



2023

# Master Plan Reexamination



**ADOPTED: OCTOBER 23, 2023**

Readington Township, Hunterdon County, New Jersey

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# 2023 Master Plan Reexamination Report

Readington Township, Hunterdon County, New Jersey

Adopted by the Readington Township Planning Board on October 23, 2023

Prepared for the Readington Township Planning Board by

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## 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 and/or preservation occur 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.

### Periodic Reexamination

The governing body shall, at least every 10 years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination.

--- NJSA 40:55D-89

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, which are adopted by the City Commission, constitute the primary law governing the use of land at the local level. Under New Jersey's Municipal Land Use Law *N.J.S.A. 40:55D-1 et seq.*, (hereinafter "MLUL") a zoning ordinance must be substantially consistent with the land use plan.

A master plan 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. Under the MLUL, the Planning Board must conduct a general reexamination of its master plan and development regulations at least every ten years.

Six 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 of population and land uses, housing conditions, circulation, conservation of natural resources, energy*

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*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.<sup>1</sup>*
- f. The recommendations of the Planning Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.*

As the statute indicates, 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. A reexamination report may contain recommendations for the Planning Board to examine certain land use policies or regulations.

While carrying forth recommendations from the 2019 reexamination report, this reexamination report addresses those topics that have arisen since the last Reexamination Report in 2019. Among others, these recommendations include:

- A rezoning of the Route 22 corridor, including new zones, modified zones, updated standards and additional uses, including mixed uses, and;
- Evaluate existing standards and the creation of new land use ordinances and standards; and

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<sup>1</sup> *N.J.S.A. 40:55D-89*

- Identify sites within the Township for redevelopment.

All of the required components for a reexamination report are included herein:

- **Section 2** discusses the master plan elements, studies and reexamination reports previously adopted by Readington's Planning Board;
- **Section 3** identifies the relevant changes in assumptions, policies and objectives related to relevant characteristics of the Township underlying the recommendations of the last reexamination report.
- **Section 4** combines three of the required elements of a reexamination report into a single section in order to address subjects within a consolidated framework that identifies:
  - Major problems and objectives at the time of adoption of the 2019 Reexamination Report;
  - Extent to which problems and objective have changed;
  - Recommendations for study of, or amendments to, the master plan or land development regulations.
- **Section 5** identifies areas where implementation of redevelopment, through the NJ Local Redevelopment and Housing Law (C.40A:12A-1 et al.), should be investigated.
- **Section 6** identifies locations appropriate for the development of public electric vehicle infrastructure



## **2 PAST PLANNING EFFORTS**

Readington Township's Master Plan was initially adopted on January 22, 1990. Since then, the Township Committee and Planning Board have undertaken a continuous planning process and several ordinance updates since the last Reexamination Report was adopted on February 11, 2019. A review of the Township's planning documents adopted by the Planning Board is summarized below.

### **1990 Comprehensive 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,

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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 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 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

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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.

### **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 to the issuance of the Appellate Court decision in January 2007. 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 require one affordable housing unit for every four market rate housing

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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.

### **2009 Reexamination of the Master Plan**

The 2009 Reexamination report, primarily, reflected 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.

### **2009 Amendment to the Master Plan**

The amendment to the Master Plan of Readington Township consists of a Statement of Objectives, Principles, Assumptions, Policies, and Standards, Land Use Plan, Conservation Plan, and Utility Service Plan. The Statement of Objectives, Principles, Assumptions, Policies, and Standards established reasonable objectives to balance between farming, open space preservation and appropriate residential and commercial development with regard to the community's highways, facilities and services, natural features, existing development characteristics, and available land.

The Land Use Plan proposed changes such as, but not limited to, two new zone districts – the Special Resources Residential (SRR) district and the Hamlet Residential (HR) district, amended the manner which houses of worship are regulated and provided a build-out analysis.

The Conservation Plan examined the natural features, the natural and man-made systems, and existing and proposed land uses within Readington to assist efforts to strike an appropriate balance between future development, the preservation of environmental resources and the capacity of the underlying natural and man-made systems. Critical habitat reflective of the updated Landscape Project data, topography, geology, soils, steep slopes, flood plains, wetlands, and groundwater quality were also considered. State and County policies and goals in support of planning for the protection of these natural resources were also assessed.

The Utility Service Plan detailed the existing state of sewer and water service within the Township and recommended changes to the sewer service areas consistent with the Township's revised Land Use Plan Element and Wastewater Management Plan.

## **2014 Reexamination of the Master Plan and Subsequent Ordinance Amendments**

While carrying forward the bulk of the recommendations contained within the 2009 Master Plan Reexamination Report, the 2014 Reexamination report identified new factors contributing towards refinement and modification of land use policies, which included:

- The extent and progress of the reactivation and redevelopment of the historic Ryland Inn;
- The appropriateness of age-restricted residential use alternatives for the Village Hospitality zone;
- The impending vacancy of Merck's world headquarters building;
- The inclusion of the Whitehouse –Mechanicsville Historic District on the New Jersey and National Register of Historic Places.

The following ordinance amendments were adopted:

- **Ordinance #26-2014** (adopted December 15, 2014) modified the VH Village Hospitality Zone to recognize that the remainder of the zone would not be developed in conjunction with the Ryland Inn redevelopment. This amendment removed the bonus provisions for floor area ratio that were linked to the reuse of the Ryland Inn buildings, raised the maximum permitted floor area ratio from five percent (5%) to eight percent (8%), and increased the maximum permitted impervious coverage from 20% to 35%.

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- **Ordinance #27-2014** (adopted December 22, 2014) added “assisted living residences” to the SC-4 Senior Citizen -4 Overlay Zone; extended the SC-4 Overlay Zone to the VH Village Hospitality Zone; corrected the zoning map to accurately depict all locations of the SC-4 Overlay Zone; reflect a zone boundary change that had previously been adopted on March 17, 2014 that clarified the relationship between the VR Village Residential and VC Village Commercial district in a portion of Whitehouse Station;
- **Ordinance #05-2015** (adopted June 1, 2015) amended the boundaries of the AR and B Zone on the Walmart property (Block 14, Lot 49), adding 4.3+/- acres to the B Zone, to be consistent with a previous expansion of the Future Sewer Service Area (FSSA) and to foster a more viable use of the currently existing commercial use.
- **Ordinance #07-2015** (adopted September 8, 2015) was drafted to provide for additional non-residential options for development within the RO zone, recognizing that Merck’s headquarters building was being vacated. This amendment to the RO Research Office added “medical offices” and “hotels” as permitted uses, provided for additional accessory uses (conference centers, restaurants, bars and health/recreation) to hotels, and provided for multiple permitted uses to be developed together on lots over 10 acres

## 2016 Reexamination of the Master Plan and Master Plan Amendment

While carrying forward the bulk of the recommendations contained within the 2014 Master Plan Reexamination Report, the 2016 Reexamination report identified new factors contributing towards refinement and modification of land use policies, which included:

- Amending the zoning district, land use plan and utility plan status of the Ryland Developers, LLC property pursuant to a settlement of litigation;
- Considering options to amend or replace the ROM-1 zone in Whitehouse/Whitehouse Station to enhance opportunities for limited local business expansion in order to maintain viability of such businesses and strengthen Readington’s economic base;
- Amending the zoning district of the site of the approved, mixed-use development called “Shoppes at the Farm” (Hartman) on Route 22 at Coddington Road, and provide alternative zoning for the adjacent corner property to complement the approved mixed-use development;

- Resolving various site-specific amendments to the Utility Plan Element and Upper Raritan Water Quality Management Plan;
- Maintaining and updating planning and programming for provision of affordable housing in the context of the Courts taking jurisdiction over compliance.

### **2018 Open Space Master Plan Element**

The 2018 Open Space Plan Element contains an updated history of open space preservation efforts and an updated inventory of open space and recreational lands. Recognizing that farmland is also a component of an open space network, an updated inventory of preserved farmland is included. The inventory is followed by a series of open space preservation goals. Finally, specific parcels are identified for preservation in order to meet open space preservation goals. The plan contains:

- History of Open Space and Farmland Preservation in Readington
- Evolution of Readington’s Open Space Strategy
- Goals, Vision and Policies
- Preservation Priorities
- Implementation
- Policy Guidance Beyond Readington

### **2019 Reexamination of the Master Plan and Master Plan Amendment**

While carrying forward the bulk of the recommendations contained within the 2016 Master Plan Reexamination Report, the 2019 Reexamination report identified new factors contributing towards refinement and modification of land use policies, which included:

- Identifying sites for the development of affordable housing within the Township to address the Third Round Obligation;

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- Updating the wastewater management plan through the creation of site specific amendments for parcels/tracts including affordable housing units; and
- Including tracts of land considered for affordable housing as potential locations for redevelopment.

### **2020 Housing Plan Element and Fair Share Plan**

In 2019, after the 2018 Superior Court decision that included Judge Jacobson's methodology for calculating Third Round affordable housing obligations, the Township reached a successful settlement with Fair Share Housing Center, an interested party in all affordable housing declaratory judgment petitions. Based on the Jacobson methodology, the settlement established the Township's Rehabilitation (Present Need) obligation at 95 units; it reiterated the Township's previously determined Prior Round obligation of 394 units; and it established a Third Round obligation of 1,045 units (including the Gap Period Present Need obligation). The Settlement Agreement spelled out the compliance mechanisms the Township would use to address those obligations. In October 2019, after a duly noticed fairness hearing, the Court found the Settlement Agreement fair to the interests of low- and moderate-income households.

The Township, through an exterior conditions survey as permitted in the Settlement Agreement, petitioned for and received Court approval for a reduction in its Present Need obligation from 95 units to 21 units.

In 2020, the Township adopted an amended Third Round Housing Element and Fair Share Plan (HEFSP). The compliance mechanisms detailed in the HEFSP differ slightly from what was set forth in the Settlement Agreement, in order to address conditions in the fairness order and to account for new sites and information that came to light during the preparation of the HEFSP.

As set forth in the 2020 HEFSP, the Township satisfies its Prior Round obligation with 164 regional contribution credits, 32 credits without controls, 72 family for-sale and rental projects, four senior rental units, and 33 bedrooms in group home facilities, plus 91 available rental bonuses. Pursuant to the Settlement Agreement, Readington's Third Round obligation (1999-2025) is 1,045 units. The Township received a durational adjustment to its Third Round obligation, due to lack of sufficient sewage treatment capacity, that reduces the original obligation to a 783-unit non-deferred obligation, which the Township has the current capacity to satisfy. The Township satisfies this non-deferred obligation with two Prior Round residual credits, 24 regional

contribution credits, 13 extensions of controls, 51 alternative living facilities credits, a 47-unit market-to-affordable program, 206 units in municipally-sponsored 100% affordable projects, and 244 units in inclusionary zoning districts, plus available rental bonuses.

The Township has identified specific sites and adopted the necessary zoning for all 196 units of its deferred obligation, pending availability of sufficient sewage treatment capacity.

In September 2020, after a duly noticed compliance hearing, the Court granted the Township a conditional Judgment of Repeal, subject to the satisfaction of several outstanding conditions.

### **2020 Amendment to the Master Plan**

The focus of this amendment consisted of goals and policies relating to Solberg-Hunterdon Airport to reflect the most current approach to land use on, and around, the airport. It also acknowledged the requirements of the “Air Safety and Zoning Act of 1983”, P.L. 1983, chapter 260, and the provisions of N.J.A.C. 16:62, “Air Safety and Zoning” which identifies necessary municipal actions to create airport safety zones.

The last amendment to the Statement of Objectives, Principles, Assumptions, Policies, and Standards was in 2009, replacing all previous versions. The 2020 Amendment amended and replaced the Statement and goals and policies of 2009.

### **2022 Farmland Preservation Master Plan Element**

The 2022 Farmland Preservation Master Plan Element constituted a substantive update to the 2009 Farmland Preservation Plan. As a historic farming community, Readington Township has maintained farmland preservation as an integral part of land use policy in the Township for decades, dating back to the 1970s. This document is a requirement for obtaining State funds for farmland preservation. It is also designed to serve as a repository of institutional knowledge to be shared with the community and prospective farmers looking to continue the Township’s agricultural tradition. The document contains the following elements:

- A history and timeline of farmland preservation in the Township and the State;
- An overview of the Township’s agricultural land base;

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- An overview of the Township’s agricultural industry;
- An overview of the Township’s land use planning context;
- The anticipated future of farmland preservation in Readington;
- Economic development in the Township as it relates to agriculture;
- The Township’s efforts relating to the natural resource conservation;
- The Township’s strategy to sustain, retain and promote the agricultural industry in Readington;
- An inventory of farmland assessed properties;
- Relevant planning grants and State eligibility requirements for preserved farmland, and;
- Inventory of preserved farms in Readington.

### **Block 36 Redevelopment Plan**

This Redevelopment Plan (this “Plan”) was prepared pursuant to the Local Redevelopment and Housing Law (LRHL, N.J.S.A. 40A:12A-1 et seq.) to guide redevelopment of what is commonly known as the Block 36 Redevelopment Area. The Block 36 Redevelopment Area is located south of US Highway Route 22 and consists of 79.74 acres of improved and unimproved land. It contains the Gables Inn Boarding House, the former Whitehouse Diner site, the former Interstate Iron Works facility, and Hionis Greenhouses horticultural operation.

The Redevelopment Area is set within a context of single-family detached and multi-family residential uses, with direct access to US Route 22, and is bordered by the NJ Transit Raritan Valley line to the south. A stream corridor and associated freshwater wetlands, tributary to the Chambers Brook, traverses a portion of the area.

This Plan is the second step in the implementation of a plan for comprehensive redevelopment and reinvestment that began with the preliminary investigation conducted by the Planning Board that resulted in a determination of an “area in need of redevelopment” by the Mayor and Township Committee. This Redevelopment Plan



is intended to provide regulations, standards and public improvements for a comprehensive redevelopment of the underlying properties that:

- Utilizes shared circulation infrastructure;
- Capitalizes on environmental infrastructure as an open space framework;
- Creates new market-rate and affordable housing;
- Develops new non-residential land uses to serve the neighborhood and the Township, and;
- Generates investment in an underutilized and dilapidated district.

### **Block 81 (Three Bridges) Redevelopment Plan**

This Redevelopment Plan (this “Plan”) was prepared pursuant to the Local Redevelopment and Housing Law (LRHL, N.J.S.A. 40A:12A-1 et seq.) to guide redevelopment of what is commonly known as the Block 81 Redevelopment Area. The Three Bridges Block 81 Redevelopment Area is located in the southeastern quadrant of the Township near the intersection of US Highway Route 202 and Railroad Avenue, consisting of 20.07 acres of unimproved land. The Three Bridges Block 81 Redevelopment Area is composed of a single lot, Block 81 Lot 1.

The Three Bridges Block 81 Redevelopment Area is at the western edge of the existing residential neighborhood on the western side of the Village of Three Bridges. 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 borders the northern edge of the Redevelopment Area. Railroad Avenue lies to the south of the Redevelopment Area. An undeveloped/agricultural lot lies to the west of the Redevelopment Area.

This Plan is the second step in the implementation of a plan for redevelopment and reinvestment that began with the preliminary investigation conducted by the Planning Board that resulted in a determination of an “area in need of redevelopment” by the Mayor and Township Committee on October 17, 2022. This Redevelopment Plan provides regulations and standards for the redevelopment of the Redevelopment Area that:

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- Capitalizes on environmental infrastructure as an open space framework;
- Creates new affordable housing within the existing Three Bridges village center;
- Implements the 2020 Amended Third Round Housing Plan Element and Fair Share Plan, and;
- Generates investment in an underutilized area.

### Updates to the Readington Township Land Development Ordinance Since the 2019 Reexam

**Affordable Housing Ordinances:** The following Ordinances relating to affordable housing have been adopted by the Township Committee since the adoption of the 2019 Master Plan Reexamination report.

- Ordinance #09-2020: This Ordinance repealed and replaced existing affordable housing ordinances and replaced them with updated ordinances to address the requirements of the Fair Housing Act and The Uniform Housing Affordability Controls.
- Ordinance #12-2020: This Ordinance amended the Zoning Map and Zoning Ordinance to establish the Age-Restricted Affordable Housing-2 District (ARAH-2).
- Ordinance #13-2020: This Ordinance amended the Zoning Map and Zoning Ordinance to establish the Multi-Family Affordable Housing-5 District (MFAH-5).
- Ordinance #14-2020: This Ordinance amended the Zoning Map and Zoning Ordinance to establish the Multi-Family Affordable Housing-4 District (MFAH-4).
- Ordinance #17-2020: This Ordinance amended the Zoning Map and Zoning Ordinance to establish the Age-Restricted Affordable Housing-3 District (ARAH-3).
- Ordinance #18-2020: This Ordinance amended the Zoning Map and Zoning Ordinance to establish the Multi-Family Affordable Housing-3 District (MFAH-3).
- Ordinance #23-2020: This Ordinance amended the Zoning Map and Zoning Ordinance to establish the Age-Restricted Affordable Housing-1 District (ARAH-1).

- Ordinance #24-2020: This Ordinance amended the Zoning Map and Zoning Ordinance to establish the Multi-Family Affordable Housing-2 District (MFAH-2).
- Ordinance #32-2020: This Ordinance amended Ordinance#09-2020 to further address the requirements of the Fair Housing Act and The Uniform Housing Affordability Controls regarding compliance with the Township's affordable housing obligation.
- Ordinance #33-2020: This Ordinance amended portions of the boundaries of the Professional Office (PO) zone and Residential One Acre (R-1) zone to incorporate Block 38.01, Lot 4 into the PO zone.
- Ordinance #47-2022: This Ordinance amended the MFAH-2.5 zone to require that all developments shall be serviced by public sanitary sewer.

**Stormwater Management Ordinance:** The Township adopted its original stormwater ordinance in June of 2022. It was updated on October 4, 2021, pursuant to Ordinance #33-2021 to reflect the new stormwater regulations promulgated by the New Jersey Department of Environmental Protection. The purpose of the updated ordinance is to establish minimum stormwater management requirements and controls for "major development, minor development and redevelopment."

**PO and R-1 Zone Boundary Amendment:** Ordinance #33-2020 amended portions of the boundaries of the Professional Office (PO) zone and Residential One Acre (R-1) zone to incorporate Block 38.01, Lot 4 into the PO zone.

**Limited Brewery Ordinance:** The Township adopted Ordinance #05-2020 on March 16, 2020 which amended the Land Development Ordinance to permit Limited Breweries as a conditional use in the Agricultural Residential (AR) zone. The result has been the development of the Readington Brewery & Hope Farm, a brewery and farm located on a large parcel of land on U.S. Route 202 which grows hops which are used to produce beer onsite, which is served to patrons. The Ordinance was amended in 2023 to modify provisions relating to events at limited breweries.

**Site Plan Waiver Ordinance:** Ordinance #14-2021 amended the Zoning Ordinance to grant the Zoning Officer the power to waive requirements for site plan review if an application meets specific conditions.

**Fire Protection Systems for Residential Development:** Ordinance #26-2021 amended the Land Use Ordinance to require that all major subdivision and all major site plans for residential developments shall provide for a source of water for fire-fighting purposes in systems approved by the Township Fire Official in accordance with specific conditions.

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**Tree Removal and Replacement Ordinance:** The Township adopted a Tree Removal and Replacement Ordinance on March 16, 2020 (Ordinance No. 07-2020). The Ordinance requires that any living tree that is removed due to site development be replaced with other trees or an in-lieu payment. The replacement requirement is determined by the size of the tree to be removed.

**Warehouse Ordinance:** In 2023, the Township adopted Ordinance #09-2023 on May 1<sup>st</sup>, 2023 which prohibits warehouses or storage as a principal use anywhere in the Township.

**Changes to the Professional Office (PO) Zone and Business (B) Zone:** The Township Committee adopted Ordinance #25-2022 which included the following changes to the definitions within the Land Development Ordinance and modified the PO and B zones. The Ordinance accomplished the following:

- Providing definitions within the Land Development Ordinance for the following uses: Animal hospital, art gallery, art/performance/instructional studio, artisan/maker, health club/sports club/gym, live/work, dental and medical offices, personal services, retail sales and sheltered workshop.
- Updated the Business (B) zone along U.S. route 22 to permit additional uses, including: Sheltered workshop, medical offices, full-service restaurants and live/work buildings.
- Divided the Professional Office (PO) zone into two regions: The PO zone west of Ridge Road (or, PO Zone West), and the PO Zone east of Ridge Road (or, PO Zone East).
- PO Zone West now permits the following uses in addition to those previously permitted in the PO zone: Live/work building, animal hospital, medical office, sheltered workshop, artisan/maker, art gallery, art/performance/instructional studios, and permits multiple permitted uses on one lot where previously this was prohibited.
- PO Zone East now permits the following uses in addition to those previously permitted in the PO zone: Computer center (the Township intends to change the name of this use to “Data center”, rather than computer center), medical office, animal hospital, live/work building, and permits multiple permitted uses on one lot where previously this was prohibited
- New parking standards and area and yard requirements were added to both PO zone regions.

**Licensed Cannabis Overlay Zone:** The Township adopted Ordinance #04-2022 permitting one cannabis facility within the Township in the Licensed Cannabis Business Overlay (LCBO) Zone, which was created specifically for this purpose. The zone allows for one business containing a Class 1, 2, 3 or 4 licensed cannabis business. The Ordinance limits the number of such businesses both in the LCBO zone and the Township to one.

**Village Residential Zone:** The Township adopted Ordinance #31-2021 which established the Village Residential-1 Zone (VR-1) to provide the opportunity to develop and maintain single-family detached and single-family semi-detached residences within the village of Whitehouse Station where the availability of public sanitary sewer service makes the development of smaller lots feasible and available for affordable housing.

**Sidewalk Design Standards:** The Township adopted Ordinance #06-2022 on February 22, 2022, which amended §148-76.C of the Land Development Ordinance, to allow the Board to require sidewalks and aprons on both sides of existing and proposed streets at their discretion. Previously this power was granted to the Board only within 2,000 feet of a school.

**Undersized Lots in the AR and RR Zones:** Ordinance #26-2020, adopted on October 5, 2020 made modifications to the Agricultural Residential and Rural Residential zones, creating zoning standards for lawfully preexisting undersized lots.

#### ***Agricultural Residential Zone***

Ordinance #26-2020 created standards for lawfully preexisting, undersized lots in the AR zone. Those standards are indicated in the tables on the following page.

#### ***Rural Residential Zone***

Ordinance #26-2020 created standards for preexisting, undersized lots in the RR zone. Those standards are indicated in the tables on the following page.

**Air Safety and Zoning:** Ordinance #16-2020, adopted on June 15, 2020 adopted the requirements of the Air Safety and Zoning Act of 1983, N.J.S.A. 6:1-80, et seq., and its accompanying regulations.

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§148-15E(1) AR Zone Bulk Standards				
Lot Size	Maximum FAR	Maximum Impervious Coverage	Minimum Front Yard (Feet)	Minimum Rear and Side Yards (Feet)
3 acres or less	.12	.15	40	30
Greater than 3 acres and less than 6 acres	.10	.10	50	35
At least 6 acres and less than 8 acres	.08	.10	60	40
At least 8 acres and less than 16 acres	.04	.10	75	40

§148-16E(1) RR Zone Bulk Standards				
Lot Size	Maximum FAR	Maximum Impervious Coverage	Minimum Front Yard (Feet)	Minimum Rear and Side Yards (Feet)
1.5 acres or less	.15	.18	40	30
Greater than 1.5 acres and less than 3 acres	.12	.15	50	35
At least 3 acres and less than 5 acres	.10	.12	60	40
At least 5 acres and less than 10 acres	.08	.10	75	40

### 3 CHANGES IN ASSUMPTIONS, POLICIES AND OBJECTIVES AT THE LOCAL, COUNTY AND STATE LEVELS

Several state, regional, county and local planning events have occurred subsequent to preparation of the 2019 Reexamination. The following section identifies the changes in assumptions, policies and objectives that have occurred as a result of those changes and which impact land use and planning policies in Readington Township.

#### 2001 State Development and Redevelopment Plan

In March, 2001 a new State Development and Redevelopment Plan was adopted by the State Planning Commission. As with the first State Plan (adopted in 1992), the 2001 State Plan delineated a series of Planning Areas based on natural and built characteristics and sets forth the State's vision for the future development of those areas. The five Planning Areas (listed in descending order from the most developed to the least developed condition) include the Metropolitan Planning Area (PA1), Suburban Planning Area (PA2), Fringe Planning Area (PA3), Rural Planning Area (PA4) and Environmentally Sensitive Planning Area (PA5).

Until such time as a new State Plan is adopted, the 2001 State Plan remains in effect. The Township will monitor the State's efforts toward adopting a new State Plan and respond accordingly.

#### Reexamination Requirement "c"

- 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 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.

--- NJSA 40:55D-89

## Affordable Housing 2004: COAH's Attempt at Third Round "Growth Share"

On December 20, 2004, COAH's first version of the Third Round rules became effective some five years after the end of the Second Round in 1999 (*N.J.A.C.* 5:94-1 and 5:95-1). The FHA had originally required housing rounds to be for a six-year period, but in 2001, this was amended to extend that time period to 10-year intervals. Therefore, the Third Round should have been from 1999 through 2009. However, because of the delay, the Third Round was extended by five (5) years to 2014 and condensed into an affordable housing delivery period of 10 years from January 1, 2004 through January 1, 2014. In other words, 15 years of affordable housing activity was to take place in 10 years.

The Third Round rules marked a significant departure from the methods utilized in COAH's Prior Rounds. Previously, COAH assigned an affordable housing obligation that included the new construction number for each municipality. These Third Round rules implemented a "growth share" approach that linked the production of affordable housing to future residential and non-residential development within a municipality. Each municipality was required to project the amount of residential and non-residential growth that would occur during the period 2004 through 2014. Municipalities were then required to provide the opportunity of one (1) affordable unit for every eight (8) market-rate housing units developed and one (1) affordable unit for every 25 jobs created. Jobs were not counted directly, but rather by using non-residential building floor area as a substitute for employment.

This set of rules changed, however, when the New Jersey Appellate Court invalidated key elements of the first version of the Third Round rules on January 25, 2007. The Court ordered COAH to propose and adopt amendments to its rules within six months to address the deficiencies identified by the Court. COAH missed this deadline, but eventually issued revised rules effective June 2, 2008 (as well as a further rule revision effective on October 20, 2008). It provided residential development and job projections for the Third Round. The Third Round was expanded again from 2014 out to 2018. COAH retained the growth share approach, but revised its ratios to require one (1) affordable housing unit for every four (4) market-rate housing units developed and one (1) affordable housing unit for every 16 jobs created.

Just as various parties challenged COAH's initial Third Round "growth share" regulations, parties challenged COAH's 2008 revised Third Round "growth share" rules. The Appellate Court issued a decision on October 8, 2010 deciding those challenges (see below).



## Affordable Housing 2008: Development Fees and Very Low-Income Units

On July 17, 2008, Governor Corzine signed P.L. 2008, c. 46, which amended the Fair Housing Act (FHA) in a number of ways.<sup>2</sup> Key provisions of the legislation included the following:

- Establishing a mandatory statewide 2.5% nonresidential development fee instead of requiring nonresidential developers to provide affordable housing.
- Eliminating regional contribution agreements (“RCA’s”) as a means available to municipalities to transfer up to 50% of their required affordable housing to a “receiving” municipality.
- Adding a requirement that 13% of all affordable housing units be restricted to very low-income households (earning 30% or less of median income).
- Adding a requirement that municipalities had to commit to spend development fees within four years of the date of collection after its enactment or initially by July 17, 2012.<sup>3</sup>

On July 27, 2009, Governor Corzine signed the “NJ Economic Stimulus Act of 2009”,<sup>4</sup> which instituted a moratorium on the collection of nonresidential affordable housing development fees through July 2010. This moratorium was later extended until July 1, 2013 (P.L. 2011, c. 122). Since the moratorium has now expired, municipalities are obligated to collect the fee of 2.5% of the equalized assessed value of a nonresidential development. Municipalities were always permitted to impose and collect residential affordable housing development fees approved by COAH following a 1990 New Jersey Supreme Court decision.<sup>5</sup>

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<sup>2</sup> Also known as the “Roberts Bill” after former New Jersey Assembly Speaker Joseph Roberts who sponsored the bill.

<sup>3</sup> This initial deadline was subsequently revised by an Appellate Court decision that extended the deadline until four (4) years after the Superior Court approves the municipal housing plan including the spending plan.

<sup>4</sup> P.L. 2009, c.90.

<sup>5</sup> Holmdel Builders Assn. v. Tp. of Holmdel, 121 N.J. 550, 583 A.2d 277 (1990).

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## Affordable Housing 2010: “Growth Share” Regulations Invalidated

On October 8, 2010, the Appellate Division issued a decision on the legal challenges to the second iteration of COAH regulations.<sup>6</sup> The Appellate Division affirmed the COAH regulations that assigned rehabilitation and Prior Round numbers to each municipality, but invalidated the regulations by which the agency allocated affordable housing obligations in the Third Round. Specifically, the Appellate Division ruled that COAH could not allocate obligations through a “growth share” formula and directed COAH to use similar methods to those previously used in the First and Second Rounds. Other highlights of the Appellate Court’s decision include:

- To be credited, municipally-sponsored or 100% affordable housing sites must show site control, site suitability, and a proposed source of funding.
- COAH’s rules did not provide sufficient incentive for the private construction of inclusionary developments (market-rate and affordable units). Clearly defined percentages supported by economic data must be provided. The Court noted that a 20% affordable housing set-aside was typical.
- The Court invalidated Prior Round rental bonuses for developments that were not built within a reasonable time-frame.
- Bonuses for smart growth and redevelopment activities were upheld; however, the Court invalidated Third Round compliance bonuses.

The Court upheld its prior ruling on COAH's formula that did not reallocate present need obligation from Urban Aid eligible municipalities to other municipalities in the region. The Court also questioned whether or not Urban Aid municipalities should be assigned an allocation for future growth.

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<sup>6</sup> In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing.

## Affordable Housing 2011-2014: Judicial Activity and COAH's Failure

COAH sought a stay from the New Jersey Supreme Court regarding the March 8, 2011 deadline the Appellate Division had imposed in its October 2010 decision for the agency to issue new Third Round housing numbers. The Supreme Court granted COAH's application for a stay on January 18, 2011 and on March 31, 2011, the Court granted petitions and cross-petitions to all of the various challenges to the Appellate Division's 2010 decision. However, the Supreme Court did not hear oral argument on the various petitions and cross petitions until November 14, 2012.

The New Jersey Supreme Court decided on the appeal by the executive branch of the Appellate Court's decision of March 8, 2012 that disallowed the dissolution of COAH under Governor Christie's Reorganization Plan No. 001-2011. The Supreme Court upheld the lower court's ruling, finding that the governor did not have the power to unilaterally reorganize COAH out of existence. The judges found that such an action requires the passage of new legislation.

On September 26, 2013 the New Jersey Supreme Court upheld the Appellate Court decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by New Jersey Council On Affordable Housing, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rule revisions. Subsequent delays in COAH's rule preparation and ensuing litigation led to the New Jersey Supreme Court, on March 14, 2014, setting forth a schedule for adoption. COAH approved draft Third Round rules on April 30, 2014. Although ordered by the New Jersey Supreme Court to adopt revised new rules on or before October 22, 2014, COAH deadlocked at its October 20 meeting and failed to adopt the draft rules. An initial motion to table the rule adoption for 60 days to consider amendments also deadlocked and thus also failed.

## Affordable Housing 2015: NJ Supreme Court Assumes Control

The failure of COAH to adopt new regulations in October/November 2014 as ordered by the New Jersey Supreme Court led one of the litigants – FSHC – to file a Motion In Aid of Litigants' Rights to compel the government to produce constitutional affordable housing regulations. The New Jersey Supreme Court heard oral arguments on the motion on January 6, 2015. Two months later, on March 10, 2015, the Supreme Court issued its ruling, entitled, In re Adoption of N.J.A.C. 5:96 & 5:97 by N.J. Council on Affordable Housing, now known as Mount Laurel IV.

The 2015 decision provided a new direction for the means by which New Jersey municipalities are to comply with the constitutional requirement to provide their fair share of affordable housing. The Court transferred responsibility to review and approve

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Housing Plan Elements and Fair Share Plans (e.g., Housing Plans) from COAH to designated Mount Laurel trial judges. The implication of this is that municipalities could no longer wait for COAH to adopt Third Round rules before preparing new Housing Plans and municipalities must now apply to Court, instead of COAH, if they wish to be protected from exclusionary zoning lawsuits. These trial judges review municipal plans much in the same manner as COAH previously did. Those towns whose plans are approved by the Court will receive a Judgment of Compliance and Repose, the judicial-equivalent of COAH's substantive certification.

The decision established a 90-day transitional period and then a 30-day filing period when municipalities could petition the Superior Court in a Declaratory Judgment action seeking confirmation that their means of addressing affordable housing meets constitutional muster. Municipalities were also permitted to file motions for temporary immunity from builder's remedy lawsuits.

The New Jersey Supreme Court indicated in its ruling that Housing Plans are to be drawn up using similar rules as to those in place during the Second Round as well as Third Round housing compliance mechanisms that the justices found constitutional, such as smart growth and redevelopment bonuses and extensions of controls.

### **Affordable Housing 2017: NJ Supreme Court Defines Third Round Period**

On January 17, 2017, the New Jersey Supreme Court issued its decision In Re Declaratory Judgment Actions Filed By Various Municipalities, County Of Ocean, Pursuant To The Supreme Court's Decision In In Re Adoption of N.J.A.C. 5:96, 221 N.J. 1(2015). The Supreme Court found that the "gap period," defined as the period between the end of the Second Round in 1999 and 2015, generates an affordable housing obligation. This decision required an expanded definition of the municipal present need obligation to include low- and moderate-income households formed during the gap period that are entitled to their delayed opportunity to seek affordable housing. Present need, or the Rehabilitation Share, has historically been an estimate of low- and moderate-income households living in substandard housing at the beginning of an affordable housing round. Although some parties argued the gap obligation should be calculated as part of the prospective need, or new construction obligation, the Supreme Court found that such a position is not supported by the Fair Housing Act, which defines prospective need as a projection of new low- and moderate-income households formed during a future housing cycle.

Accordingly, the municipal affordable housing obligation is now composed of the following four parts: present need (Rehabilitation Share); Prior Round (1987 to 1999,

new construction); “gap” present need (1999 to 2015, third round new construction); and prospective need (Third Round, 2015 to 2025, new construction).

### **Affordable Housing 2018: NJ Superior Court Defines Municipal Obligations**

In a March 8, 2018 ruling on affordable housing obligations for Princeton and West Windsor, Mercer County Superior Court Assignment Judge Mary Jacobson tackled directly the absence of a statewide set of guidelines for calculating a municipality’s fair share obligation. Her decision laid out a methodology for determining those obligations, and spelled out in detail her reasons for preferring a proposed approach to calculating each of the complicated set of factors that go into determining need. In the end, Judge Jacobson ruled in favor of the municipal expert on several key steps in calculating the need and in favor of the housing advocate’s experts in others, which resulted in a statewide number in between the competing experts’ respective calculations. Incorporating estimates of households and wealth, projections of job and population growth, and calculations of acreage available for development, Judge Jacobson’s methodology could be used as a template statewide for determining the need for new affordable housing development.

### **2020 Environmental Justice Legislation**

On September 18, 2020, Governor Phil Murphy signed into law S232 which requires the NJDEP to evaluate the environmental and public health impacts of certain facilities on overburdened communities when reviewing certain permit applications. New Jersey is the first state in the nation to require mandatory permit denials if an environmental justice analysis determines a new facility will have a disproportionately negative impact on overburdened communities.

The bill defines an “overburdened community” as “*any census block group, as determined in accordance with the most recent United States Census, in which: (1) at least 35 percent of the households qualify as low-income households; (2) at least 40 percent of the residents*

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*identify as minority or as members of a State recognized tribal community, or (3) at least 40 percent of the households have limited English proficiency”<sup>7</sup>.*

Upon adoption of the rules and regulations implementing the provisions of the bill, the NJDEP shall not consider an application for a new facility, an expansion to an existing facility, or for the renewal of an existing facility’s major source permit complete unless the applicant first:

- (1) Prepares an environmental justice impact statement that assesses the potential environmental and public health stressors associated with the proposed new or expanded facility, or with the existing major source, as applicable, including any adverse environmental or public health stressors that cannot be avoided if the permit is granted and the environmental or public health stressors already borne by the overburdened community as a result of existing conditions located in or affecting the overburdened community;
- (2) Transmits the environmental justice impact statement at least 60 days in advance of the public hearing in the overburdened community to the NJDEP and to the governing body and the clerk of the municipality in which the overburdened community is located;
- (3) Organizes and conducts a public hearing in the overburdened hearing. Publishes notice of the public hearing in at least two newspapers circulating within the overburdened community, including one local non-English language newspaper, as applicable, not less than 60 days prior to the public hearing.

## **2021 Municipal Land Use Law Amendments**

On February 4, 2021, Governor Phil Murphy signed into law A-2785/S2607 that requires land use plan elements of a municipal master plan to include climate change-related hazard vulnerability assessments. The climate change-related hazard vulnerability assessment shall analyze current and future threats to and vulnerabilities of the municipality associated with climate change-related natural hazards including but not limited to increased temperatures, drought, flooding, hurricanes, and sea-level

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<sup>7</sup> Senate No. 232, Title 13, Chapter 1D, Part XI. (New) Overburdened Communities §§1-5-C.13:1D-157 to 13:1D-161.

rise. Pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-28b(2)(h), the climate change-related hazard vulnerability assessment shall:

- i. *Analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards, including, but not limited to increased temperatures, drought, flooding, hurricanes, and sea-level rise;*
- ii. *Include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified in subparagraph (i) of this subparagraph related to that development;*
- iii. *Identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state;*
- iv. *Analyze the potential impact of natural hazards on relevant components and elements of the master plan;*
- v. *Provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards;*
- vi. *Include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with any existing or proposed natural hazard mitigation plan, floodplain management plan, comprehensive emergency management plan, emergency response plan, post-disaster recovery plan, or capital improvement plan; and*
- vii. *Rely on the most recent natural hazard projections and best available science provided by the New Jersey Department of Environmental Protection.*<sup>8</sup>

## **New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act**

On November 3, 2020, voters adopted a referendum to legalize the personal use of marijuana, or cannabis as it is called in the law. After several months of negotiations between the Governor and the Legislature, the *New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act* was signed into law on Monday, February 21, 2021. The legislation established licensing of cannabis, municipal opt out provisions, certain land use controls, levels of municipal taxation, penalties, and established a Cannabis Regulatory Commission to function much like the Alcoholic Beverage Control Division does for alcohol.

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<sup>8</sup> Municipal Land Use Law Amendment, adopted February 4, 2021.

The Cannabis Act established six types of cannabis establishments. Within 180 days of the effective date of the legislation, or August 20, 2021, a municipality may prohibit the operation of one or more license classes, except for Class 6, within its borders. If the municipality fails to enact an opt out ordinance, then the law automatically allows the uses and operations of the six license categories. If the municipality fails to act within the 180-day window, it must wait 5 years to enact such an ordinance and any establishment already up and running would be grandfathered. Not enacting an opt out ordinance would then enable the following actions to occur:

- (1) The growing, cultivating, manufacturing, and selling and reselling of cannabis and cannabis items, and operations to transport in bulk cannabis items by a cannabis cultivator, manufacturer, wholesaler, or as a distributor or delivery service shall be permitted uses in all industrial zones of the municipality;
- (2) The selling of cannabis items to consumers from a retail store by a cannabis retailer shall be a conditional use in all commercial zones or retail zones, subject to meeting the conditions set forth in any applicable zoning ordinance or receiving a variance from one or more of those conditions in accordance with the MLUL.

As of the date of this report, the Township of Readington has passed Ordinance 04-2022 permitting one cannabis facility within the Township in the Licensed Cannabis Business Overlay (LCBO) Zone, which was created specifically for this purpose. The zone allows for one business containing a Class 1, 2, 3 or 4 (license classes are indicated below in greater detail) licensed cannabis business. The Ordinance limits the number of such businesses both in the LCBO zone and the Township to one.

Class 1: A Class 1 license is a “Cultivator” license and refers to a person or business that grows cannabis.

Class 2: A Class 2 license is a “Manufacturer” license and refers to a business that makes things from cannabis.

Class 3: A Class 3 license is a “Wholesaler” license and refers to a business that stores, buys and/or sells bulk cannabis and cannabis products.

Class 4: A Class 3 license is a “Distributor” license and refers to a business that transports bulk cannabis and cannabis products.

The Statute allows for two additional license types, though Readington Township has chosen not to permit their operation within the Township. Those include;

Class 5: A Class 5 license is a “Retailer” license and refers to a business that sells cannabis or cannabis products directly to consumers.



Class 6: A Class 6 license is a “Delivery” license and refers to a business that delivers cannabis or cannabis products directly to consumers. While a Class 6 business is not permitted to operate in the Township, deliveries to adults from businesses based in other municipalities is permitted under the Statute.

### **Model Electric Vehicle Supply/Service Equipment and Make-Ready Parking Spaces Ordinance**

On July 9, 2021, Governor Murphy signed into law an act concerning electric vehicle supply equipment and Make-Ready parking spaces and amending and supplementing the Municipal Land Use Law (C.40:55D-1 et seq.) P.L. 1975, c.291. The law requires that Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts and establishes associated installation and parking requirements related to EVSE in all 565 municipalities within New Jersey.

In order to implement the act, the Department of Community Affairs (DCA) was tasked with adopting a model statewide municipal EV ordinance on its website. The model ordinance is required to include the installation, sightline and setback requirements and other health- and safety-related specifications for EVSE and Make-Ready parking spaces. The intent of the model statewide ordinance is to ensure that municipalities are requiring installation of EVSE and Make-Ready parking spaces in a consistent manner and also provide an ordinance that can be easily used by every municipality with no or minimal amendments by the municipality. The model statewide ordinance is mandatory and became effective in every municipality when it was published by the DCA on September 1, 2021.

It is not required that a Municipality adopt the Model Ordinance, though they are able to do so. The Ordinance may be modified to include standards specific to the Township, but in no way may the Township reduce the State mandated requirements.

### **Requirement for All Newly Constructed Warehouses to be Solar-Ready**

A law was enacted on November 8, 2021 that requires *any newly constructed warehouse for which an application for a construction permit has not been declared complete by the enforcing agency before July 1, 2022, shall be a solar-ready building.* “Solar-ready building” is defined in the act as a building that includes a solar-ready zone. This requires that a section of the roof to be *designated and reserved for the future installation of a solar photovoltaic or solar thermal system.* This is required for at least 40% of the warehouse roof. This applies to warehouses with a floor area of greater than 100,000 square feet.

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## COVID-19 Pandemic

The worldwide COVID-19 pandemic that began in the United States in 2020 has resulted in transformative shifts in assumptions regarding health, economics, employment, commuting and lifestyles. These shifts have a direct bearing on the behavior of residents, workers and consumers within the Township. The Township should consider land use policies and regulations that adapt to these new behaviors and needs in order to promote a more livable and vibrant community.

The most pronounced change is related to work patterns, and subsequently residential and commuting patterns and behavior that result from those work patterns. While remote work is not new, it is now more common, and in many instances an expected amenity for employees that have the capacity to work remotely. This has untethered some employees from a physical work location, and has changed their commuting and residential needs. Where it was once accepted that one needed to live near their job, that is no longer the case. This has impacts on large economic centers, while also providing opportunities for communities outside of major cities. Communities outside of city centers have seen growth resulting from these changes, welcoming new residents leaving large metropolitan areas for a different lifestyle that is now available to them. Communities should plan accordingly, and where appropriate, plan for this influx of residents and the impact they may have on existing housing stock, transportation infrastructure and quality of life.

Another change brought about by the pandemic is a greater demand for outdoor spaces. In some cases, this demand resulted in city dwellers moving to the suburbs, exurbs and rural communities to acquire their own private outdoor space. In other circumstances, this demand resulted in the need for common, public outdoor space that could be shared by all members of the community. This took the form of outdoor dining, streets being converted to pedestrian malls and an increase in available public open space. While the dangers of the pandemic have begun to wane, the appreciation and demand for this type of open space has not. Communities should plan for the continued demand for and use of open space in a variety of ways, and ensure that their residents have access to these popular outdoor amenities.

One of the most tangible impacts of the pandemic was on the price of housing and the migration patterns of individuals. The established pattern of the last two decades has been greater migration to cities and a resulting increase in rental prices in urban cores. While this trend has not gone away, it has shifted, and the exodus from cities during the pandemic resulted in significantly higher housing prices in suburban, exurban and rural communities, creating a crises of affordability. In addition to the impact of this change in terms of monetary costs, it has also brought a change of taste in housing. Urbanites moving to the communities outside of the urban core have greater expectations for walkability, interesting retail and dining, culture and other features of

urban life. The communities that will be best positioned to benefit from migration out of cities are those that recognize these demands from new residents and plan accordingly. Furthermore, where appropriate, an increase in the amount and type of housing to support the potential influx of residence and mitigate increasing housing costs may be required.

Finally, the pandemic, like intense storms, terrorism and other dangerous events have increased the need for greater resiliency and flexibility of communities to respond to potential crises. All communities should, to the extent possible, plan for such events and have mitigation plans at the ready. These can include plans to shut down streets to automobiles at certain times to create more open space for residents, or creating visible wayfinding to communicate instructions during emergencies. Whatever the unique vulnerabilities of a community are, plans for responding to emergencies should be considered a priority at the community level.

### **NJDEP Stormwater Management Requirements**

In March 2020, the NJDEP adopted new stormwater management rules that require the use of green infrastructure. This rule change signals a paradigm shift in NJ stormwater management in that it requires decentralized, distributed stormwater management practices that enable stormwater to infiltrate and more closely resemble the natural water cycle through the incorporation of best management practices such as vegetative swales, bioretention, green roofs, cisterns, wet ponds, infiltration basins and constructed wetlands. Moreover, the water quality standard will apply to “motor vehicle surface”, meaning paved or unpaved roads, driveways, parking lots, etc., instead of impervious surface. The new rules took full effect on March 2, 2021. In response to these regulations, the Township amended the existing stormwater ordinance to reflect the changes to the NJDEP rules on October 4, 2021.

In June of 2023, the stormwater rules were further amended, with new rules taking effect on July 17, 2023. These changes relate to inland fluvial flood hazard rules. The new rules add three feet to the FEMA 100-year flood elevations.



#### **4 MAJOR PROBLEMS AND OBJECTIVES AT THE TIME OF ADOPTION OF THE 1990 MASTER PLAN AND 2019 MASTER PLAN REEXAMINATION REPORT, THE EXTENT TO WHICH THEY HAVE CHANGED & CURRENT RECOMMENDATIONS**

The 1990 Master Plan and 2019 Reexamination Report provided a series of recommendations. Some of these have been addressed, some are no longer relevant and some remain as potential action items. The following provides a summary of the 2019 recommendations, an evaluation of their current relevance and current recommendations for Township planning policies and land development.

A bulleted list of all recommendations can be found in Appendix A of this document.

#### **Affordable Housing**

***Readington should continue implementation and monitoring of the Third Round Plan while also monitoring COAH and the Supreme Court for progress toward adoption of third round rules or any other judicial or legislative remedy that may occur. The Township will also monitor the State’s regulation of affordable housing trust funds.***

Readington continues to monitor legislative and judicial action related to affordable housing, and produces annual monitoring reports on implementation of its amended Third Round Housing Element and Fair Share Plan. No significant legislative or judicial actions have been taken since the 2019 Re-Examination Report that affect Readington’s ability to implement its affordable housing obligations.

***Readington should develop and modify its Third Round Plan to address its affordable housing obligation based on Judge Jacobson’s decision and as extrapolated by the Econsult analysis.***

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#### **Reexamination Requirements “a”, “b”, and “d”**

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last master plan.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- 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.

--- NJSA 40:55D-89

In 2019 Readington executed a Settlement Agreement with Fair Share Housing Center that determined the Township's Third Round affordable housing obligations, largely following the Jacobson methodology. The obligations were found by the Court to be fair to the interests of low- and moderate-income households. In 2020 Readington adopted an amended Third Round Housing Element and Fair Share Plan (HEFSP) that set forth how the Township would fulfill its affordable housing obligations. The HEFSP was found by the Court to be compliant with all applicable legislation and regulations, and with the Settlement Agreement.

***With its NJ Transit station and existing public water and sanitary sewer utility infrastructure, Whitehouse Station and adjacent neighborhoods should remain the highest priority for the development of affordable housing. Three Bridges should also remain a high priority for affordable housing, provided sufficient infrastructure exists or can be made available. The Township should continue to identify appropriately-scaled redevelopment opportunities that can incorporate affordable housing within the villages of Whitehouse and Three Bridges, along with appropriate lands directly abutting these villages.***

The Township's 2020 HEFSP includes a map (p. 34) that shows that most of the sites that include affordable units, or where inclusionary overlay zones have been applied, are either in the vicinity of Whitehouse Station or in Three Bridges.

***The Township should continue to reserve wastewater capacity for projects that include affordable housing and support applications for site specific amendments to the sewer service areas.***

The Township continues to do this. An amendment to the Township's Water Quality Management Plan is the topic of an upcoming public hearing; however, the Township is involved in litigation concerning which entities should have priority access to any additional treatment capacity such expansion generates.

***Land use regulations and zoning districts should be amended to reflect planned affordable housing sites to facilitate implementation of the Third Round Housing Plan Element/Fair Share Plan.***

The 2019 Re-Examination Report recommended zoning changes to the following locations to enable the development of affordable units. All but one of the sites is included in the 2020 HEFSP, and this section of the report notes the disposition of each recommendation.

- **Willows at Whitehouse Station** (block 32, lot 12 and Block 34, lots 8, 10 and 11): New zoning had been adopted and this project was under construction at the time of the 2019 Re-Examination Report. It is now completed and occupied.
  
- **Route 202 site in Three Bridges** (Block 81, lot 1): This site, originally in the Township’s Land Development Ordinance as part of the Multi-Family Affordable Housing – 2.5 (MFAH-2.5) Zone and formerly known as the Diaz site, is now the Block 81 Redevelopment Area, and a redevelopment plan for the site was adopted on November 21, 2022. (Block 81, lots 2, 3, and 4 remain in the MFAH-2.5 zone.) The redevelopment plan requires all units created pursuant to the plan to be affordable and requires that the units created be family (not age-restricted) rental units. While sufficient sewer capacity is not currently available at this site, it is not part of the Township’s deferred obligation and the Settlement Agreement requires the Township to take all appropriate steps to secure sewer capacity for the proposed project. A proposed amendment to the Water Quality Management Plan is currently in the public hearing stage; however, there is controversy, currently being litigated, over what entity has priority access to any expanded sewage treatment capacity.
  
- **Stephen R. Mirola Residences Expansion** (Block 21.05, lot 2): This proposed project is in the 2020 HEFSP as durationally deferred, pending the availability of public sewage treatment capacity. There is a recommendation to the Township’s Planning Board to conduct a preliminary study of whether the site qualifies as an Area in Need of Redevelopment. This recommendation should proceed. If it is found to qualify, a redevelopment plan that permits the development of 80 age-restricted affordable units will be adopted. That recommendation is still in place, and in the meantime, the site has been rezoned as the Age-Restricted Affordable Housing -3 (ARAH-3) zone via Ordinance no. 17-2020. The Settlement Agreement lists this site as second-highest in priority for any expanded sewage treatment capacity.
  
- **Habitat for Humanity** (Block 21.12, lot 25): This lot has been subdivided into three lots, and Habitat will be developing two affordable family for-sale units on two of the new lots. A historic building on the third lot will remain. The 2020 HEFSP originally called for three affordable units to be generated by the site; the third unit will now be provided by the Plaza 22/SAVE Associates project that is part of the Block 36 redevelopment plan discussed below.
  
- **SAR** (Block 36, lots 5, 5.02, and 5.04): On April 1, 2019, the Township adopted Ordinance #05-2019, which established the Village Residential Affordable Housing – 1 (VRAH-1) zoning district and applied it to these lots. The

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ordinance permitted the development of 192 family rental units, of which 48 units, or at least 25% of total units, are required to be affordable. The site was subsequently included in the Block 36 Redevelopment Area, and a redevelopment plan for the area was adopted on March 7, 2022. The redevelopment plan established Zone B36-C and applied it to the three SAR lots. Zone regulations permit family rental apartments and a maximum of four single-family attached dwellings, for a maximum of 192 total dwellings, of which at least 48 must be affordable.

- **Hionis** (Block 36, lot 4): This lot is included in the adopted Block 36 redevelopment plan, discussed above. The plan established Zone B36-D and applied it to this lot. The standards for the zone permit development of a maximum of 165 townhouses and multi-family apartments, of which a minimum of 33, or 20% of all units developed, must be affordable. The Settlement Agreement places this site as the first priority to receive any expanded sewage treatment capacity.
- **Readington Commons** (Block 4, lots 51 and 52): On March 4, 2019, the Township adopted Ordinance #04-2019, which created the Multi-Family Affordable Housing – 1 (MFAH-1) district and applied it to these lots. The ordinance permits the development of a maximum of 254 family rental apartments, of which at least 25%, or a minimum of 64 units, must be affordable. The project, now known as The Ridge at Readington, began receiving certificates of occupancy in February 2023.
- **Fox Hollow Golf Club** (Block 15, lot 28): On June 15, 2020, the Township adopted Ordinance #21-2020, establishing the Age-Restricted Affordable Housing – 1 (ARAH-1) district and applying it to this lot. The ordinance requires the development of up to 240 age-restricted dwellings, of which at least 48, or a minimum of 20%, must be affordable. The zone standards permit the units to be developed as any combination of townhouses, multi-family apartments, or detached single-family dwellings. The property owner is currently seeking sewage treatment capacity from the Somerset Raritan Valley Sewerage Authority.
- **Van Doren** (Block 21.13, lots 8, 12, and 14): On June 15, 2020, the Township adopted Ordinance #18-2020, which established the Multi-Family Affordable Housing – 3 (MFAH-3) zoning district and applied it to these lots. The ordinance permits the development of multi-family apartments at a maximum gross density of 6.0 dwelling units per acre, and requires at least 41 units to be affordable (either 15% of total units if they are for rent or 20% of total units if they are for sale). The ordinance specifies that the land development rights it



articulates are contingent upon the availability of public sanitary sewer service to accommodate all development in the zone. The Settlement Agreement lists this site as third in priority to receive any expanded sewage treatment capacity.

- **Route 22 West** (Block 20, lot 1): This vacant site is not included in the 2020 HEFSP.

In addition to addressing the recommendations as indicated above, the Township adopted Ordinance #32-2020, an amendment to Chapter 148 of the Township Code, to add a mandatory affordable housing set-aside requirement of 20%. This requirement applies to any multi-family development, including any single-family attached development, that produces at least five new units created through any Planning Board action on subdivision or site plan applications; any municipal rezoning; any Zoning Board use or density variance; or any redevelopment plan or rehabilitation plan, with a minimum density of six units per acre. This set-aside requirement is intended to capture opportunities for additional new affordable units in areas that already have sewer capacity. The Ordinance was adopted on November 16, 2020.

**Recommendation:**

- Continue to monitor the availability of sewage treatment capacity and to support applications for expansion of such capacity and of amendments to the Water Quality Management Plan that would provide such capacity, and work diligently to foster the timely development of units included in the durationally deferred affordable housing obligation as capacity becomes available.
- Anticipate the establishment of Fourth Round obligations and potential changes in affordable housing regulations and examine what affordable housing compliance mechanisms are available now that could help satisfy a Fourth Round obligation. By way of example, these could be unanticipated new units not included in the amended Third Round HEFSP, such as the Plaza 22/SAVE Associates project, or units with controls that will expire after the end of the Third Round that could have controls extended for Fourth Round credit.

## Wastewater

***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.***

The 2019 Reexamination Report recommended updating the 2009 Utility Service Plan Element to reflect changes and planned changes to wastewater and sewer in the Township. It also discussed the Water Quality Management Rules changes from NJDEP which occurred in 2016 and the 2013 Future Sewer Service Area (FSSA) map prepared by Hunterdon County. Neither of these documents have been updated since the last Reexamination Report. Since 2019, however, there have been changes to the areas served.

### ***Changes to Areas Served***

- On December 30, 2022, the NJDEP amended the Upper Raritan Water Quality Management (WQM) Plan, expanding the sewer service area by 4.48 acres to serve the Readington Commons housing development. This expansion provides sewer service to 190 market rate units and 64 affordable units.
- The Township and the NJDEP are in the process of amending the Upper Raritan Water Quality Management (WQM) Plan to expand the sewer service area by 8.4 acres to serve the residential housing development located on Block 81, Lot 1, a 100% affordable housing development. This expansion will provide sewer service to 80 affordable units.
- The Township and the NJDEP are in the process of amending the Upper Raritan Water Quality Management (WQM) Plan to expand the sewer service area to Harriet's Mobile Home Park. Harriet's Mobile Home Park will contribute to the Township's affordable housing requirement through a market-to-affordable program. The will provide 22 – 24 affordable homes in the Township.

### ***Wastewater Litigation***

The 2019 Master Plan Reexamination provided background on the ongoing wastewater litigation in the Township to February of 2016. At that time, the Court ordered the Township to “undertake a critical review of all unused sewer capacity in the Township and determine whether any capacity can be recaptured to satisfy Plaintiffs’ development needs”. Since that time, additional sewerage, measured in gallons per day (gpd), was recaptured from the Merck and Bellemead properties. This amounted to 96,325 gpd

which was reallocated to service new affordable housing developments in the Township.

The Township ultimately lost the case, but there is ongoing litigation regarding damages. It is possible that additional opportunities to recapture additional sewer capacity may arise from which the Township could obtain additional sewerage, whether through buybacks or other measures.

**Recommendation:** The 2009 Utility Service Plan Element should be updated to:

- Reflect the recommendations of the 2019 Master Plan Reexamination Report;
- Reflect the “Changes to Areas Served” included above;
- Continue to ensure that adequate public sanitary sewer is available to support the provision of low- and moderate- income housing, and;
- Continue looking for opportunities to recapture sewer capacity.

## Whitehouse Corridor

***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 fully incorporated within the master plan and land development ordinance and the matter remains valid. As the Whitehouse Corridor Master Draft Plan was prepared 16 years ago, it is natural that some changes in recommendations are required moving forward. The spirit of the plan remains valid, and the benefits of rethinking and rezoning the Whitehouse Corridor are more valid than ever. The rezoning of the Corridor has been reexamined in recent years, leading to an updated approach to revitalizing the area.

Interest in development in the Whitehouse Corridor and along U.S. Route 22 generally has increased. New businesses looking to establish in the corridor found that their proposed uses, or mix of uses, were not permitted. This interest, and the existing barriers, has prompted the Township to take the following steps:

- Creation of a Route 22 Subcommittee, composed of Planning Board members, Township officials and Township Professionals. This subcommittee has produced recommendations for zoning changed within the Whitehouse

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Corridor, which includes new uses, design standards, new zones and the modification of existing zones.

- As an interim step, the Township adopted Ordinance #25-2022 which accomplished some of the items recommended by the subcommittee. These include:
  - Providing definitions within the Land Development Ordinance for the following uses: Animal hospital, art gallery, art/performance/instructional studio, artisan/maker, health club/sports club/gym, live/work, dental and medical offices, personal services, retail sales and sheltered workshop.
  - Updated the Business (B) zone along U.S. route 22 to permit additional uses, including: Sheltered workshop, medical offices, full-service restaurants and live/work buildings.
  - Divided the Professional Office (PO) zone into two regions: The PO zone west of Ridge Road (or, PO Zone West), and the PO Zone east of Ridge Road (or, PO Zone East).
  - PO Zone West now permits the following uses in addition to those previously permitted in the PO zone: Live/work building, animal hospital, medical office, sheltered workshop, artisan/maker, art gallery, art/performance/instructional studios, and permits multiple permitted uses on one lot where previously this was prohibited.
  - PO Zone East now permits the following uses in addition to those previously permitted in the PO zone: Computer center (the Township intends to change the name of this use to “Data center”, rather than computer center),, medical office, animal hospital, live/work building, and permits multiple permitted uses on one lot where previously this was prohibited
  - New parking standards and area and yard requirements were added to both PO zone regions.
- Create a plan for the rezoning of the Route 22 Corridor.

The Route 22 subcommittee’s plan includes the creation of new zones, the permitting of new uses, and the implementation of new design standards. The proposed zones include the Highway Village Commercial Zone, Business I zone, and the Highway

Commercial Zone. These zones are proposed to operate in a transect like manner, with the greatest intensity in the central node at the intersection leading to Whitehouse Station, with larger lot uses being permitted further east down U.S. Route 22 and parts of U.S. Route 22 to the west. The plan proposes to do away with the Professional Office (PO) zone, the small portion of the RO zone at the eastern end of U.S. Route 22 within the Township, the Business (B) zone and a small portion of the Village Commercial (VC) zone. The rezoning will also do away with a very small portion of the Agricultural Residential (AR) zone, though this will come entirely from readjusting existing split-zone lots such that each lot is within one zone.

In terms of uses, the plan recognizes the following: Mixed use is more common, economical, and presents opportunities for smart growth within the Township. This extends to live/work uses, where owner/operators of certain types of establishments may choose to live within the same building where they work. Additionally, the plan recognizes the existence of trade and construction contractors as preexisting uses within the U.S. Route 22 Corridor and the high demand for land in Readington for such uses. While previously prohibited, this plan envisions permitting them in the proposed B-1 and HC zones with strict standards for outdoor storage often associated with such uses.

Finally, and most importantly, Readington Township recognizes the intersection of its agricultural heritage and modern trends in sustainable development as being positively synergistic. Boutique retail, food and drink establishments, and other businesses can benefit from the bounty of locally sourced agricultural produce in the Township and create a unique environment for visitors and residents in Readington. This extends beyond potential business opportunities, to creating social and employment opportunities in the Township for residents by creating a market for goods locally. This initiative ties together many of the long established planning policies in the Township, relating to farmland preservation, sustainable development, and economic development. It also pulls much from the 2007 Whitehouse Corridor Master Plan, which while never having been adopted, was conducted in a thorough and precise manner with input from the public.

### ***Highway Village Commercial Zone***

The Highway Village Commercial zone is intended to introduce village style zoning, indicative of a convivial and lively commercial center with a mix of uses on smaller lots. It recognizes the smaller, older lot pattern of the U.S. Route 22 corridor area in and around the gateway to Whitehouse Station.

The HVC zone is proposed to be located in portions of the Existing B zone, VC zone, and PO zone. It will replace the entirety of the B zone on the northern side of U.S. Route 22 west of Old Highway 28. It will replace a small portion of the VC zone on

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the western side of Main Street near U.S. Route 22 and the portion located between U.S. Route 22 and Old Highway 28. It will replace most of the PO Zone along the eastern portion of U.S. Route 22, excepting the easternmost portion near the border with Branchburg Township. The HVC zone is indicated on the proposed zones map located in Appendix B.

The envisioned uses for this zone include: Agriculture, animal hospital, art gallery, art/performance/instructional studio, artisan/maker and the sale of items crafted within, assisted living, bank, bed and breakfast, blood plasma donation center, brew pub, childcare center, craft distillery, farmers market, health/sports clubs and gymnasiums, home occupation, live/work, medical and dental offices, micro-brewery, general offices, residential apartments on floors above non-residential uses, restaurants (not including fast food), bars, retail sales and services, sheltered workshop, small appliance repair (excluding auto repair), theater and combinations of more than one permitted use on the same lot. Outdoor dining is proposed as an accessory use where appropriate, and single-family detached and semi-detached dwellings are permitted as conditional uses.

Area and yard requirements will be dependent on lot size, with standards specific to lots less than one acre, lots between one and two acres, and lots greater than two acres. Front yard setbacks are provided to require some distance between buildings and the highway, but close enough to maintain a “village” atmosphere with buildings near the streetline. A maximum front yard is included to locate buildings closer the street. Off-Street parking is required to be behind the rear line of a principal building.

### ***Business 1 Zone***

The Business 1 (B-1) zone is intended to build upon the existing Business (B) Zone framework and update it to be more in line with a modern highway commercial district. The Business 1 Zone will replace the existing B zone. Uses in the Business 1 zone will include a range of commercial uses, including those relating to vehicle repair and the construction trades. Commercial buildings will require buffers, and the setback requirements will be more restrictive than in the HVC zone.

The B-1 zone is proposed to be located in portions of the Existing B zone. The B-1 zone will occupy the portion of the existing B zone, west of the proposed HVC zone on the southern side of U.S. Route 22. It will replace the B zone near the eastern boundary with Branchburg Township, between the existing PO and RO zones. The B-1 zone is indicated on the proposed zones map located in Appendix B.

The envisioned uses for this zone include: Adult day care centers, agriculture, animal hospital, assembly, auto detailing, auto repair and service, banks, blood plasma donation center, car wash, childcare centers, construction or trade contractor, data

center, garden center, health/sports club/gymnasium, home occupations, hotels (with a maximum of 40 rooms), laboratories, limited brewery (microbrewery) with tasting room, medical and dental office, offices, outpatient surgical center, laboratories for research and testing/analytics, self-storage, recreation or sports facility (indoor or outdoor) and urgent care. Combinations of more than one permitted use on the same lot are permitted.

Area and yard requirements will be dependent on lot size. The minimum lot size will be two acres, however, recognizing that some existing lots contain fewer than two acres, there are standards for those lots. Standards are specific to lots less than two acres, lots between one and five acres, and lots greater than five acres. 50 foot buffers are required from residential zones.

### ***Highway Commercial Zone***

The Highway Commercial (HC) zone is intended to encompass the easternmost portion of the U.S. Route 22 Corridor within the Township. It will replace the easternmost portion of the PO and RO zones on either side of U.S. Route 22. It is intended to function as a “gateway” zone for the Township. It contains buffer requirements that will create a vegetated, natural frontage along U.S. Route 22, introducing visitors to the agrarian, natural environment that forms the core of the Township’s identity. Permitted uses will be similar to those in the B-1 zone, though auto-related uses such as detailing, repair, service and car washes, and high traffic commercial uses such as banks and self-storage centers are prohibited.

The HC zone is proposed to encompass the easternmost portion of the U.S. Route 22 Corridor within the Township. It will replace the easternmost portion of the PO and RO zones on either side of U.S. Route 22. The HC zone is indicated on the proposed zones map located in Appendix B.

The envisioned uses for this zone include: Adult day care centers, agriculture, animal hospital, assembly, assisted living, childcare centers, construction or trade contractor, data center, garden center, health/sports club/gymnasium, home occupations, hotels (with a maximum of 40 rooms), laboratories, limited brewery (microbrewery) with tasting room, medical and dental office, offices, outpatient surgical center, laboratories for research and testing/analytics, small appliance repair services, recreation or sports facility (indoor or outdoor) and urgent care. combinations of more than one permitted use on the same lot are permitted.

Area and yard requirements, and outdoor storage design standards, are the same as those proposed for the B-1 zone.

***The Recommendation for a Mixed Use (MU) District Relating to the Hartman Site Should be Subsumed Within the Overall Whitehouse Corridor Rezoning***

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The 2019 Master Plan Reexamination contained recommendations relating to the Hartman Mixed-Use Development (now known as the “Shoppes at the Farm”). The site contains a mix of uses, including retail and housing. The site is located in the proposed HVC zone, and as such the recommendation from the 2019 Master Plan Reexamination Report is subsumed within the overall Whitehouse Corridor Plan recommendation.

***The Recommendation for the Old Walmart Site Should be Subsumed Within the Overall Whitehouse Corridor Rezoning***

The 2019 Master Plan Reexamination contained recommendations relating to the old Walmart site on U.S. Route 22, which recommended that the zoning map should be updated to reflect the adjustment to the boundary of the B and AR districts in the vicinity of the Walmart.

The zoning map has been adjusted to reflect the change. The site is now home to the Verano cannabis cultivation facility, located within the B zone and the LCBO overlay district. Under the proposed rezoning, the overlay district would remain, and the underlying zoning would convert from the B zone to the B-1 zone. The subdivision clearly separates the portion within the AR zone from the portion within the B zone/LCBO overlay/proposed B-1 zone.

**Recommendation:** The Land Development Ordinance should be revised to:

- Implement the recommendations of the Route 22 subcommittee, and;
- Adopt ordinances to create the HVC, B-1 and HC zones as described herein, and;
- Update the zoning map to reflect any zone changes along U.S. Route 22, and;
- Adopt the proposed definitions to clarify proposed uses in the U.S. Route 22 corridor.

### **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 and/or who are low income, have not materialized. 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.***

Since the 2019 Master Plan Reexamination report, no new senior housing has been developed. There are ongoing applications for senior housing, both affordable and market rate, and affordable housing projects that are intended to be built within the current affordable housing round (ending in 2025). These include the following:

- **BCUW/Madeline:** The BCUW/Madeline project is identified in the 2020 Housing Element and Fair Share Plan, to be located near the intersection of Railroad Avenue and County Route 523. The developer has committed to provide 43 units affordable units, 20 of which will be affordable senior rental units. The remaining 23 units will be deed restricted as affordable units for those with special needs.
- **Fox Hollow:** The Fox Hollow development is located near the Branchburg Township municipal boundary on the site of an existing golf course. In addition to having been included in the 2020 Housing Element and Fair Share Plan, a Planning Board application was submitted for this project in 2022, though it has yet to move beyond the completeness stage.

The site will contain 240 senior rental units, of which 48 will be deed-restricted for low- and moderate-income households, including seven very-low income units.

- **Mirota:** The 2020 Housing Element and Fair Share Plan identifies the “Mirota Expansion” project. The expansion will provide an additional 80 age-restricted rental units. The site is located on Van Horne Road, less than half a mile from the Whitehouse Train Station. All units will be deed-restricted as affordable senior units.

**Recommendation:**

- Continue to explore opportunities for planned senior housing development in line with the needs of the Township, and;
- Ensure the completion of the projects indicated herein, and;
- Prepare a Redevelopment Plan for the Mirota site to facilitate progress and implement the Housing Plan Element recommendations, and;
- Explore as part of all housing, including senior housing, to create small, affordable secondary dwellings (known as Accessory Dwelling Units, or ADUs) where appropriate. If such dwellings are to be permitted, design standards

should be prepared to guarantee such dwellings are developed in a manner complementary to the aesthetic character of the various communities in the Township. It should also be a requirement that the appropriate infrastructure required for such dwellings to function safely is available prior to the development of same, and;

- Consider permitting and regulating Accessory Dwelling Units (ADU's) in the context of senior housing.

### **Impervious Coverage**

***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.***

Limits on impervious coverage have been added to the Land Development Ordinance since the 2019 Master Plan Reexamination Report. These include changes to the AR and RR zones, relating to existing lots which are “grandfathered” even though they are undersized.

Additionally, the Planned Neighborhood Development Zone 2 (PND-2), which was amended on August 5, 2019 pursuant to Ordinance #18-2019 to “provide for a planned residential development of single-family detached dwellings and open space pursuant to the settlement of the litigation entitled *Ryland Developers, LLC, vs. The Township of Readington, et al...* shall be substantially consistent with the Amended Concept Settlement Plan, entitled “Engineered Conceptual Site Plan” and dated May 17, 2019, that is attached to the Amended Settlement Agreement regarding the above-referenced litigation (“Amended Settlement Agreement”), dated June 24, 2019. The PND-2 Zone is intended to provide for the development of the above-referenced Engineered Conceptual Site Plan.”, includes impervious coverage requirements as part of the Stormwater Management Plan provided as part of the concept plan.

### **Agricultural Residential Zone**

Ordinance #26-2020, adopted on October 5, 2020, created maximum impervious coverage standards for lots existing in the Agricultural Residential zone at the time of adoption under 16 acres. Lots three acres or fewer are permitted a maximum impervious coverage of 15%, while all other lots under 16 acres, as well as those greater than 16 acres, are permitted a maximum of 10% impervious coverage.

### ***Rural Residential Zone***

Ordinance #26-2020, adopted on October 5, 2020, created maximum impervious coverage standards for lots existing at the time of adoption in Rural Residential Zone under 10 acres. Lots 1.5 acres or fewer are permitted a maximum impervious coverage of 18%. Lots between 1.5 and 3 acres are permitted a maximum impervious coverage of 15%. Lots between 3 and 6 acres are permitted 12% impervious coverage, and lots between 6 and 10 acres are permitted 10% impervious coverage. Lots between 10 and 20 acres are permitted 10% impervious coverage.

Residential developments on lots greater than 20 acres are required to be developed as 1.5 acre open space clusters with a maximum permitted impervious coverage ratio per building lot of 15%.

### **Recommendation:**

- Continue to evaluate the need for, or modification of, impervious coverage requirements, and;
- Continue to monitor changes or updates to NJDEP stormwater requirements as they related to impervious coverage, and;
- If necessary, update the Land Development Ordinance to reflect the required impervious coverage requirements in the PND-2 zone.

### **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.***

The Township adopted a Tree Removal and Replacement Ordinance on March 16, 2020 (Ordinance No. 07-2020). The Ordinance requires that any living tree that is removed due to site development be replaced with other trees or an in-lieu payment. The replacement requirement is determined by the size of the tree to be removed.

**Recommendation:** Monitor the impacts of the Tree Removal and Replacement Ordinance and adjust the Ordinance as necessary depending on its efficacy in meeting the Township's goals relating to tree protection and reforestation.

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## Scenic Resources/Scenic Roadways

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

This has yet to be addressed and remains valid.

**Recommendation:** Form a subcommittee to explore the preparation and implementation of an Ordinance that identifies and protects scenic resources within the Township.

## 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.*

Both the Open Space and Farmland Preservation Master Plans have been updated. The Open Space Plan was updated in 2018 and the Farmland Preservation Plan was updated in 2022. Both plans are summarized in section 2 of this document.

### **Recommendation:**

- Continue to identify parcels of land for open space and farmland preservation, and;
- Continue to update planning documents as necessary to maximize funding opportunities for farmland and open space preservation, and;
- Focus on parcels that facilitate the preservation and conservation of contiguous landscapes, including stream and river corridors, forests and grasslands.

## 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 recommendation is carried forward as described in the 2019 Master Plan Reexamination Report. This should be reexplored, and in light of zoning changes along U.S. Route 22, build upon the Township’s agricultural identity. Community farm stands create an opportunity for economic development that includes goods grown within the Township where farmers don’t otherwise have access to direct markets. Further linkages between the Township’s farms, and future uses such as restaurants, breweries, distilleries, and other mixed-use development that can utilize locally sourced produce should be encouraged.

**Recommendation:** Carry forward the recommendations from the 2019 Master Plan Reexamination Report.

## Historic Preservation Plan/Element/Whitehouse Mechanicsville Historic District

***The Township should review its Historic Preservation Element to determine if an update is necessary, and consider adoption of historic district standards that will retain and enhance the historic character of the Whitehouse-Mechanicsville Historic District.***

As indicated in the 2019 Reexamination Report, the Whitehouse Mechanicsville Historic District was listed on the National Register of Historic Places. Since then, The Readington Township Historic Sites Map has been updated to reflect the addition (as well as other additions) of the Whitehouse-Mechanicsville Historic District, but the map has not been formally adopted by the Township. The Historic Preservation Plan Element has not been updated to reflect these changes.

### **Recommendation:**

- The Historic Preservation Element should be updated to indicate the status of the Whitehouse-Mechanicsville Historic District, and;
- Accurate boundaries of all unlisted historic districts should be mapped, and the map(s) should be formally adopted, and;
- Update Historic Sites Map to reflect current status of existing properties and add qualified new properties.

### **2023 Master Plan Reexamination**

## 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.***

These issues have yet to be addressed and remain valid. In addition, the Circulation Plan Element should be updated to reflect the circulation and transportation needs of the Township as regards mobility generally. The Township should create a unified plan to develop better pedestrian and cycling infrastructure in areas of the Township where there is a demand and need for such in addition to providing for more efficient vehicular circulation. The Township should also utilize the New Jersey Transit Station within the Village of Whitehouse as a catalyst for placemaking within the village, and as a sustainable means of transportation for residents and visitors.

### **Recommendation:**

- The Township should prepare a new Circulation Plan Element that contains policies regarding mobility and pedestrian and cycling infrastructure, in addition to the efficient movement of vehicles within the Township, and;
- Consider coordinating any future circulation plan element with the established trail network identified in the 2018 Open Space Plan Element and the 2022 Farmland Preservation Plan Element.

## Community Facilities Plan

***This element should be updated.***

The Community Facilities Plan has not been updated since the 2019 Master Plan Reexamination Report was prepared.

**Recommendation:** 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.***

Pursuant to the New Jersey Register (N.J.R.), the most recent readoption to the RSIS standards occurred on March 30, 2021. Pursuant to N.J.R. 683(a) *“The Department of Community Affairs has reviewed the rules and has determined that they should be readopted without amendment.”* As such, no new rules have been adopted that require alignment with the Land Development Ordinance of the Township.

**Recommendation:** Continue to monitor any modifications to the RSIS standards and revise the Land Development Ordinance accordingly if necessary.

### **Hunterdon County Agriculture Development Area (ADA)**

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

Hunterdon County partnered with the Township in preparing the 2022 Farmland Preservation Master Plan. The Township continues to work with the County to align their preservation goals and policies to the greatest extent possible.

**Recommendation:** This item has yet to be addressed but remains valid.

### **Sustainability Audit**

***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 completed. The Township may wish to revisit this recommendation within the context of a Green Buildings and Environmental Sustainability Plan Element, as described in *N.J.S.A. §40:55D-29(16)*.

**Recommendation:** Revisit this goal within the context of a Green Buildings and Environmental Sustainability Plan Element.

### **2023 Master Plan Reexamination**

## 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.***

Per N.J.S.A. §40:55D-29(12) a Recycling Plan Element contains “A recycling plan element which incorporates the State Recycling Plan goals, including provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance, and for the collection, disposition and recycling of recyclable materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 or more units of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land.”

As things stand, §148-75A of the Readington Township Land Development Ordinance requires that “all residential and nonresidential developments shall comply with the Readington Township Recycling Ordinance.” The Township Recycling Ordinance, found in §200, requires the separation and recycling of any recyclable waste for all residential and nonresidential development. This would appear to render the need for a new Recycling Plan Element moot.

**Recommendation:** This requirement appears to be redundant to the existing Township Recycling Ordinance and is no longer valid.

## Environmental Resource Inventory (ERI)

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

As of the date of this report, the Township has contracted with Princeton Hydro, LLC to prepare an updated Environmental Resource Inventory (ERI). The draft, which was prepared in the summer of 2023, is currently in review.

**Recommendation:** The Township should continue working with their consultants to finalize the updated ERI and adopt it when it is completed.

## 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.***



The Township has been working toward an amended sign ordinance since 2019. The Township organized a Sign Ordinance Subcommittee, comprised of Planning Board members and Board professionals, to prepare an ordinance that is compliant with Federal Law governing free speech.

**Recommendation:** The preparation of the amended sign ordinance is ongoing and should be completed in a timely manner and in a manner which protects the rights of all people within the Township and aligns with the Land Development Policies of the Township as permitted under Federal Law.

## 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.***

The spirit of this recommendation remains valid, and should be updated to reference the most up to date IESNA standards. Additionally, the Township lighting ordinance should be readopted to reflect the modern safety and aesthetic needs of the Township. An updated lighting ordinance should result in lower lighting, dark sky compliance, and requirements for lighting temperatures in line with the safety requirements and aesthetic preferences of the Township.

### **Recommendation:**

- This issue has yet to be addressed and remains valid, and;
- The Township should prepare a more comprehensive lighting ordinance which addresses lower lighting, dark sky compliance, and requirements for lighting temperatures in line with the safety requirements and aesthetic preferences of the Township.

## Low-Impact Development Practices

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

While this recommendation may remain generally valid, NJDEP stormwater regulations may preclude the need for the Township to prepare additional regulations relating to low-impact development practices.

### **2023 Master Plan Reexamination**

**Recommendation:** Determine if State level regulations, including the NJDEP stormwater regulations, align with the Township’s desire for more stringent policies relating to low-impact development. If State level requirements are determined to be inadequate, the Township should continue to explore appropriate regulations relating to 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.*

**Recommendation:** This issue has yet to be addressed and remains valid.

### VH District/SC4 District Amendment and Expansion

*In order to provide more senior housing options in the Township, the SC-4 Overlay district should be revised to include assisted living residences as a permitted use and the area which it applies to should be expanded to include the Village Hospitality (VH) district, where such uses would be compatible with the historic villages and their character.*

This recommendation has been satisfied.

### Vacancy of Merck World Headquarters Facility/RO District

*Given the scale and potential dramatic impacts, it is of paramount importance that the process for visioning the reoccupation, repurposing or redevelopment of this facility should be rooted in community stakeholder and residents. The Township should carefully consider potential reuse or redevelopment opportunities as well as impacts on community character, traffic and natural resources in any planning or zoning changes adopted to address this facility’s vacancy.*

Since the 2019 Master Plan Reexamination Report was prepared, the property has been purchased by UNICOM Global, serving as the regional headquarters for the New York and New Jersey region for the company.

**Recommendation:** The Township should continue to monitor the development and use of the site, and if necessary, prepare land use policy to align its future development with the goals and policies of the Township.

## Zoning Map

*The current zoning map does not reflect a previous change in the boundary of the VC and VR districts that was adopted by the Township Committee on March 17, 2014. Additionally, the current zoning map does not reflect the existing locations of the SC-4 Overlay Zone (which is coterminous with the Village Residential (VR) zone). The Township should update the zoning map to address these two omissions.*

The zoning map has been updated to reflect the recommended changes from the 2019 Master Plan Reexamination Report. Since that time, a parcel-based zoning map was prepared, though it has not been adopted. The updated map does not represent changes to zoning, rather, it is recodified as a color and parcel-based digital map that the Township can utilize to attach different types of geographic information systems (GIS) data within the Township.

### Recommendation:

- Adopt the updated Zoning Map, and;
- Continue to update the Zoning Map when and if updates to zoning are adopted by the Township, and;
- Consider providing an interactive web-based Zoning Map on the Township website to create greater ease-of-use for Planning and Zoning Board applicants and residents generally.

## Permit Extension Act

The Permit Extension Act was most recently reactivated in response to the Covid-19 Pandemic. The permit extension was valid until six months after the official end of the public health emergency. The official end of the public health emergency was March 4, 2022, and so any extensions were valid until September of 2022. This is no longer valid.

## Readington Farms/ROM-1

- *The ROM-1 zone in this location should be reviewed for possible amendment, or a new zone considered (ROM-3) that would permit limited additional development capacity for those properties within the zone.*

### 2023 Master Plan Reexamination

- *New (ROM-3) or amended regulations for this district may include provisions for the transfer of intensity from non-contiguous parcels, as appropriate.*
- *Such regulations should ensure protection/restoration of the viewshed associated with the Whitehouse-Mechanicsville Historic District and Mill Road corridor.*
- *Lots with buildings or structures in this district that are identified as “contributing” to the character of the Whitehouse-Mechanicsville Historic district should be re-zoned to VR Village Residential. (See Appendices 3 and 4.)*
- *The following are recommended basic new regulations for this district:*
  - *Possible increased FAR*
  - *Possible increased impervious coverage*
  - *Enhanced buffers at frontages and for parking*

The Whitehouse-Mechanicsville Gateway Overlay Zone (WMG), within which the site of the former Readington Farms is located, provides a series of optional land use regulations within the ROM-1 district. These allow for more intense development, with greater maximum permitted floor area ratio, impervious coverage, and building height relating to milk and milk product production.

The WMG overlay zone meets the recommendations for Readington Farms as indicated in the 2019 Master Plan Reexamination Report. This issue is closed.

### **Accessory Dwelling Units**

The Zoning Board of Adjustment has received several applications for Accessory Dwelling Units (ADU's). These are not permitted anywhere in the Township currently. The Township may wish to explore these options provided they can be permitted with reasonable restrictions that are in line with the Township's planning and land development policies. These units may be referred to colloquially as “granny flats” or “in-law suites.”

## 5 REDEVELOPMENT PLANNING

***Readington should continue to investigate redevelopment opportunities within the Township.***

Under New Jersey's Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq., (LHRL) 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 municipality must follow the statutorily defined process set forth in the LHRL. 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 and other mechanisms 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.

### Reexamination Requirement "e"

- 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

--- NJSA 40:55D-89

***Readington should continue to utilize redevelopment to produce quality affordable housing***

Readington Township has successfully utilized Redevelopment as a means to produce high quality affordable housing development in line with the standards of the Township and the requirements of the Courts. This has been accomplished successfully in the Nelson Street, Block 36 and Block 81 Redevelopment Plans.

This should be applied to the Mirota site, which was identified in the housing Plan Element as a site for affordable housing. The Township should prepare an Area in Need of Redevelopment Study for the Mirota site to determine if it is a suitable site for a Redevelopment Plan.

The Township should continue to utilize redevelopment powers where appropriate to produce high quality affordable housing project in line with the Township's vision for land use and development in Readington. It is anticipated that this will be beneficial as the Township prepares for the next round of affordable housing requirements beginning in 2025.

### **2023 Master Plan Reexamination**

### ***Scattered Sites Redevelopment Along the U.S. Route 22 Corridor***

As indicated in Section 4 of this report, the Route 22 Subcommittee has been exploring different means of revitalizing the U.S. Route 22 corridor within Readington Township. While rezoning, as described in this report, will create a positive impact, the Township should also consider utilizing redevelopment to spur revitalization along the Corridor on lots that may qualify for redevelopment designation.

The Township should consider a “scattered sites” approach to redevelopment along the Corridor. Rather than identifying one parcel or several parcels that abut one another, the Township should look at the Corridor as a whole, and identify those individual lots which could benefit from Redevelopment. The use of Redevelopment powers pursuant to the Local Redevelopment and Housing Law (LRHL, N.J.S.A. 40A:12A-1 et seq.) in this scenario will help to redevelop properties that are problematic, and turn them into assets that become part of the Corridor’s revitalization.

## 6 APPROPRIATE LOCATIONS FOR THE DEVELOPMENT OF ELECTRIC VEHICLE INFRASTRUCTURE

The installation of electric vehicle infrastructure in the Township should be considered on public parcels, Department of Public Works (DPW) sites, and other municipal properties.

### Reexamination Requirement “F”

- f. The recommendations of the planning board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

--- *NJSA 40:55D-89*





## **APPENDIX A: SUMMARY OF MASTER PLAN REEXAMINATION REPORT RECOMMENDATIONS**

### **Recommendations**

- **Affordable Housing**
  - Continue to monitor the availability of sewage treatment capacity and support applications for expansion of capacity and amendments to the Water Quality Management Plan to provide capacity, and work diligently to foster timely development of units included in the durationally deferred affordable housing obligation as capacity becomes available.
  - Anticipate the establishment of Fourth Round obligations and potential changes in affordable housing regulations and examine what affordable housing compliance mechanisms are available now that could help satisfy a Fourth Round obligation.
  
- **Wastewater**
  - The 2009 Utility Service Plan Element should be updated to:
    - Reflect the recommendations of the 2019 Master Plan Reexamination Report;
    - Reflect the “Changes to Areas Served”;
    - Continue to ensure that adequate public sanitary sewer is available to support the provision of low- and moderate- income housing,
    - Continue looking for opportunities to recapture sewer capacity.
  
- **Whitehouse Corridor**
  - The Land Development Ordinance should be revised to:
    - Implement the recommendations of the Route 22 subcommittee,
    - Adopt ordinances to create the HVC, B-1 and HC zones as described herein,
    - Update the zoning map to reflect any zone changes along U.S. Route 22,
    - Adopt the proposed definitions to clarify proposed uses in the U.S. Route 22 corridor.
  
- **Senior Citizen Housing**
  - Continue to explore opportunities for planned senior housing development in line with the needs of the Township,
  - Ensure the completion of the projects indicated herein,

- Prepare a Redevelopment Plan for the Mirota site to facilitate progress and implement the Housing Plan Element recommendations,
  - Explore as part of all housing, including senior housing, creating small, affordable secondary dwellings (known as Accessory Dwelling Units, or ADUs) where appropriate.
- **Impervious Coverage**
    - Continue to evaluate the need for, or modification of, impervious coverage requirements, and;
    - Continue to monitor changes or updates to NJDEP stormwater requirements as they relate to impervious coverage, and;
    - If necessary, adopt impervious coverage requirements in the PND-2 zone and all other zones as necessary.
- **Tree Protection/Woodlands/Flora**
    - Monitor the impacts of the Tree Removal and Replacement Ordinance and adjust the Ordinance as necessary to meet the Township's goals relating to tree protection and reforestation.
- **Scenic Resources/Scenic Roadways**
    - Form a subcommittee to explore the preparation and implementation of an Ordinance that identifies and protects scenic resources within the Township.
- **Open Space and Farmland Preservation**
    - Continue to identify parcels of land for open space and farmland preservation,
    - Continue to update planning documents as necessary to maximize funding opportunities for farmland and open space preservation,
    - Focus on parcels that facilitate the preservation and conservation of contiguous landscapes, including stream and river corridors, forests and grasslands.
- **Community Farm Stand**
    - Further linkages between the Township's farms, and future uses such as restaurants, breweries, distilleries, and other mixed-use development that can utilize locally sourced produce should be encouraged and considered within the context of the Township's desire for a Community Farm Stand.

- **Historic Preservation Plan/Element/Whitehouse Mechanicsville Historic District**
  - The Historic Preservation Element should be updated to indicate the status of the Whitehouse-Mechanicsville Historic District, and;
  - Accurate boundaries of all unlisted historic districts should be mapped, and the map(s) should be formally adopted, and;
  - Update Historic Sites Map to reflect current status of existing properties and add qualified new properties.
  
- **Circulation Plan Element**
  - Prepare a new Circulation Plan Element that contains policies regarding mobility and pedestrian and cycling infrastructure, in addition to the efficient movement of vehicles within the Township,
  - Coordinate any future circulation plan element with the established trail network identified in the 2018 Open Space Plan Element and the 2022 Farmland Preservation Plan Element.
  
- **Community Facilities Plan**
  - The Community Facilities Plan is out of date and the Township should consider preparing an updated Community Facilities Plan Element.
  
- **Residential Site Improvement Standards**
  - Continue to monitor any modifications to the RSIS standards and revise the Land Development Ordinance accordingly if necessary.
  
- **Hunterdon County Agriculture Development Area (ADA)**
  - The Township has in the past considered making recommendations to the County to expand the Hunterdon County Agriculture Development Area within the Township. The Township should examine whether this is still relevant, and if so, prepare a proposal for the County to that effect.
  
- **Sustainability Audit**
  - The Township sought to 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). The Township should revisit this goal within the context of a Green Buildings and Environmental Sustainability Plan Element.

- **Environmental Resource Inventory (ERI)**
  - The Township has a goal of updating the Environmental Resource Inventory (ERI). The Township is contracted with Princeton Hydro to complete the updated ERI, and should continue working with their consultants to finalize the updated ERI and adopt it when it is completed.
  
- **Signs**
  - The preparation of the amended sign ordinance is ongoing and should be completed in a timely manner and in a manner which protects the rights of all people within the Township and aligns with the Land Development Policies of the Township as permitted under Federal Law.
  
- **Lighting**
  - The Township should prepare a more comprehensive lighting ordinance addressing lower lighting, dark sky compliance, and requirements for lighting temperatures in line with the safety requirements and aesthetic preferences of the Township.
  
- **Low-Impact Development Practices**
  - Determine if State level regulations, including the NJDEP stormwater regulations, align with the Township's desire for more stringent policies relating to low-impact development. If State level requirements are determined to be inadequate, the Township should continue to explore appropriate regulations relating to 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.
  
- **Vacancy of Merck World Headquarters Facility/RO District**
  - Continue to monitor the development and use of the site, and if necessary, prepare land use policy to align its future development with the goals and policies of the Township.
  
- **Zoning Map**
  - Adopt the updated Zoning Map,
  - Continue to update the Zoning Map when and if updates to zoning are adopted by the Township,

- Consider providing an interactive web-based Zoning Map on the Township website to create greater ease-of-use for Planning and Zoning Board applicants and residents generally.
- **Redevelopment Planning**
  - The Township should continue to utilize redevelopment powers where appropriate to address dilapidation and obsolescence within the Township. This should be utilized to ensure high-quality affordable housing development, and as a catalyst for the revitalization along the Whitehouse Corridor, utilizing a “scattered sites” approach.
- **Electric Vehicle Infrastructure**
  - The installation of electric vehicle infrastructure in the Township should be considered on public parcels, Department of Public Works (DPW) sites, and other municipal properties.

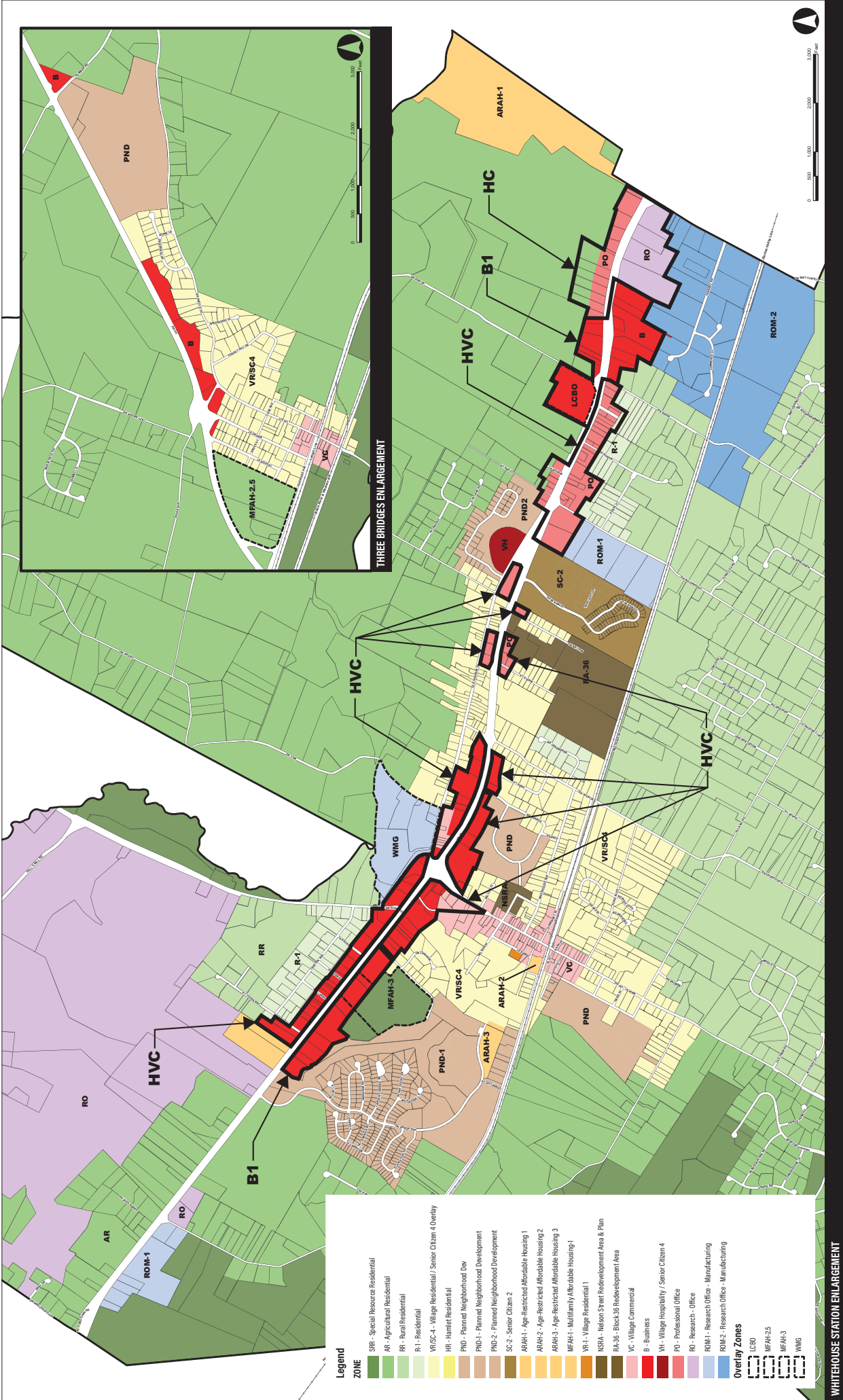


## **APPENDIX B**

# **U.S ROUTE 22/WHITEHOUSE CORRIDOR SUGGESTED ZONING DISTRICTS**







**Legend**

	SRR - Special Resource Residential
	AR - Agricultural Residential
	RR - Rural Residential
	B1 - Residential
	VRISC-1 - Village Residential / Senior Citizen 4 Overlay
	PND - Planned Neighborhood DOW
	PND-1 - Planned Neighborhood Development
	PND-2 - Planned Neighborhood Development
	SC-2 - Senior Citizen 2
	ARAH-1 - Age-Restricted Affordable Housing 1
	ARAH-2 - Age-Restricted Affordable Housing 2
	ARAH-3 - Age-Restricted Affordable Housing 3
	MFAH-1 - Multi-Family Affordable Housing 1
	VR-1 - Village Residential 1
	NSRA - Nelson Street Redevelopment Area & Plan
	RA-36 - Block 36 Redevelopment Area
	VC - Village Commercial
	B - Business
	VR-1 - Village Hospitality / Senior Citizen 4
	PO - Professional Office
	RO - Research - Office
	ROM-1 - Research Office - Manufacturing
	ROM-2 - Research Office - Manufacturing

**Overlay Zones**

	LCBO
	MFAH-2.5
	MFAH-3
	WMG

DRAFT

# Route 22: Suggested Zoning Districts

Readington Township, Hunterdon County, NJ May 2023

Source: Readington Township, digitized by Clarke Catton Hintz

WHITHOUSE STATION ENLARGEMENT