

**TOWNSHIP
OF
JEFFERSON**

**MASTER PLAN
REEXAMINATION REPORT**

Prepared for:

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

Prepared by:

*Jill A. Hartmann, PP, AICP
21 Sparrowbush Road
Mahwah, New Jersey
(201) 818-9090*

July 30, 2000

JEFFERSON TOWNSHIP PLANNING BOARD

Cliff Williams, Chairman
Patrick Hartery, Vice Chairman
Mayor Russell Felter
Councilwoman Debi Merz
Robert Deutsch
John Palko
Joseph Mikowski
Robert Mitchko
James Tasker
Robert Vincent
Dwan Fields

TABLE OF CONTENTS

	<u>PAGE NO.</u>
Introduction	1
The Major Problems and Objectives relating to Land Development in the Township at the Time of the Adoption of the last Reexamination Report	2
Extent to which such problems and objectives have been reduced or have increase	3
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	3
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	5
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	5
Appendix - Proposed Zoning Recommendation	6

INTRODUCTION

The Township of Jefferson Planning Board has prepared this Reexamination Report to be presented to the Township Council and the residents of Jefferson to fulfill the requirements of the Municipal Land Use Law which contains the enabling legislation governing planning and zoning in New Jersey municipalities. The law provides for the periodic reexamination of a municipality's master plan and development regulations at least every six years pursuant to the provisions of N.J.S.A. 40-55D-89.

This report constitutes the Reexamination Report of the Planning Board's on-going review and reexamination of the Township's land use designations and regulations. 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.

REEXAMINATION REPORT

The Reexamination Report requirements are addressed, as follows:

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

The last Township Master Plan Reexamination Report was prepared and adopted by the Jefferson Township Planning Board on July 14, 1998. That report recognized the following specific goals and objectives noted in the 1991 Master Plan Land Use Plan:

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.

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

Continued development within Jefferson Township has increased the impact of many of the problems and objectives cited in the 1991 Master Plan Land Use Plan Update and the 1998 Master Plan Reexamination Report. Specifically, the development pressure associated with the most sensitive areas of the Township continues to increase. The need to protect the remaining private and quasi-public environmentally sensitive and undeveloped tracts of land has been part of a program of on-going land use discussions of the Planning Board. The Board has identified these areas as needing more than the standard land use controls. New land use regulations must be designed and enacted to adequately protect these large, undeveloped and environmentally sensitive tracts of land, as well as create an exceptional living environment for future residents.

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, tree preservation and soil movement. In addition, the Board has discussed the economic viability and aesthetic appeal of the non-residential areas in the Township.

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.

Significant changes in municipal assumptions, policies and objectives, with regards to land use, density, conservation of natural resources and changes, have occurred over the last two years with regards to the areas of the Township presently zoned Conservation and the Rural Residential. Recent developments of environmentally sensitive lands has prompted the Planning Board to reexam the land use and zoning classifications of its most environmentally sensitive lands, namely the lands designated as Conservation and Rural Residential. In particular, the Planning Board has undertaken a review of the zoning classification of the Conservation District and Rural Residential District in furtherance of the following recommendation of the 1998 Master Plan Reexamination Report:

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.

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.

It is recommended that both the Conservation District and the Rural Residential District be combined into a Rural conservation District. As presented in the 1991 Master Plan Land Use Up Date, both districts were recognized as being environmentally sensitive lands with steep slopes, critical soils, wetlands, depth to bedrock. Review of Township maps show these zones generally contain large forested areas with streams, ponds and river headwaters associated with them, as well as significant ridge lines. These areas tend to be adjacent or in close proximity to the headwaters of the Rockaway River and the Musconetcong River, as well as containing large stands of Highlands forest. Development as permitted under the Township's present Conservation and Rural Residential Districts is not adequate to ensure appropriate development of these areas.

The Planning Board proposes the creation of a new zone, the Rural Conservation District. This District would replace the existing Conservation and Rural Residential Districts, have a minimum lot area of 5 acres and provide for environmental design techniques and requirements. The proposed new Rural Conservation District requirements have been included as appendix A to this Reexamination Report.

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.

APPENDIX A

Faint, illegible text block, likely bleed-through from the reverse side of the page.

Faint, illegible text block, likely bleed-through from the reverse side of the page.

Faint, illegible text block, likely bleed-through from the reverse side of the page.

Faint, illegible text block, likely bleed-through from the reverse side of the page.

Jeffrey R Coxam

S137-9. RURAL CONSERVATION DISTRICT

A. Purposes

(1) To protect the valuable and environmentally sensitive areas of the Township of Jefferson from the adverse impacts of development;

(2) To provide a regulatory mechanism through which appropriate development can occur considering the exceptional, unique, irreplaceable and delicately balanced physical and biologically acting and interacting natural environment.

(3) To provide an equitable, understandable development mechanism that establishes clearly definable goals and advances the public interest by balancing the aforementioned environmental interests with the rights of persons owning property in this District, through the encouragement of development of compatible land uses in order to improve the overall environment and economic basis of the area.

(4) The Township further recognizes the legitimate aspirations of the property owners of the District and wishes to encourage development of compatible land uses in order to improve the overall economic position of the inhabitants of the area within the framework of a comprehensive environmental design strategy which preserves the most ecologically sensitive and fragile area from inappropriate development and provides adequate environmental safeguards for the construction of any facilities in the District.

(5) To provide for the orderly development and effective preservation of the environment of the Rural Conservation District in order to ensure that the development is regulated in a manner that is fair, efficient and effective as to those people owning property affected by this paragraph.