

MASTER PLAN REEXAMINATION REPORT

**Township of Franklin
Warren County, New Jersey**

Prepared by the

FRANKLIN TOWNSHIP LAND USE BOARD

with assistance from:

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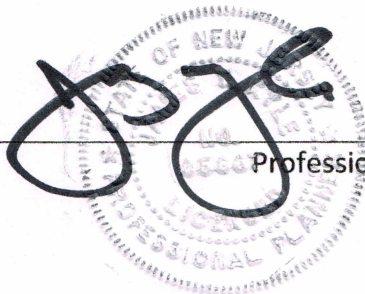
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TOWNSHIP OF FRANKLIN
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Introduction

The New Jersey Municipal Land Use Law (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 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," 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.

The current Franklin Township Master Plan was adopted by the Land Use Board pursuant to Article 3 of the MLUL (N.J.S.A. 40:55D-28) on November 6, 1991 and readopted on June 1, 1994. The Board subsequently adopted amendments to the Master Plan in March of 1999 and March of 2001 affecting the Land Use Plan Element. The Master Plan was last reexamined on December 6, 2006 and January 4, 2012. The Board's reexamination of the Master Plan in 2012 was limited in scope however, and was intended to simply provide a basis for adoption of the Highlands Master Plan Element and subsequent land use ordinances required for conformance

with the Highlands Regional Master Plan for the Preservation Area. This reexamination of the Master Plan provides the more comprehensive review alluded to in the 2012 report and addresses both the Master Plan and development regulations.

While much has changed in Franklin since the last comprehensive amendments to the Land Use Plan in 1999 and 2001, all of the Township's goals and objectives remain valid and will therefore not change. There are limited changes proposed to the Land Use and Development Ordinance in this reexamination report as follows:

- amend the Schedule of Use Regulations to include bed and breakfast inn as an accessory use in the C-1, R-.75 and RC Zones
- amend the Schedule of Area, Bulk and Yard Requirements to add floor area ratio standards for all nonresidential districts in the Township
- eliminate the Industrial Park zoning district in its entirety and change all existing Industrial Park zones to Industrial zones
- add "data center" to the list of permitted uses in the Industrial zone district

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

When the Master Plan was reexamined in December of 2006, the following problems and objectives were identified and discussed.

1. Historic Preservation Plan Element

On March 16, 2000 the Planning Board adopted the Historic Preservation Plan Element. The Township also established a Historic Preservation Commission in accordance with the standards and procedures set forth in Chapter 21 of the Township Code. The Historic Preservation Plan Element established eight recommendations as follows:

- The Franklin Township Historic Preservation Commission would create a Township Historic Site Survey of historic districts (both rural/agricultural and town), individual properties and thematic resources;
- Prepare a Township Historic Preservation Plan. The plan would include the establishment of specific preservation priorities and goals
- Assist the Township with the establishment of a system of rehabilitation tax credits where permitted, for significant historic buildings that can be put to income producing uses, Eligibility criteria should include listings on the New Jersey and National Register of Historic Places;
- Recommend a system of tax incentives for the preservation of agricultural buildings. Base selection criteria on the results of the agricultural buildings study;
- Prepare a Township-wide priority list for the nomination of districts to the National and State Registers;
- Assist in the preparation of thematic nominations for the county, State and/or National Registers for late eighteenth/early nineteenth century houses, churches, schools, lime kilns and transportation-related resources;
- Create a prioritized list of the Township's most endangered buildings with recommendations for action to be taken to lessen their loss through documentation, adaptive re-use or preservation; and
- Sponsor workshops, lectures and seminars on preservation and rehabilitation techniques and on common problems encountered during rehabilitation work.

2. Land Use Plan Element: March 2001

In 2001, following the adoption of the Master Plan Reexamination Report the previous year, Franklin Township adopted a new Land Use Plan Element in which it proposed zoning to reduce residential densities “...throughout unsewered portions of the municipality, to respond to the objective of protecting groundwater and surface water quality, and to better accomplish the goals of rural conservation, agricultural retention, and protection of the scenic attributes of Franklin Township. Lower residential densities and the use of lot size averaging will serve to retain significant land masses for open space, farmland, woodlands, and other desirable natural and cultural features.”

With regard to commercial and industrial development, the 2001 Land Use Plan noted the elimination of conditional uses along Route 57 in favor of “...more traditional non-residential zoning districts.”

The 2001 Land Use Plan Element established the following set of goals and objectives:

Growth

- Regulate growth in an orderly fashion and channel new development to appropriate locations.
- Encourage commercial, agricultural business, office and light industrial development in suitable locations along Route 57.
- Provide for development opportunities that are consistent with the Township's natural resources and the capacity of these resources to support growth.

Natural Resources

- Protect the steep slopes in the Township from development that would negatively impact this resource.
- Maintain and enhance the existing groundwater and surface water quality in the Township.
- Preserve and protect prime agricultural soils for their potential agricultural use.
- Protect the Township's ridgelines and other prominent views from the impact of development.

- Identify and manage stream corridor buffer areas adequate to maintain undisturbed vegetation and to maintain and improve water quality, wildlife corridors and opportunities for passive and active recreation.

Community Type

- Retain the rural and agricultural character of the Township while diversifying the tax base with commercial and industrial expansion.
- Maintain and improve the aesthetic quality of the Township.

Land Use

Agricultural Preservation

- Preserve prime farmland in the Musconetcong and Pohatcong valleys.
- Explore the use of Transfer of Development Rights (TDR) as a preservation tool.

Residential

- Encourage a mixed housing balance by incorporating lot size averaging, clustering, large lot single family developments, farmettes, and limited multi-family housing as residential options.

Commercial

- Promote commercial development along designated portions of Route 57, and maintain village neighborhood shopping opportunities in Asbury, Broadway, and New Village.

Industrial

- Provide opportunities for office and light industrial development, particularly agriculturally-oriented businesses that would utilize locally-grown produce.

Recreation/Open Space

- Acquire centrally located land for the expansion of Township recreational facilities.
- Encourage lot size averaging and clustering of single-family developments as a means of acquiring open space and recreational areas.

- Preserve the Morris Canal in its present condition and request that developers dedicate its right-of-way when development occurs.

Historic Sites

- Preserve and protect historically significant buildings in the villages of Asbury, Broadway, and New Village.
- Establish a Township Historic Preservation Commission, as provided for in the Municipal Land Use Law, to develop a historic preservation plan and to advise the Planning Board.
- Examine opportunities for the preservation of lime kilns.

Housing

- Encourage the use of lot size averaging and clustering for single-family development.
- Provide for the Township's obligation for low- and moderate-income housing.
- Attract high quality housing for middle and upper income levels.

Circulation

- Improve the Township's road system to provide safe and efficient service.
- Explore the possibility of a new route(s) across Pohatcong Mountain.

Stormwater Management

- Design and adopt a stormwater management plan element to be incorporated into the Master Plan. Such plan should conform to the stormwater management regulations of the N. J. Department of Environmental Protection.
- Develop a stormwater management ordinance to implement the stormwater management plan.

The 2001 Land Use Plan Element identified the following areas of concern:

Residential

The Land Use Plan Element analyzed the Township's three residential zone districts. These are the Rural Conservation District (RC), the Planned Development Option District (PD), and the Village Residential District (R-75).

The purpose of the RC district was described as follows:

The RC district has been designed to address the goals of protecting groundwater quality, conserving the scenic rural character and promoting continued agricultural use opportunities. Recognizing the importance of retaining significant land areas in an undeveloped state, in furtherance of the goals of this Plan, the RC district will permit the use of lot size averaging and clustering.

The Planned Development (PD) district was created as a result of the COAH mediation process and designed to accommodate a planned unit development option with a maximum density of 120 units and commercial development of up to 129,000 square feet. Development in this district was expected to provide affordable housing comprised of four low income and three moderate income units in addition to a contribution of \$60,000 to the Township's Housing Rehabilitation and Assistance Fund.

The third residential district is the Village Residential (R.75) encompassing the developed residential sections of Asbury, Broadway and New Village. The Land Use Plan Element noted Asbury's potential as an identified center in the State Plan and its listing on the State and National Register of Historic Places.

Non-Residential

Six nonresidential districts were identified. These are the Industrial (I) District, the Industrial Park (IP) District, the Office Building (OB) District, the Township Commercial (C-2) District, the Highway Commercial (HC) District, and the Village Commercial (C-1) District.

The significance of the Route 57 corridor in the Township is described as follows:

Route 57 is the principal artery serving the Township and, carrying the largest volumes of traffic, is largely responsible for creating the image that people have of the Township. A visually harmonious, functional land use pattern along this corridor will serve the interests of the Township in a far more effective manner than will an unplanned assortment of conflicting uses. In order to promote development of the non-residential districts, it is recommended that the Township permit more than one non-residential use and more than one building on individual lots, provided the building design and uses are compatible.

The only change to the I-Industrial district was to increase the minimum lot size from 40,000 square feet to three acres. No changes to the type of permitted uses were proposed.

The IP-Industrial Park district was expanded to include the area north of Route 57 in the eastern part of town.

The OB-Office Building district was established as a new zone on the north side of Route 57 between Halfway House Road and the border of Washington Township. The purpose of this district was to “...attract uses not currently found in the Township by providing an area in which office development can focus.”

No changes in area or range of uses were recommended for the C-2 Commercial district which is located on both sides of Route 57, west of White Road. With regard to the HC-Highway Commercial district, located on the south side of Route 57 in proximity to the Washington Township boundary, the Land Use Plan Element recommended design criteria to be incorporated in the zoning ordinance to address setback and coverage standards, façade treatments, landscaping and buffering. Other recommendations for this district called for permitting multiple, compatible uses per lot and the establishment of a conditional use category to provide for a “...broader retail commercial development...” to combine the established permitted uses in the district with “...and sales of convenience goods, professional offices (excluding medical offices), personal services, and similar retail uses.”

The 2001 Land Use Plan Element recommended the C-1 Village Commercial zoning expand beyond its existing delineation around the eastern edge of New Village.

4. Housing Plan Element and Fair Share Plan: December 2005

A Housing Plan Element and Fair Share Plan was adopted by the Land Use Board on December 7, 2005 and submitted to COAH for substantive certification on December 21, 2005 and, as noted above, an objection was filed with COAH regarding the Brandywine inclusionary site as the mechanism to address the Township’s affordable housing obligation. The Brandywine development was to be located within the PD district however; following the denial of the preliminary major subdivision and preliminary major site plan by the Land Use Board in May 2006, alternative locations are being considered to satisfy the Township’s affordable housing obligation. As such a revised Housing Element and Fair Share Plan must be prepared and resubmitted to COAH in accordance with the repetition provisions of the Third Round rules.

5. Open Space and Recreation Plan Element: March 2006

On March 1, 2006, the Land Use Board adopted the Open Space and Recreation Plan Element which established the following goals:

- Protect forested ridgelines;
- Protect, restore and promote historic resources;

- Provide recreation facilities to adequately support community recreation programs;
- Preserve natural areas for resource-based recreation; trail creation and wildlife habitat protection;
- Protect and improve surface and ground water resources;
- Preserve farmland and the agricultural heritage of the Township;
- Preserve lands along the Pohatcong and Musconetcong River corridors, and;
- Form partnerships and preservation strategies to help achieve open space preservation in the Township.

The Plan introduced a system for preserving natural resources, waterways, agricultural land and greenway and set forth an “Action Program” to implement these objectives. The activities listed for the first year after the completion of the Plan are the most urgent and will further Franklin Township’s Open Space program immediately. The “three year” recommendations are also important, but will take some time to complete. The “five year” projects should take place in the appropriate time frame, as opportunities arise. The Open Space and Recreation Plan is not a static document. The Action Program should be updated every year, and progress should be reported annually to the governing body.

□ First Year

- Adopt the Open Space and Recreation Plan as an amendment to the Township of Franklin’s Master Plan.
- Submit the final Open Space and Recreation Plan to Green Acres for the State’s Planning Incentive Program.
- Apply to the N.J. Green Acres Planning Incentive Grant program for funding based upon the Open Space and Recreation Plan.
- Prepare a Recreation and Open Space Inventory (ROSI) for the Township. Include both Asbury Field and Broadway Field.
- Review and prioritize the properties highlighted in the Open Space and Recreation Plan. Visit the properties and decide which one(s) to submit for county and state preservation funding.

- Prepare at least one application per year for the Warren County Open Space and Farmland Preservation Trust.
- Identify sites for new recreational facilities in Franklin Township.
- Meet with the NJ Department of Environmental Protection (NJ DEP) Division of Parks and Forestry and Division of Fish and Wildlife to discuss the preservation of properties within and adjacent to existing state holdings in the Township, including but not limited to the Musconetcong River and Warren Trail.
- Meet with Warren County Morris Canal Committee and Canal Society of N.J. to discuss the preservation of the Morris Canal in the Township.
- Continue to pursue the designation of the Musconetcong River as a “Wild and Scenic River” by the National Park Service.
- Send a municipal representative to the meetings of the Highlands Council, as the land south of Route 57 in the Township is within the Planning Area as established by the Highlands Water Protection and Planning Act.

□ Within Three Years

- Update the Township’s Farmland Planning Incentive Grant (“PIG”) application to the State Agriculture Development Committee for the preservation of farmland clusters in the township, including farmland within the Pohatcong Valley Farmland Belt.
- Educate local residents on the benefits of placing agricultural, conservation or historic easements on their property.
- Acquire parcel(s) in Franklin Township for recreational use, including the use of the municipal farmland and Edison Field.
- Meet with the owners of the Merrill Creek properties and N.J. Green Acres to encourage Merrill Creek to enroll their land in the Green Acres program to ensure permanent preservation of this critical and beautiful watershed land.
- Identify, acquire, or otherwise protect, land in areas of the Township that are important to the recharge and protection of Franklin Township’s ground water supply.
- Meet with adjacent municipalities and counties to discuss open space objectives and common programs and goals.

- Discuss with the Lawrenceville School Camp the establishment of a conservation easement on either a portion of their camping facility in the Township.
- Enact, or enhance existing, critical areas ordinances to protect, at a minimum, floodplains and wetlands, stream corridors (especially Pohatcong Creek and its tributaries, category one streams), steep slopes, well-head protection areas and groundwater recharge areas. This should be done in concert with the Planning Board.
- Work with neighboring municipalities to coordinate and enhance the above ordinances.
- Working with the local Soil Conservation Service, offer information and resources to local farmland owners regarding soil conservation techniques and alternatives to protect the prime farmland soils located within the Township.
- Work with the Historic Preservation Commission to complete the Historic Sites Survey, to identify properties and districts eligible for listing on the state and federal historic registers. Encourage the owners to include these properties on the register.
- Review the Open Space and Recreation Plan yearly to update the properties and information, and submit the update to Green Acres.

□ Within Five Years

- Conduct a workshop with local landowners explaining the benefits of the Forest Stewardship Program; distribute informational materials on the program and resources landowners can contact to enroll into the program.
- Discuss preservation priorities and other work being done by nonprofits active in the area to form partnerships, including the Musconetcong Watershed Association, The Nature Conservancy, and NJ Audubon Society.
- Meet with the NY/NJ Trail Conference, N.J. Green Acres and Warren County to identify and acquire properties to establish the Warren Trail with links into Franklin Township.
- Develop a formal network of walking and bicycling trails.
- Pursue the listing of additional historic sites in Franklin Township on the state and national registers of historic places, including the Plenge site.

- Maintain ongoing communication and monitoring for the clean-up and protection of the ground water wells within the Pohatcong Valley with the Environmental Protection Agency.

5. Municipal Assessment Report

A report entitled **Taking the Next Steps: Franklin Township, Warren County Municipal Assessment**, dated August 2006 was prepared by the Musconetcong Watershed Association. The focus of the study is described as follows:

The purpose of a Municipal Assessment is to provide external analysis of the municipality's Master Plan and how it is supported by the township's ordinances, policies, plans, and practices. The result of this is the "Taking the Next Steps" report which provides recommendations on measures that can be taken to ensure that the township's natural resources are preserved by implementing the necessary regulatory structure to bring the protection about.¹

By comparing the goals set forth in the Township's Master Plan against the land use regulations in place in Franklin Township, the Municipal Assessment identified specific areas where the new or improved provisions will be needed in the Township Code in order to achieve those goals. The Municipal Assessment recommends the following tasks be undertaken in that regard:

- Ensure groundwater supplies are adequate for all proposed development
- Raise awareness about proper septic system maintenance
- Strengthen limestone ordinance
- Encourage appropriate commercial development "of high quality visual design" on Route 57 Corridor and in Village Centers
- Protect the ridgelines of Pohatcong and Scotts Mountain
- Encourage the use of lot size averaging and clustering in new subdivisions
- Historic Preservation Commission should continue its preparation of a survey of historic sites
- Establish an orientation program for elected and appointed officials
- Promote agriculture as a sustainable business in the Township

¹ Taking the Next Steps: Franklin Township, Warren County Municipal Assessment, by Barry, Beth Styler, Musconetcong Watershed Association, August 2006, page iii.

- Encourage public participation in local affairs
- Identify and manage stream corridor buffer areas in order to maintain undisturbed vegetation and to maintain or improve water quality
- Address affordable housing obligation with a growth share ordinance
- Protect the steep slopes in the Township in order to discourage erosion of soils by maintaining adequate foliage cover on hillsides
- Enforce the use of low impact construction methods

In order to benefit from the detailed analysis provided in the Municipal Assessment Report as the township prepares a new comprehensive Master Plan, this Reexamination Report incorporates the August 2006 study in its entirety as an addendum in Appendix A.

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

Each of the problems and/or objectives noted in section a) above is discussed below. Generally speaking a number of the problems and/or objectives identified since preparation of the reexamination report in 2006 have been addressed in one form or another, but there are exceptions, as noted.

1. Historic Preservation Plan Element

The only objective from this element that was carried out fully was preparation of the Historic Preservation Plan. While the historic site survey was started, it was never completed. The remaining goals were discussed at various times, but never started. The Asbury Historic District is currently the only historic district within the Township listed on the State and National Registers of Historic Places aside from those that were nominated through surrounding municipalities but are partially within Franklin.

2. Land Use Plan Element: March 2001

The main thrust of the 2001 Land Use Plan Element was to decrease residential densities consistent with the rural and agricultural character of the Township and capacity of the land while also providing additional economic development opportunities through development along Route 57. While a change in the nature and intensity of new residential development was successfully addressed with adoption of zoning changes, changes to nonresidential zoning for areas north of Route 57 was counteracted by way of inclusion in the Highlands Preservation

Area. While there may be opportunity for additional development with designation of Highlands Redevelopment Areas, this will replace only a small portion of the potential that was lost.

Aside from the concerns for how the Preservation Area will impact future development north of Route 57, the current Land Use Plan and its goals and objectives are still seen as an effective way to address the issues and concerns identified at the time.

Regulations in the Land Use and Development Ordinance successfully deal with protection of natural resources, including protection of steep slopes and maintaining and enhancing existing groundwater quality. Implementation of new regulations related to waters in the Highlands Region have bolstered surface water quality protection and will likely result in enhanced water quality in the future. Likewise inclusion of Scott's Mountain in the Highlands Preservation Area will ensure that the ridgeline will be protected from clearing, as stringent controls are part of the Act.

But protection of the Pohatcong Mountain ridgeline and preservation and protection of prime agricultural soils are difficult goals to carry out through implementation of municipal regulations. Outside of the Highlands Preservation Area there are no local regulations in place that address protection of ridgelines other than the steep slope ordinance. And those regulations do little to protect the top of the ridge, where visual impact concerns are greatest. Prime agricultural soils while a community resource are owned privately, and can be developed subject to zoning requirements. Lot averaging and clustering provisions in the RC District are still seen as the most effective way to preserve large areas of exceptional soils while still allowing development.

4. Housing Plan Element and Fair Share Plan: December 2005

While the Township submitted a Third Round Housing Element and Fair Share Plan as required under the memorandum of understanding between the Highlands Council and the Council on Affordable Housing (COAH), no action was ever taken on the submission. A recent decision by the New Jersey Supreme Court upholding invalidation of growth share and other parts of the Third Round Substantive Rules means that new rules must now be adopted by November of 2014.

Regardless of when new rules are adopted, the Fair Share Plan must be rewritten in light of the Township's purchase of the Brandywine tract. While there are credits available towards Franklin's total obligation in the form of group home bedrooms, there is a lack of family housing and rental housing to address needs going forward. But it is unclear at this point what portion of Franklin's total obligation will be comprised of family and rental housing. Once new rules are

adopted and an obligation is determined, the Township will have to work carefully to determine the best way to meet its affordable housing obligation.

5. Open Space and Recreation Plan Element: March 2006

The Township has an Open Space and Environmental Commission that works with the Morris Land Conservancy to carry out land preservation activities in Franklin. While the Open Space and Recreation Plan Element has not been updated since 2006, many of the Goals and Objectives as well as problems identified in that plan have been addressed on a continuing basis. It is felt that the Commission should continue to carry out its activities on behalf of the Township, where it ultimately reports to the Township Committee, who carries out recommendations related to land preservation.

Generally speaking active recreation opportunities are seen as adequate at the present time, and that there is no need to amend the plan to address this issue. As opportunities or needs arise in the future, the Commission should continue to work with the Township Committee to address them.

5. Municipal Assessment Report

Many of the recommendations in the Musconetcong Watershed's report have been addressed in one way or another since the last reexamination report. The Land Use Board has carefully considered the recommendation in the 2006 reexamination report that a new comprehensive master plan be prepared for the Township, but does not feel that need still exists.

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.

Since adoption of the Land Use Plan in 2001 and the reexamination report in 2006, the only significant change that affects the assumptions, policies and objectives on which the Master Plan is based is adoption of the Highlands Regional Master Plan, which designated all lands north of Route 57 and a small portion of the Township along the Musconetcong River as Highlands Preservation Area. Development intensities and character are largely governed by the stringent requirements of the Act. The Township is currently engaged in the process of Plan Conformance and intends to conform to the Regional Master Plan only as it relates to the

Preservation Area. Development regulations related to lands in the Preservation Area are already largely determined, and the Township has moved forward with adoption of amended regulations and a new checklist. The zoning map will be updated in 2014 to reflect the requirements of the Highlands Council.

The effect of conformance with the Highlands Regional Master Plan will be to reduce population densities and development potential in the Preservation Area. Much of the Township's nonresidentially zoned land lies north of 57 and future economic development activities will be severely restricted. The only exception is for areas designated as Highlands Redevelopment Areas, but this is seen as providing only limited additional development opportunity beyond what is permitted by the Highlands Act and Regional Master Plan.

Adoption of the Highlands Regional Master Plan and subsequent requirements will have the effect of providing better conservation of natural resources, particularly with respect to stream corridors in the Township and forests and ridgelines in the Preservation Area. The strict requirements of the Act will effectively protect these areas and eliminates the need for adoption of additional regulations by the Township. Funding provided by the Highlands Council will allow for preparation of additional planning studies related to agriculture retention and stream corridor preservation and restoration.

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.

While there are no recommendations for changes to the Master Plan at this time, the Land Use Board does find the need to amend the Land Use and Development Ordinance to address certain issues. Each of these is discussed in detail and recommended changes are presented.

The Land Use and Development Ordinance identifies bed and breakfast inns as a permitted accessory use in the C-1, R-.75 and RC Zones. The Schedule of Use Regulations should be amended to reflect this fact.

After reviewing provisions of the Land Use and Development Ordinance in §90-56F(1), the Land Use Board feels the office and industrial park option should be eliminated in its entirety. With designation of areas north of Route 57 as Highlands Preservation Area and considering the nature and specific location of the IP District in the southwest part of the Township, the requirement to provide 50% of the gross floor area as office, research and laboratory uses is unrealistic. While originally seen as an incentive, considering current market conditions it likely represents more of a challenge, and inability to meet the requirement necessitates a variance.

Changing the classification of all IP Districts within the Township to I Industrial will provide a more realistic opportunity for development that fits in with the likely market that will be attracted to these areas based on their location and accessibility. All of the permitted uses in both districts should be retained so as not to limit their attractiveness for future development and the minimum lot size of 130,000 square feet of the I Industrial District should be retained. To maintain the ability to construct modern warehouses, a maximum building height of 48 feet (at a maximum of 1 story) should be maintained for that particular use, but limited to 35 feet and 2 ½ stories for all other uses. In addition, “data center” should be added as a permitted use. The Land Use Board feels this type of use fits within the Industrial District based on the fact it is characterized by a low number of employees per square foot and low truck traffic once established. It is particularly appropriate given there is no public sewer available in any of the existing IP and I Districts, a fact that severely limits potential square footage depending on the type of use.

The attached map entitled “Recommended Zone District Changes” depicts the current Industrial Park Districts that should be reclassified as I Industrial Districts. There are a total of 23 lots where either the entire lot or a portion of the lot is recommended for reclassification, as noted on the map.

In reviewing intensity controls for nonresidential development in the Township, the Land Use Board notes there are no Floor Area Ratio standards in the Land Use and Development Ordinance. While building coverage and lot coverage will limit nonresidential uses to a certain extent, those particular controls do not address situations where multi-story buildings could be constructed. From a practical perspective, retail uses are generally constructed as single story buildings, but where office uses are permitted in the C-2 (Township Commercial), I (Industrial) and OB (Office Building) Districts, two, three or even four story buildings could be constructed. Taking the current IP Zone as an example, with a maximum building height of 48 feet, it is possible to construct a four story office building where the current building coverage standard may not adequately address intensity. The Board recommends that floor area ratio standards be implemented in accordance with Table 1, on the following page, to match existing building coverage requirements in nonresidential zones. At the present time the lack of sewer service in many nonresidential zones will limit the size of buildings constructed based on the flow rates used in calculating septic system size, with a limit of 2,000 gallons per day imposed by the New Jersey Department of Environmental Protection through their regulations.

Table 1
Proposed Floor Area Ratios

District	Proposed Floor Area Ratio
C-1	0.30
C-2	0.25
HC	0.20
I	0.25
OB	0.25

The Land Use Board is also concerned with the overall intensity of development in the Industrial and Office Building districts by way of maximum permitted lot coverage. With building size limited by septic systems that can be sized to handle no more than 2,000 gallons per day, maximum lot coverage more in keeping with likely building sizes is warranted. Further, some of the Industrial districts are located in areas where surface water quality is of concern. While the New Jersey Department of Environmental Protection has implemented stringent water quality buffer requirements for the majority of high quality streams found in the Township, the Board sees benefit in limiting the amount of impervious surface with new development to provide further opportunity to protect surface waters. Maximum lot coverage permitted in the Industrial and Office Building Districts should be reduced from 50% to 40% to better address potential water quality concerns as well as to be more compatible with likely building sizes based on septic limitations.

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.

At this time the Land Use Board makes no specific 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.) into the Land Use Plan. Once study is complete regarding redevelopment opportunities along Route 57 within the Highlands Preservation Area, the Board may have recommendations regarding redevelopment of areas along that corridor.