

AN ORDINANCE OF THE TOWNSHIP OF BRIDGEWATER AMENDING SECTION 126 OF THE BRIDGEWATER TOWNSHIP CODE TO ADD SECTION 126-321.8, ENTITLED “AH-1 AFFORDABLE HOUSING ZONE,” ALLOWING FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON PROPERTY KNOWN AS BLOCK 170, LOT 4.02 ON THE BRIDGEWATER TOWNSHIP TAX MAP AND LOCATED AT 250 ROUTE 28, INCLUDING AFFORDABLE HOUSING PURSUANT TO THE PROVISIONS OF THE FAIR HOUSING ACT AND THE UNIFORM HOUSING AFFORDABILITY CONTROLS

WHEREAS, this zone is created in response to a determination that inclusionary affordable housing for Block 170, Lot 4.02 is in the best interest of the Township. The intention is to develop the lands in Block 170, Lot 4.02, in accordance with this AH-1 Affordable Housing Zone as a single development entity, including all lands and buildings for the purpose of non-age-restricted multifamily residential rental development, with a rental affordable dwelling component;

WHEREAS, the Planning Board of the Township of Bridgewater has completed its periodic general re-examination of the Master Plan of the Township pursuant to N.J.S.A. 40:55D-89 of the Municipal Land Use Law; and

WHEREAS, as a result of and as contained in the 2025 Re-Examination Report, the Planning Board has recommended the rezoning of the site identified as “Bridgewater Plaza” in the adopted 2025 Housing Element and Fair Share Plan, which is located at 250 Route 28 and known as Block 170, Lot 4.02, to permit a 140-unit inclusionary family rental development inclusive of a set-aside of 31 affordable units; and

WHEREAS, the Township Council of the Township of Bridgewater is in accord with and accepts those recommendations from the Planning Board; and

WHEREAS, N.J.S.A. 40:55D-63 declares that a notice of hearing on an amendment to the zoning ordinance proposing changes to the classification or boundaries of a zoning district is not required if such classification or boundary changes have been recommended to the Township Council in a periodic general re-examination of the Master Plan by the Planning Board; and

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of Bridgewater, in the County of Somerset and State of New Jersey it hereby amends Chapter 126 (Land Use) of the Municipal Code of the Township of Bridgewater so as to add a new section 321.8 entitled “AH-1 Affordable Housing Zone” and bring into effect those recommendations set forth in the Township 2025 Master Plan Re-examination Report adopted by the Planning Board, all as follows:

SECTION I. AH-1 Affordable Housing Zone

A. Permitted principal uses in the AH-1 Affordable Housing Zone:

- (1) Multifamily dwellings with a rental affordable housing component.

- (2) Rental multifamily affordable housing. In no event shall affordable units be other than rental units.
- B. Permitted accessory uses: uses and structures customarily incidental to the principal use, including:
- (1) Community rooms and buildings.
 - (2) Rental office and gatehouse.
 - (3) Signs. (See §§ 126-336, 126-162 and 126-195.)
 - (4) Recreational equipment, swimming pool, bathhouse and pool equipment building.
 - (5) Street furniture, bike racks, benches.
 - (6) Storage buildings for maintenance equipment with a total maximum of 2,000 square feet.
 - (7) School bus and jitney pads and shelters.
 - (8) Park areas for the multifamily community.
- C. Requirements for development:
- (1) Minimum lot area: 6.7 acres.
 - (2) Minimum yard setbacks.
 - (a) From public streets: 100 feet.
 - (b) Minimum side yard for principal and accessory building setbacks: 75 feet from all perimeter tract boundaries.
 - (c) Minimum parking setbacks: 30 feet from any property line.
 - (d) Banked parking may be provided on abutting property, if needed.
 - (3) Maximum percent of impervious lot coverage: 60%.
 - (4) Minimum lot width: 400 feet.
 - (5) Maximum building stories and maximum building height: four stories and 50 feet.
 - (6) Maximum density: The maximum density for the tract is 21 dwelling units per acre, except that a maximum of 140 residential units shall be permitted.

- (7) The buildings must be served by public water and public sewer.
- (8) Maximum building length: No building shall be in excess of 400 feet in length. However, any building in excess of 200 feet shall have significant articulation and offsets so as to not create a monolithic and overbearing aesthetic.
- (9) There shall be no less than 31 family rental affordable units in the inclusionary community, which are to be constructed in accordance with the Fair Housing Act, DCA regulations, and Uniform Housing and Affordability Controls (UHAC) standards and guidelines. In addition to the 31 affordable units, there shall be up to 109 market units.
- (10) Exclusive of the required buffer/building setback area, specifically designated green space and recreational space shall be provided. These areas shall be landscaped.
- (11) The buffer/building setback area along Route 22 will be landscaped with an evergreen screen, planted in accordance with §126-191D. For areas with only driveways, there shall be an exception to this requirement to the minimum extent necessary for driveway access.
- (12) Minimum street rights-of-way and off-street parking. Street design, resident and guest parking shall meet the maximum RSIS standards or, per §126-169B(3), shall offer data from the Institute of Transportation Engineers to confirm that a lower number of parking spaces is reasonable and is to be satisfactory to the Township Engineer.
- (13) In order to ensure the development will result in an aesthetically harmonious architectural design, the buildings shall demonstrate a common theme and compatible architectural features with respect to design, textures, facade modulation and roofscape.
- (14) Ingress and egress to the property shall be solely on Route 22. A secondary means of access solely for emergency vehicles is permitted on Route 28, if required by the Fire Marshal. The design of this emergency access shall be in accordance with the Fire Marshal's specifications.

D. Design requirements.

- (1) Indoor and outdoor recreation and community facilities shall be located so as to be accessible by handicapped residents and guests of residents.
- (2) The main entry of each dwelling must be roofed for protection against inclement weather.
- (3) All landscaping shall be in accordance with landscaping requirements of the Township Land Use Ordinance, Chapter 126.
- (4) The Planning Board may require the developer to construct jitney or bus stop pads at areas that are deemed to be appropriate by the Board.

- (5) Unless otherwise permitted, trash enclosures, with source separation, will be provided and will be landscaped. If trash enclosures are not provided, in no event is trash to be left outside so as to become a nuisance. Brochures for recycling should be presented to the tenants upon occupancy.
- (6) Pedestrian sidewalks should be provided to access community buildings, recreation spaces, green space areas, bus stops and any other areas where the Planning Board believes that pedestrian access is likely or convenient.

E. Other requirements.

- (1) Except as otherwise provided herein, all provisions of the Land Use Ordinance, Chapter 126, shall apply.
- (2) If the developer has a future difficulty in renting the market units, the developer may provide factual basis for the request to seek approval from the Township Council to sell the market units rather than rent them. Any decision given by the Township Council shall be at its sole discretion and shall be subject to all other applicable laws.
- (3) A developer's agreement shall be provided and executed which is acceptable to the Township Attorney as to both form and substance.
- (4) Rental affordable housing shall be provided as set forth in Subsection C(9), which includes, but is not limited to, unit size, bedroom mix and income requirements.
- (5) The site shall only be developed in conformance with the affordable housing agreement entered into between the developer and the Township of Bridgewater.

F. Affordable Unit Requirements

- (1) There shall be a minimum set-aside of 22% of the total units as affordable family rental units, but not less than 31 affordable units.
- (2) The developer shall have an obligation to deed restrict the Affordable Units as very low-income, low-income, or moderate-income affordable units for a period of at least forty (40) years, until such time and under conditions as the Township elects to release the deed restriction, so that the Township may count the Affordable Units against its affordable housing obligation. The deed restrictions shall be recorded with the County Clerk, and a copy of the recorded deed shall be forwarded to the Township Municipal Housing Liaison and Administrative Agent. Any sale of the property or units shall not affect the length or terms of the deed restriction.
- (3) The bedroom distribution of the affordable units shall be in accordance with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.3.
- (4) The income distribution of the affordable units shall be in accordance with the Uniform

Housing Affordability Controls, N.J.A.C. 5:80-26.3, and shall also provide for a 13% set-aside of very-low income units as part of the income distribution.

- (5) All affordable units shall be affirmatively marketed in accordance with UHAC and applicable law.

SECTION II If any part of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of the ordinance.

SECTION III. Should any section, paragraph, sentence, or clause of this ordinance be declared unconstitutional or invalid for any reasons, the remaining portions of this ordinance shall not be affected thereby and shall remain in full force and effect and, to this end, the provisions of this ordinance are hereby declared severable.

SECTION IV. The within ordinance shall take effect in the time and manner provided by law and, in particular, the procedure delineated in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq.

Adopted: March 5, 2026
Effective: March 25, 2026