

TOWNSHIP OF NORTH BRUNSWICK PLANNING BOARD

**RESOLUTION ADOPTING THE AMENDMENTS TO THE TOWNSHIP
MASTER PLAN REDESIGNATING LAND ALONG BALCKHORSE LANE
FOR I2 INDUSTRIAL USE**

WHEREAS, the North Brunswick Township Planning Board Adopted the Master Plan in May of 2006, for the comprehensive development of the Township of North Brunswick and to be in compliance with the Municipal Land Use Law N.J.S.A. 40:55D-28; and

WHEREAS, the Planning Board has determined that since the adoption of the Master Plan in 2006, several conditions have changed that impact the appropriateness of the Property being zoned for residential use; specifically, the adoption of a Third Round Affordable Housing Plan demonstrates that the Township of North Brunswick (the "Township") does not need the Property to meet the Township's affordable housing element, the Township's acquisition of the Pulda Farm for open space renders future acquisition of open space unreasonable, and the recent rezoning for a transit village has created the possibility for a turnback loop; and


WHEREAS, the Planning Board has determined that the development of the Property as an industrial use is consistent with Smart Growth principles and in the best interest of the Township of North Brunswick; and

WHEREAS, a public hearing on the adoption of the Master Plan amendments attached hereto as Exhibit A was held on March 8, 2011; and

NOW, THEREFORE, BE IT RESOLVED that the Planning Board of the Township of North Brunswick hereby adopts the amendments to the Master Plan, attached hereto as Exhibit A, for the reasons set forth in the Master Plan and at the public hearing on March 8, 2011 for the comprehensive development of the Township of North Brunswick and in compliance with the Municipal Land Use Law, N.J.S.A. 40:55D-28.

CERTIFICATION

THIS IS TO CERTIFY that the foregoing is a true copy of the Resolution adopted by the Planning Board of the Township of North Brunswick at its public meeting held on March 8, 2011.



Janice A. Larkin
Planning Board Secretary

MASTER PLAN AMENDMENT REDESIGNATING LAND ALONG BLACKHORSE LANE FOR I2 INDUSTRIAL USE

The Municipal Land Use Law requires a periodic reexamination of the Master Plan every six years. However, the North Brunswick Planning Board has determined over the past two years that changing conditions warrant more regular reviews of various issues and properties in the Township. Based upon changing conditions, the Planning Board determined to review the appropriateness of the residential zoning for approx 38 acres in the far southern end of the township.

The area to be studied included two large lots designated as block 148, lot 114.01 (23.67 acres) and block 148, lot 114.02 (14.57 acres). The property is currently zoned R-2 Residential, which permits single-family homes to be constructed on minimum lot sizes of 15,000 square feet. The property comprises approximately slightly more than 50% of the land located between the Northeast Corridor rail line to the west, Deerbrook Village to the north and Rt. 130 to the east. While the property in question is zoned residential, all of the remaining lands in this area are zoned I-2 Industrial.

This area of the Township had a long history of industrial zoning until the early 1980s. These properties were first rezoned from industrial to R-M Manufactured Housing Residential in the early 1980s. Page 22 of the 1984 Master Plan states, "In addition, approximately 80 acres of vacant land have been designated for manufactured housing development. A maximum development density of 8 units per acre is recommended." The two lots being reviewed comprised 38 acres of this land. Page 8 of the 1984 Master Plan also states, "... the provision of manufactured housing is an essential element of the Township's desire to address its lower income housing obligation." The text makes it clear that the decision to rezone this property was based upon the need to address the Township's affordable housing obligation.

In 1994, the Planning Board undertook a reexamination of the Master Plan. Page 9 of The 1994 Reexamination Report of the 1984 Master Plan acknowledges that the properties in question were subsequently rezoned from R-M Manufactured Housing to a designation that allowed for townhouse development. As such, the reexamination report recommended that the sites be designated Transitional Residential in order to be consistent with present zoning.

Page 3 of the 1994 Master Plan Update states, "All references to sites designated for manufactured housing are no longer applicable, with the exception of the Deerbrook Village Manufactured Home Park. The reasons for this change are discussed in the 1994 Reexamination Report."

In 1999, the Planning Board undertook another reexamination of the Master Plan. Page 13 of the 1999 Reexamination Report and Master Plan Update identified this area of the Township as one of three areas where existing densities of 7-10 units per acre were no longer appropriate. "If the Township petitions COAH for certification, then the 40 acres off of Blackhorse Lane are no longer needed to meet the Township's lower income housing obligation. As such, the Planning Board has determined that the development density on this site should be reduced."

Page 14 states, "Several areas of the Township which have been zoned for higher densities are being designated for Low Density residential use. These include approximately 40 acres south of Deerbrook Village on Route 1302 south . . . "

It becomes clear based upon review of the 1984 Master Plan and the 1994 and 1999 Master Plan Updates, that the properties in question were zoned for high density residential as a critical component of the Township's strategy to address its lower income housing obligation. As the Township's obligation was reduced, these properties were no longer needed for this purpose, and as a result, the development density was significantly reduced.

While the properties have maintained their residential zoning since 1999, on a number of occasions these properties were discussed relative to their appropriateness for residential use. Several times the township was approached by developers requesting that block 148, lot 114.01 be rezoned for multifamily use or to a much smaller lot size that would be more appropriate in the area. The main concerns repeatedly voiced to the Township were the fact that the property is not really compatible with single-family residential use due to its proximity to the Northeast Corridor rail line to the west, the PSE&G transmission lines to the north, and to industrial uses to the south.

During the Master Plan review process in 2006, the Planning Board identified these properties for study to determine the appropriateness of its single-family residential zoning. The properties in question and several other properties abutting Oakey's Broos were identified on the Future Land Use Considerations Map as site # 12. Page 63 of the Master Plan identifies these properties as "North Brunswick South at Oakey's Brook". On page 63, the Master Plan states that due to environmental features of the area, and the land's potential to be connected into a greater greenway network, the properties should be considered for acquisition.

These properties were delineated as a Potential Acquisition Target on the Map entitled Acquisition Opportunities Map. This designation applied to

block 148. lots 114.01 and 114.02, as well as several additional lots that abut Oakey's Brook. In the Open Space and Recreation Element of the Master Plan, on page 170, the Master Plan states, "Pursue acquisition of land near Oakey's Brook."

While the Master Plan recommended the properties for acquisition of open space, the Master Plan also stated on page 63 as follows: ". . . The underlying zoning is recommended to remain in effect."

The Planning Board has questioned the appropriateness of residential zoning in this area for years due to adjacent land use and the proximity of the railroad and the power lines. However, these incompatibilities were accepted for years due to the fact that the Township needed an additional site for affordable housing. With this area no longer being needed for affordable housing, these properties were designated for acquisition for open space in the 2006 Master Plan.

However, since adoption of the Master Plan in 2006, several conditions have changed that impact the appropriateness of these properties being zoned for residential use.

One of these conditions is the adoption of a Third Round Affordable Housing Plan that demonstrated that the Township does not need these properties in order to meet the Township's affordable housing obligation.

A second condition that has changed is the Township's acquisition of the 69 acre Pulda Farm for open space purposes with the assistance of open space funding from the County. With the acquisition of this property, it is no longer reasonable to acquire the lands in question for open space purposes.

The third condition that has changed is the rezoning for a transit village on the former J&J property. The Township has had several meetings with New Jersey Transit representatives who have developed a conceptual plan to create a grade-separated railroad Turnback Loop to reverse the direction of trains coming from the north. The conceptually proposed Turnback Loop would require acquisition of a portion of the properties in question. Over the past three years, the Township has had numerous discussions with NJ Transit relative to the feasibility of constructing a rail station and a transit village on this site, and the Planning Board believes that a rail station will be constructed in the future.

For all of the reasons discussed herein, the Planning Board believes that it is no longer necessary or appropriate for these properties to be designated for residential use. As such, this Master Plan amendment changes the

designation of block 148, lot 114.01 and block 148, lot 114.02 from R-2 Single-Family Residential to I2 Industrial.