

Reexamination Report

MASTER PLAN

Township of Montville

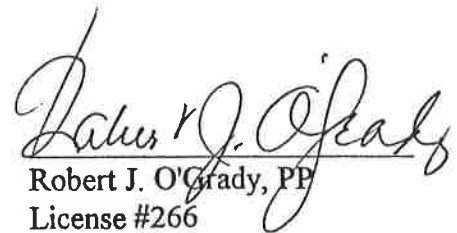
Prepared for

Montville Township Planning Board

by

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Adopted
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INTRODUCTION

The Municipal Land Use Law recognizes the importance of planning as an on-going, continuing function of local government by mandating the periodic reexamination of a master plan and development regulations. Specifically, C.40:55D-89 of the Law, as most recently amended, states as follows:

"C.40:55D-89 Periodic examination.

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

The reexamination report shall state:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised; with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, and changes in State, county and municipal policies and objectives.
- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards or whether a new plan or regulations should be prepared.
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79 (c.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The first Master Plan of the Township was adopted in 1960. This plan established the foundation for much of the planning policy that is presently being followed and for the basic character of the Township as it exists today. The 1960 plan served the Township well, but like any plan, became outdated in terms of the many internal and regional forces and activities acting on the community.

In 1976, the Planning Board completed a comprehensive review and updating of the Master Plan. The new plan was adopted in February, 1977, just 6 months following the effective date of the Municipal Land Use Law. The 1977 plan served as the basis for the zoning and development regulations for the ensuing 7-year period.

Subsequently, in 1984, the Planning Board undertook a comprehensive reexamination of the Master Plan and local development regulations which resulted in significant revisions to the Master Plan and amendments to the Land Use Ordinance. There had been subsequent revisions and additions to the 1984 Master Plan.

In 1990, the Planning Board once again initiated studies directed at revising and updating the Master Plan and land development regulations. Recognizing that these studies would take considerable time to complete, and in order to comply with provisions of the MZUL, the Board adopted a reexamination report. This report was somewhat limited in scope recognizing that comprehensive master plan studies were concurrently in process.

The 1990 studies resulted in the adoption of complete revisions to certain elements of the Master Plan on February 11, 1993. Subsequently, in September, 1995, the Township Committee adopted a new Land Use Ordinance (Chapter 150) in order to implement the Master Plan and update ordinance regulations and ordinance format.

The current Master Plan actually consists of several separate elements and documents. In April, 1993, these individual parts were brought together in a single, Master Plan Summary Report. The Master Plan was amended in 1996 to include a new Housing Element and Fair Share Plan. The summary report was also amended in 1996 to include the new Housing Plan Element. For purposes of orientation, the current Master Plan is a compilation of the following documents:

1. Housing Element & Fair Share Plan adopted June 26, 1996.
2. Land Use Plan Element adopted February 11, 1993, amended June 26, 1996.
3. Community Facilities & Open Space Plan Element adopted February 11, 1993.
4. Circulation Plan Element adopted February 11, 1993.

5. Sidewalk/Walkway Plan Element adopted February 11, 1993.
6. Historic Preservation Plan Element adopted March 23, 1988, and most recently amended March 12, 1992.
7. Recycling Element adopted November 29, 1988.
8. Storm Water Master Plan adopted by reference in 1978.

Since the Master Plan was essentially revised and updated in 1993, the Planning Board is technically not required to prepare a reexamination report until 1999; however, due to a number of planning, zoning and development issues that have occurred since 1993, and municipal activities relating to same, the need arises to put these issues in perspective in order to facilitate the development of priority concerns which will generate appropriate action. There is no apparent need for a new master plan nor major revision to the plan, although some updating and amendment may be required. This reexamination, therefore, is limited in scope, but its content is consistent with that described in the MLUL as outlined above.

**MAJOR PROBLEMS AND OBJECTIVES
RELATING TO LAND DEVELOPMENT**

The first reexamination element involves identification of the major problems and objectives relating to land development at the time of the last Master Plan Reexamination. The problems and objectives relating to the land development in 1993 were much the same as they were in 1984. These problems and objectives which are interrelated can be summarized as follows:

1. Maintaining constant vigilance over regional planning activities, especially those at the State and County levels, in terms of their potential impact on local planning and development.
2. Coordinating local planning efforts with those of neighboring municipalities in order to achieve a maximum degree of compatibility especially along common municipal boundaries.
3. Avoiding adverse impacts on the local environment and adopting planning and zoning measures that will protect sensitive wetlands, steep slopes, potable ground water supply and flood prone areas.
4. Preserving to the greatest degree possible the established character and physical amenities of the Township through careful land use planning.
5. Recognizing and planning for the needs of local residents through study or demographic conditions.
6. Providing adequate housing facilities meeting minimum standards of health and safety to satisfy the needs of all income groups, especially low and moderate income households.
7. Establishing and adequate system of roads and providing for the safe and efficient movement of traffic through and throughout the Township.
8. Providing for the physical and mental health of local residents by establishing ample recreational outlets and an adequate system of parks, recreation areas and open spaces.
9. Preserving the local heritage by protecting historic buildings and other landmarks for the cultural benefit of present and future generations.
10. Establishing planning policies which will help achieve efficient, economical and high quality public education.

11. Guaranteeing an adequate system of community facilities and services, including water and sanitary sewer utilities, fire and other public safety services, community buildings, library facilities, public works and the like.
12. Creating a planning and development environment that will promote fiscally sound municipal government affordable to all residents.

These broad or general problems and objectives when viewed in terms of the various master plan elements, reveal the following; more specific issues:

- a. Establishing appropriate residential densities and intensity of non-residential use in terms of environmental constraints, such as wetlands and steep slopes, impact on ground water resources, primarily the Towaco Valley Aquifer, road capacity and traffic congestion.
- b. Addressing affordable housing needs and developing proposals which realistically address the Township's obligations in terms of low and moderate income housing.
- c. Minimizing traffic impacts and coordinating land use issues and traffic control with emphasis on traffic hot spots. Major concerns included impact of the opening of Route 287 north of 202 and traffic flow along Changebridge Road.
- d. Establishment of priorities for open space acquisition coordinated with issues relating to environmentally sensitive conditions and the need to maintain the natural characteristics of the Township.
- e. Addressing major drainage problems in various parts of the Township and providing for stormwater management in order to minimize flooding and reduce flooding conditions.
- f. Continuing expansion of and provision of adequate public facilities and services, keeping pace with the demands of a growing population. Included in this area are recreation facilities, especially at the Community Center, the Public Safety Building, the Township Library and the First Aid Squad Building.

**EXTENT TO WHICH PROBLEMS AND OBJECTIVES
HAVE BEEN REDUCED OR HAVE BEEN INCREASED**

This element of a Reexamination Report can best be addressed by summarizing the various development-related activities that have occurred in the past 4 years. In order to facilitate this review, the various changes are listed below under major categories and/or master plan elements.

Land Use Ordinance

1. In September, 1995, the Township Committee adopted a totally revised Land Use Ordinance. This Ordinance was drafted as part of the Master Plan revision adopted in 1993. The new Ordinance implements the Land Use Plan Element of the Master Plan and involves a number of significant zoning changes, especially in terms of residential zone designations in the northern half of the Township. The changes, in part, were based on the State Development and Redevelopment Plan designations and were also developed in recognition of the extreme environmental constraints in that part of the Township.
2. Minor revisions were made to the zoning pattern in the area south of Old Lane and west of Waughaw Road. This involved the rezoning of a portion of a large tract of land from R-80 to R-43 and was the result of an out-of-court settlement in connection with zoning litigation. The settlement will have little impact on the overall density of development in this area of the Township and it reinforces the larger lot zoning on the balance of the tract.
3. The Township Committee recently amended the zoning regulations to eliminate provisions for mixed housing development in the R-20A District. These provisions would have allowed a mix of townhouses and one-family detached dwellings on a tract of at least 50 acres. Following lengthy consideration, the Township Committee concluded that eligible tracts of land were largely unbuildable due to wetland conditions and that more than ample provision had been made for multi-family housing in the Township.

Affordable Housing

In June, 1996, the Planning Board amended the Master Plan to include a new Housing Element and Fair Share Plan addressing the Township's obligation in terms of low and moderate income housing. Essentially, the new housing plan concluded that Montville, by means of previous inclusionary zoning measures, had already more than satisfied any responsibility for such housing. The Land Use Plan Element was amended at the same time to reflect certain changes in the designation of housing sites. The new housing plan calls for elimination of two sites no longer needed to satisfy the Township's fair share obligation.

Open Space

Through on-going efforts of the Township Committee and the Township Open Space Committee, and with the assistance and cooperation of private developers, the County and the State, substantial acquisition of permanent open space took place in the past few years. These efforts have been concentrated in northern Montville especially in the Pyramid Mountain Area west of Boonton Avenue and the Turkey Hill area east of Boonton Ave. Where over 1,000 acres has been acquired. All of the lands acquired are reflected as proposed open space in the Master Plan. Establishment of the Township's Open Space Committee is another major step taken towards implementation of the Master Plan goals and objectives.

Traffic

The continuation of Route 287 north of Route 202 in Montville has had a positive effect in terms of reducing traffic on Route 202. Nevertheless, Route 202 remains a continuing concern in terms of local traffic. This highway is the major east-west local Route through the Township and it provides the only access to and from Route 287 in Montville. The Township maintains on-going surveillance in order to maintain adequate ingress and egress for developments along its corridor.

Perhaps the most significant traffic improvement made since adoption of the Master Plan involves the restriping of Changebridge Road between Horseneck Road and Stiles Lane in order to reduce the number of travel lanes from two to one in each direction, at the same time including provision for left turn lanes. The 4-lane configuration of Changebridge Road resulted in a number of traffic safety problems. The 40-foot width of the road is somewhat narrow for four lanes and the 4-moving lane arrangement included no provision for bypassing left turning vehicles or deceleration area for right turning vehicles. The restriping has proven successful in terms of greater traffic safety; however, it has also resulted in lesser gap time for vehicles making left turns from side streets into Changebridge Road. If the restriping is to have long term success, solutions to problems associated with the legitimate concerns of local residents, such as side street traffic access, must be found. Additional traffic signals may be needed if traffic from certain streets is to have reasonably free access.

CHANGES IN ASSUMPTIONS, POLICES AND OBJECTIVES

Relatively little change has taken place in Montville in the past four years in terms of the assumptions, policies and goals which formed the basis for the Master Plan and the land development regulations. The twelve goals and objectives stated earlier in this report continue to be relevant. For the most part, the activities of the Township have been focused on refining priorities and implementation of various proposals. There have been, however, two basic issues that have been clearly defined since adoption of the Master Plan in 1993, namely:

1. Amendment to the Master Plan adopting a new Housing Element and Fair Share Plan confirming that the Township has more than satisfied its obligations for providing low and moderate income housing. The new housing plan eliminates to affordable housing sites for which development applications have not been submitted and which are not needed to satisfy the Township's precredited housing need.
2. Reaffirmed a policy statement that further multi-family housing development would be contrary to the best interests of the Township. Previous zoning in the Township has made possible the construction of approximately 2,400 townhouses and apartments, representing about 30 percent of the housing stock. The ordinance amendments involved elimination of mixed housing development in the R-20A Zone. Provisions permitting 2-family dwellings in the R-20B Zone were also deleted from the ordinance.

In other respects, the Master Plan objectives as they relate 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 remain basically unchanged. One issue that should be further investigated, however, concerns the Residential Site Improvement Standards (RSIS) which were adopted by the Department of Community Affairs and which will become effective on June 3, 1997. These standards will supersede and automatically replace a number of existing municipal regulations related to streets, parking and utilities in residential developments.

The RSIS may have application in terms of Master Plan provisions, particularly those related to the identification and classification of streets and requirements for sidewalks. A number of the RSIS are much more liberal and less restrictive than established local standards so that it behooves the Township to examine closely the ramifications of the State Standards and what can be done locally to reinforce the municipal interests.

**CHANGES RECOMMENDED FOR THE MASTER PLAN
AND DEVELOPMENT REGULATIONS**

Based on the foregoing review of conditions in Montville at the time of the last reexamination and during the past four years since adoption of the Master Plan, it is concluded that no need exists at this time for a new plan or major updating of the Plan. Relatively minor amendments to the Plan, primarily to acknowledge or recognize litigation settlement, policies relating to multi-family housing and open space activities, would, however, be desirable and other areas should receive further investigation as follows:

1. Amend the description of the Medium - High Density Residential area in the Land Use Plan to reflect the exclusion of mixed housing development and 2-family housing.
2. Amend the Land Use Plan map and related text to reflect a change from Low Density Residential to Moderate Low Density Residential as applied to a portion of the area lying west of Waughaw Road and South of the moderately Low Density Residential area located on the south side of Old Lane.
3. Continue studies and/or resolve zoning issues which were the subject of zoning investigations initiated in 1996 in connection with the Route 202 - Changebridge Road area. Recommendations should be coordinated with traffic engineering studies.
4. Undertake review of land use and zoning policies, coordinated with traffic studies, in the Changebridge Road corridor south of Horseneck Road.
5. Continue refinement of open space proposals and the establishment of priorities for open space acquisition. The Community Facilities & Open Space Plan should be amended as follows:
 - a. Greater emphasis should be placed on the acquisition of the Sunrise Lake property (Camp Aheka) identified on the Plan as proposed Open Space area #3. Most of Camp Aheka is located in Kinnelon where development relies on septic systems. This presents a potential for pollution of Sunrise Lake which is located at the headwaters of Lake Valhalla. A high priority should be given to the open space preservation of this property.
 - b. Expand proposed Open Space Area #29 to include property on the westerly side of Changebridge Road extending from Kramer Drive to Stiles Lane.

6. The Township should proceed with a petition to COAH for substantive certification of its Housing Element And Fair Share Plan.
7. The Township should maintain close surveillance in connection with the RSIS so that appropriate Master Plan and Land Use Ordinance amendments can be developed as needed in a prompt manner.
8. On-going cooperation with the MUA should be continued in order that land use and utility systems will function in a systematic and coordinated fashion. Priorities in terms of MUA activities include development of a new municipal well and restudy of the Towaco Valley Aquifer.
9. Continue renewed efforts directed at preserving the Township's natural, physical amenities and avoiding impact on the environment. Activities currently in process include the drafting of a tree removal ordinance, investigating the feasibility of a ridgeline ordinance and refining policies relating to steep slopes and hillside development.
10. Support of the Economic Development Committee and coordinating planning policies with the activities of that committee in order to promote new investment in the Township's economic base.
11. Maintain and expand the Township's on-going studies relating to stormwater management and drainage control, especially in the Crooked Brook Basin.
12. Prepare to participate in the forthcoming cross acceptance process in connection with the SDRP scheduled to begin in July, 1997. Cross Acceptance is a process of comparing local, County and regional plans with the SDRP in an effort to achieve compatibility or consistency between those plans. The cross acceptance process will be conducted by county planning boards.

REDEVELOPMENT PLANS

The Township has no redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79 (C.40A-12A-1 et seq.) Therefore, this element of a reexamination report is satisfied.

LAND USE ORDINANCE

The Township Land Use Ordinance was completely revised and updated in September, 1995. This revision involved a total restructuring of the ordinance, producing a major change in its format intended to make the ordinance more user friendly and less cumbersome to administer and enforce. Along with this restructuring, numerous zoning changes intended to implement the Land Use Plan and Housing Plan Elements were made. Except for periodic amendments which may become desirable or necessary as a result of the Township's on-going planning efforts, the Ordinance requires no revision at this time.

RESOLUTION OF THE PLANNING BOARD
OF THE TOWNSHIP OF MONTVILLE
IN THE MATTER OF THE ADOPTION OF
THE MASTER PLAN REEXAMINATION FOR THE
TOWNSHIP OF MONTVILLE
ADOPTED: APRIL 24, 2003

WHEREAS, pursuant to the provisions of *N.J.S. 40:55D-28*, this Board is charged with the obligation to, periodically, review, revise, and adopt the Master Plan governing the use of all lands within the Township of Montville; and

WHEREAS, the Board has been presented with copies of the pre-existing master plan for the Township;


WHEREAS, a properly noticed public hearing was held before the Board respecting the proposed revision to the Master Pan, and readoption of same, at which meetings the Board offer an opportunity for members of the public to comment on same; and

WHEREAS, adequate notice has been given to all appropriate entities, pursuant to the provisions of *N.J.S. 40:55D-13*, and no comments have been received by the Board from any of same; and

WHEREAS, after careful consideration of the proposed Master Plan revisions, the Board has concluded, for the reasons therein set forth, that the adoption of same, and of Ordinances which implement the provisions thereof, would tend to guide the use of lands within the Township in a manner which protects the public health, welfare, safety, and which promotes the general welfare;

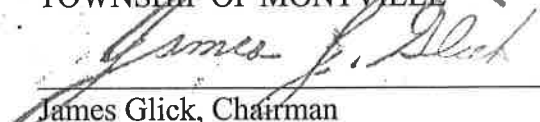
NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Township of Montville, Morris County, New Jersey on the 24th day of April, 2003, that the Master Plan reexamination be and hereby is adopted, in the form annexed to this resolution.

Attest:



Linda White, Secretary
ADOPTED: April 24, 2003

PLANNING BOARD OF THE
TOWNSHIP OF MONTVILLE



James Glick, Chairman