

PRESERVING LAND THROUGH COMPACT GROWTH:

Case Studies of Noncontiguous Clustering in New Jersey

By Chris Sturm and Nicole Heater
April 2012



Townhouses along Union Street Park in Washington Town Center, Robbinsville, NJ



Farmland in North Hanover, NJ

TABLE OF CONTENTS

ACKNOWLEDGEMENTS	4
INTRODUCTION	5 - 7
DELAWARE TOWNSHIP	8 - 9
HILLSBOROUGH TOWNSHIP	10 - 11
HOPEWELL TOWNSHIP	12 - 13
MIDDLE TOWNSHIP	14 - 15
MONROE TOWNSHIP	16 - 17
NORTH HANOVER TOWNSHIP	18 - 19
OCEAN TOWNSHIP	20 - 21
PLAINSBORO TOWNSHIP	22 - 23
ROBBINSVILLE TOWNSHIP	24 - 25
APPENDIX	26 - 27
BIBLIOGRAPHY	28 - 30
ABOUT THE AUTHORS	31

ACKNOWLEDGEMENTS

This report documents provisions in a select group of New Jersey municipalities for noncontiguous clustering, a planning tool that directs development in such a way as to maximize preservation of open land.¹ It also describes the land preservation and development projects that resulted when developers and landowners utilized the tool. The master plans, ordinances, maps, approved subdivision resolutions and details of the projects and ordinances were gathered and analyzed through independent research and interviews with municipal planners, township clerks and developers.

New Jersey Future is grateful to our financial supporters who made this report possible:

- The Bunbury Company
- William Penn Foundation

We thank the following people for providing their time and patience as we gathered information and developed an understanding of each municipality's purpose for using noncontiguous clustering:

- Judith Allen, township clerk, Delaware Township
- David Banisch, planner, Banisch Associates, Inc., consultant for Hopewell Township
- Mark Cannuli, director of development, Sharbell Development Corporation
- Philip B. Caton, principal, Clarke Caton Hintz, consultant for Hopewell Township
- Jim Dowd, planning board member, Delaware Township
- Denis Germano, attorney, Hulse & Germano; consultant for North Hanover Township

- Robert McDaid, partner and president, Renaissance Properties
- Elizabeth McManus, planner, Clarke Caton Hintz, consultant for Hopewell Township
- Katherine Meade, planner, New Jersey Office of Planning Advocacy
- Kerry Miller, assistant director, ANJEC
- Sue Minock, deputy municipal clerk, North Hanover Township
- Plainsboro Public Library reference department
- Plainsboro Township Planning and Zoning Department
- John Riggs, environmental protection manager, Monroe Township
- Robert Ringelheim, planner, Hillsborough Township
- Stanley Slachetka, planner, T&M Associates, consultant for Ocean Township
- Brian Slaugh, partner, Clarke, Caton and Hintz, former consulting planner for Washington Town Center in Robbinsville Township
- Elizabeth A. Terenik, planner at Terenik Land Use Consulting, consulting planner for Middle Township
- Jack West, engineer at Princeton Borough, former engineer for Robbinsville Township

¹ We included all municipalities that we knew authorized noncontiguous clustering. We request that any municipalities that we may have missed contact Chris Sturm at New Jersey Future for inclusion in a future update.

INTRODUCTION

Noncontiguous clustering is a municipal planning tool that preserves farmland and open space with private funds by allowing an alternative to conventional subdivisions; instead of building homes on large lots, a developer may use the development potential of a parcel or parcels where preservation is desired on a different, nonadjacent property. Since it was authorized in 1996 by amendment to the New Jersey Municipal Land Use Law², noncontiguous clustering ordinances have been adopted by some rural and suburban municipalities to preserve open lands and foster more compact neighborhoods and districts. This report provides case studies of noncontiguous cluster programs in each of the nine municipal examples we could find. Actual implementation by developers and property owners has taken place in four of the municipalities studied, and is also described.

HOW THE TOOL WORKS

Through noncontiguous clustering, multiple sites are treated as one for the purpose of clustering their combined development potential. The property or properties left open are permanently preserved, while the growth property is developed more intensely than ordinarily permitted by zoning ordinance. The properties need not be adjacent; in fact they may be located miles away from each other.

Use of noncontiguous clustering is voluntary, and requires cooperation among the landowner(s), developer and municipality. If it is used correctly, all parties benefit: landowners may reap greater remuneration

² Kinsey, David. "Noncontiguous Parcel Clustering: A New Technique For Planned Density Transfers." Technical Reference Document #128. Prepared for the New Jersey Office of State Planning. December 1997.

www.nj.gov/state/planning/docs/parcelclustering120197.pdf

The Kinsey report provides an excellent description of the reason noncontiguous clustering was authorized, the requirements for its use, and its usefulness as a growth management tool. The report also mentions use of noncontiguous in the New Jersey Pinelands, which has been extensive. For more information, see: New Jersey Pinelands Commission. "Clustering Opportunities in the Pinelands". October 1, 2004.

<http://www.state.nj.us/pinelands/infor/broch/clustering.pdf>

than through conventional large-lot zoning; developers achieve greater density, which may include such benefits as more units to subsidize on-site improvements like wastewater treatment systems, a more marketable housing product and/or lower costs to build infrastructure such as streets, sidewalks, and sewer and water lines; and municipalities accomplish their goals of community-building and land preservation at little or no cost to the taxpayer.

Since its authorization in 1996, several municipalities have experimented with noncontiguous cluster. Two municipal programs, in Franklin (2004) and Springfield (2006), were challenged in court, with the resulting decisions clarifying the authority of the noncontiguous cluster provisions of the Municipal Land Use Law. The courts held that, in general, municipalities may only allow noncontiguous clustering pursuant to a planned development, and may not use it to transfer development rights in the fashion authorized by the state Transfer of Development Rights (TDR) Act.³ (The State TDR Act grants municipalities special authority to allow development rights to be severed from an underlying property and traded, but also additional requirements including municipal adoption of a number provisions, some of which require state and/or county approval.)

The TDR Statewide Policy Task Force -- a 40-member group representing a diverse and broad range of perspectives including development, environmental, planning, farming, local government and a variety of municipal consultants -- found in 2010 that noncontiguous clustering has much greater potential than its current usage suggests. The task force recommended improvements through amendments to the Municipal Land Use Law.⁴ In response, New Jersey Future is spearheading a

³ Mercer, Courtenay D. "Courts Fluster Non-Contiguous Cluster." Plan This! Vol 6 Issue 2 (March-April 2008) 10-11. New Jersey Chapter of the American Planning Association. http://njplanning.org/wp-content/uploads/jp_mar_apr_2008.pdf

⁴ A list of task force members and the final report can be found at: <http://www.njfuture.org/wp-content/uploads/2011/06/TDR-report-FINAL-081110.pdf>

INTRODUCTION

legislative effort to make noncontiguous clustering an easier and more powerful planning tool for municipalities and a more attractive option for developers and landowners. In the meantime, this report describes its use across the state.

SIMILAR TOOLS

Noncontiguous clustering is now the “middle child” in a suite of planning tools that complement traditional, publicly funded land preservation by preserving land using private funds. It offers greater potential than its modest sibling, “contiguous” clustering, a tool that has the same objective but rearranges development potential on a single parcel or set of adjacent parcels.

Noncontiguous clustering, however, lacks the firm control over development provided by the more complex and powerful TDR program. Unlike TDR, though, noncontiguous clustering does not require a lengthy planning process or state review, making it relatively simple and inexpensive for a municipality to put in place.

CASE STUDY OVERVIEW

All nine of the municipalities studied were once rural communities and have either experienced or anticipate development pressure and suburbanization.⁵ Each of their noncontiguous clustering programs started with a master plan goal to preserve farmland or open space.

The municipalities studied incorporate noncontiguous clustering into their land use ordinances in a variety of ways. Many, including Hillsborough, Middle, Monroe, North Hanover, and Plainsboro, include explicit provisions for noncontiguous clustering, although they sometimes use a different name. Hillsborough, for example refers to the “planned residential

cluster option.” Delaware and Hopewell embed noncontiguous cluster within their “open lands subdivision” ordinance, where it may be used for sites larger than 100 acres. Delaware and Hopewell also authorize noncontiguous clustering in conjunction with their hamlet ordinances; similarly Robbinsville authorizes it in conjunction with its town center ordinance. Ocean Township is unique in authorizing noncontiguous clustering through a redevelopment plan. Some of the municipal ordinances give landowners the option of using either contiguous or noncontiguous clustering.

The applicability of the programs varies within each municipality: North Hanover, Hopewell and Delaware authorize noncontiguous clustering in rural and environmentally sensitive zones that cover the majority of the township, while Ocean and Robbinsville authorize preservation of properties that appear on their priority open space preservation lists. Some municipalities, like Robbinsville, offer bonus units to encourage the preservation of farmland and open space parcels that have been designated as the highest priority. Others require a minimum portion of the total land area involved in a noncontiguous cluster to be preserved; these include Hillsborough (70 percent), Plainsboro (75 percent), Hopewell (open lands subdivision ordinance – 60 to 75 percent) and Delaware (hamlet ordinance – 82 percent; open lands subdivision – 50 percent). Some municipalities, like Delaware, explicitly allow construction of bonus dwelling units as an incentive for developers to utilize noncontiguous clustering.

All but one of the programs allow greater residential density on growth parcels in exchange for permanent preservation elsewhere; Ocean Township is unique in allowing greater impervious coverage. Some, like Robbinsville, Middle and Ocean townships, authorize noncontiguous clustering to intensify development in planned centers or redevelopment areas. Others establish criteria for where growth areas (in the form of hamlets) can be located (Delaware – hamlet ordinance and Hopewell –

⁵ Noncontiguous clustering can also be used in a highly-developed area, for example to preserve land in a redevelopment area or on a cleaned-up brownfield, but we are not aware of any such instances.

INTRODUCTION

hamlet ordinance). Other programs, including Monroe, North Hanover, Hillsborough, Plainsboro and Hopewell and Delaware's open lands subdivisions, generally allow the growth and preservation properties to be located in the same zones, and generally call for suburban-style single-family homes, albeit with smaller lot sizes. Some growth areas (Robbinsville, Monroe and Plainsboro) rely on existing wastewater facilities, while others include a new community wastewater system (Hillsborough), or anticipate constructing one (Delaware - hamlet ordinance and Hopewell - hamlet ordinance). Still others plan for housing relying on individual septic systems (North Hanover, Delaware - open lands subdivision and Hopewell - open lands subdivision).

IMPLEMENTATION AND RESULTS

Of the nine municipal programs studied, only four (Hillsborough, Monroe, Plainsboro and Robbinsville) have been utilized by developers and property owners. In Monroe and Plainsboro, these transactions involved two properties: one was preserved and the other developed at a higher density. Implementation in Hillsborough and Robbinsville involved multiple properties: Hillsborough had four parcels preserved and one developed, and Robbinsville had six parcels preserved and a large town center developed more intensely. Across the four municipalities a total of 706 acres of farmland and open space has been preserved using private funds. The preserved land ranges from a nature preserve (Plainsboro) to an owner-operated preserved farm (Monroe) to three municipally-owned preserved farms and grassland bird habitat (Hillsborough) to a variety of open space and farmland (Robbinsville).

All of the ordinances studied remain on the books and are thus available to developers and property owners. Many of the noncontiguous cluster programs are quite new; North Hanover, Middle, Delaware and Ocean townships adopted their programs in the last three years, and are hoping they bear fruit once the economy picks up. Municipalities can help prepare for implementation by facilitating the provision of infrastructure

in the growth areas, especially if densities are too high for septic systems and wastewater treatment is not already available.

REPORT STRUCTURE

In this report, each case study is structured with a narrative description of the applicable planning documents and tools used to authorize noncontiguous clustering, including master plans, redevelopment plans, zoning maps, ordinances and resolutions. Links to ordinances and other resources are provided both in the case studies and in the Appendix section at the end. (Note that the narrative descriptions are intended to convey the "flavor" of the program; the reader should consult the official plans and ordinances for a full understanding.)

The narrative is supplemented with photographs of any developed and preserved sites, as well as contextual photographs of the township's land use character. Where an ordinance has been utilized, details are provided on the land preserved and the associated development. The report does not recommend one type of noncontiguous clustering over another, but demonstrates how the tool can be used in a variety of ways to advance goals for land preservation and community-building.

DELAWARE TOWNSHIP, HUNTERDON COUNTY, NJ

Delaware Township is one of New Jersey's leading agricultural municipalities, with pastures and cropland surrounding historic villages on rolling hills and wide plains. Delaware has seen a modest amount of large-lot housing construction, but remains primarily agricultural. The township has preserved approximately 30 percent of its land to date and aims to preserve an additional 20 percent over the next 10 years. Noncontiguous clustering is identified as a method to preserve land and was recently authorized through two development types, a hamlet and an open space subdivision.

COMMUNITY PROFILE: 36.9 square miles
2010 population: 4,563
Agricultural, rural and village character

MASTER PLAN: The 1994 *Master Plan* outlines Delaware's goals to preserve farmland and natural resources and to encourage new development to be sited and designed based on geology and soil conditions. Hamlets were recommended as a way to direct growth to appropriate locations and provide new housing types. In 2007 the Planning Board examined Transfer of Development Rights (TDR) as a method to guide growth and land preservation but, with public input, decided that it was not appropriate because the township lacked the infrastructure to accommodate projected growth in a central location. Noncontiguous clustering was recommended in the 2009 *Master Plan Land Use Element* as an additional tool to retain contiguous tracts of farmland and to plan for new forms of development that respected environmental constraints through creation of hamlets and open lands subdivisions.

ORDINANCES: In October of 2011, Delaware adopted ordinances to authorize hamlets and open land subdivisions. (Research for the ordinances and extensive public outreach was funded through ANJEC's

Sustainable Land Use Planning Grant program in 2009.) The hamlet ordinance may be applied on tracts greater than 100 acres, and allows compact, traditional neighborhoods using community wastewater systems. The open lands subdivision ordinance may be used on tracts greater than 24 acres, and allows single-family detached homes, to be serviced by septic systems, on slightly smaller lots than authorized by the underlying zoning. Both ordinances allow noncontiguous parcels to contribute to the "total tract size," and both allow bonus units as an incentive.

The ordinances add to the range of development alternatives for landowners in the A-1 and A-2 zones that cover 98 percent of the township:

	Single Family (SF) Detached	SF w/Lot Size Averaging	SF Detached Cluster	Hamlet	Open Lands Subdivision
A-1	3-acre min. tract	12-acre min. tract	12-acre min. tract w/70% open space	100-acre min. tract w/82% open space	24-acre min. tract w/50% open space
A-2	6-acre min. tract 6-acre min. lot size	24-acre min. tract	24-acre min. tract w/70% open space	100-acre min. tract w/82% open space	24-acre min. tract w/50% open space



Farmland along County Road 604



Grazing sheep in Delaware township



Intersection of County Road 604 and 523 in village of Sergeantsville



Single-family housing adjacent to County Road 604 in village of Sergeantsville

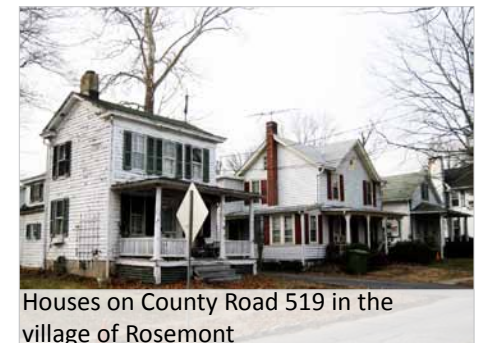
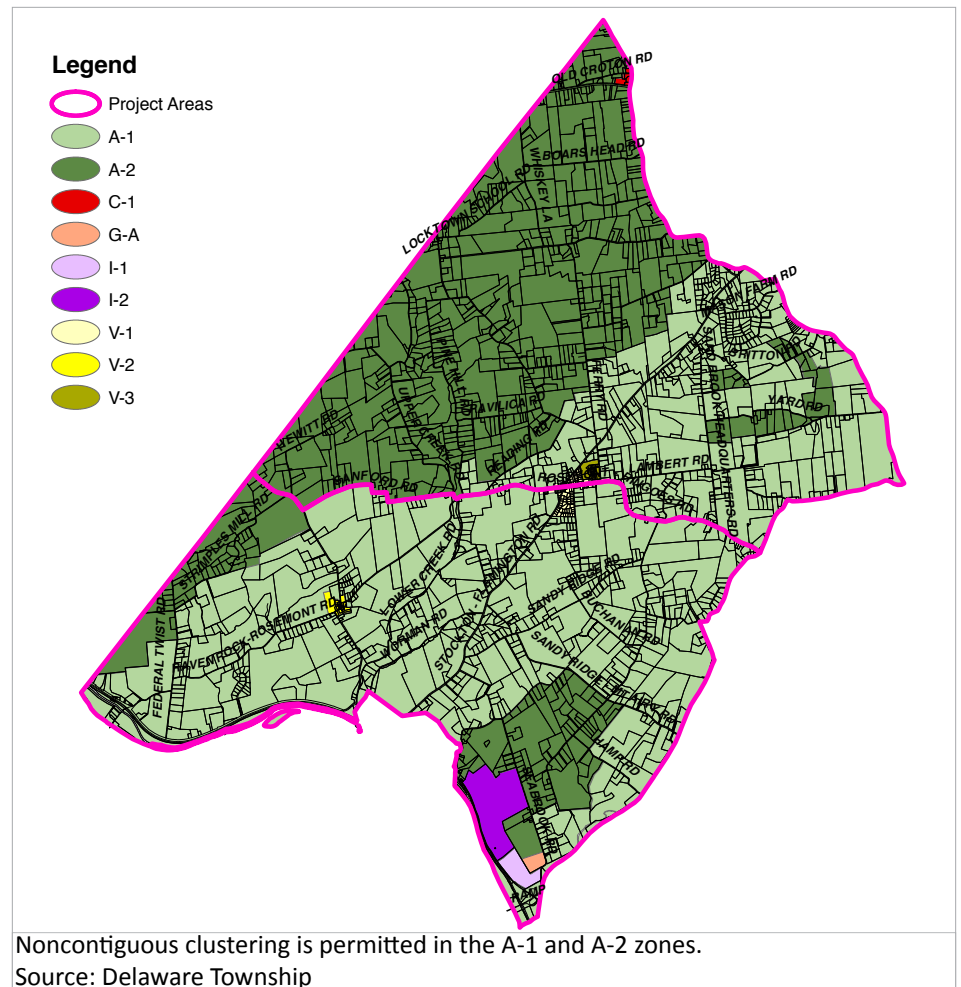
DELAWARE TOWNSHIP, HUNTERDON COUNTY, NJ

HAMLET ORDINANCE: The intent of this ordinance is to encourage compact development that is compatible with the carrying capacity of the natural and built environment. Delaware Township describes a hamlet as a largely residential area with some non-residential uses such as a school, a place of worship, community spaces, commons or any related land uses. The ordinance requires all buildings to be located on either a county or state road, and at least one mile from the intersection of County roads 604 and 523 (the village of Sergeantsville). Lot sizes may range from approximately 1/5 to 1/3 of an acre for single-family dwellings and from 1/6 to 1/3 of an acre for twin dwellings.

OPEN LANDS SUBDIVISION ORDINANCE: This option encourages the preservation of large contiguous tracts of farmland and prime and statewide important soils. Tracts with 75 acres or less must have the preservation area onsite, while tracts with more than 75 acres can preserve land on noncontiguous parcel(s) provided that the preserved area contains at least 30 contiguous acres. The ordinance also promotes the use of site planning and design standards that are based on environmental considerations. A minimum lot size of 1.5 acres is required to account for ground water supplies and individual sewage systems.

CONTRIBUTING PLANNERS: Delaware Township and Caroline Armstrong, GroupMELVINDesign (consultant planner)

STATUS: The ordinances have not yet been implemented.



HILLSBOROUGH TOWNSHIP, SOMERSET COUNTY, NJ

As a result of increased development pressure, Hillsborough Township amended its land use ordinance in the late 1990s to include a “planned residential cluster and farmland/open space preservation development option,” which authorized noncontiguous clustering. The recently constructed Hillsborough Chase development utilizes this option, providing more single-family homes on smaller lots while preserving 156 acres of farmland and open space on four separate properties.

COMMUNITY PROFILE: 54.7 square miles
2010 population: 38,303
Rural and suburban character

MASTER PLAN: Hillsborough’s 1999 *Master Plan Re-examination Report* recommends that the township identify ways to limit growth in open space and rural areas while promoting the growth of the identified town center west of Route 206 between Valley and Amwell roads. In the 2005 *Master Plan Amendment*, the north and west of Hillsborough is identified as an area that needs to be:

“evaluated for clustering and transfer of noncontiguous development credits in order to limit sprawl and encourage growth in the Town Center.”

ORDINANCE, SECTION 188-98 D: In 1998 Hillsborough Township amended its land-use ordinance to add a “planned residential cluster and farmland/open space preservation development option” authorizing noncontiguous clustering in the Residential Single (RS) district located in the northwest section. The district is a mixture of agricultural lands and single-family planned developments. It authorizes noncontiguous clustering as follows:

“In order to preserve open space, farmland and the rural

characteristics of the landscape in the RS zone, the planned residential cluster option, a planned residential form of development, may be used to receive dwelling units transferred from properties elsewhere in the RS District with the preserved land to be dedicated to the Township of Hillsborough or permanently deed-restricted for farmland preservation, open space or public park use.”

The ordinance requires preservation (through dedication or evidence of a permanent deed restriction) for 70 percent of the entire project area, including sending and receiving parcels.

RESULT: The noncontiguous cluster ordinance was utilized by the Hillsborough Chase planned unit residential development, located in the township’s northwest section, which resulted in the preservation of 156 acres of farmland on four parcels. Three of the parcels are leased by the township for farming and the fourth is managed by the State of New Jersey as grassland bird habitat. At the same time, the Hillsborough Chase development has more single-family homes on slightly smaller lots than would have been built without clustering. It is served by an on-site wastewater treatment facility that utilizes ultraviolet light to disinfect



Hillsborough Chase wastewater treatment facility



Single-family units and detention basin



Frey Road, entering Hillsborough Chase



Single-family units on approximately 1/4-acre lots

HILLSBOROUGH TOWNSHIP, SOMERSET COUNTY, NJ

wastewater, a method to comply with state groundwater standards that is subject to NJDEP inspection.

ZONING ORDINANCE PROVISIONS FOR DENSITY:

Noncontiguous cluster option: 1 acre minimum lot size

Large-lot option: RS zone: 2 acre minimum lot size

NONCONTIGUOUS CLUSTER IMPLEMENTATION

TIMELINE: 2002: Developer applied for preliminary major subdivision
2011: Construction completed

PRESERVED: 156 acres:

42-acre parcel: Township's Farm Lease Program

60-acre parcel: Township's Farm Lease Program

23-acre parcel: Township's Farm Lease Program

31-acre parcel: NJDEP Sanctioned Bird Habitat

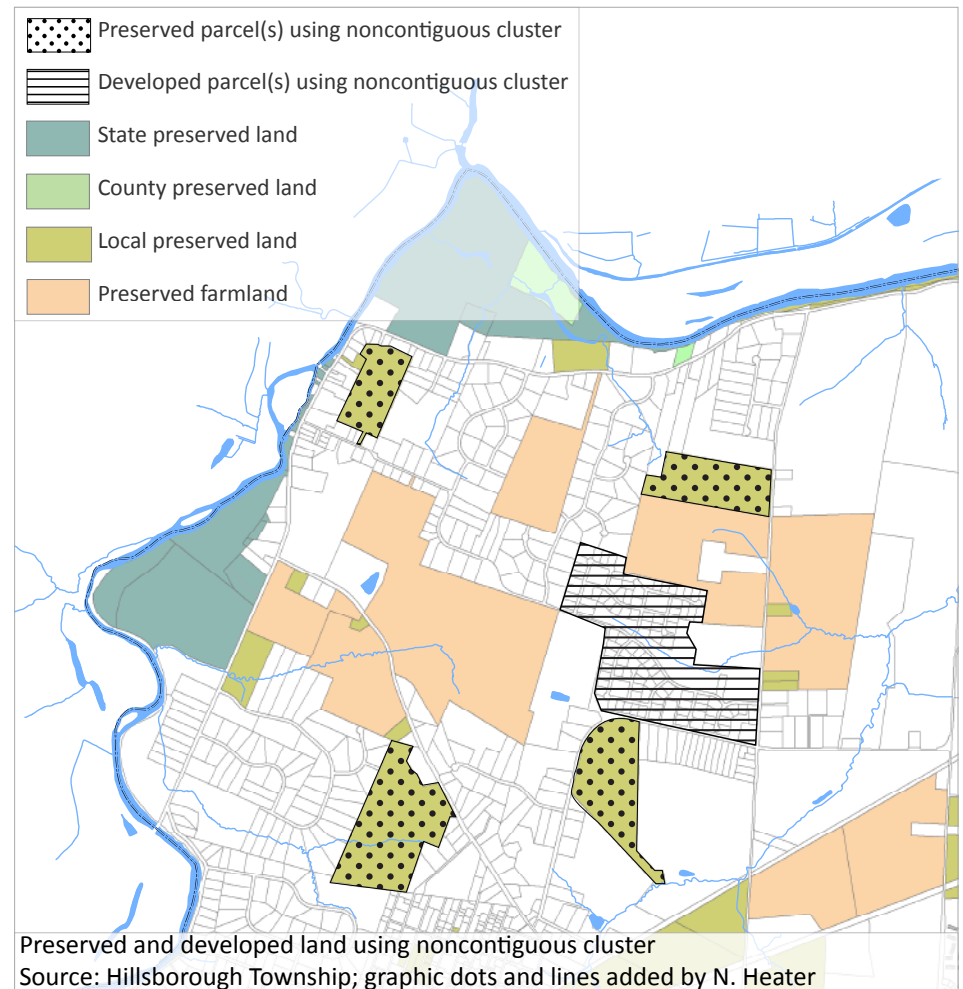
DEVELOPED: Hillsborough Chase

142.56 acres (includes on-site open space and stormwater basins)

105 single-family units

INFRASTRUCTURE: On-site community wastewater treatment facility

PROJECT COORDINATION: Hillsborough Planning Department and Toll Brothers



HOPEWELL TOWNSHIP, MERCER COUNTY, NJ

Despite increased suburban growth from the 1990s to the mid-2000s, Hopewell remains primarily forested or farmland. To preserve this character and conserve its natural resources, 78 percent of the township is within the Valley (VRC) or Mountain (MRC) Resource Conservation districts. Alternatives to conventional large-lot subdivisions are offered, which allow land preservation through noncontiguous clustering. These include “open land subdivisions” and mixed-use hamlets. Marshall’s Corner, which is targeted for redevelopment, is a location eligible for construction of such a hamlet.

COMMUNITY PROFILE: 58.9 square miles
2010 population: 17,304
Forest, agricultural and suburban character

MASTER PLAN: Hopewell’s 2002 *Master Plan* and 2009 *Land Use Plan* seek alternatives to conventional suburban development patterns. Through the use of contiguous and noncontiguous clustering, it promotes development approaches such as the creation or expansion of hamlets by focusing compact growth in areas with existing infrastructure.

The 2009 *Land Use Plan* recommends four development options for the VRC and MRC districts that combine smaller minimum residential lot sizes (than allowed through the conventional subdivision option) with land preservation requirements: cluster subdivisions, lot-averaging subdivisions, open lands subdivisions, and noncontiguous cluster development through a designated hamlet. Hamlet development depends on the transfer of units through the use of contiguous or noncontiguous clustering. Open lands subdivisions allow noncontiguous cluster for larger tracts.

OPEN LANDS SUBDIVISION ORDINANCE: In order to preserve farmland

and to conserve resources, Hopewell permits open land subdivisions in the VRC, Valley Resource Conservation-Hamlet Light Industrial (VRC-HLI) and MRC districts. Tracts must be at least 18 acres in size in VRC or VRC-HLI and more than 40 acres in size in MRC. The minimum lot size for single-family units is 1.8 acres, as compared to requirements for conventional subdivisions of 6 acres in the VRC district and 14 acres in the MRC district. At least 60 percent of the tract in the VRC or VRC-HLI zones, and 75 percent in the MRC zone, must be deed-restricted for agricultural or conservation uses. If the tract is larger than 100 acres, the preserved land can be located on one or more noncontiguous parcels. Density bonuses are not allowed.

ORDINANCE PROVISIONS - HAMLETS AND NONCONTIGUOUS CLUSTER DEVELOPMENT:

Noncontiguous clustering is permitted in order to “provide a mechanism for the transfer of development potential from properties in the MRC and VRC districts to municipally designated hamlets in the VRC and/or the VRC-HLI districts.”

The ordinance provisions for hamlets allow construction of compact, pedestrian-scale, mixed-use neighborhoods with a minimum residential lot size of 7,500 square feet. Hamlets must be between 60 and 85 acres in size with at least 40 percent of the tract in open space, parks, or public



Single-family housing in the southeastern, R-5 zone in Hopewell



Single-family housing near County Road 518 in the VRC district



Farmland located in the VRC district near County Road 546



Farmland located in the MRC district near County Road 518

HOPEWELL TOWNSHIP, MERCER COUNTY, NJ

or quasi-public uses. Hamlets must meet a series of criteria, including being located on a county road and in an area where soils can support a community wastewater system, and having an adequate water supply. To achieve the allowed density, contiguous or noncontiguous cluster must be used to transfer units. Only after the sending parcels are permanently preserved and their development potential is transferred may the planning board designate the hamlet. The ordinance creates an incentive for the use of noncontiguous clustering through a density bonus.

MARSHALL'S CORNER PENNYTOWN AREA IN NEED OF REDEVELOPMENT:

One of the locations where a hamlet could be built is the Area in Need of Redevelopment covering three properties in the Marshall's Corner area -- Pennytown, Kooltronic and PSE&G -- which was designated in September 2009. The Pennytown property, purchased by the township, was identified for affordable housing in Hopewell's Housing Element. The neighboring Kooltronic and PSE&G parcels are identified as a potential site for a new mixed-use hamlet that could incorporate increased density through the use of noncontiguous clustering. The township contracted with Clarke Caton Hintz for creation of a cohesive redevelopment plan for all three properties, incorporating affordable and market-rate housing, a community center and commercial uses and a walkable design.

COORDINATION: Hopewell Township, Banisch Associates (master plans) and Clarke Caton and Hintz (redevelopment area)

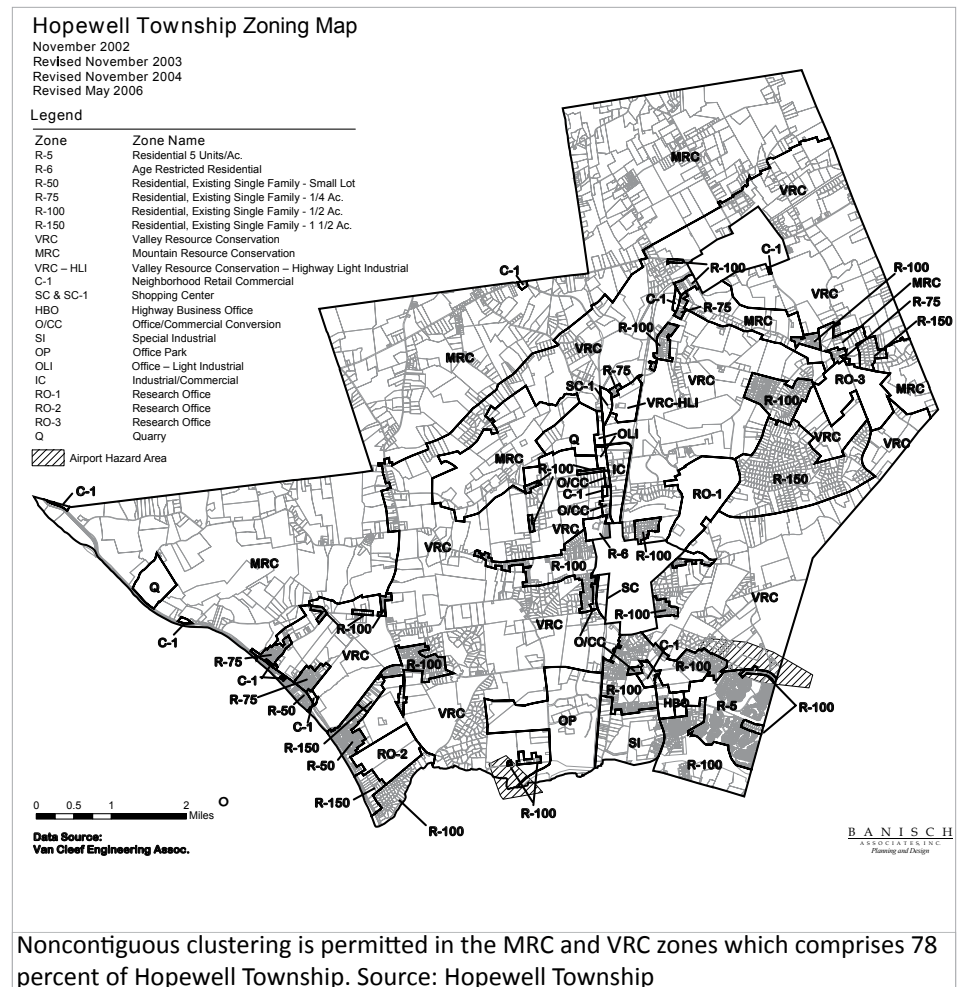
RESULT: The ordinances have not yet been implemented.



Cedar Ridge Preserve located in the MRC district near Sourland Mountain



Featherbed Lane in the MRC district near the Sourland Mountain trail system



Single-family house in Marshall's Corner, near an eligible hamlet site



Pennytown property in Marshall's Corner, an eligible hamlet site

MIDDLE TOWNSHIP, CAPE MAY COUNTY, NJ

Middle Township's vast open-space areas surround pockets of suburban development and small communities located along Route 9, including the Cape May Court House area, the location of a 17th century European settlement. In October 2011, Middle's master plan was endorsed by the State Planning Commission. The plan seeks to encourage compact growth in centers while preserving environmentally sensitive areas, which cover approximately 70 percent of the township. To implement the master plan, Middle Township adopted a noncontiguous clustering ordinance in 2011.

COMMUNITY PROFILE: 82.8 square miles, of which 50 percent is freshwater and tidal wetlands
2010 population: 18,911
Summer population: 60,000+
Coastal and village character

MASTER PLAN: Among the land-use concerns identified in the 2003 *Master Plan* are increased development on uplands in close proximity to environmentally sensitive areas and in locations without sewer service. To address these issues, the plan recommended shifting new development away from outlying environmentally sensitive areas towards areas with infrastructure.

The Master Plan - Land Use Plan Update, adopted in July 2010, provides more specific language and guidelines via center-based zoning principles to direct future development patterns. "Noncontiguous parcel clustering" is listed as a "key concept" to meet the township's desire to transfer potential development from the over 3,500 upland acres of vacant land and farmland to other areas within the township. The goal was to

preserve sensitive areas and support Middle Township's economy through enhancing designated growth areas.

ORDINANCE, SECTION 250-625: In August of 2011 Middle Township adopted a "noncontiguous parcel cluster" (NPC) ordinance as part of its plan to protect the environs and develop the centers. The purpose is:

"... to encourage land owners to conserve, preserve and protect open space, farmland, and the sensitive environmental features of the Township, particularly those located in the Environs, by creating a mechanism to move development from the environs to the centers through planned development which offers flexibility in the density, intensity of land uses, and design and type of development."

This ordinance allows development rights from parcels in the Rural Conservation (RC) zone to be transferred to parcels in the same zone as well as the Town Residential (TR), Residential (R), Town Center (TC) and Hildreth Village (HV) zones. The maximum residential densities for the various zones can be increased by two dwelling units per acre if the NPC



Cape May County open space located in the Rural Conservation zone



Single-family units located in the Rural Conservation zone



Near Cape May Court House on Route 9



Residential area with wooded lot in the Residential zone

MIDDLE TOWNSHIP, CAPE MAY COUNTY, NJ

option is employed. The ordinance also includes the following provisions:

- To ensure that lands to be preserved have open-space value, developers must delineate lands that are “unconstrained” by environmental regulations through a NJDEP Letter of Interpretation.
- For every acre of unconstrained land preserved in the RC zone, one additional dwelling unit may be developed in the RC, TR, R, TC and HV zones.
- Lands preserved through this mechanism must be deed-restricted as permanently preserved open space.
- Preserved lands may be retained by the property owner or dedicated to a public entity or conservation group.

In addition, the ordinance lists nine types of lands that are a priority for preservation through the NPC program. They include:

- Lands adjacent to public open space
- Lands adjacent to lands identified for Federal acquisition as part of the Cape May National Wildlife Refuge
- Lands within NJDEP Natural Heritage Priority Site

CONTRIBUTING PLANNERS: Middle Township, Terenik Land Use Consulting (consultant planner), Maser Consulting (prepared master plans) and New Jersey Office of Planning Advocacy

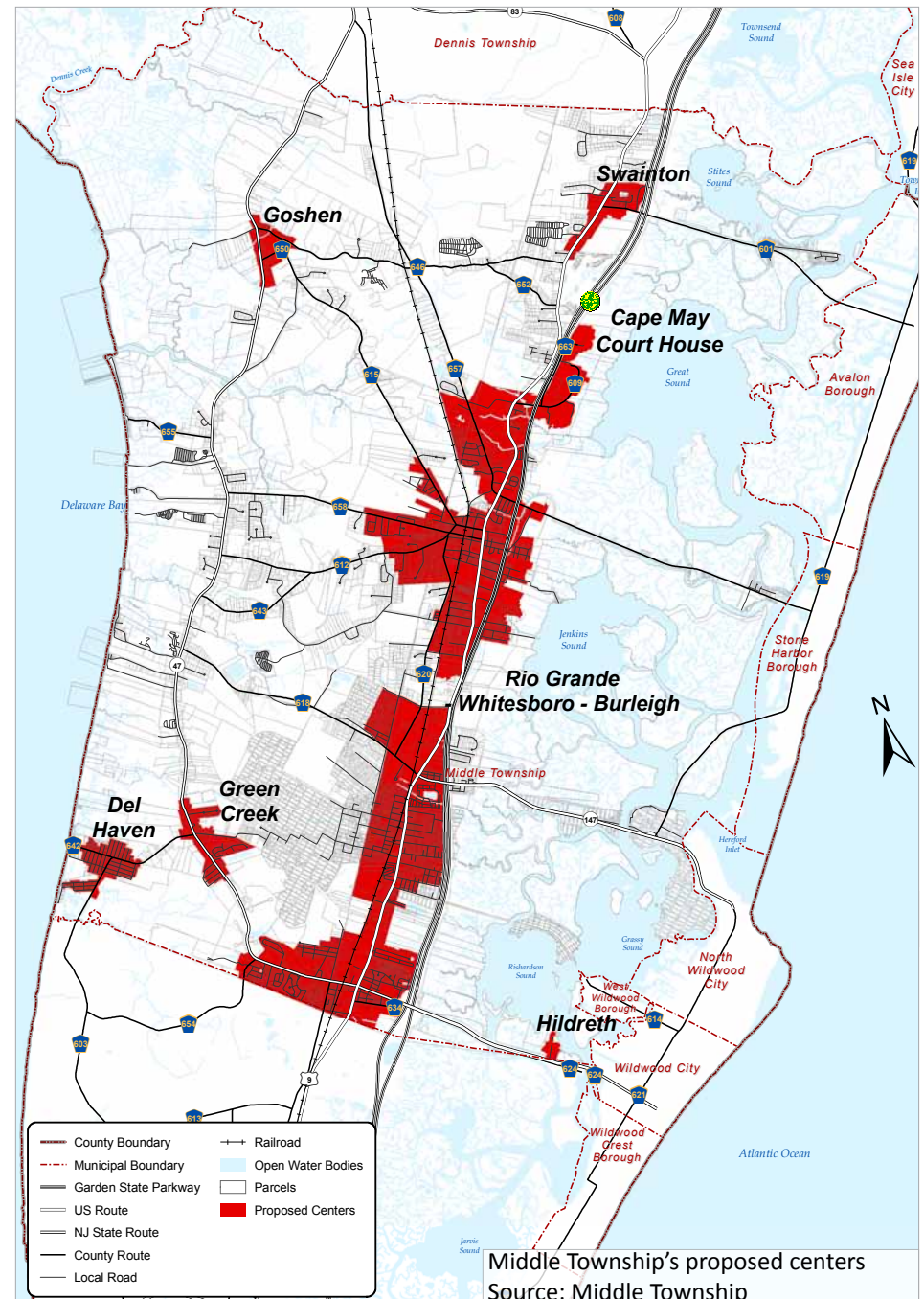
STATUS: The ordinance has yet to be implemented.



E. Shell Bay Avenue, located in the Residential zone



Rural Conservation zone adjacent to Jenkins Sound



MONROE TOWNSHIP, MIDDLESEX COUNTY, NJ

Monroe Township's location off of exit 8A on the New Jersey Turnpike has attracted residential development into what was once an agricultural community. One of the municipality's master plan goals is to ensure that 50 percent of the township is preserved as farmland or open space. Noncontiguous clustering, or "a cluster of noncontiguous properties" as stated in Monroe's ordinance, is authorized as one method to achieve this goal. The Southfield Estates residential subdivision used this tool to increase its density while preserving 257 acres of farmland.

COMMUNITY PROFILE: 42 square miles
2010 population: 39,132
Rural and suburban character

MASTER PLAN: Monroe's draft *2010 Master Plan Land Use Element Plan* focuses on how to balance growth in residential, commercial, and industrial uses throughout the township. The master plan recommends that the township employ various techniques to preserve open space, environmentally sensitive areas, and farmland, toward a goal of preserving 50 percent of its total land area. To date, 24.4 percent of Monroe's total land area is either publicly owned or privately preserved. Noncontiguous clustering is recognized, as in previous master plans, as a tool to help the town reach its 50 percent goal.

ORDINANCE, SECTION 108-6.7 E: Monroe Township's land development code authorizes "a cluster of noncontiguous properties," or noncontiguous clustering in a variety of residential zones scattered across the township, to ensure "sound planning and to encourage coordinated community development and to preserve open space." The tool may be applied in the RR-FLP, R-3A, R-60, R-30 and the R-20 zones. The code states:

"The Planning Board may approve the development of a

noncontiguous cluster, provided it serves municipal purposes and is suitably located to preserve open space, farmland or parks, consistent with the Monroe Township Open Space and Recreation Plan."

RESULT: In 2002 Renaissance Properties, a local developer with prior experience building in Monroe, worked with the township planning board and its engineer to gain approval for a single-family residential development utilizing the noncontiguous clustering ordinance. By purchasing the development rights from a nearby farm, Renaissance was permitted to subdivide a tract of land into a larger number of lots than zoning would otherwise allow. The approved subdivision is adjacent to the township-owned Historic Dey Farm and Museum.

ZONING ORDINANCE PROVISIONS FOR DENSITY:

	Noncontiguous cluster option	Large-lot option
RR-FLP	60,000 min. lot size	6 acres min. lot size
R-3A	20,000 min. lot size	3 acres min. lot size
R-60	20,000 min. lot size	60,000 sq. ft min. lot size
R-30	20,000 min. lot size	30,000 sq. ft. min. lot size



Historic England House on Old Church Road



Historic Dey Farmhouse, barn and potting shed along Old Church Road



Wyckoffs Mills Applegarth Road with Skeba farm



Skeba farm, permanently preserved farmland

MONROE TOWNSHIP, MIDDLESEX COUNTY, NJ

NONCONTIGUOUS CLUSTER IMPLEMENTATION

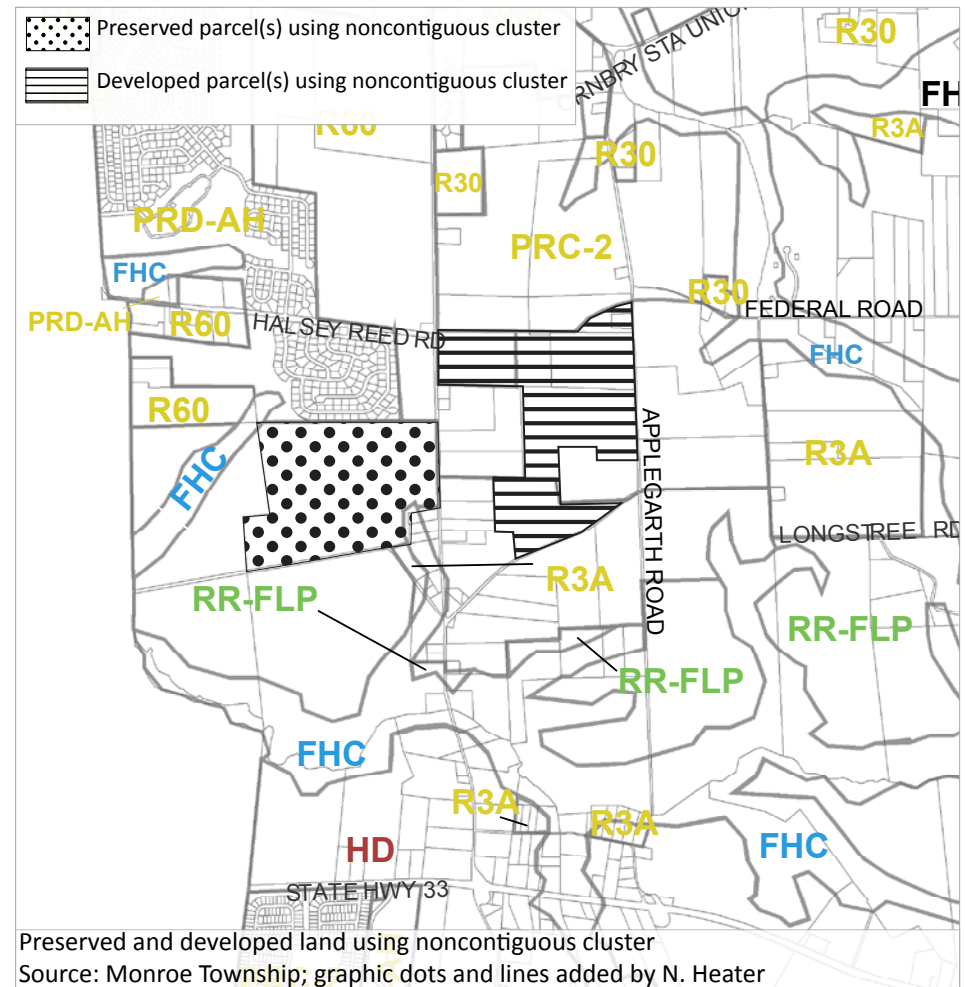
TIMELINE: 2003: General development plan application
2004: Amended preliminary and final major subdivision approval
2011: Construction completed

PRESERVED: 257 acres in the RR-FLP rural residential farmland preservation zone preserved as farmland and deed-restricted.
Privately-owned

DEVELOPED: Southfield Estates
142.5 acres
102 single-family units

INFRASTRUCTURE: Southfield Estates is connected to the Township's sewer and water at the developer's expense.

PROJECT COORDINATION: Renaissance Properties (developer), Monroe Township and Feist Engineering (consulting engineer)



Parcel dedicated to township; Southfield Estates in background



Parcel retained by developer; Southfield Estates in background



Street view of Southfield Estates



Single-family units, Southfield Estates

NORTH HANOVER TOWNSHIP, BURLINGTON COUNTY, NJ

North Hanover Township is primarily an agricultural community with a high concentration of prime soils. To manage growth from increased activity at nearby Fort Dix and McGuire Air Force Base, the township is preparing to adopt a Transfer of Development Rights (TDR) program that will transfer potential development from agricultural areas to the three proposed town centers and hamlets: Wrightstown, Cookstown and Jacobstown. To minimize the loss of farmland until the TDR program is in place, in 2009 the township adopted a noncontiguous cluster ordinance.

COMMUNITY PROFILE: 17.4 square miles
2010 population: 7,678
Rural and agricultural character

MASTER PLAN: Two areas of concern are identified in the *Re-Examination of Master Plan 2006*: “the increased conversion of farmland and open space to low-density residential development and the underutilization of commercial areas.” The use of noncontiguous clustering and transfer of development rights was recommended to prevent the loss of farmland and open space and to direct commercial and residential growth to the Sykesville Road next to Wrightstown Borough, an area identified as a town center.

The Land Use Plan Element of the Master Plan 2008 further maps out the process by which the township can restrict unwanted development in agricultural areas. The plan element notes that state and county farmland preservation programs were not adequate to address increased development pressure and additional tools were needed to direct growth into not only the Wrightstown center but also the hamlets of Cookstown and Jacobstown. According to the build-out calculation by Burlington County’s Office of Regional Planning, 982 new homes could be built.

To manage this growth, and also realize their goals of preserving their agricultural community and enhancing their town center and hamlets, the township chose to develop a TDR program. Since the planning process for implementing a TDR program can take up to five years, noncontiguous clustering was identified as an interim solution.

SUBDIVISION ORDINANCE, SECTION 15.061: Permitted reasons for allowing Planned Unit Residential Development (PURD) through contiguous and noncontiguous parcel clustering from the ordinance include:

- Preservation on a permanent basis of open space, natural features, and prime agricultural lands.
- Protection landowner equity by preserving residential lot yield
- Realization of cost savings in infrastructure installation and maintenance by such techniques as reducing the length of streets and vehicle miles traveled

Key provisions for a contiguous or noncontiguous cluster:

- Minimum size of project: 100 contiguous and/or non-contiguous acres
- Minimum size of developed area: 10 contiguous acres



Preserved farm on Croshaw Road



Farm in the R-A zone near Jacobstown
Cookstown Road



Farm in the R-A zone near Chesterfield
Jacobstown Road



Farm in the R-A zone near Chesterfield
Jacobstown Road

NORTH HANOVER TOWNSHIP, BURLINGTON COUNTY, NJ

- Minimum lot area for a detached single-family unit: one acre
- At least one preserved parcel must be larger than 25 contiguous acres
- The preserved parcel(s) must contain at least 50% of both the prime soils and statewide important soils of the PURD
- The preserved parcel(s) must be deed restricted

Example of noncontiguous clustering, as illustrated in the ordinance:

Parcel A - 50 acres: 0 homes + 50 preserved acres

Parcel B - 50 acres: 40 homes + 0 preserved acres

Total: 100 acres: 40 clustered homes on 50 acres + 50 preserved acres

ZONING ORDINANCE, SECTION 16.081: This section of the ordinance, covering the R-A (Residential Agricultural) zone, was adopted in September 2009. The R-A zone is the largest land area in the township. Contiguous and noncontiguous clustering are both authorized throughout the zone. Minimum lot sizes were increased to 25 unless in a PURD that utilized contiguous or noncontiguous clustering. (Note that the build-out potential of a PURD is based on the pre-existing zoning, which allowed minimum lot sizes of two to five acres, depending on soils.)

CONTRIBUTING PLANNERS: North Hanover Township, Burlington County Office of Economic Development and Regional Planning, Hulse and Germano Esquire, Ragan Design and CGP&H (consultant planners)

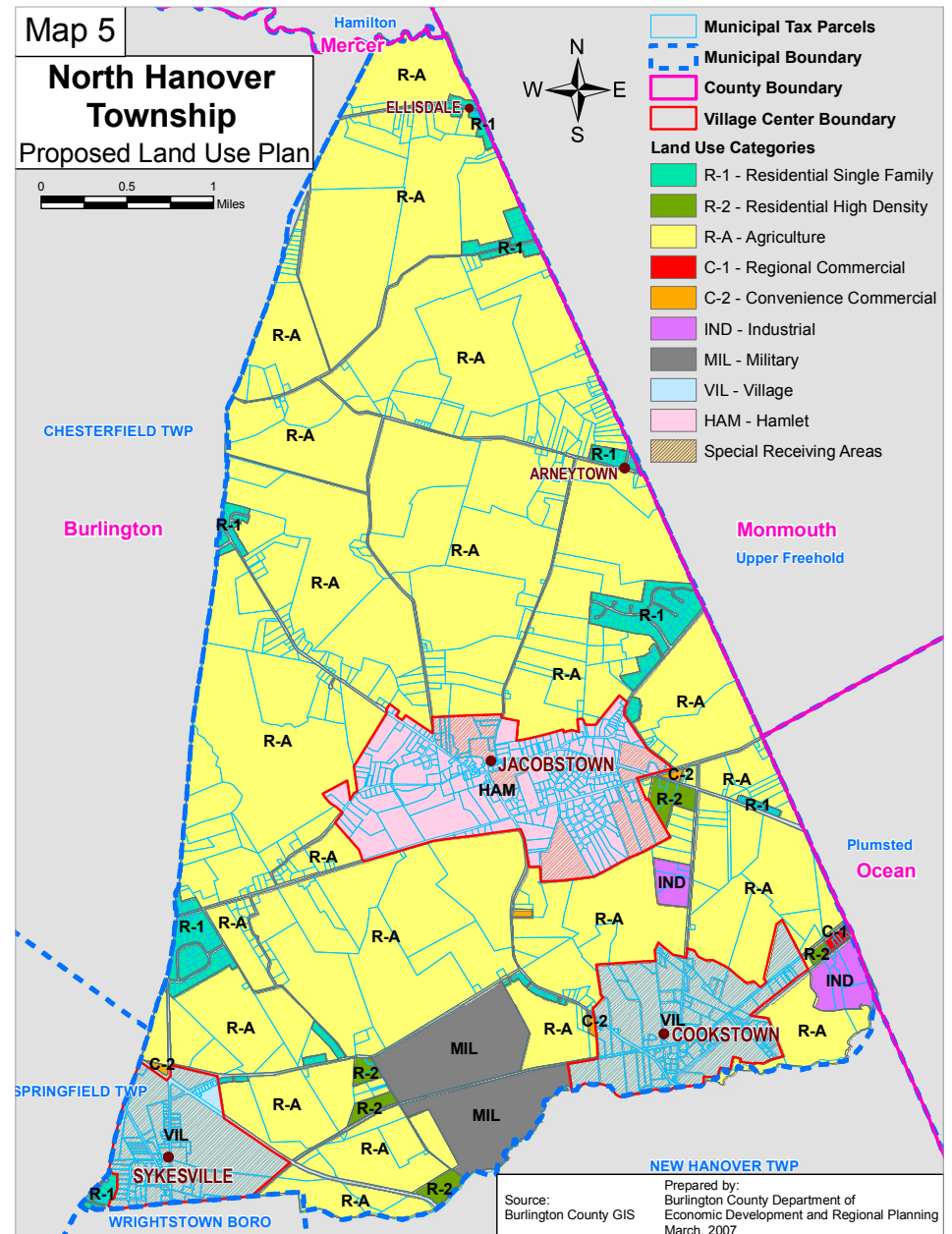
STATUS: The ordinance has yet to be implemented.



View from road near the proposed Cookstown hamlet



Housing near the proposed Jacobstown hamlet



Noncontiguous clustering is permitted in the R-A zone.

Source: Burlington County Department of Economic Development and Regional Planning, March 2007

OCEAN TOWNSHIP, OCEAN COUNTY, NJ

Ocean Township is bisected by the Garden State Parkway. Most of the land on the western side is regulated by the Pinelands Comprehensive Management Plan and most on the eastern side is regulated by the Coastal Area Facility Review Act. With limited developable land, the township is creating a mixed-use town center, a large portion of which is a redevelopment area. *The Waretown Town Center Redevelopment Plan* for the “Tradewinds” site authorizes noncontiguous clustering to allow increased impervious coverage on a 17.5 acre parcel by preserving land elsewhere.

COMMUNITY PROFILE: 32.0 square miles, of which 35 percent is water
2010 population: 8,332
Coastal, rural and forested pinelands

MASTER PLAN: Ocean Township’s *1982 Master Plan* identified the following goal:

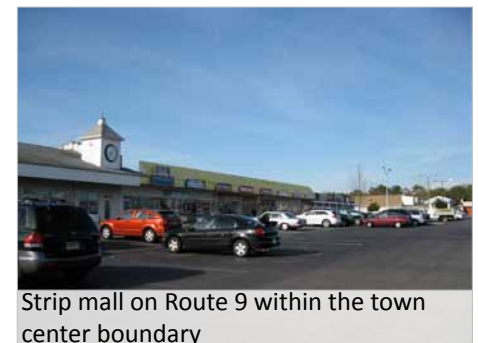
“Promote a village center atmosphere in and around the center of Waretown.”

The 1999 Master Plan Update recommended the township explore official designation of Waretown as a village center. In December 2005 the township received state plan endorsement and center designation for the Waretown Town Center, located on Route 9.

The Amended Land Use Plan Element, Circulation Plan Element, and Master Plan Reexamination Report, 2005, further refined the goals and objectives of the proposed town center, calling for incorporating a compact, mixed use area along and near Route 9. It also recommended the ability to

create “transitional land uses” and a network of pedestrian and bicycle paths to link areas. A key recommendation is the creation of a growth boundary between the proposed town center and the environmentally sensitive areas located to the north and south of Route 9. The growth boundary is intended to contain a dense community-oriented town center, surrounded by protected environmentally sensitive land and open space for passive recreation.

REDEVELOPMENT PLANS: *The Redevelopment Plan for Route 9 – Phase I* calls for a Town Center Mixed-Use District (TC-MXD) with proposed land uses, zoning standards and design guidelines to realize the township’s vision of a more compact, pedestrian-oriented center in an approximately 45-acre area along Route 9. *The Waretown Town Center Redevelopment Plan* provides detailed design guidelines for what is known as the Tradewinds site, a 17.5-acre parcel located within the town center at the corner of Route 9 and Birdsall Road. The design standards section, 2.4, addresses the CAFRA limit of 60 percent impervious coverage for the site. It allows an additional 10 percent impervious coverage to be realized in exchange for open-space preservation, using a form of noncontiguous



OCEAN TOWNSHIP, OCEAN COUNTY, NJ

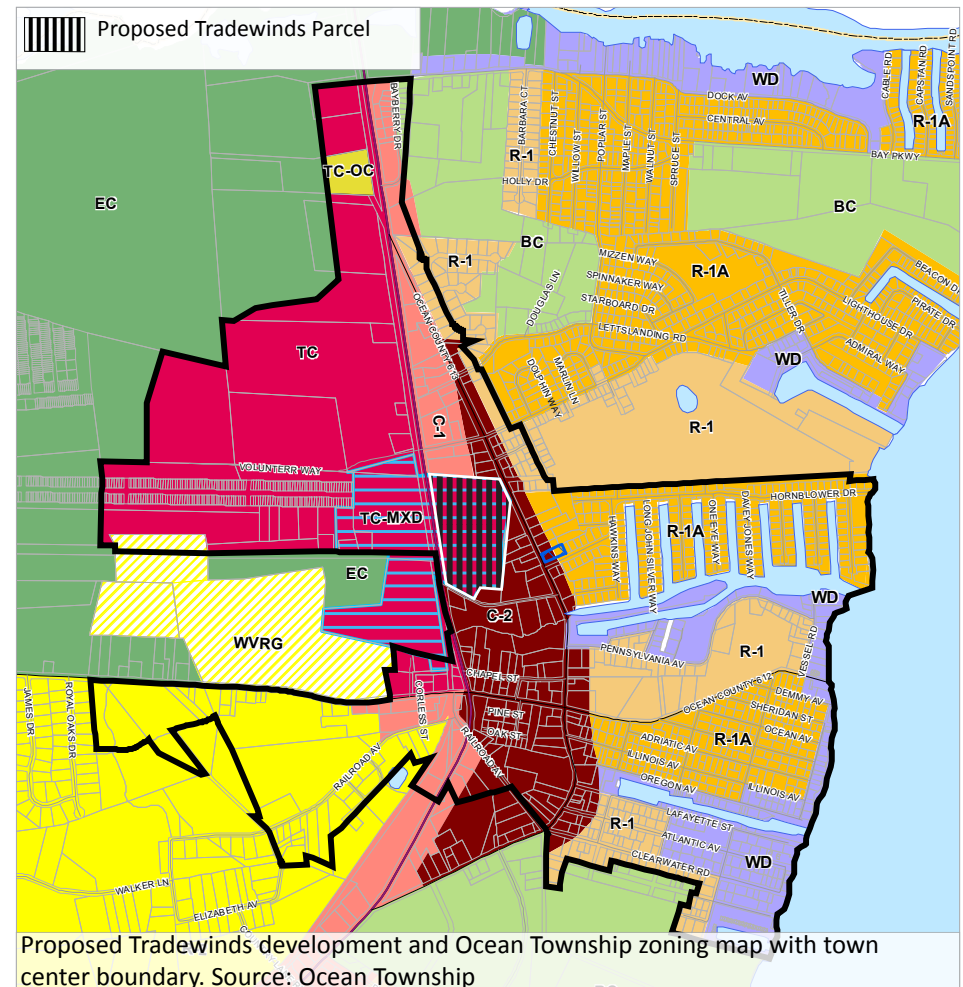
clustering:

“A redevelopment project may include up to 70 percent impervious coverage with the purchase of privately owned vacant land listed on the Township’s Open Space Acquisition Priority Property List in an amount sufficient to bring the total pervious land area between the two properties to 40 percent.”

According to this provision, the 17.5-acre Tradewinds development parcel could increase its impervious coverage to 70 percent if three acres of open space are preserved. If the 17.5-acre site (with 30 percent pervious land or 5.25 acres) is combined with 3.0 acres of open space (that is, 100 percent pervious), then the conditions are met. The total pervious land area between the two properties is 8.25 acres, which is greater than 40 percent of the total combined land area of 20.5 acres (8.2 acres).

CONTRIBUTING PLANNERS: Ocean Township, T&M Associates (consultant planner) and CMX (consultant planner)

STATUS: As of December 2011, the Tradewinds at Waretown site has not been redeveloped. The township’s planner has drafted a more comprehensive noncontiguous parcel cluster ordinance for the Zoning Board to review.



Newly graded Barnegat Branch Rail Trail within town center boundary



Vacant parcel with parking lot in front of stores along Route 9 within boundary



Route 9 and Birdsall Road site, 17.5-acre redevelopment parcel on right



House on Main Street and Birdsall Road, directly east of the 17.5-acre parcel

PLAINSBORO TOWNSHIP, MIDDLESEX COUNTY, NJ

In 1980 Plainsboro Township began to research methods to preserve its agricultural lands, which then covered over 80 percent of the township. Thirty years later, more than half of township lands have been permanently preserved as open space and farmland, through variety of planning techniques. In 1997, an ordinance allowing the transfer of development from noncontiguous properties was adopted and led to the construction of 30 additional units at the Crossings at Grovers Mill and the permanent preservation of a 100-acre portion of the Plainsboro Preserve.

COMMUNITY PROFILE: 11.8 square miles
2010 population: 22,999
Suburban character

MASTER PLAN: Since the early 1980s Plainsboro Township's master plans have included language to preserve farmland and open space in order to retain the township's historic character. *The 1982 Master Plan* recommends creation of an Agricultural Preservation area on 1,400 acres between Cranbury Brook and the Millstone River. This area, within the R-100 and R-150 Rural Residential zones, continues to be primarily agricultural – 70 percent, according to the 2006 master plan update.

Plainsboro's master plans identify noncontiguous clustering as a tool to preserve open space and farmland by permitting "developers to develop housing subdivisions on smaller lots in return for larger, contiguous, meaningful set-asides of open space." The township acknowledges that while new suburban growth will continue, it must act as a responsible party in preserving open spaces and agricultural areas.

ORDINANCE, SECTION 101-15 J: In 1997, Plainsboro Township amended its municipal code to include a provision for "rural residential planned

village clusters." Density may be increased if units are transferred from a noncontiguous parcel(s) that is preserved, and if the application (for development and preservation) supports the master plan. The following is a summary of the ordinance standards:

- A single application must be submitted for both the cluster area and the preservation (sending) area.
- R-350 Low-Density Residential Light-Impact Zone is the permitted sending area
- Cluster development areas cannot contain more than 20 percent of the number of lots normally allowed, regardless of how many units could have been built in the sending area.
- At least 75 percent of the lands involved shall be preserved as open space or farmland, deed-restricted or dedicated to the township.

RESULT: The township received an application for a 100-acre 45-home subdivision on the McCormack Tract, adjacent to a large area of open space that eventually became the Plainsboro Preserve. Due to the proposed subdivision's proximity to the open space, the planning board approved a density transfer to a large development project proposed for the township's farmland preservation area, where Calton Homes added 30 homes. The township has stated that the Plainsboro Preserve would



McCormack Lake located in the Plainsboro Preserve



McCormack Lake located in the Plainsboro Preserve



McCormack Lake located in the Plainsboro Preserve



Derry Meeting Drive as it enters the Crossings at Grovers Mill

PLAINSBORO TOWNSHIP, MIDDLESEX COUNTY, NJ

not be the expansive 1,000+ acre open space and recreational area that it is today without this transfer and the preservation of the 100-acre tract.

ZONING ORDINANCE PROVISIONS FOR DENSITY:

- Cluster residential option: 20,000-square-foot minimum lot size (authorized by provisions for transfer of development using noncontiguous properties)
- Underlying zoning: Six-acre minimum lot size

NONCONTIGUOUS CLUSTER IMPLEMENTATION

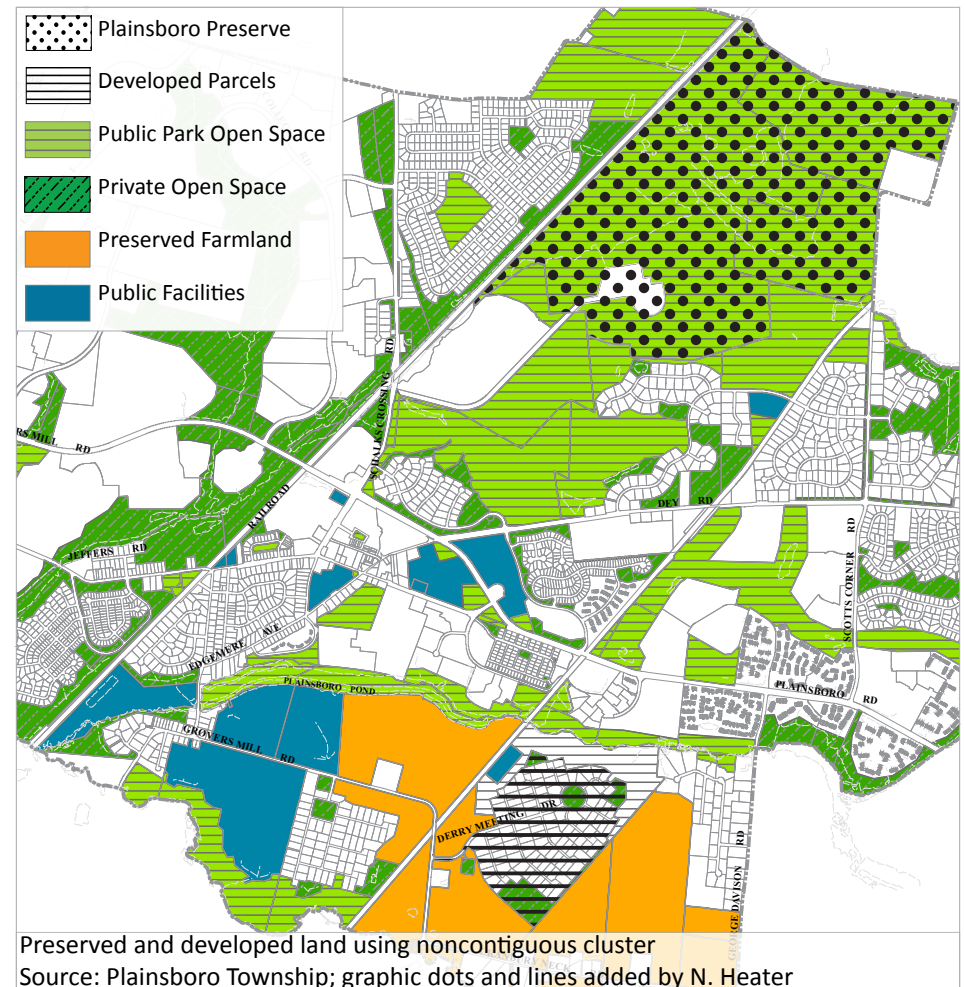
TIMELINE: 1996: Township seeks county grant to create preserve
1997: Township adopts cluster ordinance
Late 1990s/early 2000s: 100 acres preserved through noncontiguous cluster and added to Plainsboro Preserve

PRESERVED: 100 acres of the 1,000 +/- acres of Plainsboro Preserve

DEVELOPED: Crossing at Grovers Mill:
586 acres total, including 425 acres +/- of on-site open space and farmland through contiguous cluster
170 single-family homes total, including 30 homes added through noncontiguous cluster on 3/4-acre lots

INFRASTRUCTURE: Serviced by public sewer and public water

PROJECT COORDINATION: Plainsboro Township and Calton Homes



ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NJ

Robbinsville Township, located eight miles east of Trenton, experienced rapid suburban growth during the 1980s and 1990s. Concerned about the resulting loss of character, the township began an ambitious project in the mid-1980s to direct growth into a large, new, mixed-use area called Washington Town Center. Noncontiguous clustering allowed the developer to add 90 housing units and enabled the township to preserve 193.5 acres of priority open space.

COMMUNITY PROFILE: 20.7 square miles
2010 population: 13,642
Rural, town center and suburban character

MASTER PLAN: Robbinsville's 1997 land use ordinance amendment for the town center states that a town center was proposed in some form as early as 1986. Though the most recent master plan (2000) was adopted after the town center zoning changes, it reiterates many of the previous plan's goals. Robbinsville recognized that large-lot zoning does not foster a sense of community or preserve farmland, two stated goals of the master plan. To accomplish those objectives, the township sought to balance development and preservation using as many planning tools as possible.

ORDINANCE, CHAPTER 142 LAND USE: Section 19 of Robbinsville's land use ordinance governing the Town Center District (TC) includes a list of policy statements, one of which relates to noncontiguous clustering:
“(10) Allow for the directing of additional development to the Town Center in an effort to preserve the remaining rural, historic and agricultural character of the community.”

The town center district plan allows density to be increased in two zones,

TC-1 and TC-3, through “planned unit residential development credit transfer” (noncontiguous clustering) from the Rural Residential (RR) District in the northern part of the township, which includes “proposed priority open space acquisition/preservation land(s) on the Land Preservation Plan.” Section 13(L) details the provisions for noncontiguous clustering. It requires permanent preservation for agriculture, conservation land or recreation, although exception is made for an existing house and farmstead. Bonus credits are provided for open space lands with a higher ranking on the township's Land Preservation Plan.

TOWN CENTER ZONING AND DESIGN GUIDELINES, CHAPTER 124, 142G ATTACHMENT 5-3:4: The design guidelines establish limits for density increases using noncontiguous clustering. The guidelines also create a transfer ratio for different types of housing units built in the town center. For example, for every additional “urban apartment” built, 0.50 housing units must be transferred from the preservation area, while for every “village house,” 0.9 housing units must be transferred.

RESULT: Washington Town Center was built on a 200 +/- acre greenfield located at the intersection of U.S. Route 130 and Route 33. The walkable, mixed-use community has approximately 1,200 single-family houses on



Lake Drive East in Washington Town Center



Single-family housing on Union Street



Townhouses on Heritage Street



Mixed-use retail + residential units on North Commerce Square

ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NJ

small lots, as well as duplexes, townhouses, apartments and lofts, in addition to retail and office space. The developer utilized Robbinsville's noncontiguous cluster provisions to include 90 extra residential units by providing \$3.8 million in 2005 for the purchase of 193.5 acres on six properties identified on the township's 2002 Open Space Priority List.

ZONING ORDINANCE PROVISIONS FOR DENSITY:

- Noncontiguous cluster option: density increases range from 0.5 – 1.2 additional dwelling units per acre, depending on the zone
- Allowed densities without noncontig. clustering: 1.5 units per acre

NONCONTIGUOUS CLUSTER IMPLEMENTATION

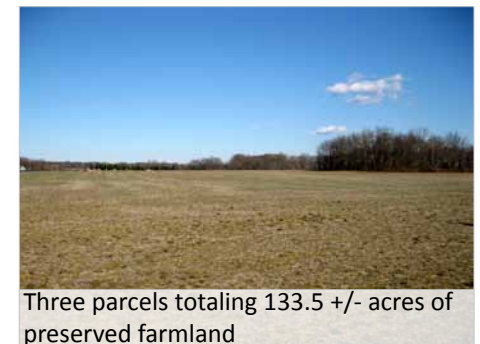
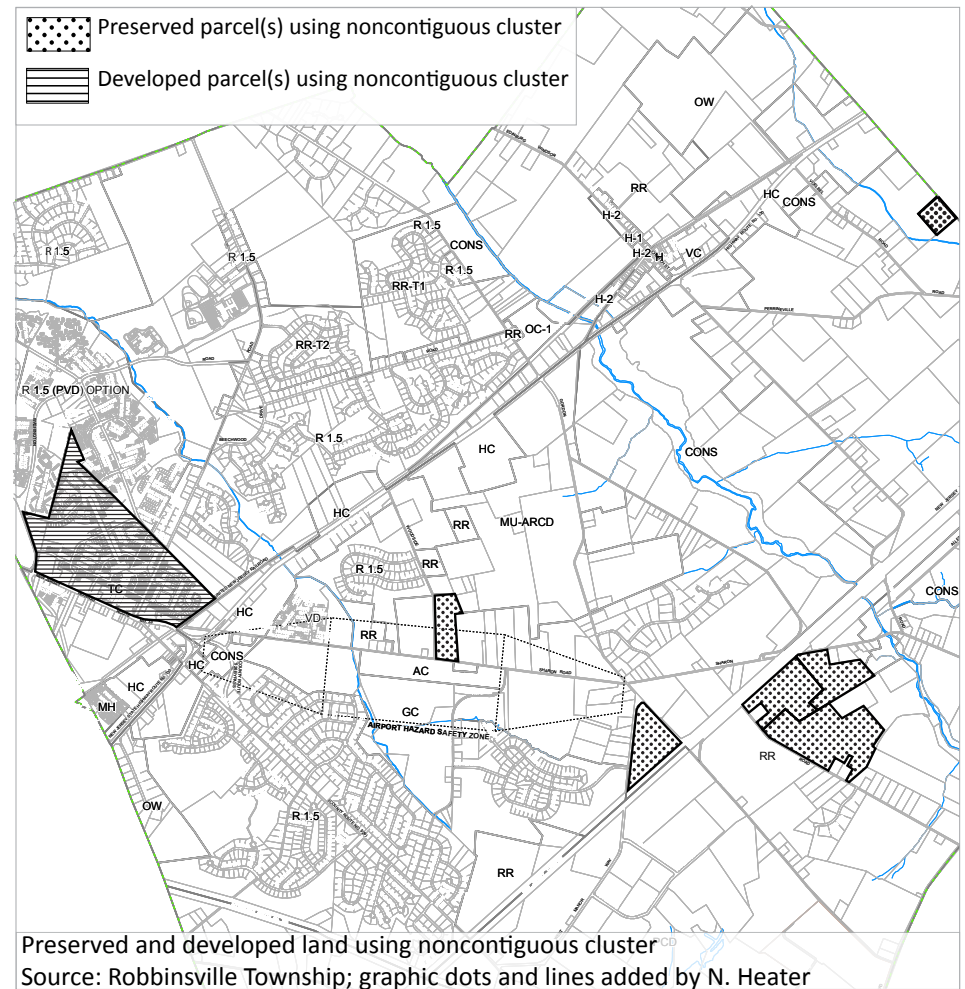
TIMELINE: 1997: Township Code Book was revised to include the Town Center Zoning and Design Regulations
2005: Sharbell pays to preserve land in exchange for extra units

PRESERVED: 193.5 acres, 6 properties in the RR, Rural Residential zone

DEVELOPED: 200 acre (approximately) town center with office, retail and approximately 1,200 residential units
90 residential units added by noncontiguous clustering

INFRASTRUCTURE: Public water and public sewer sanitary

PROJECT COORDINATION: Robbinsville Township and Sharbell Dev. Corp.



APPENDIX

DELAWARE TOWNSHIP, HUNTERDON COUNTY, NJ

HAMLET ORDINANCE, #2011-11LU: Located at the following link:
http://www.delawaretnj.org/ordinances/or201111LU_Hamlet_Regulations.pdf

OPEN LANDS SUBDIVISION ORDINANCE #2011-12LU: Located at the following link: http://www.delawaretnj.org/adopted_ordinances.html

ZONING MAP: Located on page 132 of the Delaware Township Hunterdon County, *New Jersey Comprehensive Farmland Preservation Plan* located at the following link:
<http://www.delawaretnj.org/PB-Agendas/CFPP-12-16-11.pdf>

HILLSBOROUGH TOWNSHIP, SOMERSET COUNTY, NJ

CODE ONLINE, CHAPTER 188 LAND USE AND DEVELOPMENT, ARTICLE V SECTION 188-98 D: Located at the following link:
<http://www.ecode360.com/HI0602>

OPEN SPACE MAP: Located at the following link:
http://www.hillsborough-nj.org/documentsnewsletter/2011hillsborough_preserved_lands_display.pdf

HOPEWELL TOWNSHIP, MERCER COUNTY, NJ

CODE BOOK: CHAPTER XVII - LAND USE AND DEVELOPMENT ARTICLE IX, SECTIONS 17-160 AND 17-172: 17-160 Mountain Resource Conservation and Valley Resource Conservation Districts Section and 17-172 VRC-HLI Valley Resource Conservation and Hamlet Light Industrial District: <http://clerkshq.com/default.ashx?clientsite=Hopewell-nj>

ZONING MAP: Located at the following link: http://www.hopewelltnj.org/zoning_map_revised_5-18-06.pdf

MARSHALL'S CORNER PENNYTOWN PLANNER'S REPORT AREA IN NEED OF REDEVELOPMENT: Located at the following link:
http://www.hopewelltnj.org/Marshalls-Corner-Pennytown-Task-Force/090817_Pennytown_Final_Area%20in%20Need%20Report.pdf

MIDDLE TOWNSHIP, CAPE MAY COUNTY, NJ

ZONING REGULATIONS, CHAPTER 250, ARTICLE VI, SECTION 250-625: Located at the following link:
<http://www.middleborough.com/zone/zone.htm>

PROPOSED CENTERS MAP: Located on page 57 of the *Master Plan Land Use Update, Township of Middle, Cape May County, New Jersey* in the Action Plan Files zip file dated 09/06/11. The file is labeled D1B_Land Use Element and it is located at the following link:
<http://www.state.nj.us/state/planning/plan-endorsed.html>

MONROE TOWNSHIP, MIDDLESEX COUNTY, NJ

CODE: VOLUME II, LAND DEVELOPMENT, SECTION 108-6.7 E: Located at the following link:
<http://clerkshq.com/default.ashx?clientsite=monroetwp-nj>

ZONING MAP: The Zoning Map is available through the Township.

NORTH HANOVER TOWNSHIP, BURLINGTON COUNTY, NJ

SUBDIVISION ORDINANCE, SECTION 15.061: Located at the following link: <http://www.northhanover.us/subpages/construction/forms/Ch15LandSubSitePlanReview.pdf>

APPENDIX

ZONING ORDINANCE, SECTION 16.081: Located at the following link: <http://www.northhanover.us/subpages/construction/forms/NHTZoningOrdinances.pdf>

PROPOSED LAND USE MAP: Located at the following link: <http://www.northhanover.us/subpages/construction/forms/NHTZoningMap.pdf>

OCEAN TOWNSHIP, OCEAN COUNTY, NJ

COMPREHENSIVE LAND DEVELOPMENT ORDINANCE: Located at the following link: <http://www.oceantwp.org/content/76/4465/default.aspx>

REDEVELOPMENT PLANS: *The Redevelopment Plan for Route 9 – Phase I* is not available online. Please contact the Township for a copy of the report.

The Waretown Town Center, Redevelopment Plan, Supplemental Plan for Block 131, Lot 4 “Tradewinds at Waretown.” The design standards section 2.4 describes the use of noncontiguous clustering and is available at the following link: <http://www.townshipofocan.org/TC-Agendas/2012/011212/2012-01.pdf>

ZONING MAP EAST OF PARKWAY: Located at the following link: [http://www.townshipofocan.org/otwp_zoningEAST\(2-27-08\).pdf](http://www.townshipofocan.org/otwp_zoningEAST(2-27-08).pdf)

PLAINSBORO TOWNSHIP, MIDDLESEX COUNTY, NJ

MUNICIPAL CODE BOOK, CHAPTER 101: SECTION 101-15 J: Located at the following link: <http://www.ecode360.com/PL1612>

OPEN SPACE MAP: Located at the following link: <http://www.plainsboronj.com/maps/Figure12-openspace.pdf>

ROBBINSVILLE TOWNSHIP, MERCER COUNTY, NJ

ORDINANCE, CHAPTER 142 LAND USE, ARTICLE IV, SECTION 142-19: Located at the following link: <http://ecode360.com/WA0755>

TOWN CENTER ZONING AND DESIGN GUIDELINES, CHAPTER 124, 142G ATTACHMENT 5-3:4: Located at the following link: <http://ecode360.com/documents/WA0755/WA0755-142g%20Design%20Guidelines.pdf>

ZONING MAP: Located at the following link: <http://www.robbinsville-twp.org/Municipal%20Departments/planningzone.html>

BIBLIOGRAPHY

*Note: Washington Township changed its name to Robbinsville Township. References to Washington in the bibliography refer to Robbinsville.

Brown & Keener Urban Design. *Washington Township*, Mercer County, New Jersey, 2000 Master Plan*. Prepared for Washington Township. Adopted by the Washington Township Planning Board 2000 December.
<http://www.robbinsville-twp.org/masterplan.html>

Caton, Phil and Chris Sturm. "Realizing the Promise: Transfer of Development Rights in New Jersey; A Report of the New Jersey TDR Statewide Policy Task Force." New Jersey Future. August 2010. <http://www.njfuture.org/wp-content/uploads/2011/06/TDR-report-FINAL-081110.pdf>

CGP&H and Burlington County's Office of Economic Development & Regional Planning. *Land Use Plan Element of The Township of North Hanover Master Plan, North Hanover, Township, Burlington County, New Jersey*. 26 March 2008.

Clark Caton Hintz. *Planner's Report, Area in Need of Redevelopment*. Prepared for the Hopewell Township Planning Board Mercer County, New Jersey. 17 August 2009.
http://www.hopewelltpw.org/Marshalls-Corner-Pennytown-Task-Force/090817_Pennytown_Final_Area%20in%20Need%20Report.pdf

CMX (prepared draft) and T&M Associates (prepared amendments).
Waretown Town Center, Redevelopment Plan, Supplemental Plan

for Block 131, Lot 4 "Tradewinds at Waretown." Prepared for the Township of Ocean Redevelopment Committee. Amended 21 December 2010. Prepared for New Jersey Office of Smart Growth 22 December 2004.
<http://www.townshipofocean.org/TC-Agendas/2012/011212/2012-01.pdf>

Delaware Township Committee and Planning Board. *Delaware Township Hunterdon County, New Jersey Comprehensive Farmland Preservation Plan*. Amended 16 December 2011.
<http://www.delawaretwpnj.org/PB-Agendas/CFPP-12-16-11.pdf>

Delaware Township Zoning Review Committee and Caroline Armstrong, GroupMELVINDesign. *Future Zoning Changes in Delaware Township: Preliminary Findings, Conclusions and Recommendations*. 19 June 2008.

Garbarine, Rachelle. "In the Region/New Jersey; New Law Addresses Both Conservation and Growth." The New York Times, 18 February 1996.

GroupMELVINDesign. *Delaware Township Master Plan Amendment Draft Land Use Plan Element for the A-1 and A-2 Districts*. Prepared for Delaware Township. 20 October 2009.

Hopewell Township Planning Board and Banisch Associates, Inc. *2002 Master Plan, Goals and Objectives, Land Use Plan Element and Conservation Plan Element, Township of Hopewell, Mercer County, New Jersey*. Adopted as revised on 23 May 2002.
<http://www.hopewelltpw.org/HT-2002-Master-Plan.pdf>

BIBLIOGRAPHY

- Hopewell Township Planning Board. *2007 Periodic Reexamination Report of the Master Plan and Development Regulations for Hopewell Township, Mercer County, New Jersey*. Adopted as revised on 18 October 2007. http://www.hopewelltpw.org/2007_Reexamination_Report.pdf
- Hopewell Township Planning Board. *2009 Periodic Reexamination Report of the Master Plan and Development Regulations for Hopewell Township, Mercer County, New Jersey*. Adopted on 12 March 2009. http://www.hopewelltpw.org/2009_Reexamination_Report.pdf
- Hopewell Township Planning Board. *2011 Periodic Reexamination Report of the Master Plan and Development Regulations for Hopewell Township, Mercer County, New Jersey*. Adopted on 15 December 2011. http://www.hopewelltpw.org/project-documents/2011_Reexamination_Report-Adopted_121511.pdf
- Hopewell Township Planning Board, Michael P. Bolan and Banisch Associates, Inc. *Land Use Plan Element, Township of Hopewell, Mercer County, New Jersey*. Adopted 22 October 2009. http://www.hopewelltpw.org/Land_Use_Plan_Element-Adopted_111909.pdf
- Kinsey, David. "Noncontiguous Parcel Clustering: A New Technique For Planned Density Transfers." Technical Reference Document #128. Prepared for the New Jersey Office of State Planning. December 1997. <http://www.nj.gov/state/planning/docs/parcelclustering120197.pdf>
- Maser Consulting P.A. *Master Plan – Land Use Plan Update, Township of Middle, Cape May County, New Jersey*. Prepared for Middle Township. July 2010. Adopted 22 July 2010. <http://www.state.nj.us/state/planning/plan-endorsed.html>
- Maser Consulting P.A. *Master Plan Re Examination Report, Township of Middle, Cape May County, New Jersey*. Prepared for Middle Township May 2010. Adopted 22 July 2010. <http://www.state.nj.us/state/planning/plan-endorsed.html>
- Maser Consulting P.A. *Natural Resources Inventory, Township of Middle, Cape May County, New Jersey*. Prepared for Middle Township. Revised May 2010. Adopted 22 July 2010. <http://www.state.nj.us/state/planning/plan-endorsed.html>
- Mercer, Courtenay D. "Courts Fluster Non-Contiguous Cluster." Plan This! Vol 6 Issue 2 (March-April 2008) 10-11. New Jersey Chapter of the American Planning Association. http://njplanning.org/wp-content/uploads/jp_mar_apr_2008.pdf
- Miller, Kerry. "Noncontiguous Clustering Helps Delaware Plan for Growth." ANJEC Report Vol. 32 No. 1 Winter 2012. <http://www.anjec.org/pdfs/Winter2012ANJECReport.pdf>
- New Jersey Future. "Robbinsville Transformed with New Town Center." New Jersey Future 2010. <http://njfuture.org/smart-growth-101/stories/2010-award/robbinsbill/>

BIBLIOGRAPHY

- North Hanover Master Plan Review Committee. *2000 Master Plan, North Hanover Township, Burlington County, New Jersey*. Adopted 8 November 2000.
- North Hanover Master Plan Review Committee. *Re-Examination of Master Plan, North Hanover Township, Burlington County, New Jersey*. Draft 14 June 2006.
- Parish, Pine & Weiner. *Master Plan, Plainsboro Township, New Jersey*. Prepared for Plainsboro Township 1982.
- Plainsboro Township and Mueller & Associates, Planning Consultants. *Master Plan, Township of Plainsboro, New Jersey*. Revised 16 October 2006.
- Remington, Vernick & Vena Engineers. *Ocean Township Master Plan, 1999 Update for Township of Ocean, Ocean County, New Jersey*. Prepared for Ocean Township. Undated.
- Sturm, Chris. "Affordable Land Preservation Tools: Contiguous & Noncontiguous Clustering." *New Jersey Future*, 1 June 2011. <http://www.njfuture.org/wp-content/uploads/2011/06/affordable-land-pres-tools-060111.pdf>
- T&M Associates. *Amended Land Use Plan Element, Circulation Plan Element and Master Plan Re-Examination Report, Township of Ocean, Ocean County, New Jersey*. Prepared for Ocean Township Land Use Board, 21 November 2005.
- T&M Associates. *Redevelopment Plan, Route 9 – Phase I Ocean Township, Ocean County, New Jersey*. Prepared for New Jersey Office of Smart Growth 22 December 2004.
- Slachetka, Stan. "Letter to Eileen Swan, Executive Director, NJDCA Office of Smart Growth." Regarding Waretown Town Center Plan Endorsement Monitoring Report, Township of Ocean, Ocean County. 7 December 2006. <http://www.nj.gov/state/planning/docs/oceantwpreport120706.pdf>
- Washington Township Master Plan Subcommittee; Vernick & Arango Engineers. *Washington Township, Mercer County, Periodic Re-Examination of Master Plan Pursuant to N.J.S.A 40:55D-89 & Land Use Element Amendment*. 21 March 2007. <http://www.robbinville-twp.org/masterplan.html>
- Wells Appel Land Strategies and Lenaz Mueller & Associates. *Hillsborough Township, Somerset County, New Jersey Plan Master Plan Amendment – Phase 2 Gateway, Town Center, Transit Oriented Village, Transitional, Research & Development, Corporate Development & General Industrial Zones*. Prepared for Hillsborough Township. Adopted 27 October 2005.

ABOUT THE AUTHORS

CHRIS STURM, SENIOR DIRECTOR OF STATE POLICY

At New Jersey Future, Chris is responsible for policy development and advocacy across a host of policy issues including state and regional planning, environmental protection, transportation, and economic development incentives. She co-chaired the Transfer of Development Rights Statewide Policy Task Force and spearheaded New Jersey Future's Smart Housing initiative. Her career experience includes serving as the assistant director of the Capital City Redevelopment Corporation, as well as working for the MSM Regional Council (now PlanSmart NJ), the Eagleton Institute, and the Office of State Planning. She holds a master's degree in Public Affairs from the Woodrow Wilson School at Princeton University, where she concentrated in Urban and Regional Planning.

Chris has lived in central New Jersey for 25 years, and hopes this project will help add to the state's wealth of greenways, parks and preserved farms where she enjoys hiking and cross-country skiing as well as to its walkable downtowns and neighborhoods.

You can contact her at csturm@njfuture.org or (609) 393-0008 x114.

NICOLE HEATER

As an intern for New Jersey Future, Nicole photographed the sites, designed the layout, and took the lead in researching and writing about noncontiguous clustering. The internship, and the drafting of this report, provided a helpful crash course in exploring suburban and town center developments, farms, and open spaces in New Jersey, her new home state.

Nicole graduated with a Masters in Landscape Architecture in August 2011 from SUNY College of Environmental Science and Forestry. Her capstone project, a year-long research and design study, examines the role of planning and design in relationship to the production of space and redevelopment efforts in the city of Newburgh, NY, a small de-industrialized city located on the west side of the Hudson River. Newburgh has the second largest historic district in the state, a high rate of poverty, and a high incident of violent crime. Her report illustrates the historical and existing social and economic conditions in Newburgh through maps, diagrams, and drawings, and identifies strategic actions within targeted locations to assist in improving the quality of life for all of Newburgh's residents.

You can contact her at nheater@gmail.com.

ABOUT NEW JERSEY FUTURE

New Jersey Future is a nonprofit, nonpartisan organization that brings together concerned citizens and leaders to promote responsible land-use policies. The organization employs original research, analysis and advocacy to build coalitions and drive land-use policies that help revitalize cities and towns, protect natural lands and farms, provide more transportation choices beyond cars, expand access to safe and affordable neighborhoods and fuel a prosperous economy.

