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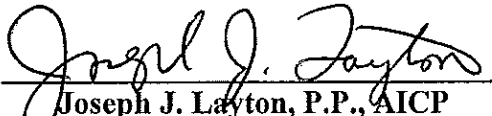
# TOWNSHIP OF MANSFIELD

## Warren County, New Jersey

# MASTER PLAN PERIODIC REEXAMINATION

Adopted  
August 18, 2008

Prepared By:

  
Joseph J. Layton, P.P., AICP  
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MC Project No. MNF-015

The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12

***Mansfield Township Committee 2008***

*Mayor Ellen Nerbak  
Deputy Mayor George Baldwin  
Committeeman Joseph Watters  
Committeeman Robert Jewell  
Committeewoman Cate Oakley*

***Mansfield Township Planning Board 2008***

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Joseph J. Layton, P.P., AICP, Planning Consultant  
William Edleston, Board Attorney  
Douglas Mace, P.E., P.P., Board Engineer*

**MANSFIELD TOWNSHIP PLANNING BOARD**

**RESOLUTION MEMORIALIZING  
MANSFIELD TOWNSHIP PLANNING BOARD  
RESOLUTION ADOPTING A 2008 MASTER PLAN PERIODIC  
REEXAMINATION REPORT**

SEP 23 2008

**WHEREAS**, N.J.S.A. 40:55D-89 of the Municipal Land Use Law requires a municipality, at least every six (6) years, to generally reexamine its Master Plan and Development Regulation under the auspices of the Municipal Planning Board which Board shall thereafter prepare and adopt, by resolution, a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the County Planning Board and the Municipal Clerk of each adjoining municipality; and

**WHEREAS**, the Reexamination Report shall state:

- A. The problems and objectives relating to land development in the municipality since the date of the adoption of the last Reexamination Report;
- B. The extent to which problems and objectives have been reduced or increased subsequent to said date;
- C. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis of the Master Plan and Development Regulations as last revised;

D. The specific changes recommended for the Master Plan and Development Regulations, if any, including objectives, policies and standards;

E. Recommendation of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law" P.O. 1992c79(C) 40A:12A-1 et. seq. into the land 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; and

**WHEREAS**, the Mansfield Township Planning Board adopted its Master Plan in January 1999 and thereafter a reexamination and amendment of the Master Plan was adopted in April 2001; and

**WHEREAS**, in July 2002 the Master Plan was again amended; and

**WHEREAS**, the Township of Mansfield engaged the services of Joseph J. Layton, P.P. of the firm of Maser Consulting, P.A. to undertake preparation of the Township's Master Plan Periodic Reexamination Report, the work product of which is reflected in the document dated July 2008 which is incorporated herein by reference; and

**WHEREAS**, foregoing Master Plan Periodic Reexamination Report contains, among its findings the following:

Changes in density and distribution of population and land uses and housing conditions have not been significant and the objectives of the 1999 Master Plan and 2001 Reexamination Report and 2002 Master Plan Amendment remain valid; and

**WHEREAS**, the foregoing report further contains the following inclusion:

The only recommended revision to the Township Master Plan and Development Regulations at this time is that the area of Hillcrest Manor 2 currently designated on a Land Use Plan as Industrial be changed so as to be designated R-2 Residential; and

**WHEREAS**, the report further notes that at this time there are no recommendations for the incorporation of redevelopment plans to be "Local Redevelopment and Housing Law"; and

**WHEREAS**, the Board conducted a public hearing in connection with the Reexamination Report at its regular meeting held on August 18, 2008 following proper notice according to law at which time no one appeared from the public nor were any written comments received commenting upon the report; and

**NOW, THEREFORE, IT BE RESOLVED** the by the Mansfield Township Planning Board on this fifteenth day of September 2008 that following due consideration of the document prepared by Joseph J. Layton, P.P. entitled "Master Plan Periodic Reexamination Report" dated July 2008 the

same is hereby adopted by the Planning Board of the Township of Mansfield;

**BE IT FURTHER RESOLVED** that consistent with the recommended revisions of the Reexamination Report the area of Hillcrest Manor 2 currently designated on the Land Use Plan as industrial be changed so as to be designated R-2 which will encompass the area to the South and West of Grant Street;

**BE IT FURTHER RESOLVED** that a copy of this Resolution be forwarded to Mansfield Township Committee for consideration of enactment of the appropriate land use ordinance implementing the foregoing recommendation;

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall also be forwarded to the Warren County Planning Board and the Municipal Clerk of each adjoining municipality.

**CERTIFICATION**

I HEREBY CERTIFY the foregoing to be a true copy of the memorializing Resolution duly adopted by the Mansfield Township Planning Board its a regular meeting held on September 15, 2008 confirming action taken by the vote of the Board to adopt the July 2008 Master Plan Periodic Reexamination Report. The Board's regular meeting held on August 18, 2008 at which time a qualified quorum was present and voting.

Those voting to adopt July 2008 Master Plan Periodic Reexamination Report

IN FAVOR: Barton, Baldwin, Myers, Mills, Watters, Hazen

OPPOSED: None

SUSTAINED: None.

Those voting to adopt a form of memorializing resolution at September 15, 2008 meeting:

IN FAVOR: *Baldwin, Myers, Mills, Watter, Hazen*

OPPOSED: *none*

ABSTAINED: *none*

  
Patricia D. Zotti, Secretary  
Mansfield Township Planning Board

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## INTRODUCTION

The New Jersey Municipal Land Use Law, NJSA 40:55 D-1 et seq. stipulates that each municipality in the State of New Jersey reexamine its Master Plan and development regulations at least every six years. Specifically, NJSA 40:55D-89 states:

“The governing body shall, at least every six years, provide for a general reexamination of its Master Plan and development regulations by the Planning Board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board and the municipal clerk of each adjoining municipality.”

This reexamination of the Township of Mansfield Master Plan conforms to the requirements of the Municipal Land Use Law and addresses the requirements of NJSA 40:55d-89 by including the following:

- 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 such plan or regulations as last revised, with particular regard to the density and distribution of population and land 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," P.L. 1992, C.79 (C.40A:12A-1 seq.) 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.

The Mansfield Township Master Plan was adopted in January 1999. A Reexamination and Amendment of the Master Plan was adopted in April 2001. The 2001 reexamination report was done in less than the required six (6) year time frame after 1999 due to the sentiment that in the January 1999 Master Plan the densities proposed for the Village Residential Zone adjacent to Port Murray were too high, Adult Retirement Communities should not be restricted to a specific parcel along Route 57 and the Industrial Zone should not be reduced in size. Changes were recommended in the 2001 Reexamination report to remove the Village Residential Zone, allow Adult Retirement Communities to become a conditional use not limited to one specific parcel and to restore the previous boundaries of the Industrial Zone.

In July 2002 the Master Plan was again amended to recommend the rezoning of lands just north of Beattystown on the east side of Route 57 from R-2 to B-2. This area has since been developed with The Shoppes At Mansfield shopping center.

This reexamination report reviews the 1999 Master Plan as well as the 2001 Reexamination Report and 2002 Master Plan Amendment. The major problems and objectives identified in those documents and how those problems and objectives have changed are the subject of this reexamination report.

**A. Major Problems and Objectives Relating to Land Development in The Township of Mansfield in 2001 the Year of the Last Reexamination Report and in 2002 the Year the Master Plan was Last Amended.**

The Master Plan of the Township of Mansfield was adopted on January 18, 1999. Although there was no specific discussion of major problems in the 1999 Master Plan, a number of goals and objectives were established for the Master Plan based on input from the community. The main goal of the Master Plan was to protect the quality of life in Mansfield and to preserve this unique and historic community for generations to come. These goals and objectives were still valid at the time of adoption of the 2001 Reexamination Report and the 2002 Master Plan Amendment. The following specific goals were established in these three documents for Mansfield Township:

**1. Agricultural Preservation**

Preserve active farmlands and encourage their continued viability, which recognizes that farming is an integral component of the economy of the Township and the region.

**2. Environmental Protection**

Protect environmentally sensitive areas, preserve the natural environment, and ensure a compatible balance between economic and environmental interests.

**3. Residential Development**

Preserve the existing housing stock and provide the opportunity for the development of a wider variety of housing types to meet the needs of different income and age levels, family compositions and life styles.

**4. Economic Development**

Encourage development of industrial, commercial, office, research and service uses, selected and regulated so as to preclude land use incompatibilities and in an amount that would increase the tax base which supports the local government and the public school system without disturbing the fragile residential-agricultural balance in the remainder of the Township or negatively impacting traffic circulation.

## **5. Circulation**

To encourage the design of transportation routes and traffic controls to promote the free and coordinated flow of traffic and discourage facilities and routes which would result in congestion or blight.

## **6. Community Facilities and Recreation**

Ensure the provision of adequate community, recreation and educational facilities to adequately accommodate existing and future needs of the Township.

## **7. Utilities**

Ensure that more intensive development occurs in areas where public sewer and water supply exists or may be easily extended in a limited fashion.

### **B. The Extent to Which Such Problems and Objectives Have Been Reduced or Have Increased Since 2001 and 2002.**

All of the goals and objectives originally put forth in the 1999 Master Plan and which were further endorsed in the 2001 Reexamination Report and 2002 Master Plan Amendment remain valid today to various degrees. The extent to which there have been changes in these goals and objectives is discussed below.

#### **1. Agricultural Preservation**

**Preserve active farmlands and encourage their continued viability, which recognizes that farming is an integral component of the economy of the Township and the region.**

This goal remains as valid in 2008 as it was in 2002 if not more so. The Township of Mansfield since 2002 has seen several parcels acquired and preserved as farmland within the Township. These have in general either been acquired utilizing monies from the open space trust fund or via the efforts of state and county agencies. As of June 2008 over 600 acres have been preserved.

## **2. Environmental Protection**

**Protect environmentally sensitive areas, preserve the natural environment, and ensure a compatible balance between economic and environmental interests.**

This is still a valid goal of the Township. However, much of the preservation of environmentally important areas has been usurped by the State through several vehicles; the Highlands Act, C-1 stream corridors and most recently riparian buffers. While all of these vehicles seek to preserve parts of the environment they do so in a manner that is oriented toward the large scale overview of regional environmental protection without attention to the need for a compatible balance between environmental interests and economic interests.

## **3. Residential Development**

**Preserve the existing housing stock and provide the opportunity for the development of a wider variety of housing types to meet the needs of different income and age levels, family compositions and life styles.**

While preserving the existing housing stock, Mansfield since 2002, has also sought to diversify its type of housing stock. A case in point is the age-restricted Regency at Mansfield development which is expected to break ground in 2009. Mansfield currently does provide housing for a wide variety of income levels housing both large lot detached single family homes and a number of garden apartments. An area of the Township which is not zoned residential but which should be considered as a potential area for residential development is the area currently zoned Industrial south of Port Murray Road near its intersection with Route 57. The area known as Hillcrest Manor 2 is the location of numerous 25 x 100 foot lots many of which have been foreclosed by the Township for lack of tax payments. There are scattered residences in this area and due to the problem of land accumulation and lack of access it is not likely to be developed for industrial uses. The Township is also currently responding to the Third Round Council on Affordable Housing requirements and is seeking ways to provide additional affordable housing. Township sponsored affordable housing could potentially be located on foreclosed lots in Hillcrest Manor. The Highlands Water Protection and Planning Act has and will have a

substantial negative impact on the establishment of new residential developments, particularly in the Preservation Area.

#### **4. Economic Development**

**Encourage development of industrial, commercial, office, research and service uses, selected and regulated so as to preclude land use incompatibilities and in an amount that would increase the tax base which supports the local government and the public school system without disturbing the fragile residential-agricultural balance in the remainder of the Township or negatively impacting traffic circulation.**

Since 2002 Mansfield has seen little in the way of industrial tax base growth and in fact due to plant closures has seen a reduction in the industrial tax base. In most cases the current climate of state regulation and low and moderate income housing regulations have effectively stifled opportunities for development. In one particularly egregious case an industrial facility that has been in the Township for 75 years was thwarted from expanding an existing factory after five to ten years of product development when it was placed in the Highlands Preservation area only the width of a rail line removed from being placed in the planning area and not being in the preservation area. If the facility was in the planning area expansion would have been allowed. The location of the boundary between the preservation area and planning area appears particularly arbitrary in this case since environmental conditions are the same on both sides of tracks. The Township has fared somewhat better in the area of retail development most notably the Shoppes At Mansfield which were a result of the 2002 Master Plan Amendment.

#### **5. Circulation**

**To encourage the design of transportation routes and traffic controls to promote the free and coordinated flow of traffic and discourage facilities and routes which would result in congestion or blight.**

This matter has been a top priority of Mansfield particularly in the area surrounding Hackettstown where several million dollars of improvements financed by private developers have solved a number of problems. Mansfield has sought to maintain its road

system through a combination of state aid grants and local tax money being utilized for local maintenance projects.

## **6. Community Facilities and Recreation**

**Ensure the provision of adequate community, recreation and educational facilities to adequately accommodate existing and future needs of the Township.**

This again continues to be a priority for the Township. The Township has recently sought to expand its recreation and park system. The Township is planning a new park with athletic fields and other recreation facilities on a 128 acre tract in Port Murray. The park is currently under design.

The Board of Education has consistently sought to maintain its facilities to a high standard. Recently the Township Committee donated to the Board of Education several acres of property across the street from the elementary school for school use including recreation uses.

## **7. Utilities**

**Ensure that more intensive development occurs in areas where public sewer and water supply exists or may be easily extended in a limited fashion.**

Mansfield Township has continued to ensure that more intensive development occurs where there is public sewer and water supply. At the end of 2007 the Township received approval from the NJDEP for a new Wastewater Management Plan. There were several notable features of that plan which included the creation of a new service area on the western end of the Township to accommodate the new adult retirement community. This area lies within a second water franchise area originally established by the Township as a result of its take over and reconstruction of a deficient privately owned water system. That system was then turned over to New Jersey American Water Company who is the franchisee. In the Hackettstown area the existing public sewer and water supply area has been solidified in the new Wastewater Management Plan.

**8. Historic Preservation**

**Preserve and protect sites and villages of significant historic interest for present and future generations to appreciate and enjoy.**

The Township has been supportive of the historic elements within the Township but has chosen not to implement ordinances requiring historic conservation within those areas. It does support activities to passively protect and preserve these areas.

**9. Recycling**

**Ensure the recycling of materials within the Township in compliance with the New Jersey Mandatory Source Separation and Recycling Act of 1987.**

The Township continues to ensure that recycling of materials within the Township is in compliance with State regulations. Warren County has recently improved the options for recycling in the Township by making available the Eager Beaver Recycling Trailer for community events.

**C. The Extent to Which There Have Been Significant Changes in The Assumptions, Policies and Objectives Forming the Basis For The 2001 Reexamination Report and the 2002 Master Plan Amendment**

Since the Mansfield Township Master Plan was reexamined in 2001 there have been no significant changes in the municipal policies and objectives forming the basis for the Master Plan. Changes in density and distribution of population and land uses and housing conditions have not been significant and the objectives of the 1999 Master Plan and 2001 Reexamination Report and 2002 Master Plan Amendment remain valid. When the Regency at Mansfield residential project is completed there will be a change in the distribution of population by increasing the population in the western portion of the Township, but this is yet to occur.



Changes in policies and objectives at the County and State level have been more significant than at the local Township level. This is especially true at the State level. At the County level, Warren County adopted a Strategic Growth Plan in 2004. This was a new initiative for the County and the objectives of this plan were consistent with Mansfield Township policies for the future of the Township.

At the State level there have been very significant changes in policies and objectives since 2001, all of which affect Mansfield Township in some fashion. The most significant change at the State level was the passage of the Highlands Water Protection and Planning Act in 2004. This Act placed approximately 2/3 of Mansfield Township in the Highlands Preservation Area. It is anticipated that the Highlands Council will adopt the Highlands Regional Master Plan (RMP) in July of 2008. This Master Plan as currently proposed will completely stifle growth in the preservation area of the Township and will remove zoning prerogatives from the Township since the Township Master Plan and development regulations must conform with the RMP in the preservation area.

The establishment of Category One Waters by NJDEP with a requirement of 300 foot wide buffer adjacent to streams so designated will further impact on the ability of private landowners to develop their property. State Stormwater Regulations have also had an effect on development by adding additional analysis and costs to the development process.

Lastly the new Third Round COAH Rules proposed in 2008 will place an undue financial burden on the Township to provide what the Township views as excessive levels of affordable housing.

#### **D. Recommended Revisions to The Township Master Plan and Development Regulations**

The only recommended revision to the Township Master Plan and Development Regulations at this time is that the area of Hillcrest Manor 2 currently designated on the Land Use Plan as industrial be changed so as to be designated R-2 Residential. This is

the area to the south and west of Grant Street (a paper street). Upon adoption of the Highlands Regional Master Plan the Township will have to bring the Township Master Plan and development regulations for the preservation area of the Township into conformance with the Highlands Regional Master Plan.

**E. Recommendation Concerning Incorporation of Redevelopment Plans**

At this time there are no recommendations for the incorporation of redevelopment plans to the “Local Redevelopment and Housing Law”.