

**Master Plan
Reexamination Report**

**TOWNSHIP OF COLTS NECK
Monmouth County, New Jersey**

DRAFT

Adopted: _____, 2020

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A. Introduction

The New Jersey Municipal Land Use Law, NJSA 40:55D-1 et seq., stipulates that each municipality in the State of New Jersey must reexamine its Master Plan and Development Regulations at least every ten years. Specifically, N.J.S.A. 40:55D-89 states:

"The governing body shall, at least every ten years, provide for a general reexamination of its master plan and development regulations by the Planning Board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which shall be sent to the County Planning Board and the Municipal Clerk of each adjoining municipality."

The purpose of this report is to examine how changes over time have impacted land use decisions. It provides the Planning Board with the opportunity to determine if the goals, objectives and recommendations of the 2004 Master Plan and 2010 Master Plan Reexamination Report adequately address planning issues affecting Colts Neck today and in the foreseeable future. It is also a tool that identifies outdated zoning classifications, land use conflicts and development regulations that need updating. Finally, it provides the opportunity to review the needs and initiatives of other governmental bodies and to set the Township's planning agenda for the next ten years.

The Municipal Land Use Law states that failure to comply with the reexamination requirement "shall constitute a rebuttable presumption that the municipal development regulations are no longer reasonable". This reexamination of the Township of Colts Neck Master Plan conforms to the requirements of the Municipal Land Use Law and addresses the requirements of N.J.S.A. 40:55D-89 by including the following:

- a. The major problems and objectives relating to land development in Colts Neck at the time of the adoption of the 2010 Master Plan Reexamination Report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives.
- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards or whether a new plan or regulation should be prepared.

- e. The recommendations of the Planning Board concerning the incorporation of re-development plans adopted pursuant to the "Local Redevelopment and Housing Law". P.L. 1992, c.79 (C.40A:12A-1 et.al) into the land use plan element of the municipal master plan and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

This reexamination report represents the reexamination of the Township of Colts Neck Comprehensive 2004 Master Plan which was adopted on February 10, 2004 and the 2010 Master Plan Reexamination Report adopted February 9, 2010.

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B. Major Problems and Objectives Relating to Land Development in the Township of Colts Neck in 2010, the year the current Reexamination Report was adopted.

The 2010 Master Plan Reexamination Report lists the following significant land use policies on which the report was based.

1. Preservation of the open character of the Township as a low density residential area with agricultural activity. This was the first and basic objective of Colts Neck's original Master Plan in 1961 and continued to be the cornerstone of the 2010 Reexamination Report land use policies.
2. Designation of lower densities in major areas of underdeveloped land.
3. Locating higher density residential zoning in the southwestern corner of the Township (A-4 and A-6 Zones) to implement the Township's affordable housing obligation.
4. Confining commercial uses to an area along State Highway Route 34 that is south of Yellow Brook and north of State Highway Route 18. The commercial district should be a modest distance along County Route 537 and be bordered by New Street (Block 29.13, Lot 14) to the west and the former Meridian Academy School to the east.
5. The industrial base should not be expanded above its present locations and intensity.
6. Public water and sanitary sewer facilities shall not be further extended into the Township. Individual users of public water and sewers should be limited to the A-4 Zone and the existing water customers along Swimming River Road and Asbury Avenue.

The 2010 Reexamination Report anticipated that future zoning decisions would follow these policies and be based on the unique physical features and natural carrying capacity that limits development in Colts Neck.

The Township's overall land use plan encouraged agriculture and low density single family residential housing. Future development was encouraged to utilize the design flexibility of cluster and lot size averaging developments. It was a basic goal that new growth would simulate the existing pattern of development and preserve large contiguous tracts of land for agriculture and open space. The plan recommended that low lot coverage standards be retained to minimize stormwater runoff and erosion, as well as increase infiltration and protect the water quality of the Swimming River Reservoir, a Category One (C-1) water body.

AGRICULTURAL DISTRICTS

The Township's plan for agricultural areas (AG Zone) is to promote agriculture and retain farmland by utilizing planning and innovative land conservation techniques, protecting the economic viability of the agricultural industry and advising residents of the benefits and the special needs of agriculture. The plan recognizes that if agriculture is to be sustained as a viable industry in the future, farms must be of sufficient size to promote commercial farming and the conversion of prime farmland into non-farm uses must be discouraged.

While planning and zoning can provide flexible land development techniques, they cannot preserve agriculture alone. Other factors such as taxation, regulatory policy, profit margins and land values each affect the state of agriculture. If farmland preservation efforts are not made immediately, sites that should be retained for farming will be developed with homes, and once farms are residentially developed, it is unlikely that the land will be returned to an agricultural use again.

AGRICULTURAL/RESIDENTIAL DISTRICTS

The agricultural/residential districts (A1, A2 & A3 Zones) are largely a reflection of the existing pattern of development which is described as high quality single family dwellings on large lots. The goal of the agricultural/residential districts is to have zoning regulations match the developed character of the area. When development of existing farms occurs, cluster designs are encouraged in order to create buffers between the new houses and such uses as an adjacent farm, abutting residential neighborhood or collector/arterial streets.

A-5 RURAL RESIDENTIAL DISTRICT

The A-5 Rural Residential District was established in 1999. The purpose of the zone is to provide for the ordinary development of open land, protect views and wooded areas and minimize the construction of roads and other impervious surfaces so as to preserve the watershed of a public water source as well as the aesthetic character of Colts Neck. This zone is currently limited to four developments that were originally approved under the rural residential development standards. These standards allowed a reduction in pavement width, curbing and subsurface drainage systems when large lots of 220,000 square feet or more were planned. However, the rural residential development standards were repealed by the Township after the State adopted the Residential Site Improvements Standards. The A-5 zone was then created to identify these projects and provide zoning that reflects the existing pattern of development.

A-4 MIXED HOUSING DISTRICT

The A-4, Mixed Housing District is limited to the southwestern corner of the Township. This zone was established specifically in recognition of the Township's obligation to provide low and moderate income housing. Only this area was proposed for the A-4 Zone for the following reasons.

1. The area is located in the designated "growth area" of the 1980 State Development Guide Plan and recognized as a growth area in Court proceedings in the mid-80's.
2. Water and sewer services are available.
3. The area is accessible to a major east/west highway in the Township (Rt. 537) and to the Rt. 18 freeway. The freeway gives access to the Parkway and areas to the east, plus New Brunswick, Route 9 and areas north. Limited bus service exists on Route 537.
4. Major shopping and job centers are concentrated in Freehold and the Route 9 corridor to the west, while the Route 18 freeway gives reasonable access to the local businesses on Route 34 as well as regional shopping and job opportunities to the north and southwest.
5. The location is best able to conform to both the State and County Plans that show higher densities along a broad Route 9 corridor farther west. By concentrating the high density area in this southwestern corner, a drastic leap into the agricultural area is avoided that, if it took place, would extend infrastructure into non-growth areas and perpetuate further regional sprawl development patterns in the future.

A-6 RESIDENTIAL DISTRICTS

The purpose of the A-6 Residential District is to promote orderly residential development in a manner that protects streams, wetlands, floodplains and associated woodlands, reduces street distances, and creates conservation areas and open space. The District allows a diversity of housing types and opportunities and was specifically designed to satisfy a portion of the Township's Round II (1987-1999) low and moderate income housing obligation under the New Jersey's Fair Housing Act N.J.S.A. 52:27D-301 et seq., the rules of the New Jersey Council on Affordable Housing N.J.S.A. 5:93 and the Mount Laurel doctrine. The District advanced the public welfare by settling Mount Laurel litigation, and creating a realistic opportunity for affordable housing by a court approved regional contribution agreement (RCA) for up to 107 units and providing developer funding for eight and a half (8.5) of the RCA units.

The A-6 Residential District is located in an area in the southwest portion of the Township near State Highway Route 18 and Monmouth County Route 537 (Block 22, Lot 18). Consisting of approximately 39 acres, the A-6 District could be developed with agricultural uses or detached single family dwellings on two-acre lots.

The A-6 District also offers an alternative development option consisting of courtyard dwelling units at a maximum density of 1.24 units per acre. Each courtyard structure will contain a maximum of four attached dwelling units arranged to form and share a common, semi-enclosed courtyard and each unit will have open space exposure. All courtyards will be

served by private streets extending from County Route 537. A 300 foot riparian buffer will be provided from Yellow Brook. A minimum of 30 percent of the gross tract area will also be maintained as common open space owned by a Homeowners Association. The maximum lot coverage will be 20 percent. A landscape open space buffer will be provided along Monmouth County Route 537.

Locating the A-6 Residential Zone and higher density housing in the southwestern portion of the Township represents sound planning for the following reasons:

- a.) The area is proximate to the existing A-4 Mixed Housing District which was established to comply with the Fair Housing Act and the Court's 1986 Judgement of Compliance and Repose.
- b.) The area is adjacent to the designated "growth area" in the 1980 State Development Guide Plan.
- c.) The area is accessible to a major east/west highway in the Township (Route 537) and to the Route 18 Freeway. The freeway gives access to the Parkway, plus New Brunswick, Route 9 and areas north. Limited bus service exists on Route 537.
- d.) The A-6 area is a somewhat isolated location between the 70 acre Colts Neck High School and a residential subdivision on the east, deed restricted farmland on the north, Route 18/537 interchange on the west and parkland to the south. To the immediate west of the interchange is a fully developed suburban residential area of Freehold Township designated Suburban Planning Area (PA2) in the State Development and Redevelopment Plan since 1992, while the largely developed A-4 Mixed Housing District is to the southwest of the interchange. The proposed density is transitional in that it is higher than the AG Agricultural Zone but considerably less than the 6.5 units per acre allowed in the nearby A-4 Zone. By concentrating comparatively higher-density residential development in the southwest corner of the Township next to the Route 18/537 interchange, development leaps into the agricultural area are avoided and the integrity of the larger, contiguous areas of farmland in the AG, Agricultural Zone is maintained.
- e.) It settled the Mount Laurel litigation, provided affordable housing by a court approved RCA, created a realistic opportunity for an 8.58 unit developer funded RCA, and enabled a six-year Judgment of Compliance and Repose to be executed by the Court to satisfy the Township Round II (1987-1999) low and moderate income housing obligation under the Fair Housing Act.

BUSINESS DISTRICTS

The Business Districts' (B-1, B-2 & B-3 Zones) long term goal is to provide neighborhood oriented businesses specifically catering to Colts Neck Township residents and the agricultural base. It is recommended that non-residential growth be designed in accordance with the Route 34 Colts Neck Highway Access Management Plan prepared by Garman Associates. No increase or change to the business zone boundary is proposed or anticipated. It is the intent of the Business Zones to encourage agricultural services as well as other traditional commercial activities that create a small town ambiance. Regional shopping facilities are not anticipated and are recommended to be sited in Metropolitan and Suburban Planning Areas (PA1 and PA2) as delineated in the State Development and Redevelopment Plan.

The B-1A Zone was established in 1999 and contains Brandywine Assisted Living Facility. This zone is located on the west side of Route 34 just south of the Delicious Orchards property. The B-1A Zone consists of one parcel, 12.98 acres in area, which is developed with a 52,740 square foot, 72 bed assisted living facility. At the front portion of the site, 3.7 acres is deed restricted for the purpose of a septic field, underground utilities, recreation facilities, ancillary parking facilities and agricultural purposes not requiring above ground structures or open space (DB5897/PG656). However, given this restriction the property is still underdeveloped and could support approximately 32,000 square feet of additional floor area totaling a maximum buildout of 84,740 square feet of floor area.

INDUSTRIAL DISTRICTS

No new industrial centers were proposed in the 2010 Reexamination Report. The only industrial uses anticipated were the existing facilities in the D and D-1 zones.

No significant increase in the Township's industrial base is planned due to the Township's agricultural character, lack of public utilities, low density residential base, distance from major population centers and location within the watershed of three potable water supplies. Based upon the above, the establishment of an industrial or employment center are not encouraged. Since the State and County plans designate Colts Neck as an agricultural low density area the goal is to maintain past planning policies and continue the bucolic nature of Colts Neck.

C. The Extent to which such Problems and Objectives have been Reduced or have Increased Since the 2010 Master Plan Reexamination Report.

The 2010 Master Plan Reexamination Report listed six land use policies on which the plan was based. These six land use policies are still relevant today and are the foundation of current zoning decisions.

The following is a review of six major land use policies and the extent to which they have been reduced or increased.

1. *The preservation of the open character of the Township as a low density residential area with agricultural activity.*

The preservation of the combination of open space, agriculture and well buffered low density housing still continues to be the cornerstone of the Township's rural and scenic character. When new development occurs, whether residential or non-residential, it is encouraged to be designed to maximize the appearance of open space through use of topography, landscape plantings, clustering, lot size averaging and open space dedications.

The overall intent is to maintain the Township's high degree of visual quality that makes walking, biking or driving along our roadways a pleasurable and enjoyable experience.

2. *Designation of lower densities in major areas of underdeveloped land.*

The Township has zoned most of the major areas of underdeveloped land as AG, Agriculture. The AG Zone calls for a minimum lot area of ten acres with a maximum building and total lot coverage of five percent and ten percent, respectively. Residential Developments in agricultural areas are encouraged to use lot size averaging designs where properties are subdivided at an overall density of one unit per ten acres. New residential lots can be as small as two acres with one large deed restricted farm lot comprising the remaining acreage.

The only time the Township did not follow this objective was to implement its affordable housing obligation. The first was to meet the terms and conditions of an Order by Honorable Eugene Serpentelli entered December 1, 1986 with the creation of the A-4, Mixed Housing District fulfilling the Township Round I affordable housing obligation. The second time was in 2003 when an AG farm was rezoned to A-6, Residential District to satisfy a portion of the Township's Round II low and moderate income housing obligation. In 2008 the Township adopted an Affordable Housing Growth Share provision to address its Third Round obligation. This ordinance gives residential developments a 40% increase in permitted density in turn for a 20%

affordable housing set-aside. However, Council on Affordable Housing's Growth Share rules were invalidated by the Courts and the Township's current ordinance should be repealed.

Today, pressure to satisfy the Township's current affordable housing obligation (1999 to 2025) remains and could force the rezoning of major areas of underdeveloped land for higher densities. In 2015 the Township filed a Declaratory Judgement action with the Superior Court (MON-L-2234-15) requesting court approval of its 1999 – 2025 affordable housing obligation. At this time the litigation is ongoing; however, it is anticipated that it will result in rezoning some areas for higher density

3. *Locating the higher density residential areas in the southwestern corner of the Township (A-4 and A-6 zones) to implement the Township's affordable housing obligation.*

This policy is just as relevant today as it was during the 2010 Master Plan Reexamination. The Township has two multifamily residential zones. The A-4, Mixed Housing District contains The Grande at Colts Neck, a 276 unit development consisting of 188 single family dwellings and 88 multifamily dwelling units. This development fulfilled the Township's first round affordable housing obligation and was completed in 1996. The Zone also contains a 16 acre underdeveloped property which should be used towards the Township's current affordable housing obligation. The A-6 Residential District was established as part of a Second Round Affordable Housing Builders Remedy settlement. This district is limited to the Manor Homes at Colts Neck, a 48 unit townhouse development. The project received conditional Final Major Site Plan Approval in 2004 but has not been constructed.

Since the Manor Homes at Colts Neck Project has not advanced, an opportunity exists to revisit the approval with an eye towards satisfying a portion of the Township's current affordable housing obligation.

4. *Confining commercial uses to an area along State Highway Route 34 that is south of Yellow Brook and north of State Highway Route 18. The commercial district should be a modest distance along County Route 537 and be bordered by New Street (Block 29.13, Lot 14) to the west and Meridian Academy to the east.*

This policy continues today and it is our goal to contain commercial services within the well established business corridor on Route 34 between Yellow Brook and State Highway Route 18 and also within the historic business area along Route 537 with its smaller lots and buildings often located close to the road. It is expected that the commercial area will continue to provide agriculturally oriented services along with other commercial activities. New development, traffic patterns and architectural design should facilitate a combination of public safety, convenience of access and the appearance of open space and a "small town ambiance". Regional shopping facilities are not anticipated and are more appropriately located in Metropolitan and Suburban

Planning Areas (PA1 & PA2) and not Rural or Environmentally Sensitive Planning Areas (PA4B & PA5) as delineated by the State Development and Redevelopment Plan. Therefore, department stores, supermarkets, large warehouse type retail establishments, automotive dealerships, lumber yards, fast food restaurants, drive thru pharmacies, etc. are discouraged while community or neighborhood supported businesses specifically designed for Colts Neck residents and the Township's agricultural base such as, local food stores, sit down restaurants, wine and liquor stores, hardware stores, lawn and garden supplies, seed and feed supplies, specialty shops, boutiques, beauty parlors, barbers, decorators, jewelers, tack shops, bookstores and the like are anticipated.

It is also envisioned that new development in the Business Zones will implement the recommendations contained in the Route 34 Colts Neck Highway Access Management Plan. This plan includes a new internal street system or parallel access road that will access the rear portion of the lots south of Route 537 as well as other safety and traffic calming recommendations.

The 2010 Master Plan Reexamination Report recommended the area along the east side of Route 34, bounded to the north by County Route 537 and to the south by State Highway Route 18, be rezoned to a neighborhood commercial district. It was anticipated that this new zone would provide clear standards and allow for new growth to occur consistent with the traffic management principles of the Highway Access Management Plan as well as the land use plan for the area designed through an independent study by the Brookdale Community College Department of Architecture. This land use plan consisted of a series of concept drawings for the area promoting shared parking, plazas, pedestrian linkages, use of multiple small building footprints rather than larger footprints and traditional/colonial architectural standards.

The establishment of this neighborhood commercial zone did not come to fruition and this area could be impacted by the Township's future affordable housing obligation. However, no matter what development occurs in the area, the plan must maintain the parallel access road called for in the Highway Access Management Plan. Although the use of multiple smaller building footprints rather than larger footprints may not be practical, other principals recommended such as shared parking, pedestrian linkages, plazas traditional/colonial architectural standards should not be abandoned.

5. *The industrial base should not be expanded above its present locations and intensity.*

No change to this policy has occurred. Since the repeal of the "Time of Decision Rule", the Township has been proactive and in 2014 adopted an Ordinance retitling the D, Industrial Zone to D, Distillery and Bottling Plant District. The purpose of the rezoning was to remove more intense activities permitted which were inconsistent with the Township's long term plans such as, experimental testing and research establishments, all type of industrial fabrication and processing operations or trucking operations. The intent was to maintain limited light industrial activity consistent with

the historical use of the property due to the Township's agricultural character, lack of public utilities and low density residential base.

The D, Distillery Zone is located at the intersection of County Route 537 and Laird Road. This 25 acre zone is home to Laird & Company, a bottling and distributing plant. The only other industrial zone is the D-1, Light Industrial Zone along Asbury Avenue in the extreme southeast corner of the Township. This 98 acre zone contains the JCP&L Atlantic Coastal Substation (50 acres). The remaining 48 acres are vacant and have limited development potential due to freshwater wetlands and an abandoned landfill. The landfill has been purchased by the County of Monmouth and will be used to expand the Monmouth County Reclamation Center. No increase or reduction to the boundaries of these zones is anticipated in the future.

6. *Public water and sanitary sewer facilities shall not be further extended into the Township.*

The Township's goal is to limit public utility services to the A-4 Zone (The Grande at Colts Neck) and the existing water customers along Swimming River Road and Asbury Avenue. However due to the Township's pending affordable housing litigation public utilities will likely need to be extended to other areas.

It is a further goal to have all future non-affordable residential and non-residential developments to be restricted to lot sizes and densities based on groundwater resources and the ability of the soil to sustain on-site sewerage disposal systems and potable wells. In some instances this might require larger lots, lower densities, or lower floor area ratios than permitted under zoning regulations. If that is the case, it is expected that on-site environmental conditions will control the amount of development and what is permitted under zoning regulations will not be achieved.

D. The Extent which there have been Significant Changes in the Assumptions, Policies and Objectives Forming the Basis of the 2010 Master Plan Reexamination Report.

The 2010 Master Plan Reexamination Report identified the privatization of 300 Laurelwood units at Naval Weapons Station Earle and new State environmental laws as the major changes affecting the assumption, policies and objectives forming the basis of the 2004 Master Plan. Since 2010 there have been several factors that have impacted the assumptions, policies and objectives forming the basis of the 2010 Master Plan Re-examination Report. These include:

1. the demolition of 300 Laurelwood units;
2. publication of the Naval Weapons Station Joint Land Use Study by the Monmouth County Planning Board on December 31, 2017;
3. the 2015 Supreme Court Ruling transferring the affordable housing process and compliance with the Fair Housing Act from the NJ Council on Affordable Housing to the Superior Courts; and
4. The recognition the Township must respond to the climate change crisis by making ordinance changes as appropriate, reducing its carbon footprint and providing guidance to its residents to do the same.

Laurelwood Units

The Laurelwood housing was built in 1988 pursuant to the authority provided within Section 801 of the Fiscal Year 1984 Defense Authorization Bill. The Bill allowed the Navy to execute a 52 year lease with a developer to build the 300 units. From 1988 to 2010 the Navy guaranteed rent payments for all 300 units. From 2010 to 2040 the lease allowed the developer to rent the units to the general public once the Navy provided unimpeded public access. At the time of the 2010 Master Plan Reexamination Report, the Navy was in the process of delivering unimpeded access and the Township was preparing for the sudden influx of 300 private residents that could severely impact the Township's emergency services, parks and recreation system, school system, and traffic capacity. Fortunately, in 2011 legislative efforts prevailed which funded a direct buyout of the remaining term of the lease and authorized the demolition of the 300 Laurelwood units.

Naval Weapons Station (NWS) Earle Joint Land Use Study

On December 31, 2017 the Monmouth County Planning Board in cooperation with NWS Earle and thirteen surrounding municipalities published the NWS Earle Joint Land Use Study. One of the major purposes of the study was to investigate ways to promote community development that is compatible with NWS Earle.

For Colts Neck the major outcome of the study was the Military Influence Area. NWS Earle has defined a Military Influence Area around the base. The Military Influence Area is a geographical planning area where military operations may impact local communities and, conversely where local activities may affect the installation's ability to carry out its mission. The Navy monitors land use activities within this area to identify and avoid potential incompatibilities between NWS Earle and its neighbors. The Military Influence Zone surrounding the main side base in Colts Neck is comprised of a one mile Primary Buffer and an additional one mile Secondary Buffer.

Section 7.1 of Public Law 1975 was amended requiring the notice of hearing on applications for approval of a major subdivision or site plan be given to military facility commanders for any properties within 3,000 feet of a military base. The Study uses this 3,000 foot boundary as the Development Review line and encourages zoning amendments to promote compatible land use development which limits densities and the types of development in proximity to base boundaries where munitions are stored. The main types of development deemed less compatible within the 3,000 foot Development Review Line are: multi-family housing, institutional uses (schools and hospitals) nursing homes/assisted living facilities and land uses involving large congregations of people for long periods of time. These uses should be directed to other locations. Based on the findings and conclusions of the NWS Earle Joint Land Use study, when new Master Plans and Zoning Ordinances are updated, Colts Neck should promote compatible low density development within the Development Review Line and discourage incompatible uses such as new medium to high density development or places of large assembly for safety reasons.

In October 2018 the Navy signed an agreement with the County of Monmouth and the Monmouth County Conservation Foundation that will allow them to pursue the preservation of land in the Military Influence Area. The Navy has committed more than \$700,000 to this effort. The County is currently in the process of developing and coordinating grant requirements with Federal and State agencies. It is anticipated that this will be a new preservation funding source available to willing landowners in the near future.

Affordable Housing

The 2010 Master Plan Reexamination Report included a Growth Share Provision to meet the Township's Third Round Affordable Housing obligation. The Township submitted its Third Round Affordable Housing Plan to the NJ Council on Affordable Housing on December 29, 2008. COAH's Round III regulations were challenged in the courts and in 2014 the Supreme Court instructed COAH to develop a methodology similar to those used in prior rounds. COAH failed to adopt new regulations and the Fair Share Housing Center filed a motion in the Supreme Court declaring COAH to be moribund and ineffective. On March 15, 2015 the Supreme Court granted Fair Share Housing Center's motion and authorized the trial courts to take over the role of COAH's Statutory duties (Mount Laurel IV). On June 8, 2015 the Township filed a declaratory judgement action in accordance with the Supreme Courts Mount Laurel IV decision. The purpose of the action was to develop a Housing Plan to meet the Township 1999 to 2025 affordable housing obligation of 305 units. The Township is

approaching the conclusion of this litigation and will need to update its Land Use and Housing Elements in order to fulfill its statutory affordable housing obligation once this litigation is settled.

Municipal Stormwater Management Plan (MSWMP)

On January 5, 2004 the New Jersey Department of Environmental Protection adopted new rules to establish and implement a Municipal Stormwater Regulation Program. On March 29, 2005 the Planning Board adopted the Stormwater Pollution Prevention Plan & Stormwater Management Plan Element of the Master Plan. The plan documents a strategy for the Township to address stormwater related impacts. The creation of the plan was required by N.J.A.C. 7:14A-25 Municipal Stormwater Regulations. The plan addresses groundwater recharge, stormwater quantity and stormwater quality impacts by incorporating design and performance standards for new major developments. On June 19, 2006 the Monmouth County Planning Board approved the plan. In accordance with N.J.A.C. 7:8-4 the plan has been reexamined herein and remains relevant and does not need to be updated at this particular time. However, it is recommended that the Township review its Best management practices manual to be in accordance with the most recently updated BMP Manual that was revised in September of 2017.

A new NASA study shows that warming of the oceans due to climate change could lead to a substantial increase in the frequency of extreme rain events by the end of the century. It is somewhat common sense that the frequency of severe storms will increase in a warmer environment due to increased moisture in the atmosphere. Given anticipated changes in storm intensity the 2 year, 10 year and 100 year rain fall rates will need to be adjusted upward. The size and capacity of detention, retention and recharge facilities will also have to increase in order to accommodate the participation from a single large storm rather than a series of smaller storms. In addition Floodplain Maps may need to be adjusted and inland flooding due to severe thunderstorms and micro bursts are anticipated to increase.

Economic

The main economic objective of the Township's Plan is the full build-out of the current Business Districts. At the time of the 2010 Master Plan Reexamination, the nation was in an economic crisis that started in 2008. The recession negatively impacted real estate and lending markets. Since 2010 the national economy has rebounded; however, New Jersey has lagged behind. Similar to the State, Colts Neck's business economy has recovered at a slower rate as compared to other coastal communities in the State. However, the objective of the full buildout of the current Business Districts with no change to the zone boundary remains.

Super Storm Sandy

Superstorm Sandy was a natural phenomenon affecting the entire Jersey shore, damaging or destroying homes, businesses and infrastructure when the storm made landfall on October 29, 2012. The storm made vulnerability to flooding apparent and significantly changed the planning assumptions of many coastal communities. Although Colts Neck was fortunate not to suffer extensive long term damage due to the storm it did suffer from extensive downed trees and power outages. As a result the storm provided an opportunity to reexamine policies such as encouraging proper tree trimming along power lines. The storm also highlighted the changing weather patterns associated with climate change and the need to plan for the future.

General Housing Characteristics

Table 1 Total Housing Units shows the growth from 1960 to 2016 and compares the Township's growth with the County and State. In this fifty-six year period the number of housing units grew by 369 percent in the Township, while it grew 125 percent in the County and 199 percent in the State. The major differences in these growth patterns is that the dominant growth period in the State was concentrated in the 1950's and 1960's. The County's major growth period occurred mostly in the 1960's while the Township experienced rapid growth from the 1970's to the 1990's. This pattern of development is consistent with the expansion of the older suburban areas nearer New York and Philadelphia first, expanding along the coastal areas as development spread further from New York in the 1970's then reaching more remote areas later in the 1970's and into the 1980's.

Between 2000 and 2010 the Township grew by only 121 units (3%) while the County and State both grew by 7 percent. From 2010 to 2016 the Township housing units declined by 376 units (-10%) while the County grew by 7% and the State grew by 1%. The 376 unit drop between 2010 and 2016 reflects the demolition of the 300 Laurelwood units in NWS Earle. Otherwise, the Township growth since 2000 has been stable reflecting a mature community approaching full build-out. Future growth rates in the Township are anticipated to remain low (less than 5%) under current zoning, absent statutory, social or economic pressures which may impact development densities such as compliance with the Township's affordable housing obligation.

TABLE 1

Total Housing Units
1970, 1980, 1990, 2000, 2010 & 2016

| | Colts Neck | Monmouth County | New Jersey |
|--------------------------|------------|-----------------|------------|
| 1960 Total Housing Units | 716 | 115,619 | 1,198,940 |
| 1970 Total Housing Units | 1,550 | 150,469 | 2,388,689 |
| 1980 Total Housing Units | 2,220 | 185,770 | 2,772,149 |
| Net Gain 1970 – 1980 | 670 | 35,301 | 383,460 |
| Percentage Gain | 43% | 24% | 16% |
| 1990 Total Housing Units | 2,921 | 218,408 | 3,075,310 |
| Net Gain 1980 – 1990 | 701 | 32,638 | 303,161 |
| Percentage Gain | 32% | 18% | 11% |
| 2000 Total Housing Units | 3,614 | 240,884 | 3,310,275 |
| Net Gain 1990 – 2000 | 693 | 22,476 | 234,965 |
| Percentage Gain | 24% | 10% | 8% |
| 2010 Total Housing Units | 3,735 | 258,410 | 3,553,562 |
| Net Gain 2000 – 2010 | 121 | 17,526 | 243,287 |
| Percentage Gain | 3% | 7% | 7% |
| 2016 Total Housing Units | 3,359 | 260,222 | 3,586,442 |
| Net Gain 2010 – 2016 | -376 | 1,812 | 32,880 |
| Percentage Gain | -10% | 7% | 1% |

Source: US Census 1970, 1980, 1990, 2000, 2010 and American Community Survey 2012-2016

Table 2 Housing Occupancy compares occupied and vacant housing and homeowner and rental vacancy rates. The Table shows that Colts Neck has a higher percentage of owner occupied housing as compared to Monmouth County and the State. Similarly, the Township's vacant housing and vacancy rates are lower than the county and State averages. It should be noted that the 420 vacant units and 12.3% vacancy rate in 2010 was an anomaly. This number includes the 300 Laurelwood units which were intentionally held vacant in 2010 in preparation for demolition by the Navy in 2011.

TABLE 2

Housing Occupancy

| Year Round Housing Units | Colts Neck | | | | | Monmouth County | | | | | New Jersey | | | | |
|-----------------------------------|------------|-------|-------|-------|-------|-----------------|---------|---------|---------|---------|------------|-----------|-----------|-----------|-----------|
| | 1980 | 1990 | 2000 | 2010 | 2016 | 1980 | 1990 | 2000 | 2010 | 2016 | 1980 | 1990 | 2000 | 2010 | 2016 |
| Total | 2,220 | 2,921 | 3,614 | 3,735 | 3,359 | 180,428 | 218,408 | 240,884 | 258,410 | 260,222 | 2,687,754 | 3,075,310 | 3,310,275 | 3,553,562 | 3,586,442 |
| Occupied | 2,151 | 2,640 | 3,513 | 3,277 | 3,278 | 170,130 | 197,570 | 224,236 | 233,983 | 232,868 | 2,548,594 | 2,794,71 | 3,064,645 | 3,214,360 | 3,195,014 |
| Owner | 1,899 | 2,185 | 2,896 | 3,034 | 2,999 | 117,885 | 143,533 | 167,311 | 175,157 | 171,673 | 1,579,827 | 1,813,381 | 2,011,473 | 2,102,465 | 2,047,794 |
| Renter | 252 | 455 | 617 | 243 | 279 | 52,245 | 54,037 | 56,925 | 58,826 | 61,195 | 968,767 | 981,330 | 1,053,172 | 1,111,895 | 1,147,220 |
| Vacant | 69 | 281 | 101 | 458 | 81 | 10,298 | 20,838 | 16,648 | 24,427 | 27,354 | 139,160 | 280,599 | 245,630 | 339,202 | 391,425 |
| For Sale | 22 | 44 | 23 | 30 | N/A | 1,882 | 4,465 | 2,313 | 2,838 | N/A | 22,964 | 46,271 | 24,546 | 39,260 | N/A |
| For Rent | 3 | 25 | 4 | 8 | N/A | 3,192 | 5,471 | 2,756 | 5,271 | N/A | 49,154 | 78,771 | 49,858 | 92,118 | N/A |
| Other | 44 | 212 | 74 | 420 | N/A | 5,224 | 10,902 | 11,579 | 16,318 | N/A | 67,042 | 155,557 | 171,226 | 207,824 | N/A |
| Vacancy | | | | | | | | | | | | | | | |
| Rates | | | | | | | | | | | | | | | |
| Homeowner | 3.1% | 9.6% | 2.8% | 12% | 2.4% | 5.7% | 9.5% | 6.9% | 9.5% | 105% | 5.2% | 9.1% | 7.4% | 9.5% | 10.9% |
| Rental | 1.1% | 2.0% | 0.4% | 1.0% | 1.2% | 1.5% | 3.0% | 1.1% | 1.6% | 1.5% | 1.4% | 2.5% | 1.2% | 1.6% | 1.7% |
| | 1.2% | 5.2% | 0.2% | 3.2% | 1.4% | 5.8% | 9.2% | 4.6% | 8.2% | 4.4% | 4.8% | 7.4% | 4.5% | 7.6% | 5.7% |

Source: US Census 1980, 1990, 2000, 2010 and American Community Survey 2012-2016

Demographic Characteristics

The age characteristics shown in Table 3 Age Group Trends indicates how the Township aged from 1960 to 2016. During this span the largest percentage of population under five peaked in 1960 with an eleven percent share of the Township's total population. The largest percentage of the population between 5 and 14 occurred in 1970 with a 28 percent share. The age 15 to 24 range peaked in 1980 with a 19 percent share of the population. The 25 – 34 age group peaked in 1990 with a 13 percent share of population. Today the 45 – 54 range contains the largest share of population at 20 percent. The table basically demonstrates how the 1960 under 5 cohort aged through time.

Since 1970 the percentage of population under the age of 18 has steadily decreased from 42 percent to a low of 26 percent in 2016. This pattern is consistent with the Township's reduction in household size during the same span and represents today's trend of having fewer children, a trend is anticipated to continue in the future.

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TABLE 3
Age Group Trends

| COLTS NECK | | | | | | | | | | | | | |
|------------|-------|-------|-------|-------|-------|-------|-------|-------|--------|-------|--------|-------|--------|
| | 1960# | 1960% | 1970# | 1970% | 1980# | 1980% | 1990# | 1990% | 2000# | 2000% | 2010# | 2010% | 2016# |
| Under 5 | 239 | 11 | 458 | 8 | 342 | 4 | 634 | 7 | 1,019 | 8 | 422 | 4 | 602 |
| 5-14 | 385 | 17 | 1,633 | 28 | 1,537 | 20 | 1,145 | 13 | 2,125 | 17 | 1,812 | 18 | 1,450 |
| 15-24 | 242 | 11 | 676 | 12 | 1,536 | 19 | 1,408 | 17 | 1,948 | 16 | 1,374 | 13 | 1,594 |
| 25-34 | 240 | 11 | 645 | 11 | 722 | 9 | 1,142 | 13 | 1,374 | 11 | 494 | 5 | 647 |
| 35-44 | 333 | 15 | 1,106 | 17 | 1,348 | 17 | 1,067 | 13 | 2,182 | 18 | 1,230 | 12 | 847 |
| 45-54 | 278 | 12 | 694 | 12 | 1,223 | 16 | 1,534 | 18 | 1,536 | 13 | 2,119 | 21 | 2,001 |
| 55-64 | 236 | 11 | 387 | 7 | 614 | 8 | 954 | 11 | 1,144 | 9 | 1,315 | 13 | 1,486 |
| 65+ | 275 | 12 | 310 | 5 | 566 | 8 | 675 | 8 | 1,003 | 8 | 1,376 | 14 | 1,402 |
| TOTAL | 2,228 | 100 | 5,819 | 100 | 7,888 | 100 | 8,559 | 100 | 12,331 | 100 | 10,142 | 100 | 10,029 |
| Median Age | N/A | N/A | 27.9 | | 32.8 | | 34.6 | | 33.2 | | 43.6 | | |
| Under 18 | N/A | N/A | 2,430 | 42 | 2,510 | 32 | 2,192 | 29 | 3,600 | 29 | 2,887 | 29 | 2,606 |
| Over 65 | 215 | 10 | 310 | 5 | 566 | 7 | 675 | 8 | 1,003 | 8 | 1,376 | 14 | 1,402 |

| MONMOUTH COUNTY | | | | | | | | | | | | | |
|-----------------|---------|-------|---------|-------|---------|-------|---------|-------|---------|-------|---------|-------|---------|
| | 1960# | 1960% | 1970# | 1970% | 1980# | 1980% | 1990# | 1990% | 2000# | 2000% | 2010# | 2010% | 2016# |
| Under 5 | 39,062 | 12 | 40,440 | 9 | 31,423 | 6 | 38,969 | 7 | 42,231 | 6.9 | 34,755 | 6 | 30,993 |
| 5-14 | 64,235 | 19 | 99,053 | 22 | 82,161 | 16 | 73,795 | 13 | 93,278 | 15.1 | 86,679 | 14 | 80,530 |
| 15-24 | 38,386 | 12 | 71,831 | 16 | 84,442 | 17 | 72,282 | 13 | 67,406 | 11 | 78,229 | 12 | 80,025 |
| 25-34 | 43,647 | 13 | 55,730 | 12 | 75,222 | 15 | 91,357 | 17 | 75,308 | 12.2 | 64,860 | 10 | 66,245 |
| 35-44 | 47,559 | 14 | 56,997 | 12 | 64,341 | 13 | 92,488 | 17 | 111,681 | 18.2 | 86,499 | 14 | 75,834 |
| 45-54 | 37,616 | 11 | 52,324 | 11 | 56,078 | 11 | 63,691 | 12 | 92,239 | 15 | 110,979 | 17 | 103,744 |
| 55-64 | 29,684 | 9 | 38,085 | 8 | 49,970 | 10 | 50,155 | 9 | 56,235 | 9.1 | 81,688 | 13 | 91,034 |
| 65+ | 34,194 | 10 | 44,919 | 10 | 59,536 | 12 | 70,387 | 13 | 76,923 | 12.5 | 86,691 | 14 | 98,127 |
| TOTAL | 334,401 | 100 | 459,379 | 100 | 503,173 | 100 | 553,124 | 100 | 615,301 | 100 | 630,380 | 100 | 627,532 |

Source: US Census 1980, 1990, 2000, 2010 and American Community Survey 2012-2016

Income Levels

Table 4 Income Levels indicates that the median household income of \$38,077 in 1980 nearly doubled to \$75,119 by 1990. This trend continued from 1990 through 2000 where the median household income grew by 45 percent to \$109,190. In 1980, 195 households or 9 percent of the population earned \$100,000 or more a year. By 2000, 1,836 households or 53.7 percent of the population earned at least \$100,000 with 821 households or 24 percent of the population earning \$200,000 per year or more. Today, 1,326 household (40.5%) earn \$200,000 or more.

TABLE 4
Income Levels
1980, 1990, 2000, 2010 & 2016

| Household Income Level | 1980# | 1980% | 1990# | 1990% | 2000# | 2000% | 2010# | 2010% | 2016# | 2016% |
|------------------------|---------------|------------|---------------|------------|----------------|------------|----------------|------------|----------------|------------|
| Less than 10,000 | 157 | 7 | 76 | 3 | 37 | 1.1 | 69 | 2.2 | 109 | 3.3 |
| 10,000 to 14,999 | 132 | 6 | 87 | 3 | 82 | 2.3 | 7 | 0.2 | 72 | 2.2 |
| 15,000 to 24,999 | 315 | 15 | 287 | 11 | 160 | 4.5 | 44 | 1.4 | 93 | 2.8 |
| 25,000 to 34,999 | 386 | 18 | 179 | 7 | 236 | 6.7 | 76 | 2.4 | 90 | 2.7 |
| 35,000 to 49,999 | 512 | 23 | 276 | 10 | 339 | 9.6 | 95 | 3 | 190 | 5.8 |
| 50,000 to 74,999 | 481 | 22 | 414 | 16 | 436 | 12.4 | 425 | 13.5 | 249 | 7.6 |
| 75,000 to 99,999 | N/A | N/A | 448 | 17 | 342 | 9.7 | 345 | 10.9 | 190 | 5.8 |
| 100,000 to 149,000 | 195 | 9 | 426 | 16 | 667 | 19 | 429 | 13.6 | 583 | 17.8 |
| 150,000 to 199,999 | N/A | N/A | 451 | 17 | 349 | 9.9 | 522 | 16.6 | 376 | 11.5 |
| 200,000 or more | N/A | N/A | N/A | N/A | 871 | 24.8 | 1,142 | 36.2 | 1,326 | 40.5 |
| TOTAL | 2,178 | 100 | 2,644 | 100 | 3,519 | 100 | 3,154 | 100 | 3,278 | 100 |
| Median | 38,077 | | 75,119 | | 109,190 | | 154,491 | | 162,083 | |

Source: US Census 1980, 1990, 2000, 2010 and American Community Survey 2012-2016

Jobs Held

Table 5 Jobs Held by Colts Neck Residents shows that in 2010 Township residents held 4,413 jobs. This is an 11% increase in the number of jobs held by Township residents reported in the 1990 census and a 2.5% decrease from the number of jobs held in 2000. Most jobs were classified as Financial/Insurance/Real Estate (20.1 %), Health and Education (19.7 %) and Professional (15.3%). These three categories total 2,430 jobs and represents 55 percent of the total jobs held by Township residents. The distribution of jobs in each category has remained consistent since the 1990 census. However, it should be noted that since 1990 agriculture, manufacturing and transportation experienced the largest decrease in the number of jobs.

TABLE 5
Jobs Held by Colts Neck Residents
1990 - 2010

| Employed Persons Age 16 + By Industry | 1990 | | 2000 | | 2010 | |
|--|--------------|---------|--------------|---------|--------------|---------|
| | Number | Percent | Number | Percent | Number | Percent |
| Agriculture | 131 | 3 | 52 | 1.1 | 34 | 0.8 |
| Construction | 191 | 5 | 250 | 5.5 | 262 | 5.9 |
| Manufacturing | 440 | 11 | 318 | 7.0 | 238 | 5.4 |
| Transportation | 99 | 3 | 158 | 3.5 | 89 | 2 |
| Information | 171 | 4 | 178 | 3.9 | 140 | 3.2 |
| Wholesale Trade | 150 | 4 | 173 | 3.8 | 177 | 4 |
| Retail Trade | 678 | 17 | 545 | 12 | 488 | 11.1 |
| Finance/Insurance/Real Estate | 599 | 15 | 673 | 14.9 | 887 | 20.1 |
| Business & Repair Services | 180 | 5 | N/A | N/A | N/A | N/A |
| Personal/Entertain't/Recreation | 138 | 3 | 242 | 5.3 | 265 | 6 |
| Professional | N/A | N/A | 684 | 15.1 | 675 | 15.3 |
| Health & Education | 587 | 15 | 861 | 19 | 868 | 19.7 |
| Other | 409 | 10 | 181 | 4.0 | 169 | 3.8 |
| Public Administration | 198 | 5 | 209 | 4.6 | 121 | 2.7 |
| TOTAL | 3,971 | | 4,524 | | 4,413 | |

Source: US Census 1990, 2000, 2010

E. Recommended Revisions to the Township Master Plan and Development Regulations

The major underlying planning principals and objectives relating to land development in the Township of Colts Neck which formed the basis of the 2010 Reexamination Report are still valid. Based on the findings of this reexamination report and taking into consideration the ultimate planning goals of the Township, the following specific changes are recommended to the Township Master Plan and Development Regulations:

Affordable Housing

On June 8, 2015 the Township filed a Declaratory Judgement action with the Freehold Superior Court (MON-L-2234-15) to fulfill its 1999 to 2025 affordable housing obligation of 305 units. Two developers were granted a motion to intervene seeking higher density zoning for properties they control. The first was Colts Neck Building Associates, the owners of the Manor Homes at Colts Neck in the A-6 Zone (Block 22, Lot 18). Colts Neck Building Associates plans to abandon their current approval for 48 courtyard units and seeks to develop the tract with 360 units consisting of 270 market rate units and 72 affordable rental units. The second intervener is Toll Brothers who controls Block 53, Lots 4, 5 and 7. Toll Brothers proposes to develop the tract with 214 multifamily units consisting of 171 townhouses and 43 affordable units. At this time the litigation is ongoing and the final results have not been determined. However, it clear that the Master Plan and the Zoning Ordinance with have to be amended in the near future to allow higher density zoning in order to meet the Township's constitutional mandate of providing 305 affordable housing units.

Microbreweries / Small Craft Distilleries

In recent years craft beers and sprits manufactured by microbreweries and small craft distilleries have grown in popularity both nationally and in New Jersey. The NJ Division of Alcohol Beverage Control has issued over 88 microbrewery and 30 small craft distillery licenses. This recent growth to the craft brewery and distillery industries can be attributed, in large part, by 2012 and 2013 legislative amendments intended to promote the craft beer and sprits industries and create a demand for these products by the consuming public. The expectation was that the increased demand would generate greater retail sales of these products at licensed consumption and distribution premises.

Microbreweries and small craft distilleries are currently limited as permitted principal uses in only the D-1 Distillery and Bottling Plant District. In 2016 and 2017 the Zoning Board of Adjustment granted use variance approval to Colts Neck Stillhouse and Source Brewery, respectively to operate in the B-1 Business District. In granting variance approval the Board of Adjustment found that breweries and small craft distilleries were uncommon when the Master Plan was last revised but has since gained in popularity and their exclusion was not deliberate but rather inadvertent. The Zoning Board also found that the goal of the B-1 Business district is to provide for neighborhood oriented businesses specifically designed for the Township's agriculture base. Since small craft breweries and distilleries process local

agricultural output and assist in maintaining agriculture as a viable industry their presence is in the best interest of the Township. Therefore it is recommended that microbreweries and small craft distilleries be added to the listing of permitted principal use in the B-1, Business District only.

Experience has also proven that the tasting rooms in breweries and distilleries operate similar to bars. As a result during peak periods and special events insufficient off-street parking has been provided for the Colts Neck Stillhouse and Source Brewery. To service their customers these businesses have resorted to offering valet services where overflow parking is directed to Professional Circle. Therefore, the current parking standard utilized has proven to be insufficient. Parking counts should be conducted at these businesses to develop an actual parking standard specifically designed for breweries and distilleries.

Carwash Facilities

In recognition of the Swimming River Reservoir, the State's Environmentally Sensitive Planning Area designation and the Township's reliance to on-site potable wells, carwash facilities are listed as a prohibited use in all zones. In 2018 the Zoning Board of Adjustment granted use variance approval for a one bay full service automatic carwash in the B-1 District. In granting the approval the Board of Adjustment accepted the testimony that advances in technology have made this prohibition obsolete. Today's carwash facilities employ zero discharge systems where 33.6 gallons of the 39.6 gallons of water is recycled and only 6 gallons of fresh water are used for the final rinse per car. As a result a car wash will use slightly more water than a typical residential home. Licensed waste hollers pump and dispose of the recycled material which is held in self contained tanks where no discharge of waste will occur to the ground water or Swimming River Reservoir. Furthermore washing vehicles by automatic carwash facilities is a more sound environmental approach as compared to hand washing at home due to less water consumption and discharge of detergents into the drainage system. Therefore, it is recommended that the Township consider listing full service automatic carwashes as a permitted principal use in the B-1 Zone only.

Medical Parking Standard

Advances in technology combined with changes to the business economy has decreased the demand for retail and professional/business offices. Online internet sales have negatively impacted retail and telecommuting and office downsizing have negatively impacted office demand. As a result the business district is experiencing higher vacancy rates.

On the other hand changes to the medical environment and shifting medical services from hospitals to outpatient facilities have significantly increased the demand for medical space. This demand is experiencing difficulties in filling the available vacancies due to a higher, more stringent parking standard. The parking standard for retail and professional office is one off-street parking space per 200 s.f. of gross floor area. Medical uses have a higher standard of one space per 150 s.f. of gross floor area or five spaces for the first exam room

plus two spaces for each additional exam room, whichever is greater. This higher parking standard is creating a barrier and affecting the Colts Neck business economy.

The Planning Board has recently granted variances to allow limited medical use based on the concept of shared parking. The Planning Board has found that in larger commercial properties with multiple tenants, the individual tenant peak parking demands vary. While one tenant peak demand might be the lunch rush others may have an early morning or evening peak demand. The concept of shared parking has allowed the Planning Board to introduce limited medical uses to multitenant commercial properties without overcrowding or negatively affecting traffic and pedestrian safety.

It is recommended that the Township review its medical parking standards. Consideration should be given to creating a new standard for larger multi-tenant commercial properties which allows a limited percentage of medical use.

Electric Car Charging Stations

The US Department of Energy (DOE) reports that the US now has over 20,000 electric car charging stations with more than 68,800 users. That's up from 16,000 public electric vehicle charging stations with 43,000 users in 2017. Unsurprisingly, the highest number of stations are located in California, which is the biggest market for electric vehicles. New Jersey is ranked 21st in the nation with 846 stations.

Although the vast majority of electric car owners use residential charging stations, public charging stations are important to enable long distance driving, promote tourism and assist those who cannot charge at home such as the condominium units at The Grande. Public charging stations are typically provided by electric utility companies or at retail shopping centers, restaurants parking lots by a range of private companies. In addition, new phone app's to find the nearest electric car station such as EVgo are becoming more common. Due to the increased popularity for electric and hybrid vehicles, the demand for public charging stations is anticipated to increase in the future. It is recommended that the listing of accessory uses in the Business Districts be reviewed and where appropriate new standards for public electric car charging stations should be added as a permitted accessory use.

Small Cell Wireless Telecommunication Facilities

On September 26, 2018 the FCC adopted Rules in order to expedite the installation of 5G cellular telecommunication technology and to limit a municipality's ability to block their installation. These new rules became effective on January 14, 2019.

New Jersey is in the midst of a transition to the next generation of wireless services known as 5G. That technology is different than the prior 3G or 4G technology and requires more cells placed closer to users in existing rights-of-ways or structures rather than on large towers. The new Rules change the way that applications for wireless communication facilities are processed. More particularly they expedite the deployment of small cell antennas by a 60

day review period and imposing limits on a municipality's ability to deny the use of public right-of-ways and other public property.

The new rule prohibits municipalities from using their ownership of property within street right-of-ways to prevent wireless communication facilities. Therefore, municipalities must make public property in right-of-ways such as light poles, traffic lights and similar property available for small cell wireless facilities.

It is recommended that Development Regulations be reviewed and updated to be in compliance with the new accelerated time clock to review wireless communications applications. In addition the ordinance should incorporate screening and camouflage elements, size, location, height and other standards for wireless facilities and associated equipment so the Board's have authority to incorporate such requirements in their approvals.

Right to Farm

In 2002 the Township adopted a Right to Farm Ordinance. However, the Township's version deviates from the State Right to Farm Act (N.J.A.C. 4:1c et. seq.). For example, the Township's ordinance does not protect processing of agricultural output, limits packaging agricultural output to farms 15 acres or greater in size and requires all agricultural activities be in accordance with the Township's Development Regulations.

Several provisions of the Township's Development Regulations are more restrictive then the Right to Farm Act or the State Agriculture Development Committee's adopted Agriculture Management Practices. Typical examples of the Township's more restrictive requirements include:

- Limiting wineries to farms 30 acres or greater in size.
- Limiting packaging operations to farms containing a minimum of 15 contiguous acres.
- Limiting farm labor units to farms 15 acres or greater in size.
- Limiting farm labor units to a maximum of 1,200 square feet.
- Limiting the number of farm labor units to a maximum of 3 units.
- Limiting the size of permanent year round farm stands to 1,200 square feet.
- Limiting the size of temporary farm stand structures to a total of 1,600 square feet.
- Prohibiting the growing of marijuana.
- Prohibiting microbreweries, catering / reception halls overnight lodging /camping facilities and other forms of agricultural tourism.

Since the State Right to Farm Act supersedes Township Ordinances, farmers seeking to conduct activities not authorized by the Township may seek a Site Specific Agricultural Management Practice from the Monmouth County Agricultural Development Board (MCADB). This is a process where the MCADB determines whether or not if the farmer's requested activities are generally considered accepted agricultural practices. If an activity is determined to be a generally accepted activity, the MCADB will give Right to Farm protection to the activity and the farmer may continue the activity even though it violates the Township's

Development Regulations. However, it should be noted that the Right to Farm Act recognizes that commercial farms may be entitled to protection, the interest of all parties must be considered and balanced properly. The New Jersey Supreme Court has held that when rendering a decision the SADC must consider relevant municipal standards and impacts to effected property owners. The preemption of local ordinances is addressed on a case-by-case basis and for preemption to occur a commercial farm must provide a legitimate agricultural based reason for not complying with local standards. This mediation process causes all parties greater time, money and distress. Therefore, it is recommended that the Developments Regulations be reviewed to remove provisions in conflict with the Right to Farm Act and adopted Agricultural Management Practices, where such removal can occur without adversely impacting adjoining properties or the general public welfare. However, to protect the unique characteristics of Colts Neck, some regulations should be more restrictive then the State's adopted Agricultural Management Practices.

Chickens

Section 102-46.1 restricts fam animals to farms that are 5 acres or larger. Only horses are allowed on smaller residential properties and are limited to a maximum of 5 horses or ponies. Recently more and more residents are seeking fresh organic or free-range foods and raising chickens is becoming a popular hobby. One chicken can produce 4 to 6 eggs per week. Each chicken can also eat up to 800 pounds of food waste per year and provides an added benefit by consuming insects. Allowing chickens on residential properties is quickly developing into a new land use trend. Keyport allows residents to raise 6 hens, Middletown allows backyard chickens and Red Bank permits up to 12 chickens under certain conditions.

Consideration should be given to allowing a limited number of hens (10) on residential properties less then 5 acres in size. Standards should be set to ensure the hens are only for personal use and not for a business operation. Minimum setback requirements should also be provided for the coop placement and the keeping of rosters should be prohibited.

Religious Land Use and Institutional Persons Act

The Religious Land Use and Institutional Persons Act of 2000 ("RLUIPA") is the latest of a series of long running congressional efforts to preserve religious exercise free from government imposed burdens. The general rule of RLUIPA is that no government shall impose or implement land use regulations in a manner that imposes a substantia burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates it is in furtherance of a compelling government interest and it is the least restrictive means of furthering that compelling interest. RLUIPA also contains a nondiscrimination clause which bars government from imposing land use regulations that treat religious assembly or institutions in a manner is not on equal terms with nonreligious assembly or institutions.

It is recommended that the Development Regulations be reviewed for compliance with RLUIPA. All conditional use provisions governing places of worship should be reviewed to

ensure they do not unreasonably limit religious assemblies or institutions. Moreover, the ordinance should treat places of worship and other secular assembly on equal terms. If there is a reason for treating religious and secular uses differently, then that reason should be stated in the ordinance.

Deer Management Program

The deer population in the Township is critically out of balance. Over browsing by white tail deer has severe long term environmental consequences such as preventing forest regeneration, promoting overgrowth of invasive plant species which results in a loss of habitat for native animals. The idea deer density to support healthy forest and deer populations is less than ten deer per square mile. In an attempt to obtain an estimate of white tail deer population in Clover Hill, the Colts Neck Wildlife Committee conducted a spot light search on three separate clear nights in April 2019 (4/17, 4/24 and 4/27). The same ten mile route was covered each night between 8 and 10 p.m. The total deer count by the Wildlife Committee was 93 (4/17), 110 (4/24) and 145 (4/27). The count converts to an approximate value of 250 deer per ten square miles, roughly 25 times the density considered healthy.

Although long term solutions will require a coordinated multi-prong approach by local, regional and state entities, the Colts Neck Wildlife Committee is working to develop a rational approach to reduce the deer population. A Deer Management Plan is a progressive approach to wildlife management which requires working relationships with the public, landowners, hunters and wildlife professionals. No single approach alone will successfully manage the white tail deer population. It is recommended that the Township develop a long term multi-prong plan for deer management. This plan must include education, non-lethal options (fencing, sound and visual deterrents or taste and smell repellants) and lethal options (recreational hunting, controlled hunts, professional deer removal and/or fertility control).

In their May 8, 2019 report to the Township Committee the Wildlife Committee made the following recommendations as a first step to a coordinated Deer Management Plan.

1. Implement an Ordinance prohibiting the supplemental feeding of white tail deer on privately owned land with the exception of legal baiting used to attract white tail deer for the purpose of hunting as allowed by the NJ Fish and Wildlife.
2. Implementing language to the Township owned Farmland Lease Agreements in which institute a requirement for the lessee to submit a Wildlife Management Plan to aid in the management of white tail deer. Harvest data shall be reported to the Wildlife Committee to provide a metric to track progress made in managing the deer herd as well as providing valuable data for future Wildlife Committee Recommendations.
3. Review other municipal owned open space with NJ Fish and Wildlife to evaluate the potential of implementing controlled deer management hunts.

b

Need for a New Master Plan

2004 was the last complete rewrite of the Township Master Plan. While this report concludes the underlying planning assumptions, objectives and policies are still valid, much of the data and mapping is dated. The 2004 Master Plan is now 15 years old and underlying planning studies, mapping and statistical analysis should be updated. For example all mapping should include the 300 foot riparian buffer and the Community Facilities Element should include the new library, Parks and Recreation storage building at Bucks Mill Park and need for a new Community / police building. All population, housing, income employment statics should be updated to include the 2010 census and the 2020 census when published. All aspects of the plan also need to be updated to incorporate green buildings and sustainability provisions where appropriate. An expanded Green Buildings and Sustainability Plan Element should be prepared. Therefore, it is recommended that a complete master plan rewrite be performed within the next 10 years after the township resolves its pending third round affordable housing litigation and once the 2020 census data is published

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F. Recommendations Concerning Incorporation of Redevelopment Plans

At this time there are no locations for which the Planning Board recommends incorporation of a redevelopment plan nor is there a need for any regulatory revision to effectuate a redevelopment plan.

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APPENDIX

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Green Building and Environmental Sustainability Element

In 2008, the Municipal Land Use Law was amended to include the Green Building and Environmental Sustainability Element (GBESE) as an optional element of municipal Master Plans. In the Act it describes the element as “a green buildings and environmental sustainability plan element, which shall provide for, encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat stormwater on-site; and optimize climatic conditions through on-site orientation and design.”

While sustainability is a broadly supported principle, there is no universal definition for it. However, the United Nations World Commission on Environment and Development (Brundtland Commission) in 1987, created a definition for sustainable development that has been widely accepted: *Development that meets the needs of the present without compromising the ability of future generations to meet their needs.* This definition is the essence of sustainability, leaving a planet to our children and grandchildren that will still be able to provide them with sustenance, shelter and economic opportunity.

This element, like all master plan elements, is intended to guide land use decisions and provide the basis for ordinances addressing sustainability and land use issues. The element is a good first step at introducing sustainability concepts into local planning documents. While this element provides support for ordinances that fulfill municipal planning purposes, it cannot dictate the operations of a private business or institutions. However, it can be a valuable source of information to residents and businesses who choose to utilize the information and guidance contained herein.

Goals and Objectives

The goals of this GBESE is to promote policies that will meet in needs of the present without compromising the ability of future generations to meet their own needs. This element will serve as a foundation and a blueprint for incorporating sustainability into Colts Neck's government and community. The following are specific goals and objectives of the GBESE.

1. Reduce greenhouse gas emissions
2. Maximize energy conservation
3. Promote alternative and renewable energy uses
4. Require and promote water conservation
5. Encourage “green building” standards for public and private projects
6. Improve local material reduction, re-use and recycling
7. Educate the public on the importance of sustainability

Climate Change

The effects of climate change are already being seen around the earth. These include sea level rise, glacier melting, and rising temperatures. As a result, growing seasons have increased, lakes and streams are freezing for a shorter duration and the range and distribution of plant and wildlife have been altered. There is no way to predict the exact impact on different regions of the country, but there is an overwhelming consensus among climate scientists that the current pattern of rising temperatures, increased precipitation and rising sea water will continue. Colts Neck has experienced these changes including more frequent extreme heat days, longer growing seasons, earlier leaf and bloom periods for plants and increase in intensity and frequency of major storm events.

New Jersey has identified climate change as a public health risk and a threat to the public safety and welfare and has set targets for greenhouse gas emissions reductions as codified in the Global Warming Response Act of 2007. This Act defines greenhouse gas as carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulfur hexafluoride and any other gas or substance determined by the NJDEP to be a significant contributor to the problem of global warming. It also sets the standard to reduce the 2020 greenhouse gas limit to an amount equal to the 1990 level of statewide greenhouse gas emission and the 2050 greenhouse gas emission level to 80 percent or less than the 2006 level of greenhouse gas emission. The 2050 limit is equivalent to a reduction of 25.4 million metric tons of CO2 emissions per year. Table 1 Greenhouse Gas Emissions shows the 1990, 2006 and 2012 statewide greenhouse emission levels by sector and the 2050 greenhouse emission target by the Division of Air Quality, Energy & Sustainability.

Unfortunately, these goals are outdated and insufficient. The International Panel on Climate Change (IPCC) in 2018 stated that to limit warming to 1.5 degrees the following goals had to be met:

1. By 2030 – green house gas emissions to be reduced to approximately 45% of the 2010 emissions
2. By 2050 – net zero emissions.

It is Colts Neck's intention to meet the IPCC goal.

TABLE 1
GREENHOUSE GAS EMISSIONS

| Sector | 1990 | 2006 | 2012 | 2050 |
|-------------------|------|------|------|------|
| Residential | 15.2 | 13.7 | 12.1 | 11.3 |
| Commercial | 10.7 | 9.2 | 11.3 | 8.3 |
| Industrial | 19.8 | 16.3 | 13 | 11.5 |
| CHP Combustion | 0.0 | 0.0 | 0.0 | 4.8 |
| Mobile Source | 36.9 | 51 | 30.7 | 30.7 |
| Electricity | 26.5 | 31 | 33.9 | 16.2 |

| | | | | |
|---------------------|-------|-------|-------|-------|
| Other | 16.2 | 13.3 | 16 | 16 |
| GHG Sinks | -4.0 | -7.6 | -10.3 | -10.3 |
| Total Net Emissions | 125.6 | 127.0 | 106 | 88.3 |

Chart units are in million metric tons

The emission trends from 1990 to 2012 show progress toward achieving the 2050 target emission levels. According to the NJDEP greenhouse gas emission estimate for 2012, statewide emissions were slightly under 105 MMT CO₂e, with close to 90% coming from the combustion of fossil fuels to satisfy energy demands (electricity, home heating & home cooling). These emissions are called energy related emissions. For New Jersey to achieve the 2050 greenhouse gas emission target level, deep emission reductions from energy related emissions are necessary.

Renewable Energy

The use of renewable energy in homes, businesses and public facilities reduces the use of fossil fuels that contribute to global warming and impair air quality. According to the US Department of Energy, buildings consume approximately 37% of the energy and 68% of the electricity produced in the United States annually. In addition, the burning of fossil fuels to generate electricity releases carbon dioxide, which contributes to global warming. Innovated technologies, such as solar, wind and geothermal power can reduce the need to extract fossil fuels for energy purposes.

The rise of renewable energy sources has made it easier for households, business and public facilities to conserve energy and to choose what type of energy to use to power their home or business. The primary avenue for utilizing renewable energy has been through solar. Wind energy has not been popular due to the Township's wind speeds and geothermal heating and cooling have a longer payback. Roof mounted solar panels, when mounted parallel to the roof, are the most desirable type of alternative energy. They provide the most unobtrusive form of renewable energy since they do not disturb the ground and are able to visually blend into the built environment. Ground arrays are best located on lands that are not prime farmland soils and those that do not serve as important wildlife habitats. However, when located on prime farmland panels should be mounted seven feet off the ground and separated by 3 foot gaps. This will allow farmers and farm animals to wander underneath. Sometimes called "agrivoltics, it's a photovoltaic array that's raised far enough and spaced in such a way that some crops can still grow around and beneath the panels. The goal is to help farmers diversify their income through renewable energy generation, while keeping land in agricultural use.

Wind energy is another sustainable renewable energy option. The system usually takes the form of wind turbines to transform kinetic energy from the blade rotation into electrical energy. Some of the common land use issues with wind turbine uses include; height, aesthetics and

structural integrity. Colts Neck should explore additional use of wind turbines at Township facilities (both buildings and natural resources). For example, the wind mill at Town Hall is used to aerate the west pond. This is a cost free means of increasing dissolved oxygen levels, eliminating stagnation and improving the overall water quality of the pond without the use of an energy consuming fountain.

Wind energy systems are a permitted accessory use in the A-1, AG, Business and Industrial zones. To date no property owners have chose to install a small wind turbine. The New Jersey Wind Working Group is dedicated to advancing small terrestrial wind applications throughout the state. Initially funded by a grant provided by the U.S. Department of Energy Wind Powering America Program, the Group has developed the "Small Wind Model Ordinance" to address barriers to the deployment on-site wind generation in New Jersey. The Township should review its current ordinance and to promote wind energy amend the ordinance to be consistent with the Model ordinance.

Geothermal energy systems utilize the heat and stable temperatures found underground to provide heating and cooling for buildings. Geothermal systems have an advantage over solar and wind in that the sunlight and wind fluctuate significantly while the earth's temperature remains stable. In addition, the standard carrier for obtaining energy through geothermal systems is water, which is readily available.

Green Building and Design

Green building and design strategies not only improve the environment and energy performance of buildings, but also lessen the impact of those buildings on the surrounding environment. These objectives are accomplished through efficient building and site design and the selection of materials that are sustainable, non-pollution emitting.

Green building and sustainable site design provides many benefits, which include improved health for building occupants through improved indoor air quality. This benefit is realized through the utilization of non-hazardous and non-pollution emitting materials for the construction of the building and site amenities. For example, where construction materials containing volatile organic compound emitting glues are commonly used on traditional construction projects, materials that do not emit volatile organic compounds are used in green buildings. In addition, furniture and other fixtures contain glues and other compounds that emit harmful volatile chemicals into the indoor environment, green building design includes a plan for furniture that does not emit these harmful compounds. The use of these higher quality and environmentally friendly materials and products results in improved indoor air quality, which translates into fewer visits to the doctor, fewer allergies and lower probability of developing chronic illness. This is of critical importance now, because current construction methods seek to reduce air flow into and out of buildings in order to maximize energy efficiency, which reduces the opportunity for external air sources to mitigate potential hazardous indoor air quality.

Another benefit of green building and sustainable site design is the preservation and enhancement of the environment. Some examples of practices that achieve this objective include the following:

- Re-use of building materials from other buildings, where feasible, and from the recycling of waste generated by the project to keep these materials out of landfills, which reduces waste and pollution.
- Stormwater is directed to cisterns that are used to irrigate landscaping, thereby reducing demand on the local aquifers and the potable water supply.
- Site layout is designed to take advantage of the natural contours of the site and maximize open space, which results in less site disturbance and reduced impacts to vegetation and wildlife.
- Various energy efficiency techniques, such as daylighting through careful placement of windows and building orientation, implementation of energy efficient fixtures and appliances and the use of environmental insulation to reduced energy consumption, which translates into less natural gas, coal or other materials that need to be used at the power plant level, thereby eliminating additional pollution that would otherwise be emitted by these power plants.

The construction methods used in all phases of a development impacts the environmental footprint of not just the site and the municipality, but also that of the State and Nation. Fortunately, there are a broad range of green building techniques that can be utilized to reduce the various aspects of that footprint. Samples of green building techniques are listed below:

- Vent all combustion-based equipment
- Install energy-efficient lighting
- Choose eco-friendly paints, sheens and finishes
- Use low-VOC construction products
- Choose hard, low-formaldehyde floors
- Use reclaimed or renewable materials
- Install a green roof
- Install water-saving fixtures
- Select energy-efficient equipment and appliances
- Minimize site disturbance
- Minimize mowed lawns and promote native vegetated areas
- Install or upgrade insulation
- Provide controls and zoning for HVAC
- Use ceiling fans for natural ventilation
- Provide rainwater collection system

Water Conservation and Protection of Water Quality

Water conservation is an important aspect of sustainable development, as potable water resources become scarcer each year as usage increases and pollutants taint existing water supplies. These factors combine to restrict water use for human consumption during periods of drought and /or require greater treatment prior to consumption.

Water resources primarily exist as surface and subsurface waters. Surface waterbodies are classified into watersheds. The USEPA defines a watershed as a geographic area in which all sources of water, including lakes, rivers, estuaries, wetlands and streams, as well as ground water drain to a common surface waterbody. The high points in the terrain, such as hills and ridges, define the boundaries of a watershed. Subsurface waters are organized into an aquifer classification system.

The Township of Colts Neck lies in three regional drainage basins. The major portion of the Township (approximately 95%) is in the Navesink River/Raritan Bay drainage basin. The two smaller ones are the Shark River/Atlantic Ocean and the Manasquan River/Atlantic Ocean drainage basins. Since all of the streams in Colts Neck are either category one (C-1) or trout maintenance streams, it is important to manage stormwater. The C-1 streams in Colts Neck include the Swimming River Reservoir, Willow Brook, Big Brook, Ramanassin Brook/Hop Brook, Trout Brook, Yellow Brook, Mine Brook, Slope Brook, Barren Neck Brook, Miry Bog Brook, Shark River and Mingamahone Brook. The two trout maintenance streams in Colts Neck include the Pine Brook and Hockhockson Brook.

Wetlands and riparian areas are of particular importance to water quality. Wetlands are areas where water occurs at the soil surface for long enough periods to establish a certain biological and ecological community. These areas are known for their ability to filter pollutants and thereby improve water quality. Riparian areas are the land adjacent to surface waters that act as a buffer. When these areas contain vegetation, especially native and adaptive tall grasses, shrubs and woods, this buffer acts to protect the surface waters from non-point source pollution (contaminants carried via stormwater runoff). Both wetlands and riparian areas are regulated by the NJDEP. In Colts Neck the C-1 streams have a 300 foot riparian buffer and the two trout maintenance streams have a 150 foot riparian buffer. In order to maintain a sustainable plan for water resources, the Township must continue to preserve these riparian buffers in their natural state. While groundwater is not nearly as visible as streams and lakes, it is still heavily impacted by the land use and development at the earth's surface and will be aided through the preservation of riparian buffers.

In order to mitigate the impacts of development and impervious coverage, innovative stormwater management techniques can be used to mimic the natural hydrology as well as treat and promote groundwater infiltration. New Jersey's Mandatory Stormwater Management Ordinance, adopted in 2006 now requires all new major developments to maintain existing predevelopment runoff and infiltration rates. Some of the best management practices now required include; bio-retention basins, porous pavement, infiltration trenches and vegetated swales. Older developments in the Township have been developed without these best management practices (BMP's). Many of these older developments use traditional detention basins, which are not designed for infiltration during most storm events. Other much older

developments do not have any stormwater management BMP's at all. In order to improve stormwater management and reduce non-point source pollution in these older developments, residents and business owners should be encouraged to use smaller on-site BMP's, such as rain gardens (small bioretention basins), dry wells, porous pavers, rain barrels and disconnecting downspouts that are tied in directly to the storm sewers. If these types of on-site BMP's are used by many people in the Township, they can become an effective tool to improving the water quality in the watersheds.

Sustainable landscape practices provide a number of benefits. Plants which are native to this region are geared toward the local climate and soil conditions. As such, they typically require fewer or no pesticide and fertilizers, which have a positive impact on water quality. Native species are typically compatible with local precipitation rates and therefore require less irrigation, which has a positive impact on water supply. While they may be well adapted to this region, invasive plant species should be avoided. Invasive plant species are defined as introduced species that can thrive in areas outside of their range of natural dispersal and are commonly adaptable, aggressive and have a high reproductive capacity. Invasive plant species can cause a loss of habitat as they replace native plants which are relied upon by wildlife. They can also cause significant maintenance problems when they spread unintended areas.

Sustainable landscaping practices also address watering methods. Property owners can reduce water use by installing drip irrigation rather than sprinklers and installing rain sensors to ensure that plants and lawn areas are not watered when it is unnecessary.

An additional consideration of sustainable landscaping is the reduction of lawn areas. Lawn areas provide poor water infiltration. In fact, lawns only absorb about a tenth the rainfall as a native forest area. Replacement of lawn areas with forest, meadow or naturalistic plantings can also reduce the need for fertilizer, pesticide and watering thereby positively impacting water quality and water supply.

Waste Reduction and Recycling

Waste reduction and recycling is an importance aspect of sustainability in two ways. The reuse of materials through recycling reduces the amount of raw materials that need to be extracted from the earth, which reduces adverse impacts to the environment. In addition, the reduction of waste, either through efficiency or through recycling, reduces the amount of waste that goes to landfills and subsequently has the potential to contaminate groundwater and air resources.

The recycling of waste and used materials has become a required practice in the State of New Jersey. The MLUL was amended to provide for a Recycling Plan Element within municipal Master Plans. The State of New Jersey passed a Voluntary Recycling Act in 1981, and then passed of the New Jersey Statewide Mandatory Source Separation and Recycling Act in 1987 which mandated the creation of a municipal recycling program and the adoption of a recycling ordinance.

Municipalities in Monmouth County generate tons of garbage each year. Most of it is transported to the landfill in Tinton Falls where it will stay forever. Currently only about 52% of the garbage in Monmouth County is recycled. Recyclable items do not go to the landfill, which saves money and protects the environment.

Mandatory recycling items include glass bottles and jars. Food and beverage bottles and jars are acceptable but do not include caps or lids. Plastic containers are printed with a standard code from 1 to 7 on the bottom of every container. Only recycle types 1 and 2 with a pourable neck smaller than the body. Do not recycle plastic bags, margarine tubs, yogurt cups or food storage containers. Paper products such as cardboard boxes, mixed paper, chipboard, junk mail, magazines, wrapping paper and newspaper are all accepted for recycling. Do not recycle grease / food stain cardboard, food wrapping, paper plates or other items from food use. Silver "button" batteries or rechargeable batteries can be recycled. Regular household batteries A, AA, AAA, C and D can be discarded in the trash.

In addition to mandatory recycling items, many companies/organizations accept household items to be converted to another use or refurbished. Several charitable organizations such as Big Brother, Big Sister or Catholic Charities make regular pick-up of furniture, vehicles and a variety of household goods and clothing to donate. Clothing and shoe drop-off boxes are commonly found in retail parking lots. Walmart Vision Centers also accept eye glasses and UPS stores accept styrofoam packing material. Tires and batteries can be dropped off at many auto service centers.

In the United States, 12.7% of the total municipal solid waste is derived from food scraps. Nearly two thirds of the solid waste stream is comprised of organic materials such as yard trimmings, food scraps, wood waste and paper/paperboard products. Many progressive communities require trash receptacles with three components to separate trash, recyclables and organic waste. A municipality can limit the amount of organic material generated by implementing a multi-faceted composting policy. The Township can increase its composting rates through a public education campaign to educate residents and business owners about the benefits of composting, how composting works, and best practices on integrating composting into the home or business. Township residents and business owners should be encouraged to compost their yard waste and food scraps to reduce waste generated and increase the sustainability of their home or business. Residents and business should also be encouraged to leave grass clippings on the lawn when mowing, since it not only cuts down on waste and work, but provides a natural fertilizer for the lawn. However, it must be noted that not all organic materials can be composted and composting may not be appropriate on very small lots.

Action Plan

The ultimate goal of a Sustainability Plan is to initiate programs and policies within the Township that aim to reduce its carbon emissions and achieve a sustainable balance

between human activity and the natural environment. The following is an Action Plan for the Township to undertake to achieve greater sustainability.

1. Create benchmarks through an energy audit and carbon footprint calculation.
2. Utilize cleaner energy sources that minimize negative effects and maximize energy efficiency.
 - Install energy efficient exist signs and any exterior lighting retrofits with energy efficient fixtures (LED, high pressure sodium)
 - Replace incandescent light bulbs with compact fluorescent lights (CFL) and light emanating diode (LED) bulbs in all Township facilities
 - Investigate the feasibility of installing rooftop solar panels on Township facilities
 - Revisit lighting ordinances to reduce light pollution and excessive lighting levels
 - Purchase only energy star equipment and appliances for Township use
3. Establish energy-saving strategies, through government employee policy and training for all community services and facilities
 - Institute "lights out when not in use" policy with signage and training
 - Ensure computers are turned off after work hours by assigning employees to check all stations before closing
 - Reduce lighting levels where feasible and consider the use of sensory light sensors
4. Improve existing recycling programs and increase overall recycling rate.
5. Incrementally improve municipal fleet for efficiency and less carbon emissions.
 - Periodically analyze existing vehicles to see if old and/or under-used vehicles should be retired and maintain a regular maintenance schedule for all vehicles to ensure they are operating at peak performance ability (i.e. proper tire pressure, clean air filters, etc.).
 - Continue to investigate feasibility of alternative fuel vehicles (biodiesel, ethanol, electric, compressed natural gas, etc.) and/or efficient smaller fleet vehicles, as technology and cost efficiency improves.
6. Establish internal department paper and waste reduction strategies .
 - Streamlining edocuments processing, educate employees regarding paper waste caused by faxing and printing
 - Establish Township policy regarding double-side copying of all Township documents
 - Reuse all paper when possible (i.e. blank back for scrap paper)
 - Strategically remove all Township Departments from junk email, faxes, etc.
 - Restrict black and white printing on all color printers

7. Reduce solid waste by restricting disposal of bulk goods that can be donated for reuse and establish a Township program for reuse or recycling of construction and demolition materials.
8. Increase the use of composting in the Township
 - Use Clean Communities funding to distribute compost bins and rain barrels to private residential homes
 - Establish compost bins at municipal facilities for residents
 - Educate residents of the benefits of composting, utilizing school system and youth programs
9. Practice and promote sustainable building practices using US Green Building Council's LEED program or similar systems.
10. Educate the public, schools and business community about reducing carbon emission and implementing sustainable policies and practices.

Useful Resources

NJDEP Air Quality, Energy & Sustainability
United States Green Building Council
Environmental Protection Agency
Local Governments for Sustainability

www.nj.gov/dep/ages/os.html

www.usgbc.org

www.epa.gov

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