

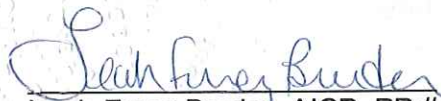
Evesham Township
Burlington County, New Jersey

**2012 Master Plan Reexamination
and Amendment for the Pinelands Area**



June 2012

**Adopted by the Evesham Township Planning Board,
after a public hearing on June 21, 2012
in accordance with Resolution PB 12-06**


Leah Furey Bruder, AICP, PP # 585100

The original of this document was signed and
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TABLE OF CONTENTS

I. Introduction and Purpose.....1

II. Evesham Township Context.....3

III. Reexamination of the Master Plan4

 A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report..... 4

 B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date..... 7

 C. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives..... 8

 D. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.....10

 E. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal Master Plan, and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality..... 14

MAPS

- MAP 1 Evesham Township Pinelands Area
- MAP 2 Evesham Township Zoning Map with Black Run Headwaters Area

I. Introduction and Purpose

The Township Master Plan is a document, adopted by the Planning Board that sets forth the goals, objectives, and policies for land use as envisioned by the Township. The Master Plan serves as a guide that addresses the manner and locations in which development, redevelopment, conservation, and preservation will occur throughout the Township. The Master Plan is intended to serve as a road map and a reference to guide the decisions made by public officials and those of private interests involving the use of land. The Township's Master Plan is most effective when it is coordinated with the plans of other governmental entities with jurisdiction over the Township. In this way land use decisions will be consistent and predictable across regulatory agencies.

Approximately 55% of Evesham Township's 29.7 square miles are within the Pinelands National Reserve. In addition to being governed by local, county and State regulations, land within the Pinelands portion of the Township is also governed by the Pinelands Commission's Comprehensive Management Plan (CMP). The Township is occasionally required to revise its land use ordinances to remain consistent and compliant with changes to the Pinelands CMP. In order to ensure that the Township's land use ordinances are consistent with the policies recommended in the Township's Master Plan, a reexamination of and amendment to the Master Plan must precede the adoption of an ordinance to implement the changes.

Municipal Land Use Law (N.J.S.A. 40:55D-89) requires that Township Council must provide for the reexamination of the Township's Master Plan and development regulations by the Planning Board at least once every ten years. The Evesham Township Planning Board adopted a Master Plan on September 20, 2006, a Master Plan Amendment on April 2, 2009, a Housing Element and Fair Share Plan on January 21, 2010, a Master Plan Reexamination and the 2020 Vision Plan on June 17, 2010, and a Master Plan Reexamination and Amendment on April 21, 2011. In accordance with N.J.S.A. 40:55D-89, a reexamination of the Master Plan is not required until April 2021, but the Township is empowered to initiate a Master Plan Reexamination or Amendment at anytime that it deems appropriate or when circumstances dictate that a reexamination is required sooner.

The regulations of the Pinelands Commission require that municipalities located within the Pinelands area adopt master plan and land use ordinance amendments to incorporate and implement the minimum standards of the Comprehensive Management Plan¹. The Township Council has requested that the Planning Board conduct a Reexamination of the Master Plan that focuses on land use and zoning in the Pinelands area of the Township in order to incorporate and address amendments to the Pinelands Comprehensive Management Plan (CMP) that have been adopted by the Pinelands Commission between 2009 and 2011.

The purpose of a Master Plan Reexamination is to assess how the assumptions, policies and objectives that form the basis for the Master Plan and development regulations have changed since the last Master Plan adoption or Reexamination, and to determine whether any specific changes to the Master Plan or development regulations are recommended, including underlying objectives, policies and standards. This Master Plan Reexamination is

¹ N.J.A.C. 7:50-3.39 provides the Standards for certification of municipal master plans and land use ordinances.

being undertaken to consider specific land use and zoning objectives within the Pinelands area of the Township and to amend the 2006 Master Plan as it relates to the Pinelands area of the Township. Though the focus of this Reexamination is on a particular geographic area of the Township, the land use issues are appropriately addressed in the context of the Master Plan overall. The adoption of a Master Plan amendment will set the stage for land use ordinance amendments to implement the recommendations, and bring the Township into compliance with the Pinelands CMP.

There are five sections of the Reexamination report required by Municipal Land Use Law. Since the Planning Board conducted reexaminations in 2010 and 2011 to incorporate the 2020 Vision Plan as well as to address several land use and development issues that had surfaced; the reexamination and responses in this reexamination will be brief and focused on the significant issues, related to the Pinelands area amendments. Municipal Land Use Law requires that five specific topics be addressed in the Reexamination report as follows:

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

The Master Plan Reexamination and Amendment will lay the foundations for Township Council to introduce ordinances to implement any changes that may be recommended.

II. Evesham Township Context

The land area of Evesham Township is 29.7 square miles or approximately 19,008 acres and is located in western Burlington County. Evesham Township is bordered by Cherry Hill Township and Voorhees Township to the west (both in Camden County), Berlin Township and Waterford Township to the south (both in Camden County), Medford Township to the east and Mount Laurel Township to the north (both in Burlington County). Evesham Township's location in Burlington County is shown on **MAP 1**. Approximately 16.35 square miles (55%) of Evesham Township is within the Pinelands Area. Largely as a result of the Pinelands Area designation, the environmental constraints within the Pinelands area, and the regulations that apply to properties within the Pinelands Area, the Township has developed with a more rural character in the southern and eastern portions of the Township, and a more suburban/urban character in the north and western portions of the Township, particularly along the Route 73 and Route 70 corridors. The extent of the Pinelands Area in Evesham is also shown on **MAP 1**.

Evesham Township was established in 1688 and was incorporated in 1692. At that time Evesham included parts of present day Mount Laurel, Medford, Lumberton, Hainesport, Shamong and Washington Townships. The Township was divided a number of times in the 1800s and reached its current size in 1872. In the 1800s Old Marlton Village was given its name and the old Marlton area functioned as the center of commerce and civic activity in Evesham until the post World War II building boom. The post WWII building boom began with tract housing developments replacing farms, and strip shopping centers soon followed. The Pinelands National Reserve (PNR) was created by Congress in 1978. The PNR encompasses approximately 1.1 million acres covering portions of seven counties and all or parts of 56 municipalities. In 1979 the Pinelands Commission was established and the Pinelands Protection Act was enacted, setting deadline for completion of a management plan for the entire area. In 1980 the Pinelands Commission adopted a comprehensive management plan and in 1981 the CMP was approved at the state and federal levels. Following the adoption of the CMP, development in the Pinelands portion of Evesham Township slowed and the area has retained qualities unique to the Pinelands.

Population Overview

In accordance with the 2010 Census Evesham Township's total population is 45,538 persons. At the time of the 2000 Census the Township population was 42,275 people. Evesham Township's population increased 2,101% in the seven decades leading to the 1990 Census, increasing from 1,604 people in 1930 to 35,309 people in 1990. The most significant period of growth in Evesham was between 1960 and 1970, when the population increased by 196%. The rate of population growth was also significant in the 1950s, when the population increased by 114%. The largest absolute increase in population was between 1980 and 1990 when the population increased by 13,801 people (64%).

The table below shows the population changes from 1920 through 2010 in Evesham Township.

Evesham Township Population ² 1930 to 2010								
1930	1940	1950	1960	1970	1980	1990	2000	2010
1,604	1,655	2,121	4,548	13,477	21,508	35,309	42,275	45,538

² Source: United States Census Bureau, Decennial Population Counts, 1930-2000

III. Reexamination of the Master Plan

The Reexamination below follows the format set forth in Municipal Land Use Law (N.J.S.A. 40:55D-89).

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

2006 Master Plan

The 2006 Master Plan noted that the Township’s geographic location had placed it squarely within the path of suburban development, as most of the Township is located within a 20 to 30 minute drive from Philadelphia; but also noted that by 2006 the pace of development had slowed as the supply of available developable land outside the highly regulated Pinelands area had diminished.

The following were specific problems or concerns identified in the 2006 Master Plan:

- The demand for different types of age-restricted housing and senior services needed to be assessed including active adult communities, continuing care/assisted living retirement facilities, and recreational, transportation and social services for senior citizens.
- The need to review the appropriateness of zoning on undeveloped land including the public works facility, the industrial zoning district on Sharp Road, the AH-1A zone on Lippincott Drive, and any other development regulations needing change.
- Examine the land use implications of the Marlton Circle elimination project at Routes 70 and 73.
- The need to consider the means to improve circulation for pedestrians and bicyclists.
- The need to review and update the Township’s Open Space Plan.

The Land Use section of the 2006 Master Plan briefly describes the New Jersey Pinelands Reserve and provides a table describing land area devoted to various uses in the Pinelands portion of the Township. This information is compared to a table prepared for the area outside the Pinelands, and demonstrates the impact the Pinelands area designation has had on land use and development.

Recommended amendments to the Future Land Use Plan in the 2006 Master Plan include amendments that had been proposed, but not mandated by the Pinelands Commission in the *Sub-Regional Resource Protection Plan for Southern Medford/Evesham Townships*, dated April 2006. These recommendations, listed below are summarized from the list provided under “Amendments to the Future Land Use Plan” on pages 31 to 33 of the 2006 Master Plan. Following adoption of the 2006 Master Plan, the pinelands area recommendations below were not implemented by the adoption of ordinances.

1. Expand the Forest Area: Rezone a 611 acre area from RD-1 and RD-2 to FA (585 acres of the area is already preserved).
2. Change the zoning designation for the southern area of Compass Point (153 acres) from FW to FW/RD-2 to reflect the existing development pattern.

3. Change the zoning designation of Kings Grant from RD-1 to Regional Growth Area to reflect existing development (total area 812 acres, of which 628 are recreation/open space).
4. Change the zoning of a 796 acre area in the southern area of the township (currently FA and FW) to create a 546 acre Forest Area sending zone and 250 acre Forest Area receiving zone. Also impose mandatory cluster requirements in these areas.
5. Designate an 81 acre area (currently zoned RD-3) at the Evesham/Voorhees border as a Rural Development receiving area. The area would be subject to modified and streamlined permitting.
6. In order to preserve the attributes of the Black Run watershed basin, rezone portions of the northerly area of the Black Run watershed consisting of 436 acres from RD-1 and RD-3 to RD-S. Rezone a 221 acre area currently in the RD-2 zone to RD-S. The RD-S area would permit development transfer to the RD receiving area. Rezone a 717 acre area in the southerly portion of the Black Run watershed from RD-3 to RD-C, where mandatory clustering would be required.
7. Allow all parcels with vacant available land within the RD-1, RD-2, and RD-3 zones within the Evesham portions of the "study area" to serve as receiving areas (434 acres).

Implementation of the strategies above would have reduced overall development capacity in the Pinelands area of the Township and would have encouraged development to be clustered in areas deemed most appropriate for growth. The above items are included in the 2006 Master Plan, but have not been implemented by ordinance, and the Pinelands Commission did not adopt management area changes to mandate implementation of the recommendations.

2010 Master Plan Reexamination Report

The 2010 Reexamination Report listed the Goals and Objectives from the 2006 Master Plan as representative of the major areas of concern at the time of the adoption of the Plan in 2006; and provided an overview of progress that has been made to advance the goals and objectives, and how the problems identified in the 2006 plan had been addressed. The 2010 Master Plan Reexamination noted that the Township had not seen a fundamental shift in the assumptions, goals, and objectives that formed the basis for the 2006 Master Plan; but that there had been some circumstantial changes in the Township and some new perspectives on how to respond to changing economic and social conditions, as well as some changes to statewide policies and regulations impacting the Township. The solution to some problems gave rise to new issues and concerns. The 2010 Master Plan Reexamination paid particular attention to the problems and opportunities resulting directly and indirectly from the elimination of the Marlton Circle and the resulting changes to road way and lot configurations, the problems faced by many aging suburban corridors, and the prospects for transforming the Evesham Crossroads area and Marlton Village as two distinct but related centers of economic and community life.

Specific problems identified in the 2010 Master Plan Reexamination were:

- The reconfiguration of the highways and surrounding properties in the vicinity of the intersection of State Highway Routes 70 and 73 present challenges and opportunities, and require a fresh look at land use planning for the area.
- The need for rehabilitation or redevelopment of older commercial sites. Persistent vacancies, large underutilized parking areas, and obsolete site and building design are a drain on the community and need to be viewed in the context of consumer preferences, new economic realities, and market demand in order to be re-imagined and returned to productive use.
- The Township's on-going efforts to comply with affordable housing obligations and to provide opportunities for low and moderate income households in the face of an uncertain regulatory environment and budgetary constraints.
- The Township's desire to meet the recreational needs of the community in the face of competition for scarce funds. The potential to develop a senior center at the was specifically mentioned.
- The need to review the zoning of undeveloped and underdeveloped land outside the Pinelands Area to determine if lands are appropriately zoned, with consideration for availability of infrastructure and surrounding land use.
- The need to reconcile the Township's land use regulations with the desired scale, character, and uses that comprise the Township's Vision Plan.

2011 Master Plan Reexamination Report

The 2011 Master Plan Reexamination focused on the northeastern area of the Township as well as some zoning issues that had arisen since the last reexamination. The report reviewed the characteristics, purpose, and requirements of the LD residential zoning district as well as changes that had taken place and developments that have been constructed in the northeastern portion of the Township since the LD zoning district was created in the 1990s. The plan recommended some changes to the LD zoning district standards, recommended the addition of residential clustering provisions, and also recommended the creation of a new overlay zoning district, the Moderate Density Residential Overlay (MDR).

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

The Township has pursued and has made significant strides toward meeting the goals and objectives set forth in the 2006 Master Plan, as well as the 2009 Master Plan Amendment and the 2010 and 2011 Reexamination and Amendments. Several land use related challenges remain, but the Township's proactive planning efforts enable the Township to balance competing objectives and meet the challenges.

The 2011 Reexamination Report provided a summary of the ways in which problems and objectives related to age-restricted housing, senior services, industrial zoning, zoning of undeveloped land, elimination of the Marlton Circle, redevelopment, affordable housing, and wastewater have been addressed by the Township. Of particular concern at this time are the objectives related to the Pinelands area.

The recent amendments to the Pinelands CMP, which require the Township to amend its zoning ordinance related to mandatory clustering in the FA, FW, RD-1, RD-2, RD-3, and EP zones, are not yet reflected in the Township's current Master Plan. Further, the recommendations for the Pinelands area in the 2006 Master Plan have not been implemented and do not reflect the recent CMP amendments. This Master Plan Reexamination and Amendment will reconcile discrepancies between the 2006 Master Plan, the Pinelands CMP, and the Township's policy position related to land use in the Pinelands Area. There are three sets of amendments to the Pinelands CMP that have been adopted since 2009, which the Township must incorporate. The changes relate to wetlands management, forestry, and residential cluster development in the FA, FW, RD-1, RD-2, RD-3 and EP zones.

Open Space and Recreation Plan

One of the objectives of the previous Master Plan Reexaminations has been to review and update the Township's Open Space Plan. Over the last two years the Township has worked with Delaware Valley Regional Planning Commission (DVRPC) to prepare a new Open Space and Recreation Plan. The Open Space and Recreation Plan (OSRP) inventories the existing open space and recreation facilities in the Township and assesses the Township's open space and recreational resources. In developing the plan many individuals and groups were consulted about the Township's recreational needs. As a result of this input as well as objective analysis, a set of overall goals and specific recommendations and strategies have been developed to guide the Township toward creating a comprehensive parks system.

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

The Township has not seen a fundamental shift in the assumptions, goals and objectives that form the basis for the Master Plan and development regulations. However, as new data has become available and as more sophisticated analytic tools have facilitated increased understanding of the relationship between land use regulations, development patterns, and environmental impacts, reconsideration of certain land use policies is warranted.

When the land use regulations for the Pinelands Area of the Township were adopted in the 1980s they were based on the best available information at that time. Since that time much more of the natural resources in the area have been identified and documented. According to the Pinelands Commission, a concern has arisen over the last several years about the cumulative effects of low density residential development in the Pinelands Area over time; such that a vast tract of relatively unspoiled land would eventually be lost through the effects of scattered and piecemeal development. While each new development by itself may not cause irreparable harm to the unique Pinelands ecosystem, the continuation of haphazard development patterns over a period of time would result in fragmentation and scattered disturbance of the land and ecosystems.

While the Pinelands Regional Growth Areas and, to a lesser extent, Pinelands Towns and Villages, were designed to accommodate most of the anticipated growth in the Pinelands Area, the lands in the Protection Area, (i.e., the Forest, Rural Development and Agricultural Production Areas), have also allowed varying degrees of large lot zoning. An initial assumption in designating the Pinelands management areas and their overall densities was that relatively low residential densities, coupled with the minimum environmental standards set forth in the CMP, would protect the essential character of the Pinelands. More complete information about the characteristics of land in different geographic area demands reconsideration of the best means to meet the goals of each management area.

Over the last 30 years the Comprehensive Management Plan has been very effective in protecting many features of the Pinelands environment. Yet the Pinelands Commission has become increasingly mindful of the potential impacts that large lot residential development may have on the landscape, particularly in the largely undisturbed Forest Area. The Forest Area comprises approximately 250,000 acres or 27 percent of the Pinelands Area overall. In Evesham the total Forest Area (FA & FW) comprises approximately 1,200 acres at the southern end of the Township. Similar to the Preservation Area in terms of ecological value, the Forest Area represents a largely undeveloped wooded area which is an essential element of the Pinelands environment. It contains high quality water resources and wetlands and provides suitable habitat for

many threatened and endangered species. The Pinelands Commission's increasing concern with the negative environmental impacts of forest fragmentation prompted a reexamination of the cluster development provisions currently contained in the CMP, and ultimately led to the amendments that were enacted by the Pinelands Commission in April 2009. The Township must now adopt zoning regulations to implement the new clustering provisions.

Clustering is a type of development that is familiar in Evesham, and allows reduced minimum lot sizes in exchange for the preservation of open space or some other desirable feature of the property (such as a historic site, a scenic vista, etc). The overall density within the zoning district remains the same, but the individual building lots are smaller than what would conventionally be permitted. Cluster development is one way protect natural resource values while also accommodating development with a less land consumptive development pattern.

The Pinelands Commission found that there were a number of deterrents inhibiting the use of clustering in the Forest and Rural Development Areas under current regulatory conditions. Recognizing that amendments to the CMP would be necessary in order to promote on-site cluster development in the Forest and Rural Development Management Areas, the Commission developed a series of guiding principles to encourage cluster development. Since property ownership is generally fragmented throughout the Forest and Rural Development management areas, the Pinelands Commission determined that an incentive to assemble large tracts of land would need to be afforded to make the most of clustering opportunities. This incentive is in the form of a density bonus that increases with the size of the tract of land (N.J.A.C. 7:50-5.19(d)1). The density bonus is structured to provide larger incentives for land assemblage in the more ecologically valuable areas of the Pinelands, which generally correspond to the lower density Forest Area zoning districts. (N.J.A.C. 7:50-5.19(d)1).

The amendments to the CMP permit density bonuses ranging from 0 to 40% for clustering in the Rural Development (RD) and Forest Areas (FA); with larger parcels in the lower density zones receiving the higher bonuses. Since the base densities are relatively low overall, the bonuses would not result in many additional lots. The purpose of the density bonus offered in the CMP is to off set the potential diminution of land value that may result from the smaller lot sizes. Municipalities are permitted to alter the cluster provisions set forth in the CMP as long as the overall intent is met and as long as the changes are grounded in sound land use planning.

Coincident with the Pinelands Commission's consideration of ways to better protect Pinelands habitat and reduce fragmentation, the Evesham Township Environmental Commission and Open Space Committee have focused on the means to protect large areas of woodlands, particularly in the Black Run headwaters area in southern Evesham. Water quality testing has demonstrated that the Black Run exhibits minimally-disturbed Pinelands water quality – a rarity in a highly developed state such as New Jersey. Further, a land use analysis (landscape integrity, wetlands integrity, and watershed integrity) conducted as part of the Southern Medford/Evesham Sub-regional Resource Protection Plan (2006) identified the Black Run area as having a low percentage of disturbed land relative to the surrounding areas. Advocates for the protection of the Black Run headwaters area note that the area is replete with native Pinelands species and that there has been minimal interference from non-native vegetation. There is concern that additional residential development will introduce non-native species and may alter the chemistry of

the area. The Township's Open Space and Recreation Plan aims to preserve as much land as possible in the Black Run headwaters area.

In 2009 the Township conducted an environmental resources inventory (ERI), which has identified and described the Township's natural resources in detail. The Township has now developed an Open Space and Recreation Plan that the Planning Board may adopt as an element of the Master Plan. The OSRP sets forth the Township's goals related to open space protection and recreational needs. Of particular relevance to the Pinelands Area of the Township is the protection of open space, important habitats, and environmentally sensitive areas in order to preserve the Township's bio-diversity. Another goal of the Plan is to link various areas of the Township through a system of greenways and trails. The residential clustering provisions for the rural development and forest areas will enable the preservation of portions of privately owned properties for conservation or passive recreation; while permitting residential development on portions of a tract when it is not possible to purchase or obtain an easement on an entire property for preservation and/or public use.

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

A new Master Plan is not needed at this time. Rather, the Township will build upon the existing planning foundations provided in the 2006 Master Plan, the 2009 Master Plan Amendment, the 2010 and 2011 Master Plan Reexaminations and Amendments and the Evesham 2020 Vision Plan, and by adopting this 2012 Master Plan Reexamination and Amendment as well as the Open Space and Recreation Plan.

The specific recommendations for land use policies in the Pinelands area of the Township are listed below and will serve to ensure that the Township's land use regulations support its goals and objectives as well as the Pinelands Comprehensive Management Plan. Adopting Master Plan and ordinance amendments to achieve consistency and compliance with the Pinelands Comprehensive Management Plan will assist in addressing and minimizing conflicts between natural resources and development objectives.

The 2009 CMP amendments provide that residential cluster development is required in the Rural Development and Forest Areas when two or more residential units are proposed. Under the clustering provisions, residential development would be permitted at the same densities currently permitted in the management areas, but on smaller lots (one acre), so that the remaining land area may be permanently preserved and protected. The CMP provides specific standards to guide cluster development in a manner that minimizes disturbance and fragmentation of land, and provides for a density bonus when larger tracts of land are aggregated for development. The bonus provisions in the CMP are intended to encourage the aggregation of larger tracts of land in order to support the

development of residential units in a manner that results in clustered neighborhoods and larger contiguous areas of undeveloped protected land.

The CMP also provides that a municipal clustering ordinance may contain clustering standards that differ from those set forth in the CMP at N.J.A.C. 7:50-5.19(c) and (d) provided that those standards are supported by sound land use planning principles and local conditions or circumstances that warrant the differences, and provided that the changes do not undermine the overall goals and objectives of the Forest and Rural Development Area clustering program (N.J.A.C. 7:50-3.39(a)2.ix).

In order to comply with the directives of the Pinelands CMP and also to respond to the specific conditions and resources within the Rural Development and Forest Areas in Evesham, the Master Plan recommends adopting standards to comply with the CMP amendments related to forestry operations, wetlands management, and residential clustering; and to modify the bonus density provisions to encourage preservation of lands within the Black Run watershed area. The specific recommendations are listed below.

- 1. **2006 Master Plan.** The Master Plan recommendations for the Pinelands Area set forth on pages 31 through 33 of the 2006 Evesham Township Master Plan are repealed and replaced with the recommendations that follow.
- 2. **Clustering.** It is recommended that mandatory residential cluster provisions be adopted for the zoning districts within the Rural Development Area and the Forest Area as provided in the April 2009 amendment to the Pinelands Comprehensive Management Plan. The revisions will require amendments to section 160-19 of the Township Code related to Cluster/Conservation Subdivision Development, as well as changes to the individual district standards in sections 160-55 (FA), 160-56 (FW), 160-57 (RD-1), 160-58 (RD-2), 160-59 (RD-3), and 160-62 (EP). Non-clustered development will be permitted as a conditional use, only when specific standards and conditions are met. The clustering provisions to be adopted as part of the Land Development Code will allow residential lots to be as small as one acre in order to allow for a more flexible and efficient development pattern, with the remaining portions of the total land area to be permanently preserved. The base densities within the affected zoning districts will remain as set forth in the table below (base densities will not be altered from current standards). The intent of the clustering standards will be to reduce development disturbance, to encourage the protection of areas with high natural resource values, and to limit the cumulative effects of large-lot sprawl. Clustering may take place on non-contiguous parcels of land provided that the parcels are within the same zoning district and provided that the parcels are under common ownership. Clustered residential development should connect to the public water system when deemed possible by the Evesham Municipal Utilities Authority. The table below outlines the permitted base density in each of the affected districts and the minimum lot size for cluster development.

Zoning District	Permitted Residential Density	Minimum lot area using cluster standards
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RD-1	1 du/6acres	1 acre
RD-2	1 du/4 acres	1 acre
RD-3	1/du/3.2 acres	1 acre
FW	1 du/12 acres	1 acre
FA	1 du/20 acres	1 acre
EP	1 du/10 acres	1 acre

3. **Bonus density.** It is recommended that the Township's clustering ordinance provide the opportunity to achieve bonus densities in the rural development and forest areas only when the clustered residential development is located outside of the Black Run watershed area, shown on MAP 2. Developers and land owners who have the opportunity to develop outside the Black Run watershed area will be strongly encouraged to do so. The ordinance should provide that when a landowner or developer has land on both sides of the watershed boundary, the development shall to the greatest extent possible be located outside the watershed. Further, the Township will encourage land acquisition and other strategies to expand opportunities for clustering outside the Black Run headwaters area. The bonus density provision is intended to promote a balance between residential development and maintenance of the ecological integrity of high value Pinelands habitat and also to minimize disturbance that may degrade pristine waterways in the Black Run headwaters area. There are roughly 900 acres of privately owned potentially developable land within the Black Run watershed area³. Shifting the development from these areas to developable parcels outside the Black Run watershed area would allow for greater preservation of the land and environmental qualities that make it unique. The Township's Open Space and Recreation Plan identifies the "Evesham Headwaters" area as an area of proposed open space. Since direct acquisition of all of the properties may not be possible, the OSRP recommends that zoning policies be modified to promote retention of forest integrity, reduce water quality degradation, and to limit the effects of development on local wild life. The provision of a modest bonus density for clustering residential units on the less sensitive portions of the properties, together with guidance from Township staff, may assist potential developers in designing subdivisions in manner that balances development with protection of forest habitat and water quality.

a. **Procedure.** When preparing a development plan, potential developers should identify the watershed boundary and aim to cluster residential lots outside of the Black Run drainage area. The total number of acres within and outside the Black Run drainage area should be identified. If it is not possible for all of the residential units to be located outside the Black Run watershed area, then the bonus will be available proportionate to the percentage of the total number of units that the applicant is able to locate outside the Black Run watershed area.

b. **Bonus calculation.** The bonus densities may be applied when units are clustered outside the Black Run watershed area, as follows and consistent with the CMP:

³ This is a rough calculation of gross acreage and does not account for wetlands or other environmental constraints.

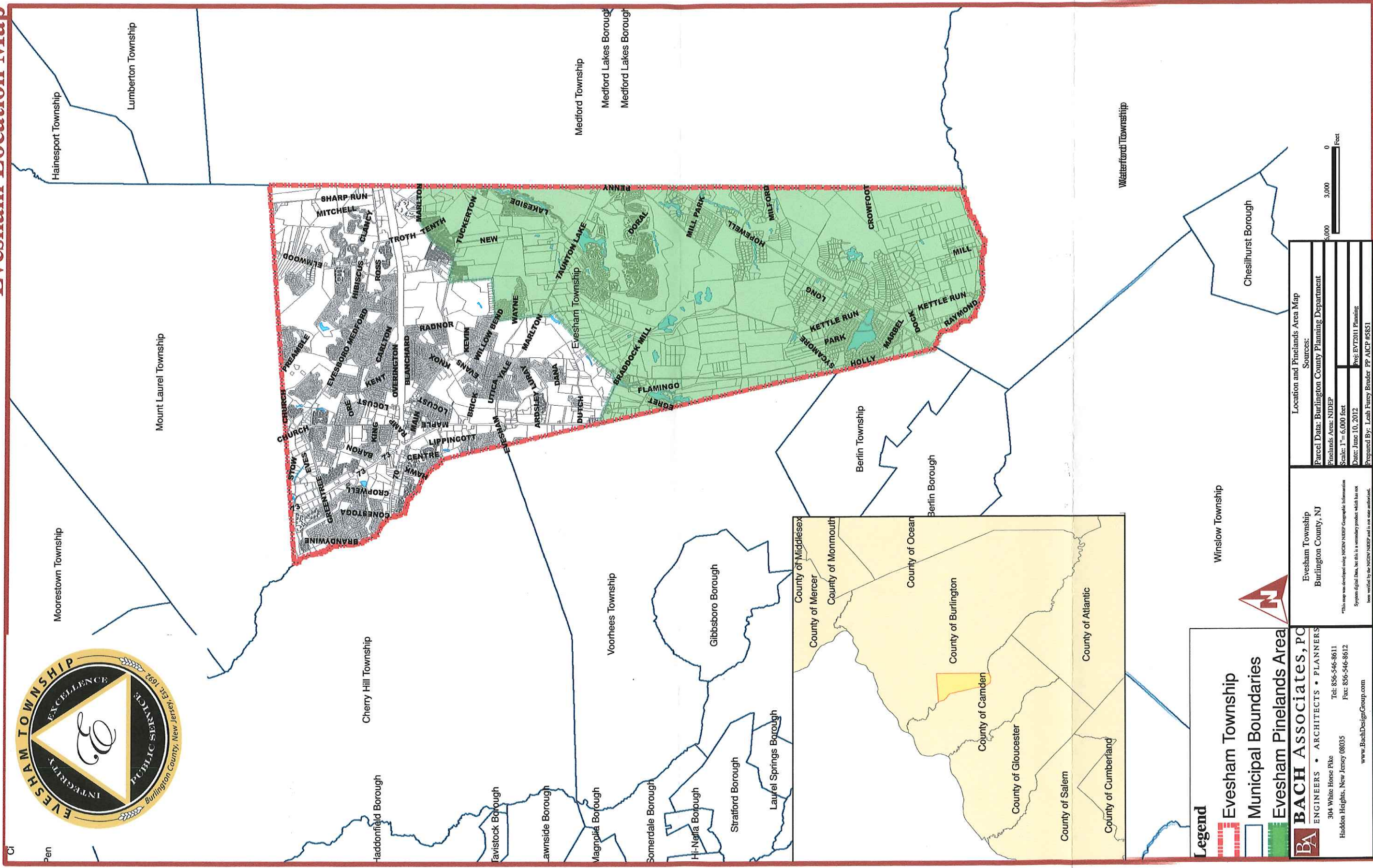
Parcel size	RD-1	RD-2 and RD-3	FA, FW, and EP
Less than 50 acres	0	0	0
50 to 99.99 acres	15%	10%	20%
100 to 149.99 acres	20%	15%	25%
Greater than 150 acres	25%	20%	30%

4. **Conditional Uses.** Consistent with the CMP amendments, it is recommended that non-clustered single family detached dwellings be permitted in the RD-1, RD-2, RD-3, FA, FW, and EP zoning districts in accordance with a set of objectively measurable conditional use standards. This provides the opportunity for non-clustered development when clustering of the proposed dwellings would disrupt the contiguity of the forest ecosystem to a greater degree than the non-clustered development or when the clustering of proposed dwellings would be inconsistent with the minimum environmental standards in subchapter 6 of the Comprehensive Management Plan.
5. **Definitions.** It is recommended that section 160-5 be revised to add and replace definitions related to forestry and wetlands management as required by the CMP.
6. **Forestry.** It is recommended that section 160-25B be amended to revise the forestry application requirements and amend section 160-25C to provide updated standards for forestry operations.
7. **Wetlands Management.** It is recommended that section 160-51 be amended to revise the fish and wildlife activities permitted in wetland areas.
8. **Deed Restrictions on Protected Land.** Lands that are to be protected as part of a cluster development or a density transfer should be permanently protected through recordation of a deed of conservation restriction. The restriction may permit low intensity recreational use, but no more than five percent of the land may be cleared. The land may be owned and maintained by a homeowners association, or may be offered to another land stewardship organization.

- E. **The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal Master Plan, and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.**
(N.J.S.A. 40:55D-89d)

At this time there are no specific areas recommended for “redevelopment area” designation beyond the East Main Street area (former municipal building) that was designated in 2008. It is the Township’s intent to utilize all available planning tools to work toward implementation of the Township’s vision, to advance its goals and objectives, to improve the quality of life for current and future residents, and to maintain and enhance opportunities for smart growth economic development. As the Township continues to assess conditions in the Township, particularly within the “Evesham Cross Roads” and “Marlton Village” areas, specific properties or areas may emerge as candidates for redevelopment or rehabilitation area designation. Where redevelopment or rehabilitation designation has the potential to reverse a trend toward decline, to incentivize redevelopment or revitalization, to advance the Township’s vision and create community value, then such areas may be recommended for study in accordance with Local Redevelopment and Housing Law.

Evesham Location Map



Legend

Evesham Township

Municipal Boundaries

Evesham Pinelands Area

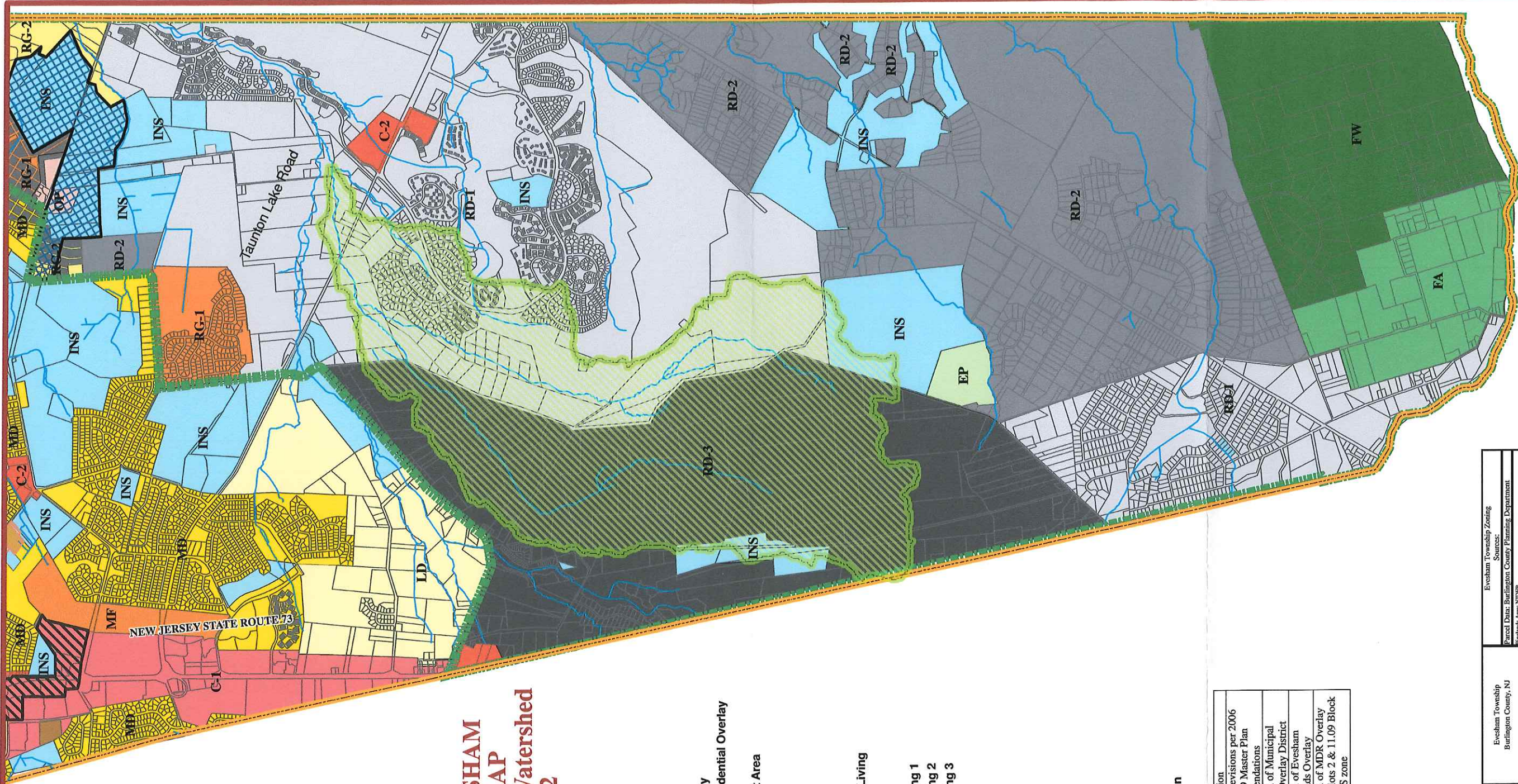
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Evesham Township
Burlington County, NJ

*This map was developed using MGN/NIDEP Geographic Information System digital data, but this is a secondary product which has not been verified by the NJDEP/NIDEP and is not state authorized.

Location and Pinelands Area Map	
Sources:	
Parcel Data:	Burlington County Planning Department
Pinelands Area:	NIDEP
Scale:	1" = 6,000 feet
Date:	June 10, 2012
Prepared By:	Leah Furey Bruder, PP AICP #5851

0 3,000 6,000 Feet



**Southern EVESHAM
ZONING MAP
with Black Run Watershed
June 2012**

Legend

- Black Run Watershed
- Municipal Boundary
- Pinelands Boundary
- Evesham Crossroads Overlay
- MDR, Moderate Density Residential Overlay
- Municipal Center Overlay
- East Main St Redevelopment Area
- INS, Institutional, NA
- MD, Medium Density
- LD, Low Density
- MF, Multi-Family
- AH-1, Affordable Housing
- AH-1A, Affordable Assisted Living
- AH-2, Affordable Housing
- AH-3, Affordable Housing
- SEN-1, Senior Citizen Housing 1
- SEN-2, Senior Citizen Housing 2
- SEN-3, Senior Citizen Housing 3
- C-1, Commercial 1
- C-2, Commercial 2
- C-3, Commercial 3
- OP, Office Professional
- IP, Industrial Park
- RG-1, Regional Growth 1
- RG-2, Regional Growth 2
- RD-1, Rural Development 1
- RD-2, Rural Development 2
- RD-3, Rural Development 3
- FW, Forest Woodland
- FA, Forest Agriculture
- EP, Environmental Protection

Ordinance No.	Adoption Date	Description
12-9-2009	9/15/2009	Zoning revisions per 2006 and 2009 Master Plan recommendations
15-12-2009	12/15/2009	Addition of Municipal Center Overlay District
16-7-2010	7/13/2010	Crossroads Overlay
15-6-2011	5/17/2011	Addition of MDR Overlay Change lots 2 & 11.09 Block 15 to INS zone



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Evesham Township
Burlington County, NJ
This map was developed using GIS/MapInfo geographic information systems data. It is not a survey and should not be used for legal purposes without the aid of a professional surveyor.

Evesham Township Zoning
Sources:
Parcel Data: Burlington County Planning Department
Standards: As of NDSP
Scale: 1"=2,500 feet
Date: June 10, 2012
Prepared By: Leah Vespa-Bauer, P.E., P.A.C.P. #2651