



2011

Township of Weymouth Master Plan



Weymouth Township
Planning Board

Township of Weymouth Master Plan

County of Atlantic, NJ

Prepared for:

Weymouth Township Planning Board

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Table of Contents

GOALS & OBJECTIVES	1
LAND USE ELEMENT	
STATUTORY REQUIREMENTS	8
PURPOSE	8
GOALS	9
STATE AND REGIONAL PLANNING POLICY	9
INVENTORY OF EXISTING CONDITIONS	11
Location and Background.....	11
Wetlands and Surface Waters.....	12
Geology/Soils	13
Rare Species	14
Vegetation and Forests	15
Environmental Constraints	17
Population Characteristics	18
Existing Land Use	18
Existing Zoning	19
Suitability of Existing Zoning.....	20
FUTURE LAND USE PLAN	22
Cluster Zoning.....	22
Small Scale Agriculture.....	23
Villages.....	25
RECOMMENDATIONS FOR CHANGES TO THE LAND USE REGULATIONS	28
CONSERVATION PLAN ELEMENT	
GOALS, OBJECTIVES, POLICIES	30
OPEN SPACE	31
GREENWAYS	33
SOILS	34
GROUNDWATER	35
SUFACE WATER AND WETLANDS	36
AIR	39
VEGETATION COVER/FORESTS	40
WILDLIFE HABITAT	41
ENERGY RESOURCES	42
LIGHT POLLUTION	43

HISTORIC PRESERVATION PLAN ELEMENT

HISTORIC PRESERVATION PURPOSE AND BENEFITS..... 46
REGULATIONS AND PROGRAMS..... 47
HISTORY OF WEYMOUTH TOWNSHIP 49
CRITERIA FOR EVALUATING HISTORIC RESOURCES..... 52
INVENTORY OF HISTORIC STRUCTURES..... 53
GOALS, OBJECTIVES, POLICIES 54

OPEN SPACE & RECREATION PLAN ELEMENT

GOALS, OBJECTIVES, POLICIES..... 57
CURRENT INVENTORY OF OPEN SPACE..... 58
RESOURCE CONSIDERATIONS..... 62
OPEN SPACE POLICIES AND FUTURE PLANS 63

RECYCLING AND SOLID WASTE REDUCTION PLAN ELEMENT

INTRODUCTION 66
GOALS, OBJECTIVES, POLICIES 68

TABLE OF PLAN MAPS

LOCATION MAP MAP 1
WETLANDS MAP 2
SOILS WITH CONSTRAINTS MAP 3
WETLANDS AND SOILS WITH CONSTRAINTS MAP 4
HIGHLY RANKED RARE SPECIES HABITAT MAP 5
WETLANDS ECOLOGICAL INTEGRITY MAP 6
AQUATIC ECOLOGICAL INTEGRITY MAP 7
LANDSCAPE ECOLOGICAL INTEGRITY..... MAP 8
HIGHEST ECOLOGICAL INTEGRITY..... MAP 9
COMBINED ENVIRONMENTAL CONSTRAINTS..... MAP 10
EXISTING DEVELOPMENT MAP 11
PROTECTED OPEN SPACE MAP 12
EXISTING ZONING MAP 13
LAND PARCELS MAP 14
LOCATIONS FOR CLUSTER DEVELOPMENT MAP 15

APPENDICIES

APPENDIX A - MASTER PLAN RE-EXAMINATION REPORT (2008)..... i
APPENDIX B - U.S. CENSUS DATA..... ii
APPENDIX C - MODEL HISTORIC PRESERVATION ORDINANCEiii
APPENDIX D - MODEL MUNICIPAL SOURCE SEPARATION/RECYCLING ORD. iv

Weymouth Township Master Plan Goals and Objectives

Introduction

The New Jersey Municipal Land Use Law requires that all municipal master plans contain a statement of objectives, principles, assumptions, policies and standards upon which the comprehensive Master Plan is to be based. The individual Master Plan elements provide the means of implementing the established goals. These goals guide the development of the Township in terms of physical development and redevelopment as well as preservation of open space, farmland and natural resources. In time, as part of the ongoing process, Township priorities and goals may be redefined, enhanced or supplemented, resulting in amendments to the Master Plan.

The Weymouth Township 2008 Reexamination Report identified the need to develop a new set of the goals and policies as the first step toward amendment of the various elements of the Master Plan.

This section provides a summary of the broad goals and policies which guide the various land use directives and recommendations found in the overall Master Plan. These have been based on a review of past goals and policies and include amendments, modifications and new statements of intent representing current concerns as defined during this review process.

In general, a goal may be considered a very broad statement of intent, whereas the policies are slightly more specific. More specific recommendations for achieving these goals and policies are found in the body of each individual Master Plan element as part of the overall plan text, map or specific recommendations. The goals and policies summarized below are also found repeated in each associated Master Plan element.

Future Land Use

A. Goal: Achieve a desirable balance of non-residential, residential, open space and agricultural uses.

Objectives

1. Preserve remaining open space, farmland and natural areas in the Township through practical means, including, but not limited to the fee simple acquisition of lands, development rights purchase, dedication, and forest protection measures.
2. Pursue opportunities to achieve a greater balance of nonresidential to residential land use in appropriate areas of the Township. Identify planning initiatives that can strengthen the villages of Dorothy and Belcoville through encouragement of a mixed use of residential and appropriately scaled business establishments.

Weymouth Township Master Plan Goals and Objectives

3. Encourage the appropriate use of cluster and density transfer development tools to locate future development in areas adjacent to existing residential and commercial nodes while providing for protection of forests and scenic values and resources.
4. Promote adequacy, variety, and convenience of shopping for local residents by providing for community scale neighborhood/ village business centers and convenience service areas in the existing villages of Dorothy and Belcoville.. Where practical, improve opportunities for local retail and services in a manner that promotes and protects the character and overall density of historic land use patterns in these villages. Promote farmstands and a Farmer's Market.
5. Promote the continuation of small farms and other traditional rural land use in a manner that provides for minimal conflict between these activities and other residential uses.
6. Promote development opportunities that take advantage of rail transit oriented opportunities in the village of Dorothy.
7. Promote development opportunities that result in strengthening of village character and community in the village of Belcoville that is reflective of its pre-automobile development patterns.

B. Goal: Maintain strict performance standards for residential uses such that development compatible with the environment will be assured and negative impacts on individual sites and community infrastructure will be minimized.

Objectives

1. Develop standards for potential cluster development that locate new development nodes in a manner that minimizes negative impact on public infrastructure and minimizes the need for additional roads, sewage, schools, or other public facilities.
2. Locate future residential development in a manner that maximizes the protection of forests, rivers, and other natural resources.

C. Goal: Provide for a wide range of housing densities and housing types to meet the varied income and age level needs as well as to preserve established residential areas.

Objectives

1. Continue to develop land use strategies to encourage development of a range of residential densities and building types appropriate to local needs.

Weymouth Township Master Plan Goals and Objectives

2. Encourage residential development policies that provide a balanced residential Character in the community, providing a range of life-cycle housing types.
3. Maximize advantages afforded by existing regional access roads, utility infrastructure and potential mass transit service in locating higher density residential land uses.
4. Maintain lower residential densities in areas not planned for sewer or where environmental, open space or rural qualities are sought to be preserved.
5. Where needed, amend zoning to recognize well-established and predominant residential development characteristics in the villages of Dorothy and Belcoville.

D. Goal: Meet affordable housing obligations

Objectives

1. Identify opportunities to meet future affordable housing obligations.

E. Goal: Continue to maintain the high quality of existing housing stock and the character of existing residential areas.

Objectives

1. Encourage the development of recreation and preservation of open space and natural areas in close proximity to residential neighborhoods to preserve and promote an enhanced quality of life for all Weymouth Township residents.
2. Where possible, encourage appropriate improvements and in-fill development by relating land use standards to prevailing conditions in established residential neighborhoods. Through such standards, ensure that alterations to existing housing and new in-fill construction are compatible with surrounding housing.
3. Monitor the need for site and structural maintenance codes and enforcement regulations as needed and vigorously enforce existing maintenance requirements.
4. Maintain the quality of municipal services to residential areas.
5. Encourage efficiencies in the design of new residential development that will minimize public service costs and maximize Green Building Practices*.

* *Green Buildings are designed to reduce the overall impact of the built environment on human health and the nature environment.*

Circulation Plan

A. Goal: Continue to pursue a coordinated road plan, which enables the safe and efficient movement of people and goods and minimizes the negative impact of regional traffic on local roads, particularly in residential areas.

Objectives

1. Establish a hierarchy of roads with appropriate geometric characteristics and capacity for future traffic volumes, thus avoiding channeling regional traffic onto local streets resulting in the degradation of residential areas and village centers.
2. Limit major new road construction to those linkages and improvements identified in the Circulation Plan as needed to ensure an adequate distribution of local traffic.
3. Plan for a transportation network compatible with those of neighboring Townships, the County, and the State.
4. Plan for multi-modal forms of transportation to include bicycle, pedestrian and horseback trails.

Open Space and Recreation Element

A. Goal: To preserve open space and recreational opportunities for current and future citizens of Weymouth Township.

Objectives

1. Public acquisition of additional acres of significant recreational open space to meet the standards of the New Jersey Statewide Comprehensive Outdoor Recreation Plan's (SCORP) "Balanced Land Use Guideline" and the unique needs of Weymouth Township as articulated by observed and surveyed demand for recreation facilities.
2. Acquire additional lands beyond the SCORP standards as required for environmental protection and to satisfy open space objectives beyond recreation (i.e. farmland/rural preservation or education).
3. Supplement Weymouth Township Municipal Open Space Tax funds with other funding sources such as State, County, and non-profit programs including but not limited to: State Green Acres program; Green Trusts; Atlantic County Open Space acquisitions; and the State Farmland Preservation program.

Weymouth Township Master Plan Goals and Objectives

B. Goal: To develop adequate open space and recreation facilities to meet the needs of Weymouth Township now and in the future.

Objectives

1. Expand parklands with active recreation facilities to meet the present and future needs of Weymouth Township.
2. Adequately maintain existing facilities to provide for their long term use.
3. Promote recreational activity with appropriate and adequate access by all age and user groups throughout the Township.
4. Periodically survey and update the recreation inventory and needs analysis to anticipate needs rather than react to deficiencies.

C. Goal: To preserve and enhance the cultural and ecological environment for the inhabitants of Weymouth Township.

Objectives

1. Develop recreational facilities for both active and passive activities and all user age groups to maximize social interaction, community pride, and leisure activities.
2. Carefully consider the impacts of recreational development relative to natural ecosystems and the sustainability of these areas.
3. Design and construct all recreation development according to all required environmental regulations and practices appropriate to preserve environmentally sensitive areas and maintain or enhance environmental quality.
4. Minimize the clearing of sustainable woodland and trees for recreation development by situating facilities in open areas.

Conservation Element

A. Goal: The overall goal of the Conservation Element is to preserve and maintain the ecological, historic, visual, agricultural and scenic resources of the Township, preserve the environment and maintain and enhance the overall quality of life for Township residents.

Objectives

1. Identify and protect ecological, historic, visual, agricultural and scenic resources through the use of creative land development techniques (such as clustering, homestead exchange program and mandatory simultaneous clustering and transfer of development credits for residential projects, flexible implementation of setbacks and buffers) and other methods as may be found effective and practical.
2. Continue to use the local open space tax to preserve environmentally sensitive areas, agricultural lands, parkland, historic resources and other conservation areas. In addition, pursue other State and County funding mechanisms and methods of acquisition and/or preservation as available and practical (i.e., conservation easements, private donations.)
3. Proactively protect, maintain and expand the community forest, including street trees, park landscape and natural areas, wherever they occur. Promote and enhance the ecological management of forested lands in the Township including goals of achieving Forest Health and adequate fire management.
4. To the extent possible, encourage existing agricultural areas to remain. Where possible employ right-to-farm rules, land and/or development rights acquisition, and other methods where practical to preserve agriculture.
5. Maintain design and siting standards to protect the Township's historic and rural character, particularly in the Township's original villages of Dorothy and Belcoville and along those roadways where natural vegetation, farmland or open space remain. These historic features and rural/farmland areas should be preserved wherever possible. They establish the pastoral open character of much of the Township and represent the community's heritage.
6. Encourage conservation of individual archaeological and historical landmarks and clusters of locally significant historic sites predominantly found in the villages of Dorothy and Belcoville.
7. Preserve and improve the quality of both surface water bodies and groundwater resources. Preserve the ecological integrity of the Great Egg Harbor River, South River and the Tuckahoe River in particular.

Historic Preservation Element

The overall goal of the Historic Preservation Element is to identify, evaluate and recommend provisions for the preservation of the Township's historic and cultural resources.

Objectives

1. Assess the status of the available data on historic resources.
2. Update the municipal ordinance to implement historic preservation policies.
3. Increase the knowledge and awareness of the Township's history.
4. Incorporate historic preservation actions with economic development opportunities.

Recycling and Solid Waste Reduction Element

The overall goal of the Recycling and Solid Waste Reduction Element is to provide provisions for the collection, disposition and recycling of the recyclable materials generated by residential and commercial uses in the Township.

Objectives

1. Identify educational approaches that reduce the overall amount of solid waste while increasing the percentage of recycled waste.
2. Update the municipal ordinance to reflect changes in federal, state, and county laws, policies and objectives concerning solid waste and recycling.
3. Reduce the cost of municipal management of solid waste.
4. Reduce the impact of solid waste upon the environment of the Township.

Land Use Element

The Land Use Plan Element is one of the components of a municipal Master Plan required by the New Jersey municipal land use law. Along with a statement of Goals, Objectives and land use Policies and a housing element, the Land Use Element forms the core of the Master Plan and provides the foundation for other voluntary master plan elements.



The Land Use Plan Element is prepared pursuant to N.J.S.A. 40:55D-28(b)(2), which sets forth the following four requirements for a municipal Master Plan: *(a) a statement relating the Land Use Plan Element to the Master Plan's overall goals and policies to its other elements, as well as natural conditions of the land; (b) the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed zone plan and zoning ordinance; (c) the existing and proposed location of any airports and the boundaries of any airport safety zones; and (d) an explanation of the population density and development intensity recommended for the municipality.*

Purpose

The Land Use Plan Element sets the framework for, and incorporates, the land use implications for all of the other elements of the Master Plan. It establishes policies for the long-term physical development of the municipality and translates the community's vision into a physical pattern that guides the general location of various types of land uses. The Land Use Plan Element also includes goals, policies, and action items that are necessary to achieve the long-term future desired by the community. It is utilized to guide the Township's local decision making and will be implemented through the Township's Zoning Ordinance and Map, as well as other land development regulations.

As identified through public workshops held during the recent Master Plan Re-Examination process and during the development of the Master Plan's statement of Goals and Policies, there are a variety of issues facing the Township. These issues range from conservation of existing natural resources, to revitalization of the villages of Belcoville and Dorothy, to preservation of the quality of life of the Township, to creating a harmonious co-existence between residential and small-scale agriculture. This Plan has been designed to provide the framework and flexibility necessary to address these and other issues.

The 2008 Master Plan Re-Examination Report is provided in *Appendix A*.

Goals

- Achieve a desirable balance of non-residential, residential, open space and agricultural uses.
- Maintain strict performance standards for residential uses such that development compatible with the environment will be assured and negative impacts on individual sites and community infrastructure will be minimized.
- Provide for a wide range of housing densities and housing types to meet the varied income and age level needs as well as to preserve established residential areas.
- Meet affordable housing obligations
- Continue to maintain the high quality of existing housing stock and the character of existing residential areas.

State and Regional Planning Policy

Pinelands Comprehensive Management Plan

Over eighty two percent of the land area of the Township is located within the New Jersey Pinelands Management Area. This area is comprised of 6,425 acres out of the total land area in the Township of approximately 8,064 acres. In addition, approximately 73% of the population and 72% of the housing units are located within the Pinelands zone (source: New Jersey Pinelands Commission). The Pinelands Village of Dorothy allows for residential and commercial development on a minimum lot size of five acres. The remaining portions of the Pinelands portion of the Township are designated as Forest zones with lot sizes ranging from ten acres up to twenty five acres per residential unit. Very recently, the Pinelands Commission has stated that it will review the conservation and development designations with the municipalities under its jurisdiction based upon an Ecological Integrity Assessment conducted by the Commission. The Commission has also begun implementation of new clustering schemes for future residential development within in portions of the Pinelands as well. This Land Use Element is designed to provide guidance in the designation of areas for development and for open-space set asides as a result of potential clustering provisions in future zoning ordinance changes.

Wild & Scenic River System

The Township joined with other municipalities and the National Park Service to cooperatively protect and manage the Great Egg Harbor River as part of its designation into the National Wild and Scenic Rivers system. A significant portion of the area of the township that is not within the Pinelands management area falls within the River Management zone.

Coastal Area Facilities Review Act

The portion of the Township located immediately adjacent to the Great Egg Harbor River falls within the Coastal Area Facilities Review Act (CAFRA). This legislation provides for regulation of development within the state's coastal areas by the New Jersey Department of Environmental Protection. Through a series of performance standards and density restrictions, new development along the Great Egg Harbor River is regulated by this program.

Council on Affordable Housing (COAH)

On November 22, 2004 COAH adopted its third round methodology and rules, which are effective December 20, 2004. These rules were revised and became effective June 2, 2008. This new methodology required the Township to undertake a review of the housing element and fair share plan. Components of the new methodology include "growth share" and "rehabilitation share".

The growth share determines the affordable housing unit obligation *based* upon projected development, with affordable housing units allocated based on the number of dwelling units built and the number of jobs created in the Township based on the square footage of non-residential development. The third round includes the period 1999 through 2014.

The Township updated its Housing Plan Element in 2006 in response to the third round rules.

Inventory of Existing Conditions

Location and Background

Weymouth Township is located in western Atlantic County, New Jersey and represents the remaining portion of what had once been a very large political subdivision consisting of nearly one third of the area of the entire county. With a formal history dating from the year 1694, Weymouth Township spawned a number of newer municipalities such as Hamilton Township, the City of Estell Manor, and Corbin City.

Today the Township is principally comprised of the two villages of Dorothy and Belcoville along with mostly low density and undeveloped areas lying between these centers.

The Township location is shown on the *Map One* entitled, *Township and Region Location Map*. It is comprised of approximately 8064 acres, or 12.4 square miles. The Township had a population of 2,257 residents as captured by the United States 2000 Census. This population was housed in a total 909 housing units.

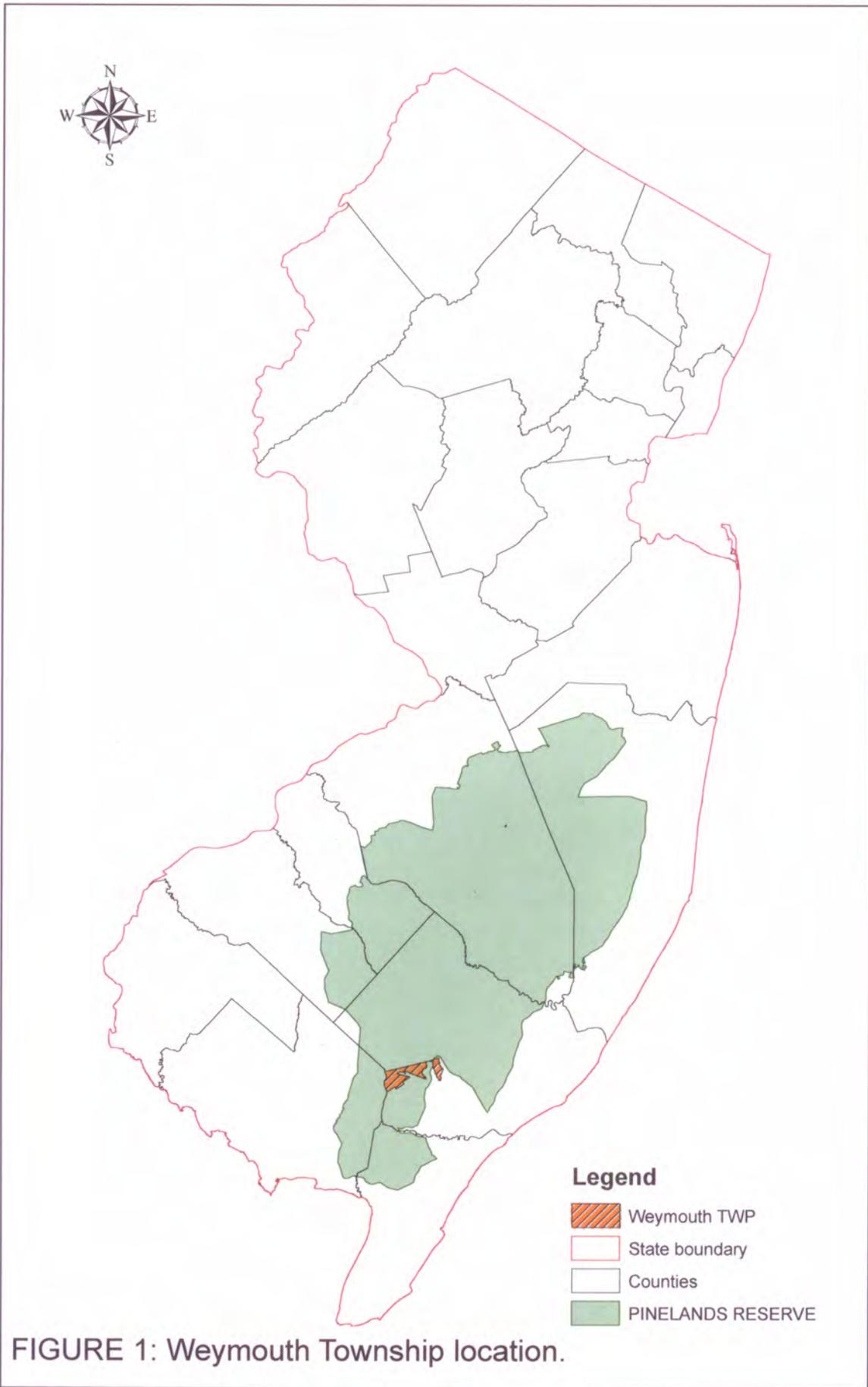
Physical and Environmental Features

Weymouth Township contains a diversity of very important natural features that include the Great Egg Harbor River, South River, rare, threatened and endangered plant and animal species, extensive forests, groundwater resources, and various forms of agriculture. The municipal Environmental Commission has completed a Natural Resource Inventory for the Township which identifies and examines the geology, hydrology, soils, vegetation, wildlife, threatened and endangered species and other areas of local, regional and national ecological significance found within the Township.

The detailed information contained within the Natural Resources Inventory (NRI) is extremely useful in helping the Township identify and protect its significant natural resources. This is especially true with respect to site-specific development proposals or with respect to the identification of land parcels that might be suitable for open space protection. However, the NRI can also be used on a broader scale to use as a basis for Township-wide planning. Areas that clearly present either constraints to future development or opportunities for preserving large, intact natural systems can also be derived from the NRI.

Another source of data that is important to understanding the environmental constraints for development within the Township is the Ecological Integrity Assessment prepared by the New Jersey Pinelands Commission.

Among some of the most important large scale natural and physical features that affect future land use are the presence of wetlands, high quality river systems, soil type, the presence of rare species habitat and large intact forests.



Wetlands and Surface Waters

Weymouth Township contains a diverse complex of freshwater and coastal wetlands. Approximately twenty three percent of the Township is comprised of wetlands that are chiefly associated with the two major river systems that pass through the Township. Over 35 miles of river, stream and unnamed tributaries include the Tuckahoe River, Stephens Creek, Cedar Brook, South River and the Great Egg Harbor River.

Wetlands serve many important functions. They provide flood storage and stream flow attenuation during wet periods and sustain stream flow by releasing stored water during dry periods. They filter out pollutants in stormwater runoff, thus protecting water quality, and they provide habitat for important species of plants and animals. New Jersey's major wetlands are found on the U.S. Fish and Wildlife's National Wetlands Inventory aerial maps, county soil surveys, and New Jersey Department of Environmental Protection's more detailed wetlands maps. A more accurate wetlands delineation can be obtained from specific site visits, when wetlands can be identified by vegetative, soil, and hydrologic features.

The Weymouth Township Environmental Resource Inventory contains detailed maps of wetland areas in the Township that are based upon the New Jersey Department of Environmental Protection data source. The New Jersey Pinelands Commission and the New Jersey Department of Environmental Protection (NJDEP) regulate the disturbance and protection of wetlands.

Within the portion of the Township that falls outside of the Pinelands Protection Area, wetlands are protected by two major state laws. The N. J. Freshwater Wetlands Act defines a wetland as an area that is inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of vegetation typically adapted for life in saturated soil conditions, commonly known as hydrophytic vegetation. The state classifies wetlands into three (3) categories: Exceptional wetlands include those which discharge into trout production waters or those which support habitat for threatened or endangered species. Ordinary wetlands include certain isolated wetlands, detention facilities, and drainage ditches. Intermediate wetlands are all wetlands that are not defined as exceptional or ordinary. Exceptional and intermediate wetlands must have a buffer, or transition area, within which any disturbance is regulated by the NJDEP. Buffers range from 25 ft. to 150 ft. around NJDEP-regulated freshwater wetlands.

In coastal areas under the jurisdiction of the Coastal Areas Facility Review Act (CAFRA), tidal wetlands are protected by the 1970 Wetlands Act. This act requires a 300 ft. buffer around tidal wetlands.

Freshwater wetlands within the Township that fall within the Pinelands Protection Area are regulated by the NJ Pinelands Commission and require a 300 ft. buffer around wetland within which disturbance due to development is not permitted.

The Township Natural Resource Inventory provides a summary of the various types of wetlands found within the Township.

Table 1: Wetland Types and Acreage – Weymouth Township, New Jersey

Wetland Type	Acreage
Agricultural Wetlands (Modified)	3.09
Atlantic White Cedar Swamp	51.63
Coniferous Scrub/Shrub	12.78
Coniferous Wooded Wetlands	239.82
Deciduous Scrub/Shrub	166.50
Deciduous Wooded Wetlands	240.41
Mixed Forested Wetlands (decid)	202.83
Mixed Forested Wetlands (conf)	162.43
Mixed Forested Scub/Shrub (decid)	138.08
Mixed Forested Scrub/Shrub (conf)	37.01
Saline Marshes	251.61
Other Wetlands	28.44
Totals	1534.58

The wetlands are depicted on *Map Two*, entitled *Wetlands*. As can be seen from this map, the majority of wetlands in the Township are found in the eastern portion of the municipality associated with the South River and in the western most section of the township in association with the Tuckahoe River.

Geology/Soils

The geology of a region is the supportive base for soils, vegetation, and water. There is a complex interrelationship between the geologic environment and an area’s natural resources. Weymouth Township is entirely composed of the geologic features generally associated with the Outer Coastal Plain of New Jersey.

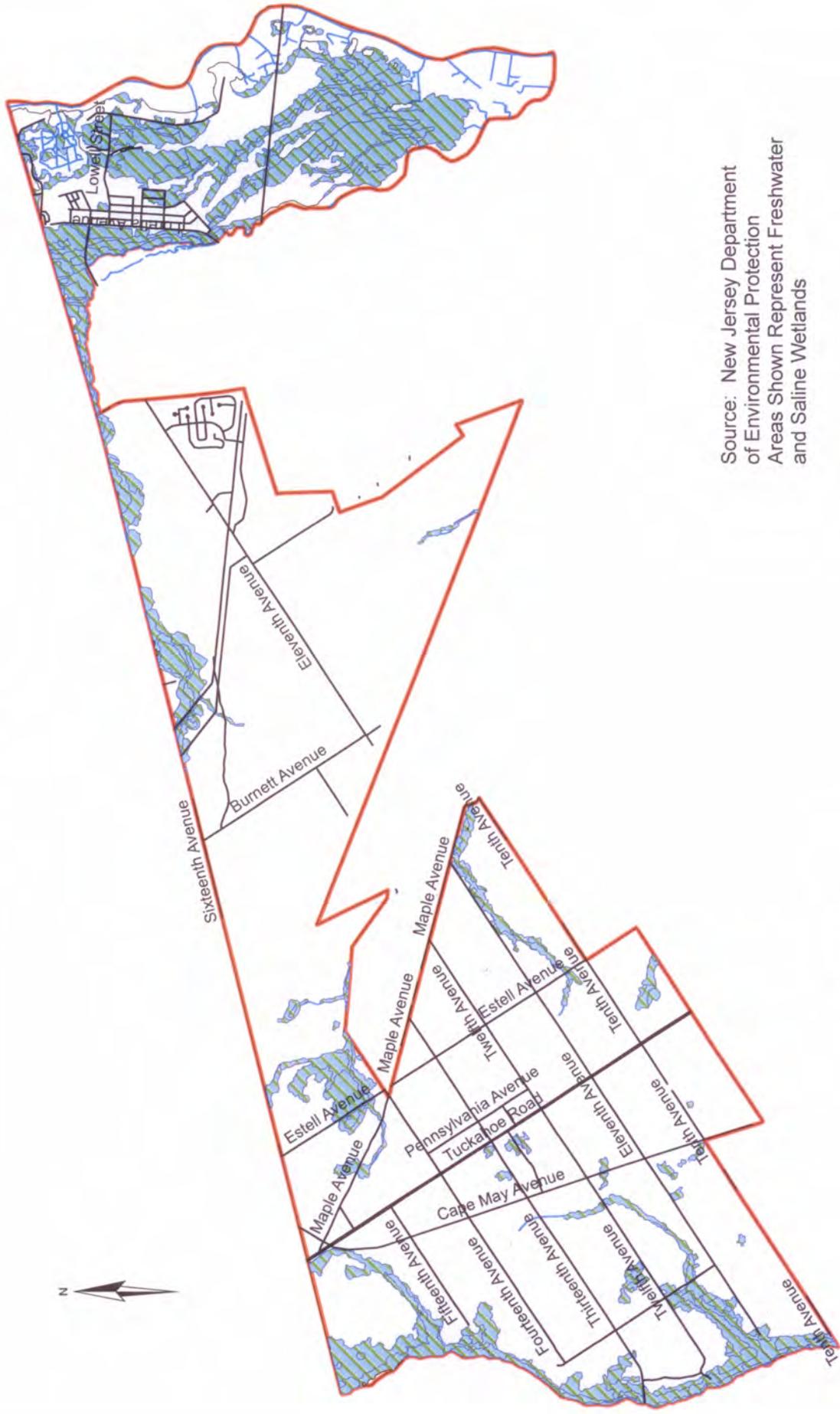
Certain soil types are associated with periodic flooding and erosion. Alluvial soils are subject to periodic flooding and have a low depth to seasonal high water table.

Weymouth Township has areas with alluvial soils. These include: Atsion Sands, Berryland Sands, Lakehurst, and Manahawkin Muck. These soils types provide significant constraints for development.

Map Three depicts the soil types in the township with significant development constraints. The location of these soils is very closely aligned with the surface waters and wetlands. This relationship is depicted on *Map Four*.

Weymouth Township

Wetlands
Map Two



Source: New Jersey Department of Environmental Protection
Areas Shown Represent Freshwater and Saline Wetlands

Legend

- Roads
- Streams

Rare Species

The New Jersey Office of Natural Lands Management within the Department of Environmental Protection maintains the Natural Heritage Data Base --- a compilation of known occurrences of rare species. This data base lists twenty species of plants, herptiles, songbirds, and raptors that occur within Weymouth Township and which are considered rare from a global, federal, or state perspective. Much of this information, while valuable from a standpoint of review for site-specific development proposals, is not as useful as a robust tool for planning land use on a municipal-wide scale. This list of rare species is provided in *Appendix B*.

In an effort to provide information to guide land use planning in the protection of the habitat for rare species, the New Jersey Department of Environmental Protection, Division of Fish & Wildlife, developed the Landscape Project. This effort has been designed to provide users with peer-reviewed, scientifically sound information that is easily accessible and can be integrated with the municipal land use planning process.

The method for delineating critical areas is relatively straightforward. First, the relevant classes for each habitat type (forest, grassland, forested wetland, emergent wetland and beach) are extracted from the NJDEP's LU/LC data layer. Dissolving the different LU/LC classes for each habitat type creates contiguous habitat polygons. Using boundaries between habitat types and major roads (county level 500 and above), contiguous patches for each habitat type are delineated. Each patch is then assigned a unique link ID. Imperiled species occurrence areas are then intersected with habitat patches. Habitat patches are classified based on the status of the species present as follows:

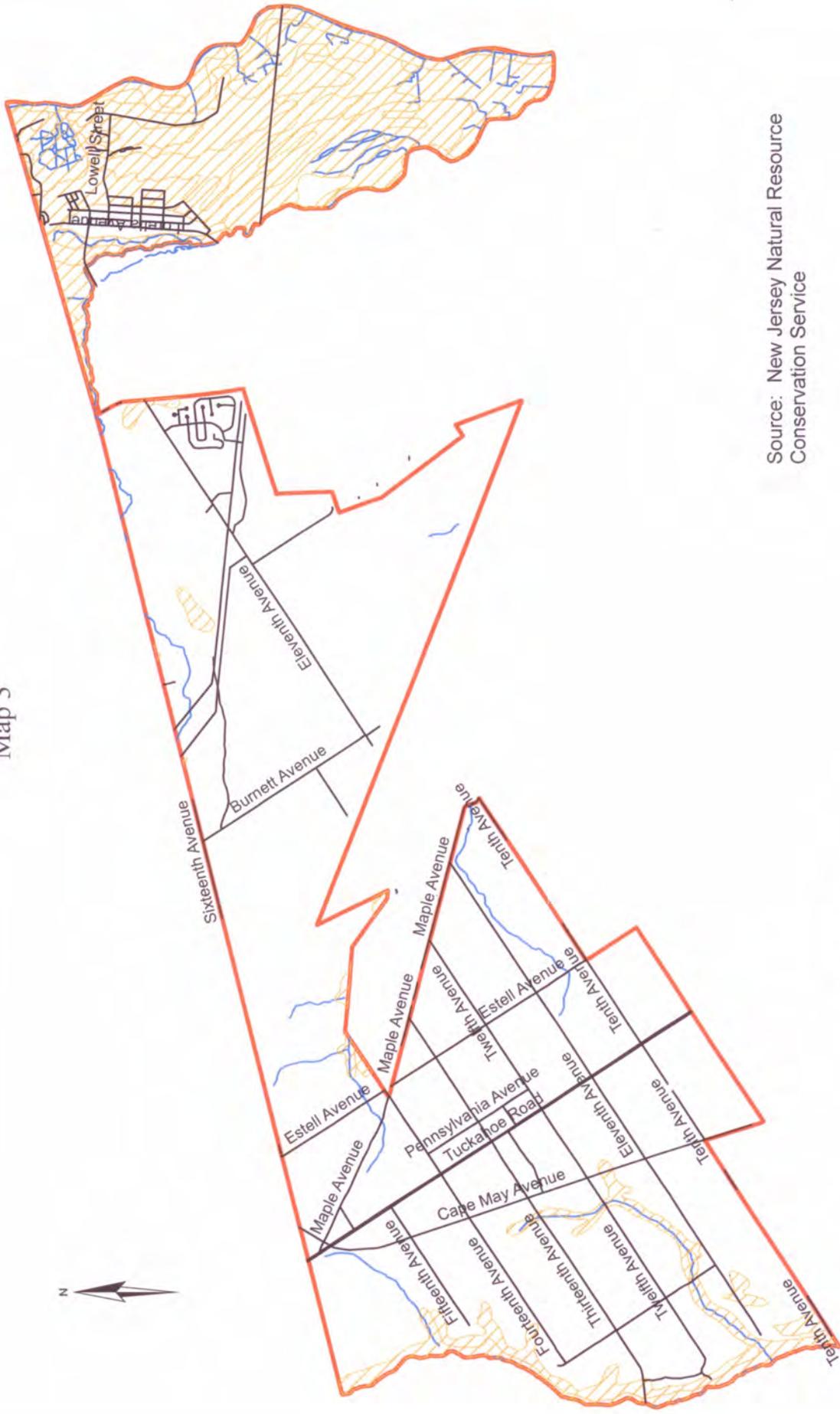
- **Rank 5** is assigned to patches containing one or more occurrences of at least one wildlife species listed as endangered or threatened on the Federal list of endangered and threatened species.
- **Rank 4** is assigned to patches with one or more occurrences of at least one State endangered species.
- **Rank 3** is assigned to patches containing one or more occurrences of at least one State threatened species.
- **Rank 2** is assigned to patches containing one or more occurrences of species considered to be species of special concern.
- **Rank 1** is assigned to patches that meet habitat-specific suitability requirements such as minimum size criteria for endangered, threatened or priority wildlife species, but that do not intersect with any confirmed occurrences of such species.

Within Weymouth Township, the Landscape Project depicts a number of areas with a rank of 3 or less. However, two areas are ranked as a 5, or as important for the rarest of species. *Map Five, Highly Ranked Rare Species Habitat*, depicts the forest in the western portion of the township (associated with the Tuckahoe River) as supporting three federally ranked threatened or endangered species. The wetlands associated with the

Weymouth Township

Soils With Constraints
For Development

Map 3



Source: New Jersey Natural Resource
Conservation Service

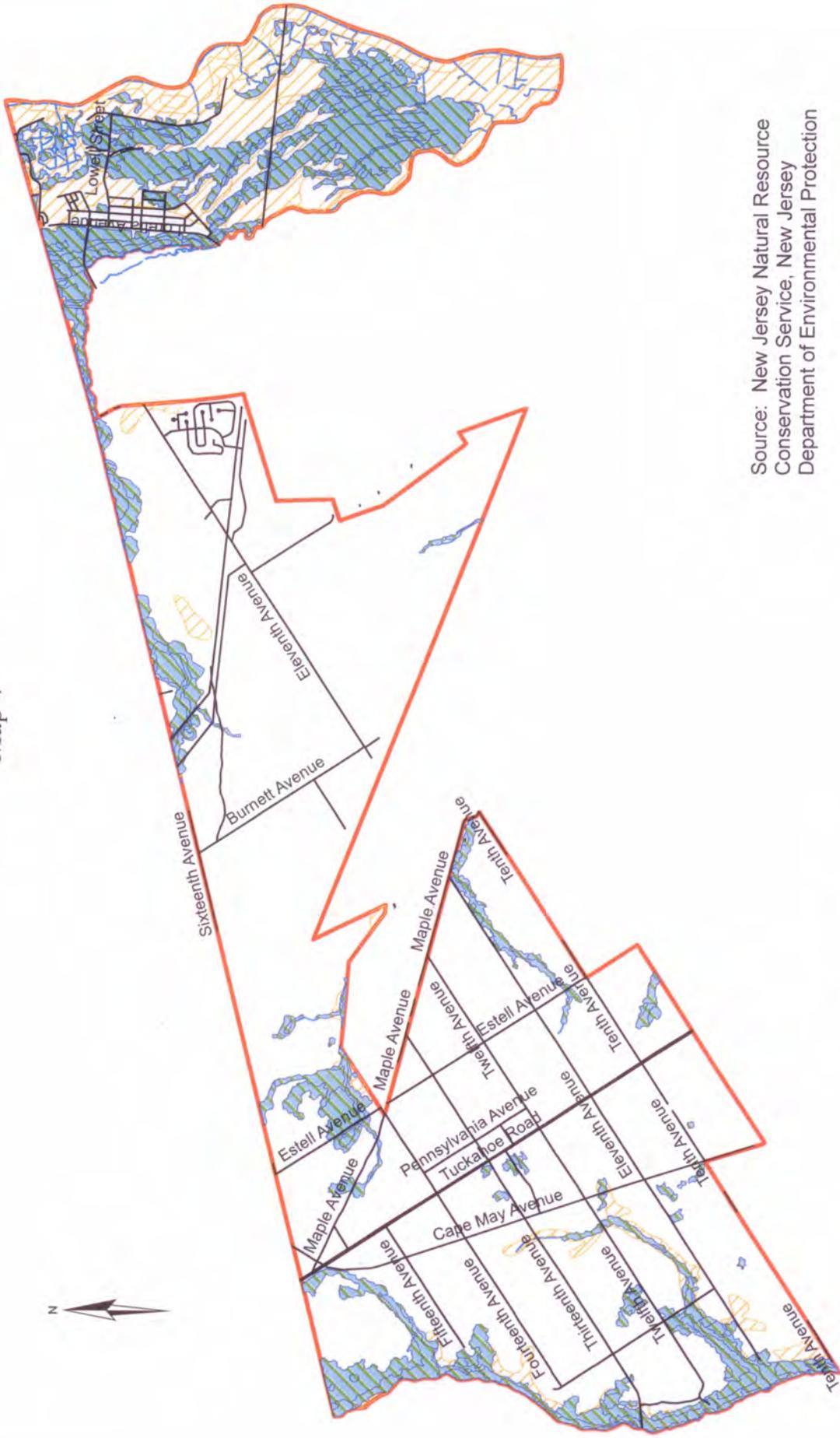
Legend

- Roads
- Streams

Weymouth Township

Wetlands and Soils with Constraints For Development

Map 4



Legend

- Roads
- Streams

Source: New Jersey Natural Resource
Conservation Service, New Jersey
Department of Environmental Protection

South and Great Egg Harbor Rivers are depicted as important Foraging Areas for the American Bald Eagle.

Vegetation/Forests

Weymouth Township includes large tracts of forest – occurring in a variety of vegetative community types. The Township is also a part of a much larger extent of forest found within the southern Pine Barrens. These vast forests serve as important habitat and provide ecosystem services such as protection and recharge of the drinking water supply and have positive impacts on the local and regional climate. From a regional perspective, the forests of the southern Pine Barrens act as a critical linkage and wildlife corridor between the vast marshes of the Delaware Bay and the more northerly core Pine Barrens forests.

The Weymouth Township Natural Resource Inventory emphasizes the importance of the Township’s forests to maintaining a variety of social and ecological conditions. The Environmental Commission has started work on a Community Forestry Management Plan to provide a guide for the long-term management of this resource and it will aid in the education of stewardship of forests. However, while some of the forest is located within open space lands or within public management, the majority of the Township’s forest resources are undeveloped and held by private interests. A sound land use planning approach is necessary to insure that future development of the Township minimizes the negative impact on this resource.

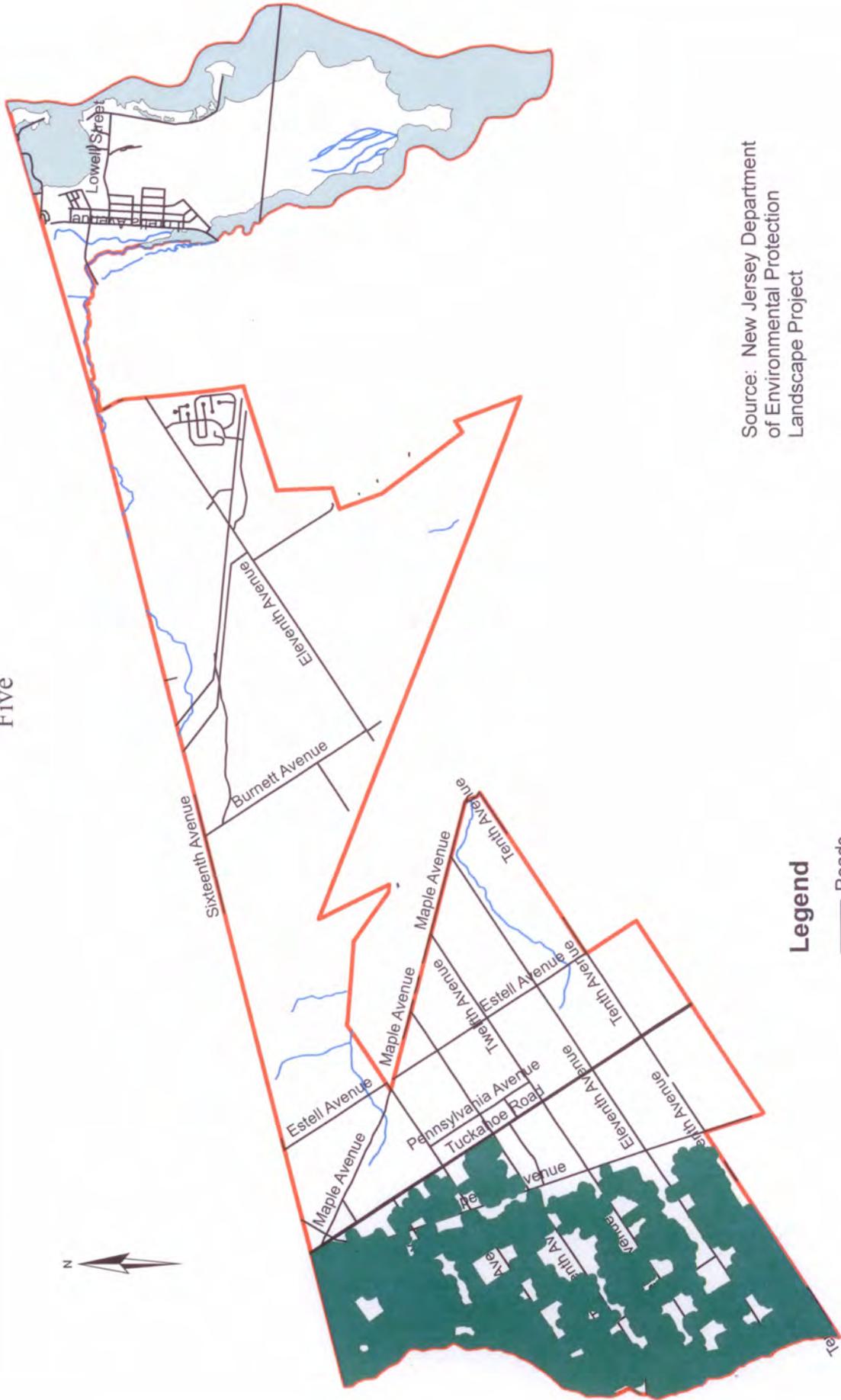
In 2008, The New Jersey Pinelands Commission completed a project entitled “An Ecological-integrity Assessment of the New Jersey Pinelands: A Comprehensive Assessment of the Landscape and Aquatic and Wetlands Systems of the Region”. This study is designed to provide a land-use planning perspective by focusing “on the big picture” by evaluating the current ecological status of the entire Pinelands Area and the ecosystem that it represents.

The Pinelands ecological-integrity assessment was guided by three basic principles concerning landscape, aquatic, and wetland-drainage integrity. The principles were based on the results of ecological studies conducted in the Pinelands and elsewhere. Landscape integrity focuses on species that move across wetlands and uplands and processes that operate at a regional-landscape level. Aquatic integrity deals primarily with processes that operate at the watershed level and the species and communities that are influenced by the quantity and quality of surface waters. Wetland-drainage-integrity focuses on upland land uses that affect the quantity and quality of groundwater flowing to palustrine wetlands. These three integrity measures were used to determine the overall ecological integrity of the 938,173-acre (379,827-ha) Pinelands Area.

- **Landscape Integrity.** Conservation of characteristic Pinelands plant and animal species and communities, including wide-ranging species, requires the protection

Weymouth Township

Highly Ranked Rare
Species Habitat
Five



Legend

- Roads
- Streams
- Bald Eagle Foraging Area
- Forest Supporting Federally Endangered Species

Source: New Jersey Department
of Environmental Protection
Landscape Project

of relatively *large* tracts of Pinelands habitat, including upland forests, wetlands, and water bodies.

- **Aquatic Integrity.** Conservation of characteristic Pinelands water quality and lake, pond, and stream communities and the indigenous plant and animal species that make up these communities requires the protection of associated watersheds.
- **Wetland-drainage Integrity.** Conservation of characteristic Pinelands palustrine wetlands and the indigenous plant and animal species that inhabit these wetlands requires the protection of adjacent uplands that influence the hydrologic integrity of the wetlands.
- **Ecological Integrity.** The overall ecological integrity of the Pinelands is a composite of landscape-, watershed-, and wetland-drainage-integrity measures.

The integrity of each of these measures is ranked on a scale from 10 through 100 (100 being the highest rank of integrity). When the data is extracted for the municipal boundaries of Weymouth Township, a clear trend emerges. If one were to look at only the areas ranked as the highest, or 100, on the scale of integrity, it can be seen that large portions of the Township's forests are of the highest importance to the overall systems-level ecological function of the Pinelands.

Map Six, Areas of Highest Wetland Drainage Integrity, depicts an area most closely associated with the forests located in the central portion of the Township with a integrity ranking of 100. Somewhat smaller areas with a ranking of 100 are also located near the Tuckahoe River.

Map Seven, Areas of Highest Aquatic Integrity, depicts areas with a ranking of 100 for this measure. This map shows somewhat similar portions of the Township than that depicted in Map Six. However, the majority of the central forested portion of the township are included.

Map Eight, Areas of Highest Landscape Integrity, again shows areas ranked as having the highest score of 100 being located in a generally similar area of the Township as the previous measures.

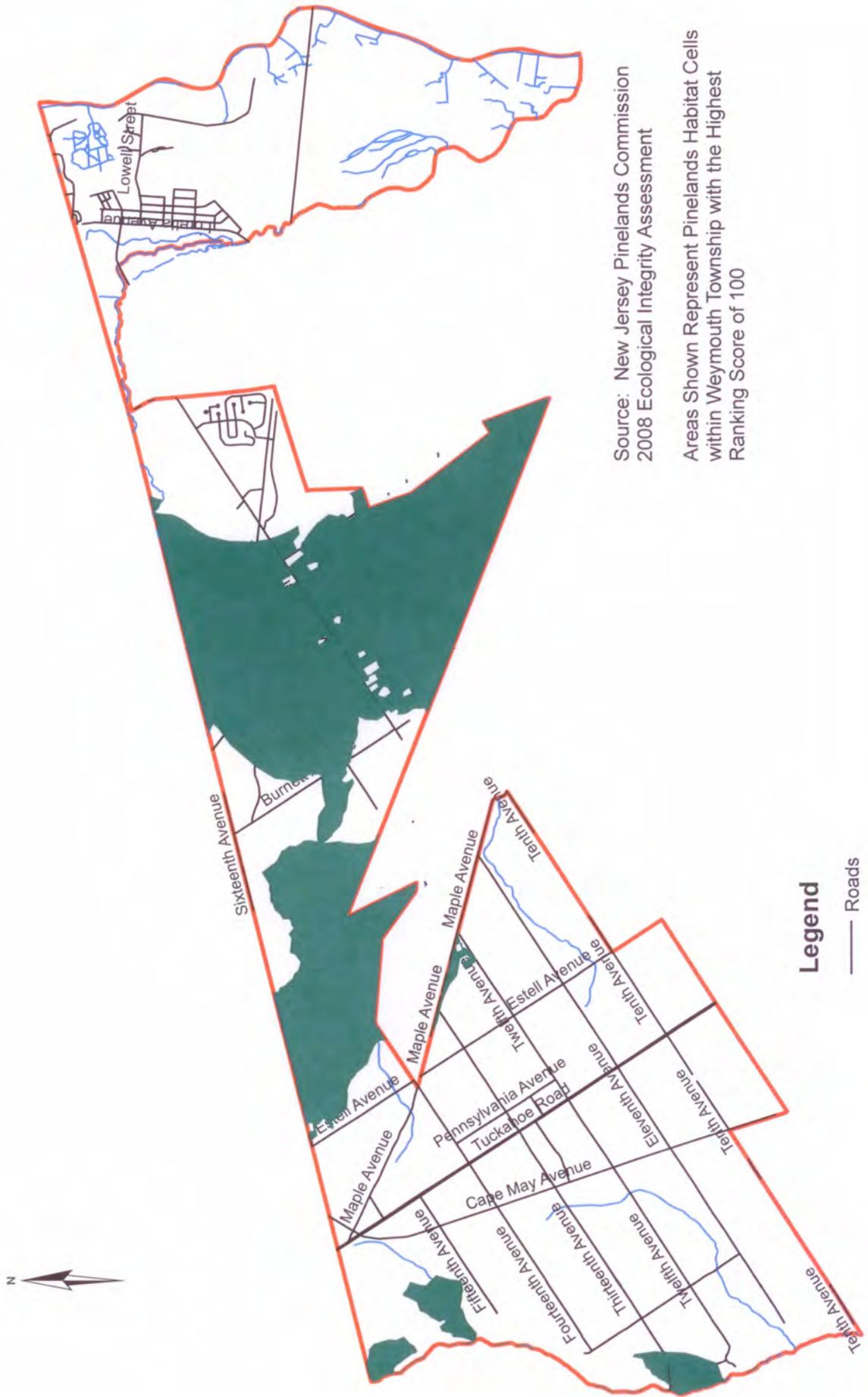
Map Nine, Areas of Highest Ecological Integrity, is an average of the landscape, wetland drainage and aquatic scores and results in the overall ecological integrity score. The areas shown on this map, represent the portions of the Township that scored only the highest rank of 100.

It should be noted that in each of the above mapped summaries, there are many areas with scores of less than 100 (from 90 downward to 10). Only those areas with the highest possible scores were included in this Future Land Use Plan in a effort to depict only the most valuable natural habitat found within the Township.

Weymouth Township

Areas of Highest Aquatic Integrity within The Pinelands Management Area

Map Seven



Source: New Jersey Pinelands Commission
2008 Ecological Integrity Assessment

Areas Shown Represent Pinelands Habitat Cells
within Weymouth Township with the Highest
Ranking Score of 100

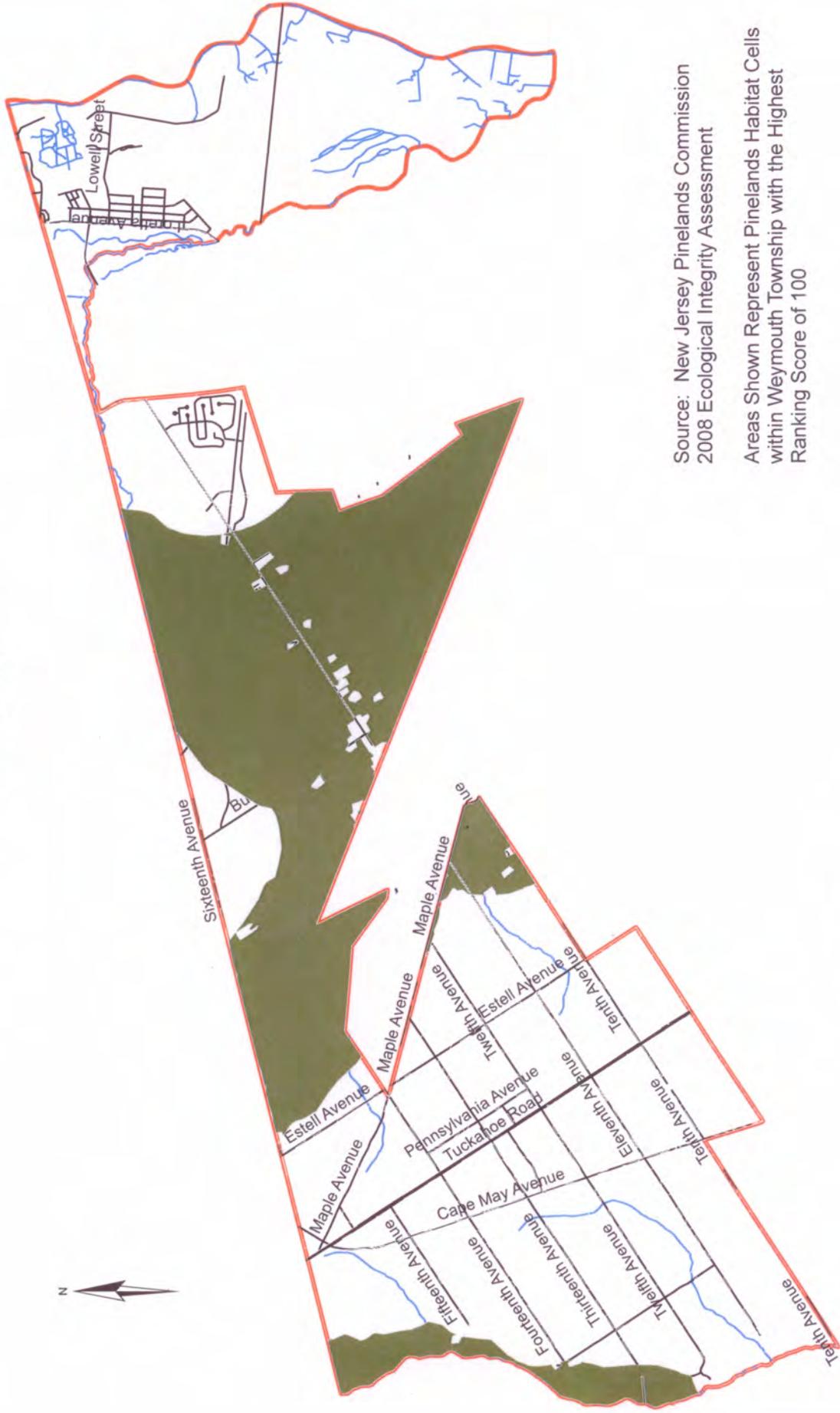
Legend

- Roads
- Streams

Weymouth Township

Areas of Highest Landscape Integrity within The Pinelands Management Area

Map Eight



Legend

- Roads
- Streams

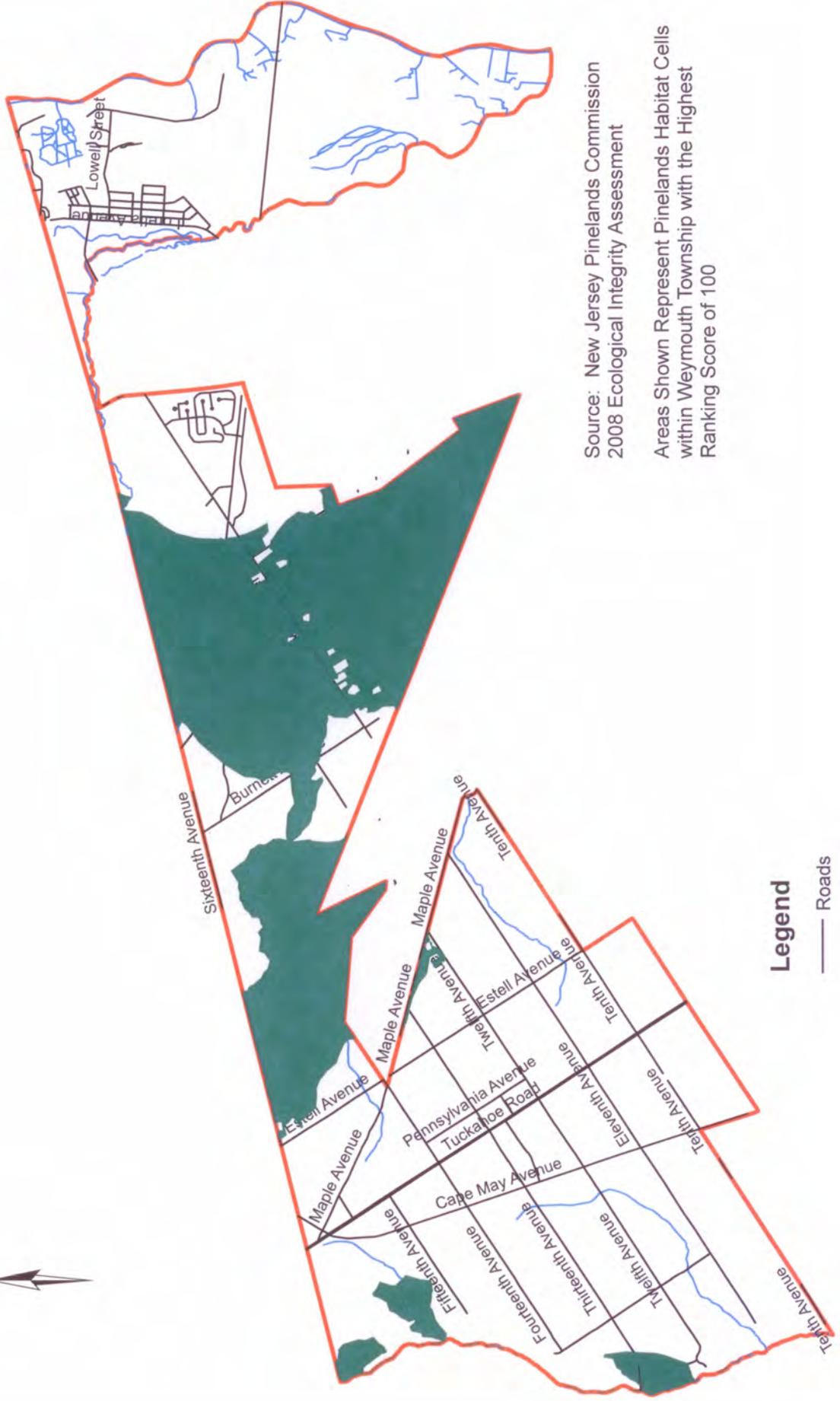
Source: New Jersey Pinelands Commission
2008 Ecological Integrity Assessment

Areas Shown Represent Pinelands Habitat Cells
within Weymouth Township with the Highest
Ranking Score of 100

Weymouth Township

Areas of Highest Ecological Integrity within The Pinelands Management Area

Map Nine



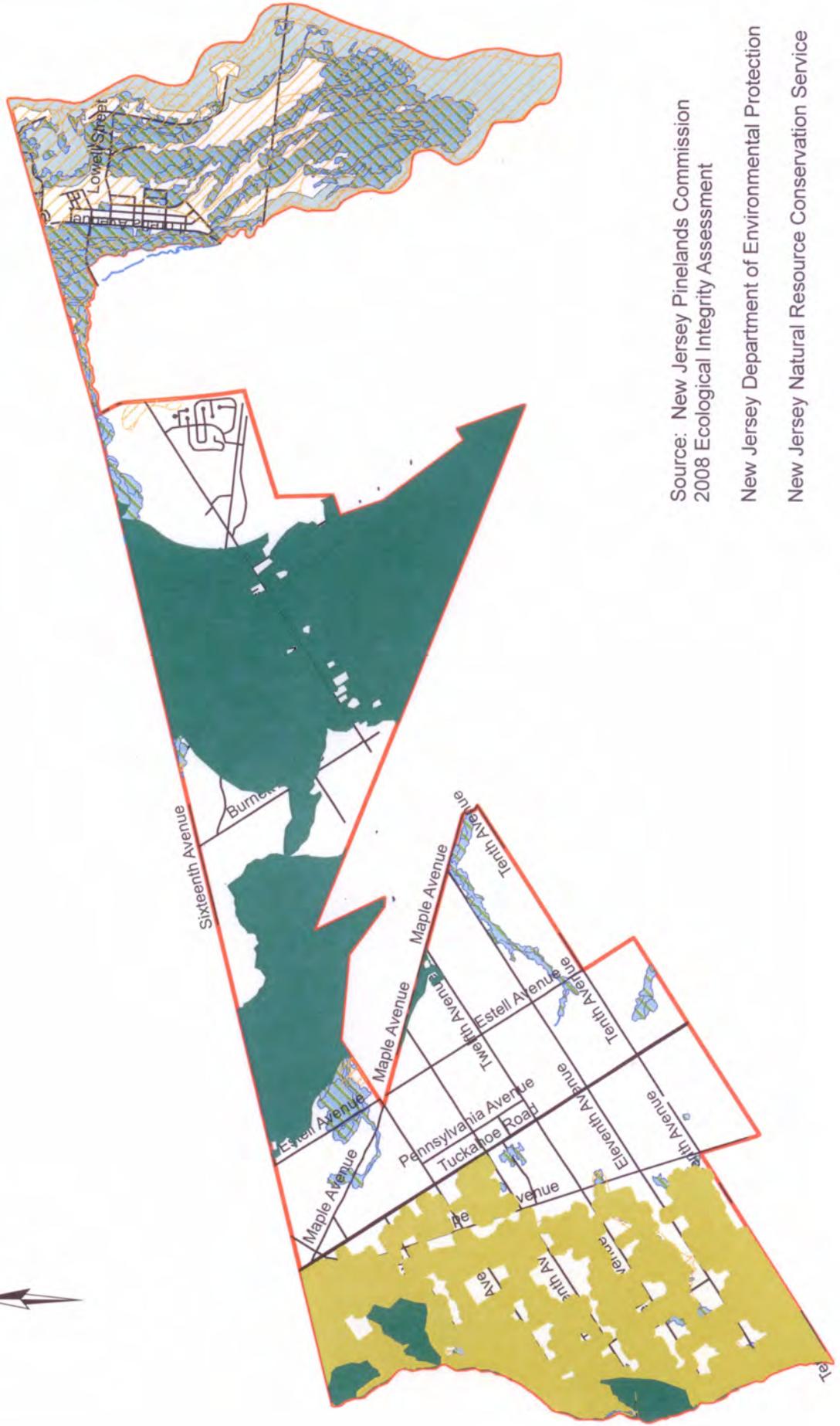
Source: New Jersey Pinelands Commission
2008 Ecological Integrity Assessment

Areas Shown Represent Pinelands Habitat Cells
within Weymouth Township with the Highest
Ranking Score of 100

Legend

- Roads
- Streams

Weymouth Township Combined Environmental Constraints Map Ten



Source: New Jersey Pinelands Commission
2008 Ecological Integrity Assessment

New Jersey Department of Environmental Protection

New Jersey Natural Resource Conservation Service

Combined Environmental Constraints

Each of the above described sources of ecological and natural resource information can be combined in an effort to realize an overall picture of the constraints and opportunities for future land use in the Township. By examining these data, the Planning Board can identify the geographical portions of the Township that can accommodate additional residential and commercial development and those areas where low intensity uses and conservation activities might be the most appropriate when environmental resources are considered.

Map Ten, Combined Environmental Constraints, depicts the combined data layers consisting of the Ecological Integrity Assessment (score of 100), the presence of freshwater and saline wetlands, soils with significant constraint for development, and habitat for rare species with the highest rank (5).

It can be seen from examination of the map that the Township has generally three areas with environmental constraint for future residential and commercial development: the forests and wetlands associated with the Tuckahoe River and generally west of Cape May Ave.; the central forests and wetlands of the Township generally located near Estell Avenue; and the eastern most portion of the Township located between the South River and the Great Egg Harbor River (with the exception of the area associated with Belcoville).

Population Characteristics. Table 1 outlines characteristics of the Township’s population by race and sex. The percentage of females is slightly higher than that of males. In addition, the median age of the population of Weymouth Township is 39.4 years. The total number of residents 62 years old and above is 846 or 37.5% of the population of the Township.

Table 1: Population Characteristics – Weymouth Township, New Jersey

Population Characteristic	Number	Percent of Total
Male	1085	48.1
Female	1172	51.9
White	2076	92.0
Black or African American	108	4.8
Asian	18	0.8
Other Race	23	1.0
Hispanic/Latino (of any race)	86	3.8

Source: U.S. Census Data

Housing Characteristics. Table 2 depicts basic housing data for the Township. The number of housing units increased by 20 percent (or 152 units) during the decade of the 1990s. Fifty seven of these additional housing units were Manufactured Homes located in the Oaks of Weymouth development.

Table 2: Housing Characteristics – Weymouth Township, New Jersey

Characteristic	1990	2000	Percent Change
Number of Housing Units	757	909	20
Median Housing Value	\$90,000	\$119,000	32
Number of Manufactured Homes	110	167	65.8

Source: U.S. Census Data

Appendix C provides a comprehensive Profile of Demographic, Social, Economic and Housing Characteristics.

Existing Land Use

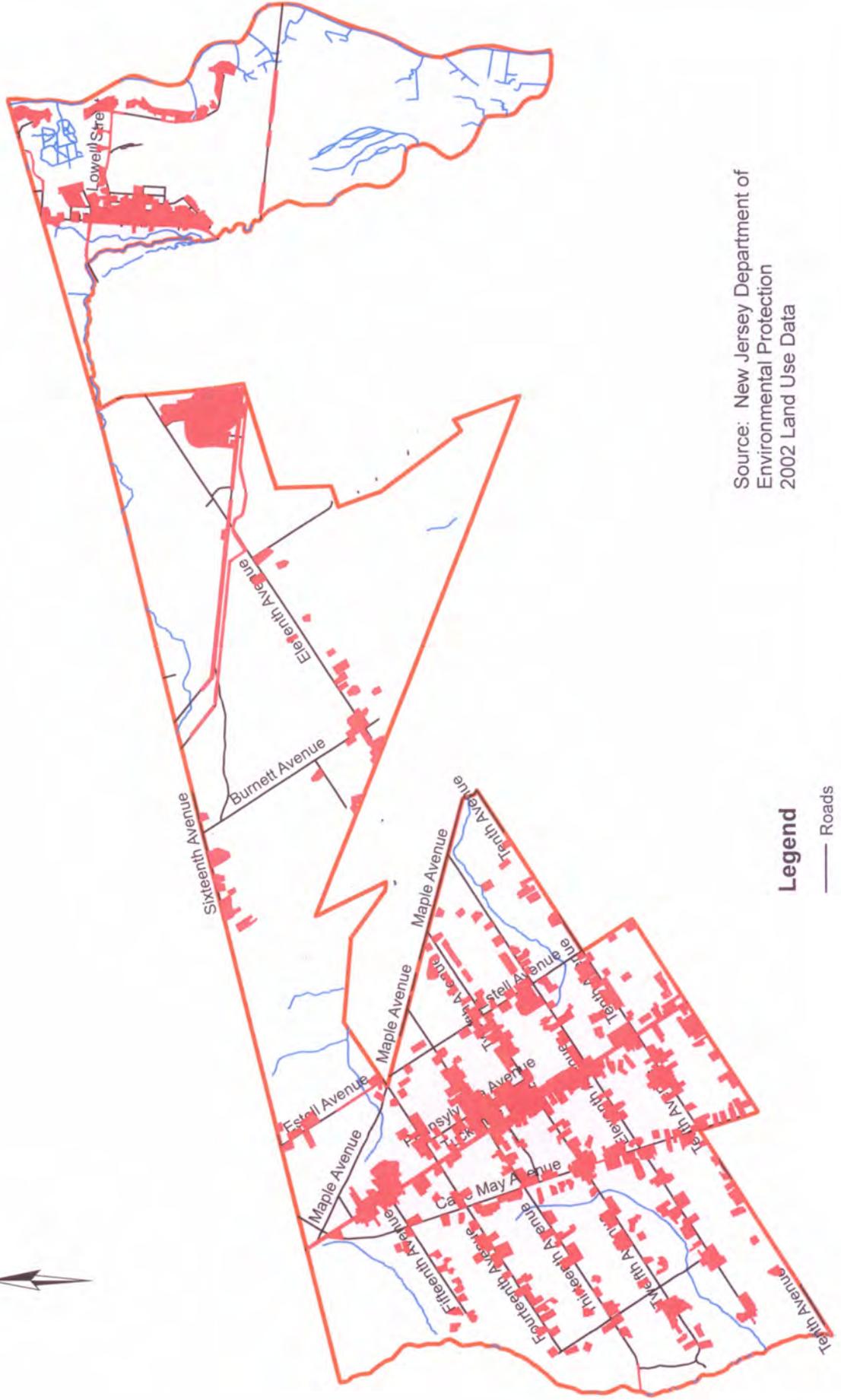
Approximately 12.43 percent of the Township is currently developed as either residential or commercial uses (approximately 991 acres in development). The majority of this development occurs within the village of Dorothy (*Map Eleven, Existing Residential and Commercial Development*). The village of Belcoville accommodates additional development associated with Route 50 and nearby streets. West Riverside Dr. located along the Great Egg Harbor River is also largely developed with single-family residences.

Nearly all commercial land uses occur along Tuckahoe Road in Dorothy and along Route 50 in Belcoville(with the exception of a relatively small number of home-based businesses that are associated with residential land uses).

As described earlier in this plan, the villages of Dorothy and Belcoville represent the historic pattern of development in the Township – both having been centers of growth in different chapters of the Township’s history. Each village has grown in relatively small, but steady rates.

The largest single development, and the one that currently has the greatest amount of permitted future residential development, is the Oaks of Weymouth located along Eleventh Ave. and on the municipal border with the City of Estell Manor. This development was given approvals in the earliest days of the New Jersey Pinelands Act and has resulted in over 200 units being built with over 400 additional units approved for future construction. The Oaks of Weymouth is age restricted community and the residents rent the land parcels from the management/ownership entity (the prefabricated, modular units are owned by each resident).

Weymouth Township Existing Residential and Commercial Development Map Eleven



Legend

- Roads
- Streams

Source: New Jersey Department of
Environmental Protection
2002 Land Use Data

Approximately only 2.6 percent of the Township is considering as in a agricultural use. This includes such uses as pasture and cropland. Most of this agricultural use is associated with residential uses and consists of horse farms, small scale live-stock operations, and the growing of vegetables.

The other significant use of land within the Township is that of protected, open space. A total of approximately 1089 acres is owned by either the municipal government, the New Jersey Natural Lands Trust or the NJDEP Division of Fish & Wildlife. This equals approximately 13.7 percent of the area of the Township. These areas are depicted on *Map Twelve, Protected Open Space*.

Existing Zoning

With respect to current land use regulations, the Township can generally be grouped into one of two categories: that portion of the Township located with the Pinelands Management Area; and that portion located outside of the Pinelands. The current zoning districts are depicted on *Map Thirteen, Existing Zoning Districts*.

Pinelands Management Area

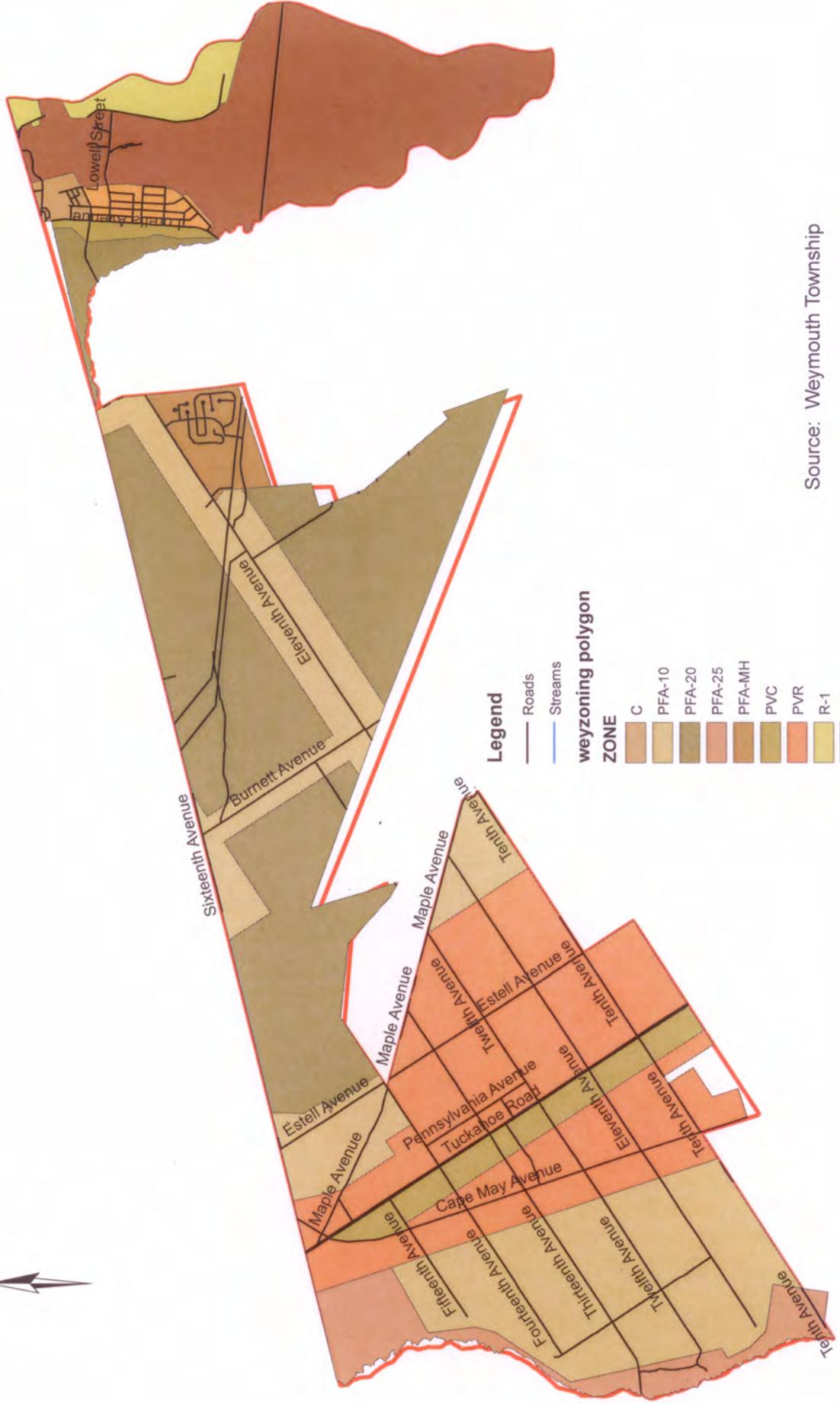
As described above, the majority of the Township is located within this category. Existing municipal zoning is in full compliance with the Pinelands Comprehensive Management Plan and there are two major zoning themes – forest conservation and village development associated with Dorothy. The zoning districts in the Pinelands are described below:

- **Pineland Village Residential.** This area is comprised of the portion of the Township located east of Tuckahoe Road and west of Maple Ave. A second area is located on either side of Cape May Avenue. This district allows for single family homes on lots consisting of a minimum of five acres.
- **Pineland Village Commercial.** This district is located along the western side of Tuckahoe Road. The district allows for a variety of service and retail oriented commercial uses as well as secondary residential uses on a minimum lot size of five acres.
- **Pinelands Forest Area 10.** This area represents the majority of the Township located between Cape May Ave. and the Tuckahoe River. A second area with this zone is located along Eleventh Ave and north along Burnett Ave. Single Family residences are permitted on a minimum lot size of ten acres.
- **Pineland Forest Area 20.** Largely located within the forest in the central portion of the Township, this zoning allows for single family residences on a minimum lot size of 20 acres.

Weymouth Township

Existing Zoning Districts

Map Thirteen



Legend

- Roads
- Streams

weyzoning polygon

ZONE	Color
C	Lightest tan
PFA-10	Light tan
PFA-20	Medium tan
PFA-25	Dark tan
PFA-MH	Light brown
PVC	Medium brown
PVR	Dark brown
R-1	Lightest orange
R-2	Light orange
R-R	Dark orange

Source: Weymouth Township

- **Pineland Forest Area 25.** This zone found along the Tuckahoe River and requires a minimum of 25 acres for development of single family residences.
- **Pinelands Forest Area Mobile Home.** This zone conforms with the location of the Oaks of Weymouth development described above. Planned-unit mobile home development is permitted on lots as small as 5000 square feet.

Outside of the Pinelands

There are four zoning districts located in the portion of the Township that is outside of the Pinelands area. Two of these are associated with the village of Belcoville:

- **Commercial.** This zone allows for a variety of commercial uses including retail, service, and restaurants. Located along state Route 50, this zone requires a minimum of five acres for these uses.
- **R-2.** This zone allows for single family residences on a minimum lot size of 20,000 square feet. This district represents the area of the Township associated with the historic development of Belcoville village.

The area adjacent to the Great Egg Harbor River is zoned for residential land uses:

- **R-1.** Single Family residences on a minimum lot size of one acre.

The last zoning district in the Township is generally associated with the wetlands located between the South River and the Great Egg Harbor River. However, a Townhouse development is located within the northern portion of this district.

- **RR.** Allows for single family residential development on a minimum of five acres.

Suitability of Existing Zoning When Compared to Nonconforming Parcels and Land Uses

There are a few areas of the Township where either the historic land use pattern or the configuration of land parcels is in conflict with the zoning district scheme. These conflicts can be determined from a number of sources. However, the primary sources relevant to Weymouth Township are the parcel configuration, existing housing types, and the recent history of requests for relief before Zoning Board of Adjustment.

Existing Parcel Configuration

Map Fourteen, Land Parcels, depicts the configuration of existing lots within the Township.

In the area of the Township located east of Tuckahoe Road and between Twelve Avenue and Fourteenth Avenue is an area consisting of very small lots of only one eighth acre in size. While most of the housing units in this neighborhood reside of various combinations of these small lots, the majority of the lots associated with these residences do not meet the minimum lot size of five acres required in the PVR zone.

The village of Belcoville consists of many undersized lots, especially those associated with the commercial establishments located along Route 50. In addition, there are a number of multi-family residential units that do not conform with the single-family restrictions of the R-2 zone. In addition, most of the “as built” dwellings do not meet the various setback requirements of this zone.

The area located along the Great Egg Harbor river consists of a number of existing lots developed as single family residences. Many of these lots do not meet the minimum lot size of 1 acre required by the R-1 zone.

The Lenape Landing Townhouse Development located within the northern portion of the R-R zone is also a nonconforming land use since the R-R zone allows for single family residences on a minimum of 5 acres and does not accommodate this type of multi-family development.

Zoning Board of Adjustment Applications

The type and frequency of applications heard by the Zoning Board of Adjustment can often provide information about any trends or issues associated with the municipal land use regulations. Sometimes repetitive applications for very similar variances can indicate a problem with specific standards within a zoning ordinance and may suggest needed revisions to the ordinance.

During the period from March 2007 through June 2009 a total of seventeen applications were heard by the Weymouth Township Zoning Board of Adjustment. Three of these applications involved decks within the Oaks of Weymouth development. Adjustments to the setback provisions for this zone have already been implemented by the Township Committee. Two applications were heard involving undersized lots located along Riverside Drive. Three applications were heard involving undersized lots located within the portion of the township bounded by Tuckahoe Road and Pennsylvania Avenue (Pinelands Village Residential Zone). There were no other trends indicated within the remaining applications before the Zoning Board of Adjustment.

Future Land Use Plan

Cluster Development in the Pinelands

The New Jersey Pinelands Commission has recently indicated that it will pursue the implementation of mandatory clustering within portions of the Forest Area in Weymouth Township. This change in land use regulations mandates a style of development that allows reduced minimum lot sizes in exchange for the preservation of open space or other desirable features of a property. According to communications from the Pinelands Commission, “clustering does not necessarily change the number of homes, but the individual lot sizes are smaller than that which would occur under a conventional lot layout. Development can be directed toward appropriate locations of a property, such as areas close to roads and other infrastructure, while natural resources such as critical habitat for rare plant and animal species can be protected.”

In a meeting before the Township Planning Board, representatives from the Pinelands Commission indicated that Weymouth Township is a likely candidate for mandatory clustering and that there are large holdings of undeveloped lands within the Township that would be appropriate for this new provision.

In an effort to play a positive and proactive role in helping to guide the application of a potential clustering provision in the land use regulations, this plan provides a basis for identification of the best locations where physical development should occur as a result of higher density (or smaller lot sizes). The following principals were used to identify these locations:

Sensitivity to Environmental Constraints and Important Natural Resources

The previous section of this plan provide a strong basis for determining the most appropriate locations for new, high density residential development in the Township. Those areas that do not contain significant wetlands, habitat for rare species, poor soils, or do not rank high for the Pinelands Commission’s Ecological Integrity Assessment would be the most appropriate for new, high density residential development. These important areas are depicted on *Map Ten*.

Minimization of Additional Public Infrastructure

Much of the undeveloped portion of the Forest Area in Weymouth Township does not contain existing, improved roadways. Given the large, ongoing public cost of maintenance of this public infrastructure, any future clustering of new development should occur adjacent to existing, improved, municipal or county roadways.

Cost of the Provision of Public Services

The cost of providing services like fire protection, trash collection, snow plowing, schools and many other public services can be minimized through the location of new development in areas that are not only compact, but are also adjacent to existing development where those services exist.

Preservation of the “Sense of Place” for the Villages of Dorothy and Belcoville

The Planning Board has identified a policy of preserving and improving the physical and historical nature of the villages of Dorothy and Belcoville. Any new clustered, high density development should be located in a manner that respects the existing “boundaries” of the two villages by providing some separation between them and the new development. Further, the new development should be designed in a manner that mimics or acknowledges the nature of the historical development of the villages of the Township. This should include goals such as walkability, ecologically sustainable design, and the minimization of light pollution. Any new land use ordinance that permits or mandates clustering should provide clear subdivision and design standards to achieve this goal.

Potential Clustered Development Locations

Using the above criteria, two potential locations within the Forest Area of the Township are appropriate locations for higher density residential cluster developments. These are shown on *Map Fifteen, Potential Locations for Clustered Development*.

Each of these locations avoid direct impact to the most important environmental resources found within the Township, are separated physically from the existing villages, and are located within areas where existing, improved roads exist.

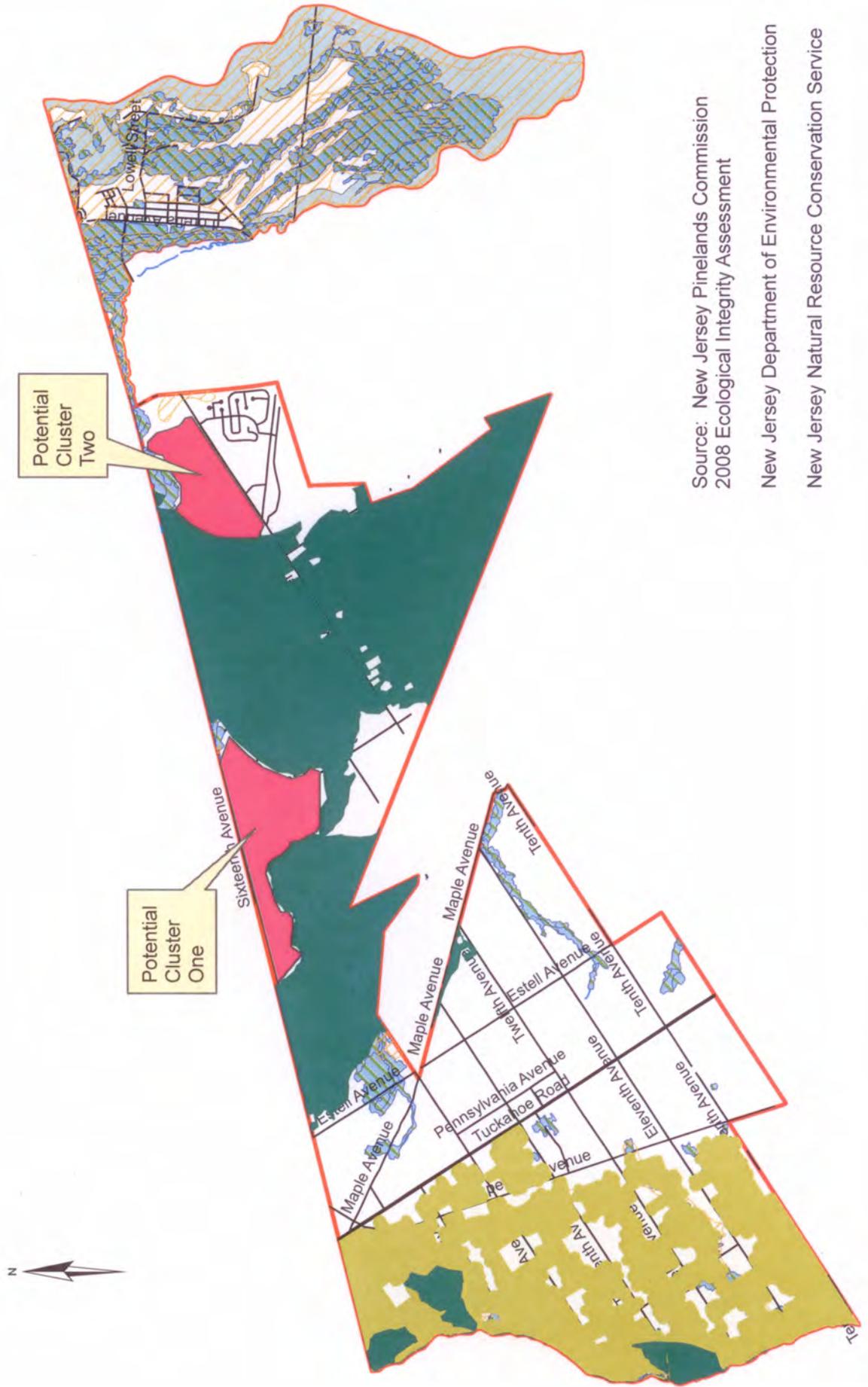
Small-scale Agriculture

The practice of small-scale agriculture and more specifically, the establishment of small scale animal farms has been a public issue in recent years in Weymouth Township. Land use conflicts have occurred between adjacent residential uses and small animal farms. Complaints regarding smells, manure management, and fencing have been raised by some residential land use owners while the owners of animal farms have expressed concern about their right to a quiet enjoyment of a traditional rural pastime.

The current standards in Weymouth Township for the keeping of farm animals are fairly minimal: the property must be at least two acres in size and animal fencing must be located a minimum of fifty feet from any property boundary. There are no limits on the number or type of animals that can be kept and there are no definitions on the type of activity that is associated with the keeping of horses or farm animals.

Weymouth Township

Potential Locations
for Clustered Development
Map Fifteen



Source: New Jersey Pinelands Commission
2008 Ecological Integrity Assessment

New Jersey Department of Environmental Protection

New Jersey Natural Resource Conservation Service

Much of the public debate centering around the issue has included questions regarding the number of animals that can be kept, the minimum acreage that must be provided, the location and type of fencing, manure management, and what type of safeguards are in place to ensure the enjoyment of neighboring residential uses.

During the course of the development of this Future Land Use Plan, it became apparent to the to the Planning Board that the approach needed to sufficiently address this land use conflict should be based upon a broader participation of the public. It was decided that a special committee comprised of both farm animal owners and residential interests should be organized. This committee should be given adequate time to examine each of the issues and to develop a consensus driven approach to develop recommendations on land use guidelines to the Planning Board.

The Planning Board has identified the following issues that should be considered by a future committee:

- Parcel Size to Number of Animals Ratio. The number and type of farm animals permitted on a farm should be governed by the size of the acreage available to the farming operation;
- Animal Fencing. The location and type of animal containment fencing should be reviewed and standards recommended that result in a standard that allows farmers to make good use of their property and that also results in adequate function, distance from neighbors, and esthetics;
- Manure Management. The Planning Board feels strongly that the New Jersey Department of Agriculture's Manure Management Rules to protect water quality be integrated into the committee's recommendations;
- Animals. Best management practices for the keeping of farm animals should also be addressed in the land use recommendations based upon standard sources of information such as the New Jersey Department of Agriculture. These should include turn-out, pasture rotations, stabling and stall standards.
- Commercial Operations. Improved definitions and standards for commercial or large scale agricultural operations should be developed. Riding academies, large scale boarding facilities, training facilities and similar operations should be examined and permitted where appropriate. Issues of Light Pollution should also be addressed.

The Planning Board will work with the Township Committee to develop an advisory committee and a timeline for the small-scale agriculture/farm animal effort.

Villages of Dorothy and Belcoville

The Planning Board identified a need to revitalize the village centers of Dorothy and Belcoville during the Master Plan Re Examination process. This effort should be centered around the existing village footprint and should focus on the unique historical context of each of the two villages as well as issues such as environmental sustainability and light pollution.

Revitalization means mobilizing community efforts and energy to improve the village center. It means identifying projects - and activities - that will make it a more vibrant, attractive, and livable place, and organizing the people and money needed to make it happen. This process can be thought of as consisting of two basic components: the physical improvements in the village and the social or community-based activities necessary to improve the village environment. Some examples of these include:

Physical improvements:

- Community centers
- Recreational space and facilities
- Sidewalks, landscaping, benches
- Roads, traffic calming, parking, bike paths, and other transportation improvements
- Water and sewage capacity
- Schools
- Retention of US Post Office facilities
- Improvements to historic buildings
- Business improvements
- New infill development

Activities: The vitality of a community is defined by the shared sense of belonging to that community – seen in the activities that take place – and the level of involvement in those activities, such as:

- Public celebrations (festivals, concerts and fairs),
- Civic functions (school activities, libraries, post offices, churches, and recreation facilities),
- Support of local businesses where people congregate (general stores, hardware stores, coffee shops, beauty salons, etc.).

What links all of these activities together is volunteer efforts to make it happen. Often this will take place around one structure or improvement, like improvements to a community center or town green. Or perhaps a committee is formed to organize a harvest festival.

The Vermont Downtown Program (a state supported initiative) provides a very good summary of some of the key strategies for a successful village revitalization. In a

publication on this subject, it recommends that successful revitalization processes generally seem to begin in one of two ways. The first arises from a general sense that there are problems or threats in the village center, but no one is quite sure what to do. This in turn leads to a community “visioning” process, identifying both problems and assets, setting goals, and planning for the projects and activities that will lead to a more vibrant community. The “doing” may come later, usually with the people involved in the planning effort stepping forward to lead the various projects.

As an alternative, a group of people may come together to do a specific project – restore an historic building into a community center, or create a sidewalk or path so people can safely walk around the village center. At some point, some of these groups expand their purpose, and begin to take on additional projects leading to a revitalization process.

Components of Village Revitalization

- Local leadership. Successful revitalization efforts come about as a result of local leadership. Key players are typically the elected officials, local volunteer groups (like the historical society and environmental commission), and the planning board. Other local organizations, like schools, might also play an important role.
- Existing assets. One of the lessons learned from downtown revitalization is that a community should base its efforts on improving what it already has, not in reinventing itself into something new – a lesson that applies equally well in village centers. Since most village centers are historic, the preservation of the historic structures is frequently an early focus of village groups – town halls, granges, schools, libraries, or churches – whether they continue their traditional use or are adapted for a new function. Conservation and improvement of natural resources such as paths, trails, riversides and streambanks are also popular local projects. A community often may need to improve town greens, sidewalks, bike paths, water and sewage systems, transportation improvements, and other infrastructure. Finally, many communities have traditional events – like fairs, harvest dinners, music events, holiday gatherings – which are existing assets that help define the community and can play a very prominent role in a revitalization process.
- Incremental. Revitalization takes place over time, and through a *series* of projects and activities. Very rarely is there “just one thing” that will fix all problems. Successful communities understand that revitalization is a *process*, not one big project, and develop a variety of projects and activities that will lead to long term improvement of the village center. Patience pays off in the end.
- Growth and planning. Villages are not frozen in time. They have evolved over the years, and there will likely be changes in the community in the future. Among other changes, this means there will likely be growth in the community, which needs to be guided in order for the village center to remain an attractive place to live. Successful village centers have thought through various growth issues, including residential infill,

where new residential growth areas might be located, and where new commercial development would best fit within the village fabric. Strip development and low density housing generally are not consistent with historic village patterns, and can detract from their attractiveness and viability. A number of communities have adopted a design review process as part of their site plan review in order to ensure that development is designed to enhance, rather than detract, from the existing village environment.

Weymouth Township has an excellent start toward village revitalization in many of these areas. A central “village green” exists adjacent to the municipal building. Dorothy has its own Post Office and the central feature of the railroad. Belcoville has a traditional pattern of village development that with some well-planned physical improvements can result in a recreation of a livable community.

It is the recommendation of this plan that a community-visioning workshop be established to begin the process of identifying assets, leadership, and one or two “doable” incremental strategies.

Recommendations for Changes to the Land Use Regulations

The previous sections of this plan provide the rationale and context for the development of specific recommendations for changes to the existing land use regulations of Weymouth Township. These recommendations are as follows:

- In the R1 Zone, R2 Zone, C, and a portion of the PVC Zone (bounded by Tuckahoe Road and Pennsylvania Ave.) there are a number of lots that do not meet the bulk area, lot width, or setback requirements. The majority of these lots are currently developed for residential uses. Relatively minor additions and accessory uses on these lots routinely require the owners to appear before the Zoning Board of Adjustment to request variances. This plan recommends a provision be added to the Township Land Use Code that permits these activities in circumstances where the nonconforming feature is not increased and where the existing lot coverage standards are not exceeded. This should be a standard that is applied across all zoning districts in the Township.
- The Lenape Landing Townhouse Development located within the northern portion of the R-R zone is a nonconforming land use since the R-R zone allows for single family residences on a minimum of 5 acres and does not accommodate this type of multi-family development. Consider the establishment of a Townhouse-oriented district that reflects the existing footprint of this type of development;
- Working with the Pinelands Commission, develop a Cluster Ordinance that takes into account the environmental analysis contained in this plan and that generally locates future cluster development in the areas recommended herein;
- Establish a working group or advisory committee to address the issues of small-scale agriculture and develop recommendations for land use guidelines for farm animals based upon the issues identified by this plan;
- Establish a community-visioning workshop to begin the process of village revitalization for Dorothy and/or Belcoville based upon the general recommendations provided in this plan.

Conservation Plan

The Municipal Land Use Law (N.J.S.A. 40:55D-28) provides guidelines for the content of a conservation plan element as part of a municipal master plan as follows:

“A conservation element providing for the preservation, conservation, and utilization of natural resources, including, to the extent appropriate, energy, open space, water supply, forests, soil, marshes, wetlands, harbors, rivers and other waters, fisheries, endangered or threatened species wildlife and other resources, and which systematically analyzes the impact of each other component and element of the master plan on the present and future preservation, conservation, and utilization of those resources.”



This conservation element, together with Weymouth Township’s Environmental Resources Inventory (the “ERI”), and background data included in the Land Use Element, addresses the above guidelines. The ERI is an inventory of the Township’s natural assets and environmental resources and was completed in 2009. The conservation element provides policy guidance and recommendations to address the resources and problems discussed in the ERI. It also establishes a sustainable basis for long-term natural resource protection and conservation relative to other objectives of the Township’s Master Plan.

Preserving the Township’s natural resources allows for continuation of natural processes and for people to enjoy them for generations to come. Natural and cultural resources present in Weymouth Township are assets that are beneficial to sustaining the natural environment, enhancing quality of life, and enhancing economic aspects. The approaches outlined here strive to protect, maximize and expand these assets.

The recommendations presented in this conservation plan are largely in the form of strategies the Township should pursue to ensure resource conservation. The resource categories include greenways, soil, groundwater, surface water, wetlands, air quality, vegetation, energy. Issues related to Open Space, Solid Waste and protection of Historic Resources are addressed in other elements of the municipal Master Plan.

The Conservation Plan’s overriding goals, objectives, and recommendations intend to retain and improve the quality and character of the lives of the citizens of Weymouth Township. The Conservation Plan is built upon the premise that Weymouth’s existing natural and historic resources shape the way in which leisure time is spent, affect the long-term strength of the economy and property values, determine whether there is clean air and water, support the network of living things of which we are a part, and affect the character of the community.

This Conservation Plan identifies an implementation strategy and additional planning steps necessary to continue this effort and makes recommendations to improve the balance between manmade and natural resources. The approach taken is to describe the natural resource conditions and, through a variety of community-based programs, suggest mechanisms to support the natural resources of the community.

Goals, Objectives, and Policies

The overall goal of the Conservation Element is to preserve and maintain the ecological, historic, visual, agricultural and scenic resources of the Township, preserve the environment and maintain and enhance the overall quality of life for Township residents.

Objectives

1. Identify and protect ecological, historic, visual, agricultural and scenic resources through the use of creative land development techniques (such as clustering, homestead exchange program and mandatory simultaneous clustering and transfer of development credits for residential projects, flexible implementation of setbacks and buffers) and other methods as may be found effective and practical.
2. Continue to use the local open space tax to preserve environmentally sensitive areas, agricultural lands, parkland, historic resources and other conservation areas. In addition, pursue other State and County funding mechanisms and methods of acquisition and/or preservation as available and practical (i.e., conservation easements, private donations.)
3. Proactively protect, maintain and expand the community forest, including street trees, park landscape and natural areas, wherever they occur. Promote and enhance the ecological management of forested lands in the Township including goals of achieving Forest Health and adequate fire management.
4. To the extent possible, encourage existing agricultural areas to remain. Where possible employ right-to-farm rules, land and/or development rights acquisition, and other methods where practical to preserve agriculture.
5. Maintain design and siting standards to protect the Township's historic and rural character, particularly in the Township's original villages of Dorothy and Belcoville and along those roadways where natural vegetation, farmland or open space remain. These historic features and rural/farmland areas should be preserved wherever possible. They establish the pastoral open character of much of the Township and represent the community's heritage.
6. Encourage conservation of individual archaeological and historical landmarks and clusters of locally significant historic sites predominantly found in the villages of Dorothy and Belcoville.

7. Preserve and improve the quality of both surface water bodies and groundwater resources. Preserve the ecological integrity of the Great Egg Harbor River, South River and the Tuckahoe River in particular

Open Space

Open space preservation is a crucial part of any conservation plan. Not only is it effective for natural resource protection, but it is important for people as well, since the availability of open space is closely linked with an enhanced quality of life. It is crucial to carefully manage existing areas, and expand the Township's stock of open space where realistic opportunities present themselves - now and in the future. The Open Space and Recreation Plan Element of this Master Plan provides a comprehensive analysis of these issues.



Weymouth Township already has an Open Space and Recreation Plan with which it can advance the goals and objectives of this topic. Building on this valuable foundation, the Environmental Resource Inventory provides important details on the resource areas that are most vulnerable and of optimal value as open space. Potential specific Open Space Policies are outlined below.

Open Space Policies

- Use open space preservation as a primary means for conserving natural resources.
- Use a variety of methods to secure permanent open space, including easements, purchase, and partnering with regional and state organizations.
- Incorporate Township's Open Space and Recreation plan as part of the Master Plan.

Methods for Acquiring and Funding Public Open Space

- Fee Simple Acquisition – This involves a direct purchase of a parcel by the town or open space trust organization, with the intention of creating permanent open space. Vacant land is the most common target of this type of acquisition technique but in certain cases, developed property may also be acquired.
- Bargain Sale – Property owners sometimes are willing to sell their land to the township for less than market value for open space or other public purposes. Reasons one might sell below market value include reduced maintenance costs and tax benefits.

- Property Exchange – Towns sometimes have a surplus of public land, meaning they could use it for exchange in acquisition of environmentally sensitive properties.
- Open Space Tax – In recent years, many New Jersey counties and municipalities have, with voter approval, established dedicated open space taxes. The revenues from an open space tax can support a pay-as-you-go strategy for open space preservation.
- Green Acres – This State Program carries out the state’s purchases of conservation and recreation lands, and provides open space matching grants to municipal governments, county governments, and tax-exempt non-profit organizations.
- Issuing Bonds – Governments will sometimes borrow money for open space by issuing bonds. The issuance of long-term general obligation bonds to finance open space acquisitions has a compelling rationale: undeveloped land, or easements on such land, may not be available in the future at a reasonable price. Using bond proceeds today for acquisition assures that future generations will enjoy the fruits of preservation.
- Capitalizing on Economic Conditions -- The current national economic downturn has resulted in depressed market values of real property, meaning that this may represent a unique opportunity for purchasing open space.
- Create an Endowment – Individual donors, through bequests and donations help create endowments. Endowments can be coordinated by non-profits/foundations and used for the acquisition and maintenance of open space.

Increasing Open Space without Purchasing Property

- Conservation Easements – Conservation easements are permanent deed restrictions that prevent land from being developed. These restrictions typically are effective in perpetuity, or at least beyond the tenure of the current owner. These easements can allow for public access, which is useful when trying to construct hiking trails or bikeways. This is a very important tool for several different resources, including the establishment of greenways.
- Master Plan Adjustments – Changes to the Master Plan and resulting conservation zoning designations should be made as open space protection priorities are refined.
- Cluster Zoning – This involves the town allowing greater than normally allowed density of buildings on a single piece of land in exchange for the owner leaving the rest of the parcel for conservation.
- Transfers of Development Rights (TDR) – Similar to cluster zoning, TDR involves exchanging the rights (in the Pinelands, known as Pinelands Development Credits) to build at a higher density in appropriate areas while conserving environmentally important parcels in exchange. The Township’s Homestead Exchange Program is a slightly different approach to this concept as well.
- Landscaping – Landscaping decisions made on both private and public property are potentially useful for creating or extending open space. An important step is to encourage the planting of native trees, shrubs, and groundcover in yard areas instead of non-native and exotic plants. This can allow the plant and animal habitat established in existing open space to be broadened. Natural areas are also usually cheaper and easier to maintain than formal lawns and ornamental plantings.

Greenways

A focus on greenways is an essential component of a conservation element. It is a natural extension of any discussion of open space resources because greenways typically function to link or join open space areas. Greenways can protect surface water, forests, and rare species habitat as well.

A greenway is a primarily natural place designed to preserve and protect desirable natural features for use and enjoyment by wildlife and people. The most recognizable form of a greenway is a linear park, often located along a stream. This type of greenway increases the benefit of protected natural resources because they are connected in an unbroken corridor, which often link larger protected areas. Such areas provide a contiguous area for natural processes to occur with less encroachment by human activities. Additionally, these parks are also useful tools for increasing recreational opportunities and non-automotive mobility; they are logical locations for foot and bicycle trails. Greenways can also adjoin streets and may include water bodies with vegetated shorelines or beaches.



Greenway Policies

The highest potential for greenway development in Weymouth Township is along the Tuckahoe River and the South River - along which some parkland already exists. Although the Great Egg Harbor River exhibits high environmental characteristics, the existing land use pattern along the portion of the river that lies within Weymouth Township is not as conducive to Greenway development.

The Protected Open Space Map in the Master Plan Land Use Element shows where the current natural areas are located and provides a context for the following strategies:

- Determine ways to connect existing natural areas.
- Seek to include lands not suitable for development with buildings or parking.
- Add trails between natural areas, preferably for walking or hiking and biking. This allows people to enjoy the entire greenway and provides a more scenic and peaceful alternative for travel.
- Obtain easements for strategic properties within greenway corridors.
- Explore acquiring the parcels of vacant land located in delineated greenway corridors.
- Utilize the Pinelands Scenic By-Ways Program to highlight the importance of protected and linked natural areas in the Township and the Pinelands.

Soils

Soil diversity is essential to healthy ecosystems. The primary goal for protecting the value soil provides is to prevent its loss due to erosion. Rates of erosion are based on gravity and therefore slope. Most soil conservation strategies involve reducing development and increasing vegetation on erosion-prone steep slopes or poor soils. Weymouth Township is entirely composed of the geologic features generally associated with the Outer Coastal Plain of New Jersey.



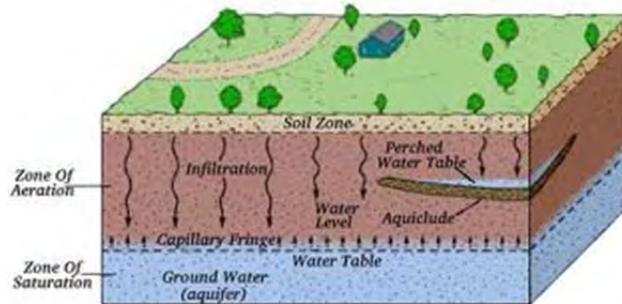
Certain soil types are associated with periodic flooding and erosion. Alluvial soils are subject to periodic flooding and have a low depth to seasonal high water table. Weymouth Township has areas with alluvial soils. Although floods do erode some soil, the Township can consider soil erosion a marginal hazard. There are still steps the Township can take to improve soil quality.

Soil Protection Policies

- Encourage individual property owners to properly to compost appropriate yard and food wastes which reduces municipal solid waste disposal costs and provides a local source for low-cost soil nutrients.
- Avoid removal of existing vegetation in erosion-prone areas, especially near and along stream banks. While State regulations governing wetlands usually protect these areas, certain non-wetland areas near streams may benefit from local regulations aimed at preventing soil erosion, especially in small areas of disturbance that may fall below the minimum thresholds for County Soil Conservation District jurisdiction.
- Minimize disturbance of vegetation in natural drainage and flood-prone areas to help sustain the water-cleansing properties of well-established natural soil media.
- Promote the use of Best Management Practices for Manure Management as a nutrient enhancement for local soils. Proper small farm Manure Management and Utilization plans can allow the Township's horse and animal farms to properly compost and utilize manure for beneficial agricultural uses. *Manure Management For Small and Hobby Farms*, by Athena Lee Bradley of the Northeast Recycling Council is a good resource for this effort.
- Investigate the potential for a centralized composting facility and possible associated activities like a community garden.

Groundwater

Water that collects underground is an invaluable source of drinking water for the Township of Weymouth. The Township's land area lies above the Kirkwood-Cohansey Aquifer which contains the drinking water supply for Weymouth Township and much of the New Jersey Pinelands. It is crucial for the Township to continue to protect this aquifer so it can naturally provide Weymouth Township with clean drinking water for years to come.



The process of groundwater recharge is important to protect in order to ensure there is an adequate future water supply. Contaminants can reach the groundwater supply through the soil.

As groundwater is withdrawn for use by the community, it is replenished through the natural process of precipitation slowly seeping through the soil into the aquifer. Human activities have impeded natural recharge of groundwater, but the Township can take a number of pro-active steps to improve the function of this important process.

The quality of the water entering the groundwater supply is another important issue for the Township. Because of permeable soils and a high water table, the Kirkwood-Cohansey aquifer is particularly vulnerable to contamination.

Groundwater Policies

- Vegetation acts as a filter in the aquifer recharging process. An action plan for increasing vegetation associated with any future large-scale developments throughout the Township can help improve water quality, in addition to assisting in replenishment.
- Minimizing the use of hazardous household chemicals will help prevent contamination of the aquifer. Fortunately, eco-friendly and equally effective household products are increasingly more available as substitutes for toxic substances. The Township should promote their use and by setting an example through its own use of sustainable products in the maintenance of its municipal buildings and school.
- Any sites that contain storage tanks, road salt piles, landfills, and other water quality threats should be secured if possible to prevent leakage into the aquifer.
- Educate residents and business owners about the importance of their actions on the entire system. This can include enhancing their understanding of how their day-to-day activities impact water quality and promoting improved aquifer stewardship through informed individual and group actions and through school programs. The Township Environmental Commission may also be able to play a role in this effort.
- Encourage eco-friendly lawn maintenance with special attention to limiting the use of pesticides and chemical fertilizers.

- Investigate the need for strengthening the limits on impervious cover such as concrete, asphalt and other site improvements to improve groundwater recharge capacity.

Surface Water and Wetlands



Weymouth Township contains a diverse complex of freshwater and coastal wetlands. Approximately twenty three percent of the Township is comprised of wetlands that are chiefly associated with the two major river systems that pass through the Township. Over 35 miles of river, stream and unnamed tributaries include the Tuckahoe River, Stephens Creek, Cedar Brook, South River and the Great Egg Harbor River.

Wetlands serve many important functions. They provide flood storage and stream flow attenuation during wet periods and sustain stream flow by releasing stored water during dry periods. They filter out pollutants in stormwater runoff, thus protecting water quality, and they provide habitat for important species of plants and animals. New Jersey's major wetlands are found on the U.S. Fish and Wildlife's National Wetlands Inventory aerial maps, county soil surveys, and New Jersey Department of Environmental Protection's more detailed wetlands maps. A more accurate wetlands delineation can be obtained from specific site visits, when wetlands can be identified by vegetative, soil, and hydrologic features.

The Weymouth Township Environmental Resource Inventory contains detailed maps of wetland areas in the Township that are based upon the New Jersey Department of Environmental Protection data source. The New Jersey Pinelands Commission and the New Jersey Department of Environmental Protection (NJDEP) regulate the disturbance and protection of wetlands.

When development encroaches on the banks of a stream, it takes away the stream's natural protection of vegetation. This protection slows the flow of runoff into the stream and filters out pollutants that could impair wildlife habitat at the point of entry and downstream. Development can also harm the structure of the stream channel itself, which manifests in erosion. Restoring and maintaining such buffers along Weymouth Township streams is an important step toward improving surface water quality.

Stream Protection Policies

- The Township should develop a program to encourage the planting and maintenance of natural vegetative cover to provide a natural filter for buffering streams. This strategy

could be especially important for existing developed areas located along the Great Egg Harbor River.

- The Township could enlist community participation in the planting of stream buffers and stabilizing of banks, perhaps by establishing a Township Service Day for this purpose.
- Conservation easements, which are typically long-term deed restrictions that prevent land from being developed, should be obtained for land abutting streams to help create and protect buffers.
- The Township should minimize use of harmful fertilizers and pesticides on public landscaping. Choosing native grasses and vegetation for landscaping reduces the need for fertilizers and pesticides. Using native vegetation on Township property will also set a good example.
- Residents should be educated in environmentally friendly lawn maintenance practices, including attractive, low-maintenance alternatives to grassed lawn.
- Existing stormwater outfalls and detention facilities should be retrofitted during the course of normal maintenance using environmentally sound technology that will reduce point source pollution.
- Signs should be placed on storm drains to discourage the depositing of litter that travels directly into streams, clogs them and impairs aquatic resources.
- Canada Geese tend to congregate along some stream corridors and contribute large amounts of fecal coliform bacteria to the water. Managing these populations will help stabilize water quality.
- Promote the development of Manure Management Plans to protect surface water and wetlands from improperly managed stormwater runoff.
- Promote the recommended stocking rates provided by the Rutgers Agricultural Extension. Overstocking of horses or other livestock is the primary cause of water quality contamination on small livestock farms. This leads to overgrazing of land and poor filtration of runoff.
- Consider adoption of a municipal ordinance that limits the number of livestock per area of farmland in the township to protect the quality of water supply.



Flood Prevention

Winter and Spring Flooding has been a problem in much of the Township in recent years. These floods cause property damage, surface water contamination and disruption to neighborhoods. While flooding is a natural event, human settlement and improvement of land often worsens the destructive capabilities of floods. The Township can play an important role in minimizing the negative effects of flooding.

- Reduced flooding can be achieved through more vegetation and less area of impervious surfaces like buildings, parking lots, and roads. This can be accomplished by adding more

street trees, encouraging rain gardens, green roofs, and providing incentives for property owners to minimize impervious surfaces.

- Require that all new impervious surfaces be permitted only with a zero net increase in stormwater runoff. The regulation could allow compensating reductions off of the development site, provided they are permanent and within the same contributing drainage area to the receiving waters.
- Stormwater management decisions play an important role in flood prevention or reduction. Higher speed and intensity of stormwater drainage to streams will result in more flooding than a slower drainage system. The Township has already adopted a Stormwater Management Plan. Recommendations outlined in the plan should be considered for adoption.

Wetland Protection Policies

The protection of freshwater and coastal wetlands is largely governed by laws and regulations under the jurisdiction of the State and the New Jersey Pinelands Commission. However, there are a few strategies that Weymouth Township can utilize to augment these protections.

- Protection of Transition Areas – These are needed adjacent to wetlands in order to reduce the risk of degradation. State restrictions on development in transition areas vary by type of wetland, with exceptional value wetlands requiring 150 feet of buffer and most other wetlands requiring 50 feet of buffer. In the Pinelands, a 300 foot buffer is required. Township reviewers of development plans should stay abreast of wetland protection requirements to further ensure conformance with buffering requirements.
- Reasonable protection measures beyond State requirements should be explored with willing applicants during plan review. Additional protections may be required by the Zoning Board of Adjustment as conditions of approval of a use variance involving a wetland resource.
- Conservation easements – Similar to surface water protection, protection of wetlands and transition areas can be achieved through conservation easements.

Air

While air quality has improved in Southern New Jersey over the last 40 years, there is still work to be done. Air pollution has many sources, including transportation, manufacturing, power generation, and commercial activities. Each of these source areas should be addressed in order to comprehensively reduce air pollution.



The Federal Environmental Protection Agency has many regulations for monitoring and regulating air quality, especially the Clean Air Act (CAA). While air quality has improved recently in New Jersey overall, the region still fails to meet some clean air standards. Local sources of air pollution include transportation, lawn mowers and other small engines. Regional air quality can be improved through reductions in local pollution sources.

Mobile emissions from transportation are the largest source of pollution in southern New Jersey. Automobile and truck exhaust contains climate-altering greenhouse gases, smog-forming nitrates, and acid rain-creating sulfur oxides. Township residents take most of their trips by automobile. It is important that significant attention is dedicated to reducing transportation pollution. Some potential policies are listed below.

Air Pollution Policies

- Provide Township support for biking, including bike lane designation and rack installation in important public places and on private property that accommodates large numbers of visitors.
- Work with NJ Transit to provide more opportunities for mass transit to the Township and to encourage greater ridership.
- Examine the potential for an ordinance restricting the idling of vehicles, including trucks and buses.
- De-emphasize infrastructure projects that only support expanded automobile capacity without enhancing other modes of travel.
- Establish a schedule for converting municipal vehicles to fuel-efficient and/or emission-free vehicles, where possible.
- Encourage residents to purchase fuel-efficient and/or emission-free vehicles.
- Ensure that Township land use plans take these measures into account and do not conflict with them through the use of compact development with easy access to existing or planned mass transit opportunities.
- Pursue opportunities to utilize the existing rail infrastructure in Dorothy through the development of a train station and support of passenger rail scheduling.

- The use of gasoline-powered leaf blowers and lawn mowers to maintain lawns causes air pollution. The use of push or reel mowers instead is a realistic option for many small residential lawns. Reducing lawn size also will help reduce this source of emissions.
- Encourage the use of Car-pooling and investigate the potential for a municipally sponsored program.

Vegetation Cover/Forests



Weymouth Township includes large tracts of forest – occurring in a variety of vegetative community types. The Township is also a part of a much larger extent of forest found within the southern Pine Barrens. These vast forests serve as important habitat and provide ecosystem services such as protection and recharge of the drinking water supply and have positive impacts on the local and regional climate. From a regional perspective, the forests of the southern Pine Barrens act as a critical linkage and wildlife corridor between the vast marshes of the Delaware Bay and the more northerly core Pine Barrens forests.

The Weymouth Township Natural Resource Inventory emphasizes the importance of the Township’s forests to maintaining a variety of social and ecological conditions. The Environmental Commission has started work on a Community Forestry Management Plan to provide a guide for the long-term management of this resource and it will aid in the education of stewardship of forests. However, while some of the forest is located within open space lands or within public management, the majority of the Township’s forest resources are undeveloped and held by private interests. A sound land use planning approach is necessary to insure that future development of the Township minimizes the negative impact on this resource.

Vegetation and Forest Policies

- The tree removal ordinance should be strengthened and better enforced to curb preventable destruction or removal of trees; it should have specific provisions for protection for large mature trees and for long-term management for healthy forests.
- The Township can prepare an Urban Forestry Management Plan. The Shade tree Commission can assist with this effort.
- Species diversity in public plantings and streetscaping is suggested to minimize the overall impact of potential tree blights that may impact whole populations of affected species.

- The Township should pursue available planning and implementation grants in connection with initiatives to reduce the global warming impacts of ‘greenhouse gases’ in the atmosphere.
- Future clustering or large-scale development should avoid the large forested portions of the township that have been identified as having the highest levels of Ecological Integrity by the New Jersey Pinelands Commission and as mapped in the Land Use Element of this Master Plan.

Wildlife Habitat

Weymouth Township is home to a wide diversity of wildlife and associated natural habitat. The Land Use Element of this Master Plan and the Township Environmental Resource Inventory has summarized many of these resources. While there are a number of state and federal regulations that help to protect wildlife, Weymouth Township can take actions to slow habitat loss and reclaim important wildlife habitat.



Wildlife Protection Policies

- Provide for appropriate maintenance of natural areas so as to best support diverse wildlife populations. This may include working with state and nonprofit organizations to improve upon existing management activities.
- The Township can arrange community wildlife viewing or inventorying programs to help spread awareness and increase involvement.
- Sustained action to control invasive species can be helpful in fostering suitable habitats for increased wildlife diversity. The Environmental Commission may be able to undertake a program to educate citizens about the harmful use of invasive plants for landscaping.
- Investigate the potential for an ordinance regulating the use of All Terrain Vehicles in the township to minimize the direct negative impacts on wildlife habitat.

Energy Resources



Conserving energy is an important and practical way of conserving natural resources. This is crucial if Weymouth is going to take local action to help reduce the threat of climate change. There are a number of approaches the Township can pursue to make a meaningful difference.

Sources of municipal energy usage include schools and municipal buildings. Possibilities for better energy efficiency, including encouraging use of alternative forms of energy, conducting a detailed municipal energy audit, and working with state and

regional programs, should be considered.

Energy Conservation Policies

- Make Weymouth Township a sustainable community through the existing efforts of the municipal “Green Team”.
- Integrate sustainable and energy-efficient operations into everyday municipal, business and residential life.
- Reduce use of fossil fuels and energy derived from the current power grid.
- Explore new technologies and methods for greater energy efficiency.
- The Township should conduct a municipal energy audit for all public buildings and facilities. The use of energy for lighting, heating, transportation, and powering of equipment should be scrutinized by this audit for possible reductions.
- Changes in the Township’s development regulations should be adopted to provide guidance and incentives for creating more energy-efficient buildings and more environmentally friendly development sites. Standards developed by the US Green Building Council (USGBC) through its LEED (Leadership in Energy and Environmental Design) Certification program can serve as a model on which to base local standards and criteria.
- Reductions in private usage of energy should be strongly encouraged by the Township. This can be done with grant-funded energy-saving incentives (local, regional, State, & Federal) and community outreach and education programs.

Alternative Energy

Alternative sources of energy are not carbon based and therefore do not release greenhouse gas (carbon dioxide) into the atmosphere when consumed. They can be designed to partially or fully satisfy the Township’s energy needs. Increasing utilization of these commercially available energy resources, including solar, wind, geothermal, and hydroelectric, is an important component in a municipal initiative to improve energy efficiency.

- The Township should participate in the CleanPower Choice Program, which allows energy ratepayers to choose renewable sources of energy. It should encourage homeowners and businesses to join as well.
- Solar power is a renewable energy type that can be readily harnessed throughout Weymouth. The Township should review and revise its development regulations to facilitate the installation of solar collection equipment on both public and private buildings and inside and rear yard areas (with appropriate screening). This should also include a solar access ordinance to optimize access to this energy resource for passive and active solar energy generation. Size limits are recommended so as not to impact neighborhood character with generation facilities that are too large to be considered accessory uses.
- The Township should develop a plan for replacing its vehicle fleet with alternative fuel vehicles, especially electric vehicles, which will substantially reduce carbon emissions and enable the use of renewable energy to power vehicles and other motorized equipment.
- The Township should investigate the potential for conversion of the closed municipal landfill for use as a large-scale solar facility. Work with the Pinelands Commission to rezone the site appropriately and seek out bidders for installation and operation of such a facility.

Light Pollution



The inappropriate use of lighting and light fixture design can lead to a condition of what astronomers term “light Pollution”.

Light Pollution is an increasing problem threatening astronomical facilities, ecologically sensitive habitats, wildlife, energy use and human heritage. Through the use of excessive and inappropriate artificial nighttime lighting, astronomers have identified four components of light pollution:

- Urban Sky Glow – a general brightening of the night sky;
- Light Trespass – light falling where it is not intended, wanted or needed;
- Glare – excessive brightness which causes visual discomfort decreasing visibility;
- Clutter – bright, confusing, and excessive grouping of light sources found in over-lit areas.

Light Pollution Policies

- Permit reasonable uses of outdoor lighting for night-time safety, utility, security, productivity, enjoyment and commerce.
- Minimize adverse offsite impacts including light trespass, and obtrusive light.
- Curtail light pollution and improve the nighttime environment for astronomy.
- Help protect the natural environment from the adverse effects of night lighting from gas or electric sources.
- Conserve energy and resources to the greatest extent possible.
- Review and consider recommendation for adoption of the Model Lighting Ordinance developed by the Illuminating Engineering Society and the International Dark Sky Association of June 2010.

Summary

This Conservation Element provides a foundation for the preservation, conservation, and utilization of Weymouth Township's natural resources. It builds on the Township's Environmental Resource Inventory (ERI), and Land Use Element which provide detailed inventories of these resources, and the basis for each strategy in this Plan. Effective resource conservation in Weymouth Township should continue with these policies as a framework:

Good Governance

As a community in the most densely population state, natural land is a limited and increasingly important resource that helps to provide a good quality of life for residents. Pro-active preservation in the public interest therefore should be one of the many spokes of good governance at all levels. Weymouth Township is charged with the important task of monitoring, protecting and enhancing its many natural resource assets, from soil to water to air. This can be accomplished through detailed site plan review, revisions to the zoning ordinance and regulations, environmental programs, and the many other strategies outlined in this Plan.

Education and Involvement

The Township must also promote natural and cultural resource protection within and around Weymouth by involving its citizenry. Environmental education for all ages of the population, within and outside Township schools, is a wise and effective approach. Working together as a community with a shared conservation agenda, the Township can accomplish its preservation objectives.

Action

A prioritized Action Plan should be developed from the strategies provided in this Conservation Plan. The Planning Board should revise and update the action plan as progress is made, and as the environmental and preservation needs of the Township evolve.

Historic Preservation Plan

The Municipal Land Use Law (N.J.S.A. 40:55D-28) provides guidelines for the content of a historic preservation plan element as part of a municipal master plan as follows:

“A historic preservation plan element: (a) indicating the location and significance of historic sites and historic districts; (b) identifying the standards used to assess worthiness for historic site or district identification; and (c) analyzing the impact of each component and element of the master plan on the preservation of historic sites and districts. “



The Weymouth Township Historic Preservation Plan is a public policy document that identifies, evaluates, and preserves historic resources in the Township. The Township was settled in the late 17th century originally encompassing a very large portion of southern New Jersey. Fortunately, vestiges of the Township’s earlier days of growth and development still remain in the community. These historic and cultural assets are an authentic reminder of Weymouth Township’s past and contribute to its overall quality of life.

The Weymouth Township Historic Preservation Master Plan element endeavors to identify and protect these resources.

Historic Preservation Purpose and Benefits

Historic preservation refers to the process of identifying, evaluating and protecting historic resources for the benefit of a community and the larger society. Historic resources include physical assets such as buildings, structures, and objects, as well as visual assets such as viewsheds of scenic landscapes. Historic preservation programs are administered by local, state and federal government agencies as well as private entities and non-profit organizations.

There are many public purposes and benefits of historic preservation, including the increased knowledge of and pride in local, state and national history, the protection of community character and the strengthening of local economies through tourism and stabilized property values. Historic preservation protects a community’s heritage, making it available to both current and future generations. These vestiges provide an important connection to the past and, through further analysis, inform the future. Through community programs and overall public awareness, historic preservation offers a valuable educational tool in local history.

The surviving buildings of Weymouth Township's past also add to the rich texture and meaning of its development as a small farming and industrial town. The continued protection of these resources preserves the Township's unique community character and sense of place. The scale, proportions, patterns, massing, and materials of these older buildings contribute to the building and spatial patterns of the streetscape and the attractive diversity of the visual landscape.

Historic preservation has been successfully employed to improve business opportunities and stabilize property values. In 1997, a Rutgers University study, authorized by the Governor's Task Force on History, reported that historic preservation provides significant economic benefits to local communities and the State of New Jersey. It produces jobs, fosters heritage tourism, spurs reinvestment, increases tax revenue, and increases business income. In addition to these public benefits, individual property owners that rehabilitate qualified historic properties are eligible for state and federal tax credits, when available.

Historic Preservation Regulations and Programs

In New Jersey, there are three public programs for historic preservation: the National Register of Historic Places, the NJ Register of Historic Places, and the municipal preservation planning program. This master plan element is a municipal preservation plan, prepared in accordance with the NJ Municipal Land Use Law, NJSA 40:55D-1 et al.

National Register of Historic Places

The roots of historic preservation in the United States can be traced back to the planned efforts to save Independence Hall in Philadelphia, Pennsylvania, (then known as the Old State House) from demolition. Following several key legislative initiatives to protect historic parks and federally-owned properties, the National Preservation Act was adopted in 1966. The National Preservation Act established the National Register of Historic Places, which became the official list of national historic resources worthy of preservation. The National Register includes properties of local, state and national significance, as recommended by the State Historic Preservation Officer in the state that the resources are located.

The benefits of National Register listing include recognition of historic significance, eligibility for federal investment tax credits (for rehabilitated income-producing properties), and a degree of protection from federal or federally-assisted projects. This protection takes the form of a review of federally funded, licensed, or assisted projects and an assessment of whether these projects would affect properties listed on or determined eligible for the National Register. For example, if a federally-funded project includes the destruction of trees and landscaping on a listed private property, the responsible federal agency is required to assess the impact of its proposed undertaking to avoid or mitigate any adverse impact. This process, known as the Section 106 review, includes consultation with the State Historic Preservation Officer and a federal preservation organization, the Advisory Council on Historic Preservation. The National Register only restricts public encroachment and does not regulate the use of private property landowners.

New Jersey Register of Historic Places

The New Jersey Register of Historic Places was established in 1970 (NJSA 13:1B-15.128) using the same eligibility criteria and nomination process as the National Register. Consequently, most properties listed on the National Register also are listed on the State Register. A listing on the New Jersey Register of Historic Places recognizes a property's historic importance and provides a review process of publicly-funded projects that might adversely affect the character of a listed historic property. This review process is conducted in accordance with the New Jersey Register of Historic Places Act. Like the National Register, the NJ Register of Historic Places does not regulate private development.

Municipal Preservation Planning and Historic Preservation Commissions

Whereas the New Jersey and National Register of Historic Places protect against inappropriate public encroachment, the NJ Municipal Land Use Law Regulations and Programs (c.40:55D-65.1) establishes a process for addressing private actions through an advisory and regulatory process. Any historic site or historic district designated for preservation through a public process must be identified in a historic preservation plan element of the Master Plan (c.40:55D-65.1). The MLUL authorizes the creation of a Historic Preservation Commission to carry out the duties and responsibilities of a municipal historic preservation program. The Commission can perform in either a regulatory or advisory capacity. Its primary role is to review and comment on local development applications to the Planning Board and Zoning Board of Adjustment. The Historic Preservation Commission differs from a historical society because the latter is a private organization. A historical society offers educational, technical and programming services, but unlike the Historic Preservation Commission, it has no formal role in public policy or programs. The duties and responsibilities of a Historic Preservation Commissions are outlined in the Municipal Land Use Law as follows:

- Preparing a survey of historic sites of the municipality pursuant to criteria identified in the survey report;
- Making recommendations to the planning board on the historic preservation plan element of the master plan and on the implications for preservation of historic sites of any other master plan elements;
- Advising the planning board on the inclusion of historic sites in the recommended capital improvement program;
- Advising the planning board and board of adjustment on applications for development pursuant to section 24 of P.L. 1985, c. 516 (C.40:55D-110);
- Providing written reports pursuant to section 25 of P.L. 1985, c. 516 (C.40:55D-111) on the application of the zoning ordinance provision concerning historic preservation; and
- Carrying out other advisory, educational, and informational functions to promote historic reservation in the municipality.

History of Weymouth Township

(Adapted from Douglas Yearsley Township Historian, Weymouth Township Website)

Among the earliest inhabitants of Weymouth Township were an Algonquin speaking people who moved from Hudson's Bay through Illinois settled here about 600 A.D. They called themselves Lenni-Lenape which means "original people". It is these late woodland "Indians" which the Dutch explorers found around 1609 when they began to appear off our coast. The Dutch made a half-hearted attempt to colonize the South River (Delaware River). They built Fort Nassau in what would be Gloucester County.

In the late 1630's the Swedish queen wanted colonies and sent ships full of Finns and Swedish settlers to occupy South Jersey which they called New Sweden. The Dutch, who called here New Netherlands were furious and sent a fleet from New Amsterdam (New York) to reinforce Dutch rule. Many Finns and Swedes moved inland away from the Dutch to here, along the Great Egg Harbor River.

English Quakers started to arrive on the Delaware River. In 1664 after losing two wars, the Dutch turned here over to the English. Charles II has just been returned to the throne after a revolution that killed his father. He gave her as rewards to those who had supported him. South Jersey, then called West Jersey, ended up being given to a group of Quakers to get them and their Democratic ways out of England. They founded Salem, Burlington, and Gloucester counties. Cape May County claimed Great Egg Harbor River, but the area was unmapped and unpopulated.

In 1694 Egg Harbor was given to Gloucester County by the West Jersey Legislature and the same year Gloucester County appointed Arther Powell as constable for Weymouth, making here a "constablewick". The following year Weymouth and other townships were defined, but a clerk turned "the new Weymouth Township" into "New Waymouth Township" as it would stay for 16 years. The people did not accept the new name and the minutes of the Grand Jury ruled Gloucester County used the terms Egg Harbor and New Waymouth interchangeably. All historians agree Weymouth or New Waymouth was a Quaker name for the area now comprising Atlantic County. Between 1715 and 1774 the whole area was lumped under the term Egg Harbor or Great Egg Harbor.

All local business was put on hold because of the Revolutionary War in which here played a pivotal role in the American victory. The privateers sailed from our rivers brought all British commerce to a halt and made the war so expensive that is lost support in England. More battles were fought in New Jersey than any other state, ten battles in Gloucester County alone. King George called Egg Harbor "A nest of rebels"

After independence Gloucester County began to fix the boundaries between its townships that it had put off during the war. In 1798 Weymouth Township was apportioned a third of the territory we now call Atlantic County. Weymouth Township helped found the Federal government of the new nation.

Around 1800 three partners began an extensive iron producing operation in Weymouth Township. The ironworks flourished and in an attempt to consolidate their power, the owners formed a new township encompassing all the ore beds, water power, forests, and river ports they could grab. In 1813 their Hamilton Township separated from Weymouth Township.

The other iron operations in Weymouth Township were Etna Furnace founded in 1816 near Head of the River. It closed in 1832. There was also a smaller operation at Ingersoll Town, but it vanished without a trace. Monroe Forge, now called Walkers Forge after Lewis M. Walker, in 1816 and has now also vanished.

In the 1820s John Estell founded John Estell and Company in the Stephens Creek area. Estells had worked for all the great iron works whose ledgers list Thomas Estell, Richard Estell, Daniel Estell, and John. While the other Estells spent their time working drinking and training with the militia at Mays Landing, John seemed to learn something from his masters and founded his own baronial manor. He meant to do iron, but the ore quality must have been low. Also there was nearby competition at Monroe and Etna. In 1826 he took on a partner in the glass business named John Scott and they built a glass factory that produced until 1877. The Estells also built a sawmill and dabbled in boat building as well as farming. They built a village of Estellville on their millpond called Lake Rebecca and a mansion that rivaled Batsto or Weymouth.

Weymouth Township was a shipbuilding center with its many waterways and close timber and iron supply. Boats were built at High Banks Landing, Steelmans Landing, Gibsons Landing, Champions Landing, and Etna.

The Estell family ruled a manor like anything out of Norman England full of tenants who owed them everything. Near the end of the 1800's Anderson Estell Bourgeois began selling off the vast land holdings as farmsteads. Many immigrants from the teeming cities came into Weymouth Township looking for cheap land and elbowroom. Anderson sent his daughter, Rebecca, to college in Chambersburg, Pennsylvania and to hear tell this was a mistake for our township. About this time D.L. Risley of Philadelphia, New York, and London, a real estate speculator and railroad investor came upon the scene. He knew the railroad was coming between Richland and Tuckahoe through vast tracts of virgin land. The railroad came in 1893 and two Risley colonies, Milmay and Estelle sprang up in 1896. A year later Dorothy was christened and the Estells were faced with a population not beholden to them. Risley also sold to immigrants and city dwellers by making the most outlandish claims for local lots. He claimed that we had a year round growing season and a sea view.



The Belcoville School 1924

In 1917 the government and the Bethlehem Company bought up huge areas in Weymouth Township and moved in the Bethlehem Loading Company to load shells for the allied war effort in World War 1. This also changed us forever. Many old farms were converted into a city, named Belcoville, with a population of over 9,000. This area soon dominated Weymouth

township politics. Just as fast as the industrial giant was born, it died. The war ended soon after the loading plant was in operation.

By now the population of Weymouth Township had shifted from Corbin City, Estellville and Risley to Dorothy and Belcoville. In 1922 Corbin City was formed as a separate municipality. Two years later, Estell Manor City was formed from Weymouth Township – leaving the current municipal boundaries of the Township.

Summary of Changes to Weymouth Township’s Boundaries – By Steven Cseres

Weymouth Township originally covered over 100,000 acres. As specific areas became more populated—especially along rivers and creeks—fragmentation began. The occupants wanted more direct control of their freedom and taxation, as well as of their destiny. Following is a brief chronology of these divisions:

- *1774, Galloway Township separated from Weymouth Township.*
- *1813, Hamilton Township, with 60,000 acres, was created from Weymouth Township.*
- *1854, Atlantic City separated from Egg Harbor Township.*
- *1867, Buena Vista Township was created from Hamilton Township.*
- *1906, Folsom was created from Buena Vista Township.*
- *1922, Corbin City (5,500 acres) was shed from Weymouth Township.*
- *1925, Estelle Manor took 31,000 acres from Weymouth Township, leaving 10,000 acres, consisting of Belcoville and Dorothy.*
- *1957, an additional 38 acre tract was annexed from Weymouth Township. This was essentially the properties of Elia Clemenson and Louis Strouse.*

Criteria for Evaluating Historic Resources

This Historic Preservation Master Plan identifies the structures, objects and landmarks in Weymouth Township that reflect important periods, styles, people or events in the history and development of the Township and are worthy of preservation. Weymouth Township uses the same evaluation criteria as the National Register to identify these resources. The Criteria addresses the historic context of the resource and the integrity of the resource to convey its historic significance. The National Register Criteria was developed by the National Park Service for the evaluation of federal sites, districts and landmarks for listing in the National Register. The Criteria are written broadly to recognize the wide variety of historic properties associated with our prehistory and history.

The designated property or area must be historically or architecturally significant on the national, state, or local level and possess integrity, which can be defined as a relatively high level of character-defining features from the period in which it derives its importance. The resource generally must be at least fifty years old.

Criteria

The quality of significance in American history, architecture, archeology, culture, and engineering is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

That are associated with events that have made a significant contribution to the broad patterns of our past; or

- Associated with persons significant in our past;
- Embody the distinctive characteristics of a type, period, or method of construction that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
- Yielded, or may be likely to yield, information important in prehistory or history.

Criteria considerations

Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associated with a historic person or event;
- A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his/her productive life.

- A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;
- A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;
- A property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own exceptional significance;
- A property achieving significance within the past 50 years if it is of exceptional importance.

Inventory of Historic Structures

Weymouth Township began in the late 17th century as number small clusters of homes, farms, and industries located in a much larger area than represented by the current municipalities. Consequently, much of the historic sites of early Weymouth Township are now located in other municipalities. Most of the history of Township contained within the current boundaries is centered around the villages of Dorothy and Belcoville.

The Belcoville Post Office (1201 Madden Avenue) is the only structure currently listed on the National and State Register of Historic Places.



The post office building was constructed in 1918, part of the planned community that was erected to support operations of the nearby munitions plant. In seven month's time, the village was fully constructed with homes, businesses and public buildings. After the war, the community was abandoned, and only the post office and fire house remain from that era. The building was adapted for use as a school for many years, and community center, before it was closed to the public in 2003, with concerns for its structural integrity. The building retains good integrity of historic finishes but requires stabilization.

A comprehensive inventory of potential historic structures has not been completed in Weymouth Township. However, the existing Historic Preservation Society has indicated that there are some potential sites that may be worthy of closer examination. This plan recommends that this inventory should be conducted.

The Township is also host to two historic themes should be explored. The core neighborhood of Belcoville is remnant of the original worker housing constructed as part of the federal munitions plant during World War I. This section of the Township has been recognized as one of cultural importance for the New Jersey Pinelands Scenic Byway program. In addition, the village of

Dorothy has been identified as an historic transportation (railroad) dependent settlement by the New Jersey Pinelands Commission.

The Township Historic Preservation Society has also indicated that, while not eligible for state or federal listing, the Dorothy Firehouse and some of the current and former Houses of Worship should be investigated and their significance documented. The importance of the existing Township Historic Museum should also be documented within the context of a Township-wide inventory.

Goals, Objectives, and Policies

The overall goal of the Historic Preservation Element is to identify, evaluate and recommend provisions for the preservation of the Township's historic and cultural resources.

Objectives

1. Assess the status of the available data on historic resources.
2. Update the municipal ordinance to implement historic preservation policies.
3. Increase the knowledge and awareness of the Township's history.
4. Incorporate historic preservation actions with economic development opportunities.

Historic Preservation Policies

- Investigate the creation of a Historic Preservation Commission with an advisory role. Municipal historic commissions are created pursuant to enabling legislation in the Municipal Land Use Law. Commissions are responsible for reviewing development activity within a designated historic district. Permitted activities within these designated sites or districts vary and are restricted in accordance with the ordinance.
- Demolition regulation: A demolition ordinance can delay the demolition of a listed historic structure with the hope of finding an alternative plan during the interim. Such an ordinance may be adopted after the adoption of a Historic Preservation Master Plan Element and Historic Preservation Commission ordinance.
- Develop a Municipal Registry of important Historic Sites for use in a non-regulatory, educational program.
- Educational programs: The study of historic events and structures, information sharing, and public outreach programs will help increase public awareness of the importance of historic preservation, increasing also the likeliness of voluntary restorations and rehabilitation.
- Bricks and mortar grants: Public grants are available from the NJ Trust for Historic Preservation and other agencies for the restoration, rehabilitation and/or renovation of

historic structures and objects. The New Jersey Historic Trust was created in 1967 as a non-profit historic preservation organization created by State law. The Trust provides support and protection of historic New Jersey resources through several programs.

- Easement restrictions: Important historic structures can be protected through the placement of easements that restrict the type of changes to a structure to protect its historic integrity.
- Continue with the role of Local Historian: A municipality may appoint a person(s) to be the Local Historian, pursuant to the Local Historians Enabling Act of 1979. This volunteer position is responsible for acquiring and documenting information regarding local history. The Local Historian works cooperatively with other historic organizations and assists the community in the preparation of grants. Weymouth currently has appointed a local historian.
- Develop partnerships and identify resources: The *Atlantic County Cultural and Heritage Commission* promotes public interest and participation in both local and county history, as well as in the arts and in the cultural traditions of the community. It also supports the development of Cape May County's arts, history and cultural organizations. The *New Jersey Historic Preservation Office* is in the New Jersey Department of Environmental Protection, Division of Parks and Forestry. The Office reviews development activity that encroaches on State and Nationally Registered properties and reviews nominations for new registered properties. The NJ Historic Preservation office hosts annual conferences and provides resources and limited technical assistance upon request.
- Expand the use and availability of the Weymouth Township Historic Museum as an educational tool for the public.



Summary

This Historic Preservation plan provides an identification of the need to conduct a Township-wide inventory of historic resources as well a number of new ideas and recommendations for revisions to the municipal code and creation of education programs with the goals of preserving the historical resources of the Township and increasing public awareness of its history.

Open Space and Recreation Plan

The Municipal Land Use Law (N.J.S.A. 40:55D-28) provides guidelines for the content of an open space element as part of a municipal master plan as follows:

“A recreation plan element showing a comprehensive system of areas and public sites for recreation.”

This Open Space and Recreation Plan is an examination and update of the Recreation and Open Space Plan developed by the Weymouth Township Environmental Commission in 2006 and as adopted by the Planning Board. The Planning Board during this current process has reviewed and updated this plan. This updated plan is presented in this section of the Master Plan.



The purpose of the Weymouth Township Open Space and Recreation Plan is to establish a planning document that will serve as a guide for providing the open space and recreational needs of its citizens. As Weymouth Township is located the New Jersey Pinelands preservation area, any recommendations in the open space plan must comply with preservation area zoning regulations.

Open space preservation is a crucial part of any Master Plan. Not only is it effective for natural resource protection, but it is important for people as well, since the availability of open space is closely linked with an enhanced quality of life. It is crucial to carefully manage existing areas, and expand the Township’s stock of open space where realistic opportunities present themselves - now and in the future. The Open Space and Recreation Plan Element of this Master Plan provides a comprehensive analysis of these issues.

Specific Open Space Goals, Objectives and Policies are outlined below.

Goals, Objectives, and Policies

The goal of the Open Space and Recreation Element is to provide a guide for meeting the open space and recreational needs of the citizens of Weymouth Township. Set priorities based on availability and competition for lands for recreational uses, historic and cultural resources, protection of environmentally sensitive lands, and to create connectivity between existing open space owned by state and nonprofit organizations.

Objectives

1. Prioritize the acquisition of lands that are experiencing development pressures.
2. Acquire lands to develop a living history farm.
3. Improve public access to the South and Great Egg Harbor Rivers.
4. Acquire land to create linkages between existing parks and lands owned by State and non-profit agencies.
5. Work with the Atlantic County open space program and non-profit groups to develop a long range funding strategy.

Current Inventory of Open Space

Weymouth Township currently enjoys the existence of a variety of protected open space. These lands include those owned and managed by the State of New Jersey and by the Township. These lands are shown on Map Twelve in the Land Use Element of this Plan and summarized in the table provided below:



Table One – Existing Protected Open Space	
Owner	Acres
State Natural Lands Trust	110
State Fish and Wildlife Management Areas	704
Total State owned Land	814
Weymouth Township Owned Land Including MUA Property	324
Total Open space	1138

The New Jersey Department of Transportation owns 185 acres along the railroad tracks and Route 557. The 110 acre New Jersey Natural Lands Trust property is located on the tidal portion of the Great Egg Harbor River, is mostly wetlands, and contains threatened and endangered species habitat. It is mostly inaccessible and is not available for public use.

The State owns the 596 acre Great Egg Harbor Wildlife Management Area located on the peninsula between the Great Egg Harbor and South Rivers. This Wildlife Management Area is used for fishing, hunting, and hiking, and provides access to the South River for canoeing and kayaking. The State also owns 108 acres along the Tuckahoe River that abut the Peaslee Wildlife Management Area.

In addition to the listed recreational facilities Weymouth Township owns various undeveloped, scattered parcels throughout the Township, most of which are in the Pinelands forest area zoned locations.

Existing Township Recreation Facilities

Municipal Building Grounds

- 1 Youth ball/soccer field
- 1 Advanced Playground

The Municipal Building grounds contain a 60 foot youth ball field and side line bleachers. The field is used by the West Atlantic County Youth League for baseball, softball, and soccer. The field is maintained by the township and is in good condition. The advanced playground contains two large modern multi-use pieces each with 8 different units and was installed in 2002. There is also a large tree shaded picnic area with 10+ picnic tables. The field and nearby open areas have also been used for a traveling circus, outdoor concerts, annual 4th of July fireworks, and annual wienie roast.

However parking is sometimes a problem at this location. Many times during the sports season the limited parking spaces for the sports field and town hall are filled and excess cars must park along South Jersey Ave.

Weymouth Elementary School

- 1 Youth ball/soccer field
- 1 Advanced Playground
- 1 Full Size Basketball Court

Weymouth Elementary School contains a 60 foot youth ball field which is also used for soccer. The advanced playground contains 7 pieces and 1 large modern multi use piece with 6 units. All equipment is in good condition. There is one regulation size basketball court which is in good condition. The area is used primarily by students during the school year. It is only open during school hours and is not widely used by residents.

Belcoville Area

1 Youth ball/soccer field at 1201 Madden

The Belcoville Area contains an undersized youth ball field. This site is occasionally used by the West Atlantic County Youth League but has inadequate parking. There are 8 paved parking spaces around the Belcoville Post Office, with additional parking along the dirt road abutting the ball field. To meet future recreations needs this site needs additional parking spaces, the ball field must be enlarged to regulation size and new play ground equipment should be installed in playground area.

Oaks of Weymouth facilities (available to Oaks of Weymouth residents only)

1 Pool

1 Tennis Court

1 Bocce Ball Court

1 Shuffleboard

The Oaks of Weymouth is a 55+ retirement community with approximately 500 residents. Facilities include a large pool, tennis courts, shuffle board and bocce ball areas. The facilities are in good condition, are used only by its residents and maintained by the Oaks of Weymouth.

New Jersey Recreational and Open Space Inventory (ROSI)

Each Municipality is required by the New Jersey Green Acres Program to prepare a Recreational and Open Space Inventory (ROSI) as a condition of applying for and receiving Green Acres funding. The ROSI lists all Green Acres-funded properties ("funded parkland") as well as all other lands held for conservation and/or recreation purposes at the time the Local Unit last received funding from Green Acres ("unfunded parkland"). Lands listed on a ROSI include those owned, leased, or otherwise controlled by the Local Unit and may include land owned in fee, land leased by the Local Unit for recreation purposes, land owned by a private entity upon which the Local Unit holds a conservation easement, or any land in which the Local Unit holds a specific recreation and/or conservation interest. Under this program, the lands included on the ROSI are considered to have protections as open space and are intended for public recreational use. The properties located currently listed on the Weymouth Township ROSI are:

**Table Two
Weymouth ROSI Parcels**

Parcel		Acreage
Block 1	Lot 1.01	7
Block 35	Lots 7.01,15, 16, 17, 17.01&17.02	12.95
Block 58	Lot 9	.30
Block 39	Lot 18	4.97
Block 52	Lot 9	5.0
Block 62	Lot 3	5.0
Block 67	Lots 5,6 & 9	15
Block 69	Lot 8	5.0
Block 71	Lot 5	5.0
Block 73	Lots 1,3,6,8,9,10,&12	35.0
Block 74	Lots 2,3&5	15.0
Block 75	Lots 8 &12	10.0
Block 76	Lot 9	5.0
Block 80	Lot 5	5.0
Total		130.22

Source: 2006 Weymouth Township Opens Space Plan. All Properties are located within the Pinelands Forest Area

Township Population

The population of Weymouth Township has experienced a steady growth – with a resulting increase in demand for recreational facilities and for open space. Between the years 2000 and 2010, the Township population grew by approximately twenty percent.

Table Three

Total Weymouth Township Population

Year	1930	1940	1950	1960	1970	1980	1990	2000	2010
Population	685	675	750	788	998	1260	1957	2257	2715
Population Density	56	55	61	65	82	103	160	185	195
Numbers Change		-10	75	38	210	262	697	300	458
% Change		-1%	11%	5%	27%	26%	55%	15%	20.3%

Source: United States Census

Resource Considerations

Intensive Recreational Use

Recreational facilities such as baseball and soccer fields are designated by the New Jersey Pinelands Comprehensive Management Plan as recreational facility, “intensive” use and are not permitted in Pinelands Forest zoned areas. They are only permitted in Pinelands Village zoned areas, therefore any future baseball/soccer fields or any other designated intensive use recreational facilities must be located in the Pinelands Village zoned areas.



Low Intensity Recreational Use

There are large areas in Weymouth Township that are designated by the New Jersey Pinelands Comprehensive Management Plan as Pinelands Forest Area. These areas permits such low intensity uses as hiking, hunting, trapping, fishing, canoeing, nature study, orienteering, horseback riding, and bicycling.

Future Municipal and Recreational Needs

In the long term, Weymouth Township sees the need for the possible addition of more parking spaces associated with the municipal building and recreational area.

The West Atlantic County Youth League is anticipating the long term need for more facilities, including more soccer fields and a 90 foot baseball diamond. Because of these needs and little possibility of expansion at the existing ball fields, Weymouth Township’s long term plans include designation of an additional site for future sports fields. A possible site for this future recreational use is the Weymouth Township owned property at Block 20 Lots 1,1.01 and 2. This 45 acre uplands parcel at Maple Ave. and Sixteenth Ave. is located in the Pinelands Village zoned area which allows recreational facility, intensive use. This much larger area will provide Weymouth Township residents the room for future sport facility needs such as soccer and baseball fields and adequate parking. The township anticipates the need for passive recreation including walking, bike, and horse trails and picnic area as indicated in the recreational survey. Such an area would be in a PFA zoned section of Weymouth.

Open Space Policies and Future Plans

Open Space and Recreation Policies

Potential Parcels for Public Acquisition

The 2006 Recreation and Open Space Plan identified the following designated “intensive use” properties for possible acquisition for future use as intensive recreational uses in the Pinelands Village of Dorothy:

- Pete’s Store Block 11, Lot 12.01 56 Tuckahoe Road
- Both sides of 12th Ave. between South Jersey and Estelle Avenues Block 28, Lots 43-50 and Block 30, Lots 1-15.
- 13th Avenue between Estelle Ave. and Maple Ave. Block 29, Lots 1-7.

Designated “low intensive use” properties for possible acquisition located with the Pinelands Forest Area are:

- Appropriate Pinelands Forest zoned areas along the Tuckahoe River, South River and Stevens Creek corridors.
- Appropriate Pinelands Forest zoned areas designated as flood prone by Weymouth Township Flood Management plan.
- Robert Stewart Farm, 1213-1215 11th Ave. Block 33, Lot 8.
- Louis Klimek Farm, 1412-1413 13th Ave. Block 7, Lot 27.

Open Space Planning Timeline

This Open Space and Recreation Plan anticipates a series of short-term, mid-term and long range planning activities to satisfy the recreational needs of the Township in future years these are:

Short to Mid-Term

- Upgrade ball field and expand parking facilities at Belcoville site, install new playground equipment in playground area.
- Acquire property for passive recreational uses such as walking, biking and bridle trails and a picnic area.
- Acquire a township farm site for historic preservation and passive recreation. cquire additional property
- Acquire properties for wellhead and endangered species protection.
- Construct an Equestrian Bridge between Belcoville and Estell Manor Park for equestrian trail use.
- * Consider the feasibility of adding the Belcoville Post Office site to the municipal ROSI.

Long Term

In the long term future, Weymouth Township's ball field recreation area will be expanded to a 45 acre township owned parcel located at Block 20 Lots 1,1.01 and 2. This much larger site will easily meet Weymouth Township's future recreational needs.

To meet future recreational and open space needs Weymouth Township passed a 1 cent open space tax in 2003. Weymouth Township also anticipates additional support from the Atlantic County open space program and assistance from non-profit groups.

Methods for Acquiring and Funding Public Open Space

- Fee Simple Acquisition – This involves a direct purchase of a parcel by the town or open space trust organization, with the intention of creating permanent open space. Vacant land is the most common target of this type of acquisition technique but in certain cases, developed property may also be acquired.
- Bargain Sale – Property owners sometimes are willing to sell their land to the township for less than market value for open space or other public purposes. Reasons one might sell below market value include reduced maintenance costs and tax benefits.
- Property Exchange – Towns sometimes have a surplus of public land, meaning they could use it for exchange in acquisition of environmentally sensitive properties.
- Open Space Tax – In recent years, many New Jersey counties and municipalities have, with voter approval, established dedicated open space taxes. The revenues from an open space tax can support a pay-as-you-go strategy for open space preservation.
- Green Acres – This State Program carries out the state's purchases of conservation and recreation lands, and provides open space matching grants to municipal governments, county governments, and tax-exempt non-profit organizations.
- Issuing Bonds – Governments will sometimes borrow money for open space by issuing bonds. The issuance of long-term general obligation bonds to finance open space acquisitions has a compelling rationale: undeveloped land, or easements on such land, may not be available in the future at a reasonable price. Using bond proceeds today for acquisition assures that future generations will enjoy the fruits of preservation.
- Capitalizing on Economic Conditions -- The current national economic downturn has resulted in depressed market values of real property, meaning that this may represent a unique opportunity for purchasing open space.
- Create an Endowment – Individual donors, through bequests and donations help create endowments. Endowments can be coordinated by non-profits/foundations and used for the acquisition and maintenance of open space.

Increasing Open Space without Purchasing Property

- Conservation Easements – Conservation easements are permanent deed restrictions that prevent land from being developed. These restrictions typically are effective in perpetuity, or at least beyond the tenure of the current owner. These easements can allow

for public access, which is useful when trying to construct hiking trails or bikeways. This is a very important tool for several different resources, including the establishment of greenways.

- Master Plan Adjustments – Changes to the Master Plan and resulting conservation zoning designations should be made as open space protection priorities are refined.
- Cluster Zoning – This involves the town allowing greater than normally allowed density of buildings on a single piece of land in exchange for the owner leaving the rest of the parcel for conservation and the recreational needs of the new residents.

Summary

This Open Space and Recreation Element provides a foundation to meet the future active and passive recreational demands of the residents of Weymouth. It builds on the Township's 2006 Open Space and Recreation Plan and the Conservation Plan Element of this Master Plan. A combination of open space land acquisition and facility improvements are recommended by this plan. As population characteristics or land development patterns change within the Township, it will be necessary to revise this plan to accommodate these changes.



Recycling & Solid Waste Reduction Plan

The Municipal Land Use Law (N.J.S.A. 40:55D-28) provides guidelines for the content of a recycling plan element as part of a municipal master plan as follows:

“A recycling plan element which incorporates the State Recycling Plan goals, including provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance, and for the collection, disposition and recycling of recyclable materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 or more units of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land..”



Weymouth Township has a longstanding commitment to recycling that coincides with the enactment of mandatory recycling by the State of New Jersey in 1987. The Ordinances of Weymouth Township requires recycling and source separation of recyclables from other garbage and rubbish. Recyclable materials include newspapers, glass, aluminum, mixed metal containers, white metal, plastic bottles, batteries, waste motor oil, corrugated paper, high grade bond paper and leaves.

The Atlantic County Utilities Authority collects glass and aluminum materials and newspaper and other white paper, once every other week throughout the residential areas of the Township. Also, private haulers are required to report recycled amounts collected from the commercial sectors.

Waste generation in New Jersey has consistently increased from 1985 to the present, almost doubling in quantity during that period. In 2006, the last fully reported year, over 22 million tons of solid waste were generated. Atlantic County generated 920,383 tons during the same period. Of the total amount of solid waste generated, Atlantic County recycled approximately 51.7%.

In the 1990's, the State established a goal of recycling 60 percent of the total waste stream. This goal was exceeded in 1996 and 1997 (the recycling rate was 61 percent), but in 1997 a federal court decision deregulating solid waste in the state led to County control of the waste flow. The result was that the state tax that provided grant monies to municipalities for recycling ceased and there was less promotion of recycling throughout the state. As a result, since 1997, the state - as well as most municipalities - have not provided the same level of education and support for recycling in New Jersey.

Weymouth Township recycles approximately 1,400 tons of municipal waste annually which is consistent with Atlantic County as a whole. The recent trend in the municipal recycling effort for Weymouth Township is shown in Table One.

Year	Total Recycled (Tons)
2003	1,652
2004	2,451
2005	1,613
2006	1,419

The level of recycling has decreased somewhat but has been consistent over the past four years, however this quantity can be greatly increased. An increase in recycled tonnage will have direct value to the Township by decreasing dumping fees (the fees charged by the County Utilities Authority).

In these difficult economic times, an investment in education and enforcement could be enormously beneficial to the Township by markedly increasing the tonnage of recycled materials. The Master Plan continues to support the concept of recycling. It is an environmentally sound practice with important practical benefits.

Recycling in New Jersey and Weymouth Township is mandatory and the program outcomes should reflect the fact that all residents as well as businesses are required to recycle a variety of materials. The data summarizing current quantity of recycled materials indicate that there is not full participation in the program. To accomplish greater participation in the recycling program, this plan recommends additional policies and approaches that can improve the recycling success.

Recycling is just one part of an overall effort to decrease the amount of waste that requires management and disposal. Reduction, (also known as source reduction or waste prevention), is the first and most important tier of the “Reduce, Reuse, Recycle” solid waste management hierarchy.

The term “waste reduction” is used to describe activities that decrease the amount (weight or volume) or toxicity of waste entering the solid waste stream. Simply stated, waste reduction means cutting disposal by going right to the source: deciding not to make or buy something that becomes waste in the first place. Waste reduction includes activities that increase product durability, reusability, and reparability.

Reuse programs keep materials that would normally be discarded out of the waste stream. Waste reduction together with recycling and reuse form a comprehensive approach to eliminate waste from entering the disposal stream and decreasing the need to produce the source materials in the first place. The township should integrate waste reduction efforts with the recycling program. Education is a key component of a waste reduction program and special events can be used to support activities related to waste reduction and reuse.

Goals, Objectives, and Policies

The overall goal of the Recycling and Solid Waste Reduction Element is to provide provisions for the collection, disposition and recycling of the recyclable materials generated by residential and commercial uses in the Township.

Objectives

1. Identify educational approaches that reduce the overall amount of solid waste while increasing the percentage of recycled waste.
2. Update the municipal ordinance to reflect changes in federal, state, and county laws, policies and objectives concerning solid waste and recycling.
3. Reduce the cost of municipal management of solid waste.
4. Reduce the impact of solid waste upon the environment of the Township.

Educational Policies

- Work with the Weymouth Township school district to enlist students in programs designed to increase recycling throughout the Township.
- Provide information and a demonstration area to inform residents on backyard composting.
- Provide community wide information on how to stop junk mail.
- Support a municipal Reuse Day, or week, when residents can set out their unwanted goods at the curb for other residents to pick up. This will require promotion that includes information on the date of the event, how long the material will be left out for collection by residents and when the event ends. The information should identify the items that can be put out on the curb and should clearly state that NO household hazardous waste will be accepted. This event should be promoted in newspapers and the township web page at least one month prior to the event.
- Provide community information on websites and organizations that link free, unwanted, useful items from donors to recipients, such as Freecycle.
- Work with the Board of Education to purchase recycled paper.



Municipal Facility Policies

- Require that all discarded paper be recycled.
- Use Duplex Photocopying
- Recycle fluorescent light bulbs
- Purchase items that are all or partially recycled paper products: paper towels, toilet paper, trash bags, scratch pads, business cards, paper towels, toilet and tissues.
- Recycle and use recycled toner cartridges.
- Consider the establishment of a municipal compost facility for yard trimmings and organic waste as per the exemption set forth at N.J.A.C. 7:26A-1.4(a)13.
- Utilize recycled materials in public benches and picnic tables whenever possible.

Municipal Ordinances

- Revise Chapter 194, the Township Recycling Ordinance to reflect the provisions of the **Model Municipal Source Separation and Recycling Ordinance** developed by the New Jersey Department of Environmental Protection (Appendix A).

Summary

This Recycling and Solid Waste Reduction plan provides a number of new ideas and recommendations for revisions to the municipal code with the goals of reducing the generation of solid waste and increasing the amount of recycling with the Township. The Recycling Plan Element sets forth the goals and policies for Weymouth Township to fulfill its social and statutory responsibilities to minimize solid waste and to maximize the reuse of reusable and renewable resources. This element also has the purpose of coordinating Township policies in this regard with those of the County and State.



Appendix A

Master Plan Re-Examination Report (2008)

December 10, 2008

Periodic Reexamination Report

Of the Master Plan

**Township of Weymouth
Atlantic County, New Jersey**



**Jay Laubengeyer, P.P., AICP
Professional Planner #5101**

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Introduction

The 2008 Township of Weymouth Master Plan Reexamination Report is part of a continuing comprehensive planning process initiated by the Township Planning Board. The Planning Board adopted the current Master Plan beginning in 1986 with the adoption of the Land Use Plan Element. A Housing Plan Element was updated and adopted in 2006, a Recreational and Open Space Element was adopted in 2006, and a Stormwater Management Plan was adopted in 2007. In addition to these planning efforts, the Township has been in compliance with the Pinelands Comprehensive Management Plan since 1986, and has participated in the development and implementation of the Great Egg Harbor River Management Plan in partnership with the National Park Service and neighboring communities. The Planning Board last adopted a Reexamination Report in 1999. Each of these reports was designed to guide the future development of the community.

This Reexamination Report represents a continuing effort to ensure that the Township's planning policies and land use goals and objectives remain current and up-to-date. This document does not radically depart from the policies and land use goals set forth in the previous studies, although it does recommend that the Planning Board update the goals, objectives and policy statements regarding the Township's future growth and development, and recommends modifications to the Township land use plan and zoning ordinance where conditions warrant it. It also provides updated demographic and related background information on the Township. This Reexamination Report recognizes that Weymouth is essentially a rural community, requiring a planning response that focuses on maintaining the established character of the community, and identifying those areas warranting an upgraded planning and zoning approach to development in the established villages of Dorothy and Belcoville.

The report addresses the community's planning and zoning issues within the framework of the statutory requirements of the New Jersey Municipal Land Use Law (MLUL) and its master plan reexamination provisions. The MLUL requires municipalities to periodically reexamine their master plan and development regulations, and the statute mandates that the report must include, at a minimum, five key elements, which identify:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination Report;
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date;
- c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in state, county and municipal policies and objectives;

- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulation should be prepared;
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," 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.

Legal Requirements for Planning

Legal requirements and criteria for the preparation of a master plan and reexamination report are outlined in the MLUL. Responsibility for the preparation of the master plan and reexamination report falls under the jurisdiction of the Planning Board. These documents may be adopted and/or amended by the Board, subject to a public hearing. Periodic review of the master plan is required at least once every six years, but may be done sooner should the Planning Board determine a need for such a review.

The MLUL identifies the required contents of a master plan and the reexamination report. The reexamination report provisions are set forth above. One of the required elements of the master plan is a statement of goals, objectives, and policies upon which the proposals for the physical, economic and social development of the municipality are based. A master plan must also include a land use element that takes into account physical features, identifies the existing and proposed location, extent and intensity of development for residential and non-residential purposes, and states the relationship of the plan to any proposed zone plan and zoning ordinance. Municipalities are also required to prepare a housing plan and recycling plan. The MLUL additionally identifies a number of other plan elements such as circulation, recreation, community facilities, historic preservation and similar elements, which may be incorporated into a comprehensive master plan document.

The master plan provides a community with the legal basis to manage development. This is accomplished through the adoption of development ordinances that are designed to implement the plan's recommendations.

Problems and Objectives Relating to Land Development in the Municipality at the time of the Adoption of the Last Reexamination Report

A reexamination report is required by the MLUL to identify the major land use problems and planning objectives that are outlined in the most recently adopted Reexamination Report.

Major Goals and Objectives Relating to Land Development Reaffirmed in the 1999 Reexamination Report

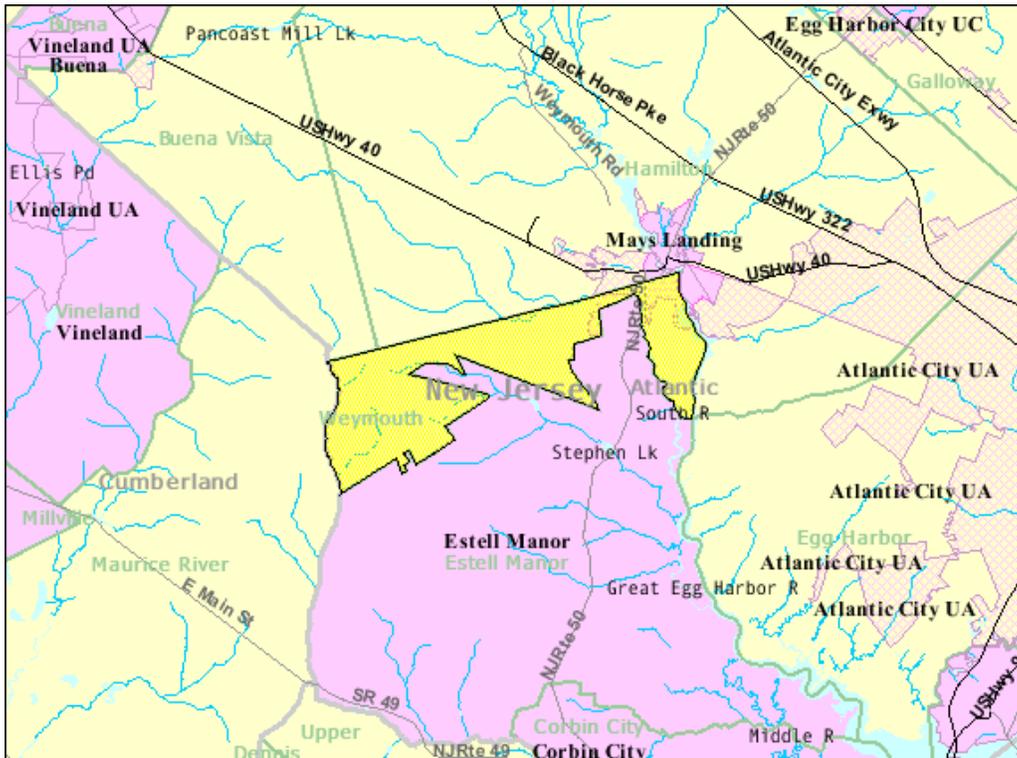
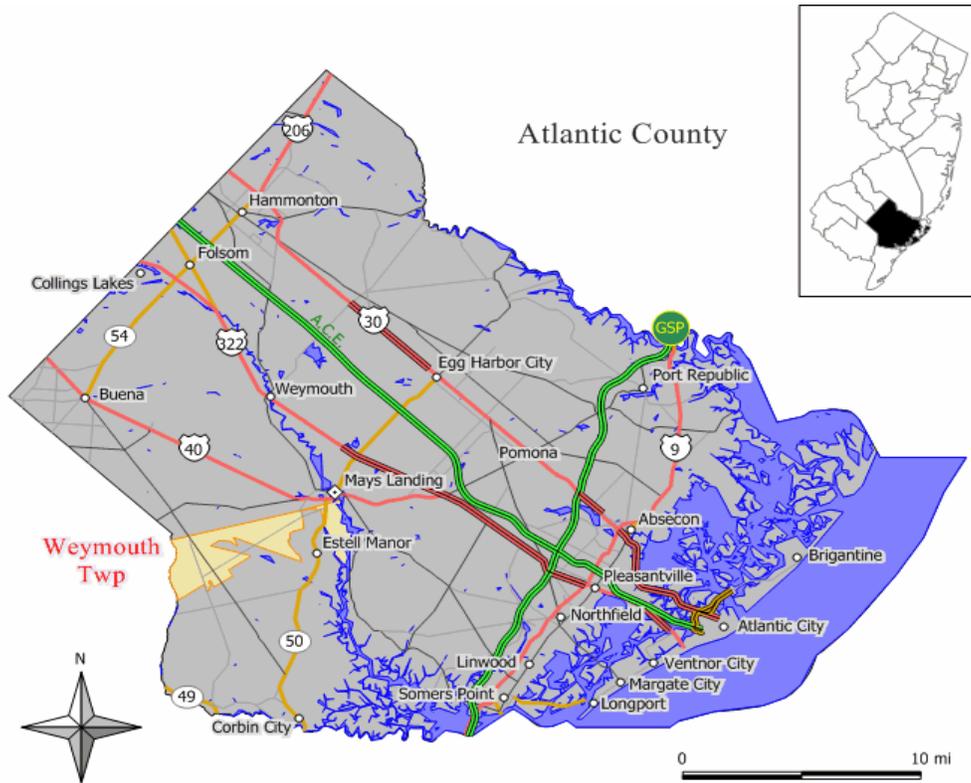
The 1999 Reexamination Report did not contain a statement or description of Major Goals and Objectives with respect to Land Use and Development in the Township. In fact, the Township Master Plan does not currently include this element. In recognition of this missing component of the Township planning efforts, the Planning Board is working with the public to develop a set of Goals and Objectives that will be adopted as a primary element of the Township Master Plan.

Major Problems and Objectives Identified in the 1999 Reexamination Report

It is necessary to review previously adopted Master Plan documents to fully understand the nature of the land use issues and problems that affected the community over the last few years. The most significant planning concerns faced by the Township in 1999 were outlined in the Reexamination Report as follows:

1. The Township should develop land use controls to protect the Township's rivers and water resources.
2. A recreation and open space plan should be developed to identify properties (including those owned by the Township) for recreation areas and facilities.
3. Redevelop the old land-fill area into a potential medical facility or golf course.
4. Development of standards to maintain a co-existence of agricultural animal husbandry and nearby residential areas.
5. Examine land use regulations to provide for improvement in septic system design.
6. The Township should examine potential changes to land use standards to minimize the need for zoning variances along West Riverside Drive and within the village of Belcoville.
7. The Township should examine the specific requirements of the Homestead Exchange Program to reflect the declining availability of lots suitable for deed restriction.

Weymouth Township, New Jersey



8. Licensing and development review fees should be revised to more closely reflect the actual costs of these governmental services.

Major Land Use Issues Currently Facing the Municipality

It is appropriate for the Township to not only review the major problems that were affecting the municipality at the time of the 1999 Reexamination Report, but to consider current planning issues facing the community today. The following represents a list of the most significant planning concerns that require the Township's attention. Subsequent sections will offer specific recommendations with respect to the manner in which these issues are addressed.

1. Development Potential of Large Assemblages of Land. There are currently large assemblages of vacant, forested land in the Township in limited ownership. The rural character of the Township has the potential to be affected by development that is inappropriately designed. Inappropriate development of these large tracts of land that potentially would result in large lot suburban sprawl has the potential to negatively impact the character of the township as well as to contribute to loss of natural habitat, forest fragmentation, and increased cost of government and public school services. There are concerns about the potential impacts of such development on the Township's community facilities, including schools and recreation areas, traffic, and infrastructure. The rural character of the local community and the biological integrity of these large forested areas are at risk with a suburban sprawl pattern of development. The Township should consider several options to improve the potential development pattern by looking at cluster ordinances, changes to the Homestead Exchange Program standards and to create open space preservation opportunities.
2. Protection of the Township's Natural Resources. The Township contains a diversity of very important natural features that include the Great Egg Harbor River, South River, rare, threatened and endangered plant and animal species, extensive forests, groundwater resources, and various forms of agriculture.

The Township should determine the best way to encourage conservation of natural resources and to limit the negative effect of new and existing development on these resources.

3. Recreation and Open Space. The active and passive recreational needs of the Township have grown and the current availability of appropriate facilities and land have not kept pace with this demand. The Recreational and Open Space Master Plan Element should be updated to reflect this growing need.
4. Community Character of Belcoville. The historic village of Belcoville is based upon a development pattern that is characteristic of early 20th century land use. Many of the standards generally associated with modern, suburban-type zoning regulations do not fit or sustain this unique village pattern. In addition the

community has historically been a mix of appropriately-scaled commercial uses and residential uses. The Township should look at existing zoning ordinances to reflect the existing development patterns. In addition, the Township could explore other means of recognizing the historic village with such things as street, sidewalk, lighting, and other physical community features that may be able to be improved through grants or design standards for new infrastructure and development as it occurs.

5. Historic Preservation. The Township has dedicated significant effort to preserve the unique history of the community. However, there is a need for site inventories and development of an Historic Element in the Master Plan.

Extent to which Problems and Objectives have been Reduced or have Increased Subsequent to the Last Reexamination

Pursuant to the MLUL, this section of the Reexamination Report examines the extent to which problems and objectives have been addressed. A number of the Township's goals and objectives as well as the planning problems highlighted in the 1999 Reexamination Report have been addressed while others remain relevant today. The general planning concerns regarding the growth of the Township and the desire to maintain the inherent character of the community result in a need for a continual assessment and reassessment of the Township's land use planning. A number of the issues identified in the 1999 Reexamination Report have been successfully addressed, while others continue to remain a concern. These are summarized below.

1. Protection of the Township's Rivers and water resources. The issue has been partially addressed since the 1999 report. The Township hosts portions of two major river systems: The Great Egg Harbor and its tributary the South River to the east of the township and the Tuckahoe River on the western border of the municipality. In 2000 the Township entered into a regional cooperative management plan for the Great Egg Harbor River and its tributaries as part of the designation of this system into the National Wild & Scenic Rivers system. This management plan provided for regional planning approaches to prevent potential negative land uses. The Township also completed a Resources Report for the South River. The Tuckahoe River is located within the Pinelands Management Area as defined by the Pinelands Comprehensive Management Plan. This plan provides robust protections for wetlands and rare species that may be associated with the river. Lastly, the Township's Open Space and Recreation Plan recommends the acquisition and protection of key open space parcels located within the Tuckahoe basin. An effort to further protect the Township's surface and groundwater from inappropriate management of animal manure was not successful.

2. Open Space and Recreation Plan. The Township completed a plan to define the goals and policies of the township to guide the public provision of recreational land and facilities and for the preservation of important historic and ecological sites. This plan provides a comprehensive needs analysis as well as an inventory of municipally-owned lands, current open space and recreational facilities. A series of “action plans” to implement the plan was also developed.
3. Redevelopment of the old municipal land fill. This issue has not been addressed for a number of reasons – including the financial and regulatory challenges involved.
4. Development of standards to maintain a co-existence of agricultural animal husbandry and nearby residential areas. An attempt to address this issue was unsuccessful in efforts conducted in 2005 and 2006. A series of public meetings were held and a draft ordinance was prepared. Many of the issues associated with this effort led to serious disagreement between those township residents who own horses and other farm animals and those residents who do not. The issue was tabled for possible future planning analysis.
5. Examine land use regulations to provide for improvement in septic system design. This issue has been addressed through the development of new design and operation standards for septic systems implemented by the New Jersey Pinelands Commission for the area that is located within the jurisdiction of that agency. The majority of that portion of the township that does not fall within the Pinelands is either serviced by the public sewage system or falls within the Coastal Area Facilities Act which governs the placement of septic systems in near proximity to the Great Egg Harbor River.
6. Minimize the need for zoning variances along West Riverside Drive and within the village of Belcoville. This issue has not been addressed. The current Zoning Standards associated with Belcoville and West Riverside Drive require a minimum lot size, setbacks, lot configuration and density standards that do not reflect the existing development patterns and lot configurations.
7. The Township should examine the specific requirements of the Homestead Exchange Program to reflect the declining availability of lots suitable for deed restriction. The Township successfully streamlined the process for granting approval for use of the Homestead Exchange Program by making it a permitted use in the appropriate zone designations. Previously, the program was only available as a conditional use which required application to the Planning Board. Other issues related to application of the Homestead Exchange Program to individual land owners who own multiple lots and the potential for clustering of development through use of this program remain unresolved.
8. Licensing and development review fees should be revised to more closely reflect the actual costs of these governmental services. The Township Committee revised the fee schedule for development review in 2005.

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 Specific Planning Issues and Government Policy

There are a number of substantive changes at the state and local level since the adoption of the 1999 Reexamination Report that requires the Township's attention.

Changes at the Local Level

Township Population Growth. As outlined in Table 1, the 2000 U.S. Census indicated the Township had a population of 2,257 residents, an increase of 300 residents from the 1990 U.S. Census population of 1,957. With a growth rate of 13.3 percent, Weymouth's growth was about twice that of Atlantic County as a whole, which grew at a rate of 7.1 percent during the 1990s.

U.S. Census Bureau population data for July 1, 2007, the most recent estimates available, place the population of Weymouth at 2,305. In the seven years since the 2000 Census, the estimated population has grown 2.1 percent. To place this estimate in perspective, New Jersey as a whole has an estimated population growth of 2.6 percent and Atlantic County is at 1.5 percent.

Table 1 illustrates the pattern of population growth in the Township since the 1930 U.S. Census. The Township experienced the largest population gain during the decade of the 1980s.

Table 1: Population Growth – Weymouth Township, New Jersey

Year	Population	Population Change	Percent Change
1930	685	--	--
1940	675	-10	-1.5
1950	750	75	10
1960	788	38	4.8
1970	998	210	21
1980	1260	262	20.8
1990	1957	697	35.6
2000	2257	300	13.3
2007 (est.)	2305	48	2.1

Source: U.S. Census Data

Population Characteristics. Table 2 outlines characteristics of the Township's population by race and sex. The percentage of females is slightly higher than that of males. In addition, the median age of the population of Weymouth Township is 39.4 years. The total number of residents 62 years old and above is 846 or 37.5% of the population of the Township.

Table 2: Population Characteristics – Weymouth Township, New Jersey

Population Characteristic	Number	Percent of Total
Male	1085	48.1
Female	1172	51.9
White	2076	92.0
Black or African American	108	4.8
Asian	18	0.8
Other Race	23	1.0
Hispanic/Latino (of any race)	86	3.8

Source: U.S. Census Data

Housing Characteristics. Table 3 depicts basic housing data for the Township. The number of housing units increased by 20 percent (or 152 units) during the decade of the 1990s. Fifty seven of these additional housing units were Manufactured Homes located in the Oaks of Weymouth development.

Table 3: Housing Characteristics – Weymouth Township, New Jersey

Characteristic	1990	2000	Percent Change
Number of Housing Units	757	909	20
Median Housing Value	\$90,000	\$119,000	32
Number of Manufactured Homes	110	167	65.8

Source: U.S. Census Data

Appendix One provides a comprehensive Profile of Demographic, Social, Economic and Housing Characteristics.

Revisions to Local Development Review Ordinances. Since the production of the 1999 Reexamination Report, the following ordinance have been adopted by the Township:

Ordinance 463-2007

Amends the minimum distances between manufactured housing units located within Manufactured Homes Parks. This resulted in minimizing the number of zoning violations for building roofs over decks in the Oaks of Weymouth.

Ordinance 469-2008

Clarifies the standards for walkways and other impervious surfaces in Manufactured Homes Parks

Ordinance 389-2001

Redefines the availability of the Homestead Exchange program as a permitted use rather than a conditional use in various residential zones.

Ordinance 405-2003

Defined and provided standards for the operation of Home-based Businesses in residential zones.

Changes at the State and Regional Level

Pinelands Comprehensive Management Plan

Over eighty two percent of the land area of the Township is located within the New Jersey Pinelands Management Area. This area is comprised of 6,425 acres out of the total land area in the Township of 7,847 acres. In addition, approximately 73% of the population and 72% of the housing units are located within the Pinelands zone (source: New Jersey Pinelands Commission). The Pinelands Village of Dorothy allows for residential and commercial development on a minimum lot size of five acres. The remaining portions of the Pinelands portion of the Township are designated as Forest zones with lot sizes ranging from ten acres up to twenty five acres per residential unit. These general development standards remain unchanged from those in place when the 1999 Reexamination Report was produced. However, very recently, the Pinelands Commission has stated that it will review the conservation and development designations with the municipalities under its jurisdiction based upon an Ecological Integrity Assessment conducted by the Commission. It has also stated that new clustering schemes for future residential development may be implemented in portions of the Pinelands as well. It is unclear as of the adoption of this Reexamination Report if any of these potential changes will impact Weymouth Township.

Wild & Scenic River System

As described above, the Township joined with other municipalities and the National Park Service to cooperatively protect and manage the Great Egg Harbor River as part of its designation into the National Wild and Scenic Rivers system. A significant portion of the area of the township that is not within the Pinelands management area falls within the River Management zone. This plan was adopted subsequent to the 1999 Reexamination Report.

Coastal Area Facilities Review Act

The portion of the Township located immediately adjacent to the Great Egg Harbor River falls within the Coastal Area Facilities Review Act (CAFRA). This legislation provides for regulation of development within the state's coastal areas by the New Jersey Department of Environmental Protection. Through a series of performance standards and density restrictions, new development along the Great Egg Harbor River is regulated by this program. The development standards of the CAFRA program have not changed significantly since the 1999 Reexamination Report.

Council on Affordable Housing (COAH)

On November 22, 2004 COAH adopted its third round methodology and rules, which are effective December 20, 2004. These rules were revised and became effective June 2, 2008. This new methodology required the Township to undertake a review of the housing element and fair share plan. Components of the new methodology include "growth share" and "rehabilitation share".

The growth share determines the affordable housing unit obligation based upon projected development, with affordable housing units allocated based on the number of dwelling units built and the number of jobs created in the Township based on the square footage of non-residential development. The third round includes the period 1999 through 2014.

The Township updated its Housing Plan Element in 2006 in response to the third round rules. With the adoption of the revised rules in 2008, the Township may need to review the recent Housing Plan Element.

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

This Reexamination Report notes several key factors influencing the planning process and its implementation in the Township of Weymouth. It is appropriate for the Township to modify its Goals and Objectives to reflect those actions that have been addressed and ongoing issues that require attention. Other planning recommendations for the Township are included in this section.

Goals and Objectives

The purpose of Goals and Objectives, all of which are important, is to establish the vision and basis for future development and conservation of the Township. Each goal should be accompanied by a policy statement intended to remove ambiguity regarding the interpretation of these goals. The purpose is to clarify the intention of the Planning board

rather than leave the goals open to wide interpretation. Once adopted, these goals and objectives provide the legal and theoretical foundation for subsequent planning elements and land development ordinances.

The current Township Master Plan does not include a clearly defined set of goals and objectives. Although the Housing Element and the Open Space/Recreation Element contain subject-specific goals and objectives, there is an immediate need for the Planning Board to develop this basic component of the Master Plan through a series of public sessions. This is perhaps the highest priority recommendation resulting from this report and it is recommended that the Planning Board work to establish and adopt this element in the very near future.

Master Plan Update Recommendations

There are a few elements of the existing Master Plan that should be updated or revised. In addition, the Planning Board has identified additional elements that should be added to the plan. Listed below are the specific actions needed to improve the Master Plan. They are listed in order of suggested priority.

Goals, Objectives and Policies. As described above, it is very important that the Planning Board initiate a public process to develop this required component of the Master Plan. The Board has indicated that this process will begin in January, 2009.

Land Use Element. The current Land Use Element was adopted in 1986. While many of the basic assumptions of this plan are relevant today, the Land Use Element should be significantly updated to include a comprehensive inventory of current land uses, a projection of future land use and a desired vision for future development and conservation of the township. Issues like the potential for large scale development of existing undeveloped lands, creating and maintaining a village-pattern of land use for Belcoville, clustering options, agricultural uses, and strengthening the design standards and success of mixed use development in portions of the Pinelands Village of Dorothy could be addressed in this updated element. As stated in the beginning of this report, the Land Use Element and the Goals & Objectives are the two required and most important components of the Master Plan.

Conservation Element. There have been various efforts to protect the natural resources of the township. These include the River Management Plan for the Great Egg Harbor River and South River and a Resources Inventory prepared by Natural the Weymouth Township Environmental Commission. These plans should be incorporated into a comprehensive Conservation Element that also addresses issues like forest management, rare species protection, and the quality of the Township's water resources.

Historic Resources Element. Weymouth Township has a long and proud history that includes many important relics from its past. In order to plan for and conserve these public resources, an Historic Resources Element should be developed and adopted as part of a revised Master Plan. This element should include a comprehensive inventory of

historic sites within the Township. Recommendations for various forms of protection or conservation of these historic resources can be included in the plan element.

Update of the Housing Element. While the Township has a relatively recent Housing Element, it should be reviewed and updated to keep it current with the revised COAH rules and to reflect the current need of Township residents.

Update of Open Space and Recreation Element. This element has also been adopted relatively recently. However, with the possibility of additional development in the Township in the future, the Open Space and Recreation Element should be reviewed and updated to reflect the current and future need of Township residents.

Compilation of a Cohesive Master Plan Document. The Township does not currently have a single document that reflects the various components of a municipal Master Plan. Rather, the existing plan elements are essentially stand-alone documents that make it difficult for the public to understand the comprehensive approach to planning for existing and future land use that the Planning Board is implementing. It is highly recommended that the various existing plan elements and the new and/or revised elements be compiled into one document with a unifying theme and language.

Other Planning Issues

Belcoville

The Planning Board should consider undertaking a special study of the village of Belcoville. This historic community was developed long before modern planning and zoning regulations were in place. The Township's current zoning scheme for this area is largely based upon traditional suburban-type zoning regulations. Routine issues like minimum setbacks, lot size, and lot coverage are difficult to meet with existing development patterns. This has resulted in an unnecessary need for zoning variances and the expense associated this process for the residents of the village.

The current zoning and landuse regulations for Belcoville also contribute to the possibility of missed opportunities to help Belcoville regain some of the strengths of its early 20th Century origin. Some of these qualities include walkable neighborhoods, mixed retail and residential uses of appropriate scale, and a sense of community. Belcoville was originally developed in an era when the automobile did not dictate development patterns and infrastructure design. The fact that the village does not fall within the Pinelands, and that public sewage is available, provides for great opportunities through sound planning to initiate a positive impact on the future of this community. This study could provide the basis for the Township to begin a program to look for federal and state grants for village-friendly public improvements and to encourage unique forms of commercial additions to the village that would serve local need. Historic Preservation and design standards for new development to develop and maintain a village theme could be examined as well.

Horse Farms and Small-scale Agriculture

Perhaps one of the most contentious and unresolved land use issues in the Township in recent years has been the conflict between an increasingly popular practice of development of small horse farms (or other agricultural animals) and conflict with some residents in the Township. Although Weymouth Township is still a largely rural community, most of the new development in recent years has been of the traditional, suburban-type residential use. It would appear that this issue will only continue to grow in the future as additional new residences are built and horse farms retain their popularity. The Township currently has very few standards in place for keeping of farm animals.

The Planning Board and Township Committee entertained a draft ordinance to implement additional standards for farm animals. This was met with great opposition by the affected portion of the community and the ordinance was not adopted.

It is recommended that the Planning Board initiate a public planning process to examine all of the issues involved with this conflict in a non-threatening environment. Perhaps a special committee could be formed consisting of active parties from all sides of the issue to develop a set of recommendations to the Planning Board that would not only resolve the conflict but also lead to a situation where properly managed horse farms are encouraged as a way to maintain the rural character of the Township while at the same time, not infringing upon the daily quality of life of other residents.

Pinelands Village of Dorothy

The Planning Board has indicated a desire to work with the community of Dorothy to identify planning initiatives that can strengthen the village's mixed use of residential and business establishments located along Tuckahoe Road. This initiative should incorporate opportunities that may arise from the extension of the Cape Seashore Line railroad and the potential for increased tourism through the location of a railway stop in Dorothy.

Recommendations Concerning the Incorporation of Redevelopment Plans into the Land Use Plan Element and Recommended Changes in the Local Development Regulations Necessary to Effectuate the Redevelopment Plans of the Municipality

The Township has not designated any parcels as “an area in need of redevelopment”, nor has it undertaken any investigation to determine if any parcels may be declared as “an area in need of redevelopment” since the adoption of the last Reexamination Report.

Appendix One

Profile of Demographic, Social, Housing and Economic Characteristics

United States Census Bureau -- 2000

Table DP-1. Profile of General Demographic Characteristics: 2000

Geographic area: Weymouth township, Atlantic County, New Jersey

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
Total population	2,257	100.0	HISPANIC OR LATINO AND RACE		
SEX AND AGE			Total population	2,257	100.0
Male.....	1,085	48.1	Hispanic or Latino (of any race).....	86	3.8
Female.....	1,172	51.9	Mexican.....	24	1.1
Under 5 years.....	141	6.2	Puerto Rican.....	42	1.9
5 to 9 years.....	158	7.0	Cuban.....	2	0.1
10 to 14 years.....	175	7.8	Other Hispanic or Latino.....	18	0.8
15 to 19 years.....	133	5.9	Not Hispanic or Latino.....	2,171	96.2
20 to 24 years.....	97	4.3	White alone.....	2,022	89.6
25 to 34 years.....	252	11.2	RELATIONSHIP		
35 to 44 years.....	401	17.8	Total population	2,257	100.0
45 to 54 years.....	285	12.6	In households.....	2,251	99.7
55 to 59 years.....	111	4.9	Householder.....	851	37.7
60 to 64 years.....	117	5.2	Spouse.....	482	21.4
65 to 74 years.....	226	10.0	Child.....	682	30.2
75 to 84 years.....	132	5.8	Own child under 18 years.....	503	22.3
85 years and over.....	29	1.3	Other relatives.....	124	5.5
Median age (years).....	39.4	(X)	Under 18 years.....	51	2.3
18 years and over.....	1,694	75.1	Nonrelatives.....	112	5.0
Male.....	805	35.7	Unmarried partner.....	53	2.3
Female.....	889	39.4	In group quarters.....	6	0.3
21 years and over.....	1,628	72.1	Institutionalized population.....	-	-
62 years and over.....	459	20.3	Noninstitutionalized population.....	6	0.3
65 years and over.....	387	17.1	HOUSEHOLD BY TYPE		
Male.....	175	7.8	Total households	851	100.0
Female.....	212	9.4	Family households (families).....	624	73.3
RACE			With own children under 18 years.....	256	30.1
One race.....	2,234	99.0	Married-couple family.....	482	56.6
White.....	2,076	92.0	With own children under 18 years.....	186	21.9
Black or African American.....	108	4.8	Female householder, no husband present.....	88	10.3
American Indian and Alaska Native.....	9	0.4	With own children under 18 years.....	47	5.5
Asian.....	18	0.8	Nonfamily households.....	227	26.7
Asian Indian.....	-	-	Householder living alone.....	183	21.5
Chinese.....	8	0.4	Householder 65 years and over.....	82	9.6
Filipino.....	5	0.2	Households with individuals under 18 years.....	283	33.3
Japanese.....	1	-	Households with individuals 65 years and over.....	276	32.4
Korean.....	3	0.1	Average household size.....	2.65	(X)
Vietnamese.....	1	-	Average family size.....	3.06	(X)
Other Asian ¹	-	-	HOUSING OCCUPANCY		
Native Hawaiian and Other Pacific Islander.....	-	-	Total housing units	909	100.0
Native Hawaiian.....	-	-	Occupied housing units.....	851	93.6
Guamanian or Chamorro.....	-	-	Vacant housing units.....	58	6.4
Samoan.....	-	-	For seasonal, recreational, or		
Other Pacific Islander ²	-	-	occasional use.....	9	1.0
Some other race.....	23	1.0	Homeowner vacancy rate (percent).....	2.1	(X)
Two or more races.....	23	1.0	Rental vacancy rate (percent).....	6.2	(X)
Race alone or in combination with one or more other races: ³			HOUSING TENURE		
White.....	2,092	92.7	Occupied housing units	851	100.0
Black or African American.....	116	5.1	Owner-occupied housing units.....	729	85.7
American Indian and Alaska Native.....	15	0.7	Renter-occupied housing units.....	122	14.3
Asian.....	20	0.9	Average household size of owner-occupied units.....	2.67	(X)
Native Hawaiian and Other Pacific Islander.....	-	-	Average household size of renter-occupied units.....	2.47	(X)
Some other race.....	37	1.6			

- Represents zero or rounds to zero. (X) Not applicable.

¹ Other Asian alone, or two or more Asian categories.² Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.³ In combination with one or more of the other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.

Source: U.S. Census Bureau, Census 2000.

Table DP-2. Profile of Selected Social Characteristics: 2000

Geographic area: Weymouth township, Atlantic County, New Jersey

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
SCHOOL ENROLLMENT			NATIVITY AND PLACE OF BIRTH		
Population 3 years and over enrolled in school			Total population	2,250	100.0
Nursery school, preschool.....	54	10.3	Native.....	2,191	97.4
Kindergarten.....	15	2.9	Born in United States.....	2,178	96.8
Elementary school (grades 1-8).....	247	47.0	State of residence.....	1,453	64.6
High school (grades 9-12).....	121	23.0	Different state.....	725	32.2
College or graduate school.....	88	16.8	Born outside United States.....	13	0.6
EDUCATIONAL ATTAINMENT			Foreign born.....	59	2.6
Population 25 years and over			Entered 1990 to March 2000.....	12	0.5
Less than 9th grade.....	86	5.6	Naturalized citizen.....	35	1.6
9th to 12th grade, no diploma.....	227	14.8	Not a citizen.....	24	1.1
High school graduate (includes equivalency).....	623	40.7	REGION OF BIRTH OF FOREIGN BORN		
Some college, no degree.....	266	17.4	Total (excluding born at sea)		
Associate degree.....	111	7.3	Europe.....	21	35.6
Bachelor's degree.....	150	9.8	Asia.....	11	18.6
Graduate or professional degree.....	67	4.4	Africa.....	5	8.5
Percent high school graduate or higher.....	79.5	(X)	Oceania.....	-	-
Percent bachelor's degree or higher.....	14.2	(X)	Latin America.....	10	16.9
MARITAL STATUS			Northern America.....	12	20.3
Population 15 years and over			LANGUAGE SPOKEN AT HOME		
Never married.....	442	24.8	Population 5 years and over		
Now married, except separated.....	990	55.6	English only.....	1,948	100.0
Separated.....	39	2.2	Language other than English.....	125	6.0
Widowed.....	140	7.9	Speak English less than "very well".....	48	2.3
Female.....	115	6.5	Spanish.....	43	2.1
Divorced.....	171	9.6	Speak English less than "very well".....	24	1.2
Female.....	82	4.6	Other Indo-European languages.....	59	2.8
GRANDPARENTS AS CAREGIVERS			Speak English less than "very well".....	15	0.7
Grandparent living in household with one or more own grandchildren under 18 years			Asian and Pacific Island languages.....	10	0.5
Grandparent responsible for grandchildren.....	20	33.3	Speak English less than "very well".....	-	-
VETERAN STATUS			ANCESTRY (single or multiple)		
Civilian population 18 years and over			Total population		
Civilian veterans.....	281	16.8	Total ancestries reported	2,250	100.0
DISABILITY STATUS OF THE CIVILIAN NONINSTITUTIONALIZED POPULATION			Arab.....	2,909	129.3
Population 5 to 20 years			Czech ¹	27	1.2
With a disability.....	35	7.4	Danish.....	3	0.1
Population 21 to 64 years			Dutch.....	20	0.9
With a disability.....	272	22.2	English.....	254	11.3
Percent employed.....	69.5	(X)	French (except Basque) ¹	78	3.5
No disability.....	953	77.8	French Canadian ¹	3	0.1
Percent employed.....	78.0	(X)	German.....	528	23.5
Population 65 years and over			Greek.....	27	1.2
With a disability.....	139	37.1	Hungarian.....	70	3.1
RESIDENCE IN 1995			Irish ¹	551	24.5
Population 5 years and over			Italian.....	526	23.4
Same house in 1995.....	1,267	61.1	Lithuanian.....	17	0.8
Different house in the U.S. in 1995.....	803	38.7	Norwegian.....	30	1.3
Same county.....	480	23.2	Polish.....	160	7.1
Different county.....	323	15.6	Portuguese.....	-	-
Same state.....	212	10.2	Russian.....	34	1.5
Different state.....	111	5.4	Scotch-Irish.....	35	1.6
Elsewhere in 1995.....	3	0.1	Scottish.....	47	2.1
			Slovak.....	18	0.8
			Subsaharan African.....	5	0.2
			Swedish.....	30	1.3
			Swiss.....	-	-
			Ukrainian.....	37	1.6
			United States or American.....	93	4.1
			Welsh.....	16	0.7
			West Indian (excluding Hispanic groups).....	-	-
			Other ancestries.....	300	13.3

-Represents zero or rounds to zero. (X) Not applicable.

¹The data represent a combination of two ancestries shown separately in Summary File 3. Czech includes Czechoslovakian. French includes Alsatian. French Canadian includes Acadian/Cajun. Irish includes Celtic.

Source: U.S. Bureau of the Census, Census 2000.

Table DP-3. Profile of Selected Economic Characteristics: 2000

Geographic area: Weymouth township, Atlantic County, New Jersey

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
EMPLOYMENT STATUS			INCOME IN 1999		
Population 16 years and over			Households		
In labor force	1,751	100.0	Less than \$10,000	850	100.0
Civilian labor force	1,098	62.7	\$10,000 to \$14,999	48	5.6
Employed	1,056	60.3	\$15,000 to \$24,999	45	5.3
Unemployed	42	2.4	\$25,000 to \$34,999	119	14.0
Percent of civilian labor force	3.8	(X)	\$35,000 to \$49,999	108	12.7
Armed Forces	-	-	\$50,000 to \$74,999	144	16.9
Not in labor force	653	37.3	\$75,000 to \$99,999	210	24.7
Females 16 years and over			\$100,000 to \$149,999	93	10.9
In labor force	935	100.0	\$150,000 to \$199,999	80	9.4
Civilian labor force	544	58.2	\$200,000 or more	-	-
Employed	544	58.2	Median household income (dollars)	3	0.4
Own children under 6 years	526	56.3	With earnings	45,882	(X)
All parents in family in labor force	197	100.0	Mean earnings (dollars) ¹	631	74.2
COMMUTING TO WORK			With Social Security income	53,410	(X)
Workers 16 years and over			Mean Social Security income (dollars) ¹	297	34.9
Car, truck, or van - - drove alone	1,018	100.0	With Supplemental Security Income	11,820	(X)
Car, truck, or van - - carpooled	865	85.0	Mean Supplemental Security Income (dollars) ¹	40	4.7
Public transportation (including taxicab)	110	10.8	Families		
Walked	14	1.4	Less than \$10,000	620	100.0
Other means	10	1.0	\$10,000 to \$14,999	24	3.9
Worked at home	-	-	\$15,000 to \$24,999	15	2.4
Mean travel time to work (minutes) ¹	19	1.9	\$25,000 to \$34,999	79	12.7
	29.3	(X)	\$35,000 to \$49,999	81	13.1
Employed civilian population 16 years and over			\$50,000 to \$74,999	113	18.2
OCCUPATION			\$75,000 to \$99,999	173	27.9
Management, professional, and related occupations	255	24.1	\$100,000 to \$149,999	67	10.8
Service occupations	228	21.6	\$150,000 to \$199,999	65	10.5
Sales and office occupations	310	29.4	\$200,000 or more	3	0.5
Farming, fishing, and forestry occupations	-	-	Median family income (dollars)	49,800	(X)
Construction, extraction, and maintenance occupations	139	13.2	Per capita income (dollars) ¹	18,987	(X)
Production, transportation, and material moving occupations	124	11.7	Median earnings (dollars):		
INDUSTRY			Male full-time, year-round workers	41,842	(X)
Agriculture, forestry, fishing and hunting, and mining	6	0.6	Female full-time, year-round workers	29,464	(X)
Construction	121	11.5	Subject		
Manufacturing	89	8.4	POVERTY STATUS IN 1999		
Wholesale trade	22	2.1	Families		
Retail trade	160	15.2	With related children under 18 years	29	4.7
Transportation and warehousing, and utilities	58	5.5	With related children under 5 years	13	4.4
Information	7	0.7	With related children under 5 years	7	5.6
Finance, insurance, real estate, and rental and leasing	56	5.3	Families with female householder, no husband present		
Professional, scientific, management, administrative, and waste management services	84	8.0	With related children under 18 years	13	16.3
Educational, health and social services	213	20.2	With related children under 5 years	13	21.3
Arts, entertainment, recreation, accommodation and food services	132	12.5	With related children under 5 years	7	28.0
Other services (except public administration)	40	3.8	Individuals		
Public administration	68	6.4	18 years and over	115	5.1
CLASS OF WORKER			65 years and over	88	5.3
Private wage and salary workers	802	75.9	Related children under 18 years	45	12.0
Government workers	204	19.3	Related children 5 to 17 years	24	4.2
Self-employed workers in own not incorporated business	46	4.4	Unrelated individuals 15 years and over	13	3.2
Unpaid family workers	4	0.4		34	10.2

-Represents zero or rounds to zero. (X) Not applicable.

¹If the denominator of a mean value or per capita value is less than 30, then that value is calculated using a rounded aggregate in the numerator.

See text.

Source: U.S. Bureau of the Census, Census 2000.

Table DP-4. Profile of Selected Housing Characteristics: 2000

Geographic area: Weymouth township, Atlantic County, New Jersey

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
Total housing units	901	100.0	OCCUPANTS PER ROOM		
UNITS IN STRUCTURE			Occupied housing units	851	100.0
1-unit, detached	625	69.4	1.00 or less	827	97.2
1-unit, attached	53	5.9	1.01 to 1.50	20	2.4
2 units	13	1.4	1.51 or more	4	0.5
3 or 4 units	19	2.1			
5 to 9 units	4	0.4	Specified owner-occupied units	470	100.0
10 to 19 units	15	1.7	VALUE		
20 or more units	11	1.2	Less than \$50,000	5	1.1
Mobile home	161	17.9	\$50,000 to \$99,999	148	31.5
Boat, RV, van, etc	-	-	\$100,000 to \$149,999	242	51.5
			\$150,000 to \$199,999	25	5.3
YEAR STRUCTURE BUILT			\$200,000 to \$299,999	35	7.4
1999 to March 2000	75	8.3	\$300,000 to \$499,999	10	2.1
1995 to 1998	97	10.8	\$500,000 to \$999,999	-	-
1990 to 1994	48	5.3	\$1,000,000 or more	5	1.1
1980 to 1989	301	33.4	Median (dollars)	119,000	(X)
1970 to 1979	115	12.8			
1960 to 1969	53	5.9	MORTGAGE STATUS AND SELECTED		
1940 to 1959	100	11.1	MONTHLY OWNER COSTS		
1939 or earlier	112	12.4	With a mortgage	321	68.3
			Less than \$300	-	-
ROOMS			\$300 to \$499	12	2.6
1 room	-	-	\$500 to \$699	13	2.8
2 rooms	4	0.4	\$700 to \$999	73	15.5
3 rooms	19	2.1	\$1,000 to \$1,499	149	31.7
4 rooms	124	13.8	\$1,500 to \$1,999	38	8.1
5 rooms	247	27.4	\$2,000 or more	36	7.7
6 rooms	245	27.2	Median (dollars)	1,214	(X)
7 rooms	153	17.0	Not mortgaged	149	31.7
8 rooms	71	7.9	Median (dollars)	407	(X)
9 or more rooms	38	4.2			
Median (rooms)	5.7	(X)	SELECTED MONTHLY OWNER COSTS		
			AS A PERCENTAGE OF HOUSEHOLD		
Occupied housing units	851	100.0	INCOME IN 1999		
YEAR HOUSEHOLDER MOVED INTO UNIT			Less than 15.0 percent	115	24.5
1999 to March 2000	126	14.8	15.0 to 19.9 percent	92	19.6
1995 to 1998	249	29.3	20.0 to 24.9 percent	53	11.3
1990 to 1994	121	14.2	25.0 to 29.9 percent	70	14.9
1980 to 1989	220	25.9	30.0 to 34.9 percent	54	11.5
1970 to 1979	87	10.2	35.0 percent or more	86	18.3
1969 or earlier	48	5.6	Not computed	-	-
VEHICLES AVAILABLE			Specified renter-occupied units	124	100.0
None	65	7.6	GROSS RENT		
1	280	32.9	Less than \$200	-	-
2	348	40.9	\$200 to \$299	3	2.4
3 or more	158	18.6	\$300 to \$499	12	9.7
			\$500 to \$749	48	38.7
HOUSE HEATING FUEL			\$750 to \$999	36	29.0
Utility gas	370	43.5	\$1,000 to \$1,499	8	6.5
Bottled, tank, or LP gas	73	8.6	\$1,500 or more	-	-
Electricity	101	11.9	No cash rent	17	13.7
Fuel oil, kerosene, etc	285	33.5	Median (dollars)	725	(X)
Coal or coke	-	-			
Wood	22	2.6	GROSS RENT AS A PERCENTAGE OF		
Solar energy	-	-	HOUSEHOLD INCOME IN 1999		
Other fuel	-	-	Less than 15.0 percent	26	21.0
No fuel used	-	-	15.0 to 19.9 percent	16	12.9
			20.0 to 24.9 percent	18	14.5
SELECTED CHARACTERISTICS			25.0 to 29.9 percent	11	8.9
Lacking complete plumbing facilities	7	0.8	30.0 to 34.9 percent	10	8.1
Lacking complete kitchen facilities	4	0.5	35.0 percent or more	26	21.0
No telephone service	-	-	Not computed	17	13.7

-Represents zero or rounds to zero. (X) Not applicable.

Source: U.S. Bureau of the Census, Census 2000.

Appendix B

United States Census Data

Table DP-1. Profile of General Demographic Characteristics: 2000

Geographic area: Weymouth township, Atlantic County, New Jersey

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
Total population	2,257	100.0	HISPANIC OR LATINO AND RACE		
SEX AND AGE			Total population	2,257	100.0
Male.....	1,085	48.1	Hispanic or Latino (of any race).....	86	3.8
Female.....	1,172	51.9	Mexican.....	24	1.1
Under 5 years.....	141	6.2	Puerto Rican.....	42	1.9
5 to 9 years.....	158	7.0	Cuban.....	2	0.1
10 to 14 years.....	175	7.8	Other Hispanic or Latino.....	18	0.8
15 to 19 years.....	133	5.9	Not Hispanic or Latino.....	2,171	96.2
20 to 24 years.....	97	4.3	White alone.....	2,022	89.6
25 to 34 years.....	252	11.2	RELATIONSHIP		
35 to 44 years.....	401	17.8	Total population	2,257	100.0
45 to 54 years.....	285	12.6	In households.....	2,251	99.7
55 to 59 years.....	111	4.9	Householder.....	851	37.7
60 to 64 years.....	117	5.2	Spouse.....	482	21.4
65 to 74 years.....	226	10.0	Child.....	682	30.2
75 to 84 years.....	132	5.8	Own child under 18 years.....	503	22.3
85 years and over.....	29	1.3	Other relatives.....	124	5.5
Median age (years).....	39.4	(X)	Under 18 years.....	51	2.3
18 years and over.....	1,694	75.1	Nonrelatives.....	112	5.0
Male.....	805	35.7	Unmarried partner.....	53	2.3
Female.....	889	39.4	In group quarters.....	6	0.3
21 years and over.....	1,628	72.1	Institutionalized population.....	-	-
62 years and over.....	459	20.3	Noninstitutionalized population.....	6	0.3
65 years and over.....	387	17.1	HOUSEHOLD BY TYPE		
Male.....	175	7.8	Total households	851	100.0
Female.....	212	9.4	Family households (families).....	624	73.3
RACE			With own children under 18 years.....	256	30.1
One race.....	2,234	99.0	Married-couple family.....	482	56.6
White.....	2,076	92.0	With own children under 18 years.....	186	21.9
Black or African American.....	108	4.8	Female householder, no husband present.....	88	10.3
American Indian and Alaska Native.....	9	0.4	With own children under 18 years.....	47	5.5
Asian.....	18	0.8	Nonfamily households.....	227	26.7
Asian Indian.....	-	-	Householder living alone.....	183	21.5
Chinese.....	8	0.4	Householder 65 years and over.....	82	9.6
Filipino.....	5	0.2	Households with individuals under 18 years.....	283	33.3
Japanese.....	1	-	Households with individuals 65 years and over.....	276	32.4
Korean.....	3	0.1	Average household size.....	2.65	(X)
Vietnamese.....	1	-	Average family size.....	3.06	(X)
Other Asian ¹	-	-	HOUSING OCCUPANCY		
Native Hawaiian and Other Pacific Islander.....	-	-	Total housing units	909	100.0
Native Hawaiian.....	-	-	Occupied housing units.....	851	93.6
Guamanian or Chamorro.....	-	-	Vacant housing units.....	58	6.4
Samoan.....	-	-	For seasonal, recreational, or		
Other Pacific Islander ²	-	-	occasional use.....	9	1.0
Some other race.....	23	1.0	Homeowner vacancy rate (percent).....	2.1	(X)
Two or more races.....	23	1.0	Rental vacancy rate (percent).....	6.2	(X)
Race alone or in combination with one or more other races: ³			HOUSING TENURE		
White.....	2,092	92.7	Occupied housing units	851	100.0
Black or African American.....	116	5.1	Owner-occupied housing units.....	729	85.7
American Indian and Alaska Native.....	15	0.7	Renter-occupied housing units.....	122	14.3
Asian.....	20	0.9	Average household size of owner-occupied units.....	2.67	(X)
Native Hawaiian and Other Pacific Islander.....	-	-	Average household size of renter-occupied units.....	2.47	(X)
Some other race.....	37	1.6			

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Source: U.S. Census Bureau, Census 2000.

Table DP-2. Profile of Selected Social Characteristics: 2000

Geographic area: Weymouth township, Atlantic County, New Jersey

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
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Population 3 years and over enrolled in school			Total population	2,250	100.0
Nursery school, preschool.....	54	10.3	Native.....	2,191	97.4
Kindergarten.....	15	2.9	Born in United States.....	2,178	96.8
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College or graduate school.....	88	16.8	Born outside United States.....	13	0.6
EDUCATIONAL ATTAINMENT			Foreign born.....	59	2.6
Population 25 years and over			Entered 1990 to March 2000.....	12	0.5
Less than 9th grade.....	86	5.6	Naturalized citizen.....	35	1.6
9th to 12th grade, no diploma.....	227	14.8	Not a citizen.....	24	1.1
High school graduate (includes equivalency).....	623	40.7	REGION OF BIRTH OF FOREIGN BORN		
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Associate degree.....	111	7.3	Europe.....	21	35.6
Bachelor's degree.....	150	9.8	Asia.....	11	18.6
Graduate or professional degree.....	67	4.4	Africa.....	5	8.5
Percent high school graduate or higher.....	79.5	(X)	Oceania.....	-	-
Percent bachelor's degree or higher.....	14.2	(X)	Latin America.....	10	16.9
MARITAL STATUS			Northern America.....	12	20.3
Population 15 years and over			LANGUAGE SPOKEN AT HOME		
Never married.....	442	24.8	Population 5 years and over		
Now married, except separated.....	990	55.6	English only.....	1,948	100.0
Separated.....	39	2.2	Language other than English.....	125	6.0
Widowed.....	140	7.9	Speak English less than "very well".....	48	2.3
Female.....	115	6.5	Spanish.....	43	2.1
Divorced.....	171	9.6	Speak English less than "very well".....	24	1.2
Female.....	82	4.6	Other Indo-European languages.....	59	2.8
GRANDPARENTS AS CAREGIVERS			Speak English less than "very well".....	15	0.7
Grandparent living in household with one or more own grandchildren under 18 years			Asian and Pacific Island languages.....	10	0.5
Grandparent responsible for grandchildren.....	20	33.3	Speak English less than "very well".....	-	-
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Civilian population 18 years and over			Total population		
Civilian veterans.....	281	16.8	<i>Total ancestries reported</i>	2,250	100.0
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With a disability.....	35	7.4	Danish.....	3	0.1
Population 21 to 64 years			Dutch.....	20	0.9
With a disability.....	272	22.2	English.....	254	11.3
Percent employed.....	69.5	(X)	French (except Basque) ¹	78	3.5
No disability.....	953	77.8	French Canadian ¹	3	0.1
Percent employed.....	78.0	(X)	German.....	528	23.5
Population 65 years and over			Greek.....	27	1.2
With a disability.....	139	37.1	Hungarian.....	70	3.1
RESIDENCE IN 1995			Irish ¹	551	24.5
Population 5 years and over			Italian.....	526	23.4
Same house in 1995.....	1,267	61.1	Lithuanian.....	17	0.8
Different house in the U.S. in 1995.....	803	38.7	Norwegian.....	30	1.3
Same county.....	480	23.2	Polish.....	160	7.1
Different county.....	323	15.6	Portuguese.....	-	-
Same state.....	212	10.2	Russian.....	34	1.5
Different state.....	111	5.4	Scotch-Irish.....	35	1.6
Elsewhere in 1995.....	3	0.1	Scottish.....	47	2.1
			Slovak.....	18	0.8
			Subsaharan African.....	5	0.2
			Swedish.....	30	1.3
			Swiss.....	-	-
			Ukrainian.....	37	1.6
			United States or American.....	93	4.1
			Welsh.....	16	0.7
			West Indian (excluding Hispanic groups).....	-	-
			Other ancestries.....	300	13.3

-Represents zero or rounds to zero. (X) Not applicable.

¹The data represent a combination of two ancestries shown separately in Summary File 3. Czech includes Czechoslovakian. French includes Alsatian. French Canadian includes Acadian/Cajun. Irish includes Celtic.

Source: U.S. Bureau of the Census, Census 2000.

Table DP-4. Profile of Selected Housing Characteristics: 2000

Geographic area: Weymouth township, Atlantic County, New Jersey

[Data based on a sample. For information on confidentiality protection, sampling error, nonsampling error, and definitions, see text]

Subject	Number	Percent	Subject	Number	Percent
Total housing units	901	100.0	OCCUPANTS PER ROOM		
UNITS IN STRUCTURE			Occupied housing units	851	100.0
1-unit, detached	625	69.4	1.00 or less	827	97.2
1-unit, attached	53	5.9	1.01 to 1.50	20	2.4
2 units	13	1.4	1.51 or more	4	0.5
3 or 4 units	19	2.1			
5 to 9 units	4	0.4	Specified owner-occupied units	470	100.0
10 to 19 units	15	1.7	VALUE		
20 or more units	11	1.2	Less than \$50,000	5	1.1
Mobile home	161	17.9	\$50,000 to \$99,999	148	31.5
Boat, RV, van, etc	-	-	\$100,000 to \$149,999	242	51.5
			\$150,000 to \$199,999	25	5.3
YEAR STRUCTURE BUILT			\$200,000 to \$299,999	35	7.4
1999 to March 2000	75	8.3	\$300,000 to \$499,999	10	2.1
1995 to 1998	97	10.8	\$500,000 to \$999,999	-	-
1990 to 1994	48	5.3	\$1,000,000 or more	5	1.1
1980 to 1989	301	33.4	Median (dollars)	119,000	(X)
1970 to 1979	115	12.8			
1960 to 1969	53	5.9	MORTGAGE STATUS AND SELECTED		
1940 to 1959	100	11.1	MONTHLY OWNER COSTS		
1939 or earlier	112	12.4	With a mortgage	321	68.3
			Less than \$300	-	-
ROOMS			\$300 to \$499	12	2.6
1 room	-	-	\$500 to \$699	13	2.8
2 rooms	4	0.4	\$700 to \$999	73	15.5
3 rooms	19	2.1	\$1,000 to \$1,499	149	31.7
4 rooms	124	13.8	\$1,500 to \$1,999	38	8.1
5 rooms	247	27.4	\$2,000 or more	36	7.7
6 rooms	245	27.2	Median (dollars)	1,214	(X)
7 rooms	153	17.0	Not mortgaged	149	31.7
8 rooms	71	7.9	Median (dollars)	407	(X)
9 or more rooms	38	4.2			
Median (rooms)	5.7	(X)	SELECTED MONTHLY OWNER COSTS		
			AS A PERCENTAGE OF HOUSEHOLD		
Occupied housing units	851	100.0	INCOME IN 1999		
YEAR HOUSEHOLDER MOVED INTO UNIT			Less than 15.0 percent	115	24.5
1999 to March 2000	126	14.8	15.0 to 19.9 percent	92	19.6
1995 to 1998	249	29.3	20.0 to 24.9 percent	53	11.3
1990 to 1994	121	14.2	25.0 to 29.9 percent	70	14.9
1980 to 1989	220	25.9	30.0 to 34.9 percent	54	11.5
1970 to 1979	87	10.2	35.0 percent or more	86	18.3
1969 or earlier	48	5.6	Not computed	-	-
VEHICLES AVAILABLE			Specified renter-occupied units	124	100.0
None	65	7.6	GROSS RENT		
1	280	32.9	Less than \$200	-	-
2	348	40.9	\$200 to \$299	3	2.4
3 or more	158	18.6	\$300 to \$499	12	9.7
			\$500 to \$749	48	38.7
HOUSE HEATING FUEL			\$750 to \$999	36	29.0
Utility gas	370	43.5	\$1,000 to \$1,499	8	6.5
Bottled, tank, or LP gas	73	8.6	\$1,500 or more	-	-
Electricity	101	11.9	No cash rent	17	13.7
Fuel oil, kerosene, etc	285	33.5	Median (dollars)	725	(X)
Coal or coke	-	-			
Wood	22	2.6	GROSS RENT AS A PERCENTAGE OF		
Solar energy	-	-	HOUSEHOLD INCOME IN 1999		
Other fuel	-	-	Less than 15.0 percent	26	21.0
No fuel used	-	-	15.0 to 19.9 percent	16	12.9
			20.0 to 24.9 percent	18	14.5
SELECTED CHARACTERISTICS			25.0 to 29.9 percent	11	8.9
Lacking complete plumbing facilities	7	0.8	30.0 to 34.9 percent	10	8.1
Lacking complete kitchen facilities	4	0.5	35.0 percent or more	26	21.0
No telephone service	-	-	Not computed	17	13.7

-Represents zero or rounds to zero. (X) Not applicable.

Source: U.S. Bureau of the Census, Census 2000.

Appendix C

Pinelands Model Historic Preservation Ordinance

PINELANDS MODEL HISTORIC PRESERVATION ORDINANCE
SEPTEMBER 1988

NEW JERSEY PINELANDS COMMISSION

A MODEL HISTORIC PRESERVATION ORDINANCE FOR THE PINELANDS

New Jersey Pinelands Commission
P.O. Box 7
New Lisbon, New Jersey 08064
(609) 894-7300
September, 1988

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TABLE OF CONTENTS

	Page
Preface	3
Introduction	10
Statement of Purpose	11
Establishing an Historic Preservation Commission	12
Designation Process	14
Publication of Designation List	15
Certificates of Appropriateness	16
Standards for Certificates	17
Undesignated Areas	19
Preventive Maintenance	21
Model Ordinance	23

PREFACE

The first local historic preservation ordinance in the United States was enacted by the city of Charleston, South Carolina in 1931. Thereafter, that city's lead was followed only slowly by other communities until the mid 1960's, when interest in local regulations to preserve historic sites began to become widespread. The number of historic ordinances increased eightfold between 1965 and 1975 and has more than doubled since that time. At present there are approximately 1000 historic preservation commissions with various levels of review power throughout the country.

The extent to which a municipality may regulate development in historically sensitive areas is determined by the enabling legislation enacted by the state. In New Jersey a number of communities had established historic districts and commissions under an indirect statutory authority which has recently been clarified by amendments to the Municipal Land Use Law (MLUL). These amendments provide for the creation of "historic preservation commission" and

detail their powers and duties and the manner in which they are appointed.

Municipal historic preservation commissions (HPC) in this state may be created by the local governing body and are to consist of five, seven or nine members. Members are appointed for four year terms by either the mayor or the planning board chairman, as are any alternate members (maximum of two) who serve for two years. The membership must include individuals knowledgeable in architectural history or design and in local history and these members need not be township residents. The remaining members, comprising no more than a simple majority of the commission, and the alternates must be local residents who hold no municipal office or employment other than being on the planning board or board of adjustment.

The duties of a local historic preservation commission can be purely advisory in nature or can include a decision making capacity. Commissions are charged with the responsibility to prepare an historic sites survey and advise the planning board on matters relating to historic preservation in the master plan and the capital improvement program. With regard to actions on development applications, the MLUL allows for commissions either to direct the administrative officer to issue or deny a permit or to recommend action on a permit to the planning board.

Municipalities in the State of New Jersey that include land in the Pinelands Area must also conform to the Pinelands Comprehensive Management Plan (CMP). The CMP contains specific provisions for the protection of historic and cultural properties, including standards and procedures for designating significant historic sites and for evaluating proposals for altering or developing such sites. The standards for designating sites are very similar in scope and content to the criteria used to determine eligibility for inclusion in the National Register of Historic Places. To be designated, a structure, site or object must be associated with persons, institutions or events of significance to Pinelands culture; or be representative of an architectural style of importance to the Pinelands; or have the potential to yield research information integral to an understanding of local or regional culture. If an individual wishes to modify, remove or demolish a designated site, he must apply for a certificate of appropriateness before work can begin. Approval of the certificate is contingent upon the proposed project's degree of compliance with certain clearly defined standards. These include, among others, the impact upon the historical characteristics of the designated resource, the compatibility of the new design with historic elements and the degree to which the proposal conforms to federally defined standards for preservation projects.

The Pinelands Commission has recently adopted a cultural resource management plan (CRMP) which provides further guidance to municipal authorities for the preservation of their local heritage. This plan is intended to aid in the identification, evaluation and treatment of historic period sites within their jurisdiction. Sites are organized into functionally related categories called "resource groups" which provide reference points for a comprehensive approach to the identification of historic resources. A proper framework for the identification of sites is critical at the local level as well. The CRMP establishes a uniform structure for the evaluation of the significance of historic resources identified by a qualified professional during the course of a survey. Evaluation of any individual site is accomplished essentially through the criteria employed in the CMP. Significance is determined through a series of questions which assess the relationship

of the site to each criterion. If a site is determined to be significant, there are formulae for fixing the correct type of treatment and detailed measures pursuant to each type.

The Pinelands model historic preservation ordinance contains provisions which conform to the CRMP, the CMP and the MLUL and should satisfy the preservation imperatives of Pinelands municipalities. Each town in the Pinelands is unique and the configuration of cultural resources in each, as well as the development potential and the necessary treatment prescriptions, are not duplicated elsewhere. The model must be adapted to answer the requirements of each local situation. Considerable care must be exercised in applying the model to ensure both that the full range of local resources are adequately protected and that the provisions are not redundant with or conflict with other ordinance requirements.

Many variations on the basic tenets of an historic district ordinance can and do occur in local ordinances, both within New Jersey and elsewhere. Although this model is comprehensive and meets all the requirements of the relevant legislation, it is by no means the only approach that can be taken to the declaration and regulation of historically sensitive areas. For example, the model provides standards for procedures which a planning board, with counsel from a HPC, can use to identify sites and districts eligible for historic designation. Alternatively, a specific district can be defined within an ordinance and the procedures for identifying and designating other areas can be omitted. The model also grants the local commission the power to approve or deny certificates of appropriateness for permits not issued pursuant to planning board or board of adjustment approvals, such as a building permit. However, an ordinance can be structured so that the boards retain this power and the commission assumes only an advisory role.

The actions which will require a certificate of appropriateness (i.e., the types of historic site development or alteration) are to a large extent governed by provisions in the CMP and include, "construction ... encroachment upon ... alteration, remodeling, disturbance or demolition." A municipality may at its discretion enact even more restrictive measures. For instance, some local ordinances contain provisions which regulate exterior paint colors. These provisions are only legally defensible, though, if they seek to reproduce color schemes that prevailed during a certain historic period. Information regarding acceptable colors and color combinations should be maintained by the HPC and should be easily available to applicants.

Municipalities seeking to adopt measures for the protection of historic sites should examine not only this model ordinance but local ordinances already enacted as well. The experiences of other townships in enforcing their historic provisions will no doubt prove to be an invaluable aid in designing an effective ordinance. In addition, municipal officials should consult the following publications at a minimum which provide background information and some innovative alternatives worthy of consideration in any draft. However, caution should be exercised in the selection of possible provisions, since many will not conform to the Comprehensive Management Plan or to current state legislation regarding the content of historic ordinances. The CMP requires specific procedures and remedies for certain categories of actions and these do not generally comport with most local ordinances and model ordinance provisions.

- Recommended Model Provisions for a Preservation Ordinance, with Annotations 1980. Available from the National Trust for Historic Preservation, 1785 Massachusetts Avenue, N.W., Washington, D.C. 20036
- Preparing an Historic Preservation Ordinance by Richard J. Roddewig. 1983. Planning Advisory Service Report Number 374; available from the American Planning Association, 1313 E. 60th Street, Chicago, I11 60637
- New Jersey's Certified Local Government Guidelines 1985. Available from the New Jersey Historic Preservation Office (N. J. Department of Environmental Protection), P.O. Box 404, Trenton, N.J. 08625
- Preserving New Jersey: A Handbook for Municipal Historic Preservation Commissions 1986. Available from Preservation New Jersey, 180 Township Line Road, Belle Mead, N.J. 08502
- Annotated Version of New Jersey Historic Preservation Enabling Legislation 1986. Available from Preservation New Jersey (see above).

INTRODUCTION

Since all Pinelands municipalities are required to include a historic preservation element in their land use ordinance, the following model provisions are presented as an amendment to the local zoning ordinance. Although the Comprehensive Management Plan (CMP) does not specify where historic preservation provisions are to be incorporated into local regulations, the Municipal Land Use Law (MLUL) clearly indicates that these controls must be in the zoning ordinance. Particular care must be applied in adopting this draft to ensure that contradictory portions of the existing zoning ordinance are deleted and that the major sections of the draft ordinance are inserted in the correct places.

The draft amending ordinance contains five separate sections, which include both the substantive additions to the current land use ordinance and technical procedures relating to passage and implementation. Other sections will also have to be drafted which state which existing ordinance provisions are being deleted or revised. The sections of the model are as follows:

- Section 1 is a general amending provision to the local zoning ordinance
- Section 2 includes the substance of the recommended standards

- Section 3 contains definitions required by the ordinance
- Section 4 includes standard severability provisions
- Section 5 specifies how the amending ordinance will take effect

Following is an explanation of some of the major elements of Section 2, which is the heart of the model ordinance. Some possible alternative provisions which conform to the MLUL and the CMP are also suggested.

STATEMENT OF PURPOSE

Although the body of case law in New Jersey regarding historic ordinances is not great, it is obvious from cases elsewhere that a clear statement of purpose is essential to a successful ordinance. The statement, whether drafted as prefatory "whereas" clauses or in the body of the ordinance, should adequately describe the historical characteristics which the municipality seeks to protect and relate them to legitimate governmental goals and functions.

The model ordinance presents a representative statement of purpose. However, it is advisable that municipal officials take the time to individualize the statement, tailoring it to the particular types of resources in the township. The more specific the statement is in detailing the focus of the local concern and the reasons for that concern, the stronger will be the foundation upon which the ordinance rests.

ESTABLISHMENT OF HISTORIC PRESERVATION COMMISSION

The draft ordinance proposes a five member Historic Preservation Commission (HPC) with two alternates, a majority of whom will be residents holding no other municipal office, except that one individual may also be a member of the Planning Board or Board of Adjustment. There is a series of restrictions imposed by the MLUL on such dual membership and these should be carefully reviewed before a Planning Board member is appointed to the HPC. The mayor will appoint the membership, which must include an historian and an architect/architectural historian.

Alternatives - The ordinance can be structured so that:

- 1) The HPC comprises a larger membership (seven or nine) to include more citizen members and preservation specialists. The architect/architectural historian and historian positions must jointly comprise at least three positions on a seven member board and at least four positions on a nine member board.
- 2) The chairman of the Planning Board, rather than the mayor, appoints the members.
- 3) Dual membership on the HPC and the Planning Board, Board of Adjustment or any other municipal office is prohibited. This would obviate any confusion over interpreting the eligibility requirements in the MLUL.

4) A certain percentage of the Class C members of the HPC must be residents of an historic district, if one has been created.

ROLE OF THE HISTORIC PRESERVATION COMMISSION

As proposed, the HPC functions in both a decision making and an advisory capacity. It offers recommendations to the Planning Board on the designation of landmarks and historic districts and it counsels both the Planning Board and Board of Adjustment on the propriety of development applications submitted for their approval. The Commission makes decisions on all other development proposals (those which either do not require Planning Board or Board of Adjustment approval or involve historic preservation issues not addressed by the boards) which affect landmarks or historic district resources.

Alternative - The ordinance can be structured so that the Commission assumes a purely advisory role to the Planning Board and Board of Adjustment, recommending action on designations and Certificates of Appropriateness.

DESIGNATION PROCESS

Two types of historic resources can be designated, individual "landmarks" or "historic districts." The draft ordinance provides that the Historic Preservation Commission conduct a survey and develop a recommended designation list which is referred to the Planning Board. The Planning Board may then recommend it to the governing body for adoption by ordinance.

Alternative - If a municipality already has in mind a particular historic area which it wishes to protect, the ordinance can be designed to reference the district specifically and define its boundaries. In any event the designated area must constitute an overlay on the existing zoning districts.

It is advisable that the initial survey and designation list be completed on National Register of Historic Places forms or New Jersey State Inventory forms and be coordinated with the Office of New Jersey Heritage (CN 404, Trenton, New Jersey 08625). This will allow the municipality to apply for State/National Register status for the district, which provides it with a measure of protection from state and federal projects and enhances the possibility of grant funding.

The municipality may wish to allocate funds for the survey to be completed by a professional consultant. Matching grant moneys are available from the Office of New Jersey Heritage and the resulting survey is likely to be completed more accurately and sooner than by volunteer help.

PUBLICATION OF DESIGNATION LIST

Once adopted by the governing body, a certificate of designation is to be sent by the Commission to the owner of each designated property - and to the county clerk for recording in the same manner as a lien.

Alternatives - The ordinance can be structured so that:

- 1) The manner in which the designation is recorded can be left to the discretion of the county clerk, to avoid any connotations associating the process with a lien.
- 2) The notification of owners included on the final designation list (Section 4 .G .) could be accomplished by publication in the official newspaper rather than by certified mail. Since owners would already have been personally notified regarding the tentative list, a second mailing might be too expensive particularly in large historic districts.

CERTIFICATES OF APPROPRIATENESS

Once a site has been designated, a Certificate of Appropriateness must be issued before a change in its exterior appearance is permitted. The Planning Board or the Board of Adjustment generally issues the certificate for development applications which otherwise require their approval; the HPC issues the certificate in all other instances. (Under the Pinelands Comprehensive Management Plan, the Pinelands Commission may also designate sites and these are referred to as "Pinelands Designated". The requirements for Certificates of Appropriateness apply in the same manner as for Township designated sites except that there is an additional requirement for notification of the Commission). Repainting, repairs and interior alterations are exempted from the requirement to obtain a Certificate of Appropriateness.

Alternatives - The ordinance can be structured so that:

- 1) The HPC functions in a purely advisory capacity, in which case the Planning Board and Board of Adjustment would issue all Certificates of Appropriateness.
- 2) A greater variety of actions requires a Certificate of Appropriateness. The range of activities is largely at the discretion of the municipality. Local ordinances often regulate the choice of exterior paint colors because of their immediate visual impact. If so, the HPC should maintain a list of acceptable colors. The list should be based on the spectrum of colors commonly in use during the landmark's or district's period of historic significance.

STANDARDS FOR CERTIFICATES OF APPROPRIATENESS

The draft ordinance contains standards which govern seven activities affecting landmarks, historic districts or Pinelands Designated sites. These cover: alterations or additions; relocations; demolition; subdivision; disturbance to archaeological sites; maintenance of signs; and the application of visual standards relative to districts.

Since these proposed standards will set the tone for historic preservation, they should be carefully reviewed before the draft ordinance is finalized. Of particular note are the sign standards and a proposed requirement that all existing signs within an historic district or associated with landmarks receive a Certificate of Appropriateness.

Alternatives - There are, of course, innumerable alternatives to the recommended standards. With regard to some of the specific provisions, the ordinance can be structured so that:

1) The requirement for a Certificate of Appropriateness could be extended to include existing signs as well as new signage. Owners of signs in existence, at the time the historic preservation ordinance is adopted could be given a specified number of years in which to obtain a Certificate of Appropriateness. Local officials should, however, consult their municipal attorney before adopting such a provision. Efforts to improperly restrict or remove existing signs may raise an issue regarding the right to free speech. Local officials may also wish to review signage provisions adopted by other municipalities, such as Princeton and Cape May City, which may include innovative approaches.

2) The emergency provisions allow for other local officials, such as the construction code official, to issue a Certificate of Appropriateness in the event of the mayor's absence.

"UNDESIGNATED" AREAS

Although the survey undertaken by the Historic Preservation Commission will serve to identify many of the important known sites, there will undoubtedly be other unknown resources (primarily, but not exclusively, archaeological sites) which may go unnoticed.

So that these sites are not inadvertently lost, the draft ordinance requires that a cultural resource survey accompany all applications for "development" (as defined in the CMP, this would include such actions as construction of a single family home, but excludes lesser activities such as most building additions or alterations to existing structures) in a Pinelands Town or Village and applications for major development elsewhere. The need for a survey can be waived by the Planning Board or Board of Adjustment or by the Pinelands Commission, however, if it is determined that significant cultural resources are not likely to be present on the property.

If the Planning Board determines that a site "eligible" for landmark or historic district status or Pinelands designation exists on the property, it will follow the Certificate of Appropriateness standards in its review of the proposed development. Should the Board disapprove the application, it must seek formal designation of the site from the Pinelands Commission and the local governing body. If formal designation by either party is not accomplished within one year, the Board may no longer apply the Certificate of Appropriateness standards to that property. This system preserves the integrity of the formal process set forth for landmark, historic district and Pinelands designation, yet still offers temporary protection to historic sites while they are being considered for designation.

The Pinelands Commission has completed a review of all Pinelands Towns and Villages intended to define which portions of each are historically sensitive. This review should considerably reduce the area subject to the survey requirement for small development projects. Copies of the report, which includes maps of all the historically sensitive areas, are available from the Commission.

Alternatives - The ordinance can be structured so that:

1) Surveys are required for both major and minor subdivision and site plan approvals in a Pinelands Town or Village and only for major subdivisions and site plans elsewhere. The Pinelands definition of "major development" (generally five or more residential lots, commercial/industrial development on sites of more than 3 acres, or land disturbance in excess of 5,000 square feet) would eliminate the survey requirement for certain types of smaller developments, but could also create confusion since it may not be consistent with the township's definition for "major subdivision".

2) The section listing the "Actions Requiring a Cultural Resource Survey" (Section 7.A.) governs all activities which require a municipal permit, - regardless of whether they involve changes to an old structure. This would ensure that all resources of possible significance, not only architectural, but archaeological also, are evaluated and protected. It would, however, put a heavy burden on the Planning Board, considering the large number of applications that would require its review.

PREVENTIVE MAINTENANCE

An ongoing issue in most preservation efforts relates to the maintenance of recognized historic resources. Although an important issue, it is often a controversial one. The draft ordinance includes an affirmative requirement that landmarks and districts must be properly maintained and establishes a process for the municipality to correct any maintenance problems if the owner fails to act.

Alternative - The municipality could choose not to establish ordinance standards for preventive maintenance at this time, but to direct that the HPC study the issue and report on its recommendations to the governing body and Planning Board.

ORDINANCE

An Ordinance Amending an Ordinance of the Township of _____, in the County of _____ and the State of New Jersey, Entitled "_____".

BE IT ORDAINED AND ENACTED by the (MUNICIPAL GOVERNING BODY) of the Township, of _____, in the County of _____ and the State of New Jersey, as follows:

SECTION 1. This ordinance amends the _____ Township _____ Ordinance. Ordinance # _____.

SECTION 2. Delete (Article) _____ in its entirety and add the following:

ARTICLE _____

Historic Preservation Commission and Cultural Resource Protection

1. Purpose

The purpose of this ordinance is generally to provide a means to safeguard the historic and cultural heritage of (NAME OF MUNICIPALITY) and to promote that unique and invaluable heritage for the education, edification and economic benefit of the Township and its visitors. More specifically, this ordinance is intended to:

- A. preserve to the extent possible the physical remnant of the historical, cultural and social history of the Township which has been handed down and enriched by succeeding generations; and
- B. protect this heritage of the past upon which the character, lifestyle and very quality of life in the Township are in great measure dependent; and
- C. promote the preservation and continued use of historic landmarks and districts, as an essential element of municipal character and identity and as an important factor in the economy of the municipality; and
- D. contribute to the education and civic-mindedness of the Township's young people; and
- E. regulate development and redevelopment which threaten such landmarks; and
- F. conform to the New Jersey Pinelands Comprehensive Management Plan which recognizes the importance of the region's historical, cultural, and social heritage and seeks to preserve this heritage; and
- G. ensure the welfare of the municipality which is dependent on the preservation of its past for the reasons set forth above.

2. Historic Preservation Commission

A. Membership

There is hereby created a commission to be known as the (NAME OF MUNICIPALITY) Historic Preservation Commission. The Historic Preservation Commission shall consist of five regular members, a first alternate and a second alternate. The regular membership shall include at least one member of each of the following classes :

Class A - a person who is knowledgeable in building design and construction or architectural history and who may reside outside the township; and

Class B - a person who is knowledgeable or with a demonstrated interest in local history and who may reside outside the township.

Those regular members who are not designated as Class A or Class B shall be designated as Class C. Class C members shall be residents of the municipality who hold no other municipal office, position or employment except that one member may also be a member of the Planning Board or Board of Adjustment, in accordance with N.J.A.C. 40:55D-23 and 40:55D-69. In choosing Class C members, the Mayor shall attempt to seek out at least one individual with expertise in prehistoric and/or historic archaeology.

Alternate members shall meet the qualifications of Class C membership. The first alternate and second alternate shall serve respectively as voting members at Historic Preservation Commission meetings in the event that one or more of the regular members cannot attend or in the event that one or more of the regular members are disqualified. If vacancies occur on the Historic Preservation Commission, the first and second alternates shall serve respectively as voting members until such time as new members are appointed.

B. Terms of Office

Members and alternates shall be appointed by the Mayor and shall be designated by class and by status as alternate No. 1 or alternate No. 2 at the time of their appointment. Of the members first appointed, one shall be designated by the Mayor to serve for one year, one for two years, one for three years and two for four years. Of the alternates first appointed, the first alternate shall serve for two years and the second alternate shall serve for one year. Thereafter, the term of a regular member shall be four years; the term of an alternate shall be two years. Notwithstanding any other provision herein, the term of any member common to the Historic Preservation Commission and the Planning Board shall be for the term of membership on the Planning Board and the term of any member common to the Historic Preservation Commission and the Board of Adjustment shall be for the term of membership on the Board of Adjustment.

Vacancy appointments shall be made within 60 days of the date of the vacancy and shall be only for the balance of the unexpired term. Members and alternates shall be eligible for reappointment.

A member of the historic preservation commission may, after public hearing if he requests it, be removed by the (MUNICIPAL GOVERNING BODY) for cause.

C. Officers

The Historic Preservation Commission shall elect from its membership a chairman and a vice-chairman who shall serve for a term of one year and be eligible for re-election.

D. Operational Rules

The Historic Preservation Commission shall adopt rules and procedures for the transaction of its business subject to the following requirements:

- (1) a quorum for the transaction of business shall consist of a majority of the Historic Preservation Commission's members, including the chairman, or in his absence, the vice-chairman; and
- (2) The Historic Preservation Commission shall appoint a secretary who need not be a member. The secretary shall keep minutes and records of all meetings and proceedings, including voting records, attendance, resolutions, findings, determinations, and decisions. All such materials shall be public records in accordance with the Open Public Meetings Act (N.J.S.A. 10:4-7 et seq.).

E. Compensation for Historic Preservation Commission Members

The Historic Preservation Commission members shall serve without compensation but shall be reimbursed for expenses incurred in the performance of official business.

F. Conflicts of Interest

No Historic Preservation Commission member shall be permitted to act on any matter in which he has, either directly or indirectly, any personal or financial interest.

G. Consultant Services and Materials

Within the limits of funds appropriated for the performance of its work and any additional grants and gifts, the Historic Preservation Commission may obtain the services of qualified persons to direct, advise and assist the Historic Preservation Commission and may obtain the equipment, supplies and other material necessary to its effective operation

. 3. Powers and Duties of the Historic Preservation Commission

The Historic Preservation Commission shall:

- A. prepare and adopt a recommended historic district (s) and landmark (s) designation list and map which shall then be referred to the Planning Board and the (MUNICIPAL GOVERNING BODY) for adoption according to the provisions of this Article;
- B. hear and decide on applications for Certificates of Appropriateness in accordance with the provisions of Section 6 of this Article;
- C. recommend amendments, as circumstances warrant, to the historic district(s) and landmark(s) designation list and map in the manner set forth in this Article;
- D. report at least annually to the Planning Board and the (MUNICIPAL GOVERNING BODY) on the state of the historic preservation plan element of the master plan and recommend measures to improve same;

- E. advise the Planning Board on the inclusion of historic sites in the recommended capital improvement program;
- F. review this and all other Township ordinances and report to the Planning Board and the (MUNICIPAL GOVERNING BODY) on their impact on historic resources;
- G. collect and disseminate material on the importance of historic preservation and techniques for achieving same;
- H. advise all municipal agencies regarding goals and techniques of historic preservation;
- I. review all National Register of Historic Places nominations in coordination with the Office of New Jersey Heritage; and
- J. adopt and promulgate such procedures not inconsistent with this ordinance as are necessary and proper for the effective and efficient operation of the duties herein assigned.

4. Designation of Landmarks and Historic Districts

A. Historic Survey

The Historic Preservation Commission shall make a comprehensive survey of (NAME OF MUNICIPALITY) for the purpose of identifying historic districts and landmarks which are worthy of protection and preservation.

Based on the survey or upon the recommendation of concerned citizens, the Historic Preservation Commission shall: document the importance and historic significance to the municipality, region, state or nation of each proposed landmark and historic district designation according to the criteria established in the definitions of "landmark" and "historic district" contained in (REFERENCE TO "DEFINITIONS" SECTION OF THE ORDINANCE): and prepare a tentative nomination list and map of such proposed landmarks and historic districts.

B. Publication of Tentative Designation List

The Historic Preservation Commission shall, as soon as practicable, make public a complete list and map of the tentatively designated landmarks and historic districts, specifying the locations, boundaries and popular names thereof and, in each case, the reason for such tentative designation.

C. Owner Notification

Upon completion of the survey and the tentative nomination list and map, the Historic Preservation Commission, by certified mail, shall within _____ days:

- (1) notify each owner that his property has been recommended for designation as an historic landmark or as part of an historic district and the reasons therefor; and
- (2) advise each owner of the significance and consequences of such a designation and advise him of his opportunity to participate in the public hearing held pursuant to the provisions of Section 4D hereof.

D. Public Hearing

The tentative list and map shall within days thereafter be presented at a public hearing held by the Historic Preservation Commission for the examination and criticism of the public. Interested persons shall be entitled to present their opinions, suggestions, and objections at this public hearing. A list and map showing all proposed historic districts and landmarks shall be published, together with notice of the hearing, in the official newspaper of the Township not less than 10 days before such hearing is to be held.

After full consideration of the evidence brought forth at the public hearing, the Historic Preservation Commission shall make its final recommendations on such designations and shall issue its final report to the public stating reasons in support of its recommendations with respect to each landmark and historic district.

E. Submission to Planning Board

The Historic Preservation Commission's report shall within ____ days thereafter be submitted to the Secretary of the Planning Board. The Planning Board shall then determine whether to recommend adoption, rejection, or modification of the Historic Preservation Commission's proposed designations to the (MUNICIPAL GOVERNING BODY). The Planning Board shall clearly specify its findings with respect to a recommendation to reject or modify the Historic Preservation Commission's proposed designations and shall incorporate into the Township Master Plan all the proposed designations which it has recommended for adoption.

F. Submission to (MUNICIPAL GOVERNING BODY)

Upon action by the Planning Board, the Board's recommendations shall be submitted to the township clerk. The (MUNICIPAL GOVERNING BODY) shall then consider whether to enact the designation list and map as part of the (MUNICIPAL ZONING ORDINANCE). Upon enactment, the requirements of Section 6 of this Article shall govern all such designated landmarks and historic districts.

G. Publication of Final Designation List and Map

Copies of the designation list and official map as enacted by the (MUNICIPAL GOVERNING BODY) shall be made public and distributed to all municipal agencies reviewing development applications and all construction, zoning, and other permits. The Historic Preservation Commission shall serve a certificate of Designation by certified mail upon the owner of each designated site, and a true copy thereof shall be filed with the county clerk for recordation in the same manner as certificates of lien upon real property.

H. Designation Plaque

Each designated historic district or landmark may be marked by an appropriate plaque, in such form as the Historic Preservation Commission shall promulgate and with the permission of the owner of the designated. site.

I. Removal of Designation

Any resource designated by the (MUNICIPAL GOVERNING BODY) in accordance with Section 4.A-G or Section 5 of this Article may be removed from designation if the (MUNICIPAL GOVERNING BODY) determines that the resource no longer meets the criteria set forth in the definitions of landmarks and historic districts.

5. Amendments to the Designation List and Map

B. Application for Landmark or Historic District Designation

Once enacted, the designation list and map may be amended by submission to the Planning Board of an application for landmark or historic district designation. Amendments may be proposed by any interested person or party.

B. Application Requirements

(1) An application for historic district or landmark designation shall be submitted on a National Register of Historic Places Inventory-Nomination Form with the accompanying information listed in the State and National Register Manual as published by the New Jersey Department of Environmental Protection. The application shall contain the following information:

- a. statement detailing the basis for designation with reference to the criteria set forth in the definitions of landmarks and historic districts in (REFERENCE TO "DEFINITIONS" SECTION OF ORDINANCE);
- b. one or more photographs, if appropriate, together with descriptive captions, illustrating the features of the proposal which support its designation; and
- c. a detailed description of the present and original, if known, condition of

any structure or site proposed for designation, including a detailed architectural description, if applicable; and

- d. one or more maps clearly identifying the boundaries of the area proposed for designation and a written statement justifying those boundaries on the basis of the criteria set forth in the definitions of landmarks and historic districts.

- (2) Upon receipt of an application for landmark or historic district designation, the Planning Board shall refer a copy of the application to the Historic Preservation Commission for review and comment. Upon a recommendation from the Historic Preservation Commission, the Planning Board may request further information from the applicant in order to complete a thorough review of the application.

C. Owner Notification

If the designation is proposed by anyone other than the property owner, the Historic Preservation Commission shall notify the owner in the same manner as provided in Section 4C of this Article.

D. Action on Amendments

Action on the application for an amendment to the designation list and map shall be taken in accordance with Sections 4D through 4H of this Article.

3. Certificates of Appropriateness

A. Actions Requiring a Certificate of Appropriateness

- (1) A Certificate of Appropriateness shall be required before any permit or development approval is issued for any of the following or, in the event no other type of permit or approval is otherwise required, before work can commence on any of the following activities on the property of any landmark, within any historic district, or on a Pinelands Designated site:

- a. Demolition or destruction of an archaeological remnant or any other portion of a landmark, a Pinelands Designated site or an improvement within any historic district.
- b. Relocation of any landmark or Pinelands Designated site or of any improvement within any historic district.
- c. Change in the exterior appearance of any existing landmark or Pinelands Designated site or of any improvement within any historic district or Pinelands Designated site by addition, alteration or replacement.

- d. Any new construction of a principal or accessory structure.
 - e. Changes in or addition of exterior lighting or new signs such as are otherwise regulated by this Ordinance, except that no Certificate of Appropriateness shall be required for a designation plaque installed pursuant to Section 4H of this Article.
 - f. Subdivision into two or more lots of any lot on which is situate a landmark, historic district site or Pinelands Designated site.
- (2) An application for a Certificate of Appropriateness shall be submitted to the Administrative Officer who shall make a copy available to the Historic Preservation Commission. The Administrative Officer shall also make a copy available to the Planning Board or Board of Adjustment, as the case may be, in accordance with the provisions of Section 6.A. (4)-(5) of this Article.
 - (3) The Historic Preservation Commission shall issue Certificates of Appropriateness for any and all activities otherwise requiring a Certificate of Appropriateness unless such Certificate has been issued by the Planning Board of Adjustment pursuant to subsections (4) or (5) below.
 - (4) The Planning Board shall issue Certificates of Appropriateness for all applications for development which otherwise require its approval pursuant to the Municipal Land Use Law, P.L. 1975, c. 291 provided that a complete application for a Certificate of Appropriateness has been submitted by the applicant in conjunction with the said application for development. The Historic Preservation Commission shall review the applications and provide a written report to the Board on the issuance of the Certificate of Appropriateness in accordance with Section 6B of this Article.

In the event that a complete application for a Certificate of Appropriateness has not been submitted to the Planning Board in conjunction with the application for development, the Historic Preservation Commission shall be responsible for issuing the Certificate of Appropriateness.

- (5) The Board of Adjustment shall issue Certificates of Appropriateness for all applications for development which otherwise require its approval pursuant to the Municipal Land Use Law, P.L. 1975, c. 291 provided that a complete application for a certificate of appropriateness has been submitted by the applicant in conjunction with the said application for development. The Historic Preservation Commission shall review the applications and provide a written report to the Board on the issuance of the Certificate of Appropriateness in accordance with Section 6B of this Article.

In the event that a complete application for a Certificate of Appropriateness has not been submitted to the Board of Adjustment in conjunction with the application for development, the Historic Preservation Commission shall be responsible for issuing the Certificate of Appropriateness.

- (6) Repair of a landmark, historic district site or Pinelands Designated site, as defined in (REFERENCE TO "DEFINITIONS" SECTION OF ORDINANCE) of this ordinance, shall not require a Certificate of Appropriateness, nor shall repainting or interior alterations.

B. Referral of Applications to the Historic Preservation Commission

The Planning Board and Board of Adjustment shall make available to the Historic Preservation Commission a copy of every application submitted to either board for development on the property of any landmark, within any historic district or on a Pinelands Designated site. Failure to make the copy available shall not invalidate any hearing or proceeding. The Historic Preservation Commission may provide its advice which shall be conveyed through delegation of one of its members or staff to testify orally at the hearing on the application and to explain any written report which may have been submitted.

C. Application Requirements

(1) No application for issuance of a Certificate of Appropriateness shall be deemed complete by the Administrative Officer unless it includes the following information:

- a.. Detailed plans depicting the exact work to be performed, including detailed renderings of the exterior of any proposed new sign or structure or any exterior alterations to existing structures. A delineation of the relationship of the renderings of the proposal in relation to adjacent structures or surrounding lands may be requested.
- b. A statement of the relationship of the proposed work to the standards for landmark and historic district designation and for Pinelands Designation, if applicable, and the standards for approval of Certificates of Appropriateness.
- c. In the event the requested Certificate of Appropriateness, if issued, would permit the demolition or relocation of a landmark, historic district site or Pinelands Designated site, a detailed analysis of the economic feasibility of maintaining the structure in its present form, including the amount paid for the property; date of purchase; the current assessed value of the lands and improvements; real estate taxes for the previous two years; the annual debt service, if any, for the previous two years; gross income from the property

for the previous two years; and annual cash flow, if any.

- d. In the event the requested Certificate of Appropriateness, if issued, would permit the maintenance of an existing sign, photographs of the sign and a narrative description, including the age, location, dimensions, materials and type of illumination, if any.
- e. A statement of measures to be taken to mitigate any adverse effects of the proposed work on the landmark, historic district site or Pinelands Designated site, including recording procedures for the site in its present state, if appropriate.
- f. If the proposed work involves the disturbance of an archaeological remnant on the property of a landmark, historic district site or Pinelands Designated site, a statement describing the mitigation program proposed and the qualifications of those professionals who will be conducting data recovery operations.
- g. If the proposed work involves a Pinelands Designated site or if it involves development associated with a landmark or historic district subject to Pinelands Commission review pursuant to (REFERENCE TO EXISTING ORDINANCE PROVISIONS REGARDING NOTIFICATION OF THE PINELANDS COMMISSION) of this ordinance, evidence that the procedures relating to notification of the Pinelands Commission have been met.
- h. Any other information which the Historic Preservation Commission determines is necessary to evaluate the application.

D. Standards for the Issuance of a Certificate of Appropriateness

- (1) In determining whether to approve, disapprove or approve with conditions the issuance of a Certificate of Appropriateness, the Planning Board, Board of Adjustment or Historic Preservation Commission, as the case may be, shall first consider which of the following general treatment prescriptions shall apply:
 - a. Preservation of the resource in place if possible;
 - b. Preservation of the resource at another location if preservation in place is not possible: or
 - c. Recordation of the resource if neither preservation of the resource in place or at another location is possible.
- (2) Preservation of the landmark, historic district site or Pinelands Designated site in

place is the preferred treatment and shall be required unless all of the following conditions apply:

- a. continuation of the present use of the resource is not feasible;
- b. the resource cannot reasonably be modified for the proposed use;
- c. adaptation of the resource for an alternative use is not feasible;
- d. a bona fide offer of sale of the resource for purposes of preservation at the present location has been tendered for a reasonable period without an acceptable response.

(3) Preservation of the landmark, historic district site or Pinelands Designated site at another location shall be required if preservation in place is not possible, unless one of the following conditions applies:

- a. relocation of the resource is not feasible because of obstructions or impediments that prevent relocation;
- b. because no suitable alternative site is available;
- c. the condition of the structure precludes its removal to another site;
- d. relocation would not serve to protect those qualities that led to its designation;

(4) Thorough and complete recordation of the landmark, historic district site or Pinelands Designated site shall be required if preservation in place and preservation at another location are not possible, unless one of the following conditions applies :

- a. the resource has been disturbed, altered or modified to such an extent that recordation will not contribute to an understanding of its historic character or evolution;
- b. the information provided by recordation would be redundant.

(5) The following requirements shall apply to the treatment specified in Section 6.D.(1)-(4) above:

- a. Preservation in Place:
 - i. Historic buildings and structures, architectural features, and engineering features;

- (a) Deed covenants, easements, or other appropriate mechanisms must be developed to provide that: any rehabilitation of the building or feature must be performed in accordance with the Secretary of the Interior's Standards for Rehabilitation (36 C.F.R. 67); and the structure or feature must be protected sufficiently to preserve those qualities that make it significant.
 - (b) Before beginning rehabilitation, the original condition of the building or other architectural or engineering feature must be documented photographically in accordance with the Secretary of Interior's Standards and Guidelines for Archaeology and Historic Preservation.
- ii. Archaeological sites and archaeological remnants associated with historic structures;
- (a) A deed covenant, easement, or other appropriate mechanism must be developed to provide for protection, through restricted access if necessary, to preserve those qualities that make the resource important. Any on-site activities must have no detrimental effect on the preservation of the resource. The covenant or other appropriate mechanism must further direct that any stabilization of the resource will be carried out in conformance with the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation.
 - (b) The archaeological resource shall be incorporated into open space whenever project designs or land use activities permit.
 - (c) Sufficient land shall be allocated for resource preservation if the preservation of the resource is not compatible with other activities.
- iii. Construction or maintenance of a sign:
- (a) The size, shape and character of the sign shall be in keeping with the historic character of the landmark, historic district site or Pinelands Designated site on which the sign is located. The size of the sign shall not exceed _____ square feet (and shall otherwise conform to [REFERENCE TO OTHER ORDINANCE PROVISIONS REGULATING SIGNAGE, IF APPROPRIATE]) . The Historic Preservation Commission shall have the option of approving a larger sign under the following conditions:
 - (i) a larger sign is needed in order to provide reasonable visibility to passers-by; or

- (ii) a larger sign is needed in order to conform to the scale of the building; or
 - (iii) a larger sign is needed in order to reproduce accurately a sign in use at the site fifty or more years ago; or
 - (iv) a larger sign is needed in order to provide sufficient space to display the copyrighted symbol of a national corporation or organization.
- (b) The signage for a particular building or shop shall be reduced to the fewest separate panels or statements as possible.
- (c) Signs on buildings shall not obliterate or obscure the architecture of the building. A sign on a building shall be compatible or integral with it.
- (d) Obsolete signage from defunct activities shall be removed unless it is an integral part of the structure's architecture or history.
- (e) Many forms of modern lighting of signs are incompatible with the historical integrity of a landmark or historic district site. Such lighting shall conform to the following provisions:
 - (i) flashing, intermittent or moving type illumination shall not be permitted;
 - (ii) backlit fluorescent signs, signs illuminated by neon or other gaseous elements or materials and all other self-illuminated signs shall not be permitted;
 - (iii) floodlighting shall be so shielded that the source of light shall not be visible from any point of the lot on which the sign, building, or structure being illuminated is erected, and so that only the sign is directly illuminated.
- (f) Signs shall be installed so as to be flush with the exterior wall of the site unless it enhances the historic characteristics of the site.
- (g) Interior signs which are intended to be viewed from the outside of the building or structure shall conform to the requirements of this section, insofar as they are applicable.
- iv. If the proposed work involves new construction, an alteration or an addition within an historic district, the following factors shall be

used in determining the visual compatibility with the buildings and places to which the worksite is visually related:

- (a) Height. The height of the proposed building shall be visually compatible with adjacent buildings.
- (b) Proportion of building's front facade. The relationship of the width of the building to the height of the front elevation shall be visually compatible with buildings and places to which it is visually related.
- (c) Proportion of openings within the facility. The relationship of the width of windows to the height of windows in a building shall be visually compatible with the buildings and places to which it is visually related.
- (d) Rhythm of solids to voids on front facades. The relationship of solids to voids in the front facade of a building shall be visually compatible with the buildings and places to which it is visually related.
- (e) Rhythm of spacing of buildings on streets. The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with the buildings and places to which it is visually related.
- (f) Rhythm of entrance and/or porch projections. The relationship of entrance and porch projections to the street shall be visually compatible with the buildings and places to which it is visually related.
- (g) Relationship of materials, texture and color. The relationship of materials, texture and color of the facade and roof of a building shall be visually compatible with the predominant materials used in the buildings to which it is visually related.
- (h) Roof shapes. The roof shape of a building shall be visually compatible with buildings to which it is visually related.
- (i) Walls of continuity. Appurtenances of a building such as walls, open-type fencing and evergreen landscape masses, shall form cohesive walls of enclosure along a street with the buildings and places to which it is visually related.
- (j) Scale of building. The size of a building, the mass of a building in

relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the buildings and places to which it is visually related.

(k) Directional expression of front elevation. A building shall be visually compatible with buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or nondirectional character.

v. Subdivision into two or more lots:

(a) Subdivision for purposes of new construction shall not be permitted unless the information required in Section 6.C(1) of this Article indicates that the proposed work meets the standards of Section 6.D. (5)a.

(b) Subdivision for purposes other than new construction shall not be subject to the provisions of this Article.

b. Preservation at Another Location:

i. Deed covenants, easements, or other appropriate mechanisms must be developed to provide that: any rehabilitation of a building or feature must be performed in accordance with the Secretary of Interior's Standards for Rehabilitation (36 C.F.R. 67); and the structure or feature must be protected and maintained sufficiently to preserve those qualities that make it significant.

ii. The relocation of the resource must be designed to minimize the damage to the resource and to preserve those qualities that make it significant. The relocation shall be undertaken in accordance with the Secretary of the Interior's publication, "Moving Historic Buildings".

iii. The resource shall be recorded to the requirements of the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation prior to removal from its original location. Minimally this will include the preparation of a site plan, sufficient archaeological investigation to document the resource and any associated features, appropriate photographs and/or drawings, and a narrative description of any historic functions or processes carried out at the site.

iv. If the relocation will involve construction or maintenance of a sign at the new location, the provisions of Section 6. D. (5) a. iii. of this

Article will apply.

- v. If the relocation site is within an historic district and the project will involve new construction or an alteration or addition to the landmark at the new location, the provisions of Section 6.D. (5) a. iv. of this Article shall apply.

- c. Recordation:

In the event that the proposed work involves the disturbance of an archaeological site or the demolition of, or additions or alterations to, a building or structure, issuance of a Certificate of Appropriateness shall be conditioned upon full documentation of the affected resource by a qualified professional according to the Secretary of the Interior's Standards and Guidelines for Archaeology and Historic Preservation, including the Guidelines for Recovery of Scientific, Prehistoric, Historic and Archaeological Data (36 CFR 66).

- E. Determination by the Municipal Agency

Within 45 days of receipt of a complete application for a Certificate of Appropriateness, the Planning Board, Board of Adjustment or Historic Preservation Commission, as the case may be, may approve, disapprove or approve with conditions the issuance of a Certificate of Appropriateness upon determining that the proposed plans are or are not in conformity with this Article. Failure to act within the 45 day period shall be deemed to constitute approval of the issuance of a Certificate of Appropriateness without conditions.

- F. Issuance of a Certificate of Appropriateness

Issuance of a Certificate of Appropriateness shall be deemed to be the final action pursuant to this Article, subject to the provisions of Section 6H hereof. Such approval shall neither cause nor prevent the filing of any collateral application or other proceeding required by any other article or ordinance to be made prior to undertaking the action requested concerning the landmark, historic district site or Pinelands Designated site. A Certificate of Appropriateness shall be valid for a period of one year.

- G. Denial of a Certificate of Appropriateness

Denial of a Certificate of Appropriateness shall be deemed to be a final action pursuant to this Article and shall preclude the applicant from undertaking the activity applied for concerning the landmark, historic district site or Pinelands Designated site.

H. Pinelands Commission Review

Any Certificate of Appropriateness which is subject to the Pinelands Area review procedures specified in Section 6C(l)g of this Article shall be submitted to the Pinelands Commission for its review pursuant to (REFERENCE TO EXISTING ORDINANCE PROVISIONS REGARDING NOTIFICATION OF THE PINELANDS COMMISSION). No such Certificates of Appropriateness shall take effect until this review has been completed.

I. Emergency Provision

Notwithstanding any other provisions of this Section, in any case where the Construction Code Official determines that alteration, remodeling or demolition of a designated structure is necessary to remedy a condition that is dangerous to life, health or safety, a Certificate of Appropriateness which is required under the provisions of this Section may be issued with the signature of the Mayor under the following conditions:

- (1) The Certificate of Appropriateness shall describe and justify the action which is being taken to correct the condition.
- (2) The action which is being taken shall be the minimum necessary to correct the condition.
- (3) If the proposed work involves a Pinelands Designated site or if it involves development associated with a landmark or historic district subject to the Pinelands Commission review pursuant to - (REFERENCE TO EXISTING ORDINANCE PROVISIONS REGARDING NOTIFICATION OF THE PINELANDS COMMISSION) of this ordinance, the Construction Code Official shall immediately seek the concurrence of the Pinelands Commission with regard to the action being taken in accordance with N.J.A.C. 7:50-6.158.
- (4) The Certificate of Appropriateness shall require that the standards of Section 6.D. of this Article shall be applied to the extent possible.

J. Right of Judicial Appeal

Nothing herein shall be deemed to limit the right of any party to judicial review of a decision by the Planning Board, Board of Adjustment or Historic Preservation Commission on a Certificate of Appropriateness.

7. Development in Undesignated Areas

A. Actions Requiring a Cultural Resource Survey

- (1) No person shall carry out any development within the Pinelands Area without first obtaining approval from an approval agency in accordance with N.J.A.C. 7:50-3.38.
- (2) All applications for development approval which are located within (REFERENCE TO ALL PINELANDS TOWN AND VILLAGE ZONES) shall be accompanied by a cultural resource survey unless such requirement is waived pursuant to Section 7.R.(2) of this Article.
- (3) All applications for approval of major development within (REFERENCE TO ALL OTHER ZONES WITHIN THE PINELANDS AREA) shall be accompanied by a cultural resource survey unless such requirement is waived pursuant to section 7.B.(2) of this Article.

B. Waiver of Survey Requirement

- (1) The requirement for a cultural resource survey within the Pinelands Area may be waived if a letter of interpretation that a survey is not required has been issued by the Pinelands Commission or, absent any Pinelands Commission determination, upon a waiver of the requirement by the Planning Board or the Board of Adjustment.
- (2) The Planning Board or Board of Adjustment may waive the survey requirement if it determines that:
 - a. There is insufficient evidence of cultural activity on the project site or, in the case of archaeological resources, within the vicinity; or
 - b. The evidence of cultural activity on the site lacks the potential for historical significance because further recording of the availability data will not contribute to a more comprehensive understanding of Pinelands culture; or
 - c. The evidence of cultural activity on the site fails to meet the criteria for designation set forth in the definitions of landmarks and historic districts.

C. Survey Requirements

The cultural resource survey shall be completed according to guidelines established by the Planning Board after consultation with the Historic Preservation Commission. Surveys shall only be undertaken by individuals who meet the professional qualifications published in the Code of Federal Regulations, 36 CFR 61. At a minimum the survey shall include the following:

- (1) Background research on the natural environment, i.e., soils, vegetation, drainage, topography, land use and geomorphology;
- (2) Documentary background research sufficient to determine the presence of recognized historic or prehistoric sites of consequence. This research shall include a determination as to the presence of any historic districts, landmarks, or Pinelands Designated sites in the project area as well as any sites listed on the National or State Register of Historic Places;
- (3) Consultation with professional and a vocational archaeologists, architectural historians and other preservationists knowledgeable with the area;
- (4) A thorough surface inspection of the entire project area;
- (5) Sufficient archaeological excavations, if appropriate, to determine the nature and extent of any cultural resources encountered or anticipated;
- (6) Sufficient documentation, including photographs as appropriate, of any architectural resources to allow a determination as to their level of preservation and significance; and
- (7) A final report which details the results of the preliminary research and the field investigation and includes an opinion as to the eligibility of any cultural resources uncovered according to the criteria set forth in the definition of a "landmark" in (REFERENCE TO "DEFINITIONS" SECTION OF THE ORDINANCE). Should a site be determined not to be significant, the evaluation must determine whether the resource constitutes a site with sufficient remains pursuant to N.J.A.C. 7:50-6.157(a). A site with sufficient remains is one which presents graphic evidence of a cultural activity (that is, human alteration of the natural landscape for purposes of occupation or extended use) but which is not found to be significant.

D. Protection of Identified Sites

- (1) The Planning Board or Board of Adjustment, as the case may be, shall review the results of the cultural resource survey to determine if the proposed action will have an effect upon any site it deems eligible for landmark or historic district status or Pinelands Designation. Before making any such determination, the Board shall solicit the opinion of the Historic Preservation Commission with regard to the eligibility of any sites for designation.
- (2) If the Board determines that no site eligible for landmark or historic district status or Pinelands Designation will be affected by the development as proposed, no further action pursuant to this Article shall be required.
- (3) If the Board determines that the proposed development will have an effect upon an eligible site and does not meet the standards set forth in Section 6D of this Article, it shall deny a Certificate of Appropriateness and immediately recommend designation of the eligible site to the Pinelands Commission and the (MUNICIPAL GOVERNING BODY).
- (4) Should the Pinelands Commission or the (MUNICIPAL GOVERNING BODY) not enact such recommended designation within one year of its receipt from the Planning Board, the standards of section 7 of this Article shall thereafter not apply to the site in question.

This provision in no way shall be construed to inhibit Pinelands Designation or Planning Board administration of the standards of this Article pursuant to Pinelands Designation.

- (5) If additional documentation of sites determined to have sufficient remains will provide information beyond that provided in the application for development or the cultural resource survey, these sites shall be documented to include:
 - a. A narrative description of the resource and its cultural environment;
 - b. Photographic documentation to record the exterior appearance of buildings, structures, and engineering resources;
 - c. A site plan depicting in correct scale the location of all

buildings, structures, and engineering resources; and

- d. A New Jersey State Inventory form for buildings and a narrative description of any process or technology if necessary to elaborate upon the photographic record.

E. Discoveries After Construction Has Commenced

If archaeological data is discovered on a site, at any time after construction has commenced, the developer shall immediately cease construction, notify the Planning Board, the Historic Preservation Commission and the Pinelands Commission, and take all reasonable steps to protect the data in accordance with the Guidelines for Recovery of Scientific, Prehistoric, Historic and Archaeological Data (36 CFR 66).

Within ___ days after it has been notified by the developer, the Planning Board shall determine whether a cultural resource survey will be required and shall notify the Pinelands Commission of its determination.

If a survey is required, it shall be completed according to the requirements of Section 7C of this Article. The Planning Board shall review the results of the cultural resource survey and solicit the opinion of the Historic Preservation Commission with regard to the eligibility of any sites for designation, according to the criteria set forth in the definition of a "landmark" in (REFERENCE TO "DEFINITIONS" SECTION OF THE ORDINANCE).

If the Planning Board determines that a site eligible for designation will be affected by the development, resumption of construction shall be conditioned upon full documentation of the affected resource by a qualified professional according to the Guidelines for Recovery of Scientific, Prehistoric, Historic and Archaeological Data (36 CFR 66).

8. Violations

Any person who undertakes an activity regulated by this Article without first having obtained a Certificate of Appropriateness shall be in violation of this Article. Prior to prosecution for such a violation, the (LOCAL OFFICIAL DESIGNATED FOR ENFORCEMENT) shall serve upon the owner notice of the violation, describing in detail its nature and the action which the owner must take to abate the violation. If the owner cannot be personally served with the notice, a copy shall be posted on the site and a copy shall be sent, certified mail, return receipt requested, to the owner at his last known address as it appears on the municipal tax rolls. In

the event that the violation described within the notice is not abated within the time provided within such notice, the owner shall be deemed in violation of this ordinance and shall be subject to the penalties set forth in (REFERENCE TO APPROPRIATE SECTION OF THE ORDINANCE).

4. Preventive Maintenance

A. Need for Maintenance of Landmarks

Recognizing the need for preventive maintenance to insure the continued useful life of landmarks and structures in historic districts, the (MUNICIPAL GOVERNING BODY) hereby declares that code enforcement pertaining to landmarks and structures in historic districts is a high municipal priority.

B. Procedures for Maintenance of Landmarks and in Historic Districts

In the event that any landmark or improvement in an historic district deteriorates to the point that, in the best estimate of the Construction Code Official, the cost of correcting the outstanding code violations equals more than twenty-five (25%) percent of the cost of replacing the entire improvement on which the violations occur, the (MUNICIPAL OFFICIAL DESIGNATED FOR ENFORCEMENT) shall serve personally or by certified mail, a notice on the owner of the landmark or improvement listing the violations, the estimate of cost for their abatement, and the replacement cost of the improvement and stating that if the owner does not take all necessary remedial action within ninety (90) days, or such extensions as the (MUNICIPAL GOVERNING BODY) shall for good cause grant, the municipality may, at the expiration of 90 days, enter upon the property and abate such violations itself and cause the cost thereof to become a lien on the property.

- (1) Upon receipt of such notice the owner may, within 10 days after such receipt, notify the (MUNICIPAL GOVERNING BODY) of his wish to have a hearing as to the allegations and estimates set forth in the notice. Such hearing shall be conducted by the (MUNICIPAL GOVERNING BODY) and shall, so far as possible, be a formal adversary proceeding in which the Construction Code Official shall establish the matters alleged in the notice by a preponderance of the evidence.

If a hearing is requested, the (MUNICIPAL GOVERNING

BODY) will within 10 days following the hearing serve on the owner an opinion in writing setting forth the conclusions and the reasons therefor.

- (2) Thereafter, if the owner does not comply, the Construction Code Official may enter onto the premises and, by use of municipal labor or outside contractors or both, perform such work as is necessary to abate all violations.
- (3) The Construction Code Official shall then certify to the (MUNICIPAL GOVERNING BODY) the cost of such work, plus all administrative, clerical and legal costs and overhead attributable thereto and shall present same to the (MUNICIPAL GOVERNING BODY).
- (4) The (MUNICIPAL GOVERNING BODY) may, by resolution, vote to cause the sum so certified to become a lien upon the property, payable with the next quarter's property taxes and, if not then paid, bearing interest at the same rate as delinquent taxes.

SECTION 3. Revise and add as appropriate the following definitions in (REFERENCE TO "DEFINITIONS" SECTION OF THE ORDINANCE):

ADDITION - the construction of a new improvement as part of an existing improvement when such new improvement changes the exterior appearance of the existing improvement.

ALTERATION - any work done on any improvement which is not an addition and which changes the exterior appearance of any improvement.

CERTIFICATE OF APPROPRIATENESS - a certificate issued by the Planning Board, Board of Adjustment or the Historic Preservation Commission in accordance with (SECTION NUMBER) of this ordinance for the subdivision, construction, alteration, additions to, relocation, improvement, removal, or demolition of a landmark, historic district or part thereof, or a Pinelands Designated site or a site which has been determined to be eligible for landmark status.

DEMOLITION - the razing of any improvement or the obliteration of any natural feature of a lot.

HISTORIC DISTRICT - one or more landmarks and intervening surrounding property significantly affecting or affected the quality and

character of the landmark or landmarks.

IMPROVEMENT - any structure or part thereof constructed installed upon real property by human endeavor and intended to be kept at the location of such construction or installation for a period of not less than sixty consecutive days.

LANDMARK - any real property, man-made structure, natural object or configuration or any portion or group of the foregoing which has been formally designated in the master plan as being significant because it possesses integrity of location, design, setting, materials, workmanship, feeling and association which reflects significance in American history, architecture, archaeology or culture under one or more of the following criteria:

- a. it is associated with events of significance to cultural, political, economic or social history; or
- b. it is associated with the lives of persons or institutions of significance to cultural, political, economic or social history; or
- c. it represents the work of a master, or possesses high artistic value or embodies the distinctive characteristics of a type, period or method of construction of significance to cultural, political, economic or social history; or
- d. it has yielded or is likely to yield information significant to history or prehistory.

All landmarks must be so designated by the (MUNICIPAL GOVERNING BODY) in accordance with the provisions of (SECTION NUMBER) of this ordinance and shall be deemed to include the lots on which they are located.

PINELANDS DESIGNATED - the term used for any real property designated by the Pinelands Commission as an historic or prehistoric resource of importance in accordance with N.J.A.C. 7:50-1.1 et seq. Pursuant to the Pinelands Comprehensive Management Plan, the Township recognizes that these resources must be protected in a manner comparable to that afforded to landmarks.

REPAIR - any work done on any improvement which is not an addition to

the improvement and which does not change the exterior surface of any improvement.

SECTION 4. Severability and Relation to Other Ordinances and Statutory Provisions

- A. If any section, part, phase, or provision of this ordinance or the application thereof to any person be adjudged invalid by any court of competent jurisdiction, such judgement shall be confined in its operation to the section, part, phrase, provision, or application directly involved in the controversy in which such judgement shall have been rendered and it shall not affect or impair the validity of the remainder of this ordinance or the application thereof to other persons.
- B. In the event of an inconsistency, ambiguity or overlapping of requirements between this ordinance and any other requirement enforced by the township, the more restrictive shall apply, to the extent that state or federal legislation has not pre-empted the township's power to enforce more stringent standards.
- C. Nothing contained herein shall supercede the powers of other local legislative or regulatory bodies. Nothing contained herein shall relieve any property owner of complying with the requirements of any other state statutes or municipal ordinances or regulations.

SECTION 5. Effective Date

This ordinance shall take effect immediately after passage and publication in the manner provided by law and upon compliance with N.J.A.C. 7:50-6.45, concerning revision of this ordinance by the Pinelands Commission.

THE PINELANDS COMMISSION
September, 1988

Federal Appointee James W. Coleman, Jr.

Gubernatorial Appointees

Candace McKee Ashmun Far Hills

B. Rudd Chavooshian Trenton

Thomas Darlington New Lisbon

James W. Hyres Jackson

Stephen V. Lee, III Chatsworth

Judith Norcross Moorestown

Richard J. Sullivan, Chairman Hamilton Square

County Appointees

Ann Auerbach Camden

Alan Avery Ocean

William J. Brown Cape May

Michael J. Hogan Burlington

Brian Lefke Atlantic

K. Brian McFadden, Vice-Chairman Cumberland

Vicki Snyder Gloucester

Terrence D. Moore Executive Director

Appendix D

Model Municipal Source Separation and Recycling Ordinance

Model Municipal Source Separation and Recycling Ordinance

The Council of the _____ of _____, in the County of _____, in the State of New Jersey, does ordain:

Section _____, Chapter _____, Recycling and Solid Waste shall be deleted and replaced and amended in its entirety so as to read:

Chapter _____

Definitions

Source Separation, Exemptions

Collection of Recyclable Materials

Residential Dwelling Compliance Requirements

Non-residential Establishment Compliance Requirements

New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties

Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials

Enforcement

Violations and Penalties

Definitions (NOTE- the following are not necessarily taken from existing statute or regulation, and therefore may be changed to reflect individual municipal program requirements).

Commingled- means a combining of non-putrescible source-separated recyclable materials for the purpose of recycling;

Designated recyclable materials- means those materials designated within the _____ County District Solid Waste Management Plan to be source separated for the purpose of recycling. These materials include: (list and define, as necessary, those designated recyclable materials from the county recycling plan for the residential, commercial and institutional sectors);

Electronic waste- (to be included in those instances where a recycling program has been, or will be, established for these materials. Additionally, the following definition may be changed to reflect individual municipal program requirements) shall mean a computer central processing unit and associated hardware including keyboards, modems, printers scanners and fax machines; a cathode ray tube, a cathode ray tube device, a flat panel display or similar video display device with a screen that is greater than 4 inches measured diagonally and that contains one or more circuit boards, including a television, and cell phones;

Multifamily dwelling- means any building or structure, or complex of buildings in which three or more dwelling units are owner-occupied or rented or leased, or offered for rental or lease, for residential purposes (see NJSA 13:1E-99.13a.) and shall include hotels, motels, or other guest houses serving

transient or seasonal guests as those terms are defined under subsection (j) of section 3 of the "Hotel and Multiple Dwelling Law," P.L. 1967, c. 76 (C.55: 13A-1 et seq.);

Municipal Recycling Coordinator- means the person or persons appointed by the municipal governing body and who shall be authorized to, among other things, enforce the provisions of this Ordinance, and any rules and regulations which may be promulgated hereunder.

Municipal solid waste (MSW) stream- means all solid waste generated at residential, commercial, and institutional establishments within the boundaries of the municipality of _____;

Recyclable material- means those materials which would otherwise become solid waste, and which may be collected, separated, or processed and returned to the economic mainstream in the form of raw materials or products;

Source-separated recyclable materials- means recyclable materials which are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

Source separation- means the process by which recyclable materials are separated at the point of generation by the generator thereof from solid waste for the purposes of recycling;

Source Separation; Exemption from Source Separation Requirements

A. Mandatory source separation: It shall be mandatory for all persons who are owners, tenants, or occupants of residential and non-residential premises, which shall include but not be limited to retail and other commercial locations, as well as government, schools and other institutional locations within the municipality of _____, to separate designated recyclable materials from all solid waste. Designated recyclable materials shall be deposited separate and apart from other solid waste generated by the owners, tenants, or occupants of such premises and shall be placed separately at the curb in a manner and on such days and times as may be hereinafter established by regulations promulgated by the (municipality or department within the municipality) _____.

B. Exemptions: Pursuant to N.J.S.A. 13:1E-99.16(d), the governing body of a municipality may exempt persons occupying commercial or institutional premises within its municipal boundaries from the source separation requirements of the ordinance which requires persons generating municipal solid waste within its municipal boundaries to source separate from the municipal solid waste stream, the specified recyclable materials if those persons have otherwise provided for the recycling of all designated recyclable materials. To be eligible for an exemption pursuant to this Chapter, a commercial or institutional generator of solid waste shall file an application for exemption with the municipal recycling coordinator on forms to be provided for this purpose. The form shall include, at a minimum, the following information: the name of the commercial or institutional entity; the street address location and lot and block designation; the name, official title and phone number of the person making application on behalf of the commercial or institutional entity; the name, address, of fiscal contact person and

telephone number of the facility which provides the service of recycling those designated recyclable materials, and a certification that the designated recyclable materials will be recycled, and that, at least on an annual basis, said recycling service provider or commercial/institutional generator shall provide written documentation to the municipal recycling coordinator of the total number of tons collected and recycled for each designated material.

Collection of Recyclable Materials

The collection of recyclable material shall be in the manner prescribed as follows:

(Note-as an alternative to below, simply describe those elements of the existing recycling program, including information as to the type of container to use, the location of the container for purposes of collection, during what hours the container may be placed for purposes of collections, etc., especially as this may pertain to multi-family developments, and the manner of collection provided to these locations. Additionally, in the event a municipality requires that materials be brought to a drop off location, specific information regarding this practice should also be included)

- A. All containers and brown paper bags containing recyclable materials shall be placed, prior to collection, between the curb and the sidewalk, or in the absence of curb and sidewalk, as near to the street as not to constitute a danger, where such receptacles shall be readily accessible to the collector without providing obstruction to pedestrians. The owner or occupant of the premises shall keep all receptacles clean and in safe handling condition. Receptacles or other items to be disposed of shall be placed as noted above anytime after 5:00 PM of the day immediately preceding the day of collection, but no later than 6:00 AM of the day of collection. After collection, any containers shall be removed from the curbside by no later than 7:00 PM of the day of collection.
- B. All receptacles or dumpsters shall be maintained in accordance with the Health Code of the municipality of _____ **(if no health code exists for this, ordinance can indicate that all containers shall be kept clean and in a safe manner.)**

Residential Dwelling Compliance Requirements

The owner of any property shall be responsible for compliance with this Ordinance. For multifamily units, the management or owner is responsible for setting up and maintaining the recycling system, including collection of recyclable materials, in accordance with guidelines or regulations established by the appropriate municipal office. Violations and penalty notices will be directed to the owner or management, in those instances where the violator is not easily identifiable. The management shall issue notification and collection rules to new tenants when they arrive and every 6 months during their occupancy.

Non-Residential Establishment Compliance Requirements

- A. All commercial and institutional generators of solid waste shall be required to comply with the provisions of this Ordinance.
- B. The arrangement for collection of designated recyclables hereunder shall be the responsibility of the commercial, institutional or industrial property owner or their designee, unless the municipality provides for the collection of designated recyclable materials. All commercial, institutional or industrial properties which provide outdoors litter receptacles and disposal service for their contents shall also provide receptacles for designated recyclable materials, for those materials commonly deposited, in the location of the litter receptacle, and shall provide for separate recycling service for their contents.
- C. Every business, institution, or industrial facility shall report on an annual basis to the Recycling Coordinator, on such forms as may be prescribed, on recycling activities at their premises, including the amount of recycled material, by material type, collected and recycled and the vendor or vendors providing recycling service.
- D. All food service establishments, as defined in the Health Code, shall, in addition to compliance with all other recycling requirements, be required to recycle grease and/or cooking oil created in the processing of food or food products, and maintain such records as may be prescribed, for inspection by any code enforcement officer.

New Developments of Multi-Family Residential Units or Commercial, Institutional, or Industrial Properties (Pursuant to N.J.S.A. 13:1E-99.13a and 99.16c.)

- A. Any application to the planning board of the municipality of _____, for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, must include a recycling plan. This plan must contain, at a minimum, the following:
 - 1) A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development and
 - 2) Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the municipal recycling coordinator.
- B. Prior to the issuance of a Certificate of Occupancy by the municipality of _____, the owner of any new multi-family housing or commercial, institutional, or industrial development must supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

- C. Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the municipal engineer.

Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials

- A. It shall be unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It is also unlawful for solid waste collectors to remove for disposal those bags or containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.
- B. It shall be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling. Allowing such unseparated solid waste and recyclables to accumulate will be considered a violation of this article and the local sanitary code.
- C. Once placed in the location identified by this Ordinance, or any rules or regulations promulgated pursuant to this Ordinance, no person, other than those authorized by the municipality, shall tamper with, collect, remove, or otherwise handle designated recyclable materials.

Enforcement

The Code Enforcement Official, the Department of Health, the Recycling Coordinator, the Property Maintenance Official, the Housing Officer, and the _____ County Department of Health are hereby individually and severally empowered to enforce the provisions of this Ordinance. An inspection may consist of sorting through containers and opening of solid waste bags to detect, by sound or sight, the presence of any recyclable material.

Violations and Penalties

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this Ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$250, nor more than \$1000. Each day for which a violation of this Ordinance occurs shall be considered a separate offence. **(Note- municipalities are empowered to incorporate the provisions of N.J.S.A. 40:49-5 into their Ordinance. This provision may be viewed at the New Jersey legislative website).**

Fines levied and collected pursuant to the provisions of this Ordinance shall be immediately deposited into the Municipal Recycling Trust Fund (or equivalent). Monies in the Municipal Recycling Trust Fund shall be used for the expenses of the municipal recycling program, including ---.

Severability, Effective Date

A. In the event that it is determined, by a Court of competent jurisdiction, that any provision or section of this Ordinance is unconstitutional, all other sections and provisions shall remain in effect. This Ordinance shall take effect immediately, unless otherwise provided by Resolution of the governing body.

Chapter _____

Definitions

Construction, Renovation, Demolition Debris Recovery Plan

Review of Debris Recovery Plan

Diversion requirement adjustment

Debris recover plan reporting requirements

Compliance with diversion requirement

Appeal to the _____

Enforcement

Violations and Penalties

Definitions

Covered project- means a construction, renovation, or demolition project for which a building permit or a demolition permit is required, and for which a dumpster or roll off-container shall be placed on premises for the purpose of placement of solid waste materials.

Construction, Renovation and Demolition Debris Recovery Plan

A debris recovery plan shall be filed with the municipal recycling coordinator prior to the commencement of any activity for which municipal approval as further identified above. The debris recovery plan shall identify the types and estimated quantities of construction and demolition debris to be generated from the project, how each material will be managed, and the name of each facility or service provider that the entity will use to manage each material. The plan shall further detail how the applicant shall ensure that a minimum of 50% of the materials to be generated will be separated and recycled.

Review of Debris Recovery Plan

- A. Approval: A debris recovery plan shall be reviewed by the municipal recycling coordinator, and approved if it provides for all of the information required by this Ordinance. An approved debris recovery plan shall be marked “Approved” and returned to the owner of the entity which submitted the plan.
- B. Denial: A debris recovery plan shall not be approved if it does not provide all of the information required by this Ordinance. If a debris recovery plan is not approved, the owner of the entity which submitted the plan, shall be notified in writing that the plan has been rejected, including the reasons for the rejection. In order to obtain the building or demolition permit sought, the owner of the entity which will carry out the construction, renovation, or demolition project shall make the required changes and resubmit the debris recovery plan to the municipal recycling coordinator.

Diversion requirement adjustment

- A. Application: If the owner of an entity carrying out a covered project experiences circumstances that makes it infeasible to comply with the diversion requirement cited in this Ordinance, the owner of the entity may apply for an adjustment. The owner shall indicate in writing why it is infeasible to divert 50% of the materials being generated from the covered project and specify what percentage of diversion could be achieved. Increased costs to the owner of the entity carrying out the covered project will not be an acceptable justification for an adjustment.
- B. Review: The municipal recycling coordinator shall review the information supplied by the owner. If warranted the municipal recycling coordinator shall attempt to contact the owner to discuss possible ways of meeting the diversion requirement.
- C. Granting of an adjustment: If the municipal recycling coordinator determines that it is infeasible for the entity carrying out a covered project to divert 50% of the generated C&D debris from the covered project, the percent of diversion required shall be adjusted. The owner shall be notified in writing of the adjusted diversion requirement. The owner of the entity carrying out the covered project shall be required to divert the percent of C&D debris required by the adjustment.
- D. Denial of adjustment: If the municipal recycling coordinator determines that it is feasible for the owner of an entity carrying out a covered project to meet the diversion requirement cited in this Ordinance, the owner shall be notified in writing of the denial of the diversion requirement adjustment.

Debris recover plan reporting requirements

Documentation: Upon completion of the covered project, but before the final inspection, the owner of the entity carrying out a covered project shall submit in person or by certified mail to the municipal recycling coordinator, the documentation required to demonstrate that the applicant has met the diversion requirement. The required documentation shall include the following:

- 1) A completed debris recovery report, signed by the owner of the entity carrying out a covered project, indicating the quantity of each material generated during the covered project diverted or disposed,
- 2) Receipts from all facilities or service providers utilized to divert and dispose materials generated during the covered project, and
- 3) Any additional information that the owner of the entity carrying out the covered project believes is relevant to determining compliance with the diversion requirement.

Compliance with diversion requirement

The municipal recycling coordinator shall review the information submitted pursuant to this Ordinance and determine whether the owner of the entity carrying out the covered project has complied, or failed to comply with the diversion requirement. The determination regarding compliance will be provided to the owner of the entity carrying out the covered project in writing.

Appeal

An owner of the entity carrying out the covered project may appeal a determination of failure to comply under this Ordinance to the municipality within 30 days of the decision or determination. The appeal shall be in writing and shall state the facts and basis for the appeal. A decision by the (department where appeal is to be filed) shall be final.

Enforcement

The Code Enforcement Official, the Police Department, the Department of Health, the Recycling Coordinator, the Property Maintenance Official, and the Housing Officer are hereby individually and severally empowered to enforce the provisions of this Ordinance. The respective enforcing official may, in his or her discretion, post warning stickers for a first offense. An inspection may consist of dumping and opening of solid waste bags of containers to detect, by sound or sight, the presence of any recyclable material.

Violations and Penalties

Any person, corporation, occupant, or entity that violates or fails to comply with any provision of this Ordinance or any of the rules and regulations promulgated hereunder shall, upon conviction thereof, be punishable by a fine not less than \$250, nor more than \$1000.

Severability; Effective Date

If it is determined, by a Court of competent jurisdiction, that any provision or section of this Ordinance is unconstitutional, all other sections and provisions shall remain in effect. This Ordinance shall take effect immediately.