

**RESOLUTION OF THE NORTH BRUNSWICK TOWNSHIP
PLANNING BOARD APPROVING THE ADOPTION
OF THE APRIL 26, 2018 REEXAMINATION
REPORT AND MASTER PLAN AMENDMENT**

WHEREAS, the Municipal Land Use Law, N.J.S.A. 40:55D-1 *et seq.* mandates periodic re-examinations of municipalities' Master Plans; and

WHEREAS, the North Brunswick Planning Board has been undertaking a re-examination of the 2006 Master Plan (2006 MP) for the past two plus years; and

WHEREAS, on June 23, 2016, the Planning Board adopted the "June 6, 2016 Housing Element/Fair Share Plan" to address housing needs in the Township; and

WHEREAS, on December 5, 2017, the Planning Board adopted the "December 5, 2017 Open Space and Recreation Plan" to meet a deadline of December 31, 2017 for the Township to complete and adopt a new Open Space and Recreation Plan in order to qualify for Green Acres funding; and

WHEREAS, the Planning Board has extensively reviewed and discussed the appropriateness of current land use designations throughout the Township; and

WHEREAS, the Planning Board provided public advertisement and notice for a public hearing on the "April 26, 2018 Reexamination Report and Master Plan Amendment" in accordance with the requirements of the Municipal Land Use Law; and

WHEREAS, said public hearing was held on April 26, 2018 in the municipal courtroom located at 710 Hermann Road in North Brunswick; and

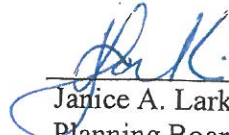
WHEREAS, after public comment the Planning Board voted unanimously to adopt the "April 26, 2018 Reexamination Report and Master Plan Amendment" as proposed;

NOW THEREFORE, BE IT RESOLVED that the Planning Board of the Township of North Brunswick hereby memorializes its action on April 26, 2018, adopting the "April 26, 2018

Reexamination Report and Master Plan Amendment," a copy of which is annexed hereto as Exhibit A.

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

June 12, 2018



Janice A. Larkin
Planning Board Secretary

APRIL 26, 2018 REEXAMINATION REPORT AND MASTER PLAN AMENDMENT

Prepared by Thomas Vigna, P.P.

Township Planner

Adopted by the North Brunswick Township Planning Board
after public hearing on April 26, 2018

INTRODUCTION

Article 12 of the Municipal Land Use Law requires the governing body to provide for a general reexamination of its Master Plan and development regulations by the Planning Board at least once every ten years. The Planning Board must prepare and adopt by resolution a report on the findings of this periodic reexamination.

The Township Planning Board conducted a public hearing and approved the existing Master Plan on May 16, 2006. Subsequent to adoption, the Planning Board held public hearings and adopted amendments to the 2006 Master Plan on seven different occasions:

1---On November 12, 2009, the Planning Board adopted an amendment entitled "Designation of Block 148, Lots 5.04, 7.01, 7.03, & 23 for a Transit Village";

2--- On November 12, 2009, the Planning Board also adopted an amendment entitled "Continued Need for Market Priced Age-Restricted Housing";

3---On February 18, 2010, the Planning Board adopted an amendment entitled "Master Plan Amendment Creating a New Commercial Zone on Rt. 130 Northbound from Quarry Lane South to the Township Line";

4--- On February 18, 2010, the Planning Board also adopted an amendment entitled "Master Plan Amendment Allowing Large Retail Establishments in the K. Hovnanian Commerce Center";

5---On March 7, 2011, the Planning Board adopted an amendment entitled "Master Plan Amendment Redesignating Land along Blackhorse Lane for I2 Industrial Use";

6--- On June 6, 2016, after extended settlement negotiations in Superior Court, the Planning Board adopted an amendment to the Housing Element entitled June 6, 2016 Housing Element/Fair Share Plan; and

7---On December 5, 2017, the Planning Board adopted a 40 page Open Space and Recreation Plan Element that complies with DEP Green Acres funding guidelines prior to DEP's mandated December 31, 2017 deadline.

However, these amendments to the Master Plan did not fulfill the statutory requirement for a periodic reexamination. This document, entitled "April 25, 2018 Reexamination Report and Master Plan Amendment", meets the statutory obligation for the required periodic reexamination.

The statute (40:55D-89) requires that a reexamination report shall address five specific topics:

The reexamination report shall state:

- 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 of 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.
- 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.

PLANNING BOARD REEXAMINATION EFFORTS

Beginning in December of 2015, and continuing through March of 2018, the Planning Board reviewed the existing 2006 Master Plan and discussed all of the relevant issues required for a periodic reexamination of the Master Plan.

Pages 1-5 of the 2006 Master Plan outline numerous issues that were specifically to be addressed during the 2006 Master Plan process. Each of these issues was reviewed and discussed in detail the past two years in order to determine its current relevance.

Pages 6-8 outline numerous goals and objectives incorporated into the 2006 Master Plan. Each of these goals and objectives was also reviewed and discussed as warranted.

The Planning Board also engaged in specific discussions relative to whether it was appropriate to modify the range of permitted land uses on 19 different sites and areas of the Township. During these meetings, alternative possibilities were discussed relative to these sites, taking into consideration the following factors: surrounding land uses, circulation and utilities constraints, demographic changes, and the need to provide the Township's fair share of affordable housing.

After significant discussion, the Planning Board has determined to make changes to the land use designation in the Land Use Plan Element of the Master Plan for 17 specific areas. These areas will be identified and briefly discussed after a discussion of problems, objectives and assumptions affecting land use in the Township since adoption of the 2006 Master Plan. Several of these changes are merely modifications to the Land Use Plan Element Map to reflect changes previously made by text only in Master Plan amendments adopted since 2006.

Over the past two years, the completion of the Master Plan reexamination was temporarily held in abeyance on several occasions for specific reasons as identified below:

1---There was a \$68.4 million referendum to fund construction of a new intermediate school building and renovations to an existing school scheduled for

December 13, 2016. Given the rejection of the December 8, 2015 referendum to construct two new schools at a local cost of \$79.5 million, the Planning Board wanted to hold in abeyance discussions relevant to land use changes and community facilities until the referendum vote occurred;

2---On March 10, 2015, the New Jersey Supreme Court issued an order that required municipalities to seek judicial review to determine compliance with their Mt. Laurel obligations. The effect of this order was to make the Superior Courts the forum to determine municipal compliance. Efforts to revise the Land Use Plan Element of the Master Plan were held in abeyance for six months during extended settlement negotiations in Superior Court that resulted in adoption of a 25 page Master Plan amendment entitled “June 6, 2016 Housing Element/Fair Share Plan”;

3---The Planning Board entertained multiple conceptual presentations by developers on two properties in the Township where property owners were seeking zone changes; and

4---The Planning Board held discussions on the Land Use Plan Element in abeyance while it worked on preparation of a 40 page Master Plan amendment entitled “December 5, 2017 Open Space and Recreation Plan”. This document, which complies with DEP Green Acres funding guidelines, was adopted on December 5 in order to meet DEP’s mandated December 31, 2017 deadline.

TOPICS REQUIRED TO BE DISCUSSED FOR STATUTORY COMPLIANCE

(a) The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

There were 11 specific goals identified in the 2006 Master Plan. These goals included the following:

- 1---Promote land use policy designed to create a “sense of place” in designated centers of activity;
- 2---Preserve existing residential neighborhoods;
- 3---Maximize the potential for expansion of the economic base, while assuring that development projects address roadway and utility infrastructure needs;
- 4---Provide a balance of land uses in appropriate locations to address the needs of Township residents and businesses;
- 5---Examine possibilities to improve the Township’s circulation system;
- 6---Pursue all avenues to expedite the completion of all studies necessary for NJ Transit to determine if the construction of a rail station is both feasible and a “high priority” location within the northeast corridor;
- 7---Promote the development of a comprehensive, Township-wide system of greenways, bikeways, and other pedestrian connections;
- 8---Determine the Township’s obligation to provide for affordable housing in accordance with the Council on Affordable Housing’s Third Round methodology;
- 9---Analyze the need for additional public facilities and services to address the existing and future needs of the Township;
- 10---Provide an appropriate amount of active recreational space and passive open space to address the Township’s current and future needs; and
- 11---Analyze sanitary sewerage, public water and public storm water facilities to determine the need for future studies and possible improvements.

The major problems and objectives facing the Township in 2006 were the following:

- the need to provide affordable housing;
- the need to provide housing for elderly residents;
- the need to enhance school capacity at the elementary, middle and high school levels;
- the need to eliminate bottlenecks at various roadways in the township that made moving from place to place very difficult;
- the need to continue to develop recently acquired open space to meet the township's demand for developed recreation space; and
- the need to investigate future expansion or new construction of public facilities, including a senior center, a community center and a library

(b) The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

After much discussion, the Planning Board has determined that the major problems and objectives specifically identified in the 2006 Master Plan are still valid and relevant today, and as such the Planning Board positively reaffirms these issues, problems and objectives in this April 26, 2018 Reexamination Report and Master Plan Amendment.

With respect to community facilities, the 2006 Master Plan identifies on page 122 the following issues that need to be studied further and possibly addressed:

- the need for a community center
- the need for a new senior center, and
- the need for a new or expanded library

Pages 133-136 of the 2006 Master Plan discuss issues and options for each of the above facilities, and pages 144-145 make recommendations for future analysis and study. Concerns about each of these facilities remain valid today, and the Planning Board recommends that additional study should be undertaken as appropriate to determine the best long term solution to these issues.

With respect to public schools, the 2006 Master Plan discusses enrollments and the possible need for additional facilities on pages 136-141.

The 2006 Master Plan references the high school renovation that was occurring at that time, as well as a major renovation and expansion program to the elementary schools and middle school based upon a January 2006 referendum that had recently been approved.

Since adoption of the 2006 Master Plan, there have been significant changes involving the adequacy of public school facilities in the Township. These changes are identified herein.

On December 8, 2015, North Brunswick voters rejected a \$75.9 million referendum that called for the construction of two new schools in the district in order to address overcrowding. At the time, the district was proposing to build a school for 5th and 6th graders, as well as an early childhood center for three and four year olds. The proposed schools would have been built on a site located off of Route 130 southbound in the southern portion of the Township. The project was necessitated by a projected 9% increase in enrollments at a time when the district was already experiencing overcrowding. At the time, the district was also leasing space at a former school building in Milltown.

The Board of Education came up with an alternate plan to address facility needs. On December 13, 2016, North Brunswick voters approved a \$68.4 million referendum that calls for the construction of a new 7th and 8th grade Middle School, as well as eliminating overcrowding at all elementary schools by moving all 5th and 6th graders to the Linwood School which will now serve as an intermediate school. The Linwood School will also be renovated to house the early childhood program and Board of Education offices.

(c) The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis of 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 or natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

The Planning Board finds that the extent of the changes to the assumptions, policies and objectives that formed the basis of the 2006 Master Plan is insignificant with the exception of several specific items. As such, the Planning Board reaffirms these assumptions, policies and objectives in this April 26, 2018 Reexamination Report and Master Plan Amendment.

The specific areas with significant change are as follows:

---the Planning Board proceeded to change the Land Use Plan Element and zoning ordinance to allow for the redevelopment of the former Johnson & Johnson site for a transit village;

---The township was successful working with the State of New Jersey Department of Transportation and the developer of the transit village to facilitate numerous, significant roadway improvements;

---The Township approved a referendum on December 13, 2016 to provide funding to build a new school building to accommodate 7th and 8th grade students, and to renovate the Linwood Middle School to accommodate 5th and 6th graders as well as an Early Childhood Program for special-needs students. These improvements will address overcrowding issues highlighted in the 2006 Master Plan for the foreseeable future.

(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.

In order to address the Township's obligation to provide for its fair share of the region's low and moderate income housing need, the Planning Board prepared a 25 page Master Plan amendment entitled "June 6, 2016 Housing Element/ Fair Share Plan" to supplement and supersede, where there are conflicts, housing recommendations and policies incorporated in the 2006 Master Plan. This new Housing Element and Fair Share Plan was adopted by the Planning Board on June 23, 2016.

In order to meet a Department of Environmental Protection December 31, 2017 deadline for preparation of a new Open Space and Recreation Plan that complies with DEP funding guidelines, the Planning Board prepared a 40 page Master Plan amendment entitled "December 5, 2017 Open Space and Recreation Plan Element". Where there are conflicts, this amendment supplements and supersedes open space recommendations and policies incorporated in the 2006 Master Plan. This new Open Space and Recreation Plan Element was adopted by the Planning Board on December 5, 2017.

In addition to the land use and policy changes incorporated in the June 6, 2016 Housing Element/Fair Share Plan, and the December 5, 2017 Recreation and Open Space Plan Element, the Planning Board is making revisions to the permitted land use category and/or Land Use Plan map for 17 additional areas. These 17 areas are discussed herein and depicted on the attached 17 Land Use Change Area maps. Several of these changes are merely modifications to the Land Use Plan Element Map to reflect changes previously made by text only in several Master Plan amendments adopted since 2006.

In addition, there has been considerable confusion over the years due to the fact that land use designations in the Master Plan did not utilize hyphens between letters and numbers, while the zoning ordinance placed a hyphen between same. In order to eliminate this confusion, land use delineations in the Master Plan which utilize the same letters and numbers as the comparable zoning

classification will now be changed to also utilize hyphens between the letters and numbers. As a result, the Master Plan designations for the R1, R2, R3, R4, R5, R6, R7, RM, RTD, C1, C2, C3, GO, OR, I1 and I2 designations in the 2006 Master Plan are hereby being changed to R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-M, R-T-D, C-1, C-2, C-3, G-O, O-R, I-1 and I-2 in this April 26, 2018 Reexamination Report and Master Plan Amendment.

**17 AMENDMENTS TO THE LAND USE PLAN ELEMENT OR LAND USE PLAN
ELEMENT MAP INCORPORATED IN THE APRIL 26, 2018 REEXAMINATION REPORT
AND MASTER PLAN AMENDMENT**

Area # 1 is located on Rt. 1 northbound at the southeast corner of the intersection of Rt. 1 and Milltown Road. The area is comprised of one lot which is identified at Block 252, Lot 1.05.

The County of Middlesex acquired this 24.56 acre parcel of land and developed a park along the Milltown/ North Brunswick border with access from Milltown Road.

This property is currently designated in the OR Mid-Rise Office Research land use category in the 2006 Master Plan, and is currently zoned O-R Mid-Rise Office Research. It has been a long-standing policy of the Planning Board and Township Council that all publicly owned lands be assigned the land use category of ERR Education-Recreation-Research in the Master Plan. This change to ERR is being made in this amendment. The Planning Board will also be recommending to the Township Council that this property be rezoned from O-R Mid-Rise Office Research to ERR Education-Recreation-Research.

Area # 2 is located on Rt. 1 northbound at the southwest corner of the intersection of Rt. 1 and Rt. 130. The area is comprised of one 16.18 acre lot which is identified as Block 143, Lot 25.01.

The Board of Adjustment granted use variance and site plan approval for a mixed use center of approximately 147,000 square feet in 2006. The lifestyle center developed on this property is known as The Shoppes of North Brunswick.

This property is currently designated in the OR Mid-Rise Office Research land use category in the 2006 Master Plan, and is currently zoned O-R Mid-Rise Office Research. The Planning Board is changing the land use category in the April 26, 2018 Reexamination Report and Master Plan Amendment to C-2 General Commercial to be consistent with the development of this site. The Planning Board will also be recommending to the Township Council that this property be rezoned from O-R Mid-Rise Office Research to C-2 General Commercial.

Area # 3 is comprised of lands lying between Livingston Avenue and Joyce Kilmer Avenue, extending from 12th Street to 16th Street. It includes the properties on both sides of 16th Street. Area #3 includes the following 18 properties:

---Block 96, Lot 2;

---Block 97, Lots 1, 2, 2.01, 2.02, 2.03 and 2.04;

---Block 98, Lots 1 and 2; and

---Block 99, Lots 1-6; 9.01, 10 and 11.

These properties are currently shown in the C1 Neighborhood Commercial land use category in the 2006 Master Plan, and are currently zoned C-1 Neighborhood Commercial.

Several years ago, the Township retained Maser Consulting to prepare a study of the redevelopment potential of Livingston Avenue. This study, entitled 2014 Livingston Avenue Corridor Study, is dated September 19, 2014. This study recommended the creation of a new mixed use zone along substantial portions of Livingston Avenue. This new mixed use zone would permit commercial and offices uses on the first floor with two additional stories of residential use on the second and third floors. After much discussion, due to concerns relative to traffic congestion, and the uncertainty as to whether actions will be taken by the State of New Jersey to alleviate this congestion on Livingston Avenue, which is a State highway, the Planning Board has determined not to proceed with the creation of this mixed use development zone at this time.

Instead, the Planning Board is changing the 18 lots identified above from the C1 Neighborhood Commercial designation to the C-2 General Commercial land use category to be consistent with the established commercial character of the existing properties. Only four of these 18 properties are not currently developed for commercial uses, and many of the commercial uses do not meet the restrictions of the Neighborhood Commercial category. The Planning Board will also be recommending to the Township Council that these properties be rezoned from C-1 Neighborhood Commercial to C-2 General Commercial.

If the State and County undertake roadway improvements at the intersection of Livingston Avenue and How Lane to reduce traffic congestion, there was a consensus among Planning Board members to open up discussions relative to the appropriateness of the mixed use commercial/residential zone recommended by the Maser Study.

Area # 4 is located off of Livingston Avenue southbound a short distance south of How Lane. The area is comprised of 38 lots, including the following specific block and lot designations:

---Block 90.01, lots 1-17;

---Block 90.02, lots 1-9; and

---Block 90.03, lots 1-12.

This area is currently shown in the GO General Office land use category in the 2006 Master Plan. However, this area was rezoned from G-O general Office to R-4 Single and Two Family Residential on May 4, 2015 based upon a recommendation in the Maser Livingston Avenue Corridor Study. The rezoning of these properties was accomplished to make these properties consistent with use variance and subdivision approvals granted by the Board of Adjustment in August 1986 to create a subdivision of 37 single family homes. The development includes Danny Court, Brent Street and Jessica Lane. This Land Use Plan Element map change to R-4 is being made to reflect the recent zoning change.

Area # 5 is located adjacent to the Livingston Avenue elementary school on Livingston Avenue. The area is comprised of 2 lots designated as Block 137, Lots 16 and 17.

This area is currently shown in the R3 Single Family Residential land use category in the 2006 Master Plan. However, this area was rezoned to ERR Education-Recreation-Research on May 4, 2015 based upon a recommendation in the Maser Study, as the property is owned by the North Brunswick Board of Education and is currently utilized as part of the Livingston Park School.

This Land Use Plan Element map change to ERR is being made to reflect the recent zoning change.

Area # 6 is located on Rt. 1 southbound immediately to the north of Livingston Avenue. The area is comprised of portions of four lots, including the following specific block and lot designations:

---Block 140.01, lots 4, 5.02, 6.04 and 7.01.

This area is currently shown in the I1 Industrial land use category in the 2006 Master Plan. It was rezoned from I1 Industrial to C-2 Commercial based upon a recommendation in the Maser Livingston Avenue Corridor Study.

Subsequent to the rezoning of this property, the Planning Board granted site plan approval for a combination of retail and flex space on this property. This Land Use Plan Element map change to C-2 is being made to reflect the recent zoning change.

Area # 7 is comprised of 11 lots and part of one additional lot located generally along the portion of Grove Street that runs parallel to Rt. 1 southbound. All but four of these properties formerly had access to Rt. 1 southbound prior to the State making improvements to the Jersey Avenue jughandle more than twenty years ago.

The area includes the following specific block and lot designations:

---Block 81, 5.01, 6.01 and 12.01;

---Block 82, lots 7.01, 10.01, 11 and a portion of lot 4.02;

---Block 83, lots 5.01, 8.01 and 9; and

---block 84, lots 8.01 and 9.

This area is currently shown in the C1 Neighborhood Commercial land use category in the 2006 Master Plan, and is currently zoned C-1 Neighborhood Commercial.

The Planning Board is changing the land use category in the April 26, 2018 Reexamination Report and Master Plan Amendment to R-3 Single-Family Residential, as all but two of these lots are currently developed for single-family use. The remaining two lots consist of landscaping businesses that will become nonconforming uses when the property is rezoned, as the Planning Board will also be recommending to the Township Council that these properties be rezoned from C-1 Neighborhood Commercial to R-3 Single-Family Residential.

Area # 8 encompasses a single-family neighborhood located along and behind Rt. 1 northbound between Thalia Street and Felicia Street. It consists of 47 residential lots that are adjacent to several large warehouse facilities and an automobile dealership.

While this area is designated I2 Industrial in the 2006 Master Plan and is currently zoned I-2 Industrial, given the character of this neighborhood, the Board of Adjustment has granted use variances to construct additional single-family homes several times in recent years. The area includes the following specific block and lot designations:

---Block 148, lots 31-33.

---Block 150, lots 1-13;

---Block 151, lots 1-12;

---Block 152, lots 1-7, 8.01, 8.02, 9, 10, 11.01, 11.02 and 12 (Lot 11 was recently subdivided into lots 11.01 and 11.02 by variance and subdivision approval granted by the Board of Adjustment in January of 2016); and

---Block 153, lots 5.01, 5.02, and lots 6-8.

Redesignating this area to R-4 Single-Family Residential will acknowledge the viability of this residential neighborhood. The Planning Board will also be recommending to the Township Council that these properties be rezoned R4 Single Family Residential.

Area # 9 consists of one lot located on Finnegan's Lane and identified as block 1, lot 20.01. The Board of Adjustment granted use variance approval and site plan approval for 39,000 square feet of restaurant, retail and office space on this property in June of 2008. This property is currently designated as C3 Restricted Neighborhood Commercial in the 2006 Master Plan. The C3 designation does not permit restaurant use. The Planning Board is changing the land use designation from C3 to C-1 Neighborhood Commercial to acknowledge the use variance granted by the Board of Adjustment to allow restaurant use. The Planning Board will also be recommending to the Township Council that the zoning be changed from C-3 Restricted Neighborhood Commercial to C-1 Neighborhood Commercial.

Area # 10 is comprised of several dozen vacant lots located off or Rt. 1 northbound between Finnegan's Lane and Commerce Boulevard. Most of these lots are owned by Middlesex County. In excess of 80 acres of the total acreage was acquired by Middlesex County due to failure of a developer to pay taxes on this property for many years. This 80 acre property became undevelopable upon adoption of state wetlands regulations. The remaining county-owned lots are primarily wetland areas.

These properties are being designated ERR Education-Recreation-Research in accordance with the long-standing policy of the Planning Board and Township Council that all publicly owned lands be assigned the land use category of ERR in the Master Plan. The Planning Board will also be recommending to the Township Council that these properties be rezoned from I-2 Industrial to ERR Education-Recreation-Research.

Area # 11 is comprised of block 148, lots 114.01 and 114.02. This 23.67 acre lot and 14.57 acre PSE&G right-of-way were redesignated in the Master Plan from R2

Single-Family Residential to I2 Industrial on March 7, 2011. The Township then changed the zoning from R-2 to I-2. The March 7, 2011 amendment describes the reasons for this change. However, the Land Use Map was not changed to reflect this change. This Land Use Plan Element Map change to I-2 is being made to reflect the 2011 change.

Area # 12 is located in the far southern end of the Township along Rt. 130 northbound. The area is comprised of 19 lots, including the following specific block and lot designations:

---Block 223, lots 1, 2, 3.01 and 3.02; and

---Block 224, lots 1-12.02 and 87.

The Master Plan was amended on February 18, 2010 to change this area from I2 Industrial to C4 Non-Restricted Commercial based upon the commercial nature of uses in the area and the heavy volume of traffic on Rt. 130. However, the Land Use Map was not changed to reflect this change. So the extent of this change is simply an amendment to the Land Use Plan Element Map.

While the land use designation of this property is not being changed at this time, the Planning Board spent considerable time over several months evaluating the appropriateness of various land use designations for this area. This evaluation included allowing the owner of 23.47 acres of property to present several concept plans for development of a high density mixed use project on the northbound side of Rt. 130.

The Rt. 130 corridor has been examined and discussed during each of the Master Plan reexaminations over the past 20 years. The 23.47 acre property in particular has been looked at very closely due to its size. This property, known as the Treumann property, is identified as block 224, lots 2, 5, 6, 8 and 87.

As part of the 1999 Master Plan re-examination, the Planning Board determined to maintain the Industrial land use designation for this property due to the close proximity of the Middlesex County Workhouse, a major warehouse and automotive uses.

During preparation of the 2006 Master Plan, the Planning Board determined that there was a significant need and demand for age-restricted housing in the Township. The Planning Board designated both the Treumann property and an additional 70 acre property located between Rt. 130 and Farrington Lake for age-restricted housing. The 2006 Land Use Map designated both of these properties PAC Planned Adult Community. However, while the Planning Board was developing zoning regulations to implement this land use change, property owner representatives argued that the history of industrial use of this property and the possibility of contamination made the property unsuitable for residential use. The owners did not believe that they would be able to remediate contamination sufficiently to be able to meet DEP standards applicable to residential use. As such, based upon environmental concerns brought to light by the owners of the property, the Planning Board did not proceed to recommend the rezoning of this property, and instead left the Industrial zoning in place as requested by the owners.

In 2009 the property owners requested that the Planning Board examine the Rt. 130 corridor in the Township to determine the appropriateness of changing the land use designation from Industrial to Commercial use. Based upon the commercial nature of land uses in the area and the heavy traffic volumes in the corridor, the Planning Board amended the Master Plan on February 18, 2010 to change the land use designation to Commercial use for the entire northbound side of Rt. 130 from Quarry Lane to the southern border of the Township. The Township Council subsequently adopted a new commercial zone known as the C-4 Non-Restricted Commercial District. This commercial zone is the most permissive commercial zone in the Township's zoning ordinance, as it allows all uses allowed in the C-2 General Commercial District, as well as large retail establishments and drive-in restaurants. Shortly thereafter, the Planning Board approved a site plan for this property that was comprised of two large retail establishments and two restaurant pads.

During the course of the Master Plan re-examination process which began in December 2015, the Planning Board focused on 18 different areas for possible changes to the permitted land uses. The Treumann property was one of these 18

land areas. While no commercial development had occurred on the Treumann property since the Township Council rezoned it six years earlier, the Planning Board noted a number of non-residential uses that had been approved in the Rt. 130 corridor over the previous five years, inclusive of a drug store, a day care center, two small strip centers and a tile and marble warehouse/showroom of more 90,000 square feet on approximately 7 acres. Based upon these approvals and the commercial character of the Rt. 130 corridor, continuing the Commercial designation of this property appeared to be consistent with good planning for the corridor.

During the reexamination process, the Township was also preparing a Third Round Housing Element and Fair Share Plan. Given the fact that the Township had granted approval for an inclusionary housing development with almost 1900 units of multifamily housing that has not yet been constructed, as well as granting approval to renovate approximately 180 units of family lower income housing, the Township did not need to rezone any additional properties for family housing. In fact, the Township has approximately 200 surplus units of lower income housing that could be credited to a future round of affordable housing need.

However, the Planning Board determined that one of the highest priorities of the Master Plan re-examination was to designate a property for the construction of the age-restricted housing that had been part of Master Plan goals for more than a decade. The Treumann property was one of four sites discussed by the Planning Board for possible development of an age-restricted community. However, while the property had been remediated to a level that would now allow for residential use, the property owners showed no interest in developing the property for senior housing.

During negotiations that led to the Township's Third Round Housing Element/Fair Share Plan, the Township's professionals suggested that the Township's zoning ordinance should be amended to allow all four sites considered by the Planning Board to be developed for senior housing, effectively giving several property owners the ability to develop such housing. However, when the property owner of an 18 acre parcel on Rt. 130 southbound, just north of the Treumann property,

agreed to the age-restricted housing that the Township had been seeking, the Court's special master recommended that assigning multiple properties the option to build age-restricted housing would be a disincentive for any developer to move forward, as the strength of the market for senior housing was unclear. As a result, the Township's June 6, 2016 Housing Element/Fair Share Plan only designated the property on Rt. 130 southbound for age-restricted housing.

After adoption of the Township's June 6, 2016 Housing Element/Fair Share Plan on June 23, 2016, the owners of the Treumann property requested that the Planning Board entertain a request to rezone the property to allow a mixed use of retail on the Rt. 1 frontage, with apartments above the retail and several hundred units of family housing behind the commercial use.

The Planning Board allowed the property owners' representatives to attend a workshop meeting of the Planning Board to present a concept plan. Over the course of three different workshop meetings, the property owners' representatives presented various scenarios of mixed use development on the site, including more than 40,000 square feet of retail development, and almost 380 market housing units consisting of different mixes of family housing and age-restricted housing.

For the following reasons, the Planning Board has determined not to entertain the property owners' request to rezone the Treumann property:

- the commercial nature of the Rt. 130 corridor and the recent commercial approvals granted over the past few years;
- the Township has granted site plan approval for more than 1700 additional multi-family units that have not yet been constructed, carrying a credit of 189 family lower income units forward to address a future allocation of lower income housing; and
- the Settlement discussions that led to the approval of the June 6, 2016 Housing Element/Fair Share Plan specifically concluded that the Township should take no additional steps to promote age-restricted housing on any site other than the site included in the June 6 plan in order to enhance the likelihood that the inclusionary senior project would go forward.

Over the next three to four years, several factors may influence the appropriateness of changing the designation of this property. These factors include the possibility that the state of New Jersey may develop a statewide plan and affordable housing obligations for a subsequent Fourth Round of Affordable Housing, and the success and rate of absorption of housing units in the age-restricted development which is incorporated in the June 6, 2016 Housing element/Fair Share Plan. The success of this project will provide clarity on the extent of the demand for age-restricted housing in the Township.

Based upon the above, the Planning Board should consider re-examining the Rt. 130 corridor, inclusive of the Treumann property, in the next three to four years as more information becomes available about the demand for senior housing and the need for a subsequent allocation of affordable housing units.

Area # 13 is comprised of two lots identified as block 148.13, lots 1.01 and 2, located off of Renaissance Boulevard West at the intersection of Rt. 130 southbound. This 31 plus acre property is located within the boundaries of the Renaissance Planned Unit Development, although no site plan was ever granted for development on this site.

On December 13, 2016, a bond referendum was approved to fund the construction of a new intermediate school on this site. The school is anticipated to be ready for occupancy in September 2020.

This property is presently designated PUD2 Planned Unit Development and is zoned PUD II Planned Unit Development.

This property is being designated ERR Education-Recreation-Research in accordance with the long-standing policy of the Planning Board and Township Council that all publicly owned lands be assigned the land use category of ERR in the Master Plan. The Planning Board will also be recommending to the Township Council that these properties be rezoned from PUD II to ERR Education-Recreation-Research.

Area # 14 is located at the intersection of Adams Lane and Rt. 130 southbound. It consists of two properties identified as Block 148, lots 101.05 and 102. Lot

101.05, consisting of 21.3 acres, is developed for a garden apartment development known as Hadley Woods. This project received use variance approval from the Board of Adjustment many years ago.

This area is currently shown in the Master Plan as I2 industrial, and the Planning Board is changing the land use designation to R-5 Garden Apartment Residential to acknowledge the existing development of this property. The Planning Board will also be recommending to the Township Council that these properties be rezoned from I-2 Industrial to R-5 Garden Apartment Residential.

Area # 15 consists of the 70.18 acre property formerly known as the Pulda Farm. This property, located between Old Georges Road and Farrington Lake, was purchased by the Township with the assistance of Green Acres funding and County open space funds.

This property is currently designated PAC Planned Adult Community and is presently zoned PAC Planned Adult Community.

This property is being designated ERR Education-Recreation-Research in accordance with the long-standing policy of the Planning Board and Township Council that all publicly owned lands be assigned the land use category of ERR in the Master Plan. The Planning Board will also be recommending to the Township Council that these properties be rezoned from PAC to ERR Education-Recreation-Research.

Area # 16 is the 212 acres being developed as the Main Street Transit Village along Rt. 1 northbound between Commerce Boulevard to the north and South Drive to the south. The Planning Board adopted a Master Plan amendment entitled "Designation of Block 148, Lots 5.04, 7.01, 7.03 & 23 for a Transit Village" on November 12, 2009. At the time of the Master Plan amendment, the property was zoned I-2 Industrial. After the Master Plan amendment, the zoning ordinance was amended to provide an overlay in the I-2 district that would allow for the development of a transit village with up to 1875 dwelling units and 1 million plus square feet of commercial space upon construction of a train station along the northeast corridor. Numerous site plan approvals have been granted for this site.

However, the Land Use Map was not changed to reflect this November 12, 2009 Master Plan amendment. So the extent of this change is simply an amendment to the Land Use Plan Element Map.

Area # 17 consists of the entirety of the area that has been designated R4A in the 2006 master Plan. It includes 179 lots, identified as the following specific block and lot designations:

- Block 194, lots 23-27;
- Block 198, lots 2-44.02;
- Block 199, lots 3-19;
- Block 200, lots 4-20;
- Block 201, lots 3-16.02;
- Block 202, lots 2-17;
- Block 203, lots 14.01-35;
- Block 203.01, lots 41.04-41.20;
- Block 246, lots 1-15;
- Block 247, lots 1-14;
- Block 248, lots 1-15; and
- Block 249, lots 1.01-14.

The R4A designation was previously required to distinguish between the R4 land use category, which permitted two family homes, and the R4A category which did not permit two family homes. On November 20, 2006, the Township Council amended the zoning ordinance to delete two family homes as a permitted use in the R-4 Zone. With the elimination of two family homes as a permitted use in the R-4 Zone, there is no longer a need for a separate R4A designation. As such, the R4A designation is being changed to R-4 Residential. The Planning Board will also

be recommending to the Township Council that these properties be rezoned from R-4A to R-4.

AMENDED LAND USE PLAN ELEMENT MAP DATED APRIL 26, 2018

The 17 changes described above are reflected in the new Land Use Plan Element Map dated April 26, 2018.

(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.

The Planning Board discussed the conditions necessary to proceed with redevelopment plans, as well as the advantages of designating a redevelopment area. The Planning Board does not believe that there is any area of the Township at this point in time where proceeding as such is appropriate.

CIRCULATION PLAN ELEMENT AMENDMENTS

During the 2006 Master Plan preparation process, Urban Design Engineers conducted a detailed traffic analysis of critical intersections in the Township. As a result of this analysis, the Master Plan included a number of recommendations for short term and long term improvements to the roadway network.

As part of the Reexamination Process, the Planning Board reviewed and discussed each of the recommendations proposed in the 2006 Master Plan to determine if the recommended improvement was still appropriate.

Under Network Circulation Conceptual recommendations, the Planning Board finds the following:

1--- The recommended extension of Hartland Commons from Aaron Road to Finnegan's Lane is not viable due to the existence of a significant area of wetlands in the area proposed for the new road, and as such, this recommendation is no longer valid. The extent of the wetlands is the result of mapping conducted subsequent to the 2006 Master Plan.

2---The Commerce Road to Finnegan's Lane frontage road has been partly constructed as part of the approval of the Main Street transit village. Existing development, multiplicity of ownership and the existence of wetlands make the continuance from Aaron Road further south to Finnegan's Lane not viable, and as such, this recommendation is no longer valid.

3---The Cozzens Lane network improvements have been partially constructed by the developer of the Main Street transit village. As part of that approval, Maser Consulting was retained to provide conceptual layouts for the construction of grade-separate interchanges at Rt. 1 and Cozzens Lane and Rt. 1 and Commerce Boulevard. The Planning Board supports both of the conceptual design schemes reflected in the Maser Consulting report.

4---The Central Network of roadway extensions proposed in the 2006 Master Plan connected Oak Road to Rt. 1 by modifying the high school access road into a connector road and extending this road through an undeveloped area out to the

Fashion Plaza jughandle. It also included connecting Society Hill Way into the Birchwood apartment complex and extending the road west to Adams Lane. Based upon wetlands delineations of the affected properties provided to the Township since the 2006 Master Plan, there would be significant wetlands impacts, and as such, these improvements are no longer viable.

5---The Milltown road Interchange Network created parallel roads to Rt. 1 between north of Main Street and Milltown Road, tying these new roadways into existing service roads for the Technology Center and other nonresidential uses. While these improvements may still be technically feasible, these improvements would require significant property acquisition and provide limited benefit to affected properties and the overall circulation network. As such, these improvements are no longer deemed viable.

The Planning Board finds the remaining recommendations related to traffic circulation in the 2006 Master Plan to still be valid today.

New Roadway/Intersection Improvements

How Lane/Livingston Avenue Intersection

The Township of North Brunswick retained Maser Consulting to analyze existing and future conditions at the signalized intersection of How Lane and Livingston Avenue, and if warranted, to recommend capital improvements to improve traffic congestion and delays. Maser completed the study in January, 2018.

The study showed that traffic volumes at each approach were found to be comparable during peak hours of travel, a condition that is conducive to a roundabout traffic control.

If no improvements were to be made, the intersection is projected to operate at level of service D in 2020. However, the How Lane eastbound left-turn queue length is projected to expand to 500 feet during the AM peak period and 630 feet during the PM peak. This significantly exceeds the eastbound right-turn storage length of 125 feet, effectively blocking right-turn maneuvers during peak hours.

The Livingston Avenue northbound and southbound queues also exceed the available turn-bay storage lengths during peak periods. The Livingston Avenue southbound right-turn queue will increase to 892 feet during the AM weekday peak, significantly exceeding the 300 foot right-turn storage capacity.

The Maser Report states that mitigating the excessive vehicle queue length is the critical consideration in determining the appropriate improvement alternative. As such, the report analyzed five different alternatives. The recommended alternative is identified as Alternative #4 in the study. This alternative involves converting the intersection to a roundabout, constructing a Livingston Avenue southbound right-turn bypass lane, and widening How Lane to provide a second westbound lane so that Livingston Avenue southbound right-turns have their own dedicated receiving lane.

The high level order of magnitude construction cost is estimated at approximately \$550,000, exclusive of any utility work or right-of-way acquisition costs. It appears that between 9,000 and 16,000 square feet of right-of-way would have to be acquired, and one single-family home is projected to have to be acquired.

Given the serious traffic congestion experienced at this intersection during large portions of the day, the Planning Board strongly supports efforts by the Township Council to facilitate the State and County converting this intersection into the roundabout recommended in the Maser Study.

Finnegan's Lane Road Diet

In response to concerns voiced by residents in the Finnegan's Lane corridor, the County of Middlesex retained the Alaimo Group to study traffic conditions along Finnegan's Lane from Rt. 27 to Rt. 1, and as warranted, to develop up to three conceptual plans to reduce the frequency of vehicle crashes, to improve pedestrian and bicycle safety, and to improve access to Finnegan's Lane from the intersecting roads.

The study presented three alternative design concepts. All three alternatives provide for the reduction from two travel lanes in each direction to one travel lane in each direction along with one twelve foot wide center shared left-turn

lane. Reducing a four lane road to two travel lanes and a shared left-turn lane is known in the industry as a Road Diet.

Alternatives 1 and 2 also provide for a new traffic signal to be installed at the intersection of Finnegan's Lane and Kory Drive and Tulip Drive. Alternative 3 proposes a new roundabout to be installed at the intersection of Kory Drive and Tulip Drive rather than a traffic signal as in alternatives 1 and 2.

The Planning Board supports the efforts of the Township Council to effectuate any of the three alternatives outlined in the Alaimo study.

Facilitating the Use of Electric Vehicles through Modification of Land Use Procedures in Chapter 205, Land Use

Electric vehicles (EVs), also known as Plug-in Electric Vehicles (PEVs) use a battery pack to store the electrical energy that powers the motor. The EV batteries must then be charged by plugging the vehicle into an electric power source.

Currently EVs have a much shorter driving range per charge than most conventional vehicles have per tank of gas. While the current vehicle range of 100 plus miles is adequate for more than 90% of all household vehicle trips in the country, the term "range anxiety" describes a consumer's fear that their EV battery will run out of gas mid-route.

Facilitating the installation of Electric Vehicle Supply Equipment (EVSE) and Electric Vehicle Charging Stations (EVCS) at commercial and workplace locations can do much to encourage growth in this environmentally friendly industry, as vehicle owners with longer commutes would become potential purchasers of PEVs.

Today, most EVs can charge on a standard 120-volt outlet, so a purchaser residing in a single-family home may be able to use an existing outlet in their garage. All EVs come with an appropriate connection to accomplish this.

However, there are many residents of the Township who reside in an apartment complex or a condominium complex where EVCSs are not available. As a result, it is not feasible for these residents to own a PEV.

The Planning Board advanced energy conservation measures in the zoning regulations adopted for the transit-oriented development overlay, including features such as requiring 10% of all energy to be produced from renewable sources and prohibiting the use of clean water for irrigation purposes. As a continuation of the Planning Board's policy to encourage use of renewable resources, the Planning Board is recommending that amendments be made to Chapter 205, Land Use, to encourage and facilitate the purchase of PEVs by providing requirements and incentives for installation of EVCS.

At a minimum, EVSE and EVCS should be made a permitted accessory use in all zones in the Township. In addition, standards should be developed to require and/or incentivize the installation of EVCS in shopping centers, large warehouse and office developments and multifamily housing developments.

While technologies are rapidly evolving in the field, today there are primarily three typical types of stations, described briefly below.

AC Level 1 charging stations provide charging through a 120-volt electrical outlet like you have in your home. Most PEVs come with a Level 1 cordset with a three pronged plug, so no additional equipment is needed to charge in your garage. However, this type of charging station provides only 2-5 miles of driving range for each hour of charging, so it requires hours of charging.

AC Level 2 charging stations provide charging through either a 240-volt or 208-volt electrical outlet similar to what is required for a household clothes dryer. As a result, this type of charging station requires installation of charging equipment and may also require installation of a dedicated circuit. This type of charging station provides 10-20 miles of driving range for each hour of charging, so it allows for charging in a shorter time period than Level 1.

DC Fast charging stations, which provide 50-70 miles of driving range for each twenty minutes of charging, are much more capital intensive, as they charge with direct current charging at 480 volts. It requires installation of charging equipment and may require installation of a transformer to step up electricity to DC fast-charging voltage.

Based upon the above characteristics, requirements and incentives to provide for installation of EVCS outside of private garages should be incorporated into Chapter 205.

The Planning Board should come up with recommendations for zoning revisions that would require or incentivize the provision of AC Level 1 and AC Level 2 charging stations in future multifamily developments, retail establishments and workplace locations that submit to the Planning Board or Zoning Board for approval after the effective date of the ordinance modifications to facilitate PEVs.

Level 1 and Level 2 charging stations are appropriate at multifamily developments and at workplace locations where vehicles will be parked for a number of hours. DC Fast charging stations can be appropriate at shopping centers and combination convenience stores/gas stations where the customer is not on the site for an extended of time.

The Planning Board will begin undertaking a review to recommend appropriate standards to the Township Council.