

SPRINGFIELD TOWNSHIP BURLINGTON COUNTY MASTER PLAN REEXAMINATION



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SPRINGFIELD TOWNSHIP 2159 Jacksonville Jobstown Rd, Jobstown, NJ 08041

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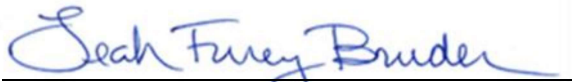
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The original of this document was signed and sealed in accordance with N.J.A.C. 13:41-1.3.b

An initial draft of this report was prepared by Elizabeth McManus, PP, AICP, LEED AP in December 2020. This report has been modified, but retains some of Ms. McManus' work.

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Introduction

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

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

A Reexamination Report is a review of previously adopted Master Plans, amendments, and local development regulations to determine whether the ideas and policy guidelines set forth therein are still relevant and consistent with the municipality's evolving needs. Under the Municipal Land Use Law, the Planning Board must conduct a general reexamination of its Master Plan and development regulations at least every ten years.

A Reexamination Report must include the following components (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.
- b) The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c) The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and planning, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- d) The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies, and standards, or whether a new plan or regulations should be prepared.
- e) The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

A reexamination report may contain recommendations for the Planning Board to examine certain land use policies or regulations or even prepare a new master plan. Alternatively, if the analysis affirms that the goals, objectives, policies, and recommendations set forth in the previous master plan remain valid, then amendments may not be required. The master plan reexamination report may also incorporate master plan amendments; which can be adopted simultaneously in accordance with the master plan amendment procedures prescribed by the MLUL.

This reexamination report includes all of the required components pursuant to the Municipal Land Use Law, organized for efficiency and clarity. First the Township's previously adopted master plan elements and reexamination reports are outlined. Then, the relevant changes in assumptions, policies, and objectives at the local, county and state levels are identified and briefly explained. Next, the major problems and objectives at the time of adoption of the 2005 Land Use Element and 2010 Reexamination Report are listed, and the report considers the extent to which they have changed, and provides recommendations for areas that should further evaluated in a master plan amendment. Lastly, the Township's redevelopment planning efforts are reviewed together with suggestions for areas that should be considered for redevelopment or rehabilitation area designation in the future.

Past Planning Efforts

The Township of Springfield has adopted several master plans, master plan elements, and reexamination reports since its first Master Plan in 1967. The following is a list of adopted policy documents:

1967 – Master Plan

1987– Master Plan Studies (adopted January 1988)

1987- Housing Plan Element and Fair Share Plan

1993 – Master Plan Reexamination Report

1996 –Master Plan Reexamination and Update Report

2000- Land Use Plan Amendment

2001 – Land Use Plan Element of the Master Plan

2002 – Master Plan Amendment

2003 – Farmland Preservation Element of the Master Plan

2005 –Master Plan Reexamination Report and Land Use Plan Amendment

2008 – Housing Element and Fair Share Plan

2010 – Reexamination Report and Land Use Plan Amendment

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

Several state, regional, county, and local planning events have occurred subsequent to preparation of the 2005 and 2010 Master Plan Reexamination Reports and Land Use Plan Amendments. The following section identifies the relevant changes in assumptions, policies and objectives that have occurred and the impact or potential impact on land use and planning policies in Springfield Township.

Burlington County Comprehensive Farmland Preservation Plan (2009-2018)

In 2008 the Burlington County Board of Chosen Freeholders adopted the Burlington County Comprehensive Farmland Preservation Plan (2009-2018) which sets forth updated data on the County's agricultural economy and land base, updated goals, strategies and indicators, and identifies lands targeted for farmland preservation. This Plan includes several goals and strategies intended to support ongoing farmland preservation and the agricultural economy. Each of these goals, which are listed below, are consistent with the Township's own farmland preservation and development goals.

1. Preservation of an additional 20,000 acres
2. Stewardship of Protected Land and Natural Resources
3. Promotion & Protection of the Right to Farm (RTF)
4. Coordination of Land Use Planning Activities
5. Implementation of Agricultural Economic Development Strategies
6. Coordination of Public Sector Agricultural Services

Additionally, the Plan identifies several properties in Springfield Township as being on the "Acquisition Targeting List". In addition to the large number of farms already preserved in Springfield and the County's significant investment in farm preservation in the Township, the target list places Springfield at the core of County's northern project area.

State Development and Redevelopment Plan

In March 2001, a new State Development and Redevelopment Plan was adopted by the State Planning Commission. As with the first State Plan (adopted in 1992), the 2001 State Plan delineated a series of Planning Areas based on natural and built characteristics and set forth the State's vision for the future development of those areas. The five Planning Areas (listed in descending order from the most developed to the least developed condition) include the Metropolitan Planning Area (PA1), Suburban Planning Area (PA2), Fringe Planning Area (PA3), Rural Planning Area (PA4) and Environmentally Sensitive Planning Area (PA5.). Almost of Springfield is within the Rural Planning Area (PA4) on the State Plan map. The exception is a small area adjacent to Wrightstown that is within the Pinelands Area and is part of the Joint Base McGuire-Dix-Lakehurst.

In April 2004, the State Planning Commission released a Preliminary Plan proposing amendment to the 2001 State Plan, triggering a third round of the State Plan Cross-Acceptance process. While

significant input was gathered from municipalities and Counties during the Cross-Acceptance process, this Plan was never adopted.

A new State Plan, the “State Strategic Plan: New Jersey’s State Development & Redevelopment Plan”, was drafted and released in 2012. This draft State Plan took a significantly different approach to State level planning, with the elimination of Planning Areas in favor of “Investment Areas”. After a series of public hearings at various locations throughout the State, the 2012 Plan was scheduled for adoption by the State Planning Commission on November 13, 2012. However, the adoption was delayed to further refine the Plan and to better account for the impact of Superstorm Sandy which occurred on October 30, 2012. No Plan revisions have been released to date and no further public hearings on the Plan have been scheduled. Until such time as a new State Plan is adopted, the 2001 State Plan remains in effect.

Time of Application Law

The “Time of Application” Law was signed on May 5, 2010 and took effect on May 5, 2011. The effect of this statutory change is that the municipal zoning ordinance provisions that are in place at the time an application for development is filed apply, regardless of whether an ordinance is amended subsequent to such an application being filed. Subsequent caselaw has clarified the legislation to mean that an application filed must be complete in accordance with the ordinance requirements in order to benefit from the time of application law. This is in contrast to previously established case law, where courts in New Jersey held that the ordinance that is in place at the “time of decision” (the moment the Planning Board or Zoning Board of Adjustment votes on the application) is the law that applies to the application.

Renewable Energy Legislation

The New Jersey Legislature has been active legislating to facilitate the production of alternative forms of energy. The following statutes, in particular, relate to alternative energy production and local land use. Springfield’s 2010 land use plan amendment outlined and addressed the renewable energy amendments through 2010, but they are repeated here for ease of review.

- **Industrial Zones.** The Municipal Land Use Law was amended March 31, 2009 to pre-empt local zoning authority and to permit, by right, solar, photovoltaic, and wind electrical generating facilities in every industrial district of a municipality. To be eligible for this permitted use, a tract must be a minimum size of 20 contiguous acres and entirely under one owner.
- **Inherently Beneficial Use.** The Municipal Land Use Law was amended to define inherently beneficial uses and to include solar, wind and photovoltaic energy generating facilities in the definition.
- **Solar Not Considered Impervious.** On April 22, 2010, an act exempting solar panels from being considered impervious surfaces was signed into law. This bill exempts solar panels from impervious surface or impervious cover designations. It mandates that NJDEP shall not include solar panels in calculations of impervious surface or impervious cover, or agricultural impervious cover and requires that municipal stormwater management plans and ordinances not be construed to prohibit solar panels to be constructed and installed on a site.
- On July 9, 2021 a package of bills was signed into law aimed at advancing New Jersey’s

transition to a clean energy future, and to further the goal of reaching 100 percent clean energy in New Jersey by 2050. The legislation will increase solar development and facilitate installation of electric vehicle charging infrastructure throughout the state.

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

Supporters of A5434 believe that the pilot program will demonstrate that large-scale solar energy projects can be used as a tool for farmland preservation, and they presume that agriculture production and solar generation can successfully coexist on the same land. The dual-use solar project pilot program will test the viability of the dual use ideal.

Wireless Telecommunications Facilities

There have been two changes to regulation of wireless telecommunication facilities. The first, a federal law, prohibits municipalities from denying a request by an “eligible facility” to modify an existing wireless tower or base station if such a change does not “substantially change” the physical dimensions of the tower or base station. The term “substantial change” is not defined by the law. Until regulation or case law is issued on this topic, the Township will need to carefully interpret this on a case-by-case basis.

The second regulatory change is an amendment to the Municipal Land Use Law, N.J.S.A. 40:55D-46.2. This new section states applications for co-located equipment on a wireless communications support structure shall not be subject to site plan review provided three requirements are met: 1) the structure must have been previously approved; 2) the co-location shall not increase the overall height of the support structure by more than 10 percent, will not increase the width of the support structure, and shall not increase the existing equipment compound to more than 2,500 square feet; and 3) the collocation shall comply with all of the terms and conditions of the original approval and must not trigger the need for variance relief.

Stormwater Management

The NJDEP updated its stormwater management rules in 2004. Specifically, it adopted the Phase II New Jersey Pollutant Discharge Elimination System Stormwater Regulation Program Rules (N.J.A.C. 7:14A), which addresses the reduction of pollutants associated with existing stormwater runoff, and the Stormwater Management Rules (N.J.A.C. 7:8), which set forth the required components of regional and municipal stormwater management plans and establishes the stormwater management design and performance standards for new (proposed) development. As such, stormwater management plans are now required to be adopted by municipalities, as set forth in N.J.A.C. 7:8. The Township adopted a stormwater management plan in on February 10, 2021.

New Jersey’s most recent revisions to the stormwater regulations took effect on March 2, 2021

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

Cannabis/Marijuana Legislation

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

In 2020 New Jersey Public Question Number 1 was approved by voters. The approval enabled the legislature to adopt legislation that legalized possession and use of marijuana for residents aged 21 and older. There are three related laws; P.L. 2021, c. 16, P.L. 2021, c.19, and P.L. 2021, c.25; that address regulation, enforcement, establishment of the marketplace, and decriminalization. The legislation provides that municipalities had 180 days from February 22, 2021 to adopt an “opt out” ordinance prohibiting one or more types of cannabis businesses. Without the adoption of an ordinance, the retail selling of cannabis would be permitted in all commercial/retail zones, and cultivation, manufacturing, wholesaling, distribution, and delivery services would be permitted in all industrial zones. If cannabis uses are permitted a municipality may impose local taxes as permitted by the legislation. Municipal ordinances may reasonably regulate times of operation, locations, and the number and type of cannabis businesses. Springfield has adopted an ordinance to “opt out” at this time in order to meet the deadline. As more information becomes available, the Township will consider the potential benefits and detriments of permitting some classes of cannabis licenses and will determine whether to modify Township’s policy.

Demographic Changes

The Township has been experiencing demographic shifts typical of small communities with some distance to employment centers. As of July 2021, the results of the 2020 Census have not yet been released. Township data on certificates of occupancy and demolition of homes indicates that between 2010 and 2020, 20 houses were demolished and 22 certificates of occupancy were issued, for a net gain of 2 housing units. It appears that the population of the Township has been relatively stable over the last decade and that household income is trending upward. Median home values have been stable and have recently risen consistent with the nation-wide trend. Real estate economists expect that the housing market will correct and stabilize over the next 18 to 24 months, but that on the whole home values will still be higher than they were before the global pandemic.

The Springfield Township School District educates children in kindergarten through sixth grade. Children in seventh through twelfth grade attend the Northern Burlington County regional middle and high schools. The Springfield school district operates one elementary school. The local school reached an enrollment high of 336 students in 2002, and steadily declined to 192 students (plus 26 pre-school students) in 2017. Since 2017 enrollment has increased to 220 (plus 10 pre-school students) in 2020. It is common for student numbers to fluctuate year to year and it is not possible to regulate the student population without also regulating other aspects of community life. The local elementary school is an asset to the Township as it is a community gathering place that serves the whole Township, and Township residents are invested in the local school.

When the municipal level 2020 Census data is released the population and housing data should be evaluated and compared to the last two censuses and compared to data kept by the Township.

Population and Households				
	1980	1990	2000	2010
Population	2,691	3,028	3,227	3,414
Housing Units			1,138	1,217
Median Age			39.3 years	44.3 years

Data Sources: 1980, 1990, 2000 and 2010 US Census

Median Household Income		
	2000	2010
Springfield Township	\$69,268	\$85,417

Data Sources: 2000 and 2010 US Census

Median Home Value		
	2000	2010
Springfield Township	\$194,800	\$402,000

Data Sources: 2000 and 2010 US Census

Affordable Housing at the State Level

On December 20, 2004, the Council on Affordable Housing's (COAH) first version of the Third Round rules became effective, five years after the end of the Second Round in 1999. At that time, the Third Round was defined as the period from 1999 to 2014 but condensed into an affordable housing delivery period from January 1, 2004 through January 1, 2014. The Third Round rules marked a significant departure from the methods utilized in COAH's Prior Round. Previously, COAH assigned an affordable housing obligation as an absolute number to each municipality based upon a complex formula. The 2004 Third Round rules implemented a "growth share"

approach that linked the production of affordable housing to residential and non-residential development within a municipality.

However, on January 25, 2007, the New Jersey Appellate Court decision, *In re Adoption of N.J.A.C. 5:94 and 5:95*, 390 N.J. Super. 1, invalidated key elements of the first version of the Third Round rules, including the growth share approach. The Court ordered COAH to propose and adopt amendments to its rules within six months to address the deficiencies identified by the Court. COAH missed the deadline but did issue revised rules effective on June 2, 2008 (as well as a further rule revision effective on October 20, 2008). COAH largely retained the growth share approach, but implemented several changes intended to create compliance with the 2007 Appellate Court decision. Additionally, the Third Round was expanded from 2014 to 2018.

Again, various parties challenged COAH's 2008 revised Third Round rules. On October 8, 2010, the Appellate Division issued its decision, *In re Adoption of N.J.A.C. 5:96 and 5:97*, 416 N.J. Super. 462, with respect to the challenge to the second iteration of COAH's third round regulations. The Appellate Division upheld the COAH Prior Round regulations that assigned rehabilitation and Prior Round numbers to each municipality but invalidated the regulations by which the agency assigned housing obligations in the Third Round. Specifically, the Appellate Division ruled that COAH could not allocate obligations through a "growth share" formula. Instead, COAH was directed to use similar methods that had been previously used in the First and Second rounds. The Court gave COAH five months to address its ruling and provide guidance on some aspects of municipal compliance.

COAH sought a stay from the NJ Supreme Court of the March 8, 2011 deadline that the Appellate Division imposed in its October 2010 decision for the agency to issue new Third Round housing rules. The NJ Supreme Court granted COAH's application for a stay and granted petitions and cross-petitions to all the various challenges to the Appellate Division's 2010 decision. On September 26, 2013, the NJ Supreme Court upheld the Appellate Court decision in *In re Adoption of N.J.A.C. 5:96 and 5:97 by New Jersey Council On Affordable Housing*, 215 N.J. 578 (2013), and ordered COAH to prepare the necessary rules.

Although ordered by the NJ Supreme Court to adopt revised new rules on or before October 22, 2014, COAH was deadlocked and failed to adopt the draft rules it had issued on April 30, 2014. In response, Fair Share Housing Center (FSHC) filed a motion in aid of litigant's rights with the NJ Supreme Court, and oral argument on that motion was heard on January 6, 2015.

On March 10, 2015, the NJ Supreme Court issued a ruling on the Motion In Aid of Litigant's Rights (*In re Adoption of N.J.A.C. 5:96 & 5:97*, 221 NJ 1, aka "Mount Laurel IV"). This long-awaited decision provided direction for how New Jersey municipalities may comply with the constitutional requirement to provide their fair share of affordable housing. The Court transferred responsibility to review and approve housing elements and fair share plans from COAH to designated Mount Laurel trial judges. Rather than applying to COAH for substantive certification of housing plans, municipalities must now apply to the Courts. The trial judges, sometimes with the assistance of an appointed Special Master to the Court, and typically with input from Fair Share Housing Center, review municipal plans much in the same manner as COAH previously did.

While the NJ Supreme Court's decision set a process in motion for towns to address their Third Round obligations, it did not assign those obligations. Instead, the fair share obligation is to be determined by the trial courts. However, the NJ Supreme Court did direct that the method of determining municipal affordable housing obligations would be "similar to" the methodologies used in the First and Second Round calculations. Additionally, the Court provided that municipalities should rely on COAH's Second Round rules (N.J.A.C. 5:93) and certain

components of COAH's 2008 regulations that were specifically upheld (including but not limited to redevelopment bonuses), as well as the Fair Housing Act (N.J.S.A. 52:27D – 301 et seq.), to guide planning for affordable housing, preparation of fair share plans, and implementation.

On January 17, 2017, the NJ Supreme Court rendered a decision, In Re Declaratory Judgment Actions Filed By Various Municipalities, 227 N.J. 508 (2017), that found that the “gap period,” the time when there was a lack of clear affordable housing guidance and rules between 1999-2015, generates an affordable housing obligation.

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

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

In addition to the State agency activity and judicial decisions, in 2008 the New Jersey Legislature amended the Fair Housing. The legislation became effective on July 17, 2008. Key provisions of the legislation included the following:

- It established a statewide 2.5% nonresidential development fee on nonresidential development.
- It eliminated new regional contribution agreements (hereinafter “RCAs”) as a compliance technique available to municipalities;
- It added a requirement that 13% of all affordable housing units and 13% of all similar units funded by the state's Balanced Housing Program and its Affordable Housing Trust Fund be restricted to very low-income households (30% or less of median income); and
- It added a requirement that municipalities had to commit to spend development fees within four (4) years of the date of collection after its enactment.

Affordable Housing in the Township

In 2008 the Township adopted a Third Round Housing Element and Fair Share Plan (“2008 Housing Plan”) and petitioned COAH for substantive certification. Substantive Certification was received on June 10, 2009. The Township's 2008 Housing Plan proposed to satisfy the obligation with credit for 5 rehabilitated units (3 were required), a 34 unit RCA with Beverly City, six accessory apartments (3 completed and 3 proposed), two group homes (9 bedrooms), seven market to affordable units, and one inclusionary housing unit. The plan had also proposed municipally sponsored affordable housing projects. The municipally sponsored projects were not completed. Since the 2009 substantive certification, and during the time that there was a lack of clear and practical guidance on affordable housing obligations and compliance, the Township took proactive steps to create six units of for sale family affordable housing in partnership with Habitat for Humanity (3 were completed in 2019 and 3 were completed in 2021) and an additional four-bedroom group home. Additionally, the Township has rehabilitated homes occupied by qualified low- and moderate-income households. The 2009 Substantive Certification demonstrates the Township's past success and ongoing commitment to affordable housing, but it is no longer valid

due to the fact that the rules upon which the plan was based were overturned by the Appellate Court. In order to achieve Third Round compliance and ensure protection of builder's remedy claims, the Township will need to seek Court approval as outlined above.

The Township remains committed to the provision of affordable housing in a locally and contextually appropriate manner. In land planning there are many interconnected and sometimes competing variables and priorities. Housing is one critical and important aspect of balanced land planning, but it is not the only one. Springfield's prevailing rural and agricultural character, the community's commitment to its agricultural heritage, the extent of the community's investment in the preservation of farmland and agriculture, the lack of water and sewer infrastructure, and the small number of new residences over a ten-year period, demonstrate that Springfield is not a "developing" or suburbanizing community. In the realm of fair share planning, Springfield must navigate a path that will enable the production of affordable housing in a manner that suits and complements the community and that can be integrated into the Township without undermining the essential characteristics and economy upon which the community is based.

Major Problems and Objectives at the Time of Adoption of the Previous Master Plan, the Extent to Which They Have Changed & Current Recommendations (N.J.S.A. 40:55D-89(a), (b), and (d))

In order to improve readability and clarity, the above referenced sections of the reexamination report have been combined.

Goals and Objectives

The Township's Master Plan goals and objectives were developed as part of the 2005 Land Use Plan Element of the Master Plan and are listed below. Springfield's overarching goal as set forth in 2005 and affirmed in 2010 was to preserve its rural character, enhance the current and future viability of agriculture, protect its fragile ecosystem, and manage development prudently. Farmland preservation and the retention of agriculture as a viable industry were and are the primary forces behind Springfield's land use vision.

- Protect the future viability of agriculture as an industry. Preserve the Township's prime soils and productive farmland.
- Protect equity for landowners.
- Protect the substantial public investment made in preserved farms.
- Protect hydric soils and both groundwater and surface water quality and supply.
- Provide suitable areas for new housing construction.
- Protect the community's character as an attractive, historic and rural environment.

These goals remain salient and appropriate for the Township. This reexamination report recommends that a Master Plan Amendment be developed and adopted after considering the issues that are raised in the reexamination report. At that time the Planning Board will consider the addition of goals and objectives that will acknowledge and address the need for balance between the promotion of economic viability in the agricultural industry and the desire to retain and enhance the Township's scenic and environmental quality. It is recommended that the goals and objectives also specifically address the protection of the character and scale of the Township's rural hamlets while promoting their history and future viability.

Community Character

The 2005 Master Plan detailed the Township's character, as well as the limited intrusions that had occurred at that time. This description of the Township's rural and agriculture character remains accurate today as the Township has had limited disruptive new development. Perhaps the most consequential new development is the improvement to the Burlington County Fairgrounds. While this is an expansive use along Route 206 and Jacksonville-Jobstown Road, the buildings and improvements were designed to be sensitive to the agricultural views and character of the

surrounding area. Additionally, the use positively contributes to the Township's reputation as a community that is supportive of agriculture.

Agriculture & Farmland Preservation

More than 25% of the Township has been preserved, and these preservation efforts should continue in order to maintain the Township's scenic and agricultural character, as well as to enhance the viability of farm operations. More specifically, the policies and strategies set forth in the 2003 Farmland Preservation Element and echoed in the 2005 Land Use Plan Element remain appropriate for the Township now and in the coming years. The 2003 Farmland Preservation Element characterizes the Township's relationship with agriculture in a manner that remains relevant today:

The primary planning "mission" of Springfield Township has consistently been to safeguard its rural agricultural character in a manner that is reasonable, achievable, and equitable to farmers and landowners. Preservation of agricultural and rural character is not merely a planning goal. To the citizens of Springfield Township, it is a reality. (page 2)

The Farmland Preservation Plan goes on to discuss the challenges facing agriculture, including maintaining farmer equity, zoning challenges of resisting suburban sprawl development, transportation corridors, public access and trespass, competition for land base, lack of support infrastructure, and impermanence syndrome. These challenges remain present and are made more pressing by development that has occurred on the periphery of and surrounding Springfield Township.

The Township's efforts toward farmland preservation will continue and the Township should pursue coordinated efforts with the County, while also seeking County and State financial assistance to the maximum extent possible. The Township's evaluation criteria for identifying Preservation Project Areas remains appropriate. The criteria are as follows:

- Contiguity to other preserved lands
- Roadways, rights of way and other manmade boundaries
- Suburban encroachment
- Transportation infrastructure
- Utility infrastructure
- Imminence of change to non-agricultural uses
- Scenic and aesthetic value of open lands

The Farmland Preservation Element (FPE) identified alternative mechanisms for funding agricultural preservation, such as but not limited to Planning Incentive Grants and joint projects with non-profit organizations. These mechanisms and other creative approaches to further preservation efforts are appropriate. The FPE also identified policy directives and programs that should be considered, including equity protection through alternative development patterns, State Farm Link Program (resource and referral center for farmers and landowners), model farm lease agreement, model right to farm ordinance, agricultural communications network, agricultural trends and local viability study. These recommendations remain appropriate and should be pursued by the Township. Additionally, the Township should coordinate with County and State agricultural assistance and preservation efforts for their implementation.

The 2005 Land Use Element noted that Burlington County had purchased 750 acres in Springfield for the fair grounds. While acknowledging the benefits of this new farm-supportive use along Route 206, the master plan noted that agricultural transportation routes must remain truly accessible to large farm equipment and that conflicts should be minimized to the extent possible.

It is recommended that the Planning Board and Township continue to evaluate the best means to carry out the Farmland Preservation Element's recommendation related to "equity protection through alternative development patterns". This may include revisiting opportunities for a non-contiguous clustering program as well as traditional residential clustering.

Further, the Township should update its right-to-farm ordinance to be consistent with the current model right-to-farm ordinance created by the State Agricultural Development Committee. Additionally, the Master Plan amendment should consider the need for regulations to specifically address greenhouse agriculture. This type of agriculture is now more common in the region, and while it promotes the production of agricultural products, it is also inconsistent with the Township's existing and desired rural character and landscape. The Township may consider regulating the placement of greenhouse structures and protection of agricultural soils.

Conservation of Environmentally Sensitive Lands

The 2005 Land Use Plan Element provided an overview of the various characteristics that converge to make Springfield an ideal location for agricultural production and not an ideal location for suburban development. These include limiting soils and wetlands, floodplains, surface water, and groundwater. In order to better understand these constraints and opportunities, the Township should consider the preparation and adoption of a conservation element of the master plan and/or a natural resource inventory (NRI) to explore the natural environment in Springfield and its relationship to existing and future land use policies. A conservation element or NRI can also affirm the inherent value that nature brings to a community and the specific value (cultural, environmental, visual, financial) that nature and open space bring to the Township and to the region. This perspective is particularly relevant and important in a rural community that faces constant external pressure. Often land use analyses categorize agricultural and woodlands as "vacant" lands; however, in an active agricultural community such as Springfield, "vacant" is an incorrect characterization. The Township's agricultural lands and woodlands are occupied by farmers and are productive, in terms of agricultural yield, cultural, environmental, and aesthetic value. The 2005 Land Use Plan Element provided an overview of the Township's natural resources, parks and open spaces, and this remains accurate; however, a more expansive evaluation of these resources, levels of existing, or need for enhanced protection and the intersection with land use policies would inform and provide the basis for updating zoning, farmland preservation and open space and recreation recommendations and policies.

Affordable Housing

The 2008 Housing Element and Fair Share Plan proposed to satisfy the Township's prior round and third round "growth share" affordable housing obligation using a variety of mechanisms. The Township achieved third round substantive certification in 2009. The mechanisms in place at that time include a rehabilitation program, an RCA with the City of Beverly, special needs housing,

accessory apartments, market to affordable units, and municipally sponsored projects. Since the Third Round growth share regulations were overturned, the 2009 substantive certification is no longer valid. The Township is evaluating its approach to affordable housing compliance and will consider the mechanisms available to create additional affordable housing opportunities in a locally feasible and appropriate manner. An inventory of the affordable housing units created to date is included as Exhibit A to this report. Springfield remains committed to providing affordable housing opportunities at a scale that makes sense, and in locations that make sense in the local context. The Township understands that the *Mount Laurel* decisions were not intended to force all municipalities in the State to become developing municipalities, and also understands that affordable housing opportunities can be provided without diminishing the viability of the Township's prime agricultural lands, without threatening the business of farming, and without unduly impacting environmentally sensitive lands. It is recommended that the Township and Planning Board develop a long-term plan and approach to the affordable housing challenge in a manner that does not undermine the Township's long standing land planning and farm preservation efforts. A Master Plan amendment will be prepared that details opportunities for locally appropriate affordable housing and describes the proposed means to ensure that opportunities for such housing are provided.

Zoning Density and Clustering

The 2005 Reexamination Report recommended reducing the permitted density on lands in the primary residential/agricultural district in the Township from a base minimum lot size of 3 acres to a base minimum lot size of 10 acres together with a noncontiguous cluster/transfer of development rights program to support land owner equity and concentrate development in the designated rural centers. Following the master plan recommendation, in 2006, the Township adopted three ordinances to allow for cluster developments on non-contiguous properties, and included the designation of receiving and sending areas. The ordinances established a 10-acre density for conventional development, 3-acre density for preservation/sending areas, and 1-acre lot sizes for growth/receiving areas. The zoning was subsequently appealed, and the Superior Court ruled the ordinances to be invalid, partially on procedural grounds, but, also because the ordinances went beyond the scope of the MLUL provisions at that time. The Court upheld the base zoning, which permits lots a minimum of 10 acres in size. The AR-10 zoning remains in place for the majority of the land within Springfield Township.

In 2013, the MLUL was amended to provide greater flexibility and clarity in the use of non-contiguous clustering. The amendments no longer limit non-contiguous cluster to planned developments and allows for the optional overlay designations of growth and conservation areas. The amendments also expressly permit density bonuses to incentivize the non-contiguous clusters.

The Planning Board should consider whether there are areas of the Township, proximate to the Township's existing hamlets, free of environmental constraints and adjacent to County roads, that may be appropriate for traditional clustering and/or non-contiguous clustering. Since 2008, the pace of permanent farm preservation has slowed. The Township would like to explore the potential to provide alternative development scenarios that will support higher preservation easement values, thereby encouraging land owners to preserve their farms and continue agricultural production. Such alternative development scenarios would also ensure that any development that does occur is consistent with the rural hamlet development pattern and will

minimize conflicts between agriculture and residential homes. These alternatives should be detailed in the Master Plan amendment and coordinated with the proposed affordable housing strategy.

Additional Considerations for Master Plan Amendments

In addition to the issues raised above, the following should be reviewed and considered when preparing Master Plan Amendments.

- Consider the impact of the development and operation of warehouse and distribution facilities in the surrounding municipalities and determine whether any action or policy statement may be needed to protect Springfield's interests from a traffic standpoint, right-to-farm standpoint, and/or school funding formula standpoint.
- Consider how farm labor housing may be incorporated into the overall affordable housing strategy, as a locally important means to support the Township's most important industry.
- Correct the zoning inconsistencies in the Jacksonville and Jobstown areas. Zoning boundaries and designations should be adjusted to reflect existing or desired uses. For example, the AH (Affordable Housing) designation in Jacksonville applies to an existing municipal park. Another example is the NC district in Jobstown that applies to single family homes located on the periphery of the district that may not be desirable for commercial uses.
- Consider preparing and adopting non-residential design standards to ensure that both new construction and rehabilitation are designed to be functional and also with an architecturally interesting and appealing aesthetic that is compatible with the small scale rural/agricultural character of the Township. The design standards should also include sign and lighting standards.
- Consider whether drive-through uses should be conditionally permitted in commercial zoning districts or redevelopment areas with appropriate design and placement standards.
- Evaluate the Light Industrial (LI) and Neighborhood Commercial (NC) zoning districts to determine whether the list of permitted uses should be recalibrated and whether any shifts to the zoning boundaries are recommended.
- Consider preparing a circulation plan element of the master plan to evaluate the condition of the roads traversing the Township and identify improvements, particularly at intersections, that may be needed in the future. The circulation plan would also address bicycle and pedestrian circulation.
- As described in the redevelopment planning section below, consider adopting redevelopment plans for Chambers Corner and Tilghman's Corner areas that include categories of permitted uses that would be desirable in the Township, together with appropriate site and building design standards.

Recommendations concerning the incorporation of redevelopment plans and any changes necessary to effectuate the redevelopment plans (N.J.S.A. 40:55D-89(e))

The Township established two redevelopment areas in 2018 - the Tilghman's Corner Area, at the intersection of Wrightstown Georgetown Road (C.R. 545) and Monmouth Road (C.R. 537), and the Chambers Corner Area, at the intersection of Route 206, Monmouth Road (C.R. 537), and Juliustown Road (C.R. 669). Each of the redevelopment areas encompass numerous lots and include all four corners of the intersection. Redevelopment Plans were adopted for one tract in each redevelopment area. The Township should consider the best approach to these two redevelopment areas and utilize the redevelopment area designation as a marketing device. The redevelopment plan requirements may be driven by a vision developed by the Township, by a proposal conceived by a developer, or a combination of the two. The redevelopment plans will guide redevelopment of these areas in a manner that is consistent with the Township's goal of providing business and economic opportunities, with quality design, in concentrated areas of the Township where there is significant traffic and where there are opportunities to improve disjointed and obsolete sites. Each of the redevelopment plans should also consider how and where electric vehicle charging infrastructure should be installed.

Redevelopment and rehabilitation area planning may also be a valuable tool to promote revitalization of the Jobstown and Jacksonville areas and to provide specific direction as to the uses, building and site design that are desired in these areas. Redevelopment planning can offer flexibility and incentives to developers and to the Township. The Township should consider redevelopment options for the former zoo and perhaps immediate surrounding lots on Jacksonville-Jobstown Road. This site is just east of Jacksonville, and the Jacksonville Community Center. While the zoo is no longer in operation, the concentration of buildings and parking areas, and the history of activity on the site, set the stage for redevelopment with another use that could attract visitors to the area. Uses promoting agriculture, arts and craft, and history would be particularly appropriate as they would reinforce the Township's agricultural character and history, would offer residents a new activity and a cultural and economic opportunity. Similarly, restaurant uses could be permitted as a destination to attract residents and visitors.

The Township should also consider redevelopment or rezoning of the manufacturing (Trap Rock) use, and nearby office and salvage uses along Jacksonville Jobstown Road, all of which are located AR-10 district. These uses, some of which are inactive, may present redevelopment opportunities in the future.

Exhibit A

Affordable Housing Units in Springfield Township

Mechanism	Provider	Address	Block	Lot	Year completed	Length of Controls	# Units	Bonus	Credits
Rehabilitation	Springfield Township	1275 Jacksonville Smithville Road	6.01	9.09	2005	6 years	1	0	1
Rehabilitation	Springfield Township	243 Burrs	405	5.04	2005	6 years	1	0	1
Rehabilitation	Springfield Township	20 Juliustown			2005	6 years	1	0	1
Rehabilitation	Springfield Township	2216 Saylor Pond	1601	5.08	2005	6 years	1	0	1
Rehabilitation	Springfield Township	22 Juliustown	1201	1.02	2005	6 years	1	0	1
Prior Round									
RCA	Beverly City				Final Payment 2009		34	0	34
Group Home	Oaks Integrated Care	1 Beechwood Ln	404.03	1	1987		4	4	8
Group Home	Occupational Training Services	1570 Burlington Jacksonville Road	402	3.02	2008		5	5	10
Accessory Aptmt	Myers	2122 Jacksonville-Jobstown Road	1102	3.01	2003	10 years	1	0	1
Accessory Aptmt	Ehrgott	9 Beechwood Lane	404.03	5	2005	10 years	1	0	1
Accessory Aptmt	Shepley	79 Columbus-Jobstown Road	802	6.02	2005	10 years	1	0	1
Market to Affordable	Guevara	2721 Monmouth Road	2201	10	2008	30 years			
Third Round									
Group Home	SERV	1345 Jacksonville Smithville Road	601	3.05	2013				
Inclusionary	Columbus Farmers Market/Springfield Twp	1572 Burlington Jacksonville Road	402	3.03	2010	30 years	1	0	1

100% Affordable	Habitat for Humanity	190 Columbus Jobstown Road	1003	8.01	2019	30 years	1	0	1
100% Affordable	Habitat for Humanity	192 Columbus Jobstown Road	1003	8.02	2019	30 years	1	0	1
100% Affordable	Habitat for Humanity	194 Columbus Jobstown Road	1003	8.03	2019	30 years	1	0	1
100% Affordable	Habitat for Humanity	191 Columbus- Jobstown Road	1003	9.01	2021	30 years	1	0	1
100% Affordable	Habitat for Humanity	193 Columbus- Jobstown Road	1003	9.02	2021	30 years	1	0	1
100% Affordable	Habitat for Humanity	2189 Jacksonville- Jobstown Road	1003	9.03	2021	30 years	1	0	1