

**EAST WINDSOR TOWNSHIP MASTER PLAN
SUPPLEMENTAL MODIFICATION NO. 6**

**AMENDMENT TO
LAND USE PLAN ELEMENT
March 22, 2010**

**Recommended Zoning Map Change
To Block 16/Lots 1, 2, 5, 6 & 7 (54.924 ac)
Which Is The Property Fronting On The North Side Of Monmouth Street
And Bordered By The Route 33 By-Pass To The North,
By The New Jersey Turnpike To The East, And By Hightstown Borough To The West**

The most recent comprehensive Master Plan for the Township of East Windsor was adopted by the Planning Board on October 4, 1993. The 1993 Master Plan updated a 1985 Master Plan which, in turn, had updated a 1979 report.

Subsequent to the adoption of the Master Plan on October 4, 1993, East Windsor Township has periodically reexamined and updated the Master Plan. Most recently, the East Windsor Township Planning Board adopted the following modifications and additions to the East Windsor Township Master Plan:

- # "Supplemental Modification No. 1", an amendment to the "Traffic Circulation Plan Element", which was adopted on March 16, 1998;
- # "Housing Plan Element And Fair Share Plan", which was adopted on May 4, 1998;
- # "Supplemental Modification No. 2", an amendment to the "Land Use Plan Element", which was adopted on May 18, 1998;
- # "Supplemental Modification No. 3", an amendment to the "Land Use Plan Element", which was adopted on August 16, 1999;
- # "Amendment To Fair Share Plan", which was adopted on May 1, 2000;
- # "Master Plan And Development Regulations Periodic Reexamination Report", which was adopted on December 16, 2002;
- # "Supplemental Modification No. 4", an amendment to the "Land Use Plan Element", which was adopted on July 21, 2003;

- "Supplemental Modification No. 5", an amendment to the "Land Use Plan Element", which was adopted on June 7, 2004;
- "Housing Plan Element And Fair Share Plan", which was adopted on December 19, 2005;
- "Traffic Circulation Plan", which was adopted on September 25, 2006;
- "Master Plan And Development Regulations Periodic Reexamination Report", which was adopted on December 15, 2008; and
- "Housing Element And Fair Share Plan", which was adopted on December 15, 2008.

The 2002 "Master Plan And Development Regulations Periodic Reexamination Report", which was adopted by the East Windsor Township Planning Board on December 16, 2002, recommended that the subject property of this Land Use Plan Element amendment, identified as Block 16/Lots 1, 2, 5, 6 & 7 on the Township Tax Assessment Maps, be changed in zoning designation from the "I-O" Industrial Office zoning district to the "ARH" Age-Restricted Housing district.

The subject property has road frontage and vehicular access from Monmouth Street, and is bordered on the north by the Route 133 by-pass, on the east by the New Jersey Turnpike, and on the west by Hightstown Borough.

East Windsor Township's consideration of the rezoning specifically was initiated by a request of the developer/owner of the subject property, Robertson Douglas, so that they would be permitted to construct and market an age-restricted housing development. The developer/landowner indicated that its development, to be known as "Enchantment At East Windsor", would be related to a similar age-restricted development abutting the subject property in the Borough of Hightstown which currently is under construction.

After the Master Plan reexamination report was adopted by the Planning Board, the East Windsor Township Council introduced Ordinance No. 2003-5 on February 18, 2003 which included zoning provisions to implement the recommendations of the reexamination report, including the incorporation of the subject property into the "ARH" Age-Restricted Housing district. After public hearing, the ordinance was adopted by the Township Council on March 11, 2003.

Thereafter, during 2003, Robertson Douglas submitted an application to the East Windsor Township Planning Board for preliminary and final site plan approval for the "Enchantment At East Windsor" age-restricted housing development; approval was granted by the Planning Board on January 12, 2004 and the approval was memorialized via Resolution 04-06 on February 23,

2004.

Later, during 2005, Robertson Douglas requested some amendments to the approved site plan, and the Planning Board approved the requested amendments on July 11, 2005, which approval was memorialized via Resolution 05-20 on August 1, 2005.

On July 2, 2009, P.L. 2009, Chapter 82, became effective law. The law permits the conversion of age-restricted housing units to non age-restricted units in accordance with specified conditions. Robertson Douglas has indicated its desire to proceed with an application to the East Windsor Township Planning Board to convert the approved "Enchantment At East Windsor" age-restricted development to a non age-restricted development under the terms of the law.

While not evaluating or commenting upon the applicability of the subject law to the subject "Enchantment At East Windsor" age-restricted development and whether or not all the conditions of the law can be met by the developer, the Planning Board concludes that such a conversion is not in accordance with the adopted 2002 Master Plan reexamination report which recommended, at the request of the developer, the current "ARH" zoning designation of the subject property.

Moreover, the subject property is located in the midst of lands within both East Windsor Township and Hightstown Borough planned and zoned for non-residential development. To the north are lands in East Windsor Township zoned within the "I-O" Industrial Office and within the "R-O" Research Office zoning districts. To the south, across Monmouth Street, are lands in East Windsor Township zoned within the "TC" Turnpike Commercial zoning district. And to the west are lands in Hightstown Borough zoned within the "RO" Research Office and within the "HC" Highway Commercial zoning districts.

The sole exception to this long established non-residential zone plan within East Windsor Township was granted to Robertson Douglas for the construction of an age-restricted housing development, which was represented by the developer to be related to a similar age-restricted development abutting the subject property in the Borough of Hightstown which currently is under construction.

A primary reason for the non-residential zone plan within the subject portion of East Windsor Township is the proximity of the New Jersey Turnpike, which abuts the subject property to the east, and which is planned to be widened. The Turnpike has Exit 8 located to the south of the subject property, with vehicular access provided via State Route 33. Also regarding the subject property, Monmouth Street, which provides vehicular access to the subject property, is a county road which directly connects to State Route 33 via Woodside Avenue.

Therefore, at this time, the Planning Board recommends that the subject property be rezoned into the "I-O" Industrial Office zoning district designation.