

**TOWNSHIP OF PEMBERTON**  
**ORDINANCE NO. 20-2023**

**AN ORDINANCE APPROVING THE SPRUCE BOULEVARD/JUNCTION ROAD  
REDEVELOPMENT PLAN**

**WHEREAS**, the Township Council of the Township of Pemberton has determined through the adoption of Resolution 226-2022 that certain properties designated as on the tax map of the Township of Pemberton as Block 586, Lots 1, 10, 11 and 12, Block 587, Lot 1.01, 15, 16, 17, 18, 19, 20, 21, 22 and 23, Block 849, Lots 1.01 and 1.03 (collectively referred to as the “Junction Road Properties”) qualifies as an “Non-Condemnation Area in Need of Redevelopment” under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the “LHRL”); and

**WHEREAS**, the Township Council adopted Resolution 226-2022 directing the Planning Board to develop a Redevelopment Plan with assistance from the Township Planner for the Junction Road Properties so as to make a recommendations to the Township Council as to the proposed Redevelopment Plan pursuant to N.J.S.A. 40A:12a-7(e); and

**WHEREAS**, the Township’s Special Planner prepared a proposed Redevelopment Plan which would permit a mix of medium density residential uses such as detached single-family homes, and attached single-family townhouses intended to be complimentary to the existing developed residential neighborhood and provide for pedestrian connections to the surrounding community and public facilities and presented it to the Planning Board; and

**WHEREAS**, the Township Planning Board conducted public hearings and reviewed the Redevelopment Plan at their regularly scheduled meeting on July 7, 2022 and August 4, 2022 and transmitted a letter to the Township Council dated August 11, 2022 which included a memorandum from the Board Planner, David J. Banisch, P.P./AICP making recommendations as to what should be included in the Spruce Blvd./Junction Road Redevelopment Plan; and

**WHEREAS**, the Township Council finds it is in the best interests of the Township of Pemberton to approve the Spruce Blvd./Junction Road Redevelopment Plan for the Junction Road Properties attached hereto and incorporated as if fully set forth at length herein.

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Council of the Township of Pemberton, County of Burlington, and State of New Jersey that in accordance with the Local Redevelopment and Housing Law, N.J.S.A. 40A:12a-1 et. seq., it hereby approves and adopts the Spruce Blvd./Junction Road Redevelopment Plan for the Junction Road Properties identified in this Ordinance.

**BE IT FURTHER ORDAINED THAT** in accordance with N.J.S.A. 40A:12A-7 (c), inasmuch as the Redevelopment Plan contains superseding zoning, the Zoning District Map of the Township of Pemberton is hereby amended to denote the Spruce Boulevard/Junction Road Redevelopment Plan as a zoning district and the listing of zoning districts is hereby amended to include a reference to this Redevelopment Plan within the Redevelopment Area.

**BE IT FURTHER ORDAINED**, that this ordinance shall take effect upon passage and publication in accordance with applicable law.


**PEMBERTON TOWNSHIP COUNCIL**

**TOWNSHIP OF PEMBERTON**  
**ORDINANCE NO. 20-2023**

**NOTICE OF PUBLIC HEARING**

**AN ORDINANCE APPROVING THE SPRUCE BOULEVARD/JUNCTION ROAD  
REDEVELOPMENT PLAN**

The foregoing Ordinance was introduced and passed on first reading by the governing body of Pemberton Township at a meeting held on April 5, 2023 and will be considered for final passage after a public hearing at a meeting of the said governing body to be held on April 19, 2023 at the Pemberton Township Municipal Building, 500 Pemberton-Browns Mills Road, Pemberton, New Jersey, at 6:00 p.m. prevailing time, at which time any interested member of the public may comment on said Ordinance. During the week prior to and up to and including the date of such meeting or further consideration, copies of said Ordinance in its entirety may be obtained from the Township Clerk.


ATTEST:   
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

**TOWNSHIP OF PEMBERTON**  
**ORDINANCE NO. 20-2023**

**NOTICE OF FINAL PASSAGE**

**AN ORDINANCE APPROVING THE SPRUCE BOULEVARD/JUNCTION ROAD  
REDEVELOPMENT PLAN**

Notice is hereby given that Ordinance No. 20-2023 as entitled above has been finally adopted on final reading by the governing body of Pemberton Township after a public hearing, at a meeting held on April 19, 2023. Said Ordinance shall take effect in accordance with law.

ATTEST:   
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

ACKNOWLEDGEMENT OF APPROVAL BY MAYOR

  
JACK K. TOMPKINS

DATE April 20, 2023

ATTEST:   
AMY P. COSNOSKI, RMC, TOWNSHIP CLERK

# REDEVELOPMENT PLAN

## Spruce Boulevard / Junction Road Redevelopment Area

Block 586; Lots 1, 10, 11, & 12;

Block 587; Lots 1.01, 15, 16, 17, 18, 19, 20, 21, 22, & 23;

Block 849; Lots 1.01 & 1.03

PEMBERTON TOWNSHIP

BURLINGTON COUNTY, NEW JERSEY

March 2023



**Consulting & Municipal  
ENGINEERS**

**CME Associates**

1 Market Street, Suite 1F

Camden, NJ 08102

732-410-2651

A handwritten signature in blue ink, appearing to read 'C. Dochney', is written over a light blue grid background.

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*Christopher N. Dochney, AICP, PP License # 6225*

*The original document was appropriately signed and sealed in accordance with the Chapter 41 Title 13 of the State Board of Professional Planners.*

# **Acknowledgements**

## **Pemberton Township Mayor & Council**

Mayor Jack K. Tompkins  
Donovan Gardner – Council President  
Elisabeth McCartney  
Dan Dewey  
Josh Ward  
Paul Detrick

## **Pemberton Township Planning Board**

Steven Borders - Chair  
Dan Hullings – Vice Chair  
Mayor Jack K. Tompkins  
Councilperson Paul Detrick  
Charles Miskolcy  
Richard Brown  
Donna Lefebvre  
Lionel C. Lee  
Claudia Storicks  
Perry Doyle – Alternate 1  
Charles Otting – Alternate 2  
William Sitzler, Esq – Board Attorney  
Chris Rehmann, PE – Board Engineer  
David Banisch, PP, AICP – Board Planner  
Donna DiPalma – Board Secretary

## **Project Team**

Malvika Apte, PP, AICP – Planning Department Leader  
Chris Dochney, PP, AICP – Project Manager  
Patrick VanBernum – Staff Planner, GIS Technician

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## INTRODUCTION

### PURPOSE AND STATUTORY BASIS OF THE REDEVELOPMENT PLAN

Redevelopment is the process of revitalizing a community that has either fallen into a state of disrepair or has become stagnant and could benefit from new development in an area that is not seeing any improvement through conventional market forces. This can involve the acquisition and demolition of existing structures and facilities if needed to make way for new improvements. Redevelopment planning is the process of determining how the redevelopment of particular properties can best improve a community, and using local government powers to encourage development and growth where it otherwise would be unlikely to happen.

New Jersey laws allow for a municipality to utilize redevelopment as a tool to stimulate economic development and improve conditions on properties that meet certain statutory criteria that qualify them as being “in need of redevelopment.” Redevelopment as a planning instrument offers a number of potential benefits to the Township. Through redevelopment, the Township is allowed more flexibility to negotiate with and potentially offer financial incentives to potential developers than is otherwise available through standard land development procedures. Under redevelopment the Township can take a more proactive approach to improving targeted areas. This can be used as a means to stimulate development where it might not occur through market forces and private capital alone.

On February 16, 2022, the Township Council of the Township of Pemberton adopted Resolution No. 77-2022, authorizing and directing the Planning Board to undertake a preliminary investigation to determine if certain properties met any of the statutory criteria to determine that they are an “area in need of redevelopment” or an “area in need of rehabilitation”. The resolution from the Council expressly noted that the Redevelopment Study was not to include the potential for condemnation and not to authorize the use of eminent domain. The properties subject to investigation were:

- Block 586; Lots 1, 10, 11, & 12;
- Block 587; Lots 1.01, 15, 16, 17, 18, 19, 20, 21, 22, & 23;
- Block 849; Lots 1.01 & 1.03

The Township retained the services of CME Associates to prepare a preliminary investigation report to determine if the Study Area is in need of redevelopment. On July 7, 2022, a report was presented to the Township Planning Board, and the Planning Board recommended that the Study Area can be determined to be in need of redevelopment and in need of rehabilitation, and set forth their reasoning in a letter to the Council dated August 2, 2022. On August 3, 2022, the Township Council accepted the recommendations of the Planning Board and acted to designate the Study Area in its entirety as both an area in need of redevelopment and an area in need of rehabilitation through Resolution 226-2022.

## PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan

The Planning Board has also reviewed initial drafts of this Redevelopment Plan, and provided comments and feedback to the Council. These comments were forwarded to the Council through a letter from the Planning Board Chair dated August 22, 2022, and have been incorporated into this Plan.

Copies of the Resolutions from the Council as well as the letters from the Planning Board can be found in Appendix A of this Plan.

The Township is currently in the process of receiving approval from NJDCA for the redevelopment and rehabilitation designations of the area.

Although the statutory procedures for designation of an area in need of redevelopment and an area in need of rehabilitation are different, and rely on different criteria to make a determination of need, an area in need of either redevelopment or rehabilitation are both “redeveloped” through a redevelopment plan in the same way. Collectively, these properties shall be referred to as the “Redevelopment Area” in this document.

This document sets forth the Redevelopment Plan for the Redevelopment Area, including permitted land uses, bulk and area requirements, and design standards for any proposed development within the Redevelopment Area. In accordance with Pemberton Township Council Resolution No. 77-2022 this Plan is a Non-Condemnation Redevelopment Plan for the lots noted above. The use of eminent domain to acquire any properties within the Redevelopment Area shall not be permitted.

According to the Local Redevelopment and Housing Law, the Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational, community facilities, and other public improvements;
2. Proposed land uses and building requirements in the project area;
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent safe and sanitary dwelling units, affordable to displaced residents, will be available to them in the existing local housing market;
4. An identification of any property within the Redevelopment Area proposed to be acquired in accordance with Redevelopment Plan;
5. Any significant relationship of the Redevelopment Plans to:
  - a. The Master Plans of contiguous municipalities;
  - b. The Master Plan of the County in which the municipality is located, and;
  - c. The State Development and Redevelopment Plans adopted pursuant to the “State Planning Act”.

PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan

6. Additionally, A redevelopment plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” P.L. 1985, c.222 (C.52:27D-301 et al.) and the housing element of the municipal master plan; and
7. The redevelopment plan shall describe its relationship to pertinent municipal development regulations including consistency with the municipal master plan.

This Plan provides a detailed guide for the redevelopment of these properties in the Blueberry Manor neighborhood in the vicinity of Spruce Boulevard and Junction Road in Browns Mills. It shall serve as the formal planning and zoning regulatory document within the Area.

This Redevelopment Plan will set forth the permitted uses, bulk standards, design standards, and other requirements within the Redevelopment Area, which shall supersede the existing zoning currently applicable to each of the parcels within the Redevelopment Area, unless otherwise noted.

## PLAN OVERVIEW

This redevelopment plan permits a mix of residential uses, ranging from single family dwellings to townhouses within its boundaries and is intended to provide flexibility for the effective redevelopment of the Area.

All future development within the Redevelopment Area is intended to be compatible with the existing Browns Mills community, and be integrated into the existing fabric of the adjacent neighborhood. New development shall function as a transition between the existing single family community to the north on Spruce Boulevard, and the multi-family community to the south of the Redevelopment Area, and shall be accessible primarily through extensions of the existing road network.

## AREA BOUNDARIES AND LOCATIONAL CONTEXT

The Redevelopment Area consists of sixteen properties, all located in the vicinity of Spruce Boulevard and Junction Road, in the Browns Mills area of the Township, and within the Pinelands Management Area.

- Block 586; Lots 1, 10, 11, & 12;
- Block 587; Lots 1.01, 15, 16, 17, 18, 19, 20, 21, 22, & 23;
- Block 849; Lots 1.01 & 1.03.

The Redevelopment Area is located on the south side of Browns Mills, in the Blueberry Manor neighborhood along Junction Road and Spruce Boulevard. The Area has frontage on Junction Road (County Route 645), Spruce Boulevard, Learning Way, and Gallagher Boulevard. The sixteen properties together are 31 acres in area, and with just a few exceptions, the properties in the area are all vacant wooded lands. Three properties in the area along Spruce Boulevard are currently developed with single family residences.

The entirety of the Redevelopment Area is located within a designated sewer service area, and regional growth area of the Pinelands Comprehensive Management Plan.

Surrounding the Redevelopment Area is a community made up primarily of ranch style single-family homes to the north and west along Spruce Boulevard, Weymouth Road, Berkeley Drive, and Cabot Drive, all part Blueberry Manor and part of the larger Browns Mills area. To the immediate west of the Area is Denbo Crichton Elementary School. South of the Area is the Pinefields apartment complex, and east of the Area across Junction Road is primarily wooded lands, wetlands, and a creek bed.

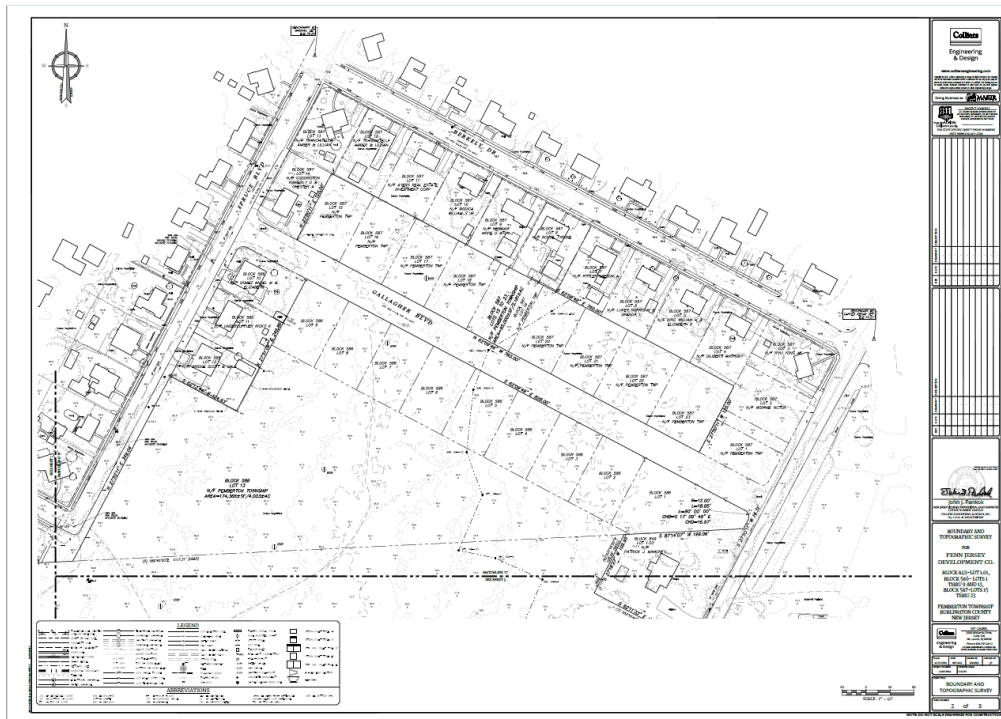
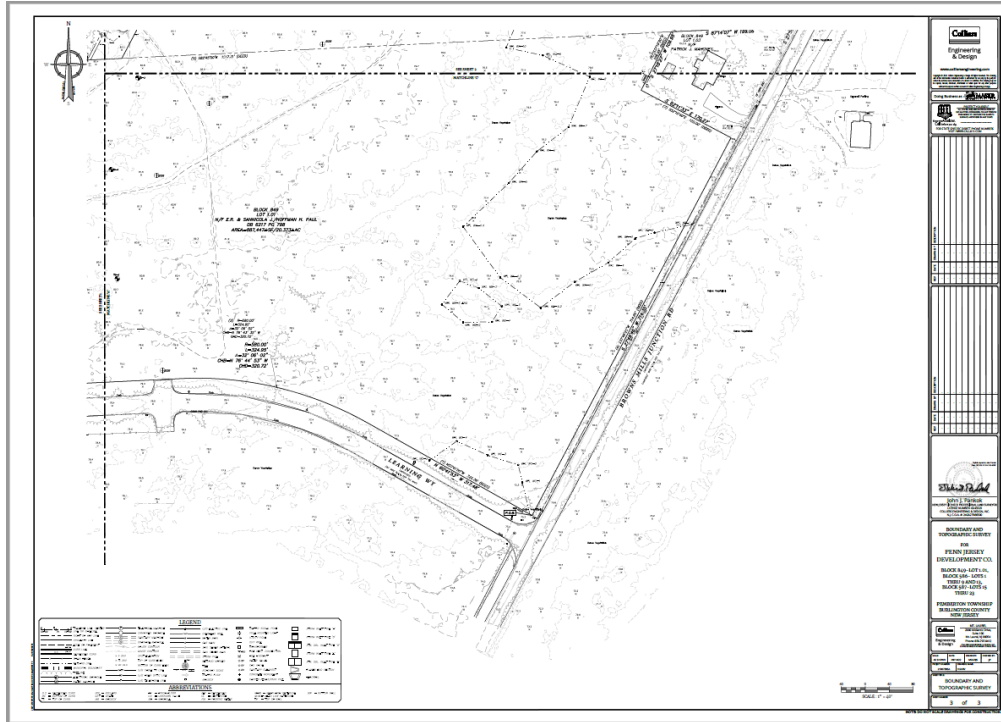
Redevelopment Area Boundaries



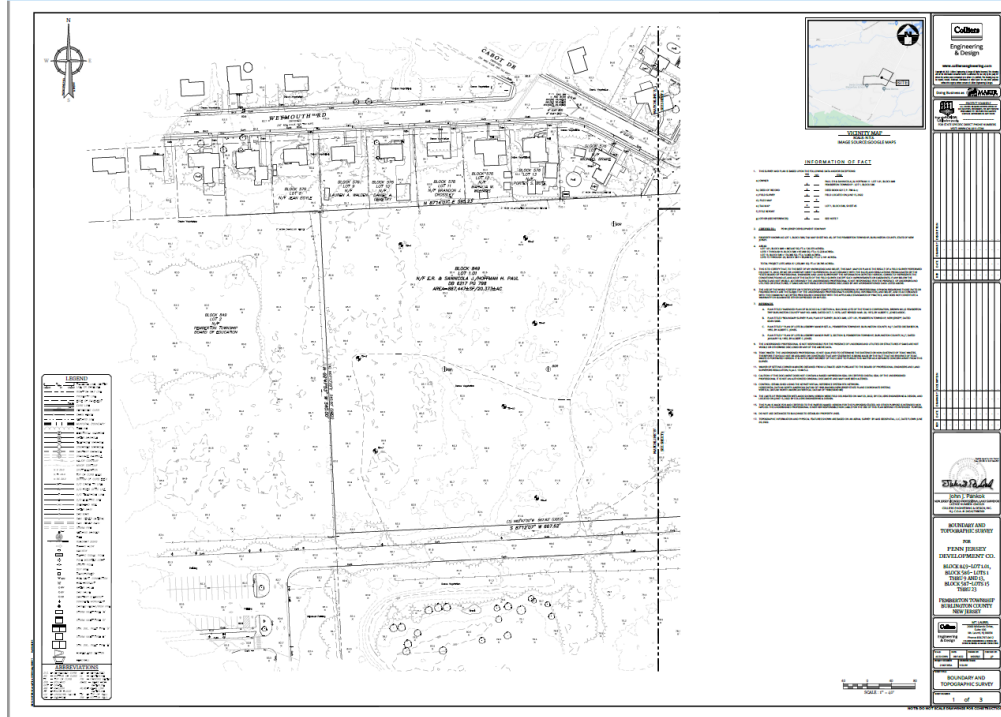
# PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan

## Environmental Constraints

A substantial portion of the Redevelopment Area is encumbered by wetlands and wetlands buffer areas. The majority of the east side of the Area is limited by the presence of wetlands and required buffer areas. The maps below illustrate the extents of known wetlands within the Area, and has been verified by NJDEP.



PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan



Larger copies of these maps can be found in Appendix C of this Plan.

## REDEVELOPMENT PLAN VISION, GOALS, AND OBJECTIVES

### PLAN VISION

This Redevelopment Plan calls for the Redevelopment Area to be developed in a fashion that provides for a transition between the largely single-family residential community to the north, and the apartment complex residential community to the south. A mix of detached single-family homes and townhouses are proposed to function as a new community to be integrated into the fabric of the existing neighborhood and to provide for new residential opportunities within the Browns Mills area.

An illustrative conceptual plan of the proposed redevelopment of the Area is included as Appendix D.

### PLAN GOALS & OBJECTIVES

The goals and objectives of this Redevelopment Plan are as follows:

- Encourage the effective redevelopment of the area in a manner complementary to the existing developed residential neighborhood.
- Allow for a mix of medium-density residential uses to provide new housing opportunities on smaller lots.
- Provide for pedestrian connections to the surrounding community and public facilities.

The goals and objectives listed above are consistent with and seek to advance the general goals of the Township’s Master Plan.

## LAND USE PLAN

### RELATIONSHIP TO TOWNSHIP LAND DEVELOPMENT REGULATIONS

In order to implement the Plan consistent with the objectives herein, the Redevelopment Area shall be developed in accordance with the standards detailed in this Redevelopment Plan. Except where otherwise noted, this Plan shall supersede the underlying zoning including use, bulk, and design standards of the Township’s Land Use and Development Regulations as they relate to the area governed by this Redevelopment Plan.

Where no specific standards are otherwise provided in this Redevelopment Plan, the regulations and requirements found in Chapter 190 entitled ‘Zoning’ of the Township Code shall apply.

All development within the Redevelopment Area must be approved by the Planning Board of the Township of Pemberton, and shall be submitted following the normal subdivision and site plan submission and review procedures as found in N.J.S.A. 40:55D-1 et seq, and those within the Township’s Land Use, Zoning, and Development Regulations.

Where a proposed change of tenancy or site alteration is proposed which would not require a subdivision or site plan approval as per the Township’s Land Use and Development Ordinance, Planning Board review shall not be necessary and a building or zoning permit may be issued by the appropriate construction or zoning official.

Regular maintenance and minor repair shall not require Planning Board review and approval.

### DEFINITIONS

The definitions found in Article II, Chapter 190-5 of the Township’s Land Use and Zoning Regulations shall apply unless otherwise noted herein.

### SUBMISSION REQUIREMENTS

All applications for subdivision or site plan approval related to the redevelopment of properties within the Redevelopment Area shall conform to the applicable requirements for subdivision and site plan review as found within Section 190-45 (Site plan review) and Section 159 (Subdivision of Land) of the Township Code respectively.

ZONING REQUIREMENTS

Compliance with the following permitted use provisions, and area, yard, and bulk provisions shall be treated as zoning requirements. Any deviation from these permitted use, or area, yard and bulk provisions that would result in a “d” variance as per N.J.S.A. 40:55D-70.d of the Municipal Land Use Law, shall be addressed as an amendment to the Plan. Neither the Planning Board nor the Zoning Board of Adjustment shall have the authority to allow deviations which would result in a “d” variance, within the Redevelopment Area.

The Planning Board shall have the authority to grant any deviations from area, yard, and bulk requirements that would result in a “c” variance, as per N.J.S.A. 40:55D-70.c, to the same extent that they may grant relief from such standards under normal subdivision and site plan review processes.

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*PERMITTED USES*

**Permitted Principal Uses**

- For the portions of the Redevelopment Area that will have direct frontage on the existing improved Right of Way of Spruce Boulevard, only detached single-family dwellings shall be permitted as principal uses.
- Detached Single-Family Homes
- Attached Single-Family Homes (Townhouses)

**Permitted Accessory Uses and Structures for Community/Common Areas**

- Off-street parking
- Fences
- Signage associated with the development
- Recreational facilities, including swimming pools, tennis courts, walking trails, community gardens, clubhouses, parks, gazebos, dog run, or similar common residential amenity spaces
- Temporary construction trailers and sales trailers
- Temporary sales signage
- Solar panels on any permanent structures
- Stormwater management systems and facilities
- Utility infrastructure necessary to service the community
- Any common area or community accessory use or structure that is customarily incidental and subordinate to the community

**Permitted Accessory Uses and Structures for Lots for Single Family Homes and Townhouses**

- Off-street parking
- Garages and carports
- Decks, patios, porches, hot tubs/spas
- Individual storage sheds (detached single family lots only)
- Fences
- Utilities to service individual homes
- Solar panels on the roof of any principal structure

AREA, YARD, AND BULK REQUIREMENTS

OVERALL DEVELOPMENT TRACT REQUIREMENTS	
Minimum Tract Perimeter Setback*	50 feet where tract abuts existing residential lot; 30 feet for all other tract boundaries
Maximum Building Coverage**	25 percent
Maximum Impervious Coverage**	60 percent
Maximum Residential Density	91 units (gross density across Redevelopment Area)
<p><i>*This setback shall apply to all boundaries of the Redevelopment Area except where the tract has frontage along an existing public Right of Way.</i></p> <p><i>**Coverage calculations shall be net of any wetlands or required wetlands buffer areas.</i></p>	
REDEVELOPMENT AREA BULK STANDARDS – Detached Single Family Homes	
Lot and Principal Structure Requirements	
Minimum Lot Area	6,000 s.f.
Minimum Lot Width	60 feet
Minimum Lot Depth	100 feet
Minimum Front Yard Setback	20 feet
Minimum Side Yard Setback	5 feet (each) 20 feet (aggregate)
Minimum Rear Yard Setback	20 feet
Maximum Building Height	2.5 stories / 35 feet
Accessory Structure Requirements	
Minimum Side Yard	5 feet
Minimum Rear Yard	5 feet
Maximum Building Height	1 story / 12 feet
REDEVELOPMENT AREA BULK STANDARDS – Attached Single Family Homes (Townhouses)	
Lot and Principal Structure Requirements	
Minimum Front Yard	20 feet from ROW 25 feet from curblines if internal streets are not ROW
Minimum Rear Yard	15 feet
Minimum Building to Building Setback	20 feet
Maximum Building Height	3 stories / 35 feet (all others)
Maximum No. of Units per Building	8 dwelling units
Accessory Building Requirements	
Maximum Building Height	1 story / 12 feet

For townhouse units, the requirements found in Section 90-47 of the Township Code entitled “Townhouses” shall not apply.

*ADDITIONAL ZONING AREA, YARD, AND BULK REQUIREMENTS*

The following regulations shall be treated as additional area, yard, and bulk zoning requirements applicable to all development within the Redevelopment Area.

**Off Street Parking Standards:**

- All off-street parking shall be compliant with the requirements N.J.A.C. 5-21, the New Jersey Residential Site Improvement Standards (RSIS).
- Driveways for detached single-family or two-family homes shall be set back a minimum of 3 feet from any side property line.
- Driveways for townhouses may be located on a property line, however no more than two driveways may be located next to one another with a zero side yard setback. There shall be a minimum side yard setback of 6 feet on the other side of such driveways.

**Accessory Structures and Setback Standards**

- No accessory structures shall be permitted within a front yard.
- Detached single-family homes shall be on individual fee simple lots.
- Attached single-family homes (townhouses) may be on individual fee simple lots, or they may be constructed together on larger tracts.
- If townhouses are developed on individual fee simple lots, no detached accessory structures shall be permitted on such individual lots.
- Accessory structures proposed for townhouse developments shall adhere to all bulk requirements of the townhouse structures.
- Decks, patios, porches, or other similar open-air accessory structures attached to the principal building may encroach into a rear yard setback by a maximum of 10 feet. However, in no instance shall the overall tract perimeter setback be reduced to less than 20 feet.
- Oriels, bay windows, chimneys, or other architectural features may encroach into any setback a maximum of 3 feet.
- All principal dwelling structures shall have hipped or gabled roofs. Flat roofs shall not be permitted.

**Landscaping and Fencing Requirements**

- A densely planted perimeter landscaped buffer with a width of 20 feet shall be provided along all Redevelopment Area tract boundaries. Existing vegetation may be permitted to serve as all or a part of a required buffer area if it can be demonstrated to the satisfaction of the Planning Board

## PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan

that the existing vegetation is of a sufficient density and species variety to serve as an adequate visual screening buffer. Healthy mature vegetation should be maintained.

- No fences shall be permitted in a front yard.
- A 6-foot high fence shall be installed along all tract boundaries where the Redevelopment Area is adjacent to the rear or side yard of any existing residences. Healthy mature vegetation should not be removed for the purpose of erecting the tract boundary fence. Instead of installing fencing where healthy mature vegetation exists along the tract boundary, additional suitable landscaping should be installed to enhance the screen.
- For any townhouse dwelling units, a 6-foot high privacy fence extending 8 feet perpendicularly from the rear façade of the townhouses shall be permitted to partially enclose the rear of the townhouses. The design and material of the fence shall be the same for all townhouses.

### **Recreation Requirements**

- The recreation component for the Redevelopment Plan shall be a 20,000 square foot passive open space as depicted on the Conceptual Plan in Appendix D, and through improvements to municipal park known as Blueberry Manor Park at Block 577, Lot 10. The redeveloper shall enter into a developer's agreement with Township Council to specify the improvements required for improvements to the municipal park and the phasing schedule for when the municipal park would be improved.

AFFORDABLE HOUSING REQUIREMENTS

All development shall incorporate housing affordable to low and moderate-income households on site. A minimum of 13% of all dwellings shall be set aside as low- and moderate-income housing.

All affordable dwellings shall meet the following requirements:

- A minimum of 50% of all affordable units must be provided for low-income households
- A maximum of 50% of all affordable units may be income provided to moderate-income households.
- The numbers of two bedroom and three-bedroom units shall be evenly distributed between the low- and moderate-income targeted households.
- Where any calculation for a minimum requirement of an affordable housing standard results in a fraction, the required number shall be rounded up.

All affordable dwelling units shall be integrated into the planned community development so as to be otherwise indistinguishable from the market rate units in terms of the aesthetics, design style, and access to on-site amenities. Affordable dwellings shall be considered integrated if at least two (2) market rate units and no more than four (4) affordable units are provided within the same townhouse building.

PINELANDS REQUIREMENTS

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*PINELAND COMPREHENSIVE MANAGEMENT PLAN*

Per email correspondence from the Pinelands Commission staff, the following requirements shall apply to all development within the Redevelopment Area:

All proposed development within the Redevelopment Area is also subject to review and approval by the Pinelands Commission. Any development shall meet the application requirements set forth in Subchapter 4 of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-4.1 et seq.).

All development within the Redevelopment Area shall comply with the minimum environmental standards set forth in Subchapter 6 of the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-6.1 et seq.).

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*PINELANDS DEVELOPMENT CREDITS*

In accordance with the Pinelands Comprehensive Management Plan, Subchapter 5, Part IV found at N.J.A.C. 7:50-5.4, et seq., Pinelands Development Credits (PDC's) shall be required and redeemed for 25% of the market rate residential dwelling units. This is equivalent to one quarter of a Pinelands Development Credit purchased and redeemed for every 4 market rate residential units constructed.

Where any calculation of a required PDC results in a fraction, the requirement for PDC's shall be rounded up to the next highest increment of 0.25.

All low or moderate-income housing provided on site to meet the requirements of this Redevelopment Plan shall be excluded from the 25% PDC requirements.

For example, this Redevelopment Plan permits a maximum of 112 units. Assuming the project does not exceed this maximum of 112 units, the PDC obligation is simply 25% of the number of market rate units. If 91 total units are proposed (79 market rate units and 12 affordable units) then the calculation would be as follows:

79 market rate units x 25% = 19.75 PDC rights (quarter-credits). The 19.75 PDC rights (quarter-credits) is then rounded up to 20 PDC rights (quarter-credits) which is equivalent to 5 full PDCs. The basis for the Pinelands Development Credit calculation is contained in Appendix B of this Plan

## DESIGN STANDARDS

The following standards are intended to provide guidance in regards to the aesthetics of buildings, landscaping, and other site amenities and design features in order to encourage a high standard of development.

Any deviation from the following Design Standards of this Redevelopment Plan shall be treated as a design exception. The Planning Board shall have the authority to grant design exceptions if it finds that the proposed conditions are satisfactory, and such deviation is appropriate under the circumstances and that such deviation does not substantially depart from the intent of this Redevelopment Plan.

Redevelopment of the Area shall be generally consistent with the Conceptual Plan in Appendix D, and shall comply with the following design standards:

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### *RESIDENTIAL DESIGN STANDARDS*

- All structures shall be designed to be generally consistent with the character, scale, and style of existing adjacent residences. The Planning Board’s review shall be limited to a review of the proposed exterior building materials, whether they be wood, stone, brick, vinyl, stucco, or materials of a similar durability and aesthetic quality.
- No more than two structures adjacent to one another shall be designed to appear to be identical to one another. The intent is to allow for dwellings which are consistent in scale and design character, but not so similar as to be “cookie cutter” undistinguishable. The street facing elevations of such dwellings shall be differentiated from one another in at least three of the following design features:
  - The location of the garage or carport
  - The size, shape, or location of windows and doors
  - The exterior finish materials covering at least 20% of the front façade
  - The primary color of the exterior
  - The color of trim or accent materials
  - The type, pitch, or profile of the roof
  - The inclusion of additional features such as oriels, bay windows, dormer windows, front porches, or porticos.
- For townhouse dwelling units, no more than three (3) dwelling units shall have the same front yard setback. Front setbacks shall be staggered by at least two (2) feet within each building of more than three (3) dwelling units.
- For townhouse dwelling units, each dwelling unit shall have a minimum width of 18 feet as measured from the centerline to centerline of the exterior side walls of the dwelling.
- All pitched roofs shall have eaves that overhang the face of the building by at least 1 foot.

## PEMBERTON TOWNSHIP – *Spruce Boulevard / Junction Road Redevelopment Plan*

- For any corner lot or through-lot created where a lot will have frontage on multiple streets, the building shall be designed so that the side or rear of the building that faces the street is given similar architectural treatment as the primary frontage. This may include the following elements:
  - Formal entry ways on the side or rear façade.
  - Larger, more formal window treatments on the side or rear façade.
  - Rear porches rather than patios or decks.
  - Crown molding, corner molding, window sills, lintels, or trim, or other embellishments consistent with the primary front façade.
- All dwellings shall be designed to incorporate a minimum of 18 square feet of internal storage area for garbage and recycling, so that garbage and recycling bins are not stored outside, or a storage tote with minimum dimensions of 32 inches in depth and 55 inches in width consistent with the storage tote detail in Appendix E, shall be provided in the side yard or rear yard area.

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### *PARKING AND CIRCULATION STANDARDS*

- Primary two-way vehicular access to the Redevelopment Area shall be provided by construction of extensions of the existing rights-of-way of Spruce Boulevard, and/or Cabot Drive.
- Vehicular access is to be provided from two points of access to the local roadway network by providing a one-way, ingress only, connection to Learning Way in order to disperse traffic impacts. No egress shall be permitted onto Learning Way.
- A pedestrian connection shall be provided between the Redevelopment Area and the sidewalk along Learning Way to provide direct pedestrian access to the elementary school, as depicted in the Conceptual Plan in Appendix D.
- Sidewalks with a width of at least 4 feet shall be provided along all public Rights of Way, any internal streets, and along the frontage of Learning Way.
- 
- Internal streets, driveways, sidewalks, crosswalks, and roads shall be designed in accordance with the New Jersey Residential Site Improvement Standards (RSIS).
- Parking stalls for any guest parking areas shall have a minimum width of 9 feet and a minimum depth of 18 feet.

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### *SIGNAGE STANDARDS*

- Directional and safety signage shall be permitted within the development as necessary along all roads to ensure ease of vehicular and pedestrian circulation throughout the site.
- Directional signage shall have a maximum sign area of 10 square feet, and a maximum height of 4 feet.

## PEMBERTON TOWNSHIP – *Spruce Boulevard / Junction Road Redevelopment Plan*

- One monument style sign to identify the development shall be permitted, and shall have a maximum sign area of 32 square feet, and a maximum height of 6 feet.
- Any monument sign shall be setback a minimum of 5 feet from any Right of Way or curb line, and 10 feet from any side lot line, and shall not interfere with any necessary site distance triangles at intersections.

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### *LANDSCAPING, FENCING, AND LIGHTING STANDARDS*

- Shade trees spaced at a maximum interval of 50 feet on-center shall be required along all internal streets beside the sidewalk within the front yard area, provided that the foregoing requirement can be adjusted where the installation of street trees would conflict with groupings of driveways.
- Shade trees spaced at a maximum interval of 50-feet on-center shall be required beside the sidewalk along Learning Way.
- Required landscaped buffers shall be composed of a mixture of evergreen and deciduous trees. Planting shall occur at intervals to create a visual screen. Berms to supplement landscaping screening may be included within a buffer area provided that the berm shall not be required where installation would be impractical or is otherwise not required by a strict application of the Township Code at Sections 190-39, 190-45, or 190-50.
- Areas not proposed for development or utilized as buffers on the site shall be maintained as open space or recreation spaces.
- Open spaces areas shall be designed in order to protect natural resources to the greatest extent feasible.
- Applications under this Redevelopment Plan shall comply with the Township’s Tree Management Ordinance found at Section 190-74 of the Township Code, with the following supplemental requirements:
  - Existing trees shall be inventoried based on sample areas of 100 feet by 100 feet at a rate of one (1) sample area per two (2) acres of disturbed land. The sample areas shall be located in areas where trees generally to be cleared as a part of the development. The results of the sample areas can be used to calculate an estimate of the total number of trees to be removed within each size category described in Section 190-74.C.
  - The inventory shall also include any individual trees outside the sample areas deemed by the tree expert to be significant or specimen trees.
- Fences on lots for detached single family homes shall have a maximum height of 6 feet within the side yard and rear yard.
- Fencing on lots for single family homes shall be constructed of wood, wrought iron, aluminum, or vinyl materials. Chain link fencing shall not be permitted.

## PEMBERTON TOWNSHIP – *Spruce Boulevard / Junction Road Redevelopment Plan*

- Fencing in the rear of any townhouse lot to partially enclose a patio or deck space shall have a maximum height of 6 feet.
- Fencing in the rear of any townhouse lot to partially enclose a patio or deck space shall be privacy fences constructed of either wood or vinyl material, and shall be consistent throughout the development. To ensure a visual alignment of fences and yards, only one style, material, color, and size of fence shall be utilized throughout the townhouse community for rear yard fences.
- Fencing along the tract boundaries next to existing residential lots shall be 6 feet high and provide a solid screen. Healthy mature vegetation should not be removed for the purpose of erecting the tract boundary fence. Instead of installing fencing where healthy mature vegetation exists along the tract boundary, additional suitable landscaping should be installed to enhance the screen.
- Exterior lighting should be compatible with the proposed building styles and commercially available through the electrical utility company servicing the development. Street lights shall have a maximum fixture mounting height of 20 feet.
- Lighting fixtures shall be designed to minimize any glare to adjacent properties, and to minimize light pollution.

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### *STORMWATER MANAGEMENT DESIGN*

- Stormwater management systems shall be designed in accordance with current State regulations found at N.J.A.C. 7:8, the Water Quality requirements found in the Pinelands Comprehensive Management Plan (N.J.A.C. 7:50-6.81 through 6.84), the stormwater management provisions of the Residential Site Improvement Standards (RSIS) found at N.J.A.C. 5:21-7, and the Township Stormwater Ordinance found at Section 190-50.10 of the Township Code.
- To the extent feasible, small scale green infrastructure Best Management Practices (BMP) should be utilized to create an aesthetic enhancement to the community.
- The design of large-scale end-of-pipe detention basins is discouraged. All BMPs should include landscaping or other features that add to the visual character of the community.

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### *UTILITIES STANDARDS*

- All development within the Redevelopment Area shall be connected to public water and sewer.
- All other utilities servicing development within the Redevelopment Area shall be located underground to the greatest extent feasible.

## RELATIONSHIP TO OTHER PLANS

### PEMBERTON TOWNSHIP PLANS

#### **Pemberton Township Master Plan**

The Township’s most recent Master Plan document is a Reexamination Report, which was adopted in September of 2014 as a review of the 2009 Master Plan. The report notes the following overall goals for the Township:

- Maintain a balanced community that offers a mix of land uses and densities that are appropriate for this rural community.
- To preserve Pemberton’s diversity of housing stock and protect the character of its residential neighborhoods.
- To preserve and promote a variety of housing types offering a range of affordability to meet the diverse needs and preferences of the Township’s different age groups, income levels, and life styles.
- To ensure that new housing development is in character with existing land use patterns and with land use patterns recommended in the Land Use Plan Element.

The Reexamination Report notes that the Township should ensure that all new developments address their “fair share” of affordable housing whether through the provision of units or payment of development fees to help fund affordable housing purposes.

The Reexamination Report does not make any specific recommendations for the properties within the Redevelopment Area.

This Redevelopment Plan is substantially consistent with Pemberton Township’s Master Plan in that it encourages the redevelopment of property into new housing opportunities on lands that are currently zoned to permit residential construction.

### PLANS OF ADJACENT MUNICIPALITIES

#### **Adjacent Municipalities**

The Redevelopment Area is located near the center of the Township approximately two miles from New Hanover Township, 5 miles from Manchester Township, 5 miles from Southampton, 5 miles from Pemberton Borough, and 3 miles from Woodland Township. The Redevelopment Plan will have minimal impacts on the lands within these adjacent municipalities, and should have minimal impacts on any plans of those respective municipalities.

STATE AND REGIONAL PLANS

**Burlington County Highway Master Plan**

The Burlington County Highway Master Plan classifies Junction Road (CR 645) as a Major Collector road within the County’s highway network. This is to be maintained as a two-lane road, although the recommended Right of Way width calls for there to eventually be a median, bicycle lanes, sidewalks, and sidewalk buffer strips within the Right of Way. This Redevelopment Plan does not conflict with any County plans for potential future improvements on Route 645.

**Burlington County Parks and Open Space Master Plan**

The County’s Parks and Open Space Master Plan provides a guide for future land preservation and park development throughout Burlington County. The County Plan calls for new parks and trails along the Delaware River, Rancocas Creek, and Masons Creek. No new County parks or trail systems were proposed at the time within the Pinelands, or within this area of Pemberton Township. This Redevelopment Plan does not conflict with the County’s goals for parks and open space.

**Pinelands Comprehensive Management Plan**

As the site is located within the Pinelands Management Area, development of the site is subject to the regulations of the Pinelands Comprehensive Management Plan. The Land Capability Map of the Pinelands places the Redevelopment Area within a designated Regional Growth Area. The Pinelands Comprehensive Management Plan discusses a Regional Growth Area as follows:

*Regional Growth Area – These are areas of existing growth and adjacent lands capable of accommodating regional growth influences while protecting the essential character and environment of the Pinelands. Permitted residential densities range from two to six homes per acre with sewers. Sewered commercial and industrial uses are also permitted.*

Within Pemberton Township, residential development in a Regional Growth Area is permitted at an average density of 2.0 units per acre of vacant upland. With a total of 91 residences permitted over a tract area of approximately 31 acres, this represents a gross density of 2.9 units per acre. The permitted uses and area, yard, and bulk requirements of this Redevelopment Plan are similar to the existing zoning in the R-80 and RI Infill districts of the Township in terms of the lot requirements and uses, which were previously approved by the Pinelands Commission as being consistent with the Pinelands Comprehensive Management Plan, albeit at a slightly higher density with minimum lot area requirements of 6,000 square feet in lieu of 8,000 square feet. With the proposed density being on the higher end of what is generally permitted by the Pinelands in this area, Pinelands Development Credits will be required to offset this increase in density.

This Redevelopment Plan is generally consistent with all regulations and requirements of the Pinelands Comprehensive Management Plan.

**State Development and Redevelopment Plan**

With the Redevelopment Area being located entirely within the Pinelands, the State Development and Redevelopment Plan only identifies this area as being subject to the Pinelands Comprehensive Management Plan.

## REDEVELOPMENT PLAN ACTIONS

### **Outline of Proposed Actions**

Any redeveloper will be required to enter into a Redeveloper’s Agreement with the Township that stipulates the precise nature and extent of the improvements to be made and their timing and phasing as permitted therein.

### **Properties to be acquired**

The Area governed by this Redevelopment Plan is a Non-Condemnation Redevelopment Area. No properties are anticipated to be acquired in order to effectuate an effective redevelopment of the Area. Relocation assistance for any existing residence or business in the area is not anticipated. However, in the event that any such relocation assistance is deemed necessary, the Township will provide appropriate relocation assistance as required by State and Federal laws.

### **Amending the Redevelopment Plan**

Upon compliance with the requirements of applicable law, the Township Council may amend, revise, or modify this Redevelopment Plan in general or for specific properties within the Redevelopment Area as circumstances may make such changes necessary and appropriate. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. Any proposed changes in the Land Use Plan, including changes to permitted uses, building height, building setbacks, parking requirements, or other bulk standards, shall require notice and public hearings in a manner similar to the adoption of the original Plan.

### **Other Actions**

The Township, acting as the Redevelopment Entity, may use any and all redevelopment powers granted to it pursuant to the LRHL to effectuate this Plan, except that the use of eminent domain shall be prohibited. The Township may enter into agreements with a designated redeveloper(s) in connection with the construction of any aspect of the Redevelopment Plan, including off-site improvements.

As an essential part of any redeveloper’s agreement, the Township may request that a designated redeveloper provide improvements or upgrades to the public utilities and related infrastructure that will serve the Redevelopment Area as they relate to any impacts from a proposed redevelopment project. Any such infrastructure improvements required shall be proportional to the impacts of the Redevelopment Project.

### **Amendment to Township Zoning Map and Zoning Regulations**

The Township Zoning Map is hereby amended to reference this Redevelopment Plan as a zoning district encompassing the Redevelopment Area as illustrated in the Redevelopment Area boundary map.

## PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan

Additionally, the listing of zoning districts in the Township Zoning Regulations is hereby amended to include a reference to this Redevelopment Plan as a zoning district and constituting substitute zoning standards for the properties within the Redevelopment Area.

### **Non-Discrimination Provisions**

No covenant, lease, conveyance, or other instrument shall be affected or executed by the Township Council or by a redeveloper or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Township, or the redeveloper, upon the basis of race, creed, color, or national origin in the sale, lease, use, or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use on the basis of race, creed, color or national origin.

### **Duration of the Plan**

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect upon its adoption by ordinance by the Township of Pemberton Township Council and shall be in effect until the Township Council shall by ordinance adopt new regulations to supersede those found in this Redevelopment Plan.

### **Severability**

If any section, paragraph, division, subdivision, clause, or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause, or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

### **Redeveloper Obligations**

Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Township, acting as the Redevelopment Agent, and a designated redeveloper. The following restrictions and controls on redevelopment shall apply notwithstanding the provisions of any zoning or development ordinance or other regulations now or hereafter in force:

- The redeveloper will be obligated to carry out the specified improvements in accordance with this Redevelopment Plan.
- The redeveloper, its successors or assignees, shall develop the Redevelopment Area in accordance with the uses and building requirements specified in the Redevelopment Plan.
- Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redevelopment agreement, lease, deed or other instruments shall remain in full force and effect.

PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan

- The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.

## APPENDICES

### Appendix A – Governing Body Resolutions and Planning Board Correspondence

1. Resolution 77-2022 of the Council
2. Planning Board Letter dated August 2, 2022
3. Resolution 226-2022 of the Council
4. Planning Board Letter dated August 11, 2022

### Appendix B – Email Correspondence with Pinelands Commission Staff

### Appendix C – Maps of Redevelopment Area

### Appendix D – Conceptual Development Plan

### Appendix E – Residential Trash Tote Detail

PEMBERTON TOWNSHIP – Spruce Boulevard / Junction Road Redevelopment Plan

Appendix A – Governing Body Resolutions and Planning Board Correspondence

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**TOWNSHIP OF PEMBERTON**  
**RESOLUTION NO. 77-2022**

**RESOLUTION AUTHORIZING THE PEMBERTON TOWNSHIP PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION INTO CERTAIN PROPERTIES ON THE TOWNSHIP TAX MAP OFF JUNCTION ROAD AS A NON-CONDEMNATION REDEVELOPMENT AREA AND/OR AN AREA IN NEED OF REHABILITATION**

**WHEREAS**, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et seq. (the "LRHL"), authorizes municipalities to determine whether parcels of land located within their borders qualify as areas in need of redevelopment or as an area in need of rehabilitation; and

**WHEREAS**, the LRHL requires municipalities seeking to determine whether parcels of land located within their borders qualify as areas in need of redevelopment or areas in need of rehabilitation to refer this issue to their planning boards for a preliminary investigation, public hearing, and recommendation; and

**WHEREAS**, the LRHL also requires municipalities referring such preliminary investigations to their planning boards to indicate whether the redevelopment area designation shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area other than eminent domain (a "Non-Condensation Redevelopment Area") or whether the redevelopment area designation shall authorize the municipality to use all those powers provided by the Legislature for use in a redevelopment area including eminent domain (a "Condensation Redevelopment Area"); and

**WHEREAS**, the Township Council wishes to authorize the Pemberton Township Planning Board to conduct a preliminary investigation into whether a study area consisting of the certain properties listed below on the official tax maps of the Township of Pemberton located off of County Route 645, known as the "Junction Road Properties Study Area" and as outlined in a proposal from CME Associates dated January 27, 2022, meet the criteria to be designated as a Non-Condensation Redevelopment Area and/or as an area in need of rehabilitation under the LRHL, to issue notices and to conduct public hearings regarding this preliminary investigation as required under the LRHL, and to thereafter provide its recommendations to the Township Council regarding the designation of the Study Area as a Non-Condensation Redevelopment Area and/or as an area in need of rehabilitation:

Block 586	Lots 1, 10, 11, 12
Block 587	Lots 1.01, 15, 16, 17, 18, 19, 20, 21, 22, 23
Block 849	Lots 1.01, 1.03

**AND WHEREAS**, the Township has directed the Township's planning consultant, CME Associates, to provide a report to the Planning Board regarding whether the Study Area meets the criteria to be designated as a Non-Condensation Redevelopment Area and/or as an area in need of rehabilitation under the LRHL and to provide testimony regarding such report at the public hearing scheduled by the Planning Board as part of its preliminary investigation of the Study Area.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Pemberton, County of Burlington, State of New Jersey, as follows:

1. The Township Council hereby authorizes the Pemberton Township Planning Board to conduct a preliminary investigation into whether a study area consisting of certain properties identified herein and located off of CR. 645 (Junction Road) at Block 586, Lots 1, 10, 11, 12, Block 587, Lots 1.01 and 15 to 23, inclusive, and Block 849, Lots 1.01 and 1.03 on the official tax map of the Township of Pemberton as shown on the attached map (the "Junction Road Properties Study Area"), meets the criteria to be designated as a Non-Condensation Redevelopment Area and/or as an Area in Need of Rehabilitation under the LRHL, to issue notices and to conduct public hearings regarding this preliminary investigation as required under the LRHL, and to thereafter provide its recommendations to the Township Council regarding the designation of the Study Area as a Non-Condensation Redevelopment Area and/or as an Area in Need of Rehabilitation.

2. Pending a recommendation from the Planning Board and designation of the Study Area as a Non-Condensation Redevelopment Area and/or as an Area in Need of Rehabilitation by Resolution of the Township Council, to prepare a Redevelopment Plan in relation thereto.
3. Certified true copies of this Resolution shall be sent by the Township Clerk to the Pemberton Township Planning Board Clerk, CME Associates, and Township Solicitor Andrew Bayer.

**PEMBERTON TOWNSHIP COUNCIL**

**ATTEST:**

I herein certify that the foregoing Resolution was adopted by the governing body of Pemberton Township on February 16, 2022.

A handwritten signature in blue ink, appearing to read "Amy P. Cosnoski". The signature is fluid and cursive, with a small dot at the end.

Amy P. Cosnoski, RMC, Township Clerk

# JUNCTION ROAD REDEVELOPMENT STUDY AREA

Belair Mobile Home Park

Blueberry Manor Development

Block: 586  
Lots: 1.01, 1.02, 15-23

Block: 586  
Lots: 1, 10, 11, 12

Block: 849  
Lot: 1.03

Block: 849  
Lot: 1.01

Denbo-Cricton School  
2 Learning Way  
Browns Mills, NJ 08015  
Block 849 Lot 2

Learning Way



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Community Development Department  
500 Pemberton-Browns Mills Road  
Pemberton, NJ 08068

*Pemberton Township*

DATE: February 10, 2022



**PEMBERTON TOWNSHIP**  
**Community Development Department**

500 Pemberton-Browns Mills Road  
Pemberton, New Jersey 08068-1539

Planning Board  
Donna DiPalma, LUA/Bd. Sec.  
Phone: 609.894.3340

David Benedetti, PP, AICP, Director  
Email: dbenedetti@pemberton-twp.com  
Phone: 609.894.3306

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August 2, 2022

Pemberton Township Council  
500 Pemberton Browns-Mills Road  
Pemberton, New Jersey 08068

Non-Condensation  
Area in Need of Redevelopment  
And/Or  
Area in Need of Rehabilitation  
Spruce Boulevard/Junction Road  
Sixteen (16) Properties

Dear Council Members:

On July 7, 2022 the Pemberton Township Planning Board had its meeting and had on its agenda the review of the non-condemnation study for an Area in Need of Redevelopment an/or Area in Need of Rehabilitation known as the "Spruce Boulevard/Junction Road Area" track constituting 16 properties in Pemberton Township. The review and Study was duly noticed to the Public.

Mr. Christopher Dochney, of CME Associates appeared to testify about a Study prepared Pursuant to Resolution No. 77 – 2022, adopted by the Township Council of Pemberton Township on February 16, 2022, which directed the Planning Board to undertake this preliminary investigation.

The areas subject to this preliminary investigation consists of 16 parcels broken up between three (3) blocks. The properties have frontages along several rights-of-way, with those being Junction Road (County Route 645), Spruce Boulevard, Learning Way, and Gallagher Boulevard. All streets that the lots have frontages on are paved and improved except Gallagher Boulevard. Gallagher Boulevard is closed and unimproved and thus, is considered a paper street due to the right- of-way's lack of improvements. The properties together are approximately 31 acres in size. The 16 properties are collectively referred to as the "Study Area" or "Spruce Boulevard/Junction Road Area".

Mr. Dochney testified and summarized from the Preliminary Investigative Report (PIR) prepared by CME Associates dated May 10, 2022. Each Board Member received a copy of the Preliminary Investigative Report prior to this review. He reiterated the criteria necessary to be declared as an Area in Need of Redevelopment pursuant to N.J.S.A.. 40A: 12A-5, or an Area in Need of Rehabilitation pursuant to N.J.S.A. 40A: 12A-14. He further

emphasized that the Resolution specifies the Study should be conducted for a non-condemnation determination. The use of Eminent Domain by the Township to acquire any or all of the properties within the Study Area shall not be permitted.

The Study Area consists of Block 856; Lots 1, 10, 11, & 12. Block 587; Lots 1.01, 15, 16, 17, 18, 19, 20, 21, 22, & 23. Block 849; Lots 1.01 & 1.03. While there are some structures and buildings on the Lots in the Study Area, an overwhelming majority of the Study Area consists of vacant and wooded land. According to data from the NJDEP, there may be some portions of land within the Study Area that are encumbered by wetlands. Most of the area has been undeveloped for several decades. The entirety of the Study Area falls within a designated sewer service area. The entirety of the study area Falls within the Pemberton Township Urban Enterprise Zone, which was designated in 1996. All properties within the Study Area fall within a designated Smart Growth Area within the Pinelands.

Mr. Dochney reviewed his Preliminary Investigation Report (PIR) and its conclusions that all 16 of the properties within the Study Area do show qualities indicative of being an Area in Need of Redevelopment. The entirety of the area fulfills Criteria "G" & "H" by being located within the Pemberton Township Urban Enterprise Zone as well as being located within a Smart Growth Area. Twelve (12) of the vacant properties also meet Criteria "C" due to the properties' persistent vacancy as well as some of the properties being municipal-owned, being considered remote, or a combination of the two qualities.

The PIR also indicated that the Study Area in its entirety can be designated as an Area in Need of Rehabilitation under Criterion "3". Criterion 3 indicates there is a pattern of vacancy, abandonment or underutilization of properties in the area. Although the structures on the sites within the area are not in substandard conditions, given the underdeveloped nature and underutilization of the area in its entirety that otherwise has substantial frontage on a County Highway, the properties in the Study Area could be used for far more intensive and economically productive uses should a program of Rehabilitation be implemented.

Members of the Public did appear to be heard at this Hearing. Mr. Scott and Gail Bridges generally objected to the designation by their desire to keep the area as open space. Ms. Michelle Forman also objected stating the schools are already overcrowded. Various members of the Board stated the opposite is true, the schools have lost significant enrollment. She was advised to contact and attend Board of Education meetings to get answers to her concerns.

Based on the foregoing, the Planning Board recommends that the Study Area meets the Criteria required for both a non-condemnation Area in Need of Redevelopment and an Area in Need of Rehabilitation. Further, the Planning Board recommends that the Preliminary Investigative Report prepared by CME Associates, dated May 10, 2022, be adopted in its entirety by the Township Council on Motion and majority vote at the July 7, 2022 Planning Board Meeting.

Respectfully submitted,



Steven Borders, Chairman  
Pemberton Township Planning Board

**TOWNSHIP OF PEMBERTON**  
**RESOLUTION NO. 226-2022**

**RESOLUTION DETERMINING THAT CERTAIN PARCELS WITHIN BLOCKS 586, 587 & 849 KNOWN AS THE “JUNCTION ROAD PROPERTIES” QUALIFY AS A NON-CONDEMNATION REDEVELOPMENT AREA AND/OR AN AREA IN NEED OF REHABILITATION UNDER THE LOCAL REDEVELOPMENT AND HOUSING LAW**

WHEREAS, pursuant to Resolution No. 77-2022, Township Council authorized the Pemberton Township Planning Board to conduct a preliminary investigation into whether a study area consisting of certain contiguous parcels located on Blocks 586, 587 and 849, known as the “Junction Road Properties” as detailed in a proposal dated January 27, 2022 from CME Associates, meet the criteria to be designated as a Non-Condemnation Redevelopment Area and/or as an area in need of rehabilitation under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1 et. seq. (“LRHL”), to issue notices and to conduct public hearings regarding this preliminary investigation as required under the LRHL, and to thereafter provide its recommendations to the Township Council regarding the designation of the Study Area as a Non-Condemnation Redevelopment Area and/or as an area in need of rehabilitation; and

WHEREAS, the Township has directed the Township’s planning consultant, CME Associates, to provide a report to the Planning Board regarding whether the Study Area meets the criteria to be designated as a Non-Condemnation Redevelopment Area and/or as an Area in Need of Rehabilitation under the LRHL, to provide testimony regarding such report at the public hearing scheduled by the Planning Board as part of its preliminary investigation of the Study Area, to create a redevelopment and/or rehabilitation plan in relation thereto and to provide testimony regarding such plan; and

WHEREAS, by way of correspondence received July \_\_, 2022, from its Chairperson, the Township Planning Board confirmed that it conducted the review of the preliminary report/study, convened a hearing on the same on July 7, 2022, wherein it considered testimony from Christopher Dochney, AICP, PP of CME Associates, Board professionals and the public, and issued its recommendations to the Township Council that all the parcels designated as the Study Area be deemed as an Area in Need of Redevelopment; and

WHEREAS, Township Council has reviewed the correspondence from the Chairperson outlining the recommendations of the Planning Board and finds that the Study Area constitutes an Area in Need of Redevelopment under N.J.S.A. 40A:12A-5, **criteria C, E and H, and Section 3, as well as being an Area in Need of Rehabilitation under N.J.S.A. 40A:12A-14, Sections 3 and 4;** and

WHEREAS, Township Council, after considering the recommendations made by the Township Planning Board at its July 7, 2022 meeting, wishes to adopt this resolution determining that the Study Area is an area in need of redevelopment under the LRHL.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Pemberton, County of Burlington, State of New Jersey as follows:

1. The Township Council hereby makes the following findings regarding the property identified on the official tax map of the Township of Pemberton Township as:

Block 586	Lots 1, 10, 11, 12
Block 587	Lots 1.01, 15, 16, 17, 18, 19, 20, 21, 22, 23
Block 849	Lots 1.01, 1.03

(the “Study Area”):

- i. All of the properties in the Study Area are deemed as an area in need of redevelopment as they are either owned or controlled by the Township and/or have remained unimproved for greater than 10 years, demonstrate a lack of proper utilization as stagnant and vacant lands, and the designation of such properties as a non-condemnation area in need of redevelopment is consistent with smart growth planning principles.

- ii. **Certain properties contiguous to some of the lots listed above and identified as Block 10, Lots 43, 51 and 53, Block 23, Lot 5 and Block 52, Lot 8, although not part of the study area, are necessary to effective redevelopment of the Study Area and as such, shall be included in the designated redevelopment area.**
  - iii. All of the properties meet the 3<sup>rd</sup> and 4<sup>th</sup> criteria of the LRHL as an area in need of Rehabilitation from which said parcels would benefit from a program of rehabilitation.
  - iv. A program of redevelopment may be expected to promote the overall development of the community.
2. The Township Clerk is hereby directed to submit a certified copy of this resolution to the Commissioner of Community Affairs for her review in accordance with the requirements of N.J.S.A. 40A:12A-6b(5).
  3. The Township Planning Board, with the assistance of CME Associates, is authorized to prepare a redevelopment plan, to issue notices and to conduct public hearings regarding such as required under the LRHL, and to thereafter provide its recommendations to the Township Council.

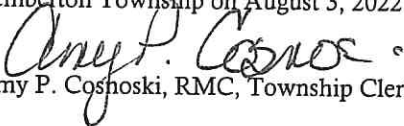
**IT IS FURTHER RESOLVED** that a certified copy of this resolution shall be sent to each of the following:

1. Township Business Administrator
2. Township Director of Community Development
3. CME Associates
4. Pashman Stein Walder Hayden

**PEMBERTON TOWNSHIP COUNCIL**

**ATTEST:**

I hereby certify that the foregoing Resolution was adopted by the governing body of Pemberton Township on August 3, 2022.

  
Amy P. Coshoski, RMC, Township Clerk

**PEMBERTON TOWNSHIP**  
**Community Development Department**

500 Pemberton-Browns Mills Road  
Pemberton, New Jersey 08068-1539

Planning Board  
Donna DiPalma, LUA/Bd. Sec.  
Phone: 609.894.3340

David Benedetti, PP, AICP, Director  
Email: dbenedetti@pemberton-twp.com  
Phone: 609.894.3306

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August 11, 2022

Pemberton Township Council  
500 Pemberton Browns-Mills Road  
Pemberton, New Jersey 08068

Redevelopment Plan Review  
and Recommendations  
Spruce Boulevard/Junction Road  
Sixteen (16) Properties

Dear Council Members:

On July 7, 2022 the Pemberton Township Planning Board had its meeting and had on its agenda the review of a proposed Redevelopment Plan for the area known as the "Spruce Boulevard/Junction Road Area" track constituting 16 properties in Pemberton Township. The review and proposed Plan was duly noticed to the Public. Mr. Christopher Dochney, of CME Associates appeared to testify about the proposed Plan and his role in its creation. At that hearing, the Board felt a need for some changes to the Plan, but most importantly, the Board requested that a Concept Plan be provided to fully understand the vision of the proposed Plan. Scott and Gail Bridges as well as Michele Forman testified from the Public. As a result the review was continued to the August 4, 2022 meeting.

In the interim, a virtual meeting was held on July 28, 2022 with Board Professionals and the professionals of a potential redeveloper, together with Mr. Dochney to review Board requested changes and a Concept Plan for the next meeting.

On August 4, 2022 the continued hearing was held and Mr. Christopher Dochney appeared to testify about the revised Plan and presented the requested Concept Plan for the Board's review. Once again, Scott and Gail Bridges as well as Michele Forman testified from the Public. The Board discussed in great detail the proposed Concept Plan and generated a consensus of recommendations for the Council to include in any Redevelopment Ordinance that may be created and submitted for adoption. The key recommendations include: 1. Traffic Study and Density 2. Stormwater Management 3. Recreation 4. Access 5. Buffering 6. New or existing vegetation as a buffer, and 7. The need for single family detached dwellings on Spruce Boulevard to best fit the existing single-family neighborhood residences. We are attaching the

August 10, 2022 Memorandum setting forth the recommendations in detail prepared by the Board Planner, Mr. David Banisch, as an attached Exhibit of the detailed Board recommendations. All portions of the proposed Redevelopment Plan provided by Mr. Dochney on August 4, 2022 , not inconsistent with the above recommendations, are also recommended by the Board. The Board also finds that the recommended Redevelopment Plan in its entirety is not inconsistent with the Master Plan.

It is important to note that while all recommendations to Council are important, the Board placed special emphasis that a traffic study be included for the Ordinance, both with a negotiated and approved emergency ingress/egress on to Learning Way if agreed upon with the Board of Education, or no secondary emergency ingress/egress available, as the Board had serious concerns about traffic generated from the site based on the number of units proposed.

Respectfully submitted,

A handwritten signature in black ink that reads "Steven Borders". The signature is written in a cursive, flowing style.

Steven Borders

Chairperson

Attachment:

Board Planner Summary of  
Recommendations dated  
August 10, 2022

## Memorandum

To: Pemberton Township Council

From: David J. Banisch, PP/AICP

Date: August 10, 2022

Re: Draft Spruce Boulevard Redevelopment Ordinance - Planning Board Recommendations

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After careful review at the July and August 2022 Pemberton Township Planning Board meetings, which included receiving public comment, the Planning Board is pleased to offer the following comments on the Township's draft Spruce Boulevard Redevelopment Plan for Council's review and consideration:

1. **Traffic Study and Density:** Prior to adoption of the ordinance, the Planning Board emphatically recommends that the Township Council have a traffic study prepared to assess localized traffic impacts on the existing neighborhood to determine the level of traffic that is acceptable for the number of units that will be permitted to be constructed under this ordinance. This is recommended to assist the Council in determining the overall number of residential units that should be authorized by this ordinance. Traffic impacts on local roads raise the concern that the proposed density is substantially higher than may be acceptable in terms of localized traffic impacts in Blueberry Manor because all traffic generated by the development would have to access Junction Road through existing local roads. Based on the traffic study, Council may determine that the number of residential units permitted should be reduced as may be indicated to achieve an acceptable level of traffic for the existing residents assuming that the only means of access will be through the existing local neighborhood roadway network (i.e. Spruce Boulevard and Berkeley Drive to Junction Road).

The Planning Board had discussions regarding access using Learning Way that provides access to the Denbo-Crichton Elementary School instead of relying on access through Spruce Boulevard and Berkeley Drive and adding those traffic impacts to local residential streets. The Planning Board recommends Learning Way as the preferred means of access to the proposed redevelopment area. However, the Planning Board is aware access through Learning Way may not be achievable as an alternate means of access because it is a driveway on Board of Education property.

If the Township Council authorizes a traffic study before adopting the Redevelopment Plan Ordinance, the Planning Board recommends that the Council have the study prepared two ways:

- (1) to study traffic impacts if only Berkeley Drive and Spruce Boulevard is the means of access to the new development; and
- (2) to study traffic if the developer is able to obtain main driveway access to the Redevelopment Area from Junction Road through Learning Way.

By preparing the traffic study both ways, the Council can establish a level of comfort in identifying the number of residential dwelling units that should be permitted in the new development based on traffic impacts to the local neighborhood of existing residents.

2. Stormwater management: Stormwater management facilities shall be designed as aesthetic enhancements to the neighborhood. To the extent practicable and achievable the larger stormwater management basins shall be designed as a water amenity, such as a pond, with bioretention and landscaping features as aesthetic enhancements to the neighborhood, and should incorporate features such as a fountain, and adjacent walking paths for residents. Where “wet pond” features may not be practicable, aesthetically attractive vegetation and/or bioretention plantings should be required to ensure that stormwater management features add to the visual character of, and are visual asset to the neighborhood. Stormwater management features should be broken up and distributed throughout the development to avoid a single centralized stormwater management basin consuming space otherwise available for active and passive recreation use.
3. Recreation: Recreation standards should require a minimum requirement for active recreation addressing all age groups including tots, older youths, and adults and should include (1) a tot lot with shaded seating for supervision of tot’s play, (2) an open play area for youth and teens with a minimum area of 20,000 sq. ft., and (3) at least two seating areas for passive enjoyment of the outdoors, including benches, a gazebo and tables for board games and quiet enjoyment of the outdoors.
4. Access: The Board recommends that the ordinance include a requirement for a minimum of two (2) means of driveway/local roadway access on opposite sides of the development to disperse and facilitate traffic into and out of the new neighborhood. The ordinance should require the developer to utilize best efforts to secure driveway access between the new neighborhood and Learning Way as a primary means of access to the development to avoid concentrated traffic impacts on the existing local residential neighborhood roadway network. It is acknowledged that Learning Way is the driveway to Denbo-Crichton Elementary School on Board of Education property, and this means of access may not be achievable if the Board of Education declines to grant access rights to the Redevelopment Area through Learning Way. If this is not possible, the Council may wish to reduce the number of units permitted to manage the impact of the new development on existing neighborhoods in Blueberry Manor.
5. Buffering: Perimeter building setbacks should be a minimum of 50’ width with a minimum 30’ width vegetated buffering requirement adjacent to existing developed residential uses.
6. Because Pinelands native vegetation can either be found in the undisturbed forest condition as either sparse or dense, the standard that allows the use of existing vegetation to be used as a perimeter buffer to the neighborhood should be subject to the Planning Board’s discretion. The ordinance should state that the Board shall determine whether the existing vegetation is sufficient in terms of density and tree, shrub, understory variety, or if the Board may require replacement of the existing vegetation with a more substantial and effective planting requirement to effectively buffer existing residential development from new residential development to be permitted.

7. The ordinance should be revised to require that new residential units on Spruce Boulevard be single-family detached dwellings to best fit in with the existing single-family neighborhood residences.

The Planning Board thanks the governing body for the opportunity to review and comment on the draft Spruce Boulevard Redevelopment Plan ordinance. The Planning Board trusts that Council will find these comments useful in considering this matter.

Appendix B – Email Correspondence with Pinelands Commission Staff

**From:** [Lanute, Brad \[PINELANDS\]](#)  
**To:** [Daniel Hornickel](#)  
**Cc:** [David Benedetti](#); [Dochney, Christopher](#); [Grogan, Susan \[PINELANDS\]](#)  
**Subject:** Pemberton Spruce Blvd/Bobolink Blvd Redevelopment Plans  
**Date:** Friday, August 5, 2022 12:36:00 PM  
**Attachments:** [Outlook-v0eadx3f.png](#)  
[Outlook-NewFBlogo9.png](#)  
[Outlook-NewInstagr.png](#)  
[Outlook-NewYouTube.png](#)  
[22-06-28 DRAFT Spruce Blvd Redevelopment Plan - PC Comments.docx](#)  
[22-06-23 Bobolink Redevelopment Plan DRAFT PC Comments.docx](#)

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Hello Daniel,

We have feedback on the two draft redevelopment plans you provided. Attached are the two plans with a few track changes as described below:

### **Spruce Blvd Redevelopment Plan**

We made two minor revision to the plan. As with the Bobolink Plan, we've included

- PDC provisions for municipal approvals, including variances, that grant relief from density or lot area requirements
- Standard language requiring that proposed development meet application requirements and minimum environmental standards of the CMP.

Other than that, we don't have any additional comments on this particular plan. If adopted, this redevelopment plan will need to be reviewed and approved by the full Commission.

### **Bobolink Redevelopment Plan**

Chris Dochney indicated that the minimum lot size requirement for single family detached dwellings has since been revised from 5,000 sf to 8,000 sf. Not a problem, as it matches the existing requirement of the underlying R-80 Zone.

The plan includes a 25% mandatory PDC requirement. While this works for the plan as written, we would like to offer an alternative approach under which the mandatory 25% PDC requirement would not be necessary. This approach would require the minimum lot size requirement for two family dwellings to be increased to 16,000 sf (i.e., double the lot size requirement for detached single-family dwellings), thereby maintaining the existing residential zoning capacity of the redevelopment area. An added benefit of this approach is that the plan would not require the formal Commission review and approval process. Instead, the plan could be approved administratively within a significantly shorter timeframe. The attached redevelopment plan incorporates this approach via track changes.

If the Township would prefer to retain the 8,000 sf requirement for two family dwellings, the 25% PDC requirement will need to remain in the plan, which would then require review and approval by the full Commission.

Lastly, Chris also asked about how the plan could handle development of single family detached units on undersized, isolated lots (<8,000 sqft). Under the existing zoning, a 'c' variance would be required, and it would trigger the need for the developer to redeem 1/4 PDC (See [Section 190-50M\(8\)\(b\)](#)). The redevelopment plan could mirror the existing zoning requiring a variance and 1/4 PDC. Alternatively, it could permit by-right single family detached units on existing, undersized, isolated lots (along with any revised setbacks, etc). If they are permitted, the 1/4 credit PDC requirement will need to be maintained. Essentially, the plan can eliminate the need for the variance, but it can't eliminate the PDC requirement for undersized lots. The attached document includes track changes that would accomplish this as well.

Please let us know if you have any questions or comments. Feel free to send us any revised drafts of these plans.

Regards,  
Brad

-----  
**D. Brad Lanute, P.P., AICP**  
**Planning Specialist**

(e): [brad.lanute@pinelands.nj.gov](mailto:brad.lanute@pinelands.nj.gov)

(p): 609-894-7300 x. 126



## **New Jersey Pinelands Commission**

*Connect with us*



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Appendix C – Maps of Redevelopment Area

# REDEVELOPMENT AREA

# PEMBERTON TOWNSHIP, NJ



### Legend

- Redevelopment Area Parcels
- Pemberton Township Parcels
- Road Centerlines



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**SPRUCE BOULEVARD  
STUDY AREA  
TOPO**

**PEMBERTON TOWNSHIP  
BURLINGTON COUNTY  
NEW JERSEY**

### Legend

- Redevelopment Area Parcels
- Pemberton Township Parcels
- Road Centerlines

Source:



**CONSULTING & MUNICIPAL ENGINEERS**

3141 BORDENTOWN AVENUE, PARLIN, N.J. 08859  
1460 ROUTE 9 SOUTH HOWELL, N.J. 07731  
3759 ROUTE 1 SOUTH SUITE 100, MONMOUTH JUNCTION, NJ 08852  
ONE MARKET STREET SUITE 1F, CAMDEN, NJ 08102

WWW.CMEUSA1.COM

DATE	SCALE	LAST REVISED	CREATED BY
04/06/2022	1 inch = 400 feet	N/A	PVB







Appendix D – Conceptual Development Plan



Appendix E – Residential Trash Tote Detail

**DUOTECH**<sup>TM</sup>

	Height	Depth	Width
<b>External</b>	48.6inch	32.3inch	55.5inch
<b>Internal</b>	44.1inch	29.5inch	52.5inch

