

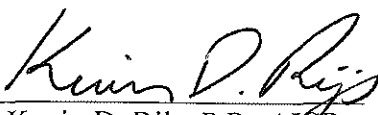
**FRANKLIN TOWNSHIP**

**2013 Master Plan Reexamination Report**  
**And**  
**Master Plan Amendment / Addendum**

*"To preserve the quality of life in Franklin Township"*

**Prepared by the**  
**Franklin Township Planning Board**  
1571 Delsea Drive  
Franklinville, NJ 08322

Adopted August 20, 2013

  
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The Master Plan original was signed and sealed in accordance with NJAC 13:41-1.3



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# **2013 Master Plan Reexamination Report And Master Plan Amendment / Addendum**

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## **APPENDICES**

### **Appendix A: Recommended Specific Zoning Map Changes**

## I. Introduction

- A. Franklin Township is Gloucester County's largest municipality in area at fifty-five square miles (36,141 acres). The Township is generally located in the rural southern part of the County. The majority of Franklin Township residents rely on private wells for water and subsurface septic systems for wastewater disposal, as public sewer service is presently unavailable. Approximately one third of the eastern section of the Township is located within the Pinelands. The communities of Franklinville, Porchtown, Iona, Malaga, Star Cross, Janvier, Fries Mill, Piney Hollow, Blue Bell, Downtown and Forest Grove are located within the Township of Franklin.

The eastern portion of the town is within the Great Egg Harbor Watershed Management Area (#15) while the western portion lies within the Maurice River Watershed Management Area (#17). There is one HUC11 watershed area within the Green Egg Harbor Watershed Management Area, HUC11 Code No.02040302040 Great Egg Harbor R (Lake Lenape to Hospitality Branch) which is approximately 13,013+/- acres in area. There are three HUC11 watersheds within the Maurice River Watershed Management Area of Franklin; HUC11 codes #02040206120, #02040206130, & #02040206140 also known as Still Run/Little Ease Run (6,600+- acres); Scotland Run (12,757+/- acres); Maurice River (above Sherman Ave Bridge) (3,675+/- acres).

As noted in the recently adopted Environmental Resource Inventory, the largest type of land cover in Franklin Township is forest, which covers about thirty-seven percent (37%) of the Town. This is followed by developed land twenty-two percent (22%) and agriculture twenty-one percent (21%). There are about sixty-seven (67) miles of streams running through the Township, thirty (30) of which are headwater streams. There are approximately three hundred and fifty (350) acres of lakes and ponds within Franklin Township.

The primary goal of the Township Master Plan is ***"To preserve the quality of life in Franklin Township" and to "Retain the rural character of life in Franklin Township"***.

| <u>Year</u> | <u>Population</u> | <u>Housing Units</u> |
|-------------|-------------------|----------------------|
| 2000        | 14,566            | 5,461                |
| 2010        | 16,820            | 6,104                |

- B. Planning Documents: Master Plan 07/12/2004 with Amendments 06/19/2004 & 09/18/2007; Farmland Preservation Plan 2009; Open Space Plan 06/2002; Housing Element & Fair Share adopted by the Planning Board 10/22/2008; Stormwater Management Plan 2006, amended 2007
- C. This report supplements the zoning map changes listed within the adopted 04/19/2011 Master Plan Reexamination Report. This report contains various recommendations with regard to updating the master plan and zoning

ordinance including but not limited to 1) extending the Highway Commercial District along the northern section of Delsea Drive near the intersection of Woodland Ave. and 2) extending the Light Manufacturing District within the Meredith Farms redevelopment area. No zone changes are recommended within the Pinelands section of Town.

## **II. 2011 Master Plan Reexamination Report Identified Major Problems And Objectives Relating To Land Development.**

- A. The 2011 Master Plan Reexamination Report lists the following Major Problems that were identified within the 2004 Master Plan:

1. Land Use Plan Element:

- a. The existing zoning does not promote the retention of the rural character that is cherished by Franklin's residents. The lowest density zone, the R-A District, which has a minimum lot area of one acre (43,560 square feet), is not substantially different from the next highest density district, the R-1 which has a minimum lot area of 40,000 square feet. There is a similar lack of significant density variation in the remaining residential districts, with the R-2 and R-3 Districts permitting minimum lot areas of 35,000 and 30,000 square feet respectively.
- b. Manufacturing and industrial uses in particular tend to be scattered throughout the community, near residential development or residentially zoned land. A wide variety of intensive manufacturing, warehouse and distribution uses are permitted in these districts. Franklin Township has no less than nine non-residential zoning district, ranging from neighborhood commercial to a heavy manufacturing industrial district.
- c. Commercial uses are concentrated in the villages of Franklinville and Malaga, as well as along the portion of Delsea Drive that connects these two areas. Isolated neighborhood commercial zones serve smaller sections of the community such as Star Cross and Forest Grove. The Township has attempted to preserve the village character of Franklinville and Malaga by establishing zoning districts that are intended to promote mixed uses. Yet there are differences between the Franklinville Village Commercial District and the Malaga Village Commercial Zoning district. To a larger extent these reflect the existing conditions, in which Franklinville is a more traditional village and Malaga tends to be oriented towards highway commercial development. Yet zoning and the Master Plan should attempt to influence projected future conditions, protecting existing landmarks in Franklinville and encouraging the preservation of the remaining village in Malaga.

- d. Recent code amendments have strengthened landscape and buffer standards but much needs to be done, particularly with signage. A particular concern is the commercial area along Delsea Drive and the Harding Highway, from the Clayton Borough line to Malaga. This area generally lacks a cohesive design theme and typically consists of strip commercial development or isolated uses. Unplanned strip commercial development leads to excessive access points onto the highway, which can be a traffic hazard. The lack of coordinated architecture does little to enhance the aesthetics of the area.
  - e. The current zoning scheme is not consistent with the principles of Smart Growth that have become the cornerstone of planning philosophy, both nationally and in the State of New Jersey.
2. Housing Element and Fair Share Plan: There are many obstacles to the provision of affordable housing in Franklin Township, not the least of which is the lack of available public or community-based sewer service. COAH regulations require that sites proposed for new affordable construction must be suitable, which among other things requires that sites have access to water and sewer infrastructure. These same regulations state, "The lack of adequate (water and sewer) capacity, in and of itself, shall constitute a durational adjustment of the municipal housing obligation. The requirement to address the municipal housing obligation shall be deferred until adequate water and/or sewer are made available". Since no such sites now exist in Franklin Township, the Plan proposes to request a durational adjustment for the entire present need component of the affordable housing obligation.
3. Open Space Plan adopted in 2002: The Open Space plan identified the following areas of concern: Recreation demand exceeds available open space; drinking water supply relies on aquifer recharge areas; upland forests need protection from encroaching development; non-point source pollution runoff threatens water quality in streams; wildlife habitats are fragmented; encroaching development from neighboring communities threatens rural landscape; and agricultural lands risk becoming isolated.
4. Watershed based Stormwater Management Plan: In early 2004 all New Jersey municipalities were required to obtain a NJPDES Municipal Stormwater General Permit for control of their stormwater discharges. The new Stormwater Management Rules in N.J.A.C. 7:8 have been developed to address the adverse impacts that unmanaged land development can have on groundwater recharge and stormwater runoff quality and quantity. Along with this development has come a corresponding increase in stormwater runoff, and increased impacts associated with non-point source pollution.

B. The 2011 Master Plan Reexamination Report also identifies the following Objectives, Goals and Assumptions:

1. Assumption: Franklin Township will experience modest growth pressure. The Township will experience the general population increases being felt throughout Gloucester County but growth will be limited due to the lack of public utilities.

*Goal 1: To preserve the quality of life in Franklin Township.*

- a. Objective: Retain the rural character of life in Franklin Township.
  - b. Objective: Preserve open space opportunities through public and private actions.
  - c. Objective: Encourage farmland preservation in cooperation with the local agricultural community.
  - d. Objective: Strengthen ordinances that enhance community character.
2. Assumption: Smart Growth policies will be favored over previous patterns of sprawl.

*Goal 2: To promote orderly growth within Franklin Township.*

- a. Objective: Develop in accordance with the State Plan.
  - b. Objective: Concentrate new development in existing villages like Franklinville and Malaga or in new hamlets to be developed in a designated receiving area.
  - c. Objective: Encourage conservation-based noncontiguous clusters and performance-based zoning.
  - d. Objective: Use environmental constraints, street patterns and utility policies to direct new development.
  - e. Objective: Coordinate Franklin's Master Plan with the plans of the State, Region, County, and adjoining municipalities.
3. Assumption: Franklin Township will continue to be an attractive place to live.

*Goal 3: Maintain a safe and attractive residential environment.*

- a. Objective: Provide a variety of housing opportunities and dwelling types for residents at all income levels and provide locations for age-restricted and/or senior housing.
  - b. Objective: Comply with applicable laws and policies regarding affordable housing.
  - c. Objective: Insure that major residential development contributes fairly to the provision of needed services, including recreation.
  - d. Objective: Provide an appropriate range of public services to meet the needs of current and future residents.
4. Assumption: As it develops, Franklin Township will upgrade all modes of transportation required for the efficient movement of people into, about, and through the municipality.

*Goal 4: To provide a circulation system that is safe, efficient, environmentally sensitive, and respectful of the community's rural character.*

- a. Objective: Work closely with federal, state, and county highway departments to upgrade and improve roadways that run through Franklin Township, but which are under the control of other jurisdictions.
  - b. Objective: To insure that new local streets are constructed to Township Residential Site Improvement Standards, as appropriate.
  - c. Objective: To provide a road network in Franklin Township that is safe and efficient but which, with the exception of N.J.S.J. Route 55, preserves the rural character of the community.
  - d. Objective: To encourage alternative methods of circulation, including pedestrian and bikeways.
5. Franklin Township seeks to diversify and expand its economy.

*Goal 5: To provide Franklin Township with a broad-based economic foundation.*

- a. Objective: Preserve and protect the Township's agricultural heritage.
- b. Objective: Expand opportunities for commercial and industrial development that complement Franklin's rural character, at defined locations in appropriate zoning districts.



- c. Objective: Encourage a sound fiscal mix of future uses.
  - d. Objective: Implement the economic development/redevelopment plan for the area near the Downtown airport.
6. Assumption: Protection of the Township's natural features, open space resources and historic heritage will remain a high priority.

*Goal 6: To enhance and protect the Township's natural and cultural resources.*

- a. Objective: Enforce and expand environmental policies and regulations.
  - b. Objective: Implement the Township's Open Space Plan.
  - c. Objective: Explore new opportunities to protect historic resources.
7. Assumption: Franklin Township risks serious groundwater contamination because of reliance on on-site septic systems for wastewater treatment on small lots. The rate of groundwater recharge throughout the Township averages 10 to 12 inches per year, requiring average lot sizes of over 2.4 acres for safe nitrate nitrogen dilution.

*Goal 7: To preserve public health through groundwater quality protection.*

- a. Objective: Implement minimum lot sizes that will support septic systems without compromising groundwater quality.
  - b. Objective: Develop a comprehensive wastewater treatment plan that will safely permit higher density growth in appropriate areas of the Township.
8. Assumption: In order to ensure that Franklin Township maintains its rural character and heritage, land use policies must be fully integrated with and complement other efforts, including economic development, open space preservation and farmland preservation.

*Goal 8: To strengthen the Township's agricultural heritage.*

- a. Objective: Develop a comprehensive economic development plan that attracts and retains those businesses that complement or enhance agriculture.
- b. Objective: Develop land use regulations that encourage the retention of the Township's rural character.

- c. Objective: Accelerate the preservation of important agricultural land in order to secure the maximum land base possible to maintain and enhance a viable agricultural industry.
- d. Objective: Use the Farmland Preservation Program as a strategic tool to support the agricultural industry while meeting the Township's planning goals.
- e. Objective: Create additional incentives and tools that will provide greater incentive for attracting landowners to participate in the Farmland Preservation Program.
- f. Objective: Utilize innovative conservation planning techniques to help accommodate growth in an equitable manner that preserves and supports agriculture.
- g. Objective: Create an environment that is supportive of agriculture to maintain the profitability of the industry.

### **III. 2011-2013 The Extent To Which Identified Problems And Objectives Have Been Reduced Or Have Increased Since The Adoption Of The 2011 Report.**

- A. The goal statement of the Master Plan "*To preserve the quality of life in Franklin Township*" remains valid.

In municipal planning, goals are the long-term ideal or end result that is desired for the municipality. Goals are a critical component of Franklin Township's planning process. Franklin's natural and historically significant resources and agricultural lands contribute to the well being of all New Jersey citizens. The Township, surrounding region, and state recognize the importance of conserving and preserving agricultural lands, which is reflected in numerous plans, regulations, and laws. As New Jersey moves closer to build-out it is critical that available land be appropriately developed in accordance with local plans and zoning. The Township has been working diligently to update the various elements of the municipal master on an ongoing basis. The Planning Board adopted an update to the comprehensive Environmental Resource Inventory (ERI) after a public hearing at the regularly scheduled May 21, 2013 meeting.

- B. 2013 extent to which the identified problems have reduced, increased or remain unchanged since the adoption of the 2011 report.

1. Land Use Plan Element:

- a. The existing zoning does not promote the retention of the rural character that is cherished by Franklin's residents. The lowest density zone, the R-A District, which has a minimum lot area of one acre (43,560 square feet), is not substantially different from the next highest density district, the R-1 which has a minimum lot area of 40,000 square feet. There is a similar lack of significant density variation in the remaining residential districts, with the R-2 and R-3 Districts permitting minimum lot areas of 35,000 and 30,000 square feet respectively.

- i. **Problem 1a. reduced and addressed through Master Plan updates and Ordinance amendments: Since 2004, the Township has implemented new zoning districts, amended zoning ordinance regulations, and updated the Farmland Preservation Plan element of the master plan in 2006 and 2009. Agricultural buffers are required by ordinance and a Right to Farm ordinance has been adopted. The agricultural buffer ordinance 253-101.d. could be amended to further defined permitted activities within buffer areas.**

- b. Manufacturing and industrial uses in particular tend to be scattered throughout the community, near residential development or residentially zoned land. A wide variety of intensive manufacturing, warehouse and distribution uses are permitted in these districts. Franklin Township has no less than nine non-residential zoning district, ranging from neighborhood commercial to a heavy manufacturing industrial district.

- i. **Problem 1b. reduced and addressed through Master Plan updates and Ordinance amendments: Since 2004, the Township has implemented new zoning districts, consolidated zoning districts and amended zoning ordinance regulations relative to permitted uses; landscaping requirements, environmental report submittals as part of the development application process; and adopted design standards for the Highway Commercial, Neighborhood Commercial, Malaga Village and Franklinville Districts. Additionally, the Township created the Architectural and Landscaping Advisory Committee, which reviews applications upon request of the applicant of reviewing Board.**

- c. Commercial uses are concentrated in the villages of Franklinville and Malaga, as well as along the portion of Delsea Drive that connects these two areas. Isolated neighborhood commercial zones serve smaller sections of the community such as Star Cross and Forest Grove. The Township has attempted to preserve the village character of Franklinville and Malaga by establishing zoning districts that are intended to promote mixed uses. Yet there are differences between the Franklinville Village Commercial District and the Malaga Village Commercial Zoning district. To a larger extent these reflect the existing conditions, in which Franklinville is a more traditional village and Malaga tends to be oriented towards highway commercial development. Yet zoning and the Master Plan should attempt to influence projected future conditions, protecting existing landmarks in Franklinville and encouraging the preservation of the remaining village in Malaga.
- i. **Problem 1c. reduced and addressed through Master Plan updates and Ordinance amendments. See comment B.1.b.i above. A survey could be conducted of existing landmarks and potential areas to be considered for preservation within Franklinville and Malaga. The report findings could be used to initiate discussion on the impacts on historic preservation planning.**
- d. Recent code amendments have strengthened landscape and buffer standards but much needs to be done, particularly with signage. A particular concern is the commercial area along Delsea Drive and the Harding Highway, from the Clayton Borough line to Malaga. This area generally lacks a cohesive design theme and typically consists of strip commercial development or isolated uses. Unplanned strip commercial development leads to excessive access points onto the highway, which can be a traffic hazard. The lack of coordinated architecture does little to enhance the aesthetics of the area.
- i. **Problem 1d. has been generally reduced and addressed to some extent through ordinance amendments including updated design standards and the creation of the Architectural and Landscaping Advisory Committee. The Township also adopted a new Highway Commercial Zone which consolidated the Highway Commercial 1 and 2 Districts. The design standards for signage should be re-evaluated and updated as necessary to ensure Master Plan and ordinance objectives are achieved.**

e. The current zoning scheme is not consistent with the principles of Smart Growth that have become the cornerstone of planning philosophy, both nationally and in the State of New Jersey.

i. **Problem 1e. has been reduced and addressed. The Township adopted a new zoning scheme that closely mirrors the Cross Acceptance map prepared by the State of New Jersey. The 2004 zone plan for the Township is generally consistent with the State's Vision for the Township. The zoning ordinance has also been updated to be consistent with the master plan changes. The Township zoning ordinance (which was most recently amended to incorporate Pineland Commission Mandatory Clustering and Forestry provisions) and master plan are also consistent with the current Pinelands Comprehensive Management Plan.**

ii. **The April 25, 2005 Final County of Gloucester Cross Acceptance Report (Preliminary State Development and Redevelopment Plan) acknowledges Franklin Township's master plan and ordinances have been developed and formulated based on the State's policies of smart growth.**

*"The new recently adopted Franklin Township Master Plan and the subsequent corresponding ordinances have been developed and formulated based on the State's policies of smart growth as articulated in the State planning process. The plan reduces the overall density of Franklin Township, protects its groundwater, bases its zoning on scientific analysis and improves the design standards within the community...Franklin Township's Master Plan and Development Ordinances and the goals, objectives and policies of the State Plan are considered consistent."*

iii. **Since the adoption of the 2004 Master Plan and subsequent updates, the Office of Smart Growth was shifted from the Department of Community Affairs to the Department of State as the "Office of Planning Advocacy". The State has released a New Proposed Final Draft: State Strategic Plan (New Jersey's State Development and Redevelopment Plan; draft approved 11/14/11 resolution 2011-08). The newly proposed plan once adopted by the State will replace the current (and outdated) 2001 State Development and Redevelopment Plan. The new draft State Plan calls for changes to the way the State and County agencies coordinate planning efforts with local municipalities, which include an increased emphasis on regional planning. The Township should continue its**

**coordination with the new state office to ensure a direct line of communication between the Township and State.**

5. Housing Element and Fair Share Plan: There are many obstacles to the provision of affordable housing in Franklin Township, not the least of which is the lack of available public or community-based sewer service. COAH regulations require that sites proposed for new affordable construction must be suitable, which among other things requires that sites have access to water and sewer infrastructure. These same regulations state, "The lack of adequate (water and sewer) capacity, in and of itself, shall constitute a durational adjustment of the municipal housing obligation. The requirement to address the municipal housing obligation shall be deferred until adequate water and/or sewer are made available". Since no such sites now exist in Franklin Township, the Plan proposes to request a durational adjustment for the entire present need component of the affordable housing obligation.

- a. **Problem 5 is in the process of being addressed. The Township has been working diligently to settle a builders remedy case that may secure the necessary credits to satisfy potentially all of the municipal fair share housing obligation (it should be noted that the State has not yet established third round municipal obligations and that the round three growth share methodology is not presently in effect. The overturned round three growth share methodology had required the Township to plan for 205 credits during the round three period). The adopted municipal Housing Element and Fair Share are anticipated to require amendments to establish the necessary planning basis for expected zoning ordinance revisions. Amongst other Court decisions involving the Council on Affordable Housing (COAH), the October 8, 2010 Appellate Division decision in the appeals of COAH's revised third round rules at N.J.A.C. 5:96 and 5:97; reversed and remanded portions of COAH's third round rules, including a requirement that COAH adopt third round rules that incorporate a methodology similar to the first and second rounds.**

*"Our conclusion that COAH should be required to return to such a previously-approved methodology to prevent further delay in the adoption of valid third round rules is reinforced by our doubts whether any growth share methodology would be valid under existing law". A-5382-07T3 page 28*

**The Township will address its fair share obligation with a priority focus on securing credits for rounds 1 and 2 which**

**included a rehabilitation obligation of forty four (44) units and a 1987-1999 prior round obligation of one hundred sixty six (166) credits.**

6. Open Space Plan adopted in 2002: The Open Space plan identified the following areas of concern: Recreation demand exceeds available open space; drinking water supply relies on aquifer recharge areas; upland forests need protection from encroaching development; non-point source pollution runoff threatens water quality in streams; wildlife habitats are fragmented; encroaching development from neighboring communities threatens rural landscape; and agricultural lands risk becoming isolated.
  - a. **Problem 6. has been generally reduced through zoning ordinance amendments and a plan to secure properties that form a system of greenways along streams and successful farmland preservation efforts since 2004. The Township should consider updating the Open Space & Recreation Plan Element as part of a comprehensive update to the Master Plan. Since 2004 the Township has also adopted a stormwater management plan element of the master plan and associated ordinances.**
7. Watershed based Stormwater Management Plan: In early 2004 all New Jersey municipalities were required to obtain a NJPDES Municipal Stormwater General Permit for control of their stormwater discharges. The new Stormwater Management Rules in N.J.A.C. 7:8 have been developed to address the adverse impacts that unmanaged land development can have on groundwater recharge and stormwater runoff quality and quantity. Along with this development has come a corresponding increase in stormwater runoff, and increased impacts associated with non-point source pollution.
  - a. **Problem 7. has been reduced. The Planning Board adopted a Watershed based Stormwater Management Plan element of the Master Plan in May 2006, the document was most recently amended in October 2007. The Township Committee adopted the implementing ordinances as related to the Stormwater Management Plan.**

**Consistent with State Regulations with regard to nonstructural stormwater management strategies, Franklin Township's watershed based stormwater management plan and stormwater control ordinance both specifically identify the nine (9) nonstructural management strategies that can be implemented as part of a site design. Municipal Ordinance**

section II C.4.a Land Use Planning and Source Control Plan specifically includes the following:

*“The applicant shall submit a detailed Land Use Planning and Source Control Plan which provides a description of how the site will be developed to meet the erosion control, groundwater recharge and stormwater runoff quantity and quality standards at Section IV through use of nonstructural or low impact development techniques and source controls to the maximum extent practicable before relying on structural BMPs. The Land Use Planning and Source Control Plan shall include a detailed narrative and associated illustrative maps and/or plans that specifically address how each of the following nine (9) nonstructural strategies identified in Subchapter 5 of the NJDEP Stormwater Management Rules (N.J.A.C. 7:8-5) and set forth below (4.a. i. through ix.) will be implemented to the maximum extent practicable to meet the standards at Section IV of this ordinance on the site. If one or more of the nine (9) nonstructural strategies will not be implemented on the site, the applicant shall provide a detailed rationale establishing a basis for the contention that use of the strategy is not practicable on the site.”*

**C. 2013 extent to which the identified objectives have reduced, increased or remain unchanged since the adoption of the 2011 report.**

1. Assumption: Franklin Township will experience modest growth pressure. The Township will experience the general population increases being felt throughout Gloucester County but growth will be limited due to the lack of public utilities.

Goal 1: *To preserve the quality of life in Franklin Township.*

- a. Objective: Retain the rural character of life in Franklin Township.
- b. Objective: Preserve open space opportunities through public and private actions.
- c. Objective: Encourage farmland preservation in cooperation with the local agricultural community.
- d. Objective: Strengthen ordinances that enhance community character.

**The Assumption, Goal, and Objectives all remain valid. The Township will actively continue its successful farmland preservation**



program and pursue open space opportunities. As part of the Open Space plan adopted by the Township a series of Greenways and associated strategies for their implementation were established. In addition to the properties listed for potential preservation along the "Scotland Run Greenway" (open space plan page 79) the following lots should be considered for inclusion in the acquisition strategy for the area. Block 1401, Lots 87; 89; 102; 104; 105; 107; 112; & 115.

Over the past 1-2 years it has become evident that there has become an increased need to strengthen and update the municipal ordinance with regard preserving the quality of life, retaining the rural character, and protecting and enhancing community character. Changes are need to the following ordinance sections with regard to signs (especially within the MV and FV districts), buffers (the agricultural buffer ordinance requires clarification with regard to what can be included within the buffer area; the commercial buffer ordinance may require updates for design and performance standards), permitted uses within the industrial and commercial districts, and conditions for conditional uses (conditions to be established and refined where necessary especially for utility uses). Additionally, the issues identified by the Ordinance Review Subcommittee and Planning Board in 2011 with regard to solar development and the recent changes in laws and regulations (as noted in this report and incorporated master plan update as referenced herein with regard to renewable energy facilities) emphasize the need for the Township to update development regulations with regard to renewable energy projects. The Township should address the above referenced ordinance amendments following the adoption of this report.

The following revision to objective b is recommended and incorporated into this master plan update:

**Objective: Advance open space opportunities through public and private actions.**

3. Assumption: Smart Growth policies will be favored over previous patterns of sprawl.

Goal 2: *To promote orderly growth within Franklin Township.*

- a. Objective: Develop in accordance with the state plan.
- b. Objective: Concentrate new development in existing villages like Franklinville and Malaga or in new hamlets to be developed in a designated receiving area.

- c. Objective: Encourage conservation-based noncontiguous clusters and performance-based zoning.
- d. Objective: Use environmental constraints, street patterns and utility policies to direct new development.
- e. Objective: Coordinate Franklin's Master Plan with the plans of the State, Region, County, and adjoining municipalities.

**The Assumption, Goal, and Objectives all generally remain valid. The following revisions to the assumption and objectives are recommended and incorporated into this master plan update:**

**Assumption: As Smart Growth policies evolve Franklin Township will amend the Master Plan and Zoning Ordinance as appropriate.**

- a. **Objective: Develop in accordance with a comprehensive plan that has been coordinated with the various government agencies and that will preserve the Township quality of life and provide enhanced economic and environmental benefits to all residents and future generations.**
- b. **Objective: Promote and encourage new development and redevelopment that complements and enhances community character and that can be successfully integrated within existing village areas or in new hamlets to be identified.**
- c. **Objective: Greenways, open space areas, recreation areas, conservation areas and the linkages between them should be identified on affected site plan and subdivision applications, enabling the municipality to arrange for preservation of the reserved area as appropriate.**
- d. **Objective: Use environmental site features, street patterns and utility policies to enhance the design and layout in new development, redevelopment, and infill development.**

4. Assumption: Franklin Township will continue to be an attractive place to live.

*Goal 3: Maintain a safe and attractive residential environment.*

- a. Objective: Provide a variety of housing opportunities and dwelling types for residents at all income levels and provide locations for age-restricted and/or senior housing.
- b. Objective: Comply with applicable laws and policies regarding affordable housing.
- c. Objective: Insure that major residential development contributes fairly to the provision of needed services, including recreation.
- d. Objective: Provide an appropriate range of public services to meet the needs of current and future residents.

**The Assumption, Goal, and Objectives all generally remain valid. The following revisions to objective c are recommended and incorporated into this master plan update:**

**c. Objective: Implement the master plan and zoning ordinance standards to guide development so that it enhances the Township and is successfully integrated with the surrounding natural environment and existing pattern of development.**

4. Assumption: As it develops, Franklin Township will upgrade all modes of transportation required for the efficient movement of people into, about, and through the municipality.

*Goal 4: To provide a circulation system that is safe, efficient, environmentally sensitive, and respectful of the community's rural character.*

- a. Objective: Work closely with federal, state, and county highway departments to upgrade and improve roadways that run through Franklin Township, but which are under the control of other jurisdictions.
- b. Objective: To insure that new local streets are constructed to Township Residential Site Improvement Standards, as appropriate.
- c. Objective: To provide a road network in Franklin Township that is safe and efficient but which, with the exception of N.J.S.J. Route 55, preserves the rural character of the community.

- d. Objective: To encourage alternative methods of circulation, including pedestrian and bikeways.

**The Assumption, Goal, and Objectives all remain valid. The following revisions to objective d are recommended and incorporated into this master plan update:**

- d. Objective: To encourage alternative modes of circulation, including pedestrian, bikeways, use of abandoned railways, multi-use trails and to map potential and proposed pedestrian-bikeway routes as part of an circulation plan element of the master plan.**

**The open space plan establishes a greenway network for the Township that references a potential trail system that would connect numerous recreational, environmental, residential and employment areas of the Township. The Township should establish a map that identifies all the potential routes and potential improvements so the feasibility of constructing the infrastructure (and obtaining any associated necessary permits) and amenities can be determined and evaluated.**

- 5. Franklin Township seeks to diversify and expand its economy.

*Goal 5: To provide Franklin Township with a broad-based economic foundation.*

- a. Objective: Preserve and protect the Township's agricultural heritage.
- b. Objective: Expand opportunities for commercial and industrial development that complement Franklin's rural character, at defined locations in appropriate zoning districts.
- c. Objective: Encourage a sound fiscal mix of future uses.
- d. Objective: Implement the economic development/redevelopment plan for the area near the Downtown airport.

**The Assumption, Goal, and Objectives all remain valid. To expand commercial opportunities as noted in objective b. above and building upon the zone and ordinances changes established within the 2004 Master Plan addendum this report recommends a minor expansion of the Township Highway Commercial District near the intersection of Delsea Drive (47) and Woodland Ave (See section V of this report). According to the most recent master plan update commercial uses are limited to just one percent (1%) of land area within the Town (ERI. Pg.13). The Township has secured an agreement with a redeveloper for the Meredith Farms Redevelopment Area near the Downtown airport. The redevelopment plan for this area is being implemented.**

6. Assumption: Protection of the Township's natural features, open space resources and historic heritage will remain a high priority.

*Goal 6: To enhance and protect the Township's natural and cultural resources.*

- a. Objective: Enforce and expand environmental policies and regulations.
- b. Objective: Implement the Township's Open Space Plan.
- c. Objective: Explore new opportunities to protect historic resources.

**The Assumption, Goal, and Objectives all remain valid. The following revisions to objective a are recommended and incorporated into this master plan update:**

- a. Objective: Continue to implement environmental policies and regulations.**

8. Assumption: Franklin Township risks serious groundwater contamination because of reliance on on-site septic systems for wastewater treatment on small lots. The rate of groundwater recharge throughout the Township averages 10 to 12 inches per year, requiring average lot sizes of over 2.4 acres for safe nitrate nitrogen dilution.

*Goal 7: To preserve public health through groundwater quality protection.*

- a. Objective: Implement minimum lot sizes that will support septic systems without compromising groundwater quality.
- b. Objective: Develop a comprehensive wastewater treatment plan that will safely permit higher density growth in appropriate areas of the Township.

**The Goal remains valid. The Township, County and State have been working together and have drafted a comprehensive plan to further protect water quality. Depending on the final plan adopted by the Township as a part of the Utility Plan element of the master plan and subsequent NJDEP approval, it is anticipated that various elements of the municipal master plan and zoning ordinance will be amended for consistency. Revisions could include but not be limited to the housing plan, land use plan and proposed zone plan. The following revisions to the assumption and objective are recommended and incorporated into this master plan update:**

**Assumption: Franklin Township will continue to work with the County and State to implement and enforce regulations to protect groundwater resources and improve water quality.**

**a. Objective: Develop and adopt a comprehensive wastewater treatment plan that will enable Township growth in appropriate areas without compromising groundwater quality.**

8. Assumption: In order to ensure that Franklin Township maintains its rural character and heritage, land use policies must be fully integrated with and complement other efforts, including economic development, open space preservation and farmland preservation.

*Goal 8: To strengthen the Township's agricultural heritage.*

- a. Objective: Develop a comprehensive economic development plan that attracts and retains those businesses that complement or enhance agriculture.
- b. Objective: Develop land use regulations that encourage the retention of the Township's rural character.
- c. Objective: Accelerate the preservation of important agricultural land in order to secure the maximum land base possible to maintain and enhance a viable agricultural industry.
- d. Objective: Use the Farmland Preservation Program as a strategic tool to support the agricultural industry while meeting the Township's planning goals.
- e. Objective: Create additional incentives and tools that will provide greater incentive for attracting landowners to participate in the Farmland Preservation Program.
- f. Objective: Utilize innovative conservation planning techniques to help accommodate growth in an equitable manner that preserves and supports agriculture.
- g. Objective: Create an environment that is supportive of agriculture to maintain the profitability of the industry.

**Recent changes in the Municipal Land Use Law, in-conjunction with N.J. State and federal incentives involving energy produced from renewable sources has increased pressure to develop green fields throughout the State of New Jersey. The agricultural lands of the Township which contribute to the health and welfare of New Jersey's**

residents are experiencing increasing pressure to develop as industrial type power facilities.

The Assumption, Goal, and Objectives all remain valid. The Meredith Farms redevelopment area will provide food-processing capabilities to support agricultural operations for the Township and surrounding region. Agricultural land covers approximately twenty-one percent (21) of Franklin whereas light manufacturing covers less than one percent (1%) (ERI pg. 12). The development of the Meredith Farms project remains important to the Township and surrounding region, additional land areas could be considered in the future for industrial-light manufacturing uses that provide support to the agricultural industry.

**IV. 2013 Significant Changes In The Assumptions, Policies, And Objectives Forming The Basis For The Master Plan Or Development Regulations And Changes In State, County And Municipal Policies And Objectives.**

- A. The State of New Jersey has enacted new Renewable Energy legislation over the past few years which affect alternative energy generating facilities. The following is a summary of key features of the changes.

**A1558** - March 31, 2009 - Residential Development Solar Energy Systems Act. 52:27D-141.1 Requires Developers of 25 or more single family residential dwelling units to offer installation of solar energy systems as an option to homeowners.

**A3740** - January 16, 2010 - Municipalities Authority to Regulate *Small Wind Energy* Systems; 40:55D-66.12 Ordinances shall not unreasonably limit installation or unreasonably hinder the operation of small wind energy systems. A municipal ordinance should not include unreasonable limits or hindrances to performance which 1) prohibit small wind systems, 2) Restricting tower height or system height through application of a generic ordinance or regulation on height that does not specifically address allowable tower height or system height of a small wind energy system, 3) Setting a noise level limit lower than 55 decibels, as measured at the site property line, or not allowing for limit overages during short-term events such as utility outages and severe wind storms; 4) Requiring a setback from property boundaries for a tower that is greater than 150 percent of the system height, or 5) impose regulations which exceed UCC standards.

"Small wind energy system" means a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity consistent with applicable construction codes and which will be used primarily for onsite consumption.

**S1303** - November 20, 2009 Defines "inherently beneficial use" for purposes of zoning variance and specifically includes facilities and structures that supply electrical energy produced from wind, solar, or photovoltaic technologies. 40:55D-4 and 7 Municipal Land Use Law (MLUL) Definitions Amended to Define "inherently beneficial use" and "wind, solar, photovoltaic energy facilities".

"Inherently beneficial use" means a use which is universally considered of value to the community because it fundamentally serves the public good and promotes the general welfare. Such a use includes, but is not limited to, a hospital, school, childcare center, group home, or a wind, solar or photovoltaic energy facility or structure.

"Wind, solar or photovoltaic energy facility or structure" means a facility or structure for the purpose of supplying electrical energy produced from wind, solar, or photovoltaic technologies, whether such facility or structure is a principal use, a part of the principal use, or an accessory use or structure.

**A2550** - March 31, 2009 - Permits location of certain wind and solar facilities in industrial zones. 40:44D-66.11 Wind and Solar Facilities Permitted in Industrial Zones. Renewable Energy Facilities shall be a permitted use in every industrial zone district in a municipality. Requires a minimum of 20 contiguous acres, one owner and the electric energy generated from solar, photovoltaic and/or wind.

**S921** - April 22, 2010 - Exempts solar panels from impervious surface or impervious cover designation. P.L. 2010 c.4 An Act Concerning Solar Panels and Impervious Surfaces. The NJDEP shall not include solar panels in calculations of impervious surface or impervious coverage calculations. Stormwater management plans and ordinances should not be construed to prohibit solar panels to be constructed and installed on a site.

**S1538** – January 16, 2010 - Concerns biomass, solar, and wind energy generation on farms; P.L.2009 Ch.213. In addition to the MLUL changes, S1538 amended and/or added several sections to the Right to Farm Act (4:1C-1); Agriculture Retention & Development Act (4:1C-11); and Farmland Assessment Act (54:4-23.1).

Right to Farm Act section 4:1C-9 (Commercial farm owners, operators; permissible activities) section 6 has been amended to include, "Engage in the generation of power or heat from biomass, solar, or wind energy, provided that the energy generation is consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et al. – Certain generation facilities, structures, equipment permitted on preserved farms)", as applicable, and the rules and regulations adopted therefore and pursuant to section 3 of P.L.2009, c.213 (C.4:1C-9.2 – State Agriculture Development Committee to develop rules, regulations; BPU to provide technical assistance); Agriculture Retention & Development Act new section 32.5 involves approvals biomass facilities only.

In addition to meeting other requirements regarding energy installations the Agriculture Retention & Development Act, 4:1C-32.4 requires the following:



- That the installation does not interfere significantly with the use of the land for agricultural or horticultural production, as determined by the State Agriculture Development Committee;
- Generation facilities are used to provide power or heat to the farm, either directly or indirectly, or to reduce, through net metering or similar programs and systems, energy costs on the farm; and
- are limited (a) in annual energy generation capacity to the previous calendar year's energy demand plus 10 percent, in addition to what is allowed under subsection b. of this section, or alternatively at the option of the landowner (b) to occupying no more than one percent of the area of the entire farm including both the preserved portion and any portion excluded from preservation.

Revisions to the section 23.3 (Agricultural use of land) and 23.4 (Horticultural use of land) of the Farm Land Assessment Act includes:

- Agricultural use shall also include biomass, solar, or wind energy generation, provided that the biomass, solar, or wind energy generation is consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et al.), as applicable, and the rules and regulations adopted therefore; and
- Horticultural use shall also include biomass, solar, or wind energy generation, provided that the biomass, solar, or wind energy generation is consistent with the provisions of P.L.2009, c.213 (C.4:1C-32.4 et al.), as applicable, and the rules and regulations adopted therefore; and
- "biomass" means an agricultural crop, crop residue, or agricultural byproduct that is cultivated, harvested, or produced on the farm, or directly obtained from a farm where it was cultivated, harvested, or produced, and which can be used to generate energy in a sustainable manner, except with respect to preserved farmland, "biomass" means the same as that term is defined in section 1 of P.L.2009, c.213 (C.4:1C-32.4).

Subject to meeting certain rules and regulations developed and adopted by the Division of Taxation and Department of Agriculture, land used for biomass, solar, or wind energy generation may be eligible for valuation, assessment and taxation pursuant to the "Farmland Assessment Act. 54:4-23.3c includes but is not limited to the following provisions:

- No generated energy from any source shall be considered an agricultural or horticultural product.
- the power or heat generated by the biomass, solar, or wind energy generation facilities, structures, and equipment is used to provide, either directly or

indirectly but not necessarily exclusively, power or heat to the farm or agricultural or horticultural operations supporting the viability of the farm;

- the owner of the property has filed a conservation plan with the soil conservation district, with provisions for compliance with paragraph (5) of this subsection where applicable, to account for the aesthetic, impervious coverage, and environmental impacts of the construction, installation, and operation of the biomass, solar, or wind energy generation facilities, structures, and equipment, including, but not necessarily limited to, water recapture and filtration, and the conservation plan has been approved by the district;
- where solar energy generation facilities, structures, and equipment are installed, the property under the solar panels is used to the greatest extent practicable for the farming of shade crops or other plants capable of being grown under such conditions, or for pasture for grazing;
- the amount of acreage devoted to the biomass, solar, or wind energy generation facilities, structures, and equipment does not exceed a ratio of one to five acres, or portion thereof, of land devoted to energy generation facilities, structures, and equipment and land devoted to agricultural or horticultural operations;
- biomass, solar, or wind energy generation facilities, structures, and equipment are constructed or installed on no more than 10 acres of the farmland for which the owner of the property is applying for valuation, assessment and taxation pursuant to P.L.1964, c.48 (C.54:4-23.1 et seq.), and if power is being generated, no more than two megawatts of power are generated on the 10 acres or less;

**B. In 2011 as part of the Master Plan Reexamination process the ordinance review subcommittee in 2011 identified the following issues with regard to the preparation of an alternative energy ordinance:**

- 1. Time frame of project development, phasing plan, decommissioning of the solar facility and bonding for decommissioning.**
- 2. Ordinance Definitions and application processing procedures and submittals.**
- 3. Solar Panels: use in agriculture buffers, side and rear yard set backs and buffering for residential use**
- 4. The Subcommittee concluded that solar panels should be permitted for private residential use in conjunction with a residential dwelling. Solar**

panels should not be permitted in the front yard and a percentage of lot coverage should be addressed

5. Solar panels should be permitted for commercial uses provided that a determined percentage of electric generated be established for the consumption on site
6. Commercial Use Solar Panels (sale of electric generated and or credits)
7. The following items must be included for commercial projects. Buffers, storm water management as permissible by law, percentage of land coverage, maintenance of grounds of the facility, (maintenance plan) landscape and screening of front, side, and rear yard, height limitation, screening from public view
8. Capacity of generation, ownership, and decommissioning of panels at the end of usefulness, safety, access, circulation of site, and lot coverage
9. Township owned land should be considered for projects that could benefit the Twp.
10. Clearing of large forested areas should not be permitted
11. Wind Energy System regulations should be further evaluated.

The Land Development Ordinances for the Township should be updated where necessary to bring them consistent with the new laws and regulatory changes as referenced.

**C. State Development and Redevelopment Plan (SDRP)**

1. The State Development and Redevelopment Plan (SDRP) is the state planning document for the State of New Jersey. The emphasis of the SDRP is to establish state land use planning policies that are implemented using a various means by regulatory agencies. In particular, decisions on various state permitting programs are strongly influenced by the SDRP policies.

The State Planning Act of 1985 defined the purpose of the State Plan to *"coordinate planning activities and establish Statewide planning objectives in the following areas: land use, housing, economic development, transportation, natural resource conservation, agriculture and farmland retention, recreation, urban and suburban redevelopment, historic preservation, public facilities and services, and intergovernmental coordination."* The State Plan currently in effect was last re-adopted in 2001 and is several years past the statutory deadline for re-adoption. As noted earlier in this report, the Office for Planning Advocacy (OPA), formerly the Office of Smart Growth (OSG),

has been moved from the Department of Community Affairs (DCA) to the Department of State (DOS) through an MOU in September of 2010. As part of the Business Action Center, the OPA is charged with helping to spur economic growth through the state planning process.

2. 2011 State Strategic Planning Process and new final draft State Strategic Plan:  
On 02/28/2011 the State began working on a new draft State Strategic Plan. The purpose of this project was to result in a set of recommendations that would transform the existing statewide framework for land use planning into one that prioritizes and supports sustainable economic growth. The State has released a New Proposed Final Draft: State Strategic Plan (New Jersey's State Development and Redevelopment Plan; draft approved 11/14/11 resolution 2011-08). Since the 2011 Draft Final Proposed Draft State Strategic Plan was approved as a final draft, the State made minor edits to the document and posted a 2012 Proposed for adoption final draft State Strategic Plan. As of the date of this report the State has not officially adopted update to the State Plan.

The goal of the State Strategic Planning Process Project is to work with internal and external stakeholders to understand the opportunities for responsible growth and redevelopment in New Jersey and create a strategic implementation plan that capitalizes on these opportunities by better coordination of capital improvement investments and regulatory regimes of state agencies.

3. The following sections of the of the 2011 final draft State Strategic Plan are of note:
  - a. Chapter V, subsection "*A broken state planning framework*":
    - i. The Act was not intended to authorize a statewide land management system. If this was the intention of the Legislature, the SPC would have been provided that authority. Regardless, efforts to use the SPC and State Plan as a land management system have been unsuccessful and have led to endless disputes with local governments and private landowners. (page 18)
    - ii. Development patterns show that merely having a statewide Plan has not resulted in effectively mitigating sprawl in New Jersey's sensitive planning areas. More concerning is that it has not stimulated development and redevelopment in urban centers and other areas planned for growth. (page 18)
    - iii. The intent of the State Plan Policy Map was to give the goals and policies of the State Plan a geographic context. The State Plan Policy Map became a land use regulation tool as a result of the current linkages between the State Plan and the NJ Department of

Environmental Protection (DEP) regulations for planning areas and centers. As a result, insufficient consideration is given to essential local and regional planning priorities such as public facilities, affordable housing and economic growth. A perfect example is that the highly-criticized DEP Blueprint for Intelligent Growth (BIG Map)' lives within the current DEP Water Quality Management (WQM) regulations. In cross acceptance, DEP negotiated for revisions to the Policy Map to reflect data relied on in its WQM regulations, seeking to position flawed data (for example, DEP's Landscape Project) above local and regional planning priorities. (Page 18)

- iv. While center-based development is the preferred development pattern of the State Plan, the regulatory process that was created to designate centers fails to recognize that centers exist whether they are designated or not. Further complicating matters is that existing regulations include a sunset provision for center designation. The result is that most true centers around the State are not currently designated as such or have only been partially recognized pursuant to the provisions of the Permit Extension Acts of 2008 and 2010. (Page 18)
- v. "Current State Planning Rule requires that centers be designated through a complex and expensive process known as Plan Endorsement. The intention of Plan Endorsement was to provide private and public development projects in centers with a streamlined regulatory path and preference for funding for infrastructure and other discretionary funding. For various reasons, these benefits never truly materialized. To date, only ten municipalities and three regions have had their petitions approved. Stakeholder input suggested a minimum cost of \$100,000 to receive Plan Endorsement with costs in some cases escalating to over \$300,000. State funding that was previously available to offset some of this expense is no longer available. Engaged local government feedback in response to a recent OPA survey (see Supporting Document I) shows a clear commitment to good planning yet reluctance to participate in Plan Endorsement due to the time, complexity and expense of the process". (page 19)
- b. Moving Forward: New Jersey will focus its policies and investments on vibrant regions by fostering critical job growth, supporting effective regional planning and preserving the State's critical resources. Coupling this focus with sound decision making will make New Jersey the national leader in coordinated private and public investment which supports sustainable communities that attract and provide strong economic opportunities, preserve our State's natural resources, and

create healthy communities to work, reside and recreate”... “This coordination will provide protection for State investments in that it will discourage public expenditures on infrastructure encroaching on critical resource areas and instead encourage investment in areas most suitable for growth. (Page 19)

- c. Vision Statement: New Jersey will be the national leader in coordinated private and public investment, which supports sustainable communities that attract and provide strong economic opportunities, preserve our State’s natural resources, and create healthier communities to work, reside and recreate. (Page 7).
- d. Mission Statement: To focus New Jersey’s policies and investments on vibrant regions by fostering targeted job growth, supporting effective regional planning and preserving the State’s critical resources. (Page7)
- e. Priority Growth Investment Areas: To address the statutory requirement of the Act to identify areas for growth this Plan recommends meeting that requirement through a criteria-based identification of areas for growth investment. As this Act does not regulate the use of land in the State of New Jersey, this role is fundamentally limited to State agency decisions on public investments, incentives, and State level land use regulations. These “*Priority Growth Investment Areas*” should be supported at all levels of government and, where appropriate, government should consider ways to remove barriers for suitable private and public investment. (Page 26)
- f. Make Decisions within a Regional Framework: Maintain up-to-date, coordinated local, regional and State functional plans that reflect these principles and can provide a regional framework for making decisions about capital investments, programs, regulations and development applications. Gather and consider public input. (Page 30)
- g. Concentrate Development and Mix Uses: Promote development in Priority Growth Investment Areas that are compact, conserves land and offers shopping and services within convenient walking distance of home and jobs. Build with suitable designs and densities that support walking, biking and public transportation. (Page 28)
- h. Prioritize Redevelopment, Infill, and Existing Infrastructure: Strengthen cities, towns and neighborhoods by prioritizing redevelopment, the reuse and remediation of existing sites and structures, and construction on infill sites that are compatible with surrounding uses. Upgrade existing infrastructure where needed, before adding new capacity. Encourage sustainable development that

incorporates green design and construction principles and opportunities for renewable energy and efficiency. (Page 29)

4. **GOALS of the Proposed Draft State Strategic Plan** (page 20).

- a. **Goal 1: Targeted Economic Growth:** Enhance opportunities for attraction and growth of industries of statewide and regional importance.
- b. **Goal 2: Effective Planning for Vibrant Regions:** Guide and inform regional planning so that each region of the State can experience appropriate growth according to the desires and assets of that region.
  - i. **Establish Priority Growth Investment Area Criteria**  
**Objective 2.1** (page 30): The SPC will amend the State Planning Rules to replace Subchapter 8 (the State Plan Policy Map) with a criteria-based process for determining whether certain land qualifies as a "Priority Growth Investment Area." State agencies with land use or investment decision authority will connect to this designation starting within their Department Strategic Plans (as discussed in Goal 4) and eventually within their own functional plans, regulations, programs and operations.
  - ii. **Objective 2.4:** Influence Implementation of Priority Growth Investment Area Development Relevant agencies will clarify regulations and requirements that relate to growth infrastructure, namely sanitary sewer service, public water, road access permits, Residential Site Improvement Standards (RSIS) and affordable housing. State funding will be prioritized for infrastructure based on performance based outcomes within Priority Growth Investment Areas. (Page 31)
  - iii. **Objective 2.6:** Strengthen County Planning Role to Facilitate Regional Collaboration OPA will advocate for amendments to the County Planning Act to better position county government to partner with municipalities to meet existing responsibilities under the Municipal Land Use Law (MLUL) in more efficient and cost-effective ways. (Page 31)
- c. **Goal 3: Preservation and Enhancement of Critical State Resources:** Ensure that strategies for growth include preservation of our State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing the role they play in sustaining and improving the quality of life for New Jersey residents and attracting economic growth. (Page 32)

- d. **Goal 4: Tactical Alignment of Government:** Enable effective resource allocation, coordination, cooperation and communication among those who play a role in meeting the mission of this Plan.
- i. Conflicting State requirements and regulations also make it difficult for local governments to effectively plan and zone. Private property owners must face unpredictable and changing conditions as they pursue the highest and best use of their land under current laws and regulations. Inherited issues need to be addressed through Executive Branch leadership combined with regulatory and, when appropriate, legislative reform. (Page 36)
  - ii. Objective 4.3 Re-focus the State Planning Commission for Local Government Coordination: The SPC will continue to serve its statutory functions and focus on serving as a forum for public input and as a body that provides tools for vertical alignment with local government and other partners. The SPC will take steps to develop and establish the criteria for Priority Growth Investment Areas. The SPC will revise State Planning Rules (Chapter 7) to discontinue Plan Endorsement and position a scorecard system in its place that recognizes and incentivizes actions taken by local government consistent with the Garden State Values. Plan Endorsement petitions close to completion will be completed if the municipality wishes to proceed. The SPC will discontinue the practice of designating centers but continue advocating for center-based development in other ways. The SPC will also revise State Planning Rules (Chapters 2-5) to modernize and streamline future State Plan re-examination and the re-adoption process, advocating statutory changes that lead to revisions to the reexamination cycle as opposed to the current three-year cycle. (Page 39)
  - iii. Objective 4.4 Reposition the Office for Planning Advocacy: OPA will prepare mapping resources that include industry cluster zones, key infrastructure, State assets and other areas identified within the goals of this Plan. The use of "planning areas" and the designations of centers will be discontinued. Mapping resources will be available through a web-enabled platform. OPA will research and provide growth projections for population, households, and housing units, keyed to the release of census data in a format that is respected and trusted by all levels of government. OPA will provide technical assistance and tools for decision making such as model ordinances, FAQs, Transit Score mapping, build out analysis, and economic modeling. Based on the Garden State Values,



OPA will track progress through indicators and establish targets to test if progress is meeting expectations. To accomplish this, OPA will set up and facilitate needed working groups and pursue grant funding. (Page 39)

5. **Executive Leadership** (page 36): Alignment of State government is a critical duty of the Executive Branch. Leadership on this issue will come from the top. The Governor and Lt. Governor should take appropriate actions requiring each relevant Department and/or Agency to develop strategies that integrate the mission, vision, goals, objectives of this Plan into:

- Program and rule changes;
- Annual capital spending plans;
- Intra and inter-agency coordination efforts; and
- Staff training regarding the role of this Strategic Plan, Guiding Principles and Garden State Values within program delivery.

OPA will serve as the professional support needed to move the process of alignment forward working with leadership in the Offices of the Governor and the Lt. Governor. Facilitating interactions and dialogue among all stakeholders and ensuring timely delivery of actions by those involved will be the foundation of OPA's reorganization within the Department of State.

OPA must have adequate resources to perform the functions contained within this Plan. Alternative funding options should be considered that do not rely solely on the annual operating budget of the Department of State.

- a. **State Department and/or Agency Implementation** (Page 37): To addresses the statutory requirement to develop and promote procedures to facilitate cooperation and coordination among State agencies a Steering Committee will be formed to advise the Executive Branch regarding State implementation of this Plan. This will include, by way of example, alignment of functional plans of agencies and the regulations that flow from them, pooling existing discretionary investments and ensuring they are being spent strategically. This will ensure that every State Department and/or Agency with a role in physical and economic development and resource preservation has a role in this alignment and ensure that the transformation breaks down any silos that exist within each Department and Agency.

- b. **Local Government & Regional Entity Alignment** (Page 37-38): The Act also requires cooperation with local government and regional entities through planning and technical assistance. This vertical coordination is imperative for success. A major challenge is that land use authority resides in many levels of government outside of the framework of the Act.

The State's land management system is the Municipal Land Use Law. Working within this system is the only rational way to move forward as long as the current statutory relationship between State and municipal government is in place. Municipal governments currently have the obligation to plan, zone and act on development applications that come before them. In addition, all county governments have some form of regional planning programs and have limited but important authority over development applications. Shared responsibilities for public services related to physical and economic development faces practical (e.g., union contracts and civil service restrictions) and political (e.g., local opposition due to fear of loss of home rule) barriers.

An encouraging trend is the establishment of regional planning partnerships that transcend political boundaries without the benefit of land use authority. Some examples include the Somerset County Business Partnership, Burlington County's River Route, the Central Jersey Transportation Forum and the Newark Regional Business Partnership. One goal of vertical coordination is to create a framework for engagement and the ability to leverage planning entities, such as these, that are local to the region and managing economic development in their region.

**Franklin Township is committed to continuing the coordination of Township Plans for Preservation and Managed Growth with the community, neighboring municipalities, Gloucester County, and various State Agencies. The Township may continue to work with neighboring communities and the State to implement generally consistent plans in the future.**

- D. **Status of Affordable Housing in Franklin and COAH:** The Township has been working diligently to settle a builders remedy case that may secure the necessary credits to satisfy potentially all of the municipal fair share housing obligation (it should be noted that the State has not yet established third round municipal obligations and that the round three growth share methodology is not presently in effect. The overturned round three growth share methodology had required the Township to plan for 205 credits during the round three period). The adopted municipal Housing Element and Fair Share are anticipated to require amendments to establish the necessary planning basis for expected zoning ordinance revisions. Amongst other Court decisions involving the Council on Affordable Housing (COAH), the October 8, 2010 Appellate Division decision in the appeals of COAH's revised third round rules at N.J.A.C. 5:96 and 5:97; reversed and remanded portions of COAH's third round rules, including a requirement that COAH

adopt third round rules that incorporate a methodology similar to the first and second rounds.

*“Our conclusion that COAH should be required to return to such a previously-approved methodology to prevent further delay in the adoption of valid third round rules is reinforced by our doubts whether any growth share methodology would be valid under existing law”.* A-5382-07T3 page 28

The Township will address its fair share obligation with a priority focus on securing credits for rounds 1 and 2 that included a rehabilitation obligation of forty four (44) units and a 1987-1999 prior round obligation of one hundred sixty six (166) credits.

- E. **Franklin Township Wastewater Management Plan; Gloucester County Non-consolidated District Wastewater Management Planning Area.** The County and Township have been working together on a draft Wastewater Management plan for the Township. Depending on the final draft document and subsequent approval by the NJDEP the Township anticipates it may be necessary to make future amendments to the various master plan elements and zoning ordinance.
- F. **Meredith Farms Redevelopment Area:** The Township has secured a redeveloper for the Meredith Farms redevelopment area. The primary objective now is for the project to receive all the necessary approvals that will enable the project to be constructed and occupied as soon as possible.

**V. 2013 Recommended Changes For The Master Plan And Development Regulations, Including Objectives, Policies And Standards, Or Whether A New Plan Or Regulations Should Be Prepared.**

- A. During the preparation of the last reexamination report and subsequent its adoption the Township identified a need to amend sections of the zoning ordinance and update components of the master plan. This report supports and supplements the findings of the 2011 Master Plan Reexamination Report.
- B. It is recommended the following series of policies, goals, objectives and assumptions be incorporated and serve to update, supplement, and amend the Master Plan and the following development regulations be prepared, supplemented and/or amended.
  - 1. Assumption: The State will adopt the new final draft State Strategic Plan (New Jersey State Development & Redevelopment Plan) within the next 1-2 years. It is also assumed the process that will replace the plan endorsement process will be more user friendly for municipalities to participate within.
  - 2. Assumption: The Township, County, and State will work together to on properly designated growth and priority investment and preservation areas in Franklin Township.
  - 3. The preservation of agricultural land and continuation of farming activities remain a critical component to the future of the Township. The Township's Rural and Agricultural character must continue to be protected.
  - 4. Alternative methods to conventional farmland and open space preservation techniques will be continually evaluated and considered by the Township.
  - 5. The agricultural lands of the Township provide both direct and indirect benefits that contribute to the health and welfare of all New Jersey citizens.
  - 6. To encourage the more efficient use of land by promoting the co-location of renewable energy facilities on existing and new buildings.
  - 7. The Township assumes the pressure to develop standalone renewable energy power plants could be reduced if more homes and businesses incorporated accessory renewable energy systems into their design.
  - 8. Energy conservation and education are critical components to a cleaner environment that benefits the health and welfare of the community.
  - 9. The Township recognizes energy produced from solar and wind facilities is not farming; it is an evolving technology for commercial energy production.

Solar facilities (and other types of power generation facilities) have the potential to substantially negatively impact contiguous agricultural areas that are essential to the Local, Regional and State economies. Standalone remotely monitored solar and wind facilities contribute few employment opportunities to local residents and are not conducive to our rural & agricultural character.

10. It is assumed advances in energy producing technologies (paint, solar film, etc.) and distribution could reduce the need for standalone solar facilities. Solar and Wind production facilities provide intermittent energy connections due to their reliance on sun and wind. Power/energy production from central plants is anticipated to remain the primary source of energy production.
11. To promote the utilization of renewable energy resources through education and the development of a Green Buildings and Environmental Sustainability Master Plan Element.
12. To evaluate accessory, conditional, permitted and new uses for each district and allow uses consistent with the economic, environmental, and preservation goals and objectives of the Township Master Plan.
13. A new zone Public, Park, Education (PPE) district could be added to the Township municipal planning scheme thereby clearly linking land use and zoning on a map that is used on a daily basis.
14. The Township should consider updating the Open Space & Recreation Plan Element as part of a comprehensive update to the Master Plan. The updated Open Space and Recreation Plan could include a circulation plan component that identifies trails and bikeways. During the preparation of this report the Board identified a potential new walkway along a section of Franklinville Lake (MacArthur Ave. from Coles Mill Rd.) that could be connected to the Franklinville Village area and Delsea Drive corridor.
15. To update the development regulations for the Township's various zoning districts to incorporate standards for permitted renewable energy facilities.
16. All new electrical transmission lines associated with the installation of a solar or wind energy system should be located underground, unless the local utility can accommodate them on existing utility pole lines.
17. The design of solar or wind energy systems should, to the maximum extent practicable, use materials, colors, textures, shades, screening and landscaping that will blend into the natural setting and existing environment. Potential negative offsite impacts including but not limited to aesthetics, glare, noise and other nuisances must be controlled.

18. Additional development regulations, standards and requirements for accessory renewable energy systems could be prepared and adopted to provide additional clarification regarding system location and design.
19. The standards and requirements for accessory structures (Pole Barns, garden sheds etc.) should be evaluated and revised as necessary relative to each district as part of the ordinance update process. For example, accessory use and structure sizes vary depending on the size and need of the lot they are intended to be subordinate.
20. The Definitions contained in the Land Development Ordinance should be reviewed and updated where necessary. Additions and amendments to clarify terms involving lot coverage, impervious coverage, parking dimensions and renewable energy system are examples of where updates may be necessary.
21. The Highway Commercial (HC) zoning district along Delsea Drive should be extended to include Block 2201 Lots 22-33 & 72; Block 2302, Lot 29; and up to the first 365' of land fronting Delsea Drive for a section of Block 2302 Lot 30. Ordinance §253-88 Boundary tolerance (see below) would not apply to the proposed new zone boundary line".

§253-88 Boundary tolerance.

Where the Highway Commercial and Residential Agricultural District boundary lines, other than one located in a road, street, avenue, stream or railroad right-of-way, divides a lot existing on the date of adoption of this chapter, the regulations and restrictions applicable to the less restrictive district in which a portion of such lot is located shall apply to the portion of such lot located in the more restrictive district for a distance of not more than 150 feet beyond such district boundary. For parcels in excess of 10 acres in size, the distance shall be increased to 300 feet.

22. Block 6805, Lot 19 which is presently zoned R-A (Residential-Agriculture) and part of the tract included within the Meredith Farms Redevelopment Area should be rezoned LM (Light Manufacturing).
23. Zoning Ordinance Article XII Buffers should be updated and amended where necessary to refine design standards and objectives. The Agricultural Buffer ordinance should also be updated to clarify what is permitted within buffer limits.
24. The ordinance sign standards should be further evaluated to ensure the master plan goals and objectives can be achieved with the existing standards. The zoning ordinance sign standards should be updated as necessary.
25. Article XXXV Conditional Uses: "*To preserve the quality of life in Franklin Township*" the zoning ordinance should be updated immediately to provide

conditions for conditional uses listed within the ordinance. Additionally, the existing conditions should be evaluated and considered for amendment where necessary to further achieve the goals and objectives of the master plan.

- C. Section III.B of this report includes additional recommendations with regard to Master Plan updates and Ordinance amendments.

**VI. 2013 Planning Board Recommendations 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).**

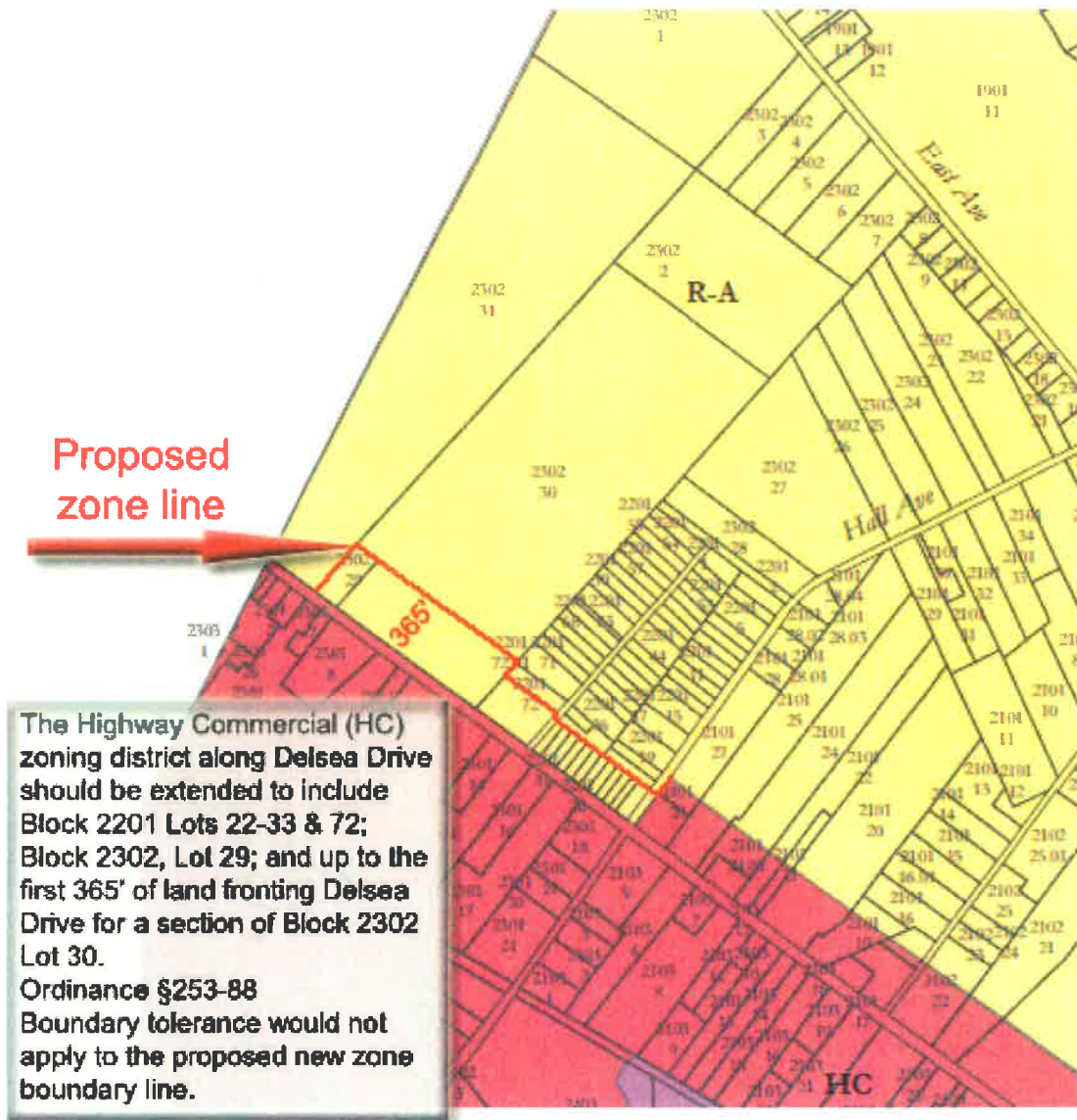
The Planning Board does not have any additional recommendations concerning the incorporation of additional redevelopment plans at this time. The redevelopment area recommendations contained within the 2011 Master Plan Reexamination report are supported by this Reexamination report (Clayton-Franklin Redevelopment Area, S.Broad St. & Route 55 area at the municipal Border with Clayton; Route 40/55 Interchange Area). The current redevelopment plans remain in effect and if needed may be amended in accordance with the requirements of the LRHL.

## APPENDIX A



## Appendix A

### Recommended Specific Zoning Map Changes:



Map 1A

Ordinance §253-88 Boundary tolerance (see below) would not apply to the proposed new zone boundary line.

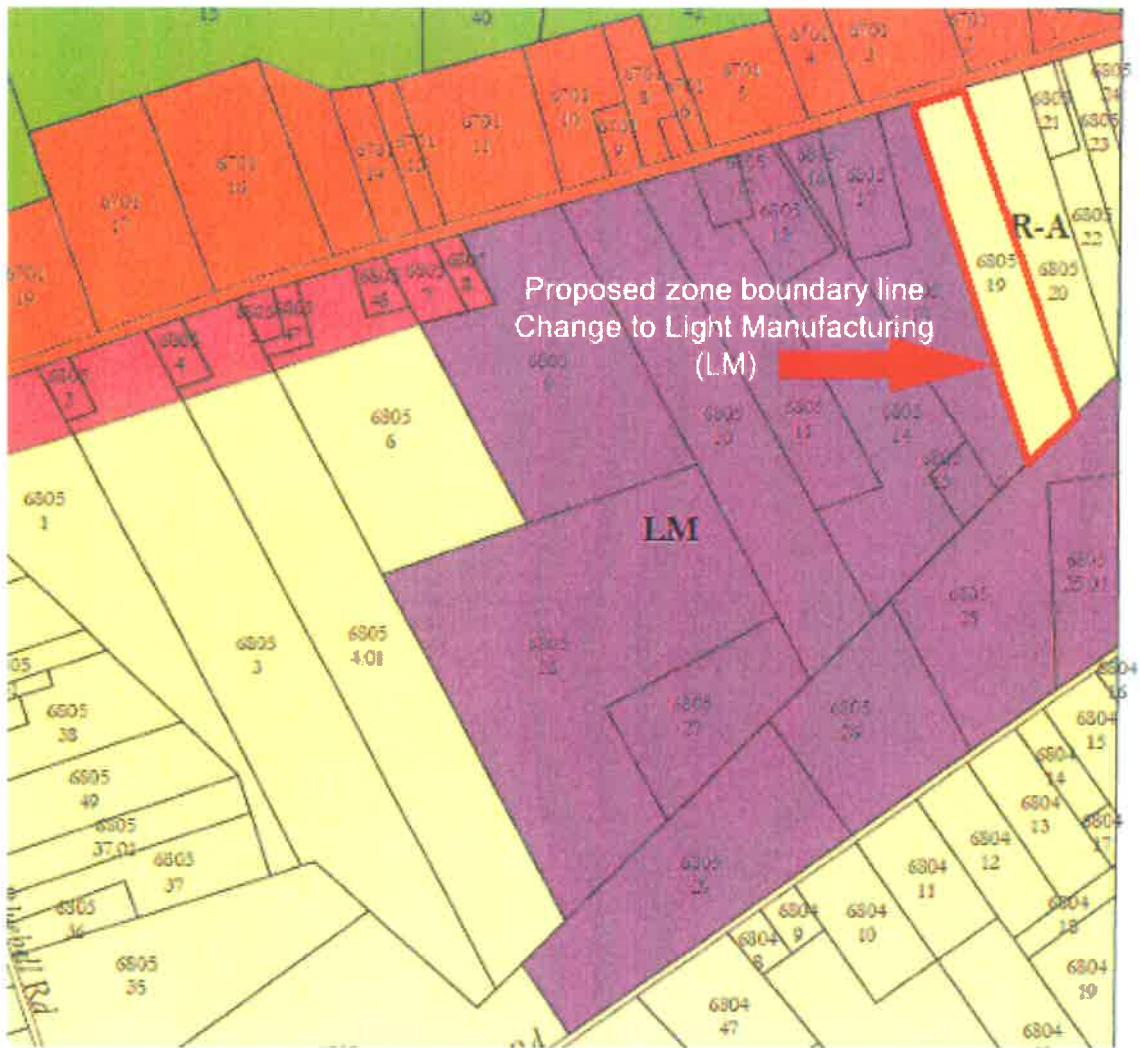
§253-88 Boundary tolerance. [Amended 7-25-2006 by Ord. No. O-16-2006]

Where the Highway Commercial and Residential Agricultural District boundary lines, other than one located in a road, street, avenue, stream or railroad right-of-way, divides a lot existing on the date of adoption of this chapter, the regulations and restrictions applicable to the less restrictive district in which a portion of such lot is located shall apply to the portion of such lot located in the more restrictive district for a distance of not more than 150 feet beyond such district boundary. For parcels in excess of 10 acres in size, the distance shall be increased to 300 feet.



23

1. The Light Manufacturing (LM) District along Harding Highway (US40) within the Meredith Farms Redevelopment Area should be extended to Block 6805, Lot 19 which is presently zoned R-A (Residential-Agriculture).



Map 2