

# Master Plan Reexamination Report

## Township of Upper Deerfield



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APRIL 2017

Prepared by

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The original of this Master Plan Reexamination Report  
has been signed and sealed as required by NJSA 45:14A-12

TOWNSHIP OF UPPER DEERFIELD  
MASTER PLAN REEXAMINATION REPORT

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Individuals identified by an asterisk are members of the Planning Board's Master Plan  
Subcommittee Sandy Morrissey and Roy Spoltore are also on this Subcommittee

This Master Plan Reexamination Report was adopted by the  
Upper Deerfield Township Planning Board at a public hearing on [May 8, 2017]

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## *Introduction*

The Master Plan outlines a strategy that responds to the challenging issues facing the Township. It is a guide that re-establishes and refines planning and developmental policies set in motion by previous plans. The plan relates to the development and interrelationship of future land uses, housing, circulation, recreation, open space, community facilities and services. It consists of a narrative document and a series of photographs, tables and maps. The narrative document addresses the history and character of the community as they pertain to land use, zoning, circulation, open space and recreation, farmland preservation, recycling and utilities, community facilities, economic development and community design.

## *Upper Deerfield Master Plan*

The first master plan for Upper Deerfield Township was prepared in 1979. A comprehensive master plan was completed in 1988. The 1988 Master Plan provides a thorough analysis of the Township and included all mandatory and discretionary elements identified in the Municipal Land Use Law. The 1988 plan was heavily focused on land use, development capacity and the effects of growth. The Master Plan was reexamined in 1994, 2002, 2003 and 2010.

The 1988 Master Plan contains the following elements:

- ❖ Chapter 1 – Planning Assumptions and Future Goals
- ❖ Chapter 2 – The Natural Setting
- ❖ Chapter 3 – Agriculture
- ❖ Chapter 4 – Existing Land Use and Development Capability
- ❖ Chapter 5 – Circulation Plan
- ❖ Chapter 6 – Housing Plan
- ❖ Chapter 7 – Community Facilities
- ❖ Chapter 8 – Utilities Plan
- ❖ Chapter 9 – Conservation and Open Space Plan
- ❖ Chapter 10 – Recreation Plan
- ❖ Chapter 11 – Population
- ❖ Chapter 12 – Energy Conservation
- ❖ Chapters 13 and 14 - Reserved
- ❖ Chapter 15 – Future Land Use Plan

The Municipal Land Use Law requires that the master plan provide a statement of goals, objectives, assumptions, policies and standards upon which the constituent proposals for the physical, economic, and social development of the municipality are based. (NJS 40:55D-28). The goal-setting phase of the master plan process is the foundation upon which the remainder of the master plan is based. In establishing goals and objectives, we are laying the foundation for

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the future of Upper Deerfield Township. The overall vision is reflected in each of the elements of the master plan. The goals are general and are intended to provide a framework for directing development and preservation, while the objectives provide a more specific way to implement the stated goals.

In order to guide the development strategy for Upper Deerfield Township, specific goals are recommended in the Master Plan. They are based upon the various master plan proposals for the physical, economic and social development of the Township. These goals have been organized into broad categories that correspond to the major elements of the master plan.

### *Master Plan Goals and Objectives*

The Township's 1979 Master Plan set out three major goals. These goals were acknowledged and carried forward by the 1988 Master Plan, and have been reviewed and re-validated as part of this reexamination process. These three goals are the foundation for more specific goals, objectives, principles and recommendations found in the Master Plan.

1. The preservation of the Township's character and the physical features, both natural and man-made, from which it [the community's character] emanates and is derived.
2. Enhancement of the quality of life for all the community's residents through the improvement of the Township's ability to deal with development.
3. Innovation in and continual evaluation of the approaches and methods used for resolving the conflicts, problems and pressures in the community's evolution.

Within the context of these goal statements, the Township seeks to maintain a well-balanced community in which to live, work and recreate in a clean and safe environment. This includes housing, business, industrial, recreation, and open space opportunities to meet the diverse needs of the citizenry's dissimilar ages, ethnic groups, and income levels. In addition, the Planning Board and the governing body seek to enhance the historical, environmental, and cultural resources of the community. Preservation of these resources is integral to maintaining the character and quality of life that is identified with the community.

Objectives provide specific means to ensure that future development will be compatible with the Township's planning goals. In order to achieve the stated goals, objectives need to address several conditions including community highways, facilities and services, natural features, existing development characteristics and available land. By organizing these objectives into the various plan elements, a clear understanding of the many considerations addressed within the master plan is presented.

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### *Master Plan Reexamination*

The master plan must be periodically re-examined to address changes in the conditions affecting its basic underlying assumptions. Its strength, however, is predicated on the interaction of all components. The acceptance of each element must include the consideration of its impact on the other elements. Only in this manner can modifications be made without undermining the integrity of the plan as-a-whole.

The master plan is a guide for the future development and redevelopment of Upper Deerfield Township and can serve as a reference document to which regional, state, county, and other public or private agencies can relate their respective planning and development discussions. The master plan reflects the Planning Board's forethought regarding each of the master plan elements.

The New Jersey Municipal Land Use Law, N.J.S. 40:55D-1, et seq. stipulates that each municipality in the State of New Jersey periodically reexamine its Master Plan and development regulations. Specifically, N.J.S. 40:55D-89 states:

“The governing body shall, at least every ten years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board. A notice that the report and resolution have been prepared shall be sent to the municipal clerk of each adjoining municipality, who may, on behalf of the governing body of the municipality, request a copy of the report and resolution. A reexamination shall be completed at least once every ten years from the previous reexamination.”

It is the intent of the Upper Deerfield Township Master Plan and this Reexamination Report to advance the intents and purposes of the New Jersey Municipal Land Use Law which are as follows:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open spaces;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;

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- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l. To encourage senior citizen community housing construction;
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. To promote utilization of renewable energy resources; and
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

This reexamination report considers the Master Plan Reexamination Report adopted on August 9, 2010. This Master Plan Reexamination Report references the 1988 Master Plan prepared by Harry Dare, PP, AICP and, where noted, utilizes information and content from that Plan. A Master Plan is an evolving document; “a document for change; itself a changing document.” The Master Plan can change communities and as communities change, the Master Plan evolves. The recommendations noted in this report are based on planning and land use issues that have become apparent within the community since the adoption of the 2010 Master Plan Reexamination Report.

### *Upper Deerfield Township Profile*

Upper Deerfield Township is a rural community located directly north of the City of Bridgeton in the northwest corner of Cumberland County. According to the United States Census Bureau, the Township has a total area of 31.2 square miles, of which 31.1 square miles is land and 0.1 square miles is water. Upper Deerfield Township was incorporated as a township by an Act of

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the New Jersey Legislature on February 23, 1922, from portions of Deerfield Township. It is part of the Vineland-Millville-Bridgeton Primary Metropolitan Statistical Area for statistical purposes.

Table 1  
Upper Deerfield Township Population

<b>Historical Population</b>		
<b>Census</b>	<b>Population</b>	<b>Change (%±)</b>
1930	2,051	—
1940	2,020	-1.5%
1950	5,203	157.6%
1960	6,040	16.1%
1970	6,648	10.1%
1980	6,810	2.4%
1990	6,927	1.7%
2000	7,556	9.1%
2010	7,660	1.4%
2015	7,622	- 0.5%

Source: US Census Bureau

The 2010 United States Census counted 7,660 people, 2,866 households, and 2,104 families residing in the township. The population density was 246.3 per square mile. The township contained 3,025 housing units at an average density of 97.3 per square mile. The racial makeup of the township was 74.67% (5,720) White, 12.96% (993) Black or African American, 1.27% (97) Native American, 2.65% (203) Asian, 0.00% (0) Pacific Islander, 5.38% (412) from other races, and 3.07% (235) from two or more races. Hispanics or Latinos of any race were 9.43% (722) of the population.

Out of a total of 2,866 households, 28.4% had children under the age of 18 living with them, 53.9% were married couples living together, 15.3% had a female householder with no husband present, and 26.6% were non-families. 22.1% of all households were made up of individuals, and 10.9% had someone living alone who was 65 years of age or older. The average household size was 2.65 and the average family size was 3.08.

In the township, 23.5% of the population were under the age of 18, 8.2% from 18 to 24, 23.2% from 25 to 44, 28.8% from 45 to 64, and 16.4% who were 65 years of age or older. The median

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age was 41.2 years. For every 100 females the census counted 93.0 males, but for 100 females at least 18 years old, it was 89.6 males.

The Census Bureau's 2006-2010 American Community Survey showed that (in 2010 inflation-adjusted dollars) median household income was \$53,646 and the median family income was \$61,974. Males had a median income of \$45,532 versus \$36,741 for females. The per capita income for the borough was \$26,033. About 8.9% of families and 12.4% of the population were below the poverty line, including 18.0% of those under age 18 and 4.8% of those age 65 or over.

### *Previous Plans and Studies*

The Township adopted its first Master Plan in 1988. The following documents have been reviewed in preparing this Report.

- Master Plan, prepared by Harry Dare, PP, AICP January 1988
- Water and Sewer Master Plan, Killam Associates, May 1991
- Master Traffic Plan, Orth-Rodgers & Associates, October 1992
- Master Plan Reexamination Report, 1994
- Master Plan Reexamination Report, Louis C. Joyce, PP, June 17, 2002
- Master Plan Reexamination Report, Louis C. Joyce, PP, September 8, 2003
- Redevelopment Plan, Karabashian Eddington Planning Group, November 2005
- Environmental Resource Inventory, Amy S. Greene Environmental Consultants, Inc. May 18, 2006
- Open Space and Recreation Plan, Delaware Valley Regional Planning Commission, 2007
- Farmland Preservation Plan, Delaware Valley Regional Planning Commission, 2008
- Master Plan Reexamination Report, Karabashian Eddington Planning Group, August 9, 2010

### *New Jersey Development and Redevelopment Plan*

The *New Jersey State Development and Redevelopment Plan* (the State Plan) is a policy guide to be used by state, regional, and local agencies to increase the consistency of planning efforts. Municipal, county, and regional plans may be reviewed by the State Planning Commission to evaluate consistency with the State Plan. If the Commission finds a plan to be consistent, then the plan will be eligible for priority assistance and incentives. According to the State Plan, there are seven planning areas (excluding water) in Cumberland County in addition to four Pinelands Management Areas.

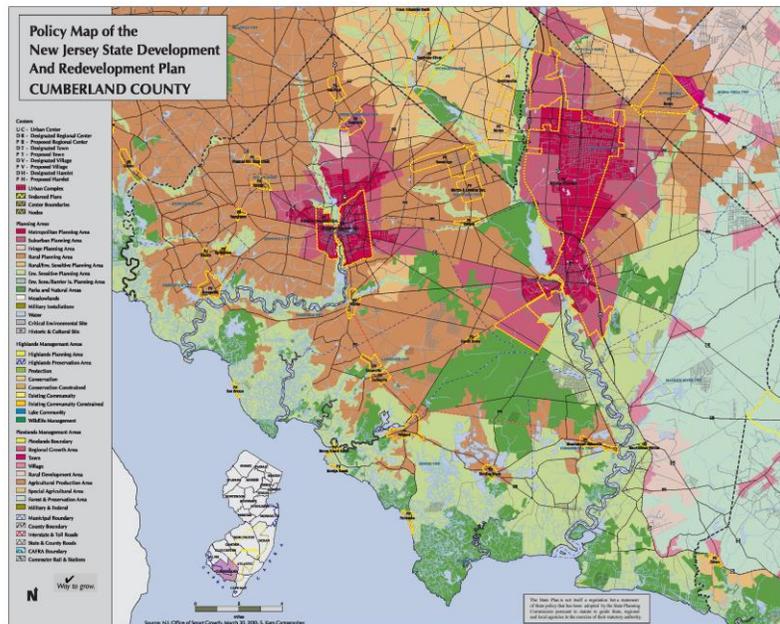
A major goal of the State Plan (noted below) is environmental protection and centers-based growth. This goal is closely aligned with and is supported by the primary goals of the Township Master Plan.

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- *Conserve the state’s natural resources and systems as capital assets of the public by promoting ecologically sound development and redevelopment in the Metropolitan and Suburban Planning Areas, accommodating environmentally designed development and redevelopment in Centers in the Fringe, Rural and Environmentally Sensitive Planning Areas, and by restoring the integrity of natural systems in areas where they have been degraded or damaged. Plan, design, invest in and manage the development and redevelopment of Centers and the use of land, water, soil, plant and animal resources to maintain biodiversity and the viability of ecological systems. Maximize the ability of natural systems to control runoff and flooding, and to improve air and water quality and supply.*

Upper Deerfield Township contains six of the seven planning areas of the State Plan, excluding Parks. The part of the township that is within the Agricultural Development Area is designated as either Rural Planning Area (PA4) or Rural Environmentally Sensitive (PA4B). Along stream corridors, the land is designated as within the Environmentally Sensitive Planning Area (PA5). The area of the township that is also an approved sewer service area has three designations but most of it is in the Suburban Planning Area (PA2). Those areas that border on the City of Bridgeton are designated as Metropolitan (PA1). The area surrounding the intersection of Routes 606 and 617 is within the Fringe Planning Area (PA3). **Map 1** illustrates these planning areas.

**Map 1**  
**SDRP – Cumberland County**



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## *Status of 2010 Reexam Recommendations*

The August 9, 2010 Reexamination Report contains nineteen recommended changes to the master plan and/or development regulations. The following table denotes the current status of these recommendations.

Table 2  
Status of 2010 Reexam Recommendations

2010 Recommendation	2010 Status
1. Prepare an update to the Master Plan consisting of the following elements: <ul style="list-style-type: none"> <li>a. Land Use</li> <li>b. Housing and Fair Share</li> <li>c. Utility Services</li> <li>d. Economics</li> <li>e. Historic (and archaeological) Preservation</li> <li>f. Recycling</li> <li>g. Educational Facilities</li> <li>h. Green Buildings and Environmental Sustainability</li> <li>i. A specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to:               <ul style="list-style-type: none"> <li>i. The master plans of contiguous municipalities</li> <li>ii. The master plan of the county</li> <li>iii. The State Development and Redevelopment Plan</li> <li>iv. The district solid waste management plan</li> </ul> </li> </ul>	Land Use, Housing Element and Fair Share Plan are being updated to address Hollyview settlement and recent court decisions.
2. Develop and adopt a Sustainable Energy Ordinance.	Development of this ordinance deferred indefinitely.
3. Develop and adopt a Municipal Access Code consistent with the statute (RS 40:67-1).	Development of this ordinance deferred indefinitely.
4. Air Hazard Safety – Revise/update Section 98-14.3 of the Township Code to comport with the 1992 amendments to <u>NJS</u> 6:1-80 et seq.	Revision/update of this ordinance recommended in this 2010 Report.
5. Develop and adopt an off-tract improvements ordinance to enable the Township to require in conjunction with development, water, sewage, drainage and street improvements ( <u>NJS</u> 40:55D-39, <u>NJS</u> 40:55D-42).	Off-tract improvements addressed in Section 405-62a(22) of Township Code.

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<p>6. As recommended in the Farmland Preservation Plan –</p> <ul style="list-style-type: none"> <li>a. Rezone a portion of the area on the northwest side of Deerfield Village between Friesburg Road and West Deerfield Road from R-1 Zone to Agriculture Zone (refer to Map 3).</li> <li>b. Rezone an area adjacent to the eastern boundary with Deerfield Township north of Richard’s Road from R-1 to Agriculture (refer to Map 4).</li> </ul>	<p>These revisions to the Zoning Map recommended in this 2010 Report.</p>
<p>7. As recommended in the Open Space and Recreation Plan –</p> <ul style="list-style-type: none"> <li>a. Enact critical area ordinances to protect stream corridors, surveyed vernal pools, floodplains, and high groundwater recharge lands.</li> <li>b. Consider revising the township’s cluster ordinance, using a conservation design model such as “Growing Greener” to provide greater protection and better design of the open space/farmland on a site. Require that the conserved open space or farmland be linked to greenways or to contiguous farmland and especially to permanently protected farms whenever possible.</li> <li>c. Develop a multiple use trail plan that links new and existing parklands.</li> <li>d. Pursue the identification and listing of Upper Deerfield Township historic sites and place unlisted sites on the state and federal registers.</li> </ul>	<p>Development of critical area ordinances deferred indefinitely.</p> <p>Recommended change to cluster ordinance includes open space linkage.</p> <p>Trails plan and historic designations deferred indefinitely.</p>
<p>8. Residential Accessory Structures. On existing residentially-zoned lots that do not conform to the applicable minimum zoning requirements for Area and Width, permit accessory structures subject to the following requirements:</p> <ul style="list-style-type: none"> <li>a. Maximum Building Height = 15 feet</li> <li>b. Minimum Side Yard = 10 feet</li> <li>c. Minimum Rear Yard = 10 feet</li> <li>d. Maximum Lot Coverage – as specified in</li> </ul>	<p>Residential accessory structure ordinance in draft form under review.</p>

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the Schedule of District Regulations.	
9. Fences, Walls and Hedges (98-17) – add provisions that limit fence height and specify design relative to front yard, and require maintenance access.	Proposed revisions to fence ordinance in draft form and under review.
10. Signs (98-23) – amend sign code to prohibit rooftop signs, and develop/adopt regulations to regulate light emitting diode (LED), changeable copy and other sign types.	Draft revisions to sign ordinance being updated.
11. Cluster Development (98-27) – mandate preparation and submission of a Yield Plan to enable the Planning Board to evaluate the design/layout in conceptual form.	Planning Board has the capability to review concept plans under the existing ordinance.
12. Stream Corridor Protection - develop and adopt an ordinance to protect stream corridors that complements the agricultural buffer, riparian and tree protection ordinances.	Development of this ordinance deferred indefinitely in deference to NJDEP and Riparian ordinance.
13. Environmental Impact Statement – expand requirements to specifically include the effect of habitat disturbance on indigenous wildlife, and to address archaeological resources when warranted.	Section 405C(23) of the Township Code addresses vegetation, including endangered and/or threatened species; wildlife, including endangered and/or threatened species; and archaeological, historic and scenic areas.
14. Community Impact – add standards applicable to major residential development requiring an impact statement addressing the development’s fiscal impact on schools and community services.	This recommended ordinance is not authorized by the Municipal Land Use Law.
15. Schedule of District Regulations (R1 and R2 zones) – specify parking area requirement within the Cluster Development provisions to require adequate space for two stacked vehicles on driveway (parking area) to prevent encroachment into public ROW or sidewalk.	Increased front yard setbacks are recommended in this 2010 Report.
16. Dubois Road - re-classify as a Local Road based on analysis and findings pursuant to FHA Functional Classification criteria.	This proposed change to functional classification for Dubois Road to be reviewed and approved by the Municipal Engineer.

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17. Industrial Park – describe and promote within Master Plan Land Use and Economic Development elements; identify on Zoning Map; revise standards contained in 98-30 as appropriate.	This 2010 Report recommends revisions to Section 405-40 Industrial Parks.
18. Residential Site Improvement Standards (RSIS) – add or reference applicable RSIS standards within the Zoning and Development Code.	Section 405-27 of the Code has been revised to correspond to RSIS parking requirements.
19. Develop and adopt an administrative site plan ordinance to enable the Planning Board’s professional staff to review and approve minor changes to approved site plans.	Board resolutions provide professionals with discretion to approve minor changes. Draft ordinance under review.

### *Addressing the Statutory Criteria*

This reexamination of the Upper Deerfield Township Master Plan conforms to the requirements of the Municipal Land Use Law and addresses the requirements of N.J.S. 40:55D-89 as follows:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for such plan or 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.
- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” P.L. 1992, c.79 (C.40A:12A-1, et al.) 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.

A re-examination report may reach the conclusion that no changes are necessary to the existing Master Plan, in which event no further action is required. If, however, specific changes are recommended in the re-examination report, then the Master Plan should be amended following

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the procedures set forth in Section 40-3<sup>1</sup> which requires that public notice be given. If the recommendations set forth in the reexamination report are themselves substantially in such form as might or could be set forth as an amendment or addendum to the Master Plan, then the reexamination report, if adopted in accordance with the procedures discussed in Section 40-3, may be considered to be an amendment to the Master Plan. The statutory requirement for the giving of personal notice to property owners within a district of a zoning ordinance amendment proposing a change to the classification or boundaries of a zoning district, is not applicable to changes made as a result of a master plan reexamination. See NJS 40:55D-62.1 and 40:55D-63.

The above statutory requirements for a master plan reexamination are addressed below.

*A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*

The last reexamination report was adopted in August 2010. The 2010 Report cites the Master Plan's three main goals and objectives relating to land development as follows:

1. The preservation of the Township's character and the physical features, both natural and man-made, from which it [the community's character] emanates and is derived.
2. Enhancement of the quality of life for all the community's residents through the improvement of the Township's ability to deal with development.
3. Innovation in and continual evaluation of the approaches and methods used for resolving the conflicts, problems and pressures in the community's evolution.

Within the context of these goal statements, the Township seeks to maintain a well-balanced community in which to live, work and recreate in a clean and safe environment. This includes housing, business, industrial, recreation, and open space opportunities to meet the diverse needs of the citizenry's dissimilar ages, ethnic groups, and income levels. In addition, the Planning Board and the governing body seek to enhance the historical, environmental, and cultural resources of the community. Preservation of these resources is integral to maintaining the character and quality of life that is identified with the community.

*B. The extent to which such problems and objectives have been reduced or have increased subsequent to August 9, 2010.*

The purpose in determining the extent to which such problems and objectives have been reduced or have increased subsequent to August 9, 2010 is to provide information substantiating the need for amendments to the master plan and/or development regulations.

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<sup>1</sup> New Jersey Zoning and Land Use Administration (2013 Edition), William Cox, page 963.

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The ability to determine the extent of change is most easily accomplished when the attribute can be quantified and is measurable. However, when evaluating the components that comprise a *community's character or quality of life* a quantitative measurement is not usually available. Available data indicate a significant reduction in development activity coincident with the economic downturn in 2008 which has served to abate, at least temporarily, municipal concerns related to land development.

The Highway 77 Redevelopment Plan, Environmental Resources Inventory, Open Space and Recreation Plan, and Farmland Preservation Plan emphasize the Township's strong commitment to balance development, maintain community character and protect natural resources. The official recognition afforded these documents via their formal adoption into the Master Plan reinforces the Township's commitment to sustainable community planning.

Since August 9, 2010 the Township has increased its inventory of public open space by 598 acres which includes 120 acres of public parkland and 478 acres of preserved farmland. Upper Deerfield is an active participant in retention of agriculture and continues to encourage farmland owners to participate in Cumberland County's Farmland Preservation Program.

Development of an affordable housing plan for Upper Deerfield Township has been stymied by continuing uncertainty regarding the methodology to calculate municipal housing obligations and ongoing litigation. The Township continues to pursue a reasonable determination of its affordable housing obligation and remains committed to developing a plan that addresses its affordable housing obligation (once established).

*C. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.*

Changes in the assumptions, policies and objectives forming the basis for the prior Reexamination Report can be caused by events or changes in philosophy internal to Upper Deerfield or from outside influences such as surrounding municipalities or State action and policies. There have been no major occurrences in recent years in the municipalities surrounding Upper Deerfield that would lead to significant changes in the assumptions, policies and objectives relating to land use and development in the Township.

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Assumptions at the municipal level revolve around an underlying objective to preserve and enhance the community as it is rather than seek a new or changed direction with the exception of the Highway 77 Redevelopment Area described in subsection “E” below.

At the State level, there have been changes in policies and objectives since 2010, many of which affect Upper Deerfield Township in some fashion.

*Surface Water Quality Standards*

The Surface Water Quality Standards (SWQS) establish anti-degradation policies for all surface waters of the State under N.J.A.C. 7:9B-1.1 *et seq.* The SWQS require that all existing and designated uses shall be maintained and protected for all surface waters of the State. Impaired waters must be restored to meet SWQS. Existing water quality shall be maintained. The anti-degradation designations include the establishment of Category One Waters by NJDEP with a requirement of a 300 foot wide buffer adjacent to streams. There are no Category One Waters in Upper Deerfield.

*Council on Affordable Housing*

The Fair Housing Act of 1985 (FHA) mandates that each municipality provide a realistic opportunity for decent housing for low- and moderate-income families. The FHA established a comprehensive planning and implementation process for municipalities to address their affordable housing obligations.

Affordable housing obligations for a given time period are calculated as the sum of present need, unmet prior round obligations, and prospective need over that period. Given a common starting date, these three categories are mutually exclusive and therefore additive. Unmet obligations and present need combine to quantify existing need that is unmet by current supply of housing of an acceptable quality. Prospective need projects additional need anticipated to arise in the future.

The implementation strategy included in the Township’s 1988 housing plan was predicated upon a First Round affordable housing obligation of 159 units of which ninety-five were to be new construction. The Zoning and Development Code was amended in accord with Appendix A of the Fair Share Plan to require inclusionary development in all residential districts. The Township’s Second Round housing obligation was 288 units of which 242 were to be new construction. However, in 2008, COAH revised the Township's obligation for the 1987 to 1999 period, reducing it to 242 units. See N.J.A.C. 5:97, Appendix C, adopted in 40 N.J.R. 2690(a) (June 2, 2008). This 2008 housing obligation does not account for the affordable housing credits or other adjustments identified by the Township. With the Court's rejection of COAH's Third Round rules, it rests with the trial courts to ascertain a municipality's present and prospective need.

A Mount Laurel action was brought against the Township alleging that the Township did not fulfill its Second Round affordable housing obligations in the matter of Hollyview

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Development Corporation I, Plaintiff–Appellant, v. Township of Upper Deerfield, a Municipal Corporation of the State of New Jersey, located in Cumberland County, the Township Committee of the Township of Upper Deerfield, the Planning Board of the Township of Upper Deerfield, Defendants. On December 14, 2016, the New Jersey Appellate Division, affirming the decision of the trial court held that the Township had satisfied its Second Round obligation by providing 285 units that met the affordable housing requirements and therefore there was no Second Round unmet obligation, with the potential for additional carry forward credits for rental bonuses.

Upper Deerfield Township has committed to fulfilling its Third Round obligation as set forth in its Resolution 16-295, and has petitioned the New Jersey Superior Court to obtain its Third Round certification through the court process established by Mount Laurel IV.

The Township’s numerical obligation for the Third Round has not been confirmed in the pending Mount Laurel IV litigation. The Township’s expert engaged as part of a consortium of municipalities has calculated the Township’s Third Round numerical obligation to be 62 units. The application of the 43 excess units as confirmed by the court in the Hollyview suit plus the rental bonus credits exceeds the Third Round obligation as determined by the Township’s expert, and as such, the Housing Plan and Township Ordinance satisfies the Township’s Affordable Housing obligation without further modification.

If necessary upon the conclusion of the Mount Laurel IV suit, the Housing Plan will be further revised and supplemented to address any ongoing affordable housing need not satisfied by the 43 carry-forward credits, and other potential credits not yet identified. Upper Deerfield Township will establish administrative mechanisms and ordinances as required to implement this Fair Share Plan to address any unmet obligation for the Third Round.

*Residential Site Improvement Standards*

The NJDCA Residential Site Improvement Standards (RSIS) sets forth the standards for residential development. Residential applications before the Township must conform to the standards or apply for exemptions or waivers to the standards based on special conditions. The latest regulation can be found at N.J.A.C. 5:21-1.1 et seq. effective on June 7, 2010. The Site Improvement Advisory Board provides a mechanism to hear requests for modifications or make changes to the RSIS.

*Municipal Stormwater Management*

Under the Municipal Land Use Law Section 40:55D-93, every municipality shall prepare a storm water management plan and a storm water control ordinance or ordinances to implement the plan. The Township adopted a Stormwater Management Plan in accordance with New Jersey Department of Environmental Protection requirements on December 15, 2005. As required by the Municipal Land Use Law the Stormwater Management Plan has been reexamined and there are no recommended changes.

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*State Development and Redevelopment Plan*

The New Jersey State Development and Redevelopment Plan (SDRP) was most recently adopted on March 2, 2001. It contains goals, objectives, and policies to guide the development and redevelopment of New Jersey. Proposed changes to the SDRP were released for cross acceptance in 2004. After many years of delay a Draft Final Plan was issued on January 13, 2010. The primary objective of the SDRP is to guide development to areas where infrastructure is available or can be readily extended such as along existing transportation corridors, in developed or developing suburbs, and in urban areas. The SDRP encourages new growth in “centers” which are “compact” forms of development, rather than in “sprawl” development. Upper Deerfield Township’s planning policies are consistent with the SDRP designations (refer to Map on page 12).

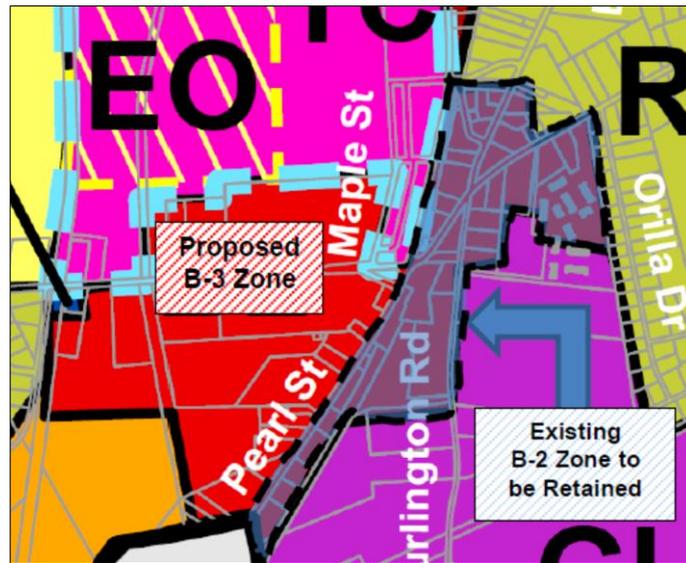
*D. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*

As indicated above, the primary goals of the Township master plan have remained intact for over thirty years. The goals set forth in 1979 were declared valid by the Planning Board in 2003 and 2010 and remain valid today. By way of this reexamination report, these three goals are extended forward as the basis to assure that Upper Deerfield continues into the future as a planned community. Specific changes recommended for the master plan and development regulations are described below.

**1. B-2 and B-3 Zone Revisions.**

- a. Retain the existing B-2 zone designation for the area south of Landis Avenue and east of N. Pearl Street.
- b. Convert the remainder of the existing B-2 zone to a new B-3 zone.

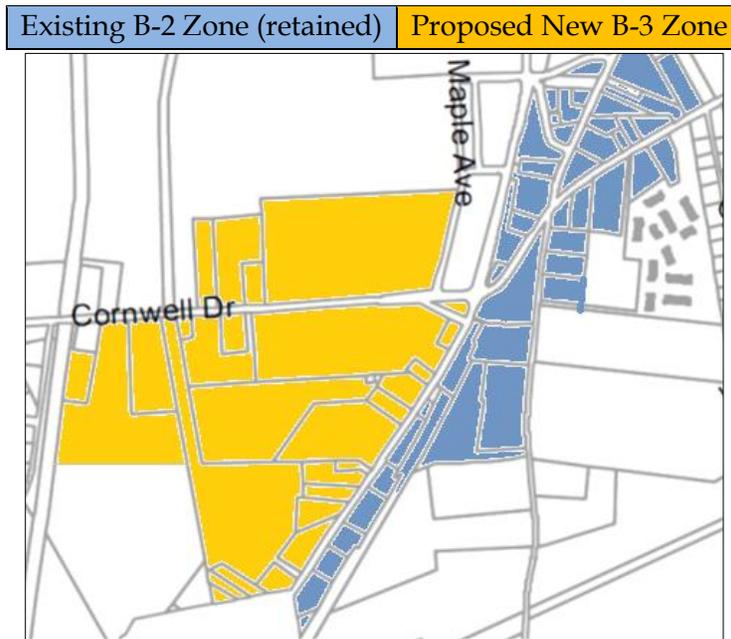
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- c. "Restaurants and retail sales with alcoholic beverage licenses" are permitted uses in the new B-3 zone and the expanded Town Center zone.

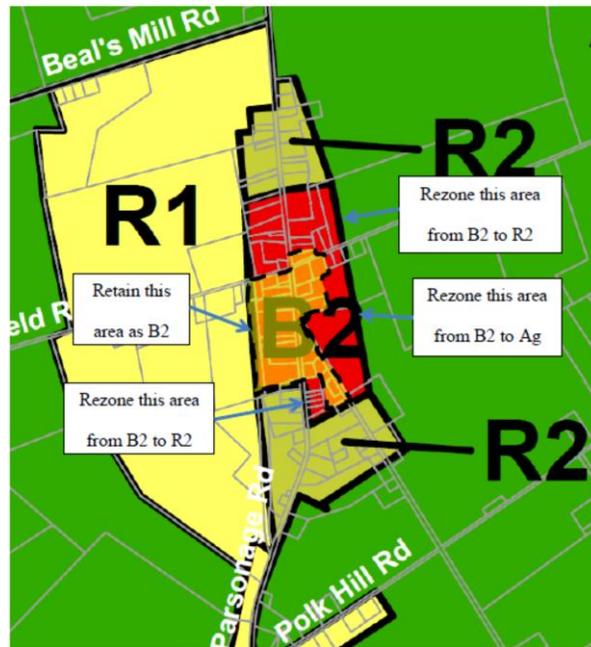
Proposed B-2 and B-3 Zones

The following exhibit indicates the parcels recommended for inclusion in the revised B-2 Zone and new B-3 Zone.

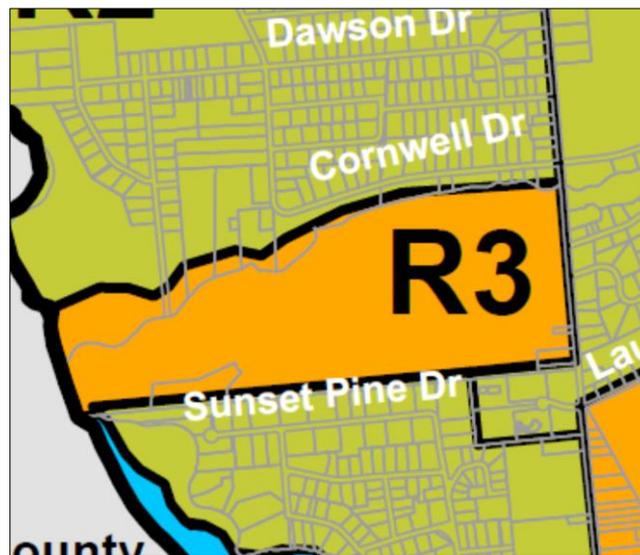


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2. Deerfield Street. Rezone portions of the existing B-2 Zone to R-2 Residential Zone and Agricultural Zone as indicated on the following exhibit.



3. Sunset Lake. Rezone Block 1601, Lots 1, 2 and 5 and Block 1701, Lot 12 from R-3 Residential Zone to Public Zone.



4. Churches - to be permitted only on lots fronting collector or arterial road.
5. Single-family dwellings in the Ag zone - Establish pre-existing single-family residential uses and structures in the AG zone as "valid pre-existing non-

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conforming uses” consistent with MLUL and “uniformity” required by N.J.S.A. 40:55D-62.

6. Definitions:

- a. Agricultural Services - A facility or use principally established to serve on-site farming or ranching activities including but are not limited to the following:
  - Auditing & Accreditation
  - Organic Certification
  - Local Food Research & Development
  - Lab Testing & Approval
  - Market Research & Analysis
  - Grants & Opportunities
  - Transportation Research
  - Plant Variety Protection
  - Research & Promotion Programs
  - Pesticide Data Programs
  
- b. Agricultural Use/Purpose – distinguish between “non-livestock” and “livestock” operations
  
- c. ASSISTED LIVING FACILITY - Residences for the ~~frail~~ elderly that provide rooms, meals, personal care, and supervision of self-administered medication.
  
- d. ~~AUTOMOBILE SERVICE STATION~~ - ~~Any premises used for the retail sales of gasoline, oil or other products necessary for the maintenance and operation of motor vehicles and for servicing and minor repairs thereof, but where no vehicular painting and/or bodywork is done and where no junked or unregistered vehicles are kept or stored.~~
  
- e. Automobile Repair Garage - Any premises used for the retail sales of oil or other products necessary for the maintenance and operation of motor vehicles and for servicing and repairs thereof, including vehicular painting and/or bodywork, and where no junked or unregistered vehicles are kept or stored.

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- f. COMMUNITY/ Corporate CENTER - A facility used for recreational, social, educational, ~~and~~ cultural and business meeting activities.
- g. ~~COMMUNITY SHOPPING CENTER - See "planned commercial development."~~
- h. CONVENIENCE STORE - A retail establishment of up to 6,000-~~5,000~~ square feet selling primarily food products, household items, newspapers and magazines, candy, beverages, and a limited amount of freshly prepared foods such as sandwiches and salads for off-premises consumption.
- i. Crematorium - A funeral establishment containing properly installed, certified apparatus intended for use in the act of cremation.
- j. Data Center - A facility that contains a large group of networked computer servers typically used by organizations for the remote storage, processing, or distribution of large amounts of data.
- k. Farm Market - An accessory farm building or structure with requisite off-street parking and loading space designed for seasonal sale of unprocessed agricultural and/or horticultural products, and home-made handicrafts, with at least 75% of its sales consisting of goods produced on the farm on which it is located. No commercially-packaged handicrafts or commercially-processed or packaged foodstuffs shall be sold at a farm market.
- l. ~~GARAGE, REPAIR - A building used for the off-street storage of motor vehicles, the provision of incidental motor fuel service, the sale of accessories and the repair of motor vehicles, excluding bodywork.~~
- m. GASOLINE SERVICE STATION - An area of land, including any structures thereon, used primarily for the retail sale and direct delivery to motor vehicles of motor fuel and lubricants, as well as such incidental services as the lubrication and hand washing of motor vehicles and the sale, installation and minor repair of automotive accessories such as tires and batteries, but where no vehicular painting and/or bodywork is done and where no junked or unregistered vehicles are kept or stored.

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- n. Guest Room (hotel/motel) - A one-story room that is not susceptible to permanent division and which may contain a kitchen or kitchenette and not more than one bathroom.
- o. HOME OCCUPATION - An occupation, craft or skill conducted for the generation of revenue entirely within a dwelling, or in an accessory structure located on the same lot or tract as a dwelling. The use must: be clearly incidental and secondary to the use of the property for residential purposes; not change the character of the structure or area; or have any exterior evidence of the home occupation except as permitted by the Township Code. Home occupations are intended to be limited to low intensity uses that produce or repair a product, but can be operated in such a way that they do not adversely affect adjacent properties. which is clearly incidental to the use of the lot and dwelling for residential purposes, such as but not limited to the following occupations: weaving, sewing, tailoring, glassblowing, artist, potter, scribe and typist, but excluding stables or kennels.
- p. HOME PROFESSIONAL OCCUPATION - The office or studio in the residence of a physician, surgeon, dentist, lawyer, architect, professional planner, licensed land surveyor, engineer, barber or beautician, psychologist, accountant, teacher or other state or federal recognized profession for which a permit or license is issued, but excluding any school, class or similar activity whether licensed or not, including but not limited to dance, martial arts, aerobics, exercise or music activities. The use must: be clearly incidental and secondary to the use of the property for residential purposes; not change the character of the structure or area; or have any exterior evidence of the home professional occupation except as permitted by the Township Code.
- q. INDUSTRIAL PARK -  
See "planned industrial development."  
An area of a minimum contiguous acreage as specified by this chapter, to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate industrial uses and any other uses incidental to the predominant use as may be permitted by this chapter.

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- r. ~~MANUFACTURED HOME PARK OR SUBDIVISION – In connection with floodplain regulations contained in § 405-25 herein, a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale. (See also "mobile home park.")~~
- s. Motel – A type of hotel providing a series of rental units, ~~not more than two stories in height~~, operated as a single business for the primary purpose of providing lodging for transient guests and where only a general kitchen and dining room are provided within the building or as an accessory use thereto. An office and single dwelling may be provided in conjunction with the operation of a motel.
- t. PLANNED COMMERCIAL Center DEVELOPMENT - An area of a minimum contiguous acreage as specified by this chapter, to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate commercial or office uses, or both, and any residential or other uses incidental to the predominant use that may be permitted by this chapter.
- u. ~~PLANNED DEVELOPMENT - A planned retirement residential development.~~
- v. ~~PLANNED INDUSTRIAL DEVELOPMENT – An area of a minimum contiguous acreage as specified by this chapter, to be developed according to a plan as a single entity containing one or more structures with appurtenant common areas to accommodate industrial uses and any other uses incidental to the predominant use as may be permitted by this chapter.~~
- w. PLANNED RESIDENTIAL RETIREMENT DEVELOPMENT - An area with a specified minimum contiguous acreage of 12 acres or more to be developed as a single entity according to a plan, containing one or more residential clusters designed and intended to serve the needs of individuals 55 years of age and older, which may include commercial or public or quasi-public uses all primarily for the benefit of the residential retirement development.
- x. ~~PLANNED UNIT DEVELOPMENT- An area with a minimum of 250 contiguous acres or more to be developed according to a plan as a single entity, containing one or more residential clusters or planned unit~~

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~~residential developments and one or more public, quasi-public, commercial or industrial areas in such ranges of ratios of nonresidential uses to residential uses as provided by this chapter.~~

- y. ~~PLANNED UNIT RESIDENTIAL DEVELOPMENT – An area with a minimum of 100 contiguous acres or more to be developed as a single entity according to a plan, containing one or more residential clusters, which may include appropriate commercial or public or quasi-public uses, all primarily for the benefit of the residential development.~~
- z. Public Utility - The use of land for public utility purposes by an entity providing pipeline, gas, electrical, telephone, telegraph, water, or sewage service. "Public utility" also includes the use of land for utility purposes, whether or not owned, controlled, or operated by a public entity, whose services are performed for or commodities delivered to the public or any portion thereof. Private energy production, transmission relay, repeater, translator, radio and television towers and equipment, and cable television facilities are also considered public utilities. "Public utility" does not include airports or television, radio or community television antenna system administration offices, or other types of administrative offices or maintenance yards.
- aa. Roadside Stand - ~~Any temporary~~ accessory ~~farm~~-building or structure not to exceed 300 square feet of gross floor area with requisite off-street parking and loading space with no space for customers within the structure, designed for seasonal sale of ~~principally~~ agricultural and/or horticultural products grown on the property farm on which ~~it the stand~~ is located. The intermittent sale of homegrown produce as an accessory use not involving a building or structure, not occupying more than 300 square feet and not creating any undue traffic hazards shall not be deemed to constitute a "roadside stand."
- bb. Self-service Storage Facility – A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual compartmentalized, and controlled-access stalls or lockers for the storage of customers' good and wares.
- cc. ~~SHOPPING CENTER – A group of commercial establishments planned, constructed and managed as a single entity with customer and employee~~

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~~parking, provision for goods delivery separated from customer access, aesthetic considerations and protection from the elements.~~

- dd. ~~SUPERMARKET – A retail establishment having 10,000 square feet or more of floor area devoted primarily to selling food and other convenience and household goods.~~
- ee. ~~TOURIST HOUSE – A private home where rooms are rented for overnight accommodation. A "tourist house" shall also include a bed and breakfast establishment which, in addition to providing overnight accommodation to tourists, also provides a breakfast to said overnight guests.~~
- ff. Truck Terminal - A facility used by a motor freight company for the receipt, transfer, short-term storage, and dispatching of goods unloaded from interstate trucks and/or intermodal trailers and containers carried on the railroad and loaded onto local delivery trucks

- 7. Crematories - Develop standards including “non-prime farmland” requirement.
- 8. Animal Hospital and Kennels - list separately in Schedule; no outdoor runs in Office Park; hospital fully enclosed in B1 and Office Park zones.
- 9. Commercial Communication Tower - Develop standards.
- 10. Sale of Petroleum - Develop standards.
- 11. Beekeeping, apiary - Permit in all zones per 405-41B(6).
- 12. Sidewalk Café - Develop standards.
- 13. Junkyards (Chapter 246) - Revise to refer to “existing” only; note use is prohibited.
- 14. Prohibited Uses - Add to Article VI as new section.

**Prohibited Uses and Structures in All Zones.**

Any use not expressly permitted by this chapter is hereby prohibited throughout the Township of Upper Deerfield and the following or similar uses and activities are specifically prohibited in any zoning district throughout the Township of Upper Deerfield:

- a. Unlicensed butcher shops and slaughter houses (except USFDA-licensed facilities).
- b. Junk yards and automobile salvage.

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- c. Resource extraction.
- d. Incinerators.
- e. Adult activities, including but not limited to uses commonly referred to as adult book stores, adult movies, adult entertainment and massage parlors.
- f. Drug paraphernalia shop, commonly referred to as "head" shops, except persons registered with the State Health Commissioner or referred to in N.J.S.A. 24:21-10.
- g. Billboards and any signboards, advertising signs or devices not expressly related to the business being conducted on the premises or otherwise specifically permitted by this chapter.
- h. Boarding houses.
- i. Asphalt plants
- j. Concrete plants
- k. Motocross parks

15. Riparian Ordinance - Add new definitions to §318.2 as follows:

Fluvial Geomorphology - Is the study of the form and function of streams and the interaction between streams and the landscape around them. "Fluvial" refers to the processes associated with running waters. "Geo" refers to earth. "Morphology" refers to channel shape.

Large Woody Debris - Large Woody Debris (LWD) are logs with a root wad and limbs attached or portions of trees with or without root wads or limbs with a minimum diameter of 4 inches and a minimum length of six feet that protrude or lay within a stream channel.

Sheet Flow - An overland flow or downslope movement of water taking the form of a thin continuous film over relatively smooth soil or rock surfaces and not concentrated into channels larger than rills.

Revise §318-3 as follows:

**§ 318-3 Establishment of riparian zones.**

A. Riparian zones adjacent to all surface water bodies shall be protected from avoidable disturbance and shall be delineated as follows:

(1) The riparian zone shall be 300 feet wide along both sides of any Category One water (C1 water) (or any water so designated by the N.J. Department of

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**Environmental Protection in the future**) and all upstream tributaries situated within the same HUC-14 watershed.

(2) The riparian zone shall be 150 feet wide along the entire length of the Cohansey River within the boundaries of the Township.

(3) The riparian zone shall be 150 feet wide along both sides of the following waters not designated as C1 waters:

(a) Any segment of a water flowing through an area that contains documented habitat for a threatened or endangered species of plant or animal which is critically dependent on the surface water body for survival, and all upstream waters (including tributaries) within one linear mile as measured along the length of the regulated water (**and/or**)

(b) Any segment of a water flowing through an area that contains acid-producing soils.

16. Self-service Storage Facility – Develop design standards, permit in GI, Eco-Ind., Eco-Ag, Ag-Business zones. (Refer to 75A).

17. Design Standards

a. Lighting – Update to conform to IESNA requirements.

b. Street design – Evaluate Township Code (§405-62A(35)) for compliance with RSIS and generally-accepted design criteria.

18. 405-21. Conversion of Dwellings – Delete this section in its entirety.

19. 405-22. Dumping – Delete this section in its entirety.

20. 405-24. Fences, walls and hedges - Require ‘finished side’ out, and maintenance accessibility; differentiate between residential and commercial/industrial standards; coordinate with swimming pool fences (405-32); address corner lots and setbacks.

21. 405-26. Home Occupations and Home Professional Occupations - Update standards; delete “In residential and B-1 Districts,” and delete reference to “duplex” in subsection E.

22. 405-27. Minimum Off-Street Parking Requirements –

Parking spaces in shopping centers (§405-27A) – Reduced from 5.5/1,000 SF GFA to 5/1,000 SF GFA.

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(38) Shopping centers: 5.0 ~~5.5~~ spaces per every 1,000 square feet of gross leasable area, in addition to any area required for vehicle and pedestrian passageways. Additional area may be required for landscaping and buffering. Specific requirements for individual uses listed elsewhere will be waived when such uses are an integral part of a planned shopping center.

D. A private garage constructed as an accessory use in a residence district shall be subject to the following special provisions in regard to its location:

(1) In the case of a corner lot, it shall conform to the setback requirements contained in the Schedule of District Regulations ~~be distant at least 10 feet from the rear yard nearest the side street line, and it shall set back from the rear lot line a distance equal to the required minimum width of a side yard~~ for the district within which it is located.

I. Inoperable motor vehicles are regulated by Chapter 303 Property Maintenance of the Township Code. ~~Within any zoning district, no junk vehicle or any unregistered and/or uninsured vehicle shall be parked, stored or located on any lot with an area of less than one acre. Within any zoning district, no junk vehicle or no more than one unregistered and/or unlicensed vehicle shall be parked, stored or located on any lot having an area in excess of one acre.~~

23. 405-28. Minimum Off-street Loading Requirements - [delete here and relocate the following section to §405-62A(33)].

B. There shall be at least one central point for trash/garbage pickup in multifamily and nonresidential uses, which shall be separate from parking and loading areas by locating such facility either within a building or outside the building in totally enclosed metal container(s), obscured from view from parking areas, streets and adjacent residential uses or zoning districts by a fence, wall, planting or combination of the three. If located within the building, the doorway(s) may serve both the loading and trash/garbage collection functions. If a container is used for trash/garbage collection functions and is located outside the building, it may be located adjacent to or within the general loading area(s), provided that the container(s) do not interfere with or restrict in any manner loading and unloading functions.

C. The minimum number of loading spaces required for any ~~given~~-use serviced regularly by trucks shall be in accordance with the following schedule:

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Gross Floor Area (square feet)	Minimum Number of Loading Docks
Up to 19,999	1
20,000 - 39,999	2
40,000 - 100,000	3
For each additional 40,000 SF over 100,000 SF	1

~~(1) Funeral homes: one space per 2,500 square feet of floor area. Dimensions of a loading space may be reduced to 33 feet by 12 feet.~~

~~(2) Hospitals, nursing and convalescent homes and sanatoriums: one space per 10,000 square feet of floor area and exclusive of any emergency vehicle loading space.~~

~~(3) Retail stores: one space for every 4,000 square feet of gross floor area.~~

~~(4) Office uses: one space for every 20,000 square feet of gross floor area.~~

~~(5) Warehousing, indoor storage, shipping and receiving: one space for every 10,000 square feet of gross floor area.~~

~~(6) Research, testing, laboratory, manufacturing and assembly: one space for every 20,000 square feet of gross floor area.~~

~~(7) Public and quasi-public office buildings: none.~~

~~(8) Schools, philanthropic institutions and assembly halls: one space for every 20,000 square feet of gross floor area.~~

~~(9) Recreational and entertainment facilities: one space for every 20,000 square feet of gross floor area.~~

~~(10) Other uses: as determined by the Planning Board based on the above standards and the proposed use with consideration being given to the volume and frequency of loading or unloading (delivery) involved and the character of the area in proximity.~~

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24. 405-31. Signs - Correct reference in §A(6)(b) to §405-31D(2).

25. 405-32. Swimming Pools and Ponds -

A. Private swimming pools.

(1) Open pools in excess of 2-1/2 feet in depth are considered swimming pools and as structures for the purpose of permits and regulations of Township ordinances. For the purpose of this chapter, swimming pools, exclusive of patio area, shall not be counted ~~as floor area~~ in computing the lot coverage and shall not be located in any required front, side or rear yard setback area.

(2) All swimming pools shall be at least 20 feet from any property line and shall be enclosed by a fence as required by the International Building Code (NJ Edition); ~~wall or other suitable barrier not less than four feet high with a self-closing, self-latching gate and of such a design as is reasonable to prevent unobstructed access to the pool.~~

(3) All swimming pools shall be provided with a filtering system utilizing ~~chlorinated water~~, meeting New Jersey State Department of Health and Senior Services requirements.

(4) All swimming pools shall drain in conformance with all applicable regulations. ~~to a system approved by the Township Engineer.~~

B. Irrigation and farm ponds. All irrigation or farm ponds shall be designed and constructed in such a manner as to avoid steep slopes or embankments. All ~~such ponds side slopes surrounding the pond~~ shall be graded and seeded. Fencing and specific drainage requirements shall only be applicable where determined necessary to the public health, safety and general welfare by the Township Committee.

C. Semipublic and public swimming pools and swimming clubs. Semipublic and public swimming pools and swimming clubs operated on an ~~nonprofit~~ annual-membership basis shall be permitted as indicated on the Schedule of District Regulations,[1] provided that:

(1) Proof is furnished to the Zoning Officer that the proposed use is a bona fide nonprofit activity organized solely for the use and enjoyment of the membership.

~~(2) Refer to the Schedule of District Regulation for zoning and development controls. The parcel involved in the use shall contain at least three acres and shall have 200 feet of highway frontage.~~

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~~(3) No more than a total of 15% of the lot shall be covered by structures, parking areas and the pool, together with its adjoining hard-surfaced areas.~~

(34) No part of the pool, its accompanying hard-surfaced area or other supporting structures or activity areas shall be located within 75 feet of a property line, or less than 300 feet from the nearest dwelling.

~~(5) The maximum membership of the club shall be fixed at the time of application and shall be commensurate with the size of the parcel and the scale and facilities contemplated. No expansion of the membership shall take place subsequently without supplemental application to and approval by the Planning Board.~~

~~(11) Adequate parking shall be provided in accordance with the provisions of § 405-27A(13).~~

26. 405-33. Recreation Open Space

A. Recreation.

(1) A recreation area shall be dedicated and improved by the developer for any development containing more than seven residential units. A residential unit shall include any dwelling or living area designed to include one or more sleeping quarters. Said recreation area shall consist of at least one acre or 3,000 square feet per residential unit in the development, whichever ~~is yields the~~ greater area.

27. 405-34. Solar, ~~and~~ Wind Energy Generating Facilities; ~~and~~ Communication Facilities - Adjust permitted heights to 35' in Residential zones and 100' in Ag., Ind. and Comm. zones.

Delete the following from C(2):

~~(f) Ground arrays shall be considered impervious and shall be calculated as a percentage of lot coverage.~~

G. The annual energy-generating capacity of a solar or wind energy-generating facility shall be limited to the previous calendar year's energy demand plus 10%. ~~or to occupying no more than 1% of the subject parcel, whichever is less.~~

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28. 405-36. Apartments – Revise §A(9) as follows:

(9) Every building shall have a minimum setback of ~~50~~ 40 feet from any ~~public~~ street or road and 15 feet from any ~~private interior road~~, driveway or parking area.

Add - “All such complexes and each use therein shall be served by public sanitary sewer and water.”

Add - When required, however, no one recreational area shall be less than 10,000 square feet in area nor less than 100 feet in width at its narrowest dimension. All such areas shall be:

**(a)** Improved by the developer, including equipment facilities, walkways and landscaping. The Planning Board, in reviewing the plans, shall determine that the recreational area is suited to its intended use in terms of the environment and will meet the needs of the project's inhabitants as provided in § ~~405-38A~~**(5)**. Not more than 50% of the recreational area shall be in one or more of the following: a floodplain, areas with a slope of greater than 10%, watercourses or other areas unsuitable for recreational purposes to environmental considerations

29. 405-37. Bulk storage (dry) – Revise Schedule to include bulk requirements

D. No storage or handling of materials shall be permitted within ~~500~~ 100 feet of any residential zoning district boundary or any residentially used property.

30. 405-38. Cluster development –

- a. No increase in total units above conventional development
- b. Increase front setback to 50'
- c. Add to R3 Schedule
- d. Reduce encumbered open space in A4 from 50% to 25% (405-38)
- e. Require that the conserved open space or farmland be linked to greenways or to contiguous farmland and especially to permanently protected farms whenever possible

A. Cluster developments are permitted in the R-1, R-2 and R-3 Residential Districts in accordance with the following regulations:

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(1) The maximum permitted overall density shall be 1/2 unit per acre in the R-1 Residential District and 3/4 unit per acre in the R-2 and R-3 Residential Districts. No dwelling units in excess of the number permitted by these densities shall be permitted. Refer to the Schedule of District Regulations for bulk requirements.

(4) No more than 25% ~~50%~~ of the total open space within the development site shall be located in one or more of the following: a floodplain, areas with a slope greater than 10%, and watercourses or bodies of water or other areas deemed unsuitable for recreational purposes due to environmental reasons as made evident by the Planning Board's review of the environmental impact statement required to be submitted. ~~When open space requirements are being met by utilization of noncontiguous open space off site from the development, then not more than 25% of the total open space saved off site from the development shall be located in one or more of the following: a floodplain, areas with a slope greater than 10%, and watercourses or bodies of water or other areas deemed unsuitable for recreational purposes due to environmental reasons as made evident by the Planning Board's review of the environmental impact statement required to be submitted.~~

31. 405-39. Gasoline Service Stations - Add 'traffic control plan' to improve on-site circulation.

J. Driveways shall not be more than 24 feet in width at property lines and curblines and shall be located in accord with Section 405-62.A(8) of the Township Code. ~~at least 10 feet from the intersection of street right-of-way lines.~~ Driveway entrances shall be paved with Portland cement or asphaltic concrete.

32. 405-40. Industrial Parks - Revise Schedule to distinguish between tract size (50 acres and 500'), and lot size (2 acres and 200')

§ 405-40 Industrial parks.

Industrial parks may be established on minimum parcels of 50 acres or more. All industrial parks shall conform to the following standards:

~~A. Industrial or commercial uses shall be limited to those uses permitted by right in a GI General Industry District and listed as principal and conditional uses in a GI General Industry District as shown on the Schedule of District Regulations.[1]~~

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~~The Planning Board may permit other commercial or industrial uses if said proposed use does not subvert the intent or purpose of the GI District.~~

F. The minimum tract or lot size ~~within an industrial park shall be two acres. The approving authority shall be guided by and~~ the minimum and maximum building standards for individual sites within an industrial park as set forth in the Schedule of District Regulations.[2]

Add - "All such complexes and each use therein shall be served by public sanitary sewer and water."

33. 405-41. Keeping of Animals - To be reconciled in conjunction with Chapter 125; increase lot size in §B(2) to 2 acres; revise §B(8) to permit 'poultry, fowl and turkey farms' in the Ag Zone only.

34. 405-42. Land Mining - Delete this section in its entirety; delete from Ag Zone Schedule of District Regulation; establish licensing/permitting requirements for existing operations.

35. 405-43 Seasonal Ag Employee Housing -

§ 405-43 Seasonal agricultural employee housing.

Seasonal agricultural employee housing may be constructed only as an accessory use in connection with an ongoing agricultural operation wherein the residents of such housing shall be employed. Such housing shall be designed, constructed and utilized for habitation during the growing season and shall not be occupied or utilized on a year-round basis. All such housing shall conform to the following provisions:

36. 405-45 Motels and Hotels -

Motels and hotels shall be permitted as provided in the Schedule of District Regulations[1] and shall comply with the following conditions:

A. In addition to ~~guest rooms sleeping units~~, a motel or hotel may contain as an accessory use restaurant(s), cocktail lounge(s), meeting or conference room(s), swimming pool(s), a health club, cabanas, a barbershop, beauty shop, newsstand, shops for the retail sale of goods, including tobacco, sundries, drugs, clothing, gifts, stationery, greeting cards and similar merchandise; provided, however, that such shops are sized and primarily geared to serving the needs of guests of

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the motel or hotel. ~~With the exception of swimming pools and cabanas, all such accessory uses shall be within the principal building or structurally attached thereto and shall be primarily designed for the use and enjoyment of guests of the motel or hotel.~~ The Planning Board may stipulate limitations on the size of such accessory uses in order to assure compliance with this stated intent. ~~No food or refreshments shall be sold, vended or served through any opening of any building or part of any building. The complete transaction and delivery of food or refreshment shall be conducted within the principal building.~~

B. ~~The maximum gross density of any motel or hotel development shall be based upon one motel unit per 2,500 square feet of gross land area for the site involved.~~ Not less than 20% of the site involved shall be maintained in open space free of parking areas, driveways and structures, except recreational facilities such as swimming pools, tennis courts, playgrounds or the like.

C. The minimum floor area of a ~~guest room sleeping unit~~ shall be ~~300~~ 270 square feet.

D. All motels and hotels shall comply with the following special design

(1) ~~Every building containing sleeping units on or above a second story shall be equipped with one or more elevators.~~

Add - "All such complexes and each use therein shall be served by public sanitary sewer and water."

37. 405-46 Parochial and Private Schools – Refer to '1 additional acre for every 100 students'; add 'nursery and elementary schools'; amend Schedule lot sizes

Parochial and private schools, including nursery or preschool facilities, shall be permitted as provided in the Schedule of District Regulations[1] in accordance with the following conditions:

A. Such schools shall have appropriate licensing or recognition by the New Jersey Department of Education and have their curriculum approved by it.

B. The minimum lot area and lot frontage of any such school shall be as specified in the Schedule of District Regulations. ~~The minimum lot area shall be~~ increased by one additional acre above the minimum specified in the Schedule of District Regulations for every 100 pupils or fraction thereof that the school is designed to

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serve. ~~The minimum lot area for an intermediate school, high school or institution of higher learning shall be 10 acres, plus one acre for each 100 pupils or fraction thereof to be served or capable of being served.~~

C. The minimum street frontage for an elementary school shall be 500 feet, and the minimum frontage for all other schools shall be 700 feet.

Add - "All such complexes and each use therein shall be served by public sanitary sewer and water."

38. 405-47 Planned Commercial Centers -

§ 405-47 Planned commercial centers.

A. Planned commercial centers shall be classified as one of the following:

(1) Neighborhood centers or convenience centers encompassing not less than three nor more than 10 acres and designed to provide for sale of convenience goods (food, drugs and sundries) and personal services (cleaning, photo development and medical or dental offices).

(2) Community centers involving 10 acres or more and/or 100,000 to 300,000 square feet of gross floor area, including a variety ~~, discount or junior department of~~ stores.

(3) Regional shopping center encompassing between 30 and 50 acres or more and one or more full-line department stores of 100,000 square feet of gross leasable area (GLA).

B. The following standards shall apply to planned commercial centers:

(1) Any planned commercial center shall be designed as a unified whole with harmony of design and architecture.

(2) No more than ~~50%~~ 30% of the lot area shall be occupied by principal uses nor more than 5% by permitted accessory uses, except for parking and loading areas; and if the center consists of more than one building, they shall be separated by not less than 15 feet.

(3) All planned commercial centers shall abut and have their principal access onto collector or arterial roads.

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~~(4) Not more than 30% of the lot area shall be occupied by principal uses or structures nor more than 5% by accessory uses or structures, excluding parking and loading areas. The minimum setback for any planned commercial center from any roadway shall be 30 feet. If the center consists of more than one structure, they shall be separated by not less than 15 feet.~~

~~(5) Minimum off-street parking requirements shall be as specified in Section 405-27 of the Township Code. A minimum of 2.5 square feet of automobile parking space shall be provided for each square foot of gross floor area devoted to sales and/or patron use.~~ In addition, adequate areas shall be provided for the loading and unloading of delivery trucks and other vehicles as specified elsewhere in this chapter, for the provision of vehicle entry and access drives and for the provision of required landscaped areas and pedestrian walkways. All of the above-described areas, except landscaped areas and conventionally paved entrance drives and pedestrian walkways, shall be surfaced with an approved type of porous paving (which may be porous) and graded and drained to adequately dispose of any additional surface water that might accumulate on the site.

(8) The maximum heights permitted, excluding signs, shall be:

- (a) Neighborhood center: 35 feet.
- (b) Community center: 50 feet.
- (c) Regional center: 50 feet.

~~(10) All such complexes and each use therein shall be served by public sanitary sewer and water. No neighborhood commercial center shall be permitted adjacent to an existing neighborhood center. In connection with all planned commercial centers, the Planning Board may require a marketing analysis in order to determine whether the proposed center will meet an existing need. It shall be the responsibility of the applicant to demonstrate the need for the proposed commercial center and reasonably justify its establishment.~~

~~C. Small business and storage complexes. Within any GI Industry or B-2 Business Zoning District, small business and storage complexes may be established subject to the following:~~

~~(1) Permitted uses:~~

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(a) ~~The following uses are permitted within such a complex:~~

~~[1] Warehousing and storage facilities, provided that outdoor storage shall not be permitted unless in conjunction with a use being carried out in a structure located on the lot or tract of land whereon said structure is located, and not more than 500 square feet of an area shall be utilized for such outdoor storage. The storage of vehicles utilized in the use or travel trailers allowed to be stored as part of a mini storage operation shall be excluded from said restriction on outdoor storage outlined herein.~~

~~[2] Service business operations such as plumbing or electrical contractors, products assembly, wholesale and distribution operations, professional or business offices, mini banks providing general banking services and similar activities.~~

~~[3] Similar business, distribution, warehousing or storage, office or light industrial uses and activities.~~

~~(b) The Planning Board may, where deemed appropriate and reasonable, deny a permit for a given use found to be not in keeping with the intent of this section because the intensity of the use or its effect upon the environment, area, adjoining properties or the complex itself is detrimental or otherwise adversely affects said items. The emission of fumes or waste, the need for special equipment or facilities to handle said emissions or to permit the use to be carried out, the volume and intensity of traffic generated by the proposed use or the size of the operation and use shall be reasons for denying permission for a given use to be located in such a facility.~~

~~(2) Such complexes shall be planned and developed as a whole on minimum lots or tracts of 10 acres. All uses shall be located on a lot or tract of land being not less than one acre in a GI General Industry Zoning District and not less than 1/2 acre in a B-2 Business Zoning District. Such lots or tracts, regardless of ownership, shall front upon an improved street or private road conforming to the standards contained in this chapter and the adopted Township Master Plan.~~

~~(3) Each use or structure shall be located on a separate lot or tract and shall be subject to site plan review as set forth in § 405-69 herein. Minimum setback requirements shall be set by the Planning Board upon approval of the proposed complex, and the Planning Board shall be guided by the standards set forth in the Schedule of District Regulations[1] for the zoning district in which said~~

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~~complex is to be located. It is the intent of this use and section to provide flexibility for design in order to accommodate small, relatively new businesses in a planned environment.~~

~~[1]Editor's Note: The Schedule of District Regulations is included at the end of this chapter.~~

~~(4) All such complexes and each use therein shall be served by public sanitary sewer and water.~~

~~(5) There shall be no display of products visible from any street or private access road. Such complex shall be permitted one freestanding sign located at the main entrance from any public roadway. Said sign shall not exceed eight feet in height nor an area of greater than 200 square feet and may be illuminated. In addition, each use within the complex may have one attached sign located on its main structure, provided that said sign does not exceed 5% of the front facade of said structure. Direction signs not exceeding four square feet shall be permitted. All such signs shall maintain a uniformity of design within the complex and shall in all other respects be subject to the provisions of § 405-31 of this chapter.~~

~~(6) In the event that individual lots and/or structures are sold to separate persons from the owners of the complex, deed restrictions or covenants shall be required to maintain the planned nature of the complex and the provisions of this section.~~

~~(7) Adequate parking and loading facilities shall be provided for each use within any such complex as provided in §§ 405-27 and 405-28 of this chapter.~~

~~(8) Adequate screening shall be provided between uses and adjoining properties not a part of the complex.~~

~~(9) Except in the case of a public mini-storage facility, no use within such a complex shall be permitted to have as an accessory use a residential unit for use, regardless of the relationship of the proposed resident of said unit to the use involved.~~

~~(10) An applicant for approval of such a complex need not obtain subdivision approval prior to the creation of new lots, regardless of how this is accomplished, in order to gain conditional use and site plan approval of a proposed complex. The complex shall be considered as a whole until such time as subdivision approval is applied for and granted. The approval of such a complex shall not in~~

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~~any way indicate subdivision approval or authorize the transfer of the ownership of land prior to said subdivision approval, which approval shall be subject to all requirements of this chapter.~~

39. 405-48 Poultry and Turkey Farm - Delete this section in its entirety.

40. Add new section "405-48. Self-Service Storage Facility"

41. 405-49. Private clubs, golf courses, lodges and social buildings - Revise Schedule to list 'Hunting clubs' as principal use subject to 405-49.

~~F. Any residential uses proposed in connection with a private club or golf course shall be regulated in accordance with all applicable standards and regulations for such uses as contained in this chapter in addition to the provisions of this section.~~

Hunting clubs - increase to 2 acres, non-prime farmland

Golf Course - arterial and collector only, 18 holes, 5,000 yards

Replace "social building" with "assembly hall" throughout this section

42. 405-50 Professional Office Centers - Revise the Schedule of District Regulations to correct the Minimum Lot Area to 3 Acres.

~~B. Refer to the Schedule of District Regulations found in Section 405b for minimum and maximum bulk requirements. The minimum tract size for any such center shall be not less than two acres, and the maximum height of any structure within such a complex shall not exceed 35 feet. Maximum lot coverage shall be 70%.~~

H. Parking and loading facilities required in connection with a professional or business center shall be as required by §405-27 of the Township Code.  
~~determined by the total number of office units available and type of uses said units will serve.~~

~~J. In determining whether or not to permit the development of such a center, the Planning Board shall be guided by the number of existing office spaces available in the area and the cost of said space in order to determine if a need for such space exists. The developer may be required to submit a needs survey and report or market analysis in order to justify such a center, and failure to reasonably so justify shall be cause for rejection of the application.~~

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L. Not more than 25% of the total floor area of any such professional office or business center shall be occupied by non-office uses at any one time, nor shall more than 50% of the ground floor of any structure within the center be occupied by non-office uses. This requirement is intended to assure that said center remains a business and/or professional office center and not a shopping center or retail business complex. ~~In addition, the display of products from any structure in a center shall be primarily aimed at persons walking alongside of said structure and visible or designed to attract the attention of persons traveling along adjacent roadways.~~

Add - "All such complexes and each use therein shall be served by public sanitary sewer and water."

43. 405-51 Public Utility - Permit as Principal Use in the GI and Eco-Ind. Zones subject to this section.

44. 405-52 Roadside Stands - create/revise definitions and standards that differentiate between Farm Markets (associated with a farm), and Roadside Stands (as an accessory to a residential use).

§ 405-52 Roadside stands and Farm Markets.

Roadside stands and Farm Markets for the sale of farm, ~~truck gardening~~, nursery ~~gardening~~ and greenhouse ~~products produce~~ may be established subject to the following conditions:

A. ~~No #Roadside stands and farm markets shall be permitted~~ on an arterial roadway, as classified in the Township Master Plan, ~~unless said stand is shall be~~ located in compliance with the minimum maximum front yard setback requirements for principal uses for the zone district in which said roadside stand or farm market is to be located. Minimum front setbacks on all other streets shall be: ten (10) feet for a roadside stand; fifty (50) feet for a farm market.

B. There shall be only one entrance and one exit from the roadway upon which said use fronts.

C. No display of goods shall be permitted closer than 10 feet to a road right-of-way line or 30 feet to an adjoining property line.

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~~D. No structure or parking areas to be used or required in connection with such a use shall be located within a required front yard area for the principal use of the property involved.~~

E. Parking and signs shall comply with the requirements contained in §405-27 and §405-31 of this chapter, respectively.

F. The sale of live animals or poultry shall be prohibited.

45. 405-53 Rural Residence – Subject to R1 standards; 1 to 2 acres, 100’ to 200’

A. Any parcel to be used for a rural residence shall be a minimum of ~~two one~~ two acres in size.

B. The land to be utilized is not classified as prime farmland, as defined by the Natural Resources Conservation Service of the United States Department of Agriculture. The basis for determining the boundaries of soil classification defined as Class I, II and III agricultural soils by the Natural Resources Conservation Service shall be the Soil Survey of Cumberland County, dated April 1978, and as updated and supplemented from time to time. An applicant may submit other acceptable soil survey material which is more site-specific, i.e., the specific mapping of a site using Natural Resources Conservation Service soil classifications. An exception to this condition for wooded lots may be granted by the Planning Board.

46. 405-54 School Bus Shelters

~~D. In residential zones, all signs attached to the structure shall be designed to read from within said structure, shall not exceed two in number and shall not exceed a total of 20 square feet in area. In nonresidential zones, such signs shall not exceed four in number and shall not exceed a total of 40 square feet in area.~~

47. 405-55 Townhouses and multifamily dwellings.

§ 405-55 Townhouses and multifamily dwellings.

The Planning Board may permit townhouse or multifamily dwelling projects when, besides complying with the provisions of this section, the proposed project is determined to meet an existing housing need and will not be detrimental to the environment or have an adverse effect on the community in general. All such projects shall comply with the following:

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~~A. Gross density for any project shall not exceed four units per acre. Refer to the Schedule of District Regulations found in §405b of this Ordinance for minimum and maximum bulk and area requirements. When it is determined by the Planning Board that an adverse environmental impact, health or planning problem will not result, the Planning Board may permit townhouse or multifamily dwellings on smaller tracts, provided that no tract is less than five acres and, whenever tract size is less than 10 acres, gross density shall not exceed four units per acre for said project. Not more than one reduced tract size townhouse or multifamily dwelling project, as provided for hereinabove, shall be permitted within a two-mile radius of any other approved similar project since this would subvert the overall density patterns established for the community in the Township Master Plan.~~

[Amended 4-27-1989 by Ord. No. 330; 5-5-2005 by Ord. No. 554]

~~B. When a townhouse or multifamily project is permitted as a conditional use,~~  
~~m~~Maximum and minimum building standards as set forth in the Schedule of District Regulations[1] shall apply. Each dwelling unit in such a project shall have a minimum habitable floor area of 900 square feet and shall be provided with a private yard area of not less than 500 square feet, which shall be screened by fencing, walls or shrubbery to a height of not less than six feet. Such fencing or screening requirements may be waived when decks, balconies or other suitable private, outdoor areas are provided. Each structure shall be set back at least ~~50~~ ~~20~~ feet from road rights-of-way. [Revise Schedule accordingly]

D. Design.

(1) A townhouse or multifamily dwelling project shall maintain a continuity, compatibility and harmony of design and construction throughout. No less than four dwelling units nor more than eight shall be included in one continuous attached block or grouping of units, exclusive of covered walkways between groupings. Variations in townhouse facades within groupings or blocks of townhouses shall be required unless horizontal or vertical shifts or offsets are provided. Street furniture, signs, lighting facilities and other facilities common to townhouse or multifamily dwelling projects shall be of similar and compatible design.

~~(2) Direction signs shall be permitted upon review and approval of the Zoning Officer, when said signs do not exceed six square feet in area and will not create vision obstruction for vehicles.~~

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(3) Natural topography and existing trees shall be maintained whenever possible and incorporated into the project design.

E. Open space and recreation.

~~(1) A minimum of 20% of the total area of a townhouse or multifamily dwelling project, which area shall be exclusive of dooryards, buffer strips, parking areas and street rights-of-way, shall be designated for common recreational purposes. A multifamily project containing 10 or less units wherein land adjoining the units is owned in common ownership, either by the project owner or a homeowners' association in accordance with § 405-62A(14), shall be exempt from providing 20% of the project in common open space or recreational area.~~

F. Buffers and common facilities.

(1) All townhouse or multifamily dwelling projects shall be provided with twenty-foot buffer areas screened between adjoining properties not used or zoned for residential purposes and all collector or arterial streets, as classified by the Township Master Plan. Utility installations, refuse collection facilities and parking areas shall be provided and suitably screened to avoid a visual or other nuisance.

~~(2) All such complexes and each use therein shall be served by public sanitary sewer and water. Where on-site sewage disposal facilities are found safe and approved by the appropriate health agencies, common use of such facilities shall be permitted.~~

~~(3) Where adequate on-site parking is provided, proposed new street widths and widths of paved areas of those streets may be reduced by the Planning Board.~~

~~G. Application. In applying for a townhouse or multifamily dwelling project, besides all other applicable provisions of this chapter, the applicant shall submit a housing market analysis as provided for in § 405-36B of this chapter. This requirement may be waived for projects of less than 10 units which are not proposed to be located within 1,000 feet of a property whereon an apartment, townhouse or multifamily dwelling project is located.~~

~~H. No habitable dwelling space shall be permitted above the second story of any structure.~~

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48. 405-56 Renewable Energy Facilities

§ 405-56 Renewable energy facilities.

[Added 11-19-2009 by Ord. No. 643]

Renewable energy facilities may be located, installed and operated as a conditional use in the General Industry District and the Eco-Industrial District, subject to the following:

A. The parcel shall be a minimum of 20 contiguous acres.

B. ~~Renewable energy facilities shall not be permitted in a front yard.~~

F. ~~Renewable energy facilities shall, based on their impervious surface area, be calculated as a percentage of lot coverage. The percentage of lot coverage attributable to renewable energy facilities shall not exceed 50%.~~

49. 405-57 Large Scale Retail Stores

A. Large-scale retail stores shall be permitted as a conditional use within the districts specified, subject to the following:

(1) The parcel shall contain a minimum of 20 contiguous acres with 500 feet of frontage.

(2) The parcel shall have frontage and provide vehicular access to/from either an arterial road or a collector road.

(3) Minimum Front building setback from a collector road: 100 feet.

(4) Minimum Front building setback from an arterial road: 150 feet.

(5) Minimum Side building setback: 50 feet each.

(6) Minimum Rear building setback: 50 feet.

(7) Maximum building height: 2.5 stories; 35 feet.

(8) Maximum impervious coverage: 75%.

50. 405-62A(14) Homeowners Association – Add requirement for Planning Board Attorney review, maintenance of stormwater systems, and to provide the Township with a copy of the recorded Association documents.

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51. 405-62A(33) Solid Waste Disposal -

Copy 405-28B to the above section

52. Site Plan Requirements.

(2) 405-69 Site Plan Requirements - requires site plan approval for any building or use except as follows:

**(a)** Site plans shall not be required for:

- any single-family detached dwelling;
- for permitted accessory uses to a single-family, detached dwelling, such as a private garage or swimming pool;
- construction of a fence, but no exception is granted by this subsection for construction of a retaining wall or for a fence that may obstruct or change the flow of water on an adjoining property;
- outdoor dining facilities accessory to a permitted restaurant;
- solar or photovoltaic energy facilities or structures mounted on the roofs of buildings; or
- permitted accessory uses to a farm, such as barns, silos, farm offices, storage sheds or ~~related~~ non-retail structures provided said improvements do not involve alteration of existing stormwater management, or new stormwater management facilities.

[Amended 1-19-1996 by Ord. No. 449]

**(b)** Site plan review and approval will not be required in connection with the alteration and repair of an existing structure or use when the Zoning Officer determines that said alteration and/or repair:

- [1]** Will not result in additional lot coverage;
- [2]** Will conform to the maximum and minimum building standards as set forth in this chapter;
- [3]** Will not increase the number of off-street parking or loading spaces required as set forth in §§ 405-27 and 405-28 of this chapter; and
- [4]** Is not in connection with a use subject to the provisions of Article **VIII** of this chapter.

53. Add: "Conditions of Approval" to Article XI

Any approval of an application for development for a preliminary plat of a major subdivision by the Planning Board shall be subject to the following conditions being satisfied prior to the signing of the plat:

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- a. Submission of additional prints of the plat and attachments for distribution (if required).
- b. Preliminary Cumberland County Planning Board approval (if not previously granted).
- c. Preliminary Upper Deerfield Township Water Company and Sewerage Service availability letter (if applicable).
- d. Publication of the decision of the Board by the Administrative Officer (Planning Board Secretary) within the time set forth in the Township Code.
- e. Any other conditions which may be imposed by the Board or may be required by Federal, State, County or municipal law.
- f. A condition setting forth the time within which all conditions must be satisfied.

The Board may also condition its preliminary approval upon the applicant providing for certain revisions or additions on the final plat submission.

54. Housing Element and Fair Share Plan – Update the Housing Element and prepare a Fair Share Plan consistent with recent court decisions maximizing the number of credits to address the Township’s as-yet-to-be-determined affordable housing obligation.
55. Schedules of District Regulations – refer to attached “Use Matrix” dated March 8, 2017 for specific recommendations regarding permitted uses.

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
<b>PRINCIPAL USES</b>																	
1.	Municipal or county <u>Public</u> buildings and <u>public</u> maintenance yards or similar facilities_– COMBINED WITH NO. 2.	X						X								X	
2.	<del>Office buildings, maintenance yards, garages and other similar structures or uses to be utilized by a state or federal agency</del> – COMBINED WITH NO. 1.	X															
3.	Public education and cultural institutions	X		X	X	X		X	X							X	
4.	<del>Public cultural institutions, such as museums and libraries</del> – DELETED; REFER TO NO. 70.								X								
5.	Parks, playgrounds, playfields, public swimming pools, as per § 405-32, and other public recreational facilities and uses	X	X	X	X	X	X										
6.	Water, forest and wildlife conservation <del>and</del> uses	X	X	X	X	X						X					
7.	<del>Public agricultural or open space experimental or research centers</del> – DELETED; REFER TO “No. 50”	X															
8.	Professional office centers as per § 405-50	X						X	X	X					X	X	
9.	Nursery and preschool facilities as per § 405-46	X		X				X								X	
10.	Farms, including agricultural use/purpose activities		X	X	X			X	X		X	X		X			
11.	Commercial stables and riding academies		X									X		X			
12.	Kennels and animal hospitals as per § 405-41		X														
13.	Warehousing or storage facilities for farm produce and products		X														
14.	Churches and similar places of worship		X	X	X												
15.	Parochial and private schools as per § 405-46			X				X								X	
16.	Single-family, detached dwelling			X	X	X	X										
17.	Cluster developments as specified in § 405-38			X	X												
18.	Garden apartment projects as per § 405-36					X											
19.	Townhouse and multifamily dwelling projects as per § 405-55					X											

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
20.	<del>Private, nonprofit museums or similar cultural facilities – DELETED; REFER TO “No. 70”</del>							*									
21.	Nonprofit, philanthropic and charitable organization headquarters, offices and similar uses <del>DELETED; REFER TO “NO. 70”</del>							*	*								
22.	Clubs, lodges and assembly halls as per § 405-49							X	X								
23.	Funeral home							X	X								
24.	Banks and financial institutions							X	X	<u>X</u>					X		
25.	Professional office buildings and complexes <del>insurance agent, real estate broker, professional or business offices</del>							X	X	<u>X</u>					X	X	
26.	<del>Stores and shops for the conduct of retail business – DELETED; REFER TO NO. 58.</del>								*								
27.	Personal service shops and minor appliance or office machinery repair shops								X	<u>X</u>					X		X
28.	Repair and service businesses – DELETED; REFER TO NO. 27.								*								
29.	Restaurants and other prepared food outlets								X	<u>X</u>					X		X
30.	Theaters, auditoriums, <del>arenas</del> and similar facilities								X	<u>X</u>					X		
31.	Indoor commercial recreation, including fitness centers								X	<u>X</u>					X	X	
32.	Motel or hotel as per § 405-45								X						X	X	
33.	Bus passenger station and taxi dispatching office								X								X
34.	Lumberyards, farm or construction machinery sales and service facilities <del>and sawmills</del> – REFER TO NO. 75 FOR “SAWMILLS”								X		*	X		X			
35.	New and used motor vehicle sales and service								X								
36.	Gasoline service station, repair garage and car washes as per § 405-39								X								X
37.	Convenience store with gasoline/fuel dispensing								X								
38.	<del>Assembly and fabrication of products from previously prepared materials</del> – DELETED; REFER TO NO. 39.										*		*				

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
39.	<del>Manufacture and processing of cosmetics, candy, food products,</del> beverages, pharmaceuticals and toiletries, except the rendering of fats; <del>assembly and distribution operations for electronic equipment, tools, furniture, vehicles, machinery, appliances, instruments, housing, clothing, household ware, farm implements and equipment and similar products or equipment</del> REFER TO "NO. 72" FOR FOOD PROCESSING											X	X				
40.	Wholesale businesses <del>and</del> or warehousing facilities											X	X	X			
41.	Trucking terminals, <del>bus stations and garages</del>											X					
42.	<del>Manufacture, assembly and distribution operations for electronic equipment, tools, furniture, vehicles, machinery, appliances, instruments, housing, clothing, household ware, farm implements and equipment and similar products or equipment</del> – COMBINED WITH "No. 39."												X				
43.	<del>Public agency or government office building</del> – DELETED; REFER TO NO. 1.							X	X		X						X
44.	Printing plants or similar facilities										X		X				
45.	<del>Commercial composting facilities</del>												X				
46.	<del>Organic farming facilities</del>													X			
47.	<del>Hydroponics</del>													X			
48.	Agritourism		X									X		X			
49.	Manufacturing and processing of foods		X								X	X	X	X			
50.	Agricultural research and experimental facilities	X	X									X		X			
51.	Farm machinery sales											X		X			
52.	Agricultural services											X		X			
53.	<del>Farm labor and management facilities</del>											X		X			
54.	Landscaping and horticultural services											X		X			

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
55.	Wholesale <del>Ed</del> istribution of farm supplies, flowers, <del>nursery stock</del> and florist's supplies											X		X			
56.	Retail garden centers											X		X			
57.	Laboratories for agricultural products and soils testing											X		X			
58.	Small-scale and medium-scale retail stores								X	<u>X</u>					X		X
59.	<del>Small-scale retail stores</del> -DELETED - REFER TO NO. 58																X
60.	<del>Cinema</del>														X		
61.	<del>Playhouse</del>														X		
62.	Miniature golf								X						X		
63.	Community/corporate center														X	X	
64.	<del>Cultural facilities</del> — DELETED; REFER TO NO. 70.														X	X	
65.	<del>Assisted living, Health care, medical offices and clinics</del> – “ASSISTED LIVING” INCLUDED IN NO. 71.							X	X	<u>X</u>					X	X	
66.	Research facilities ( <u>non-agricultural</u> )															X	
67.	<del>Health care facilities</del> — COMBINED WITH “No. 65”															X	
68.	<del>Medical offices and clinics</del> — COMBINED WITH “No. 65”															X	
69.	Medical labs and <u>medical research centers</u>								X							X	
70.	Private nonprofit <u>offices, halls, libraries, museums, cultural, historical, educational or similar facilities</u>							X	X						X	X	
71.	Hospitals and sanitarium, <u>convalescent and nursing homes, adult day care, assisted living</u>							X	X						X	X	
72.	<del>Food processing plants, such as dairies, breweries, canneries and frozen food processing plants.</del> – DELETED; REFER TO NO. 49.																
73.	Hunting clubs <u>as per § 405-49</u> – FORMER CONDITIONAL USE		X														
74.	Industrial parks as per § 405-40 – FORMER CONDITIONAL USE										X	X	X	X			
75.	Sawmill		X														
<u>75A</u>	<u>Self-service Storage Facility</u>										<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>			

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
<b>CONDITIONAL USES</b>																	
76.	<del>Private nonprofit meeting halls, libraries, theaters, museums and similar uses</del> – DELETED; REFER TO No. 70	✗															
77.	<del>Hospitals and sanitarium, convalescent and nursing homes</del> – DELETED; REFER TO No. 71	✗		✗													
78.	<del>Auditoriums, arenas and stadiums</del> – DELETED; REFER TO No. 157	✗															
79.	Public utility installations as per § 405-51	✗						✗	✗		X		X	✗		✗	✗
80.	<del>Private clubs, lodges and social clubs as per § 405-49</del> – DELETED; REFER TO No. 22	✗															
81.	<del>Churches and similar places of worship, excluding residences for any purposes</del> – DELETED; REFER TO No. 14	✗	✗														
82.	<del>Private agricultural research centers</del> – DELETED; REFER TO No. 50	✗															
83.	<del>Parochial and private schools as per § 405-46</del> – DELETED; REFER TO No. 15	✗														✗	
84.	Rural residences as per § 405-53		X														
85.	Home occupations as per § 405-26		X	X	X	X	X										
86.	<del>Dwelling conversions as per § 405-21</del> – DELETED		✗	✗	✗	✗	✗										
87.	<del>Hunting or gunning clubs as per § 405-49</del> – GUNNING CLUBS DELETED; REFER TO No. 73 FOR HUNTING CLUBS		✗														
88.	<del>Land mining and earth extraction as per § 405-42</del> – DELETED		✗														
89.	<del>Food processing plants, such as dairies, breweries, canneries and frozen food processing facilities</del> – DELETED; REFER TO No. 72		✗														
90.	<del>Agricultural or open space experimental or research centers</del> DELETED; REFER TO No. 50		✗														
91.	Golf courses as per § 405-49		X														
92.	Cemeteries, <del>and crematories,</del> mausoleums		X	✗	X												

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
93.	<del>Private nonprofit cultural, historical or educational facilities and accessory uses customarily incidental to such uses</del> CONVERTED TO PRINCIPAL USE – No. 70			*													
94.	<del>Rooming house, boardinghouse or guesthouse as per § 405-21</del> – DELETED			*	*	*											
95.	<del>Roadside stands as per § 405-52</del> – DELETED; REFER TO 126				*							*		*			
96.	<del>Funeral home</del> – DELETED; REFER TO No. 23					*											
97.	<del>Nursery and preschool facilities as per § 405-46</del> – DELETED; REFER TO No. 9						*										
98.	<del>Parks, playgrounds, playfields and other public recreational facilities</del> – DELETED; REFER TO No. 5							*	*								
99.	<del>Professional office centers as per § 405-50</del> – DELETED; REFER TO No. 8							*								*	
100.	Animal <del>boarding kennels or animal</del> hospitals as per § 405-41 – “KENNELS AND ANIMAL HOSPITALS” ARE PRINCIPAL USES IN THE AG ZONE – No. 12							X	X			*		*		X	
101.	<del>Medical laboratories and research centers</del> – DELETED; REFER TO No. 59								*								
102.	Commercial communications stations and facilities		X						*		X						
103.	Planned commercial (shopping centers) as per § 405-47								X	X							
104.	<del>Wholesale businesses or warehousing facilities</del> – DELETED; REFER TO No. 40								*								
105.	<del>Printing plants or similar facilities</del> – DELETED; REFER TO No. 44								*								
106.	Retail <del>sale of petroleum, natural or processed gas and chemical supplies or materials</del> – REFER TO No. 114								X		X						
107.	<del>Industrial parks as per § 405-40</del> – DELETED; REFER TO 74								*		*	*	*	*			
108.	<del>Bulk storage of materials</del> – DELETED								*			*					
109.	Bulk storage of dry materials as per § 405-37										X		X	X			
110.	<del>Gasoline service station, repair garage and car washes as per § 405-39</del> – DELETED; REFER TO No. 36								*		*						

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
111.	Renewable energy facilities as per § 405-56										X		X				
112.	Large-scale retail as per 405- <del>5759</del>														X		
113.	Sidewalk cafe								X	X					X		
114.	<u>Wholesale chemical supplies or materials (non-toxic gases)</u>										X	X	X	X			
115.	<u>Wholesale agricultural chemicals</u>		X								X	X	X	X			
116.																	
	<b><u>ACCESSORY USES</u></b>																
117.	Signs as per § 405-31	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
118.	Windmills as per § 405-34	X	X	X	X	X		X	X		X	X	X	X			
119.	Communications facilities as per § 405-34	X	X	X	X	X	X	X	X		X	X	X	X			
120.	<del>Bus shelters and garden and storage sheds as per § 405-54</del> REFER TO NO. 121 AND NO. 129	X	X	X	X	X	X	X	X		X						
121.	School bus shelters as per § 405-54	X	X	X	X	X	X	X			X						
122.	Temporary use of a mobile home <u>or mobile office</u> as per § 405-44A(1)	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
123.	<del>Outdoor storage as per § 405-29</del>	X									X		X	X			X
124.A	Agricultural use/purpose activities <u>(non-livestock) as part of a Farm</u>	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
124.B	<u>Agricultural use/purpose activities (including livestock) as part of a Farm</u>		X														
125.	Farm residence (1 single-family, detached dwelling) as part of a farm		X	X	X												
126.	Roadside stands as per § 405-52		X	X	X												
127.	Yard sales as per § 405-58		X	X	X	X											
128.	Keeping of animals as per § 405-41	X	X	X	X	X		X	X								
129.	<del>In connection with a permitted residential use, a</del> accessory uses customarily incidental to residential uses, including garages, swimming pools, as per § 405-32, and garden or storage sheds	X	X	X	X	X											

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
130.	Any use or structure customarily incidental to a farm or agriculture, including farm buildings, silos, stables and farm offices, but excluding agricultural employee housing	X	X	X	X			X	X								
131.	<del>A single-family dwelling unit attached to a permitted structure(s) and occupied or reasonably expected to be inhabited by the owner, operator or an employee of the permitted use</del>							X	X								
132.	Accessory uses and structures customarily incidental to any other permitted use, (including outdoor storage as per § 405-29) <sup>2</sup>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
133.	Essential services as per § 405-23	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
134.	Fences, walls and hedges as per § 405-24	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
135.	Off-street parking as per § 405-27	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
136.	Off-street loading as per § 405-28	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
137.	Water towers, smokestacks, storage tanks and structures for bulk storage and similar facilities										X	X	X	X			
138.	Bikeway as per 405-632A(2)												X	X	X	X	X
139.	Child-care facilities										X	X	X	X	X	X	
140.	<del>Cold Indoor</del> storage facilities							X	X	X	X	X	X	X	X	X	X
141.	<del>Conservation areas</del> REFER TO NO. 6													X			
142.	Wind and solar energy facilities, and communication facilities per § 405-34	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
143.	Agricultural employee housing		X									X		X			
144.	<del>On-site farm office</del> REFER TO NO. 130											X		X			
145.	<del>Warehousing and storage facilities for farm equipment, produce and products</del> REFER TO NO. 130											X		X			
146.	<del>On-site lighting, landscaping, fences and buffers</del> REFER TO NO. 134													X			
147.	Solid waste and recycling facilities <u>as per §405-62A(33)</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

<sup>2</sup> Outdoor storage not permitted in R1, R2, R3, R4

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No.	Uses	Public	Agricultural	R1	R2	R3	R4	B1	B2	B3	GI	Ag Bus.	Eco-Ind.	Eco-Ag.	Town Ctr.	Office Park	Neighborhood Commercial
148.	<del>Public agency or government office buildings</del>														X		
149.	Parks, playgrounds, playfields and other public recreational facilities														X		
150.	<del>Roof-mounted solar panels, communication facilities</del>														X		X
151.	<del>Sidewalk café</del> REFER TO NO. 113.														X		
152.	Small-scale retail stores															X	
153.	Personal services															X	
154.	<del>Lighting, landscaping, fences and buffers</del> REFER TO NO. 134											X					
155.	<del>Solid waste and recycling facilities</del> REFER TO NO. 147											X					
156.																	
157.	<u>Auditoriums and stadiums (accessory to a school)</u>	X						X								X	
158.	<u>Parsonage</u>		X	X	X												
159.	<u>Cemeteries (accessory to a church)</u>		X	X													
160.	<u>Beekeeping apiary as per §405-41B(6)</u>	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X

**Color Key –**

Conditional Use Converted to Principal Use	Conditional Use w/ Increased Restrictions	Conditional Use Deleted	Conditional Use Converted to Accessory Use
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*E. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing Law, NJS 40A:12A-1 et seq., 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 Highway 77 Redevelopment Plan was adopted by Upper Deerfield Township in November 2005. This plan targets an area of approximately 1,000 acres in the south-central part of the Township adjacent to NJSH 77 between the Village of Seabrook and Carl's Corner. This redevelopment area contains few development constraints, abundant vacant land and infrastructure capacity capable of supporting the anticipated commercial and industrial development. In addition to ready access to the State Highway system this area also benefits by its proximity to the Seabrook Branch of the Winchester-Western Railroad. In terms of the State Development and Redevelopment Plan, the Redevelopment Area is located primarily within the Metropolitan and Suburban Planning Areas. The Township's redevelopment activities in conjunction with its policy of encouraging development in the most appropriate locations while preserving agriculture and open space are consistent with Smart Growth Principles. These Principles as noted below are encouraged by the NJDCA as a way of implementing the State Development and Redevelopment Plan.

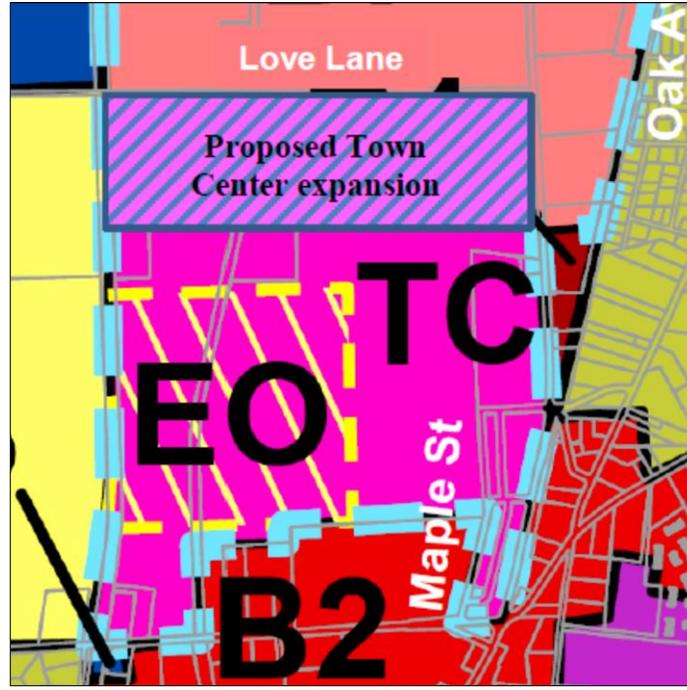
The Redevelopment Area is an important component of the Township's comprehensive development plan. As noted above, Township planners are keenly aware of the need for balanced growth. While maintaining the rural character is paramount, opportunities to enjoy other human pursuits should also be available. Proximity to educational, cultural and recreational facilities is critical to the wellness of residents. The Redevelopment Area, as an extension of the commercial node at Carl's Corner, provides an opportunity for commercial development that is compatible with the Township's vision. The Redevelopment Plan envisions a diverse mixture of uses within its Town Center, Office Park, Neighborhood Commercial, Eco-Industrial and Eco-Agricultural zones. An Entertainment Overlay and a Main Street concept provide additional interest within the Town Center. As adopted in 2005, the Redevelopment Plan's zones function as an overlay to the Township's zone plan. In addition to conventional zoning controls, the Plan also includes design guidelines to assure that new development is consistent in terms of scale and appearance with the Township's expectations for this area.

In an effort to improve the functionality of the Redevelopment Plan, the Plan should be revised to provide less specificity regarding acceptable development. Modifications to the land use plan and design guidelines that provide more generalized standards and controls are recommended. In addition, it is recommended that the Town Center Zone boundary be relocated to Love Lane as

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depicted on the following exhibit. Once these revisions have been completed, it is recommended that the Redevelopment Plan be adopted into the land use element of the Master Plan.

Map 2  
Redevelopment Area  
Revision to Town Center Zone Boundary



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**Appendix A**

**The Master Plan according to the “Municipal Land Use Law”**

**Preparation; contents; modification.** a. The planning board may prepare and, after public hearing, adopt or amend a master plan or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare.

b. The master plan shall generally comprise a report or statement and land use and development proposals, with maps, diagrams and text, presenting, at least the following elements (1) and (2) and, where appropriate, the following elements (3) through (16):

(1) A statement of objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based;

(2) A land use plan element (a) taking into account and stating its relationship to the statement provided for in paragraph (1) hereof, and other master plan elements provided for in paragraphs (3) through (14) hereof and natural conditions, including, but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain areas, marshes, and woodlands; (b) showing the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes; and stating the relationship thereof to the existing and any proposed zone plan and zoning ordinance; and (c) showing the existing and proposed location of any airports and the boundaries of any airport safety zones delineated pursuant to the "Air Safety and Zoning Act of 1983," P.L.1983, c.260 (C.6:1-80 et seq.); and (d) including a statement of the standards of population density and development intensity recommended for the municipality;

(3) A housing plan element pursuant to section 10 of P.L.1985, c.222 (C.52:27D-310), including, but not limited to, residential standards and proposals for the construction and improvement of housing;

(4) A circulation plan element showing the location and types of facilities for all modes of transportation required for the efficient movement of people and goods into, about, and through the municipality, taking into account the functional highway classification system of the Federal Highway Administration and the types, locations, conditions and availability of existing and proposed transportation facilities, including air, water, road and rail;

(5) A utility service plan element analyzing the need for and showing the future general location of water supply and distribution facilities, drainage and flood control facilities, sewerage and waste treatment, solid waste disposal and provision for other related utilities, and including any storm water management plan required pursuant to the provisions of P.L.1981, c.32 (C.40:55D-93 et al.). If a municipality prepares a utility service plan element as a condition for adopting a development transfer ordinance pursuant to subsection c. of section 4 of P.L.2004, c.2 (C.40:55D-140), the plan element shall address the provision of utilities in the receiving zone as provided thereunder;

(6) A community facilities plan element showing the existing and proposed location and type of educational or cultural facilities, historic sites, libraries, hospitals, firehouses, police stations and other related facilities, including their relation to the surrounding areas;

(7) A recreation plan element showing a comprehensive system of areas and public sites for recreation;

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(8) A conservation plan element providing for the preservation, conservation, and utilization of natural resources, including, to the extent appropriate, energy, open space, water supply, forests, soil, marshes, wetlands, harbors, rivers and other waters, fisheries, endangered or threatened species wildlife and other resources, and which systemically analyzes the impact of each other component and element of the master plan on the present and future preservation, conservation and utilization of those resources;

(9) An economic plan element considering all aspects of economic development and sustained economic vitality, including (a) a comparison of the types of employment expected to be provided by the economic development to be promoted with the characteristics of the labor pool resident in the municipality and nearby areas and (b) an analysis of the stability and diversity of the economic development to be promoted;

(10) An historic preservation plan element: (a) indicating the location and significance of historic sites and historic districts; (b) identifying the standards used to assess worthiness for historic site or district identification; and (c) analyzing the impact of each component and element of the master plan on the preservation of historic sites and districts;

(11) Appendices or separate reports containing the technical foundation for the master plan and its constituent elements;

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

(13) A farmland preservation plan element, which shall include: an inventory of farm properties and a map illustrating significant areas of agricultural land; a statement showing that municipal ordinances support and promote agriculture as a business; and a plan for preserving as much farmland as possible in the short term by leveraging moneys made available by P.L.1999, c.152 (C.13:8C-1 et al.) through a variety of mechanisms including, but not limited to, utilizing option agreements, installment purchases, and encouraging donations of permanent development easements;

(14) A development transfer plan element which sets forth the public purposes, the locations of sending and receiving zones and the technical details of a development transfer program based on the provisions of section 5 of P.L.2004, c.2 (C.40:55D-141);

(15) An educational facilities plan element which incorporates the purposes and goals of the "long-range facilities plan" required to be submitted to the Commissioner of Education by a school district pursuant to section 4 of P.L.2000, c.72 (C.18A:7G-4); and

(16) A green buildings and environmental sustainability plan element, which shall provide for, encourage, and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site; and optimize climatic conditions through site orientation and design.

c. The master plan and its plan elements may be divided into subplans and subplan elements projected according to periods of time or staging sequences.

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d. The master plan shall include a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located, (3) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," sections 1 through 12 of P.L.1985, c.398 (C.52:18A-196 et seq.) and (4) the district solid waste management plan required pursuant to the provisions of the "Solid Waste Management Act," P.L.1970, c.39 (C.13:1E-1 et seq.) of the county in which the municipality is located.