

**BOROUGH OF ROOSEVELT
PLANNING BOARD**

**REEXAMINATION REPORT
2007**

Adopted by: Roosevelt Borough Planning Board

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Prepared By:



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The original of this document has been signed and sealed in accordance with New Jersey Law.

REEXAMINATION REPORT

BOROUGH OF ROOSEVELT Monmouth County, New Jersey

2007

The New Jersey Municipal Land Use Law, N.J.S.A. 40:55D-89 et seq. requires that Municipal Planning Boards review municipal master plans and zoning and land development regulations for their municipalities at least once every six years.

The purpose of a Reexamination Report prepared in accordance with the Municipal Land Use Law is to periodically reexamine the master plan, zoning and land development regulations of a municipality to determine whether they continue to address the development goals and objectives of the municipality and to provide recommendations for changes that will address changes in development goals, the impact of development within the municipality and the impact of planning and development regulations by the County and State and, in the case of Roosevelt Borough, the Pinelands Commission. The Municipal Land Use Law requires that municipalities review the master plan and zoning and land development regulations in terms of the following:

- a. The major problems and objectives relating to land development in the municipality at the time of 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 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.
- 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 (N.J.S.A. 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.

Roosevelt Borough reexamined its Master Plan in 2000-2001. That effort culminated in the adoption of a new Master Plan on December 11, 2001. Subsequently, the Borough amended its Master Plan to include a new Housing Element on February 1, 2005 and a Stormwater Management Plan on March 8, 2005.

During the period 2000-2006, the Borough reexamined and amended the Borough Zoning Ordinance to implement the adopted 2001 Master Plan, to address State requirements for Affordable Housing and Stormwater Management, and other zoning and administrative amendments as follows:

ORDINANCE NUMBER	ADOPTION DATE	PURPOSE OF AMENDMENT
# 97-29	July 8, 2002	Wireless Telecommunication Towers and Antennas
# 97-30	March 8, 2004	Rezone I-80 Light Industrial Zoning District north of Oscar Drive to R/Ag-400 Residential/Agricultural-400
# 97-31	April 25, 2005	Revision to R/Ag-400 Zoning District
# 97-32	June 13, 2005	Establishment of new Stormwater Management Regulations
# 97-33	Sept., 2005	Not Adopted
# 97-34	October 10, 2005	Establishment of AH Affordable Housing Zoning District
# 97-35	March 13, 2006	Revisions to Stormwater Management Regulations
# 146.1	June 12, 2006	Addition of Two Alternate Members to the Planning Board

During 2002 and 2003, the Borough Planning Board also undertook a study of existing structures within the Borough to determine if there was a need for redevelopment of deteriorated and vacant structures. This resulted in a Redevelopment Plan that was adopted in September 2003 for five sites within the Borough.

The 2007 Reexamination of the Master Plan and Land Development Regulations was prepared in accordance with the statutory requirements of N.J.S.A. 40:55 as provided below.

A. THE MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF ADOPTION OF THE LAST REEXAMINATION REPORT.

The major problems identified by the Planning Board in the 1997 Master Plan related to the continuing efforts of the Borough in the restoration and preservation of Roosevelt Borough in accordance with the 1934-1937 Jersey Homesteads development plan and the designation of the entire Borough as a Historic District by the New Jersey and National Registers of Historic Places. The Master Plan identified several areas of the Borough for changes to implement the Historic District Plan. These included redesignation and restoration of the northern portion of the Borough to be preserved as an agricultural area; incorporation of the 109 acre Notterman Tract in the eastern portion of the Borough into the Borough Master Plan and Zoning Ordinance as an agricultural/conservation area; addressing the environmental remediation and disposition of an

abandoned gasoline service station site on Block 2 Lot 4.01 on North Rochdale Avenue for public use; creation of a “Conservation” land use classification for the protection of the remaining environmentally fragile open space areas within the Borough; preservation of the residential character of the historic village area and the abutting greenbelt areas along the tributaries of the Empty Box Brook extending through the central portion of the village development area, the Assunpink Brook tributaries in the southern portion of the Borough and tributaries of the Rocky Brook in the northern portion of the Borough; maintenance of the RC Residential Conservation area in the east central portion of the Borough; and revision of the I Industrial area north of Oscar Drive to Agricultural Residential. The Introduction to the 2001 Master Plan notes that “Roosevelt Borough is unique. Created as a new town from two square miles of farmland, its social origins are intertwined with the Great Depression of the 1930’s and President Franklin Roosevelt’s New Deal community program.” The Master Plan Goals and Objectives and the Land Use Plan were adopted to achieve the overall objective of preserving the character of the Borough in accordance with its designation as a National and State Historic District.

The Master Plan also identified issues pertaining to pedestrian access particularly relating to protection of environmentally sensitive features including the greenbelt which forms the environs of Roosevelt; discouraging the introduction of incompatible land uses; encouraging compatible commercial and office uses in the commercial area of the Borough; discouraging incompatible industrial uses; encouraging the rehabilitation of key historic structures; establishing design standards to encourage new development to be compatible with the style and scale of existing structures; and providing for pedestrian access and circulation while discouraging bicycle use in environmentally sensitive areas.

The Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA) requires consideration by Roosevelt regarding the impact of its Master Plan and development regulations on religious uses. RLUIPA prohibits municipalities from imposing land use regulations in a way that substantially burdens an applicant for a religious land use unless the law serves a compelling interest and is the least restrictive means of accomplishing that interest. Roosevelt is a unique municipality in that the entire municipality has been historically noted and preserved through State and National Historical Registers. RLUIPA also requires that municipalities treat religious uses on equal terms and on a non-discriminatory basis.

The historic residential areas within the R-40 Zone were originally designed as a planned community and have been preserved to maintain the character of the Jersey Homesteads “planned community”. Residential lots and homes are relatively small, which also encourage an interactive community and neighborliness. There is little question that the preservation of the plan and its spirit, including restricting intense uses within the R-40, serves a compelling public and historic interest in accordance with the State and National Historic Register designations of the Borough as a historic community. There is no other means of accomplishing these ends other than preserving the R-40 zone for single family residential development as it is now zoned.

Houses of worship and school uses are permitted in the R-40 district (Section 4.500), so long as the intensity of the use is consistent with the conditional use requirements for houses of worship

included in the Roosevelt Zoning Ordinance in Section 7.440. Dormitory use, which Roosevelt is not required to provide under the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), is not currently a permitted use in the R-40 or any other district in the Borough. One issue before Roosevelt is whether it can find a means of accommodating religious schools desiring dormitory uses within its boundaries consistent with the Master Plan and the historic designation of Roosevelt as “Jersey Homesteads” under the Federal and State Registers of Historic Places. While RLUIPA may not govern dormitory uses, Roosevelt can provide for dormitory use for private schools contiguous to and located on the same property as the private school within the R/Ag-400 Zone on sites large enough to accommodate a school, dormitory and related facilities without impairing the important National and State designated historic land use elements of the Borough’s Jersey Homestead residential and planned development heritage as provided for in the Borough Master Plan and Zoning Ordinance (Ordinance # 97).

Adequate protective buffers and other design standards shall be incorporated in the ordinance provisions to assure that the dormitory uses are compatible with the historic character of the Borough.

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

Roosevelt has worked diligently to address many of the issues and objectives in the 2001 Master Plan. The Borough changed its zoning to eliminate the industrial zoning north of Oscar Drive, adopted an updated Housing Plan and adopted an Affordable Housing zone for existing affordable housing in the Solar Village Senior Housing development and the creation of a new affordable housing zone on North Rochdale, supported property owners desiring to maintain their properties in the New Jersey Farmland Preservation Program in the northern part of the Borough, prepared a Redevelopment Planning Program that resulted in the rehabilitation and reconstruction of five vacant structures and prepared a comprehensive Stormwater Management Plan and Stormwater Management Regulations in accordance with New Jersey State Stormwater Management Guidelines. The Notterman Tract east of Valley Road was acquired by the State of New Jersey and incorporated into the Assunpink Wildlife Management Area extending along the southern portion of the Borough as noted in the Master Plan. The Borough subsequently rezoned the Notterman Tract from R-AG-400/PCD to R-Ag-400. The Borough acquired the former service station site (Block 2 Lot 4.01) on North Rochdale, initiated the required environmental cleanup, rezoned a portion of the property and made it available to non-profit organizations for use as an affordable housing site. In 2007, the County of Monmouth acquired Block 5 Lots 5, 8 and 9 consisting of 131 acres located north of Oscar Drive. This tract was proposed for development of more than 300 homes by the U.S. Home Company. U.S. Home had filed a Builder’s Remedy Lawsuit. After more than two years of litigation U.S. Home withdrew the lawsuit.

The Borough also updated several of the Borough Zoning Districts as noted previously. The Borough compiled a Land Subdivision and Site Plan Ordinance in 2005 in accordance with Ordinance 187 as amended. The Planning Board compiled and drafted a codified Borough Zoning

Ordinance in 2006 in accordance with Ordinance 97 adopted on May 23, 1979 and amended through June 12, 2006. The codified Zoning Ordinance is currently under study. The Borough Planning Board compiled recommended changes to the Zoning Ordinance including modified design standards, recommended residential parking regulations and application and review procedures.

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.

The Roosevelt Borough Master Plan adopted on December 11, 2001 and amended through 2005, continues to provide an overall guide to future development within the Borough. The Borough has continued its efforts to protect the integrity of the original New Jersey Homesteads design from the 1930's consistent with its State and National Historic Register designation. The Borough has continued to work with County, State and non-profit organizations to preserve the original agricultural areas of the original Jersey Homesteads development plan. The Borough has also developed on-going Geographic Information System (G.I.S.) mapping of environmental features including freshwater wetlands and 50 and 150 foot wetlands transition areas, Category One Stream protection areas (300 feet) and other natural features within the Borough.

Roosevelt Borough was the first municipality in the State to adopt and submit a Housing Plan in accordance with the New Jersey Council on Affordable Housing Round 3 Rules adopted on December 20, 2004. The Round 3 Rules are subject to revision as a result of the Appellate Court decision rendered on January 25, 2007. Such revisions may require the Borough to amend its Housing Plan and Fair Share Plan.

Roosevelt Borough participated in the 2004-2005 Cross Acceptance Program being conducted by the State Planning Commission. The State Planning Commission adopted its first State Development and Redevelopment Plan (SDRP) on June 12, 1992. An updated plan was adopted on March 1, 2001. The SDRP utilizes a state-wide process of "cross acceptance" in which the State Planning Commission coordinates proposed planning policies and development areas with state agencies, counties and municipalities. This program provides the Borough with the opportunity of recommending modifications to the State Plan to provide consistency between different levels of planning (state, regional, county and inter-municipal) and to provide for realistic development in appropriate areas within the Borough. Roosevelt Borough is participating in the 2004-2005 Cross-Acceptance Program. The Borough found that proposed State Planning Areas, existing parks and open space areas and recommended densities for residential development and intensity of non-

residential development within the Borough are consistent with Borough planning goals and objectives. Subsequent to the adoption of the Master Plan the County of Monmouth acquired the 131 acre Beer Tract (Block 5 Lots 5, 8 and 9) located north of Oscar Drive for public open space purposes in conjunction with acquisition of properties around the Perrineville Lake for a County Park.

D. THE SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN AND DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES AND STANDARDS, OR WHETHER A NEW PLAN OR REGULATIONS SHOULD BE PREPARED.

The Borough Master Plan was adopted in 2001. Several changes are recommended in the Master Plan to bring it into conformance with changes that have occurred in revisions to zoning regulations and district mapping, in the preservation of farmland tracts and from updated environmental constraints established by the NJDEP on February 2, 2004 resulting from the NJDEP designated 300 foot Special Water Resource Protection Areas along Category One Streams including areas along the Assunpink Creek, Empty Box Brook and Stony Brook in the Borough of Roosevelt. Standards for the designated protection areas were established by Administrative Order No. 2007-01 approved by Lisa Jackson, Commissioner, NJDEP on January 3, 2007.

The Housing Plan Element will require changes pending the results of new COAH Third Round Rules in accordance with the Appellate Court Decision on the COAH Third Round Growth Share Rules January 25, 2007 which is partially under appeal to the New Jersey Supreme Court. The Borough is continuing to work with non-profit organizations to establish affordable housing development within the Borough. The Housing Plan will be updated once the Round Three Rules are readopted and upon an agreement with a non-profit organization to provide one or more group homes to address the limited obligation of eight affordable housing units.

The Zoning Ordinance requires updating in terms of application, escrow, inspection and other fees; parking standards; modification of lot areas in the R-40 Residential Zone; revision to the definition, method of calculating and standards of building heights, especially in the historic R-40 Residential Zone; and updating of planning administration procedures. The Planning Board recommends the establishment of a Historical Preservation Commission and architectural design standards for the historic Jersey Homestead buildings within the R-40 Zone.

The Planning Board recommends that the R/Ag-400 Zone be amended to permit houses of worship, to permit public and private schools and athletic and recreation facilities ancillary to and located on the same parcel of such public and private schools as permitted uses, and to permit dormitories for private schools located on the same parcel of such schools as permitted uses on sites located within the R/Ag-400 Zone. The R/Ag-400 Zone requires a minimum of 10 acres which should provide adequate space for houses of worship, for public and private schools and for private schools with dormitories, for ancillary athletic and other outdoor recreation and open space facilities, on-site parking, on-site stormwater management, etc. It is recommended that a restriction be placed on the

athletic facilities to prohibit lighted fields and to limit placement of score boards at locations a minimum of 500 feet from any residential uses or public streets.

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.

The Planning Board undertook the identification and recommended five sites in the Borough to be in need of redevelopment in 2003. Subsequent to the adoption of the redevelopment plan by the Borough Council, one house has been rehabilitated by the owner, one house is in the process of being rehabilitated, and one house was demolished and the property was approved by the Planning Board for a new house (not yet built). The Borough has not prepared a plan for the redevelopment and/or reconstruction of the fifth site which is the former gasoline service station site on North Rochdale identified previously. This site is still in the process of being cleaned up in accordance with N.J.D.E.P. regulations.

The Planning Board finds that there no additional areas or specific sites in Roosevelt that require redevelopment in accordance with N.J.S.A. 40A:12A-1 et seq., the Local Redevelopment and Housing Law, at this time.