

**TOWNSHIP  
OF  
JEFFERSON**

**MASTER PLAN  
REEXAMINATION REPORT**

*Prepared for:*

*Jefferson Township Planning Board  
1033 Weldon Road  
Lake Hopatcong, New Jersey 07849*

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### Summary of Recommendations

1. Complete and adopt the Recreation Plan Element and the Circulation Plan Element.
2. Prepare and adopt a Housing Plan Element and an Historic Plan Element.
3. Prepare an environmental constraints ordinance.
4. Rezone two areas in the Milton Section from R-30 to R-40.
5. Rezone the parcels along the Route 15 corridor, that are presently zoned for residential development, for commercial and/or non-residential use.
6. Seek consistency with the State Development and Redevelopment Plan.
7. Investigate the need to prepare and update the 1977 Natural Resources Inventory.
8. Prepare land use regulations, in the Lake Hopatcong/Route 15 corridor and the area surrounding the intersection of Berkshire Valley Road/Ridge Road and Chamberlain Road, that are consistent with the Township's desire to have these two areas designated as a Town Center and a Village Center, respectively.

## Introduction

Jefferson Township is the third largest municipality in land area in Morris County. Occupying approximately 43.0 square miles, it is located in the extreme northwestern portion of Morris County. The municipality's boundary is coterminus with eight different communities and two other counties. The bordering communities include West Milford Township in Passaic County to the northeast, Hopatcong Borough, Sparta and Hardyston Township in Sussex County to the west and northwest, Mount Arlington, Roxbury Township and Wharton to the south and southeast, and Rockaway Township to the south and southeast.

Jefferson Township is almost rectangular in shape extending roughly twelve miles in its greatest northeast-southeast direction and having a width of three and one-half mile. A number of County, State and Interstate highways link Jefferson Township to the larger region. Interstate Route 80, a primary east-west transportation corridor, bisects the southern tip of the Township. Route 15 traverses the community in a north-south direction and State Highway Route 23 parallels the Township's eastern boundary for almost its entire length.

In 1962 the Township was rural in character where approximately forty-five percent of the inhabitant were seasonal dwellers. However, by 1990 it had become suburban in nature with a predominance of year round residents living in single family dwellings.

The purpose of the municipal Master Plan document is to "guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare" (N.J.S.A. 40:55D-28a). The key elements in a reexamination of the master plan and development regulations for a municipality focus on an analysis of the land use plan and development regulations to determine whether they are designed to effectuate the goals of the Planning Board in guiding the use of lands within the municipality. A comprehensive master plan is a statement of policy and of the physical plan. It is a long range plan which sets forth the future, or vision, for the Borough.

When the Municipal Land Use Law (N.J.S.A. 40-55D- I et seq.) was adopted in August, 1976, the enabling legislation which governed municipal planning and zoning in all New Jersey municipalities was completely revised. One of the major changes was a provision that required the reexamination of master plans and development regulations every six years pursuant to the provisions of N.J.S.A. 40-55D-89. This report constitutes the Master Plan Reexamination mandated by the New Jersey Municipal Land Use Law, specifically N.J.S.A. 40:55D-89. The law requires that each municipality's Planning Board prepare a report covering the following five elements:

- The major problems and objectives relating to land development in the municipality at the time of the adopting of the last reexamination report.

- The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- 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 reviewed with particular regard to 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.
- 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.
- The recommendations of the Planning Board concerning the incorporation of redevelopment plans pursuant to the "*Local Redevelopment and Housing Law*," P.L. 1992, C. 79(C.40A: 12A- I et al.) 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 reexamination report serves as a basis for discussion, indicating that planning is a continuous and ever changing process. A discussion and reexamination of goals and objectives is an important component of any reexamination report. Value is derived from the process of preparing the report/plan and from the use of the Plan after it is completed. This master plan reexamination report establishes the framework for Jefferson Township to update its Master Plan, last done in 1978. The Master Plan Update of 1991 was developed to complement the plan of 1978 and consisted of updated goals and objectives and an updated land use plan element. Since the adoption of the 1991 Jefferson Township Master Plan Update, New Jersey has adopted the State Development and Redevelopment Plan (1992) and is presently undergoing the statutory required reexamination of the Plan.

#### An Overview of Jefferson Township's Master Plan

The first master plan for the Township of Jefferson was adopted by the Township prior to the adoption of the Municipal Land Use Law in 1962. The master plan consisted of sections on population trends; economic conditions; physical characteristics and existing land use; neighborhoods, housing conditions and remedial action; traffic and transportation; recreation facilities and potential; master plan and proposed facilities; special local problems; financial analysis and capital improvement program; regulatory measures; regional considerations; and continuing planning program.

A natural resource inventory was prepared in 1977 by Canger-Schoor Associates, Inc. This inventory reviewed the Township's physical make up and included sections on climate; physiology; subsurface geology; surficial geology; groundwater; surface drainage; hydrologic soil groups; slopes; vegetation; septic suitability; and building constraints.

Subsequent to the 1962 master plan, the Township adopted the master plan of 1978. This master plan consisted of the following: community facilities; circulation study; utility service plan; housing; housing location study; commercial and industrial location analysis; future land use and capital improvements program.

In 1985, the Township adopted a revised land use element which included the updating of the population and housing data from the 1980 census. Additionally, a housing plan element was adopted in 1985 and amended in 1988. The most recent master plan update, adopted in 1991, included goals and objectives and a land use plan element.

The Township's interest in this reexamination report is not only to satisfy the statutory requirements of the reexamination process, but to use the process as a starting point for further analysis and refinement of the Township's zoning ordinances. It is anticipated that the Township will be augmenting and revising its plans in order to chart a clearly identified course for the future development of the community.

**The Major Problems and Objectives relating to Land Development in the Township at the Time of the Adoption of the last Reexamination Report.**

To date, the Township has never formally prepared and adopted a reexamination report. The 1978 Master Plan was the last comprehensive undertaking by the Township. A 1991 master plan update included sections on goals and objectives, physical constraints, basic studies, as well as a land use plan element. This report constitutes the Township's first reexamination report. Therefore, it examines the major problems and objectives relating to land development in the Township at the time of the adoption of the last master plan report.

At the time of the last master plan update in 1991, there were two large parcels within the Township involved in Mount Laurel litigation. Litigation regarding the disposition of these sites has concluded and Court mandated development permitted. To date, development applications have not been submitted for either site.

The 1991 Master Plan Update provided specific goals and objectives for land use development in the Township. These goals and objectives are as follows:

1. To recognize areas of environmental sensitivity including wetland areas, stream corridors, rock outcrops, aquifer recharge areas, steep slopes, lakes, ponds, rivers, significant vegetated areas and endangered wildlife and vegetation, and to preserve

these critical resources through implementing appropriate planning and zoning policies.

2. To encourage development of housing types that will provide housing for various income levels and senior citizen housing, while at the same time respecting the environmental sensitivity of the land and its carrying capacity.
3. To encourage proper storm water management and surface drainage techniques to minimize potential flooding and to facilitate groundwater recharge.
4. To encourage the development of appropriate commercial, industrial, employment and recreational facilities to service the needs of all Township residents and to help stabilize the Township's tax base.
5. To continue to improve and upgrade the Township's housing stock, especially where substantial conversion of seasonal homes for year round use has occurred, through the strict enforcement of the Township code.
6. To continue to improve the quantity, quality and location of recreational lands and open space including both active and passive recreational facilities, as well as environmentally sensitive lands.
7. To encourage office and industrial development along the Route 15 corridor, Route 23 and in designated areas along Route 181, Berkshire Valley Road and Ridge Road, while at the same time recognizing the need to control access along those major arteries in order to promote the safe and efficient movement of through traffic.

While the 1978 Master Plan did not enumerate any goals and objectives, the 1962 Master Plan provided the following goals and objectives:

1. The predominantly rural-suburban residential character of Jefferson Township shall be maintained.
  - Encourage development that will provide the most compatible relationship between the land, the environment and water supply and man's use of these natural amenities.
  - Encourage and permit more creative and innovative designs in both housing types and future land development.



- Permit development of housing types that will serve the needs of all Jefferson residents and respect the Township's physical features and environment.
  - Provide a variety and choice of housing types while respecting the present carrying capacity limitations of the land.
  - Encourage the development of necessary supportive land use types, such as commercial, industrial, employment and recreational facilities to service the needs of all Township residents.
  - To improve and upgrade the Township's housing stock, especially where substantial conversion of seasonal homes for year round use has occurred.
2. Preserve the Township's natural resources, physical features and ecological balance.
- To the greatest extent possible the Township's natural resources and unique physical characteristics shall be protected and preserved, including but not limited to surface and sub-surface water bodies and water supply; natural vegetative growth; and topographical and physiographical features.
  - Surface drainage, erosion, sedimentation and sanitary effluent must not be permitted to contaminate the relatively pollution free status of water bodies in the municipality, especially in the lake communities.
  - Discourage the infringement of new growth upon environmentally sensitive areas such as soils subject to flooding, excessive slopes, wetlands and difficult geologic land formations.
  - Encourage the development of land use types which will respect and cause the least amount of disturbance to sensitive areas in the Township.
  - Encourage proper surface drainage management to minimize potential flooding, erosion and most importantly facilitate ground water recharge.
  - Preserve and protect public, private and quasi-public open space lands and recreational facilities in the municipality.
  - To preserve, protect and improve potable water supply and all water bodies in the municipality, alternate methods of sanitary sewage treatment should be investigated and where possible implemented.

- Encourage improvement in the quantity and quality of potable water supply for all Township residents.
3. Encourage a continuation of the neighborhood pattern of land use development.
- Where appropriate, encourage the clustering of new residential growth in neighborhoods to most economically and efficiently utilize the natural and community infrastructure.
  - Permit proper development of a neighborhood concept through the enactment of a cluster zoning concept, planned development concept or other density zoning provisions. Require mandatory provisions for the dedication of common areas and private or public open spaces.
  - Encourage and permit a wider variety of housing types and a balanced housing mix within these neighborhood centers at a realistic, buildable density.
4. Maintain and improve the Township social, economic and fiscal balance.
- Encourage cost economies in the initial design of new residential development that will minimize future public service costs.
  - To provide for a social balance in the Township, land use provisions will be enacted to permit and encourage the construction of housing for the Township's elderly, young and newly married couples.
  - Permit and encourage land use types and zoning procedures which will minimize school and municipal tax burdens, foster the neighborhood growth concept and concentrate new growth.
  - To promote efficiencies and economies in the provision of Township facilities and services, the consolidation and centralization of municipal facilities shall be encouraged wherever or whenever feasible. Said facilities shall include but not be limited to such services as fire protection, police protection, open space, recreation, schools, first aid facilities, etc.
5. Roadways, circulation and traffic.
- Discourage strip development along roadways to minimize the number of potential conflict points and preserve the rural quality and scenic amenities of the roadsides.

- Prevent roadway congestion by encouraging the cluster of residential, commercial and industrial uses thus limiting the number of access points along through streets and primary thoroughfares.
  - Protect, preserve and wherever possible encourage the use of natural drainage systems along streets and roadways so that groundwater recharge is not needlessly disturbed or impeded.
  - Encourage and wherever possible, require the construction of adequate shoulder widths along the primary arterials in the Township for vehicular, bicycle and pedestrian traffic.
  - Protect and preserve existing vegetation growth abutting many Township roadways both to enhance the visual characteristics of the Township and to provide existing and future land uses with adequate buffering from the noise, dirt and glare of traffic.
  - Require future residential development to provide interior pedestrian/bike trails as an integral part of an overall development plan.
  - Establish a graduated system of roadway hierarchy with applicable standards for the dedication and construction of adequate right-of-way and pavement widths throughout the Township. Encourage the construction of acceleration and deceleration lanes for the proper and safe movement of traffic, especially along Route 15, Route 80 and Route 23.
  - Investigate available mass transit alternatives both local and regional to encourage the formulation of feasible mass transit routes with potential carriers throughout the Township.
6. Maintain the Township's present open space system and provide additional open space and active recreation facilities.
- Public action and private initiatives should promote the retention of the maximum amount of open space in the community.
  - Encourage the County of Morris to acquire additional lands and annex same to Mahlon Dickerson Reservation.
  - Maximize the utilization of existing public facilities such as school sites and municipally owned lands.

- Encourage the acquisition and development of scattered neighborhood parks of three to five acres and at least one community park of twenty-five acres.
  - Encourage the planned development of cluster housing development concept as a direct means of preserving environmentally sensitive areas for open space, providing private/ public open space and recreational facilities within immediate proximity to new development, and providing recreational areas for new residents as development occurs.
  - Promote the integration of public and private open space into an overall open space plan. Encourage interconnection of school sites, park sites and open space areas through a system of pedestrian paths, bikeways and interior and subdivision streets.
7. Continue to promote, invite and encourage new business, commercial and industrial development in the Township.
- Encourage industrial and industrial park development adjoining the Route 15 and Route 80 regional transportation network.
  - Encourage planned and controlled office professional and commercial development at carefully selected locations along Route 15, Route 23 and Berkshire Valley Road.
  - Provide small neighborhood business districts within close proximity to areas of future planned residential growth.
8. Adopt a Township official map to reflect the provisions of this master plan particularly the location and widths of streets, public drainage ways, open space, parkland and future community facilities.

**Extent to which such problems and objectives have been reduced or have increase.**

Continued development within Jefferson Township make many of the goals and objectives cited in the 1962 and subsequent 1991 master plan relevant today. Development pressures continue to result in the creation of new residential subdivisions. The most desirable land within the Township has reached build-out. Development today is located in the more environmentally sensitive areas of the Township. Locally there is a growing perception that current land use criteria found in the Township's zoning ordinance should be revised to reflect the need to retain the desirable characteristics of the Township, to preserve open space, to protect plant and wildlife habitats, streams, lakes, rivers, watershed woodland and hills from the adverse impacts of development.

Pressure continues to be exerted on the Township's infrastructures, include sanitary sewers, water and highways.

Vehicular access to and through the Township remains a priority. Development along the Route 15 corridor is advancing slowly. Infrastructure improvements and environmental constraints remain the issue.

The need for additional recreational lands and open space for both active and passive recreation is being addressed at both the municipal and County level. Jefferson Township is in the process of purchasing Camp Clifton, a multi-purpose recreational site, that will provide much needed active and passive recreational opportunities for the Township residents. Additionally, Morris County has purchased the Berkshire Sand and Stone Quarry for a future County golf course.

**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 reviewed with particular regard to density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection and disposition and recycling of designated recyclable materials; and changes in State, county and municipal policies and objectives.**

The Planning Board, over the past few years, has identified many areas in the Zoning Ordinance that it has recommended for review and enhancement. Specifically, the Board has provided guidance and input into changes regarding permitted lot disturbance area, environmental impact statement requirements, shade tree requirements. In addition, the Board has discussed the economic viability and aesthetic appeal of the non-residential areas in the Township.

In June of 1992, New Jersey became one of the few states in the nation to adopt a State Development and Redevelopment Plan (SDRP). The process sought input for the development of the plan from all levels of municipal and County government in a process called cross acceptance. This historic and idealistic document's intent was to assess all of the resources of the state as a guide for the development of the state in a fashion that will protect its natural resources, efficiently utilize its fiscal resources and direct development into appropriate areas of the state.

Six years later, the Township is faced again with a SDRP Reexamination Report. The cross acceptance process has begun with what is termed the "compar phase." During this phase the Township noted that the Route 15 corridor and the developed high density residential neighborhoods around Lake Hopatcong should be recognized as a Town Center within the PA5- environmentally sensitive planning area. Also, the report noted the area around the intersection of Berkshire Valley Road/Ridge Road and Chamberlain Road has developed

with many of the land use and population characteristics required for formal Village Center designation by the State Planning Commission. Identifying these two "Centers" and achieving formal designation from the State Planning Commission would recognize the existing development pattern and establish the Township's ability to access discretionary funds available only to designated centers. A report to this effect was submitted to Morris County for inclusion in their overall report to the New Jersey Office of State Planning.

It is recommended that the Township pursue this change in the SDRP and, when appropriate, submit its master plan with any revised elements to the Office of State Planning for consistency.

With the Manalapan Builders Alliance, Inc. v. Township Committee of the Township of Manalapan (appl div. 1992) and Crow - New Jersey 32, Ltd. v. Township of Clinton (D. N.J. 1989) the central assumption that a zoning ordinance may control density or floor area ratio (FAR) through the process of factoring out environmentally sensitive areas such as wetlands, flood hazard zones or steep slopes was abolished. While density or FAR may be affected by environmental constraints ordinances, these ordinance can no longer eliminate development on environmentally sensitive lands.

Jefferson Township's Zoning Ordinance presently provides some degree of control over environmentally sensitive areas through its lot disturbance requirements of the Township zoning ordinance. The New Jersey Department of Environmental Protection controls development in wetland areas of the Township through permitting requirements, wetland delineation requirements and buffer requirements around the wetlands and open waters. The central concern of the 1991 land use plan, which remains paramount, is the suitable density of development for land impacted by, or in close proximity to, slopes, streams, floodplains and wetlands.

The 1991 Land Use Element identified five residential districts, each generally based on the compatibility of surrounding land uses and residential densities, as well as the carrying capacity of the land. Briefly these districts were as follows:

Conservation District

This conservation district consists of all the Jersey City Watershed property and all the Newark Watershed property. It is environmentally sensitive, characterized by steep slopes, depth to bedrock, critical soils and groundwater recharge aquifers. Development of this land was recommended at one unit per 5 acres.

Rural Residential District

The Rural Residential district has many of the environmental attributes of the conservation district including steep slopes, presence of wetlands, critical soils and flooding potential and is generally located adjacent to the watershed property. However, this land is privately owned. Development of this district at one unit per 3 acre was recommended.

R-40 Low Density Lake Residential District

The Low Density Residential district is located throughout the Township in areas that exhibit varying degrees of environmental sensitivity. This district permits development at one unit per acre (43,560 SF).

R-30 Medium Density Residential District

The Medium Density Residential district recognizes existing established development patterns within the Township. This district permits development at a density of one unit per 30,000 square feet.

R-4 High Density Residential Districts

This zone was created to permit the development of multifamily residences in appropriate locations within the Township with proximity to roads.

**The Specific Changes Recommended for the Master Plan or Development Regulations, if any, including Underlying Objectives, Policies and Standards or whether New Plan or Regulations should be prepared.**

1. Many of the individual plan elements, of the base 1978 Master Plan, are outdated and have not been revised since the 1978 Master Plan. Additionally, since the preparation of the 1978 Master Plan, several new master plan elements have been added to the Municipal Land Use Law. The outdated elements, where appropriate, should be updated and new plan elements prepared to reflect the current status of the Township facilities, as well as reflect modern planning concepts and principals.

Specifically, the Township presently has in draft form proposed circulation and recreational plan elements. The circulation plan should be finalized and adopted by the Township. The recreational plan should be updated to include the purchase of Camp Clifton, the expansion of the County Park system with the purchase of Berkshire Sand And Stone Quarry and other eminent park improvements/purchases.

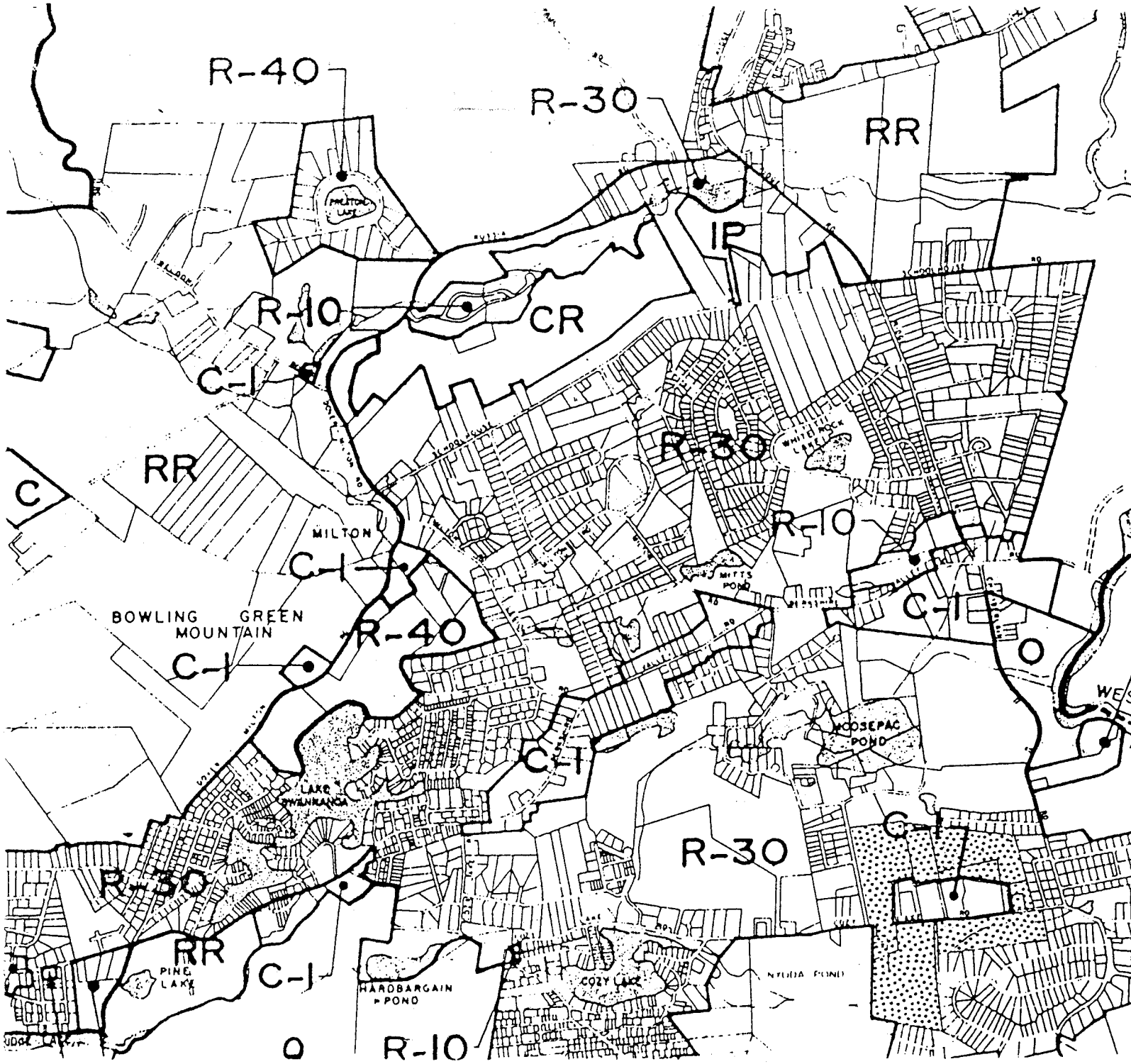
The Township has a rich history with several historic sites and structures throughout the municipality. Preservation of these sites and structures is important to the traditions and history associated with the Township. A historic preservation plan element should be prepared to document existing historic sites and structures throughout the Township.

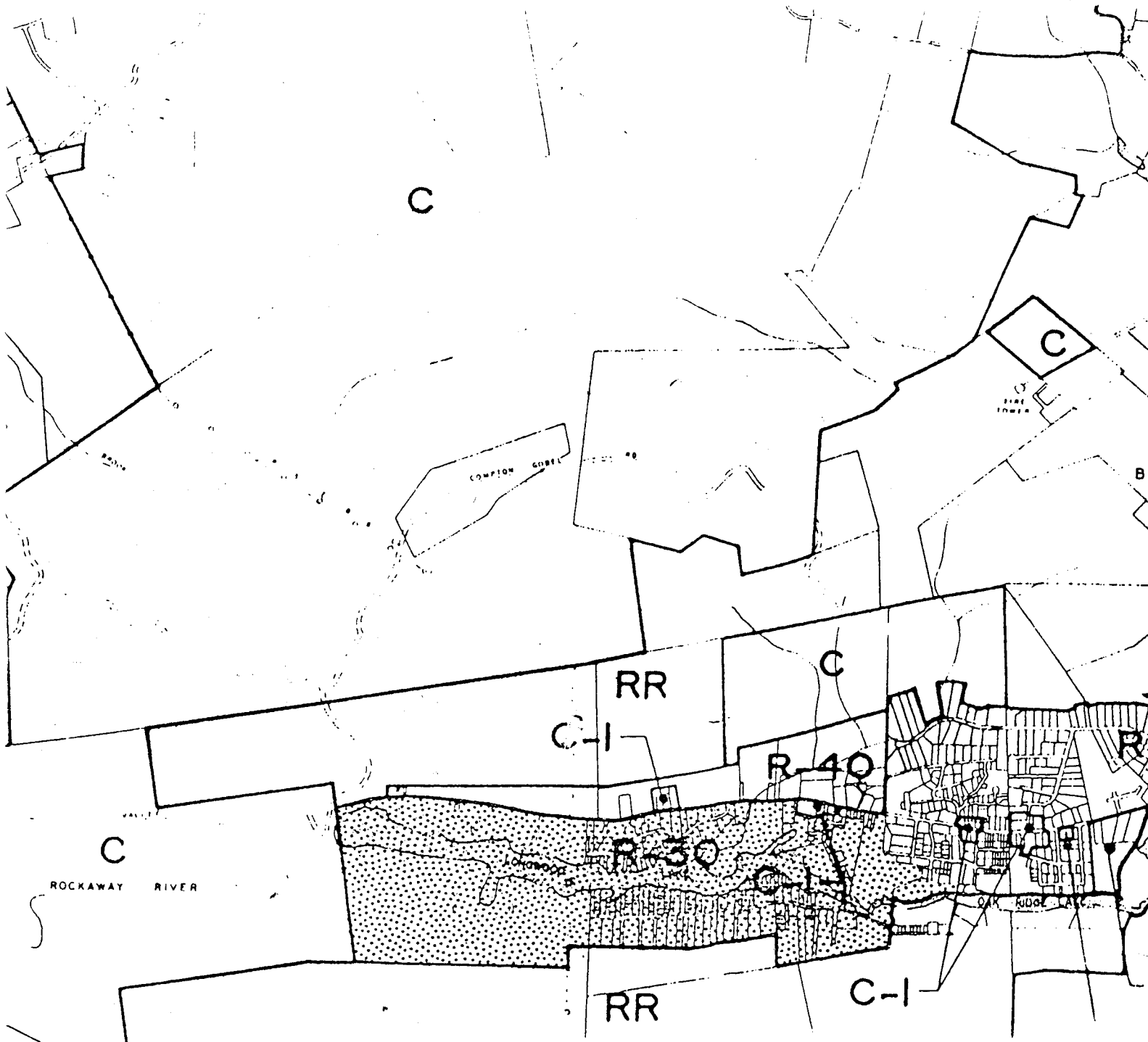
2. The Township should prepare a Housing Element/Fair Share Plan and submit it to the Council on Affordable Housing for substantive certification.
3. The land use and development regulation should be updated and revised to reflect the community's concern regarding appropriate development of environmentally sensitive lands, as well as the detail and standards necessary to address current planning issues.
4. Several areas within the Milton section of the Township, should be rezoned to permit single family residential development on one acre lots. (See attached map.) These areas are environmentally sensitive, but are located in developed sections of the community. Moderate increase in the lot size and bulk requirements for these large parcels will maintain the quality of life in the Milton section of the Township, while recognizing the environmentally sensitive aspects of these sites.
5. Jefferson Township should recognize the impact traffic and existing commercial/non-residential uses have on all parcels fronting along the Route 15 corridor and provide appropriate non-residential zoning for the entire length of Route 15
6. The reexamination report and subsequent revisions to the master plan elements should seek consistency with the State Development and Redevelopment Plan and be submitted for review to the Office of State Planning.
7. The Township should investigate the need to prepare an update to the 1977 Natural Resource Inventory. Specifically, wetlands and buffer requirements have changed since the 1977 inventory. This, or an updated report should be utilized to better identify existing environmentally sensitive areas within the Township to determine which areas are most affected by the type of environmental constraints that warrant special attention, ie. rezoning. Such areas include soil limitation for septic systems, surface waters, flood hazard areas, trout production and trout maintenance streams, aquifers and aquifer recharge areas, special ecological habitats of plants and species, scenic and historic resources.
8. The Township, in its first report regarding the State Development and Redevelopment Plan (SDRP) identified the Lake Hopatcong/Route 15 corridor as a Town Center and the area surrounding the intersection of Berkshire Valley Road/Ridge Road and Chamberlain Road as a Village Center. Land use regulations in these areas of the Township should reflect this designation and, when appropriate, the Township should seek formal State endorsement of these center designations.



The Recommendation of the Planning Board concerning the Incorporation of Redevelopment Plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C. 40A:12A-1 et al.) 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.  
This does not apply to the Township of Jefferson at this time.

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JEFFERSON TOWNSHIP REEXAMINATION REPORT  
PROPOSED ZONING CHANGE  
R-30 TO R-40 