

Engineering & Design

# Pine Creek Site Redevelopment Plan

Block 23, Lots 5 & 9  
West Amwell Township, Hunterdon County, New Jersey

Report Prepared on February 27, 2026, revised March 18, 2026  
Adopted by West Amwell Township Committee on  
March 18, 2026 via Ordinance No. 05, 2026

Prepared for:

West Amwell Township  
150 Rocktown Lambertville Rd  
West Amwell, NJ 08530

Prepared by:

**Daniel Bloch, PP, AICP**  
New Jersey Professional Planner  
License No. 06107

**Colliers Engineering & Design**

Shelbourne at Hunterdon  
53 Frontage Road, Suite 110  
Hampton, New Jersey 08827  
Main: 877 627 3772  
Colliersengineering.com

Project No. WMA-0003



# Acknowledgements

## A. West Amwell Township Mayor and Township Committee

Robin Deal, Mayor  
Joan Vanderveen, Deputy Mayor  
Gary Hoyer, Committee Member  
Robert Balaam, Committee Member  
Brian Fitting, Committee Member

## B. West Amwell Land Use Board

Robin Deal, Member (Class I)  
Carrie Sargeant, Member (Class II)  
Brian Fitting, Member (Class III)  
P.C., Member (Class IV)  
Carl Ippolito, Member (Class IV)  
Sean Pfeiffer, Member (Class IV)  
Connor Montferrat, Member (Class IV)  
John Hoff, Member (Class IV)  
Joe Romano, (Class IV)  
Lonnie Baldino (Alternate #1)  
John Dale (Alternate #2)  
Porter Little (Alternate #3)

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A. Appendix A | Resolution No. 97-2020

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## I. Introduction

This “Pine Creek Site Redevelopment Plan” is prepared for the designated Area in Need of Redevelopment (“Redevelopment Area”) within the Township of West Amwell, Hunterdon County, New Jersey. The Redevelopment Area contains a total of 35 acres encompassing lands situated on the west side of NJ State Route 31. The Redevelopment Area consists of 2 parcels: Lots 5 and 9 in Block 23.

This Redevelopment Plan is prepared in accordance with the New Jersey Local Redevelopment and Housing Law, N.J.S.A. 40A:12A et seq. (“LRHL”), which states that no redevelopment project shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located within an area in need of redevelopment, according to criteria set forth in section 5 of the LRHL.

The Township Committee adopted Resolution No. 97-2020 on December 2, 2020 (as amended by Resolution No. 39-2021, adopted on April 7, 2021), authorizing and directing the Planning Board<sup>1</sup> to conduct an investigation to determine whether Block 21, Lots 12, 12.02, 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lots 1, 3, 4, 4.01, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13, 28 and 32, or any portions thereof qualify for designation as a Non-Condemnation Redevelopment Area.

The Planning Board conducted a public hearing on May 11, 2021, and recommended to the Township Committee that the entire study area be designated as an Area in Need of Redevelopment.

On May 19, 2021, The Township Committee adopted Resolution 56-2021, designating the study area as a Non-Condemnation Redevelopment Area.

On July 21, 2021, the Township Committee adopted Ordinance 07-2021 approving and adopting the Redevelopment Plan for the Route 31 Redevelopment Area.

To address the Fourth Round prospective need obligation of 39 units, the Township’s Housing Element and Fair Share Plan (HEFSP) recommends that the Township amend the Route 31 Redevelopment Plan to permit a mixed-use commercial and multi-family inclusionary housing development on Lots 5 and 9 in Block 23. This Redevelopment Plan effectively extracts Lots 5 and 9 from the Route 31 Redevelopment Plan and establishes a new, unique redevelopment plan specifically tailored for this purpose. The previous qualification as an Area in Need of Redevelopment (Resolution 56-2021) remains applicable.

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<sup>1</sup> As of January 2024, the Planning Board has assumed the role of the Zoning Board of Adjustment in a combined Land Use Board.



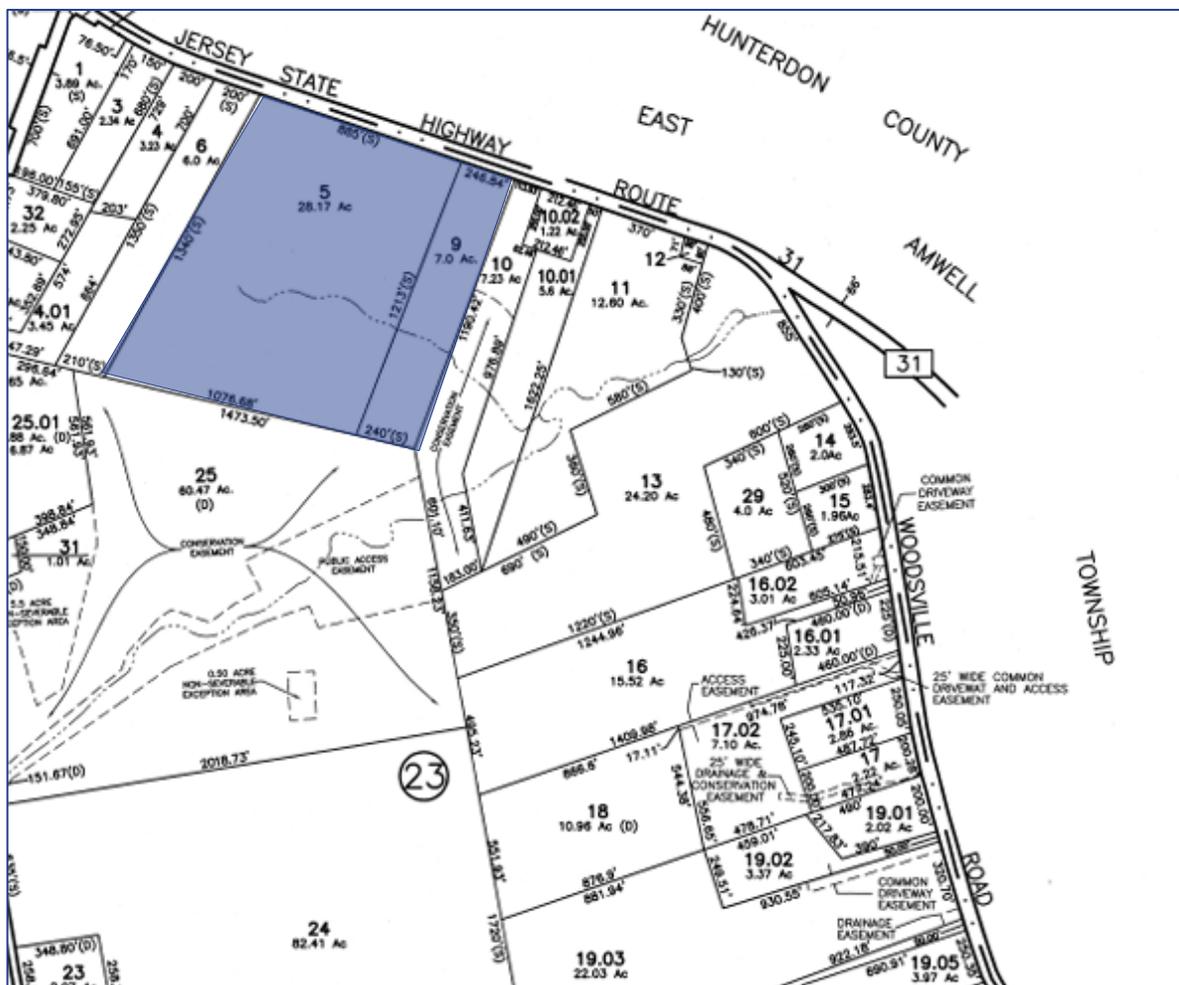
Figure 1: Simplified timeline of redevelopment process under the LRHL.

### A. Local Redevelopment Housing Law Requirements

This document has been prepared in accordance with Section 7a of the LRHL, which requires redevelopment plans to include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate the following:

1. Relationship of the project area to local objectives as to appropriate land uses, density of population, improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing housing market.
4. An identification of any property within the redevelopment area, which is proposed to be acquired in accordance with the redevelopment plan. (Note: not every property in a redevelopment area must be acquired and, in fact, none may be acquired; the redevelopment plan can specify buildings or uses to remain in the redevelopment area and to be incorporated into the future design and development of the area.)
5. Any significant relationship of the redevelopment plan to the master plan of contiguous municipalities, the master plan of the county, and the State Development and Redevelopment Plan.

6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low- and moderate-income households that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement units shall not be credited against a prospective municipal obligation under the "Fair Housing Act," if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.
8. Proposed locations for public electric vehicle (EV) charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.



Map 1: Tax Map Excerpt with Redevelopment Area Highlighted

## II. Plan Goals and Vision

### A. Vision

The intent of this Redevelopment Plan is to provide a framework for the redevelopment of the stagnant and underutilized properties in the Redevelopment Area. The Redevelopment Plan also creates an opportunity for the Township of West Amwell to meet its constitutional obligations to provide affordable housing options.

The Redevelopment Plan seeks to create a mixed use commercial and multi-family inclusionary housing development to stimulate economic development in West Amwell and to benefit the public welfare. This Plan will enforce the powers of Section 8 of the LHRL to overcome the stagnant condition of the properties and provide a more diverse housing stock.

The Redevelopment Area is intended to direct new growth to a location with appropriate access along the State Highway, limiting sprawl, and protecting the environment and its resources. The following smart growth characteristics can be applied to the design of the development:

1. Compact, community design
2. A range of housing choices and opportunities, including affordable housing
3. Walkable neighborhoods
4. Distinctive, attractive communities offering a sense of place
5. Open space and recreation amenities
6. Development using existing infrastructure
7. Sustainable design

## B. Goals and Objectives

This section provides the goals of the Redevelopment Plan, which are as follows:

1. To make productive an underutilized area in need of redevelopment.
2. To provide opportunity for affordable housing within the Township of West Amwell.
3. To promote a desirable visual environment through creative development techniques and good civic design and arrangements of principal buildings and accessory structures that will be in keeping with appearance of other areas of West Amwell Township.
4. To provide adequate light, air and open space within the Redevelopment Area.
5. To provide adequate transportation facilities for pedestrian, bicycle and transit accommodations, including accessible sidewalks, curb ramps, crosswalks, signs, curb extensions, pedestrian scale lighting, bike lanes, and shoulders, as appropriate.
6. To promote the conservation of open space and valuable natural resources and to prevent urban sprawl and degradation of the environment through improper use of land.

## III. Relationship to the Master Plan

In addition to the Redevelopment Area-specific goals and objectives, the LRHL requires that the Redevelopment Plan indicate its relationship to definite local objectives regarding land uses, population density, traffic and public transportation, public utilities, recreational and community facilities, and other public improvements. This will ensure that the goals and objectives of the Redevelopment Plan are consistent with or will support the broader community-wide goals of the Master Plan.

The Master Plan provides the basis for long-range planning and zoning efforts for the Township. The Township adopted its Comprehensive Master Plan in 2003 with various elements being updated

between 2009 and 2011, and Master Plan Reexamination Reports were adopted several times since, most recently in 2021.<sup>2</sup>

### A. Master Plan Objectives Advanced by Redevelopment

Redevelopment of this area will advance the following objectives of the West Amwell Master Plan:

- Encourage municipal actions which will guide the long range appropriate use, development and preservation of lands within West Amwell Township, in a manner which will promote the public health, safety, morals and general welfare of present and future residents.
- To provide for sufficient space in appropriate locations within the Township for agricultural, residential, business, industrial, mixed uses, open space and public/quasi-public uses in a manner that will provide for balanced growth and development. Since West Amwell will always be a primarily agricultural and residential community, promoting a diversified tax base will be an important element of the Township's future. Care should be taken to encourage non-residential and other positive tax base generating land uses in appropriate locations.
- Future land use planning should strive to manage growth so that it can be properly served by public facilities and so that desirable environmental features are not destroyed. Staged development may be an effective way of assuring that growth can occur over a period of years and that new residents will be provided with necessary community facilities and services.

### B. Housing Element & Fair Share Plan

The Township's 2025 Housing Element & Fair Share Plan (2025 HEFSP) identified the subject site (Block 23, Lots 5 & 9) as suitable for redevelopment with inclusionary affordable housing. The 2025 HEFSP recommended that the Township permit a total of 195 units with a required 20 percent set-aside for a total of 39 affordable units to meet the Fourth Round obligation.

## IV. Relationship to Other Plans

This section of the report discusses any significant relationship of the Redevelopment Plan to the master plans of contiguous municipalities, the master plan of Hunterdon County, and the State Development and Redevelopment Plan. This is a requirement of the LRHL intended to link redevelopment planning to the regional planning goals and objectives.

### A. State Development and Redevelopment Plan (SDRP)

The 2025 State Development and Redevelopment Plan (SDRP) includes ten statewide goals:

- **Economic Development** - Promote economic growth that benefits all residents of New Jersey.
- **Housing** - Provide an adequate supply of housing for residents of all ages and incomes in communities of their choosing that meet their needs and offer ready access to the full range of supportive goods and services.

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<sup>2</sup> 2021 Reexamination Report. Prepared by Prepared by Joanna Slagle P.P. AICP and adopted by the Planning Board on August 17, 2021.

- **Infrastructure** - Economic opportunity through nation leading infrastructure.
- **Revitalization and recentering** - Revitalize and recenter the state's underutilized developed areas.
- **Climate Change** - Effectively address the adverse impacts of global climate change.
- **Natural and Water Resources** - Protect, maintain, and restore the state's natural and water resources and ecosystems.
- **Pollution and Environmental Clean-up** - Protect the environment, prevent and clean up pollution.
- **Historic and Scenic Resources** - Protect, enhance, and improve access to areas with exceptional archeological, historic, cultural, scenic, open space, or recreational value.
- **Equity** - Implement equitable planning practices to promote thriving communities for all New Jerseyans.
- **Comprehensive Planning** - Foster sound and integrated planning and implementation at all levels statewide.

These goals are intended to fulfill the vision of the State Planning Act, in which development and economic growth are encouraged in suitable locations with existing infrastructure, sprawl is reduced, and areas of environmental quality are preserved.

The Township of West Amwell is located within the Rural Planning Area ("PA-4"), Rural Environmentally Sensitive Area ("PA-4B") and Environmentally Sensitive Area Planning Area ("PA-5") of the SDRP. The Redevelopment Area is located within PA-4B. The intent of PA-4B is to protect and preserve the state's natural resources and environmentally sensitive areas. The Redevelopment Plan has the potential to advance four of the ten goals of the SDRP:

- **Housing** - Provide an adequate supply of housing for residents of all ages and incomes in communities of their choosing that meet their needs and offer ready access to the full range of supportive goods and services.
- **Revitalization & Recentering** - Revitalize and recenter the state's underutilized developed areas.
- **Equity** - Implement equitable planning practices to promote thriving communities for all New Jerseyans.
- **Economic Growth** - Promote economic growth that benefits all residents of New Jersey.

## B. Consistency with Plans of Adjacent Communities

The Redevelopment Area is bordered by the Township of East Amwell, where the adjacent zoning is Amwell Valley Agricultural District. This zone allows detached single-family dwellings, agricultural uses and farms, public parks, subsidized accessory apartments, farm-based businesses, and antique shops. The Township of East Amwell adopted its Master Plan in 2006 and the most recently Reexamination Report in September of 2023.

The Redevelopment Area is consistent with the following goals and objectives of the 2006 Township of East Amwell Master Plan:

- Provide a variety of housing opportunities for the existing and future residents of the Township, consistent with the rural setting in which these are located. Affordable housing should be provided, and the township should comply with COAH regulations, choosing locations and types of housing that are appropriate and suitable for a rural town without infrastructure.
- Encourage a harmonious existence between agricultural operations and neighboring non-agricultural development.
- Assure that planned development densities and intensities throughout the Township can be adequately served by the natural infrastructure, including geology, soils, groundwater and surface water.

### C. Hunterdon County Master Plan

In 2007, Hunterdon County opted to undertake a Growth Management Plan (GMP) to proactively plan for the future. The most recent GMP was adopted in February 2024 and includes goals and recommendations for land use, economic development, community facilities, environment, culture, and history. The following GMP goals and objectives are advanced by this Redevelopment Plan:

***Goal 1. Promote efficient and balanced land use Patterns that are consistent with the rural and agricultural character of the county, the carrying capacity of the land, and the fiscal capability of Public infrastructure and services***

- *Encourage a mix of development projects including neighborhood scale commercial uses, office, and light industrial facilities in communities with available public infrastructure and services.*
- *Facilitate housing development in locations distant from prime agricultural, scenic, farming, and natural areas.*

***Goal 2. Provide a variety of suitable housing alternatives for the county's residents, promoting stability within Existing neighborhoods, guiding well-designed new residential development, and preserving Hunterdon county's rural character.***

- *Encourage development of a wide variety of housing styles, types, and price ranges, including Accessory Dwelling Units and multi-unit housing.*
- *Promote future residential development within those areas of Hunterdon County where residential development has already been established.*
- *Encourage zoning practices that support mixed-use and mixed-income development for a wide range of housing options.*

## V. Zoning Standards

This chapter of the Redevelopment Plan provides the land use requirements to allow for the redevelopment of the Redevelopment Area.

This Plan establishes the Pine Creek Redevelopment (PCR) Zone District to encompass the entire Redevelopment Area. The PCR Zone shall supersede the existing underlying zoning for the entire Redevelopment Area. Any development proposed within the PCR Zone shall comply with the applicable provisions and standards of this Redevelopment Plan.

The specific land use and development requirements, including design standards that are applicable to the entire Redevelopment Area, are outlined in the following sections.

This Plan anticipates that the Redevelopment Area will be developed as a comprehensive unit, which shall include the development of an inclusionary mixed-use development on Lots 5 and 9 in Block 23.

### A. Permitted Principal Uses

1. Mixed-Use commercial and residential, including any of the following:
  - a. Multi-family inclusionary housing
  - b. Owner-occupied inclusionary townhouses and stacked townhouses are permitted provided that not less than 10 affordable units shall be family rentals
  - c. Age-restricted inclusionary housing is permitted provided that not more than 11 affordable units shall be age-restricted
  - d. Retail sales and services
  - e. Restaurants

### B. Permitted Accessory Uses

1. Bicycle racks and bicycle maintenance equipment.
2. Clubhouse, pools, recreational and fitness areas, fitness trails, walking trails and bikeways, tot lots, dog park, outdoor barbecues, fire pits, gazebos, game rooms, community kitchens for tenant use, storage areas, and other amenities for use by residents and their guests.
3. Community mailboxes
4. Electric Vehicle supply/service equipment
5. Farm stand
6. Fences, walls, and retaining walls.
7. Leasing offices, management offices, and other facilities necessary for the maintenance and operations of the property.
8. Open space, public parks, and passive recreation areas.
9. Outdoor dining associated with a restaurant.
10. Outdoor sales. Retail businesses may sell their regular merchandise outdoors on private property between their stores and a street right-of-way, on vending carts, or farm stands.
11. Signs.
12. Site utilities and structures, pump stations, maintenance garage, backup generators, and similar.
13. Solar or photovoltaic facility (minor).
14. Stormwater management facilities.

15. Streets, roadways, and driveways.
16. Surface or structured parking.
17. Trash enclosures and compactors.
18. Other accessory uses which are determined by the Land Use Board to be customary and incidental to the permitted principal uses.

### C. Conditional Uses

1. Cannabis dispensaries/retailers (class 5) may be permitted as part of a mixed-use development, subject to the conditions and requirements of Part 10 of the municipal code, including but not limited to §109-265.E, §109-266, and §109-268.
  - a. Retail components must be located along the retail frontage with any operational components set back behind.
  - b. Adherence to conditions placed on such uses identified in Article XIV of the Township's Land Development Ordinance
1. Conditional uses identified in Chapter 109 Attachment 3- Schedule Three: Schedule of Permitted Uses of the West Amwell Land Development Ordinance.

### D. Bulk Requirements

2. Minimum lot size: 35 acres
3. Minimum front yard setback: 100 feet
4. Minimum side yard setback: 100 feet from any residential use or zone, 50 feet from any other use or zone.
5. Minimum rear yard setback: 75 feet
6. Maximum building height: 3 stories/ 48 feet
7. Maximum lot coverage: 65%

8. Maximum Density: 5.5 units per gross acre, not to exceed 195 total units for the entire PCR Zone

### E. Parking and Loading Requirements

1. Parking and loading shall comply with the off-street parking requirement established in municipal code Article XXVII (Site Plan Design Standards) § 109-164 and § 109-165.
2. No loading dock or service area may be located directly on any street frontage. Provision for handling all freight shall be on those sides of any buildings which do not directly face any street or proposed streets, but maybe located on the side toward the rear.
3. The project shall provide residential parking spaces in accordance with the maximum ratios required per the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21-1 et al.).
4. For mixed-use development, the total number of parking spaces required shall be calculated on a per use basis. The Land Use Board may reduce the required parking by not more than 10% where the Applicant demonstrates a shared parking arrangement to the Board's satisfaction.
5. The provision of Electric Vehicle Supply/Service Equipment (EVSE) and Make Ready Parking Spaces shall be in accordance with P.L. 2021, c.171 (C.40:55D-66.20).

### F. Signage Requirements

1. Except as provided herein, signage shall comply with municipal code Article XVII (Signs).
2. Permitted signs. The following types of signs shall not be permitted: billboards and signs elevated on poles. New signs are allowed generally as follows:

- a. Signs may be painted or attached directly onto building walls.
  - b. Signs can be mounted onto a marquee that extends out from the front of a building.
  - c. Wall signs. Acceptable wall signs are those that are placed flat against a principal facade. Internally lit box signs of plastic and/or metal are not permitted.
  - d. Projecting signs. Projecting signs of these types are permitted notwithstanding any prohibitions. Location of projecting signs. Signs designed in accordance with this section may extend over public sidewalks between the property line and building facade, but must maintain a minimum clear height above sidewalks of 9 feet. Signs shall not extend closer than 2 feet to an existing or planned curb. Projecting signs may not be internally lit and should reflect the character of the district
3. Size of signs. Maximum gross area of all signs
- a. Building Mounted Signs for Anchor or Larger Format Commercial uses shall not exceed an area equal to 20% per street frontage.
  - b. For all other commercial units, each individual tenant shall be permitted a sign area of 5% of the façade relative to the portion of the building that directly encompasses that tenant space; 20 square feet minimum.
  - c. Ground or Monument signs
    - i. Maximum area: 32 square feet.
    - ii. Maximum height of ground/monument signs is ten 10'.
    - iii. Maximum Building Sign Projection. Sixteen inches (16")
    - iv. Maximum Building Mounted Sign Height. Nine feet (9')
    - v. Number of Signs. 2 per street frontage. Logos may be integrated within the overall sign design package and be excluded from this requirement.
    - vi. Illumination of signs. Façade signs shall be illuminated externally except that individual letters and logos may be internally lit. Monument signs must be externally lit.
    - vii. Placement of signs on principal facades. Signs must coordinate in size and placement with the building and storefront.
  - d. Building signs shall not conceal the cornice.
  - e. Over-varied shapes create visual confusion and are discouraged.
  - f. Awning signs shall not cover masonry piers.
- G. Affordable Housing Requirements**
1. Affordable housing requirements shall comply with municipal code Chapter 109 (Land Development) Part 6 (Affordable Housing) for new construction, except as modified by this section.
  2. The minimum number of affordable housing units that shall be constructed shall be 20 percent of the total number of units approved by the Land Use Board. All

affordable housing units shall comply with the Township's Affordable Housing Ordinance, the Uniform Housing Affordability Controls ("UHAC"), applicable affordable housing regulations, including but not limited to phasing, income distribution, and bedroom distribution requirements, any applicable order of the Court, and other applicable laws.

3. The redeveloper shall be responsible for managing the affordable housing units to ensure compliance with all applicable laws and regulations. The redeveloper shall contract with an Administrative Agent to oversee the affordable rental units in accordance with the Township's Affordable Housing Ordinance, applicable COAH regulations and procedures (N.J.A.C. 5:96-18), and UHAC (N.J.A.C. 5:80-26.14), or any other applicable requirement as determined by the Court or other appropriate jurisdiction.
4. Affordable units shall be distributed throughout the building in a manner satisfactory to the Planning Board.
5. Calculation of number of units. If the minimum number of low- and moderate-income units to be provided includes a fraction, the number provided shall be rounded up. If the number of market rate (non-low- and moderate-income) units permitted includes a fraction, the number provided shall be rounded down.
6. The redeveloper shall submit with the application for development a narrative description of the mechanism to be used to ensure that the required affordable dwelling units are sold only to low- and moderate-income households and that such units will continue to be occupied by low- and moderate-income households for a period not less than 30 years or 40 years, as applicable per UHAC regulations. In addition to such description, actual samples of

language to be included in the nature of covenants shall be submitted. The submitted description shall indicate the entity or entities responsible for monitoring the occupancy of the low- and moderate-income units and shall provide a detailed discussion concerning resales, permitted increases in price, prequalification of occupants and other relevant considerations.

## VI. Design Guidelines & Standards

### A. Design Intent

The purpose of the Redevelopment Plan is to create the desired quality and character for pedestrian-oriented activities within the Redevelopment Plan area. New buildings are expected to accommodate pedestrians by providing storefronts near sidewalks and by offering shade and shelter along major streets. The design criteria have been conceived to produce quality mixed-use development that relates well to the surrounding area. New development will support this effort and will work to create strong street facades and a pleasing pedestrian environment.

1. Principles. The principles of these design regulations include:
  - a. Encouraging building forms that reinforce the high quality of life.
  - b. Encouraging buildings of compatible type and scale to have creative ornamentation using varied architectural styles.
  - c. Creating a business district, which is an attractive destination for living, recreating, entertainment, and shopping.
  - d. Creating a sense of place and strengthening property values of adjacent areas.

- e. Creating attractive walkways and continuous street-front experiences that maximize the quality of the pedestrian environment and afford opportunities to increase retail traffic.
  - f. Configuring sidewalks on all streets so people feel safe and comfortable; make sidewalks wide, appealing, and shady.
  - g. Installing well-designed, high quality street furniture to reinforce the strong image and comfort of the place.
  - h. Carefully placing strong landscaping elements, including shade trees, which enhance the creation of place.
  - i. Using compelling, informative, and consistent signage to tell the story of the place. (Not literally).
  - j. Designing attractive corners and gateways into the Redevelopment Area.
  - k. Adding vitality by requiring active uses along the sidewalks such as outdoor dining, interactive displays in shop windows, entertainment, and diverse architectural elements, styles and setbacks.
- than the upper stories through material and dimension.
  - ii. Middle. Shall be treated with horizontal elements such as belt courses and shall exhibit changes in materials or patterns.
  - iii. Top. Defined as any roofline, shall be accentuated with parapet walls and/or balustrades or deep cornice features with projection.
- c. Vertical Massing.
    - i. The façade plane should be broken into 30'- 60' foot- sections along major street frontages and 60-80' foot sections for large format retail structures set back from the street.
    - ii. Distinguished by columns, pilasters, gutters, size and spacing of windows, pattern of balconies or other acceptable architectural measures the Township deems appropriate.
    - iii. All commercial uses at street level shall relate to the building's vertical patterns

## B. Architectural Design

### 1. General Standards

- a. This section governs the architectural features of all buildings in the Redevelopment Area. In order to minimize the bulk of large buildings, all facades shall provide architectural elements to reduce these effects.
- b. Horizontal Massing.
  - i. Base. Defined as the first one and one half (1½) to two (2) stories on facades of multi-story buildings, shall be oriented to the pedestrian and the greater sidewalk network. The Base should appear "heavier"

### 2. Exterior walls

- a. Generally. These standards require buildings to have traditional pedestrian oriented exteriors and to be clad with materials that are durable and appropriate to the visual environment and climate of the community.
- b. Finish materials for walls. Exterior walls are the publicly visible part of most buildings. Their exterior finishes shall be as follows:
  - i. Any of the following materials may be used for exterior walls and for columns, arches, and piers:

- ii. Natural stone, brick and integrally colored masonry units
  - iii. Reinforced concrete (with smooth finish or with stucco, textured or exposed aggregate)
  - iv. Concrete block with stucco (CBS)
  - v. Wood, pressure-treated or naturally decay-resistant species
  - vi. Glass and Steel
  - vii. Fiber cement siding
  - viii. Architectural metals
- c. Other materials for exterior walls may be used only if approved as a deviation from this section when explicit approval has been granted to vary from these regulations. Faux material shall be discouraged.
- d. Fastenings that may be required to dry flood-proof the first story of commercial buildings shall be integrated into the design of principal facades or be visually unobtrusive.
- e. Types of exterior walls. Principal facades and their requirements are defined herein.
- i. Exterior walls that are not defined as principal facades require a lesser degree of finish and transparency, but at a minimum must meet the following requirements:
    - ii. Windows must cover at least 30% of the wall area below the expression line and at least 10% of the wall area between the expression line and the cornice.
    - iii. All windows must have their glazing set back at least 3 inches from the surface plane of the wall, or set back at least 2 inches when wood frame construction is used.
    - iv. Rectangular window openings shall be oriented vertically (except for Transom windows).
    - v. Spandrel glass is acceptable as facades within street view.
3. Principal Facade walls
- a. Facade elements. Principal facades are those facades that face a public space such as a street or a public park. Being in public view, they shall be given special architectural treatment.
- i. Principal facades, where appropriate, shall have a prominent cornice and expression line, a working entrance, and windows. To the degree that side walls are within public view, the principal facade shall be addressed accordingly.
  - ii. Buildings wider than 60 feet shall, to the extent feasible, incorporate varied heights and roof types to enhance visual interest. This may be accomplished with a parapet designed to vary in height as it traverses the roofline so long as the average height of the parapet alone is no more than five feet. Lighting and landscaping may be utilized as a tool to complement visual interest as well.
  - iii. Principal facades facing a street, plaza, or public park may not have blank walls (without doors or windows) greater than 20 feet in length.
  - iv. Expression lines and cornices shall be a decorative molding or jog in the surface plane of the building that extends at least 3 to 6 inches out from the principal facade, or a permanent canopy may serve as an expression line.

- v. Awnings may not hide or substitute for required features such as expression lines and cornices.
  - vi. Roofline shall be designed to screen HVAC equipment from view.
- b. Entrances. A primary entrance and views into the first floor of buildings are fundamental to creating an interesting and safe pedestrian environment.
- i. Primary entrances shall be designed to interact with a public street and/or be oriented to facilitate an active and vibrant curb appeal.
  - ii. Corner buildings shall have their primary entrance face either the intersection or the street of greater importance. Buildings may also locate the primary entrance on the corner.
  - iii. Ground floor retail spaces within the same building shall all have their respective primary entrances face streets unless the retail space does not adjoin the exterior wall along a street.
  - iv. Where building frontages exceed 50 feet, operable doors or entrances with public access should be provided along streets at intervals averaging no greater than 50 feet, where appropriate.
- c. Corner buildings. For buildings located at the intersection of two streets, the corner of the building at the intersection may be angled, curved, or chamfered. The distance from the corner shall conform to the front yard setback measured from the intersection of the right-of-way lines to the end of the angled or curved wall segment, unless a greater amount is required by the visibility triangles.
- d. Facade projections. Facade projections add visual interest to buildings. Some projections also provide protection from the sun and rain for those passing by; others provide additional floor space for the building. The following types of facade projections are permitted as indicated below. At least one of these facade projections is recommended on each principal facade of all commercial buildings. Any projections extending beyond the front lot line into the public right-of-way of a county road are subject to approval by Hunterdon County or State DOT.

### C. Green Design

1. All buildings are encouraged to be LEED-qualified buildings.
2. The following High-Performance design elements are encouraged to be incorporated within each application:
  - a. Measures to reduce “heat-island” effects including the following:
    - i. Green rooftops - especially on parking structures.
    - ii. Appropriate landscaping that increases shading of paved portions of the site.
    - iii. Building orientation and design that reduces heating and air-conditioning use.
    - iv. Pedestrian circulation patterns leading to and/or including waiting areas for buses or light rail trains that are highly efficient and aesthetically pleasing to encourage the use of mass-transit facilities
    - v. Indoor bicycle storage facilities that are incorporated into the building

b. Natural resource efficiencies have been employed resulting in:

- i. Measurable reduction in water usage. Including, but not limited, to rainwater capture, low flow fixtures, and low irrigation landscaping.
- ii. Optimization of energy performance.
- iii. Utilization of locally manufactured construction materials.
- iv. Utilization of recycled materials for construction.

#### D. Landscaping and buffers

1. Those portions of all yards not used for parking, loading, unloading and service shall be planted and maintained at all times in accordance with Chapter 109 Article XXXI Landscaping
2. Any yard setbacks adjacent to a residential use or zone shall be enhanced with buffer landscaping in accordance with §109-97.
3. Along each street line, as defined, bounding the district with a landscaped strip (10'-12') shall be provided. Such landscaped strips shall be separated from the parking area by curbing, except at except as necessary at sidewalks and accessways. Such landscape strips may also be designed to be part of an integrated stormwater runoff network.
4. Along each side and rear property line which adjoins a residential district in the Township or a similar district in an adjoining municipality, a screen or buffer planting strip shall be provided consisting of massed evergreens and shrubs of such species and shade trees sized so as will produce an effective screen at time of planting. The screen or buffer strip shall be landscaped in accordance with a plan acceptable to the Planning Board. The width of the planted screen shall be a minimum of 10 feet, and it

shall be the responsibility of the applicant to carry out this program and to promote such maintenance and care as is required to obtain the effect intended by the original plan. Such a plan is also encouraged to include public artwork.

5. All entrances and exits upon a public street shall not be located within 50 feet of any street intersection; said distance is to be measured from the intersection of the right-of-way lines at the corner affected and the closest point of such proposed driveway. Shared access between multiple properties is highly encouraged.
6. No use or accessory use shall be constructed to permit the keeping of articles, equipment, goods or materials in the open, exposed to public view, adjacent residences or a residential district. When necessary to store or keep such materials in the open, the area shall be fenced with a screen or buffer planting strip and be situated not closer than 25 feet from a residential district line.
7. A minimum of 25 percent of the site shall be devoted to active and/or passive outdoor recreational use. Such uses may include, but shall not be limited to landscape areas incorporating sitting areas and walking trails, swimming pools, shuffleboard courts, bocce courts, and other similar recreational facilities. Public access shall be provided to trail connections on adjacent properties.

#### E. Lighting

1. Parking area and driveways shall be adequately illuminated during the hours of operation which occur after sunset. Any adjacent residential zone or use shall be shielded from the glare of illumination from site lighting and automobile headlights.
2. All lights shall be concealed source lighting and shall be focused downward so that the

direct source of light is not visible from adjoining streets or properties.

3. No light source (including sign lights) shall exceed a height of 15 feet.
4. The light intensity at ground level shall average 0.5 footcandle.
5. The light intensity shall not exceed 0.3 footcandle along any property line and shall be so arranged and shielded to reflect the light away from adjoining streets or properties.
6. Provisions shall be made for reduction in the intensity of illumination to the minimum need for security purposes when the facility is not in operation.
7. The style of any light or light standard shall be consistent with the architectural style of the principal building.
8. Freestanding lights shall be protected to avoid being damaged by vehicles.

#### F. Stormwater Requirements

Stormwater control shall comply with municipal code Article XLII (Stormwater Management).

#### G. Solid Waste & Recyclables Disposal

1. Access shall be provided to all solid waste and recycling storage facilities. Such access shall accommodate the type of vehicle normally used for the collection of waste. The area for recycling shall be large enough to accommodate four to five different recyclables.
2. Outdoor solid waste and recycling storage facilities shall be surrounded by board-on-board fencing and shall be visually screened from the rest of the development and from all property lines.

## VII. Implementation

### A. Phasing Requirements

Development of the principal structure(s) may occur in phases, subject to the following:

1. A phasing plan shall be submitted to the Redevelopment Entity and Land Use Board for review and approval.
2. Each phase shall comply with the requisite minimum inclusionary set-aside requirement for low- and moderate-income units.
3. Each phase shall comply with the requisite minimum off-street parking requirements.

### B. Deviations from Redevelopment Plan Requirements

Variation from one or more of the specific development requirements set forth in this Redevelopment Plan may be necessary in certain circumstances for the effective redevelopment of the Redevelopment Area or to meet state or federal permit requirements.

1. The Land Use Board may grant deviations from standards contained herein, which shall be considered analogous to variance relief pursuant to N.J.S.A. 40:55d-70(c) or design exceptions pursuant to N.J.S.A. 40:55d-51, provided that the Redeveloper satisfies the statutory criteria for such relief as set forth in the Municipal Land Use Law.
2. Deviations that would be analogous to use variance relief pursuant to N.J.S.A. 40:55d-70(d), shall require an amendment to the Redevelopment Plan in accordance with the procedures set forth in the Local Redevelopment and Housing Law. Any such amendment shall be conditioned upon a finding that such deviation would be consistent with and in furtherance of the goals and objectives of this Redevelopment Plan.

### C. Review Procedures

1. The Township of West Amwell Mayor and Town Committee, acting as the Redevelopment Entity, shall review all proposed redevelopment projects within the Redevelopment Area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant Redevelopment Agreement(s). Such review and approval shall occur prior to the submission of the redevelopment project(s) to the Land Use Board for site plan approval. The redeveloper shall not submit a site plan application to the Land Use Board until the Redevelopment Entity has reviewed and determined that the proposed development is consistent with the redevelopment plan.
2. The submission by the designated redeveloper to the Redevelopment Entity shall be sufficient for the Redevelopment Entity to make a determination that the proposed development is consistent with the redevelopment plan and any applicable redevelopment agreement(s). The Township may request for additional reasonable information or materials as necessary to make a determination.
3. As part of its review, the Redevelopment Entity may require the Redeveloper(s) to submit proposed site plan applications to a subcommittee of the Redevelopment Entity prior to the submission of such applications to the Land Use Board. Such Subcommittee may include members of the Redevelopment Entity and any other Township staff and/or professionals as determined necessary and appropriate by the Mayor and Town Committee. The subcommittee shall make its recommendations to the full Redevelopment Entity granting the redeveloper authorization to proceed to the Land Use Board for development approval.
4. In undertaking its review, the Redevelopment Entity shall determine whether the proposal is consistent with this Redevelopment Plan and relevant Redevelopment Agreement(s). In addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the Plan.
5. Following this determination, all development applications shall be submitted to the Township of West Amwell Land Use Board through the normal site plan and subdivision procedures as outlined in N.J.S.A. 40:55D-1 et seq. The submission materials to the Land Use Board shall include those materials required under the Township's checklist for Preliminary and Final Major Site Plans, as well as photo renderings of the proposed development.
6. The Land Use Board shall deem any application for site plan approval subject to this Redevelopment Plan incomplete if the proposed project is required by this Redevelopment Plan to be addressed through a redevelopment agreement with a designated Redeveloper and the applicant has not been so designated by the Redevelopment Entity.

### D. Relocation Plan

Under the Local Redevelopment and Housing Law, the redevelopment plan must allow "adequate provisions for the temporary and permanent relocation, as necessary, of residents in the project area." (N.J.S.A. 40A:12A-7a(3)). Additionally, it authorizes contractual arrangements between redevelopment entities and public entities for relocating residents, industry or commerce that is displaced due to implementation of the Redevelopment Plan (N.J.S.A. 40A:12A-8i).

No temporary or permanent relocation of residents or businesses is contemplated since

this Redevelopment Plan does not propose the use of eminent domain. This Redevelopment Plan encourages developers to acquire a proprietary interest in the properties to be redeveloped through a private sale between a willing buyer and seller. If any such displacement or relocation requires a Workable Relocation Plan, the Township shall conform to the Local Redevelopment and Housing Law and all other applicable legal requirements. The developer shall be required to provide for such assistance pursuant to a redevelopment agreement between the redeveloper and the Township.

#### **E. Effect of Plan**

The Redevelopment Plan supersedes any previous zoning and the applicable provisions of Chapter 109 Land Development of the West Amwell Township Municipal Code for the parcel in the redevelopment area, unless otherwise noted herein.

#### **F. Zoning Map Revision**

The Official Zoning Map of West Amwell Township shall be amended to reflect the Redevelopment Area.

#### **G. Terms and Definitions**

Any terms or definitions not addressed within this Redevelopment Plan shall rely on the applicable terms and conditions set forth in the Zoning Ordinance of the Township of West Amwell.

#### **H. Other Applicable Design and Performance Standards**

Any design or performance standards not addressed within this Redevelopment Plan shall rely on the applicable design and performance standards set forth in the West Amwell Township Code.

#### **I. Amendments to the Redevelopment Plan**

This plan may be amended from time to time in accordance with the procedures of the LRHL. To the extent that any such amendment materially affects the terms and conditions of duly executed redevelopment agreements between one or more Redevelopers and the Township of West Amwell, the provisions of the Redevelopment Plan amendment will be contingent upon the amendment of the Redevelopment Agreement to provide for the Plan amendment.

#### **J. Certificates of Completion & Compliance**

Upon the inspection and verification by the Mayor and Town Committee that the redevelopment of a parcel subject to a Redevelopment Agreement has been completed, a Certificate of Completion and Compliance will be issued to the Redeveloper and such parcel will be deemed no longer in need of redevelopment.

This Redevelopment Plan will remain in effect until Certificates of Completion have been issued for the designated Area in Need of Redevelopment, or until the Redevelopment Plan is deemed no longer necessary for the public interest and repealed by Ordinance of the Mayor and Town Committee.

#### **K. Tax Abatement Program**

By designating this area as An Area in Need of Redevelopment, the Township of West Amwell has the authority, but not the obligation, to offer long-term (up to 30 years) tax exemptions or abatements as a financial incentive to encourage rehabilitation and/or redevelopment of the area, in accordance with N.J.S.A. 40A-20-1 et seq. Any tax abatement(s) for the rehabilitation and/or redevelopment of the area shall be addressed as part of the

redevelopment agreement and financial agreement.

#### **L. Severability**

The provisions of this Redevelopment Plan are subject to approval by Ordinance. If a Court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, clause, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing Ordinance shall remain in full force and effect.



## VIII. Appendix

### A. [Appendix A | Resolution No. 97-2020](#)

Authorizing the Planning Board to conduct an investigation to determine whether Block 21, Lots 12, 12.02, 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lots 1, 3, 4, 4.01, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13, 28 and 32, or any portions thereof qualify for designation as a Redevelopment Area.



**Resolution #97-2020**

**RESOLUTION OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF WEST AMWELL PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES: BLOCK 23, LOTS 1, 3, 4, 5, 6(PO) AND 9(PO) (LIMITED HIGHWAY COMMERCIAL ZONE); BLOCK 23, LOTS 4.01, 6 (PO), 9 (PO), 10, 10.01, 11, 12, 13, 28 AND 32 (RURAL RESIDENTIAL SOUTH) QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area")"; and

**WHEREAS**, the Township Committee desires to commission a study to determine if the Area(s) should be designated a Non-Condemnation Redevelopment Area; and

**WHEREAS**, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6 to undertake such preliminary investigation of the study area which includes properties Block 23, Lots 1, 3,

4, 5, 6(PO) AND 9(PO) (Limited Highway Commercial Zone); Block 23, Lots 4.01, 6 (PO), 9 (PO), 10, 10.01, 11, 12, 13, 28 AND 32 (Rural Residential South);

**WHEREAS**, the Township of West Amwell wishes to direct the Planning Board to undertake a preliminary investigation utilizing Charles Latini Jr., PP, AICP, of L&G Planning LLC to prepare the preliminary investigation to determine whether the proposed Study Areas qualifies as an area in need of Non-Condemnation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of West Amwell, in the County of Hunterdon, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Charles Latini Jr., PP, AICP, of L&G Planning LLC to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq., as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of **Non-Condemnation Redevelopment** according to the criteria set forth in N.J.S.A. 4A:12A-5.

**BE IT FURTHER RESOLVED**, that the Planning Board is hereby directed to provide individual notice to the property owners of record in the Study Areas in accordance with N.J.S.A. 40A:12A-6.

**BE IT FURTHER RESOLVED**, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of West Amwell.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect pursuant to law.

I, Maria Andrews, Clerk of the Township of West Amwell, in the County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of resolution which was adopted by the Township Committee at a meeting held on the 2<sup>nd</sup> day of December 2020.

  
Maria Andrews, Township Clerk, RMC



## B. Appendix B | Resolution No. 39-2021

Revising authorization directing the Planning Board to conduct an investigation to determine whether Block 21, Lots 12, 12.02, 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lots 1, 3, 4, 4.01, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13, 28 and 32, or any portions thereof qualify for designation as a Non-Condernation Redevelopment Area.



**Resolution #39-2021**

**RESOLUTION OF THE TOWNSHIP OF WEST AMWELL, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY, AUTHORIZING THE TOWNSHIP OF WEST AMWELL PLANNING BOARD TO UNDERTAKE A PRELIMINARY INVESTIGATION TO DETERMINE WHETHER THE PROPOSED STUDY AREA, WHICH INCLUDES: BLOCK 21, LOTS 12, 13, 14.01, 14, 15 & 16 AND BLOCK 23, LOTS 1, 3, 4, 5, 6(PO) AND 9(PO) (LIMITED HIGHWAY COMMERCIAL ZONE); BLOCK 23, LOTS 4.01, 6 (PO), 9 (PO), 10, 10.01, 11, 12, 13, 28 AND 32 (RURAL RESIDENTIAL SOUTH) QUALIFIES AS AN AREA IN NEED OF NON-CONDEMNATION REDEVELOPMENT PURSUANT TO N.J.S.A. 40A:12A ET SEQ.**

**Resolution #39-2021**

**WHEREAS**, the Township Committee previously adopted Resolution #97-2020; and

**WHEREAS**, the Township Committee wishes to amend Resolution #97-2020 to add Block 21, Lots 12, 13, 14.01, 14 15 & 16; and

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), provides a mechanism to assist local governments in efforts to promote programs of redevelopment; and

**WHEREAS**, the Redevelopment Law sets forth the procedures for the Township to declare an area in need of redevelopment, along with the development and effectuation of a redevelopment plan; and

**WHEREAS**, pursuant to the required redevelopment procedures, specifically set forth in N.J.S.A. 40A:12A-6, no area of a municipality shall be deemed a redevelopment area unless the governing body of the municipality shall, by Resolution, authorize the Planning Board to undertake a preliminary investigation to determine whether a proposed area is a redevelopment area meeting the criteria set forth in N.J.S.A. 40A:12A-5; and

**WHEREAS**, the New Jersey Legislature adopted, and the Governor signed, P.L. 2013, Chapter 159, which amended the Redevelopment Law, including the procedural requirements of N.J.S.A. 40A:12A-5 and N.J.S.A. 40A:12A-6; and

**WHEREAS**, pursuant to N.J.S.A. 40A:12A-6, "[t]he resolution authorizing the planning board to undertake a preliminary investigation shall state whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than the use of eminent domain (hereinafter referred to as a "Non-Condemnation Redevelopment Area") or whether the redevelopment area determination shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area, including the power of eminent domain (hereinafter referred to as a "Condemnation Redevelopment Area")"; and

**WHEREAS**, the Township Committee desires to commission a study to determine if the Area(s) should be designated a Non-Condernation Redevelopment Area; and

**WHEREAS**, the Township Committee finds it to be in the best interest of the Township and its residents to authorize the Township's Planning Board pursuant to N.J.S.A. 40A:12A-4 and N.J.S.A. 40A:12A-6 to undertake such preliminary investigation of the study area which includes properties Block 21, Lots 12, 13, 14.01, 14, 15, 16 and Block 23, Lots 1, 3, 4, 5, 6(PO) AND 9(PO) (Limited Highway Commercial Zone); Block 23, Lots 4.01, 6 (PO), 9 (PO), 10, 10.01, 11, 12, 13, 28 AND 32 (Rural Residential South);

**WHEREAS**, the Township of West Amwell wishes to direct the Planning Board to undertake a preliminary investigation utilizing Charles Latini Jr., PP, AICP, of L&G Planning LLC to prepare the preliminary investigation to determine whether the proposed Study Areas qualifies as an area in need of Non-Condernation Redevelopment pursuant to N.J.S.A. 40A:12A-5.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of West Amwell, in the County of Hunterdon, and State of New Jersey, that the Planning Board is hereby authorized to undertake a preliminary investigation, utilizing Charles Latini Jr., PP, AICP, of L&G Planning LLC to prepare the preliminary investigation, pursuant to the notice, conduct a hearing and comply with other requirements of the Redevelopment Law, N.J.S.A. 40A:12A-1 et seq., as amended, in order to recommend to the Township Committee whether the area comprising the study area is an area in need of **Non-Condernation Redevelopment** according to the criteria set forth in N.J.S.A. 4A:12A-5.

**BE IT FURTHER RESOLVED**, that the Planning Board is hereby directed to provide individual notice to the property owners of record in the Study Areas in accordance with N.J.S.A. 40A:12A-6.

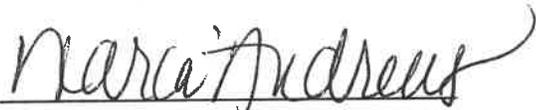
**BE IT FURTHER RESOLVED**, that the Planning Board shall submit its findings and recommendations to the Township Committee in the form of a Resolution with supporting documentation.

**BE IT FURTHER RESOLVED**, that a certified copy of this Resolution is to be forwarded to the Planning Board of the Township of West Amwell.

**BE IT FURTHER RESOLVED**, that this Resolution shall take effect pursuant to law.

Certification

*I, Maria Andrews, Clerk of the Township of West Amwell, in the County of Hunterdon, State of New Jersey, do hereby certify the foregoing to be a true and exact copy of resolution which was adopted by the Township Committee at a meeting held on the April 7, 2020.*

  
Maria Andrews, Township Clerk, RMC



### C. Appendix C | Resolution 56-2021

Designating the study area as a Non-Condemnation Redevelopment Area.

**Resolution # #56-2021**

**TOWNSHIP OF WEST AMWELL  
HUNTERDON COUNTY**

**A RESOLUTION DETERMINING THAT THE PROPERTIES IDENTIFIED AS BLOCK 21, LOTS 13, 14, 14.01, 15, 16, 17, 18 AND 19 AND BLOCK 23, LOTS 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12 AND 13 BE DESIGNATED AS A NON-CONDEMNATION REDEVELOPMENT AREA IN ACCORDANCE WITH THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1 ET SEQ.**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. ("Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land located therein constitute areas in need of redevelopment; and

**WHEREAS**, pursuant to Resolution No. 97- 2020 adopted on December 2, 2020 (as amended by Resolution No. 39-2021 adopted on April 7, 2021), the Township Committee ("Committee") of the Township of West Amwell (the "Township") authorized and directed the Planning Board of the Township of West Amwell (the "Board") to conduct an investigation to determine whether certain properties, identified as Block 21, Lots 12, 12.02, 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lots 1, 3, 4, 4.01, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13, 28 and 32, or any portions thereof (the "Study Area"), meet the criteria set forth in the Redevelopment Law and should be designated as a Non-Condemnation Redevelopment Area, as that term is defined by the Redevelopment Law; and

**WHEREAS**, the Board conducted an investigation of the Study Area to determine whether it should be designated as a Non-Condemnation Redevelopment Area in accordance with the criteria and procedures set forth in N.J.S.A. 40A:12A-5 and 40A:12A-6; and

**WHEREAS**, as part of its investigation, the Board directed Charles Latini, P.P., AICP, to prepare an Area In Need of Redevelopment Investigation Study ("Area in Need Study") for the Board for its consideration in determining whether the Study Area should be designated a Non-Condemnation Redevelopment Area entitled "REDEVELOPMENT AREA DETERMINATION REPORT – Route 31 and 579 Redevelopment Area;" and

**WHEREAS**, Mr. Latini recommended that Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6 and 9 be included in the Redevelopment Map area included in the Redevelopment Plan and that Block 23, Lots 10, 10.01, 10.02, 11, 12 and 13 be included in the Rehabilitation Map area included in the Redevelopment Plan; and

**WHEREAS**, the Area in Need Study included a map prepared by Mr. Latini showing the boundaries of the proposed redevelopment area and locations of the parcels included therein, along with a statement setting forth the basis for its investigation in accordance with N.J.S.A. 40A:12A-6(b)(1); and

**WHEREAS**, the Board conducted a public hearing on May 11, 2021, with notice having been properly given pursuant to N.J.S.A. 40A:12A-6(b)(3); and

**WHEREAS**, at the public hearing, the Board reviewed the Area in Need Study and heard testimony from Mr. Latini and others; and

**WHEREAS**, at the public hearing, members of the general public were given an opportunity to be heard and to address questions to the Board and Mr. Latini concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

**WHEREAS**, after completing its investigation and public hearing on this matter, the Board concluded that there was sufficient credible evidence to support findings that satisfy the criteria set forth in the Redevelopment Law, particularly at N.J.S.A. 40A:12A-5 et seq., for designating the Study Area as a Non-Condensation Redevelopment Area and that said designation is necessary for the effective redevelopment of the area comprising the Study Area; and

**WHEREAS**, the Board further concluded that there was sufficient credible evidence to support findings that any designation of the Study Area as a Non-Condensation Study Area shall not authorize the municipality to exercise the power of eminent domain to acquire any property in the Study Area; and

**WHEREAS**, in accordance with the Redevelopment Law and as approved by Motion, dated May 11, 2021, the Board recommended to the Township Committee that Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12 and 13 be designated as a Non-Condensation Redevelopment Area; and

**WHEREAS**, the Board recommended that Block 21, Lots 12 and 12.01 and Block 23, Lots 28 and 32 be excluded from such designation as they did not meet the requirements of the Redevelopment Law; and

**WHEREAS**, the Township Committee considered the Board's recommendation at its regularly scheduled public meeting on May 19, 2021; and

**WHEREAS**, at the Township Committee's public meeting, members of the general public were given an opportunity to be heard and to address questions concerning the potential designation of the Study Area as a Non-Condensation Redevelopment Area; and

**WHEREAS**, Township Committee accepted the recommendation of the Board to declare a portion of the Study Area (Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12 and 13) as a Non-Condensation Redevelopment Area; and

**WHEREAS**, in order to effectuate the Township Committee's designation of the Study Area as an Area in Need of Redevelopment, the preparation of a Redevelopment Plan and presentation to the Planning Board and Township Committee is required; and

**WHEREAS**, the Township Committee desires to authorize Mr. Latini to draft a Redevelopment Plan in consultation with the Board and to authorize the Board to review the Redevelopment Plan and transmit the proposed Plan to the Township Committee for its consideration upon completion of the Planning Board's review.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of West Amwell, County of Hunterdon, State of New Jersey as follows:

1. That the Township Committee accepts the recommendation from the Planning Board of the Township of West Amwell and finds that Block 21, Lots 13, 14, 14.01, 15, 16, 17,

18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13 as shown on the official tax map of the Township of West Amwell be and are hereby deemed to be a Non-Condensation Redevelopment Area pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq.; and

2. That the designation of Block 21, Lots 12 and 12.01 and Block 23, Lots 28 and 32 as a Non-Condensation Redevelopment Area shall not authorize the Township to exercise the power of eminent domain to acquire any property in the Study Area; and
3. That the Township hereby reserves all other authority and powers granted to it under the Redevelopment Law; and
4. That the Clerk of the Township of West Amwell shall forthwith transmit a copy of the within Resolution to the Commissioner of the Department of Community Affairs for review; and
5. That within ten (10) days of the Township Committee's adoption of the within Resolution, the Clerk of the Township of West Amwell shall serve notice of the Township Committee's determination and the within Resolution upon all record owners of property within the Non-Condensation Redevelopment Area, those whose names are listed on the tax assessor's records, and upon each person who filed a written objection thereto and stated, in or upon the written submission, an address to which notice of the determination and Resolution may be sent and upon the Commission of the New Jersey Department of Community Affairs; and
6. That Charles Latini, P.P., A.I.C.P., having been previously retained by the Township, is authorized and directed to prepare a Redevelopment Plan for Block 21, Lots 13, 14, 14.01, 15, 16, 17, 18 and 19 and Block 23, Lot 1, 3, 4, 5, 6, 9, 10, 10.01, 10.02, 11, 12, 13, including an outline for the planning, development and redevelopment of the Study Area pursuant to N.J.S.A. 40A:12A-7 and present same to the Planning Board and Township Committee at the hourly rate stated in his proposal; and
7. That the Planning Board shall transmit a report containing its recommendation concerning the Redevelopment Plan to the Township Committee. The Planning Board's report shall include an identification of any provisions in the proposed Redevelopment Plan which are inconsistent with the Master Plan and recommendations concerning these inconsistencies and any other matters as the Planning Board deems appropriate; and
8. That this Resolution shall take effect immediately.

I hereby certify the foregoing to be a true copy of a Resolution approved by the West Amwell Township Committee at their regular meeting on May 19, 2021.

  
Maria Andrews, Township Clerk, RMC