

TOWNSHIP OF MANALAPAN PLANNING BOARD

RESOLUTION OF MEMORIALIZATION ADOPTING  
THE REEXAMINATION REPORT

DATE: MAY 13, 1999

WHEREAS, the Manalapan Township Planning Consultant has prepared a proposed reexamination report pursuant to N.J.S.A. 40:55D-89, which report is dated April 16, 1999; and

WHEREAS, the Manalapan Township Planning Board considered that reexamination report at its meeting of April 27, 1999.

NOW, THEREFORE, BE IT RESOLVED by the members of the Manalapan Township Planning Board that the reexamination report prepared by Richard S. Cramer, P.E., Township Planning Consultant, dated April 16, 1999 be and hereby is adopted.

BE IT FURTHER RESOLVED that this resolution memorializes an action taken by the Manalapan Township Planning Board at its meeting of April 27, 1999.

*Document*  
*5*

This Resolution memorializes an action taken at the regular meeting of the Manalapan Township Planning Board held on April 27, 1999 on a roll call vote that evening as follows:

Offered by: Mr. Pytlik  
 Seconded by: Mr. Benkov

	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Palazzo (alt.1)	( )	( )	( )	(X)	( )
Pine (alt.2)	(X)	( )	( )	( )	( )
Benkov	(X)	( )	( )	( )	( )
Wishart	(X)	( )	( )	( )	( )
Hogan	(X)	( )	( )	( )	( )
Benjamin	( )	( )	( )	(X)	( )
Weisenberg	( )	( )	( )	(X)	( )
Pytlik	(X)	( )	( )	( )	( )
Hanlon	(X)	( )	( )	( )	( )
Frenkiel	(X)	( )	( )	( )	( )
Shapiro	(X)	( )	( )	( )	( )

This Resolution was offered by MR. BENKOV, seconded by MR. PYTLIK, adopted on roll call by the following vote:

	YES	NO	ABSTAIN	ABSENT	INELIGIBLE
Palazzo (alt.1)	( )	( )	( )	( )	(X)
Pine (alt.2)	(✓)	( )	( )	( )	( )
Benkov	(✓)	( )	( )	( )	( )
Wishart	( )	( )	( )	(✓)	( )
Hogan	(✓)	( )	( )	( )	( )
Benjamin	( )	( )	( )	( )	(X)
Weisenberg	( )	( )	( )	( )	(X)
Pytlik	(✓)	( )	( )	( )	( )
Hanlon	(✓)	( )	( )	( )	( )
Frenkiel	(✓)	( )	( )	( )	( )
Shapiro	(✓)	( )	( )	( )	( )

I hereby certify that the foregoing Resolution was adopted by the Planning Board of the Township of Manalapan at its meeting of May 13, 1999.

Walter Pytlik  
 WALTER PYTLIK, Secretary

STATE OF NEW JERSEY  
COUNTY OF MONMOUTH SS.

I hereby certify that on May 13, 1999, Walter Pytlik, personally came before me and acknowledged under oath, to my satisfaction, that this person:

- (a) is the Secretary of the Manalapan Township Planning Board; and
- (b) signed the Resolution as his act and deed.

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JAMES H. GORMAN  
Attorney at Law  
State of New Jersey

## EXECUTIVE SUMMARY

In accordance with the requirements of the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89), the Manalapan Township Planning Board has completed a general reexamination of the Manalapan Township Master Plan and Development Regulations. The purpose of the reexamination process is to maintain an updated Township Master Plan and Development Regulations. The last reexamination of the Manalapan Master Plan was completed in June 1994.

As a result of this reexamination, changes are recommended to the Township plan and regulations

### *Population and Density Changes*

The population of Manalapan increased from 18,914 residents in 1980 to 26,716 residents in 1990. The estimated 1997 Township population is 31,348. The number of housing units in the Township has also continued to increase. In 1980, the Township contained 5,874 housing units. In 1990, there were 9,029 housing units. The population change is attributable to the continued in-migration of people into western Monmouth County. Continued population increase was anticipated by the 1991 Master Plan and is projected to be on-going through the year 2020. The projected population in 2005 is 37,000; the projected population in 2020 is 42,000.

The average density of the Township increased from 613 persons per square mile in 1980 to 865 persons per square mile in 1990. Currently, the estimated density is 1,016 persons per square mile.

The distribution of population anticipated by the Master Plan has not changed. Most of the current population is concentrated in the northern Township. South of Route 33, the population has increased, but at much lower densities than are found in the northern Township. In future, the Township anticipates an influx of population along the Route 33 corridor as development proceeds at Knob Hill, at the Golf Course Residential Community at Battleground Country Club, and at the Villages.

### *Conservation Planning*

The Reexamination Report recommends that the Township pursue a proactive policy to conserve the remaining open space and landmarks in Manalapan. The Township should update and revise the Master Plan conservation element and the recreation element to serve as the open space plan for the Township. This will position the Township to coordinate with State open space preservation efforts in central New Jersey. The State has set a goal of preserving a million acres of open space and farmland statewide over the next ten years. As part of a major open space acquisition program, the State is preserving a historic greenway across the center of the State that will link Washington Crossing State Park, Princeton Battlefield, and Monmouth Battleground State Park in Manalapan

The Township should also support local farmland preservation efforts by maintaining an active liaison with the Monmouth County Agricultural Development Board; by adopting a right-to-farm ordinance that requires developers to inform purchasers of the existence of any neighboring farm and its right to farm; by providing community financial support for farmland preservation; and by implementing zoning techniques for farmland preservation such as noncontiguous residential clustering.

### *Land Use Planning*

The land use plan element should be amended to include noncontiguous parcel clustering as a technique to preserve open space, environmentally sensitive lands, wildlife habitat, and landmarks within the Township. A nine hundred acre residential open space district should be created to reduce density and permit noncontiguous parcel clustering along the Weamaconk Creek, Milford Brook, McGellairds Brook and the Tepehemus Brook. In addition, the density of the age-restricted housing option in the OP-10/PRC-MLC office district should be reduced and age restricted housing should be permitted in that zone only as a noncontiguous cluster to preserve open space.

### ***Circulation Planning***

Traffic congestion continues to be a serious problem along the Route 9 corridor and is increasing in other areas of the Township. As the Township has grown, so has trip generation and traffic congestion. Both the County and the State have issued new plans and programs that affect circulation planning in Manalapan.

The circulation element of the Master Plan should be updated in light of the State and County planning efforts. The circulation element and the land use element should be coordinated as part of an overall traffic reduction effort.

### ***Development Regulations***

The reexamination proposes changes to the Township development regulations

To conserve open space, the report recommends establishing an R-90/40 zone district that reduces residential density to a maximum of 0.45 dwelling units per acre on undeveloped lands of the Weamaconk Creek, the Milford Brook, McGellairds Brook and the Tepehemus Brook and along the historic route taken by the Continental Army to Monmouth Battleground. The area of this new zone is 927 acres. The changes also permit noncontiguous clustering in the R-90/40 district.

The report recommends that the maximum permitted density for the age-restricted housing

option in the OP-10/PRC-MLC office district be reduced to 1.0 dwelling unit per acre and that the housing be developed as a noncontiguous cluster to preserve open space.

The report also makes recommendations for the following additional changes to the regulations:

- *Adoption of zoning standards for the single family development in the Knob Hill Consent District.*
- *Permitted uses in planned office parks in the SED-20 and SED/20W zones*
- *Zoning Standards Applicable to Bright Meadows and Gramercy Park Residential Development.*
- *Setbacks for Reverse Frontage Lots.*
- *Subdivision Design Guideline.*
- *Fencing*
- *Community Residences for the Developmentally Disabled.*
- *Definitions*
- *The standards applicable to barn height and setback.*
- *Sidewalk Contribution Fund.*
- *Dental Laboratories.*
- *Municipal Land Use Law Amendment*

# **MANALAPAN TOWNSHIP PLANNING BOARD**

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**TOWNSHIP OF MANALAPAN  
MASTER PLAN REEXAMINATION 1999**

**INTRODUCTION**

The Manalapan Township Planning Board has undertaken a general reexamination of the Manalapan Master Plan and Development Regulations as required by the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89). This report presents the findings and recommendations of the reexamination.

As required by law, this reexamination report addresses the following:

- ◆ *The major problems and objectives relating to land development in Manalapan at the time of the adoption of the last reexamination report.*
- ◆ *The extent to which the problems or objectives have been reduced or have increased subsequent to the date of adoption of the last reexamination report.*
- ◆ *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.*
- ◆ *The specific changes recommended for the Manalapan Master Plan, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*
- ◆ *The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law", P.L. 1992 c.79 (C.40A:12A-1 et seq.) 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 of the municipality.*



## 1. THE MAJOR PROBLEMS AND OBJECTIVES AT THE TIME OF THE LAST REEXAMINATION

The last reexamination report of the Township was approved by the Planning Board in June 1994. The Board reviewed the Master Plan as adopted in 1991 and the Development Regulations then in effect. The Board concluded its reexamination by recommending enactment of the Development Regulations, which had been drafted to implement the 1991 Master Plan.

### **GENERAL OBJECTIVES**

The General objectives of the Master Plan in 1994 were:

- ◆ *Secure public safety from fire, flood, panic and other natural and man-made disasters.*
- ◆ *Develop and maintain a satisfactory level of public facilities and services.*
- ◆ *Establish appropriate population densities and control the intensity of development to ensure neighborhood community, and regional well being and preserve the natural environment and resources.*
- ◆ *Ensure that Township development does not conflict with development and the general welfare of neighboring municipalities, the County, and the State as a whole.*
- ◆ *Coordinate public development with land use policies to encourage the appropriate and efficient expenditure of public funds.*
- ◆ *Provide sufficient space and appropriate locations for residential, commercial, recreational, agricultural and light industrial uses.*
- ◆ *Locate and design transportation routes and commuter parking lots to promote the free flow of traffic while discouraging congestion or blight.*
- ◆ *Promote a desirable visual environment.*
- ◆ *Conserve landmarks and historic sites.*

- ◆ *Protect areas with scenic, cultural, and recreational values.*
- ◆ *Promote the recycling of materials from solid waste, and encourage the conservation of energy.*
- ◆ *Maintain and attract beneficial commercial uses.*
- ◆ *Encourage planned developments that incorporate the best features of design and relate the type, design, and layout of residential, commercial, industrial, and recreational development of a particular site.*
- ◆ *Encourage senior citizen community housing construction.*
- ◆ *Maintain a continuous planning process that will coordinate capital expenditures with the Master Plan and provide development reviews to assure that the policies and standards promoted by the Master Plan are implemented.*

## **PROBLEMS**

The major problems identified in the 1994 Reexamination were:

***Fair Share Housing.*** The Master Plan housing element and the Fair Share Plan needed to be updated to address the revised regulations of the New Jersey Council on Affordable Housing and to secure an extension of the Township repose from further Mount Laurel litigation. The major fair share housing projects (Knob Hill and the Villages) had not yet begun construction. Because of the scale of those projects, the Township anticipated that they would have a substantial impact on Manalapan.

***Enactment of Development Regulations.*** To implement the 1991 Master Plan, the Township drafted a comprehensive revision of the Township Development Regulations which unified the zoning, subdivision, and site plan ordinances. The draft Development Regulations addressed problems related to the protection of environmentally sensitive lands, development intensity, and other land development issues. At the time of the 1994 reexamination, the Development Regulations had not yet been acted upon by the Township Committee.

**C-1 Zone District.** The Township was the subject of litigation over the types of uses to be permitted in the C-1 shopping district, including “big box retail” type uses. Concern with the future of this retail district resulted in a recommendation that the C-1 use regulations be revised to ensure that the design, scale, and operation of development be compatible with the surrounding areas and that the mix of uses permitted in the zone be narrowed.

## **2. THE EXTENT TO WHICH PROBLEMS OR OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO 1994**

In December 1994, the Township enacted a comprehensive revision of the Manalapan Development Regulations. The Regulations implemented most of the recommendations of the 1991 Master Plan.

The extent to which other problems or objectives have been reduced or have increased since the last reexamination is reviewed below.

**Fair Share Housing.** The Township Planning Board adopted a new Master Plan housing element and fair share plan in February 1995 and the Township Committee enacted affordable housing regulations and a development fee ordinance implementing the plan. In 1996, the Council on Affordable Housing granted substantive certification to the Township housing plan and extended the Township a period of repose from further Mount Laurel litigation to 2002.

Residential development at Knob Hill commenced and the first affordable housing units within the Township have been constructed. Final approval to affordable housing development has been granted at Tracy Station Woods and at New Beginnings (Samaritan Center). Construction at those developments is underway.

An application to amend the GDP approval for the Villages development has been submitted to the Planning Board. The Villages was approved pursuant to Court order as an inclusionary development to provide 636 affordable housing units through on-site construction or through a cash contribution to produce affordable housing. The proposed GDP amendment substantially alters the manner in which the Villages provides affordable housing and affects both the Township housing plan and the terms of the substantive certification granted by COAH.

**C-1 Zone District.** Litigation over the C-1 zone district was settled subsequent to the affirmation of the New Jersey Supreme Court in Manalapan Realty vs. Township Committee of the authority of the Township to determine the types of stores it could permit in the district. The zoning regulations were revised to implement the terms of settlement.

**Senior Citizen Housing.** In enacting the Township Development Regulations in 1994, the Township Committee did not implement the Master Plan recommendation to create an additional opportunity for senior housing development north of Millhurst Road. In March 1998, the Planning Board amended the Master Plan land use element to delete the Millhurst Road site as a senior location and to recommend that senior housing be located in an area south of Craig Road near the Route 9 corridor and also as part of the Golf Course Residential Community development at Battleground Country Club. The Township Committee enacted development Regulations implementing the Master Plan amendment.

The application for amended GDP approval at the Villages proposes to construct 1,000 age restricted dwelling units. The Planning Board is reviewing the application.

The Master Plan was also amended to recommend that the Township permit assisted living facilities for the frail elderly in the Limited Business (LB) districts and in the Residential Transition (RT) districts of the Township. The recommendation has not been implemented.

The Board of Adjustment granted use variances for two assisted living facilities. One variance was granted for a 60-unit residence in the OP-10 zone on Route 9. A variance for a second facility containing 70 units was granted in the C-2 zone on Gordons Corner Road.

**Wireless Telecommunications Facilities.** In response to the proliferation of use variance applications to construct towers and antennas for personal communications services and cellular telephones, the Township enacted an ordinance in 1997 to minimize new tower construction, to control the setback of such facilities from residential areas, and to limit the location of such facilities to Township owned sites and to sites in the SED-20 and SED-20/W districts. The Township continues to be concerned with the visual impact of these structures.

**Conservation of Open Space and Landmarks.** The open space features and landmarks of Manalapan, including farms, meadows, wildlife habitat, woodland, and historic sites continue to be lost to land development.

Additional measures are needed to more effectively conserve the significant remaining open spaces of the Township for agricultural uses, wildlife habitat, scenic enjoyment, and resource protection.

**Circulation.** Traffic congestion is a serious problem along the Route 9 corridor. To encourage public transportation, the Township expanded the “Park n’ Ride” facilities on the bus routes to North Jersey and New York City. The Township also supports the creation of a passenger rail link to service commuters from the Township. However, dealing effectively with the circulation problems associated with the Route 9 corridor will require the coordinated efforts of the State, the County, and the municipalities.

As the Township grows and traffic increases on the County and Township streets, the need increases for intersection and road improvements to provide satisfactory levels of service and safe traffic movements.

### 3. THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES

#### ***ASSUMPTIONS, POLICIES AND OBJECTIVES***

The assumptions, policies, and objectives of Township planning have not significantly changed.

- ◆ *The basic assumption is that there will continue to be regional economic growth, which will express itself through the continued growth and development of Manalapan Township.*
- ◆ *The objectives of the Township, as specified on pages 2 and 3, continue to be valid.*

The policies of the Master Plan are:

- ◆ **Land Use.** Township land use policy is to promote an established suburban development pattern in the northern Township, a rural development pattern consisting of low density residential and agricultural uses west of Millhurst Road and south of the Route 33 corridor; and future major planned development of residential and non-residential development along the Route 33 corridor.
- ◆ **Housing.** The Township encourages development of a variety of housing types, suitable to the needs of existing and prospective residents. Housing development shall be compatible with existing residential neighborhoods, with environmental constraints, with the availability of infrastructure, and with the need to maintain adequate levels of service for public facilities. The

Township will satisfy its constitutional obligation to create realistic opportunities for the provision of its fair share of the region's low- and moderate-income housing need.

Housing development will be directed to the suburban and corridor areas of the Township as presented in the land use plan element. Housing development within rural areas will be restricted to single-family residential uses at rural densities.

- ◆ **Circulation.** Manalapan Township will work in conjunction with the State, the County, and the private sector to create a balanced circulation system which provides safe and convenient circulation and satisfactory levels of service within the community.
- ◆ **Recreation.** The diverse recreation needs of Township residents will be met through existing municipal programs, through a program of municipal acquisition and development of new or expanded park sites, and by requiring that major planned developments provide adequate recreation facilities.
- ◆ **Conservation.** Where development occurs, the Township will protect major natural features from degradation and unreasonable disturbance. Development will be directed to suitable portions of a site and design shall be arranged to eliminate unreasonable environmental impact.
- ◆ **Landmarks.** The Township encourages the preservation of landmark buildings and sites and discourages their destruction or inappropriate alteration. Utilization of landmark sites in accordance with the land use plan element and other elements of this master plan is encouraged. Where rehabilitation, renovation, or adaptive re-use of a landmark is needed, the guidelines developed by the U.S. Department of the Interior and published as *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* should be used.
- ◆ **Recycling.** The Township will continue to provide for the recycling of materials and maintain a program which meets State and County recycling requirements. New development shall be required to design and plan for the separation, storage, and collection of recyclable material.

- ◆ **Plan Relationships.** The policy of the Township of Manalapan is to ensure that the Township's development does not conflict with the development and welfare of neighboring municipalities, the County and the State as a whole.

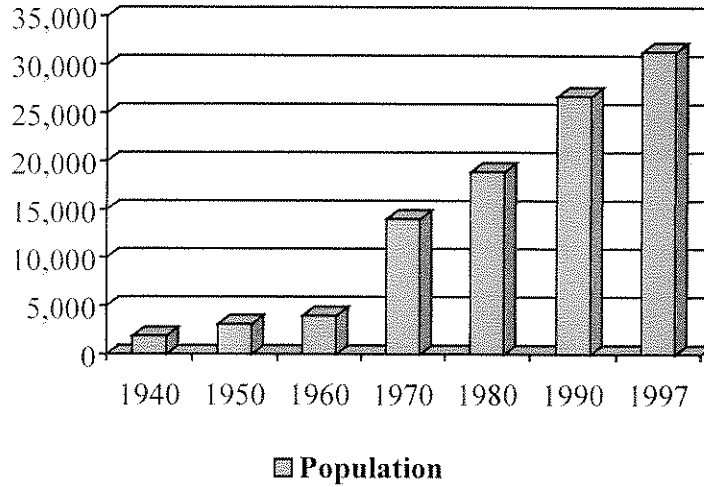
### ***DENSITY AND DISTRIBUTION OF POPULATION AND HOUSING CONDITIONS***

The U.S. Census indicates that the population of Manalapan increased from 18,914 residents in 1980 to 26,716 residents in 1990 (Figure 1). The estimated 1997 Township population is 31,348. The number of housing units in the Township has also continued to increase. In 1980, the Township contained 5,874 housing units. In 1990, there were 9,029 housing units (Figure 2). The population change is attributable to the continued in-migration of people into western Monmouth County. Continued population increase was anticipated by the 1991 Master Plan and is projected to be on-going through the year 2020. The projected population in 2005 is 37,000; the projected population in 2020 is 42,000.

Residential building permits issued in Manalapan in 1992 and 1993 totaled 258 and 260, respectively. The average density of the Township increased from 613 persons per square mile in 1980 to 865 persons per square mile in 1990. Currently, the estimated density is 1,016 persons per square mile.

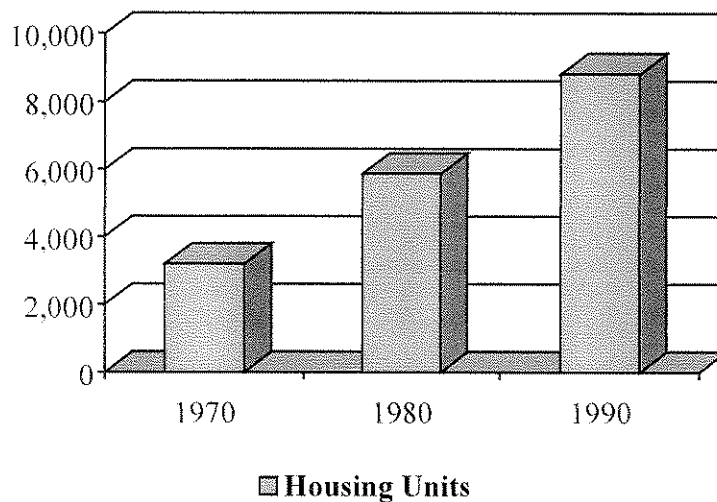
The distribution of population anticipated by the Master Plan has not changed. Most of the current population is concentrated in the northern Township. South of Route 33, the population has increased, but at much lower densities than are found in the northern Township. In future, the Township anticipates an influx of population along the Route 33 corridor as development proceeds at Knob Hill, at the Golf Course Residential Community at Battleground Country Club, and at the Villages.

**Figure 1**  
**Manalapan Township Population**  
**1940-1997**



*\*Source: U.S. Census and Monmouth County Planning Board Estimates*

**Figure 2**  
**Manalapan Township Housing Units**  
**1970-1990**



*\*Source: U.S. Census*



***CONSERVATION***

The Township should pursue a proactive policy to conserve the remaining open space and landmarks in Manalapan. The State has set a goal of preserving a million acres of open space and farmland statewide over the next ten years. In November 1998, New Jersey voters approved an open space referendum to provide a stable funding level of ninety-eight million dollars annually for local, county, and State acquisitions to achieve the goal. A significant portion of the State funds will be earmarked for those municipalities who become eligible for the Green Acres Planning Incentive program. Under this program, State funds to preserve open space are directed to communities that have an adopted open space plan and have enacted an open space tax by local referendum. Communities that are eligible for the Planning Incentive program will be able to leverage State funding to preserve local open space, farmland, and landmarks. A Township referendum to create a two cent open space tax was narrowly defeated in 1998. A second effort should be made to secure voter approval of a one cent tax.

The Township should update and revise the Master Plan conservation element and the recreation element to serve as the open space plan for the Township. This will position the Township to coordinate with State open space preservation efforts in central New Jersey. As part of a major open space acquisition program, the State is preserving a historic greenway across the center of the State that will link Washington Crossing State Park, Princeton Battlefield, and Monmouth Battleground State Park in Manalapan. Manalapan Township has compiled a map of current local, State, and County open space projects in or around Manalapan. The map is included in the Appendix to this report. The Township should seek to preserve greenway connections across the site designated for development as the Villages and across the Battleground Country Club, to provide a greenway link with Battleground State Park.

The Township should support local farmland preservation efforts by maintaining an active liaison with the Monmouth County Agricultural Development Board; by adopting a right-to-farm ordinance that requires developers to inform purchasers of the existence of any neighboring farm and its right to farm; by providing community financial support for farmland preservation; and by implementing zoning techniques for farmland preservation such as noncontiguous residential clustering.

***HISTORIC PRESERVATION***

The historic preservation element should be coordinated with the State program to preserve a historic greenway from the Delaware River to Monmouth Battleground State Park. The historic route taken by the Continental Army across Manalapan to the Battlefield should be included as a Township landmark. The route is shown on the Open Space map in the Appendix to this report.

**LAND USE**

The land use element must take into account natural conditions and include a statement of the recommended standards of population density and development intensity for the Township. The land use element must also take into account the other Master Plan elements. In 1996 the NJDEP released its GIS Resource data showing the extent of wetlands, floodplains, and steep slopes within Manalapan Township. The Township mapped this data onto the Township base map. The mapping is provided in the Appendix to this report. Given the extent of wetland, woodland, and floodplain along undeveloped lands of the Weamaconk Creek, the Milford Brook, McGellairds Brook and the Tepehemus Brook, the density standards should be reduced to reflect development constraints and to preserve open space along those stream corridors.

The land use plan should also be amended to include noncontiguous parcel clustering as a technique to preserve open space, environmentally sensitive lands, wildlife habitat, and landmarks within the Township. A residential open space district should be created to permit noncontiguous parcel clustering along the Weamaconk Creek, Milford Brook, McGellairds Brook and the Tepehemus Brook. In addition, the density of the age-restricted housing option in the OP-10/PRC-MLC office district should be reduced and age restricted housing should be permitted in that zone only as a noncontiguous cluster to preserve open space.

**CIRCULATION**

Traffic congestion continues to be a serious problem along the Route 9 corridor and is increasing in other areas of the Township. As the Township has grown, so has trip generation and traffic congestion. Both the County and the State have issued new plans and programs that affect circulation planning in Manalapan.

The Statewide long-range transportation plan, *Transportation Choices 2020*, was issued in 1995 as well as the *Statewide Bicycle and Pedestrian Master Plan*. In 1996 the State issued planning and design guidelines for pedestrian facilities and bicycle compatible roadways and bikeways. The State has initiated programs and funding to promote integrated multi-modal transportation systems to encourage the use of rail, bus, bicycle, and pedestrian systems. The objective is to control the traffic congestion and air pollution generated by the State's heavy dependence on automobile trips.

The County adopted a new road plan in 1996, which affects road classifications in Manalapan. The County also continues to seek a direct commuter rail link to western Monmouth County in order to relieve traffic congestion.

The circulation element of the Master Plan should be updated in light of the State and County planning efforts. The circulation element and the land use element should be coordinated as part of an overall traffic reduction

effort. To promote transit use and provide transit alternatives to Township residents, consideration should be given to providing direct bus service from Township commuter parking lots on Route 9 to the Matawan rail station where parking is limited.

***RECYCLING***

There have been no significant changes in the assumptions, policies, and objectives of the Master Plan related to recycling.

***UNIFORM SITE IMPROVEMENT STANDARDS ACT***

In 1993, the New Jersey Uniform Site Improvement Standard Act was signed into law. On June 3, 1997, detailed State standards to implement the Act went into effect. The Act requires that Manalapan follow the State standards for new residential development. The standards apply to municipal approvals of residential development for design and construction of specified improvements, including streets, roads, parking, sidewalks, drainage structures, and utilities. The Township regulations for any matter within the scope of the State regulations are deemed to be repealed and have no further force or effect. It is not required that the Township rewrite its code to reflect the State standards. New residential development is subject to the State standards. Nonresidential development, and certain types of mixed use development, will continue to be governed by Township standards.

***NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN***

The New Jersey State Planning Commission adopted the State Development/Redevelopment Plan in June 1992. An Executive Order of the Governor issued in 1994 directs all State agencies to utilize the State Plan as a coordinating document for the overall development of the State of New Jersey. The State Plan contains numerous general policies, as well as detailed mapping of policy areas. The plan is intended to be utilized to coordinate and guide State infrastructure investments, and to help administer the Mount Laurel doctrine for low- and moderate-income housing. The Township of Manalapan cooperated with the Monmouth County Planning Board during the cross acceptance process for the State Plan. In 1997, the State issued a revised State Plan for cross acceptance with Manalapan Township and Monmouth County. The State Plan map identifies northern Manalapan and the Route 33 Corridor as a Suburban Planning Area (PA-2). This designation is consistent with the Township and the County recommendations. The suburban planning area is expected to accommodate much of the future growth and development in Manalapan.

In two locations of the Township, the State Plan map is not consistent with the recommendations of the Township and the County. The first inconsistency is southwest of Englishtown Borough. The Township and

County recommend the delineation of this location as PA-4B, Rural/Environmentally Sensitive Planning Area. This recommendation is based upon the extensive areas of freshwater wetlands in this location, as well as active agricultural use. The State designated this location as PA-3, Fringe Planning Area. PA-3 is intended to buffer suburban areas from agricultural areas and absorb some development. The second inconsistency with Township recommendations is south of the Route 33 corridor. The Township and County recommends this area as PA-3, Fringe. The State, however, has delineated this location as PA-4B Rural/Environmentally Sensitive Planning Area. The Township, as part of the cross acceptance of the 1997 State Plan, requested that the policy area mapping be changed to reflect the Township recommendations.

### ***MONMOUTH COUNTY PLAN***

The plan adopted by the Monmouth County Planning Board is entitled *The Monmouth County Growth Management Guide*. This document was originally adopted in 1982 and was reviewed by the Township at the time of the 1991 Master Plan adoption and in preparation of the 1994 reexamination report. Subsequent to the 1994 reexamination, the County plan has been amended to include a new road plan and to revise the park, recreation, and open space plan.

## **4. RECOMMENDED CHANGES**

### ***MASTER PLAN***

As a result of this reexamination, the following specific changes are recommended to the Township Master Plan:

***Statement of Objectives and Policies.*** The Master Plan objectives should be supplemented to include open space conservation as a distinct planning objective. The policy objective for conservation should be revised to indicate that the Township will manage land use and development and pursue programs that conserve extended areas of the Township for open space and farm uses.

***Land Use Plan Element.*** The land use plan element should be revised to reduce density to conserve extended areas of open space along the Milford Brook, the Weamaconk Creek, McGellairds Brook, and Tepehemus Brook and along the historic route taken by the Continental Army to Monmouth Battlefield. Specifically, density should be reduced and the minimum lot areas should be increased as follows:

- ◆ A residential open space districts should be mapped to reduce the permitted density along Milford Brook, the Weamaconk Creek, McGellairds Brook, and Tepehemus Brook and in the Landmark

Corridor Overlay. The district should be based on a maximum density of 0.45 units per acre and a minimum residential lot size of 90,000 square feet. A cluster option for contiguous and noncontiguous tracts in the zone that reduces the lot size to 40,000 square feet for the cluster option would also be permitted. The maximum density for the cluster option would be 0.45 units per acre.

- ◆ The maximum permitted density for the age-restricted housing option in the OP-10/PRC-MLC office district should be reduced to 1.0 dwelling unit per acre and the development should be required to be developed as a noncontiguous cluster to preserve open space.

By reducing density in these areas, the Township will:

- ◆ Promote a desirable visual environment for the community by preserving an increased amount of open space and natural features.
- ◆ Help conserve the remaining woodlands, meadows, and stream corridors and other areas needed for wildlife conservation and biodiversity.
- ◆ Coordinate with State efforts to conserve the remaining open space and rural landscape along the landmark route taken by the Continental Army from Middlesex County, across Manalapan Township, and into Monmouth Battleground State Park.
- ◆ Preserve open space to buffer important landmarks including Battleground State Park and Old Tennent Church.
- ◆ Reduce soil erosion and sedimentation from construction activity.
- ◆ Reduce impervious surface coverage and stormwater runoff.
- ◆ Promote the conservation of farmland.
- ◆ Reduce future public infrastructure and service requirements.
- ◆ Reduce traffic generation.

**Assisted Living.** The land use element should be amended to permit assisted living facilities in the OP-10, OP-3, C-4, RT, and LB-W districts.

**Circulation Plan Element.** The circulation element should be updated to coordinate with the County road plan adopted in 1996, the Statewide transportation plan, and to take into account the provisions of the State Residential Site Improvement Standards as they relate to municipal circulation. The State standards provide that the highest order of street that may be required in a residential development is to be determined with consideration to the streets proposed for an area as contained in the municipal master plan. Bicycle paths and lanes may be required only if such paths and lanes have been specified as part of the master plan or official map.

As noted in the prior reexamination report, the circulation plan should clearly express the Township intent to interconnect those areas planned in the Route 33 corridor for major residential and commercial development.

**Recreation Plan Element and Conservation Plan Element.** The recreation and conservation elements should be updated taking to take into account the Environmental Commission mapping of freshwater wetlands and the locations of rare and endangered species habitats. The elements should also be updated to include the items and content prescribed by the State Green Acres Program as part of the State planning incentive acquisition project. With an updated plan, and with a dedicated municipal levy for open space projects, the Township could become eligible for State funding in the form of a 25% grant and 75% loan to acquire land for recreation and conservation purposes. The updated elements, which would be used to guide future Township recreation and open space projects, would provide an inventory of existing open space and recreation resources, analyze present and future needs, assess the lands having the most potential for meeting public needs for recreation and open space, establish goals, identify the actions needed to achieve the goals, and provide a map of the proposed open space and recreation system of the Township.

The Township should also initiate a program to seek conservation easements from property owners. Easements that are donated pursuant to such a program will permit property owners to deduct the value of the easement as a charitable tax deduction. Such a program will provide an incentive to property owners to grant easements that will preserve open space within the Township. *(Revised 4/22/99 to include recommendation for Township conservation easement program)*

**Master Plan Map.** The Township has recently compiled a new digitized lot line base map. Given the amendments made to the land use element in March 1998, the map corrections recommended in the 1994 reexamination, and the changes recommended in this reexamination, the Township should digitize and generate an updated Master Plan Map using the new digital map. This will allow the Township to prepare its plan mapping using state of the art computer technology.

**Statement of Plan Relationships.** The statement of plan relationships should be updated as to the current Monmouth County plan and the State Plan.

### **DEVELOPMENT REGULATIONS**

The Board proposes a number of changes to the Township development regulations. The recommendations are based upon the Board's experience with development review, the annual reports of the Board of Adjustment, and the experience of the zoning office in administering the regulations. The recommendations for density reductions to conserve open space are included as a draft ordinance in the Appendix to this report.

As a result of this reexamination report, the following changes are recommended to the Township Development Regulations:

**Rezoning for Open Space Conservation.** The residential zoning districts, boundaries, and classifications should be revised as indicated in the proposed development regulations included in the appendix to this report. To conserve open space, the revisions establish an R-90/40 zone district that reduces residential density to a maximum of 0.45 dwelling units per acre on undeveloped lands of the Weamaconk Creek, the Milford Brook, McGellairds Brook and the Tepehemus Brook and along the historic route taken by the Continental Army to Monmouth Battleground. The area of this new zone is 927 acres. The changes also permit noncontiguous clustering in the R-90/40 district. The maximum permitted density for the age-restricted housing option in the OP-10/PRC-MLC office district is reduced to 1.0 dwelling unit per acre and the development is required to be developed as a noncontiguous cluster to preserve open space.

**Use Provisions for Planned Office Parks.** The use provisions for planned office parks and planned office-industrial parks in the SED-20 and SED-20/W districts should be clarified to specify that the uses permitted in these zones include professional offices and business offices.

**Consent Districts.** The area, yard, and requirements applicable to the single family dwellings in the Consent District at Knob Hill should be codified as part of the zoning regulations.

**Zoning Standards Applicable to Bright Meadows and Gramercy Park Residential Development.** Two single-family residential developments within the RR-Rural Residential zone of the Township were approved and developed according to R-40 standards. These developments were approved prior to the 1994 zoning change that established the RR district north of Lamb Lane and Sweetmans Lane. As a result, many of the lots in these

developments are non-conforming. Consideration should be given to recognizing that these developments adhere to R-40 standards by zoning them accordingly. This will relieve to the homeowners from the need to apply for variances from RR standards to expand or alter their dwellings.

***Removal of the R-40/30 Classification From the Schedule of Area, Yard, and Building Requirements.*** The schedule of area, yard, and building requirements contains line items for a R40/30 zone district and a R40/30 cluster option. These are redundant zone classifications from previous Township zonings. They should be deleted from the schedule since there is no area within the Township currently zoned or planned as R40/30.

***Community Residences for the Developmentally Disabled.*** The development regulations should be revised to permit community residences for the developmentally disabled, community shelters for victims of domestic violence, community residences for the terminally ill, and community residences for persons with head injuries consistent with the requirements of N.J.S.A. 40:55D-66.1. In 1998, the State amended this section of the Land Use Law to require that Township permit such uses in all residential districts and that the requirements for these uses would be the same as for single-family dwelling units located within such districts.

***Setbacks for Reverse Frontage Lots.*** The development regulations require that on reverse frontage lots, the yard setbacks be measured from the buffer strip limit. The required buffer strip is fifty (50) feet wide. The requirement that the building setback be measured from the buffer strip limit has prevented some residential dwellings from adding decks to residential dwellings. The regulation should be modified to permit the extension of decks and/or porches into the space between the buffer strip limit and the rear yard area of the house.

***Subdivision Design Guideline.*** The design guidelines of the regulation should include a provision to encourage good platting practices by requiring that, in so far as is practical, side lot lines shall be straight and at right angles to straight streets and radial to curved streets.

***Setback for Farm Fencing/Corrals.*** The regulations currently require that no fence higher than three feet be placed within the first 25 feet of a front yard setback. On farms and in rural areas of the Township, where enclosures are required for horses and other livestock, the fence height typically needed is four feet. To recognize the needs of these uses, the fence regulation should be modified to permit a fence height of four feet within the first 25 feet of a setback where such fencing is needed for enclosure areas of pasture or corrals for livestock.



**Stream Corridor Setback.** The requirements for stream corridor setbacks should be clarified to provide that the setback is applicable to ponds, lakes, and other surface water bodies, as well as streams.

**Definition of Improvable Area.** The definition of improvable area should be clarified to specify that the improvable area must be located outside the required setbacks for floodways and stream corridors.

**Barn Height and Setback.** The regulations should be revised to provide specific standards for the setback and placement of barns.

**Sale of Food and Merchandise from Vehicles.** The regulations should be revised to specifically limit the stationary locations from which the Township will permit the outdoor sale of merchandise from vehicles.

**Sidewalk Contribution Fund.** The Planning Board from time to time must consider developer requests to waive requirements for the installation of sidewalk. The Township regulations should be amended to link the grant of such waiver requests to a developer contribution to an off-tract sidewalk fund to be used to construct a comparable length of sidewalk in other locations of the Township as needed.

**Street Side Setbacks.** The residential schedule of area yard and building requirements includes a standard for street side setbacks for principal and accessory structures. The standard is redundant since the ordinance requires that yards along a street must meet the front yard requirements. In the case of the R-AG zone, the street side setback is specified at 35 feet and conflicts with the front yard requirement of 100 feet for the zone. These redundancies and conflicts in the schedule should be eliminated.

**Long Fence Runs.** The construction of long privacy fences on streets should be subject to a landscaping requirement to enhance the visual environment of the Township. The requirement should apply to fence runs in excess of 100 feet along streets. Plantings of shrubs or trees should be required at a minimum spacing of twenty (20) feet unless the fence qualifies as an open fence, such as a rail fence, where at least two-thirds (2/3) of the area between the grade level and the top cross member is open.

**Dental Laboratories.** Dental laboratories for the preparation of dentures and other products required by a professional dentist should be included as a permitted use in the professional office zones.

**Buffers to Public Parks and Recreation Areas.** The development regulations should be amended to include appropriate standards to buffer public park and recreation areas in Manalapan from development impacts. *(Revised 4/22/99 to include recommendation for buffers to public parks and recreation areas).*

**Municipal Land Use Law Amendments.** The development regulations should be amended to be consistent with the changes enacted to the Municipal Land Use Law through 1998. Changes to the law that affect the Township regulations include the definitions of *municipal resident, off-site, off-tract, on-site, on-tract*; provisions related to Planning Board and Zoning Board membership; meeting participation by alternate board members; and public notice requirements

## **5. RECOMMENDATIONS CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS**

There are no locations at this time for which the Planning Board recommends incorporation of an adopted redevelopment plan nor is there is need at this time for any Master Plan or regulatory revision to effectuate a redevelopment plan.

**APPENDIX**

**Proposed Amendment to the Manalapan Township Development Regulations**

**MAPS**

*Draft Open Space Map*

*Environmental Factors Mapping –Wetlands, Floodplain, and Steep Slopes*

Draft: April 16, 1999

TOWNSHIP OF MANALAPAN  
COUNTY OF MONMOUTH

AN ORDINANCE OF THE TOWNSHIP OF MANALAPAN TO PRESERVE OPEN SPACE BY AMENDING THE TOWNSHIP DEVELOPMENT REGULATIONS TO REDUCE DENSITY BY ESTABLISHING THE R-90/40 ZONE DISTRICT TO PERMIT THE DEVELOPMENT OF SINGLE FAMILY DETACHED HOUSING AS CONTIGUOUS OR NONCONTIGUOUS RESIDENTIAL CLUSTERS AND TO FURTHER REVISE THE OP-10/PRC-MLC ZONE TO REQUIRE THE DEVELOPMENT OF AGE RESTRICTED HOUSING AS A NONCONTIGUOUS RESIDENTIAL CLUSTER

BE IT ORDAINED by the Township Committee of the Township of Manalapan, County of Monmouth, and State of New Jersey that Chapter 130, Development Regulations, of the code of the Township of Manalapan is hereby amended or supplemented as follows (new text is underlined; text to be deleted is ~~struck through~~).

PURPOSE

The purpose of this ordinance is to reduce the permitted density and preserve open space along Milford Brook, the Weamaconk Creek, McGellairds Brook, and Tepehemus Brook and around historic sites related to the Battle of Monmouth, including Old Tennent Church. The ordinance establishes the R-90/40 single family zone district in which the maximum permitted density for conventional development will be 0.45 dwelling units per acre. Single family residential development in the zone will also be permitted as a contiguous or noncontiguous cluster at a maximum density of 0.45 dwelling units per acre. This ordinance further amends the planned development option for age restricted housing in the OP-10/PRC-MLC zone along the Weamaconk Creek to reduce density to a maximum of 1.0 dwelling units per acre and require that such development be constructed as a noncontiguous residential cluster to preserve open space.

By reducing density, the Township will:

- Promote a desirable visual environment within the community by preserving open space and natural features.
- Conserve woodlands and meadows needed for wildlife conservation and biodiversity along stream corridors.
- Preserve open space to buffer important historic landmarks including Old Tennent Church, Battleground State Park, and the historic route taken by the Continental Army through Manalapan Township to the Monmouth Battlefield.
- Reduce soil erosion and sedimentation from construction activity.
- Reduce impervious surface coverage and stormwater runoff.
- Promote the conservation of farmland.
- Reduce future traffic generation.

I

**Definitions**, is hereby amended to include the following definitions:

NONCONTIGUOUS RESIDENTIAL CLUSTER - Development based on an overall density for two or more noncontiguous tracts of land with the dwelling units located so that higher densities result on one or more of the tracts (the receiving tract), with open space and/or farmland preserved on the remaining tract or tracts of land (the sending tract). (See also Residential Cluster).

RESIDENTIAL CLUSTER shall mean an area to be developed as a single entity according to a plan containing residential housing units which have a common or public open space as an appurtenance.

II

130-5.4 d., Single-Family Detached Residential Cluster Development in the R-40/20 District, is revised to read as follows

d. Single-Family Detached Residential Cluster Development ~~in the R-40/20 District.~~

1. R-40/20 District. A single-family residential cluster shall be permitted in the R-40/20 District subject to the following standards and regulations:

(a) No change

(b) No change.

(c) No change.

(d) No change.

2. R-90/40 District. A contiguous or a noncontiguous residential cluster of single-family detached housing shall be permitted in the R-90/40 District subject to the following standards and regulations:

(a) The development plan shall identify the residential cluster development area. The development area shall be in the R-90/40 zone and shall consist of one or more existing or proposed tracts for the dedication of open space or farmland use and for the construction of single family detached housing.

(b) The density of development based upon the total area of the tracts in the development area shall not exceed 0.45 dwelling unit per gross acre.

(c) The minimum total development area shall be fifty acres.

(d) A minimum of fifty percent (50%) of the development area shall be dedicated as open space and /or farmland use.

(e) The Township of Manalapan may accept dedication of any open space area to be provided as part of the development. In the event that the developer does not dedicate the open space to the Township or the Township declines acceptance of the open space, then the developer shall establish an organization meeting the applicable requirements of N.J.S.A. 40:55D-43 for the ownership and maintenance of the open space.

(f) One or more existing or proposed tracts in the R-90/40 district shall be designated by the development for the purpose of open space and/or farmland preservation.

- (g) An open space or farmland tract shall have a minimum area of fifteen (15) contiguous acres and a minimum frontage of two hundred (200) feet. No portion of an open space or farmland tract proposed for preservation as part of the cluster development shall be encumbered by any existing conservation easement or farmland preservation easement which has already preserved the site.
- (h) A minimum of sixty-five per cent (65%) of the total area of any open space or farmland tract shall be unencumbered by wetlands, existing easements for utilities or drainage, rights-of-way, floodplains, or surface waters.
- (i) No more than five per cent (5%) of the area of the open space or farmland tract shall be covered by structures of any type. The tract shall be suitable for enjoyment and use as open space and/or farm use and the approving authority may undertake, at the applicant's expense, a Phase I and, if deemed necessary, a Phase II environmental report of the sending tract. The approving authority may withhold approval of any unsuitable tract.
- (j) The application for development shall identify the existing and proposed ownership of the open space and/or farmland tract. An open space and or farmland tract may remain in or be conveyed to the ownership of entities other than the applicant as long as those tracts will remain in farmland or open space use, and the owners of the tracts have entered into agreements with the applicant that, as a condition of approval of the residential cluster, that agricultural or open space easements will be executed and recorded with respect to all such tracts, which agreements shall be submitted as part of the application for development.
- (k) All areas to be preserved as open space and/or farmland shall be clearly identified on the plans submitted for approval. The existing and planned use of the open space and/or farmland shall be indicated on the plans and shall conform with the following:

Areas designated for open space that are now woodlands shall remain woodlands.

Areas designated for open space that are used for farming shall, to the extent possible, continue to be used for agricultural purposes.

- (l) One or more existing or proposed tracts shall be designated by the development for the purpose of constructing single family detached residential dwellings in the R-90/40 zone.
- (m) Any tract designated for housing construction shall have a minimum area of twenty (20) contiguous acres.
- (n) The housing tract shall be serviced by public water supply and sanitary sewer facilities.
- (o) The density of the housing tract shall not exceed one (1.0) dwelling unit per gross acre  
The residential lots on the housing tract shall meet the standards of the R-40 zone district as set forth in the Schedule of Area, Yard, and Building Requirements, Exhibit 5-1, Residential Districts.

### III

The Official Zoning Map of the Township of Manalapan, which has been digitized and redrawn electronically and dated April 12, 1999, is hereby readopted and revised to establish the R-90/40 Single Family zone district.

### IV

The Schedule of Area, Yard, and Building Requirements, Exhibit 5-1, Residential Districts, is hereby revised to include the requirements for the R-90/40 Single Family zone district.

### V

The Schedule of Permitted Uses, Exhibit 5-3, Residential Districts, is hereby revised to specify the permitted uses, conditional uses, and accessory uses of the R-90/40 Single Family zone district.



VI

130-5.4 (h) OP-10 Planned Retirement Community – Mount Laurel Contribution Zone District. In the OP-10 PRC-MLC Zone District, single family detached residential cluster development shall be permitted as a noncontiguous residential cluster in a Planned Retirement Community (PRC), consisting of single family detached age restricted adult housing units and community amenities as provided for herein, subject to the following standards and requirements.

(1) General Tract Requirements.

~~The minimum tract area of a planned retirement community shall be fifty (50) acres.~~

~~The development shall be serviced by public water supply and public sanitary sewer facilities.~~

~~The density of development in the PRC zone district shall not exceed 2.3 units per gross acre.~~

~~Not more than twenty (20%) of the entire tract shall be covered by buildings.~~

~~Not more than forty (40%) of the entire tract shall be covered by impervious surface.~~

The development plan shall identify one or more existing or proposed sending tracts for open space and/or farmland preservation and a receiving tract for the construction of age restricted housing and community amenities.

The density of development based upon the total area of the sending tracts and the receiving tract shall not exceed 1.0 dwelling unit per gross acre.

The minimum total area of the sending tract and the receiving tract shall be one hundred twenty (120) acres. All minimum area requirements shall be met within Manalapan Township.

A minimum of sixty-five percent (65%) of the combined area of the sending and receiving tracts shall be dedicated as open space and/ or farmland.

The Township of Manalapan may accept dedication of any open space area to be provided as part of the development. In the event that the developer does not dedicate the open space to the Township or the Township declines acceptance of the open space, then the developer shall establish an organization meeting the applicable requirements of N.J.S.A. 40:55D-43 for the ownership and maintenance of the open space.

(2) Sending Tract Requirements

One or more existing or proposed sending tracts shall be designated by the development for the purpose of open space and/or farmland preservation. The sending tract(s) shall be located in the R-AG, RR, R-90/40, R-40/20, or LB-T zone districts, except that no sending tract shall be within the Airport Safety Overlay Zone.

A sending tract shall have a minimum area of twenty (20) contiguous acres and a minimum frontage of two hundred (200) feet. No portion of a sending tract shall be encumbered by any existing conservation easement or farmland preservation easement which has already preserved the site.

A minimum of sixty-five per cent (65%) of the total area of any sending tract shall be unencumbered by wetlands, existing easements for utilities or drainage, rights-of-way, floodplains, or surface waters.

No more than five per cent (5%) of the area of the open space or farmland tract shall be covered by structures of any type. The tract shall be suitable for enjoyment and use as open space and/or farm use and the approving authority may undertake, at the applicant's expense, a Phase I and, if deemed necessary, a Phase II environmental report of the sending tract. The approving authority may withhold approval of any unsuitable tract.

The application for development shall identify the existing and proposed ownership of the sending tract. A sending tract may remain in or be conveyed to the ownership of entities other than the applicant as long as those tracts will remain in agricultural or open space use, and the owners of the tracts have entered into agreements with the applicant that, as a condition of approval of the noncontiguous residential cluster, that agricultural or open space easements will be executed and recorded with respect

to all such tracts, which agreements shall be submitted as part of the application for development.

All areas to be preserved as sending tracts shall be clearly identified on the plans submitted for approval. The existing and planned use of the open space shall be indicated on the plans and shall conform with the following:

Areas designated for open space that are now woodlands shall remain woodlands.

Areas designated for open space that are used for farming shall, to the extent possible, continue to be used for agricultural purposes.

### (3) Receiving Tract Standards

A receiving tract shall be designated by the development for the purpose of locating age restricted residential dwellings in the OP-10/PRC-MLC Zone. The receiving tract and all additional residential development and related support uses shall be located in the OP-10/PRC-MLC Zone.

The receiving tract shall have a minimum area of fifty (50) contiguous acres.

The receiving tract shall be serviced by public water supply and sanitary sewer facilities.

The dwellings shall be constructed only on the receiving tract of the OP-10/PRC-MLC Zone.

The density of the receiving tract shall not exceed 2.3 dwelling units per gross acre

Where wetlands, wetland transition areas, or a floodplain are located on a receiving tract, then all the receiving tract wetlands transition areas, and floodplains shall be conserved on a separate open space lot.

Not less than thirty (30) percent of the gross area of a receiving tract shall be common open space devoted to landscaped and natural vegetation and such facilities which are incidental to the designated common open space areas in accordance with N.J.S.A. 40:55D-39c. (3).

Not more than twenty (20%) of the entire receiving tract shall be covered by buildings.

Not more than forty (40%) of the entire receiving tract shall be covered by impervious surface.

~~(2)~~(4) Recreation and Common Elements. Within the receiving tract, a PRC shall provide developed and undeveloped common open space and common recreational or community facilities for the exclusive use of its residents, in accordance with the following standards:

- (A) Not less than thirty (30) percent of the gross tract area of the receiving tract shall be devoted to common open space, and such common open space shall be restricted, owned, and maintained in accordance with subsections 130-8.9 e., f. g., h., and i. of this Chapter, except as modified by this subsection. All critical areas on the site, including wetlands, floodplains, and the like, shall be encompassed within the common open space provided.
  
- (B) There shall be not less than fifteen (15) square feet of floor space per dwelling unit provided in a community or clubhouse building, which building shall have a minimum floor area of at least 3,000 square feet. Such facility shall be designed and equipped to meet the social and recreational needs of the anticipated residents. This may include hobby and craft rooms, lounge areas, meeting rooms, card rooms, rooms providing support facilities for outdoor recreation facilities or other similar facilities, as required to meet the needs of persons 55 years of age and older.
  
- (C) Within the common open space, facilities shall be included for outdoor recreational use. These facilities shall include, as a minimum, a tennis court and an inground swimming pool and their related improvements and may also include, but not by way of limitation, shuffleboard, bocce, and horseshoe courts, other racquet sports courts, chipping and putting greens, and other appropriate facilities.

~~(3)~~(5) Building Requirements. Only age restricted single family detached dwellings shall be permitted on the receiving tract and all residential lots shall conform to the following schedule:

Minimum lot area: six thousand (6,000) square feet.

Minimum lot frontage: fifty (50) feet; except that on a cul-de-sac or street with a curved alignment having an outside radius of five hundred (500) feet or less, lot frontage shall not be less than seventy five (75%) of the required lot frontage.

Minimum lot depth: one hundred twenty (120) feet.

Minimum lot width: fifty-five (55) feet at the front building setback line.

Minimum front setback line: twenty-five (25) feet.

Minimum side yard: five (5) feet one side; fifteen (15) feet total for both sides. The five (5) feet requirement shall apply to driveways, except that on a cul-de-sac or street with a curved alignment, the side yard setback for the driveway may be reduced to two (2) feet at the front lot line.

Minimum rear yard: twenty (20) feet.

Maximum building height: thirty-five (35) feet and two and one half (2 ½) stories.

Maximum impervious coverage: sixty (60%) percent.

Accessory building: same as principal building except rear yard setback: ten (10) feet.

Minimum building size: thirteen hundred (1300) square feet of habitable floor area, with a minimum of an attached one (1) car garage.

(4) (6) Perimeter Setback Requirements on the Receiving Tract: On the receiving tract, no buildings or structures, other than access drives, walkways, entrance gatehouses, walls, fences, or drainage/utility structures, shall be located within forty (40) feet of any exterior tract boundary, and the other twenty-five (25) feet of the perimeter setback shall be designated as a landscape/conservation easement. The perimeter setback shall be increased to seventy-five (75) feet where the exterior tract boundary abuts a collector road, and the outer fifty (50) feet of the perimeter setback shall be designated as a landscape/conservation easement.

(5) (7) Deed Restrictions: Approval of a planned retirement community shall be conditioned upon the placement of restrictive covenants on the deeds to any and all portions of the tract so developed to insure that the age restricted units qualify as "55 or Over Housing" within the meaning of the Federal Fair Housing Act and prohibiting the conversion of garage space to living space. The age restrictive covenants shall be subject to review by the Township Attorney.

~~(6) (8) Affordable Housing Contribution: The development fee to be paid in accordance with Section 130-14.1, et seq. for a planned retirement community in the OP-10/PRC-MLC zone district shall be one half of one percent (.5%) of the equalized assessed value or \$2,000.00 per approved unit, whichever is greater. The developer shall enter into an agreement with the Township in accordance with Section 130-14.3.a.3 for the payment of a voluntary housing fee in recognition of the incentive provided by the zone in allowing development of a planned retirement community.~~

VII

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

VIII

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

IX

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance.

X

All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

XI

This ordinance shall take effect immediately upon final passage and publication according to law and filing with the Monmouth County Planning Board.

**Manalapan Township**  
**Amendment to the Schedule of Permitted Uses**  
**Exhibit 5-3 Residential Districts**  
(Subsection 130-5.1)

P- Permitted Use  
C-Conditional Use  
A-Accessory Use

Types of Use	R – 90/40
RESIDENTIAL	
Single Family Detached Dwellings	P
Two Family Detached Dwellings	
Townhouse Dwellings	
Planned Retirement Community	
Planned Residential Development	
Nursing Home	
Community Residences for the Developmentally Disabled Pursuant to N.J.S.A. 40:55D-66.1	P
Golf Course Residential Community	
Single Family Detached Residential Clusters	P
RETAIL/SERVICE/OFFICE	
Professional Offices	
Business Offices	
Private Swim Clubs	C
Funeral Homes	
EDUCATIONAL	
Elementary & Secondary Schools	C

- Notes:
- (1) Horses, horse shelters and exercise areas are permitted on lots of at least 80,000 square feet, provided that no more than one (1) horse per 40,000 square feet of lot area on lots of twenty (20) acres or smaller shall be permitted.  
  
Any horse shelter shall be set back at least fifty (50) feet from any lot line.  
A fence, four feet in height, shall be provided around all areas used for keeping horses.
  - (2) All animal shelters for domestic pets shall be set back at least thirty (30) feet from any lot line.
  - (3) Off-Street Parking is a required accessory use in all zone districts for all permitted uses. See Subsection 130-9.2b. for the applicable standards.

**Manalapan Township**  
**Amendment to the Schedule of Permitted Uses**  
**Exhibit 5-3 Residential Districts**  
(Subsection 130-5.1)

P- Permitted Use  
C-Conditional Use  
A-Accessory Use

Types of Use	R-90/40
<b>PUBLIC/QUASI-PUBLIC</b>	
Municipal Facilities operated by Manalapan Township, Volunteer Fire House, First Aid Station	P
Township Parks, Playground and Swimming Areas	P
Places of Worship	C
Public Utilities/Local Utilities	
<b>AGRICULTURAL</b>	
Farms	P
Horses, Horse Shelters and Exercise Areas (1)	A
<b>OTHER</b>	
Essential Services	A
Private Garages (See Section 7.25)	A
Signs (See Section 8.7 of this Chapter)	A
Fences and Walls	A
Private Swimming Pools	A
Toolsheds and Storage Buildings (Maximum Size 12'x18'x10', Except on farms)	A
Animal Shelters for Domestic Pets (Maximum Size 10 square Feet, except on farms [2]).	A
Private Parks and Playgrounds	C
Off-Street Parking (3)	A
Clubhouse and Uses Related to Golf Course	
Banquet Facilities	
Recreational Facilities & Maintenance Buildings	
Commuter Parking	
Private Tennis Courts (Accessory see Section 7.46, Conditional See Section 6.2)	A
Residential Sports Courts (See Section 7.47)	A



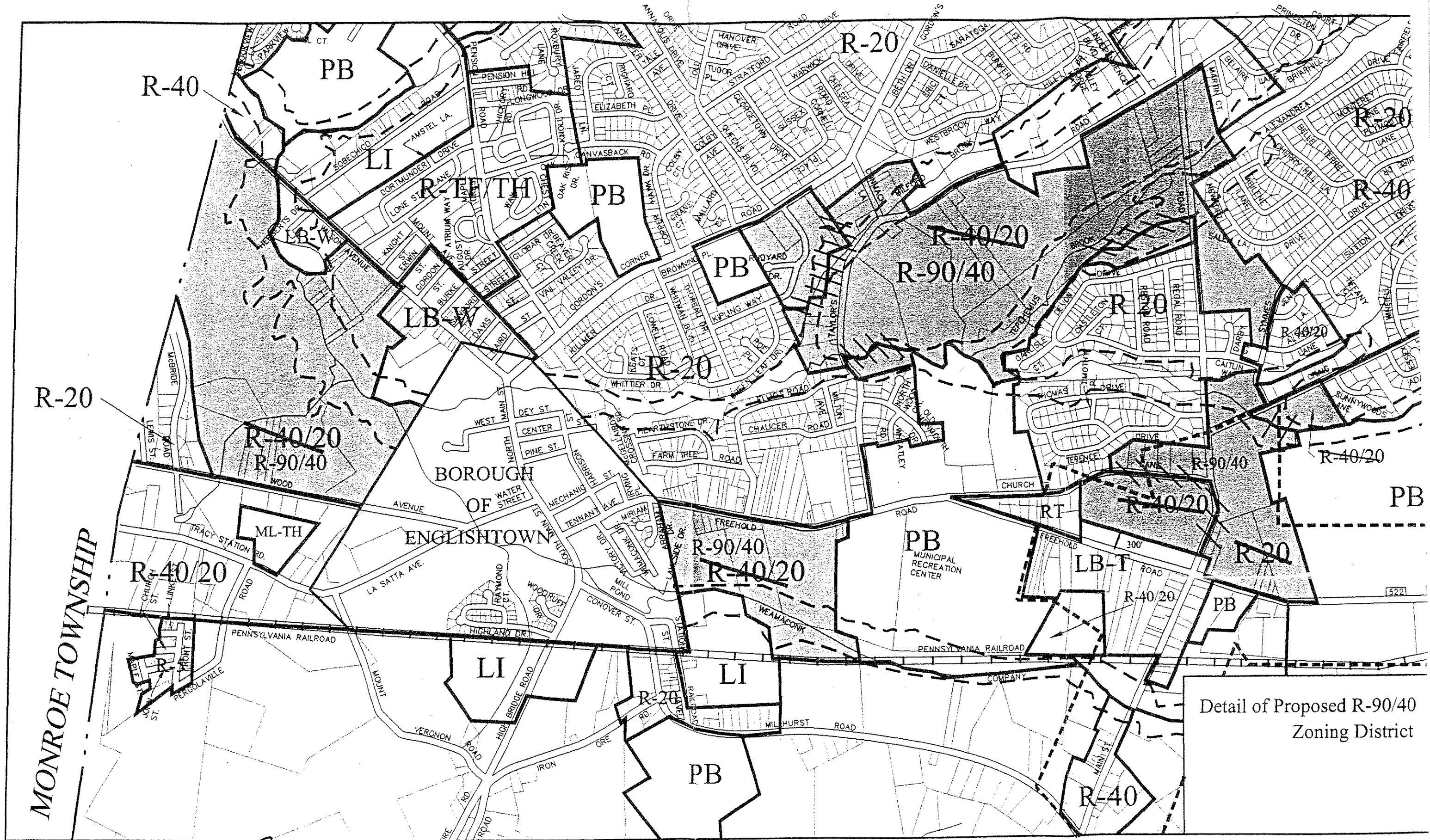
**Manalapan Township**  
**Amendment to the Schedule of Area, Yard and Building Requirements**  
**Exhibit 5-1 Residential Districts**  
(Subsection 130-5.1)

Zone District	Minimum Lot Requirements					Minimum Yard Requirements								Maximum Building Coverage	Maximum Height		Maximum Stories/ Principal Building	Minimum Gross Habitable Floor Area per Dwelling			Maximum Habitable Floor Area Ratio (2)	Improvable Area (10) (14)			
	Area	Interior Lots		Corner Lots		Principal Building Or Structures				Detached Accessory Buildings or Structures (9)					(In Feet)	(In Feet)		(Total Square Feet)	Minimum Area			Minimum Diameter			
		(In Feet)	(In Feet)	(In Feet)		(In Feet)				(In Feet)									(Square Feet)	(In Feet)					
	(Acres or Sq. Ft.)	Front-Age and Width (4)	Lot Depth (4)	Front-Age and Width	Lot Depth	Front	Interior Side	Street Side	Rear	Front	Interior Side	Street Side	Rear		Percentage	Principal Building		Accessory Building	1-Story Building	1 ½ Story Building		2-Story Building	Interior Lot	Corner Lot	Interior Lot
1 R-90	90,000	200	250	220	250	60(1)	35	60	50	60	30	60	10	9.5	35	15	2 ½	1500	1800	2000	.095	11,000	11,000	70	70
2 R-90/40	R-90 standards for conventional development. R-40 standards and section 130-5.4 for cluster development.																								
3 R-40	40,000	200	180	220	220	60(1)	35	60	50	60	30	60	10	9.5	35	15	2 ½	1500	1800	2000	.095	11,000	11,000	70	70

Notes:

- (1) Seventy-five (75) feet where the property fronts on an existing or proposed state or county road or on a collector or subcollector street identified in the Township Master Plan.
- (2) See the definition of habitable floor area ratio for the method of calculation.
- (3) Maximum 60% lot coverage by buildings and pavement combined.
- (4) In the case of lots fronting on the turnaround of a cul-de-sac street or fronting on any other curved street with an alignment whose outside radius is less than five hundred (500) feet, the lot frontage only, as distinguished from lot width, may be equal to no less than 70% of the lot frontage as set forth above, provided that no lot shall have a frontage of less than 75 feet except in the R-5 district where no lot shall have a frontage less than fifty (50) feet, and in the R-4 zone where no lot will have a frontage less than forty (40) feet. Where frontage is so permitted to be reduced, the lot width at the building setback line shall not be less than the required minimum lot frontage.
- (5) See Section 130-6 for RR and R-AG cluster standards.
- (6) See Section 130-5 for R-20 variable lot size.
- (7) Reserved.
- (8) These standards apply to two-family dwellings. Townhouse development in the R-TF/TH district shall adhere to the following:
  - a. Density shall not exceed five (5) units per gross acre or seven (7) units per acre exclusive of areas of special flood hazard, wetlands, or public street right-of-way.
  - b. The minimum tract area for a townhouse development shall be fifteen (15) acres.
  - c. Common open space shall be provided in accordance with the open space design requirements of Section 130-8 of this Chapter.
  - d. The minimum setback around the townhouse tract boundaries shall be fifty (50) feet. Townhouse building spacing and design shall conform to Section 130-8 of this Chapter for attached residential design.
- (9) See Section 130-7 for setback standards for specific accessory structures such as signs, patios, driveways, and fences.
- (10) See subsection 130-7.40.
- (11) Corner Lots: Minimum thirty thousand (30,000) square feet.
- (12) On corner lots, the setback from the street to the side elevation of the house may be reduced to ninety (90) feet. The minimum setback from the front lot line shall be maintained at one hundred (100) feet.
- (13) Fifty (50) feet where the property fronts on a major road.
- (14) In the R-5 district, up to two thousand (2,000) square feet of the minimum required improvable area may be located in a required yard. In the R-4 district, up to twenty-two hundred (2,200) square feet of the minimum required improvable area may be located in a required yard. In the R-TF/TH district, up to fifteen hundred (1,500) square feet of the minimum required improvable area may be located in a required yard.
- (15) In the R-4 district, the following standards apply to fences, sheds and swimming pools:
  - a. Private swimming pools may be located within five (5) feet of a side or rear property line.
  - b. Sheds or storage buildings shall not exceed one hundred (100) square feet in area or ten (10) feet in height and shall be located in the rear yard area only.
  - c. Fences shall not be permitted in the front yard area. Fence height shall not exceed four (4) feet except at the boundary of the zone district where a fence height of six (6) feet is permitted provided that the zone boundary is not along a public road.





Detail of Proposed R-90/40  
Zoning District

MONROE TOWNSHIP

R-40

PB

R-20

LI

R-TH

PB

R-40/20

R-90/40

PB

LB-W

R-20

R-20

R-40/20

R-90/40

BOROUGH OF ENGLISHTOWN

R-90/40

R-40/20

PB MUNICIPAL RECREATION CENTER

RT

R-40/20

R-40/20

ML-TH

R-20

LB-T

PB

LI

LI

R-20

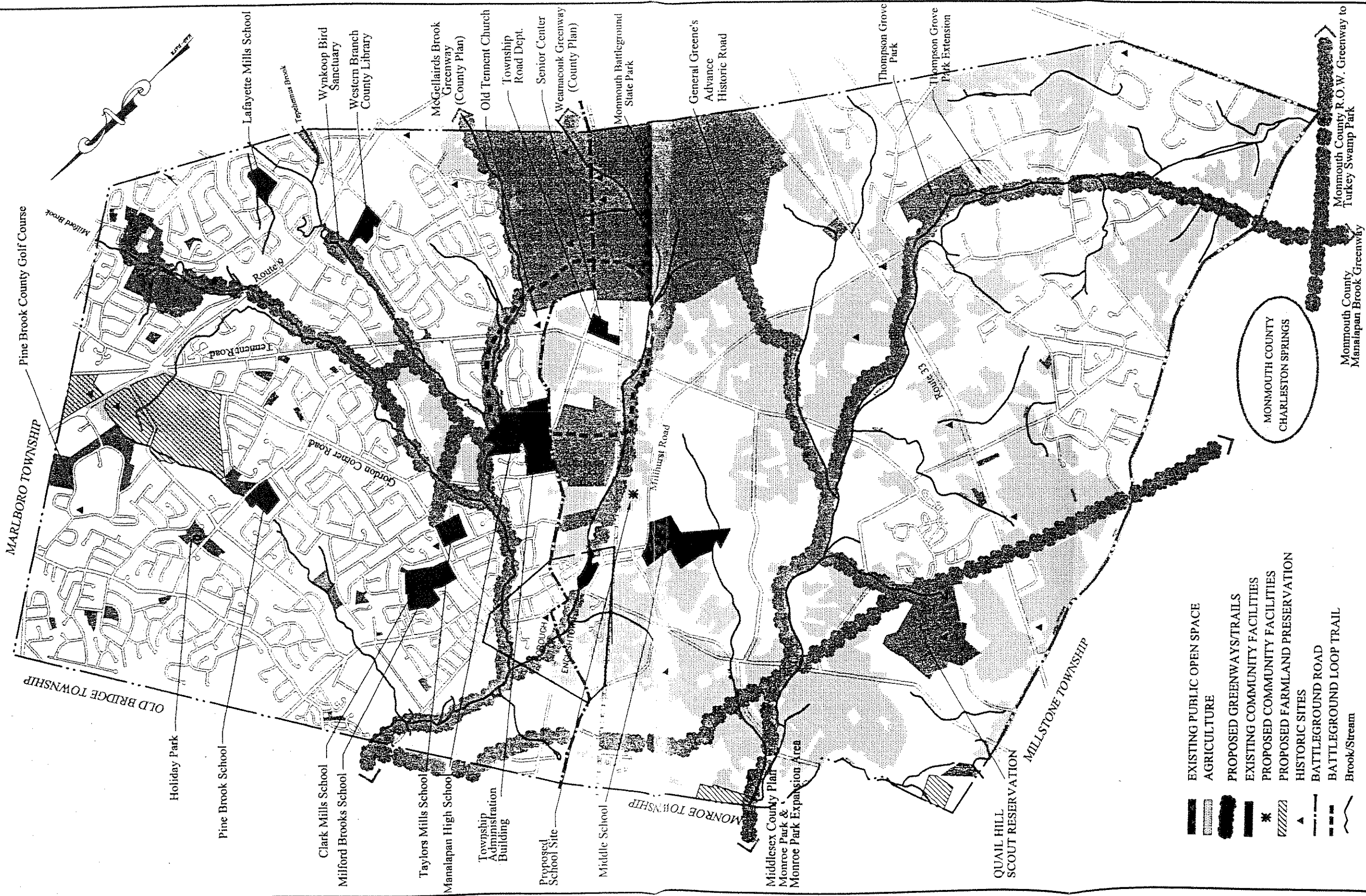
PB

R-40

PB

522

**- DRAFT -**  
**MANALAPAN TOWNSHIP**  
 Monmouth County, New Jersey



- EXISTING PUBLIC OPEN SPACE
- AGRICULTURE
- PROPOSED GREENWAYS/TRAILS
- EXISTING COMMUNITY FACILITIES
- PROPOSED COMMUNITY FACILITIES
- PROPOSED FARMLAND PRESERVATION
- HISTORIC SITES
- BATTLEGROUND ROAD
- BATTLEGROUND LOOP TRAIL
- Brook/Stream

Sources: Monmouth County Open Space Plan, Middlesex County Open Space Plan, Monmouth County Planning Board Manalapan Township Master Plan, Monmouth County Historic Sites Inventory, NJDEP GIS Resource Data, Manalapan Township Recreation and Open Space Inventory.



Prepared: December 29, 1998  
 Revised: March 5, 1999






# MANALAPAN TOWNSHIP

Monmouth County, New Jersey



## ENVIRONMENTAL FACTORS

-  Wetlands
-  Floodplain
-  Slopes (10 % or greater)

December 29, 1998