



**TOWNSHIP  
OF  
ALLAMUCHY**

**WARREN COUNTY  
NEW JERSEY**

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**MASTER PLAN  
REEXAMINATION REPORT**

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**June 2013**



**PREPARED BY COPPOLA & COPPOLA ASSOCIATES**  
This document is based on a model prepared and provided by the New Jersey  
Highlands Water Protection and Planning Council.

**2013 MASTER PLAN REEXAMINATION REPORT**

**TOWNSHIP OF ALLAMUCHY**

**Warren, New Jersey**

**TOWNSHIP OF ALLAMUCHY LAND USE BOARD**

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**Roger Thomas, Board Attorney**  
**Paul Sterbenz, Board Engineer**

**JUNE 2013**

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

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**TOWNSHIP OF ALLAMUCHY  
2013 MASTER PLAN REEXAMINATION REPORT**

**Introduction**

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The New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq.) provides that each municipality within the State of New Jersey periodically reexamine its Master Plan policies and assumptions, and its zoning restrictions and site plan and subdivision regulations, and prepare and adopt by resolution, a report on the findings of such reexamination. The Reexamination Report must include the following components (N.J.S.A. 40:55D-89):

1. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
2. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
3. 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 of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
4. 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.
5. The recommendations of the Land Use Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The current Master Plan of the Township of Allamuchy consists of the following documents, which include a number of the Master Plan Elements as required and/or permitted at N.J.S.A. 40:55D-28 of the Municipal Land Use Law:

- PART I: BACKGROUND STUDIES, dated August 1991.
- PARTS II AND III: STATEMENT OF OBJECTIVES, PRINCIPLES, ASSUMPTIONS, POLICIES AND STANDARDS and LAND USE PLAN ELEMENT, as adopted June 23, 1993.

- PART IV: HOUSING PLAN ELEMENT AND HOUSING COMPLIANCE PROGRAM, as adopted June 23, 1993.
- PART V: TRAFFIC CIRCULATION PLAN ELEMENT, as adopted October 27, 1993.
- PART VI: BUILD OUT ANALYSIS, dated December 1996 and adopted September 23, 1998.
- PART VII: CONSERVATION PLAN ELEMENT, dated June 1998, revised August 1998 and adopted September 23, 1998.
- MASTER PLAN AND DEVELOPMENT REGULATIONS PERIODIC REEXAMINATION REPORT, dated July 1999 and adopted July 28, 1999.
- MASTER PLAN AMENDMENT TO HOUSING COMPLIANCE PROGRAM AND LAND USE PLAN ELEMENT, dated September 2000 and adopted September 27, 2000.
- SUPPLEMENTAL MODIFICATION TO THE TOWNSHIP OF ALLAMUCHY MASTER PLAN AND DEVELOPMENT REGULATIONS PERIODIC REEXAMINATION REPORT, dated December 2003 and adopted December 18, 2003.
- MUNICIPAL STORMWATER MANAGEMENT PLAN, dated March 2005 and adopted April 21, 2005.
- MASTER PLAN HOUSING PLAN ELEMENT AND FAIR SHARE PLAN, dated May 2005 and adopted May 26, 2005.
- MASTER PLAN AND DEVELOPMENT REGULATIONS PERIODIC REEXAMINATION AND LAND USE PLAN UPDATE REPORT, dated August 2005 and adopted August 25, 2005.
- SUPPLEMENTAL MODIFICATION TO AMEND THE "LAND USE PLAN ELEMENT" OF THE TOWNSHIP OF ALLAMUCHY MASTER PLAN, dated October 24, 2010 and adopted November 4, 2010.

Since the time of adoption of the last amendment to the Master Plan, the assumptions, policies, and objectives upon which the Master Plan is based have changed by virtue of: a) the enactment of the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1 et seq.) by the State Legislature on August 10, 2004; b) the adoption of the Highlands Regional Master Plan by the Highlands Water Protection and Planning Council ("Highlands Council") on July 17, 2008, which became effective on September 8, 2008; c) the requirement of the Highlands Act that municipal

Master Plans and regulatory provisions be brought into alignment with the Highlands Regional Master Plan for lands located within the Highlands Preservation Area; and d) the affirmative decision of the Allamuchy Township Governing Body to conform to the Highlands Regional Master Plan for municipal lands located in the Preservation Area, as set forth by Resolution adopted on November 17, 2009.

Accordingly, the Land Use Board has reexamined the Township Master Plan and development regulations to determine the specific changes necessary to achieve consistency with the Highlands Regional Master Plan and thereby, to incorporate the specific changes in State policies, goals, and objectives as set forth by the Highlands Act. It is the intent of this Report to identify the specific revisions needed to bring the Township Master Plan and development regulations into conformance with the Highlands Regional Master Plan.

## 1. Major Land Development Problems & Objectives

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The major problems and objectives relating to land development in the Township at the time of the adoption of the last reexamination report which have changed, specifically as a result of the passage of the Highlands Act, the adoption of the Regional Master Plan, and/or the decision of the Governing Body to conform its planning documents to the Regional Master Plan, include the following:

- a. "The Development Plan of Allamuchy Township should maintain the continuity of the Township's planning process and build upon and refine the past planning decisions of the municipality, consistent with present local and regional needs, desires and obligations."
- b. "The Development Plan should recognize the physical characteristics of the Township and acknowledge the inherent capabilities and limitations of the land to host different types of community development at appropriate densities and intensities:
  - Conservation of existing natural resources should be an integral part of the planning process, with special attention to the constraints of environmentally critical and sensitive areas;
  - The capacity of the soils throughout the Township to absorb and adequately filter septic effluent before the effluent enters the potable water supply should be continually monitored and reassessed;
  - The preservation of open space within the Township should be safeguarded and promoted, and open space areas should be set aside, wherever and whenever possible and appropriate, in order to maintain a balance among non-residential development, residential development, and open space areas planned and used for a variety of passive and active purposes; and
  - Agricultural lands should be preserved to the maximum extent possible."
- c. "The Development Plan should strive to improve upon the commercial and industrial vitality of the Township and should promote new development of non-residential uses in appropriate locations, with appropriate regulations to prevent 'strip' commercial development. The overall goal is to promote a strong local economy and a balance between residential and non-residential development, so that appropriate retail establishments are provided for the convenience of the Township residents, job opportunities are available, and a balanced tax base is created."

- d. "The major retail shopping facilities within the municipality should be concentrated along County Route 517, with additional shops in the Village limited to Old Hackettstown Road and a small neighborhood center on Alphano Road adjacent the Panther Valley Planned Development; all within proximity to the existing and proposed concentrations of residential areas in order to avoid the proliferation of vehicular shopping trips."
- e. "The Development Plan should strive for "balanced growth" within Allamuchy Township. While the term "balanced growth" is ambiguous, with no precise percentage ratio of measurement universally applicable, the concept is fundamental. Essentially, "balanced growth" is the desire and goal to have different types of development take place in concert with each other, including various types of residential development, commercial development, employment generating development, infrastructural improvements, recreational provisions, open space acquisition, agricultural preservation, and the maintenance of a sufficient level of municipal services and facilities including schools, fire and police protection, and administrative offices; and all of this must take place in a manner which maintains the desired quality of life and attempts to preserve the suburban-rural atmosphere of the Township."

## **2. Extent of Reduction/Increase in Problems & Objectives**

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The extent to which each of the problems and objectives listed in item 1 above, have been reduced or have increased subsequent to the date of the last reexamination report, specifically as a result of passage of the Highlands Act, the adoption of the Regional Master Plan, and/or the decision of the Governing Body to conform its planning documents to the Regional Master Plan, is indicated below, in the same order provided at 1, above:

- a. To a large extent, the imposition of the NJDEP Highlands Rules removes the planning process from municipal control relative to Township lands within the Highlands Preservation Area, thereby contravening the continuity of the local planning process; however, regional needs as noted in the objective are being furthered by the Highlands Act and the Highlands Regional Master Plan, and thus it is anticipated that the objective will be maintained.
- b. The Highlands Act and RMP identify the physical characteristics of the Township and acknowledge their inherent limitations, particularly on lands within the Highlands Preservation Area. Conservation of natural resources and open spaces and agricultural preservation are part of this municipal objective that are being advanced in the Highlands Preservation Areas of the Township, and thus this objective is advanced by the Highlands Act and RMP for the Highlands Preservation Areas of the Township.

- c. As noted in the 2005 Reexamination Report, this objective is no longer valid due to the designation of the Highlands Preservation Area over most of the Township's non-residentially zoned lands. Additionally, the lack of public sewerage and the inability to expand the sewer treatment plant which is located within the Highlands Preservation Area will severely constrain commercial development on the one remaining undeveloped tract of land in a non-residential zoning district.
- d. Similarly and as noted in the 2005 Reexamination Report, this objective is no longer valid due to the designation of the Highlands Preservation Area over most of the Township's non-residentially zoned lands and the lack of public sewerage.
- e. The regulations for and limitations on development of lands within the Highlands Preservation Areas within the Township will curtail the objective for "balanced growth" between various types of development in the Township because future non-residential development in the Township is limited by the lack of public sewerage and the Highlands Act prevents the expansion of the sewer service area. Moreover, the Highlands Preservation Areas encompass most of the non-residential zoning districts in the Township which limits the potential for future non-residential development. However, as noted in the 2005 Reexamination Report, the focus of this objective had been modified to strive for balancing residential growth with the preservation of open spaces and farmland; the Highlands Act and RMP should advance this objective as modified since the Highlands Preservation Areas will protect open spaces and farmland within the Township, thereby helping to balance residential growth within the Panther Valley Planned Development and elsewhere in the Township.

### **3. Significant Changes in Assumptions, Policies, Objectives**

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Since the reexamination of the Township Master Plan completed on August 25, 2005, the passage of the Highlands Act, adoption of the Regional Master Plan by the Highlands Council, and the adoption by the Governing Body of its resolution to conform the municipal planning documents to the Regional Master Plan, have significantly altered and increased the objectives that must be addressed in the Township Master Plan, including but not limited to incorporating a variety of Highlands Resource protections, providing an emphasis on infrastructure and environmental carrying capacities, and initiating a substantial modification to the methodology to be used in determining permitted densities of development within the municipality.



#### **4. Specific Recommended Changes to the Master Plan**

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The Land Use Board recommends that specific changes to the Township of Allamuchy Master Plan be adopted, including modifications to the underlying objectives, policies and standards, all as outlined in detail, in the “Highlands Preservation Area Master Plan Element” approved by the Highlands Council as part of the Township’s Petition for Plan Conformance (copy attached herewith).

#### **5. Specific Recommended Changes to Development Regulations**

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The Land Use Board recommends that the Township adopt the Highlands Area Development Application checklist ordinance (copy attached herewith). The ordinance requires that evidence of consistency with the Highlands Regional Master Plan be submitted with Development Applications as a requirement of Application completeness, as provided in the attached Ordinance entitled “An Ordinance Amending and Supplementing the Land Development Ordinance of the Township of Allamuchy and Specifically Section 802, Entitled 'Application of Requirements', To Update Public Notice And Submission Requirements and Incorporate Highlands Council Call-Up Provisions for Applications for Development in the Highlands Preservation Area.”

Due to the extremely limited development potential of the Preservation Area in the Township of Allamuchy (resulting from both the application of NJDEP Preservation Area Rules to the particular characteristics of Preservation Area lands in the Township and the existence of extensive areas of already preserved lands), the Governing Body and the Highlands Council together have determined that the adoption of the complete Highlands Preservation Area Land Use Ordinance, based on Highlands Council models, is not necessary to implement Plan Conformance standards in the Township. The adoption of the ordinance revising submission requirements pertinent to Applications for Development provides a more efficacious means to ensure that development within the municipality achieves compliance with the standards and protections required under the Highland Regional Master Plan.

#### **6. Changes Recommended for Incorporation of Redevelopment Plans**

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At this time the Land Use Board makes no findings or recommendations regarding the incorporation of redevelopment plans pursuant to the Local Redevelopment and Housing Law, P.L. 11992, c.79 (C.40A:12A-1 et al.).