

# MASTER PLAN REEXAMINATION REPORT

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TOWNSHIP OF MANALAPAN  
MONMOUTH COUNTY, NEW JERSEY

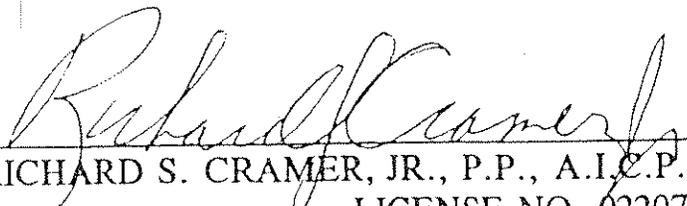
PREPARED FOR  
MANALAPAN TOWNSHIP PLANNING BOARD

BY

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JUNE 23, 1994

  
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## TOWNSHIP OF MANALAPAN MASTER PLAN REEXAMINATION 1994

### 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 plans of the municipality.*

## **I. 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 1988. The Board reviewed the master plan as adopted in 1979 and nine subsequent amendments. The Board noted that the Township had continuously amended the master plan and development regulations to address specific issues or locations. However, there was a need for a comprehensive update of the master plan. Consequently, the Board recommended a complete update of the master plan land use, housing, circulation and open space elements.

### **GENERAL OBJECTIVES**

The general objectives of the master plan in 1988 were:

- *Secure safety from fire, flood, panic and other natural and man-made disasters;*



- *Provide adequate light, air and open space;*
- *Provide for orderly growth through the nature and extent of the use of land for trade, industry, residence, open space, public, semi-public or other purposes;*
- *Avoid a conflict with the development and general welfare of neighboring municipalities, the county and the State;*
- *Establish appropriate population densities and concentrations contributing to the well-being of persons, neighborhoods, communities and regions and the preservation of the environment;*
- *Provide sufficient space for agricultural, residential, recreational, commercial, industrial and public uses and open spaces;*
- *Encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging the location of such facilities and routes which result in congestion or blight;*
- *Promote a desirable visual environment;*
- *Promote the conservation of open space and valuable natural resources and prevent urban sprawl and degradation of the environment through improper use of land;*

- *And encourage coordination of various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land.*

### PROBLEMS

The major problems identified in the 1988 Reexamination were:

- *Development regulations which did not adequately address environmental sensitive nature of substantial portions of remaining undeveloped land in the community.*
- *Development regulations which permitted intensity of development adverse and inconsistent with stated objectives of the master plan.*
- *Cumulative impacts of sustained residential, commercial and industrial development within the community resulting in traffic congestion, increased demand for open space facilities, increased school enrollment, increased demand for general public services.*
- *Inadequate water supply to serve existing and future development;*
- *Inadequate sewage treatment capacity;*
- *Fiscal constraints precluding long documented need for stormwater management facility construction, particularly within the Pine Brook basin area;*
- *Conflict of Township and County land use policy particularly along Route 33;*

- *Consent order fair share housing obligation and its short and long-term impacts upon adjacent land use.*

## 2. THE EXTENT TO WHICH PROBLEMS OR OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO 1988

In May 1991, the Planning Board adopted a new master plan and updated objectives for the Township. This addressed the need for a comprehensive update of the master plan identified in the 1988 reexamination. The extent to which other problems or objectives have been reduced or have increased is reviewed below:

- *Environmentally Sensitive Lands - The Township enacted an amended critical areas ordinance in 1989 to protect environmentally sensitive lands. The ordinance was challenged, litigated, and ruled invalid. Revised development regulations for environmentally sensitive land have been drafted but have not yet been adopted.*

*Since 1988, the Township has required environmental impact statements for major development. The statements have been used to evaluate subdivision or site impacts on environmentally sensitive areas.*

*In 1992, the Environmental Commission updated the Township Natural Resources Inventory. As part of the update, the Environmental Commission asked that consideration be given to additional regulations related to prime farmland and agricultural runoff.*

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To control removal of trees and forests, the Township enacted a tree removal ordinance and hired an arborist. Amendments to the tree removal ordinance have been proposed.

- *Intensity of Development* - A revised zoning schedule of area, yard and building standards to control development intensity has been drafted but has not yet been adopted. The draft standards include floor area ratio limits for residential development.
- *Cumulative Impacts of Development in Manalapan* - Development of the Township has continued, although more slowly than in the 1980's. The Township purchased the Dreyer Farm in 1993 and is expanding the Manalapan Recreation Center to meet the increased demands for public open space and active recreation facilities. The regional school district opened a new middle school on Millhurst Road in anticipation of growing school enrollments. The 1991 master plan recommends that the Planning Board develop a capital improvement program to address the needs generated by development and to secure off-tract contribution for circulation, drainage, and water improvements. No action has been taken on the recommendation to prepare a capital improvement program.
- *Water Supply* - The water supply moratorium on the Gordons Corner Water Company which serves the northern Township has been lifted. Matchaponix Brook has become a source of additional water supply with the construction and operation of a treatment plant by the Matchaponix Water Supply Company near Wilson Avenue. The Matchaponix is planned to be the water supply for Mt. Laurel development along the Route 33 corridor. The Township has given other

approvals, including construction of a water storage tank off Iron Ore Road, to provide the future water supply for the Mt. Laurel development.

- *Sewerage - The Western Monmouth Utilities Authority Pine Brook Treatment Plant has been expanded to accommodate future development. The plant now has excess capacity and the sewer moratorium has been lifted.*
- *Stormwater Management - The Township enacted a stormwater management ordinance in 1990 to require stormwater management planning in conjunction with site plan or subdivision review. As a matter of policy, the Township has required development in the Pine Brook basin to provide excess detention to help alleviate flooding. These efforts notwithstanding, Manalapan, as noted in the 1991 master plan, is downstream in the drainage basins of many streams and is impacted by stormwater runoff generated outside the Township. To be effective, regional stormwater management is needed.*
- *Township and County Land Use Policy - As a result of the cross acceptance process for the State Development and Redevelopment Plan, Manalapan Township and Monmouth County reached general agreement on land use policy along Route 33. Monmouth County intends formally to amend the County Plan to reflect the cross acceptance mapping. To better coordinate planning with adjoining communities, the Township has been active in the Western Monmouth Regional Planning Council. The Council consists of Manalapan, Marlboro, Englishtown, Freehold Borough, Freehold Township and Millstone.*
- *Fair Share Housing - The major fair share housing projects (Knob Hill and The Villages) have not begun construction. Because of their scale, these projects will*

*eventually have a substantial impact on the Township and adjacent areas. The impacts are unavoidable and the Township will have to address them through its planning process.*

### 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 a regional economic growth which will express itself through the continued growth and development of Manalapan Township.*

The objectives of the Township as stated in the master plan are:

- *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.*

The policies of the master plan are:

- *Land Use - Land use policy as the Township promotes an established suburban development pattern in the northern Township, rural development consisting of low density residential or 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 number of housing units in the Township also increased. 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 2010.

Residential building permits issued in Manalapan in 1992 and 1993 totaled 258 and 260, respectively. The average density of the Township increased from 618 persons per square mile in 1980 to 873 persons per square mile in 1990.

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 a large influx of population along the Route 33 corridor.

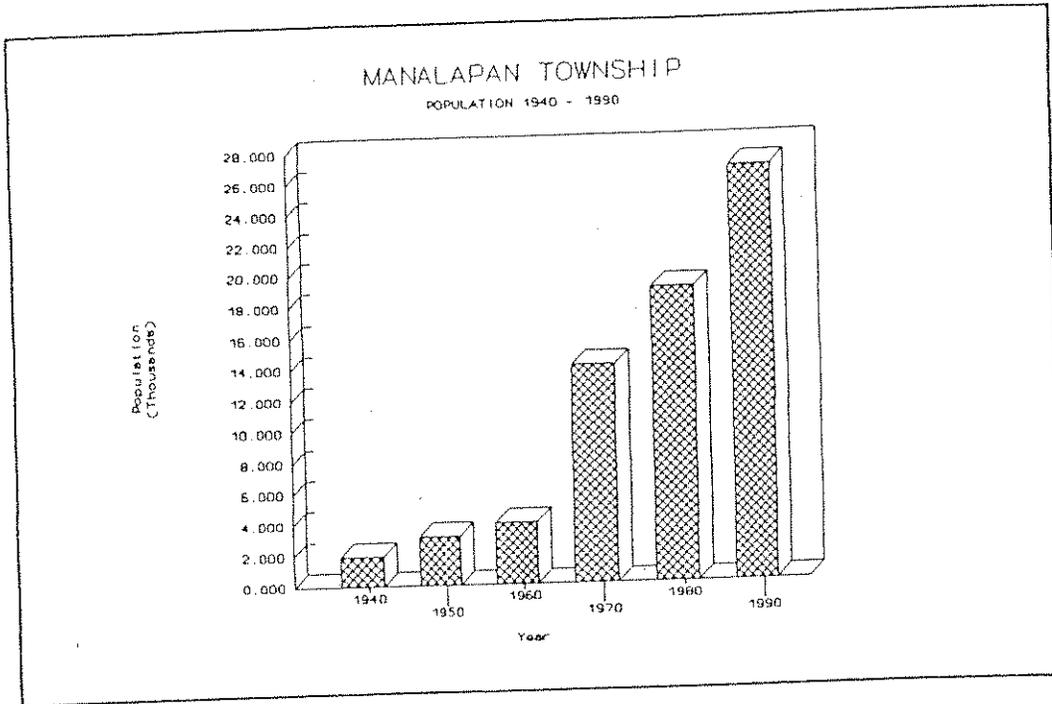


Figure 1

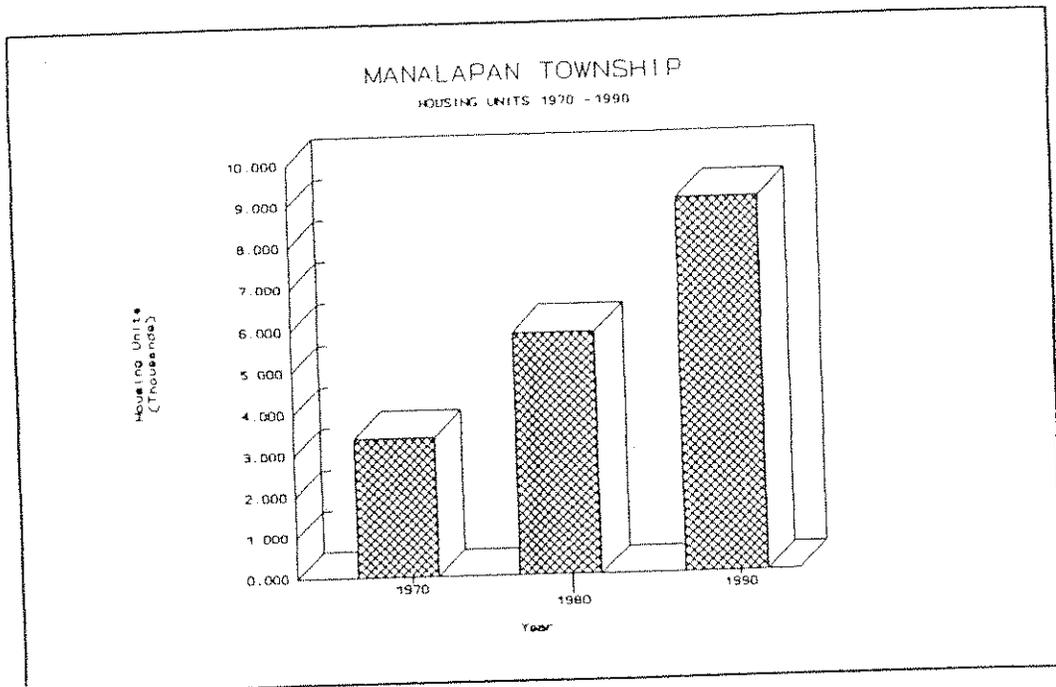


Figure 2

*CIRCULATION, CONSERVATION, AND RECYCLING*

There have been no significant changes in the assumptions, policies, and objectives of the master plan related to circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of recyclables.

*LAND USE*

The basic assumptions, policies, and objectives related to land use have not changed. However, Township experience since 1991 points to a need to articulate more clearly the objectives and uses intended for the C-1 Regional Shopping Center District.

*UNIFORM SITE IMPROVEMENT STANDARDS ACT*

In 1993, the New Jersey Uniform Site Improvement Standard Act was signed into law. The Act requires that all municipalities follow statewide site improvement standards established by the Commissioner of the Department of Community Affairs. These standards would apply to municipal approvals of residential development for design and construction of public improvements, such as streets, roads, parking, sidewalks, drainage structures and utilities. The standards are currently being developed by a Site Improvement Advisory Board. Eventually the standards will be enacted as regulations adopted by the Commissioner of the Department of Community Affairs. The current Township development regulations will continue to govern until the Uniform Site Improvement Standards take effect. The State is attempting, through the Uniform Site Improvement Standard, to eliminate unnecessary residential construction costs and to streamline the approval process by standardizing improvement requirements statewide.

*NEW JERSEY COUNCIL ON AFFORDABLE HOUSING*

In May 1994, the New Jersey Council on Affordable Housing (COAH) approved new regulations for the provision of low and moderate income housing in the State. These regulations include projections of need for low and moderate income housing through the year

1999. COAH projects low and moderate income housing need in the Township of Manalapan for this period to be 0 dwelling units based upon the past provisions of Township to meet its obligation. However, to protect it from further court litigation and to permit it to continue to collect fees to defray Mr. Laurel housing costs, the Township will need to obtain certification from COAH by updating its housing element to address COAH's revised rules and regulations. The Township has begun that process.

### *THE 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. 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 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

is south of the Route 33 corridor. The Township and County recommends this area as PA-3, Fringe. The PA-3 designation is recommended in light of the low density residential development which has already occurred in this location and to provide a logical transition from the suburbanization to the north and to the east. The State, however, has delineated this location as PA-4B Rural/Environmentally Sensitive Planning Area. The State designation is not supported by the State's own delineation criteria. The Township has asked the State to amend its map to reflect the Township and County cross acceptance 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. In June 1991, the County Growth Management Guide was amended to include a new park, recreation and open space plan. In Manalapan, the County Open Space Plan proposes a 16 acre addition to Pine Brook Golf Course as a buffer and as flood control. The plan also proposes greenways to protect stream valleys along Manalapan Brook, McGellaird's Brook, and Weamaconk Creek. A greenway for trail use is also proposed along the JCP&L utility right-of-way. The County intends to further amend its Growth Management Guide to reflect the cross acceptance map that it developed as part of the State planning process.

#### *STATE HIGHWAY ACCESS CODE*

In 1992, the New Jersey Department of Transportation adapted the State Highway Access Management Code. This code, enacted pursuant to the State Highway Access Management Acts, controls access to Route 9 and Route 33 according to State standards and classifications. The Municipal Land Use Law requires that land adjacent to the state highways be regulated in conformity with the access code (N.J.S.A. 40:55D-62 and N.J.S.A. 40:55D-38b(10)). The Township of Manalapan has reviewed the access classification of N.J.S.H. 33 between mileposts

21.10 and 24.32 in Monmouth County. This highway segment is located wholly within the Township of Manalapan. The N.J.D.O.T. has classified the segment as a rural highway and assigned it access level 2. This is the code's second most restrictive access level and it permits only indirect access to the highway by way of a grade-separated interchange or an intersecting local road. The rural classification of the segment also requires that a higher level of service be maintained compared to segments assigned an urban classification.

The Township of Manalapan believes that the rural classification and access level 2 assigned to this segment is inappropriate for the following reasons:

1. The segment must assume a suburban function in order to meet regional housing needs under the Mount Laurel doctrine. Pursuant to Court Order, Manalapan has planned for and has approved approximately 3,500 dwelling units on tracts fronting on this segment. Sewer and water service have been planned to be extended into the corridor to serve this development. In light of this planned growth, a rural classification cannot be sustained.
2. A different classification of this segment is supported by the State Plan. The State Plan identifies the area served by this segment as PA-2, Suburban Planning Area.

Based on the above, the Township of Manalapan has requested that the segment of N.J.S.H. 33 between mileposts 21.10 and 24.32 be classified urban and be assigned access level 3 (right-turn access with provision for left-turn access via jughandle). Such a classification and access level is appropriate based upon existing development and the development which has been planned or approved along this segment.

#### *AMERICANS WITH DISABILITIES ACT (ADA)*

The Americans with Disabilities Act is a federal law which was enacted to assure access by disabled Americans to public facilities and services. Local government operation and public facilities are affected by these regulations. The design, improvement, or operation of public facilities, including buildings, public streets, and recreation areas, are impacted by ADA. Future improvements and developments, should be arranged to be accessible to all persons, including those with disabilities.

#### 4. RECOMMENDED CHANGES

As a result of this reexamination, the following specific changes are recommended:

Master Plan.

- The housing plan element and fair share plan should be updated to address the revised regulations of the New Jersey Council on Affordable Housing.
- The objective of the C-1 Regional Shopping Center District should be revised to be a community shopping district whose further development will be compatible in design, scale, and operation with traffic constraints, and existing residential development, and civic use. The mix of uses to be permitted at this location should be narrowed to be compatible with this objective.
- The circulation plan element should be revised to more clearly express the intent of the Township to interconnect those areas planned in the Route 33 corridor for

major residential or commercial development. Road layouts approved as part of a general development plan should be incorporated by reference into the circulation plan element.

- The land use plan element in the vicinity of the Forest Hills and Bucks Head developments should be revised to be the new R-4 single family designation.
- The background mapping section of the master plan should be revised to identify those areas mapped by the State as freshwater wetlands.
- The color version of the master plan map should be graphically corrected to depict OP-10 commercial limits east of Route 9 and the industrial area limits in Tennent.

#### Development Regulations

- The draft development regulations implementing the 1991 master plan should be adopted.
- The preamble and the use regulations for the C-1 Zone District should be revised to limit it to uses compatible with the surrounding area, with the traffic constraints of Route 9, and with the location's future role as a community shopping district.
- The recommendation of the Board of Adjustment in its annual report to require a certificate of occupancy prior to a change in possession of residential and commercial property and to address the definition of what constitutes a two-family

home should be reviewed.

- The general site design standards should be reviewed and revised to provide guidelines to assure that site and subdivision design secures safe and efficient vehicular and pedestrian circulation, parking, and loading and that each lot is suitable and adaptable to its intended purpose.

The Planning Board otherwise finds that the underlying objectives, policies and standards of the Master Plan continue to be appropriate for Manalapan Township.

## 5. RECOMMENDATIONS ON REDEVELOPMENT PLANS

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