

TOWNSHIP OF PEQUANNOCK

MASTER PLAN
REEXAMINATION REPORT

Prepared for:

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Introduction

The Township of Pequannock is located in the northeastern portion of Morris County in the Highlands Region of the State of New Jersey. It has a total area of 4,618 acres within its boundary area. Historically, development has been concentrated in the area west of the Pequannock River, in the Valley area along the Boulevard, Newark Pompton Turnpike and west of Route 23. Today, access to major regional employment centers is Route 23 which has direct connections to Route I-287 to the north and Routes 46 and I-80 to the south.

The municipality's boundary is conterminous with five different communities and one other county. The bordering communities include Lincoln Park, Pompton Lakes, Riverdale and Kinnelon all in Morris County and Wayne, located in Passaic County.

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

When the Municipal Land Use Law (N.J.S.A. 40:55D- 1 et seq.) was adopted in August, 1976, the enabling legislation which governed municipal planning and zoning in all New Jersey municipalities was completely revised. One of the major changes was a provision that required the reexamination of master plans and development regulations every six years pursuant to the provisions of N.J.S.A. 40:55D-89. This report constitutes the Master Plan Reexamination mandated by the New Jersey Municipal Land Use Law, specifically N.J.S.A. 40:55D-89. The law requires that each municipality's Planning Board prepare a report covering the following five elements:

- The major problems and objectives relating to land development in the municipality at the time of the adopting of the last reexamination report.
- The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last reviewed with particular regard to density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

- The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- The recommendations of the Planning Board concerning the incorporation of redevelopment plans pursuant to the "*Local Redevelopment and Housing Law*," P.L. 1992, C. 79(C.40A: 12A- 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 reexamination report serves as a basis for discussion, representing that planning is a continuous and ever changing process. A discussion and reexamination of goals and objectives is an important component of any reexamination report. Value is derived from the process of preparing the report/plan and from the use of the Plan after it is completed.

An Overview of the Township of Pequannock's Master Plan Process

The Township of Pequannock has a long history of planning which began in 1940 with the Township Council's adoption of its first zoning ordinance and the creation of the first Board of Adjustment. The Township Council established the Planning Board in 1949 followed by the first adopted master plan in 1950. Over the past 60 years, the Township of Pequannock has periodically and systematically continued the planning process through master plan program initiations, zoning ordinance additions and revisions and historic preservation planning.

The Township's interest in this reexamination report is to satisfy the statutory requirements of the reexamination process and to provide a starting point for further analysis and refinement of the Township's master plan and zoning ordinances.

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

The 1994 Master Plan Revision addressed the problems, as enumerated in the 1990 Reexamination Report and did not specify or propose any new 1994 problems or objectives. The 1995 Master Plan, adopted shortly after the 1994 Reexamination Report included new goals and objectives, a land use element, a housing element, a utilities element, a community facilities element and a circulation plan element. These objective and polices were enumerated in the 2003 Reexamination and are as follows:

1. Preserve the tree lined streets throughout the Township.
2. Insure the preservation of the existing residential character along the Township's roadways, particularly the Newark Pompton Turnpike, the Boulevard and West Parkway.
3. Protect the views of the mountains by locating development in areas on or around the mountains so as not to disturb these views.
4. Promote a Path and Trail System that will utilize existing trails and, with new links, will connect the Township's parks and open spaces.
5. Preserve all lakes and wetlands.
6. Limit development along rivers, streams and ditches and around lakes so as to create buffers, and where possible, greenways and paths. Coordinate the conservation of these areas with adjacent communities utilizing conservation easements and other land protection mechanisms.
7. Preserve and protect the area of confluence of the Pequannock and Wanaque Rivers which include numerous islands and coordinate these efforts with adjacent communities.
8. Encourage programs and projects to clean up refuse places in the rivers and along the banks and discourage such disposal of refuse.
9. Protect areas of steep slopes and scenic stream corridors of the Waughaw Mountains.
10. Promote clean air.
11. Support programs, policies and site designs that provide and promote noise abatement.
12. Promote and maintain the vegetative buffers that provide screening and the separation of different land uses.

13. Insure that any development on steep slopes, slopes that exceed fifteen percent, occur without erosion and unnecessary loss of vegetation.
14. Establish procedures for Historic District Commission's review of development applications involving designated historic properties.
15. Permit a limited range of professional uses in the residential zones along the Newark Pompton Turnpike between the C-1 commercial districts so that the residential character is preserved and parking and signage is accommodated on site with minimum impact to the neighborhoods.
16. Discourage flag lots and limit their creation to those locations where, due to curvilinear street patterns, the flag lot will not disrupt the neighborhood pattern and there is adequate area to allow for privacy and access by emergency vehicles.
17. Designate transitional areas between commercial and residential districts where enhanced buffering is required.
18. Control and manage the development of Route 23 so as to reduce the diverted traffic from Route 23 and minimize the impact on internal roadways serving the residential and downtown business districts.
19. Specify kinds of retail uses in the C-1 Business Districts for the purpose of encouraging neighborhood shopping.
20. Allow residential uses above commercial uses where there is adequate parking and buffering of the commercial activity.
21. Establish guidelines and standards for solid waste disposal facilities.
22. Establish guidelines for signage and outdoor displays that will assist the retail business community and contribute to commercial zone and corridor aesthetics.
23. Develop standards for lighting that provides for safety and enhance commercial district aesthetics and, within the C-1 district, encourage pedestrian use.
24. Promote the location of parking areas under structures, or in rear and side yards.
25. Continue to limit the kinds or uses permitted in the industrial zone along West Parkway to those that pose no danger of contamination to the aquifer recharge areas.
26. Encourage the enforcement of zoning regulations, floodplain management and property maintenance standards in industrial zones so as to further protect environmentally sensitive areas.

27. Insure that all new industrial development is adequately buffered from residential uses and districts and that new uses within the industrial zones are associated with adequate and appropriate safeguards to insure the protection of the environment and the surrounding area.
28. Implement the Final Judgment with regard to requirements for housing as to the Township and provide a realistic opportunity for the provision of the Township's fair share of housing that is affordable to low and moderate income families.
29. Continue to seek opportunities to assist low and moderate income families in rehabilitating existing deteriorated structures and flood proofing floodplain dwellings.
30. Support the implementation of the recommendations of the Department of Parks and Recreation regarding additions and improvements to park facilities.
31. Seek the implementation of a path and trail system through a variety of land protection mechanisms and public access programs.
32. Seek the creation of a parking area that would provide access to the northern portion of Mountain Park.
33. Protect and safeguard the aquifer recharge areas and wells through appropriate zoning and enforcement.
34. Continue to monitor stormwater management practices and facilities so as to protect the ground water quality and reduce the incidence of artificially induced flood damage to downstream property owners. Maintain the adequacy of existing and proposed culverts, bridges, dams, and other water structures.
35. Continue to implement floodplain management policies, regulations and programs aimed at promoting safety and preventing flood damage.
36. Continue to seek financial support for the purchase of residential properties within the floodway of the Pequannock and Pompton Rivers and to conserve these properties, once improvements are demolished, for passive recreation uses.
37. Continue to provide information to the public regarding flood plain hazards, flood emergencies and planning and procedures, and site specific flood plain determinations.
38. Preserve the Pio Costa tract's floodwater retention capability.
39. Insure that commercial buildings in flood areas have an advance warning system for employees and patrons.

40. Continue the policy of requiring utilities to be placed underground with all new construction and seek funding opportunities to place existing above ground utilities underground.
41. Recommend that additional park and ride lots be established within the Township. One potential site for a new facility is the vacant land at the southwest corner of West Parkway as it intersects with Route 23.
42. Coordinate traffic management plans with suburban transit initiatives developed by Morris County and the Morris County Transportation Management Association ("Mc Rides").
43. Investigate the use of Transportation Enhancement funds, available under the Intermodal Transportation Efficiency Act, to provide pedestrian and bicycle paths.
44. Provide, if needed, a connection between the northern portion of West Parkway and the Boulevard, after review of changes in traffic patterns due to the completion of Route 287 and other residential development.
45. Revise the Township's cartway width and parking space requirements in lieu of revised standards promulgated by the American Association of Highway and Traffic Officials and the Center for Urban Policy Research's Subdivision and Site Plan Handbook.
46. Support the Army Corps of Engineers Passaic River Dual Inlet Tunnel project to eliminate potential flooding along sections of Route 23.
47. Recommend improvements of intersection configuration and roadway design at high accident locations on Route 23 at Jackson Avenue and Alexander Avenue, and along Lincoln Park Road at the sharp bend.
48. Support the reactivation of passenger rail service on the New York, Susquehanna and Western Railroad.

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

A number of the goals and objectives, as well as the planning problems highlighted in the prior master plans have been addressed, while others remain unchanged.

It is important to note that some issues have been partially addressed, while others remain issues that must be addressed, as follows:

1. Preserve the tree lined streets throughout the Township.

This continues to be an objective of the Township through a program to redevelop tree lined streets with sustainable trees, an initiative to locate land on which to create a municipal tree farm. The Shade Tree Commission has been reactivated and is an integral part of the planning process of the Township.

2. Insure the preservation of the existing residential character along the Township's roadways, particularly the Newark Pompton Turnpike, the Boulevard and West Parkway.

The Township Zoning Ordinance has been revised, from time to time, to restrict non-compatible commercial uses on Newark Pompton Turnpike. Such Ordinance controls include regulations regarding signs, yard setbacks, coverage, height restrictions, off-street parking and permitting only residential uses on the Boulevard and West Parkway.

3. Protect the views of the mountains by locating development in areas on or around the mountains so as not to disturb these views.

The purchase of the remaining undeveloped mountain area continues to be an objective of the Township with an emphasis on collaborative work with the Borough of Kinnelon to help preserve this scenic area.

4. Promote a Path and Trail System that will utilize existing trails and, with new links, will connect the Township's parks and open spaces.

The Township is actively involved in the continued efforts to convert the railroad right-of-way into a bike path that will connect to various areas of the Township. In addition, as one of the Morris Conservancy's Partners for Greener Communities, the Conservancy is involved in a number of trail initiatives that Pequannock Township is involved with. The recent adoption of an Open Space Recreation Plan, by the Township, addresses the path and trail system needs in detail. Specifically, the Plan identifies potential bike lanes. Further, the bike path project has received priority from Morris County and dedicated funds have been provided to complete the program.

5. Preserve all lakes and wetlands.

This continues to be an objective of the Township. Strict enforcement of wetland laws remains a priority of the Township and its enforcement departments.

6. Limit development along rivers, streams and ditches and around lakes so as to create buffers, and where possible, greenways and paths. Coordinate the conservation of these areas with adjacent communities utilizing conservation easements and other land protection mechanisms.

Aquatic Park along the Pequannock River provides a greenway and path along the Pequannock River. Along the length of the river corridor, the severity of the wetlands and floodplains has caused the area to experience limited development. In order to protect and enhance the river, its banks, and the floodplains, an overall plan for riverfront access and community use should be created. This continues to be an objective of the Township. In addition, the Township restricts development of environmentally sensitive lands by restricting construction in flood plains and enforcing wetland protection laws.

7. Preserve and protect the area of confluence of the Pequannock and Wanaque Rivers which include numerous islands and coordinate these efforts with adjacent communities.

This continues to be an objective of the Township and the potential for protection of these areas is discussed in detail in the Township Open Space and Recreation Plan. Similarly, the Township strictly enforces all State and local wetland and floodplain regulations.

8. Encourage programs and projects to clean up refuse places in the rivers and along the banks and discourage such disposal of refuse.

This continues to be an objective of the Township. The Township supports the Clean Communities Act with volunteers that devote their leisure time to removing debris along the river banks, stream corridors and shores of the Township lakes.

9. Protect areas of steep slopes and scenic stream corridors of the Waughaw Mountains.

This continues to be an objective of the Township.

10. Promote clean air.

This continues to be an objective of the Township and is supported by the Township Zoning Ordinance which prohibits pollution causing industries as part of the performance standards of the Code.

11. Support programs, policies and site designs that provide and promote noise abatement.

This continues to be an objective of the Township.

12. Promote and maintain the vegetative buffers that provide screening and the separation of different land uses.

This continues to be an objective of the Township and has been incorporated into the Township Zoning Ordinance buffer requirements for the separation of different land uses and zones.

13. Insure that any development on steep slopes, slopes that exceed fifteen percent, occur without erosion and unnecessary loss of vegetation.

This continues to be an objective of the Township.

14. Establish procedures for Historic District Commission's review of development applications involving designated historic properties.

The Township Zoning Ordinance has an established Historic Landmark District Zone which provides the criteria for designation, the application procedure, standards, public hearing requirements and establishes the Historic District Commission.

15. Permit a limited range of professional uses in the residential zones along the Newark Pompton Turnpike between the C-1 commercial districts so that the residential character is preserved and parking and signage is accommodated on site with minimum impact to the neighborhoods.

This continues to be an objective of the Township and regulations have been incorporated into the Township Zoning Ordinance that address this objective.

16. Discourage flag lots and limit their creation to those locations where, due to curvilinear street patterns, the flag lot will not disrupt the neighborhood pattern and there is adequate area to allow for privacy and access by emergency vehicles.

This continues to be an objective of the Township. Subdivision requirements have been modified to permit flag lots only in larger lot zones. Specifications regarding lot size, setbacks and access have been established in the Township Subdivision Ordinance as well.

17. Designate transitional areas between commercial and residential districts where enhanced buffering is required.

This continues to be an objective of the Township and has been incorporated into the Township Zoning Ordinance buffer requirements for the separation of different land uses and zones.

18. Control and manage the development of Route 23 so as to reduce the diverted traffic from Route 23 and minimize the impact on internal roadways serving the residential and downtown business districts.

Along West Parkway a 100 foot buffer transition area was created to separate the residential uses from the industrial uses.

19. Specify kinds of retail uses in the C-1 Business Districts for the purpose of encouraging neighborhood shopping.

This objective has been achieved through changes in the Township Zoning Ordinance.

20. Allow residential uses above commercial uses where there is adequate parking and buffering of the commercial activity.

This objective has been achieved through changes in the Township Zoning Ordinance. The Township Zoning Ordinance strictly regulates residential uses above commercial uses and requires adequate parking and buffering.

21. Establish guidelines and standards for solid waste disposal facilities.

This continues to be an objective. The Township adopted a Recycling Master Plan Element in 2008.

22. Establish guidelines for signage and outdoor displays that will assist the retail business community and contribute to commercial zone and corridor aesthetics.

The Township Zoning Ordinance has sign regulations that have been modified from time to time to reflect contemporary signage needs and desires. Additionally, all signs must be submitted to the Planning Board for review and approval.

23. Develop standards for lighting that provides for safety and enhance commercial district aesthetics and, within the C-1 district, encourage pedestrian use.

The Township has a streetscape plan and program that provides a uniform design for the commercial areas within the C-1 District. This plan is designed to incorporate a variety of sidewalk and pavement surfaces, as well as landscaping, to encourage pedestrian use and to enhance the aesthetics of the commercial areas.

24. Promote the location of parking areas under structures, or in rear and side yards.

This continues to be an objective of the Township. Where appropriate, the Planning Board encourages such parking arrangements.

25. Continue to limit the kinds or uses permitted in the industrial zone along West Parkway to those that pose no danger of contamination to the aquifer recharge areas.

This continues to be an objective of the Township. The industrial zone regulations, of the Township Zoning Ordinance, continue to reflect this objective in the permitted and prohibited use sections of the regulations pertaining to industrial uses.

26. Encourage the enforcement of zoning regulations, floodplain management and property maintenance standards in industrial zones so as to further protect environmentally sensitive areas.

This continues to be an objective of the Township. Through the regulatory agencies of the Township, zoning regulations, floodplain regulations and property maintenance regulations are enforced.

27. Insure that all new industrial development is adequately buffered from residential uses and districts and that new uses within the industrial zones are associated with adequate and appropriate safeguards to insure the protection of the environment and the surrounding area.

This continues to be an objective of the Township. The Township Zoning Ordinance provides buffer requirements between industrial and residential uses. Permitted uses in the industrial zones do not permit any uses that would jeopardize the environment, the aquifer or the surrounding area.

28. Implement the Final Judgment with regard to requirements for housing as to the Township and provide a realistic opportunity for the provision of the Township's fair share of housing that is affordable to low and moderate income families.

The Township has a Fair Share Plan in place that implements the Final Judgment and provides for a realistic opportunity for the provision of affordable housing. As part of the Plan, the Township retains a Housing Specialist to administer the program and provide technical support to the Affordable Housing Committee that oversee its operation.

29. Continue to seek opportunities to assist low and moderate income families in rehabilitating existing deteriorated structures and flood proofing floodplain dwellings.

The Morris County Community Development Block Grant Program has a rehabilitation program for low and moderate income households that provides funds for the repair and maintenance of housing units. Through the Township's public awareness program and affordable housing staff, qualified individuals are directed to apply for funds from this program.

30. Support the implementation of the recommendations of the Department of Parks and Recreation regarding additions and improvements to park facilities.

This continues to be an objective of the Township. The Township of Pequannock has an Open Space Tax for the purchase of open space/recreation lands, recreation upgrades of existing facilities and purchase of equipment.

31. Seek the implementation of a path and trail system through a variety of land protection mechanisms and public access programs.

This continues to be an objective of the Township. Progress in this area can be seen in the priorities of the Township's Open Space and Recreation Plan.

32. Seek the creation of a parking area that would provide access to the northern portion of Mountain Park.

This is no longer an objective of the Township.

33. Protect and safeguard the aquifer recharge areas and wells through appropriate zoning and enforcement.

This continues to be an objective of the Township. The Township Zoning Ordinance provides zoning safeguards to protect the aquifer recharge areas and wells of the Township through its regulation of permitted and prohibited uses.

34. Continue to monitor stormwater management practices and facilities so as to protect the ground water quality and reduce the incidence of artificially induced flood damage to downstream property owners. Maintain the adequacy of existing and proposed culverts, bridges, dams, and other water structures.

This continues to be an objective of the Township. The Township Department of Public Works maintains the existing culverts, bridges, dams and other water structures. Township stormwater management requirements, associated with development, continue to require state of the art facilities to insure ground water quality and appropriate drainage.

35. Continue to implement floodplain management policies, regulations and programs aimed at promoting safety and preventing flood damage.

This continues to be an objective of the Township. The continued implementation of the Township floodplain ordinance and application procedure further promoted safety and prevents flood damage.

36. Continue to seek financial support for the purchase of residential properties within the floodway of the Pequannock and Pompton Rivers and to conserve these properties, once improvements are demolished, for passive recreation uses.

This continues to be an objective of the Township.

37. Continue to provide information to the public regarding flood plain hazards, flood emergencies and planning and procedures, and site specific flood plain determinations.

This continues to be an objective of the Township. The Township Office of Emergency Management provides up to date information with regards to flood emergencies, planning and procedures.

38. Preserve the Pio Costa tract's floodwater retention capability.

This continues to be an objective of the Township.

39. Insure that commercial buildings in flood areas have an advance warning system for employees and patrons.

This continues to be an objective of the Township.

40. Continue the policy of requiring utilities to be placed underground with all new construction and seek funding opportunities to place existing above ground utilities underground.

This continues to be an objective of the Township. The Township Site Plan Ordinance requires that all utilities, related to new construction, be placed underground.

41. Recommend that additional park and ride lots be established within the Township. One potential site for a new facility is the vacant land at the southwest corner of West Parkway as it intersects with Route 23.

This is no longer an objective of the Township. The West Parkway site is no longer available because it is developed with an industrial building.

42. Coordinate traffic management plans with suburban transit initiatives developed by Morris County and the Morris County Transportation Management Association ("Mc Rides").

This continues to be an objective of the Township.

43. Investigate the use of Transportation Enhancement funds, available under the Intermodal Transportation Efficiency Act, to provide pedestrian and bicycle paths.

This continues to be an objective of the Township. .

44. Provide, if needed, a connection between the northern portion of West Parkway and the Boulevard, after review of changes in traffic patterns due to the completion of Route 287 and other residential development.

This was investigated by the Township and found not to be feasible. It no longer is a valid objective.

45. Revise the Township's cartway width and parking space requirements in lieu of revised standards promulgated by the American Association of Highway and Traffic Officials and the Center for Urban Policy Research's Subdivision and Site Plan Handbook.

This continues to be an objective of the Township.

46. Support the Army Corps of Engineers Passaic River Dual Inlet Tunnel project to eliminate potential flooding along sections of Route 23.

Presently, the Army Corps of Engineers (ACOE) has determined not to pursue this course of action. It is the ACOE's objective to acquire lands outside the floodway, but within the 100 year flood plain. In Pequannock Township, the ACOE is looking to protect Aquatic Park, the NJDOT property adjacent to it, and the Carl Bauer property next to the Pompton River. Additional downstream properties are also sought for protection, by the ACOE

47. Recommend improvements of intersection configuration and roadway design at high accident locations on Route 23 at Jackson Avenue and Alexander Avenue, and along Lincoln Park Road at the sharp bend.

Presently, the Township Traffic Safety Officer recommends the incorporation of traffic calming devices at these locations.

48. Support the reactivation of passenger rail service on the New York, Susquehanna and Western Railroad.

This is no longer an objective of the Township.

Extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last reviewed with particular regard to density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection and disposition and recycling of designated recyclable materials; and changes in State, county and municipal policies and objectives.

There is a number of substantive changes at the state and local level which were not considered at the time of the preparation and adoption of the 1992 Master Plan Revision, which require the Township's attention.

LOCAL LEVEL

The Township, in 2009 adopted an Environmental Resource Inventory (ERI), prepared by the Pequannock Township Environmental Commission along with the Association of New Jersey Environmental Commissions (ANJEC). The ERI is a comprehensive planning document that describes and analyzes the local environmental characteristics and related conditions. It is generally utilized by various municipal boards and agencies in making land use planning decisions when reviewing development applications and preparing master plans.

The Open Spaces and Recreation Plan was prepared by the Morris Land Conservancy in June, 2000. It identifies the environmental areas that Township residents currently use and proposes ways to increase the amount of green space to protect both the environmentally sensitive areas and to provide critical flood protection within the municipality. The Plan inventories the natural, historic and recreational assets of the Township and suggests ways to preserve and enhance these areas.

The Township of Pequannock is in the Morris County Solid Waste Management District which was established in accordance with the New Jersey Solid Waste Management Act (NJSA 13E-1, et. seq.) In March of 2007, the Morris County Municipal Utilities Authority (MCMUA), on behalf of the Morris County Board of Chosen Freeholders, prepared the Solid Waste Management Plan Amendment (SWMPA) in response to the January 2006 New Jersey Department of Environmental Protection (NJDEP) Solid Waste Management and Sludge Management State Plan Update. A Recycling Plan Element was adopted by the Township in 2008.

STATE LEVEL

Highland Water Protection and Planning Act

The Highlands Water Protection and Planning Act was enacted on August 10, 2004. The Highlands Act found "that the New Jersey Highlands is an essential source of drinking water...for one-half of the State's population...that...[it] contains other exceptional natural resources." The Highlands Act designated specific boundaries of the Preservation Area. The Preservation Area consists of approximately 415,000 acres located in 52 municipalities. The lands in the Preservation Area were subject to the immediately effective standards in the Highlands Act and are governed by the rules and

regulations adopted by the New Jersey Department of Environmental Protection.

The Highlands Act created the New Jersey Highlands Water Protection and Planning Council. The Highlands Council was charged with the task of developing a Regional Master Plan to restore and enhance the significant values of the abundant and critical resources of the Highlands Region. The Highlands Regional Master Plan was adopted in July, 2008. The Regional Master Plan provides the basis to determine the capacity of the Highlands Region to accommodate appropriate economic growth while ensuring the sustainability of the resources in the Region.

Pequannock Township has 475 acres located in the Highlands Preservation Area and 4,060 acres located in the Highlands Planning Area.

Housing Issues

In 1986, the State of New Jersey established the Council on Affordable Housing (COAH). COAH was mandated to prepare a comprehensive planning and implementation response to the constitutional obligation to provide, through municipal land use regulations, a realistic opportunity for the construction of low and moderate income housing to accommodate the needs of the State's lower income households. Every municipality is obligated, by virtue of a 1987 amendment to the Municipal Land Use Law, to prepare and adopt a Housing Plan Element as part of its master plan. Municipalities have the discretionary authority to seek substantive certification of its Housing Element and Fair Share Plan from COAH. The major benefit of achieving certification is the protection it offers municipalities in the event of a Mount Laurel lawsuit.

Pequannock has addressed its fair share housing obligation for the second round. It is consistent with the New Jersey Supreme Court's Mount Laurel decisions and the provisions of the State's Fair Housing Act. The Plan addresses the Township's 1993 to 1999 cumulative adjusted obligation of 0 units of new affordable housing. The Township received substantive certification for its second round housing obligation on August, 1997 and was scheduled for expiration on August, 2003. The Township has received an extension, to June, 2010, to prepare and submit its third round Housing Element and Fair Share Plan, to COAH.

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

This periodic reexamination report points out a number of factors influencing the planning process and its implementation in the Township of Pequannock. Careful review of past Zoning Board of Adjustment Annual Reports and in-depth discussions with the Township Zoning Officer, Township Construction Official and the Board of Adjustment Planner suggest that specific changes to the Township's Zoning Ordinance and application review process would improve the overall development within the Township. The following are the Master Plan Reexamination Report recommendations:

1. The Sign Ordinance, Swimming Pool Ordinance, Flood Plain Ordinance, Special Sales Ordinance and the flag lot requirements should be moved into the Township Zoning Ordinance. This will give greater force and authority to the standards required for signs, special sales, swimming pools and flag lots then presently exists. Any deviation from zoning ordinance requirements would necessitate variance approval from the Planning Board or Board of Adjustment, accordingly. Presently a deviation from these ordinances/requirements needs only a waiver. Waiver requests do not have to meet the same strict standards of the Municipal Land Use Law that requested variances must meet.
2. A review of the Township Site Plan Ordinance should be undertaken to ensure consistency with the Municipal Land Use Law requirements. Amendments to the Township's Site Plan Ordinance should be made accordingly.
3. Performance Guarantee Ordinance requirements should be amended to be consistent with the requirements of the Municipal Land Use Law (40:55D-53, 53(a), 53 (b) and 53.1.
4. Pequannock Township is critically situated in a plain at the base of the New Jersey Highlands at the confluence of the Pompton, Pequannock, and Ramapo Rivers. The community is ideally located and is important for the linkage and transition it provides between the rural Highlands communities and suburban Passaic/Morris County communities. The area is environmentally significant for the flood plain and water resources it affords, but also for the extensive wetlands, and wildlife habitat and linkages adjacent to the river that it provides. Pequannock Township must make it a priority to protect these areas, expand open space opportunities and provide essential linkages to Township and regional trails through improvements to Aquatic Park and along the river.

The river and lands adjacent to the river also offer a unique opportunity to both the community and the region. Areas such as Aquatic Park along the Pequannock River are ideally located, but have no parking, signage or improvements. Along the length of the river corridor, the severity of the wetlands and floodplains has caused the area to experience limited development. In order

to protect and enhance the river, its banks, and the floodplains, an overall plan for riverfront access and community use should be created. Such improvements to consider include property acquisition, trail linkages, and possible playfield.

5. The Township is located in the Highlands Region of the State of New Jersey. The Highlands Regional Master Plan has located approximately 475 acres in the Highlands Preservation Area and 4,060 acres in the Highlands Planning Area. It is mandatory that the Township petition the Highlands Council for Basic Plan Conformance for the lands located within the Preservation Area and it is voluntary for the lands in the Planning Area. This Reexamination Report recommends that the Township only participate with meeting its mandatory obligation regarding the Preservation Area and retain total municipal control over land use issues with regards to the Planning Area.
6. Electric go carts should be added to the C-3 District as a conditional use. Such use should have specific requirements related to this unique form of commercial recreation. Specifically, it should be located at least 1,000 feet from any residence.
7. The Township should reexamine the principal permitted uses in the C-2 and C-3 District with specific reference to uses and standards noting that Route 23 will have sanitary sewers in the near future.
8. The Planned Residential Development District (PRD) is the zone that encompasses all of the multi-family development known as "The Glens." The Glens has been completed and fully occupied for over 20 years. As part of the PRD, 15 single family residential lots were incorporated into the PRD District. Presently, the PRD District requires that lots that cannot meet the minimum requirements of the PRD must meet the provisions of the R-87 District. A significant number of the lots, within the PRD, that are not part of The Glens, do not meet the R-87 standards. Undue hardship is placed on these lots when updating, renovating or rehabilitation projects are considered by the property owners. Appendix A lists the 15 lots that are presently located in the PRD and identifies the adjacent zone to which each lot would be included in. The Township Zoning Map would be adjusted accordingly.
9. Block 2701, Lot 9 is a ±2.2 acre site located adjacent to PV Park/Woodland Lake and the Argyle Block construction and material yard. It has access to Route 23 and is surrounded by non-residential uses. Presently, the site contains a non-conforming and undocumented row of studio/one bedroom units. It is zoned R-9 for single family residential development. It is recommended that this site be incorporated into the surrounding C-3 Regional commercial District. With the advent of sanitary sewers along Route 23, this will encourage the site's redevelopment with a use that is appropriate and compatible with the surrounding commercial district.

10. To create Architectural Design Guidelines for C-1 District to serve as a guide to commercial building property owners, business operators and developers in the implementation of façade improvements or new construction. Such Guidelines would offer a wide range of building façade treatment options, consistent with the historic nature of the Township and the C-1 District, and provide general architectural parameters. The Guidelines would also identify treatments considered inappropriate and unacceptable by the Township of Pequannock.

The Recommendation of the Planning Board concerning the Incorporation of Redevelopment Plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C. 40A:12A-1 et al.) into the Land Use Plan Element of the Municipal Master Plan and Recommended Changes, if any, in the Local Development Regulations necessary to effectuate the Redevelopment Plans of the Municipality.

The Township of Pequannock has no approved/adopted Redevelopment Plans, therefore, this section is not applicable.

APPENDIX A

PROPOSED ZONE CHANGE

<u>Address</u>	<u>Block</u>	<u>Lot</u>	<u>Existing Zone Designation</u>	<u>Proposed Zone Designation</u>
4 Bruno Lane	1101	19	PRD	R-87
5 Bruno Lane	1101	20	PRD	R-87
207 Mountain Avenue	1101	5	PRD	R-45
203 Mountain Avenue	1101	6	PRD	R-45
193 Mountain Avenue	1101	7	PRD	R-45
183 Mountain Avenue	1101	8	PRD	R-45
15 Burnham Drive	1101	13	PRD	R-22
204 West Sunset Road	1101	14	PRD	R-45
20 West Sunset Road	1101	15	PRD	R-87
22 West Sunset Road	1101	16	PRD	R-87
167 West Parkway	1101	10	PRD	R-22
165 West Parkway	1101	11	PRD	R-22
156 West Parkway	1101	1.05	PRD	R-22
103 West End Avenue	1204	26	PRD	R-22
2 Redman Road	1801	7	PRD	R-22