

**RESOLUTION OF ADOPTION
TOWNSHIP OF WASHINGTON
LAND USE BOARD
FINDINGS OF FACT AND CONCLUSIONS OF LAW
REGARDING THE ADOPTION OF A DOCUMENT ENTITLED
“WASHINGTON TOWNSHIP MASTER PLAN AMENDMENT TO THE LAND
USE AND HOUSING ELEMENT, VOLUME I AND VOLUME II, JUNE 17, 2009”**

The Land Use Board of the Township of Washington in the County of Warren and State of New Jersey, upon motion of James Vergos, seconded by Samir Elbassiouny, adopts the following findings of fact, conclusions and resolutions:

Findings of Fact and Conclusions of Law:

WHEREAS, N.J.S.A. 40:55D-28 authorizes a planning board to prepare and, after public hearing, adopt or amend a master plan or component parts thereof, to guide the use of lands within a municipality in a manner which protects public health and safety and promotes the general welfare; and

AND WHEREAS, on November 14, 2007, the Washington Township Land Use Board adopted a Document Entitled “Re-Examination Report Washington Township, Warren County, New Jersey” as an Official Re Examination Report pursuant to N.J.S.A. 40:55D-89;

AND WHEREAS, on December 12, 2007, the Washington Township Land Use Board adopted a Resolution memorializing the action of November 14, 2007;

AND WHEREAS, the Re-Examination Report addressed the following issues:

1) The major problems and objectives relating to land development in the Township of Washington at the time of the adoption of the last reexamination report.

2) The extent to which such problems and objectives have been reduced or have increased subsequent to the adoption of the last reexamination report.

3) 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 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.

4) 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.

5) The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law” 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 Township of Washington.

AND WHEREAS, on April 22, 2009, the Honorable John J. Coyle, J.S.C. entered an order invalidating Ordinances R2006-17 and 08-12 as “spot zoning” and deeming any site plan approvals or ordinances stemming from those Ordinances as likewise invalid;

AND WHEREAS, the Washington Township Land Use Board directed its Planner, Scarlett Doyle, P.P. to prepare an Amendment to the Washington Township Master Plan to encompass those portions of the Master Plan Re-Examination report that could be addressed by the Board at the present time as well as the Township’s modified vision as to the Planned Village District (“PVD”) of the Township of Washington;

AND WHEREAS, on May 27, 2009, at a regularly scheduled meeting of the Land Use Board, Scarlett Doyle, P.P. explained the proposed Amendment to the Master Plan and the Board established a public hearing date for June 17, 2009;

AND WHEREAS, a public hearing was held on June 17, 2009 at which time detailed testimony was received from Scarlett Doyle, P.P. as well as members of the public as to the proposed Amendment to the Master Plan;

AND WHEREAS, the Board, upon hearing all testimony presented, and upon review of the documents, made recommended minor clarifications to the report documents;

AND WHEREAS, the Board finds that the purpose of this Master Plan Amendment is to address those recommendations that may be addressed at the present time in the 2007 Master Plan Re-Examination and to clarify and address the Township's plan and vision for the presently existing PVD.

AND WHEREAS, the Board finds that the proposed Master Plan Amendment addresses those recommendations offered in the 2007 Re-examination Report that do not pertain to COAH-Highlands subjects. The Amendment to the Land Use and Housing Elements of the Master Plan pertains to other aspects noted in the 2007 Re-examination Report as well as current approaches toward establishing a sustainable community in a changing environment.

AND WHEREAS, the Board specifically adopts the findings, history and conclusions of the **“WASHINGTON TOWNSHIP MASTER PLAN AMENDMENT TO THE LAND USE AND HOUSING ELEMENT, VOLUME I AND VOLUME II, JUNE 17, 2009”** as though fully set forth herein at length.

AND WHEREAS, the Board finds that the Master Plan Amendment as proposed serves the following objectives:

- To advance the purposes of the Municipal Land Use Law as contained in 40:55D-2.
- To provide for housing, retail, industrial, agricultural, and open space uses.
- To establish a development mix that will not result in an undue burden upon Township residents.
- To retain the rural atmosphere of the Township while allowing for growth and development, including enhanced non-residential corridor opportunities.
- To protect the historic resources of the Township.
- To be steward of the unique environmental features of the Township, including steep slopes, wetlands, stream courses, prime agricultural soils, aquifer recharge areas, ground water supply and threatened and endangered vegetation and wildlife habitat, and scenic vistas.
- To plan so that new development does not overload existing or planned infrastructure, including municipal services, schools, roadways, water supply and wastewater treatment systems.
- To provide appropriate areas to encourage commercial and industrial development to enhance the Township's tax ratable base.
- To dissuade, where feasible, strip commercial development which has intensive use of signage designed to attract the traveling public.

- To control traffic flow and improve safety by supporting the limitation to points of access, especially along Routes 31 and 57 east of Washington Borough.
- To provide adequate recreation facilities for Township residents of all ages.
- To plan for development in appropriate areas so that new development does not adversely affect ground and surface water quality.
- To encourage the preservation of farmland and open space while maintaining the equity of property owners.

AND WHEREAS, the Board specifically finds that appropriate proof of publication and service of the Notice of Hearing was provided and that the documents entitled **“WASHINGTON TOWNSHIP MASTER PLAN AMENDMENT TO THE LAND USE AND HOUSING ELEMENT, VOLUME I AND VOLUME II, JUNE 17, 2009”** were available for public inspection at the Washington Township Municipal Building during normal business hours in accordance with N.J.S.A. 40:55D-10(b). No member of the public was prejudiced during the public hearing process as legally required access to the documents was provided.

AND WHEREAS, the Board specifically finds that any language changes during the hearing process were minor changes enhancing and clarifying the contents and findings in the documents or typographical/grammar changes, were not amendments to the proposed documents, and did not constitute a substantial change warranting a new or continued hearing.

NOW THEREFORE BE IT RESOLVED, that the Washington Township Land Use Board adopts the documents entitled **“WASHINGTON TOWNSHIP MASTER**

**PLAN AMENDMENT TO THE LAND USE AND HOUSING ELEMENT,
VOLUME I AND VOLUME II, JUNE 17, 2009”** and attached hereto as an
Amendment to the Township’s Master Plan pursuant to N.J.S.A. 40:55D-28.

WASHINGTON TOWNSHIP LAND USE BOARD

SECRETARY: Alice E. Oldford

APPROVAL DATE: June 24, 2009

VOTE:

Ayes: 3

Nays: 0

I certify that this is a true copy of a resolution adopted by the Land Use Board of the Township of Washington, Warren County, on June 24, 2009, to memorialize the Land Use Board's action on June 17, 2009.

ALICE E. OLDFORD,
BOARD SECRETARY