

RE-EXAMINATION REPORT

This 2008 Re-examination Report continues the Town of Boonton Planning Board's efforts to maintain its comprehensive Master Plan and to properly direct the future growth, development, and redevelopment within the municipality. It builds upon the Board's prior Master Plan efforts and the land use ordinances which have guided the Town over the years. The report also seeks to maintain and reinforce the Town's land use policies to encourage a high quality mix of land uses within the Town and to discourage those policies and land use decisions which would be incompatible with the established pattern of development.

The Municipal Land Use Law (MLUL), at N.J.S.A. 40:55D-89 includes the following statement relative to the periodic examination of a municipal Master Plan:

"The governing body shall, at least every six years, provide for a general re-examination of its master plan and development regulations by the planning board which shall prepare and adopt by resolution a report on the findings of such re-examination, a copy of which report and resolution shall be sent to the county planning board and the municipal clerk of each adjoining municipality. The first such re-examination shall have been completed by August 1, 1982. The next re-examination shall be completed by August 1, 1988. Thereafter, a re-examination shall be completed at least once every 6 years from the previous re-examination"

N.J.S.A. 40:55D-89 provides for the preparation of a Periodic Re-examination Report as follows:

"The re-examination report shall state:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last re-examination report.**
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.**
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard**

to the density and distribution of population and land uses, housing conditions, circulation, conservation and natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives.

- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.**
- e. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the “local redevelopment and housing law”, P.L.1992, c79 (C4OA:12A-1 et al) into the land use plan element of the municipal master plan, and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plan of the municipality.”**

The Re-examination process is intended to assure that municipal plans and ordinances take into account changing local and regional circumstances, and provide policy and appropriate regulations to respond to these changes. This Periodic Re-examination Report provides an opportunity for the Town Planning Board to review:

- Recommendations made in the 1999 Master Plan Report;
- Accomplishments based on those recommendations, and
- Local and regional changes that have occurred since the adoption of the prior plan.
- Make additional recommendations as may be needed.

Previous Master Plan Efforts

The 1999 Master Plan consists of several separate elements and documents consisting of the following plan elements:

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|--------------------------------|---------------------------------|
| 1. Goals and Objectives | 2. Introduction and Background |
| 3. Land Use | 4. Framework For Revitalization |
| 5. Historic Preservation | 6. Open Space and Recreation |
| 7. Community Facilities | 8. Circulation |
| 9. Relationship to Other Plans | |

Since the 1999 Master Plan, the Planning Board has pursued an active agenda of planning activities and accomplishments. Although much has been accomplished, the Planning Board recognizes that significant changes have occurred over the past several years that warrant attention. Among these are new and revised Federal, State and county legislation and mandates as well as increases in commercial and residential development within the Town. These changes have directly affected every element of the Master Plan and have placed higher demands on many municipal services, education and environmental resources, translating into higher costs for the Town and the taxpayer. The Planning Board is taking a proactive stance by acknowledging that these significant changes will directly affect the direction going forward.

Subsequent to the adoption of the 1999 Master Plan, a Master Plan Amendment – Land Use Plan Element was adopted on October 12, 2005. The area in question in that document consisted primarily of the residential neighborhood located north of West Main Street between the Rockaway River (North Main Street) and the municipal border with Boonton Township. They are outlined, in detail, further in this re-examination report.

In April 2006, the Boonton Planning Board adopted a Housing Plan Element and Fair Share Plan. This Element/Plan addresses the “third round” rules and regulations adopted by the NJ Council on Affordable Housing (“COAH”) obligating each New Jersey municipality to address their need to produce housing for low and moderate income households.

Lastly, in conformance with State regulations in 2005, the Town Planning Board adopted a Stormwater Management Plan.

Many of the basic issues and objectives previously linked to the land development process in Boonton by prior master plan studies have remained paramount since the 1999 plan and 2005 amendment.

a. MAJOR PROBLEMS AND OBJECTIVES RELATED TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF ADOPTION OF THE LAST RE-EXAMINATION REPORT

b. THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO SUCH DATE.

To address the above MLUL paragraph “a.,” the problems and objectives of each element in the 1999 plan are herein presented. Intertwined with “a.” is also a response

to “b” that evaluates the extent to which problems and objectives have been reduced or increased.

LAND USE

1. Achieve a balanced land use pattern of appropriate residential, commercial and industrial uses that respect the community's existing development pattern.
2. Encourage in-fill development that is compatible with the scale, density and design of Boonton's historic development patterns.
3. Encourage land use and development strategies that are consistent with and preserve the architectural and historical integrity (residential, commercial and industrial) of the community.
4. Encourage the utilization of the community's natural and historic features as the fabric and cornerstone of all planning and development efforts.
5. Enhance the Town "Gateways" with appropriate signage, landscaping and street amenities to create a sense of arrival and source of community pride.
6. Expand existing and designate new historic districts and structures in Boonton to protect and improve the existing architectural fabric from inappropriate alteration or demolition.
7. Consider consolidation of small properties in commercial and industrial areas to support and concentrate, rather than scatter, development, along the community's arterial roadways.
8. Consider the symbiotic relationship between Main Street, Myrtle Avenue and industrial properties as well as the residential uses, and maintain the characteristic distinction and separation between these areas.
9. Coordinate local, county and state planning efforts for the revitalization of underutilized commercial and industrial sites particularly along Division Street and Myrtle Avenue and examine the possibility of redevelopment for this area.
10. Explore and promote expanded recreational opportunities both locally and regionally including: establishing hiking and biking trails along the Rockaway River; providing a

bicycle route from Vreeland Avenue and the Fireman's Home to and along the Jersey City reservoir property; reestablishing a Town Beach; expanding and improving the existing parks in and along the Rockaway River; as well as Pepe Field and Sheep Hill Park; developing a community recreational facility; and working with the adjacent communities as well as Morris County to improve and increase recreational opportunities for Boonton residents.

11. Ensure that a cleanup plan is developed at various industrial sites for possible development/redevelopment and new employment opportunities, as well as creating a market for the commercial entities in Town.
12. Clean up historic iron works site and encourage appropriate development while discouraging inappropriate activities near the Rockaway River.
13. Explore possible opportunities for aligning compatible business and industry in the community for improved business development and opportunities.
14. Improve code enforcement for multiple family dwellings and property maintenance to create an attractive atmosphere throughout the entire community.
15. Coordinate local planning with county and state agencies to insure compatibility and to ensure Town Center Designation from the State Planning Commission through its plan endorsement process.
16. Work closely with adjacent communities to foster a holistic view of Boonton, as well as its environs, to sustain its identity as the Town Center around which other, less intensely developed areas can revolve.
17. Actively seek funding sources to accomplish the goals of the Master Plan.

2008 Response: Considering the above 1999 land use goals and objectives and the recommendations in the 2005 amendment, and 2006 Housing Plan Element and Fair Share Plan, the following land use actions have been undertaken by the Town.

- (1) General Land Use Regulations Amendments:

Over the period since the 1999 Plan, several zoning ordinance amendments have been adopted addressing such issues as flag lot configurations, billboards, corner lot definitions, building orientations to the street, off-street parking and fencing and accessory structures in nonresidential zone (height) and size in residential zones.

(2) Creation of New B-5 Shopping Center District – 1999:

A new B-5 Shopping Center land use classification was created to provide for the redevelopment of the vacant PVO industrial site. Redevelopment of this property involved the creation of a new Wal-Mart, and three retail/commercial out-buildings. Redevelopment of this site also involved the realignment of Division Street.

(3) Creation of New R-1D Low Density Residential – 2005:

Consistent with the recommendations found within the land use plan of the 1999 Master Plan, a new single zone classification was created (R-1D) which required a minimum lot area of 85,000 which reflected the residential low density/conservation land use recommendations.

(4) New Jersey Council on Affordable Housing (“COAH”):

In 2005 COAH published third round rules and regulations that mandated Boonton, as well as most municipalities in New Jersey. In response Boonton prepared a growth share ordinance (2007) to address its obligation. A summary of the Town’s low and moderate income housing obligations is here in summarized. As a consequence of an appellate court decision (January 2007), the then operative COAH rules and regulations were deemed unreasonable. New COAH rules have been proposed (January 22, 2008), and lastly they are presented in this re-examination report. It is expected they will be final in June 2008.

MUNICIPAL FAIR SHARE PLAN SUMMARY

I. Prior Rounds (1987-1999)

- A. Precredited need from prior rounds: 60 total
- B. Credit and reductions from prior rounds: 69 total
 - 20 bedrooms in 3 alternative living arrangement units
 - 6 bedrooms from post
 - 37 rehabilitated units
 - 6 additional rehabilitated units meeting \$8,000 minimum
- C. Excess Units:

69 credit and reductions, less 60 precredited need equals 9 excess units
(to be used to address third-round growth share obligation)

II. Third Round (2000-2014)

- A. Rehabilitation obligation: 33 units
- B. Growth share obligation

9 residential growth share plus 3 non-residential growth share; note; these numbers are estimates based upon historic and anticipated growth and are subject to change, pending actual development which may occur during the 2004-2013 period.

- C. Compliance Mechanisms
 - (1) excess units from prior rounds
 - (2) regional contribution agreement (RCA)
 - (3) growth share ordinance
 - (4) buy-down programs

III. Proposed Growth Share (2004-2018)

- A. Rehabilitation Obligation – 57 units
- B. Growth Share Obligation – 118 units

(5) The 2005 Master Plan Amendment:

This Master Plan and Land Use Plan Amendment recommended rezoning the following three areas:

(a) Area to be rezoned from R-2A to R-1A:

Properties located east of North Main Street and abutting the Rockaway River, and those properties north of River Road, and end of Chestnut Street are proposed to be rezoned from R-2A (6,250 sq.ft. min. lot size) to R-1A (min. 12,500 sq.ft. lot size). The majority of these properties meet the R-1A bulk requirement and uses and the proposed rezoning is consistent with the R-1A zone found on the opposite side of West Main Street along the river.

(b) Area to be rezoned from R-3A to R-1A:

The vacant land found between the municipal border and the existing residential lots along Chestnut Street is proposed to be rezoned from R-3A (6,250 sq.ft. min. lot size) to R-1A (min. 12,500 sq.ft. lot size). This change serves to reduce the additional density currently permitted under the R-3A district, which from a planning perspective, would negatively impact the existing pattern of development and circulation pattern. The R-1A zoning would also provide a buffer to the existing residential neighborhood from the existing commercial uses found within Dell's Village, as well as the retail and hospital uses found adjacent to the Town in Boonton Township.

(c) Area to be rezoned from R-3A to R-2A:

Properties along Chestnut Street are proposed to be rezoned from R-3A to R-2A Residential. This re-classification primarily changes principal permitted uses, as only single-family residential is permitted within the R-2A, where single and two-family residential are permitted in the R-3A district. Lot configuration (bulk standards) will remain unchanged.

(d) Final Disposition:

Based on resulting litigation, however, in 2006 the Chestnut Street area land use revisions were repealed and as part of the settlement reached, a new R-1E single-family zone classification, with a minimum lot area of 8,000 sq. ft. was created for Block 118, lots 1, 2 and 10.04. **The remaining land use reclassification recommendations were also repealed.**

(6) Historic Multi-Family Residential – 2007

A new land use classification was created to provide for the redevelopment of an existing industrial area to high-density multi-family housing. This RH district provides for multiple buildings with a maximum height of six (6) stories and a maximum unit density of 45 dwelling units/acre. After numerous Planning Board and Board of Aldermen public hearings, an ordinance was adopted in November 2007 to permit this type of development. This re-examination report reaffirms that this RH zone implements the 1999 Master Plan and promotes the purposes of the MLUL.

(7) Downtown Improvement

The Town is funding a "Boonton Main Street" improvement effort. This is a grass roots effort, fostering partnerships to restore, preserve and promote business and encourage revitalization in Boonton's historic downtown.

OPEN SPACE AND RECREATION

1. Preserve and protect important natural features such as the Rockaway River, the Hollow, Sheep Hill, and the lands around the Jersey City reservoir.
2. Focus efforts on developing a critical mass of open space through a network of paths and corridors linking environmentally sensitive areas along the Rockaway River, the Jersey City Reservoir and other public and semi-public lands in Boonton to insure environmental quality, habitat, protection, and active and passive recreational opportunities.
3. Expand passive and active recreational opportunities along both sides of the Rockaway River through public spaces in Boonton, including, but not restricted to, developing a river-walk as part of an entire Rockaway River Development Plan.
4. Develop a plan to identify and acquire remaining open spaces in Boonton for both recreation and conservation while utilizing current practices of land swapping, clustered development, Right-of-Ways, trails easements, local bond issue, open space tax, Transfer Development Rights (TDR), and/or acquisition with NJ Green Acres funds.
5. Execute and enlarge a street tree planting program along Main Street, Myrtle Avenue, Plane Street and the historic area along the Rockaway River Valley.
6. Require that all new development provide improvements to the physical and aesthetic qualities of roadways with inclusion of street trees, hedgerows and sidewalks.
7. Clean up contamination at Pepe Field for re-establishment of recreational activities.

2008 Response:

1. Pepe Field contamination clean-up has been completed and this property is now a multifunction sports field.
2. New sidewalks have been installed along Fanny Road as part of a new residential subdivision.

HISTORIC PRESERVATION

1. Retain and protect historic features in both existing, new and redevelopment projects, namely historic buildings and details, hitching posts, stone carriage steps, slate walks, pudding stone (and other stone) walls, historic fencing, view sheds, hedgerows and mature vegetation.
2. Restore the existing railroad station, railroad cars, roundabout and swing trestle for incorporation into a historic attraction in conjunction with downtown revitalization efforts.
3. Ensure that new, in-fill and restoration development be sensitive to historic buildings, features, landmarks and districts in the community and ensure that their features are incorporated and utilized as the basis for any design.
4. Restore community landmarks and buildings (Williams Street stairs, Opera House, Theater, railroad station and cars) as a foundation for economic development and revitalization efforts.
5. Actively pursue funding sources to assist in the community preservation efforts.

2008 Response:

1. The Rockaway Street Residential District was added to the list of town historic districts in 2002.
2. The Town is in the process of applying for a grant to restore the Williams Street stairs.
3. The old Morris Canal Dam was restored as part of NJ DEP Dam Safety and SHPO requirements.

CIRCULATION

1. Provide road and intersection improvements to reduce safety hazards at primary accident locations and improve circulation through congested areas.
2. Coordinate with state and county agencies to insure that any roadway improvements will:
 - a. maintain the existing scale of the community; and

- b. thoroughly examine all the circulation alternatives and resulting impacts on pedestrian mobility along Main Street.
3. Pursue programs with state and county agencies that encourage transportation options for alternatives such as park and ride facilities, ride sharing, bus services, bike and pedestrian paths, and other innovative programs.
4. Require all new development and redevelopment sites to provide improvements to the physical and aesthetic qualities of parking areas and roadways with inclusion of street trees, hedge rows and sidewalks.
5. Examine traffic patterns and streets between Myrtle Avenue and Division Street and the PVO site and industrial areas to provide for improved truck access both to and from I-287.
6. Examine traffic lights and timing, parking, space utilization and architectural integrity along Main and Plane Streets with an emphasis on improving the parking and traffic patterns in downtown Boonton.

2008 Response:

Implementation of these circulation objectives resulted in the following improvements:

- a. Wootton and William Street intersection improvements to sight distance and street widening
- b. Extension of William Street into Boonton Township to provide access to Brookstone Development
- c. Construct a new Division Street and realign existing Division Street.
- d. New traffic signal and turning lane for Wootton and Myrtle intersection is planned for 2008.
- e. Extension of Fanny Road in connection with new residential development. New sidewalks installed.

- f. New sidewalks have been installed on Vreeland Avenue, Park Avenue, West Main Street, Boonton Avenue, Elcock Avenue, Chestnut Street, Oak Street, Hillside Avenue and Wootton Street. Sidewalks have been installed at Pepe Field.
- g. A new Fanny Road bridge was a NJ DOT project and a new Washington Street bridge was a Morris County project. The County also restored the old bridge as a pedestrian bridge overlooking the reservoir. Both new bridges corrected weight limits and restrictions and contributed to improved circulation patterns. The County is proposing milling and repaving Main Street in 2008.

“c. EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES, & OBJECTIVES FORMING THE BASIS FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS”

The Town, through its Planning Board and Board of Aldermen, has continued to evolve, refine and upgrade the municipal land use and development policies along the basic framework established by the prior master plans and subsequent land use plan amendments. As development in Boonton has proceeded over recent years it has become apparent to the Planning Board and the Board of Aldermen that there remains development pressure upon both residential and non-residential properties within the Town. As a result, the governing body on advice and recommendation of the Planning Board have continuously upgraded and tightened various land use and development regulations within the land use ordinance.

This plan recognizes that the State has developed plans to accomplish its smart growth initiatives to curtail sprawl. Such plans have either already, and/or can potentially effect development activity within the Town and include the New Jersey State Development & Redevelopment Plan (Cross-Acceptance), New Jersey Highlands Regional Master Plan and Stormwater Regulations.

New Jersey State Development and Redevelopment Plan (SDRP)

Responding to the need for statewide regional planning, the State Legislature, in January, 1986, adopted legislation establishing a State Planning Commission and an Office of State Planning. A major feature of this legislation is that the State Planning Commission prepare and adopt a State Development and Redevelopment Plan. The law requires that the plan provide a coordinated, integrated and comprehensive plan for

the growth, development, renewal and conservation of the State and its regions and which shall identify areas for growth, agriculture, open space conservation and other appropriate designations.

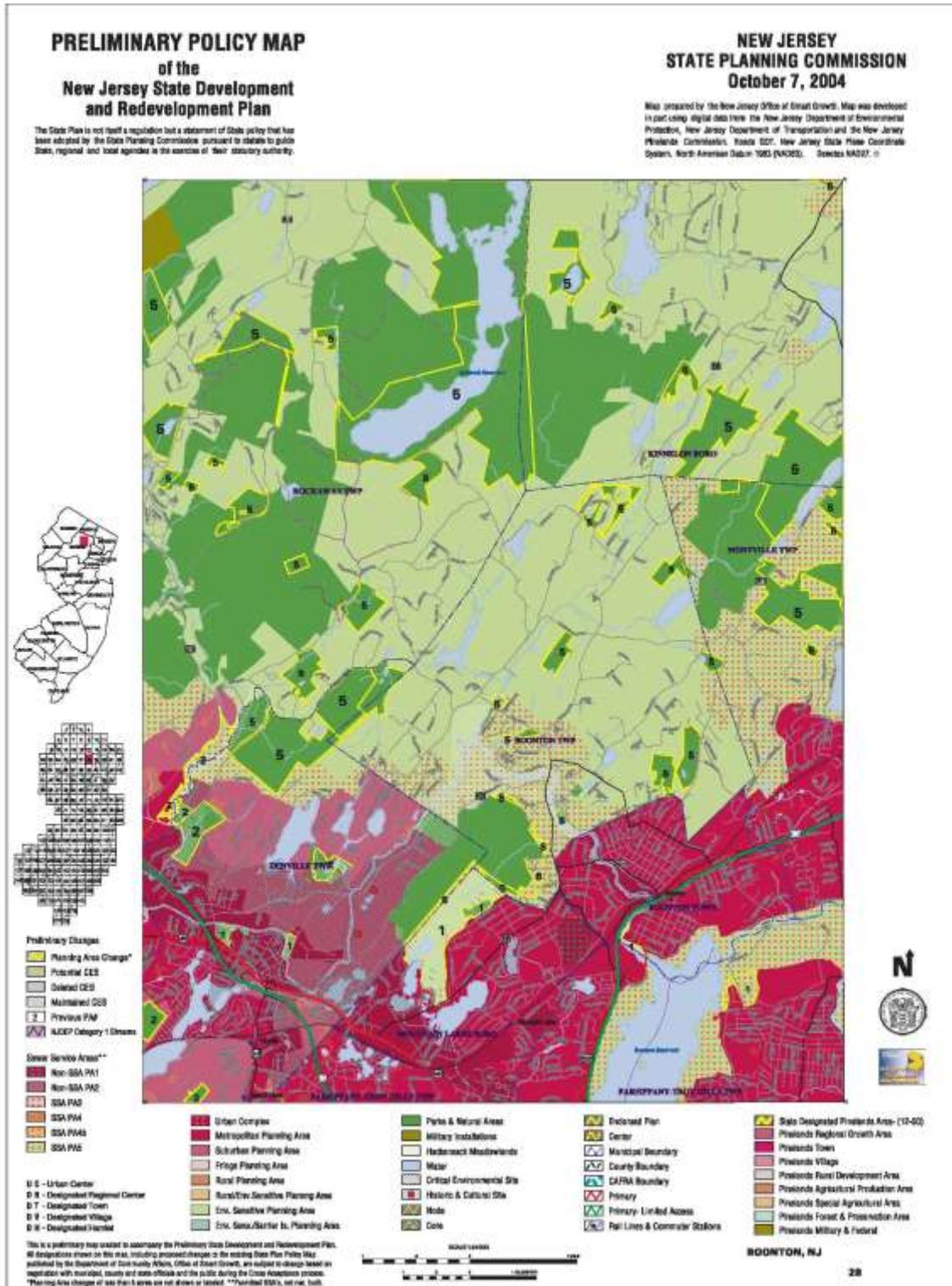
The final draft of the State Development and Redevelopment Plan (SDRP) was adopted by the State Planning Commission on March 1, 2001. In meeting the mandates of the law, the State Plan establishes a system of planning policies translated into planning areas intended to guide the development of the State into a manageable system based on available and projected utility and highway infrastructure, at the same time recognizing and respecting environmentally sensitive conditions. Additionally, the intent of the Plan is to guide growth into centers where it can efficiently and economically be managed with the environs* remaining open and undeveloped. The State Plan was adopted following a lengthy cross acceptance process in which the Town actively participated.

For purposes of fulfilling the State's long range planning goals and objectives, the SDRP creates a system or series of Planning Areas, with each planning area designed to accomplish specific objectives and certain development intensity. As it pertains to Boonton, the entire Town is located within the Metropolitan Planning Area (PA1) which is described and shown on Plate I as follows:

The Metropolitan Area (PA1)

The existing developed nature of Boonton represents the main characteristics of areas designated as a Metropolitan Planning Area. These communities form a part of the metropolitan mass where municipal boundaries tend to blur. The characteristics of this settlement pattern can undermine efforts to address a host of functional problems on a municipal basis. It is increasingly impractical, for instance, to manage traffic congestion, solid waste disposal and air and water pollution locally. These and other concerns spill over from one municipality to the next, often requiring a regional perspective on potential solutions.

Communities designated as a Metropolitan Planning Area have many things in common: mature settlement patterns resulting in a diminished supply of vacant land; infrastructure systems that generally are beyond their reasonable life expectancy; recognition that redevelopment is, or will be in the not-to-distant future, the predominant form of growth; and a growing realization of the need to regionalize an increasing number of services and systems in light of growing fiscal constraints.



Cross Acceptance III

The State Planning Act requires periodic review of the SDRP and, to that end, the State Planning Commission has issued a preliminary, revised plan and, further, has initiated a new Cross-Acceptance process with the State's 21 counties and 566 municipalities. The County Planning Board is the designated negotiating agency responsible for the comparison of local master plans and policies with those of the State. The Town of Boonton has continued to participate in this process.

At the time of this writing, the next round of the cross acceptance was already in progress. In 2004 and again in 2006, proposed amendments to the SDRP include provisions for incorporating elements of the recently adopted stormwater management regulations and the addition of preserved open space in conformance with the Town's Open Space Plan. It is recommended that the Town continue to take an active part in the third-round cross acceptance process. Upon its completion, the Town will be required to seek "Plan Endorsement" by the State as this endorsement is now a requirement for COAH third-round certification..

State Plan Endorsement

A municipal, county or regional plan and accompanying development regulations will be reviewed for consistency with the guidelines for Plan Endorsement adopted by the State Planning Commission. If the Commission finds the plan consistent, it will be endorsed and therefore eligible for priority assistance and incentives that flow from such endorsement.

The purpose of Plan Endorsement is to increase the degree of consistency among municipal, county, regional and state agency plans, and the State Plan, and to facilitate the implementation of these plans. Currently, municipalities seeking third round COAH certification will ultimately be required to seek plan endorsement.

New Jersey Highlands Region

The State has identified the "Highlands" region of northern New Jersey as the last remaining large expanse of pristine mountain lakes and streams and unbroken forests. The region has long been recognized for its most significant natural resource, drinking

water, which it supplies to more than half of the State's population. The Highlands region also contains the greatest diversity of natural resources of any region in the State: where 70% of its lands are environmentally sensitive; 370,000 acres of its lands are forested; and over 30 of the State's threatened or endangered species find suitable habitat there. The region also contains some of the State's most valuable historical and cultural sites, including sites from the Revolutionary War, New Jersey's early industrial age and Native American era. These rich resources provide an unsurpassed quality of life in the region. In recognition of its unique significance, the Highlands has been recognized as a special resource area by both the State and federal governments.

On September 19, 2003, Governor James E. McGreevey signed Executive Order No. 70 creating the Highlands Task Force and charging it with making recommendations to preserve the natural resources of, and enhance the quality of life in, the Highlands region. In particular, the Task Force was charged with examining the following topics:

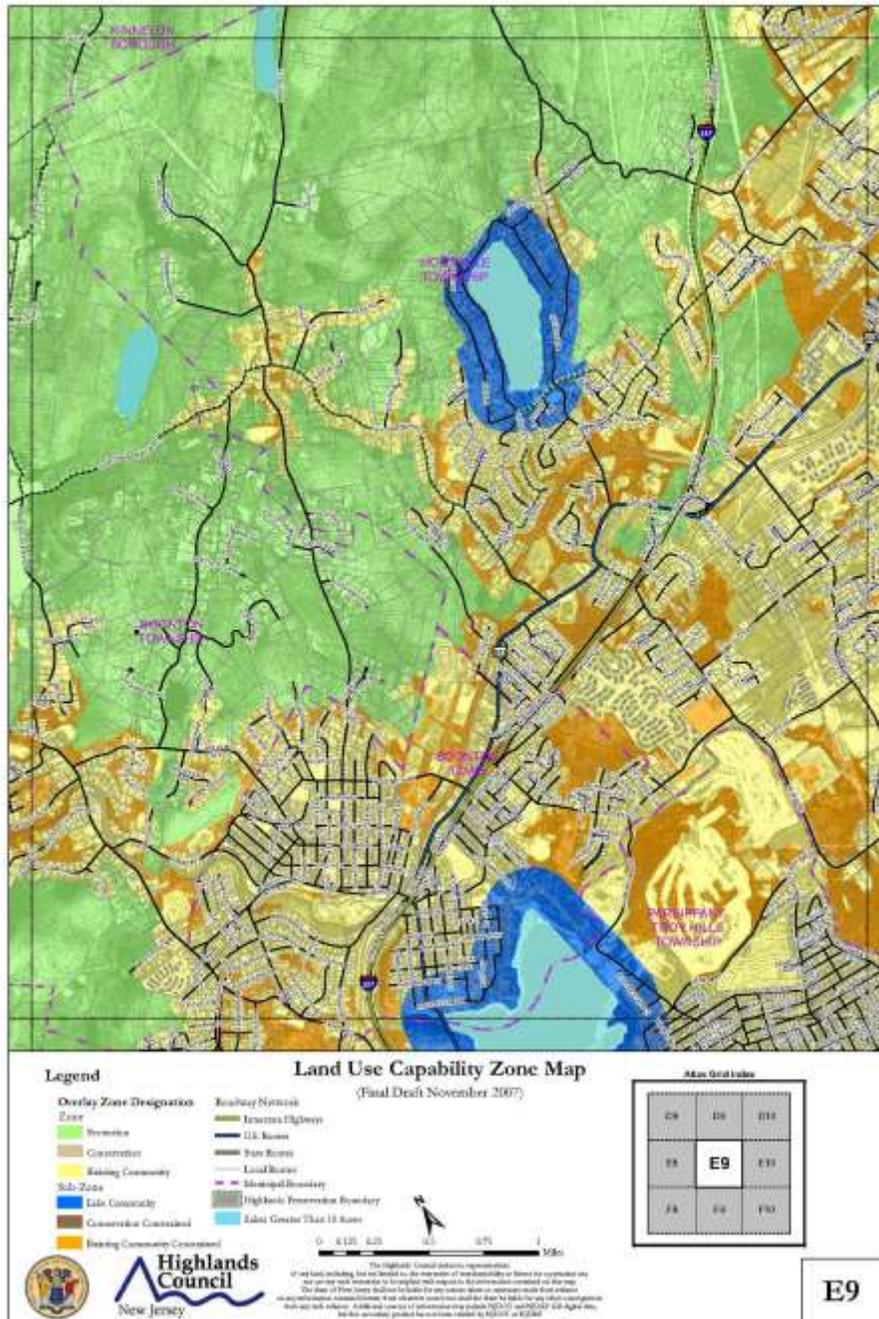
- Protection of water quality, drinking water supplies, wetlands, critical plant and wildlife habitat, vegetated stream corridors, and contiguous forests;
- Identification of methods to protect and preserve open space and natural resources of the Highlands region;
- Identification of methods to enhance farmland preservation and support the agriculture industry in the Highlands region;
- Identification of methods to promote historic, cultural, scenic and recreational resource opportunities that preserve the natural features of the Highlands region; and
- Provision of smart-growth opportunities, including economic development and redevelopment in the Highlands region through regional planning, including coordination of transportation infrastructure investments and administrative agency activities, consistent with the State Development and Redevelopment Plan.

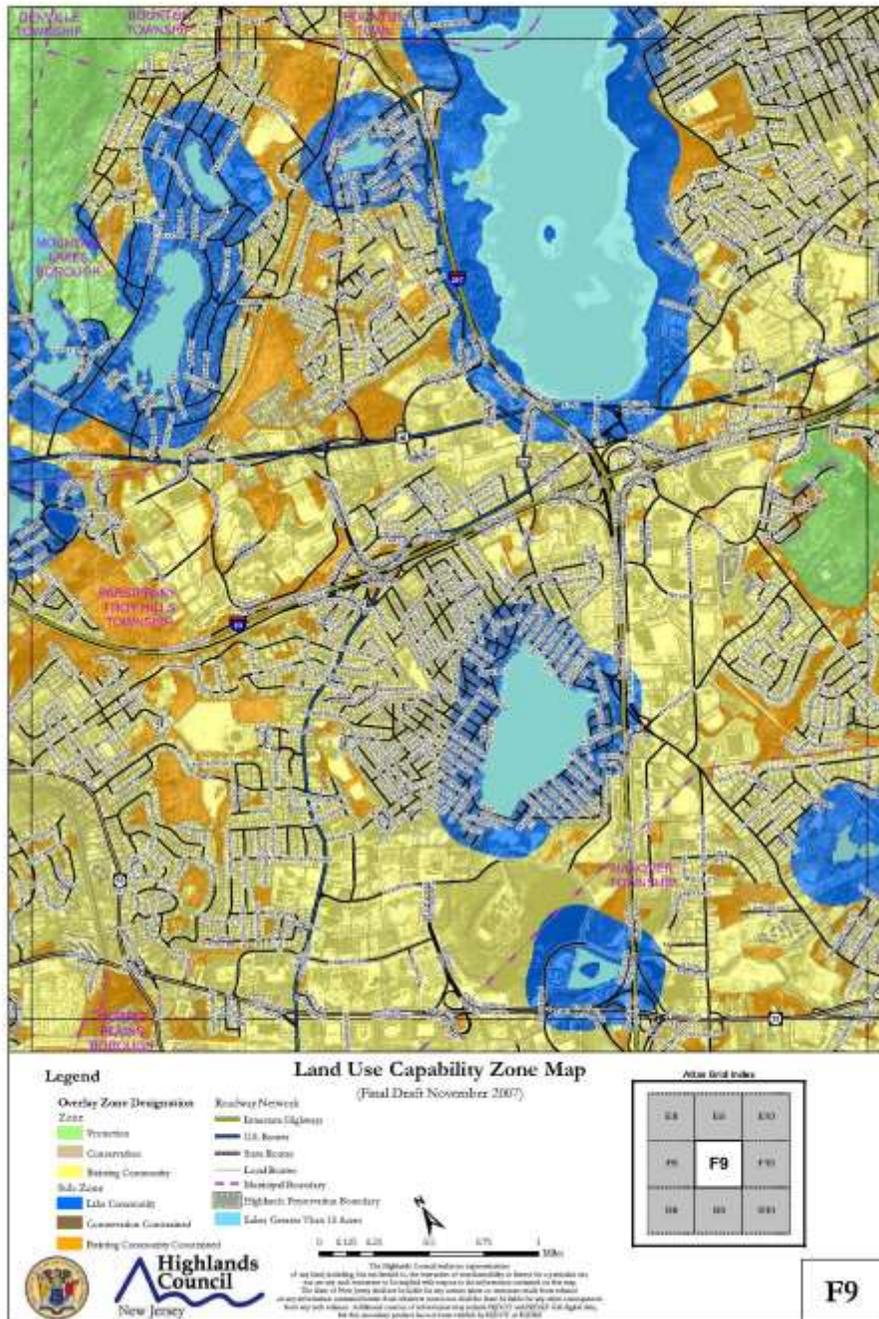
The focus of the action plan is on identifying and providing protection for a Preservation Area within the overall Highlands Area. This Preservation Area should total between 350,000 and 390,000 acres (a little less than half of the approximately 800,000 acres that comprise the entire Highlands region). The Preservation Area should be protected through a variety of mechanisms, including, but not limited to: enhanced environmental

regulations; a transfer of development rights program and regional planning; and the acquisition of land and development rights.

Proactive land use planning for the entire Highlands region should be achieved through a regional master plan established through the creation of a Highlands water protection and regional planning council. The council's authority would be mandatory in the Preservation Area and advisory outside of it. Outside the Preservation Area, there should be incentives to encourage municipalities to conform to the regional master plan and to encourage "smart-growth."

As it pertains to the Town of Boonton, the municipality is located entirely within the Highlands Planning Area. At the time of this writing, the Highlands Commission is in the continuing process of developing the Highlands Region Master Plan. Municipalities located within the region have been provided the opportunity for comment. A second and final draft was released in November, 2007. The Town should take a "wait and see" approach pending review of the master plan and regulations which will effect local land use decisions. The current draft Highlands mapping as it pertains to Boonton are indicated on Plates II and III.





New Jersey Stormwater Regulations

The New Jersey Stormwater Management Regulations were adopted on January 4, 2004, and took effect on February 2, 2004. These new regulations will have a substantial impact upon municipalities in terms of both additional development regulations as well as financial costs to the municipality. In general, the new rules require:

- a. Non-structural stormwater management strategies to the extent possible (i.e. not based on detention basins, etc.);
- b. 100% average groundwater recharge of two-year storms;
- c. 300' buffers to top of bank of designated Category One streams and tributaries; and
- d. Maintenance plans for stormwater management structures.

Each municipality will have to apply to the DEP for a New Jersey Pollutant Discharge Elimination System (NJPDES) permit for stormwater management. The NJPDES permit will mandate that each municipality must develop a stormwater management plan and subsequent ordinance incorporating the requirements of these rules. All municipalities must also adopt a stormwater management plan as part of their master plan.

The Town has complied with the requirements of these regulations and have adopted both the Municipal Stormwater Management Plan (SMP) and subsequent ordinance requirements within the required time-frame stipulated in the regulations.

“d. CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS”

Based upon the preceding review of the planning issues facing the Town of Boonton, the fundamental framework of the Master Plan and its various component elements remain valid and appropriate. The following areas for additional investigation and study are recommended:

Due to the built-out nature of the Town, as well as the on-going real-time land use and ordinance amendments which have occurred since the prior plan, the focus of this re-examination report is on preserving the character of Boonton, and developing ordinance

standards addressing “quality of life” issues which have arisen. To this end, this plan incorporates the recommendations envisioned by the 1999 plan, and where appropriate modifies those recommendations as follows and as indicated on the Land Use Plan map:

Recommended Land Use and Zoning Changes

Residential Zones

1. Any in-fill development in the R-3A Zone should have a front yard that is the average of the three houses on either side of the subject property. Parking to be limited to the side and rear yard areas only.
2. Increase the minimum lot area for the R-1A zone from 12,500sf to 15,000sf. In 2004, a lot size study was commissioned by the Planning Board to examine residential lot sizes through-out the municipality. Based on this analysis, three (3) areas are recommended to be included as a new 15,000sf single-family zone. These areas include areas north of Wootton and North Streets in the northern portion of the Town, the residential “park” area located west of Main Street in the western portion of the community and areas south of Lathrop Avenue in the south-central portion of the Town.
3. Explore introducing a floor area ratio regulation to control the size and scale of infill, residential additions or new housing construction.
4. Explore introducing regulations for building and total lot impervious coverage.

Commercial Zones

1. Encourage shared parking.
2. Encourage enhancement of the streetscape with parking in the rear and side, and landscaping along the lot frontage.
3. Examine the front-yard setbacks in the C-1 and C-2 zones.
4. Include floor area ratio requirements.
5. Include minimum landscape requirements in every zone except Main Street business.

Business Zones

Eliminate senior citizen housing as a principal permitted use in the B-4 zone, schedule of requirements.

Industrial Zones

1. Reduce the maximum allowable height of buildings in the I-2 zone from 100' to 65'. No structure should exceed the average elevation of the Union Street residential structures.
2. Change the I-2 zone to an Industrial Transition zone. The principal permitted uses in this zone would include:
 - a. Scientific and research laboratories devoted to research and design and/or experimentation or processing and fabricating incidental thereto.
 - b. Office buildings for business, professional, executive and administrative functions.
 - c. Public buildings and uses.
 - d. Storage and maintenance of construction vehicles and equipment associated with a construction business that has its principal use as a business office located on the site.
 - e. Hotels, motels, inns, or similar facilities that offer overnight accommodations.
3. Require a substantial landscaped buffer between the I-2 zone and any residential zone or use.
4. Establish appropriate floor area ratio requirements in both the I-1 and I-2 industrial zone districts.

Senior Citizen Housing Sites

Two sites within the Main Street area are possible sites for Senior Housing:

- a. A vacant lot on upper Main that fronts on Main Street and backs into the Plane Street parking area. Creative design with commercial/retail or office on the street level and Senior Housing on the upper levels and to the rear and abutting the park may be appropriate. (p.3.15)
- b. The School Street School, if this building is deemed surplus property by the Board of Education. (p.3.15)

FRAMEWORK FOR REVITALIZATION

The 1999 Master Plan recommended design guidelines for several specific areas in the Town which have suffered from deterioration. These areas include: the Main Street Commercial core; Town Business areas on Myrtle Avenue and Division; the Regional Commercial area on Myrtle Avenue; and industrial land including the proposed Historic Industrial areas adjacent to the Rockaway River as well as the industrial area served by Myrtle Avenue and Division Street. Further detailed planning for each area is recommended.

Design guidelines recommended in the 1999 Plan continue to be relevant and are included within this report as items to be addressed as part of any new development or redevelopment, including:

The Building Façade

Whenever possible, renovation should include the restoration of original facade details including the roofline, doors, windows, sashes, sills, lintels, molding and decorative ornament which are an integral part of the building facade which should be restored if they are still in evidence. New construction, alterations and additions should be compatible in scale, proportions, materials, etc., and should enhance, not detract from the original architecture. When renovating, every attempt should be made to use facade and streetscape elements that are typical to Boonton architecture in form and material.

Proportion, Scale and Massing

New construction and additions to existing buildings should be compatible with the existing architectural fabric in terms of proportion (the relationship of width to height of the building and the relationship of its sum parts), scale (the relationship of the size and component parts of one building to the next), and massing (the volume created by the

building). Additions to historic structures should express the scale, proportion and massing of the existing structure. New construction should be compatible to the existing context.

Architectural Considerations

Additions and adjacent new construction should maintain the existing rhythms of massing, solids and voids, and window and door openings.

Materials

If restoration of original materials is impossible, replacement materials should be compatible with the original design. If replacement siding must be used where wood clapboard exists, match original siding in height, profile and trim details. Concrete block is not recommended for facades in revitalization areas.

Color

Color schemes should be simple, provide contrast (i.e. traditionally trim was painted as decoration in a lighter or darker contrasting shade), be historically appropriate and neighbor-friendly.

Building Styles

Colonial, Federal, Greek-Revival, Victorian, neo-Classical, neo-Georgian, neo-Tudor and Beaux Arts styles from the 1800s through 1940s are all represented in the architecture of Boonton. Facade renovations should include the uncovering and restoration of original details whenever possible; provide eye pleasing, complementary results; and relate to surroundings.

Traditional Facade Components

Restoration, renovation, adaptation and new design may incorporate the tripartite design, which is the three vertical levels found in nearly every commercial building: the storefront, the upper facade, and the roof line or cornice. As a general approach to renovation, it is best to respect the original period and style of the building. However, if a structure has had architecturally significant alterations, it may be prudent to keep the later period architecture.

Storefronts

The integrity of the storefront with the upper floors should be maintained. Preserve original materials and details as well as the size and shape of original openings so that the proportions of the facade will remain. Replace missing original elements such as transom windows, if possible. Retain well-designed and constructed alterations, even if they are of a style different from the original storefront elements, if they are of equally significant architectural value.

1. **Entries:** Existing recessed entries should be retained and are recommended in new storefront construction. Solid or residential-type doors with small areas of glass should be avoided. Openings containing double entry doors should be retained.
2. **Display and Transom Windows:** The original size, division and shape of display windows within the overall storefront frame should be preserved. Glass should be transparent. While traditionally sized storefront glass is recommended, blinds or cafe curtains can be used for privacy. Transom windows that have been removed or altered, should be restored, or recreated when possible.
3. **Baseband and Pilasters:** Bulkhead design should complement the facade design. The restoration and/or recreation of pilasters with traditional forms and color is encouraged.

Roof Lines, Pediments and Cornices

Historic roof lines should remain. New construction should reflect the shape and scale of typical Boonton roof construction and detail, especially in revitalization areas where the roof shape is a particularly important visual element. Wide or long scale buildings should be broken into smaller masses with rooflines of different height and direction to minimize their effect. Pediments should be restored where existing and recreated where they have been removed. Where cornices have been removed, they should be replaced. Where they are damaged, they should be restored.

Doors and Windows

Every attempt should be made to restore historic windows, shutters and doors and all original building components. The proportion of windows and doors should be appropriate to the original and to the neighborhood fabric, just as the number and size of panels and glazing lights should be appropriate.

Porches

Although uncommon on Main Street, historic porches are present in locations such as Myrtle Street. When adding to or renovating a commercial addition to a structure of residential scale and proportions, the porch serves as a recommended prototype for new design.

Awnings

Design for awnings and banners should be clear, simple and complimentary. Retractable shed awnings of heavy duty canvas are traditional and appropriate. Whether striped or solid, awnings should be color compatible with the storefront and total facade. Glass and metal canopies are also appropriate additions. The use of vinyl or metal clad awnings is not recommended.

Signage

Simplicity, clarity and attention to detail are crucial. Lettering, detail and color should be easy to read and historically appropriate. Signage along the building facade should be flush and proportional with the facade. New signage and signs on larger commercial structures should be appropriately scaled and should not overshadow the architecture. Avoid covering important architectural features. Obsolete signs on storefront/facade should be removed. Signage should have non-glare lighting. If possible, historic signs should be restored.

1. **Materials:** Signage materials should be appropriate and complementary to the architecture, such as wood and metal. Vinyl signage and flashing or exposed lighting are not recommended.
2. **Sign Bands:** Signs mounted on sign band or break band are recommended. Signage can run the full width of a storefront opening but should remain within the pilasters. Signage should not obscure the second floor windows or other details.

Fences and Walls

Landscaping, such as hedge rows, should be used whenever possible instead of fencing to define property boundaries. Fences in commercial areas should be compatible with planned streetscape improvements in material, style and color. Chain link fencing is not recommended where visible from the street and should be softened with landscaping. Puddingstone walls or inclusion of puddingstone elements should be encouraged and are recommended for replacement and new construction wherever possible.

Sidewalks, Paving and Parking

Historically appropriate materials may be recommended for interior walks at historic sites, train stations, municipal and civic locations, and Main Street. Where stone curbs now exist they should be retained if possible. Where possible, parking should be located to the rear of the building. If not possible, parking at the side is recommended with the provision of a continuous landscaped buffer zone at the sidewalk. Common driveways are recommended wherever possible to reduce the number and size of curb cuts.

Lighting

Pedestrian scale lighting is recommended.

Landscaping

Landscaping should be included as a requirement in every development plan for all commercial and industrial properties. Inclusion of landscaping requirements in the Land Use ordinances is recommended. To insure an attractive streetscape, the first ten feet inward from the curb, or to the building face, if that distance is less, for the length of the street frontage, can be designated streetscape landscape areas. The remaining distance to the edge of parking or building dedicated to landscaping may be variable depending on the type of street and building height.

Streetscape

Specific strategies need to be developed that strengthen the identities of individual residential and commercial areas.

HISTORIC PRESERVATION ELEMENT

The ability to create guidelines for the regulation of historic sites and districts by zoning ordinance provides for local control to mitigate adverse impacts associated with development activity affecting the Town's historic resources.

The Town's Historic Preservation Ordinance encourages the expansion of the historic overlay zones to incorporate additional sites, landmarks, structures, buildings, streetscapes or districts that will help promote historic preservation in the Town. Within the overlay zone, alteration or new construction is to be compatible with the character-defining features of the area. The overlay zone allows the imposition of additional requirements above and beyond those required by the base zone. The overlay zone does not alter the permitted use or bulk standards in the base zones, but establishes general design criteria that are sensitive to the historic resources that should be preserved.

As recommended within the 1999 Plan, the Town should undertake research work on five potential additional historic districts:

- a) The Flats Historic District,
- b) Boonton Iron Works Historic District,
- c) the Park Historic District,
- d) Bucco, Sterling Construction Company Historic District,
- e) an expanded Iron Work Historic District.

These additional districts would be in addition to the three (3) existing districts (Main Street, Ironworks Residential & Rockaway Street).

OPEN SPACE AND RECREATION PLAN

It is recommended that the Town continue in its pursuit of quality open space for purposes of preservation, creation of linked open space, and for recreational purposes.

COMMUNITY FACILITIES PLAN ELEMENT

A Community Facilities Plan Element of a Master Plan is intended to reflect provision for adequate municipal facilities and services essential to the community. The 1999 Plan detailed public buildings and facilities, emergency services, library, department of public works, water and sewer systems, public housing and schools.

Recommendations include:

1. The Town should explore funding sources to implement a comprehensive program for compliances with ADA standards for all schools, municipal building and other municipal facilities.
2. As the existing Town Hall configuration does not provide for expansion without a major redesign (building and parking), alternative sites of any surplus municipal or board of education facilities should be explored if and when they become available.
3. As part of this Plan, the Planning Board should request input and current data on school enrollment and class sizes from the Board of Education, and assemble current data regarding the new additions to the various public schools as well as for all Town's facilities.

CIRCULATION PLAN ELEMENT

Provision for convenient, safe and adequate street access to all lands in Boonton continues to be a major objective of the Master Plan. An adequate street system will help promote the most appropriate development of land in keeping with the Land Use and Community Facilities Plans. The following recommendations as found in the 1999 continue to be relevant:

1. Inter-municipal bike routes should be considered since connections exist into Mountain Lakes and within Boonton's Grace Lord Park.
2. Sidewalks should be installed where necessary for pedestrian access and safety. This includes the area around Pepe Field where upon its completed restoration can anticipate an increase in pedestrian activity particularly among children.
3. The Circulation Plan as well as the Open Space/Recreation Plan proposes a series of "natural" pedestrian paths for passive recreational use. These natural paths can follow existing stream or river corridors and can provide additional links to community facilities while becoming a part of a recreational plan for the

community. To fully access these natural links, formal or informal easements and agreements may be necessary to insure their viability. Those proposed for consideration include the watershed lands, Fireman's Field, Rockaway River corridor, old railroad bridges and Veterans Field.

4. Continuous pedestrian and bicycle paths should be provided through interconnections between residential developments and public facilities either along public rights-of-way or separate rights-of-way restricted to bicycle or pedestrian use.
5. Provide improved visual treatment (architectural details; landscaping; identifying, directional, and informational signage) to the following commercial roadways particularly: Myrtle Avenue (length), Main Street (commercial center), Boonton Avenue (commercial district) and Wootton Avenue (west of Myrtle) through industrial zone.
6. Designate areas within the Town as "special areas" that provide visual improvements and enhancements via streetscape improvement designs, such as those described in the Revitalization Element and design guidelines.
7. Explore traffic calming improvements and sidewalks in the Oak/Wootton Street area to reduce through speeds and in anticipation of the increased pedestrian activity level resulting from the restoration of Pepe Field.
8. Intersection and pedestrian improvements in and around Dell's Village should include the intersection alignment of Elcock and Fanny Roads; a bus pull-off area on West Main Street; and sidewalks/bike paths that circles the entire area and continue to meet the Boulevard in Mountain Lakes.

ADDITIONAL LAND USE REGULATION RECOMMENDATIONS

In addition to the aforementioned Master Plan element changes, the following regulatory additions and amendments are recommended:

1. Develop regulations addressing the disturbance of steep slopes. Such regulations can either be in the form of design standards or under zoning (variance relief would be required). Typical ordinances regulate improvements found within slopes in categories ranging between 15-24.9%, and 25% or greater.

2. Accessory Structures. Add provisions addressing the use of temporary or portable garage/storage structures and temporary storage containers (Pods). Regulations defining such structures, and limitations of use including use of structure, location on property and maximum size. Additional provisions should include an annual renewable permit with the Town construction department. As it pertains to temporary storage containers or “PODS”, provisions should be specific as to location on property and duration of stay.
3. Amend Building Height Definition. Provide definitions for basements and cellars as it pertains to building height (both feet and stories) If a basement is more than 50% exposed and/or if a façade is fully exposed, the basement level should be considered a building story. Consideration for reducing the permitted building height of 36’ to 32’, with no building façade higher than 40’ (grade to peak) be permitted.
4. Provide for additional regulatory controls as it pertains to residential construction. Recommend that ordinance provisions addressing building coverage and total lot impervious coverage be provided. Such controls can serve to limit oversized structures within established neighborhoods and also serve to limit overall property disturbance. As with any zoning standard, the regulation must be reasonable and not arbitrary and capricious. Studies as to the established pattern of development would have to be conducted to determine that appropriate maximum coverage figures.
5. Introduce an appropriate floor area ratio requirement in all zone districts.

RECYCLING PLAN

The Municipal Land Use Law NJSA 40:55D-28) provides for a recycling plan element as part of a municipal master plan:

“A recycling plan element which incorporates the State Recycling Plan goals, including provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance, and for the collection and recycling of recycling materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 or more units of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land.”

The Statewide Mandatory Source Separation and Recycling Act (NJSA 13:1E 99.16.6c) also requires a recycling plan:

The governing body of each municipality shall, at least once every 36 months, conduct a review and make necessary revisions to the master plan and development regulations adopted pursuant to P.L. 1975, c.291 (C.40:55D1, et seq.), which revisions shall reflect changes in federal, State, county and municipal laws, policies and objectives concerning the collection, disposition and recycling of designated recyclable materials.

NJSA 13:1E-99.13.a provides for a model ordinance, developed by NJDEP, to be used by municipalities in regulating recycling with their jurisdictions. The model specifies the following:

The model ordinance shall set forth standards governing the inclusion, in all new multifamily housing developments which require subdivision or site plan approval, of collection or storage facilities which allow for the source separation of all recyclable materials required by the district recycling plan... For the purposes of this section, 'multifamily housing' shall mean housing in which three or more units of dwelling space are occupied, or are intended to be occupied, by three or more persons who live independently or with one another.

Morris County has adopted a Morris County Morris County Solid Waste Management Plan (MCSWMP) that sets forth requirements for “source separation” as the primary method of separating the recyclable waste stream from the solid waste stream.

This Plan addresses these requirements.

Purposes of this Plan

It is the purpose of this plan to generally:

- Comply with the requirements of the Municipal Land Use Law and Statewide Mandatory Source Separation and Recycling Act and the Morris County Solid Waste Management Plan by incorporating a Recycling Plan element into the Town of Boonton’s Master Plan.

- Outline the materials to be source separated and recycled as required by the MCSWMP.
- Make general recommendations for recycling facilities and procedures in relation to future single family, multifamily and non-residential development improvements in the Town.

New Developments of Multi-family Residential Units or Commercial, Institutional or Industrial Properties

Any application to the planning board for subdivision or site plan approval for the construction of multi-family dwellings of three or more units, single family developments of 50 or more units or any commercial, institutional, or industrial development for the utilization of 1,000 square feet or more of land, should include a recycling plan. This plan should contain, at a minimum the following:

1. A detailed analysis of the expected composition and amounts of solid waste and recyclables generated at the proposed development; and,
2. Locations documented on the application's site plan that provide for convenient recycling opportunities for all owners, tenants, and occupants. The recycling area shall be of sufficient size, convenient location and contain other attributes (signage, lighting, fencing, etc.) as may be determined by the Town Engineer on behalf of the recycling coordinator.

All uses other than single- or two-family homes that require subdivision or site plan approval should provide for an indoor and/or outdoor solid waste and recycling area for the collection and storage of commercially and/or residentially-generated solid waste and recyclable materials. The number of sites and dimensions of the solid waste and recycling areas should be sufficient to accommodate solid waste and recycling bins or containers which are of adequate size and number, and which are consistent with anticipated usage and with current methods of collection in the area in which the project is located. The number of sites and dimensions of the solid waste and recycling areas, and the bins or containers should be determined in consultation with the Health Department and the Municipal Recycling Coordinator, and should be consistent with the Morris County Solid Waste Management Plan.

For existing developed sites, these requirements could be waived by the Planning Board or Board of Adjustment upon showing by the applicant that the site currently handles all solid waste and recyclable materials in an existing location not meeting

these requirements, but in a satisfactory manner. Evidence of this should include a report from the Town of Boonton Health Department and Recycling Coordinator.

Solid waste and recycling areas should be subject to the following minimum standards:

1. The solid waste and recycling areas should not be located within any front yard area.
2. The walls of each solid waste and recycling enclosure shall be constructed of solid masonry material with decorative exterior surface finish compatible to the main structure(s). Split face concrete block finish is recommended. The walls shall be a minimum of six feet in height.
3. Each recycling and trash enclosure shall have decorative solid heavy gauge metal gates and be designed with cane bolts to secure the gates when in the open and closed positions.
4. One side should contain a gate of sufficient width to accommodate the containers.
5. A separate pedestrian entrance shall be provided. The pedestrian entrance shall be located such that it shields the view of the containers, or in the alternative, accommodated with a decorative solid heavy-gauge metal gate.
6. A concrete apron shall be constructed either in front of each recycling and trash enclosure or at the point of receptacle pick-up to minimize damage to the surrounding asphalt paving. The minimum dimensions of the concrete apron shall be 10 feet wide and twenty feet long. The apron material shall consist of five inch dense graded aggregate base and six inch Class B concrete slab.
7. The location, size and shape of the storage area should be such that each container can be moved in and out of the storage area without interfering with other containers in the storage area or other land uses adjacent to the storage area.
8. A five-foot minimum width landscape area should be provided along the fence or wall enclosing the refuse storage area where deemed appropriate by the Planning Board or Board of Adjustment. The landscaping to be provided should be shown on the site plan submitted to the Planning Board or Board of Adjustment for approval.
9. The solid waste and recycling areas should be well lit, and shall be safely and easily accessible by solid waste and recycling personnel and vehicles. Collection vehicles shall be able to access the solid waste and recycling areas without interference from parked cars or other obstacles. Reasonable measures should be taken to protect the solid waste and recycling areas, and the bins or containers.

10. The solid waste and recycling areas and the bins/containers placed therein should be designed so as to provide protection against adverse environmental conditions which might render the recyclable materials unmarketable. Any bins or containers which are located in an outdoor solid waste and recycling area, should be equipped with a lid, or otherwise covered, so as to keep the contents dry.
11. Signs clearly identifying the recycling portion of the solid waste and recycling areas and the materials accepted therein should be posted adjacent to all points of access to the solid waste and recycling areas. Individual bins or containers for recyclable materials should be equipped with signs indicating the materials to be placed therein.
12. No containers or solid waste and recycling materials should be maintained anywhere on a site except in a solid waste and recycling area meeting these requirements.
13. It should be a violation of the site plan when the gates of a solid waste and recycling area are left open or when solid waste or recyclable material is placed outside of the approved solid waste and recycling area(s).
14. If outdoor storage of solid waste or recyclable materials is not proposed, the site plan should detail the methods proposed for accommodating the solid waste or recyclable materials within the structure. The Planning Board or Board of Adjustment may require that a suitable area be set aside, but not improved, for a future solid waste and recycling area meeting these requirements even if indoor accommodations are proposed.

Prior to the issuance of a Certificate of Compliance by the Code Enforcement Department of the Town of Boonton, the owner of any new multi-family housing or commercial, institutional, or industrial development should supply a copy of a duly executed contract with a hauling company for the purposes of collection and recycling of source-separated recyclable materials, in those instances where the municipality does not otherwise provide this service.

Provision shall be made for the indoor, or enclosed outdoor, storage and pickup of solid waste, to be approved by the Town Engineer.

Prohibition of the Collection of Solid Waste Mixed with Recyclable Materials

It should be regulated as unlawful for solid waste collectors to collect solid waste that is mixed with, or contains visible signs of, designated recyclable materials. It should also be regulated as unlawful for solid waste collectors to remove for disposal those bags or

containers of solid waste which visibly display a warning notice sticker or some other device indicating that the load of solid waste contains designated recyclable materials.

It should be the responsibility of the resident or occupant to properly segregate the uncollected solid waste for proper disposal or recycling.

To implement the above recycling plan, the Town of Boonton recently adopted Ordinance 03-08, "An Ordinance of the Town of Boonton Addressing the Issues of Municipal Source Separation and Recycling." In addition to the enforcement provisions contained in Ordinance 03-08, the reviewing Town Board will require that recycling is addressed in all development applications.

HOUSING PLAN SUMMARY (Adopted April, 2006)

The Municipal Land Use Law (MLUL) require a housing element as a mandatory part of the municipalities Master Plan. Under the statute, the housing plan must contain the following information:

- Inventory and analysis of the municipality's housing stock, demographic characteristics and existing and future employment characteristics;
- A projection of future housing construction;
- A determination of the municipality's present and prospective fair share of low and moderate income housing and its capacity to accommodate low and moderate income housing;
- A consideration of the lands that are most appropriate for the construction of low and moderate income housing including land owned by developers who have expressed a commitment to provide affordable housing.

Based on the new rules adopted by COAH on December 20, 2004, the following information in addition to the aforementioned must be included when preparing a housing plan:

- A projection of the municipality's probable future construction of housing for ten (10) years covering the period between January 1, 2004 through January 1, 2014, based on certificates of occupancy (CO's), construction permits, approved development and historic trends over the previous ten years;
- An analysis of existing jobs and employment characteristics of the municipality and a projection of the probable future jobs and employment characteristics for ten (10) years covering the period between January 1, 2004 and January 1,

- 2014, based upon certificates of occupancy (CO's), construction permits, approved development and historic trends over the previous ten years;
- An analysis of how existing zoning and planned changes in zoning provide adequate capacity and provisions to accommodate residential and non-residential growth projections;
 - Plan projections for 2015 consistent with the State Planning Commission (State Development and Redevelopment Plan);
 - The number of new affordable housing units the municipality was obligated to provide during the 1987 to 1999 period and the number of affordable units actually provided;
 - The number of deficient units occupied by low and moderate income households that the municipality is obligated to rehabilitate;
 - The projected growth share affordable housing need (based on residential and non-residential growth);
 - A general description of any sites slated for affordable housing including acreage, property owner, block and lot, current zoning, surrounding land uses and street access.

A municipal Fair Share Plan must be adopted by the Planning Board and endorsed by the governing body prior to the municipality's petition to COAH for substantive certification. The Fair Share Plan must address the municipalities total 1987 – 2014 fair share obligation, including implementing ordinances created to ensure that the affordable housing obligation is met.

The Boonton Planning Board adopted in April, 2006, the latest Housing Element and Fair Share Plan which addressed affordable housing based upon the third-round rules. The Plan was subsequently endorsed by the Township Council and a petition for third-round certification was submitted to COAH. That report is herein included by reference and summarized as follows:

Municipal Fair Share Plan Summary - 1987-2014

I. PRIOR ROUNDS (1987-1999)

A. Pre-credited Need from Prior Rounds: 60 Total

B. Credit and Reductions from Prior Rounds: 69 Total

20 - Bedrooms in 3 Alternative Living Arrangement Units

6 – Bedrooms from post 1986 Alternative Living Arrangement Units

37 – Rehabilitated Units

6 – Additional Rehabilitated Units meeting \$8,000 minimum

C. Excess Units

69	Credit and Reductions
- 60	Pre-credited Need
<u>9</u>	Excess Units (To be used to address third-round growth share obligation)

II. THIRD ROUND (2000-2014)

A. Rehabilitation Obligation

33 Units (COAH Substantive Rules – Appendix C)

B. Growth Share Obligation

9	Residential Growth Share
+ 3	Non-Residential Growth Share
<u>12</u>	Total Growth Share

Note: These numbers are estimates based upon historic and anticipated growth and are subject to change, pending actual development which may occur during the 2004-2013 period.

C. Compliance Mechanisms

1. Excess Units from Prior Rounds
2. Regional Contribution Agreement (RCA)
3. Growth Share Ordinance
4. Buy-Down Programs

At the time of this writing however, as of January 22, 2008, COAH proposed amended third round affordable housing rules. Based on the proposed rules (scheduled for adoption in June, 2008, and retroactive to all development since 2000), the Town of Boonton is to provide affordable housing to address the projected need of 175 affordable units between 2004 and 2018 based on the following calculations:

Residential Growth:	260 units/5 = 52 affordable units
Jobs Growth:	1,054 jobs/16 = 66 affordable units
Rehabilitation:	57 units

Upon adoption of the amended rules, the Town of Boonton will have only a few months to complete a new housing plan which as proposed, is to provide for the residential and non-residential growth projections indicated in the new rules. Additional modifications to the Land Use Plan will ultimately be required to achieve the residential and non-residential growth projected, as well as actual development which may occur during the time period.

CONCLUSION

It is recommended that the Planning Board of the Town of Boonton adopt this Re-examination report to affirm the validity of the current Town Master Plan and formally promote the recommendations of the various plan elements as outlined within this report. A formal resolution should also include that where necessary, based upon the furtherance of studies and investigations recommended herein, Master Plan amendments as appropriate shall be considered by the Board in a timely manner.

P. David Zimmerman, PP/AICP
Town Planner
May 14, 2008