

2013 MASTER PLAN REEXAMINATION REPORT

POHATCONG TOWNSHIP

Warren County, New Jersey



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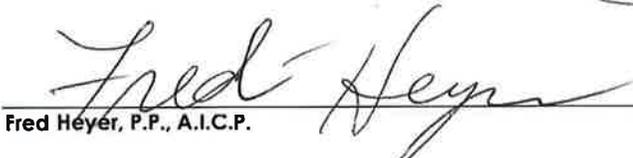
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The original of this document was signed and sealed
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Introduction

The New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-89 et seq.) provides that each municipality within the State of New Jersey periodically reexamine its Master Plan policies and assumptions, its zoning restrictions, site plan and subdivision regulations, and prepare and adopt by resolution, a report on the findings of such reexamination. The Reexamination Report must include the following components:

1. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
2. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
3. 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.
4. 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.
5. The recommendations of the Land Use Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," 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.

Pohatcong Township adopted its last Comprehensive Master Plan in 1993. A Utility Element was adopted May 1998, a Second Round Housing Element was adopted in February 1999 and a Farmland Preservation Plan Element was adopted in December 1999. The Township reexamined the Master Plan in April of 2000. Subsequent to the Land Use Board's adoption of the 2000 Master Plan Reexamination Report, the Township has undertaken the following planning activities:

- Adoption of an Open Space and Recreation Plan Element in September 2004
- Adoption of a Stormwater Management Plan in April 2005
- Adoption of a Third Round Housing Plan in November 2005
- Adoption of a Farmland Preservation Plan Element in April 2008

- Adoption of a Stormwater Pollution Prevention Plan in May 2009

The most recent Reexamination Report was adopted by the Pohatcong Land Use Board on January 12, 2010.

Since the time of adoption of the last amendment to the Master Plan, the assumptions, policies, and objectives upon which the Master Plan is based have changed by virtue of: a) the enactment of the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1 et seq.) by the State Legislature on August 10, 2004; b) the adoption of the Highlands Regional Master Plan by the Highlands Water Protection and Planning Council ("Highlands Council") on July 17, 2008, which became effective on September 8, 2008; and c) the affirmative decision of the Pohatcong Governing Body to conform to the Highlands Regional Master Plan for municipal lands located in the Planning Area, as set forth by Ordinance 12-09 adopted on September 12, 2012.

Accordingly, the Land Use Board has reexamined the Township Master Plan and development regulations to determine the specific changes necessary to achieve consistency with the Highlands Regional Master Plan and thereby, to incorporate the specific changes in State policies, goals, and objectives as set forth by the Highlands Act. It is the intent of this Report to identify the specific revisions needed to bring the Township Master Plan and development regulations into conformance with the Highlands Regional Master Plan. It is also the intent of this Report to consider and provide recommendations concerning other land use and zoning issues in the Township which have arisen during the past several years since the adoption of the 2010 Reexamination Report.

1. Major Land Development Problems & Objectives

Many of the major problems and objectives relating to land development in the Township at the time of the adoption of the last reexamination report in 2010 have not changed. However, as a result of the passage of the Highlands Act, the adoption of the Regional Master Plan, and the decision of the Governing Body to conform its planning documents to the Regional Master Plan, other problems and objectives have changed. The following represents the objectives detailed in the 2010 Reexamination Report:

- a. Preserve remaining open space and forested land, natural features and farms, where possible
- b. Plan for design infill of single-family homes in existing "hamlets" or potentially for a new village, which accommodates a portion of Pohatcong's fair share of affordable housing
- c. Limit any strip commercial development, and prepare redevelopment standards for existing commercial areas, concentrating on façade improvements, parking, landscaping and signs.
- d. Encourage design and development standards, which respond to positive aesthetic values of the community
- e. Encourage street configurations, which are in character with the rural/suburban character of the community and with special consideration to future village qualities.

2. Extent To Which Problems & Objectives Have Been Reduced Or Have Been Increased

The following summarizes the extent to which each of the problems and objectives have been reduced or have increased subsequent to the last reexamination report in 2010, specifically as a result of the decision of the Governing Body to conform its planning documents to the Regional Master Plan.

- a. Preserve remaining open and forested land, natural features and farms, where possible.

Preservation of open spaces and farmland continues to be key objectives in Pohatcong. As part of the Highlands Plan Conformance Process, the Township Environmental Commission recently adopted an Environmental Resource Inventory (ERI). The ERI noted that the majority of the Township is located in the Preservation Area of the Highlands and that much of the designated Preservation area is zoned R-1 Rural Residential (1 unit per 5 acres) and AP Agricultural Preservation.

The Township continues to actively participate in the farmland preservation programs administered by Warren County and the State.

The Township is also currently undertaking an intramunicipal Transfer of Development Rights feasibility study which will assist in implementing this objective.

- b. Plan for design infiltration of single-family homes in existing "hamlets" or potentially for a new village, which accommodates a portion of Pohatcong's fairshare of affordable housing.

This objective is no longer valid and is proposed to be deleted since this objective specifically addressed the need of affordable housing in the Township. The Township has a "surplus" of affordable housing.

- c. Limit and additional strip commercial development, and prepare redevelopment standards for existing commercial areas, concentrating on façade improvements, parking, landscaping and signs.

The Land Use Board recently approved the redevelopment of the former Wal-Mart site. The approval included improvements to the facades, landscaping and parking. The Township continues to consider improvements to their commercial corridors particularly Route 22 as a principal goal. The Combined Land Use Ordinance should be reviewed and amended, where appropriate, to address commercial development.

- d. Encourage design and development standards, which respond to positive aesthetic values of the community.

This goal continues to be important and should be considered in relationship to the Highlands Regional Master Plan. Since the Township is participating in the Plan Conformance process, this goal will be addressed in subsequent planning documents including potential revisions and refinements to the Township Combined Land Use Ordinance.

- e. Encourage street configurations, which are in character with the rural/suburban character of the community and with special consideration to future village qualities.

This continues to be an objective particularly along major commercial corridors. The Township Combined Land Use Ordinance and Capital Improvement Program should be reviewed in light of this objective.

3. Significant Changes in Assumptions, Policies, Objectives

Since the adoption of the reexamination of the Township Master Plan on January 12, 2010 and the adoption of the Township Governing Body of its resolution to conform the municipal planning documents to the Regional Master Plan, there have been significant changes in the assumptions, policies and objectives that must be addressed in the Township Master Plan. These include but are not limited to incorporating a variety of Highlands Resource protections, providing an emphasis on infrastructure and environmental carrying capacities, and initiating a substantial modification to the methodology to be used in determining permitted densities of development within the Township.

- NEW JERSEY HIGHLANDS

Approximately 87% of the Township is within the Preservation Area while 13% of the Township is within the Planning Area. The Township petition for Plan Conformance (Final Consistency Review and Recommendations Report) was adopted by the Highlands Council on August 3, 2011. Subsequent to the Petition for Plan Conformance, the Township adopted an ordinance dated September 12, 2012 which stated that the Township will conform to the Highlands Master Plan for municipal lands located in the Planning Area. The ordinance also was subject to reconsideration should the Legislature and the Highlands Council not develop a prompt mechanism to fully compensate landowners in the Preservation Area. In September 2012, the Governing Body adopted a resolution petitioning the Legislature for the restoration of the scientifically determined preservation area boundary in Pohatcong.

As a part of the next phase of the Plan Conformance process, the Township will more precisely identify the basis and the parameters for Highlands Center designation for much or all of the Planning Area. The Township Highlands Center will address the Sustainable Regional Economic component of the Regional Master Plan. In addition, the Township will evaluate lands that may be appropriate to be designated as a Highlands Redevelopment Area.

During the Township's Petition for Plan Conformance, a map adjustment was requested and approved by the Highlands Council for the Hamptons at Pohatcong (EAI) project. There has been a recent request by the owner/developer of the property for significant revisions to the recently approved project. These revisions will be discussed in detail in the following section of this report.

- SEWER

The only portion of the Township that is sewered is in the northeastern section of the Township between Alpha Borough and Lopatcong Township. The treatment plant is owned and operated by Phillipsburg. The remainder of the Township is served by individual septic systems for waste water disposal. A revised draft Wastewater Management Plan has been prepared and is being reviewed. The multi-municipal Phillipsburg STP service area includes the municipalities of Lopatcong, Alpha, Phillipsburg,

Greenwich and Pohatcong. As a result of capacity conditions, it is important to coordinate with all the participating municipalities and to determine specifically the sewer allocation to Pohatcong. This is a key consideration in evaluating the build out of properties in the proposed Highland Center. It may also impact the potential implementation of a TDR program in the Township.

- WATER

Much like sewer service, the portions of the Township with public water supply are in the northeastern section of the Township between the Borough of Alpha and Lopatcong Township. The franchise water company is the Aqua New Jersey Water Company. Aqua New Jersey Water also serves portions of Lopatcong Township, Greenwich Township, and most of the Town of Phillipsburg. With the exception of the communities of Warren Glen and Reigelsville, which are serviced by Garden State Water, the remainder of the Township is served by individual wells. There are no water supply wells or storage facilities in Pohatcong. The majority of the Aqua New Jersey Water Company facilities are located within the Town of Phillipsburg and Lopatcong Township.

- HISTORIC PRESERVATION

The Pohatcong Land Use Board adopted a Historic Preservation Plan Element in September 2010. A detailed description of historic districts and structures that are locally designated is included. These locally designated districts and structures are either listed or eligible for listing on the Warren County, State or National Register of Historic Places. A number of zoning and land use strategies were recommended. These recommendations have not been implemented yet, but still remain valid.

- DEMOGRAPHICS AND EMPLOYMENT

The 2010 United States Census data was not available when the 2010 Reexamination Report was prepared. The following section includes data from the U.S. Census and the New Jersey Department of Labor and Workforce Development which details demographic and employment trends.

Population

Though the population of Pohatcong increased significantly from 1930 to 1970, it has been in a slow, but steady decline since the 1970s. The population trends experienced in Pohatcong Township, Warren County and the State of New Jersey from 1930 through 2010 are shown below. There were 3,339 residents in Pohatcong Township in 2010, which was a decrease of 77 people from the 2000 population. Bearing some similarity to Warren County and the State of New Jersey as a whole, Pohatcong experienced its greatest population growth in the forties, fifties and, to a lesser extent, the sixties. Its population peaked in 1970, when 3,924 people lived in the Township. However, in the last three decades, Pohatcong has seen a mild but consistent decrease in population, in contrast to the growing populations in the County and the State.

Populations Trends, 1930 to 2010									
Year	Pohatcong Township			Warren County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1930	1,974	-	-	49,319	-	-	4,041,334	-	-
1940	2,029	55	2.8%	50,181	862	1.7%	4,160,165	118,831	2.9%
1950	2,540	511	25.2%	54,374	4,193	8.4%	4,835,329	675,164	16.2%
1960	3,543	1,003	39.5%	63,220	8,846	16.3%	6,066,782	1,231,453	20.3%
1970	3,924	381	10.8%	73,960	10,740	17.0%	7,171,112	1,104,330	18.2%
1980	3,856	-68	-1.7%	84,429	10,469	14.2%	7,365,011	463,899	6.5%
1990	3,591	-265	-6.9%	91,607	7,178	8.5%	7,730,188	365,177	5.0%
2000	3,416	-175	-4.9%	102,437	10,830	11.8%	8,414,350	684,162	8.9%
2010	3,339	-77	-2.3%	108,692	6,255	6.1%	8,791,909	377,559	4.5%

Source: U.S. Bureau of Census

Households

A household is defined as one or more persons, either related or not, living together in a housing unit, which includes rental apartments, condominiums, houses, etc. In 2010, there were a total of 1,310 households in Pohatcong Township. A majority (58.7%) of the households were occupied by two persons or less. The average number of persons per household for the Township was 2.55, slightly lower than the County's average of 2.57. Both the Township's and the County's largest percentage of households consisted of two-persons. The next most common household size for both the Township and the County was one person.

2010 HOUSEHOLD SIZE- Occupied Housing Units				
	Pohatcong Township		Warren County	
	Number	Percent	Number	Percent
Total Households	1,310	100.0%	41,480	100.0%
1-person household	306	23.4%	10,382	25.0%
2-person household	462	35.3%	13,731	33.1%
3-person household	231	17.6%	6,847	16.5%
4-person household	194	14.8%	6,405	15.4%
5-person household	86	6.6%	2,734	6.6%
6-person household	15	1.1%	924	2.2%
7-or-more-person household	16	1.2%	457	1.1%
Average Household Size	2.55		2.57	

Source: 2010 Census

Family households are defined as two or more persons living in the same household, related by blood, marriage or adoption. Most households in Pohatcong Township were families, comprising 71.9% of all households. The average family size was just over three persons (3.01). The majority of family households were married-couple families, of which

41.8% had children under the age of 18. Of the one-person households, about 51.6% were female and 48.4% were male.

Housing Type and Size

The majority of the housing stock in Pohatcong Township is single-family, detached housing and most structures have at least five rooms. In 2010, there were approximately 1,215 single-family, detached homes representing 86.1% of the housing stock according to the American Community Survey 2006-2011 5-year estimates. The second largest type, with only 8.6%, was single-family attached housing. Multi-family housing represented only about 5.3% of the housing stock within the Township, and no single structure contained more than nine units.

The median number of rooms per unit within housing structures in the Township was 6.2, with the largest percentage of structures (32.1%) having six rooms. Almost 89.2% of the structures had five or more rooms, while only 10.8% had four or less rooms.

Employment Data

The following tables show the employment characteristics from 2003 to 2012 for Pohatcong Township, Warren County, and New Jersey. As the table shows, employment and the resident labor force in Pohatcong Township has fluctuated each year. 2003 had the highest number of employment while 2010 had the lowest. Between 2008 and 2009, the unemployment rate has nearly doubled. Although, the unemployment rate increased between 2003 through 2010, it has decreased since. It measured 7.6% in 2012. The lowest point was 2.8% in 2003, and the highest point was 8.6% in 2010. Both the County and the State of New Jersey also saw similar patterns in labor force and employment over the same time span, as well as rising unemployment rates since 2003.

Employment and Resident Labor Force, 1994 - 2012, Pohatcong Township				
Year	Labor Force	Employment	Unemployment	Unemployment Rate
2003	2,323	2,257	65	2.8%
2004	2,023	1,954	68	3.4%
2005	2,052	1,978	74	3.6%
2006	2,076	1,998	78	3.8%
2007	2,051	1,979	72	3.5%
2008	2,067	1,971	96	4.6%
2009	2,069	1,904	165	8.0%
2010	2,061	1,884	177	8.6%
2011	2,058	1,899	159	7.7%
2012	2,075	1,918	157	7.6%

Source: NJ Department of Labor and Workforce
http://lwd.dol.state.nj.us/labor/lpa/employ/uirate/lfest_index.html

Employment and Resident Labor Force, 1994 - 2012, Warren County				
Year	Labor Force	Employment	Unemployment	Unemployment Rate
2003	58,035	55,166	2,869	4.9%
2004	58,304	55,749	2,555	4.4%
2005	58,741	56,422	2,319	3.9%
2006	59,436	57,005	2,431	4.1%
2007	58,702	56,460	2,242	3.8%
2008	59,223	56,233	2,990	5.0%
2009	59,466	54,312	5,154	8.7%
2010	59,246	53,728	5,518	9.3%
2011	59,122	54,155	4,967	8.4%
2012	59,614	54,725	4,889	8.2%

Source: NJ Department of Labor and Workforce
(http://lwd.dol.state.nj.us/labor/lpa/employ/uirate/lfest_index.html)

Employment and Resident Labor Force, 1994 - 2003, New Jersey				
Year	Labor Force	Employment	Unemployment	Unemployment Rate
2003	4,363,900	4,108,400	255,500	5.9%
2004	4,358,900	4,144,200	214,700	4.9%
2005	4,404,500	4,207,700	196,700	4.5%
2006	4,465,100	4,257,900	207,200	4.6%
2007	4,456,300	4,264,600	191,700	4.3%
2008	4,508,600	4,261,800	246,700	5.5%
2009	4,543,900	4,135,900	408,000	9.0%
2010	4,548,500	4,111,200	437,300	9.6%
2011	4,545,200	4,120,000	425,200	9.4%
2012	4,595,500	4,159,300	436,200	9.5%

Source: NJ Department of Labor and Workforce
(http://lwd.dol.state.nj.us/labor/lpa/employ/uirate/lfest_index.html)

The table below shows class of worker according to the 2007-2011 American Community Survey 5-Year Estimate. Pohatcong Township has a higher percentage of Unpaid Family Workers as well as Government Workers than both the County and the State. This could be due to the size of the employed population, which is 1,680 persons, which constitutes only 3.1% of the County's employed population and less than 0.01% of the State's employed population.

Class of Worker 2011						
Class of Worker	Pohatcong Township		Warren County		New Jersey	
	Number	Percentage	Number	Percentage	Number	Percentage
Private Wage & Salary Workers	1,243	74.0%	42,007	77.7%	3,397,639	80.5%
Government Workers	351	20.9%	8,867	16.4%	615,074	14.6%
Self-employed	71	4.2%	3,110	5.8%	203,022	4.8%
Unpaid Family Workers	15	0.9%	83	0.2%	5,648	0.1%
Total	1,680	100.0%	54,067	100.0%	4,221,383	100.0%

Source: 2007-2011 American Community Survey 5-year Estimates

The following table shows the employment by industry in 2011. Educational Services/Health Care & Social Assistance constitutes the highest percentage (20.4%) of jobs by Pohatcong residents. The second highest percentage are manufacturing jobs (12.9%) followed by Professional, Scientific & Management/Administrative and Waste Management Services (11.1%). This trend is also seen in Warren County. Pohatcong's agriculture industry (which includes 4.2% of the total resident employment) is significantly higher than that of the County (1.4%) and the State (.04%).

Resident Employment by Industry 2011						
Industry	Pohatcong Township		Warren County		New Jersey	
	Number	Percentage	Number	Percentage	Number	Percentage
Agriculture, forestry, fishing, hunting, mining	70	4.2%	730	1.4%	15,078	0.4%
Construction	152	9.0%	4,043	7.5%	249,241	5.9%
Manufacturing	216	12.9%	7,189	13.3%	388,520	9.2%
Wholesale Trade	93	5.5%	1,355	2.5%	154,917	3.7%
Retail Trade	122	7.3%	6,443	11.9%	469,686	11.1%
Transportation & Warehousing/Utilities	97	5.8%	2,803	5.2%	241,784	5.7%
Information	14	0.8%	1,364	2.5%	131,703	3.1%
Finance & Insurance/Real Estate, Rental & Leasing	119	7.1%	3,782	7.0%	382,392	9.1%
Professional, Scientific, & Management/ Administrative and Waste Management Services	186	11.1%	5,955	11.0%	519,327	12.3%
Educational Services/Health Care & Social Assistance	342	20.4%	11,675	21.6%	953,449	22.6%
Arts, Entertainment & Recreation/Accommodation & Food Services	90	5.4%	3,624	6.7%	332,171	7.9%
Other services, except Public Administration	84	5.0%	2,062	3.8%	187,517	4.4%
Public Administration	95	5.7%	3,042	5.6%	195,598	4.6%
Total	1,680	100.0%	54,067	100.0%	4,221,383	100.0%

Source: 2007-2011 American Community Survey 5-year Estimates

- *HOUSING ELEMENT AND FAIRSHARE PLAN*

Most Highlands communities were required to submit amended housing plans that were consistent with the Regional Master Plan by June 8, 2010. The Pohatcong Land Use Board adopted a Housing Element and Fair Share Plan on June 8, 2010. In July 2011, the Superior Court granted the Township a stay regarding relevant court actions pending the resolution of the appeal of the COAH Third Round rules.

The adopted 2010 Fair Share Plan proposes to meet the 47 unit Prior Round obligation with the following:

- Supportive and special needs housing
- A senior rental project (Biding Peace)
- The court settled inclusionary development (Hamptons at Pohatcong EAI)

The Third Round obligation is proposed to be met through the following:

- Hamptons at Pohatcong EAI
- Biding Peace

Based upon the COAH regulations at the time, the Township had 27 excess affordable housing credits. There are a number of motions in front of both the Appellate Division and the NJ Supreme Court regarding affordable housing. The NJ Supreme Court has not ruled on the validity of the COAH Third Round growth share methodology.

There have been several Appellate Division rulings regarding the attempt by the State to seize municipal affordable housing trust funds. As of the end of June this year, COAH has initiated a new round of letters to again begin the collection process.

Based upon the initial request by COAH, Pohatcong submitted an updated Affordable Housing Trust Fund Spending Plan which stated that all relevant trust fund monies were "committed."

- *ENVIRONMENTAL RESOURCES*

The Township Environmental Commission adopted the Highlands Model Environmental Resource Inventory (ERI) with revisions on April 3, 2013. The ERI has been submitted and accepted by the Highlands Council. It is the Township's understanding that the Highlands staff is currently working on updated environmental information that may require modifications to the adopted Township ERI.

4. Specific Recommended Changes to the Master Plan

The Land Use Board recommends that specific changes to the Pohatcong Township Master Plan be adopted, including modifications to the underlying objectives, policies and standards, all as outlined in detail, in the "Highlands Preservation/Planning Area Master Plan Element" approved by the Highlands Council as part of the Township's Petition for Plan Conformance (copy attached).

The following recommendations are also proposed. In order to implement these recommendations, changes to both the Master Plan and development regulations may be required.

- Vision Statement

Pohatcong Township whose name is said to mean "stream between split hills" is located in picturesque northwest New Jersey. The beautiful Township has a unique and dual blend of a "small town" feel in the Shimer, Parkside and Huntington neighborhoods in the northern section while the southern portion contains rural farmland, historic homesteads, river and creek-side locales and small quaint villages.

Pohatcong Township was settled in the early 1700's and formally established in 1881. It is situated in the southwest corner of Warren County and is accessible from Routes 222, 78 and 519. These major corridors have made Pohatcong an ideal area for growth and development over the past decade. Growth has primarily taken place in the northern portion of the Township with commercial development being the major development type.

For the next decade, Pohatcong should have the opportunity to have continued growth in the northern section of the Township while preserving remaining open and forested land whenever possible. While there has historically been a focus on land preservation, future policy must be balanced to assure economic sustainability and landowner equity. This approach will balance Pohatcong's economic needs with the rural and historic integrity of the Township. Development should include ample walking paths for residents and shoppers alike as well as contributions for park recreation and development.

Pohatcong's housing policy should reflect current trends including a greater focus on multifamily housing in general and rental housing in particular. The "millennial" and "X" Generation population's lack of commitment to homeownership should be noted. Pohatcong has been experiencing a loss in population which should serve as a clear example of this phenomenon. New multifamily housing developments should respond to the aesthetic values of the community and the character of the Township.

When Pohatcong adopts these policies, it will undoubtedly become a model for smart growth and development and an ideal place to be for current and future residents and visitors alike.

- *REVISED GOALS AND OBJECTIVES*

The following goals and objectives detailed in the 2010 Reexamination Report have been revised to reflect current planning policy of the Township.

- a. Preserve remaining open and forested land, natural features and farms, where possible.
 - i. Complete a natural feature analysis of the Township, determine those areas most suitable for preservation and integrate these into an open space plan including viewsheds from both public and private roads.
 - ii. Preserve and enhance stream corridors, open space vistas and stands of mature trees, integrating them with parks, open space and pedestrian linkages.
 - iii. Adjust building density to the environmental suitability for development of each site, using gross density on buildable land. Maximize open space.
 - iv. Provide a zoning option on remaining open land for cluster development.
 - v. Incorporate historic rural/farm structures into development schemes whenever possible.
 - vi. Where safety and drainage are not compromised, maintain a rural character to existing roads in the "rural area" of the Township with characteristics such as two lane roads with no curbing, grass setbacks or extensive landscaping.
 - vii. Acquire additional open space for parks, exploring possible developer contributions.
 - viii. Consider intramunicipal transfer of development credits from farmland into appropriate receiving areas, as a mechanism for preserving farmers equity for land while preserving open space.
- b. Prepare standards for existing commercial areas, concentrating on façade improvements, parking, landscaping, and signs.
 - i. Encourage the redevelopment of the facades of strip commercial buildings, as well as parking lot landscaping whenever there is a change of use, occupancy or ownership.
 - ii. Implement a sign control ordinance, decreasing height and intensity of signs in all areas including billboards and temporary signs, particularly along collector and arterial roads.
 - iii. Encourage additional service and shopping facilities in existing commercial areas.

- c. Encourage design and development standards, which respond to positive aesthetic values of the community.
 - i. Encourage a land use pattern which encourages lower density development in a rural setting in the preservation area.
 - ii. Preserve and enhance historic places and buildings, and encourage the maintenance of historical farms and patterns of buildings and roads including existing farms.
 - iii. Recognize the existing pattern of development particularly in existing residential neighborhoods and commercial areas in the Planning Area.
- d. Encourage street configurations, which are in character with the Township
 - i. Promote the visual improvement of the Township's major arterials, planting additional street trees and requiring on-site landscape improvements, particularly along major commercial routes.
 - ii. Discourage the widening of existing collector, sub-collector and residential access roads, while limiting new roads to smaller sub-collectors.
 - iii. Where safety and drainage are not compromised, limit existing rural roads to one lane in each direction, with non-paved shoulders.
 - iv. Avoid large front yard parking lots. Intensive screening and landscaping should be required.

- *SHIMER SCHOOL PROPERTY*

The Shimer School site (Block 44 Lot 1) is located at the intersection of Third Avenue (Route 519) and New Brunswick Avenue (Route 122). The approximately 2 acre site also has frontage along Pennsylvania Avenue and Bergen Street.

The site contains the former two-story Shimer School and associated parking. The school was closed a number of years ago. Subsequent to its closing, the Township purchased the property. The property is located in the developed part of the Township and is served by sewer and water. Based upon the recommendations contained in the 2010 Reexamination Report, the site was rezoned in 2011 BR Business Residential Mixed Use District to require the adaptive reuse of the building into affordable housing and commercial uses.

It is recommended that the zoning be modified to permit the adaptive reuse of the entire building for a 100% affordable housing project for veterans. It is recommended that an RFP process occur whereby the Township can solicit proposals from reputable developers of 100% affordable housing projects.

The Township Fair Share Plan should also be amended to include this site once the Court has resolved the appeal.

- *INDUSTRIAL ZONE BETWEEN NEW BRUNSWICK AVENUE AND INTERSTATE 78*

This 104 acre property (Block 78 Lot 1) is the last large parcel in the Industrial Zone which is located in the Highlands planning area. The current Industrial classification should remain; however permitted low impact industrial uses should be reviewed in light of the limitations of the existing road infrastructure to accommodate the proposed development. Any permitted development option should be contingent upon a traffic assessment and associated on tract and off tract improvements (eg. Route 22 and Route 122 intersection). Although a residential overlay was recommended in the 2010 Reexam Report, the Township has determined that no residential use should be permitted.

Another potential development option would be the development of a high end retail outlet. This is an appropriate location for this type of development due to its accessibility to Route 78 and its separation from existing residential neighborhoods. This type of development would likely necessitate intersection improvements on Route 22 and Route 122.

In either development, sewer capacity must be evaluated since it may limit the extent and type of development. In light of sewer limitations, this site should be considered a high priority for sewer allocation.

- *TOLL/OBERLY/VICTORIA RIDGE/RESNICK TRACTS*

These properties have a long history with respect to potential development and affordable housing litigation. To summarize, Toll received preliminary site plan approval on the 86 acre Oberly property utilizing the ARH Overlay zoning. The Age Restricted Housing (ARH) Overlay zoning was a result of affordable housing litigation and the 2004 settlement agreement. The site is located in the R-1 zone. Pursuant to the 2004 Agreement the Township agreed to rezone the Oberly property for higher density residential in return for the deed restriction of the Resnick property for agricultural/open space. The Resnick site is located in the Highlands Preservation Area. According to the 2004 Settlement Agreement, the Township agreed to maintain the higher density zoning in place for at least 6 years. The 6 year time frame expired January 2010.

It is recommended that both the Oberly tract and Resnick property revert back to the R-1 base zoning which permits 1 unit per 5 acres. The R-1 base zoning is appropriate since there is no water and sewer infrastructure, and there is limited roadway capacity.

- *EAI- HAMPTONS AT POHATCONG*

EAI- Hamptons at Pohatcong received conditional use approval, bulk, and use variance approval, minor subdivision approval, and final site plan approval for a solar production facility on the 170 acre property in 2012. The remaining development on the site is proposed to include 122 single family residences, 76 townhouses and 2 apartment buildings containing a total of 44 affordable flats. The property is located in the Township's AH Affordable district which was the product of prior round affordable housing litigation and is subject to a settlement agreement. Sewer and water have been allocated to the developer.

At the beginning of the year, EAI made an informal presentation before the Land Use Board. A request was made by EAI to rezone the 40 acre market rate residential portion of the development to permit approximately 280 multifamily rental units instead of the approved development of 122 single family homes and 76 townhouses.

It is recommended that the AH zone standards be revised in order to permit the construction of a multifamily development on the 40 acre site. A minimum of 44 affordable housing units shall continue to be a requirement of any approval under this option, any development on the solar farm portion of the site shall be limited to solar farm, agricultural uses and open space.

The following recommendations were identified in the 2010 Reexamination Report. The status of these recommendations is as follows:

- Rezone R-3 zone to the rear of Phillipsburg Mall to R-1.

This recommendation is valid and should be implemented

- Rezone portions of the B-3 zone along Route 122 near the Phillipsburg border to B-2 and the remainder to R-4.

This recommendation is valid and should be implemented.

- Develop post development standards for the AH and R-1 ARH zones to accommodate individual homeowner site improvements following completion of the project.

This recommendation is no longer valid.

- Combine the R-4V and B-2 zones in Warren Glen to form a single R-4V zone.

This recommendation is valid and should be implemented.

- Rezone the northern portion of the industrial zone in Warren Glen to R-1 to reflect the fact that the property is in Open Space protection.

This recommendation is valid and should be implemented.

- Rezone the remainder of the Industrial zone south of Route 78 to R-1 and AP as appropriate.

This Industrial Zone should be reviewed further. In its review, the Township should consider its farmland preservation efforts in the area and how it relates to the Industrial zoning.

- Investigate the potential designation of the Industrial zone to Warren Glen as an Area in Need of Redevelopment or as a Highlands Redevelopment Area The Township should explore the likelihood that the mill property will ever be revitalized and should consider rezoning the area to R-4V or to some other Redevelopment Designation.

This recommendation is still valid.

- Designate additional areas of the Township Agricultural Preservation Zone.

This recommendation is still valid.

- The Township should consider the long-term development potential of the Quarry once the current use of the quarry is completed. The Master Plan should address this area in more detail.

This recommendation remains valid.

- Draft new design standards for commercial development along Route 22 to incorporate the latest in design standards in any private capital redevelopment in the corridor.

This recommendation remains valid.

- Revise Circulation Plan Element to address the Route 22 and Route 122 intersection.

This recommendation remains valid.

- Address the continued flooding problems by creating:
 - Additional Design Standard Criteria for flood prone areas
 - A Flood Hazard Control overlay zone for flood prone areas with more stringent development standards
 - Requiring flood mitigation measures with any proposed development in the flood prone areas

These recommendations remain valid.

Specific Recommended Changes to Development Regulations

The Land Use Board recommends that the specific changes, as detailed in the document titled "Pohatcong Township Highlands Preservation/Planning Area Land Use Ordinance," approved by the Highlands Council as part of the Township's Petition for Plan Conformance (copy attached herewith) be adopted by the Governing Body to implement the objectives, policies and standards as outlined in the Highlands Preservation/Planning Area Element of the Master Plan. In addition, the Board recommends interim changes to the Township Development Application checklist ordinance(s), effective until such time as the Highlands Area Land Use Ordinance is adopted and put into effect by the Governing Body. These changes would require that evidence of consistency with the Highlands Regional Master Plan be submitted with Development Applications as a requirement of Application completeness, as provided in the attached Ordinance entitled "An Ordinance Amending the Land Use Ordinance of the Township of Pohatcong to Update Submission Requirements for Applications for Development"

In addition, where necessary, the recommended changes to the Master Plan as detailed in Section 4 may require revisions to the Township Combined Land Use Ordinance.

5. Changes Recommended for Incorporation of Redevelopment Plans

At this time the Land Use Board makes no findings or recommendations regarding the incorporation of redevelopment plans pursuant to the Local Redevelopment and Housing Law, P.L. 11992, c.79 (C.40A:12A-1 et al.).