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2025 MASTER PLAN

RE-EXAMINATION REPORT

Prepared by:
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Prepared for:
Township of Union

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Resolution #

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I. INTRODUCTION

The New Jersey Municipal Land Use (MLUL) (N.J.S.A. 40:55D-1 et seq.) requires that each municipality within the State of New Jersey periodically reexamine its Master Plan and development regulations, and prepare and adopt by resolution, a report on the findings of such reexamination. The Reexamination Report must include the following components (N.J.S.A. 40:55D-89):

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 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," 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.

f. The recommendations of the planning board concerning locations appropriate for the development of public electrical vehicle infrastructure, including but not limited to, commercial districts and, areas proximate to public transportation and transit facilities and transit corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

The current Union Township Master Plan Land Use Plan was adopted by the Land Use Board pursuant to Article 3 of the MLUL (N.J.S.A. 40:55D-28) in August of 1999. Since adoption, the Master Plan has seen numerous amendments, including a Natural Resource Inventory in 2003 providing the first comprehensive scope of environmental features within the Township, an amended Land Use Element in 2005 incorporating new stream and wetlands protection considerations into the Township's land use policies, a Farmland Preservation Plan in 2008 identifying key project areas for farmland preservation, and an Open Space and Recreation Plan Element in 2021, among others. Additionally, the Master Plan has seen periodic reexamination, with reexamination reports in 2006, 2013, and 2023.

Since the time of adoption of the last amendment to the Master Plan, the assumptions, policies, and objectives upon which the Master Plan is based have changed by virtue of: a) the enactment of the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1 et seq.) by the State Legislature on August 10, 2004; b) the adoption of the Highlands Regional Master Plan by the Highlands Water Protection and Planning Council ("Highlands Council") on July 17, 2008, which became effective on September 8, 2008; c) the authorization within the Highlands Act for voluntary municipal Master Plan and regulatory conformance with the Highlands Regional Master Plan with respect to lands located within the Highlands Planning Area; and d) the affirmative decision of the Union Township Governing Body to conform to the

Highlands Regional Master Plan for municipal lands located in the Planning Area, as set forth by [Resolution/Ordinance] #XX adopted on DATE.

Accordingly, the Planning Board has reexamined the Municipal Master Plan and development regulations to determine the specific changes necessary to achieve consistency with the Highlands Regional Master Plan and thereby, to incorporate the specific changes in State policies, goals, and objectives as set forth by the Highlands Act. It is the intent of this Report to identify the specific revisions needed to bring the Municipal Master Plan and development regulations into conformance with the Highlands Regional Master Plan.

II. MASTER PLAN GOALS, OBJECTIVES, & POLICY STATEMENTS

The Municipal Land Use Law requires that all municipal master plans set forth a statement of objectives, principles, assumptions, policies, and standards upon which the master plan recommendations are based. After a review of the goals, objectives, and policy statements of the 2023 Master Plan Re-Examination Report, it was determined that they remain predominantly relevant today, with a few additional remarks. The following report outlines, in detail, the full assessment in the previous conditions of the Township, projections to the future, and considerations of potential changes as a result to developing policies.

III. MAJOR PROBLEMS AND OBJECTIVES IDENTIFIED

The Township of Union has prepared many planning documents over the course of its history, with the first major effort in compliance with the Municipal Land Use Laws in 1984. A subsequent comprehensive Master Plan in 1999 prepared by Clarke Caton Hintz is the current "complete" master plan that contains a number of the operational documents, many of which are no longer applicable or have since been superseded by supplemental Reexamination Report (such as this document). Below is a list of all of the documents considered "active" at the time of the last Reexamination Report, with comments bolded in black. The problems, goals, and objectives of all prior reports are implicitly linked through their connection to the overall Master Plan document.

- 2005 Land Use Plan Element Prepared by Clarke Caton Hintz
- 2023 Reexamination Report, prepared by Van Cleef Engineering Associates, dated October 27, 2023
- Farmland Presentation Plan Prepared January 2010 by Clarke Caton Hintz, Adopted April 8, 2010 **(Superseded)**
- Amended Third Round Housing Element and Fair Share Plan, prepared by Clarke Caton Hints, Adopted May 2010 **(Superseded)**
- Stormwater Management Plan prepared by Maser Consulting (now Colliers), April 2006, Revised September 2006 **(Outdated per MS4 Permit Program Revisions)**
- Natural Resource Inventory prepared by Princeton Hydro, 2003
- 2018 Housing Element and Fair Share Plan, prepared by Clarke Caton Hintz
- 2021 Supplemental Recreational Open Space Inventory (ROSI), approved July 7, 2021.

IV. INCREASE OR DECREASE IN PROBLEMS AND OBJECTIVES

As noted in the previous section, while there is an overall Master Plan document that links together and provides the basis for supplemental documents and reports, it is substantially outdated and many of the plan elements that comprise it has fallen into obscurity. Many of the changes associated with land use have to do with changing development patterns and legal regulations which shall be discussed later in this report. However, the following items indicate documents that have been adopted to address the changes in the goals and objectives of Union Township since the previous Master Plan Reexamination Report in 2023, or were otherwise not included as part of the reexamination:

- 2025 Housing Element and Fair Share Plan, prepared by Kyle + McManus Associates.

V. SIGNIFICANT CHANGES IN ASSUMPTIONS, POLICIES, & OBJECTIVES

Pursuant to N.J.S.A. 40:55D-89.c: The reexamination report shall identify significant changes that have occurred in the State, County, and municipal policies and objectives.

Changes at the Local Level

Population and Census Data

Union is a lightly populated Township located in Hunterdon County, in the U.S. state of New Jersey. The southwest half of the township is located on the Hunterdon plateau. The northwest boundary of the township extends to the Musconetcong Ridge and the northeast boundary extends up to Spruce Run Reservoir. It offers opportunity for rural living, while providing direct access to Interstate 78 east towards Newark Airport and New York City, and Interstate 78 West towards Easton Pennsylvania. The 2020 Census recorded a population of 6,507, representing an increase of 599 persons since 2010. The Township has a total area of 20.63 square miles, with a population density of 347 persons per square mile.

Population Statistics (2020)	
Population	6,507
Population Density (persons per square mile)	347
Population Growth (Since 2000)	5.63%

Changes in Population							
	2000	2010	Change (#)	Change (%)	2020	Change (#)	Change (%)
Union Township	6,160	5,908	-252	-4.09	6,507	599	10.14
Hunterdon County	121,989	128,349	6,360	5.21	128,947	598	0.47
New Jersey	8,414,350	8,791,894	377,544	4.49	9,288,994	497,100	5.65

The Township's 2020 Census population can be further divided by age group as follows:

Age Information (2020)	
Age Group	No. of People
0-4	162
5-9	168
10-14	294
15-19	734
20-24	474
25-29	285
30-34	255
35-39	209
40-44	300
45-49	338
50-54	549
55-59	598
60-64	291
65-69	345
70-74	160
75-79	345
80-84	87
85+	94

According to the 2023 American Community Survey, 18.6% of the population were under the age of 18, 8.4% from 18 to 24, 34.5% from 15 to 44, 23.2% of the population is over 60 years of age, and 18.3% who were 65 years of age or older. The median age was 45.6 years. For every 100 females, the population had 87.1 males

Housing and Household Information (2023)	
Owned	89.5%
Rented	10.5%
Total Households	2,164
Median Household Size	2.51
Median Family Size	2.89
Households with Children	31.8%

The 2023 American Community Survey estimated 2,164 households in the Township, of which 1,284 are married couple households, 240 are cohabiting couple households, 201 are a male householder with no spouse present, and 439 are a female householder with no spouse present. Of the 313 estimated instances of a householder living alone, 124 are lone householders age 65 or older. 31.8 percent of households have children 18 years or younger present, with median household and family sizes of 2.51 and 2.89, respectively.

Changes at the County Level

2007 Hunterdon County Growth Management Plan

As included in the previous 2023 Master Plan Reexamination Report, there are aspects of the Hunterdon County Growth Management Plan (GMP) that apply to Union Township. On December 13, 2007, Hunterdon County adopted their GMP. This plan established Hunterdon County's ideas of smart growth in areas to further incorporate several sustainable design principles such as reducing impervious coverage and implementing pedestrian-oriented community design. While these principles of smart growth are imperative in design throughout the county, Hunterdon County looks to focus on these ideas while still maintaining their historic farmlands and open space. The county looks to apply these principles to restore urban and suburban areas, shifting growth away from rural areas. As Union Township is a mostly rural community within Hunterdon County, these general ideas and strategies are equally applicable at the local level.

2021 Hunterdon County Hazard Vulnerability Assessment

In 2021, Hunterdon County conducted a region-wide study identifying hazardous vulnerability within the County boundary. Union Township is included within their Hazard Mitigation Action Plan and thus has plans in place in the event of an emergency as well as preventive measures that the Township can take with the assistance of the County. Below is a summary of the county's plan as it pertains to Hunterdon County:

"Union township is located in northwestern Hunterdon County and contains a reservoir, and several river systems that can contribute to a flooding hazard. Spruce Run Reservoir is a large body of water located on the northeastern corner of the Township. In addition to the reservoir, Mulhockaway Creek, Grandin Stream, and the Raritan River all flow through the Township. While Union Townships floodplains are relatively undeveloped, there are still a few locations where flooding poses a threat to developed areas. Mulhockaway Creek flows from Bethlehem Township to the southeast, discharging into the Spruce Run Reservoir. Along its flow path there are several residential areas that could be at risk for flooding hazards. The most significant risk is to residential buildings located on Van Syckles Road, since they are located within the regulatory floodway. In the event of heavy rainfall, these homes could be at risk. Spruce Run Reservoir, while a large body of water, does not necessarily pose flooding risks due to the water elevation, and the lack of residential development immediately surrounding its perimeter. The Raritan River and the Grandin Stream do not currently pose flooding threats throughout to residential areas throughout their flow through Union Township.

If further development within Union Township were to take place, the Township has guidance in place that should be followed to prevent flooding from occurring. Union Township shall continue to restrict and prohibit uses which could cause potential danger to health and safety due to water erosion hazards and flooding hazards. In addition, requiring that development vulnerable to floods be protected against flood damage at the time of initial construction. This can be further done by controlling the alteration of the natural floodplains, streams, and other bodies of water within the Township borders, as well as controlling grading, dredging and other development that can result in an increased risk in flooding potential. Regulating the construction of flood barriers will also prove essential in negating flooding. Over construction of flood barriers will unnaturally divert floodwaters and could potentially increase flooding hazards in other areas downstream."

2023 Hunterdon County Comprehensive Farmland Preservation Plan

In 2023, Hunterdon County published an updated version to their Comprehensive Farmland Preservation Plan to continue their eligibility in the State of New Jersey's Planning Incentive Grant program. This program serves as a critical source of funding for Hunterdon County in their initiative to continue to preserve farmland within their boundaries. This preservation effort is incredibly important due to the geographic location of Hunterdon County being between two of the largest metropolitan areas in the nation, New York City, and Philadelphia. Since the county is conveniently located within commuting distance of these highly populated cities, the population has skyrocketed over 40% since 1980, and the completion of Interstate-78 in 1987. This drastic increase in population and residential development has consumed farmland throughout Hunterdon County's history. Preserving farmland can help slow down the residential development that depletes the area of its historic farmlands. To date, since the adoption of the 2008 Hunterdon County Comprehensive Farmland Preservation Plan, 13,784 acres of land have been preserved on 226 farms. Currently Hunterdon County has 22,006 acres of Farmland that are still eligible to be preserved in the Agricultural Development Area. Through the continued preservation of historic farmlands, Hunterdon County can preserve these historic sites and limit the residential development that takes over these areas.

Changes at the State/Regional Level

2013 Cluster Development

The initial amendment in 2013 introduced a definition, purpose, and criteria concerning cluster development, which entails the concentration of development activities within a designated area of a site, with the aim of safeguarding and conserving environmentally sensitive elements

2013 Performance Guarantees

The second amendment in 2013 pertained to the transfer of performance guarantees between a developer and its successor.

2015 Noticing

The 2015 amendment permitted the sending of specific notification documents through email.

2016 Military Bases

This 2016 amendment introduced a fresh purpose for the Act and incorporated definitions and regulations pertaining to land use planning in proximity to military bases. 2017 Performance and maintenance Guarantee.

2017 Smart Growth

The second amendment of 2017 mandates that the Land Use elements of a municipalities Master Plan must encompass "smart growth," which includes the consideration of potential sites for electric vehicle charging stations, resilience to storms concerning energy supply, flood-prone regions, environmental infrastructure, and matters related to environmental sustainability.

2019 Municipal Public Access Plan as Optional Master Plan Element

The first amendment of 2019 introduced the Municipal Public Access Plan as an optional component of the Master Plan. This plan is designed to facilitate, encourage, and advocate for the preservation of public access to tidal waters and adjacent shorelines in accordance with the public trust doctrine. It encompasses various elements, including a map and inventory of public access points, facilities supporting access parking areas, boat ramps, and marinas. Additionally, it evaluates the necessity for additional public access, outlines goals, administrative methods to ensure permanent protection of access, and outlines a strategy for various forms of access, complete with an implementation schedule and tools for utilization.

2019 Zoning Board Packages

The second amendment in 2019 to the MLUL permits the establishment of supplementary zoning boards in specific situations to manage application backlogs.

2019 Electric Vehicle Charging Infrastructure

The third amendment of 2019, which came into effect on November 6, 2019, focused on electric vehicle charging. It amended the MLUL to incorporate provisions related to electric vehicle charging stations. It is comprised of two parts:

1. In N.J.S.A 40:55D-28, a section was added to address the "existing and proposed location of public electric vehicle charging infrastructure."

2. In N.J.S.A. 40:55D-89, a section "f" was added to address that during each re-examination report "recommendations of the planning board concerning locations appropriate for the development of public electric vehicle infrastructure… and recommended changes…" be included

2020 Tiny Home Occupancy on Vacant Municipal Land

The first amendment of 2020, which came into effect January 21, 2020, states that New Jersey Municipalities may lease vacant lots to the owners of tiny homes. Utilizing the vacant space for tiny homes will be done with the goal of reducing criminal activity and increase neighborhood property values while providing housing to people who cannot afford to build and maintain an Average American home.

2020 Findings and Declarations Related to Covid 19

The second amendment of 2020, which came into effect July 1, 2020, which included a number of revisions pertaining to regulations as a result of the COVID-19 Global Pandemic event. This amendment covered changes to definitions, temporarily suspended applications for soil and fill recycling pertaining to bridge construction and the period of approval for applications for the duration of the pandemic. It is also stated there will be no effect to consent orders issued by the New Jersey Department of Environmental Protection and puts into place an extension of the 45-day period for development to a municipal agency, extending it to 120 days after March 9, 2020, or 60 days after the date the application for development is submitted to the municipal agency. The amendment also states the requirements and basis in which extensions will be granted regarding sewer capacity and allocation of gallonage, as well as municipal, county, and State permits within areas under the Pinelands Protection Act. The amendment also enforces that any wastewater management planning agency or municipality is still obligated to submit a wastewater management plan, or update. In addition, lists the requirements for state agencies to place notices in the New Jersey Register stating regulations put into place regarding COVID-19. All these regulations were modified to support the New Jersey directive to limit the spread of COVID-19.

2020 Revocation Modifications

The Third amendment of 2020, which came into effect July 1, 2020, states that nothing stated in C.40:55-136.7 will impact the ability of the Commissioner of Environmental Protection to modify any permit or approval or extension related to C.40:55D-136.7 when the specific permit or approval allows for or contains language authorizing modification.

2020 Residential Property Re-Zoning

The fourth amendment of 2020 which came into effect on July 1, 2020, in connection with an application where an amendment was made in the master plan and zoning office to rezone the subject property to industrial or commercial use when permits are issued for residential use.

2021 Recreational Cannabis

The first major change to land use was the passing of a law entitled "An Act concerning the regulation and use of cannabis and amending and supplementing various parts of the statutory law" and effectively legalized cannabis for adults for recreational use on February 22, 2021. This law established six classes of cannabis industry which includes: cultivation, manufacturing, wholesaling, distribution, retail, and delivery.

2021 Electric Vehicles

This amendment in 2021, which came into effect July 9, 2021, states that a variance will not be required for any application for development submitted for the purpose of installation of electric vehicle supply equipment or make ready parking spaces. Installation will be considered a permit accessory use and permit accessory structure in all zoning or use districts of a municipality. In addition, this infrastructure shall not be subject to a site plan or variance relief for installation at a gasoline service station, an existing retail establishment, or any other existing building, and shall be approved through the issuance of a zoning permit contingent on compliance with the provided criteria. The criteria for installing electric vehicle supply equipment for buildings with five or more dwelling spaces are also stated in addition to model land use requirements.

2024 Affordable Housing Fourth Round

On March 20, 2024, Governor Murphy signed P.L.2024, c.2. into law, establishing a new framework for determining and enforcing municipalities' affordable housing obligations under the New Jersey Supreme Court's Mount Laurel doctrine and the State's Fair Housing Act. The law requires that the Department of Community Affairs (DCA) perform a calculation of regional need and municipal present and prospective obligations in accordance with the formulas established in the law. In October of 2024, the New Jersey Department of Community Affairs published its methodology and calculations for municipal affordable housing obligations for the Fourth Round.

The passage of P.L.2024, c.2. and subsequent publication of methodology by the DCA set into a motion a series of deadlines for municipalities to comply with their affordable housing obligations for the Fourth Round. This includes the obligation to publish a new Housing Element and Fair Share Plan for the Fourth Round, as well as prepare ordinances to effectuate the new Housing Element. Pursuant to this, the Township adopted its 2025 Fourth Round Housing Plan on June 26, 2025, with full implementation of enabling ordinances to occur prior to the deadline in March of 2026.

2025 Highlands Regional Master Plan Conformance

Since the reexamination of the Municipal Master Plan on October 27, 2023, the passage of the Highlands Act, adoption of the Regional Master Plan by the Highlands Council, and the adoption by the Governing Body of its resolution to conform the municipal planning documents to the Regional Master Plan, have significantly altered and increased the objectives that must be addressed in the Municipal Master Plan, including but not limited to incorporating a variety of Highlands Resource protections, providing an emphasis on infrastructure and environmental carrying capacities, and initiating a substantial modification to the methodology to be used in determining permitted densities of development within the municipality.

Changes with Adjacent Municipalities

Union Township is in northwest Hunterdon County. The adjoining municipalities are the Town of Clinton to the east, Clinton Township to the east, Franklin Township to the south, Bethlehem Township to the north, Lebanon Township to the northeast, and Alexandria township to the west.

A review was conducted of the current master plans for the adjoining municipalities to identify any issues pertaining to land use that could affect Union Township in the future. This review determined that there are no current issues arising in any surrounding municipalities that Union Township should consider taking immediate action towards. Review of the adjoining municipalities' master plans identifies compatible land use planning with one another, with a consistency in goals, objectives, and the desire to promote smart growth in already developed urban and suburban areas while protecting rural areas from over development.

While there are no current concerns with land use in the surrounding municipalities, it is imperative that the Township of Union conduct periodic reviews of information published by the state, county, and surrounding municipalities to prevent future unwanted development issues.

VI. SPECIFIC RECOMMENDED CHANGES TO THE MASTER PLAN

Based on the review of the trends in population, land use, and regulation since the prior Master Plan Reexamination in 2023, the following serve as recommended actions for the Township of Union Land Use Board and Council.

1. The Planning Board recommends that the Union Township Master Plan be amended to incorporate the provisions of the Regional Master Plan as outlined in the approval by the Highlands Council of the Municipality's Petition for Plan Conformance (copy attached herewith).

2. The Municipal Separate Storm Sewer System (MS4) Permit program was updated most recently in 2023, and as such, all Stormwater Master Plan Elements are now outdated. As per N.J.S.A. 40:55D-93, it is still a requirement to update the Stormwater Master Plan at the time of Master Plan Reexamination, therefore, it is strongly suggested that the Township of Union authorize its Engineer and Stormwater Program Coordinator to update this plan in conformance with the new regulations.

3. While Hunterdon County provided a region-wide Hazard Vulnerability Assessment, it would be prudent to coordinate their Hazard Mitigation Action Plan (2021) with the Union Township Office of Emergency Management. There are likely additional, localized items that could be implemented to the Land Use Ordinance and plans prepared to better protect the community.

VII. SPECIFIC RECOMMENDED CHANGES TO DEVELOPMENT REGULATIONS

The Planning Board recommends that the specific changes, as detailed in the document titled "Ordinance for Highlands Council Plan Conformance" approved by the Highlands Council as part of the Municipality's Petition for Plan Conformance (copy attached herewith) be adopted by the Governing Body to implement the objectives, policies and standards as outlined in the Highlands Planning Area Element of the Master Plan.

VIII. CHANGES RECOMMENDED FOR INCORPORATION OF REDEVELOPMENT PLANS

At this time the Planning Board makes no findings or recommendations regarding the incorporation of redevelopment plans pursuant to the Local Redevelopment and Housing Law, P.L. 11992, c.79 (C.40A:12A-1 et al.).