2008 a revised Water Quality Management Act was adopted. Concurrently, the NJDEP released revised Wastewater Management Planning Rules (N.J.A.C 7:15 et seq.). New criteria for the designation of sewer service areas was promulgated, which links service areas to those lands that do not exhibit critical habitat. The new NJDEP regulations limit septic system discharge to a maximum of 2,000 gallons per day and set the anti-degradation nitrate dilution concentration limit at 2 mg/L. The NJDEP rules require that a municipality (or County) determine the effect on water quality from septic systems by examining the average nitrate dilution levels on a watershed basis (Hydrologic Unit Code II or HUC-II). The resultant analysis provides an estimate of the number of septic systems per acre or septic density that the HUC-II can accommodate and still meet the NJDEP dilution standards for both normal and drought recharge conditions. The Township has chosen to use the recharge standards assuming drought conditions, and may reduce densities beyond the minimum recommended, to ensure a higher level of groundwater protection.

In order to address the Water Quality Management Act, the Township's consultants have begun revising the Wastewater Management Plan. The initial results of their analysis indicated that the Readington Lebanon Sewerage Authority's (RLSA) capacity is fully allocated (0.8 MGD). No additional expansions to the plant are contemplated.

With respect to the un-sewered lands within Readington, preliminary results from the Township's wastewater consultants indicate a maximum average septic system density of 1 unit per 7 acres for each of the Township's four HUC-II watersheds under drought conditions. This density is lower than what is currently permitted by zoning in the un-sewered areas of the Township. Based on the results of this analysis the Township should consider density and minimum lot size changes through the un-sewered areas of the Township to better align the land use plan with the latest NJDEP regulations on nitrate dilution.

NJDEP Landscapes Project Habitat Version 2.1 and 3.0

Beginning in 2001, NJDEP initiated a habitat mapping system that categorizes, ranks, and maps wildlife habitat across the State. Habitat areas are broken into types (i.e.



Clarke Caton Hintz

grassland, woodland, etc.) and then ranked from zero to five according to their significance for supporting habitat for priority, rare, threatened, and endangered species.

Ranks 3, 4, 5 are considered to be the most critical habitat areas as they contain habitat for threatened and endangered species. In 2008, the DEP released newly updated versions of this system based on 2002 Land Use/Land Cover (LU/LC) data. Version 3.0, which covers the Highlands and immediately adjacent areas, represents a new methodology for delineating habitat. Referred to as a “species-based patch approach”, instead of combining the unique LU/LC classes into the five habitat types, the DEP assigns a specific set of LU/LC classes for each species which are then combined into a potential layer relating to species needs. Individual species occurrence areas are then intersected with the appropriate habitat patches. Finally, habitat patches are classified based on the status of the species present using the same 0 to 5 ranking criteria as in prior versions.⁴ In 2008 the DEP also released Version 2.1 for the remainder of the State which updated Version 2.0 with 2002 LU/LC data and new species occurrence information.

As Readington Township is immediately adjacent to the Highlands Area, it is split by both version 2.1 and 3.0 of the Landscapes data. The Township should examine both sets of data to assess where existing concentrations of critical habitat are located. Large concentrations of critical habitat are, generally, found adjacent to Round Valley Reservoir, as well as around Round Mountain, and within areas adjacent to stream corridors and within clusters of open meadows. This data is being used to inform the revision process for the land use plan and conservation plan elements. The Township should review land use policies to put a greater emphasis on the protection of these and other regulated natural resources. The Township may accomplish this by adjusting permitted density, minimum lot sizes or increasing the required open space set-aside for cluster-developments.

MLUC Rockaway Creek STAR Project

Beginning in 2007, The Municipal Land Use Center (MLUC) at the College of New initiated a study of the pollution export potential of lands within the Rockaway Creek watershed. The MLUC utilized a geographic information system model that analyzed the slope, groundcover, soil types, and hydrologic characteristics of the area within the watershed to identify those lands that are most susceptible to transporting contaminated runoff into the Rockaway Creek. While some of the areas identified are already regulated under NJDEP freshwater wetlands and stream corridor rules, significant

⁴ New Jersey’s Landscape Project (Version 3.0 Highlands), p. 15



Clarke Caton Hintz

portions of this vulnerable land are unprotected. The MLUC has indicated that they may expand the study and indentify these critical lands throughout the remainder of the Township. Accordingly, the Township should incorporate this information into its Environmental Resource Inventory and utilize this data to inform land use policy decisions.

Regional Stormwater Study

The Township's hydrological consultant is in the process of developing a regional stormwater management plan (RSWMP). The RSWMP addresses stormwater issues on a watershed basis, acknowledging that watersheds span municipal and county boundaries. The latest interim report identifies sample stormwater projects and types of ordinances that might be implemented under a regional stormwater management framework. As work on this project progresses the Township should assess the costs and benefits of pursuing a regional approach to stormwater management. The findings may inform the Township's master plan elements and development ordinances.

COAH Third Round

Readington Township petitioned COAH for Third Round substantive certification on December 20, 2005. The new third round rules were challenged by the NJ Builders Association, the Fair Share Housing Center, ISP Management Company, and the Coalition for Affordable Housing and the Environment. In a unanimous decision in January 2007, the New Jersey Appellate Court invalidated key aspects of COAH's third round rules which govern the size of each municipality's fair share obligation and the manner in which the obligation can be satisfied. The Court ordered COAH to propose and adopt amendments to its rules to address the deficiencies identified by the Court. COAH's revised rules, effective on June 2, 2008, as well as a further rule revision, adopted September 22, 2008 and effective on October 20, 2008, provide residential development and job projections for the third round (which was expanded to encompass the years 2004 through 2018).

COAH also revised its ratios to require one affordable housing unit for every four market rate housing units developed and one affordable housing unit for every 16 jobs created, still expressed as non-residential building floor area. Municipalities are required to set forth in the Housing Element and Fair Share Plan how they intend to accommodate the affordable housing obligation generated by COAH's revised third round growth projections. However, COAH's substantive rules also require that a municipality provide a realistic opportunity for affordable housing in proportion to its



RELEVANT CHANGES IN ASSUMPTIONS, POLICIES & OBJECTIVES

Clarke Caton Hintz

actual growth during the third round as expressed in certificates of occupancy issued for residential and nonresidential development.

In addition, on July 17, 2008 Governor Corzine signed P.L.2008, c.46 (also known as the “Roberts’ Bill” after NJ Assembly Speaker Joseph Roberts), which amended the Fair Housing Act in a number of ways. Key provisions of the bill include the following:

- Establishing a statewide 2.5% nonresidential development fee instead of a nonresidential growth share delivery for affordable housing;
- Elimination of regional contribution agreements; and
- Requirement for 13% of the third round affordable housing units and 13% of all units funded by the Balanced Housing Program and the Statewide Affordable Housing Trust Fund to be restricted to very low income households (30% or less of median income).

COAH has not yet promulgated rules to effectuate the “Robert’s Bill”. It is anticipated that COAH will propose revised regulations, consistent with P.L. 2008, c.46, in early 2009.

On December 11, 2008 Readington Township has adopted a revised Third Round Plan that addresses the Township affordable housing obligation under the revised rules. The focus for the remainder of the third round will be on implementation and monitoring of the plan.

Ground Equipment at Wireless Telecommunications Facilities

The Township’s wireless facilities ordinance has been successful in requiring service providers to co-locate on existing structures. With this success, however, has come a proliferation of ground equipment shelters and cabinets and increasingly large base compounds. With this increase in intensity at the base of wireless facilities, have come concerns about the potential negative visual impact on the surrounding area. The Township should reexamine its wireless facilities ordinance and determine if any changes are necessary related to buffering and screening of ground equipment.



Energy Independence and Security Act of 2007

On December 19, 2007 President Bush signed the Energy Independence and Security Act into law. This federal law seeks to increase energy efficiency and the availability of renewable energy. The key provisions of the law deal with increasing automobile fuel economy, increasing the use of renewable fuels, setting new standards for energy efficiency, and the repeal of certain oil and gas tax incentives. Of particular importance for the Township are the provisions that set a variety of new energy efficiency standards for lighting. Specifically, the law will phase out the use of incandescent light bulbs (with some exceptions) and set strict efficiency standards for metal halide lamps (commonly used in exterior site lighting). The Township should examine the provisions of its lighting ordinance to determine what changes may be necessary to conform to the provisions of the new law.

Farmland Preservation

In November of 2007 New Jersey voters approved a referendum authorizing an additional \$200 million in bond financing for the Garden State Preservation Trust.

The Township continues its active role in preserving farmland. As of October 2008, there were 4,567 acres of preserved farmland in Readington, plus 119 acres under contract for preservation. This figure includes easements acquired via Green Acres, Cluster Development, and Donation. This equates to approximately 20% of the farmland currently preserved within in Hunterdon County.

Open Space Preservation

As with farmland preservation, Readington has increased its efforts to obtain funding for open space preservation. Readington continues to actively acquire undeveloped tracts for open space preservation, with particular attention to those tracts that impact critical environmental resources. Mechanisms employed by the Township include fee simple purchase, purchase of development rights, donations and preservation of open space through the cluster subdivision provisions. Readington supports these activities through tax revenue and through partnerships with the State of New Jersey Green Acres, the Trust for Public Land and Hunterdon County. As of 2008, 1,959 acres have been preserved as township-owned open space, 873 acres are State-owned open space, and 686 acres are County-owned open space. Including farmland, Readington's total preserved land stands at an impressive 8,204 acres. The Township will continue to



Clarke Caton Hintz

pursue open space preservation, supported by Green Acres funding, county, and local funding sources.

North County Library.

Hunterdon County has been investigating locations to construct a new North County Library. The Township has expressed a preference for the area around the Route 523/Route 22 intersection. This area is conveniently located, highly visible, and contains several larger properties that could accommodate the library.

Hunterdon County Growth Management Plan

In September 2007, Hunterdon County released a draft, county-wide, growth management plan that provides a vision for the County through the year 2020. The overriding themes of the plan center on the need to preserve the county's remaining agricultural landscape, to support a healthy, sustainable environment, and to establish an extensive network of public open spaces, farmland and protected natural resources. Recognizing, however, that additional growth will continue to occur, the plan offers guidance on how to make new development best fit into the County's unique, ecologically sensitive landscape.

State Plan Cross Acceptance Process

From 2004 through 2007, the Township participated with Hunterdon County in the State Plan Cross Acceptance process. Readington Township was part of county planning region 5 that also included Clinton Town, Clinton Township, Lebanon Borough, High Bridge Borough, Franklin Township, and Union Township. Several significant planning area changes are recommended for Readington including completely removing the PA 4 and PA 2 designations from the Township. The PA 2 designation would be replaced with a combination of PA 3, PA 4B, and PA 5, the goal being to better protect environmentally sensitive areas, limit additional growth outside of the identified Whitehouse Station Community Development boundary, and provide a buffer from more intensely developed areas to the east in Branchburg Township. In addition, the Township has proposed the villages of Whitehouse Station and Three Bridges as centers. It should also be noted that the Township identified a critical environmental site (CES) within the Village of Whitehouse Station. A new State Plan is underway, but has not yet been released.



Plan Endorsement

The State Planning Commission updated the Guidelines for Plan Endorsement in 2007. Achieving Plan Endorsement status is a comprehensive process that results in an official determination that a municipal plan is consistent with the State Plan. The process seeks to coordinate the planning initiatives of the state with local plans. The Office of Smart Growth (OSG) explains that the benefits of obtaining plan endorsement are financial and technical assistance from the State to help implement an endorsed plan.

The Township should continue to evaluate their planning priorities to determine when Plan Endorsement should be undertaken and what planning activities are in the best interest of the Township.

Signs

Recent cases in Clinton Township and Union Township, where advertising companies are pursuing litigation in order to sanction the development of billboards along highway corridors demonstrates a legitimate threat to the visual character along Readington's public thoroughfares. Readington should protect the viewshed of public rights-of-way from such intrusions through appropriate land use regulations.



5. RECOMMENDED CHANGES (40:55D-89.d)

Whitehouse Corridor

Recommendations for changes within the Whitehouse Corridor, as contained within the 2007 draft, should be reviewed in light of current issues and considered for implementation.

Introduction of Special Resource District

It is recommended that a new Special Resource Residential (SRR) district be introduced to expand the focus on protection of critical environmental features beyond steep slopes to other critical features in order to protect critical water resources and wildlife habitat.

This could replace the SSR zone and include additional lands with concentrations of critical environmental features such as but not limited to land within the regulatory flood plain, wetlands, stream corridors, critical habitat areas (defined as Ranks 3, 4, and 5 in the latest NJDEP Landscape Project), and watersheds of trout maintenance and trout production streams.

Changes to Agricultural Residential District

The Agricultural Residential Zone should be expanded to include lands adjacent to the Agricultural Development Area boundary as well as areas that exhibit a similar character to the lands currently within the AR district. Modifications to the minimum lot size, density or open space set aside (in the case of cluster subdivisions) should be considered in order to effectuate policies relating to conservation and wastewater.

Changes to Rural Residential (RR) District

The boundaries of the RR district should be adjusted where it is located in areas of critical habitat and where it would facilitate positive changes in the pattern of development. Along certain stretches of Route 22, the RR zone may replace non-residential districts where public sewer service is unavailable and where other land use objectives may be realized.



Clarke Caton Hintz

Changes to Residential-1 (R-1) District

Larger lots in the Route 22 corridor should be considered for a lower density where public sewer is unavailable.

Changes to Village Residential (VR) District

The VR district should be enlarged to include the majority of the lots in the Village of Whitehouse, excluding only those that will remain in the B district. This should take into account and reinforce the traditional pattern of existing development of this historic village.

Other lands for consideration of the VR designation include those lands on that will remain in a sewer service area and are in proximity to Whitehouse Station.

Introduction of Hamlet Residential (HR) District

It is recommended that a new Hamlet Residential (HR) district be introduced in the villages of Stanton and Readington to reflect existing conditions in those areas and to preserve the existing character of these historic settlements.

Changes to Senior Citizen District

The SC-3 Zone should be removed from the site in Three Bridges along Route 202, given the lack of available sewer infrastructure to support development at higher densities. This area should be replaced by the AR Zone. Additional opportunities for senior housing should be considered where infrastructure supports.

Changes to Research Office Manufacturing (ROM-1, ROM-2) Districts

Portions of the ROM-1 district south of Route 22 should be eliminated, where residential uses predominate. Designation as Village Residential should be explored to permit higher densities where public sewer is available or planned.

The ROM-2 district should be reduced to eliminate those lots along Coddington Road that have not developed in accordance to the ROM-2 district standards, do not have



Clarke Caton Hintz

public sewer and thus have retained the rural character of much of the surrounding area.

Changes to Research Office (RO) District

This district should be eliminated from those lands that are north of Route 22 but east of its intersection with Route 523. The RO district should replace the isolated area of RR zoning in the Merck property, which would create more flexibility for future corporate campus development.

Changes to Village Commercial (VC) District

Several lots on the west end of Old Highway 28 in the Village of Whitehouse should be considered for designation as Village Commercial (VC) to reflect the existing non-residential uses there in contrast to the largely residential character of the remainder of the village.

Introduction of Village Hospitality (VH) District

It is recommended that a new Village Hospitality (VH) district should be created on lands at the eastern end of the Village of Whitehouse, including the Ryland Inn and lands to the northwest. This would replace the B and RO-1 districts. This zone would permit such uses as hotels, bed and breakfast inns, spas and restaurants. The district's intention is to support the existing hospitality use in this area and preserve the existing gateway/terminus in the Village by permitting new uses that will complement the existing Ryland Inn.

Standards for this district should be developed such that the existing character created by the Ryland Inn, including the historic architecture, scale, and setback, are maintained. The open space along the front of the Ryland Inn should be maintained to visually enhance to prominence of the site.

Changes to Business (B) District

In line with Township's goal to concentrate development along the Route 22 corridor at specific nodes, in an effort to stem "strip commercial" development trends, the B district



Clarke Caton Hintz

should be reduced along Route 22. It should be concentrated at two clusters- one at Route 523 and one at Ridge Road.

At Ridge Road those lands whose B zoning is proposed for elimination should be considered for less intense non-residential and residential zoning that more accurately reflects the desired character of the area and the Township's desire for low intensity uses on the periphery of the nonresidential clusters.

Properties zoned for B Business in Three Bridges should be examined to determine if zoning changes are warranted.

Introduction of Professional Office (PO) District

It is recommended that a Professional Office (PO) district be introduced. The PO zone would permit small office and service uses on small existing lots. Four areas of this district appear to be appropriate along Route 22, east of its intersection with Route 523. Much of the district could be created from the B district.

This new designation is intended for low intensity office uses that are not dependent on the provision of sewer, consistent with the anticipated changes to the sewer service area and the Township's desire for less intense commercial (retail) uses along the eastern section of Route 22.

Religious/Assembly Uses

Based on the trend in the Township of religious/assembly uses to occupy larger physical spaces, they have become increasingly incompatible with the scale and character of residential districts. Accordingly, these uses should be removed as permitted uses in residential zones and be accommodated in non-residential districts as appropriate.

Scenic Roadways

The Township should investigate the feasibility of establishing a local scenic roadway program for Township-owned roads similar to the scenic byway program administered by the NJ Department of Transportation. Readington's endorsement of the Route 78 Scenic Byway application may result in a Federal designation of Route 78 in Readington as a Scenic Byway. Regulations should be considered to support that designation. Funding may be available for local regulation development from the Federal Highway Administration if the designation is successful.



Sustainability Audit

A sustainability audit is an exercise that examines a community's master plan and zoning ordinance to assess their environmental impacts. The Township should undertake a sustainability audit to determine if any changes are needed to land use ordinances to improve the sustainability of development within the Township (e.g. reducing water and energy consumption). Similarly, a review of the master plan should be undertaken to recommend changes that protect natural resources, encourage environmentally friendly land use, and promote efficient patterns of development.

Community Farm Stand

The Township has expressed an interest in creating a public, community farm stand on Township owned property. This facility could be utilized by Township farmers to sell and display their produce in, ideally, a visible location along a major highway like Route 202 or Route 22. The Township should review current and potential sites and further investigate the feasibility of developing such a facility.

Statement of Objectives, Principles, Assumptions, Policies, and Standards

The statement of Objectives, Principles, Assumptions, Policies, and Standards should be updated and consolidated to add policies that pertain to the conservation of natural resources and the protection of groundwater quality.

Conservation Plan Element

The existing Conservation, Natural Resources, and Agriculture Plan Element, last amended in 2002, should be revised. The element should be separated into two parts—the conservation element and the farmland preservation element (adopted in December 2008). The Conservation Plan element should be updated to account for the release of the new Landscapes Project Habitat Data and the new NJDEP Wastewater Management Plan and Water Quality Rules. Modifications to reflect open space priorities should be included.



Utilities Plan Element

The Utilities Plan element should be updated to account for proposed changes in the Sewer Service Area boundary that are being developed in conjunction with the update of the wastewater management plan and nitrate dilution targets for un-sewered areas. Capacity of the public sewer system and the land to accommodate wastewater should be employed in a capacity-based approach to the land use plan.

Provisions for alternative energy production facilities, such as those using solar and wind power, should be integrated within the Land Development Ordinance in a manner that does not compromise other policies relating to community character, farmland preservation or natural resource protection.

Historic Preservation Plan Element

The Township should review its Historic Preservation Element to determine if an update is necessary.

Circulation Plan Element

This element should be updated to reflect some of the recent County road modifications and to identify roads that contribute to the rural character of the Township. Pedestrian and bicycle circulation should also be addressed. Interrelationships between various transportation modes and public transportation should be evaluated.

Community Facilities Plan Element

This element should be updated to address some of the recent improvements to the municipal building, the preference of the Township for a North County Library in the vicinity of Routes 22 and 523, and public safety needs.

Recycling Plan Element

The Recycling Plan element should be updated to account for current laws and regulations. The Township should also investigate what would be necessary to allow for the recycling of building materials.



Clarke Caton Hintz

Environmental Resource Inventory (ERI)

The ERI should be updated to include the most recent Landscapes Project Habitat Data.

Residential Site Improvement Standards

The Land Development Ordinance should be revised to incorporate RSIS standards, by reference, and to remove any standards that are in conflict.

Hunterdon County Agriculture Development Area (ADA)

The boundaries of the ADA should be examined to determine whether changes should be recommended to the CADB.

Impervious Cover

The Township should examine the existing limits on impervious coverage to determine if any changes are necessary to better protect water quality and promote recharge.

Tree Protection/Woodlands/Flora

The Township should investigate developing a tree replacement, tree protection or reforestation ordinance. The Township should also investigate measures to ensure the protection of certain threatened species of flora.

Scenic Resources

Scenic resources, or viewsheds, within the Township should be identified and an ordinance drafted to ensure the preservation of this resource.

Sewer Service Area - Wastewater Management Plan

Work on updating the plan and the boundaries of the sewer service area should continue and should account for any proposed land use changes that arise in 2009. Readington should assist the Hunterdon County Planning Board in fulfilling the requirements promulgated by the NJDEP in a manner which reinforces the Township's land use objectives.



Clarke Caton Hintz

Signs

Readington should review and amend the sign ordinance to ensure a regulatory framework that protects the public rights-of-way from unwanted visual intrusion from signs.

Affordable Housing

Readington should continue implementation and monitoring of the third round plan. Changes to the assumptions upon which the Housing Plan Element and Fair Share Plan are based should be analyzed and addressed as needed throughout COAH's third round.

Lighting

Readington should investigate changes to the lighting ordinance to be consistent with the Energy Independence and Security Act of 2007. The lighting standards should be reviewed with respect to IESNA standards and revisions made accordingly.

Low Impact Development Practices

The Township's ordinances should be reviewed to ensure the use of low impact development practices.

Hydrogeologic Study

The Township should consider undertaking a hydrogeologic study that would investigate aquifer health and its capacity to support additional development.