

ORDINANCE # RO-04-26

AN ORDINANCE OF THE TOWNSHIP OF WASHINGTON, IN THE COUNTY OF MORRIS, STATE OF NEW JERSEY, ADOPTING THE 36 NEWBURGH ROAD REDEVELOPMENT PLAN FOR REDEVELOPMENT OF BLOCK 19, LOT 8 PURSUANT TO DESIGNATION OF BLOCK 19 LOT 8 AS A NON-CONDEMNATION REDEVELOPMENT IN ACCORDANCE WITH N.J.S.A. 40A:12A-7 OF THE LOCAL REDEVELOPMENT AND HOUSING LAW AND WASHINGTON TOWNSHIP'S ROUND FOUR HOUSING PLAN ELEMENT AND FAIR SHARE PLAN FOR ADDRESSING ROUND FOUR (2025-2035) AFFORDABLE HOUSING OBLIGATIONS

WHEREAS, by way of Resolution No. R-114-24, adopted on June 17, 2024 the Township of Washington designated Tax Block 19, Lot 8, 38 Newburgh Road a Non-Condemnation Redevelopment Area; and

WHEREAS, the Township of Washington's Round Four Housing Element and Fair Share Plan identifies Block 19, Lot 8 as an inclusionary zoning affordable housing site to address a portion of its Round Four prospective share affordable housing obligation; and

WHEREAS, the Township of Washington has agreed to resolve objections to Washington Township's Round Four Housing Element and Fair Share Plan that have been raised by the Fair Share Housing Center (FSHC) and addressed by way of a proposed, fully executed Mediation Agreement between the Township of Washington and FSHC that has been submitted for approval by the Affordable Housing Dispute Resolution Program (AHDRP); and

WHEREAS, the AHDRP, under the direction of Program Member Judge Stephen Hansbury, has recommended the proposed Mediation Agreement to the Mount Laurel Court for approval and certification of Washington Township's Round Four Housing Element and Fair Share Plan; and

WHEREAS, the proposed Mediation Agreement and the AHDRP recommendation for approval of the Mediation Agreement requires the Township of Washington to zone Block 19, Lot 8 for inclusionary zoning to obtain Certification of the Township of Washington Housing Element and Fair Share Plan by the Mount Laurel Court and secure immunity from Builder's Remedy lawsuits for Round Four beginning on July 1, 2025 and extending through July 1, 2035; and

WHEREAS, the Township Committee of the Township of Washington is desirous of addressing its constitutional obligation to provide its fair share of affordable housing, obtaining Mount Laurel Court certification of the Washington Township Round Four Housing Element and Fair Share Plan, and securing immunity from Builder's Remedy lawsuits for Round Four; and

WHEREAS, the 36 Newburgh Road Redevelopment Plan for Washington Tax Block 19, Lot 8 establishes redevelopment standards for inclusionary zoning on Tax Block 19, Lot 8 in accordance with the Washington Township Housing Element and Fair Share Plan, the proposed Mediation Agreement and the recommendation of the AHDRP for Certification of the Washington Township Housing Element and Fair Share Plan by the Mount Laurel Court;

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Washington, County of Morris, State of New Jersey, as follows:

SECTION 1. The Redevelopment Plan entitled “36 Newburgh Road Redevelopment Plan for Block 19, Lot 8,” and dated February 2026, attached hereto as Exhibit 1, is hereby approved and adopted by the Washington Township Committee.

SECTION 2. SEVERABILITY. The various parts, sections and clauses of this Ordinance are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.

SECTION 3. REPEALER. Any Ordinances or parts thereof in conflict with the provisions of these Ordinance are hereby repealed as to their inconsistencies only.

SECTION 4. EFFECTIVE DATE. This Ordinance shall not take effect until approved by the New Jersey Highlands Council.

TOWNSHIP OF WASHINGTON,
COUNTY OF MORRIS
STATE OF NEW JERSEY

ATTEST:

Denean Probasco, RMC, Township Clerk

Michael A. Marino, Mayor

NOTICE OF FINAL ADOPTION

Notice is hereby given that the Ordinance published herewith was introduced and passed upon first reading at a meeting of the Township Committee of Washington Township, in the County of Morris, New Jersey, held on the 17th of February, 2026, and the same came up for final passage at a meeting of said Township Committee on the 16th day of March, 2026 at which time, after persons interested were given an opportunity to be heard concerning said ordinance, the same was passed and will be in full force in the Township according to law. By order of the Township Committee of the Township of Washington, County of Morris and State of New Jersey.

Attest: I Denean Probasco, herein certify that the foregoing Ordinance was duly adopted by the Washington Township Committee at a regular meeting held by the Township Committee on March 16, 2026.

Denean Probasco, RMC, Township Clerk

EXHIBIT 1

36 Newburgh Redevelopment Plan
Washington Township Tax Block 19, Lot 8
Washington Township
Morris County, NJ

February 2026

Introduction

This Redevelopment Plan was prepared in accordance with N.J.S.A. 40A:12A-1 *et seq.* and pursuant to Washington Township Committee Resolution No. R-115-24, dated June 17, 2024, which designated Block 19, Lot 8 a Non-Condensation Area in Need of Redevelopment (hereinafter referred to as the “Newburgh Redevelopment Area” or “Redevelopment Area”). The Newburgh Redevelopment Area is depicted on Attachment A to this Plan.

Washington Township Committee Resolution No. R-115-24 also authorized the preparation of a redevelopment plan for the redevelopment for the Redevelopment Area. This Redevelopment Plan sets forth a plan for the redevelopment of Block 19, Lot 8 for residential inclusionary development. This Redevelopment Plan identifies development standards for a total of 289 residential dwelling units consisting of 231 townhouses and 58 affordable rental apartments in accordance with the provisions of the Mount Laurel Doctrine and applicable New Jersey affordable housing law. The Newburgh Redevelopment Area is depicted on Attachment A (attached hereto) and consists of Block 19, Lot 8.

The Washington Township Planning Board approved the site for a five-lot industrial zone subdivision in the 1980s. NJDEP issued a Treatment Works Approval in September 2019 for a sewer extension to serve a 56,420 square foot industrial and office building. A site plan for the initial lot development was approved on February 13, 1989.

Site improvements were installed to support the proposed industrial and office park, including roads, curbs, stormwater management, as documented in Attachment 1. Commerce Drive was intended to be a public roadway. Curbing was installed along a substantial portion of site interior road alignments, and curb returns were installed at select access points, but the roadway was never paved. Utility infrastructure was extended to the site, including water, sewer, gas, and electric. Despite these improvements, no building construction occurred following the 1989 approvals due to a sharp decline in industrial building demand associated with the economic downturn.

In accordance with N.J.S.A. 40A:12A-1 *et seq.*, a Redevelopment Plan Ordinance is required to address certain statutory requirements, which are addressed in this Plan.

Preparing this Redevelopment Plan involved reviewing site conditions and exploring development options for the Newburgh Redevelopment Area. The options identified all included residential development including market-rate and affordable housing residential development. A concept plan was developed for redevelopment of the site, which guides the standards set forth in this Redevelopment Plan for residential development (Attachment B), entitled “Concept Development Plan”. It serves as the basis for this Redevelopment Plan.

The first section of this Redevelopment Plan sets forth the standards for redevelopment in the Redevelopment Area to consist of up to 289 residential dwelling units including market-rate townhomes and rental apartments. There shall be a minimum affordable housing set-aside of 20% and provides for a minimum of 78% market-rate units. At least 58 affordable units shall be provided if the site yields 289 dwelling units.

The second section of this Redevelopment Plan addresses the statutory requirements for a redevelopment plan as found at N.J.S.A. 40A:12A-7 call for responses to N.J.S.A 40A:12A-7.a.(1) - (8) and b. - f.

Redevelopment Plan Standards

Inclusionary residential development shall be permitted within the Redevelopment area in a manner substantially consistent with the Concept Plan depicted on Attachment B, entitled “Concept Development Plan”, and in accordance with the standards set forth herein.

- A. Purpose. The purpose of this section is to guide the redevelopment of Block 19, Lot 8 for redevelopment that will result in a neighborhood of apartments and townhouses, including on-site improvements and amenities, in furtherance of the goal of delivering affordable housing through inclusionary zoning in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., and the *Mount Laurel* doctrine.

- B. Principal Permitted Uses.
 - (1) Townhouse residential units as part of an inclusionary housing neighborhood provided no townhouse building contains more than 8 units and provided at least one affordable unit is constructed on site for every four (4) market rate units.
 - (2) Stacked multifamily affordable rental apartment residential units in buildings containing no more than 24 units.

- C. Permitted Accessory Uses.
 - (1) Off-street parking
 - (2) Patios and decks
 - (3) Monument Sign
 - (4) Building-mounted signs for identification and emergency services
 - (5) Recreational uses and residential amenities including, but not limited to common open spaces, walking paths, gazebos, tot lots, gardens, a clubhouse, swimming pool, maintenance building(s) and other structures.
 - (6) Leasing/Maintenance office
 - (7) Solid waste/Recycling areas
 - (8) Accessory buildings or structures required for maintenance and operations
 - (9) Electronic vehicle charging stations
 - (10) Stormwater management basins and associated structures
 - (11) Water supply hot boxes, architecturally designed to be compatible with building architecture and appropriately landscaped to shield such uses from view on and off site.
 - (12) Mailboxes, architecturally designed to be compatible with building architecture and with a roof and sufficient overhang for protection from the elements.

D. Principal Building Area and Yard Requirements

Minimum Tract Size - 30 Acres
Minimum Front Yard from Newburgh Road ROW - 50 feet
Minimum Front Yard – 25’
Minimum Side Yard - 35 feet
Minimum Building Setback from Track Boundary: 50’
Minimum perimeter buffer, not adjoining agricultural use: 25’
Maximum Improved Lot Coverage – 60%
Maximum Building Coverage - 30%
Minimum Distance Between Buildings (side to side) - 15 feet
Minimum Distance Between Buildings (rear to rear) - 25 feet
Minimum Distance Between Rear Decks or Rear Porches– 20 feet
Maximum Building Length - 250 feet
Minimum Townhouse facade offset– 2 feet between units
Minimum Apartment facade offset– At least 2 feet offset every 50’
Maximum Building Height - 50 feet
Maximum Stories – 3 ½

E. Development Standards

- (1) Proposed impervious coverage shall not exceed 125% of the pre-existing impervious coverage on the site.
- (2) The development shall only be developed as an inclusionary residential development with a 20% set-aside of the total number of units to be constructed which shall be restricted to ownership/occupancy by persons/households with income levels that do not exceed very low-income, low-income and moderate-income levels established for Affordable Housing Region 2 in accordance with the New Jersey Fair Housing Act, N.J.S.A. 52:27D-301 et seq., as amended by P.L. 2024, c.2., the regulations established by the Council on Affordable Housing (COAH) Rules, the Uniform Housing Affordability Controls (UHAC) and any new or amended rules/regulations promulgated by any Department of New Jersey government, including the Department of Community Affairs (DCA), as amended from time to time hereinafter.
 - (a) All first-floor affordable dwelling units shall meet barrier-free code and applicable accessibility code requirements, including adaptability requirements of the Fair Housing Act.
 - (b) All affordable dwelling units shall conform to minimum square footage requirements in accordance with the Fair Housing Act, the Uniform Housing Affordability Controls (UHAC) and all other applicable rules, regulations and codes.
- (3) Prior to any Certificate of Occupancy being issued, the owner/developer and/or the owner/developer’s successors-in-interest or title to the property shall first obtain from the Township Attorney the Township of Washington’s

approved Affordable Housing Deed Restriction. The owner/developer and/or the owner/developer's successors-in-interest or title shall execute the Affordable Housing Deed Restriction in favor of the Township of Washington and record the Affordable Housing Deed Restriction in the chain of title for the property in the Office of the Morris County Clerk.

- (4) A formalized arrangement of access and parking for at least 5 vehicles including one van-accessible handicap space shall be provided for public access to the Musconetcong River to enhance hiking and fishing access.
- (5) A perimeter walking path shall be developed connecting the pedestrian sidewalks in the neighborhood to the river, the configuration of which shall be subject to Board approval.
- (6) The development shall provide not less than a ¼ acre cleared lawn area or areas for open play.
- (7) A fenced tot lot shall be provided with:
 - (a) a handicap accessible path to neighborhood sidewalks;
 - (b) a pavilion for shade and outdoor seating with trash receptacles, and
 - (c) a facility including at least 1,500 square feet enclosed by a fence with play features to support a range of activities for tots, children consisting of weather resistant play equipment which shall include climbing and sliding activities and which provides equipment for at least 3 additional activities such as swinging, spinning, balancing, jumping, hanging, creative play, crawling, hiding, rocking, rolling, bouncing, digging, sand and water play.
 - (d) Play apparatus shall comply with applicable government agency requirements for playground design and safety. (See <http://playgroundsafety.org/standards/cpsc>). Design and construction of playgrounds shall conform to the requirements of Americans with Disabilities Act (ADA).
- (8) Sidewalks shall be provided on at least one side of all streets. Sidewalks shall be a minimum of 4' in width and shall be separated from the curb by a 4' wide planting strip.
 - (a) There shall be a minimum setback distance of 22' between the nearest finished front plane of each dwelling unit and the edge of sidewalk, or edge of pavement where no sidewalk is provided.
- (9) The driveway length between the garage door and the edge of pavement shall be:
 - (a) at least 26 feet where no sidewalk is provided, and
 - (b) at least 25 feet between the garage door or front plane of each unit and the sidewalk where sidewalk is provided.
- (10) More than one principal building or structure shall be permitted per lot.
- (11) The developer will be required to comply with any and all studies, including but not limited to environmental studies, required by the Township's land use Code provisions and the Municipal Land Use Law.
- (12) Electric vehicle charging facilities shall be provided in accordance with law.
- (13) Emergency generators:

- (a) Permanent electric generators shall be permitted for only affordable housing units for emergency electric power in the case of electric power failure.
 - (b) Permanent emergency electric generator installations shall not be permitted except that the affordable housing units shall be provided with a permanent electric generator to fully power the affordable housing apartment building in the case of electric power outage.
- (14) The emergency fire access lane on the south side of the tract extending to Newburgh Road shall be maintained and suitably improved as may be necessary for emergency and fire-fighting apparatus access.
- (15) A landscaping plan subject to Board approval shall be provided, which shall provide for a minimum of landscaping, as follows:
 - 1. Street shade trees shall be provided along Newburgh Road and all interior road frontages in accordance with existing shade tree ordinance standards.
 - 2. Foundation plantings shall be provided in a mulched planting bed including a mix of ornamental shrubs, grasses and perennial wildflowers in a sufficient quantity to screen exposed foundations from public view.
 - 3. Ornamental trees: At least one ornamental tree shall be provided per unit and situated in the front yard between the front of dwelling unit and the road.
 - 4. Each corner shall be landscaped with a cluster of plantings in a mulched bed that includes ornamental trees and shrubs with a mix of a variety of grasses and ornamental perennials to provide visual interest and flowering blooms throughout the growing season. The planting bed and landscaping shall be not less than 20 in distance from the corner.
- (15) Design of developments containing for-sale units, including those with a mix of rental and for-sale units. Restricted rental units shall meet the requirements of section b above. Restricted sale units shall comply with the below:
 - 1. Restricted units must use the same building standards as market-rate units of the same unit type (for example, flat, townhome, or single-family home), except that restricted units and market-rate units may use different interior finishes. This shall apply to prior round units.
 - 2. Restricted units may be clustered, provided that the buildings or housing product types containing the restricted units are integrated throughout the development and are not concentrated in an undesirable location or in undesirable locations.
 - 3. Restricted units may be of different unit housing product types than market-rate units, provided that there is a restricted option available for each market rate housing type. Developments containing market-rate duplexes, townhomes, and/or single-family homes shall offer restricted housing options that also include duplexes, townhomes, and/or single-family homes. Higher priced unit townhouses may be exempt from this requirement. The proper ratio for restricted to market-rate unit type shall be determined by the Planning Board at the time of site plan approval.

4. Restricted units must meet the minimum square footage required for the number of inhabitants for which the unit is marketed and the minimum square footage required for each bedroom, as set forth in the Neighborhood Preservation Balanced Housing rules at N.J.A.C. 5:43-2.4.
5. Townhouse end units may be reserved for market-rate sale, provided that the overall number, value, and distribution of affordable units across the development is not negatively impacted by such reservation(s).
6. Residents of restricted units must be offered the same access to communal amenities as residents of market-rate units within the same affordable development. Examples of communal amenities include, but are not limited to, community pools, fitness and recreation centers, playgrounds, common rooms and outdoor spaces, and building entrances and exits. This shall apply to prior round units.
7. Each bedroom in each restricted unit must have at least one window; and
8. Restricted units must include adequate air conditioning and heating.

F. Concept Plan

The design of the inclusionary development shall be substantially consistent with the Concept Plan, titled “Concept Development Plan,” (hereinafter referred to as “Concept Plan”, and incorporated herein as Attachment B).

Statutory Requirements of a Redevelopment Plan

The statutory requirements of N.J.S.A. 40A:12A-7 call for responses to N.J.S.A 40A:12A-7.a.(1) - (8) and b. - f., which are provided below. The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

N.J.S.A 40A:12A-7.a. (1) Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.

Appropriate Land Use - This Redevelopment Plan provides an inclusionary neighborhood of townhouses and affordable rental apartments, including 58 affordable units, in proximity to Route 57 and a wide range of essential commercial services.

No significant population density change – Using the U.S. Census Bureau’s July 2023 average household size of 2.8 persons per household, 289 units would accommodate approximately 809 residents. Relative to the Township’s July 2023 estimated population of 18,177, this represents an increase of about 4.5% (approximately 4%) of the Township’s total population.

No permanent traffic impact no impact to public transportation - The project will generate temporary construction-phase traffic from construction vehicles and worker trips to and from the site. Based on 10 vehicle trips per unit per day, the development is anticipated to generate 2,890 daily trips, with approximately 55% (about 1,589 trips) using State Route 57, located roughly 1,000 feet from the site, and approximately 45% (about 1,301 trips) traveling east on Newburgh Road. No public transportation serves the site, and the project will not affect public transit.

Public Utilities – This site is served by public water and sewer through the Hackettstown Municipal Utility Authority.

No Public Recreation, Community Facilities, Public Improvements - This Redevelopment Plan anticipates the provision of public access from the site to the Musconetcong River to the west. Private recreation facilities serving the residents of the redevelopment area will be developed, including a clubhouse and recreation area.

N.J.S.A 40A:12A-7.a. (2) Proposed land uses and building requirements in the project area.

Section 2 of this ordinance amends the Township’s land use ordinances to permit the redevelopment of the site with an inclusionary residential development consisting of townhouses and affordable apartments. This ordinance establishes appropriate development standards to permit this development while limiting the impacts to adjoining rural land uses.

N.J.S.A 40A:12A-7.a. (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 local housing market.

The site is vacant. No residential relocation is involved.

N.J.S.A 40A:12A-7.a. (4) An identification of any property within the redevelopment area proposed to be acquired in accordance with the redevelopment plan.

No property acquisition is needed or proposed.

N.J.S.A 40A:12A-7.a. (5) Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c.398 (C.52:18A-196 et al.).

The Washington Township Master Plan identifies the Newburgh Redevelopment Area (Block 19, Lot 8) within the Washington Township OR/I–Office/Research/Industrial District. Redevelopment of the property to permit inclusionary townhouses can still meet the intent of the OR/I Zone because the

Master Plan describes the district as an office, research, and industrial park setting that requires careful site planning due to floodplain soils and related environmental constraints. An inclusionary townhouse concept can advance that intent where it is designed as a coordinated, campus-style redevelopment that protects water quality and avoids the operational impacts typically associated with more intensive industrial or manufacturing activity.

The Master Plan's discussion of residential overlay development applies the following planning principles: use innovative stormwater management and buffering, cluster development to avoid constrained and environmentally sensitive areas, preserve meaningful open space, and provide safe pedestrian connectivity where feasible.

The State Development and Redevelopment Plan defers to the Highlands Regional Master Plan (RMP) as the regional plan operative for lands within the NJ Highlands. The Newburgh Redevelopment Area is situated within the Highlands RMP Planning Area. This redevelopment plan is not inconsistent with the policies of the Highlands RMP because the RMP specifically establishes provisions for redevelopment consistent with the redevelopment for the site that is identified in this Redevelopment Plan.

N.J.S.A 40A:12A-7.a. (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, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), 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.

There are no residential dwelling units, including affordable units for low- and moderate-income households, occupying Block 19, Lot 8.

N.J.S.A 40A:12A-7.a. (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," P.L.1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L.1985, c.222 (C.52:27D-301 et al.), 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.

No displacement of persons occupying residential dwelling units affordable to low- and moderate-income persons or households will result from this Redevelopment Plan. None have existed within the Redevelopment Area. This Redevelopment Plan specifically calls for the creation of 58 new affordable residential dwelling units, which will increase the inventory of affordable dwelling units in Washington Township.

N.J.S.A 40A:12A-7.a. (8) Proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

This Redevelopment Plan requires the provision of electric vehicle charging infrastructure in accordance with New Jersey law.

N.J.S.A 40A:12A-7.b. A redevelopment plan may include the provision of affordable housing in accordance with the "Fair Housing Act," P.L. 1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan.

The Newburgh Redevelopment Plan provides for an inclusionary residential development requiring 20% of the Townhouses and Apartments units to be constructed to be deed-restricted for at least 40 years for exclusive occupancy by pre-qualified very-low, low-income and moderate-income households/ individuals, with the Township reserving and retaining the right to extend the affordability control period for each Affordable Unit for an additional length of time in accordance with then applicable law, which right shall be exercised by the Township within a reasonable period of time following the end of the initial 40 year affordable control period.

N.J.S.A 40A:12A-7.c. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L. 1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the redevelopment plan supersedes any provision of the development regulations, the ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the "Municipal Land Use Law," P.L. 1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.

This Redevelopment Plan amends Washington Township OR/I Office Research / Industrial Zoning and the Washington Township Zoning Map by adding the "Newburgh Redevelopment Area" zoning designation as a permitted use for the tract designated Block 19, Lot 8 in Washington Township, which has been designated a "Non-condemnation Area in Need of Redevelopment" by Washington

Township Committee Resolution No. R-115-24 adopted June 17, 2024 in accordance with the procedures set forth at N.J.S.A. 40A:12A-14.

N.J.S.A 40A:12A-7.d. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

Existing Washington Township Master Plan policies do not permit inclusionary development as a permitted use for Block 19, Lot 8. However, the provision of affordable housing remains an overarching municipal master plan objective and thus is not inconsistent with the Washington Township Master Plan.

N.J.S.A 40A:12A-7.e. Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. This 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 board deems appropriate. The governing body, when considering the adoption of a redevelopment plan or revision or amendment thereof, shall review the report of the planning board and may approve or disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following the recommendations. Failure of the planning board to transmit its report within the required 45 days shall relieve the governing body from the requirements of this subsection with regard to the pertinent proposed redevelopment plan or revision or amendment thereof. Nothing in this subsection shall diminish the applicability of the provisions of subsection d. of this section with respect to any redevelopment plan or revision or amendment thereof.

Washington Township Committee Resolution No. R-115-24 adopted on June 17, 2024 authorizes the Planning Board to prepare this redevelopment plan, which under the statute relieves the Planning Board of the obligation to prepare a report to the governing body on the redevelopment plan prior to the governing body introducing and adopting the Redevelopment Plan Ordinance.

N.J.S.A 40A:12A-7.f. The governing body of a municipality may direct the planning board to prepare a redevelopment plan or an amendment or revision to a redevelopment plan for a designated redevelopment area. After completing the redevelopment plan, the planning board shall transmit the proposed plan to the governing body for its adoption. The governing body, when considering the proposed plan, may amend or revise any portion of the proposed redevelopment plan by an affirmative vote of the majority of its full authorized membership and shall record in its minutes the reasons for each amendment or revision. When a redevelopment plan or amendment to a redevelopment plan is referred to the governing body by the planning board under this subsection, the governing body shall be relieved of the referral requirements of subsection e. of this section.

The Washington Township Planning Board has prepared this Newburgh Redevelopment Plan in response to Washington Township Committee Resolution No. R-115-24 adopted June 17, 2024, which directed the Washington Township Planning Board to prepare this Plan and refer it to the governing body to enact regulations for the inclusionary development of the property.

**Exhibit 1:
Concept Development Plan
Block 19, Lot 8 (36 Newburgh Road) 289 units,
including 58 affordable units**

