

RESOLUTION NO 2023-19

RESOLUTION OF THE TOWNSHIP OF BERLIN PLANNING BOARD
ADOPTING A RE-EXAMINATION AND AMENDMENT REPORT FOR THE MASTER PLAN
OF THE TOWNSHIP OF BERLIN
N.J.S.A.40:55D-89

WHEREAS. N.J.S.A. 40A:55D-89, requires the Municipal Planning Board to provide for a general re-examination of its master plan and redevelopment regulation, at least every ten years, and

WHEREAS. The Planning Board of the Township of Berlin did adopt a prior Master Plan Re-Examination report in 2016, and

WHEREAS. At a regular open public meeting held on October 24th 2023, in accordance with N.J.S.A. 40:55D-13, the Planning Board of the Township of Berlin did receive a Maste Plan Re-Examination and Amendment report for the Master Plan of the Township of Berlin prepared by Leah Furey Bruder, PP. AICP of LFB Land Planning LLC dated October 2023, and

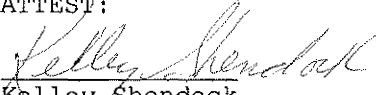
WHEREAS. The presentation and public hearing on the Re-Examination and Amendment Report was duly advertised and proper notice served in accordance with N.J.S.A. 40:55D-13,

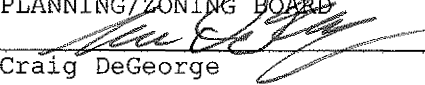
WHEREAS. The Planning Board of the Township of Berlin has received a copy of the final Re-Examination and Amendment Report and desires to formally adopt the Re-Examination and Amendment Report by Resolution of the Planning Board of the Township of Berlin.

NOW THEREFORE, it is herein Resolved that the Planning Board of the Township of Berlin does hereby adopt the Final Re-Examination and Amendment Report of the Master Plan of the Township of Berlin be and is hereby adopted.

BE IT FURTHER RESOLVED, that a copy of the Report of Re-Examination and Amendment Report shall be sent to the Clerk of the Camden County Planning Board and a notice of this resolution shall be provided to the Municipal Clerk of each municipality adjoining the Township of Berlin.

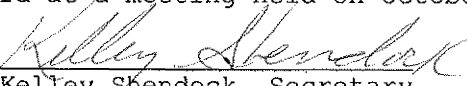
ATTEST:


Kelley Shendock
Secretary

TOWNSHIP OF BERLIN
PLANNING/ZONING BOARD

Craig DeGeorge
Chairperson

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true and correct copy of a Resolution adopted by the Township of Berlin Planning/Zoning Board at a meeting held on October 24th 2023.


Kelley Shendock, Secretary

BERLIN TOWNSHIP MASTER PLAN REEXAMINATION AND AMENDMENT

Prepared by Leah Furey Bruder, PP, AICP
LFB Land Planning LLC

Adopted by the Berlin Township Planning Board on October 24, 2023 by
Resolution 2023-19

October 2023

BERLIN TOWNSHIP 135 Route 73, West Berlin, NJ 08091

2023 Berlin Township Planning Board

Craig DeGeorge, Chairman

Ed Potts, Vice-Chairman

Phyllis Magazzu, Mayor

Francis McHenry, Councilman

Michael DePalma, Construction Code Official

Betsy Simpson, Member

Alvina Furlow-Moore, Member

Dante Magazzu, Member

Dominic D'Andrea, Member

Matt Oriente, Alternate

Joe Bodanza, Alternate

2023 Township Council

Phyllis Magazzu, Mayor

Marion Bodanza, Council President

Frank Epifanio, Councilman

Mark Reid, Councilman

Francis McHenry, Councilman



Leah Furey Bruder, AICP, PP
New Jersey PP# 585100

The original of this document was signed and sealed in accordance with N.J.A.C. 13:41-1.3.b

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Exhibit D- Draft R-4 Zoning District Standards

Introduction

The Township Master Plan is a document, adopted by the Planning Board, which sets forth the Township's land use policies. The Master Plan serves as a guide to address the manner and locations in which development, redevelopment, conservation, and preservation will occur within the municipality. It is intended to set forth the objectives, principles, assumptions, policies and standards upon which the physical, economic, and social development of the Township will be based. It also serves as a decision-making guide for both public officials and private interests involving the use of land. Through its various elements, the Master Plan sets out a vision for the community in the coming years.

The Master Plan forms the legal foundation for the zoning ordinance and zoning map. New Jersey's Municipal Land Use Law N.J.S.A. 40:55D-1 et seq., specifically ties the planning of a community as embodied in the Master Plan with the zoning ordinance and zoning map. The zoning ordinance and map, which are adopted by the Township Council, constitute the primary law governing the use of land at the local level. In the case of lands within the Pinelands Area, the zoning ordinance and map must also be approved, or certified, by the Pinelands Commission. Under New Jersey's Municipal Land Use Law N.J.S.A. 40:55D-1 et seq., (hereinafter "MLUL") a zoning ordinance must be substantially consistent with the land use plan element of the master plan.

A Reexamination Report is a review of previously adopted Master Plans, amendments, and local development regulations to determine whether the ideas and policy guidelines set forth therein are still relevant and consistent with the municipality's evolving needs. The reexamination assesses how the assumptions, policies and objectives that form the basis for the Master Plan and development regulations have changed since the last Master Plan was adopted and recommends whether any specific changes to the Master Plan or development regulations are recommended. Under New Jersey's Municipal Land Use Law, the Planning Board must conduct a general reexamination of its Master Plan and development regulations at least every ten years. Berlin Township's last Master Plan Reexamination was completed in 2016.

This Master Plan Reexamination and Master Plan Amendment has been undertaken to review and evaluate changes in assumptions, policies, and objectives since the last master plan reexamination was adopted and to provide specific recommendations and policy responses to emerging land use issues. Berlin Township adopted a comprehensive Master Plan in 1979 and adopted an updated Housing Plan Element and Fair Share Plan in 1987. Master Plan Reexamination Reports were adopted in 1989, 1995, 2007, and 2016. Since 2016 the community, the economy, and the regulatory environment have continued to evolve. This reexamination and amendment aims to address some of the challenges faced by the Township, and anticipates that additional master plan studies may be undertaken over the next few years.

Berlin Township Planning Context

Berlin Township was incorporated in 1910 from portions of Waterford Township. The Township reached its current geographic size of 3.34 square miles in 1927 when a portion of Berlin Township was divided to form Berlin Borough, following a referendum held earlier that year. The town is located at the center of Camden County, and is bordered by Voorhees Township to the north, Evesham Township (Burlington County) and Waterford Township to the east, Berlin Borough to the south, and Lindenwold Borough to the west. Prior to World War II most of the development and activity in the Township was centered around Haddon Avenue in West Berlin. The post World War II building boom resulted in the development of over 1,000 housing units in the Township between 1950 and 1980. At the time of the 2020 Census there were 2,374 housing units in the Township.

Approximately 16% of the land area of the Township is within the Pinelands National Reserve Area (337 acres). The Pinelands portion of the Township is nearly evenly designated as Regional Growth Area and Rural Development Area. In addition to being governed by local, county and typical State regulations, land within the Pinelands portion of the Township is also governed by the Pinelands Commission's Comprehensive Management Plan (CMP). The Township is occasionally required to revise its land use ordinances to remain consistent and compliant with changes to the Pinelands CMP. The Township may also initiate changes that it believes are consistent with the intent of the CMP, and request review and approval by the Pinelands Commission.

Berlin Township's Pinelands Area

The Pinelands National Reserve was created by Congress in 1978, encompassing 1.1 million acres covering all or parts of 56 municipalities. In 1979 the Pinelands Commission was established and the Pinelands Protection Act was enacted, which set the stage for the adoption of the Pinelands Comprehensive Management Plan (CMP) in 1981. Soon thereafter municipalities within the Pinelands Area were required to adopt Master Plan and land use regulations consistent with the CMP. Berlin's land use regulations were certified in 1982. Since the adoption of the CMP, the Pinelands Commission worked with Berlin Township in 1996 and in 2012 to redesignate select areas from the rural development area to the regional growth area.

In 2012 the Zoning applicable to the Pinelands area of the Township was amended in order to incorporate and address amendments to the Pinelands Comprehensive Management Plan (CMP) that were adopted by the Pinelands Commission between 2009 and 2011. The implementing ordinances (Ordinance 2012-1) were certified by the Pinelands Commission on June 29, 2012. The Pinelands boundary in the Township is illustrated on Exhibit A.

Requirements of the Periodic Reexamination Report

As noted in the introduction, in New Jersey, the Master Plan forms the legal foundation for the zoning ordinance and zoning map of a municipality. The connection between the master plan and the zoning ordinance and zoning map ensures that community planning is comprehensive and predicated on an overall vision, and that it considers the interconnectedness of the various factors that affect land use. The zoning ordinance and map, which are adopted by the Township Council, constitute the primary law governing the use of land at the local level. Under New Jersey's Municipal Land Use Law N.J.S.A. 40:55D-1 et seq., ("MLUL") a zoning ordinance must be substantially consistent with the land use plan.

The purpose of the reexamination is to review and evaluate the Borough's planning objectives and to consider the need for changes, in order to ensure that the master plan is responsive to current conditions and circumstances, looks forward to anticipated changes, and meets the needs of the Township for preservation and growth. The Municipal Land Use Law outlines the criteria that must be considered in the master plan reexamination. The six specific topics to be addressed are as follows:

- A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report. (N.J.S.A. 40:55D-89a)
- B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date. (N.J.S.A. 40:55D-89b)
- C. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives. (N.J.S.A. 40:55D-89c)
- D. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared. (N.J.S.A. 40:55D-89d)
- E. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal Master Plan, and recommend changes, if any, in the local development regulations

necessary to effectuate the redevelopment plans of the municipality. (N.J.S.A. 40:55D-89e); and

- F. The recommendations of the Land Use Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure. (N.J.S.A. 40:55D-89f)

A reexamination report may contain recommendations for the Planning Board to delve deeper to examine certain land use policies or regulations or even prepare a new master plan. The master plan reexamination report may also incorporate master plan amendments; which can be adopted simultaneously in accordance with the master plan amendment procedures prescribed by the Municipal Land Use Law.

The Township's 2016 Master Plan Reexamination report addressed all the statutory requirements for a reexamination including a thorough review of the problems, goals and objectives that were set forth in the Township's 1979 Master Plan, 1989 Reexamination, 1995 Reexamination and 2007 Reexamination. The report provided updates on the status of earlier problems and recommendations and described current conditions, trends, and opportunities. The document also addresses traffic and circulation, pedestrian circulation, community facilities, stormwater management, recreation, and environmental concerns. Further, the 2016 report provides an overview of planning topics and priorities that emerged or that have become more prevalent since the 2007 Master Plan Reexamination. These include coordination between the master plan reexamination, the 2014 Camden County Comprehensive Plan, and DVRC studies; an evaluation of land use around the Atco Train Station; discussion of complete streets policies, traffic calming, and pedestrian safety; a primer on sustainability, green infrastructure and energy conservation; and the foundations for hazard and resiliency planning. All of these topics remain relevant and important for Berlin's planning efforts. This report does not replace the big picture policy considerations in the 2016 report. Rather, it supplements that report with specific recommendations to respond to land use issues that have emerged and that the Township wishes to proactively address.

This reexamination report includes the required components pursuant to the Municipal Land Use Law, organized for efficiency and clarity, and builds on the 2016 report with specific land use recommendations that can be implemented in the near term to advance the Township's current goals and objectives. First the relevant changes in assumptions, policies, and objectives at the local, county and state levels are identified and briefly explained. Next, the major problems and objectives at the time of adoption of the 2016 Master Plan Reexamination are listed with an evaluation of the extent to which they have changed and efforts that have been made to advance

the objectives. The report also includes recommended actions and zoning amendments. Lastly, there are sections addressing redevelopment planning recommendations and electric vehicle infrastructure recommendations.

Relevant Changes in Assumptions, Policies & Objectives at the Local, County, and State Levels (N.J.S.A. 40:55D-89(c))

The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives. (N.J.S.A. 40:55D-89c)

State, regional, county, and local policies have evolved since the adoption of the Master Plan Reexamination Report in 2016. These changes have the potential to impact Berlin’s planning efforts and must therefore be taken into consideration. The following section identifies the relevant changes in assumptions, policies and objectives and the impact or potential impact on land use and planning policies in Berlin Township.

Local Population

Berlin Township’s population has been relatively steady since 1970, though the composition of the population has changed over time. With the trend toward smaller households, the population has increased by a net of 200 people since 1970, though the number of housing units has increased by 900. There were 2,374 housing units in Berlin at the time of the 2020 Census and 5,866 people. Over 60% of the housing stock was constructed before 1970. As available developable land outside the Pinelands area of the Township has diminished, the pace of single-family residential construction has slowed. There is a need to promote preservation and rehabilitation of the housing stock and to ensure that the Township remains a desirable place to locate so that the existing housing stock holds its value and so that families will choose Berlin as a place to live and invest in. There are a few areas that remain available for residential development, but most development in the future will be in the form of redevelopment. The Township plans to evaluate redevelopment opportunities. Redevelopment projects are often more complicated than “green field” development, but often have locational advantages.

The table below shows the population changes from 1920 through 2020 in Berlin Township.

**Berlin Township Population¹
1930 to 2020**

1930	1940	1950	1960	1970	1980	1990	2000	2010	2020
1,537	1,771	2,013	3,363	5,692	5,348	5,466	5,290	5,357	5,867

Master Plan Provisions of Municipal Land Use Law

Since 2016, amendments to the Municipal Land Use Law related to the contents of the municipal master plan have been adopted (N.J.S.A. 40:55D-28). N.J.S.A. 40:55D-28b(2)(f) now provides that any land use plan element adopted after the effective date of P.L. 2017, c.275 must include a statement of strategy concerning smart growth and the potential locations for the installation of electric vehicle charging stations, storm resiliency with respect to energy supply, flood prone areas and environmental infrastructure, and environmental sustainability. In 2019 the Municipal Public Access Plan was added as an optional master plan element to provide for, encourage, and promote permanently protected public access to all tidal waters and adjacent shorelines consistent with the public trust doctrine.

The most recent amendment (P.L. 2021, c. 6) provides that any land use plan element adopted after February 4, 2021, must include a climate change related hazard vulnerability assessment. Specifically, the assessment would include the following:

1. Identification of current and future climate change related threats and vulnerabilities that are anticipated to impact the municipality, including increased temperatures, drought, flooding, hurricanes, and sea level rise.
2. A buildout analysis of future residential, commercial, industrial and other development in the municipality, and an assessment of the threats and vulnerabilities related to that development.
3. Identification of critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster.
4. Analyze the potential impact of natural hazards on relevant components of the master plan.
5. Provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards.
6. Include a specific policy statement on the consistency, coordination, and integration of the climate change-related hazard vulnerability assessment with any existing or proposed natural hazard mitigation plan, flood plain management plan, comprehensive emergency

¹ Source: United States Census Bureau, Decennial Population Counts, 1930-2020

management plan, emergency response plan, post-disaster recovery plan, or capital improvement plan.

At this time the Township is not proposing to prepare and adopt a new land use plan element of the master plan, but when a new land use plan element is prepared in the future, the items outlined above will be addressed.

Performance and Maintenance Guarantees

P.L. 2017 C. 312 modified the scope of improvements that municipalities can require to be covered by performance and maintenance guarantees. A performance and maintenance guarantee can only be required to cover improvements being dedicated to a public entity, with an exception for privately-owned perimeter buffer landscaping.

Local Redevelopment and Housing Law

Effective November 6, 2019, the Local Redevelopment and Housing Law was amended to update the requirements of a Redevelopment Plan (N.J.S.A. 40A:12A-7). Paragraph a.8. was added to require a redevelopment plan to include “proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.” Additionally, Criterion “b” of the LRHL was expanded to include the discontinuance or abandonment of buildings used for retail, shopping malls and office parks, as well as those buildings which have had significant vacancies for at least two (2) consecutive years.

Renewable Energy Legislation

On July 9, 2021 a package of bills was signed into law aimed at advancing New Jersey’s transition to a clean energy future, and to further the goal of reaching 100 percent clean energy in New Jersey by 2050. The legislation intends to increase solar development and facilitate installation of electric vehicle charging infrastructure throughout the state.

- S3223 establishes requirements and zoning standards for installation of electric vehicle supply equipment and Make-Ready parking spaces, while A1653 encourages development of zero-emission vehicle fueling and charging infrastructure in redevelopment projects.
- A4554 establishes the successor program to solar renewable energy certificate program in BPU, including a solicitation process for certain utility scale solar power generation facilities.
- A5434 establishes a dual-use solar project pilot program for unreserved farmland; which allows land used for dual-use solar project to be eligible for farmland assessment under certain conditions.

Wireless Telecommunications Facilities

There have been two relatively recent changes to regulation of wireless telecommunication facilities. First, a federal law, prohibits municipalities from denying a request by an “eligible facility” to modify an existing wireless tower or base station if such a change does not “substantially change” the physical dimensions of the tower or base station. The term “substantial change” is not defined by the law. The second regulatory change is an amendment to the Municipal Land Use Law, N.J.S.A. 40:55D-46.2. This new section states that applications for co-located equipment on a wireless communications support structure shall not be subject to site plan review provided three requirements are met: 1) the structure must have been previously approved; 2) the co-location shall not increase the overall height of the support structure by more than 10 percent, will not increase the width of the support structure, and shall not increase the existing equipment compound to more than 2,500 square feet; and 3) the collocation shall comply with all of the terms and conditions of the original approval and must not trigger the need for variance relief.

Stormwater Management

New Jersey’s most recent revisions to the stormwater regulations took effect on March 2, 2021 and apply to all major development as defined in the rule. The revisions require the use of decentralized green infrastructure practices and provide a more objective review process to determine whether projects have met the requirements. The new rule also includes updated stormwater modeling criteria and incorporates additional engineering calculation methods relevant to green stormwater infrastructure design. The rule provides guidance on the use of small- and large-scale best management practices (BMPs) to meet water quality, water quantity and ground water recharge requirements. Municipalities are required to update their stormwater ordinances to reflect and comply with the new rule language.

Cannabis/Marijuana Legislation

The Compassionate Use Medical Marijuana Act (S. 88) was signed into law in 2010, and implementation began in 2012. This law enabled therapeutic use of medical marijuana for patients with a certification from a physician. The Department of Health administers the medical marijuana program and provides a process for applications to be filed and licenses to be issued for a set number of cultivation facilities and dispensaries throughout the State. Alternative Treatment Centers (ATC) are required to provide verification from the local governing body that the facility is permitted within the municipality, and the ATC must provide written verification of compliance with local zoning requirements. Additional legislation in 2013 and 2019 refined provisions related to the amount of medical marijuana permitted, how it may be obtained, and expanded access with additional cultivators, manufacturers, and retailers.

In 2020 New Jersey Public Question Number 1 was approved by voters. The approval enabled the legislature to adopt legislation that legalized possession and use of marijuana for residents aged 21 and older. There are three related laws; P.L. 2021, c. 16, P.L. 2021, c.19, and P.L. 2021, c.25; that address regulation, enforcement, establishment of the marketplace, and

decriminalization. The legislation provides that municipalities had 180 days from February 22, 2021 to adopt an “opt out” ordinance prohibiting one or more types of cannabis businesses. Without the adoption of an ordinance, the retail selling of cannabis would be permitted in all commercial/retail zones, and cultivation, manufacturing, wholesaling, distribution, and delivery services would be permitted in all industrial zones. If cannabis uses are permitted a municipality may impose local taxes as permitted by the legislation. Municipal ordinances may reasonably regulate times of operation, locations, and the number and type of cannabis businesses.

Distribution Warehousing and Goods Movement Guidelines

In September 2022, the New Jersey State Planning Commission Office of Planning Advocacy issued warehousing siting guidance for municipalities. The guidance document aims to:

- Facilitate a proactive, rather than a reactive approach to planning and reviewing warehouse and logistics facilities.
- Provide municipal factors to consider and balance when developing or updating a Master Plan and reviewing applications, land use, and development requirements.
- Encourage a regional approach to planning, siting, and facilitating the logistics facilities.

Climate Change Resilience Strategy

The State of New Jersey issued a Climate Change Resiliency Strategy in April of 2021, building upon the findings of the 2020 Scientific Report on Climate Change. Improving climate resilience will involve assessing how climate change will create climate related risks and determining what steps are needed to cope with the risks. This Report outlines six priorities with strategies that include:

1. Build Resilient and Healthy Communities
2. Strengthen the Resilience of New Jersey’s Ecosystems
3. Promote Coordinated Governance
4. Invest in Information and Increase Public Understanding
5. Promote Climate-Informed Investments and Innovative Financing
6. Coastal Resilience Plan

Affordable Housing at the State Level

At the time of the 2016 Master Plan Reexamination, the dust had not yet settled following the March 2015 *Mount Laurel IV* decision. The last reexamination report provided a summary of the history of affordable housing decisions beginning in 1975 and left off with a July 2016 ruling by the Appellate Division, related to municipal responsibility to provide affordable housing opportunities for the time that was “lost” while COAH was in limbo and there were no valid rules to guide municipalities in their compliance efforts. Following the adoption of the 2016 Reexamination Report, this decision was overturned.

On January 17, 2017, the NJ Supreme Court rendered a decision, In Re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017), that found that the “gap period,” the

time when there was a lack of clear affordable housing guidance and rules between 1999-2015, generates an affordable housing obligation.

The municipal affordable housing obligation is now composed of four parts:

- Present need (Rehabilitation)
- Prior Round (1987-1999, new construction),
- Gap Present Need (Third Round, 1999-2015, new construction), and
- Prospective Need (Third Round, 2015 to 2025, new construction).

Using the methodology endorsed by Judge Jacobson in her 2018 decision on the fair share methodology, Berlin's round three obligation is 212 affordable housing units.

Major Problems Identified in the 2016 Reexamination and Extent of Improvement or Deterioration (N.J.S.A. 40:55D-89a and b)

The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report. (N.J.S.A. 40:55D-89a)

The extent to which such problems and objectives have been reduced or have increased subsequent to such date. (N.J.S.A. 40:55D-89b)

1. The 2016 Master Plan Reexamination noted that while the Township's current Master Plan meets the legal requirements set forth in Municipal Land Use Law, it is outdated and does not provide current information and tools to guide the Township in navigating all of the modern land use and community planning issues it faces. The report further indicated that the Township should develop a master plan vision, goals, and objectives to unify the Township's actions and guide decisions. The following were listed as topics that may be addressed in a new master plan:
 - a. Current land use topics
 - b. Traffic and pedestrian circulation
 - c. Green stormwater infrastructure
 - d. Sustainable building codes
 - e. Climate and natural disaster resiliency
 - f. Smart Growth
 - g. Changing consumer preferences
 - h. Changing population and demographics
 - i. Shifting employment
 - j. Shifting retail model

Current Status: The 2016 Master Plan Reexamination report concluded with detailed

background, descriptions of current planning policies and trends, and information on several of the topics mentioned above including detailed options for circulation planning and improvements, which are now part of the Township's master plan documents. The report recommended that the Township prepare a new Land Use Element, climate change related hazard vulnerability assessment, Housing Element, and Circulation Element. The 2016 report expounded upon the need to plan for the needs of the aging population to create an age friendly community that finds the Township a desirable place to stay. The new Master Plan elements have not yet been prepared. The vision, goals, and objectives developed as part of the Master Plan will be a touchstone for the Township that can be referenced when staff, administration, Township Council, planning board, and zoning board are faced with decisions.

2. It was noted that the vast majority of developable privately owned land in the Township has been developed, with the exception being undeveloped parcels outside the Pinelands area near the intersection of Cooper Road and Taunton Avenue. Beyond that it was noted that most future development will be in the form of redevelopment and that the Township should consider redevelopment opportunities and how they tie into the larger land use picture.

Current Status: The Township has been carefully considering the future development of the land in the area of Taunton Avenue and Cooper Road. Recommendations for that area are part of this plan. Additionally the Township has been thinking about the best ways to utilize redevelopment planning and proposes some new initiatives that are part of this plan. There is still work to be done to integrate redevelopment and circulation planning to make the most of redevelopment investments.

3. The 2016 Reexamination suggested that the Township add a Conservation and Recreation Element and an Environmental Resource Inventory to its Master Plan to identify environmentally sensitive areas and provide guidelines on how to preserve and protect them from over development. There was particular concern about the headwaters of the Mullica and Great Egg Harbor Rivers.

Current Status: The recommendation to identify and protect environmentally sensitive areas remains. However, there are many resources available to the Township that can be compiled without the need for a separate inventory and element. The Land Use Element may include principles related to conservation, preservation, habitat protection and management, and stewardship. All new land use regulations will provide for interconnected and contiguous open space areas where possible.

4. The 2016 reexamination noted that there had been discussions about the future development of "block 2202 lot 1" and that no change to the current zoning was recommended that that time.

Current Status: This Master Plan Reexamination and Amendment recommends that a new R-4 zone be adopted and applied to block 2202 as well as several adjacent and nearby lots. The

zone will respond to shifts in consumer preferences for housing, will encourage coordinated development of all of the lots, will enable more compact development, and will ensure preservation of stream corridors, wetlands and associated habitats.

5. The 2016 Reexamination Report reiterated a recommendation from the 2007 reexamination related to providing cross connections between parcels along Route 73 to improve traffic circulation.

Current Status: This is a critical element of planned development that should be made a requirement of the C-1 and C-2 zoning districts when properties have frontage on a State highway or arterial road. This may also be implemented through redevelopment planning.

6. The 2016 Reexamination outlined a number of potential means to improve the housing stock and create opportunities for a wide variety of housing choices.

Current Status: The township continues to consider means to increase opportunities for a variety of housing choices. This will be further addressed when a new Housing Element is adopted.

7. The 2016 Reexamination provides a thorough review of traffic improvements and ongoing problems along the Route 73 corridor and incorporates the findings of the DVRPC's Route 73 Corridor study. Other traffic and circulation concerns and recommendations for traffic signals are also outlined.

Current Status: The traffic and circulation objectives remain, and for the most part have not been addressed.

Recommended Changes (N.J.S.A. 40:55D-89d)

The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared. (N.J.S.A. 40:55D-89d)

New Zoning Map

Since the last formal adoption of a zoning map, the Township has adopted several zoning changes via ordinance that have included description of zone changes and impacted properties. The zoning map needs to be updated to reflect current zoning and include any of the recommended changes in this report that the Township Council wishes to adopt. Once adopted, the new zoning map will be posted on the Township website for easy reference.

Warehouse, Distribution, and Light Industrial

1. It is recommended that definitions be added to Section 340-4 of the zoning code for various types of warehouse, distribution, and light industrial facilities to enable the Township to distinguish between types of warehouse type buildings and uses that may have different impacts on the community and may have different requirements for space, access, and mitigating site improvements. The definitions will include, but not limited to:
 - Light Industry
 - Heavy Industry
 - Sound Barrier
 - Truck Terminal
 - Warehouse
 - Warehouse, High Cube
 - Warehouse, Distribution
 - Warehouse, Fulfillment
 - Wholesale Business

It is further recommended that the commercial and industrial zoning districts be reviewed to determine which types of warehouse, distribution, and light industrial uses should be permitted in which districts and under what conditions. The objective is to enable economic growth and redevelopment while protecting the quality of life for residents and preventing detrimental offsite impacts that cannot be mitigated by the developer.

2. It is recommended that within the C-1 and C-3 zoning districts, that storage and warehouse facilities; which are already permitted, as well as light industrial uses be made conditionally permitted uses. Light industrial uses are currently permitted in the I-1 light industrial district, but there are several light industrial uses within the C-1, C-2, and C-3 commercial zoning districts. The Township wishes to encourage retail, restaurant, and service uses along the Route 73 corridor, but supports light industrial, warehouse, and storage uses on lots within the commercial district that do not have direct highway frontage or visibility, but that do have easy access to the highway. The conditional use standards will set a minimum lot size (2 acres), a required setback from Route 73 (250 feet), and other site design requirements, and performance standards for light industrial, warehouse, and storage uses. Light industrial uses will include light manufacturing, fabrication, and assembly; will limit outdoor storage of materials and equipment, and will prohibit harmful, hazardous, or noxious materials.
3. It is recommended that the zoning ordinance clarify that more than one tenant or business is permitted within a warehouse or light industrial building, provided that all

uses are permitted in the zoning district, that the parking and loading requirements are satisfied for all uses on a site, that signs comply with the district requirements, and that a zoning permit is obtained for each tenant or business.

Cooper Road Area Zoning

1. **Montebello Development and Taunton Run.**

The 2016 Master Plan Reexamination identified a zoning conflict in Cooper Road area where the Montebello age restricted development was noted as being in the I-1 Light Industrial zoning district. There is a Senior Citizens Community Housing Overlay (Article XVII of the zoning code, originally adopted in 1994 and amended since) that was applied to the Montebello development tract. This development consisting of 348 single family residential units is now fully operational and the I-1 base zone does not serve any purpose for this property. A General Development Plan was approved for the entire site in 2002. The residential portion of the overall development plan has been completed, but the commercial portion has not come to fruition. It is recommended that an Age Restricted Residential Zone be adopted and applied to the residential and open space areas of the Montebello development. This zoning district will essentially reflect the existing conditions and will provide standards that may be referenced in the future as the community evolves. The Age Restricted Residential zone would include blocks 2201, 2203, 2204, 2401, 2402, 2403, 2404, 2501, 2503, 2504, 2505, and 2603.

The Taunton Run age restricted affordable housing community located at 401 East Taunton Avenue (Block 1904 Lot 14.01) is developed with 108 rental units and was first occupied in 1998. It is recommended that the zoning be revised from the I-1 Light Industrial district to better reflect the existing and intended future use of the property.

2. **New R-4 District for Block 2404 Lots 42 and 43.** Combined, these two lots total approximately 24 acres and are situated between the residential Montebello development and Cooper Road. Lot 42 also has frontage on Montebello Drive. The base zone for both lots is I-1 Light Industrial, but it had been anticipated that the lots would be availed of the Senior Citizen Community Housing Overlay and developed with commercial uses to serve the Montebello residential community. The market has changed and the demand for retail space in less-than-prime locations has diminished significantly. The location together with the shape of the properties make it unlikely that the lots will be developed with retail, restaurant, or personal service uses. Together the properties form a “U” shape around lots 1 and 1.02 in block 2302. These two lots are also within the I-1

zoning district and are developed with industrial uses. It is recommended that lots 42 and 43 in block 2404 be included in the new R-4 residential zoning district. The new district standards will incorporate conservation subdivision principles, will require a buffer to the adjacent industrial uses and will encourage the lots to be planned as part of an overall comprehensive plan for the R-4 district. The lots proposed for inclusion in the R-4 zoning district are shown on Exhibit B. The draft R-4 zoning standards are included as Exhibit D.

3. **New R-4 District for Southeast corner of Cooper Road and Taunton Avenue.** Currently the R-4 Single-family Residential Overlay Zone applies to four lots near the intersection of Cooper Road and Taunton Avenue (lots 1, 2, 3 in block 2103 and lot 1 in block 2202). The base zone for these lots is I-1 light industrial. There was a single-family residential development approved for these lots several years ago that has not been developed. It is recommended that the land area bound by Taunton Avenue to the north, the municipal boundary with Evesham Township to the east, the Kettle Run tributary to the south and Cooper Road to the west, be re-zoned and included in a new R-4 zoning district. The R-4 zoning district will replace the R-4 overlay in its entirety. The district will provide opportunities for new housing in a compact format while preserving and protecting sensitive wetland and buffer areas, wildlife habitat and environmental features, and passive recreation areas. The zone will encourage and incentivize coordinated planning for the entirety of the R-4 district. The lots proposed for inclusion in the R-4 zoning district are shown on Exhibit B and are listed below. The draft zoning standards for the R-4 zoning district are included as Exhibit D.

New R-4 Residential District	
Block	Lot
1909	1
2202	1
2202	2
2202	2.01
2202	2.02
2103	1
2103	2
2103	3
2404	42
2404	43

Pinelands Area Management Area and Zoning Change

It is recommended that the lots north of Edgewood Avenue that are currently within the Pinelands Rural Development Area be redesignated as Pinelands Regional Growth Area. These parcels, totaling approximately 24 acres in two different blocks, are a “finger” of Rural Development Area, measuring 400 to 800 feet wide, that reaches north and is surrounded by non-Pinelands land in State Planning Area 2 to the north and east, Pinelands Regional Growth Area within the same blocks to the west, and Rural Development Area across Edgewood Avenue to the south. The properties do not appear to be impacted by wetlands or any 300-foot wetlands buffers. The properties are partly within the Mullica River watershed and partly within the Rancocas Creek watershed. If redesignated as Regional Growth Areas, the applicable wastewater management plan may be amended to include the properties and the sites will have the opportunity to connect to the public sewer and water systems. Water to serve the sites would come from public wells in Berlin Borough within the Lower Delaware watershed management area. Wastewater would be conveyed to the Camden County Municipal Utilities Authority’s collection system for treatment at the Water Pollution Control Facility in Camden. Therefore, water from the Mullica and Rancocas watershed will not be transported to the Delaware watershed.

If redesignated from RD to RG, it is recommended that the lots north of Cushman Avenue in block 2102, be rezoned to the C-3 zoning district. It is further recommended that the C-3 zoning district be amended to allow congregate care facilities as a conditional use. Congregate care could include independent living, assisted living, and memory care residential units. The conditions would include a minimum tract size of 10 acres and a maximum building height 40 feet or three stories. The Pinelands Commission would be consulted in crafting the zoning amendments to ensure viable and appropriate provisions for the use of Pinelands Development Credits.

The lots proposed to be redesignated from RD to RG are shown on Exhibit C and are listed below.

Proposed Redesignation from Rural Development to Regional Growth	
Block	Lot
1702	8
2102	1
2102	1.01
2102	1.02

Housing Plan Recommendation

Municipal Land Use Law (N.J.S.A. 40:55D-62) provides that municipal zoning may be adopted after the planning board has adopted the land use plan element and housing element of a master plan, and that the zoning ordinance shall be substantially consistent with the land use plan and housing plan or designed to effectuate them. The Township’s Master Plan includes a Housing Element. Berlin’s first round fair share plan received substantive certification from COAH on May 5, 1993. Since that time the Township has focused its efforts on ensuring that the Township and its housing stock remain desirable in the marketplace. Additional affordable housing units have been added to the Township’s inventory. In order to maintain the validity of the Borough’s zoning code, a new Housing Element should be prepared to address the Fair Housing Act requirements for a municipal housing element including an inventory and projection of the municipal housing stock, a demographic analysis, employment characteristics, and a consideration of the lands most appropriate for the construction of low and moderate income housing. The Housing Element will also guide the Township’s consideration of redevelopment for housing, housing rehabilitation, and housing preservation efforts. All measures indicate that there is a disconnect between housing demand and housing affordability at the federal, state, and local levels. The Township aims to support the production of a variety of housing opportunities for people of all income levels.

Miscellaneous Zoning Recommendation

1. Lots 2, 3, and 4 in block 625 are located at 208, 212, and 218 Grant Avenue and each of the three lots is developed with a single-family home. The lots are within the C-1 commercial zoning district on the current zoning map and are surrounded to the north and west by similarly developed properties in the R-2 residential district, to the south by property in the CBD that fronts on both Grant Avenue and Haddon Avenue, and to the east by properties in the R-2 zone and CBD. The lots are within the rehabilitation area that was designated in 2006. It is recommended that the base zone of these lots be changed from C-1 to R-2.

Redevelopment Planning Recommendations (N.J.S.A. 40:55D-89.e)

Recommendations concerning the incorporation of redevelopment plans into the Land Use Plan Element

The Local Redevelopment and Housing Law (LRHL) at N.J.S.A. 40A:12A-1 et seq. governs local redevelopment and rehabilitation activities in New Jersey. The LRHL provides a legal mechanism that may be utilized by public bodies in their efforts to arrest and reverse negative, blighting influences that may be taking a toll on the community, and to encourage revitalization. A

redevelopment area designation requires a showing that the area meets the criteria set forth in the statute. Additionally, if condemnation is contemplated, a finding of “blight” is necessary. In the *Gallenthin Realty Development, Inc. v. Borough of Paulsboro* decision in 2007, the Court held that “blight” means deterioration or stagnation that negatively affects surrounding areas. Properties that do not rise to the level of “blighted”, but that are obsolete, stagnating, and/or underutilized may be prime candidates for non-condemnation redevelopment area designation.

The LRHL provides the statutory authority for municipalities to designate areas in need of "redevelopment or rehabilitation," prepare and adopt redevelopment plans, and implement redevelopment projects. Specifically, the governing body has the power to initially cause a preliminary investigation to determine if an area is in need of redevelopment or rehabilitation, determine that an area is in need of redevelopment or rehabilitation, adopt a redevelopment plan, and/or, determine that an area is in need of rehabilitation. A planning board has the power to conduct, when authorized by the governing body, a preliminary investigation and hearing and make a recommendation as to whether an area is in need of redevelopment. The planning board is also authorized to make recommendations concerning a redevelopment plan, and prepare a plan as determined to be appropriate. The board may also make recommendations concerning a determination if an area is in need of rehabilitation. The LRHL establishes eight statutory criteria to determine if an area qualifies as being in need of redevelopment. While properties may often qualify for more than one of the criteria, the LRHL establishes that only one is needed for that area to be determined in need of redevelopment.

Haddon Avenue Redevelopment and Rehabilitation Area

The Haddon Avenue corridor has been a planning concern and priority for the Township since at least 1979 when it was addressed in the Master Plan. At that time the Township expressed the desire to preserve and improve the economic viability of the Haddon Avenue corridor. Subsequent reexamination reports reiterated the concern and recommended the creation of a “neighborhood shopping district” along Haddon Avenue, but the corridor remained in zoning limbo for more than 25 years. In 2006 the Township undertook a redevelopment and rehabilitation area study of the “Haddon Avenue North” and “Haddon Avenue South” study area. The “Haddon Avenue North” area has elements of a traditional downtown and is the area where the Township sees the greatest potential to foster placemaking, pedestrian amenities, and a “Main Street” character. Within the study areas, some properties were designated as Areas in Need of Redevelopment and others were designated as Areas in Need of Rehabilitation. Following the recommendations in the Redevelopment Plan for the Haddon Avenue corridor, a new Central Business District (CBD) zoning district was created in 2007 to promote a mixed use downtown district that would protect and enhance the vitality of the retail base while allowing office and residential uses on upper floors.

1. Since the adoption of the redevelopment plan, the Township has constructed and occupied a new municipal building on Route 73, and the former municipal building on Bate Avenue

has been demolished. It is recommended that an amendment to the redevelopment plan be adopted to provide new redevelopment plan standards for block 220, bound by Haddon Avenue, Bate Avenue, Walnut Avenue, and Pine Avenue. This block includes the former municipal building site, a small park, and three privately owned lots. The redevelopment plan standards for this block will encourage and incentivize the aggregation and re-subdivision of the tract for small lot single family residential lots in a traditional neighborhood design. At the same time the redevelopment plan amendments for block 220 are adopted, it is recommended that lots 1, 2, 3, and 4 in block 219, across Bate Ave and set back a block from Haddon Avenue, be returned to the R-2 zoning district (from the CBD).

2. When the CBD district was created and adopted lots 2.01 and 2.02 in block 220 were inadvertently omitted because they were collectively referred to as “lot 2”. This lot is owned by the Township and the base zone should be changed from R-2 to CBD.
3. The Haddon Avenue Redevelopment Plan lays the foundations for the transformation of the corridor into a more vibrant and mixed-use center of activity, but the vision has not been actualized. Decades of economic changes, investment and regulatory decisions have converged to stack the deck against West Berlin’s former “main street”. Additional amendments to the redevelopment plan may be needed to respond to changing conditions and to encourage redevelopment that will have ripple effects and result in additional redevelopment and investment. The changes may include allowance for first floor residential use in select areas.

Cushman Avenue

The Green Grove Baptist Church, located at 240 Cushman Avenue has expressed interest in developing an age-restricted affordable multi-family apartment building on its property in conjunction with the existing church facilities. Discussions about this project have gone on sporadically for more than ten years. The Township believes that there is a need for age restricted affordable housing options in the Township and would like to work with the Church and their development partner to determine whether the project is feasible and can attain low income housing tax credit financing for the project.

A prospective developer of the adjacent property at 114-120 Cushman Avenue has also approached the Township about developing a warehouse on that property. The proposed use is permitted, but there are some challenges to development and the Township would like to conduct a redevelopment investigation to determine whether it may be designated and planned as an area in need of redevelopment.

The sites are within the R-3 and C-3 zoning districts, both of which are within the Pinelands Regional Growth Area. As such, the proposed intensity of development will require the developers

to acquire PDCs; which will result in the permanent protection of lands in the preservation areas of the Pinelands as an off set to the development. If designated as an Area in Need of Redevelopment, the Township will work with the prospective redevelopers and the Pinelands Commission to craft a redevelopment plan that enables development and creates value for the community in a manner that is approvable by the Pinelands Commission.

If designated as an Area in Need of Redevelopment, the Redevelopment Plan should require the provision of electric vehicle supply and service equipment for all multi-family and commercial uses.

The area to be included in the preliminary redevelopment investigation (non-condemnation) includes the following parcels.

Cushman Ave Redevelopment Study Area	
Block	Lot
1702	2
1702	3.01
1702	4.01
1702	5.01
1702	1
1502	1
1502	1.01
1502	1.02

Other Potential Redevelopment Areas

Redevelopment and rehabilitation area planning is a tool that may be valuable and effective in promoting revitalization and redevelopment in areas of the Township that are aging and in need of investment, but that have not yet been identified. Redevelopment planning can offer flexibility and incentives to developers and to the Township. It is recommended that the Township continue to consider opportunities for redevelopment as they arise and to utilize the redevelopment planning tools to raise the standard of design in the Township and set the foundations for well planned and coordinated development.

Public Electric Vehicle Infrastructure (N.J.S.A. 40:55D-89.f)

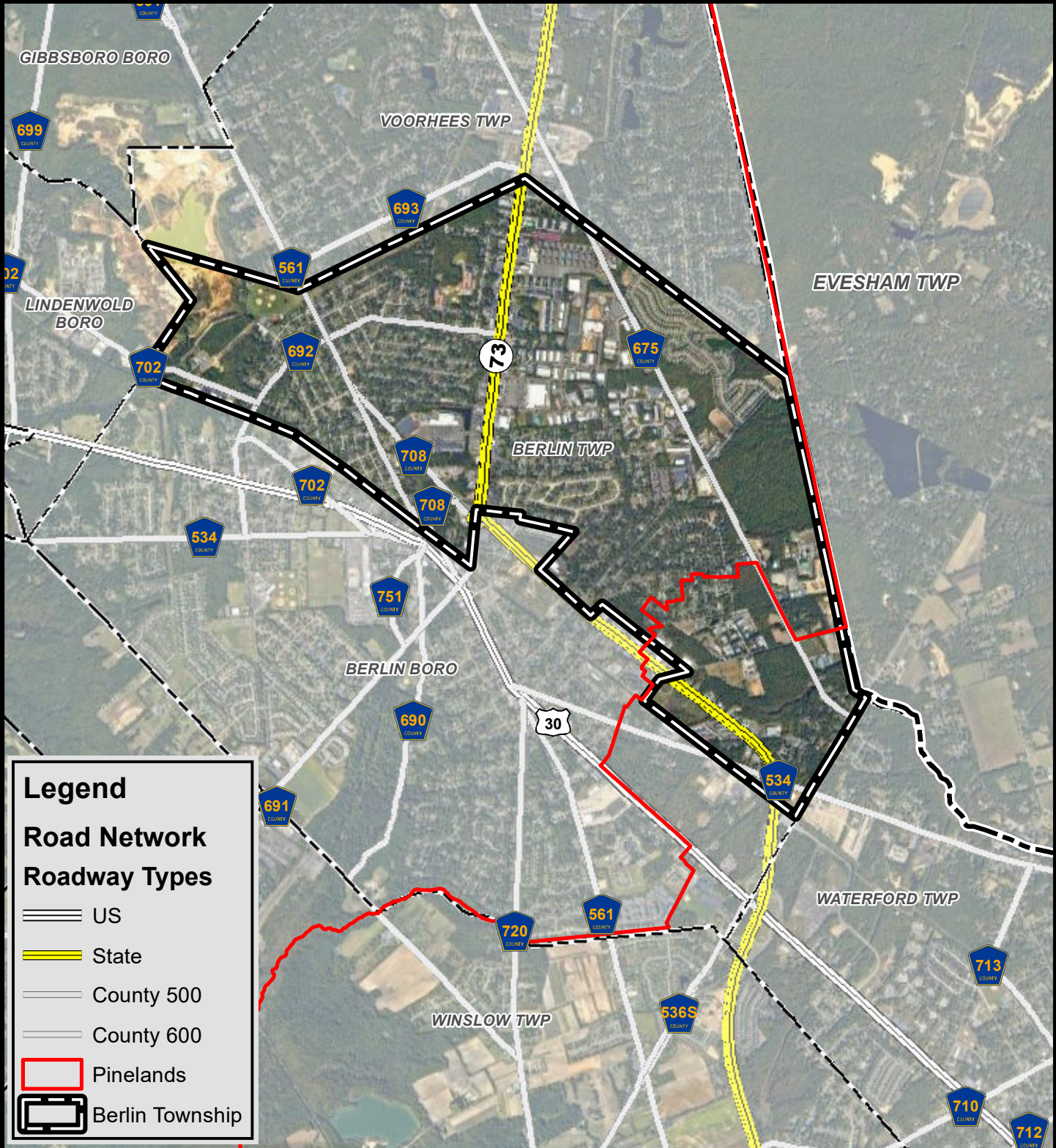
The recommendations of the Land Use Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and

transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

P.L. 2021, c. 171 was signed into law in July of 2021 and requires that Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces be designated as a permitted accessory use in all zoning or use districts. It also establishes associated installation and parking requirements related to EVSE. As such, Berlin Township is requiring and allowing the installation of EVSE and Make-Ready parking spaces consistent with the State law. The Township aims to support the installation of EVSE to enable more residents the confidence to drive electric.







It is recommended that public charging stations be provided at the Atco Train Station (though not in Berlin Township), and potentially in the parking lots of Walmart, Diggerland, Planet Fitness, and Berlin Circle Plaza.

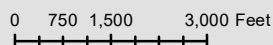
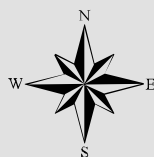
Exhibit A



Legend

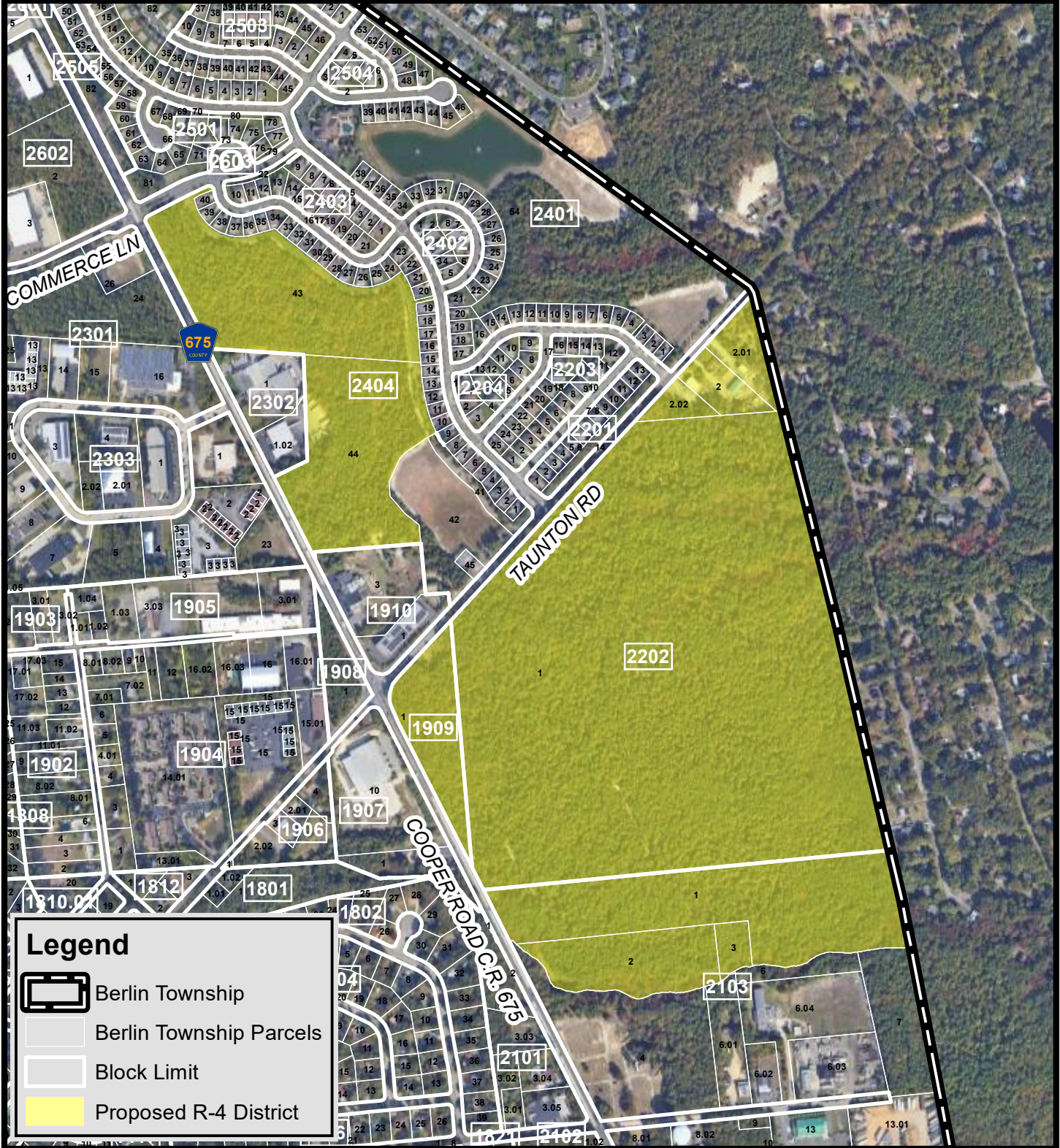
Road Network Roadway Types

-  US
-  State
-  County 500
-  County 600
-  Pinelands
-  Berlin Township







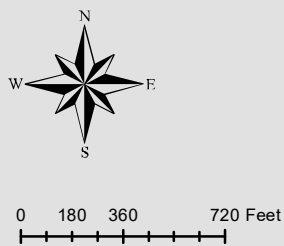
Aerial Photo
Berlin Township
Camden County, NJ

Exhibit B



Legend

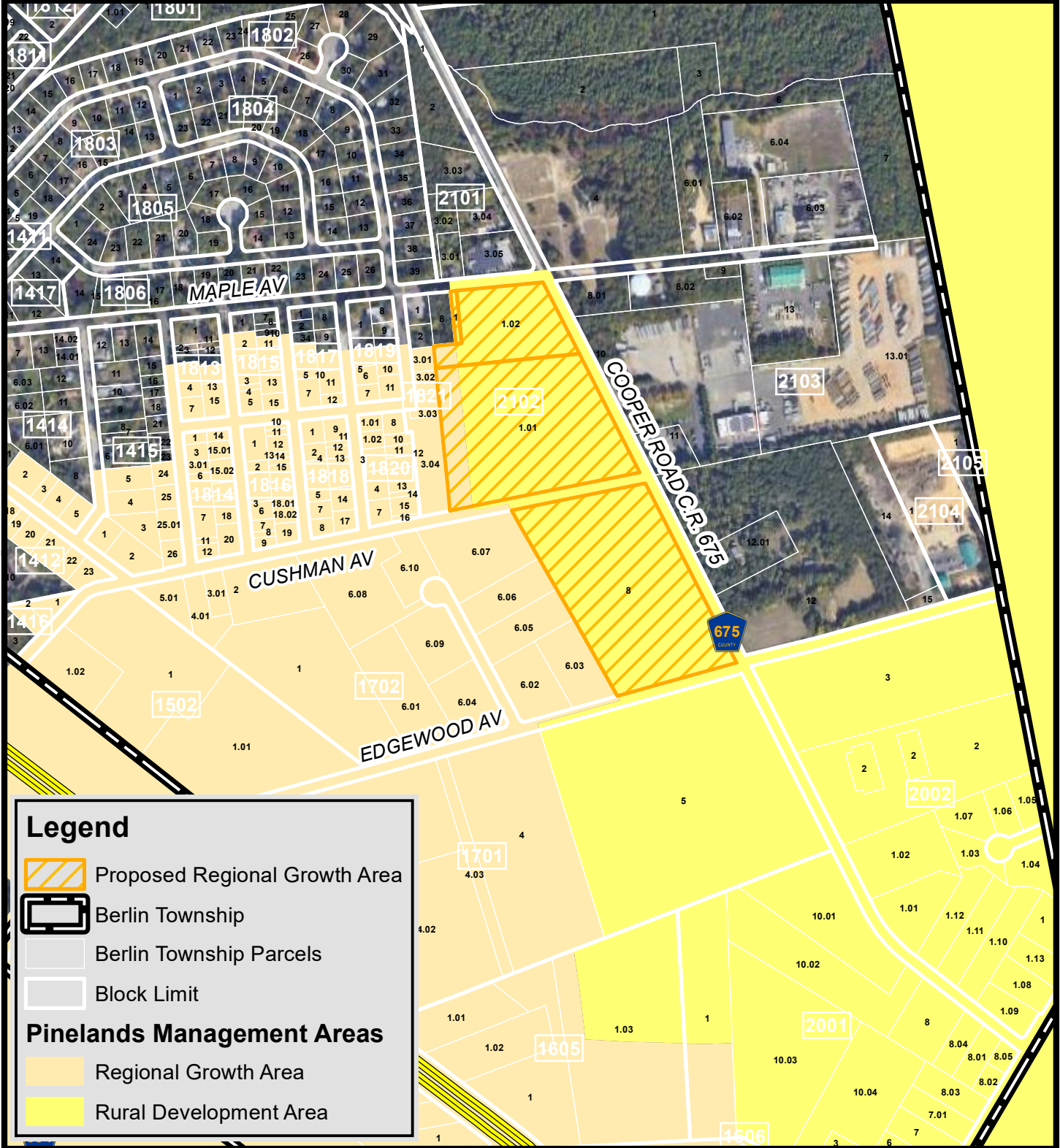
-  Berlin Township
-  Berlin Township Parcels
-  Block Limit
-  Proposed R-4 District







Aerial Photo
 Berlin Township
 Camden County, NJ

SOURCE: NJGEO WEB DATA



Exhibit C

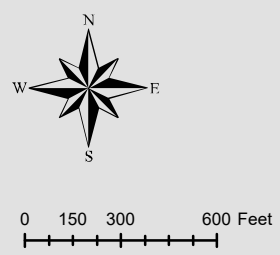


Legend

-  Proposed Regional Growth Area
-  Berlin Township
-  Berlin Township Parcels
-  Block Limit

Pinelands Management Areas

-  Regional Growth Area
-  Rural Development Area



Aerial Photo
Berlin Township
Camden County, NJ

SOURCE: NJGEO WEB DATA

Exhibit D
Draft of Proposed New R-4 Zoning District Standards

Proposed R-4 Zone	
Block	Lot
1909	1
2202	1
2202	2
2202	2.01
2202	2.02
2103	1
2103	2
2103	3
2404	42
2404	43

Article XVIII Mixed Residential Zone R-4 as set forth below.

340-115 Designation of Area and Purpose. The R-4 residential zoning designation applies to block 2103 lots 1, 2, and 3; block 2201 lots 1, 2, 2.01, 2.02; block 1909 lot 1; and block 2404 lots 42 and 43. The purpose of the R-4 zoning district is to provide opportunities for a variety of residential neighborhoods and housing types in a compact format, while also preserving and protecting sensitive wetland and buffer areas, environmental features and passive recreation areas. The R-4 district permits flexibility in lot sizes and arrangements in order to enable the development of housing that is responsive to the needs of the community and in harmony with surrounding uses and features. All residential development in the R-4 zone must connect to the public water and sanitary sewer systems.

- 340-116 Principal Permitted Use of Land and Buildings
- A. Single Family Detached Dwelling Units
 - B. Single Family Attached Dwelling Units (Townhouse Dwelling Units)
 - C. Municipal Use
 - D. Open Space and Outdoor Recreation

340-117 Permitted Accessory Uses and Structures

- A. Common recreation facilities for the use and enjoyment of residents and their guests.
- B. Community center for the use of residents and their guests.
- C. Stormwater management structures and facilities including green infrastructure.
- D. Minor home occupations in accordance with the requirements of 340-4.
- E. Private residential sheds for storage and other customary detached residential accessory structures such as gazebos or cabanas. Only one such structure is permitted on each lot.
- F. Off Street Parking
- G. Fences and walls in accordance with the requirements of this article and section 340-18.
- H. Signs in accordance with the requirements of this article and article XIII.
- I. Electric Vehicle Charging and Service Equipment
- J. Temporary construction, sales, and leasing trailers not to exceed 1,440 square feet, set back a minimum of 50 feet from perimeter property lines and shown on an approved site plan.

340-118 Density, Area, Yard, and Site Requirements

- A. Tract and Density Requirements.
 - 1) The minimum contiguous tract area shall be 20 acres.
 - 2) Maximum permitted gross density is 2 units per acre for tracts of 120 acres or less.
 - 3) Maximum permitted gross density is 2.25 units per acre for tracts of 120 acres or more. Under this subsection, tracts of land may be non-contiguous (provided that the minimum contiguous tract area is 20 acres), but must be reviewed and approved as an overall comprehensive plan and development proposal. Construction of the development may be phased.
 - 4) The minimum tract frontage on an arterial road shall be 500 feet
- B. Ratio of dwelling types. A minimum of 70% of the total number of dwelling units shall be single family residential units.
- C. The maximum impervious surface coverage for the entirety of the tract is 35%
- D. A minimum of 45% of the overall tract shall open space. A maximum of 20% of the open space area may be used for stormwater management. A

minimum of 10% of the open space area shall be usable (upland) area suitable for active recreation use.

- E. No single family residential or townhouse residential lot shall contain restricted lands such as wetlands, wetland buffers, flood plains, or stormwater basins. Green infrastructure such as rain gardens, rain barrels, or drywells may be on individual lots with a point of sale disclosure to the buyer that includes maintenance obligations.
- F. No single family or townhouse lot shall have direct access from any arterial or collector road (Cooper Road and Taunton Avenue)
- G. Minimum tract perimeter buffer is 50 feet. Perimeter buffers shall not be located on any single family or townhouse lot. No stormwater facilities, parking, or accessory structures shall be permitted within the perimeter buffer area.
- H. Minimum building setback to existing developed commercial lots is 150 feet.
- I. Recreation facilities shall be provided to benefit the residents of the community. On-site recreational facilities shall be owned and maintained by a Homeowners Association.
 - 1) A minimum of one playground shall be provided for each contiguous development area, on a usable area of at least 10,000 square feet. Playground areas shall include play equipment, street furniture, shade structures, walkways, trees, and landscaping.
 - 2) A minimum of one dog park area shall be provided for each contiguous development area, consisting of at least 5,000 square feet surrounded by a 6 foot high decorative transparent fence, and set back a minimum of 50 feet from the nearest residential structure.
 - 3) A multi-use recreational trail shall be provided and designed in accordance with generally accepted principles of trail design, with opportunities to continue, link, and connect the trail to adjacent properties. The exact location of the trail shall be determined in coordination with Township and County officials.
 - 4) A ball field or multi-purpose field, or a cash contribution the Township recreation fund for expansion or improvement of existing recreational facilities shall be provided for any development of 100 units or more.
- J. Subdivision of lots for permitted uses and community accessory uses is permitted.

K. Area, Bulk, Yard Requirements for Fee Simple Lots

Requirement	Single Family Lots	Townhouse Lots
Minimum Lot Area	6,900 square feet	1,800 square feet
Minimum Lot frontage	60 feet ¹	20 feet inside lot 30 feet end lot
Minimum side yard	5 feet one side 20 feet aggregate	0 feet inside 10 feet end lot
Minimum front yard setback ²	20 feet	20 feet
Minimum rear yard setback	25 feet	20 feet
Maximum building coverage per lot	35%	60%
Maximum impervious coverage per lot	60%	80%
Minimum distance between buildings	20 feet	20 feet
Maximum height	35 feet	40 feet/ three stories
Accessory Structure Setbacks	5 feet from side and rear. Not permitted in front yard	10 feet from rear for deck
Accessory Structures	Maximum height 15 feet	Maximum height 15 feet

340-119 Standards for Single Family Residential Lots

- A. A minimum of 60% of single-family homes shall have a front porch a minimum of 6 feet in depth. All single-family houses must have a covered porch or stoop a minimum of 16 square feet in area. The front porch may encroach up to 8 feet into the primary front yard area.
- B. Any street facing building façade must contain at least three windows and must have façade treatment and materials consistent with the principal façade.

¹ Lots on a cul-de-sac may have a minimum of 35 feet of frontage, but must have 60 feet of width at the building setback.

² Front yards are measured from each street frontage.

- C. Lots shall be arranged so that frontage along open space areas may be maximized.
- D. Garages intended to be counted toward residential parking requirements must be sufficiently sized to store trash and recycling containers and equipment such as bicycles, in addition to vehicles.
- E. Each lot must contain landscaping along the building frontages.
- F. Driveways must be setback a minimum of 5 feet from side property lines.

340-120 Standards for Townhouse Residential

- A. Front porches, stoops, landings, and steps may encroach up to 8 feet into the primary front yard.
- B. Maximum number of townhouse units per building is 8.
- C. The front building wall of every two townhouse units shall be off set a minimum of two feet.
- D. Garages intended to be counted toward residential parking requirements must be sufficiently sized to store trash and recycling containers and equipment such as bicycles, in addition to vehicles.
- E. Fences throughout the development must be of a consistent style, color, and material. A detail shall be provided at the time of approval and shall be made part of homeowner association documents.

340-121 Landscape Buffers

- A. Landscape buffers are required to minimize and visually screen any adverse impacts or potential nuisances on a site from any adjacent area.
- B. Landscape buffers shall consist of a combination of deciduous trees, conifers, shrubs, berms, and if appropriate fences or walls in sufficient quantities and sizes to perform their necessary screening function.
- C. Landscape buffers a minimum of 25 feet in width shall be planted within perimeter buffer areas. Existing trees shall be retained to the greatest extent possible and shall be supplemented as needed to achieve the intended buffer effect.
- D. Minimum buffer distance to adjacent developed commercial uses is 100 feet. This buffer shall not be located on any single family or townhouse lot. No stormwater facilities, parking, or accessory structures shall be permitted within the buffer area. Landscape buffers a minimum of 50 feet in width shall be planted within the minimum 100 foot buffer to adjacent developed commercial uses.

- E. For every 100 lineal feet of buffer area the landscaping shall include 5 large or medium trees, 8 small or ornamental trees, 15 evergreen or conifer trees, and 30 shrubs. Existing vegetation may substitute for all or a portion of the required buffer plantings at the discretion of the reviewing Board.

340-122 Architectural and Site Design Standards

- A. Representative architectural elevations showing all four sides of proposed buildings shall be provided with dimensions, materials, and colors identified.
- B. Architectural style shall be consistent throughout the development, with a minimum of four models with additional façade variations offered within the development.
- C. Façade materials shall include masonry (such as brick or stone), fiber cement, and/or vinyl siding. Horizontal siding and vertical siding are permitted, both should not be included on a single building.
- D. Front doors shall face toward the street and shall include a covered porch area.
- E. The exterior appearance of accessory structures must be compatible with the façade of the principal building.
- F. Sidewalks shall be provided along all street frontages, separated from the street by a park strip a minimum of 3 feet wide.
- G. Street trees shall be planted on the residential lots, setback a minimum of 3 feet from the sidewalk, within a 5 foot wide street tree easement
- H. Streets intersecting with arterial roadways shall include center landscaped islands a minimum of 100 feet long.
- I. All common areas must have frontage on the right of way a minimum of 60 feet in width.

340-123 R-4 District Application Requirements

- A. All applications for development must be accompanied by a report that evaluates the need for improvements to the Montebello sanitary sewer pumping station required to support the build out of the R-4 zoning district, and a plan to implement the necessary improvements.
- B. All applications for development must be accompanied by a report that evaluates the capacity of the water distribution system and adequacy of the current water allocation to accommodate the buildout of the R-4 zoning district and address any necessary improvements or anticipated shortfall.

- C. All applications for development must be accompanied by a traffic impact study that considers the build out of the R-4 district and the impacts of the development on the signalized and unsignalized intersections.
- D. Applications for development of the R-4 district south of Taunton Avenue must be accompanied by a plan to clean and de-snag the Kettle Run Tributary within the property and along the property boundary to ensure free flow of the stream.