

August 17, 2000

**2000 Master Plan and Development Regulations  
Reexamination Report for Westampton Township, Burlington County**

Adopted 9/6/00

**Introduction**

The Municipal Land Use Law, at N.J.S.A. 40:55D-89, includes the following statement relative to the periodic examination of a municipal Master Plan:

"The governing body shall, at least every six years, provide for a general reexamination of its master plan and development regulations by the planning board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board and the municipal clerk of each adjoining municipality. The first such reexamination shall have been completed by August 1, 1982. The next reexamination shall be completed by August 1, 1988. Thereafter, a reexamination shall be completed at least once every 6 years from the previous reexamination."

The Planning Board (now Land Development Board) adopted Reexamination Reports in October 1994 and November 1997. The 1997 Reexamination Report was adopted in conjunction with a new Land Use Plan Element and a statement of goals, objectives, principles and assumptions upon which the land use planning proposals are based. The Planning Board also adopted a Housing Plan Element in November 1995, which demonstrated compliance with the affordable housing fair share allocation from the N. J. Council on Affordable Housing (COAH).

N.J.S.A. 40:55D-89 identifies the following general areas for review in the Reexamination Report:

"The reexamination report shall state:

- 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 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."

The following sections of this report address each of the categories outlined above.

### **Major Problems and Objectives Relating to Land Development at the Time of Adoption of the Last Reexamination Report**

The major problems and objectives at the time of the 1997 Reexamination Report largely related to the non-residential zoning districts in the Township. The principal problem with the non-residential districts was the lack of a clearly articulated focus for what the districts were attempting to achieve. Thus, the Township formulated an objective to establish non-residential districts that were more clearly targeted to the development of specific use types in distinct districts.

Other problems and objectives were alluded to in the prior Reexamination Reports. Traffic through residential streets not designed for a collector function, and regional traffic resulting from the Turnpike exit, Interstate 295 exit, and major County roads, were identified as issues meriting attention. The preponderance of multi-family housing in the Township's higher density housing districts was also identified as a problem to be addressed through zoning amendments to promote single-family detached housing in these districts. The rapid pace of residential development, and the resulting changes in the community and its needs, were noted as ongoing issues.

Other issues from the 1994 Reexamination Report that were not addressed in 1997 include planning for open space and recreation, pedestrian linkages in the developed portions of the Township, and retaining the rural characteristics of the Township's landscape.

### **The Extent to Which Such Problems and Objectives Have Been Reduced or Have Increased**

In November 1997 the Planning Board adopted a new Land Use Plan Element; a statement of goals, objectives, principles and assumptions upon which the Master Plan and development regulations are based; and, a statement concerning the relationship of

the Master Plan to the master plans of contiguous municipalities, the County master plan, the State Development and Redevelopment Plan, and the district solid waste management plan. This action addressed many of the concerns referenced in the prior Reexamination Report.

In August 1997 the Township Committee adopted zoning ordinance amendments to the standards applying to low- and moderate-income housing developments. These amendments were intended to address the concerns related to the proliferation of multifamily housing in the Township's high density zoning districts, and were consistent with the 1995 Housing Plan Element. In November 1997 the Planning Board adopted a new statement of goals, objectives, principles and assumptions to guide land use in the community; and, a new Land Use Plan Element to provide for new non-residential districts, and changes in the boundaries of non-residential and residential districts in response to the Reexamination Report. In April 1998 the Township Committee adopted amendments to the zoning, subdivision and site plan ordinances in order to implement the recommendations of the Land Use Plan Element.

The issue of traffic and the related impacts to the Township's quality of life remains a concern. Regional influences impacting the intensity and location of vehicular movements have increased. As a crossroads in Burlington County, with Turnpike and Interstate exchanges located within its borders, the Township experiences a multitude of traffic impacts resulting from development both outside and within its borders. Specific problems include the pace of the Ikea Drive/Springside Road realignment; truck traffic on Rancocas Road and at the I-295 interchange; the use of County roads in the Township as truck routes; and, traffic through residential areas that seeks to avoid main roads. With regard to the rate of development, the level of residential development has slowed somewhat, but new non-residential development in the Township and region is imminent.

In response to the concerns related to recreational facilities, recreation equipment has been added to the Tarnsfield, Rolling Hills, Rolling Hills East and Spring Meadows developments, increasing the availability of needed recreation space and equipment. The broader issue of providing recreational opportunities to meet the demands of an expanding population remains an important objective of the Township's continuing planning program, as noted in later recommendations.

#### **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**

The Township continues to be guided by the assumptions, policies and objectives that formed the basis for the Master Plan and Zoning, Subdivision and Site Plan Ordinances. However, there have been a number of significant planning activities and developments that have altered the assumptions, policies and objectives forming the basis for the Master Plan and development regulations, as follows:

1. The 1998 zoning amendments established new non-residential districts and standards in order to better address the objectives of the Master Plan.
2. In 1998 and 1999 the Township received two proposals for age-restricted housing developments. The Township has reviewed the permitted and conditional uses in non-residential and residential zones in response to these proposals.
3. Since the adoption of the 1998 ordinance amendments the Township has had the opportunity to review the definitions in the ordinance and their effectiveness, and has found that additional definitions are needed to clarify the ordinance's intent.
4. The Land Development Board has received applications for conditional uses that have caused the Board to review carefully the applicable standards.
5. The zoning map was amended in 1999 to add one lot to the B-1 District on Rancocas Road.
6. The types of commercial uses and applications that the Board has seen has prompted the Board to consider the proliferation of certain uses in the Township, and the need to provide greater balance in commercial uses.
7. In 1999 the Township voters approved a tax of 2 cents/\$100 for the purpose of supporting the preservation of open space, farmland and historic sites.
8. The Residential Site Improvement Standards (RSIS) were promulgated by the N. J. Department of Community Affairs (NJDCA) and became effective in June 1997, following the adoption of enabling legislation by the State Legislature in 1993. The standards cover residential site improvements for streets, off-street parking, water supply, sanitary sewers and stormwater management.
9. In June 1997 the N. J. State Planning Commission (SPC) issued its first review of the State Development and Redevelopment Plan (SDRP), which originally was adopted in June 1992. The 1997 document, termed "The New Jersey State Development and Redevelopment Plan: Reexamination Report and Preliminary Plan", initiated the cross-acceptance process, during which the Township and County reviewed key planning concepts in order to determine consistency among State, County and municipal planning policies. The Township has been an active participant in the State Plan review process in order to ensure that its planning objectives are recognized at the State and County level.
10. In July 1998 the State Legislature adopted amendments to the Right to Farm Act. The main features of the amendments include a revision to the definition of commercial farm; a revision to the definition of farm market; an expansion of activities that are exempt from municipal ordinances; and, a change in the legal approach to agricultural activities as a public or private nuisance.

11. In November 1999 New Jersey voters approved a \$1 billion bond issue for the preservation of open space, farmland and historic areas. This initiative, now institutionalized in the Garden State Preservation Trust, is intended to assist municipalities and Counties in the preservation of these vital resources through funding assistance. The Garden State Preservation Trust will make recommendations for funding to the State Legislature.
12. In June 1999 the State Legislature adopted legislation establishing a Farmland Preservation Planning Incentive Grant program. The Planning Incentive Grant encourages municipalities to develop a Farmland Preservation Plan that uses a variety of methods such as installment purchase, donation, easement purchase and option agreements. The same legislation also amended the MLUL to add a new optional Master Plan Element, termed the Farmland Preservation Plan Element.

**Specific Changes Recommended for the Master Plan or Development Regulations, If Any**

The Land Development (Planning) Board recommends the following specific changes to the Master Plan and development regulations:

1. Prepare a Circulation Plan Element to address the statutory requirements of the Municipal Land Use Law (MLUL), including the identification of necessary access roads, jughandle improvement recommendations, intersection improvements, measures to limit access to developments, sidewalk and bike path/lane improvements, and measures to reduce the impacts of truck traffic.
2. Prepare an Open Space and Recreation Plan Element, including an inventory of existing open space and recreation parcels, the identification of a comprehensive system of areas and public sites for recreation, the identification of open space lands and priorities, and the identification of acquisition and management strategies.
3. Prepare a Historic Preservation Plan Element addressing the statutory requirements of the MLUL, including the identification of the location and significance of historic sites and historic districts; the standards used to assess worthiness for historic site or district identification; the recommendations concerning historic site and district identification; and, analyzing the impact of each component and element of the Master Plan on the preservation of historic sites and districts.
4. Review the forthcoming proposed methodology and fair share allocations prepared by the Council on Affordable Housing (COAH) in order to determine if revisions to the Township's Housing Plan Element and Fair Share Plan are necessary.
5. Add definitions to the zoning ordinance to address motor vehicle service stations, convenience stores and combination, or mixed, uses. The Zoning Ordinance currently does not include definitions for these uses, but the use of these terms in the

Zoning Ordinance and their proliferation throughout the Township indicate that these definitions are necessary.

6. Consider adding a definition of "Developable or buildable land", as currently provided in the PUD section, so that the definition applies in all zoning districts. The intent of this analysis is to ensure that permitted lot sizes and densities are in accordance with the natural capabilities of the land and infrastructure to support proposed development.
7. Prepare revisions to the zoning ordinance that will limit the proliferation of the same use in the same area or at the same intersection, particularly as related to such common uses as motor vehicle service stations, convenience stores, pizza stores and drug stores. The objective of this policy and zoning ordinance approach is to ensure that the Township's commercial zones afford the residents of Westampton Township with a broad range of commercial services that address.
8. Add age-restricted housing as a permitted conditional use in the R-1 zoning district. The Zoning Ordinance currently does not provide explicit authorization for this use, and conditional use treatment is appropriate in order to address the particular circumstances associated with this use.
9. Revise the Zoning Ordinance to ensure that the zoning standards prohibit the use of motor homes, mobile homes or trailers as residential dwellings in any zoning district. These housing methods are not authorized by the MLUL as principal uses in residential or non-residential zoning districts.
10. Review, and possibly revise, the fence ordinance to make any adjustments or additions that would ensure the ordinance is accomplishing its goals relative to security and aesthetics.
11. Review, and possibly revise, the sign ordinance in order to address such factors as the type of lighting and the standards concerning illumination levels, so as to ensure that outdoor lighting does not adversely affect the visual environment of the community and the use and enjoyment of residential properties.
12. Review, and possibly revise, the landscaping provisions in the zoning, subdivision and site plan ordinances to assure that they are achieving the Township's goals to promote a desirable visual environment through the screening and buffering of proposed development.
13. Amend the zoning ordinance to permit wireless telecommunications antennas on existing towers, in order to promote collocation in the Township and avoid the construction of new wireless telecommunications towers.
14. Review, and possibly revise, the zoning ordinance to address the need to permit wireless telecommunications towers and facilities as a permitted conditional use in

the I, Industrial District. The need for wireless telecommunications towers and facilities is widespread, and the Township may best be able to reduce their unwanted intrusion into residential zones by providing an opportunity for these facilities to locate in non-residential zones. The Township should also consider permitting antenna arrays on existing structures.

15. The Township should review ordinances concerning the regulation of membrane structures (instant plastic garages).
16. The Planning Board should review the impervious coverage standards for the I, Industrial District to ensure that they are accomplishing Township objectives.
17. Consider the expansion of residential zoning into the C, Commercial Zone on Woodlane Road adjacent to existing residential uses.

**Recommendations Concerning the Incorporation of Adopted Redevelopment Plans into the Land Use Plan Element**

The Township has not adopted a redevelopment plan pursuant to the "Local Redevelopment and Housing Law", P. L. 1992, c. 79 (C. 40A:12A-1 et seq.), and therefore the Land Development (Planning) Board does not need to comment on its incorporation into the Land Use Plan Element.

welddb2000reexaminationreport

WESTAMPTON TOWNSHIP LAND DEVELOPMENT BOARD  
RESOLUTION #16-2000

WHEREAS, N.J.S.A. 40:55D-89 requires a municipality to reexamine it's Master Plan and Development Regulations at least every six years and to adopt by resolution a report on the findings of such reexamination; and

WHEREAS, the Westampton Township Land Development Board has conducted such a reexamination, and a report has been prepared by its Planner, which report is dated August 17, 2000; and

WHEREAS, the Board is satisfied that said report includes all the information required by the above-mentioned Statute; and

NOW, THEREFORE, BE IT RESOLVED, by the Westampton Township Land Development Board, County of Burlington, State of New Jersey, that the attached reexamination report, dated August 17, 2000, is hereby approved and adopted as the reexamination report mandated by N.J.S.A. 40:55D-89.

WESTAMPTON TOWNSHIP LAND  
DEVELOPMENT BOARD

Dated: 9/6/00

By: [Signature]  
Chairman

ATTEST:

Marion Karp  
Secretary

Date of Approval: 9/6/00

Date of Memorialization: 9/6/00