

**RESOLUTION**

**TOWNSHIP OF HOWELL PLANNING BOARD  
RESOLUTION OF MEMORIALIZATION  
MONMOUTH COUNTY, NEW JERSEY  
ADOPTION OF AMENDMENT TO THE LAND USE  
ELEMENT OF THE MUNICIPAL MASTER PLAN**

**Approved: December 1, 2011  
Memorialized: January 19, 2012**

**MATTER OF AMENDMENT TO THE LAND USE  
ELEMENT OF THE MUNICIPAL MASTER PLAN**

**WHEREAS**, pursuant to N.J.S.A. 40:55D-28, the Howell Township Planning Board (hereinafter "Planning Board") may prepare and, after public hearing, adopt or amend a master plan or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare; and

**WHEREAS**, N.J.S.A. 40:55D-28b(2) permits a planning board to adopt a land use element of the municipal master plan; and

**WHEREAS**, public hearings were held before the Planning Board on October 6, 2011; October 20, 2011; and December 1, 2011, to consider the adoption of an amended land use element; and

**WHEREAS**, the Planning Board's Professional Planner Birdsall Engineering prepared a draft land use element last dated, November 21, 2011; and

**WHEREAS**, the Planning Board has heard testimony and comments from its own consultants, and with the public having had an opportunity to be heard and present expert testimony; and

**WHEREAS**, based upon the testimony and draft land use element as well as the 2006 periodic re-examination report;

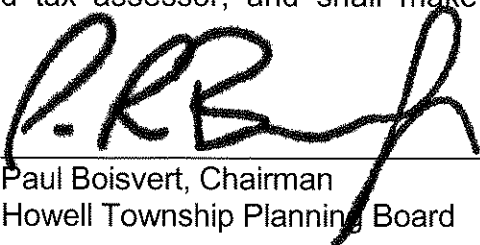
**NOW, THEREFORE,** does the Howell Township Planning Board make the following findings of fact and conclusions of law with regard to the draft land use element.

1. The Planning Board determines that the policy goals and objectives contained in the draft land use element prepared by Birdsall Engineering accurately reflect the policies of the Planning Board based upon the current land use patterns as well as land use challenges which presently exist within the municipality.

2. The Planning Board therefore adopts the draft land use element prepared by Birdsall Engineering, dated November 21, 2011.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Howell on this 19 day of January, 2012, that the action of the Planning Board taken on December 1, 2011, adopting the draft land use element prepared by Birdsall Engineering dated November 21, 2011, pursuant to N.J.S.A. 40:55D-28 is hereby memorialized.

**BE IT FURTHER RESOLVED** that the Board secretary is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper and to send a certified copy of this Resolution to the Monmouth County Planning Board and to the Township clerk, engineer, attorney and tax assessor, and shall make same available to all other interested parties.



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Paul Boisvert, Chairman  
Howell Township Planning Board

ON MOTION OF: Mr. Nicasro

SECONDED BY: Mr. Schneider

ROLL CALL:

YES: Messrs. Nicasro and Schneider

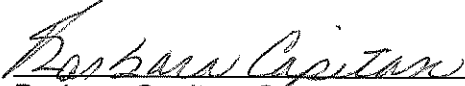
NO:

ABSTAINED:

ABSENT:

DATED: January 19, 2012

I hereby certify this to be a true and accurate copy of the Resolution adopted by the Howell Township Planning Board, Monmouth County, New Jersey at a public meeting held on January 19, 2012.

  
Barbara Capitan, Secretary  
Howell Township Planning Board

**HOWELL TOWNSHIP  
LAND USE ELEMENT AMENDMENT**

September 23, 2011

Revised October 6, 2011

Revised November 21, 2011

Prepared by

Jeffrey L. Janota, P.P., A.I.C.P.

License No. 5827

A handwritten signature in cursive script, reading "Jeffrey L. Janota", is written over a horizontal line. The signature is written in black ink and is positioned below the printed name and license number.

The original of this document has been signed and sealed in accordance with New Jersey Law.

## **Route 33 and Route 9 Corridor and Land Use Study**

There are approximately 338 properties and 154 properties with frontage along the Route 9 and Route 33 corridors, respectively. The properties with frontage along Route 9 are predominantly located within Highway Development HD-1 and Highway Commercial HC zones. There is a portion along the corridor that is located within the Planned Mixed Use PMU, Residential Age-Restricted R-5 and Residential R-3 Zone Districts. Therefore the area along Route 9 lie within zone districts where permitted uses are is—predominantly commercial, in addition to some residential, vacant and public properties.

The properties with frontage along Route 33 are predominantly located within the Highway Development (HD-2 and HD-3) Zone Districts and the Special Economic Development (SED) Zone District. There is a portion along the corridor that is located within the Agricultural Rural Estates (ARE-2 and ARE-6) Zone Districts, Residential (R-3) Zone District and Reserved Mount Laurel (RMLD) Zone Districts. Therefore properties within frontage along Route 33 lie within zone districts permitting a combination of residential and commercial uses.

Development of sections of these corridors have been limited over the years because of permitted zoning uses, especially in all the HD zones, limited access to sanitary sewer and infrastructure and the presence of environmental constraints such as wetlands and C-1 categorized waterways. In fact there are also a number of non conforming commercial uses located along the Route 33 corridor in the R-3 and ARE-zones, which were either grandfathered in the underlying zone districts or were granted variances over the years. It is recommended that the Township analyze the history of use variance granted and denied by the Board of Adjustment in these zones over the past several years in order to determine any development of use trends that should be given consideration. Since 2003 (excluding 2007 & 2008) there have been thirty three (33) requested use variances and multiple zoning interpretation requests for properties along Rte 9 and Rte 33.

A significant change since the adoption of the Land Use Element of the Township (last amended 9/16/2010) has been the introduction of the “WASTEWATER MANAGEMENT PLAN FOR MONMOUTH COUNTY, dated May 2, 2011 (the “Monmouth County Wastewater Management Plan”). As per the Monmouth County Wastewater Management Plan “Monmouth County submitted a Wastewater Management Plan in 2003 and again in 2006 to NJDEP for their

approval based on existing and future sewer service areas (SSA) and discussions with municipalities, sewerage authorities and other stakeholders.” (Section I. INTRODUCTION).

Given the existing commercial development along Route 9, the continued transition of Route 33 from a low volume roadway to a connector road, the development of surrounding communities and the 2011 draft of Monmouth County’s Wastewater Management Plan, commercial uses in these corridors have become more viable. It is recommended that the municipality should look to incorporate additional commercial and retail uses along these corridors, specifically within the highway commercial districts, where appropriately supported by infrastructure.

The Township should support the implementation of public sewer and water along the Rte 9 and Rte 33 corridors to support existing uses. Currently all uses (either permitted or through variance) has to pay for infrastructure to be installed or are required to use septic and wells to support their development. An alternate approach would be to target these areas and uses for sewer service, as they are currently identified by the Monmouth County Wastewater Management Plan.

It is recommended that a coordinated growth strategy that properly plans for the development of properties along these corridors be implemented, as opposed to reactionary planning that is guided through variances, and creates a non cohesive land use pattern. New land development patterns and/or uses should be considered and explored. Such an approach is recommended in the Land Use Element, which recommends offering “...flexibility in development techniques, which recognize new approaches and technologies that are responsive to evolving demographic, economic and environmental needs.” (GOALS AND OBJECTIVES, Land Use and Management pg. 3).

It is recommended that the Township prepare a corridor study to focus on the zoning of these corridors that are zoned to contain various residential and non-residential land uses with the aim to understand and preserve the favorable attributes of the existing land uses while resolving any constraints or conflicts to control development of vacant land and redevelopment of the existing parcels within the area. The Study should identify optimum future land uses that will work to sustain an active environment that not only serves the neighboring residential areas but also contributes to the Township’s tax revenues and creates economic development and employment opportunities.

The Township should continue to work with the New Jersey Department of Transportation (NJDOT), especially along Rte 33, to discuss future roadway and signalization improvements to ensure that any zoning changes and potential increase in traffic volume can be handled by the roadway system in a safe and efficient manner.

It is recommended that an Environmental Constraints Analysis should be conducted to identify environmental resources within the Study Area such as Category One waterways, Threatened and Endangered Species, wetlands and flood prone areas based upon New Jersey Department of Environmental Protection (NJDEP) GIS database to ensure that any proposed changes to existing zoning is very cognizant of the existing constraints' and Howell's history of preserving the environment and open space.

The Study should review in detail the characteristics such as the uses, bulk and yard requirements of the properties and the zones they are located in order to determine if the existing standards are adequate or if new zones districts or revisions to existing ones should be developed. These zone districts would have new bulk and yard requirements and permitted uses to develop the Study Area, in order to attract appropriate businesses and generate tax revenues for the Township.

In addition it is recommended that the existing onsite and offsite infrastructure be studied to determine whether sufficient capacity exists to handle any increase of stormwater and sanitary sewer flows.