

**RESOLUTION**

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

**Approved: August 18, 2016  
Memorialized: September 1, 2016**

**IN THE MATTER OF AMENDMENT TO 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**, a public hearing was held before the Planning Board on August 18, 2016 to consider the adoption of an amended land use element; and

**WHEREAS**, the Planning Board's Professional Planner, Jennifer Beahm, P.P, AICP, prepared a draft amended land use element dated August 2016; 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 2005 periodic re-examination report;

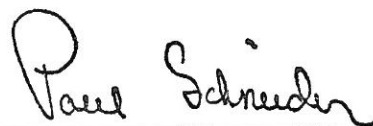
**NOW, THEREFORE,** does the Howell Township Planning Board make the following findings of fact and conclusions of law with regard to the draft land use element.

1. The Planning Board determines that the policy goals and objectives contained in the draft amendment to the land use element prepared by Jennifer Beahm, P.P, AICP accurately reflects 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. The Planning Board further finds that the draft amended land use element contains policy recommendations which best reflect the Planning Board's goal of smart growth.

2. The Planning Board therefore adopts the draft amended land use element prepared by Jennifer Beahm, P.P, AICP, dated August 2016.

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the Township of Howell on this 1st day of September, 2016, that the action of the Planning Board taken on August 18, 2016 adopting the draft amended land use element prepared by Jennifer Beahm, P.P, AICP dated August 2016 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 Schneider, Chairman  
Howell Township Planning Board

ON MOTION OF: Mr. Nash

SECONDED BY: Mr. O'Donnell

ROLL CALL:

YES: Nash, O'Donnell, Russo, French, Nicastro and Schneider

NO:

ABSTAINED:

ABSENT:

DATED: September 1, 2016

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 September 1, 2016.



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Eileen Rubano, Secretary  
Howell Township Planning Board

**Land Use Plan Amendment**  
**For**  
**Howell Township**  
**Monmouth County, New, Jersey**

**Township of Howell Planning Board**

**Prepared by CME Associates**

**July 2016**

**Prepared By:**

  
Jennifer Beahm, P.P., AICP

**NJ License No: 5625**

*Original is Signed and Sealed*

## **AGRICULTURAL RURAL ESTATE DISTRICTS (ARE-6, ARE-4, ARE-3 and ARE-2)**

One of the major categories of development in the Township is the Agricultural Rural Estate districts. The purpose of these districts is to “minimize the impacts of development in areas located outside of the centers identified in the Township’s Master Plan. The goals include preservation of rural and agricultural uses and preservation of rural character. Many areas include significant environmental constraints, including wetlands, floodplains, rare and endangered species habitats, aquifer recharge areas and high quality watersheds”. The ARE Districts embody the rural and agricultural countryside that the Township’s planning program has sought to maintain.

The lack of public water and sewer infrastructure throughout the Districts limit future development potential, which should be designed in response to the carrying capacity limitations of the natural systems. Capacity-based planning involves the measurement of a municipality’s ability to accommodate growth and development within the limits defined by natural resource capabilities and existing infrastructure. A capacity analysis determines the limiting factors in an area’s ability to grow and evaluates the capacity of the limiting factor. With the absence of public water and sewer infrastructure the limiting factor thus becomes an element of the natural environment such as water.

Sustainable development policies provide a land use framework that meets the needs of the present without compromising the ability of future generations to meet their own needs. Sustainable development respects capacity limits and provides a margin of safety, and incorporates the goals of stewardship over land and water resources, and the prolonged maintenance of a desirable physical environment.

A dominant theme in the planning process has been the protection of water resources, with a particular emphasis on the surface water quality. Because of the importance of this resource, the Planning Board has instituted certain land development regulations to protect the Township’s streams and water bodies such as its riparian buffer ordinance. The Township’s surface water resources are of value not only to the current and future residents of the Township’s, but also the downstream consumers and ecological receptors. As a recharge and headwaters are for one of the most populous and fastest grown regions in the State, the responsible course of action is for the Township to protect these resources through all available measures.

Support for the limited degradation policy that underlies the ARE District is provided by surface water resources of the Township. Approximately 25% of the township drains to the Metedeconk River, a trout maintenance stream and valued recreational resource. The other

75% of the Township drains to the Manasquan Reservoir and the Manasquan River, another trout maintenance stream. The Manasquan Reservoir is a vital water supply resource. This reservoir has the capability to deliver 30 million gallons of water per day to the water utilities that serve Monmouth County, and is one of the fastest growing regional watersheds in New Jersey. The tributaries to the river are all headwaters, or places of origin of the surface water system. Headwaters are particularly vulnerable to degradation because of the limited available flow, and any degradation in headwaters is felt downstream throughout the surface water system. The headwaters flowing to the Manasquan River are all trout maintenance streams, New Jersey's second highest surface water classification outside of public conservation lands.

In addition to the protection of surface water resources, the ARE Districts respond to the goals of conserving significant elements of the rural and agricultural countryside. The scenic vistas, wooded areas, agricultural fields and historic settlement patterns create the rural character that pervades much of Howell Township. These are fragile resources, which are highly susceptible to degradation. Full development at previously permitted densities has consumed much of the countryside, with little consideration given to the conservation of important natural and cultural features. In this development pattern, permitted units have been situated in a somewhat geometric arrangement that fails to recognize the natural patterns of the landscape and tends to eliminate or mar scenic vistas and characteristics.

The Township's wooded areas are an especially valuable resource that helps define the rural character of Howell Township and provide many important functions. Often associated with slopes and poor drainage conditions, the forests prevent erosion, permit recharge, protect water quality, improve air quality, provide habitat for threatened and endangered species, and preserve streams. With over 21% of the Township's land area in forests and other 83% of the forests consisting of deciduous forest and forested wetlands, the Township's tree cover is a critical resource that must be maintained and improved.

The importance of the Township's forests is also reflected in the critical wildlife habitat they provide. The NJDEP has developed a ranking system that prioritizes critical areas, defined as forests, wetlands and grasslands, by habitat wildlife value. The ranking system produces detailed wildlife and habitat maps that identify critical wildlife areas and critical habitat areas. The forests of Howell Township fall into the highest categories of critical priority areas, indicating the presence of and habitat for endangered, threatened and priority species. The maintenance of large, contiguous areas of forested land is an effective method to increase biodiversity on an ecosystem basis.

Full development has also required dramatic alteration of rural roadways to accommodate traffic movements and increased carrying capacity. As this alteration occurs, roadside features (trees, hedgerows, etc.) and alignments (narrow cartways and winding alignments) are

frequently lost. The rural character undergoes a subtractive process, resulting in conversion to a more suburban appearance, along with the impacts associated with this form of development.

Similarly, suburban development has consumed substantial agricultural lands in the Township. Suburban development can result in land use conflicts with agriculture as new neighbors object to the noise, odor and other impacts of agricultural land uses on residential neighborhoods. The ARE Districts limit the extent of residential development so that farms have fewer potentially incompatible neighbors and more lands can be retained for agricultural use. Since agriculture is reliant on the availability of significant water resources, lower densities also mean that more water is available for agricultural needs. As agriculture becomes more intensive and entrepreneurial smaller agricultural parcels can play a meaningful role in agricultural production, especially with the advantageous access to the regional highway network and markets for ease of distribution to densely populated areas. This is especially important in light of the equine activity in the Township and region.

The long-term utility and viability of this resource is enhanced if critical masses of agricultural lands and soils are maintained wherever they currently exist. Farmland assessed parcels still account for approximately 16% of the Township's land area. While active agricultural operations occupy less than half the farmland assessed parcels, the combination of fields and wooded parcels provides the open lands that the Township seeks to maintain. Most of the prime farmlands and soils of statewide importance remain in agricultural use. The combination of prime soils, access to densely populated markets, the Township's regional location all combine to assure an agricultural future, so long as the farmland base can be preserved. Also, a vibrant equine industry makes a significant economic contribution to the Township's economy while retaining hundreds of acres of scenic, taxpaying open space, and along with other farmland can make farming a permanent part of the local landscape and economy.

Many different programs are available, and can be used, to preserve, protect and maintain the Township's agricultural base. The Township's farmland preservation approach involves a range of preservation strategies with a number of options for the landowner. As identified in the Farmland Preservation Plan, a variety of mechanisms to preserve farmland are available. In addition to the acquisition and management strategies outlined in the Farmland Preservation Plan, land use regulation can assist agriculture by preserving two vital physical resources, land and water. If residential and non-residential development consumes all the available water, then agriculture will not have it available. Similarly, if development consumes all of the land, then the farmland base is lost forever.

The ARE Districts corresponds to those areas in the Township with the greatest concentrations of wetlands, the most limiting soil characteristics, the highest quality surface water, the best

agricultural soils, the most scenic vistas and limited infrastructure. Although the Districts include scattered residential developments interspersed among the agricultural and wooded lands that dominate the Township, the extent of development has not dramatically altered the scenic character and desirable natural and cultural features.

To implement the objectives, policies and principles outlined in the Township's Master Plan, and to protect the environmental characteristics of the community, the ARE Districts permits residential development at a density of 0.167 units per acre, the equivalent of one unit per 6 acres in the ARE-6 district, 0.25 units per acre, the equivalent of one unit per 4 acres in the ARE-4 district, 0.33 units per acre, the equivalent of one unit per 3 acres in the ARE-3 district, 0.5 units per acre, the equivalent of one unit per 2 acres in the ARE-2 district and one unit per acre in the ARE-1 district. The arrangement of lots in a convention subdivision on 6 acre, 4 acre and 3 acre lots, will be limited to minor subdivision for development or those concept plans presented to the Board that justify a conventional arrangement based on maximizing resource protection other the other options proposed in the Master Plan.

**Given the established sensitivity of lands located within the ARE Zoning Districts, it is recommended that any proposed development be conforming with the current zone requirements as said requirements have been established to continue to maintain these critical areas within the Township. Any deviation from the established zoning requirements in the ARE Zoning Districts should be discouraged.**