

**EAST WINDSOR TOWNSHIP MASTER PLAN
SUPPLEMENTAL MODIFICATION NO. 7**

**AMENDMENT TO
LAND USE PLAN ELEMENT
May 5, 2014**

**Recommended Alternative Land Use
For Block 16/Lots 1, 2, 5, 6 & 7 (55.8 ac)
Which Is The Property Fronting On The North Side Of Monmouth Street
And Bordered By NJ Route 133 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. More specifically, the East Windsor Township Planning Board adopted the following documents which modified and added 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;
- "Housing Element And Fair Share Plan", which was adopted on December 15, 2008; and
- "Supplemental Modification No. 6", an amendment to the "Land Use Plan Element", which was adopted on May 17, 2010.

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 property which is the subject of this current Land Use Plan Element amendment, identified as Block 16/Lots 1, 2, 5, 6 & 7 on the Township Tax Assessment Maps and containing approximately 55.8 acres, 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.

Approximately 25.45 acres or 45.6% of the property are either freshwater wetlands or wetlands transitional buffer areas. These environmentally encumbered areas are located along the New Jersey Turnpike and Monmouth Street in the eastern and southern portions of the property. The portion of the property available for development is 30.35 acres and is located between Monmouth Street and Wyckoff Mills Road along the tract boundary with Hightstown Borough as well as within the north central portion of the property.

East Windsor Township's consideration of the rezoning from "I-O" to "ARH" 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.

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 2002 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 permitted the conversion of age-restricted housing units to non age-restricted units in accordance with specified conditions. Robertson Douglas 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 could be met by the developer, the Planning Board concluded during 2010 that such a conversion would not be in accordance with the adopted 2002 Master Plan reexamination report which recommended, at the request of the developer, the "ARH" zoning designation of the subject property.

More specifically, the Planning Board concluded that non age-restricted residential development on the subject property was inappropriate. Therefore, on May 17, 2010 the East Windsor Township Planning Board adopted "Supplemental Modification No.6" as an amendment to the "Land Use Plan Element" portion of the Township's Master Plan, recommending to the governing body that the subject property be rezoned back into the "I-O" Industrial Office zoning district designation, and the rezoning was adopted by the Township Council.

However, at this time a new age-restricted development possibility has been proposed for the subject approximately 55.8 acres property. Francis E. Parker Memorial Home, Inc. has proposed a "Continuing Care Development" (CCD) to consist of the following three (3) principal buildings:

- Life Care Residences
- Independent Senior Housing Units
- Life Care Community Services

A "Concept Plan" for the proposed development appears on the following page of this report; the plan was prepared by Maser Consulting and is dated March 24, 2014. While the plan is subject to change and refinement in consultations between the Township and the developer, the "Concept Plan" does illustrate the desires of East Windsor Township at this time for the type and character of the "Continuing Care Development" to be constructed on the site.

The following table indicates the lot area, bulk, setback, and intensity requirements of the existing "I-O" Industrial Office zoning district compared to those indicated on the attached "Concept Plan" for the proposed "Continuing Care Development":

MEASUREMENT	"I-O" DISTRICT	PROPOSED CCD
Minimum Tract Area	4.0 ac.	55.8 ac.
Minimum Lot Width	350 ft.	310± ft.
Minimum Front Yard Setback	50 ft.	335± ft.
Minimum Side Yard Setback	50 ft.	103± ft.
Maximum Building Height	60 ft.	55 ft.
Maximum Building Coverage	30%	6.9%
Maximum Improvement Coverage	75%	27.5%

Additionally, there are no restrictions in the "I-O" district regarding the number of stories in a building. As indicated on the "Concept Plan", the "Life Care Community Services" and the "Independent Senior Housing" buildings each will have three (3) stories, and the "Life Care Residences" building will have two (2) stories.

Therefore, it is clear that the proposed "Continuing Care Development" on the subject property will be much less intense than an industrial/office development as permitted in accordance with the "I-O" zoning requirements, particularly with a building coverage of less than 10% versus 30%, and an impervious surface coverage of less than 30% versus 75%.

Nevertheless, the "I-O" Industrial Office zoning of the subject property remains appropriate. The subject property is located in the midst of lands primarily within East Windsor Township 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 along Monmouth Street 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 (i.e., "Enchantment at East Windsor") to be related to a similar age-restricted development abutting the subject property in the Borough of Hightstown (i.e., "Enchantment at Hightstown").

Therefore, it is not recommended that the "I-O" zoning district designation of the subject property be changed. However, given the adjacency of the "Enchantment at Hightstown" age-restricted development and the previous determination by the East Windsor Planning Board that age-restricted development would be appropriate on the subject property, it does appear to be a proper land use planning decision to allow the "Continuing Care Development" (CCD) proposed by Francis E. Parker Memorial Home, Inc. as an alternative land use on the subject property.

In order to effectuate the ability to construct the proposed "Continuing Care Development" (CCD) on the subject land, it will be necessary to amend the zoning provisions in Section 20-19 governing development within the "I-O" zoning district to add a "Continuing Care Development" as a permitted principal use in accordance with specific conditions and requirements.

The specific conditions and requirements for a "Continuing Care Development" would be in a new Subsection 20-19.5 to read as follows:

20-19.5 *Continuing Care Development (CCD)*

- a. The Continuing Care Development (CCD) may only occur on a tract of land at least 55.5 acres in area to the west of the New Jersey Turnpike and with vehicular access from two (2) collector roadways.
- b. The CCD shall consist of the following three (3) component principal uses:
 1. Life Care Residences including, but not limited to, assisted living, nursing home and/or skilled nursing care, post acute or sub-acute care, Alzheimer's/dementia care, and hospice and palliative care, provided that no more than 170 beds shall be permitted.
 2. Independent Senior Housing Units for people at least fifty-five (55) years old, provided that no more than 120 dwelling units shall be permitted.
 3. Life Care Community Services including, but not limited to, adult day care, senior health and wellness services, senior care education, training and research services, health rehabilitation services, visiting nurse and hospice care services, and life-care and geriatric coordination services.

- c. Permitted accessory uses and activities will include central dining facilities, recreational and social activities, administrative and medical offices, hair salons, off-street parking, and other customary, incidental and subordinate accessory uses.
- d. One (1) free-standing development identification sign shall be permitted at each driveway entrance into the development from a public street. Any such sign shall be ground-mounted on a solid base with no visible poles, columns or other upright supports, shall not exceed 8 feet in height, shall not be more 100 square feet in area, and shall be set back at least 15 feet from any street right-of-way and tract boundary line.
- e. A minimum 25 foot wide landscaped buffer area shall be provided along any street right-of-way and any tract boundary line which abuts a residential zoning district or existing residential land use.
- f. Notwithstanding any other ordinance provision to the contrary, the following measurements shall govern the development of the CCD:

MEASUREMENT	REQUIREMENT
Minimum Lot Width	300 ft.
Minimum Lot Depth	1,500 ft.
Minimum Front Yard Setback	335 ft.
Minimum Building Setback From Any Tract Boundary Line	100 ft.
Minimum Parking Setback From Any Tract Boundary Line	50 ft.
Maximum Building Height	55 ft. & 3-stories
Maximum Building Coverage	7.0%
Maximum Improvement Coverage	27.5%

- g. The design of the CCD, though subject to change and refinement between the Township and the developer, shall be patterned after the March 24, 2014 "Concept Plan" prepared by Maser Consulting.