

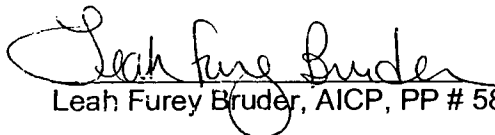
Evesham Township
Burlington County, New Jersey

**2011 Master Plan Reexamination
and Amendment**



April 2011

**Adopted by the Evesham Township Planning Board,
after a public hearing on April 21, 2011
in accordance with Resolution PB 11-07**


Leah Furey Bruder, AICP, PP # 585100

The original of this document was signed and
sealed in accordance with NJAC 13:41-1.3.b



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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, or preservation will occur within 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.

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 six 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, and a Master Plan Reexamination and the 2020 Vision Plan on June 17, 2010. In accordance with N.J.S.A. 40:55D-89, a reexamination of the Master Plan is not required until June 2016, but the Township is empowered to initiate a Master Plan Reexamination or Amendment at anytime that it deems appropriate. 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 northeastern area of the Township and to consider amending the Master Plan to incorporate recommendations related to future land use in that area.

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 being undertaken to consider some specific land use and zoning concerns that have been developing since the last Master Plan. Though the focus of this Reexamination is on a particular zoning district and particular geographic area of the Township, these land use issues are appropriately addressed in the context of the Master Plan overall.

There are five sections of the Reexamination report required by Municipal Land Use Law. Since the Planning Board conducted a Reexamination last year to incorporate the 2020 Vision Plan as well as to address several land use and development issues that had surfaced (adopted June 2010), the Reexamination and responses below will be brief and focused on the significant issues that have emerged since the last Reexamination. 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 east (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 suburban/urban character in the north and western portions of the Township, particularly along the Route 73 and Route 70 corridors, and with a more rural character in the southern and eastern portions of the Township. 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.

Population Overview

The July 1, 2009 population estimate for Evesham Township is 45,370 persons according to the New Jersey Department of Labor and Workforce Development (based on 2000 U.S. Census Bureau data and the number of certificates of occupancy, less any demolition permits, multiplied by the average number of persons per unit). At the time of the 2000 Census the Township population was 42,275 people. The 2010 Census figures for municipalities will be available within the next year and will provide more certainty about the current population.

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 2008 in Evesham Township.

Evesham Township Population¹								
1930 to 2008								
1930	1940	1950	1960	1970	1980	1990	2000	2009*
1,604	1,655	2,121	4,548	13,477	21,508	35,309	42,275	45,370

* NJ Department of Labor and Workforce Development estimate

¹ Source: United States Census Bureau, Decennial Population Counts, 1930-2000

Employment Overview

Of the 32,206 residents aged sixteen and over in 2000, 23,430 were in the labor force. Just under two percent of the labor force in Evesham was listed as unemployed in 2000 (1.9%). The 2000 Census reported that New Jersey's unemployment rate was 3.7%. In February 2011 New Jersey's unemployment rate had reached 9.9%. Though municipal level unemployment figures are not currently available, the unemployment rate in Evesham Township has surely increased proportionately, as the recession has impacted people across industries, in all geographic areas, and across the economic spectrum, and has just begun to turn around.

The mean travel time to work for Township residents is 29.5 minutes, an indicator that many residents travel significant distances in their cars to get to work². There are public transportation options in and around Evesham, but in order to use public transit many residents would need to drive to commuter lots and then take public transit from there (increasing the time needed to travel from point A to point B). Relatively few Township residents walk or bike to work. Evesham Township is largely a bedroom community where residents commute to work in employment centers such as Philadelphia, but the Township also has a significant employment base itself along the Route 70 and Route 73 corridors. The 2003 NJ Employment and Wages Annual Municipality Report by Sector indicates that in 2003 there were 23,155 jobs in Evesham Township. According to this report the two largest employment fields in the Township were the retail sector, accounting for 17.93% of the jobs, and health care and social services sector accounting for approximately 17.42% of the jobs. By 2008 (the latest year available at the municipal level), the total number of jobs in Evesham had reached 25,182, but employment field information is not available for 2008. This data counts employers covered under the New Jersey Unemployment Compensation Law and therefore does not account for jobs not covered by unemployment. The Township has jobs to housing ratio of approximately 1.5 to 1, which is an indicator that the Township is an employment center. The jobs-to-housing balance is often considered as a measure of sustainability and stability. A balance of 1.1 or higher indicates that at least in theory one person from each household could work within the Township. The fact is that many still commute by choice or necessity, based on the particular requirements of the employed and the employer. The municipal jobs-to-housing balance is numbers based and does not consider whether jobs are integrated within or close to neighborhoods, and whether there is incentive for people to seek both jobs and housing within the municipality. Opportunities to live and work in the Township may improve quality of life in the town by reducing costs, travel time, stress, and environmental impacts.

² U.S. Census Bureau

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, since 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 had diminished outside the Pinelands area.

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.

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 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 regulation 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 new road 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 desires for experience (rather than just convenience), 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. Specifically the development of a senior center at the Municipal Center.
- 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.

1990 and 1998 Master Plans

Some of the problems and objectives identified in earlier Master Plans are also noteworthy in the context of this Reexamination report.

At the time of the 1990 Master Plan, there was limited sewer capacity at the Elmwood sewage treatment plant. The capacity of the Elmwood Plant was 1.5 million gallons per day (MGD). In the mid 1990s a sewer moratorium was enacted that prohibited new connections to the Elmwood Plant until the capacity was increased. The moratorium was lifted in 1996.

The 1998 Master Plan acknowledged that additional sewer capacity had become available, but estimated that an uncommitted capacity of only 80,000 gallons per day remained above what was required for the build out that would result from the zoning densities in place at the time.

The 1990 Master Plan also identified environmental constraints, such as freshwater wetlands, that would restrict development in the Pinelands Area and in the northeastern area of the Township where sewer service would not be available, because the higher water table would constrain the ability to construct septic systems. The LD zoning district was created to provide a residential district that would be compatible with the infrastructure and environmental constraints, and that would form an informal urban growth boundary.

**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 Reexamination/Amendment. Several land use related challenges remain, but the Township's proactive planning efforts work to maximize opportunities to meet the challenges.

Age-Restricted Housing

The 2006 Master Plan includes an assessment of the market for different types of age-restricted housing. "Active adult" communities typically consist of single family homes on lots ranging from 5,000 to 10,000 square feet, restricted to childless households with at least one resident 55 or older. Active adult communities had experienced rapid growth from the 1990s through 2006. These communities responded to the needs of aging baby boomers, but the development of these units was also accelerated by permissive municipal land use policies that welcomed this type of housing. Congregate or continuing care retirement communities are a different type of age restricted housing, which are typically set up in a multi-family format and provide some services to residents such as prepared meals, transportation, and social activities. A third type of age-restricted housing is nursing or assisted living facilities, which provide additional services and skilled nursing care to residents.

The 2006 Master Plan concluded that there are sufficient numbers of age-restricted "active adult" units in Evesham and surrounding municipalities to meet market demand. The 2006 Plan acknowledged that use variances had already been granted to permit age-restricted housing on two properties in the IP zone on the west side of Sharp Road (Block 15 lots 7 & 8), known as Sharp Run Seniors. In recognition of the approval for Sharps Run Seniors, the Master Plan recommended rezoning the property to the SEN-2 district. This zoning change was not adopted.

The 2006 Master Plan had recommended that the AH-1A zone on Lippincott Drive be revised to permit continuing care facilities and independent living in addition to assisted living and skilled nursing units. This change was made in 2007, with revisions in 2009, and in 2009 a 150 unit facility (Homestead at Evesham) was approved for the Lippincott Drive site (block 24.24 lot 2), which will include 32 affordable units. Another continuing care facility consisting of 201 units (23 affordable) was approved in 2008 on Greentree Road (block 2.01 lots 5, 5.01, 6, 8) and is currently under construction.

Senior Recreational, Transportation, and Service Needs

The Township has considered the development of a senior center at the Municipal Center. The senior center would be an integrated part of the overall municipal center complex. The Township is in the process of acquiring additional property adjacent to the municipal building. The feasibility of developing a senior center depends on the availability of funds, but will continue to be pursued.

Industrial Zoning on Sharp Road

The 2006 Master Plan had recommended changing the zoning of the Township owned property (block 15 lot 9) on the west side of Sharp Road at Evesboro-Medford Road from IP

to INS to reflect the public ownership. This zoning change has not been adopted. The property was purchased by the Township as a potential site for a public works depot, but that plan has been suspended, and future use of the site is unknown. Green Acres funding was not used to purchase the property, so the area is not restricted for open space use. It may instead be utilized for another municipal facility in the future.

Appropriateness of Zoning of Undeveloped Land

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, is ongoing. The 2010 Master Plan Amendment and the Vision Plan, along with the zoning changes adopted by ordinances 16-7-2010 and 18-8-2010 have begun to lay the foundation for development and redevelopment in the Evesham Crossroads Area by reconciling the land use regulations with the desired scale, character and uses that will create economic and community value in furtherance of Township's Vision for the area.

The zoning for undeveloped land in the northeastern quadrant of the Township is considered in detail in sections C and D below.

Elimination of Marlton Circle and Implementation of the 2020 Vision Plan

The 2010 Master Plan amendment incorporated the Vision Plan as an element of the Master Plan and also provided recommendations in support of the Vision Plan. The 2010 Master Plan recommendations set the stage for a cooperative and coordinated land use planning process and linked the Vision Plan to the Township's land use regulations. The Evesham Crossroads Overlay zone was adopted by Township Council (Ordinances 16-7-2010 and 18-8-2010) following the adoption of the Master Plan Reexamination.

The 2010 Master Plan Reexamination also recommended, consistent with the Vision Plan, that the Marlton Village and C-3 zoning district be reviewed and revised to support the vision for Marlton Village as a vibrant mixed-use, pedestrian oriented district. The land use requirements for Marlton Village have not yet been revamped.

The 2010 Master Plan Amendment and Vision Plan also recommended that the zoning for Old Marlton Pike be reviewed and revised as needed to encourage the transformation of the properties to support mixed-uses and a more pedestrian oriented streetscape. This focus area has not yet been reviewed in detail.

Redevelopment

As the availability of vacant land in Evesham is diminished, redevelopment and adaptive re-use of existing structures will become the predominant form of new development. Particularly in the commercial highway corridors, persistent vacancies, large underutilized parking areas, and obsolete site and building design invite reconsideration of the best use of the properties. Properties in need of revitalization are an aesthetic and economic drain on the community. The sites also present an opportunity to respond to new economic realities and consumer desires. These properties may be reinvented, redesigned, and returned to productive use. In order to incentivize redevelopment and to foster place-making, a flexible array of uses must be permitted, while requiring a high standard for design and comprehensive planning.

The Vision Plan and implementing ordinances provide a platform for redevelopment and revitalization of previously developed properties, and encourage lot consolidation and coordinated planning and design. Several property owners, such as the owner of the Staples

Center on Route 70, which was built in the 1950s, have expressed interest in working with the Township to revitalize their properties, adding value from both a private and public standpoint.

The Township prepared a Redevelopment Plan for the Old Municipal Building site on East Main Street, and is currently working with a redeveloper to implement the plan. When developed, the site will anchor Main Street and add to the vitality of Marlton Village.

In 2009 the Township adopted a Municipal Center Overlay to encourage an interconnected mixed-use node around the existing municipal building, library and recreation facilities. It is anticipated that the Morrison Garden Center property will be redeveloped with uses that complement the municipal facilities.

Open Space and Recreation Plan

The Township has been working with Delaware Valley Regional Planning Commission (DVRPC) to prepare a new Open Space and Recreation Plan. Once the draft is completed, the Plan will be presented to the Planning Board. The Township has continued with its open space acquisition program, preserving active and passive recreation sites as funding permits.

In order to address a perceived shortfall in active recreation facilities the Township has installed a multipurpose year around synthetic turf field and lights. The Township has also developed a walking trail at Croft Farm, and has been endeavoring to encourage an environment that promotes walking and bicycling.

Affordable Housing

The Township has continued its on-going efforts to comply with affordable housing obligations and to provide opportunities for low and moderate income households. Despite an uncertain regulatory environment and budgetary constraints the Township continues to pursue opportunities to create and retain affordable housing units. The Township prepared a Housing Element and Fair Share Plan in 2006 consistent with the initial Third Round COAH rules and then prepared a completely new Housing Element and Fair Share Plan in 2010 consistent with the revised Third Round COAH rules. The Fair Share Plan was filed with the Court in February 2010, but before it could be approved the rules were again overturned. In October 2010 the Third Round COAH rules were substantially invalidated by the Appellate Division; and the case will now be taken up by the State Supreme Court. At the same time the New Jersey State Legislature has considered laws that would change the affordable housing regulatory system in the State. Though one proposal did make it through the Assembly and the Senate, it was vetoed by Governor in January 2011. It is anticipated that a new proposal is forthcoming, but has not been released as of April 2011.

Despite the uncertainty, the Township has been successful in partnering with developers to provide a variety of housing opportunities and dwelling types for residents at various income levels. Though the Township was protected by an immunity order, in 2009 before the Township had completed its new Third Round Housing Element and Fair Share Plan, the owner of a property on Sharp Road that wished to develop inclusionary apartments on his property was permitted limited intervention to participate in the Township's affordable housing planning process. For reasons explained in the Fair Share Plan, the Township did not include the property in the Fair Share plan, but continued to pursue several opportunities to provide affordable housing.

In 2008 MEND's 104 unit family affordable development opened on Sharp Road; the Shelter Development inclusionary continuing care facility on Greentree Road is under construction; a new group home being constructed by Family Services at Evesboro-Medford Road and Barn Road will open in 2011; expiring affordability controls have been extended for seven affordable units in the Township; the Homestead at Evesham inclusionary independent and assisted living facility on Lippincott Drive will commence construction in the fall of 2011; and the Township continues to provide funding for rehabilitation and affordability assistance for low and moderate income households through the Affordable Housing Trust Fund.

The uncertain regulatory environment makes it difficult for municipalities to plan for affordable housing, but notwithstanding the uncertainty the Township will move ahead to generate affordable housing using creative opportunities to bring private and public interests together when possible.

Wastewater Infrastructure

At the time of the 1990 Master Plan, there was limited available sewer capacity at the Elmwood sewage treatment plant. The capacity of the Elmwood Plant was 1.5 million gallons per day (MGD). As a result of the limited sewer capacity, it was anticipated that development in the northeastern portion of the Township would be constrained by the requirements for septic systems. The LD zoning district was created to provide a residential district that would be compatible with the infrastructure and environmental constraints, and that would form an informal urban growth boundary. In the mid 1990s a sewer moratorium was enacted that prohibited new connections to the Elmwood Plant until the capacity was increased. The sewer moratorium was lifted in 1996.

The 1998 Master Plan acknowledged that additional sewer capacity had become available, but estimated that an uncommitted capacity of only 80,000 gallons per day remained above what was required for the build out that would result from the zoning densities in place at the time. The permitted density in the LD district was increased from .5 unit per acre to 1 unit per acre on tracts of land over 20 acres when public sewer and water are available.

At this time the rated capacity at the Elmwood Plant is 2.97 million gallons per day, and there are approximately 960,000 gallons of uncommitted capacity. Further, sewer lines have been extended to serve developments on Evesboro-Medford Road, North Elmwood Road, and Sharp Road.

- 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)

While 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, there have been some circumstantial changes in and around the Township that warrant consideration of land use policy changes.

Specifically, several conditions have changed in the northeastern area of the Township since the LD zoning designation was implemented following the adoption of the 1990 Master Plan. The development pattern that has taken shape over time, and the changed circumstances related to infrastructure availability warrant a review of the density and housing types permitted by the current zoning for the area.

1. LD Zoning District

The Low Density (LD) zoning district is located in three distinct areas of the Township, as shown on the Evesham Township Zoning Map (MAP 2) and as described below.

- a. **Northeastern area of the Township**, generally north of Evesboro-Medford Road, from the Musulin Farm eastward to the Township border with Medford and north to the border with Mount Laurel. In addition to the Musulin Farm on Church Road and the Colts Run development on Evesboro-Medford Road, this includes land on both sides of North Elmwood Road north of Reynards Run and Village Greens, and land on the west side of Sharp Road north of Sharps Run Creek (and north of the Sharps Run seniors development), and also one parcel (Hayverhill) between the MEND apartment development and the Medford Township line.
- b. **Twelve properties on the north side of Old Marlton Pike** adjacent to the Medford Township line.
- c. **West-central area of the Township, north of the Pinelands Area** boundary. The LD zone is east of Route 73 and north of Braddock Mill and Tomlinson Mill Roads, and south of Marlton Parkway.

2. Purpose of the LD Zoning District

The creation of the LD zoning district was recommended in the 1990 Master Plan as described in section 5 below. In accordance with section 160-63 of the Zoning Code, the purpose of the Low Density (LD) Zoning District is:

To protect the environmental value of areas which do not have the infrastructure to support large areas of development, to serve as a transitional area between development and low density/protected areas, to buffer lands of greater environmental value and to help to establish an informal urban growth boundary. The areas located within the LD Zone do not presently have public sanitary sewer facilities or public water facilities available. Based upon existing information as to the capacity and availability of public sanitary sewer service and facilities in the Township, a limited amount of sanitary sewer service will be available to the LD District. Given soils, groundwater and other conditions in the area zoned LD, septic systems will not properly function on lot areas less than that required in the LD Zone.

3. Permitted Uses in the LD Zoning District

Permitted principal uses in the LD zoning district include:

- Agriculture, including silviculture and horticulture.
- Conservation areas and parks.
- Single-family dwellings, with and without clustering.
- Cemeteries.
- Commercial recreation.
- Group homes.

Conditionally permitted uses include:

- Houses of worship.
- Home occupations.
- Public, private and parochial schools.

4. Current Requirements for Residential Development in LD Zone

Section 160-63 of the Township Code provides the requirements for development in the LD district.

Requirement	Single Family on Septic/Wells	Single Family Cluster with Public Water and Sewer
Minimum Tract Area	n/a	20 acres
Density (dwelling units per acre)	.5 du/acre	1 du/acre maximum
Minimum Lot Area	2 acres	1 acre
Min Lot width at setback	200 feet	150 feet
Maximum Clearing limit ratio	.2	.25
Front Yard setback (min.)	100 feet	60 feet
Side Yard setback (min.)	50 feet	25 feet
Rear Yard setback (min.)	50 feet	40 feet
Maximum Impervious	.15	.2
Maximum Building height	35	35
Minimum open space ratio with clustering	n/a	.20
Minimum buffer to Evesboro-Medford Road is 200 feet		

5. Changes in the Northeastern LD District Since the LD Zone Was Created

The LD district was applied to the northeastern area of the Township following a recommendation in the 1990 Master Plan, in recognition of the environmental constraints in the area and the limited sewer treatment capacity at the Elmwood Plant. The LD zone required minimum lot size of 2 acres. At that time it was anticipated that the area would eventually be served by public water system, but not by the public sewer system (new development would be served by septic systems). The capacity of the Elmwood sewage treatment plant was limited to 1.5 MGD (million gallons per day). Prior to the 1990 Master Plan, most of the area had been zoned for medium density residential (R-1 and R-2) which permitted single-family detached dwellings on lots ranging from 6,000 square feet to 10,000 square feet minimum. The 1998 Master Plan acknowledged that additional sewer capacity had become available, though not enough to restore the former densities. At that time the permitted density was increased from ½ unit per acre to 1 unit per acre with public water and sewer, and on tracts 20 acres or greater. The minimum lot size for properties served by septic systems remained at 2 acres.

The following factors are relevant in consideration of the LD zoning district in the northeastern area of the Township. **Appendix A** includes a list of existing and approved development in the vicinity of the northern LD zoning district

- a. A sewer moratorium was in effect from 1994 to February 1996. When the sewer moratorium was lifted development in the northeastern portion of the Township proceeded rapidly.
- b. The 1998 Master Plan encouraged housing opportunities for older adults, to serve aging population while not burdening school system. Land that had formerly been in the original LD zone was re-designated as SEN-2, and became Legacy Oaks (the ERP site).
- c. Later, additional lands from the LD zone were added to the SEN-2 district to enlarge the Legacy Oaks development to include Mitchell Court and Anderson Court. A total of 239 units were developed.
- d. Parts of Blocks 11.38 and 11.39 on Posterity Place, Liberty Lane, Preamble Drive and United States Circle were formerly part of the LD zone, but were rezoned to become part of the adjacent MD zone and were developed in the early 1990s with single family homes as part of the Ravenscliff development off of Church Road.
- e. Colts Run, a single family residential subdivision was developed with 170 homes, at a density of 1.55 units per acre. The site is within the LD zoning district, but earlier zoning had permitted a maximum density of 2.25 units per acre, so the development was able to proceed using the prior standards. A total of 68.72 acres of open space were provided as part of the development and a range of lot sizes were permitted.

- f. The Woodlands, a single family residential subdivision was developed with 147 homes at a density of 1.33 units per acre. The site is within the LD zoning district, but earlier zoning permitted a minimum lot size of 10,000 square feet, so the development was able to proceed using the prior standards
- g. The AH-3 Affordable Housing District was created in 2007 for Block 14 Lot 2 on the east side of Sharp Road in order to accommodate a municipally sponsored 100% affordable apartment development (MEND) of 104 units.
- h. The zoning board approved the development of 38 duplex units on Block 15 lots 3, 4, 5, 6 & 12 in the LD district on Sharp Road immediately to the north of Sharp's Run. This development has not yet been constructed and the property owner has moved to intervene in Evesham's Fair Share (COAH) proceedings. The applicant objected to the Township's affordable housing plan indicating that they would like to be included in the Fair Share Plan and conceptually proposed 196 apartments on the site with an affordable housing set aside. The Township has maintained that this site is not the most suitable location for the development of rental apartments, and has defended its affordable housing plan. The applicant has now proposed a settlement which is being considered by Township Council.
- i. Riding Run/Knights Bridge (53 units) and Tuxedo Court (14 units) are two single family developments that were also developed off of North Elmwood Road.
- j. Village Greens age-restricted development, consisting of 326 units was build in the SEN-1 district, immediately to the south of the LD zoning district.
- k. Legacy Oaks age-restricted development consisting of 239 units was built in the SEN-2 district immediately to the south of the LD zoning district.
- l. Sharps Run Seniors development was approved by Use Variance in the IP zone on Sharp Road immediately south of the LD district. There were two separate applications for 22 and 57 units. The 57 unit section of the development is under construction.
- m. Lipinski site has been developed at the intersection of Sharp Road and Evesboro Medford Road.
- n. Sewer and water service have been extended to the area to serve the developments above. Sewer lines have been installed all the way up Sharp Road to serve the Hayverhill development and the MEND apartment development. On North Elmwood Road the sewer lines go as far north as Clydesdale Court. Wastewater from the northeastern portion of the Township is treated at the Elmwood Plant. The current uncommitted capacity at the Elmwood Plant is 960,000 gpd.

6. Zoning in Adjacent Municipalities

One of the stated purposes of the LD zoning district is to serve as a transitional area between development and low density and protected areas, to buffer lands of greater environmental value and to help to establish an informal urban growth boundary. While this function holds true in the LD zoning district in the central area of the Township, where it serves as a transition from the moderate density areas to the more rural pinelands area, it is not preserving the same function in the northern portion of the Township. In addition to all of the changes noted above, changes have also taken place in the adjacent municipalities.

Mount Laurel Township

The zoning in Mt Laurel in the vicinity of the shared boundary along the eastern portion of the northern Evesham Township line is R-3 which permits lots a minimum of 20,000 square feet in area. The majority of the properties in Mount Laurel along Church Road are developed with residential homes.

Medford Township

The zoning in Medford in the vicinity of the shared boundary along the northern portion of the eastern Evesham Township line, north of Sharps' Run is Growth Management Area North (GMN) which permits Agricultural uses, Single-Family Detached dwelling units, Patio Homes and Two-Family dwelling units with public sewer and water, townhouses with public sewer and water, public, quasi-public and recreational uses, continuing care retirement communities and several other conditional uses. The minimum lot size for single family residential is 1.25 acre with septic systems and 30,000 square feet with public sewer. Patio homes and townhomes are permitted on tracts of at least 10 acres, with a maximum density of 1.25 unit per gross acre, and a maximum of 5 units per usable upland acre (net). The area along the boundary south of Sharps Run is in the Highway Management (HM) zone, which permits a variety of commercial uses as well as age-restricted residential.

Twenty-eight homes are developed along Wellesley Way on approximately one acre lots, part of the Hayverhill subdivision. Another portion of this development slated to be developed in Evesham on Block 14 Lot 1, has not yet been constructed.

7. Affordable Housing and COAH

Another policy change relates to the rules of the Council on Affordable Housing, which have been continually changing over the last seven years. The COAH rules have been and continue to be vetted in Court and the legislature and the Christie Administration have been considering how to reform the affordable housing system. As set forth in section B above, the affordable housing regulations are in a state of flux. Though the Township's motion for a stay of the Third Round affordable housing plan review was granted through the end of 2011 in light of the on going controversy and litigation surrounding the affordable housing laws, the Township must continue to consider potential means to provide opportunities for affordable housing that are consistent with the Township's overall planning policies and that may be provided without placing an unreasonable financial or administrative burden on the Township.

8. New Jersey State Plan

A further policy change relates to the New Jersey State Plan. Past Master Plans have considered the relationship of the Township's planning policies to the New Jersey State Plan. The status of the State Plan is also unsettled at this time. The Office of Smart Growth, which provided staff and support to the State Planning Commission, has been moved from the DCA to the Department of State and has been renamed the Office of Planning Advocacy within the Business Action Center. The Business Action Center is tasked with coordinating planning throughout New Jersey to protect the environment and guide future growth into compact, mixed-use development and redevelopment. According to the Business Action Center website, "the office implements the goals of the State Development and Redevelopment Plan to achieve comprehensive, long-term planning; and integrate that planning with programmatic and regulatory land-use decisions at all levels of government and the private sector."

The Office of Planning Advocacy has recently embarked upon a "State Strategic Planning Process", which is a cabinet-level effort that will result in a set of recommendations that will transform the existing statewide framework for land use planning into one that prioritizes and supports sustainable economic growth.

The current State Plan was last re-adopted in 2001 and is several years past the statutory deadline for re-adoption. The Office of Planning Advocacy has found that "the current Draft State Plan prepared for re-adoption is considered to be overly complex, leaves unresolved conflicts between various State rules/regulations and fails to prioritize and support sustainable economic growth." Additionally it is acknowledged that the circumstances and conditions faced by New Jersey at the time the Draft State Plan was developed are quite different than today's realities. The strategic planning process currently underway will aim to find ways to reconcile existing and competing statutes and regulations, to minimize conflicts between different arms of state government and provide a common vision for New Jersey. The Office of Planning Advocacy will release a report in June 2011, which may set the wheels in motion to revive and improve the State Planning framework.

**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 Master Plan Reexamination and Amendment and the Evesham 2020 Vision Plan, and by adopting this 2011 Master Plan Reexamination and Amendment. Together the Master Plan documents will guide future land use and design. When the Open Space and Recreation Plan is completed that too may be adopted as an element of the overall Master Plan.

The specific recommendations are listed below and will serve to ensure that the Township's land use regulations support the goals and objectives as the Township strives to implement effective regulations and efficient processes.

1. **LD Zoning District.** Lands currently within the LD zoning district should remain within the LD zoning district, with the existing one unit per acre density, when water and sewer are available. It is recommended that more compact clustering be permitted to allow for a more efficient and flexible development pattern.
 - a. There are two significant tracts of farmed land (block 11.52 lots 2 and 3) on the west side of North Elmwood Road north of Evesboro Medford Road that connect to preserved open space associated with the Colts Run development and then on to the preserved Musulin Farm. Preservation of these properties is encouraged.
 - b. Remove the requirement within the LD zone that the tract size must be a minimum of 20 acres in order to utilize the one acre density when water and sewer infrastructure are available. Several lots on block 11.51 for example are in the three (3) to eight (8) acre range. Where public water and sewer service are available, the extension of these utilities to developable land in this area is preferred to wells and septic systems because of the environmental constraints (wetlands and buffers) and a potentially high water table. Since water and sewer lines are already available in the area, and since the surrounding area is generally developed with a suburban development pattern, the further extension of sewer and water will promote a more efficient development pattern. The provision of public utilities will better preserve the natural environmental characteristics of the area and may lessen the disturbance needed for each development.
 - c. Add clustering provisions that would permit clustering on 12,000 square foot lots in the LD zoning district on tracts a minimum of ten (10) acres where water and sewer are available in order to promote more efficient development and more contiguous open space, without exceeding the 1 unit per acre gross density. The clustering provisions should require that a minimum of 10,000

square feet of each developable lot be usable uplands area (not wetlands or wetland transition buffers) and should also provide site design guidance that encourages the preservation of natural features, the protection of significant trees, and vehicular and pedestrian connectivity between the development and the surrounding community.

2. **Create an MDR (Moderate Density Residential) Overlay.** The MDR overlay would apply to areas of the LD zone east of North Elmwood Road and North of Evesboro-Medford Road as shown on MAP 3. The specific properties are listed in Appendix B. The overlay could be utilized at the option of the applicant if the requirements of the overlay zone are met. It is recommended that the MDR permit single family homes at a density of 2 units per acre with clustering on lots a minimum of 10,000 square feet; and permit townhomes at a maximum density of 2.3 units per acre. This flexibility will maintain a density generally consistent with the surrounding area, will allow development to respond to the features of a particular site, and will be responsive to market demands. The clustering provisions would provide guidance to preserve valuable open space and environmental features. The townhouse option would provide a 15% increase in density over the single family option, but could provide 70% to 80% more open space. The overlay would require that development have access to public water and sewer service, would require that developable lots be outside of wetland and buffer areas, and would require a minimum tract area of 10 acres. Site design and building design standards would be provided to ensure high quality development that creates a sense of place and contributes to the Township's character.

- a. There are approximately 155 undeveloped acres in the proposed MDR overlay area. This includes two properties for which there are existing approvals, but construction has not yet commenced (the Hayverhill site is 36.6 acres and the Eisner/MiPro site is 42.17 acres).
- b. The cluster development provisions in the zoning code will be refined to provide clear guidance and to maximize the value of open space for the community overall and for future residents of the developments. The provisions of the overlay would provide opportunities for an appropriate density and scale of development and would require that environmentally sensitive areas be preserved.
- c. Subdivision proposals should be required to identify freshwater wetland areas, buffer areas, and other natural resources and environmental characteristics on each site in order to determine areas most conducive to development.
- d. Include design standards to ensure that development will result in high quality neighborhoods with character and a sense of place (i.e. not "cookie cutter").
- e. Require a proportionately appropriate affordable housing set aside or payment-in-lieu within the MDR overlay area to assist the Township in achieving its affordable housing compliance objectives. The extent of the

Township's third round affordable housing obligations is unknown, but an affordable set aside or payment-in-lieu will assist the Township in remaining an inclusionary community and in meeting its obligations moving forward.

3. **Rezone PSE& G properties.** Lots 2 & 11.09 in Block 15 are owned by PSE & G and are presently within the LD zoning district. The Cox Corner electrical substation is located on lot 2 and lot 11.09 contains an access drive. The properties have frontage on North Elmwood Road and Sharp Road. It is recommended that the properties be redesignated as INS Institutional zone to reflect their present public utility use. The INS zoning district standards should also be amended to permit unmanned public utilities and to provide performance standards for the use.
4. **IP Zone West Side of Sharp Road.** The 2006 Master Plan had recommended that the properties within the IP Industrial park zoning district on the west side of Sharp Road be rezoned. The 2006 recommendation was that Block 15 lot 7 and 8 be designated as SEN-2 consistent with the use variances that had been granted to permit age-restricted residential, and that Block 15 lot 9 be designated as INS since it is owned by the Township. Though the development on lot 7 has commenced, the development on lot 8 has not begun and it is uncertain whether that development will be constructed as planned. Lot 9 (also referred to as Block 15.14 lot 99) is owned by the Township, but was not purchased with Green Acres funding. It was initially purchased as a possible location for a public works facility, but that plan has been suspended. The prospective use of the site is unknown at this time, but it may be developed for some use in the future. It is recommended that all three properties remain in the IP district at this time.

- 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 that was designated in 2008. However, 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" area, specific properties or areas may emerge as candidates for redevelopment. Where redevelopment or rehabilitation designation has the potential to reverse a trend toward decline, to incentivize redevelopment of neglected properties, 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.

APPENDIX A

Existing and Approved Development in the vicinity of northeastern LD Zoning District

Existing and Approved Development in the vicinity of northeastern LD Zoning District

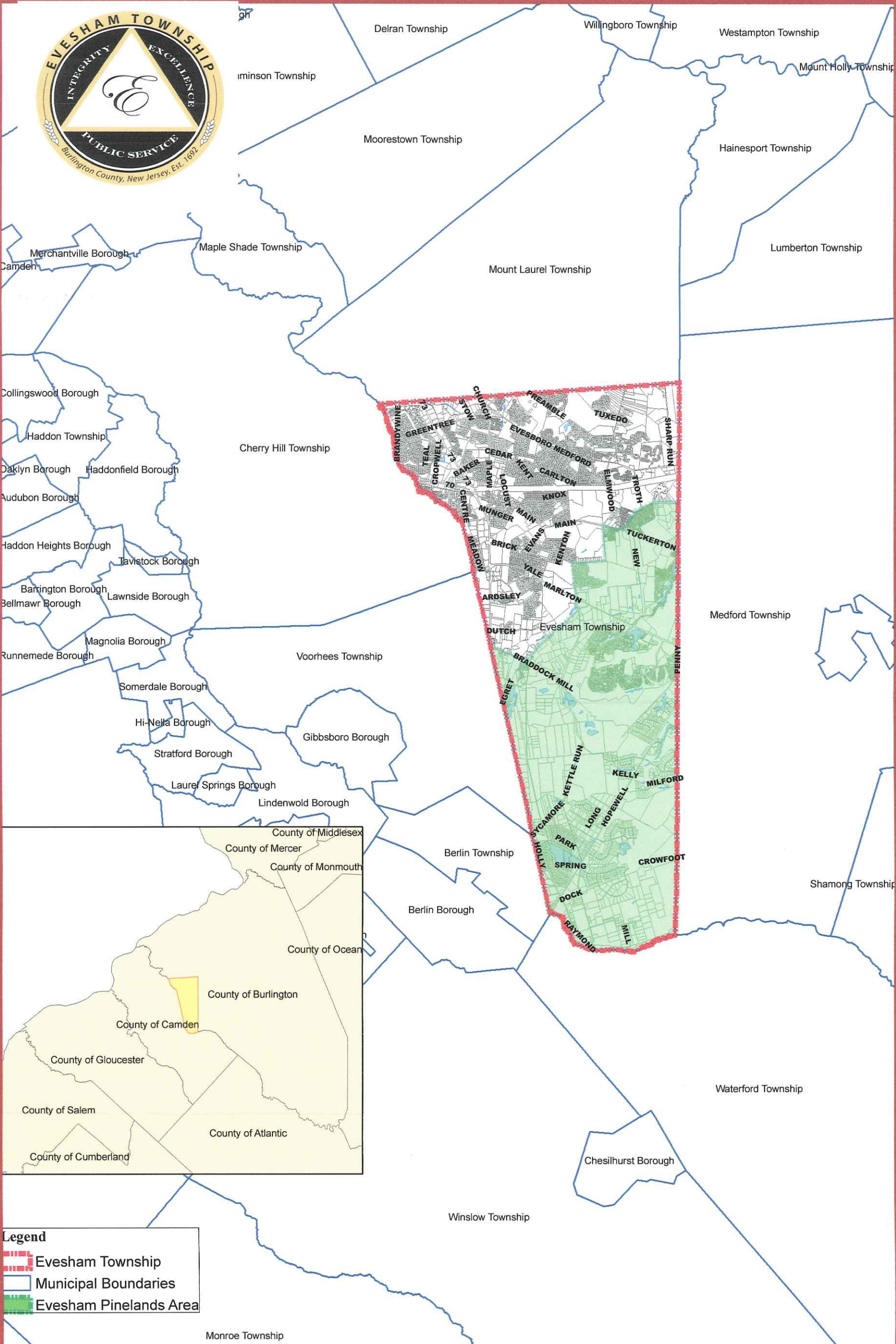
Block and Lot	Development Name	Location	Number of Units	Tract Size	Density	Built?
	Colts Run	Evesboro - Medford	170	112 acre	1.51 du/acre	Yes
	Riding Run/ Knightsbridge	N Elmwood	53	81.42 acre	.65 du/acre	Yes
B 11 L 17, 19, etc	Woodlands	N Elmwood	147	110.8 acre	1.32 du/acre	Yes
	Legacy Oaks	Evesboro-Medford	239	159 acres	1.5 du/acre	Yes
B 15 L 7	Sharps Run Seniors	Sharp Rd	57	24 acres	2.37 du/acre	Under construction
B 15 L 8	Sharp Run Seniors 2	Sharp Rd	22	11.58 acre	1.89 du/ acre	No
	Tuxedo Court	N Elmwood	14	21.45 acre	.65 du/acre	yes
B 14 L 2	Sharp Run Apts (MEND)	Sharp Rd	104	49.16 acre	2.11 du/acre	yes
B 14 L 1 & 1.01	HayverHill	Wellesly Dr	21	36.6	.57 du/acre	no
B 15 L 3, 4, 5, 6, 12	MiPro	Sharp Rd	38 approved	42.6	.89 du/acre	no

Appendix B

Properties within the proposed MDR Overlay

Evesham Township Proposed MDR Overlay Zone		
BLOCK	LOTS	BASE ZONE
14.01	1 - 10	LD
14.02	1-12	LD
15	1	LD
15	1.01	LD
15	1.02	LD
15	1.03	LD
15	1.04	LD
15	1.05	LD
15	1.06	LD
15	1.07	LD
15	2.01	LD
15	2.02	LD
15	3, 4,5, 6	LD
15	10.01	LD
15	11	LD
15	11.03	LD
15	11.04	LD
15	11.05	LD
15	11.05	LD
15	11.07	LD
15	11.08	LD
15	11.10	LD
15	11.11	LD
15	11.12	LD
15	11.13	LD
15	11.14	LD
15.01	1-43	LD
15.01	45	LD
15.02	1-9	LD
15.08	1	LD
15.08	2	LD
15.08	3	LD
15.08	4	LD
15.09	1-6	LD

Evesham Location Map



Legend

- Evesham Township
- Municipal Boundaries
- Evesham Pinelands Area

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Evesham Township Burlington County, NJ	
Evesham Location Map Sources:	
Parcel Data: Burl. Co. Planning Department	
NJDEP GIS Layers	
Scale: 1"= 1.5 mile	
Date: April 8, 2011	Proj: EVI2011
Prepared By: Leah Furey Bruder PP AICP #5851	
<small>*This map was developed using NGIN/ NJDEP Geographic Information System digital data, but this is a secondary product which has not been verified by the NGIN/ NJDEP and is not state authorized.</small>	

1.50.7501.5

Miles

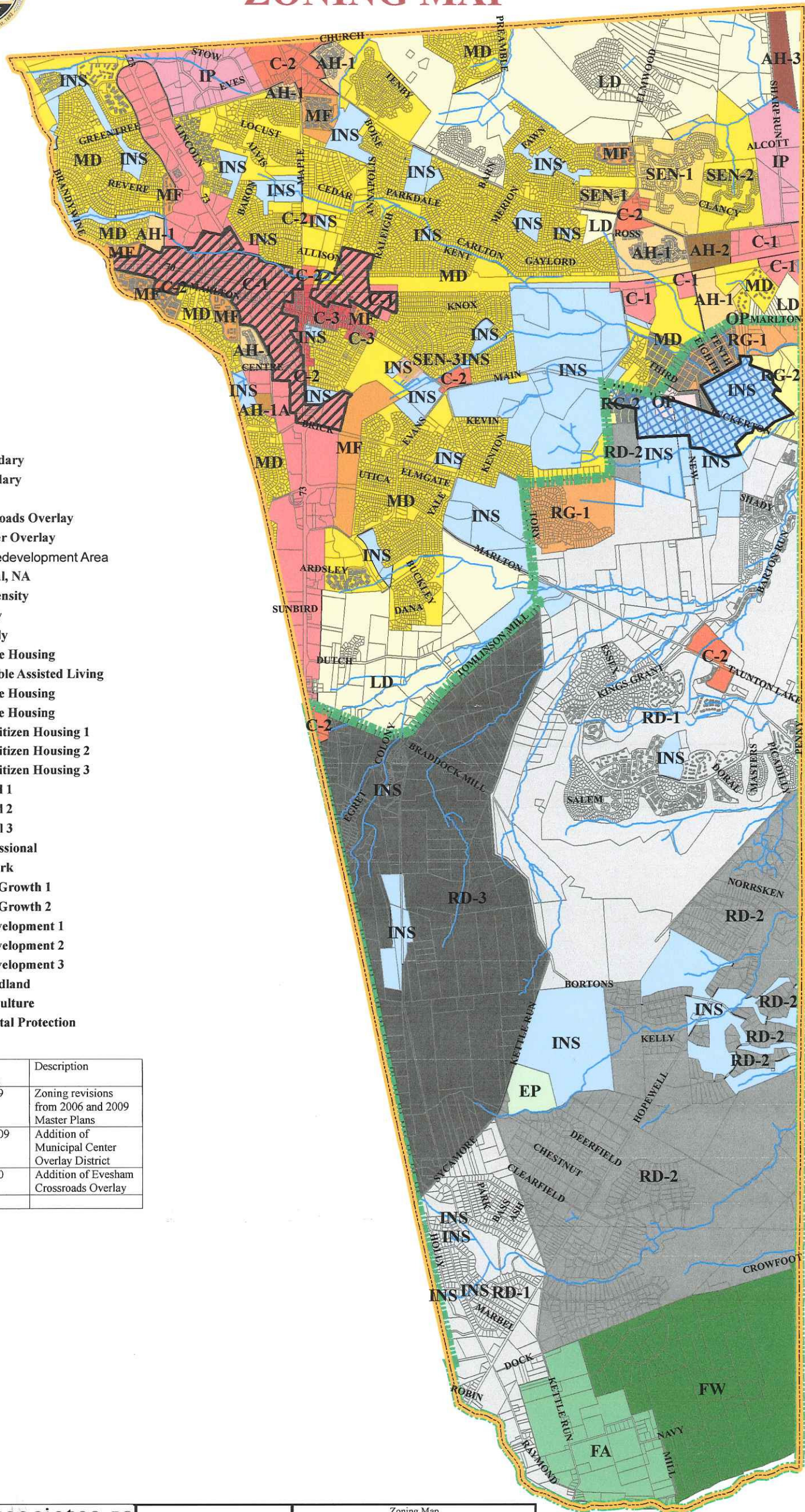


EVESHAM TOWNSHIP ZONING MAP

Legend

- Municipal Boundary
- Pinelands Boundary
- Streams
- Evesham Crossroads 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 Number	Date of Adoption	Description
12-9-2009	9/15/2009	Zoning revisions from 2006 and 2009 Master Plans
15-12-2009	12/15/2009	Addition of Municipal Center Overlay District
16-7-2010	7/13/2010	Addition of Evesham Crossroads Overlay



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Evesham Township
Burlington County, NJ

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

Zoning Map Sources:

Parcel Data: Burlington County Planning Department
Zoning Data: 2004 Zoning Map prepared by Alaimo Associates
Scale: 1"= 3,500'
Date: July 13, 2010
Proj: EVT2010
Prepared By: Leah Furey PP AICP #5851 Ryan Conklin PP AICP #6054

3,500 1,750 0 3,500
Feet



MAP 2



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Evesham Township
Burlington County, NJ

Parcel Data: Burl Co. Planning Department

Source: NDEP GIS Layers

Scale: 1" = 1.5 mile

Date: April 8, 2011

Proj: EV72011

Prepared By: Leah Finney-Boulder PP AICP #8381

Northeastern Area Zoning and Proposed Overlay
Evesham Township, NJ

700 350 0 700

Feet