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CONSULTING & ENVIRONMENTAL ENGINEERS

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BIRDSALL SERVICES GROUP  
COMPANY

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**STATEMENT OF OBJECTIVES AND  
LAND USE PLAN ELEMENT OF THE MARLBORO TOWNSHIP  
MASTER PLAN**

**TOWNSHIP OF MARLBORO  
MONMOUTH COUNTY, NEW JERSEY**

**Township of Marlboro Planning Board**

**November 2004**

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## **I. INTRODUCTION**

The Township of Marlboro Comprehensive Master Plan was last adopted in 1997. In addition, a Master Plan Amendment was adopted on June 5, 2002. In accordance with the New Jersey Municipal Land Use Law, NJSA 40:55D-89, the 1997 Master Plan is being updated to reflect the changing needs of Marlboro Township.

Section 40:55D-28 of the New Jersey Municipal Land Use Law notes that municipal master plan shall consist of at least two elements as follows:

- 1) A Statement of objectives, principles, assumptions, policies, and standards upon which the constituent proposals for the physical, economic, and social development of the municipality are based; and
- 2) A land use plan element showing the existing and proposed location, extent, and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational, and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed zone plan and zoning ordinance

Other possible plan elements include a housing plan element, a circulation plan element, a utility service plan element, a community facilities plan element, a recreation plan element, a conservation plan element, an economic plan element, a historic preservation plan element, and a recycling plan element. The Housing Plan Element was prepared and submitted to the Council on Affordable Housing (COAH) in July 2004. The Housing Plan is still subject to review by COAH. Once all reviews are complete and the Township is determined to be in compliance with COAH regulations, the Housing Plan Element will be incorporated into the Master Plan.

## **II. STATEMENT OF OBJECTIVES**

As noted in the previous section, the New Jersey Municipal Land Use Law requires that a Master Plan present at least two elements (40:55D-28). One of these is the land use plan element and the other is a statement of objectives upon which the constituent proposals for the physical, economic and social development of the municipality are based. The Marlboro Township Planning Board has established the following objectives upon which the Master Plan is based:

1. To advance the purposes of the Municipal Land Use Law as contained in 40:55D-2.
2. To guide future residential and non-residential growth in a coordinated and managed approach as set forth in this Master Plan and to provide for logical transitional uses between residential and non-residential areas of the Township.
3. Continue to use practical and flexible development controls in order to gain open space, conserve the natural landscape and protect the sensitive ecological areas of the Township.
4. Consider potential future residential growth in relationship to the municipal infrastructure.
5. Encourage controlled and properly designed commercial and industrial development in areas so designated on the Master Plan. The extension of sewers should be encouraged to the existing CIR Zone, also known as the Proposed C-3 Zone, along Route 79 as well as along Vanderburg Road.
6. Provide for Township's fair share of low- and moderate-income housing and improve the existing housing stock through rehabilitation as set forth in the Housing Element and Fair Share Plan adopted in July 2004. The use of Regional Contribution Agreements should be maximized. Once the Housing Plan Element is certified by COAH it should be incorporated into the Master Plan.
7. Determine the viability for additional age-restricted housing in the Township. If viable, potential locations should be investigated.
8. Consider alternative uses/zoning for Marlboro Airport and adjacent lands should it cease operation.
9. Review zoning criteria and permitted uses for Marlboro Village area.
10. Retain and augment the low-density policy in the east, north and west central portions of the Township consistent with the State Development and Redevelopment Plan Planning Area 5 designation.

11. Establish a Conservation Plan that will protect environmentally sensitive areas of the Township including wetlands, floodplains, and steep slopes.
12. Propose local road improvements in order to alleviate specific problem areas.
13. Future considerations for public transportation in the community should exclude reactivation of the Freehold-Matawan rail line.
14. Coordinate plans for future community facilities, including future schools, fire, and first aid and other needs based on current and projected growth.
15. Develop a Recreation and Open Space Plan that provides recreational facilities for Township residents of all ages consistent with projected population growth and proposals of the Recreation Commission.
16. Work closely with the Historical Commission to develop a Historic Preservation Plan.
17. Develop a list of recommended uses and proposed standards for Marlboro Hospital lands including campus-style corporate headquarters, higher educational facilities, low-density residential uses and a golf course. Because of the environmental sensitivity of this area, high-density residential and commercial uses are to be discouraged.
18. Endorse development of a stormwater management master plan.
19. Decrease the permitted residential density in currently undeveloped areas of the Township.
20. Recognize properties which would be made non-confirming by any proposed rezoning by providing grandfather provisions within Ordinances affecting these properties.
21. Create Zoning Ordinance provisions, which limit residential development adjacent to commercial and industrial zones where uses are incompatible.
22. Create Zoning Ordinance provisions, which provide distinct building coverage and lot coverage requirements for each Zone District. Any provisions adopted should be designed so that they discourage building to the maximum lot coverage thereby reducing the need for variances, should subsequent development of accessory structures or additions be pursued.
23. Create Zoning Ordinance provisions, which exclude structures, such as in- and above-ground pools, patio decks that are gapped to allow water through, and spas, from impervious coverage calculations.

### **III. LAND USE PLAN ELEMENT**

#### **A. BACKGROUND**

The Land Use Plan element establishes long-range goals for land use in terms of types of land uses and densities throughout the Township. The Land Use Plan serves as the foundation and basis for the zoning ordinance, which in accordance with the municipal Land Use Law, should be substantially consistent with an adopted Land Use Plan.

According to the Municipal Land Use Law 40:55D-28b.(2) the land use plan element should (a) take into account the statement of objectives, principles, policies and standards and the other Master Plan elements as well as "...natural conditions, including, but not necessarily limited to topography, soil conditions, water supply, drainage, floodplain areas, marshes, and woodlands, (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed zone plan and zoning ordinance; and (c) showing the existing and proposed location of any airports and the boundaries of any airport hazard areas...and (d) including a statement of the standards of population density and development intensity recommended for the municipality;...".

The land use plan element has been developed to implement the objectives listed in the preceding section of this document while taking cognizance of the unique environmental, social and cultural attributes of Marlboro Township. The other elements in this document build on the proposals contained in the land use element. The land use proposals presented here will become the basis of the Township's zoning ordinance.

**B. EXISTING LAND USE**

Marlboro Township contains within its borders 30.2 square miles or 19,328 acres. It is located in northern Monmouth County and borders on Middlesex County. Due to its accessibility to the employment centers of northern New Jersey and New York City it has experienced rapid growth over the last several decades. Residential growth in particular has been very robust.

The Generalized Existing Land Use Map, included as Figure 1, was prepared based land use information obtained from the Marlboro Township Tax Assessor's Field Book. In total, the Tax Assessor's Field Book indicated that there were 795 vacant parcels, 12,284 residential parcels, 241 farm parcels, 203 commercial parcels, 29 industrial parcels and 350 tax exempt parcels at the time of the survey.

Marlboro Township's growth is evident when you compare the amount of land devoted to developed uses, with the amount of remaining vacant land, and how these totals have changed over the years. Information on the total acreage of land developed for various uses, as well as remaining vacant land is presented for the years 1989, 1996 and 2004 in the following table:

<b>Table 1: Marlboro Township Land Use Comparison 1989-2004</b>					
<b>Type of Land Use</b>	<b>Acres in 1989</b>	<b>Change</b>	<b>Acres in 1996</b>	<b>Change</b>	<b>Acres in 2004</b>
<b>Residential</b>	4,994	1,130	6,124	1,594	7,718
<b>Commercial</b>	480	280	730	61	791
<b>Industrial</b>	350	(128)	222	(20)	202
<b>Public &amp; Semi-Public</b>	1,672	1,117	2,789	771	3,560
<b>Transportation &amp; Utilities</b>	1,271	616	1,887	(20)	1,867
<b>Total Developed</b>	8,737	3,015	11,752	2,366	14,138
<b>Percent Developed</b>	45%	16%	61%	12%	73%
<b>Vacant &amp; Farmland</b>	10,591	(3,015)	7,576	(2,386)	5,190
<b>Total Land Area</b>	19,328	-----	19,328	---	19,328

The percentages of Township land area devoted to various uses in the years 1989, 1996, and 2004 is presented in the table below:

<b>Table 2: Percentage of Township Land Area Devoted to Various Uses</b>			
<b>Type of Land Use</b>	<b><u>1989</u></b>	<b><u>1996</u></b>	<b><u>2004</u></b>
<b>Residential</b>	23.8	31.7	40.0
<b>Commercial</b>	2.3	3.8	4.1
<b>Industrial</b>	1.8	1.1	1.0
<b>Public/Semi-Public</b>	8.7	14.4	18.4
<b>Transportation/Utilities</b>	6.6	9.8	9.6
<b>Vacant/Farmland</b>	54.8	39.2	26.9
<b>Total</b>	100	100	100

A review of the preceding data shows that over the fifteen year period between 1989 and 2004, the amount of land devoted to residential and commercial use has nearly doubled. At the same time, the amount of vacant land and farmland has declined by over 50%. The amount of land converted to residential use was higher in the eight year period between 1996-2004 than the prior seven year period 1989-1996. In addition, after nearly doubling in acreage between 1989-1996, the rate of commercial development was not nearly as intense during the eight year period between 1996-2004.

Overall, the data indicates that the township is moving closer and closer to build-out. During the fifteen year period between 1989 and 2004, the percentage of vacant land and farmland within the township was cut in half. A large portion of the remaining vacant land is environmentally sensitive and undevelopable. This makes planning for the appropriate use of the remaining developable vacant land even more significant to the Township of Marlboro.

### **C. POPULATION GROWTH**

Marlboro Township has grown steadily over the last five decades. From 1960 to 2000, its population has increased at an average rate of 709 people per year. As shown below in Table 3, Population Growth 1940-2000, U.S. census data indicates that the township grew by 8,424 residents between 1990 and 2000. The growth in population (30.1% overall) placed Marlboro Township as having the second largest increase in total population within Monmouth County, which is one of the fastest growing counties in the State of New Jersey.

In 2000, the U.S. Census Bureau determined the township's total population to be 36,398. By 2004, the Monmouth County Planning Board estimated that the township's population had grown to 40,118 residents. This places Marlboro Township as the third most populous municipality in Monmouth County after Middletown Township and Howell Township. By 2010, The County Planning Board projections estimate the total population for the township to be 42,389. In 2020, the township is projected to hold a population of 46,389. Historical population growth is shown within Table 3, Population Growth 1940-2000, below.

<b>Table 3: Population Growth 1940-2000</b>			
<b>Year</b>	<b>Population</b>	<b>Population Increase</b>	<b>Percentage Increase</b>
1940	5,015	-	-
1950	6,359	1,344	26.8
1960	8,038	1,679	26.4
1970	12,273	4,235	57.7
1980	17,560	5,287	43.0
1990	27,974	10,414	59.3
2000	36,398	8,424	30.1

Associated with this recent population growth has been an increase in population density. Population density is a measure of the number of people residing within a given land area. New Jersey has the highest population density in the nation with an average of 1,134 persons per square mile. According to year 2000 census data, Marlboro Township currently exceeds this figure with a population density of 1,189 persons per square mile. By comparison, the population density in 1960 was 266 persons per square mile, and in 1980 it was 581 persons per square mile. In 2000, the density of Monmouth County was 1,304 persons per square mile, a slightly higher density than Marlboro Township.

Marlboro Township wishes to remain a suburban community and is concerned about additional increases in overall population density. The New Jersey State Development and Redevelopment Plan utilizes areas with “population densities of less than 1,000 persons per square mile” as one of the defining criteria of a Suburban Planning Area. Since Marlboro Township’s population density already exceeds 1,000 persons per square mile, one objective of this Master Plan is to decrease the permitted residential density in currently undeveloped areas of the Township.

## **D. FUTURE LAND USE CRITERIA**

In developing the Proposed Land Use Plan Element for Marlboro Township, in addition to the Statement of Objectives for the future of the community, the following factors were taken into account:

- Environmental constraints
- Available infrastructure
- Existing land use patterns
- Regional considerations

### **1. Environmental Constraints**

Environmental constraints to development must be carefully evaluated in the development of a land use plan. Environmental constraints (steep slopes, floodplains, wetlands) can make development costly and at the same time development can adversely impact the sensitive nature of these features resulting in environmental degradation (soil erosion, siltation, degraded water quality). The major environmental constraints and/or important environmental resources in Marlboro Township are as follows:

- Areas of steep slopes
- Floodplains
- Wetlands
- Soils unsuitable for development
- Prime agricultural soils
- Water Resources

A discussion of the significance of each of these constraints is included below.

### **Areas of Steep Slopes**

The slope of land affects many types of land use. Slight (0-3%) or moderate (3-8%) slopes usually do not present significant negative environmental or economic impacts when developed for housing, roads or businesses. Steep slopes of 9-14% present some difficulties for development, increasing the likelihood of adverse environmental impacts. Development or soil disturbance of any kind on severe slopes (15% and over) however, presents the potential for negative environmental impacts. Slopes in excess of 15% make the construction of dwellings, septic systems, sewer and water lines, and roads extremely difficult. Soils on such slopes are usually thin and easily eroded when natural vegetation is disturbed. The eroded soil in turn clogs ditches and storm sewers and eventually finds its way to streams and other water bodies resulting in adverse impacts on aesthetics and aquatic life.

Increased stormwater runoff during and after construction has the additional negative environmental impacts of increasing the amount of pollutants carried into streams, excessive channel erosion, destruction of stream and streamside habitat due to more forceful flood flows and a reduction of groundwater recharge.

Steep slopes in Marlboro Township occur primarily in the Beacon Hill Road and Reids Hill Road areas in the northern portion of the Township and in localized areas adjacent to stream courses.

### **Floodplains**

Floodplains are areas adjacent to streams, brooks and rivers that are flooded on a frequent basis. Floodplains serve a natural function by: (1) storing flood waters thereby reducing the inundation of adjacent lands, (2) absorbing and dissipating the energy of flood waters, and (3) acting as a sediment trap for silt and debris-laden flood waters. Floodplains are divided into three areas: the stream channel, the floodway, and the flood fringe. The floodway is an area of rapidly moving water in which the majority of the flood flow is carried. The flood fringe is an area of slower moving water. The channel, the floodway and the flood fringe comprise what is commonly known as the flood hazard area.

Development within the flood hazard areas is regulated by NJDEP. Development within the channel and floodway is prohibited but development may be permitted in the flood fringe area subject to certain conditions. In Marlboro Township, floodplains lie adjacent to the major streams.

## **Wetlands**

Wetlands are transitional areas between well-drained, rarely flooded uplands and the permanently flooded deep waters of lakes, rivers and streams. Wetlands typically are found in upland depressions or along waterways where they are subject to periodic flooding. However, they are sometimes located on slope areas where they are fed by groundwater seepage.

There are a variety of definitions of wetlands, but the definition adopted by the New Jersey Freshwater Wetlands Protection Act and which was originally established under Section 404 of the Clean Water Act is as follows: “Those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.” (EPA, 40 CFR 230.3 and CE, 33 CFR 328.3.) This definition includes three criteria which determine if an area is a wetland: hydrology, vegetation, and soils. Wetland areas must have a sufficient exposure to water to produce saturated soil conditions (i.e., hydric soils) and to support a predominance of wetland plant species (i.e., hydrophytic vegetation). Some wetlands, such as marshes, are obvious, but others such as forested wetlands, are much less distinct.

Freshwater wetlands in Marlboro Township are found in association with most stream courses and in other low lying areas. The largest wetlands areas within Marlboro Township are located in the northwestern and eastern portions of the Township.

## **Soils Unsuitable for Development**

The characteristics of certain soils which occur in Marlboro Township make them unsuitable for development to varying degrees. The U.S. Department of Agriculture’s Soil Conservation Service has compiled a detailed inventory and mapping of the soils in Marlboro Township as part of a countywide survey. In addition to the inventory of soil types and mapping of their locations, the Soil Conservation Service has identified limitations for development associated with various soils. The limitations are rated as slight, moderate or severe. The terms are defined as follows:

**Slight** – Soils that are relatively free of limitations affecting the intended use, or with limitations that are easy to overcome by use of normal equipment and/or methods.

**Moderate** – Soils with moderate limitations resulting from the effects of slope, wetness, soil texture, soil depth, stones, etc. Normally these limitations can be overcome by careful planning, design, and good management, at somewhat greater cost.

**Severe** – Soils with severe limitations resulting from the effects of steep slopes, high water table, stream flooding, unfavorable soil texture, acidity, large numbers of stones, rocks, etc. The limitations are such that they can be overcome only by exceptional, costly, or complex measures.

The Soil Conservation Service tempers the general information it provides by stating that its mapping and interpretations should not be the sole basis for the determination of conditions or boundaries. It recommends that in addition to the soil survey, detailed on-site investigations and tests be performed to identify site specific soil conditions.

Two important limitations for development associated with soils in Marlboro Township are limitations for septic absorption and seasonal high water table. Soil characteristics play an important role in the proper functioning of septic systems. If the soil contains too much clay so that water does not easily infiltrate through it, the septic effluent will rise to the surface presenting health hazards. If the soil is too porous, allowing the septic effluent to percolate rapidly down into the groundwater without sufficient time for treatment, then groundwater contamination is a potential hazard. Soil limitations for septic absorption in Marlboro Township are severe for some areas of the Township generally due to excessive clay.

A moderate to high water table is normally an indication of clay-like soils, hard pan, an adjacent body of surface water or a combination of these factors. It is important to know where areas of moderate to high water table are when considering the location of roads, parking lots, septic systems and homes with basements. Fluctuation of water tables and the freezing and thawing associated with them will damage roads, parking lots and foundations. High water tables also hinder the performance of septic systems. Season high water table presents moderate to severe limitations to development adjacent to many of the Township's stream courses, as well as in low lying areas at the base of steep slopes.

### **Prime Agricultural Soils**

The Soil Conservation Service has developed eight soil capability classes to identify the suitability of soil for cultivation and other uses. Class I and II soils are recognized as prime agricultural soils because they have high fertility and few physical limitations for cultivation. In Marlboro Township, undisturbed prime agricultural soils are found primarily in the eastern portion of the Township. They are amongst the most productive agricultural soils in the State of New Jersey. Not only are they important for agricultural production, but they are also significant as wildlife habitat and as a scenic resource. They are a resource which should be preserved through appropriate land use planning and zoning and where applicable, through the State Farmland Preservation Program.

## **Water Resources**

The east central portion of Marlboro Township falls within the watershed area of the Swimming River Reservoir, a major potable water supply facility for Monmouth County. Precipitation falling on land within the watershed eventually finds its way to the reservoir through stormwater runoff and normal stream flow. Big Brook is a primary tributary to the Swimming River Reservoir. Its headwaters are located in east-central Marlboro in the area including and surrounding Marlboro State Hospital lands. The importance of Big Brook as a water supply source and the need to protect its water quality has been recognized in Marlboro Township through introduction of the Stream Corridor Preservation Residential District in 1993, which requires substantial natural buffers adjacent to Big Brook.

In addition, the New Jersey Department of Environmental Protection (NJDEP) has identified a Category One (C1) Watershed Area within Marlboro Township, which covers the eastern portion of the Township. The Swimming River Reservoir Subwatershed Area lies within the C1 watershed area. Waterways can be designated C1 because of exceptional ecological significance, exceptional water supply significance, exceptional recreational significance, exceptional shellfish resource significance or exceptional fisheries resource significance. Development adjacent to C1 waterbodies generally requires a 300-foot buffer.

As water resources are of critical importance to the Township, additional consideration needs to be given to similar land use techniques to protect water quality and preserve natural resources throughout the entire Township.

## **2. Available Infrastructure**

Future land use development should be planned taking into consideration the existing and proposed capacities of available infrastructure including water supply systems, sanitary sewer lines, wastewater treatment systems and the roadway network. Marlboro Township is provided with potable public water by the Marlboro Township Municipal Utilities Authority and Gordon's Corner Water Company. Sanitary sewer service is provided by the Western Monmouth Utilities Authority. The majority of the Township is provided with public water while sanitary sewer service is available to approximately two-thirds of the Township. Existing and proposed service areas as well as capacities are discussed more fully in the Utility Plan Element of this Master Plan.

### **3. Existing Land Use Patterns**

When planning for future land use development, the established land use patterns of Marlboro Township must be taken into account. Planning functions should focus on initiating new developments that are compatible with the adjoining pre-existing land uses. Wherever possible, non-compatible land uses should be separated from one another. Residential uses should not be immediately adjacent to commercial and industrial uses. In situations where these incompatible uses do coincide, suitable buffer areas should separate them. The existing low residential densities of rural areas of the Township should be maintained and expanded.

### **4. Regional Planning Considerations**

The land use plan for Marlboro Township was developed while taking into account all state, county, and regional planning proposals. In addition, both proposed and existing land uses within adjacent municipalities were considered. The Municipal Land Use Law requires that...

“The master plan shall include a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located, and (3) the State Development and Redevelopment Plan adopted pursuant to the State Planning Act,”

#### **Adjacent Municipalities**

Zoning Ordinances for each of the seven municipalities that are contiguous to Marlboro Township were reviewed. Currently, both existing and zoned uses are compatible across municipal borders, and it is the intent of the Marlboro Township Master Plan to maintain this consistency. Much of the surrounding municipalities have been designated for single-family residential and agricultural uses that are consistent with existing land uses, as shown on Figure 2, Zoning and Adjacent Municipalities.

The perimeter of Marlboro Township is bordered primarily by either single-family residential or agricultural zoning, with the exception of commercially zoned areas in Aberdeen, Manalapan and Old Bridge Townships.

In Aberdeen Township, an area adjacent to and north of Route 34 contains both Highway Commercial (HC) and Residential Commercial (RC) zoning designations. Currently, these areas have only been partially developed to accommodate these uses. This area is adjacent to the current C-3 Highway Commercial Zone in Marlboro Township.

In Manalapan Township, the majority of lands within close proximity to the Marlboro border are zoned for residential use. However, one site adjacent to and east of Route 9, extending to Tennent Road have been zoned for an office park (OP-10) This area lies adjacent to a C-3 Highway Commercial Zone in Marlboro Township. Also, along Union Hill Road a neighborhood commercial zone designated for General Commercial Use (C-3) abuts an R-60 Zone in Marlboro Township. This zone permits existing commercial uses in this area, which serves surrounding residential areas in both Manalapan and Marlboro Townships.

In Old Bridge Township the entire border with Marlboro Township is zoned low density residential with the exception of a small office zone near the intersection of Routes 9 and 18.

### **Monmouth County Growth Management Guide**

Monmouth County has adopted a “Growth Management Guide” which lists goals, objectives and policies for the future of the County. The land use proposals contained within the Marlboro Township Master Plan area are consistent with the County Growth Management Guide. The guide, which was adopted in December 1995, has particular relevance to several land use proposals promoted by the Marlboro Township Master Plan. These include, Policy 2.3 under Farmland Preservation and Agricultural Development which states to: “Encourage municipalities to designate Agricultural Zones in their Master Plans.” Also promoted by the Marlboro Master Plan are Policies 2.7 and 2.10 under Historical, Cultural, Natural and Scenic Resources. Policy 2.7 states to “Encourage municipal land use policies which control growth and protect the environment by using low density development in appropriate locations.” Policy 2.10 states to: “Encourage the provision of public “greenways” along stream corridors for natural resource and wildlife habitat protection and for limited recreation.” The Marlboro Township Master Plan also promotes policies 4.2 and 6.3 under the Water Resources section of the County Growth Management Guide. Policy 4.2 reads as follows: “Encourage the preservation, restoration or creation of vegetative buffers along floodplains, wetlands and streams.” Policy 6.3 states to: “Support the preservation of stream corridors as wildlife habitat and buffers to mitigate impacts to surface water systems and wetlands”. By fostering the incorporation of stream buffers, greenways, and low-density development, particularly in areas of Marlboro Township within the Swimming River Reservoir watershed area, the Marlboro Township Master Plan promotes the agricultural, natural and water resources components of the Monmouth County Growth Management Guide.

## **The State Development and Redevelopment Plan**

In March 2001, the New Jersey State Planning Commission adopted the New Jersey State Development and Redevelopment Plan (SDRP). The SDRP sets forth a vision and a plan for the future of New Jersey. To help realize this vision, the SDRP identifies goals and strategies that are intended to guide public policy decisions.

The following statements summarize State Planning Goals and Strategies:

a. Revitalize the State's Cities and Towns

The revitalization of existing local and regional urban areas is critical for the future of New Jersey. By utilizing their existing assets such as: strategic location, existing infrastructure, and historical, cultural, and scenic resources, New Jersey's urban areas can absorb much of the imminent commercial and residential growth that threatens to consume the state's vital agricultural lands and open space.

b. Conserve the State's Natural Resources and Systems

Utilize sound planning techniques to ensure that fragile natural resources are protected. By using ecologically sound development practices within the Metropolitan and Suburban Planning Areas, and accommodating for fragile natural areas within the Fringe, Rural and Environmentally Sensitive Planning Areas, the integrity of natural resources will be maintained and in some cases improved.

c. Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey

Promote economic development that is fiscally, environmentally, and socially sound. Without proper foresight, the consequences of economic development may be felt by a disproportionate number of New Jersey residents. To improve the quality of life for all residents of New Jersey, private sector partnerships and collaborative planning efforts should concentrate on economic development that is both environmentally sensitive, and socially equitable.

d. Protect the Environment, Prevent and Clean-up Pollution

Develop standards of performance and create incentives to protect the state's fragile environment and valuable natural resources. Incorporate these incentives into public policy in order to reduce waste, and reuse and recycle materials through demanufacturing and remanufacturing. By preventing and reducing pollution and toxic emissions at their source, the state will be able to conserve natural resources and protect public health.

e. Provide Adequate Public Facilities and Services at a Reasonable Cost

Improve public services offered to the residents of New Jersey by utilizing the infrastructure more efficiently. By supporting investments based on comprehensive planning and providing financial incentives for jurisdictions that cooperate in supplying public infrastructure and shared services, residents will have the opportunity to enjoy improved service at a reasonable cost.

f. Provide Adequate Housing at a Reasonable Cost

Utilize planning techniques to make a broad choice of housing opportunities available at a reasonable cost, particularly to those most in need. Make certain that the current housing stock is maintained. Where appropriate, build on locations that are easily accessible, preferably on foot to employment, retail, public services, cultural, civic, and recreational opportunities, and at densities which support transit to reduce commuting time and costs.

g. Preserve and Enhance Historic, Cultural, Scenic, Open Space and Recreational Value

Enhance, preserve, and use historic, cultural, scenic, open space and recreational assets through collaborative planning, design, investment and management techniques. Locate and design development, redevelopment, and supporting infrastructure to improve access to and improve these sites. Support the important role of the arts in contributing to community life and civic beauty.

h. Ensure Sound and Integrated Planning and Implementation Statewide

Use the State Plan and the Plan Endorsement process as a guide to achieve coordinative, collaborative, long-term planning efforts. Utilize capacity analysis and community involvement to integrate planning with investment and regulatory land use decisions. Ensure that all development, redevelopment, revitalization, or conservation efforts support State Planning Goals and are consistent with Statewide policies, and the State Plan Policy Map of the State Plan.

The SDRP designates land areas within New Jersey into one of five Planning areas. Within the SDRP, Planning Areas serve a pivotal role by setting forth Policy Objectives that guide the application of the State Plan's Statewide Policies within each area and serve to achieve the goals of the State Planning Act. A Planning Area is a large mass of land with tracts that share certain characteristics, such as population density or natural features.

In addition, Planning Areas guide local planning and decisions on the location and size of Centers and Cores within Planning Areas and protect or enhance the

Environs of these Centers, primarily in Planning Areas 3 through 5. The five (5) types of planning areas are listed below.

- Metropolitan Planning Area (PA 1)
- Suburban Planning Area (PA 2)
- Fringe Planning Area (PA 3)
- Rural Planning Area and (PA 4) and Rural/Environmentally Sensitive Planning Area (PA 4B)
- Environmentally Sensitive Planning Area (PA5) and Environmentally Sensitive/Barrier Islands Planning Area (PA 5B)

Characteristics that define Planning Areas include population density, infrastructure, road systems, land area, adjacent land areas, soils and natural environmental features. The criteria used to evaluate land areas for designation as one of the five Planning Areas is included below.

**Metropolitan Planning Area (PA 1):** The Metropolitan Planning Areas include large urban centers and postwar suburbs that are fully or almost fully developed so that further development is dominated by an intensification of land uses through redevelopment and reuse.

The six criteria that delineate the Metropolitan Planning Area (PA 1) include:

- Densities of more than 1,000 persons per square mile.
- Existing public water and sewer systems, or physical accessibility to such systems, and access to public transit systems.
- Proximity to the Suburban Planning Area
- Land greater than one square mile
- A population of not less than 25, 000 people; or areas totally surrounded by land areas meeting the criteria of a Metropolitan Planning Area, that are geographically interrelated with that planning area, and meet the intent of the planning areas

**Suburban Planning Area (PA 2):** The Suburban Planning Area is distinguished from the Metropolitan Planning Area by its lack of high intensity centers, by the availability of vacant developable land, and by an almost exclusive reliance on automobile transportation.

The Suburban Planning Area is generally delineated by:

- Population densities of generally less than 1,000 persons per square mile
- Contiguity to a designated PA1 area where it can be demonstrated that natural systems and the existing or planned urban infrastructure have the capacity to support development and meet the above policy objectives; and
- A land area of greater than one square mile

**Fringe Planning Area (PA 3):** The Fringe Planning Area is typically situated on the edges of the developing Suburban Planning Area. It is characterized by a rural two-lane road network, on site water and wastewater systems, a predominantly rural landscape, and small free-standing developments. There may or may not be extensive development pressures in the fringe planning area, but the SDRP envisions development being concentrated into existing communities or in well-planned, self sufficient new communities that serve as centers

The criteria for delineating a Fringe Planning Area include:

- Population densities of less than 1,000 people per square mile
- Area served by rural roadways and utilities, but generally lacking public wastewater systems except in existing centers
- Land area greater than one square mile
- Areas that do not include land meeting the criteria for planning areas 4 or 5; and
- Areas adjacent the planning areas 1 and 2

**Rural Planning Area (PA 4) and Rural/Environmentally Sensitive Planning Area (PA 4B):** The primary intent of the Rural Planning Area (PA 4) and (PA 4B) designations is to protect small centers, existing agricultural uses, open spaces and habitat, and expansion and enhancement of agricultural and recreational opportunities.

The criteria for delineating the Rural Planning Area (PA 4), as well as the Rural/Environmentally Sensitive Planning Area (PA 4B) include:

- Population density of less than 1,000 people per square mile
- Land area greater than one square mile
- Land currently in or having strong potential for agricultural production

- Undeveloped wooded tracts, vacant lands, and large contiguous agricultural tracts predominately served by rural two lane roads and onsite water and wastewater systems; and
- Farmlands satisfying both the above criteria and the criteria for the Environmentally Sensitive Planning Area are designated as Planning Area 4B

**Environmentally Sensitive Planning Area (PA 5) and Environmentally Sensitive/Barrier Islands Planning Area (PA 5B):** The environmentally sensitive planning area is characterized by contiguous large tracts of land hosting valuable ecosystems and wildlife habitats, potable water sources, prime forest lands, scenic natural landscapes, and significant geological or topographic features. Existing, largely self-contained centers in a PA 5 are connected by rural two lane roads. Not surprisingly, the focus of this planning area is on maintaining and enhancing the viability of natural resources, ecological systems and associated beneficial growth. Concentrating growth in existing centers is preferred to development of new centers. Centers should also serve as receiving areas for transfers of development rights.

Delineation criteria for environmentally sensitive planning areas focus heavily on habitat characteristics. Characteristics of a PA 5 area include:

- Population densities of less than 1,000 people per square mile outside of centers
- Land area greater than one square mile, exclusive of centers
- Areas outside of centers exhibiting one or more of the following features:
  - Trout production and/or maintenance waters and their watersheds
  - Pristine non-tidal Category 1 waters and their watersheds upstream of the lowest category 1 stream segment
  - Watersheds of existing or planned potable water supply sources
  - Aquifer recharge areas of potable water supply sources
  - Habitats of populations of endangered or threatened species
  - Coastal wetlands
  - Contiguous freshwater wetlands systems
  - Significant natural features such as critical slope areas, ridge lines, gorges and ravines, unique geological features or unique ecosystems
  - Prime forested areas, or
  - Natural landscapes of exceptional value, in combination with one or more of the other environmentally sensitive features described above

Marlboro Township contains only Suburban (PA 2), Fringe (PA 3), and Environmentally Sensitive (PA 5) Planning Areas. PA5 areas exist primarily in the eastern portion of the Township, with an additional small PA5 area existing in the northwestern portion of the Township. PA3 areas exist in two areas in the

northwestern and southeastern portions of the Township. The balance of the Township is designated as PA2, which covers approximately 60% of the Township.

Due to its proximity to Big Brook, a tributary of the Swimming River Reservoir, the PA5 area within the eastern portion of the Township meets the following criteria, to qualify it as PA5, Environmentally Sensitive Planning Area:

- Contains freshwater wetlands
- Part of an upstream watershed that contains pristine nontidal Category 1 waters
- Part of a watershed of an existing or planned potable water supply source
- Part of an aquifer recharge area of a potable water supply source

The Marlboro Township Master Plan is consistent with the State Planning Goals and Strategies. The Township Master Plan seeks to conserve natural resources, protect the environment; provide infrastructure in advance of, or concurrent with new development; provide adequate public services at reasonable cost; provide affordable housing consistent with Council On Affordable Housing (COAH) requirements; and preserve and enhance historic sites, open space and recreational lands. In addition, the proposed Marlboro Township Master Plan promotes three policy objectives in particular for each Planning Area, which include policy objectives for Natural Resource Conservation, Agriculture, and Recreation. These policy objectives are listed by Planning Area below.

### **Suburban Planning Area**

- Natural Resource Conservation: Conserve open space and buffer areas of critical environmental concern.
- Agriculture: Guide development to ensure the viability of agriculture and the retention of productive farmland within agricultural areas of the Suburban Planning Area.
- Recreation: Target park land acquisitions and improvements to enable the integration of contiguous systems into the fabric of the settlement pattern and to provide passive recreational facilities.

### **Fringe Planning Area**

- Natural Resource Conservation: Strategically acquire open space to define Centers and to maintain contiguous open space corridors.
- Agriculture: Encourage farmland retention and minimize conflicts between agricultural practices and the location of Centers.
- Recreation: Target park land acquisitions and improvements to ensure adequate recreational opportunities to satisfy growing local and regional needs.

## **Environmentally Sensitive Planning Area**

- Natural Resource Conservation: Protect and preserve large, contiguous tracts and corridors of recreation, forest or other open space land that protect sensitive natural and cultural resources, including endangered species and, particularly, ground and surface water resources that are aquifers and serve as the headwaters of many of the State's rivers and streams.
- Agriculture: Encourage farmland retention and agricultural practices that minimize conflicts with sensitive environmental resources.
- Recreation: Target parkland acquisitions and improvements to enhance large contiguous open space systems and provide recreational opportunities to satisfy local and regional needs.

## **E. PROPOSED LAND USE PLAN**

### **1. Objectives**

The key objective of the Proposed Land Use Plan is to maintain the Township's suburban population density and suburban/rural character by discouraging extensive new residential development in currently undeveloped areas of the Township through a reduction in permitted residential densities. The Proposed Land Use Plan is depicted as Figure 3, Proposed Land Use Plan Map. In addition, all proposed rezonings are depicted on Figure 4, Proposed Zoning Map.

New residential development is encouraged as infill development in existing already developed residential areas where sanitary sewer and water supply lines can be readily extended, which is in accordance with Marlboro Township Master Plan Objective 4, "consider potential future residential growth in relationship to the municipal infrastructure."

More specifically, the Proposed Land Use Plan includes the objectives of rezoning various split-zoned lots into one (1) zone that is appropriate for each site, rezoning various sites along New Jersey State Highway (NJSH) 79, Route 520 and Tennent Road to allow for more commercial. In addition the Proposed Land Use Plan encourages recognition of "properties which would be made non-conforming by any proposed rezoning by providing grandfather provisions within Ordinances affecting these properties," which is in accordance with Objective 20 of the Marlboro Township Master Plan.

This Proposed Land Use Plan also encourages the creation of "Zoning Ordinance provisions, which provide distinct building coverage and lot coverage requirements for each Zone District," which is Objective 22 of the Marlboro Township Master Plan. The proposed Zoning Ordinance provisions are designed to discourage building to the maximum lot coverage thereby reducing the need for variances, should subsequent development of accessory structures or additions be pursued. The proposed Zoning Ordinance provisions are shown within Table 4, Permitted Lot and Building Coverages, below.

<b>Table 4: Lot and Building Coverage Standards</b>							
<b>Zone District</b>	<b>Minimum Required</b>			<b>Maximum Permitted</b>			
	<b>Lot Area (sq. ft. or acres)</b>	<b>Gross Floor Area (sq. ft.)</b>	<b>Ground Floor Area (sq. ft.)</b>	<b>Building Coverage for Principal Building</b>	<b>Building Coverage for Accessory Structure Area (sq. ft.)</b>	<b>Total Building Coverage</b>	<b>Total Lot Coverage</b>
<b>A/LC</b>	10 acres	1,800	1,200	5%	1,000	5%	15%
<b>LC</b>	5 acres	1,900	1,200	2%	1,089	3%	5%
<b>LC cluster</b>	55,000	-	-	6%	825	8%	15%
<b>R-80</b>	80,000	1,800	1,200	5%	1,000	6%	15%
<b>R-60</b>	60,000	1,800	1,100	6%	900	8%	15%
<b>R-60/40</b>	40,000	1,800	1,100	7%	700	9%	15%
<b>R-40AH</b>	40,000	1,800	1,100	7%	700	9%	15%
<b>R-40GAH</b>	40,000	1,800	1,100	7%	700	9%	15%
<b>R-60/15</b>	15,000	1,500	1,000	14%	525	18%	32%
<b>R-40/30</b>	30,000	1,500	1,000	8%	600	10%	20%
<b>R-30</b>	30,000	1,500	1,000	8%	600	10%	20%
<b>R-30/20</b>	20,000	1,500	1,000	11%	550	14%	28%
<b>R-25</b>	25,000	1,500	1,000	10%	625	13%	25%
<b>R-20</b>	20,000	1,500	1,000	11%	550	14%	28%
<b>R-20/15</b>	15,000	1,500	1,000	14%	525	18%	32%
<b>R-20AH-1</b>	15,000	1,500	1,000	11%	413	14%	28%
<b>R-20AH-2</b>	20,000	1,500	1,000	11%	550	15%	28%
<b>R-10 AH</b>	10,000	1,000	750	15%	375	19%	32%
<b>R-1.5</b>	15,000	1,800	1,100	6%	900	15%	28%
<b>FRD</b>	10,000	1,000	750	15%	375	19%	28%
<b>RSC</b>	7,500	1,000	750	20%	375	25%	32%
<b>RSCS</b>	7,500	1,000	750	32%	600	38%*	38%
<b>MFD I</b>	6,000	-	-	32%	480	38%*	38%
<b>MFD II</b>	6,000	-	-	32%	480	32%*	32%
<b>PAC</b>	15,000	1,500	-	14%	525	18%	28%
<b>PAC II</b>	4,000	-	-	45%	450	55%*	55%
<b>PAC III</b>	6,000	-	1,200	40%	600	50%	55%
<b>SCPR</b>	25,000	-	-	10%	625	13%	25%
<b>SCPR II</b>	25,000	-	-	10%	625	13%	25%
<b>MFD</b>	6,000	-	-	32%	360	38%*	20%
<b>SCMFD I</b>	4,000	-	-	40%	400	50%	55%
<b>SCMFD II</b>	4,000	-	-	40%	400	50%	55%
<b>MFPHD</b>	15,020	-	-	-	-	-	30%
<b>THD</b>	5,445	1,850	1,000	20%	270	20%*	20%

The Marlboro Township zoning ordinance defines Lot Coverage as: “The area of a lot covered by buildings and structures, expressed as a percentage of the total lot area.” Currently, Lot Coverage restrictions are applied to sites in Marlboro through a Lot Coverage Area Percentage, according to their zoning classification (28% for an R-20 zoned site). However, some zoning designations have calculated specific

percentages to abide by when constructing additional accessory structures. For example, within a Multi-Family District (MFD), for single-family homes, the lot coverage may not exceed 32% for original buildings, driveways, or walkways. However, the Total Lot Coverage may be increased to 38% to allow for the following specific accessory structures: decks, patios, gazebos, and/or sheds. Although the percentage of land area that can be built on is consistent across each zoning designation, the amount of additional land that can be developed increases in proportion to the overall lot size.

To resolve this discrepancy, Marlboro Township has indicated that a more consistent method of limitations be examined. In accordance with the objectives stated earlier, it is proposed that the Township's Zoning Ordinance be amended in two ways. The first amendment would be to define the lot coverage and building coverage as two separate entities. "Building Coverage" would be defined as the percentage of the area of the lot covered or occupied by the total horizontal projected surface area of all buildings on the lot and including accessory buildings and structures (including covered porches, carports and gazebos, but excluding open and uncovered patios and decks). In contrast, "Lot Coverage" would be redefined as that portion or percentage of the lot area which is covered by buildings; paved and unpaved walkways, roads, driveways and parking areas; pavement; or other impervious surfaces. In short, Lot Coverage refers to all impervious surfaces on site.

In addition, lot coverage should exclude previously included non-impervious items such as pools, spas and decks that are gapped to permit infiltration instead of runoff. The reason for excluding the above items is that pools and spas store water and properly gapped decks allow infiltration, both of which are characteristics of non-impervious surfaces or structures.

Secondly, the amount of land eligible for accessory development would be formulated according to the percentage of the square footage of the existing building coverage, rather than the entire lot. The Permitted Accessory Structure Areas shown in Table 4 above were calculated by taking 25% of the square footage of the Maximum Principal Building Coverage for each zoning classification. The proposed changes would operate according to the building coverage to exclude uncovered structures such as patios and decks from the building coverage requirements, while keeping in line with overall lot coverage limitations. In addition, the proposed Permitted Accessory Structure Area standards would be imposed on plans for all newly constructed covered structures such as: additions, covered porches, and carports. The effects of this amendment would end the potential to construct exceptionally large accessory developments on the larger sites. In addition, this new requirement would satisfy Marlboro Township Master Plan Objective 22, which is to "create Zoning Ordinance provisions, which provide distinct building coverage and lot coverage requirements for each Zone District. Any provisions adopted should be designed so that they discourage building to the

maximum lot coverage thereby reducing the need for variances, should subsequent development of accessory structures or additions be pursued.”

## 2. **Residential Land Use Plan**

The Residential Land Use Plan includes six (6) types of districts of varying densities and/or types of residential building product. These six (6) types of districts and the specific Zone Districts that comprise them are listed in Table 5, residential Zone Districts, below.

<b>Table 5: Residential Zone Districts</b>		
<b>Zone District Name</b>	<b>Zone District Abbreviation</b>	<b>Minimum Lot Size and/or Tract Size Permitted</b>
<b>Agricultural/Land Conservation</b>		
Agriculture/Land Conservation District	A/LC	10 acres
<b>Land Conservation</b>		
Land Conservation District	LC	5 acres
<b>Low-Density Residential</b>		
R-80 Residential District	R-80	80, 000 square feet
Stream Corridor Preservation Residential District II	SCPR-II	25 acres per tract and 0.43 lots per gross acre
<b>Medium-Density Residential</b>		
R-60 Residential District	R-60	60, 000 square feet
R-60/40 Residential District	R-60/40	60, 000 or 40,000 square feet for cluster development
R-60/15 Residential District	R-60/15	60, 000 or 15,000 square feet for cluster development
R-40AH Residential District	R-40AH	40, 000 square feet
R-40GAH Residential District	R-40GAH	40, 000 square feet
R-40/30 Residential District	R-40/30	40, 000 or 30,000 square feet
R-1.5 Residential District	R-1.5	1.5 acres
Stream Corridor Preservation Residential District	SCPR	25 acres per tract and 0.8 lots per gross acre
<b>High-Density Residential</b>		
R-10AH Residential District	R-10AH	10, 000 square feet
R-20 Residential District	R-20	20, 000 square feet
R-20AH-1 Residential District	R-20AH-1	20, 000 square feet
R-20AH-2 Residential District	R-20AH-2	20, 000 square feet
R-25 Residential District	R-25	25, 000 square feet
R-30 Residential District	R-30	30, 000 square feet
R-20/15 Residential District	R-20/15	20, 000 or 15,000 square feet
R-30/20 Residential District	R-30/20	30, 000 or 20,000 square feet

<b>Table 5: Residential Zone Districts (Continued)</b>		
Flexible Residential District	FRD	10,000 square feet
Flexible Senior Citizen District	FSC	75 acres per tract and 5,000 square feet per unit
Senior Citizen Residential District	RSC	7,500 square feet
Senior Citizen Residential And Single-Family District	RSCS	7,500 s.f. for single family, 40 acres for senior citizen projects
Planned Adult Community	PAC	75 acres per tract and 5,000 square feet per unit
Planned Adult Community III	PAC-III	75 acres per tract and 5,000 square feet per unit
<b>Multi-Family</b>		
Townhouse District	THD	25 acres
Multi-Family District	MFD	10 acres
Multi-Family District I	MFD-I	10 acres
Multi-Family District II	MFD-II	6 acres
Planned Adult Community II	PAC-II	10 acres
Multi-Family/Patio Home District	MFPHD	70 acres
Senior Citizen Multi-Family District I	SCMFD-I	26 acres
Senior Citizen Multi-Family District II	SCMFD-II	60 acres
Mobile Home Park District	MHD	20 acres/4,000 square foot lots
Mobile Home Park District II	MHD-II	10 acres/3,500 square foot lots

The lowest-density district is Agriculture/Land Conservation (A/LC) District, which permits single-family dwellings on a minimum lot size of 10 acres. Other permitted uses include public and private golf courses, farms, open space and parks/recreational facilities. In addition, corporate headquarters are permitted as a conditional use on large lot sizes (over 50 acres). Other conditional uses include churches, health care facilities, public utilities, quasi-public buildings, home professional offices and institutions of higher learning. Adaptive re-use of existing structures for educational, health or recreation/cultural uses should be encouraged. One (1) existing Land Conservation (LC) Zone District near Newman Springs Road and one (1) existing Light Industrial (LI) Zone District near Boundary Road are proposed to be rezoned as A/LC, as depicted on Figure 3, Proposed Land Use Plan Map. These zones are proposed to become A/LC due to the fact that they lie within a Category 1 watershed area. In addition, more than 75% of the land area of the LI zone proposed to be rezoned A/LC is covered with freshwater wetlands as identified on the NJDEP GIS database. Further, both the LI and LC Zones proposed for rezoning lie within a Planning Area 5 (PA5), Environmentally Sensitive Planning, as designated by the New Jersey State Development and Redevelopment Plan (SDRP). PA5 areas are characterized by contiguous large tracts of land containing valuable ecosystems, potable water sources, prime forests, scenic natural landscapes and significant topographic or geologic features. As PA5 designation by the State Planning Commission is intended to discourage further intensive development within PA5 areas, a rezoning to A/LC in these areas in accordance with the SDRP and Marlboro Township Master Plan Objective 10, which is to “retain and augment the low-density policy in the east, north and west central portions of the Township consistent with the State Development and Redevelopment Plan Planning Area 5 designation.” In addition, the proposed rezonings are in accordance with Marlboro Township Master Plan Objective 19, which is to “decrease the permitted residential density in currently undeveloped areas of the Township.”

Land Conservation (LC) Zone Districts are characterized by environmentally sensitive areas, such as those areas with extensive freshwater wetlands, steep slopes or Category-1 waters. Minimum lot size within the LC Zone is 5 acres. The LC Zone District is proposed to expand to include existing R-80 areas in the vicinity of New Jersey State Highway 79 in the central and northern portions of the Township, as depicted on Figure 3, Proposed Land Use Plan Map. In addition, the areas in the northern portion of the Township proposed to be rezoned as LC are located within areas designated or proposed as Planning Area 5 (PA5), Environmentally Sensitive Planning Area by the SDRP. As PA5 land areas are characterized by significant natural resources or environmentally sensitive features, a rezoning of those R-80 Zone Districts to LC is in agreement with both existing Marlboro Township LC Zone District Ordinance and the SDRP. In addition, the proposed rezoning is in accordance with Marlboro Township Master Plan Objective 10, which is to “retain and augment the low-density policy in the east, north and west central portions of the Township consistent with the State Development and Redevelopment Plan Planning Area 5 designation.” Further, the proposed rezoning is in accordance with

Marlboro Township Master Plan Objective 19, which is to “decrease the permitted residential density in currently undeveloped areas of the Township.” Finally, as the R-80 zone within the center portion of the Township lies within a Category-1 Watershed area and is covered predominantly by freshwater wetlands, the area proposed for rezoning meets the Township’s criteria for rezoning as LC.

The Low-Density Residential areas within the central and southern portions of the Township, as depicted on Figure 3, the Proposed Land Use Plan Map, represent the Stream Corridor Preservation Residential District II (SCPR-II) Zone Districts. SCPR-II Zone districts require a maximum building lot density 0.43 lots per gross acre or approximately one lot (1) per two (2) acres. Permitted uses within the SCPR-II Zone are limited to single-family residential uses and temporary buildings incidental to the construction of single-family units. The western portion of the SCPR II Zone District located in the near NJSH Route 79 in the southern portion of the Township is proposed to be rezoned Land Conservation (LC). The eastern portion of the SCRP II Zone is proposed to be rezoned Village Commercial (C-1), as discussed within the Commercial Land Use Plan section below. The rezoning of this SCPR-II Zone District will provide opportunities for more commercial development along NJSH Route 79 and comply with the overall Marlboro Township Master Plan Objective to curb residential development in undeveloped portions of the Township.

The Medium-Density Residential areas depicted on the Proposed Land Use Plan Map reflect a density of approximately 1 to 1.4 residential units per acre. The specific Zone Districts that are located within the medium-density areas of the Township include R-60, R-60/40, R-60/15, R-40AH, R-40GAH, R-40/30, R-1.5 or SCPR. An existing R-80 Zone District, comprised of one lot, known as Block 160.03, Lot 16, is proposed to be rezoned as R-40AH. As this site is surrounded by an R40/30 Zone District, rezoning the site as R-40AH is more appropriate and compatible with surrounding uses. In addition, a portion of the R-60 zone adjacent to Tennent Road in the northern portion of the Township, as depicted on Figure 3, the Proposed Land Use Plan Map, is proposed to be rezoned as Office Professional Transitional District II (OPT-II). As the purpose of the OPT-II Zone District is to provide a transition between residential and commercial development, the proposed OPT-II Zone District would provide a transition between the existing Neighborhood Commercial District (C-2) district on the other side of Tennent Road and the residential Zone Districts adjacent to the proposed OPT-II zone. This proposed rezoning is in accordance Marlboro Township Master Plan Objective 2, which is to provide “for logical transitional uses between residential and non-residential areas of the Township.” In addition, the proposed rezoning is in accordance with the overall Marlboro Township Master Plan Objective to curb residential development in undeveloped portions of the Township.

The High-Density Residential areas, as depicted on Figure 3, the Proposed Land Use Plan Map, includes those areas of the Township currently zoned for lot sizes of

less equal to or less than 30,000 sq. ft. Specific Zone Districts located within the High-Density Residential District include R-10AH, R-20, R-20AH-1, R-20AH-2, R-25, R-30, R-20/15, R-30/20, FRD, FSC, RSC, RSCS, PAC and PAC-III Residential Zone Districts. The R30/20 Zone District located along NJSH Route 79 within the southern portion of the Township, as depicted on Figure 2, Existing Land Use Map, has been procured by Marlboro Township and is now proposed to be rezoned as Municipal Zone (MZ), as depicted on Figure 3, Proposed Land Use Map.

Multi-Family Residential areas, as depicted on Figure 3, the Proposed Land Use Plan Map, include the THD, MFD, MFD-I, MFD-II, PAC-II, MFPHD, SCMFD-I, SCMFD-II, MHD, and MHD-II Zone Districts. These zone districts permit multi-family residential uses. In addition, some of these districts also permit single-family residential uses.

### **3. Commercial Land Use Plan**

The Commercial Land Use Plan contains six commercial zoning districts of varying intensity, which include Village Commercial (C-1), Neighborhood Commercial (C-2), Community Commercial (C-3), Regional Commercial (C-4), Commercial Industrial Research (CIR) and Commercial Service (CS) Districts.

The Village Commercial (C-1) Zone District is located in Marlboro Village north of School Road along Route 79 and contains extensive development controls in order to preserve the unique historical character of that area. The C-1 Zone District is proposed to be expanded to include the eastern portion of the adjacent SCPR II Zone, the Light Industrial (LI) Zone to the north, and the Office Transitional II (OPT-2) Zone District to the north. The proposed rezoning of the above Zone Districts would provide an opportunity to both buffer Marlboro Village from incompatible uses and allow for the expansion of the Village area. The proposed rezoning addresses a large portion of the Marlboro Township Master Plan Objective 9, which is to review “zoning criteria and permitted uses for Marlboro Village area.” In addition, the proposed rezoning of the eastern portion of the SCPR-II Zone District is in accordance with the overall Marlboro Township Master Plan Objective to curb residential development in undeveloped portions of the Township.

The Neighborhood Commercial (C-2) District is designed to provide for the daily needs of the surrounding neighborhood. C-2 Zone Districts currently exist along portions of NJSH Routes 18 and 79 and along portions of Tennent Road. The C-2 Zone District just south of the intersection of NJSH Route 79 and Tennent Road is proposed to be expanded to include the adjacent Multi-Family II (MFD-II) Zone Districts to the north. Rezoning the above referenced MFD-II Zone Districts as C-2 would provide an opportunity to utilize the intersection of NJSH Route 79 and Tennent Road for commercial development. In addition, the proposed rezoning is in accordance with the overall Marlboro Township Master Plan Objective to curb residential development in undeveloped portions of the Township. As this intersection is a prime location for commercial uses due to the higher volumes of traffic flowing through these two major roadways, the sites proposed for rezoning are suitable for commercial use.

The C-3 or Community Commercial District exists along portions of NJSH Routes 9 and 34 and has received the most extensive commercial development over the last ten years due to the population growth not only in the Township but the surrounding communities and the regional access and exposure afforded by Route 9. At this time, much of the land within C-3 Zone districts has been developed. However, the Commercial Industrial Research (CIR) Zone District located along NJSH Route 79 within the southern portion of the Township is proposed to be rezoned as C-3 to provide new opportunities for commercial development within the Township. In addition, it is recommended that sewer service be extended in to this zone to further encourage development. Further, the C-3 Zone District Ordinance contains a requirement for a 200-foot buffer to be included where a

commercial use abuts a residential zone, which will serve to reduce noise and improve aesthetics for adjacent residential and commercial uses in the area. In addition to the expanding C-3 Zone District into the southern portion of the Township along Route 79, the Master Plan recommends that Block 268, Lot 79, located along Route 520 near its intersection with Route 9, which is currently zoned R-20 be rezoned C-3. This recommendation is predicated upon the fact that the site currently maintains commercial development and C-3 zoning would be more appropriate.

The Regional Commercial (C-4) Zone District is located north of Route 520 along NJSH Route 9. The C-4 Zone District requires a minimum lot area of ten (10) acres. It is the only remaining area in the Township having significant highway frontage where potentially larger-scale projects might be located. However, the area also has extensive wetlands and environmental constraints, which constrain the full development of this zone. The southerly portion of this Zone is proposed to be rezoned as Office Transitional District II (OPT-II). This rezoning is discussed further in the Office Land Use Plan section below.

The existing CIR Commercial Industrial Research District is located along both sides of Route 79 south of Route 18. The zone allows residential use as a conditional use as well as commercial, industrial or research facilities as a flexible option to the applicant. The CIR Zone District is proposed to be rezoned as C-3, Community Commercial District. Rezoning as C-3 would provide an opportunity for more commercial development along NJSH Route 79, one of the Township's major thoroughfares. In addition, the C-3 Zone District Ordinance contains a requirement for a 200-foot buffer to be included where a commercial use abuts a residential zone. The 200-foot buffer will serve to reduce noise and improve aesthetics for adjacent residential and commercial uses.

The Commercial Service District or CS District is located on the eastern side of Route 79 from Brown Road to the northern terminus of the existing LI, Light Industrial Zone. The commercial service uses permitted include office buildings, various service facilities, such as facilities that provide for maintenance or installation of new equipment services, excluding retail sales establishments that do not have any service aspects connected with the business. The three lots existing on the southerly portion of the CS Zone District are currently split zoned as CS and R-80. These three lots are proposed to be rezoned as CS in their entirety. In addition Block 153, Lot14 is immediately adjacent to the above referenced lots is proposed for rezoning from R-80 to CS. As the four lots have frontage on NJSH Route 79, which provides an opportunity for commercial development, eliminating the split zoning and making them entirely CS provides a zoning designation suited to their location. In addition, the elimination of split zoning serves to more clearly define zoning designations for specific lots.

#### **4. Office Land Use Plan**

The Township currently has three office zones identified as Office Transitional Districts or OPT-1, OPT-2 and OPT-3. Each has similar permitted uses, with office uses being the primary focus, and existing residential and professional uses permitted in all three zones. Additional uses permitted within the OPT-2 District, which are not permitted within the OPT-1 Zone include hairdressers, art supplies, boutiques and pet shops as a conditional use. Additional uses permitted within the OPT-3 District that are not permitted in the OPT-1 Zone are executive offices and restaurants as part of an office complex. Minimum lot sizes are 30,000 sq. ft. for the OPT-1 District, 60,000 sq. ft. in the OPT-2 District and 10 acres in the OPT-3 District. OPT-1 and OPT-3 Zone Districts are currently not mapped on the Township Zoning Map.

The southerly portion of the C-4 Zone District located along Route 520, west of its intersection with NJSH Route 9, is proposed to be rezoned as OPT-2. In addition, the existing R-60 Zone District, located along Tennent Road near its intersection with NJSH Route 79, is proposed to be rezoned as OPT-2, except for Block 149, Lots 4 and 10, which are affordable housing sites. Rezoning these areas as OPT-2 provides an opportunity for office-commercial development along Route 520 and Tennent Road, two of the Township's major arterials. Due to their location, the areas proposed for rezoning are suited to office-commercial use. In addition, the proposed OPT-2 Zoning provides a transitional area between what would otherwise be adjacent commercial and residential zone districts. Therefore, both proposed rezonings are in accordance with Marlboro Township Master Plan Objective 2, which is to provide "for logical transitional uses between residential and non-residential areas of the Township."

#### **5. Industrial Land Use Plan**

The Township currently has two industrial zones, the LI or Light Industrial District and the IOR or Industrial Office Research District, in addition to the CIR District, which also permits industrial use. LI Districts are located primarily along Vanderburg Road to the east of Marlboro Village. The IOR Zone District is located to the west of the intersection of NJSH Route 18 and Tennent Road. Development of these zones has been slow to materialize, especially within the LI Zones on Vanderburg Road. In addition, these zones contain a number of vacant industrial buildings and vacant lots.

All of the LI zones are located within the C-1 watershed area and many of them also contain large wetlands areas. In addition, the northerly portion of the IOR Zone contains a portion of a large contiguous wetland area. As these zones contain a significant amount of environmentally sensitive land area only the cleanest types of industrial uses should be encouraged to locate within these zones. Encouraging "clean" industrial uses within these zones is in accordance with the Township's

Master Plan Objective to encourage controlled and properly designed commercial and industrial development in areas so designated on the Master Plan.

## **6. Public and Quasi-Public Land Use Plan**

As depicted on Figure 3, Proposed Land Use Plan Map, many sites throughout the Township are part of the Public and Quasi-Public Land Use Plan. All of the sites within the Public and Quasi-Public land use category are owned by Marlboro Township and are designated as Municipal Zone Districts. Land uses vary within the MZ Districts and may include municipal buildings, schools, parks and open space. Block 160, Lot 8 and Block 159, Lot 1 were recently acquired by Marlboro Township and rezoned MZ. These sites are under consideration for development as a park/recreation area. As both sites contain wetlands and the southern portion of Block 159, Lot 1 is located within the C1 watershed area, a rezoning as MZ for potential use as a park/recreation area is suited to the site and is in accordance with the objectives of the Township Master Plan.

## **7. Airport Hazard Area District**

The Air Safety and Hazardous Zoning Act of 1983 requires that all municipalities adopt ordinances to provide for safe land use and vertical development control for the area immediately surrounding a recognized airport that may be located in the community. Marlboro Airport is a State recognized airport, and it has been delineated on the zoning map along with associated airport hazard areas in accordance with the Air Safety and Hazardous Zoning Act. The key features are a “clear zone” which prohibits all structures and a runway subzone and a runway end subzone. The runway subzone and runway end subzone permit commercial, industrial or single family residential uses providing the minimum lot size for single family residential uses is three acres. As Marlboro Airport has ceased operations, it is recommended that the entire Airport Hazard Area Zone District be removed from the zoning map and revert back to existing zoning or zoning proposed within this Land Use Plan Element. Under the proposed zoning recommended within this Land Use Plan Element, the majority of the Airport Hazard Area Zone District would be rezoned as LC, Land Conservation Zone District. The recommended rezoning is in accordance with Marlboro Township Master Plan Objective 8, which is to “consider alternative uses/zoning for Marlboro Airport and adjacent lands should it cease operation.”

## **F. AREAS PROPOSED FOR ZONING CHANGES**

### **1. Residential Land Use Plan**

The Residential Land Use Plan is divided into six (6) distinct types of districts of varying densities and/or types of residential building product. Specific zoning changes proposed within this Land Use Plan are listed below, organized first by district type, then by specific district.

Agriculture/Land Conservation (A/LC) District is the lowest density district. The A/LC District permits single-family dwellings on a minimum lot size of 10 acres, public and private golf courses, farms, open space and parks/recreational facilities. Specific block and lots proposed for rezoning to A/LC include Block 214, Lots 42 and 49. Block 214, Lot 42 is a 35.78-acre tract, which is located within the C1 watershed area. In addition, the tract is surrounded by parkland.

Block 214, Lot 49 is a 6.28-acre tract, currently zoned as LI, which is located within the C1 watershed area and is covered by more than 75% wetlands as identified on the NJDEP GIS database. Together these two environmental constraints severely limit the developability of this tract.

In addition, Block 214, Lots 42 and 49 are both located within a Planning Area 5 (PA5), Environmentally Sensitive Planning, as designated by the New Jersey State Development and Redevelopment Plan (SDRP). PA5 areas are characterized by contiguous large tracts of land containing valuable ecosystems, potable water sources, prime forests, scenic natural landscapes and significant topographic or geologic features. As PA5 designation by the State Planning Commission is intended to discourage further intensive development within PA5 areas, a rezoning of Block 214, Lots 42 and 49 to A/LC is in accordance with the SDRP and Marlboro Township Master Plan Objective 10, which is to “retain and augment the low-density policy in the east, north and west central portions of the Township consistent with the State Development and Redevelopment Plan Planning Area 5 designation.” Further, the proposed rezonings are in agreement with Marlboro Township Master Plan Objective 19, which is to “decrease the permitted residential density in currently undeveloped areas of the Township.”

The Land Conservation (LC) Zone Districts are residential zones, which permit single-family home on a minimum of 5-acre lots. These zone districts are characterized by environmentally sensitive features, including freshwater wetlands, steep slopes and C1 waters. The LC Zone District is proposed to expand to include the block and lots below.

<b>Table 6: Sites Zoned Proposed for Rezoning to LC</b>	
<b>Block</b>	<b>Lot(s)</b>
132	19-26, 28-39, 41-56
138	3-6, 14.01-14.03
152	1-2
153	10.01-10.05, 14, 16-46, 48-84, 86-137
153.01	1-5
153.02	1-9
159	2, 8-10
160	9, 11-14
160.01	1-4.03
164	1
169	1-26
170	2-51
171	1-14, 37-103
193.02	55-58, 60
206	51, 53-56
207	1-7, 10-12, 14-18
225	227 (portion of)

Many of the sites proposed for rezoning to LC contain wetlands, prime agricultural soils and NJ Important soils. In addition, most sites proposed for rezoning, which are located south of Beacon Hill Road are located within the C1 watershed area. Further, most R-80 areas proposed to for rezoning as LC are located within areas designated or proposed as PA5, Environmentally Sensitive Planning Area by the SDRP. PA5 land areas are characterized by significant natural resources or environmentally sensitive features. The proposed rezoning of the sites above from R-80 to LC is in agreement with both existing Marlboro Township LC Zone District Ordinance and the SDRP.

The proposed rezoning is also in accordance with Marlboro Township Master Plan Objective 10, which is to “retain and augment the low-density policy in the east, north and west central portions of the Township consistent with the State Development and Redevelopment Plan Planning Area 5 designation,” and Objective 19, which is to “decrease the permitted residential density in currently undeveloped areas of the Township.” Finally, as the R-80 zone within the center portion of the Township lies within a Category-1 Watershed area and is covered predominantly by freshwater wetlands, the area proposed for rezoning meets the Township’s criteria for rezoning as LC.

The third type of Zone District within Marlboro Township is Low-Density Residential. These areas are located within the central and southern portions of the Township, as depicted on Figure 3, the Proposed Land Use Plan Map, and are comprised of the Stream Corridor Preservation Residential District II (SCPR-II) Zone Districts. The western portion of the 167.5-acre SCPR II Zone District, known as Block 225, Lot 227, located in the near NJSH Route 79 in the southern portion of the Township is proposed to be rezoned LC Land Conservation. The eastern portion of the SCPR II Zone is proposed to be rezoned Village Commercial (C-1), as discussed within the Commercial Land Use Plan section below. Block 225, Lot 227 contains lies within the C1 watershed area and contains extensive wetlands. In addition, portions of the site are proposed to be redesignated from PA2 to PA5 by the SDRP. The rezoning of Block 225, Lot 227 will provide opportunities for more commercial development along NJSH Route 79 and also serve to curb residential development in an undeveloped portions of the Township, which is in accordance with the overall Marlboro Township Master Plan Objective to curb residential development in undeveloped portions of the Township.

The Medium-Density Residential areas depicted on Figure 3, Proposed Land Use Plan Map, include the R-60, R-60/40, R-60/15, R-40AH, R-40GAH, R-40/30, R-1.5 and SCPR Zone Districts. An existing R-80 Zone District, comprised of one lot, known as Block 160.03, Lot 16, is proposed to be rezoned as R-40AH. As this site is surrounded by an R40/30 Zone District, rezoning the site as R-40AH is more appropriate and compatible with surrounding uses. In addition, a portion of the R-60 zone adjacent to Tennent Road in the northern portion of the Township is

proposed to be rezoned as Office Professional Transitional District II (OPT-II). This rezoning is discussed further within the Office Land Use Plan below.

High-Density Residential areas, as depicted on Figure 3, Proposed Land Use Plan Map, includes R-10AH, R-20, R-20AH-1, R-20AH-2, R-25, R-30, R-20/15, R-30/20, FRD, FSC, RSC, RSCS, PAC and PAC-III Residential Zone Districts. The R30/20 Zone District located along NJSH Route 79 within the southern portion of the Township, as depicted on Figure 2, Existing Land Use Map, has been procured by Marlboro Township and is now proposed to be rezoned as Municipal Zone (MZ), as depicted on Figure 3. Proposed Land Use Map.

Multi-Family Residential areas include the THD, MFD, MFD-I, MFD-II, PAC-II, MFPHD, SCMFD-I, SCMFD-II, MHD, and MHD-II Zone Districts, as depicted on Figure 3, Proposed Land Use Plan Map. The C-2 Zone District just south of the intersection of NJSH Route 79 and Tennent Road is proposed to be expanded to include the adjacent Multi-Family II (MFD-II) Zone Districts to the north. Further discussion of this proposed rezoning is presented within the Commercial Land Use Plan, below. No other rezoning of multi-family residential zones is proposed.

## **2. Commercial Land Use Plan**

The Commercial Land Use Plan is divided into six (6) distinct types of districts of varying densities and/or types of commercial building product. The first area of land proposed to be rezoned for commercial use would be for an area adjacent to Route 79, in the vicinity of Brown Road. The three lots, which include Block 153, Lots 11, 12, 13, are currently split zoned as CS (Commercial Service District) and R-80. These three lots are proposed to be rezoned as CS in their entirety. In addition Block 153, Lot 14 is proposed to be rezoned from R-80 to CS. The commercial service uses permitted include office buildings, various service facilities, such as facilities that provide for maintenance or installation of new equipment services, excluding retail sales establishments that do not have any service aspects connected with the business. As the four lots have frontage on NJSH Route 79, which provides an opportunity for commercial development, eliminating the split zoning and making them entirely CS provides a zoning designation suited to their location. In addition, the elimination of split zoning serves to more clearly define zoning designations for specific lots.

An existing CIR (Commercial Industrial Research District) is located along both sides of Route 79, south of Route 18. The zone allows residential use as a conditional use as well as commercial, industrial or research facilities as a flexible option to the applicant. The CIR Zone District is proposed to be rezoned as C-3, Community Commercial District. Rezoning as C-3 would provide an opportunity for more commercial development along NJSH Route 79, one of the Township's major thoroughfares. In addition, the C-3 Zone District Ordinance contains a requirement for a 200-foot buffer to be included where a commercial use abuts a

residential zone. The 200-foot buffer will serve to reduce noise and improve aesthetics for adjacent residential and commercial uses.

In addition Block 268, Lot 79 is proposed for rezoning from R-20 to C-3. The site currently maintains a commercial use fronting on Route 520. As such the site lends itself to being commercially zoned.

Finally, The C-1 Zone District is proposed to be expanded to include the eastern portion of the adjacent SCPR II Zone, the Light Industrial (LI) Zone to the north, and the Office Transitional II (OPT-2) Zone District to the north. Specific Block and Lot locations to be included in the proposed rezoning are listed within Table 9, below.

<b>Table 9: Sites Proposed to be Rezoned in an Expanded Village Commercial District</b>	
<b>Block</b>	<b>Lot</b>
213	41-47, 44.01, 49
225	227*, 29

\*Only the eastern portion of the site is proposed to be rezoned as C-1.

The proposed rezoning of the above Zone Districts would provide an opportunity to both buffer Marlboro Village from incompatible uses and allow for the expansion of the Village area. The proposed rezoning addresses a large portion of the Marlboro Township Master Plan Objective 9, which is to review “zoning criteria and permitted uses for Marlboro Village area.” In addition, the proposed rezoning is in accordance with the overall Marlboro Township Master Plan Objective to curb residential development in undeveloped portions of the Township.

### **3. Office Land Use Plan**

Two areas are proposed to be rezoned for office use. The first area includes Block 175, lots 23-34, which falls along the southerly portion of the C-4 Zone District. Located adjacent to Route 520, west of its intersection with NJSH Route 9, the area is proposed to be rezoned as OPT-2.

A second area, which includes Block 149 Lots 1-16, is proposed to be rezoned as OPT-2 as well, except for Block 149, Lots 4 and 10, which are affordable housing sites. Located along Tennent Road near its intersection with NJSH Route 79, the area is situated within an existing R-60 Zone District. Rezoning these areas as OPT-2 provides an opportunity for office-commercial development along Route 520 and Tennent Road, two of the Township’s major arterials. Due to their location, the areas proposed for rezoning are suited to office-commercial use. In addition, the proposed OPT-2 Zoning provides a transitional area between what would otherwise be adjacent commercial and residential zone districts. Therefore,

both of the proposed rezoning areas are in accordance with Marlboro Township Master Plan Objective 2, which is to provide “for logical transitional uses between residential and non-residential areas of the Township.” In addition, the proposed rezoning is in accordance with the overall Marlboro Township Master Plan Objective to curb residential development in undeveloped portions of the Township.

#### **4. Public and Quasi-Public Land Use Plan**

Land areas within the Public and Quasi-Public land use category are owned by Marlboro Township and are designated as Municipal Zone Districts. These Districts are scattered throughout the Township, as depicted on Figure 3, Proposed Land Use Plan Map. Varied land uses exist within the MZ Districts and may include municipal buildings, schools, parks and open space. Block 160, Lot 8 and Block 159, Lot 1 were recently acquired by Marlboro Township and rezoned as MZ Districts. Block 160, Lot 8 and Block 159, Lot 1 are under consideration for development as a park/recreation area. As both sites contain wetlands and the southern portion of Block 159, Lot 1 is located within the C1 watershed area a rezoning as MZ for potential use as a park/recreation area is suited to the sites and is in accordance with the objectives of the Township Master Plan. More specifically, the rezoning is in accordance with Marlboro Township Master Plan Objective 3, which encourages the conservation of open space and protection of environmentally sensitive areas, and helps support Objective 15, which is to “develop a recreation and open space plan that provides recreational facilities for residents of all ages.” In addition, Block 160, Lot 8 and Block 159, Lot 1 are located within a PA5, Environmentally Sensitive Planning Area. The SDRP discourages intensive development and encourages preservation of natural resources within PA5 areas. Therefore, the rezoning of Block 160, Lot 8 and Block 159, Lot 1 are in agreement with the State Planning Commission designation of the lands as PA5, Environmentally Sensitive areas.