

**TOWNSHIP OF EAST WINDSOR
MERCER COUNTY, NEW JERSEY**

ORDINANCE NO. 2014 - 05

**AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX,
"ZONING", OF THE REVISED GENERAL ORDINANCES OF THE
TOWNSHIP OF EAST WINDSOR COUNTY OF MERCER, STATE OF
NEW JERSEY AND SPECIFICALLY SUBSECTION 20-19.1 REGARDING
PRINCIPAL USES IN THE "I-O" INDUSTRIAL OFFICE ZONING
DISTRICT AND A NEW SUBSECTION 20-19.5 REGARDING ZONING
PROVISIONS GOVERNING "CONTINUING CARE DEVELOPMENTS"
IN THE "I-O" DISTRICT**

**BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF EAST WINDSOR** in the County of Mercer and the State of New
Jersey, that Chapter XX, "Zoning", of the Revised General Ordinances of the
Township of East Windsor is hereby amended and supplemented as follows with
respect to Subsection 20-19.1 regarding principal uses in the "I-O" Industrial Office
zoning district and a new Subsection 20-19.5 regarding zoning provisions governing
"Continuing Care Developments" in the "I-O" District.

SECTION 1. Subsection 20-19.1 of the General Ordinances of East Windsor
Township, "Principal Uses" in the "I-O" Industrial Office zoning district, is hereby
amended by adding a new Subsection 20-19.1 f. to read as follows:

"f. Continuing Care Developments in accordance with the zoning
provisions contained in Subsection 20-19.5 herein below."

SECTION 2. A new Subsection 20-19.5 of the General Ordinances of East
Windsor Township, to be entitled "Special Provisions For Continuing Care
Developments", is hereby created in its entirety to read as follows:

"20-19.5 Special Provisions For Continuing Care Developments.

Notwithstanding any other ordinance provision to the contrary, the following
ordinance provisions shall govern the development of a Continuing Care
Development (CCD) in the "I-O" zoning district:

- a. The Continuing Care Development (CCD) may only occur on a tract of land at least 50 acres in area to the west of the New Jersey Turnpike and with vehicular access from two (2) collector roadways.
- b. The CCD shall consist of the following three (3) component principal uses:
 - 1. Life Care Residences including, but not limited to, assisted living, nursing home and/or skilled nursing care, post acute or sub-acute care, Alzheimer's/dementia care, and hospice and palliative care, provided that no more than 170 total beds shall be permitted.
 - 2. Independent Senior Housing Units for people at least fifty-five (55) years old, provided that no more than 120 total dwelling units shall be permitted.
 - 3. Life Care Community Services including, but not limited to, adult day care; senior health and wellness services; senior care education, training and research services; health rehabilitation services; visiting nurse and hospice care services; and life-care and geriatric coordination services.
- c. Permitted accessory uses and activities will include central dining facilities, recreational and social activities, administrative and medical offices, hair salons, off-street parking, and other customary, incidental and subordinate accessory uses.
- d. One (1) free-standing development identification sign shall be permitted at each driveway entrance into the development from a public street. Any such sign shall be ground-mounted on a solid base with no visible poles, columns or other upright supports, shall not exceed 8 feet in height, shall not be more 100 square feet in area, and shall be set back at least 15 feet from any street right-of-way and tract boundary line.
- e. A minimum 100 foot wide landscaped buffer area shall be provided along any street right-of-way and any tract boundary line which abuts a residential zoning district or existing residential land use.
 - 1. The 75 foot width of the landscaped buffer area abutting any tract boundary line shall have buffer plantings installed atop and along earthen berms as approved by the Planning Board.
 - 2. The remaining 25 foot width of the landscaped buffer area may consist of a grassed area atop a stabilized base suitable for emergency vehicle access.

- f. Notwithstanding any other ordinance provision to the contrary, the following measurements shall govern the development of the CCD:

MEASUREMENT	REQUIREMENT
Minimum Lot Width	300 ft.
Minimum Lot Depth	1,500 ft.
Minimum Front Yard Setback	250 ft.
Minimum Building Setback From Any Tract Boundary Line	100 ft.
Minimum Parking Setback From Any Tract Boundary Line	50 ft.
Maximum Building Height	48 ft. & 3-stories*
Maximum Building Coverage	10%
Maximum Improvement Coverage	30%
<p>Note *: Ornamental architectural features such as cupolas, tower structures, etc. may be provided atop the roof line, provided they occupy no more than 10% of the linear distance of any roof line and that, in any case, no portion of any building is higher than 55 feet.</p>	

- g. The following minimum off-street parking shall be provided; however, additional parking spaces may be required by the Planning Board to be provided and/or be banked for possible future construction based upon evidence presented to the Board during their review of a submitted application for development:

Life Care Residences:	1.1 spaces per bed
Independent Senior Housing Units:	1.2 spaces per dwelling unit
Life Care Community Services:	1 space per 400 sq. ft.

- h. The design of the CCD, though subject to change and refinement between the Township and the developer, shall be patterned after the March 24, 2014 "Concept Plan" prepared by Maser Consulting.

SECTION 3. All ordinances or parts thereof which are inconsistent or conflict with the provisions of this ordinance or any part thereof are hereby repealed to the extent of said inconsistency or conflict.

SECTION 4. If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged to be invalid by a Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any section, subsection, paragraph, subdivision or clause of this ordinance, or any other ordinance which is referred to herein, and to this end, the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance are hereby declared to be severable. Should any clause, sentence or other part of this ordinance be judged invalid by a Court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 5. This ordinance shall take effect twenty (20) days after the final adoption, publication and the filing of said ordinance with the Mercer County Planning Board, all in accordance with law.

ATTEST:



ERIN A. MARTIN
Deputy Municipal Clerk



JANICE S. MIRONOV
Mayor

Adopted: July 15, 2014

Publication: July 18, 2014

Effective: August 4, 2014

NOTICE IS HEREBY GIVEN that the following ordinance was introduced and passed on first reading at a meeting of the Township Council of East Windsor Township held on Tuesday, June 24, 2014. The Township Council will consider final reading and adoption of this Ordinance at its meeting on Tuesday, July 15, 2014, beginning at 7:30 p.m. at 16 Lanning Boulevard, East Windsor. All interested persons may appear for or against the passage of this Ordinance. Copies of this Ordinance are immediately available at no cost in the office of the Municipal Clerk, 16 Lanning Boulevard, East Windsor, until Tuesday, July 15, 2014, or until further consideration thereafter of this Ordinance, to members of the general public who shall request such copies.

Proposed Ordinance 2014-05 is also in accordance with a settlement reached among East Windsor Township Planning Board, Enchantment at East Windsor, LLC. and The Francis E. Parker Memorial Home, Inc. in the matter of Enchantment at East Windsor, LLC v. East Windsor Township Planning Board, pending in the New Jersey Superior Court, Appellate Division, under Docket No. A-4983-12T2.

Erin A. Martin
Deputy Municipal Clerk

**TOWNSHIP OF EAST WINDSOR
MERCER COUNTY, NEW JERSEY
ORDINANCE NO. 2014-05**

An Ordinance Amending And Supplementing Chapter XX, "Zoning", of the Revised General Ordinances of the Township of East Windsor County of Mercer, State of New Jersey and Specifically Amending Section 20-19 "I-O" Industrial Office to Add Section 20-19.5 Continuing Care Development "CCD" as a Permitted Principal Use

BE IT ORDAINED BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF EAST WINDSOR in the County of Mercer and the State of New Jersey, that Chapter XX, "Zoning", of the Revised General Ordinances of the Township of East Windsor is hereby amended and supplemented as follows with respect to Subsection 20-19.1 regarding principal uses in the "I-O" Industrial Office zoning district and a new Subsection 20-19.5 regarding zoning provisions governing "Continuing Care Developments" in the "I-O" District.

SECTION 1. Subsection 20-19.1 of the General Ordinances of East Windsor Township, "Principal Uses" in the "I-O" Industrial Office zoning district, is hereby amended by adding a new Subsection 20-19.1 f. to read as follows:

"f. Continuing Care Developments in accordance with the zoning provisions contained in Subsection 20-19.5 herein below."

SECTION 2. A new Subsection 20-19.5 of the General Ordinances of East Windsor Township, to be entitled "Special Provisions For Continuing Care Developments", is hereby created in its entirety to read as follows:

"20-19.5 Special Provisions For Continuing Care Developments.

Notwithstanding any other ordinance provision to the contrary, the following ordinance provisions shall govern the development of a Continuing Care Development (CCD) in the "I-O" zoning district:

a. The Continuing Care Development (CCD) may only occur on a tract of land at least 50 acres in area to the west of the New Jersey Turnpike and with vehicular access from two (2) collector roadways.

b. The CCD shall consist of the following three (3) component principal uses:

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c. Permitted accessory uses and activities will include central dining facilities, recreational and social activities, administrative and medical offices, hair salons, off-street parking, and other customary, incidental and subordinate accessory uses.

d. One (1) free-standing development identification sign shall be permitted at each driveway entrance into the development from a public street. Any such sign shall be ground-mounted on a solid base with no visible poles, columns or other upright supports, shall not exceed 8 feet in height, shall not be more 100 square feet in area, and shall be set back at least 15 feet from any street right-of-way and tract boundary line.

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SECTION 4. If the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged to be invalid by a Court of competent jurisdiction, such Order or Judgment shall not affect or invalidate the remainder of any

section, subsection, paragraph, subdivision or clause of this ordinance, or any other ordinance which is referred to herein, and to this end, the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance are hereby declared to be severable. Should any clause, sentence or other part of this ordinance be judged invalid by a Court of competent jurisdiction, such judgment shall not affect, impair or invalidate the remainder of this ordinance.

SECTION 5. This ordinance shall take effect twenty (20) days after the final adoption, publication and the filing of said ordinance with the Mercer County Planning Board, all in accordance with law.

**EAST WINDSOR TOWNSHIP
MERCER COUNTY**

NOTICE

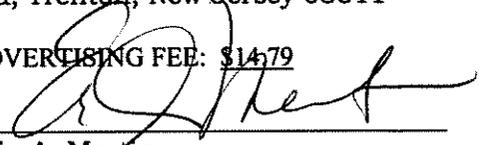
Notice is hereby given that the Township Council of the Township of East Windsor at a meeting held on Tuesday, July 15, 2014 in the Municipal Building, 16 Lanning Blvd., did adopt Ordinance No. 2014-05 entitled:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX, "ZONING", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR COUNTY OF MERCER, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTION 20-19.1 REGARDING PRINCIPAL USES IN THE "I-O" INDUSTRIAL OFFICE ZONING DISTRICT AND A NEW SUBSECTION 20-19.5 REGARDING ZONING PROVISIONS GOVERNING "CONTINUING CARE DEVELOPMENTS" IN THE "I-O" DISTRICT

Erin A. Martin
Deputy Municipal Clerk

I, Erin A. Martin, Deputy Municipal Clerk of the Township of East Windsor, in the County of Mercer, being duly sworn according to law, depose and say that the notice which is attached hereto is exactly as it was published on July 18, 2014 in the Times of Trenton, a daily newspaper of general circulation, printed in the State of New Jersey and having its publication office at 413 Riverview Plaza, Trenton, New Jersey 08611

ADVERTISING FEE: \$14.79


Erin A. Martin
Deputy Municipal Clerk

Sworn and subscribed before me
On this 18 day of August, 2014



Susan L. Bernstein
Notary Public
New Jersey
My Commission Expires
August 15, 2018

Print

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The newspapers of **New Jersey** make public notices from their printed pages available electronically in a single database for the benefit of the public. This enhances the legislative intent of public notice - keeping a free and independent public informed about activities of their government and business activities that may affect them. Importantly, Public Notices now are in one place on the web (www.PublicNoticeAds.com), not scattered among thousands of government web pages.

County: Mercer

Printed In: The Times, Trenton

Printed On: 2014/07/18

EAST WINDSOR TOWNSHIP MERCER COUNTY NOTICE Notice is hereby given that the Township Council of the Township of East Windsor at a meeting held on Tuesday, July 15, 2014 in the Municipal Building, 16 Lanning Blvd., did adopt Ordinance No. 2014-05 entitled: AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XX, "ZONING", OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF EAST WINDSOR COUNTY OF MERCER, STATE OF NEW JERSEY AND SPECIFICALLY SUBSECTION 20-19.1 REGARDING PRINCIPAL USES IN THE "I-O" INDUSTRIAL OFFICE ZONING DISTRICT AND A NEW SUBSECTION 20-19.5 REGARDING ZONING PROVISIONS GOVERNING "CONTINUING CARE DEVELOPMENTS" IN THE "I-O" DISTRICT Erin A. Martin Deputy Municipal Clerk 7/18/2014 The Times \$14.79

Public Notice ID: 21548837