

Appendix A. Projections

Future Housing Units Based On Implementation of TDR

Year	Units			units added per year																	
	Total	Built	Remaining	Weatherby SFD	Weatherby TH	Weatherby Senior	Pending Development	Corridor Singles	Corridor Twins	Corridor Townhomes Etc.	Woolwich Adult-SFD	Woolwich Adult-Affordable	Auburn Rd Singles	Auburn Rd Twins	Auburn Rd Townhomes Etc.	RLM district	Above High Hill Road	Below High Hill Road			
2005	2,703																				
2006	2,991	288	=	165	30		93														
2007	3,285	294	=	161	40		93														
2008	3,588	303	=	170	40		93														
2009	3,955	367	=	189	40		138														
2010	4,341	386	=	186	40		139										21				
2011	4,740	399	=	199	40		139										21				
2012	5,434	694	=	38	40	50	139	13	125	105	100	10	16	20	17		21				
2013	6,130	696	=	40	40	50	139	13	125	105	100	10	16	20	17		21				
2014	6,830	700	=	173	51	50		13	125	105	100	10	16	20	16		21				
2015	7,530	700	=	162	50	50		13	125	106	100	10	16	20	16			8	24		
2016	8,230	700	=	188	25	50		12	125	106	100	10	16	20	16			8	24		
2017	8,930	700	=	177	35	50		12	125	106	100	10	16	20	16			8	25		
2018	9,632	702	=	155	55	50		12	125	106	100	11	17	21	16			9	25		
2019	10,329	697	=	175	30	50		12	125	106	100	11	17	21	16			9	25		
2020	10,642	313	=		30	50				106	100	11			16						
2021	10,875	233	=		25	50				106	25	11			16						
2022	11,022	147	=		25					106					16						
2023	11,169	147	=		25					106					16						
2024	11,316	147	=		25					106					16						
2025	11,447	131	=		25					106											
2026	11,578	131	=		25					106											
2027	11,709	131	=		25					106											
2028	11,825	116	=		10					106											
2029	11,931	106	=							106											
2030	12,037	106	=							106											
2031	12,143	106	=							106											
		9,440		2,178	771	500	973	100	1,000	2,117	925	104	130	162	210	105	42	123			

Weatherby	Units	Total	Built	Remaining
SFD		3,000	822	2,178
Townhouse		1,000	229	771
Senior		500	0	500
				3,449

1,026	# of units from 2000 census
225	2000 res building permits
259	2001 res building permits
342	2002 res building permits
200	2003 res building permits
514	2004 res building permits
387	2005 res building permits
2,953	units in 2000

Assumptions:

- The 322 corridor and the Auburn Road receiving areas will have the following unit total:
 - 322 corridor: 1617 townhomes, 1000 twins, 100 singles
 - Auburn Rd: 210 townhomes, 162 twins, 130 singles
- Woolwich Adult will have 925 single family active adult units and 104 affordable senior townhouse
- Weatherby will be built out described in the Summit Ventures General Development Plan
- 3,000 single family detached units
- 1,000 townhouses
- 500 age restricted "senior" units
- Pending Development applications having at least Preliminary approval were included
- Parcels outside of Both The sending and receiving areas were located above and below high Hill Road and are listed as such above. Units for these parcels were projected according to current zoning and soil capacities.

Population Based On TDR Housing Projection

NJ DOL 2005 Population Estimate, 7/1/05

RLM Estimated Units	
105 septic units from 2010-2014	
3.35 persons per unit	
351.75 persons	
/ 5 years	
70.35 persons per year from 2010 - 2014	

Year	Persons		=	Persons Added						
	Year	Added Per		Weatherby	Pending Development	Receiving Areas/WWA	RLM district	Above High Hill Road	Below High Hill Road	
2005	7,563									
2006	8,479	916	=	604	312	0				
2007	9,399	920	=	608	312	0				
2008	10,348	950	=	638	312	0				
2009	11,513	1,164	=	702	462	0				
2010	12,741	1,228	=	692	466	0	70			
2011	14,012	1,271	=	735	466	0	70			
2012	15,803	1,790	=	282	466	972	70			
2013	17,600	1,797	=	289	466	972	70			
2014	19,394	1,794	=	753	0	971	70			
2015	21,188	1,794	=	715	0	972		27	80	
2016	23,023	1,835	=	759	0	969		27	80	
2017	24,842	1,819	=	739	0	969		27	84	
2018	26,632	1,790	=	700	0	976		30	84	
2019	28,446	1,814	=	724	0	976		30	84	
2020	29,147	701	=	138	0	564				
2021	29,589	442	=	129	0	313				
2022	29,842	253	=	43	0	210				
2023	30,095	253	=	43	0	210				
2024	30,348	253	=	43	0	210				
2025	30,573	225	=	43	0	182				
2026	30,798	225	=	43	0	182				
2027	31,023	225	=	43	0	182				
2028	31,223	200	=	17	0	182				
2029	31,405	182	=	0	0	182				
2030	31,588	182	=	0	0	182				
2031	31,770	182	=	0	0	182				
				24,207	9,482	3,260	10,560	352	141	412

Summit Ventures Estimates					
Final Weatherby population at buildout from GDP					13,628
	Units Built Now	Unit Type	Census Multipliers	Calculated # of persons	
	229	Townhouse	1.72	394	
	822	SFD	3.35	2,754	
				3,148	people already in Weatherby
				13,628 - 3,148 =	10,480 left to grow
				/12	divide by 12 years
				873	Persons to be added per year from 2006-2017

Rt 322 Receiving Area	Multiplier	Persons
100 SFD	3.35	335
1000 Twins	2.16	2,160
1617 Townhouses	1.72	2,781
500 Units above retail/office	1.72	860
925 SF Senior Affordable	1.72	1,591
104 Senior	1.72	179
4,246		7,906

Build Out of R3 District Parcels Above High Hill Road(1)			
260.94	acres open in R3		
-52.188	20% for infrastructure/environmental constraint		
208.75	acres developable		
41.75	new units		
3.35	persons per unit		
140	persons		

Auburn Road Receiving Area		
130	SFD	3.35
162	Twins	2.16
210	Townhouses	1.72
502		
		1,147

70.5	acres of R-3 vacant / farmland
14.1	-20%
56.4	acres of developable land
123	units at 1 unit per 20,000 sq ft
3.35	persons per SFD unit
412	persons
206	persons per year over 2 years

Employment Projections Based On Commercial Construction Projections Under TDR

	Jobs Added	Cumulative Jobs	Sq Ft Added	Office Added	Retail Added	Restaurant Added	Warehouse Added
2005		1,165					
2006	101	1,266	50,554	25,000	25,554	0	0
2007	101	1,366	50,554	25,000	25,554	0	0
2008	14	1,380	13,535	0	13,535	0	0
2009	24	1,403	23,535	0	23,535	0	0
2010	24	1,427	23,535	0	23,535	0	0
2011	139	1,565	61,868	33,333	23,535	5,000	0
2012	249	1,814	171,869	33,333	133,536	5,000	0
2013	249	2,062	171,870	33,334	133,536	5,000	0
2014	201	2,264	153,415	20,915	129,512	2,988	0
2015	331	2,594	196,941	64,590	117,599	5,929	8,823
2016	243	2,838	157,062	43,675	101,623	2,941	8,823
2017	243	3,081	157,062	43,675	101,623	2,941	8,823
2018	243	3,324	157,062	43,675	101,623	2,941	8,823
2019	230	3,554	143,526	43,675	88,087	2,941	8,823
2020	230	3,784	143,526	43,675	88,087	2,941	8,823
2021	230	4,013	143,526	43,675	88,087	2,941	8,823
2022	240	4,253	153,526	43,675	98,087	2,941	8,823
2023	230	4,483	143,529	43,676	88,088	2,941	8,824
2024	230	4,712	143,531	43,678	88,088	2,941	8,824
2025	230	4,942	143,532	43,678	88,089	2,941	8,824
2026	230	5,172	143,532	43,678	88,089	2,941	8,824
2027	230	5,402	143,533	43,678	88,090	2,941	8,824
2028	230	5,631	143,533	43,678	88,090	2,941	8,824
2029	230	5,861	143,534	43,678	88,090	2,942	8,824
2030	230	6,091	143,534	43,678	88,090	2,942	8,824
2031	230	6,320	143,534	43,678	88,090	2,942	8,824
TOTAL	5,155	6,320	3,264,758	934,330	2,109,452	70,976	150,000
				3,264,758			

ASSUMPTIONS:

- Jobs added each year were calculated based on the COAH formulas for estimating job growth based on square footage of nonresidential development:
 Use Group B (Office) = 3 jobs per 1,000 square feet;
 Use Group M (Retail) = 1 job per 1,000 square feet;
 Use Group A2 (Restaurant) = 3 jobs per 1,000 square feet;
 Use Group S (Warehouse) = 0.2 jobs per 1,000 square feet
 Use Group R1 (Hotel) = 0.8 jobs per 1,000 square feet

- The numbers shown for nonresidential development are a composite of estimates for the following general categories: commercial construction as reported in the Woolwich Housing Element Fair Share plan, Route 322 Corridor Receiving area, a developable area at the west end of Rt 322 just beyond the edge of the regional center, the Auburn Road Village Receiving Area, Woolwich Adult commercial construction, and Weatherby commercial construction.

- The Woolwich Housing Element and Fair Share Plan reports estimates of commercial growth through 2013. Some of the growth shown for 2014 and 2015 is an average of all development from 2006-2013 split as follows for each year: Office 70%, Retail 20%, Restaurant 10%.

- Weatherby estimates were based on the General Development Plan agreement for 250,000 square feet of commercial development. 50,000 square feet of office space will be built in the Lexington Mews Development and is already included in the Fair Share Plan estimate. The remainder is assumed to be retail. Development is spread evenly over 17 years.

- No commercial development in Woolwich Adult and the two Receiving areas will begin until public sanitary sewer comes online in 2012.

-Growth in Woolwich Adult, and the two receiving areas will take place mostly after 2014 as a critical mass of residential development arrives. One exception to this rule is that 300,000 square feet of retail space is expected to be built in Woolwich Adult between 2012-2014. This earlier development can take place because Woolwich Adult is a regionally-oriented commercial center. The other exception is 50,000 square feet of retail will begin to come online with the introduction of sewers in 2012.

-Woolwich Adult is expected to develop approximately 1,700,000 square feet by 2031. Concept plans show 2.7 million square feet of commercial development at build out. The remainder of this amount (1 million square feet) is assumed to take place at the same rate of growth after 2031 until build out is reached. Also, 100,000 square feet of office space and 50,000 sq ft of retail space in Weatherby is already accounted for in the Fair Share Plan section.

-The area within the Regional Center around Paulsboro Road is expected to have 250,000 square feet of commercial development from 2015-2031 with 75% of this assumed to be retail and 25% assumed to be office.

-The Route 322 Receiving area is expected to have by 2031: 190,000 square feet of office space, 150,000 square feet of retail, and 150,000 square feet of warehouse space.

-As the overall commercial development in the Regional Center combined with the space left for warehousing at the west end of Route 322 (Woolwich Adult + Paulsboro Road + Rt 322 corridor + warehouse space at west end) is projected to be 7 million square feet, it is assumed that any development remaining to reach this threshold will take place after 2031 in this area until build out is reached.

- 227,500 square feet of office and 97,500 square feet of retail are projected to be on the 1st floor of flats fronting on Route 322.

School Aged Children Generated Projection Under TDR Implementation

School Age Children Generated Projections

Existing Zoning

Unit Type	Total Number of Units	Market Rate Units	Market Rate Multiplier	Market Rate School Age Children	COAH School Age Children	TOTAL Children
SFD 3brm	1,500	1,333	0.423	564		
SFD 4brm	1,500	1,333	0.892	1,189		
Attached 2 brm	350	311	0.081	25		
Attached 3 brm	550	489	0.244	119		
Attached 4 brm	100	89	0.449	40	155	
RLM	105	93	0.892	83		
R1	31	28	0.892	25		
R2	217	193	0.892	172		
R3	77	68	0.892	61		
5A	8	7	0.892	6	17	
Existing*				1,461		
Pending applications (besides Weatherby)	837		0.892	747		
Sending District	1,283	1,140	0.892	1,017	50	
	6,558			5,510	222	5,732

* Per public school district, 2005

TDR Zoning

Unit Type	Total Number of Units	Market Rate Units	Market Rate Multiplier	Market Rate School Age Children	COAH School Age Children	TOTAL Children
SFD 3brm	1,500	1,333	0.423	564		
SFD 4brm	1,500	1,333	0.892	1,189		
Attached 2 brm	350	311	0.081	25		
Attached 3 brm	550	489	0.244	119		
Attached 4 brm	100	89	0.449	40	155	
RLM	105	93	0.892	83		
R1	31	28	0.892	25		
R2	217	193	0.892	172		
R3	65	58	0.892	52		
5A	8	7	0.892	6	17	
Existing*				1,461		
Pending applications (besides Weatherby)	837		0.892	747		
Receiving Areas- Non Senior Units	3,718		(see below)	875	144	
	8,981			5,359	317	5,675

Unit Type	Unit Label in Rutgers Guide	Multiplier
SFD (general)	SFD 4-5 bedroom (above median value homes)	0.892
SFD 3 bdrm	SFD 3 bedroom (above median value homes)	0.423
SFD 4 bdrm	SFD 4-5 bedroom (above median value homes)	0.892
SF Attached 2 bdrm	SFA 2 bedroom (above median value homes)	0.081
SF Attached 3 bdrm	SFA 3 bedroom (above median value homes)	0.244
SF Attached 4 bdrm	SFA 4-5 bedroom (above median value homes)	0.449
Twins 3 bdrm	SFA 3 bedroom (above median value homes)	0.244
Twins 4 bdrm	SFA 4-5 bedroom (above median value homes)	0.449
Townhouses-3bdrm	SFA 3 bedroom (above median value homes)	0.244
Flats 2bdrm	5+ units, own 2 bedroom (above median value homes)	0.092
Flats 3bdrm	5+ units, own 3 bedroom (above median value homes)	0.283
Condo/Apt 1 bdrm	5+ units, own 0-1 bedroom (above median value homes)	0.051
Condo/Apt 2 bdrm	5+ units, own 2 bedroom (above median value homes)	0.092
COAH Flats 2bdrm	5+ units, own 2 bdrm (below median value homes)	0.101
COAH Flats 3bdrm	5+ units, own 3 bdrm (below median value homes)	0.598

Assumptions

- The "Multipliers Table" above demonstrates the different unit types considered in the analysis, and the corresponding label that was used in the Rutgers Guide entitled "Who Lives in New Jersey?: A Quick Guide to New Jersey Residential Demographic Multipliers", written by David Listokin. All multipliers refer to school age children (k-12) that attend public schools.
- Orange cells are unit breakdowns as listed in the Weatherby GDP. These are the same in both scenarios.
- Light blue rows refer to the parcels in those zones which are above the minimum lot size and which are not in any of the following: the sending area, pending development apps, preserved land, Weatherby
- Estimates for the light blue rows were performed using the same method used to calculate TDR credits, this method is based on soil suitability and zoning. These numbers are only slightly different
- in the TDR scenario as several parcels in the R3 zoned will be rezoned.
- Existing development and Pending Development applications besides Weatherby having at least preliminary approval are also the same for both scenarios.
- The pink row refers to the soil based calculations for development in those parcels that will be designated the sending district. This only applies to the existing scenario as no development is assumed in these areas under the TDR scenario. The number of units in this area is calculated based on a soil capacity formula.
- The green row refers to the units that will be in the two receiving areas. The breakdown of these units is shown in the "Receiving Area Calculations" table. These units refer only to development under the TDR scenario.
- Where bedroom counts were not specified for single family detached units, the single family detached 4-5 bedroom multiplier was used. It was assumed that 40% of the COAH units constructed would be flats with 2 bedrooms and 60% would be flats with 3 bedrooms.
- All market rate units are assumed to be above median value homes.
- COAH obligation is assumed to be 11.11% of all future residential units constructed as dictated by the current Round 3 COAH rules. However, future COAH rule changes may alter the number or proportion of affordable units required.
- It should be noted that previous/existing COAH obligation is not accounted for here.
- It is assumed that the COAH obligation is met without the use of age-restricted affordable units. If age-restricted units were the means to address some of the future obligation, the number of school children generated would be reduced.
- COAH projections used do not factor in the potential for affordable housing credits based on rental units.
- Projections do not account for additional affordable housing obligations that would be generated by commercial development. may alter the number or proportion of affordable units required.
- It should be noted that previous/existing COAH obligation is not accounted for here.
- It is assumed that the COAH obligation is met without the use of age-restricted affordable units. If age-restricted units were the means to address some of the future obligation, the number of school children generated would be reduced.
- COAH projections used do not factor in the potential for affordable housing credits based on rental units.
- Projections do not account for additional affordable housing obligations that would be generated by commercial development.

Appendix B. Sending Zone Parcels & Credit Calculations

			SENDING ZONE PAR- CELS & CREDIT CALCULA- TIONS								
				SOIL CON- STRAINTS							
R-1 Zoning District	Block	Lot	2006 Net Acres After Applying Infrastructure Factor	Slight	Mod- erate	Sev- er	Yield Units Based on Pre-TDR Zoning	TDR Cred- its Using Soils- based For- mula	Rounded credits (down to the near- est 1/4 credit)		
	14.00	28.00	13	11.44	5.992	0	5.448	6	3.15	3.00	3B, QFARM
	14.00	29.00	5.32	4.68	0.46	0	4.22	2	0.35	0.25	3B, QFARM
	14.00	30.00	16.75	14.74	4.685	0	9.693	7	2.61	2.50	3B, QFARM
	31.00	3.01	50.06	44.05	34.69	0	9.36	22	17.60	17.50	Class 3A
	31.00	4.00	61.71	54.30	33.05	2.17	19.08	27	17.54	17.50	Class 4A
	31.01	12.00	14.81	13.03	4.87	0	9.65	7	2.70	2.50	Class 4A
	38.00	4.00	66.38	58.41	33.715	19.5	5.171	29	21.39	21.25	3B, QFARM
	38.00	5.00	11.45	10.08	6.21	0.00	4.36	5	3.23	3.00	3B, QFARM
	39.00	1.00	10.08	8.87	8.54	0.00	0.51	4	4.28	4.25	3B, QFARM
	39.00	2.00	13.54	11.92	10.30	0.00	1.61	6	5.19	5.00	3B, QFARM
	39.00	3.00	12.82	11.28	9.09	0.00	1.74	6	4.59	4.50	3B, QFARM
	39.00	4.00	15.48	13.62	13.20	0.00	0.00	7	6.60	6.50	3B, QFARM
	39.00	5.00	19	16.72	16.72	0.00	0.00	8	8.36	8.25	3B, QFARM
	40.00	9.00	10.17	8.95	5.32	0.00	4.34	4	Preliminary Ap- proval for 21 units (Lots 9-11)		3B, QFARM
	40.00	10.00	37.3	32.82	8.60	0.00	28.22	16			3B, QFARM
	40.00	11.00	4.65	4.09	2.77	0.00	9.06	2			3B, QFARM
	40.00	12.00	25.36	22.32	8.65	0.00	13.67	11	4.70	4.50	Class 4A
	40.00	14.00	69.59	61.24	30.95	0.00	30.29	31	16.32	16.25	Class 4A
	41.00	1.00	46.73	41.12	32.35	0.00	7.54	21	16.39	16.25	3B, QFARM
	41.00	8.00	42.65	37.53	17.38	0.00	21.14	19	9.28	9.25	3B, QFARM

42.00	2.00	34.10	30.01	24.31	4.85	2.01	15	13.30	13.25	3B, QFARM
R-1				SOIL CON- STRAINTS						
BLOCK	LOT	2006	NET ACRES*	SLIGHT	MOD- ERATE	SE- VERE	YIELD UNITS	TDR Cred- its	Rounded credits	
42.00	2.03	15.92	14.01	9.71	4.39	0.22	7	5.85	5.75	3B, QFARM
43.00	10.00	37.39	32.90	16.61	0.00	16.29	16	8.76	8.75	3B, QFARM
43.00	3.00	15.12	13.31	0.00	0.00	13.11	7	0.36	0.25	3B, QFARM
43.00	5.00	9.64	8.48	1.25	0.00	7.81	4	0.84	0.75	3B, QFARM
43.00	13.00		111.58	14.79	0.00		56	Prelim Approval together for 59 units		3B, QFARM
43.00	14.00	1.00	0.88	0.76	0.00	1.72	0			3A
44.00	7.00	55.12	48.51	38.40	8.69	1.43	24	21.19	21.00	3B, QFARM
44.00	8.00	62.26	54.79	43.35	3.94	7.50	27	Approved togeth- er for 38 units		3B, QFARM
44.00	8.02	31.89	28.06	17.21	10.85	0.00	14			3B, QFARM
46.00	3.01	77.61	68.30	11.44	16.23	40.27	34	10.49	10.25	3B, QFARM
46.00	6.00	30.43	26.78	0.00	0.11	26.67	13	0.77	0.75	3B, QFARM
46.00	8.00	26.09	22.96	5.14	0.00	17.82	11	3.07	3.00	Class 2
46.00	9.00	17.67	15.55	5.81	0.00	11.46	8	3.22	3.00	3B, QFARM
46.00	9.01	16.33	14.37	5.19	3.39	7.70	7	3.57	3.50	3B, QFARM
46.00	11	40.39	35.54	31.42	1.82	2.80	18	16.19	16.00	3B, QFARM
46.00	12	5.42	4.77	3.56	0.00	2.63	2	1.85	1.75	3B, QFARM
46.00	12.01	17.47	15.374	13.34	0.00	3.51	8	6.77	6.75	3B, QFARM
47.00	2	27.61	24.30	18.42	5.88	0.00	12	10.53	10.50	3B, QFARM
47.00	2.01	10.89	9.58	9.58	0.00	0.00	5	4.79	4.75	3B, QFARM
47.00	4	28.71	25.26	16.47	1.14	7.65	13	8.70	8.50	3B, QFARM
47.00	5.02	26.52	23.34	3.79	22.11	0.00	12	6.87	6.75	3B, QFARM
47.00	5.03	12.62	11.11	10.69	1.89	0.00	6	5.77	5.75	3B, QFARM
47.00	5.04	8.87	7.81	7.19	2.07	0.00	4	4.06	4.00	3B, QFARM

R-1				SOIL CON- STRAINTS							
BLOCK	LOT	2006	NET ACRES*	SLIGHT	MOD- ERATE	SE- VERE	YIELD UNITS	TDR Cred- its	Rounded credits		
48.00	1.00	28.00	24.64	6.22	0	18.42	12	3.62	3.50	3A	
48.00	9.01		9.52	5.08	0	4.45	5	2.66	2.50	3B, QFARM	
48.00	10	10.03	8.83	4.71	0.00	4.125	4	2.47	2.25	3B, QFARM	
48.00	4.01	47.45	41.76	35.80	8.66	0.11	21	19.85	19.75	3B, QFARM	
49.00	2.00	60.93	53.62	46.46	0.01	13.4	27	Approved togeth- er for 40 units		3B, QFARM	
50.00	2.00	20.60	18.13	10.95	0.00		9			3B, QFARM	
50.00	4	14.56	12.81	1.02	0.94		6	1.02	1.00	3B, QFARM	
55.00	1	79.30	69.78	30.76	17.62	22.41	35	19.97	19.75	3B, QFARM	
55.00	3	17.8	15.66	15.66	0.00	0.00	8	7.83	7.75	3B, QFARM	
55.00	4.01	15.54	13.68	3.27	4.98	5.44	7	2.91	2.75	3B, QFARM	
55.00	4.02	9.00	7.92	7.92	0	0.00	4	3.96	3.75	3B, QFARM	
55.00	7.00	69.38	61.05	35.20	0	25.86	31	18.32	18.25	3B, QFARM	
56.00	1.00		95.44	30.01	7.14	59.24	48	18.25	18.25	3B, QFARM	
56.00	3	25.73	22.64	8.90	0.00	13.74	11	4.83	4.75	3B, QFARM	
R-1 TOTAL		1800	1584	838	148	654	792	386.95	373.00		
R-2 Zoning District				SOIL CON- STRAINTS							
BLOCK	LOT	2006	NET ACRES*	SLIGHT	MOD- ERATE	SE- VERE	YIELD UNITS	TDR Cred- its	Rounded credits		
1.00	3		108.24	82.61	0.00	22.94	71	55.92	55.75	3B, QFARM	
1.00	4.00		123.20	79.97	0.00	43.03	81	51.31	51.25	3B, QFARM	
1.00	5.01	28.02	24.66	22.72	0.00	6.02	16	15.37	15.25	3B, QFARM	
1.00	6.00		155.72	66.10	0.00	89.62	103	47.39	47.25	3B, QFARM	
1.00	8		113.17	45.77	1.08	62.29	75	33.14	33.00	3B, QFARM	
1.00	11.00	10.5	9.24	3.86	4.32	1.51	6	3.93	3.75	3B, QFARM	

2.00	10	79.00	69.52	50.97	5.39	11.95	46	36.04	36.00	3B, QFARM
2.00	11	12.00	10.56	7.76	2.8	0	7	6.01	6.00	3B, QFARM
2.00	12	95.2	83.78	38.06	37.49		55	37.30	37.25	3B, QFARM
2.00	13	82.50	72.60	42.44	0.00	30.56	48	29.43	29.25	3B, QFARM
2.00	14	15.86	13.96	8.96	0.00	5.28	9	6.17	6.00	3B, QFARM
2.00	15	68.55	60.32	26.95	0.00	29.72	40	19.07	19.00	3B, QFARM
2.00	16.00	46.20	40.66	29.00	0.00	11.65	27	19.76	19.75	3B, QFARM
2.00	18.00	33.27	29.28	10.45	0.00	18.83	19	7.66	7.50	3B, QFARM
2.00	23	55.38	48.73	21.34	0.00	27.87	32	15.26	15.25	3B, QFARM
R-2				SOIL CON- STRAINTS						
BLOCK	LOT	2006	NET ACRES*	SLIGHT	MOD- ERATE	SE- VERE	YIELD UNITS	TDR Credits	Rounded credits	
11.00	1	34.46	30.32	0.34	28.15	0.704	20	8.70	8.50	3B, QFARM
12.00	6	47	41.36	39.05	1.88	0.318	27	26.61	26.50	3B, QFARM
13.00	2.02	11.96	10.52	8.86	0.83	0.825	7	6.19	6.00	3B, QFARM
13.00	3	20.00	17.60	13.90	0.00	3.22	12	9.39	9.25	3B, QFARM
13.00	4	17.66	15.54	12.97	0.00	1.744	10	8.71	8.50	3B, QFARM
13.00	5	7.96	7.00	7.00	0.00	0	5	4.67	4.50	3B, QFARM
14.00	13	79.00	69.52	47.66	0.00	24.02	46	32.66	32.50	3B, QFARM
14.00	5	6.28	5.53	5.53	0.00	0.00	4	3.69	3.50	3B, QFARM
14.00	5.01	32.82	28.88	23.31	0	5.57	19	15.75	15.75	3B, QFARM
14.00	5.03	4.29	3.78	3.78	0	0.00	2	2.52	2.50	3B, QFARM
14.00	6.02		13.57	13.52	0	0.06	9	9.01	9.00	3B, QFARM
14.00	9.00	7.65	6.73	6.73	0	0.00	4	4.49	4.25	3B, QFARM
14.00	12.00	60.17	52.95	42.14	0	14.31	35	Approved for 30 units		3B, QFARM
17.00	6	60.25	53.02	30.48	0.00	24.36	35	21.22	21.00	3B, QFARM
19.00	1	31.00	27.28	3.44	0.00	23.84	18	3.18	3.00	3B, QFARM
19.00	2	7.49	6.59	3.00	0.00	4.50	4	2.17	2.00	3B, QFARM
19.00	4.00	34.80	30.62	9.04	0.00	21.58	20	6.83	6.50	3B, QFARM
R-2				SOIL CON- STRAINTS						
BLOCK	LOT	2006	NET ACRES*	SLIGHT	MOD- ERATE	SE- VERE	YIELD UNITS	TDR Credits	Rounded credits	
20.00	1	32.82	28.88	3.66	0.00	25.22	19	3.37	3.25	3B, QFARM
20.00	3	16.00	14.08	2.63	0.00	12.33	9	2.21	2.00	3B, QFARM
20.00	4	42.70	37.58	21.95	0.00	16.63	25	15.25	15.25	3B, QFARM
20.00	6	23.00	20.24	9.48	0.00	10.76	13	6.72	6.50	3B, QFARM
21.00	1	46.20	40.66	35.11	0.00	5.09	27	23.60	23.50	3B, QFARM
21.00	2.00	13.00	11.44	1.32	0.00	8.54	8	1.20	1.00	Class 1
21.00	3	15.30	13.46	11.20	0.00	3.023	9	7.58	7.50	3B, QFARM
21.00	4	55.60	48.93	35.97	0.00	13.13	32	24.47	24.25	3B, QFARM
21.00	5	13.00	11.44	8.35	0	3.09	8	5.68	5.50	3B, QFARM
24.00	2	23.62	20.79	5.69	5.79	8.77	14	5.86	5.75	3B, QFARM
24.00	4.14	10.09	8.88	1.60	0.09	7.19	6	1.36	1.25	Class 1
28.00	1.00	41.62	36.63	14.25	19.01	3.33	24	15.33	15.25	3B, QFARM

Appendix C. Receiving Zone Parcels

US 322 CORRIDOR RECEIVING ZONE								
Subsection: Woolwich New Town								
Block	Lot	Total Parcel Acreage		Block	Lot	Total Parcel Acreage		
10	2	2.4		14	5.01	1		
10	3	3.0		14	5.01	32.82		
10	3	22.13		14	5.02	1.16		
10	4	30.64		15	2	1		
10	5	N/A		15	2	10.6		
10	5	20.69		15	3	1.325		
10	5.01	6		15	3.01	1		
10	5.02	1		15	3.02	1		
10	5.03	3.68		16	1	1		
10	6	1.199		16	2	0.5		
10	6.01	3.097		16	4	1.93		
10	7	0.51		16	4.01	0.93		
11	6	5		16	5	19		
11	6.01	1.0		57	1			
11	6.01	5.19		57	2	1.6		
11	6.02	1.854		57	2.01	1		
11	7	2.09		57	3	28.86		
11	8	1		57	3.01	8.09		
12	1	1.04		57	3.02	1.5		
12	2	18		6	5	70.26		
12	3	40.3		6	6	1		
12	3.01	1		6	6	96		
12	3.02	1		7	4	1		
12	4.01	1		7	4	5.074		
14	1.01	3.374		7	4.01	23.863		
14	1.02	3.23		7	4.02	4.254		
14	1.03	1.308		7	5	1		
14	1.04	1.67		7	5	76.61		
14	1.05	1.85		7	5.01	1.99		
14	1.06	1.81		8	1	2		
14	1.07	1.48		8	10	0.4		
14	1.08	1.55		8	2	4.01		
14	1.09	2.91		8	3.01	0.38		
14	1.10	1.44		8	4	0.17		
14	1.11	1.92		8	5	0.38		
14	1.12	2.91		8	6	0.11		
14	14	10		8	7	0.27		

14	15	5		8	8	0.15		
14	15.01	0.74		8	9	3.88		
14	16	2.3		9	1	1.03		
14	17	1		9	2	1		
14	17	53		9	3	1.52		
14	2	33.17		9	4	3		
14	3	69.5		9	5	5.5		
14	3.01	1.08		9	5.01	1		
14	3.02	1.26		9	6	3.5		
US 322 CORRIDOR RECEIVING ZONE								
Subsection: East of Turnpike Receiving Zone								
Block	Lot	Total Parcel Acreage						
59	5	1						
59	6	1						
59	6.01	6.13						
59	6.02	7						
59	7	1.269						
59	7	5						
59	8	1						
59	8	41.5						
59	10	12.2						
62	1	7.1						
62	2	17.4						
62	3	1.2						
AUBURN ROAD RECEIVING ZONE								
Block	Lot	Total Parcel Acreage						
2	9	125						

Appendix D. Natural Resources Report for US Rt 322 Corridor Receiving Zone

INTRODUCTION

This report documents select environmental resources and conditions in the US 322 Corridor Receiving Zone and Auburn Road Receiving Zone.

I. US 322 CORRIDOR RECEIVING ZONE – WOOLWICH TOWN CENTER

Investigation of resource concerns was limited to Woolwich Town Center, the larger of the two non-contiguous portions of the US 322 Corridor Receiving Zone. This 646.5 acre tract was the subject of extensive discussion with the New Jersey Department of Environmental Protection to ensure that adequate protection of wetlands and bald eagle habitat would be accomplished. NJDEP also flagged an area of concern south of the tract where stormwater basins are planned. This area contains wetlands and bald eagle habitat. As such, this report addresses said location as well.

WETLANDS

According to NJDEP Wetland mapping for Gloucester County, there are a total of 119.48 acres of wetlands within the development grid (including the area to the south of the grid bound by Raccoon Creek) out of a total of 665.4 acres, which equates to roughly 18% of the total area.

The wetlands on site primarily fall into two categories:

- 1) Naturally occurring features that have developed over time along stream corridors; or
- 2) Man-made features that have been created over time for agricultural drainage purposes.

There are two areas of tidal wetlands on site which, if encroached upon as a result of development, will require Waterfront Development permits.

Eight locations within the grid were examined in the field in detail to determine how many acres of wetlands, if any, would need to be filled in association with road crossing permits, isolated wetland fill permits, outfall permits, etc. Each of these eight locations is described in detail on the following pages and locations are shown below.

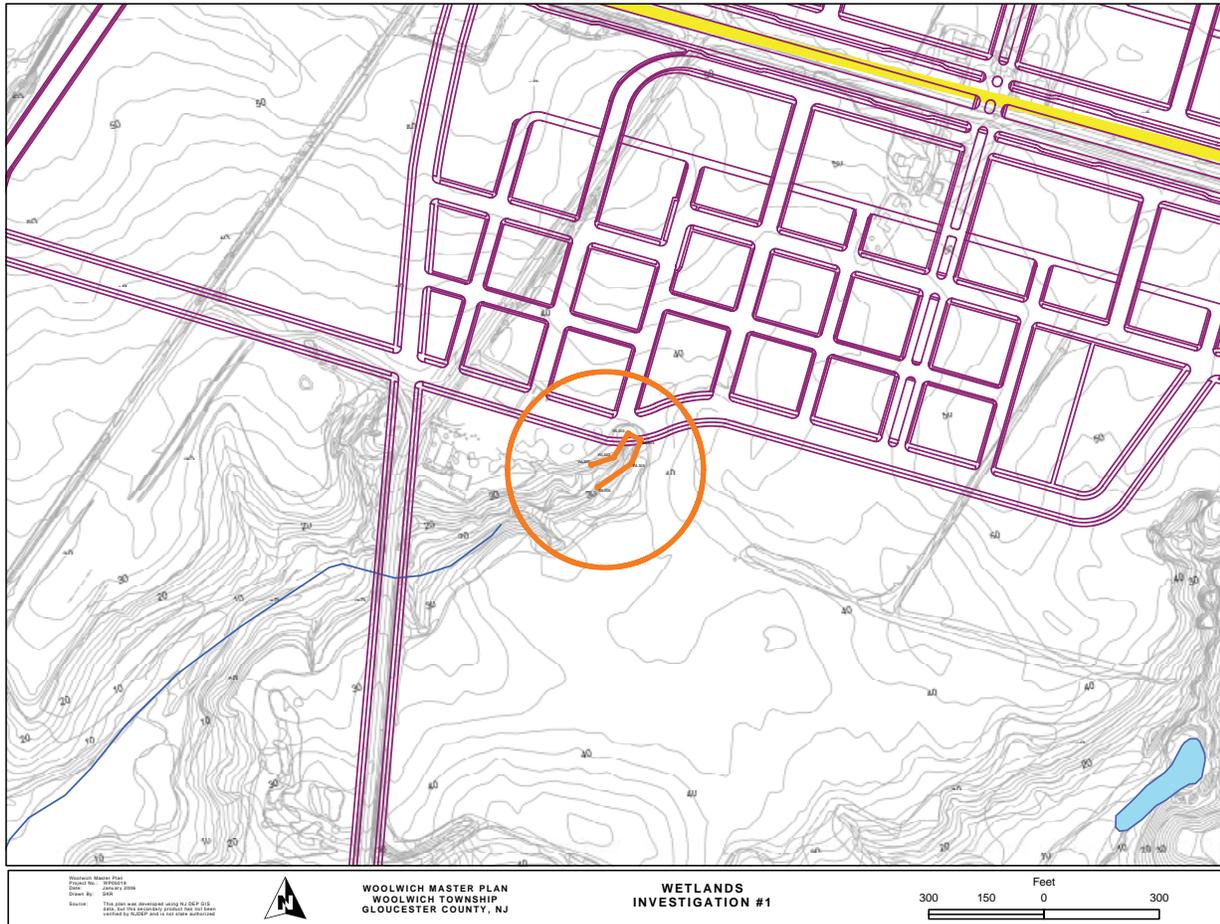


LOCATION #1

State Plane Coordinates: 263,240.33 E; 338,714.92 N

This area is located at the tip of an unnamed tributary of the Raccoon Creek. The area of the identified wetlands is dry ditch with an infrequent, intermittent flow. It is located within a mature hardwood forest which contains a broad mix of species, both wetland and non-wetland species. Southwest of the identified area the wetlands include a relatively narrow, wetland flood plain associated with the ditch. The ditch is identified as a blue line stream approximately 300 feet southwest of the identified wetland boundary.

The majority of the area where this feature extends into the development grid is planned green space and will therefore be accommodated by our design. However, the tip of the ditch, which is highly degraded and undesirable, crosses over into a planned roadway and as such will require a permit to fill this ditch at the headwaters of the wetlands to accommodate the planned roadway.



LOCATION #2

State Plane Coordinates: 265,470.39 E; 338,038.50 N

This wetland is a long, narrow (less than 50 feet wide), shallow swale, located in a crop field. It appears the area is tilled and in dry years likely produces a crop. In years with wet springs the area may not be tilled. Further south the modified wetland area broadens to widths of between 250 feet down to 125 feet. It appears tillage occurs under the same conditions as described above. Within this wider area there is a more pronounced swale-like feature, off-center to the west. This modified agricultural wetland continues down to within 250 feet of Raccoon Creek where it becomes a forested wetlands with a ditch that flows into the creek.

Approximately 1175 linear feet (LF) to the southwest of the intersection of Rte 322 and Swedesboro-Paulsboro Road, this feature extends into the area of the development grid. This feature was not flagged in the field due to our inability to secure access to the site from the property owner. However, from a cursory review of the wetland feature, it would appear to be an emergent wetland feature that narrows into a natural swale. Any such swale, in the absence of T&E habitat, would be easily fillable with FWW permits. However, this swale

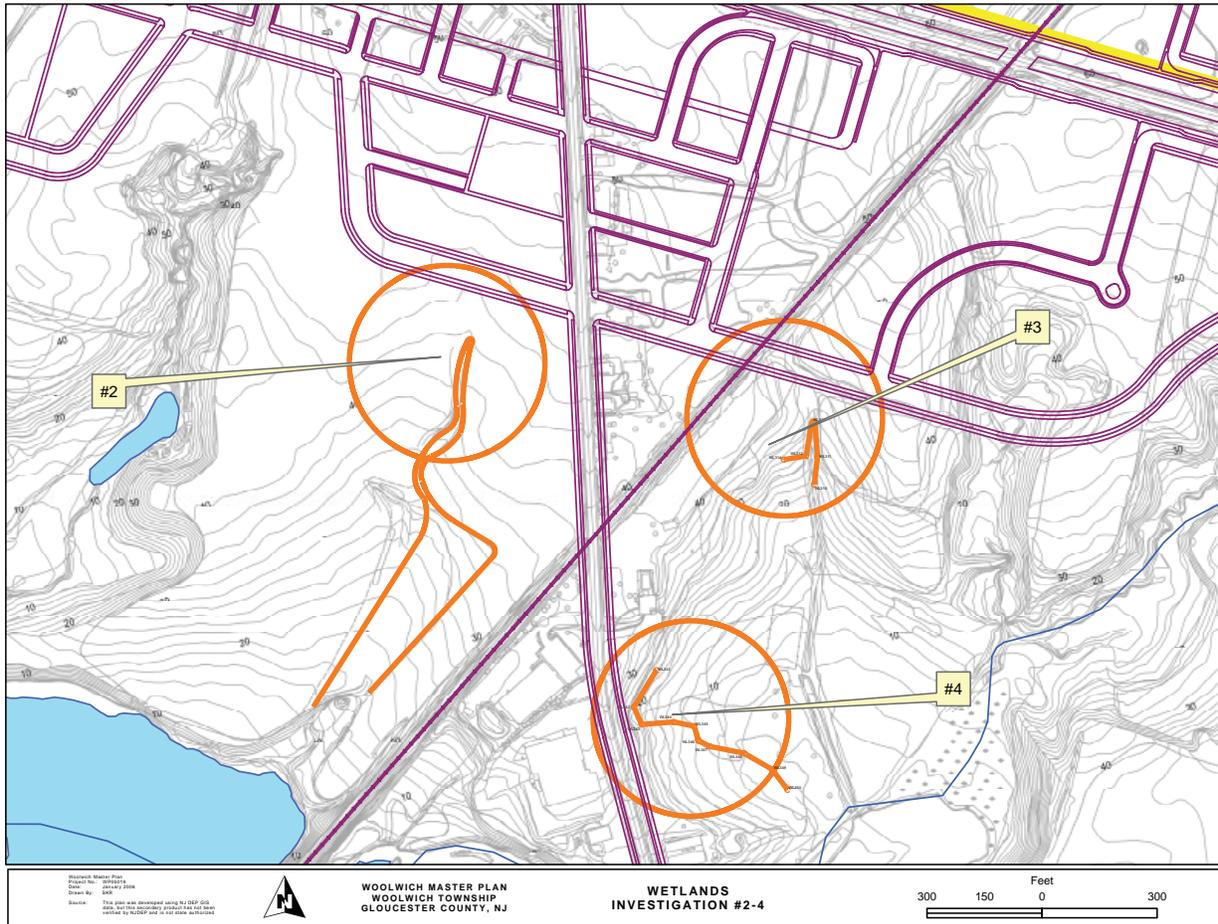
• *Appendix D. Natural Resources Report for US Rt 322 Corridor Receiving Zone*

is located within the Bald Eagle Foraging Habitat and as such will more than likely be given an Exceptional Resource Value buffer of 150 feet.

LOCATION #3

State Plane Coordinates: 266,386.29 E; 337,848.50 N

This area is the northernmost tip of the wetland complex which extends down to the back side of Wetland Area 4 and then down to Wetland Area 3. The northernmost tip of this area is a narrow, shallow ditch or swale with an infrequent, intermittent flow. South of this area the wetlands are a mix of phragmites, woody marsh, and forested wetlands.



Approximately 550 LF to the northwest of the intersection of Swedesboro-Paulsboro Road and the Railroad, this ditch crosses into the development grid. The ditch will more than likely be given an ordinary resource value classification and would therefore be filled. Where the feature expands outward into an emergent wetland, it will more than likely be given an Intermediate Resource Value classification which will carry a 50 foot buffer. Due to this buffer overlapping in certain areas with the ordinary value ditch, a Transition Area Waiver – Buffer Averaging Permit will be required.

LOCATION #4

State Plane Coordinates: 265,992.71 E; 337,088.97 N

The westernmost portion (the portion nearest Route 653) of this wetland boundary is associated with a persistent emergent wetland occupied almost entirely by a dense stand of phragmites. The phragmites are contained within a bowl like land structure with side slopes of approximately 20% to 30%. The soil under the phragmites appears to be commonly saturated to the surface. As the wetland boundary turns to the southeast, it runs through a successional field. The vegetational community is a broad mix of grasses, forbs vines, shrubs and sapling trees. It is not likely this area is either flooded or ponded during normal conditions.

Approximately 1500 LF northwest of the intersection of Swedesboro-Paulsboro Road and Kings Highway the wetland feature extends down along the eastern side of Swedesboro-Paulsboro Road. Due to a lack of documented T&E habitat in this location, the feature will likely be given an Intermediate Resource Value Classification which would carry a 50' buffer. This feature, with a 50' buffer does not appear to have an impact on the development proposed. There should

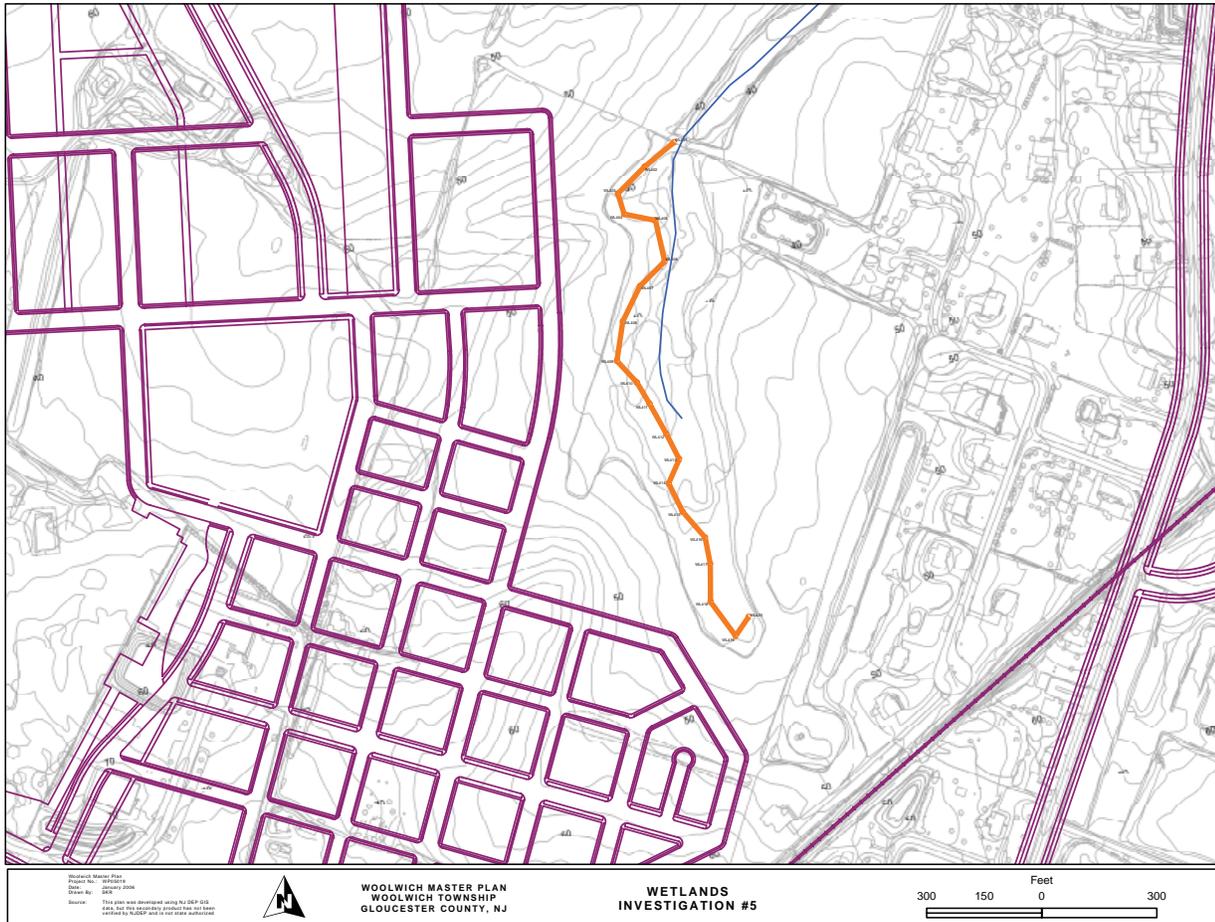
be no need for any wetland fill or permitting here.

LOCATION #5

State Plane Coordinates: 266,074.89 E; 336,469.24 N

This wetland is within a broad (about 300 feet wide) agricultural hedgerow that is a part of the Timber Creek headwaters. The area is upstream (south) of any stream designation. The entire area is an early successional wetlands as it is dominated by pioneer species and relatively young, small diameter trees. The northern half of the wetland area has a core of phragmites with surface water, ringed by young lowland hardwoods such as red maple and sweet gum. The southern half of the area is not a surface water wetlands. It is successional younger as it is dominated by phragmites, honeysuckle and shrubs. Tree numbers are greatly diminished.

The only permitting anticipated here would be a Transition Area Waiver – Buffer Averaging Permit.



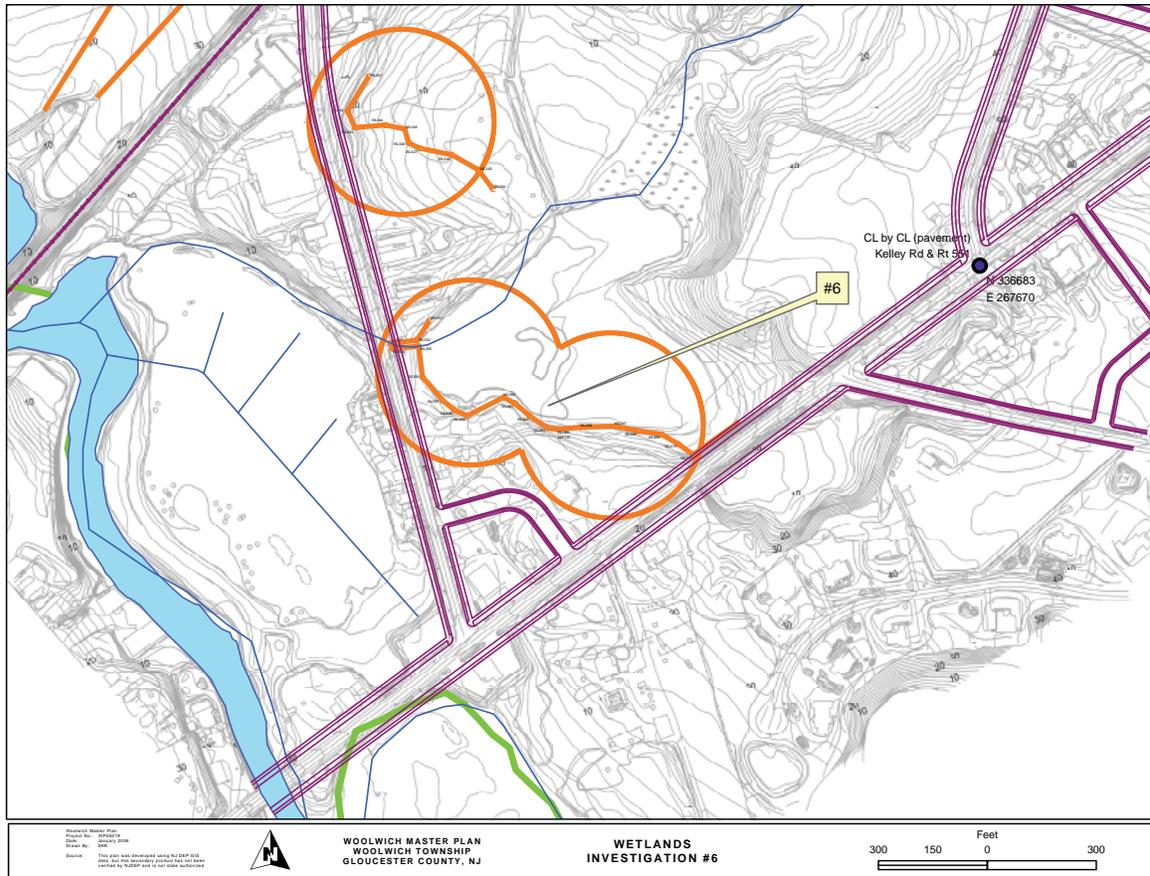
LOCATION #6

State Plane Coordinates: 266,273.69 E; 336,278.10 N

This wetland area is located in the lower portions of an unnamed drainage which flows southwest from Wetland area 2. The westernmost portion of this wetland boundary is associated with a shallow open water wetland. The wetlands in this area are adjacent to development and appear to have been heavily disturbed in the past. As the wetland boundary turns to the southeast the wetlands become a woody marsh and then a mid-successional mixed hardwood wetland.

Anticipated freshwater wetland permitting in this location would be a Freshwater Wetlands General Permit #6 and a Transition Area Waiver – Buffer Averaging Permit.

- *Appendix D. Natural Resources Report for US Rt 322 Corridor Receiving Zone*

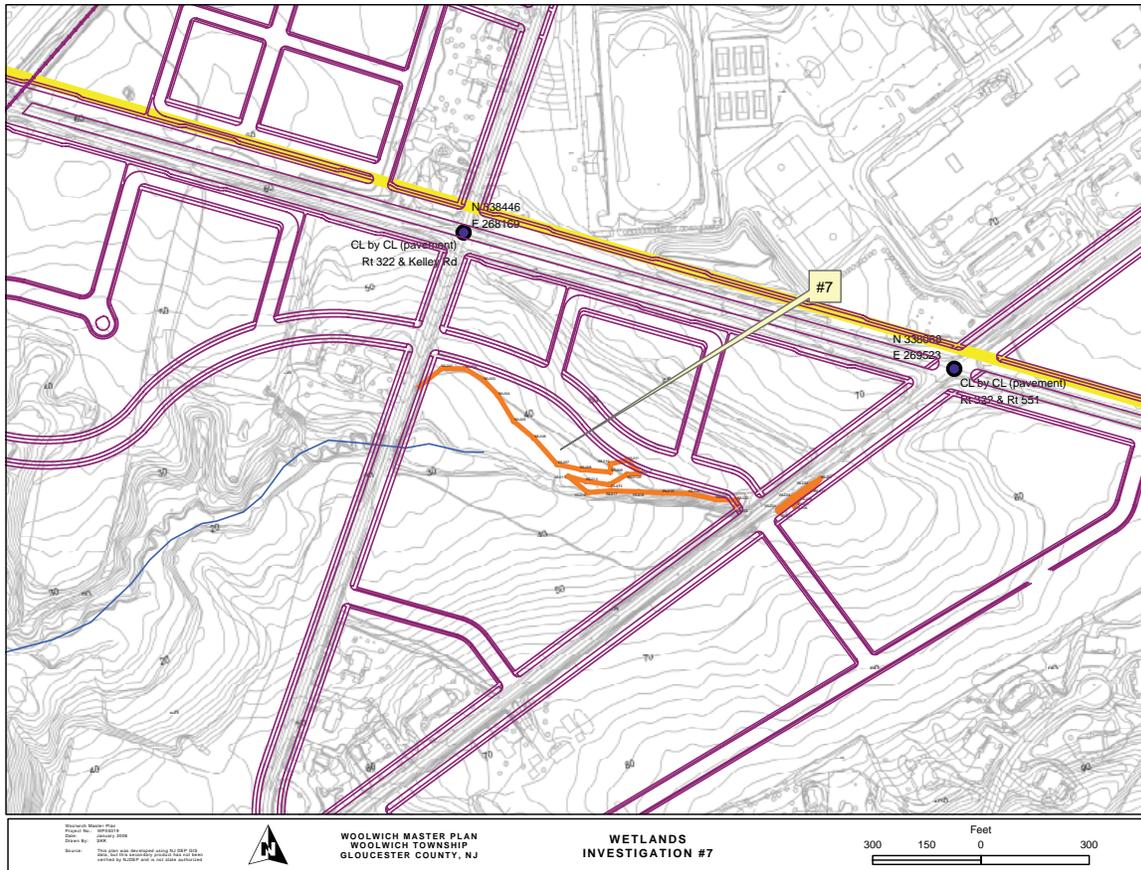


LOCATION #7 (See next page for map)

State Plane Coordinates: 268,575.50 E; 337,881.99 N

This wetland area is located at the uppermost reaches of an unnamed drainage which flows southwest eventually reaching Raccoon Creek. The wetlands is upstream of any blue stream designation. The area in question begins as a narrow ditch, vegetated with phragmites, on the east side of Route 551. Between Route 551 and Kelly Road the wetlands are within a 300 foot wide agricultural hedgerow. The eastern half of this wetlands is confined within a ditch, surrounded by mid-successional lowland woodlands dominated by red maple and sweet gum. The western section is contained within the same forest type, but the wetland expands into the woodlands and the center of the wetlands becomes a broad surface water wetlands, dominated by phragmites and other herbaceous species. It is possible this area was once an irrigation pond.

The northern side of the wetlands feature described above was delineated in order to determine any conflict with the planned roadway. Based upon an assumed Intermediate Resource Value determination and a corresponding 50' buffer for the western half of the feature (surface water wetlands); and an Ordinary Resource Value determination and corresponding 0' buffer for the eastern half of the feature (ditch), we were able to determine that a Transition Area Waiver – Buffer Averaging permit would be necessary to accommodate the planned roadway. If the aforementioned ditch needs to be filled to accommodate design, then a Freshwater Wetlands General Permit #7 would also be necessary.

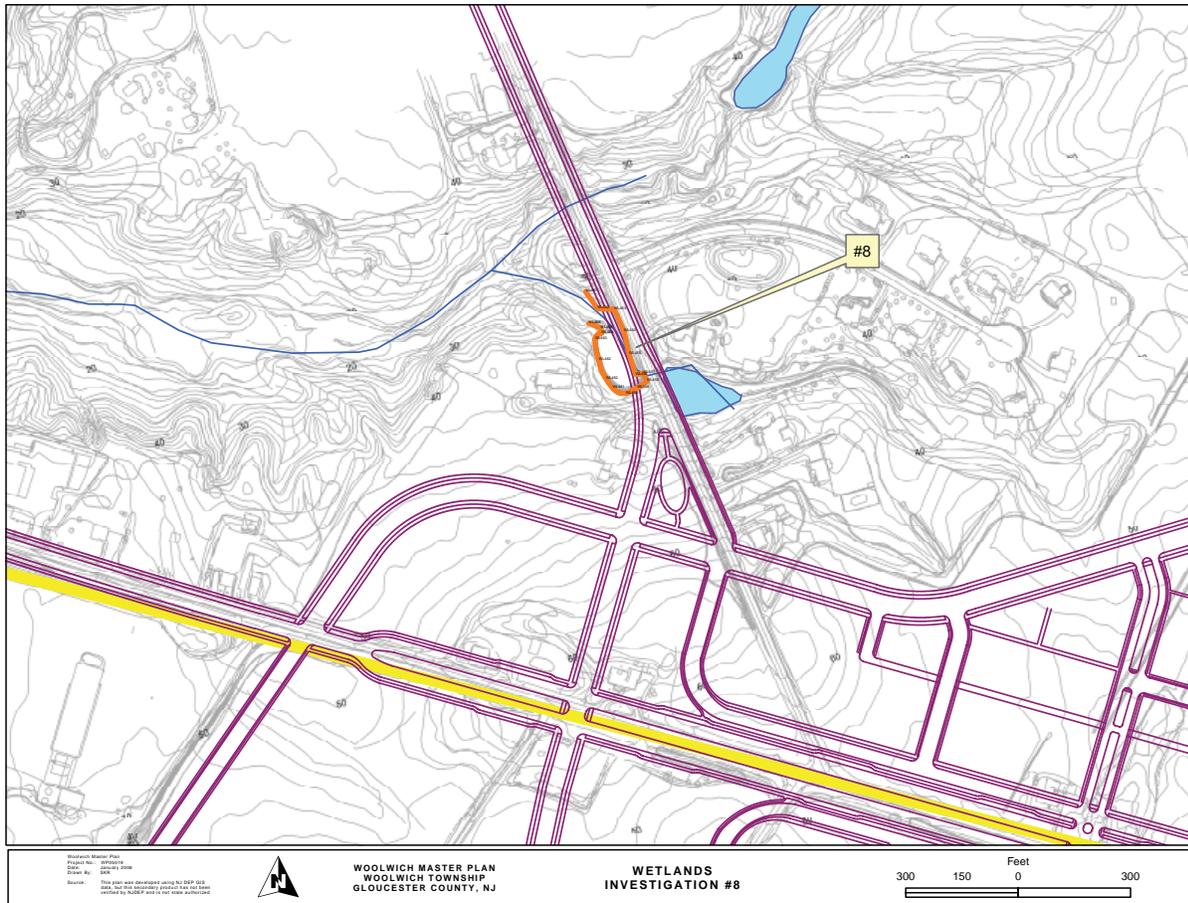


LOCATION #8

State Plane Coordinates: 262,963.91 E; 340,964.12 N

This wetland area is comprised of a man-made pond and associated forested wetlands downstream of the pond. The subject pond is connected to another small pond on the other side of Route 671 by a large drainage pipe. The pond drains to the northwest through a narrow (less than 75 feet wide) forested wetland via a meandering, sometimes braided, shallow, stream channel. Approximately 225 feet (straight line distance) downstream, the identified wetland area merges with the Grand Sprute Run. The woodlands surrounding and associated with this wetland area is mature and contains a broad mix of typical lowland hardwood species.

Wetland permitting here will depend upon the location of the proposed road in proximity to the wetland feature itself. Should the wetland cross into the proposed roadway, then a Freshwater Wetlands General Permit #10 would be necessary. If it is only the buffer that crosses into the planned roadway, then a Transition Area Waiver – Buffer Averaging Permit would suffice. If neither the wetland nor the buffer crosses into the planned roadway, it would appear that no permitting would be necessary here.



ANTICIPATED FRESHWATER WETLANDS PERMITS

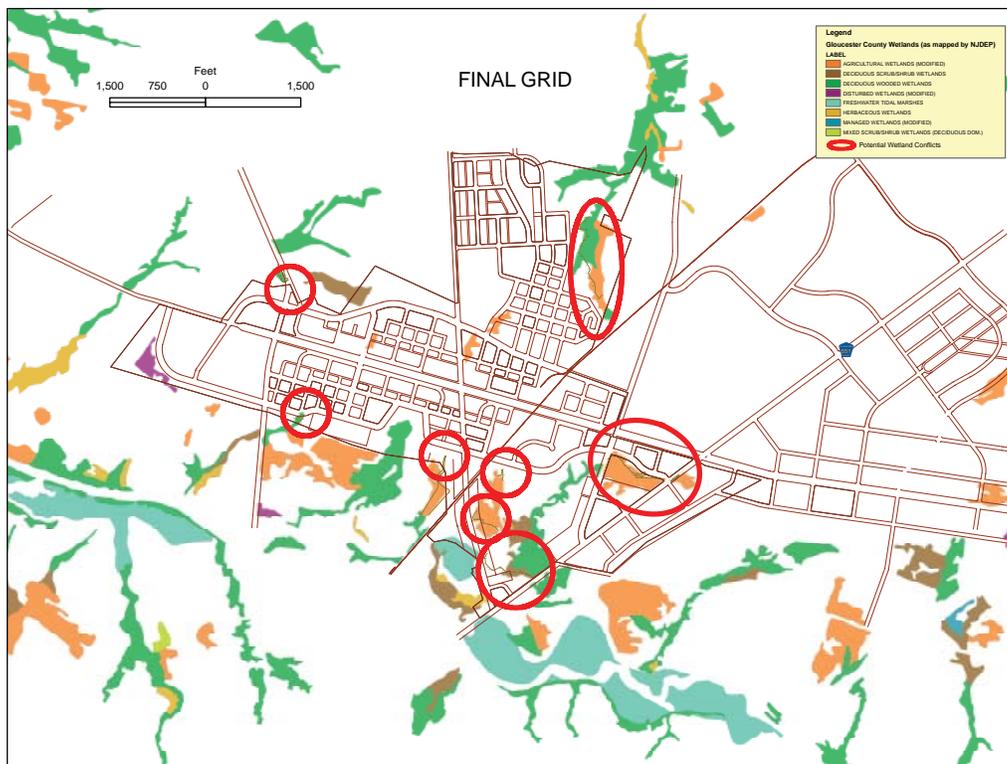
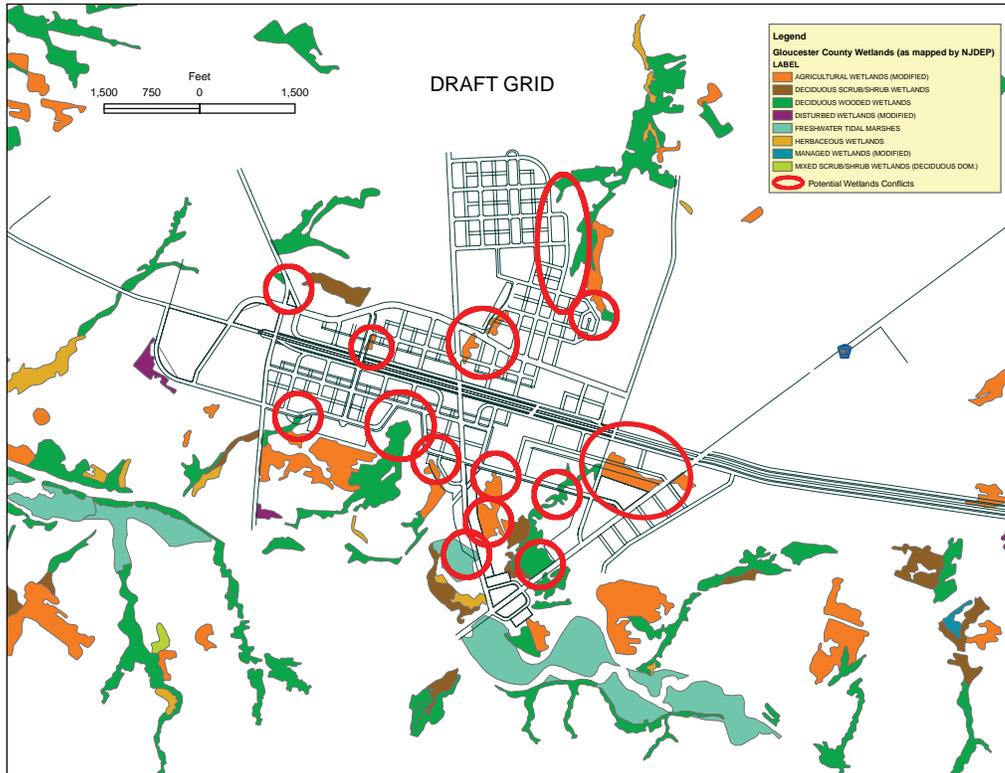
(GP = Freshwater Wetlands General Permit)

- Location #1 – Ditch, Highly Degraded, 0' Buffer, GP#7
- Location #2 – With assumed 150' buffer, possible GP#10B for road crossing; Transition Area Waiver – Buffer Averaging
- Location #3 – Ditch, GP#7; Transition Area Waiver – Buffer Averaging
- Location #4 – Probably no permit necessary due to existing road and location within planned Critical Environmental Site
- Location #5 – Transition Area Waiver – Buffer Averaging
- Location #6 – State Open Water, GP#6
Transition Area Waiver – Buffer Averaging
- Location #7 – Ditch, GP#7
Transition Area Waiver – Buffer Averaging
- Location #8 – Probably no permit necessary due to existing road, but possibly a GP#10B for any conflicts with the proposed road

Multiple permits of the same type (i.e., the same General Permit) can be obtained on one site, but the total acreage of fill for all permits of the same type cannot exceed the maximum if only one permit was obtained. For example, the total wetland fill allowable under a GP #10B is one-quarter of an acre. Therefore, a site that needs two (2) general permit #10s for two road crossings, can apply for and obtain two permits, but the two areas of fill added together cannot exceed one-quarter acre. Then, ALL wetland fill as a result of any general permits obtained, when added together, cannot exceed one acre in total. If the total acre of fill exceeds one acre, then the project requires an Individual Wetlands Permit. Therefore, in the case of the Route 322 Receiving Area, if all of the above permits are in fact necessary, which they may

or may not be, then all of the general permits in sum (whether there are two or six) cannot add up to more than one total acre of net fill.

From here it is easy to see why, during the design process, so many changes were made to the grid in order to avoid wetland conflicts. In the original drafts of the grid (first map below), approximately 14 areas of conflict were noted, as opposed to the final grid design (second map below) which has about half as much wetland conflict to permit. In fact, these eight areas have been looked at conservatively and in some cases the permits noted above may not be necessary at all.



THREATENED AND ENDANGERED SPECIES

In order to determine the size of the wetland buffers that will be imposed by the NJDEP Land Use Regulation Program, the Landscape Project Map (Version 2.0) was consulted with special attention paid to bald eagle grassland habitat and foraging areas within the development grid and the immediately surrounding area.

Those wetland areas within the grid that fall within the bald eagle habitat and/or foraging area are noted as areas that could potentially be given a required 150' buffer, dependant upon the location of the individual birds and their nest sites.

There are a total of 311.9 acres of suitable habitat for threatened and endangered species (Rank 1) which is broken down by habitat as follows:

Grasslands	
Rank 1	234.7
Forested Wetlands	
Rank 1	29.9
Emergent Wetlands	
Rank 1	25.5
Total	311.9

It should be noted that Rank 1 "suitable habitat" for threatened and endangered species encompasses the sum total of all areas that can possibly support the habitat of any of a number of threatened and/or endangered species. However, this designation does not imply that any of these threatened and/or endangered species are utilizing these areas for habitat, in fact if there was documented proof of their existence on these patches of land, then the area of their use would be given a much higher ranking, either a Rank 4 or 5 depending on their status as state or federally listed. So in effect, the Rank 1 listings can be ignored.

There are a total of 179.6 acres of federally listed species (Rank 5) which is broken down by habitat as follows:

Bald Eagle Foraging Area	21.8
Grasslands	
Rank 5	154.4
Upland Forest	
Rank 5	1.8
Total	179.6

The *Rank 5 Grassland* species listed in the above table refers to the upland bald eagle grassland habitat that exists on site (154.4 acres), which differs from the *bald eagle foraging habitat* (21.8 acres) in that the foraging habitat is associated with wetland areas and the grassland habitat is associated with upland areas, however both areas are utilized by the bald eagle in their life cycle. Since this mapped habitat (both foraging and grassland habitat) encompasses such a significant portion of the development grid for the project, the wetlands consultant hired to investigate the wetlands also paid special attention to the presence or absence of individual bald eagles and/or nests in the area.

SOILS

To determine the development suitability of the soils underlying the development grid, the NRCS Web Soil Survey mapping was used as the basis for the soils analysis.

Once the entire grid was mapped and all of the soil types underlying the grid were compiled into a master list, each soil type was assigned a development suitability rating. To do so, available data on the Web Soil Survey was examined, with special attention accorded to the following four criteria: seasonal high water table, hydric classification, hydrologic groups, and septic suitability.

Each soil type was assigned a development suitability rating of a 1, 2 or 3. A development suitability rating of:

- 1 = soils with slight limitations for development;
- 2 = soils with moderate limitations for development; and

3 = soils with severe limitations for development.

Once the rating system was complete, calculations were made as to how many total acres of soils within the development grid have slight, moderate, and severe limitations for development. The results are as follows:

Route 322 Receiving Area

Development Suitability	Acreage
Slight	503.1
Moderate	52.4
Severe	109.9

As is clear from these numbers, the location chosen for the majority of development (ie: the development grid) is, for the most part, underlain by soils that are well drained and well suited for buildings and roads.

It should also be noted that an overwhelming majority of the soils underlying the Route 322 Receiving Area, roughly 84%, are prime soils for stormwater recharge. Prime soils for stormwater recharge are generally soils in Hydrologic Group B, which are well drained with permeability rates falling in the ideal range for recharge. Group A soils are also good for recharge, but since sand particles have a much smaller surface area, these A soils can sometimes drain *too* quickly. On the other side of the spectrum, Group C and D soils are poorly drained, meaning they typically have limited recharge capacities for stormwater management and they generate significant amounts of runoff during storm events. Therefore, since the majority of soils underlying the development grid are soils in Hydrologic Group B, they are prime soils for stormwater recharge.

Furthermore, the areas within the development grid that *are* underlain by soils in Hydrologic Groups C and D are almost entirely concentrated in the planned "Critical Environmental Site" which is to remain undeveloped.

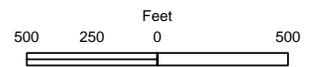
AUBURN ROAD RECEIVING ZONE

According to NJDEP GIS Mapping, 3.958 acres of deciduous dominated wetlands cross into the development grid (Map 10). According to the Landscape Project Map (version 2.0), this patch of wetlands contains a Rank 5 federally listed species. Further research using the Landscape Project Map data reveals this patch to be habitat for the federally threatened/state endangered Bog Turtle. Therefore, this wetland feature would almost certainly be deemed of Extraordinary Resource Value, and the outermost extent of the feature would be given a 150' buffer. However, if it can be shown that no bog turtle are utilizing the wetlands in this area, the buffer could be reduced and/or eliminated at the discretion of the NJDEP Land Use Regulation Program.

The 3.958 acres of wetlands that cross into the development grid do not come into direct conflict with the proposed street network, as designed. However, when the assumed 150' buffer is added to the outermost extent of the feature, the buffer – roughly 1.2673 acres in size - extends into portions of the proposed street network. If this is confirmed during the time of development review, the roadway will be realigned to eliminate any encroachments. Otherwise, this conflict would need to be resolved by obtaining a Transition Area Waiver – Buffer Averaging Permit so that the Applicant can encroach into the buffer in certain areas so long as they compensate by adding increased buffers to another portion of the same wetland feature.



AUBURN ROAD VILLAGE
RECEIVING AREA



Appendix E. Draft TDR Ordinance

WHEREAS, the Township Committee of the Township of Woolwich, in the County of Gloucester and the State of New Jersey, that Chapter 203, Article VI of the Zoning Ordinance of the Township of Woolwich be and is hereby amended to the following respects only, with those sections being amended with additions underlined and deletions therefrom contained in [brackets] with new sections indicated by the creation of new section numbers where applicable; and

WHEREAS, the purpose of this Ordinance is to create a mechanism by which development rights for properties considered as important preservation assets can be transferred to designated receiving zones or districts. The concept of the transfer development capabilities to proposed areas of development is consistent with and anticipated in the township Master Plan, County planning, and articulated State policies; and

WHEREAS, in Article VI the Township by ordinance established receiving zones or districts for the transfer of development rights from lands with the _____ District(s) in order to preserve these lands for agricultural use and farmland, conservation, open space or public areas.

WHEREAS, the Township Master Plan recommends the establishment of a program for the transfer of development rights from the _____ District(s) into certain receiving zones or districts and/or any other area so designated by ordinance; and

WHEREAS, N.J.S.A. 40:55D-39 authorizes municipalities to adopt subdivision and site plan ordinances containing provisions encouraging and promoting flexibility and economy in development layout and design and preservation of open space through the use of the transfer of development rights;

WHEREAS, the Township finds and declares that implementing a development rights transfer program serves the purpose of balanced growth by transferring development from areas within the municipality where preservation is most appropriate to areas within the municipality where growth can be better accommodated and maximized; and

WEREAS, the Township finds and declares that it is in the public interest to enact this Ordinance.
SECTION 1

Article II Definitions. Section 203-5 Definitions and word usage DEFINITIONS is hereby amended in the following respects only:

When used in the Article, the following terms shall have the meanings herein ascribed to them:

"Agricultural use" means the use of land for common farm site activities, including but not limited to production for sale of plants and animals useful to man, including but not limited to harvesting, storage, grading (of produce), packaging, processing that the wholesale and retail marketing of crops, plants, dairy animals and dairy products; poultry and poultry products; livestock, including beef cattle, sheep, llamas, horses, ponies, mules or goats, including the breeding, boarding, raising, rehabilitating, training or grazing of any or all such animals and other related commodities and the use and application of techniques and methods of soil preparation and management, fertilization, weed, disease and pest control, disposal of farm waste, irrigation, drainage and water management, and grazing.

"Board of Jurisdiction" means the Planning Board or the Zoning Board of Adjustment of the Township of Woolwich, depending on the application and the appropriate jurisdictional requirements of the same.

"Development Rights" means the rights permitted to a lot, parcel, or area of land under a zoning ordinance respecting permissible use, area, density, bulk or height of improvements. Development rights may be calculated and allocated in accordance with such factors as area, floor area, floor area ratios, density, height limitations, or any other criteria that will effectively quantify a value for the development right in a reasonable and uniform manner that will carry out the objectives of the Township's Voluntary TDR Program.

"Farmstead" means the principal residence of a farmer's household and the accessory uses of a farm.

"Receiving Zone or District" means one or more designated districts or areas of land to which development rights generated from one or more sending zones or districts may be transferred and in which increased development is permitted to occur by reason of the transfer, adopted pursuant to N.J.S.A. 40:55 D-1 et seq., within which development may be increased, and which is otherwise consistent with the provisions of N.J.S.A. 40:55D-145.

"Residual Residential Lot" means a parcel of land created in conjunction with a preservation parcel and complying with the minimum lot requirements of the _____ District and the requirements of the Township's Voluntary TDR Program regarding creation of such lots.

- (4) If the Administrative Officer shall fail to act within the time period provided, the application shall be deemed approved.
 - (5) Upon signing, the assignment shall be returned to the landowner for recording.
 - (6) The assignee of the credits shall, upon filing of the assignment, file proof of recording with the Administrative Officer prior to the approval of any credit use.
 - (7) Upon receipt of proof that the assignment has been recorded, the Administrative Officer shall:
 - (a) Record the fact of recordation upon the records of the Township. The record shall include the Clerk's assigned book and page of recording, if known.
 - (b) Forward a copy of the recorded assignment to the Planning Board for its information.
 - (8) A landowner shall be responsible for all costs associated with the review of the assignment application, including professional fees authorized by the ordinance.
 - (9) The Administrative Officer shall act on all applications in the order in which they are received.
- C. At the time a final plan for the first section of an approved subdivision plan is signed by representatives of the Township or the signing of an approved plan by the Township Engineer of a final site plan which utilized or effects, in the opinion of the Board Solicitor, the operation of the TDR program in the receiving area, the person or entity submitting the application for development cited shall record against the land to be developed a deed of dedication on forms approved by the Township of Woolwich which dedicate the entire site for use in the TDR program. The residual credits existing on the land covered by the development shall be deemed created only upon the filing of the deed of dedication cited. Filing the deed of dedication shall entitle the land owner to use the credits created on the land affected by the application of development at the density or for the uses permitted by the TDR provisions of this section. Until the deed of dedication is recorded, the land is subject to the density and use restriction otherwise controlling within the district.
- D. An owner or developer of land located within the receiving zone may utilize credits held by a landowner of land located within a sending zone or his assigns to increase the number of units that may be developed by utilizing the following procedures:
- (1) The owner/developer of land within the receiving zone must first obtain final approval for the development of a project within the receiving zone contingent and conditioned on the acquisition and extinguishment of TDR credits.
 - (2) To meet the condition of approval, the owner/developer, at or prior to the signing of a subdivision plat or the issuance of the first building permit, whichever occurs first, on forms approved by the Planning Board and obtained from the Township Clerk, shall submit to the Administrative Officer.
 - (a) An original and two (2) copies of completed application for TDR credit use which indicates the source of credit to be used within the development.
 - (b) An original and two (2) copies of a deed of credit transfer.
 - (c) All appropriate fees for review.

- (3) The Administrative Officer shall, within 45 days of receipt, determine that the application:
 - (a) Accurately specifies the number of TDR credits needed for the development of the parcel sought to be developed.
 - (b) Demonstrates that the developer owns, by assignment or otherwise, all credits needed for the proposed development.
 - (c) Accurately specifies by reference to assigned serial numbers or otherwise which credits are being used by the development.
 - (d) Accurately provided such other information required by the application.
 - (e) Demonstrates that the parcel from which the credits arise are subject to a recorded TDR easement.
- (4) If the Administrative Officer determines that the application and supporting documentation establishes the criteria set forth above, the Administrative Officer shall sign the deed of credit transfer, certifying that upon recording the deed of credit transfer will permanently transfer the number of credit transfer is not recorded within 90 days of the date that the certification is signed, unless this time period is extended by the applicant, the deed of credit transfer shall be null and void.
- (5) If the Administrative Officer shall fail to act within the time periods provided, the application shall be deemed approved.
- (6) Upon signing, the deed of credit transfer shall be returned to the Board Solicitor for recording.
- (7) The owner or developer of the land using the credits shall, upon filing of the deed of credit transfer, file proof of recording with the Administrative Officer prior to the issuance of any building permit for development of the land upon which the credit is to be used.
- (8) Recording the deed of credit transfer shall extinguish the ability to use any credit transferred except upon the parcel to which the TDR credit has been transferred.
- (9) Upon receipt of proof that the deed of credit transfer has been recorded, the Administrative Officer shall:
 - (a) Record the fact of recordation upon the records of the Township. The record shall include the Clerk's assigned book and page of recording, if known.
 - (b) Forward a copy of the recorded deed of credit transfer to the Planning Board for its information.
- (10) A landowner shall be responsible for all costs associated with the review of the assignment application, including professional fees later authorized by the Ordinance.
- (11) The Administrative Officer shall act on all applications in the order in which they are received.
- (12) The purchaser of transfer credits shall be obligated to present credible evidence of the transfer to the Township Clerk or other designee within 30 days of the transaction. Each and every day in which the transaction record has not been so transmitted to the Township Clerk within the specified time limit shall constitute

“Sending Zone or District” means one or more designated districts or areas of land in which development rights are designated for use in one or more receiving areas and an area or areas designated in a master plan and zoning ordinance within which development may be restricted, adopted pursuant to N.J.S.A. 40:55D-1 et seq., within which development may be restricted and which is otherwise consistent with the provisions of N.J.S.A. 40:55D-144.

“TDR Easement” means an interest in land that is less than fee simple title that enables the owner to develop the land for any purpose as determined by the provisions of this Ordinance.

“Transfer or Development Rights (TDR)” means the process by which development rights from one or more sending areas are affixed to one or more receiving properties consistent with the program set forth in N.J.S.A. 40:55D-137 et seq.

“TDR Credit” means the development right that can be utilized in a receiving zone to achieve the bonus density, the number of TDR credits is determined based on the transfer ratio and the number of transferable development rights being conveyed from the sending zone to the receiving zone.

“Public Areas” means public parks, playgrounds, trails, paths and other recreational areas; other public open space; scenic and historic sites; and sites for schools and other public buildings and structures.

SECTION II

Article VI “Voluntary TDR Program” is hereby amended to permit a land preservation option.

203-51. Allocation and transfer of development rights.

- A. The Voluntary TDR Program is intended as a method of preserving land within the zoning districts by allowing landowners the voluntary option of transferring their right to develop land to a receiving zone or district or any other area so designated in this Article and thereby restricting the subject property in perpetuity to agriculture use, farmland, conservation land open space or public areas, except as modified herein. This voluntary option will preserve land in locations where there is limited infrastructure while directing development to areas most suited for housing and other development within the Township.
- B. A parcel’s eligibility for inclusion under the Voluntary TDR program is described in the allocation plan which is attached to this Article and made part of it by reference.
- C. The following minimum eligibility requirements shall be met in order for an applicant or developer to participate in the TDR program:
 - (1) A sending zone parcel shall be designated on the TDR Plan of the Township Master Plan, dated _____ and/or on the Acquisition/Preservation Plan developed in accordance with criteria established by ordinance, as it may be last amended or superseded. The TDR Plan shall be a sub-plan element of the Master Plan of the Township of Woolwich and shall be amended or superseded pursuant to the provisions of the applicable law.
 - (2) A sending zone parcel must be at least 10 acres in size on the date that the ordinance is adopted.
 - (3) Sending zone parcels identified on the TDR Plan Map may be increased in size to support agricultural use of the property without eliminating the parcels’ eligibility for credits. Additional credits for the lands added which have not been enrolled prior to their addition to an existing lot may be obtained by following the credit allocation appeal process outlined in §203-53 below.
 - (4) Sending zone parcels which have not been enrolled within the TDR Program may be decreased in size to support the use of a portion of the property for local or regional public utilities including stormwater and power line easements and road rights-of-way without eliminating the eligibility for credits of the remaining parcel (“remainder”) so long as the remainder is enrolled in the TDR Program within 90 days of the date the utility use is approved by the Planning Board. The number of credits assigned to the remainder shall be established by deducting from credits assigned to the remainder shall be established by deducting from the total credits originally assigned to the entire parcel that number of credits assigned to the utility portion by following the credit allocation appeal process outlined in §203-53 below, provided that there shall be a minimum loss of one credit in

any such situation. The term "local or regional public utility service" shall include only utility companies which enjoy the power of eminent domain.

- (5) A parcel located within a sending zone shall not be subject to existing deed restrictions or other prohibitions on further development or subdivision, or has had its rights to sewer allocation purchased and/or retired.
- (6) No transferable development rights are available for lots or properties from which all of the development rights have already been sold or transferred; on which an easement or other restriction in a deed or other document has been granted to a farmland preservation program, any utility company, to any other program or agency, or to any person, partnership, corporation, or other legal entity; lots or properties which have been restricted from development by the terms or conditions of a development plan, subdivision approval, or other agreement that restricts the property from further development; land within the ultimate right-of-way of existing roads; and lots or properties or portions of lots or properties which have been designated and used to meet the open space or resource protection requirements of a subdivision or site plan.
- (7) A sending zone parcel shall not be owned by a government, government agency, or other political subdivision, a public utility as defined in N.J.S.A. 48:2-13; or an interstate energy transmission company regulated by the Federal Energy Regulatory Commission.
- (8) The property which shall become the subject of the deed of easement, restriction and enrollment shall contain general reservation language for future rights-of-way and easement areas that may be needed for county and municipal infrastructure improvements, such as road and drainage improvements, which areas shall be exempted from the restriction against future development required under this section.
- (9) Any site which develops or is approved for development for uses inconsistent with agricultural use and farmland, open space or public areas shall be deemed ineligible to participate in the program.
- (10) The only criterion for participating in the receiving zone is that the parcel is located within the boundaries of a receiving zone as amended and as identified on the TDR Plan Map of the Woolwich Township Master Plan.
- (11) The locations within the Township of the sending and receiving zones are attached to this section and made a part of it by reference.

203-52 Credit Allocation

- A. Pursuant to N.J.S.A. 40:55D-137, a Transfer of Development Rights program must seek to transfer the development potential from areas where preservation is most appropriate to areas where growth can be better accommodated and maximized.
- B. Pursuant to N.J.S.A. 40:55D-115, "development potential" is defined as "the maximum number of dwelling units or square feet of nonresidential floor area that could be constructed on a specified lot or in a specified zone under the Master Plan and land use regulations in effect on the date of the adoption of the development transfer ordinance and in accordance with recognized environmental constraints".
- C. The Woolwich Township TDR credit allocation formula seeks to closely estimate the number of dwelling units which could have been built on each eligible parcel given the base zoning density as set forth for the _____ District, which zoning is replaced by the adoption of this section and the environmental constraints present.
- D. The underlying _____ District zoning requires the use of individual septic tanks for sewage disposal. Accordingly, it has been determined that it is the suitability of soil for septic tank permitting which most directly indicates the development rights or credits that are allocated.
- E. The standard source of information related to the septic suitability of soils located in Gloucester

County is the USDA Soil Conservation Service (SCS) soil survey (survey). The SCS survey characteristics soil based on numerous factors, one of which is the disposal of septic effluent. The combination of the soils' characteristics result in a septic suitability rating of slight, moderate or severe.

- F. In order to allocate credits in a manner consistent with the pre-existing zoning but within the context of environmental constraints, the formula set forth below was developed and applied to the computerized soils data generated for each parcel. Prior to applying the formula, each parcel had an infrastructure factor assigned to it to reflect acreage needs accordingly. From that, the net acreage was calculated, to which the formula set forth below was then applied.
- G. All sending zone parcels are assigned a minimum of 1 full credit. Any allocation above 1 credit is rounded down to the nearest ¼ credit.
- H. Credit allocation formula:

R1			
TDR Credits =	Acres of Slight Soils/2	Acres of Moderate Soils/2	Acres of Severe Soils/2 * 1/18
	+	* 1/2.22	+
Infrastructure Factor: .88			
R2&R3*			
TDR Credits =	Acres of Slight Soils/1.5	No. of Acres of Moderate Soils/1.5*	No of Acres of Severe Soils/1.5*1/18
	+	1/2.22	+
Infrastructure Factor: .88			
5Acre			
TDR Credits =	Acres of Slight Soils/5	Acres of Moderate Soil/5 *1/2.22	Acres of Severe Soils/5 * 1/18
	+	+	
Infrastructure Factor: .97			

*Parcels in the R-3 zoning district that are sending zone parcels are outside of the existing sewer service area and are therefore subject to by ordinance to R-2 regulations as per Section 203-42, Amended 8-1-2005

- I. All parcels eligible for participation in the Woolwich TDR program as set forth in the Master Plan have been identified and a computation of the TDR credits allocated pursuant to the credit allocation plan, which is incorporated within this section by reference.
- J. Upon the adoption of this section the Township Clerk shall file with the County Recording Office a copy of the allocation plan and Zoning Map showing graphically the location of the Township's sending and receiving zones. A change in the credit allocation made by the allocation plan by appeal, assignment or transfer to be effective must similarly be recorded in the County Recording Office.

203-53 Credit allocation appeal process.

- A. Any landowner eligible for participation in a TDR program who is dissatisfied with their credit allocation may appeal their allocation in accordance with the procedures set forth below.
- B. Any appeal of a credit allocation must occur prior to the recording of a TDR easement. Once a property is restricted through the recording of the TDR easement, the opportunity for an allocation appeal is lost and the parcel's owner shall be irrefutably presumed to have elected to accept the allocation given as an appropriate measure of the development potential of the

parcel.

C. The parcel owner shall submit a properly completed notice of appeal and required application and review fees to the Planning Board Secretary. The notice shall include the following information:

1. Date of appeal.
2. Name(s) and mailing address(es) of all property owners.
3. Copy of the latest deed to the property.
4. Title report if so requested by the Administrative Officer if reason exists to believe that the property is the subject of a development restriction.
5. Block and lot number(s) of the tract parcel(s).
6. Acreage of parcel(s) pursuant to Tax Map or property survey.
7. Number of credits assigned to the parcel pursuant to the Allocation Table and number requested by the applicant.
8. Supporting documentation which fulfills the requirements of the appeal process.
9. Signature of applicant(s) and landowner(s), if different from applicant.
10. The appeal shall be publicly noticed in the same manner as notices for other applications for development in accordance with N.J.S.A. 40:55D-12.

D. In order to appeal the allocation of credits, a conceptual subdivision plan conforming to submission requirements of the Township's subdivision checklist and the _____ District yard and lot layout standards without variance and waiver shall be submitted. Percolation test results shall be submitted and approved by the Township Board of Health certifying the viability for each proposed building lot for on-lot effluent disposal. The Planning Board shall determine the lot yield for the tract within the time or action required of a preliminary subdivision application pursuant to N.J.S.A. 40:55D-48.c, once a complete application has been submitted. Each lot that the Planning Board finds to be without variance and waiver and certified by the board of Health shall be assigned one credit and the total of all credits for the subject property recorded in the Allocation Table.

E. Appeal of a Planning Board decision in the determination of the allocation of credits shall be made to a court of competent jurisdiction as provided for by law.

203-54 TDR creation, transfer and use.

A. A landowner seeking to enroll his land within the TDR program and thus create credits which may thereafter be transferred shall abide by the following procedures:

- (1) The landowner, on forms authorized by the Board and obtained from the Township Clerk, shall submit to the Administrative Officer:
 - (a) The original and two (2) copies of a fully completed enrollment application.
 - (b) Review fees.
 - (c) The original and two (2) copies of the TDR easement.
 - (d) Clear proof of title.
- (2) The Administrative Officer shall, within 45 days of receipt, determine that the

application:

- (a) Accurately specifies the number of TDR credits available to the parcel.
 - (b) Covers a parcel of land eligible for inclusion within the TDR program.
 - (c) Accurately sets forth the block and lot description of the parcel seeking enrollment.
 - (d) Reserves sufficient credits for the existing and proposed uses on the site.
 - (e) Contains all other information required by the enrollment form.
- (3) The Administrative Officer, upon receipt, shall forward to the Board Solicitor for review:
- (a) One copy of the enrollment application.
 - (b) The original and one (1) copy of the TDR easement.
 - (c) Clear proof of title.
 - (d) A copy of each of the foregoing documents shall also be sent by the Administrative Officer to the Gloucester County Planning Board so that the Board can determine the nature and extent of any areas which should be withheld from the easement for future infrastructure purposes. The County Planning Board shall have 14 days from receipt of the same to advise the Administrative Officer and Board Solicitor of its concerns and comments.
- (4) The Board Solicitor shall determine within 14 days of receipt that:
- (a) The TDR easement is in a proper legal form for recording in the County Clerk's office.
 - (b) The applicant for enrollment holds legal title clear of any encumbrances to the parcel or that the holder of any lien, mortgage or other interest has agreed in writing to subordinate their interest in the parcel to the public interests set forth in the TDR easement.
- (5) Upon determining the facts set forth above, the Board Solicitor shall certify to these facts by:
- (a) Signing the TDR easement at a space provided.
 - (b) Returning the original TDR easement to the Administrative Officer for processing.
- (6) Upon return of the original TDR easement signed by the Board Solicitor, the Administrative Officer shall:
- (a) Assign serial numbers to each TDR credit sought to be created.
 - (b) Sign the TDR easement form, certifying that the application procedures required by this chapter have been followed and that, upon proper recording of the TDR easement, the parcel will contain the number of transferable credits specified within the certification, provided that the TDR easement is recorded within 90 days for the date that the certification is signed. If unrecorded, the enrollment shall be null and void and the landowner must reapply.

- (c) Return the original and signed TDR easement to the Board Solicitor for recording. The Township shall record the easement.
 - (7) If the Administrative Officer or Board Solicitor shall fail to act within the time periods specified, unless these time periods are extended by the applicant, the application shall be deemed approved.
 - (8) After the TDR easement has been recorded, the landowner shall file proof of the recording with the Administrative Officer prior to the approval of any transfer of any credit created under the easement.
 - (9) Upon receipt of proof that a TDR easement has been recorded, the Administrative Officer shall:
 - (a) Record the fact of recordation upon the records of the Township. This record shall include the Clerk's assigned book and page of recording, if known.
 - (b) Forward a copy of the recorded TDR easement to the Planning Board for its information.
 - (10) A landowner shall be responsible for all costs associated with the review of the enrollment application, including professional fees authorized by the ordinance.
 - (11) The Administrative Officer shall act on all applications submitted in order in which they are submitted.
- B. A landowner against whose land a TDR easement has been recorded may assign any of the credits created through the use of the following procedures:
- (1) The landowner, on forms authorized by the Planning Board and obtained from the Township Clerk, shall submit to the Administrative Officer for review:
 - (a) An original and two (2) copies of the application for assignment.
 - (b) An original and two (2) copies of the proposed assignment.
 - (c) Appropriate review fees.
 - (2) The Administrative Officer, within 45 days, shall determine that the application:
 - (a) Contains all of the information required by the form.
 - (b) Seeks to assign no more than the maximum number of credits available and not already assigned or extinguished.
 - (c) Provides the recording information about the TDR easement.
 - (d) Accurately reflects the information contained in it.
 - (e) Reflects no material change in the title of the parcel has occurred since the TDR easement was recorded.
 - (3) If the Administrative Officer determines that the application and supporting documentation establishes the criteria as set forth above, the Administrative Officer shall sign the assignment, certifying that upon recording the assignment will transfer the number of credits contained within it to the party named, provided that if the assignment is not recorded within 90 days of the date that the certification is signed, unless this time period is extended by the applicant, the assignment shall be null and void.

a separate violation of the provisions of this ordinance and enforceable by fine, imprisonment, and/or community service as otherwise provided herein. The Township Clerk shall so record the transaction in the Record of Transfer and annually in January provide a copy of the Record of Transfer to the Administrative Offices and the Tax Assessor's Office to be kept on file.

- E. Land included in the sending area shall be deed restricted to the following allowed uses:
- (1) Open space dedicated to a government or land trust; however, nothing shall be construed by this subsection to require the dedication of the land for public open space.
 - (2) Agricultural and farmland uses as defined in this Ordinance and all other activities and improvements as specifically permitted by the New Jersey Right to Farm Act.
 - (3) Permissible improvements allowed in conjunction with the principal use of subparagraph (1) hereinabove are as follows:
 - (a) Playground and recreation equipment, athletic fields, nature and fitness trails with ancillary parking and restroom facilities.
 - (b) Equipment and maintenance building.
 - (c) Installation of utilities, headwalls and end walls, and stormwater management basins.
 - (d) Widening of existing street rights-of-way by a governmental agency.
 - (e) Installation of needed driveway and road access.
 - (4) Public areas as defined in this ordinance.
 - (5) Permissible improvements allowed in conjunction with the principal use of subparagraph (2) hereinabove are as follows:
 - (a) The location of any additional dwelling unit shall be specific in a zoning permit application. The location of the dwelling unit and its driveway shall not harm the economic viability of the subject land for agricultural production.
 - (b) Other buildings or structures may be permitted to be constructed for agricultural purposes only. No conversions of agricultural buildings to dwelling units shall be permitted.
 - (c) Subdivision of the land from which TDRs have been sold is permitted only if such subdivision of land shall not harm the economic viability of the land for agricultural production.
- F. Landowners desiring to retain an existing single-family detached house or farmstead on land proposed for transfer of credits shall meet the following requirements:
- (1) The applicant may simultaneously file an application for minor subdivision approval to create a lot for the existing residence or farmstead. The minor subdivision application shall not be subject to the creeping subdivision provisions of the definition of minor subdivision whereby any second subdivision of land subsequent to _____ involving the same tract shall be deemed a major subdivision.
 - (2) The lot proposed for subdivision containing the existing single-family detached house or farmstead shall meet the minimum standards for lots within the _____ District, but shall not exceed _____ acres in area.
 - (3) The applicant in the alternative may seek to have the existing single-family detached house or farmstead and surrounding area, not to exceed _____ acres, treated as an

exception from the deed restriction imposed on the remainder of the preserved tract or part thereof.

- (4) The newly created lot for the existing residence or farmstead shall be deed restricted from further subdivision.
 - (5) One (1) full credit shall be subtracted from the total credits to be transferred from the tract and so recorded in the Record of Transfers.
- G. A Conservation Plan for the sending parcels shall be recorded with and become enforceable as part of a restrictive covenant or TDR easement. This Conservation Plan shall:
- (1) Identify the natural and man-made resources of the site and adjacent sites.
 - (2) Follow the guidelines of the intent statement of this ordinance.
 - (3) Identify areas restricted as well as areas where any retained development rights may be utilized.
 - (4) Demonstrate a sustainable plan for the long-term management of the sending tract, giving consideration to the following:
 - (a) The manner in which the restricted areas will be owned and by whom they will be managed and maintained.
 - (b) The general character of anticipated development wherever development rights are retained along with any specific design criteria which may be imposed to minimize and/or mitigate impacts of development of the natural and man-made resources of the site.
 - (c) The conservation, land management and agricultural techniques and practices which will be used to conserve and perpetually protect the restricted areas, including conservation plans approved by the Soil Conservation District where applicable.
 - (d) The professional and personnel resources that will be necessary in order to maintain and manage the property.
 - (e) The nature of public or private access that is planned for the restricted areas.
 - (f) The source of money that will be available for management, preservation and maintenance on a perpetual basis.
- H. Agricultural uses not in keeping with the intent of this ordinance may be restricted or denied by the Township.
- I. Should the Township acquire ownership of the sending lands, the land may be used for recreation coincidental with municipal purposes that allow for possible municipal uses and continue to promote the conversation of open space and preservation of view sheds.

203-54 Reassignment and disenrollment.

- A. It is understood that the TDR Program is voluntary. The Master Plan and Zoning Ordinance provide a reasonable balance between the number of credits which are allocated to the sending area(s) and the capacity of the acreage within the receiving area(s) to accommodate transferred credits; however, if a number of landowners/developers within the receiving area elect to subdivide their land without the use of credits, it is conceivable that more credits capable of being transferred will have been created than available locations for their receipt. Recognizing the inherent unfairness which may be visited upon a property owner in the sending zone or his assignee should property be enrolled within the program without there being in existence an adequate area within the receiving zone to utilize the credits so created, this subsection has

been created to provide relief.

- B. Should a landowner or his assignee owning a parcel of land enrolled within a TDR program determine that they have an inability to utilize credits within the receiving zone, they may apply to the Planning Board for reassignment of the credits to the parcel from which they originated or disenrollment of the procedures set forth below.
- C. Procedures for reassignment and disenrollment.
 - (1) An assignee seeking to reassign any of the credits which have previously been assigned by a landowner may seek to reassign the credits obtained, absent any bonus, back to the parcel from which they originated by using the following procedures:
 - (a) The assignee on forms authorized by the Planning Board and obtained from the Township Clerk shall submit an original and two (2) copies of the application for reassignment, an original and two (2) copies of the reassignment document and appropriate review fees to the Administrative Officer for review.
 - (b) The Administrative Officer, within 15 days, shall determine that the application:
 - [1] Contains all of the information required by the form.
 - [2] Seeks to reassign all or a portion of the credits, absent any bonus, previously assigned to the assignee back to the parcel from which the credits came.
 - [3] Provides the recording information about the TDR easement and original assignment.
 - [4] Reflects that no material change in the title of the parcel has occurred since the TDR easement and assignment were recorded.
 - (c) If the Administrative Officer determines that the application and supporting documents are complete, this official shall schedule the matter for a hearing before the Planning Board at its next regular or special meeting called for this purpose.
 - (d) The Planning Board shall at the regular or special meeting during which the matter is considered, conduct a hearing on the application. If the Planning Board determines, after considering all evidence submitted both in favor of and opposing the application, that, through an inability to use the credits within the receiving zone or through other just cause, it is not feasible to expect that the credits will be usable within a reasonable time frame and both the assignee and the landowner agree to a reassignment of the credits, the Board shall grant the assignee the right to reassign the credits provided. Otherwise the application should be denied. Public Notice of the meeting shall not be required.
 - [1] The Planning Board shall take action on the application within 95 days of its receipt by the Planning Board Secretary. If the Planning Board fails to act, the application shall be deemed approved.
 - [2] Should the Planning Board approve the application, it will direct its Chairman and Secretary to certify to this fact on the original reassignment document which is to be delivered to the applicant for recording. The reassignment document is to be extended within 90 days from the date that the certification is filed, unless this time period is extended by the applicant. If unrecorded, the appeal of the reassignment shall be null and void and the assignee must reapply to obtain relief.
 - (e) The assignee, upon recording the reassignment document, shall file proof of the recording with the Administrative Officer. Until such proof is filed, reassignment of the credits shall be ineffective.

- (f) Upon receipt of proof that a TDR easement has been recorded, the Administrative Officer shall:
 - [1] Record the fact of the reassessment upon the records of the Township. This record shall include the Clerk's assigned book and page of recording if known.
 - [2] Forward a copy of the recorded reassignment document to the Planning Board for its information.

(2) A landowner to disenroll his land from involvement with the TDR program is to follow the following procedures:

- (a) The landowner, on forms authorized by the Board and obtained from the Township Clerk, shall submit to the Administrative Officer:
 - [1] The original and two (2) copies of a fully completed disenrollment application.
 - [2] Review fees.
 - [3] The original and two (2) copies of the disenrollment document designed to terminate the restrictions imposed upon the landowner's property.
 - [4] Clear proof of title.
 - [5] Proof that none of the credits created for the property by enrollment have been used by another property owner or developer through the filing of a deed of credit transfer or assigned to a third party who does not consent to the disenrollment application.
- (b) The Administrative Officer shall, within 45 days of receipt, determine that the application is complete.
- (c) Upon determination that the application is complete, the Administrative Officer shall schedule a public hearing before the Planning Board on notice to the public. At this hearing, the Planning Board shall determine whether a hardship exists to the landowner through an inability to utilize his credits within the receiving zone or for other food and sufficient reasons the public's interest would be served by allowing relief from the restrictions imposed under the TDR program. In reaching this conclusion, the Planning Board shall take into consideration all evidence, both submitted in favor of and in opposition to the relief required, in accordance with the procedures normally available for development applications before the Board. After this review, the Board shall reduce its findings to a written resolution recommending to the Township Committee whether to grant or deny the application proposed. If the Board fails to act within 90 days of the date the application is submitted, unless this time period is extended by the applicant, the application shall be deemed approved.
- (d) If the application is approved, the record before the Board, including its findings, shall be submitted to the Township Committee and to the applicant. The Township Committee shall review the proceedings before the Planning Board and determine whether good cause exists for the relief specified. If they agree that the relief should be granted, they shall direct the Mayor and Township Clerk to execute the disenrollment document. Upon execution by the Mayor and Clerk, approval to disenroll shall be denied and the applicant shall be required to reapply if relief is to be obtained.

- (e) Upon receipt of proof of recording of the disenrollment document, the Administrative Officer shall:
 - [1] Record the fact that the disenrollment document has been recorded on the Township records, including the Clerk's assigned book and page of recording, if known.
 - [2] Forward a copy of the recorded disenrollment document to the Planning Board for its information.
- (f) The assignee and/or landowner seeking either reassignment or disenrollment shall be responsible for all costs associated with the review of the reassignment or disenrollment, including professional fees authorized by this chapter.
- (g) The assignee and/or landowner may extend the time limits for administrative action by the Administrative Officer or by the Board. This right to extend shall not apply to any time period set forth in this chapter for recording of a document.

203-55. Building Regulating Plan

- A. The use of development credits shall occur as indicated on an approved plan for the receiving area lots that have been specified for development. Receiving Area lots have "by-right" densities as established in the TDR Real Estate Market Analysis as base zoning that may be exercised as part of the TDR development process.
- B. Each of the permitted housing types shall be equal to the following development credits for units transferred from the sending zone(s):

US 322 Corridor Receiving Zone

1.3 Single Family detached	= 1 credit
1.8 Duplex or Twin unit	= 1 credit
2.8 Townhouse	= 1 credit
3.0 Urban Apt/Flat	= 1 credit

No credits are needed to construct housing in mixed-use buildings located above the first floor in the area of the U.S. 322 Corridor Receiving Zone designated RC-1 Residential Retail.

Auburn Road Receiving Zone

1.6 Duplex or Twin unit	= 1 credit
2.5 Townhouse	= 1 credit

- C. The number of credits to be transferred shall be determined pursuant to a conceptual subdivision plan on the land so designated for transfer pursuant to the appeal process.
- D. The TDR development option may be exercised only for parcels located within receiving zones or districts. Applicants exercising the TDR development option shall submit an application that includes land within both the sending and receiving zones or districts in accordance with their respective requirements. Application for the receiving zone development may only be made after the layout for that portion of the receiving districts intended for importation of credits from the sending zone(s) has received preliminary subdivision approval from the Planning Board. The applicant shall have secured through an equity interest all necessary credits for increasing the permitted density in the receiving area(s) prior to final action being taken by the Planning Board.
- E. Prior to any approval of a receiving area development plan, the Planning Board shall find the following facts and conclusions:

- (1) That departures by the proposed development from zoning regulations otherwise

applicable to the subject properties conform to the zoning ordinance standards pursuant to N.J.S.A. 40:55D-65c;

- (2) That the proposals for the maintenance and conservation of common open space are reliable, and the amount, location and purpose of the common open space are adequate;
 - (3) That provisions through the physical design of the proposed development for public services, control over vehicular and pedestrian traffic, and the amenities of light and air, recreation and visual enjoyment are adequate;
 - (4) That the proposed development will not have an unreasonably adverse impact upon the area in which it is proposed to be established;
 - (5) In the case of a proposed development which contemplates construction over a period of years, that the terms and conditions intended to protect the interests of the public and the residents, occupants and owners of the proposed development in the total completion of the development are adequate.
 - (6) That the proposed development will have adequate public water and public sanitary sewer capacity for the intensity of development requested.
- F. The Planning Board shall act upon an application for a development within the receiving area in the same time and manner as for a preliminary major subdivision application pursuant to N.J.S.A. 40:55D-48. No action shall be taken upon the development application unless a complete submission has been made in accordance with the applicable checklist.
- G. Affordable Housing requirements.
- (1) For permitted nonresidential uses, a minimum of one (1) affordable unit is required for every 25 new jobs created subject to all applicable affordable housing requirements as contained in Section _____.
 - (2) For permitted residential uses, a minimum of ___% of the total dwelling units shall be affordable subject to all applicable housing requirements as contained in Section _____.