

Bedminster Township

Master Plan Reexamination Report

Adopted: May 10, 2018

Prepared by the Bedminster Township Land Use Board
with Assistance from Banisch Associates, Inc.

EXECUTIVE SUMMARY

Bedminster's concerns for its scenic countryside and unspoiled natural places have historically been a major factor in the selection of Bedminster's land use policies, which limited growth to the village of Pluckemin and the State highways. Regional planning initiatives at the state level and affordable housing mandates have helped shape a landscape where sometimes conflicting objectives for conservation and development have been balanced through open, transparent policy development with extensive public participation.

The Township's compact settlement pattern finds most Bedminster residents living in the villages of Pluckemin and Bedminster. The vast planned development at The Hills, a product of a builder's remedy lawsuit, has afforded Bedminster a relative abundance of affordable housing strategically situated along the interstate highway network. However, as these neighborhoods age, maintenance and repair issues are increasingly burdensome upon homeowners associations and their members.

This 2018 Master Plan Reexamination comes at a time of land use change in many established communities. When Bedminster's Master Plan was last comprehensively updated in 2003, market forces were still generally supportive of the massive amounts of suburban commercial and office floor area that developed in the latter 20th century, although the influence of the internet was beginning to be felt in changing employee work patterns and increasing internet retailing. The commercial and office sectors have since come under constantly increasing pressure, with most single user corporate campuses now a thing of the past and many long stable retailers either going out of business or jettisoning the costs of brick and mortar whenever possible. The changes these trends have wrought are not yet in a mature phase. Rather, the disruptions caused by these changes are rippling through society today and the long term impacts on land use patterns is not yet fully known.

Tax appeals succeed in direct relation to the declining market for office space, and residential taxpayers are increasingly picking up the difference in communities across New Jersey. Large scale corporate offices in the suburbs, once sought after as the blue chip standard and key to fiscal balance in many towns, are no longer the growing employment centers and tax ratables they once were. When Bedminster's last Periodic Reexamination Report was adopted in June 2008, the deepness of the economic recession was not anticipated. In the intervening years, ATT has sold off its *Long Lines* campus, where it is now a tenant, as it expanded facilities in other states, prompting concerns that its tenure in Bedminster may be coming to an end.

Protecting the environment, conserving community character, retaining farms and protecting Bedminster's history will always remain key objectives of the Master Plan. However, the Land Use Board's evaluation of local policies and regulations in 2018 suggests that economic and fiscal health must be further emphasized if the Township is to remain an affordable and desirable place. This requires a varied mix of ratables and a diversified commercial marketplace, where many types of businesses employ many types of skills.

Village vitality, which comes from the interaction of people with culture, economic opportunity and one another, is another concern. Bedminster village and Pluckemin, Bedminster's principal villages, are walkable places where restaurants should be abundant and where needed goods and services should be close at hand. However, while Bedminster village has seen the near wholesale office and retail conversion of former residences, with a Main Street that goes dark at night, Pluckemin has seen a vast infusion of auto-dependent land uses (housing, shopping and offices) and has lost some of the scenic and cultural qualities of the place. Bedminster should focus on capitalizing on the Township's walkable historic villages, which are truly at the crossroads of history, and pursue strategies that enhance village life, particularly after 5 pm.

STATUTORY AUTHORIZATION

The Municipal Land Use Law, at N.J.S.A. 40:55D-89, includes the following statement relative to the periodic examination of a municipal master plan:

" The governing body shall, at least every 10 years, provide for a general reexamination of its master plan and development regulations by the Land Use Board, which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the Office of Planning Advocacy and the county Land Use Board."

N.J.S.A. 40:55D-89 requires that the reexamination report shall state:

a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared."

e. The recommendations of the Land Use Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality."

PROBLEMS AND OBJECTIVES IN 2008 AS SEEN TODAY

The 2008 Reexamination Report cited the following continuing objectives from the 2000 Reexamination:

1. Maintaining the special character of the villages, and the rural and country atmosphere, which prevails throughout most of the township.
2. Continuing to manage the "sweeping changes" which occurred as a result of court-mandated mount laurel housing. Protecting the environment and conserving fragile natural resources.
3. Protecting the environment and conserving fragile natural resources.
4. Managing and encouraging other government agencies to manage traffic impacts.
5. Preservation of farmland and expansion of the industry of agriculture according to best management standards.
6. Improving access to local plans and regulations.
7. Conforming local plans and ordinances with the State Development and Redevelopment Plan (SDRP) policies affecting Planning Area 5 and "centers".

The June 2008 Reexam identified the 35 recommendations included in the 2000 Master Plan Reexamination, which were designed to advance the objectives above, and found that nearly all the recommended changes to the master plan and land use ordinance had been accomplished. Recommendations to advance those remaining objectives in the 2008 Reexamination Report included:

- Scenic Landscape Protection Strategies for the R-10 and gateways, which were recommended but not adopted;
- Lighting for safety and security without excessive lighting, which may merit continued study;
- Expanded sustainability initiatives;
- Deer fencing impacts and how the right to farm allows these tall fences;
- Golf Course requirements, which were expanded to include more municipal oversight and monitoring.
- Potential expansion of Sewer Service Areas to remediate septic failures within the developed sector north of Bedminster Village.

Notably, the 2008 Reexamination Report did not cite the fiscal or economic concerns that are now important planning considerations.

CHANGES IN ASSUMPTIONS, POLICIES AND OBJECTIVES SINCE 2008

The master plan process in Bedminster has been a fluid one that has adjusted local policies to address changing times, with preserving and protecting the quality of life remaining paramount. The Master Plan and Land Management Ordinance have provided for a balanced land use plan that recognized the potential of the highway growth corridor to accommodate regional employment, commerce and housing, including the massive planned development at The Hills. Bedminster's plan has long constrained the area for

development, limiting growth to the highway corridor and villages and maximizing the retention of farmland and open space in Bedminster's countryside.

In 2018, as the Land Use Board examines the findings of the 2008 Reexamination Report, New Jersey is still lagging behind the rest of the Nation in terms of economic recovery. By way of example, from 2014 to 2016 New Jersey's private sector jobs expanded. Yet, 2017, which saw 43,000 jobs created in the private sector, nonetheless represented a decline of 18,000 jobs compared to 2016, according to the U.S. Bureau of Labor Statistics. This 30% reduction in job growth between 2016 and 2017 is troubling. In this economic climate, no municipality can afford to lose the major employers that anchor their highway frontages and the tax revenue they provide – revenue that helps keep residential taxes in check.

Additionally, recently enacted federal tax cuts, which are extremely disadvantageous to New Jersey residents, will increase the burden of local property taxes and income taxes on Bedminster residents. Local land use policies should be tailored to blunt these impacts and retain a diverse ratable base.

In assessing the changes that have occurred since 2008, the Land Use Board also found that the problems and objectives relating to land use and development include the following:

Managing Change in the Highway Growth Corridor

In this time of land use change, Bedminster should continually assess the long-term viability of the mix of land uses along the State/Interstate highway corridors, particularly as a function of the master plan reexamination. As the electronic age and the internet continue to reduce the demand for bricks and mortar retail and office space, office tenants are being wooed from suburban office locations to more urban, walkable and transit-served locales. As a result, the central New Jersey suburban office market is still undergoing a major adjustment, as Class A and other office space is increasingly repurposes for alternate uses.

Respected forecasters continue to suggest a radical transformation in the office landscape, as workplace preferences shift and employers respond. Former Bloustein Planning School Dean James Hughes calls for transforming and reimagining the state's suburban office stock to adjust to the emerging employment and business dynamics. "New Jersey's structural transformation in the 1980s and 1990s to a knowledge-based, information-age economy proceeded in lockstep with the emergence of powerful suburban growth corridors," said Hughes. "This 1980s-based office geography evolved into the state's core economic competency, but the attractiveness of suburban growth corridors may have run its course."

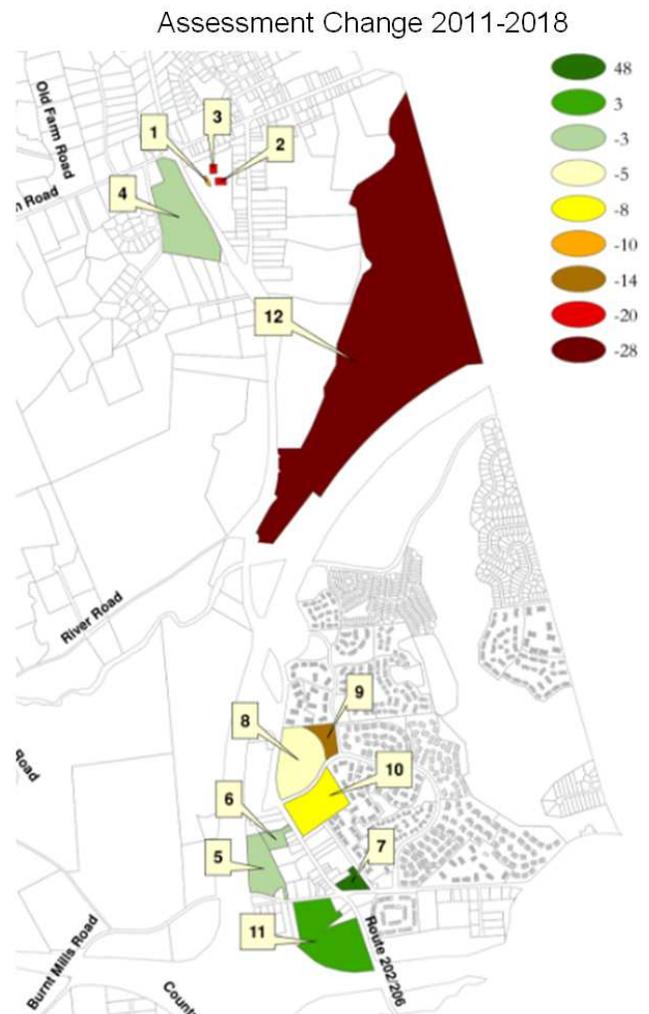
Recent trends in Bedminster, where major office buildings have seen significant reductions in assessments, are a cause for concern. While the assessment increased substantially at the Somerset Hills Shopping Center in Pluckemin (48%) due to major

renovations to the site, increasing assessments were not common, as seen in the table below.

Map ID	Block	Lot	Condo	Location	Owner	2011 Assessed Value	2018 Assessed Value	Change in Value	Percent Change
1	33	12	C0001	1400 ROUTE 206	AEM REALTY, LLC C/O MONICA JEW	2,936,600	2,643,000	-293,600	-10
2	33	12	C0002	1420 ROUTE 206	BEDMINSTER 2 FUNDING LLC (M. JEW)	6,935,700	5,549,000	-1,386,700	-20
3	33	12	C0003	1430 ROUTE 206	BEDMINSTER 2 FUNDING LLC (M. JEW)	5,477,400	4,383,000	-1,094,400	-20
4	41	16.02		1405-1455 ROUTE 206	RREF II SOMERSET LLC,C/O REL FUND M	34,800,000	33,803,000	-997,000	-3
5	57	6		2005 BURNT MILLS ROAD	CROSSROADS BUSINESS CENTER LLC	20,088,000	19,545,000	-543,000	-3
6	57	7		1 PLUCKEMIN WAY	PRISM REALTY INVESTORS,L.L.C.	5,288,600	5,156,000	-132,600	-3
7	58	14		75 WASHINGTON VALLEY ROAD	SOMERSET HILLS SC	4,498,000	6,646,000	2,148,000	48
8	59.26	11.2		550 HILLS DRIVE	MIREF BEDMINSTER,LLC%NY LIFE INVEST	26,602,000	25,350,000	-1,252,000	-5
9	59.26	11.3		1 ROBERTSON DRIVE	DGLV PROPERTIES,LLC	7,795,000	6,693,000	-1,102,000	-14
10	59.27	11.1		500 Hills Drive	BIT HOLDINGS FIFTY-ONE INC	28,300,000	25,960,000	-2,340,000	-8
11	71	7		1052 BURNT MILLS ROAD	S/K BED ONE ASSOCIATES,LLC	19,292,000	19,850,000	558,000	3
12	43	1		1 AT&T Way (202/206)	METROPOLITAN TOWER LIFE	180,000,000	130,000,000	-50,000,000	-28

AT&T has seen its assessment reduced by nearly 30% since 2011, representing a \$50 million loss in assessed value. Other sites in the highway corridor area that have seen assessments drop include the Advance Realty office buildings at the former Forbes site on Route 206 in Bedminster village (20%), the former Forbes building (10%), one of the office buildings at The Hills (14%) and the Shops at Bedminster (8%) as seen on the map at right.

According to Hughes, postwar residential preferences and the trend toward moving to the suburbs are being reversed by fundamental changes in location preferences, posing the question "... whether New Jersey's office inventory—the once-dominant office parks and other post-industrial "factory" complexes—can be retooled for emerging economic imperatives". Nonetheless, he notes that "...there are still suburban office environments that may be successfully reshaped, reconceptualized, and more importantly, re-tenanted relative to population concentrations and accessibility."



One example of re-tenanting was seen recently in Bedminster, at the office campus on Route 206 next to Clarence Dillon Library. In 2004, Dendrite International Inc., a global pharmaceutical producer/distributor of specialty products and therapies to treat autoimmune and rare diseases, relocated its global headquarters from Morristown, N.J., to the larger, modern campus in Bedminster. However, Dendrite was acquired over 10 years ago by Cegidem, a French global technology and services company specializing in the healthcare field, and the campus was vacated and remained vacant for years. In 2016 Mallinckrodt Pharmaceuticals, founded in 1867, acquired the campus, and in October 2017 brought over 300 jobs to its new Specialty Brands office in Bedminster. Mallinckrodt, based in London, manufactures and distributes products used in diagnostic procedures and in the treatment of pain and related conditions. This includes the development, manufacture and distribution of specialty pharmaceuticals, active pharmaceutical ingredients, contrast products and radiopharmaceuticals.

In the aftermath of the Great Recession, being part of a pharma/life sciences cluster is valuable to all participants. Mallinckrodt's new location in Bedminster appears to be part of such an evolving cluster. In adjoining Bridgewater, Nestle Health Science will anchor a 110-acre research site (formerly Sanofi Research), which is getting a \$250-million makeover to transform it into a state-of-the-art "live-work-and-play" environment. The Nestle Health Science project will result in \$100 million in new investment in the research portion of the site and was attracted to Bridgewater in part by the mixed use redevelopment plan that allows for 400 apartments, a walkable "Main Street" with apartments over shops, over 200,000 square feet of retail and a hotel, all while still leasing research labs to multinational tenants like as Nestlé Health Science.

Another important milestone for Bedminster came when AT&T sold off its campus and became a temporary tenant at its Long Lines site. With six (6) years remaining on this lease in this changing suburban office landscape, Bedminster has recognized that the loss of AT&T from Bedminster would be a major blow to the local economy and tax base. In response, local officials have been exploring reuse options for the campus if AT&T were to leave Bedminster. In May 2018, Land Use Board members toured the "Bell Works" site in Holmdel, where the 2 million square foot former Bell Labs campus has been repurposed as a multiple tenanted office facility, with restaurants and other amenities on the first floor and new residential development outside the footprint of the office buildings.

Maintaining viability for Bedminster's office inventory will require attention to evolving market dynamics as current trends continue to play out. Bedminster should better understand the factors that could result in loss of such a high profile tenant as AT&T, and how to reposition the AT&T campus, strategically located from many perspectives, as a 21st century mixed use environment. Situated between a major regional highway interchange (I-78 and I-287) and the Far Hills train station and midway between Bedminster and Pluckemin villages, the AT&T site is positioned well to adapt to changing times – if local policies support such changes.

The regional office node in Pluckemin, which is a walkable activity center, should remain vital, since it consists of a mix of office users of different sizes. A fairly recent

Bedminster area real estate market evaluation by Otteau Valuation found weak demand for “larger size buildings”, but noted a “vibrant” market for “boutique” office spaces (5,000-15,000 square feet). This suggests continuing market appeal for offices in Pluckemin, which would be enhanced by greater diversity of commercial establishments and more and varied places to eat.

Village Vitality and Tourism

Walkable downtowns, where the arts, culture, entertainment and shopping are attractions, are energizing villages and downtowns across America. As the 21st Century progresses, the most desirable downtowns are the more walkable places that capitalize on their history and culture to create an experiential attractiveness. Clusters of dining establishments, fine and casual, are elements around which successful downtowns are built and rebuilt time and again.

Bedminster and Pluckemin are walkable places blessed with an authenticity in the landscape and structures that date back to the American Revolution. The wealth and prominence of these resources (Artillery, Vanderveer House, Washington’s Route monument) sets the stage for a more diverse and interesting experience for visitors to Pluckemin and Bedminster villages.

The Revolutionary War initiative known as “Crossroads of the Revolution” is particularly relevant in Pluckemin and the surrounding countryside. Military training at West Point is the successor to and follows a military tradition begun by General Henry Knox at the Pluckemin Artillery. Artifacts recovered from the Pluckemin Dig are extensive and can provide a rich interpretive opportunity related to the Revolutionary War period.

New Jersey saw more Revolutionary War battles than any other state. The

Secondary Focus Area #8: Tourism (Low Priority)

Although tourism is a billion-dollar industry in Somerset County, tourism assets have traditionally been under-valued. Recently, the County implemented efforts to leverage tourism-related assets that include hotels and motels, a convention center, significant catering facilities, historic sites, extensive parks and recreation facilities (including the County Parks system and Duke Farms), and major annual events, such as the Tour of Somerville Bicycle Race and the Far Hill Race Meeting. The County is fortunate to be home to the US Golf Association and the US Equestrian Team. These assets, as well as historical features dating back to colonial times, present opportunities to increase tourism-related economic activity in the region.

Goals and Objectives

- Deploy resources necessary to manage attendance and visitation to high-attendance events, thus reducing community road and highway impacts.
- Implement targeted tourism promotional activities to leverage local hospitality industry assets and to increase regional economic activity.

Strategic Projects, Programs, and Activities

The following are examples of projects related to tourism promotion that are contained in the Strategic Project Inventory found at Addendum 5.

EXAMPLE PROJECTS: TOURISM		
PROJECTS	DESCRIPTION	FUNDING SOURCES
HISTORIC TOWNS NETWORK	Create a Historic Towns of Somerset/Main Street Network to publicize and market attractions and activities.	<ul style="list-style-type: none"> • Main Street New Jersey • New Jersey Division of Travel and Tourism • SCBP
EQUINE CONNECTIONS	Enhance equine industry connections with New Jersey’s tourism industry.	<ul style="list-style-type: none"> • New Jersey Division of Travel and Tourism • New Jersey Travel Industry Association
TV AND TOURISM	Expand the Somerset County CEDS by examining tourism-related strategies and actions.	<ul style="list-style-type: none"> • New Jersey Division of Travel and Tourism • USEDA

Jacobus Vanderveer House and Museum has been restored and plays an important role in the Crossroads of the Revolution initiative, which has not yet seized upon an opportune location for a Revolutionary War museum. Expanding cultural tourism offers benefits that resonate with the town’s image and intentions.

If cultural tourism is deemed an appropriate avenue for further pursuit, Bedminster should explore with the Crossroads of the Revolution how an interpretive facility related to the Pluckemin Artillery could be developed in the Township.

The Center for Contemporary Art, housed in the former Pluckemin Schoolhouse, attracts those who want to learn and is a prime venue for local artists. Building on the arts experiences at the Pluckemin Schoolhouse Center for Contemporary Arts, Bedminster should explore policies to promote additional arts activities and venues in Pluckemin and elsewhere in Bedminster Township.

Affordable Housing

Bedminster Township approved 694 affordable units in inclusionary developments at The Hills and Timberbrooke and at Pluckemin Park Senior Housing, and has earned another 300 affordable unit credits through the extension of expiring controls on some of these units. These developments produced over 3,000 total housing units and far exceeded any COAH obligation.

In 2018, Bedminster and the Fair Share Housing Center entered into a settlement in response to Bedminster’s Declaratory Judgment lawsuit that more than fully addresses a 379-unit fair share obligation for the period 1987 to 2025. That settlement agreement and the applicable COAH rules provided the basis for Bedminster’s 2018 Fair Share Plan. Bedminster’s 154-unit prior round obligation for 1987-1999 was more than fully satisfied by the 694 units noted below.

Affordable Units Applied to Prior Round (1987-1999)			
		Type	
Prior Round and Third Round	Units	Rental	Sales
The Hills – Parkside - Family	216	54	162
The Hills- Village Green - Family	260	0	260
The Hills – Cortland - Family	144	48	96
Timberbrooke - Family	24	0	24
Pluckemin Park - Senior	50	50	0
Total	694	152	542

Up to 25% of the 154-unit obligation is permitted as rental bonuses, allowing up to 38 rental bonuses for the prior round obligation, bringing the carry forward total to nearly 600 units and bonus credits. (694 units + 38 rental bonus = 732 total units/credits minus 154 unit obligation = 578).

The Township also has a present need (rehabilitation) obligation of 2 units and will utilize surplus new construction credits to satisfy the 2-unit obligation.

Bedminster Township will substantially exceed its 225-unit third round obligation through the surplus credits and rental bonuses from the prior round and the COAH-approved substantial compliance reduction as detailed below.

Affordable Units and Bonus Credits Available for Third Round - (1999-2025)			
Fourth Round	Units	Credits/Reductions	Totals
Excess from prior rounds	540	38	578
Substantial Compliance Reduction		46	46
Extended Affordability Controls	300*		300
Rental Bonus Maximum for all Rounds = 94 (25% of 379)		56	56
TOTAL	840	140	980

When these 980 units and credits are applied against the 225-unit third round fair share obligation approved by the Court, 755 units/credits remain available to be applied to the fourth and future rounds. Despite the large surplus of affordable units/credits, Bedminster’s affordable housing obligation under the settlement agreement requires the construction of another 28 family rental units to meet the third round family rental obligation, including 4 very low income units. Bedminster will need to develop a plan for these units by the July 2021 mid-point review of progress.

Changes in State, County and Municipal Policies and Objectives

The following changes or updates to State, County and regional policies and objectives occurred since the last Reexamination Report conducted by the Township and are provided here for informational purposes.

The State Development and Redevelopment Plan/Draft State Strategic Plan - Since the 2008 Master Plan Reexamination, the State Planning Commission continued to conduct a review of the March 2001 State Development and Redevelopment Plan (SDRP). The State Plan established a process for endorsement of local plans by the state, through ‘Plan Endorsement’ which begins with a comparison of local plans to the State Plan and concludes with reconciliation of policies and an action plan for all participants. State agencies are directed to assist in advancing the endorsed municipal plans and funding and technical assistance are prioritized to towns with endorsed plans.

New Jersey’s “Proposed Final Draft State Development and Redevelopment Plan,” was released on October 11, 2011 as a replacement for the adopted State Plan. This unadopted draft plan focuses on growth and economic development, characterizing “New Jersey’s process of planning...and regulating...” as an “outdated approach” that is diminishing the State’s quality of life. The goals of the State Strategic Plan include:

Goal 1: Targeted Economic Growth: Enhance opportunities for attraction and growth of industries of statewide and regional importance.

Goal 2: Effective Planning for Vibrant Regions: Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region.

Goal 3: Preservation and Enhancement of Critical State Resources: Ensure that strategies for growth include preservation of the State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing the role they play in sustaining and improving the quality of life for New Jersey residents and attracting economic growth.

Goal 4: Tactical Alignment of Government: Enable effective resource allocation, coordination, cooperation and communication among those who play a role in meeting the mission of this Plan.

Bedminster Township's master plan has responded to all these goals with a balanced plan for growth and preservation. The State Strategic Plan suggests a shift from a mapped expression of areas intended for growth to a criteria-based approach and recommends that the "following types of areas should be at the core of these criteria, to be established by the SPC through revisions to the State Planning Rules:

- Major Urban Centers, as previously identified by the 2001 State Plan;
- Areas identified as Priority Industry Clusters according to Goal 1;
- SPC Designated Centers (currently or previously designated as such by the SPC);
- Port areas;
- Existing Communities and/or Growth areas, as designated by Regional or County Master Plans;
- Municipally designated redevelopment areas and receiving areas under Municipal Transfer of Development Rights Programs;
- Areas designated by existing or future federal and/or State targeted public investment programs;"

The State Strategic Plan also sets out a set of "Garden State Values", including:

- #1) Concentrate Development and Mix Uses
- #2) Prioritize Redevelopment, Infill, and Existing Infrastructure
- #3) Increase Job and Business Opportunities in Priority Growth Investment Areas
- #4) Create High-Quality, Livable Places
- #5) Provide Transportation Choice & Efficient Mobility of Goods
- #6) Advance Equity
- #7) Diversify Housing Opportunities
- #8) Provide for Healthy Communities through Environmental Protection and Enhancement

Municipal Land Use Law

Green Plan Element - On August 8, 2008, the Municipal Land Use Law was amended at N.J.S.A. 40:55D-28.b. to include provisions authorizing a municipality to prepare and adopt a “Green Plan Element” as follows:

(16) A green buildings and environmental sustainability plan element, which shall provide for, encourage, and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site; and optimize climatic conditions through site orientation and design.

Local regulators may find that concerns will emerge since the hardware used for harnessing solar or wind power can have significant visual impacts on community character. This may require the development of policies and regulations to minimize the intrusion of these changes into the built environment, particularly as they affect historic resources and districts. Additionally, as municipalities seek to encourage innovative conservation and sustainable development techniques, an evaluation should be undertaken as to how the local Master Plan and Zoning Ordinance can influence and incentivize desirable changes.

Time of Application Rule - The headlines that followed Governor Christie’s May 5, 2010 signing of P.L. 2010, c.9, (“New Time of Application Rule Will Help Developers”) were a warning to municipalities to carefully review their land use regulations before May 2011, when the new law takes effect.

Unlike the former law, where the applicable regulations were those in effect at the time the approving authority makes its decision on a land development application, this amendment to the Municipal Land Use Law applies the regulations “...in effect on the date of submission of an application for development...”, not those adopted subsequent to the submission of a complete application. The only exceptions to this new rule will be those relating to health and public safety.

Inherently Beneficial and Renewable Energy Uses - On April 22, 2010, Governor Christie signed new legislation to facilitate solar panel development and advance New Jersey’s position as a green energy leader. Under S-921, solar panels are exempt from zoning limitations on impervious cover although the base or foundation of a solar panel array may still be regulated as impervious cover. The following definitions now apply:

“Inherently beneficial use” means a use which is universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare. Such a use includes, but is not limited to, a hospital, school, child care center, group home, or a wind, solar or photovoltaic energy facility or structure.

“Wind, solar or photovoltaic energy facility or structure” means a facility or structure for the purpose of supplying electrical energy produced from wind, solar, or photovoltaic

technologies, whether such facility or structure is a principal use, a part of the principal use, or an accessory use or structure.

Master Plan Reexamination requirements were amended to revise the interval for completion of the reexamination from six (6) years to ten (10) years.

Renewable Energy Facilities on Preserved Farmland - When a farm is preserved, the landowner covenants that the preserved farm will only be used for agricultural purposes in a restriction that runs with the land. An amendment to the Agricultural Retention and Development Act to permit the installation and operation of biomass, solar or wind energy generation facilities on preserved farmland was enacted on January 16, 2010.

Wastewater Management Plans - On March 24, 2010, the Commissioner of the New Jersey Department of Environmental Protection issued Administrative Order No. 2010-03 extending the deadline for wastewater management planning entities to submit revised wastewater management plans (WMPs), until April 7, 2011. WMPs govern where new sanitary sewer lines can be built, by defining the sewer service area (SSA). Properties outside the SSA are to be served by septic systems.

Permit Extension Act - On January 18, 2010, A-4347 was signed into law extending the protections of the Permit Extension Act of 2008 for an additional 2.5 years beyond the initial “extension period” (January 1, 2007 through July 1, 2010). The “extension period” will now last until December 31, 2012, after which the running of the approval periods will resume for up to 6 months, until June 30, 2013.

Highlands Preservation Area - Bedminster Township, entirely within the jurisdiction of the N.J. Highlands Council and governed by the Regional Management Plan, includes lands within the Highlands Preservation Area, generally north of Pottersville Road, and the Planning Area, which includes the remainder of the Township. On December 1, 2011, the Highlands Council unanimously approved the Township’s Petition for Plan Conformance for the Highlands Preservation Area.

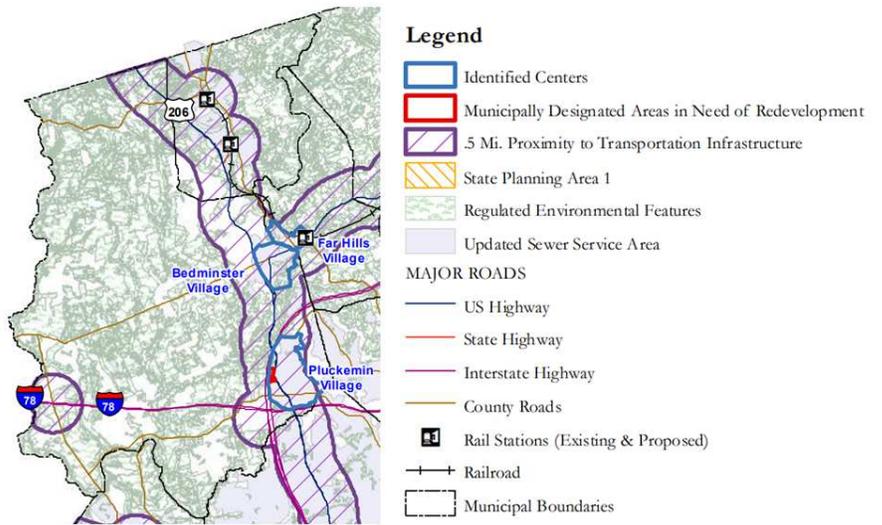
The Township has received grant funding for several important conformance activities. During 2013 the Highlands Environmental Resource Inventory was reviewed and endorsed by the Environmental Commission. During 2016, Preservation Area planning included the Highlands Master Plan Element, the Highlands Checklist Ordinance and the Highlands Exemption Ordinance.

Unless Bedminster elects to conform the remainder of the Township with the RMP, the area outside the Preservation Area will remain governed by local planning and zoning.

Strategic Economic Development Planning - Somerset County has developed a system for organizing priority investments in economic development and preservation in the County. AT&T has been designated as a Priority Growth Investment Area because it fits certain designation criteria, reflected in the map excerpt at right.

The County Land Use Board also identified Bedminster Village Center and the Pluckemin Town Center as Local Priority Areas.

Somerset County's priority investment framework was recognized by the State Planning Commission. The County has been analyzing highly detailed and sophisticated market data regarding the complexion and occupancy characteristics of land uses throughout the county's priority investment areas and will use this data as part of the County Investment and Asset Mapping Update. Bedminster is currently working with the County and the Highlands Council to study the economic development issues and opportunities in Bedminster's growth corridor area.



The question of whether to continue aggressively purchasing open space has recently been raised, and the use of open space tax proceeds for maintenance or other purposes has been suggested. This implicates open space planning policies of the Recreation and Open Space Plan.

Other Areas of Concern

Septic Problem Areas – The 2008 Reexamination noted concerns "about the possible need for expensive septic repairs in the residential subdivisions north of Bedminster Village. With limiting soil conditions and the prevailing density of development (1-acre lots), this area should be considered for inclusion within the sewer service area. Portions of this area of Bedminster drain to the Peapack Brook, a Category One stream, which would benefit from removal of the septic wastewater load. Such an extension should be conditioned upon strict adherence to the current zoning as the maximum permitted development, and should not be used to increase development potential". These concerns remain in 2018.

Land Conservation - Bedminster has been aggressively pursuing open space and farmland preservation for decades, and these efforts have created a greenbelt around and between the villages of Bedminster and Pluckemin. With Somerset County and New Jersey as partners, farmland and open space preservation has been pursued with local open space tax dollars, and the County has also purchased significant open space in western Bedminster.

RECOMMENDED CHANGES TO THE LAND USE PLAN AND DEVELOPMENT REGULATIONS

Fine-tune Non-residential Zoning – An inventory of all commercial uses should be developed, including type of use and floor area, to afford a better understanding of the complexion of Bedminster’s commercial uses. Village planning efforts, which should be aimed at promoting the villages as people places, can benefit from this information as it relates to the current mix of uses and how it could be improved. The Village Neighborhood zone already permits mixed residential and non-residential uses in both Pluckemin and Bedminster, a benefit for village vitality if utilized.

Expand Policies to Promote Agriculture - Efforts to promote equine agriculture should be expanded. Equestrian interests are seen as a key element of Bedminster’s history and culture, and promoting equine agriculture will help to assure a continuing agricultural future in Bedminster. Equestrian trails should be protected and trail easements should be sought to the greatest extent practicable when lands in Bedminster’s R-10 District are subdivided.

Allowing farm labor housing can promote continued agriculture and should be explored as an adjunct use, under the proper conditions. Suggestions that the minimum lot area requirements be increased beyond the current 10-acre minimum are not seen as helpful at this time, since such a move sends a signal that it may be time to sell or subdivide.

Collaborate for the Future of The Hills - Pluckemin, the once small hamlet of the Revolution, is now the place where most Bedminster residents live. However, built during the heyday of auto-dependent land uses, Bedminster residents at The Hills are not afforded much in the way of pedestrian circulation and the lack of sidewalks makes it less safe and convenient to proceed on foot or bicycle. The needs of pedestrians were only one need that was not well satisfied when The Hills was constructed. Street lighting issues due to improper burial of unshielded conduit is another problem and is emblematic of the issues the residents of The Hills will face over the upcoming decades. On-site drainage problems are also a challenge for residents.

Bedminster should examine whether the “on your own” attitude toward homeowners association responsibilities should remain or whether there are issues that cannot be effectively managed under current conditions. Failure to maintain a desirable community character at The Hills may pose threats to future neighborhood comfort, safety and security.

Consider Overlay Zoning – Changing times have also affected the long term viability of the Purnell School, and its continued existence as a school may be questionable. Consideration should be given to the use of an overlay zone to allow the continued use as a school but to also permit a reuse option not involving school use. The overlay approach may be useful in other areas as well.

Sign Standards – Blade signs and other communication tools are increasingly part of the messaging used by businesses, and the range of signage permitted should be reexamined to assure that businesses are able to compete in today’s marketplace. At the

same time, some types of signs, particularly with changing messages, are of concern in relation to traffic safety and scenic values. A review of signage standards involving local businesses should be undertaken with an eye toward limiting clutter while allowing reasonable sign size and placement.

Lighting – Review and modify current lighting standards to provide for sufficient lighting for safety and security purposes while preventing excessive site lighting.

Remedial Sewer Service Area Expansion – Consideration should be given to revising the Utility Services Plan to expand the sewer service area within the developed sector east of Route 206 north of Bedminster Village.

RECOMMENDATIONS OF THE LAND USE BOARD CONCERNING REDEVELOPMENT PLANS

The Land Use Board has preliminarily reviewed the merits of designation of redevelopment areas in Pluckemin and Bedminster villages and the highway corridor that connects these neighborhoods. These areas include lands and buildings that may be eligible for designation pursuant to the *Local Redevelopment and Housing Law*, P.L. 1992 C. 79 (C40A:12A-1 et seq.).

New Jersey's redevelopment law, which provides strong tools for use by municipalities to remedy deterioration and/or improve the productivity of underproductive lands, offers a variety of benefits through redevelopment planning and design, which permit the municipality to:

- Partner with the private sector through contractual redevelopment agreements, which can include development incentives (e.g.-tax abatement, infrastructure).
- Achieve greater control over development through an adopted redevelopment plan, redevelopment agreement(s) and designation of a redeveloper or redevelopers.
- Qualify for grant and other funding for planning and development activities.
- Refine land use policies and development regulations to promote desired redevelopment.
- Qualify for 1.33:1 bonus credits against the municipal fair share obligation for qualifying low and moderate income housing units constructed within a redevelopment area.

Bedminster designated the DOT site in Pluckemin as an area in need when it appeared that the site would be sold to a developer. However, the sale fell through and no redevelopment plan was ever adopted for the site.

The changing circumstances at AT&T suggest that this site may well qualify as an area in need of redevelopment. Single use campuses like the Long Lines site, while appearing tenantable, are increasingly being designated for mixed use redevelopment, as recently occurred at Bridgewater's former Sanofi Research site.

Additionally, underutilized or strategically located sites may also warrant designation as redevelopment areas. The Township should examine whether redevelopment would benefit other office or commercial locations that have seen frequent changes in tenancies or vacancies and a detailed study should examine the potential for redevelopment to benefit Bedminster.

AMENDMENTS AND/OR SUPPLEMENTS TO THIS REEXAMINATION REPORT

The Land Use Board reserves the right to amend and supplement the Master Plan Reexamination Report at future meetings, including but not limited to the July 12, 2018 meeting of the Land Use Board, and the Master Plan Reexamination Report will be put on the Township website.