

TOWNSHIP OF HARDING
MORRIS COUNTY
MASTER PLAN REEXAMINATION REPORT

Harding Township Planning Board

ADOPTED:
October 26, 2020

Prepared by



Heyer, Gruel & Associates
Community Planning Consultants
236 Broad Street, Red Bank, NJ 07701
(732) 741-2900

Township of Harding

Master Plan Reexamination Report

Township of Harding
Morris County, New Jersey

October 26, 2020

Prepared by



Heyer, Gruel & Associates
Community Planning Consultants
236 Broad Street, Red Bank, NJ 07701
(732) 741-2900

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

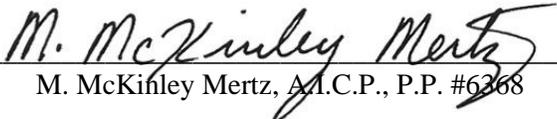

M. McKinley Mertz, A.A.C.P., P.P. #6368

TABLE OF CONTENTS

INTRODUCTION	4
What is a Master Plan and how is it used?	4
Periodic Reexamination of the Master Plan	5
Public Participation	6
SECTION A: Problems and Objectives Identified in the Previous Reports	10
Major Problems and Objectives	10
Master Plan Objectives, Goals, Policies, Assumptions, and Standards	10
Conservation Plan Element (2008).....	13
Open Space Plan Element (2008).....	13
Stormwater Management Plan Element (2005)	14
Circulation Plan Element (Adopted 1997; Reorganized 2008).....	14
Community Facilities Plan Element (2008)	15
Recycling Plan Element (1994).....	16
Historic Preservation Plan Element (2005)	17
2013 Master Plan Reexamination Report.....	17
SECTION B: Review of Major Problems and Objectives.....	19
2008 Conservation Plan Element	19
2008 Community Facilities Plan Element.....	20
2013 Master Plan Reexamination Report.....	22
SECTION C: Significant Changes in Assumptions Impacting the Master Plan.....	25
Changes at the State Level	25
Changes at the County and Regional Level	29
Changes at the Local Level, Harding Township	30
SECTION D: Recommended Changes for the Township’s MP and Land Development Ordinance.....	41
SECTION E: Recommended Redevelopment Plans.....	46
SECTION F: Recommendations Regarding Electric Vehicle Infrastructure.....	47

INTRODUCTION

This report constitutes a Master Plan Reexamination Report for Harding Township as defined by the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89). The purpose of the Reexamination Report is to review and evaluate the local Master Plan and Development Regulations on a periodic basis in order to determine the need for updates and revisions. The Municipal Land Use Law requires municipalities to perform a reexamination of their Master Plan and development regulations at least every 10 years. A reexamination, however, can occur as often as a municipality determines one is warranted. A municipality may choose to go through a reexamination process when there is a need to document recent noteworthy changes, or to plan for anticipated significant future changes in the community.

Harding Township adopted its first Master Plan in 1972. This Plan was amended in 1978 and a Reexamination Report was adopted in 1982. The 1982 Reexamination Report led to a new Master Plan, which was adopted in December 1984. Since the 1984 Master Plan, Harding Township has adopted numerous Master Plan Elements and Reexamination Reports. The most recent Reexamination Reports were adopted in 2000, 2006, and 2013. The current Master Plan Elements include:

- Master Plan Objectives, Goals, Policies, Assumptions and Standards (adopted 2008)
- Community Characteristics (adopted 2008)
- Conservation Plan Element (adopted 2004; updated 2008)
- Open Space Plan Element (adopted 2008)
- Stormwater Management Plan Element (adopted 2005)
- Circulation Plan Element (adopted 1997; reorganized 2008)
- Community Facilities and Utility Services Plan Element (adopted 2008)
- Recycling Plan Element (adopted 1994)
- Historic Preservation Plan Element (adopted 2005)
- Housing Element and Fair Share Plan (adopted 2018)
- Land Use Element (adopted 2007; reorganized 2008; amended 2017)
- Relationship of the Master Plan to the State, Regional, and Area Plans Element (amended 1997)

The Planning Board adopted the most recent Reexamination Report on April 22, 2013. Since the 2013 Reexamination Report, there have been changes in situations and assumptions within Harding that deem a reexamination process appropriate. It is the intent of this Report to consider and provide recommendations concerning land use and zoning issues in the Township.

What is a Master Plan and how is it used?

A Master Plan is a comprehensive document that serves as a roadmap, intended to guide the physical, economic, and social development of a municipality. The Plan is composed of goals, objectives, and recommendations that are designed to achieve a town's shared vision and guide future policy decisions. A Master Plan is organized into sections called "Elements." At a minimum, the Municipal Land Use Law requires a Master Plan to include 1) "[a] statement of objectives, principals, assumptions, policies, and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based;" and 2) a land use element. In order for a municipality to adopt a zoning ordinance, a Housing Element must also be adopted. Additional elements can be added but are not required. As discussed above, Harding's Master Plan is comprised of numerous Elements.

The Township Committee and the administration use the Master Plan to prioritize the direction of policy as well as to strategize the best use of time and resources. The Township Committee uses the Master Plan when making decisions about new laws and ordinances as well as budgets and spending. These decisions should be consistent with the Master Plan's goals and objectives and should be designed to effectuate the Master Plan's recommendations. The Planning Board and Board of Adjustment refer to the Master Plan when making decisions on development applications as any new development should be consistent with the Township's land use goals and objectives as well as the recommendations of the Land Use Element in particular.

Periodic Reexamination of the Master Plan

Pursuant to the Municipal Land Use Law (N.J.S.A. 40:55D-89), the governing body of a municipality shall provide for a general reexamination of its Master Plan and development regulations by the Planning Board, which shall prepare and adopt by resolution a report on the findings of such reexamination. The Municipal Land Use Law requires the Reexamination Report to contain the following:

- A. The major problems and objective relating to land development in the municipality at the time of the adoption of the last reexamination report.
- B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- C. The extent to which there have been significant changes in assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised with particular regard to the density and distribution of population and land uses. Housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- D. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- E. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A: 12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.
- F. The recommendations of the Planning Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.

Public Participation

An essential part of a Master Plan Reexamination process is public participation. The public's involvement is critical to a successful and comprehensive planning process. As such, the community was provided an opportunity to attend a regularly scheduled meeting of the Planning Board to voice their comments and opinions on a wide range of issues and topics. This public participation session was held at the municipal complex on October 28, 2019 and was advertised on the Township's website and in the Harding Township Civic Association's "Thumbnail Accounts of Civic Affairs." Invitations were also emailed to the various Boards and Commissions and letters were mailed to the Township's business community, inviting all interested parties to attend the public meeting and voice their opinions.

The public meeting included an open forum where residents were able to voice their opinions regarding their priorities for Harding. Topics of discussion included agriculture and farming, open space/recreation and natural resources, historic resources, economic growth and development, density, rural character, and sustainability and green infrastructure.

The public was then asked to rate the priorities that had been discussed, by placing a yellow dot next to phrases they agreed with, and a red dot next to phrases they disagreed with. Visual surveys depicting open space and commercial architecture were also available for the public members to vote on with their colored dots.

The following are key issues and opinions identified through the public outreach:

- The preservation of the Township's rural streetscape remains a top priority for residents.
- The historic resources of the community are an essential part of the Township's DNA. The encouragement of adaptive reuse is an important component of maintaining the historic assets.
- It's important to provide for a balance of appropriate architecture/development and open space.
- The dark sky values of Harding Township remain strong.
- There are issues with electric powerlines and the grid, especially during major fall and winter storms.
- There is an interest to move forward with sustainability measures, such as solar and electric vehicle charging stations, but it is critical those infrastructures do not take away from the established rural character and aesthetic of the community.
- Residents are open to new uses in the commercial districts (the Historic New Vernon B-1 and the B-2 corridor) but do not want an increase in building scale and massing.
- There is a desire to provide walkways between the Township school and the library.
- Generally, residents feel that the scale of new residential development is too large.
- Encourage the maintenance of existing agriculture, including "hobby farms" and historic farms.
- Strip center commercial development is disfavored. Commercial structures that emulate the architecture style of farmhouses were most favored.
- Natural walkways, paths, and scenery were the most popular form of open space and recreation. Community gardens, local sports fields, and playgrounds also received positive votes. Formal

stadiums with night lighting, exercise equipment, and dog parks were the least favored forms of open space and recreation.

In addition to the October public meeting, the Planning Board solicited input via letters from the following Township boards, committees, and entities:

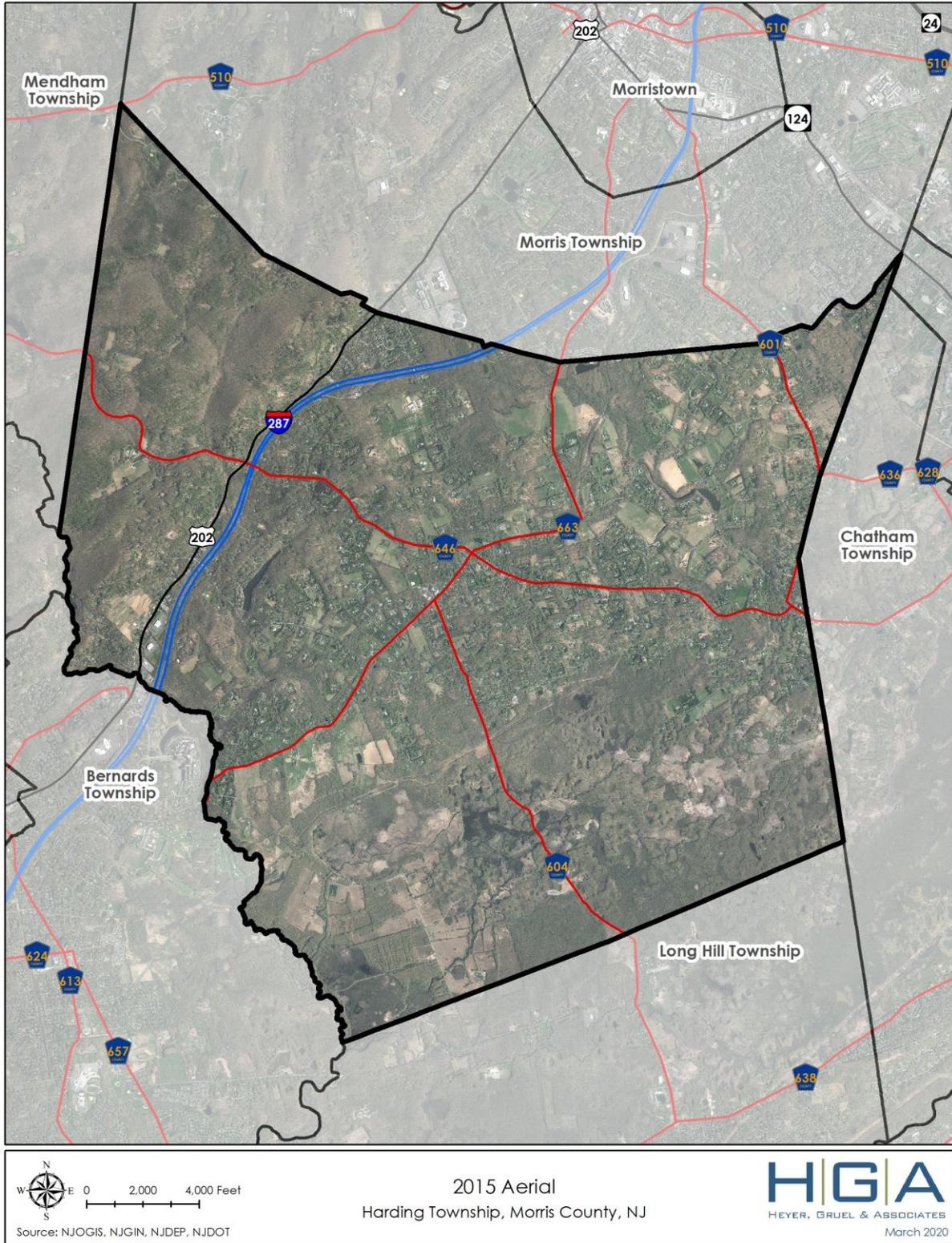
- Township Committee
- Board of Adjustment
- Environmental Commission
- Historic Preservation Committee
- Harding Open Space Trust (HOST)
- Harding Land Trust
- Bridle Path Association
- Harding Township School Board
- Harding Township Zoning Officer

The above listed groups were asked to each prepare a letter providing input for the Master Plan Reexamination based on each group's specific point of interest. Each of the groups provided detailed responses. The Planning Board has worked to include their comments and recommendations into this Plan.

The following is a brief overview and summary of the input collected:

- The Township's existing goals and objectives should be supported and reinforced by this Reexamination Report.
- Continue to preserve the rural equestrian and agricultural character of the Township while avoiding inappropriate densities and suburban sprawl. Tools that can aid the Township in preserving the rural character include farmland preservation, conservation easements, bridle trail easements, tree conservation areas, appropriate setback requirements, and other forms of natural resource protection. These preservation tools could also be used to help prevent the breakup of the Township's remaining larger properties.
- The Township has historically worked hard to preserve its open space. The preservation of additional land should continue to be actively pursued whenever opportunities arise. The long-term costs and planning of land stewardship should be a priority.
- Open up the uses in the B-2 zone to allow for a more permissible ordinance.
- Split-zoned properties continue to be difficult to evaluate at the reviewing Boards and create complexity in development applications. An evaluation of the split-zoned properties to determine if single-zoning is more appropriate would be beneficial.
- The Township's dark skies policies should be reinforced wherever possible to protect the Township's nighttime skies. Additionally, the Township's quiet environment should be supported through appropriate standards for noise control.

- An inconsistency in the relationship between lot size and lot coverage has been noticed by the Township’s reviewing Boards. An evaluation of the lot coverage standards for larger lots in the Township may help control massing and encourage more privately-owned open space.
- The Harding Township Board of Education additionally provided updates on the school facilities and enrollment numbers that have been included in Section C of this Reexamination Report.



SECTION A: PROBLEMS AND OBJECTIVES IDENTIFIED IN THE PREVIOUS REPORTS

“The major problems and objective relating to land development in the municipality at the time of the adoption of the last reexamination report.”

Major Problems and Objectives

Goals and Objectives within a Master Plan are meant to provide a policy framework for the Plan as well as to guide other activities in the Township that have an influence on land development. This framework is not presented in an order of hierarchy. Each are equally important to the future of Harding Township.

The 2013 Master Plan Reexamination Report carried forward all of the Goals and Recommendations from the various Elements, stating that each of those goals and objectives continue to be valid.

The following are goals, objectives, and recommendations from the various Master Plan Elements:

Master Plan Objectives, Goals, Policies, Assumptions, and Standards (Adopted 1994; Reorganized 2008)

Objectives

1. To encourage Township decisions and actions which will result in the long-range appropriate use and development within Harding Township in a manner which will promote the public health, safety, and general welfare of present and future residents.
2. To ensure safety from fire, flood, panic, and other natural and man-made disasters.
3. To provide adequate light, air, and open space for all residents.
4. To ensure that development within the Township does not conflict with the development and general welfare of neighboring municipalities, Morris County, the immediate region, and the state as a whole.
5. To promote the maintenance of appropriate population densities in locations that will contribute to the well-being of persons, neighborhoods, and preservation of environmental and historical features.
6. To encourage the appropriate and efficient expenditures of public funds by coordinating public and private development within a framework of land use and development principles and policies which are consistent with the rural, historical, and environmental features of Harding Township.
7. To provide sufficient space in appropriate locations within the Township for agricultural, residential, commercial, business, service, office, and public and quasi-public uses in a manner compatible with the unique rural historical character and sensitive environmental features of the township.
8. To encourage the location and design of roadways which will permit the free flow of traffic in appropriate locations while discouraging roadways in areas which are environmentally sensitive, historically significant, or rural in nature and/or would result in blight, depreciated property values, undue congestion, or safety problems.

9. To promote the maintenance and protection of the high quality visual environment of Harding Township through creative development techniques and protection and enhancement of the unique physiographic and rural historical features.
10. To promote the conservation and protection of open space and valuable and sensitive natural resources and to prevent degradation of the environment through improper use of land.
11. To encourage the preservation and restoration of historic buildings and sites, especially within the New Vernon Historic District, the Green Village area, and in areas adjacent to, or within the viewsheds of the Morristown National Historical Park.
12. To encourage energy efficient site designs and provisions for passive and active energy resources including solar, wind, and recycled heat.

Goals and Policies

GOAL 1 - Protection and Enhancement of the Morristown National Historical Park and the Great Swamp National Wildlife Refuge.

POLICY 1 – (Excerpted from full text) - The Township has established and will continue a policy of permitting only low density rural development to be constructed within the watershed of the Great Swamp, in order to protect surface and subsurface water quality which is critical to the viability of the Great Swamp ecosystem. The Township will continue to work with the US Fish and Wildlife Service to develop land use policies and regulations to protect the environment of the watershed surrounding the Great Swamp National Wildlife Refuge, particularly surface and subsurface water quality. The Township supports the US Fish and Wildlife Service decision to include the entire watershed of the Great Swamp in the Refuge Master Plan.

GOAL 2 - Protection and Maintenance of the Quality and Quantity of Surface and Subsurface Waters, Including Stormwater Management and Wetlands Preservation.

POLICY 2 – (Excerpted from full text) - Regulate land uses: 1) to prevent point and nonpoint surface runoff into the Great Swamp; 2) to protect the aquifer recharge capabilities of the township land area through careful regulation of onsite septic disposal systems and wells to prevent ground and surface water pollution and/or depletion of groundwater supplies; and 3) to preserve wetland areas to maintain the wetlands ability to aid flood and stormwater control and ground water recharge and to enhance water quality and provide fish and wildlife habitat.

GOAL 3 - Protection of Rural Development Pattern and Density.

POLICY 3 – (Excerpted from full text) - Continue the historical rural development pattern to protect and enhance the early American historical setting and pattern of development, while also accomplishing the preservation and protection of sensitive environmental features which are integral to the protection of the Great Swamp and the Morristown National Historical Park.

GOAL 4 - Maintenance of Highest Standards of Environmental Planning.

POLICY 4 – (Excerpted from full text) - The Planning Board and Board of Adjustment shall, in review of any proposal for development, encourage and require minimal disturbance of the natural landscape. In certain circumstances, these Boards may suggest the elimination of otherwise required facilities. Adherence

to the Soil Erosion and Sedimentation Control Ordinance shall be maintained in the review of all applicable developments.

GOAL 5 - Review and Coordination of Harding Township Master Plan and Development Regulations with Federal, State, Regional, County, and Adjacent Municipal Plans and Development Regulations.

POLICY 5 – (Excerpted from full text) - Harding Township will continue to: 1) evaluate federal, state, regional, county, and adjacent municipal planning and land development regulatory programs to ensure suitability of permitted land uses and development densities; 2) review municipal and area utilities, services and development programs and impacts; and, 3) establish, maintain and enforce land development and environmental regulations to protect ground and surface waters, soils, historical features, agricultural areas, open space, air quality, aesthetic views and flora and fauna ecosystems which are integral to the preservation of the Morristown National Historical Park, the Great Swamp, and the rural historic character of Harding Township.

GOAL 6 - MINIMIZATION OF COMMERCIAL DEVELOPMENT.

POLICY 6 - (Excerpted from full text) - Any additional development along the Route 202 corridor should be permitted only within a framework of strict site design controls. Moreover, any new facilities should be carefully controlled from the standpoint of purpose, function, and appearance to blend compatibly with the surrounding area and needs of the community.

GOAL 7 - MAINTENANCE OF MINIMAL OFFICE BUILDING DEVELOPMENT AREAS.

POLICY 7 - (Excerpted from full text) - The Master Plan recognizes existing and approved uses but does not provide for any expansion of such uses.

GOAL 8 - MAINTENANCE OF ON-SITE SANITARY WASTE DISPOSAL.

POLICY 8 - (Excerpted from full text) - Reliance will be placed upon onsite waste disposal and that due to geologic, topographic, and soil conditions and current state and federal water quality and health standards, low-density, large-lot development will be continued. Reinforce the rural development pattern of the township and preservation of surface and subsurface water quality to prevent pollution of the Great Swamp and protect the Buried Valley Aquifer.

GOAL 9 - PROTECTION AND MAINTENANCE OF POTABLE WATER SUPPLIES.

POLICY 9 - (Excerpted from full text) - Harding Township should continue a low-density pattern of development to maintain groundwater quantity and quality. Areas of the township serviced by independent water companies are limited and future water line extensions would be inconsistent with state planning policies that seek to limit the expansion of infrastructure in areas designated within Planning Area 5.

GOAL 10 - PROTECTION OF RURAL ROADWAYS.

POLICY 10 - (Excerpted from full text) - The Township plans the retention of this local roadway system, which is consistent with its rural, historic character and the planned continuation of low-density residential development. Route 202 bisects Harding in the northwestern portion of the Township and is not planned to be developed for use as a major commercial thoroughfare. The careful review of site plans for any new proposed development along this road will be useful in achieving maximum safety and appropriate roadway conditions. Coordination with state and county transportation officials may help achieve these results.

GOAL 11 - PROTECTION OF NATURAL RESOURCES AND ENVIRONMENTAL ASSETS THROUGH LAND USE AND DEVELOPMENT REGULATIONS.

POLICY 11 - (Excerpted from full text) - The Township intends to prohibit intensive urbanization in order to preserve this unique heritage. It is not the intent of the township to inhibit all development, but rather to mold it, to modify it, to insist that it fit compatibly with its surroundings. All Township boards and agencies will adhere to high standards for development review in accordance with the Township zoning and land subdivision regulations, environmental impact statement requirements, site plan review requirements, flood hazard areas and wetlands protection requirements, soil erosion and sedimentation control requirements, Board of Health requirements, and other land use and development regulations and controls which may be applicable to a particular development.

Conservation Plan Element (2008)

Objectives

1. Protect the quality and quantity of water resources in the Township.
2. Protect the environmental quality of the Great Swamp National Wildlife Refuge.
3. Promote sustainable levels of development.
4. Preserve woodlands and specimen trees.
5. Create and preserve greenway corridors especially along streams of high-water quality.
6. Control deer overpopulation.
7. Control the introduction and spread of invasive plant species.

Open Space Plan Element (2008)

Goals

1. Preserve open space areas that contribute to the preservation of water resources, scenic vistas, streetscapes or landscapes, and/or that contain historic features or qualities of importance to the traditional rural historic character of the township.
2. Preserve open space important to the protection of Harding’s high-quality natural resources, the Great Swamp National Wildlife Refuge and Morristown National Historical Park. Particular emphasis should be placed upon areas not otherwise protected by State regulations such as forests and meadows that provide valuable wildlife habitat.
3. Preserve open space to provide for active and passive recreational needs including linkage between open space areas and greenways and maintaining the integrity of the system of bridle trails.
4. Promote the preservation of farms and farming in the township.
5. Provide for the stewardship of publicly owned land and promote the maintenance of privately preserved areas.

Stormwater Management Plan Element (2005)

Goals and Objectives

1. Minimize, to the extent practical, any increase in stormwater runoff from any new development.
2. Reduce soil erosion from development or construction projects.
3. Assure the adequacy of existing and proposed culverts and bridges, and other in-stream structures.
4. Maintain groundwater recharge and, to the extent practical, restore groundwater recharge to pre-colonial rates.
5. Prevent, to the greatest extent feasible, an increase in nonpoint pollution.
6. Maintain the integrity of stream channels for their biological functions, as well as for drainage.
7. Minimize pollutants in stormwater runoff from new and existing development to restore, enhance, and maintain the chemical, physical, and biological integrity of the waters of the state, to protect public health, to safeguard fish and aquatic life and scenic and ecological values, and to enhance the domestic, municipal, recreational, industrial, and other uses of water.
8. Reduce flood damage, including damage to life and property.

Circulation Plan Element (Adopted 1997; Reorganized 2008)

Objectives

1. Emphasize maintenance of existing roadways rather than new road improvements to be consistent with these objectives.
2. Road improvement standards and policies should be designed to minimize the effect of runoff and increased pollutants flowing into the Great Swamp.
3. The close association of the community of Harding to its roads and the importance of its roadways to its character is a distinguishing attribute of the township that should be fostered and protected. In order to protect this close relationship of the community to its roads, policies should be encouraged which promote the following:
 - a. Road improvement policies should emphasize maintenance and repair so that the existing scale and character of Harding's roadways can be maintained.
 - b. Speed limits should be set at levels consistent with the character of individual roadways and they should be actively enforced.
 - c. Regional highway plans should be supported which will minimize future "through" traffic through Harding.
4. Road improvements must be carefully considered to assure that they are needed and are cost effective.

Recommended Policies

1. Control and limit long term public investment in roads and bridges.

2. Promote road improvements that are consistent with the environmentally sensitive and historically significant characteristics of the Township.
3. Promote safe traffic speeds in order to ensure the safety of residents and wildlife in the Township.
4. New roads should be designed to fit into the existing landscape with the minimum disturbance necessary and with the minimum width necessary for public safety.
5. An active policy of controlling speeds on Township roadways should be undertaken.

Community Facilities Plan Element (2008)

Goals

1. To provide for limited community facilities that are appropriate and consistent with the Township's historic and rural character, development density and small population.
2. To promote the stewardship and efficient utilization of existing community facilities in a manner that maintains high quality services, encourages continued volunteerism, and minimizes public expenditures.
3. To ensure that existing facilities are maintained and that any future facilities are designed consistent with the Township's historic and rural character and that New Vernon Village remains the focal point of the community.
4. To limit the extension of public water services consistent with the Township's overall goal of maintaining its low density of development and its designation as an environmentally sensitive area by the State Planning Commission.
5. To limit the extension of public sanitary sewer services consistent with the Township's overall goal of maintaining its low density of development and its designation as an environmentally sensitive area by the State Planning Commission.

Policies

1. The Township's planning policy for public water service should remain consistent with this Master Plan's overall goal of limiting future growth and the Township's designation as PA-5, Environmentally Sensitive by the State Planning Commission.
2. Water lines should not be extended in Harding Township beyond the areas currently served.
3. New Vernon Village should be monitored to ensure that adequate potable water supply, currently provided by individual wells, will continue.
4. The Township's planning policy for public sewer service should remain consistent with this Master Plan's overall goal of limiting future growth and the Township's designation within Planning Area 5 (PA-5, Environmentally Sensitive) by the State Planning Commission.
5. Sanitary sewer lines and the service area in Harding Township should not be extended beyond the limited higher density area and the scattered border lots currently served.

6. New Vernon Village should be monitored to ensure that safe and adequate sewage disposal, currently provided by individual septic systems, will continue.

Recommendations

Municipal Administration:

1. Consideration should be given to the potential for relocation of the tennis courts from the Kirby Hall site to the Harding School property. A proposed site plan for expanded recreational facilities at the school illustrates that a satisfactory area exists for the construction of several tennis courts.
2. As the Township's website is upgraded and refined, arrangements should be made for public access to the Township's Master Plan, development regulations and current land use topics.
3. Consideration should be given to developing a specific plan for the reconfiguration of DPW facilities in New Vernon Village to enhance the efficient utilization of the site and allow for future improvements, if needed. Such a plan would be beneficial for long term planning to ensure that the facilities in this location continue to meet Harding's current and future needs.
4. The Township administration should continue to explore the potential for efficiency and cost savings that might be realized by sharing services within the region.

Fire Protection:

1. The Township Committee should continue to work closely with the Fire Department regarding water supply for fire safety.
2. Consideration should be given to updating the land use regulations with respect to the proximity of fire safety water sources to serve new development.

Utility Services:

1. The Township should continue to work closely with the County to ensure that Harding's utility service policies are incorporated in the new county-wide Wastewater Management Plan.
2. The Health Department should monitor inspection reports on potable water and sewage disposal in New Vernon Village to ensure that development can continue to be served by on-site systems.

Long Range Planning:

1. The Township should investigate the feasibility of establishing a community parking area to facilitate linkage with mass transit.
2. A build-out study should be undertaken based on the new lower density zoning established in 2004 to facilitate long range planning of future community facilities.

Recycling Plan Element (1994)

Encourage the strict enforcement of the Township's recycling program and continued monitoring of state, county and local recycling efforts so as to promote appropriate program modifications as solid waste technology changes or collection and disposition logistics warrant.

Historic Preservation Plan Element (2005)

Goals and Assumptions

1. The historic character and integrity of Harding’s roads should be preserved.
2. The historic character and integrity of Harding’s historic buildings should be preserved. Municipal development regulations should reflect a policy that encourages continued investment in their maintenance and rehabilitation consistent with their historic integrity.
3. Harding’s abundant heritage trees should be preserved.
4. Harding’s historic development pattern should be preserved. In summary they are:
 - a. A network of historic roads that is narrow and curvilinear in design
 - b. Contrast between relatively dense but compact villages and surrounding relatively open and low-density areas
 - c. Large areas of open space
 - d. Hedgerows and wooded stream corridors
 - e. Working farms
 - f. Great variety of lot sizes and configurations
 - g. Great variety in the size and location of buildings on lots
5. Historic preservation should be actively promoted in the best interests of all residents. Harding’s abundant historic resources are the foundation of its character and unique sense of place. Whenever development projects will affect historic resources, the Historic Preservation Commission, Township Committee, Planning Board and Zoning Board of Adjustment should work with owners and developers to protect those resources.

2013 Master Plan Reexamination Report

The 2013 Master Plan Reexamination Report put forth the following recommendations:

1. 2010 Census Update (Housing Element & Fair Share Plan): The Housing Element & Fair Share Plan should be updated to include demographics information from the 2010 Census.
2. Relationship to Other Plans: This section, last updated in 1997, does not reflect current state and regional planning concerns. In addition, some Master Plan elements contain references to the township’s designation in the 2001 State Plan within Planning Area-5, the environmentally sensitive planning area.
3. When the State Strategic Plan is adopted the “Relationship to Other Plans” section of the Master Plan should be updated and the Master Plan elements should be amended as needed, consistent with the new state plan. However, the Master Plan should still reflect that the township is in an environmentally sensitive area, even though references to the former state plan designation “Planning Area 5” will be modified.

4. **Historic Preservation Plan:** If the township concludes that a new historic structures survey is needed, the Historic Preservation Plan should be updated to reflect any relevant changes arising from an updated study.
5. **Open Space Plan Update:** The Open Space Plan should be updated to include recent land acquisition, the township's conservation easements, and the percentages of each major category of open space.
6. **Community Facilities Plan Update:** The Community Facilities Plan should be updated to reflect the completion of the Library at the Municipal Building site.
7. **Demolition Delay Ordinance:** The township should consider revisions to the Demolition Delay Ordinance to streamline the process for obtaining permits and to make the procedures less complicated and time consuming.
8. **B-2 Zone (Route 202) Update:** The township should consider updating the permitted uses and other provisions applicable in the B-2 Zone (Route 202).
9. **Fence Regulations:** The Planning Board will review the recommendations made by the Environmental Commission concerning deer fences.
10. **Zoning Map Update:** The Zoning Map should be amended to reflect that sites recently acquired for open space are designated within the Public Land Zone.

SECTION B: REVIEW OF MAJOR PROBLEMS AND OBJECTIVES

“The extent to which such problems and objectives have been reduced or have increased subsequent to such date.”

The following section represents the extent to which the problems and objectives in Section A have been reduced or increased. The section identifies which goals, objectives, and recommendations remain valid and are carried forward, and which ones either need updating or are no longer valid due to changing circumstances.

All of the goals, objectives, and recommendations of each of the following Master Plan Elements remain valid and are carried forward:

- **Master Plan Objectives, Goals, Policies, Assumptions, and Standards**
- **Stormwater Management Plan Element**
- **Circulation Plan Element**
- **Recycling Plan Element**
- **Historic Preservation Plan Element**
- **The Open Space Plan Element. This element is currently being amended, and that amendment will consider the goals in light of current conditions.**

The following Master Plan Elements need updates to their goals, objectives, and/or recommendations. The remainder of Section B will go through the Conservation Plan Element, Community Facilities Plan Element, and the 2013 Master Plan Reexamination Report to provide updates on the status of each plan.

2008 Conservation Plan Element

Objectives

1. Protect the quality and quantity of water resources in the Township.

This objective remains valid and is carried forward.

2. Protect the environmental quality of the Great Swamp National Wildlife Refuge.

This objective remains valid and is carried forward.

3. Promote sustainable levels of development.

This objective remains valid and is carried forward.

4. Preserve woodlands and specimen trees.

This objective remains valid but should be edited to provide additional language: Promote the preservation and creation of healthy Forest, woodland, shrubland, and grassland natural spaces, especially ones that promote native plant species and effectively provide habitat for native insect, pollinator, bird, and mammalian species.

5. Create and preserve greenway corridors especially along streams of high-water quality.

This objective remains valid and is carried forward.

6. Control deer overpopulation.

This objective remains valid but should be edited to provide additional language: Monitor the ecological impacts on native flora due to deer overpopulation. Develop a management plan coordinating if appropriate with the State and neighboring communities.

7. Control the introduction and spread of invasive plant species.

This objective remains valid and is carried forward.

2008 Community Facilities Plan Element

All of the stated goals and objectives of the Community Facilities Plan Element remain valid and are carried forward. Several of the recommendations, however, need updating:

Municipal Administration:

1. Consideration should be given to the potential for relocation of the tennis courts from the Kirby Hall site to the Harding School property. A proposed site plan for expanded recreational facilities at the school illustrates that a satisfactory area exists for the construction of several tennis courts.

This recommendation is no longer relevant as the tennis courts at Kirby Hall were updated in 2016, and there is no longer a plan to relocate them to the Harding School property.

2. As the Township's website is upgraded and refined, arrangements should be made for public access to the Township's Master Plan, development regulations and current land use topics.

This recommendation has been implemented and the objective realized. It's recommended, however, that the Township continue working to maintain and update the website as well as ensuring a user-friendly and easily accessible site/

3. Consideration should be given to developing a specific plan for the reconfiguration of DPW facilities in New Vernon Village to enhance the efficient utilization of the site and allow for future improvements, if needed. Such a plan would be beneficial for long term planning to ensure that the facilities in this location continue to meet Harding's current and future needs.

This recommendation remains partially valid but should be amended. Since the 2008 Community Facilities Plan was adopted, the plans for the DPW site have continued to evolve. As the Township moves forward with changes to the site, the DPW and the Township should continue to explore best practices for optimizing the flow and use of the site. The DPW site is also the recycling center for the Township. The recycling industry has changed in recent years, and the Township should work with the DPW to find best-cost ways of disposing recyclables and advance the recycling program in a sustainable (both socially and financially) manner.

The DPW facilities were recently renovated to include sleeping quarters. There are also current plans to construct a salt shed on the DPW property.

4. The Township administration should continue to explore the potential for efficiency and cost savings that might be realized by sharing services within the region.

This recommendation remains valid and is carried forward.

Fire Protection:

1. The Township Committee should continue to work closely with the Fire Department regarding water supply for fire safety.

This recommendation remains valid and is carried forward.

2. Consideration should be given to updating the land use regulations with respect to the proximity of fire safety water sources to serve new development.

This recommendation has been realized. The Township reviewed its code requirements to ensure they are consistent with and satisfy the insurance minimums. It was determined the existing Township standards are consistent.

Utility Services:

1. The Township should continue to work closely with the County to ensure that Harding's utility service policies are incorporated in the new county-wide Wastewater Management Plan.

This recommendation is no longer valid as the Morris County Wastewater Management Plan was adopted in 2014.

2. The Health Department should monitor inspection reports on potable water and sewage disposal in New Vernon Village to ensure that development can continue to be served by on-site systems.

This recommendation remains valid and is carried forward.

Long Range Planning:

1. The Township should investigate the feasibility of establishing a community parking area to facilitate linkage with mass transit.

This recommendation remains partially valid but should be amended. The need to facilitate the use of mass transit continues to be an important consideration for many of Harding's working residents. While the desire/feasibility of establishing a community parking facility near mass transit may not be practical anymore, the Township should continue to support energy efficient links and access to mass transit options. This includes being open to companies like Boxcar, an on-demand parking company that allows a commuter to reserve parking in advance. Boxcar is relatively new but has proven effective in towns such as Westfield, NJ for example, whose Methodist church rents out their unused parking spaces during workdays to Boxcar. Commuters can reserve these parking spaces and not have to worry about finding parking in the small train station parking lot.

Other options for commuters include rideshare programs such as Uber, Lyft, and Zimride. Carpooling apps and programs are an emerging industry as well. Waze, an app commonly known as a GPS navigation software app, has launched a carpool app which lets a commuter

choose to drive or ride with people going in the same direction. GroupCarpool is another program that lets individuals organize and manage their own carpools. It is recommended the Township utilize appropriate tools (e.g. the Township website) to provide information on these types of services so that Harding residents are aware of the many options at their disposal.

In addition to the various programs discussed above, the Township should be open to new opportunities that will help reduce congestion throughout Harding.

2. A build-out study should be undertaken based on the new lower density zoning established in 2004 to facilitate long range planning of future community facilities.

This recommendation is no longer valid.

2013 Master Plan Reexamination Report

The 2013 Master Plan Reexamination Report put forth the following recommendations:

1. 2010 Census Update (Housing Element & Fair Share Plan): The Housing Element & Fair Share Plan should be updated to include demographics information from the 2010 Census.

This recommendation is no longer valid. The Planning Board adopted a new Housing Element and Fair Share Plan on December 18, 2018.

2. Relationship to Other Plans: This section, last updated in 1997, does not reflect current state and regional planning concerns. In addition, some Master Plan elements contain references to the township's designation in the 2001 State Plan within Planning Area-5, the environmentally sensitive planning area.

This recommendation remains valid and is carried forward. The Relationship to Other Plans section should be updated to reflect current regional planning initiatives and concerns.

3. When the State Strategic Plan is adopted the "Relationship to Other Plans" section of the Master Plan should be updated and the Master Plan elements should be amended as needed, consistent with the new state plan. However, the Master Plan should still reflect that the township is in an environmentally sensitive area, even though references to the former state plan designation "Planning Area 5" will be modified.

This recommendation is no longer valid as the 2012 State Strategic Plan was never adopted. However, the latter part of this recommendation regarding Planning Area 5 remains valid.

4. Historic Preservation Plan: If the Township concludes that a new historic structures survey is needed, the Historic Preservation Plan should be updated to reflect any relevant changes arising from an updated study.

This recommendation remains valid and is carried forward and updated. The Historic Preservation Commission ("HPC") is in the process of gathering updated information that will be provided to McCabe & Associates, who will then create an updated historic structures survey. McCabe & Associates prepared a report for the Township in 2004. The scope of that project was to survey approximately 500 properties within Harding, including properties

both within and outside of the Township's locally designated historic districts, to identify key-contributing, contributing, and non-contributing elements. The survey was carried out in accordance with the New Jersey State Historic Preservation Office's *Guidelines for Architectural Survey*. The HPO's guidelines were established to help municipalities and organizations create surveys that meet the generally accepted professional standards. The report is an inventory of the key-contributing, contributing, and non-contributing properties within the Township. The identification of a property as contributing or not is rooted in the criteria set forth by the National Register. The 2004 report from McCabe & Associates as well as the 2008 Historic Preservation Plan provide detailed descriptions of this criteria. It is expected the updated report from McCabe & Associates will abide by the same professional standards and guidelines as it did in 2004.

The purpose of the current process to update the report is to revise the inventory of the key-contributing, contributing, and non-contributing properties to reflect current conditions. This will then allow the Historic Preservation Master Plan Element to be updated with current information. It is anticipated some properties may be removed from the inventory due to various factors, including demolitions and subdivisions.

When updating the Historic Preservation Master Plan Element, it is recommended the HPC review the existing procedures, ordinances, application requirements, etc. to consider if any updates, revisions, or clarifications are needed. The Historic Preservation Master Plan Element should be reviewed holistically to determine what, if any, updates are needed. During the update process, broader community input should be solicited.

5. Open Space Plan Update: The Open Space Plan should be updated to include recent land acquisition, the township's conservation easements, and the percentages of each major category of open space.

This recommendation remains valid and is carried forward. The Open Space Plan is in the process of being updated.

6. Community Facilities Plan Update: The Community Facilities Plan should be updated to reflect the completion of the Library at the Municipal Building site.

This recommendation remains valid and is updated to include the tennis courts at Kirby Hall.

7. Demolition Delay Ordinance: The township should consider revisions to the Demolition Delay Ordinance to streamline the process for obtaining permits and to make the procedures less complicated and time consuming.

This recommendation remains partially valid. At the October 14, 2014 meeting of the Township Committee, the Planning Board and Historic Preservation Commission gave a presentation regarding the Demolition Delay Ordinance. At that time, the representatives from the HPC noted that 70% of applications end in demolitions, 42% of all applications receive immediate approval for demolition, and 28% of applications are issued a certificate of appropriateness with conditions. One representative of the HPC indicated that a six-month waiting period, as opposed to the required nine would be beneficial to applicants. The Township Committee did not reach a decision regarding to the potential amendment and no formal action was taken. It does not appear a subsequent discussion was ever had.

The Historic Preservation Commission indicated in their memo to the Planning Board that at this point no changes are needed. The Commission should continue to evaluate the effectiveness of the Demolition Delay Ordinance as new applications arise and if needed, provide recommendations to the Planning Board for updates/revisions to the Ordinance.

8. B-2 Zone (Route 202) Update: The township should consider updating the permitted uses and other provisions applicable in the B-2 Zone (Route 202).

This recommendation remains valid and is a component of this Master Plan Reexamination.

9. Fence Regulations: The Planning Board will review the recommendations made by the Environmental Commission concerning deer fences.

This recommendation remains partially valid. While the issue has not diminished, it has evolved. The Environmental Commission investigated the issue and made recommendations regarding deer fences, but no policy has moved forward. The Environmental Commission should continue to monitor the issues associated with deer and provide recommendations regarding mitigation strategies to the Planning Board when appropriate.

10. Zoning Map Update: The Zoning Map should be amended to reflect that sites recently acquired for open space are designated within the Public Land Zone.

This recommendation remains valid and will be a component of this Reexamination Report as well as the updated Open Space and Recreation Plan Element that is currently being updated.

SECTION C: SIGNIFICANT CHANGES IN ASSUMPTIONS IMPACTING THE MASTER PLAN

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

Since the Township adopted its 2013 Master Plan Reexamination Report as well as several of its various Elements, there have been significant changes at the State, County, and local levels affecting the objectives, assumptions, and policies that form the basis of the Master Plan. The following Section C discusses first changes at the State level, followed by changes at the County level, and finally by changes at the local level (Harding Township).

Changes at the State Level

Affordable Housing

The “Third Round” of affordable housing obligations within New Jersey has been a decades-long conflict over methodologies. The Coalition on Affordable Housing (COAH) made no progress for years in adopting a constitutional framework for affordable housing and so, in March 2015, the New Jersey Supreme Court disbanded COAH. In re Adoption of N.J.A.C. 5:96 & 5:97 by the N.J. Council on Affordable Housing, 221 N.J. 1 (2015) (“Mount Laurel IV”), the Court held that because COAH was moribund, trial courts were to resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations. The Mount Laurel IV decision also established a transitional process for municipalities to seek temporary immunity and ultimate a Judgment of Compliance and Repose (JOR) or the “judicial equivalent” of Substantive Certification from COAH.

On January 18, 2017 in In Re Declaratory Judgment Actions Filed by Various Municipalities, County of Ocean, Pursuant To The Supreme Court’s Decision In In re Adoption of N.J.A.C. 5:96, 221 N.J. 1 (2015) (“Mount Laurel V”), the Court decided that for the sixteen year period between 1999 and 2015 (known as the “gap period”) when COAH failed to implement rules creating fair share obligations for municipalities, the Mount Laurel constitutional obligation did not go away. Therefore, municipalities continue to be responsible for the need created during the gap period.

Rideshare Programs

In 2017, New Jersey adopted regulations establishing statewide standards for ridesharing companies like Uber and Lyft. The law includes procedures designed to protect the consumer, such as criminal background checks for drivers and standards for insurance coverage.

Local Redevelopment and Housing Law

2013 Amendments

In 2013, two changes were made to amend criterion ‘e’ based on the *Gallenthin v. Paulsboro* decision, and to modify the notice requirements based on the *Harrison v. DeRose* decision. These changes were made in

response to concerns regarding the use of eminent domain. The language of Criterion ‘E’ was amended to require that a property be “unproductive” rather than “not fully productive.” Additional notice requirements were instituted to require a statement at the outset of the redevelopment process whether properties in a potential redevelopment area could be subject to condemnation.

The 2013 legislation also amended and clarified the conditions necessary to classify an area in need of rehabilitation when there is evidence of environmental contamination.

2019 Amendment

Effective November 6, 2019, the Local Redevelopment and Housing Law was amended to update the requirements of a Redevelopment Plan (N.J.S.A. 40A:12A-7). Paragraph a.8. was added to require a redevelopment plan to include “proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.”

Additionally, Criterion “b” of the LRHL was expanded to include the discontinuance or abandonment of buildings used for retail, shopping malls and office parks, as well as those buildings which have had significant vacancies for at least two (2) consecutive years.

Municipal Land Use Law Amendments

The recent MLUL amendments have implications for the Township and its land use policies and ordinances. While some of these occurred prior to the 2013 Master Plan Reexamination Report, the Report did not discuss their implications. From an administrative perspective, the time of application change, the modifications to the performance guarantee, and the requirement to conduct a Reexamination Report every ten years are the most significant. The modifications to the Master Plan elements will be considered as the Township undertakes future Master Plan amendments.

2010 Time of Application

The previous Time of Decision law allowed municipalities to modify the zoning regulations after an application for development was submitted to a municipality’s planning/zoning board but before a formal decision was rendered. The 2010 Time of Application law (P.L. 2010 c.9) no longer permits changes to the zoning ordinance once an application is submitted. The development regulations that are in place at the time a development application is submitted to the planning/zoning board will govern the review of the application and any decision pertaining to it.

2011 Reexamination Report

The first change in the 2011 amendment changed the minimum time period for the required periodic reexamination of the municipal master plan from every six years to every ten years.

2011 GDP Approvals

The second change in the 2011 amendment provided for the submission of general development plans (GDP). GDP approval can be sought for tracts of land greater than 100 acres in size or for projects consisting of 150,000 square feet of nonresidential floor area or 100 residential units.

2013 Cluster Development

The first change in the 2013 amendment added a definition, purpose, and standards related to cluster development. Cluster development involves concentrating development within a portion of a site in order to protect and preserve environmentally sensitive features.

2013 Performance Guarantees

The second change in the 2013 amendment was related to transferring performance guarantees between a developer and its successor.

2015 Noticing

The 2015 amendment allowed for the transmittal of certain notice documents via email.

2016 Military Bases

The 2016 amendment added a new purpose of the Act and includes definitions and standards related to land use planning near military bases.

2017 Performance and Maintenance Guarantees

The first change in the 2017 amendment modified the scope of improvements that could be covered by performance and maintenance guarantees. A performance and maintenance guarantee can only be required for improvements within a public right-of-way and those affecting adjacent properties such as buffer areas and the like.

2017 Smart Growth

The second change in the 2017 amendment requires the Land Use element of a municipality's Master Plan to address "smart growth which in part, shall consider potential locations for the installation of electric vehicle charging stations, storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and environmental sustainability issues."

2019 Municipal Public Access Plan as optional MP Element

The first change in the 2019 amendment added the Municipal Public Access Plan as an optional Master Plan Element: "A public access plan element that provides for, encourages, and promotes permanently protected public access to all tidal waters and adjacent shorelines consistent with the public trust doctrine, and which shall include a map and inventory of public access points, public facilities that support access, parking, boat ramps, and marinas; an assessment of the need for additional public access; a statement of goals and administrative mechanisms to ensure that access will be permanently protected; and a strategy that describes the forms of access to satisfy the need for such access with an implementation schedule and tools for implementation."

2019 Zoning Boards

The second change in 2019 allowed for the creation of supplemental zoning boards to address backlogs of applications under certain circumstances.

2019 Electric Vehicle Charging Infrastructure

The third change in 2019 became effective November 6, 2019. The MLUL was amended include provisions for electric vehicle charging stations:

- The first component of this amendment involves the preparation, modification, and required contents of a Master Plan (N.J.S.A. 40:55D-28). The components of the Land Use Element (a required Master Plan Element) have been updated to include a provision requiring the Element to show the “existing and proposed location of public electric vehicle charging infrastructure.”
- The second component of this amendment involves the requirements of the Master Plan Reexamination Report (N.J.S.A. 40:55D-89). A new required section, Section F, has been added. This new section states the reexamination report shall state “the recommendations of the planning board concerning locations appropriate for the development of public electric vehicle infrastructure...and recommended changes, if any in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.”

Electronic Waste Management Act (2011)

In 2011, the New Jersey Department of Environmental Protection requires that televisions, computers, electronic tables, e-book readers, and monitors be recycled at designated recycling collection points. These electronic devices are no longer able to be discarded in the regular waste stream as most contain lead, mercury, cadmium, nickel, zinc, brominated flame retardants, and other potentially hazardous materials.

Flood Hazard Area Control Act, Update

The Flood Hazard Area (FHA) Control Act Rules, N.J.A.C. 7:13 were adopted on November 5, 2007 and amended on June 20, 2016. The FHA rules implement the New Jersey Flood Hazard Area Control Act (N.J.S.A. 58:16A-50 et seq.). Because development within flood hazard areas can compound the frequency and intensity of flooding, the FHA rules incorporate strict standards for development within flood hazard areas to mitigate the adverse effects of development. The 2016 comprehensive amendment reduced unnecessary burdens, added appropriate flexibility, and provided better consistency with Federal, local, and other State requirements. The amendment additionally addressed several implementation issues that had been identified since the implementation of the 2007 rules.

COVID Permit Extension Act of 2020

The year 2020 saw the emergence of the COVID-19 global pandemic, which caused a temporary shutdown of many government services. On July 1, 2020, Governor Murphy signed the Permit Extension Act of 2020, P.L. 2020, c.53 (“Chapter 53”) into law as a response to the COVID-19 pandemic. The purpose of this law is to provide a relaxation of the requirements for municipal action related to deadlines under the Municipal Land Use Law (MLUL). Chapter 53 effectively extends the terms of all governmental permits, approvals and deadlines, which were due to expire on March 9, 2020 until the at least six months after the end of the public health emergency (the “COVID-19 Extension Period”). The suspension applies to state and local permits and approvals including New Jersey Department of Environmental Protection (DEP) issued land use approvals, municipal land use approvals, flood hazard permits, water supply permits and certifications, water quality management plan approvals and other environmental approvals.

Changes at the County and Regional Level

Morris County Hazard Mitigation Plan Update – July 2015

The Disaster Mitigation Act of 2000 (DMA 2000) requires that States, with support from local governments, update their Hazard Mitigation Plans (HMP) every five years to prepare for and reduce potential negative impacts of natural events. For communities to remain eligible for hazard mitigation assistance from the federal government, they must maintain an updated HMP. Morris County adopted their updated Hazard Mitigation Plan in July 2015. The purpose of the HMP is to identify potential natural disaster risks that threaten the County’s communities and residents. The Plan evaluates the risks and identifies planned projects designed to prevent and mitigate the effects of future natural disasters.

Severe flooding is experienced in the Township in the lowlands along the Passaic River and areas along the great Brook, Silver Brook, Primrose Brook, and areas in the Green Village. Residential properties adjacent to the Great Swamp were repeatedly flooded by high water stages within the Great Swamp National Wildlife Refuge.

The Morris County HMP includes individual plans for each municipality within the County. As of July 2015, there had not been another significant storm event equivalent to Hurricane Irene (2011) or Hurricane Sandy (2012). There are 48 flood insurance policies in Harding, as of September 30, 2014 (most recent data). Fourteen of these policies are for properties within the 100-year floodplain. Up until that date (September 30, 2014), there were 14 claims of losses. The total loss payments came to \$240,089. There were 0 repetitive losses on a single property filed, and 0 severe repetitive losses filed. While the Township does not participate in the Community Rating System (CRS), the Township is in good standing with the National Flood Insurance Program (NFIP). The Township has numerous ordinances in place pertaining to hazard mitigation, including an NFIP Flood Damage Prevention Ordinance (§171-21).

The following hazard mitigation initiatives are proposed for Harding:

- Engineering study to determine mitigation action for the following streets: Dicksons Mill Road, Pleasant Plains Road, Long Hill Road, and Lees Hill Road.
- Backup power for the DPW site on 8 Millbrook Road.
- Develop all-hazard public education and outreach programs for hazard mitigation and preparedness.
- Create/enhance/maintain mutual aid agreements with neighboring communities for continuity of operations.

The following hazard types were ranked as “High” for the Township of Harding:

- Severe Storm – Including high winds, tornadoes, thunderstorms, hurricanes/tropical storms, storm surge, and hail.
- Winter Storm – Including heavy snow, blizzards, nor’easters, ice storms, or any combination thereof.
- Disease Outbreak – Including viruses from ticks and mosquitos as well as influenzas.

- Hazardous Materials – These are substances that are considered severely harmful to human health and the environment.

Morris County Circulation Element – 2018

The County adopted a new Circulation Element on October 18, 2018. The Element provides an update in conditions since its previous Circulation Element was adopted in 1992 and reviews current conditions and transportation trends. The Element also identifies strategies to address issues and concerns that have arisen in the County. The following are the three central Goals of the Element:

1. Improve the safety, accessibility, and efficiency of Morris County’s transportation network
2. Conduct a coordinated, comprehensive, and cooperative transportation planning process
3. Support economic development through diverse transportation investment.

Morris County Wastewater Management Plan – 2014

Morris County adopted their most recent Wastewater Management Plan on January 30, 2014. The Plan is a component of the planning process required by the New Jersey Water Quality Planning Act and the federal Clean Water Act. The intent of this planning process is to coordinate federal, state, regional, and local land use planning to ensure the planning efforts do not conflict.

Changes at the Local Level, Harding Township

Harding’s Demographic Characteristics

While the 2010 Decennial Census had completed by the 2013 Master Plan Reexamination Report, new estimates are released every year under the American Community Survey.

Population

The 2010 Decennial Census showed a significant increase in population from the 2000 Census (18.2%). With the exception of the 2000 Census, and a minor decrease in the 1980 Census, the Township has steadily grown in population since 1930. The current 2013-2017 American Community Survey 5-year estimates indicate the Township is continuing to grow, although it does not appear to be as rapid a growth as it was during the 2000 to 2010 decade.

Harding Township			
Year	Population	Change	
		Number	Percent
1930	1,206	-	-
1940	1,565	359	29.8%
1950	1,970	405	25.9%
1960	2,683	713	36.2%
1970	3,249	566	21.1%
1980	3,236	-13	-0.4%
1990	3,640	404	12.5%
2000	3,180	-460	-12.6%
2010	3,758	578	18.2%
2017 Estimates	3,887	129	3.4%

Harding Township Public Schools

The Harding Township public school system consists of Pre-K through 8th grade. Graduates of Harding’s middle school go on to high school at Madison High School. Since the 2013 Reexamination Report, there have been upgrades and planned upgrades to the facilities as well as changes in enrollment. The following charts, provided by the New Jersey Department of Education, show the enrollment history over a sixty-year period as well as the recent trends. Enrollment in recent years has remained relatively stable between 275 and 315 students. Based on current enrollment, school officials anticipate a continuation of this relative stability for the foreseeable future.

School Year	Enrollment	Percent Change
<i>Sixty-year trend</i>		
1959-1960	408	-
1969-1970	477	16.6%
1979-1980	341	-28.5%
1989-1990	191	-44%
1999-2000	354	85.3%
2009-2010	312	-11.9%
2019-2020	281	-9.9%
<i>Current trend</i>		
2014-2015	302	-
2015-2016	309	2.3%
2016-2017	315	1.9%
2017-2018	304	-3.5%
2018-2019	279	-8.2%
2019-2020	281	0.7%

Twenty-seven of thirty-six students who graduated from the Harding’s middle school in 2019 attended Madison High School for the 2019-2020 school year.

The elementary school and middle school both remain under capacity. Pursuant to the Board of Education’s 2018 Comprehensive Annual Financial Report, the elementary school’s capacity is 336 students and it’s 2018 enrollment was 186. The middle school’s 2018 capacity is 184 students, with an enrollment number of 122.

In 2001, the school district conducted significant renovations to the middle school building, which was originally constructed in the 1920s. Such renovations, which are discussed in the 2008 Community Facilities Plan, included a new gymnasium as well as improvements to classrooms and elevator tower/stairwells to comply with the Americans with Disabilities Act (ADA). The old gym was then transformed into the School Library and Media Center. Further renovations of the Library and Media Center are scheduled to be completed in fall 2020. These improvements will include a STEAM Lab and new classroom space. The school has also updated its recreational facilities by include two new tennis court adjacent to the existing playing fields.

Additional facility upgrades were included in the Board of Education’s 2018 Comprehensive Annual Financial Report, including upgrades to the middle school air conditioning and various bathroom updates.

Affordable Housing

In 2009, prior to the 2013 Master Plan Reexamination Report, the Township of Harding received Third Round Certification under the amended Third Round Rules. The Township was one of only 67 municipalities to receive Third Round Certification before the Appellate Division invalidated a large majority of the Council on Affordable Housing’s (COAH) Third Round regulations.

In response to Mount Laurel IV, which established the transitional process for municipalities to seek temporary immunity and an ultimate JOR (as discussed earlier in Section C), the Township filed a declaratory judgement action on July 7, 2015. In an Order dated September 1, 2015, the Township was granted temporary immunity from builder’s remedy actions.

The Township of Harding determined it was in its best interest to enter into a settlement agreement with the Fair Share Housing Center (FSHC) regarding its fair share obligation. The Township also entered into negotiations with Mt. Kemble Associates regarding the property found on Block 23.02 Lot 5 on the Township’s official Tax Map.

A settlement agreement with Mt. Kemble Associates was executed on February 9, 2018, and a settlement agreement with FSHC, incorporating the Mt. Kemble Agreement was executed by the Township on September 21, 2018 and by FSHC on September 27, 2018.

A Fairness Hearing was held November 2, 2018 in which the Court approved the Settlement Agreements between the Township and FSHC and Mt. Kemble Associates and deemed the agreement fair and reasonable and that it adequately protects the interest of low- and moderate-income households. The settlement agreement with FSHC including the following obligation for the Township of Harding:

Present Need/Rehabilitation Share:	0
Prior Round (1987-1999) Obligation:	83
Third Round (1999-2025)	176

The Court found that the Township is entitled to a durational adjustment in accordance with N.J.A.C. 5:93-4.3, due to the lack of sufficient infrastructure to accommodate the entirety of its Third Round obligation. The Court also found that the requested waiver of N.J.A.C. 5:93-4.3(c)4, which requires the Township to permit affordable housing development on any site not included in this Fair Share Plan, is appropriate for the Township.

A Compliance Hearing was held on March 1, 2019 where the Township received a Conditional Declaratory Partial Judgment of Compliance and Repose (“JOR”). The Township has worked to satisfy the conditions within the Conditional JOR and a Final Compliance is forthcoming.

Master Plans

Master Plan Housing Element and Fair Share Plan – 2018

A Housing Element and Fair Share Plan (HEFSP) was adopted by the Planning Board on December 18, 2018. The Plan was written in association with the Township’s declaratory judgement action and executed settlement agreements with Fair Share Housing Center (FSHC) and Mt. Kemble Associates, LLC. As discussed earlier, the Township entered into negotiations with FSHC to determine its fair share of the regional housing need and establish mechanisms to meet that obligation. The HEFSP calls for the following:

- An expansion of the 100% affordable development, known as The Farm at Harding to produce two more units;
- Inclusionary development on Block 23.02 Lot 5 (expected to produce 80 market-rate and 16 affordable units);
- A new supportive and special needs housing facility on Block 46.01 Lot 7;
- A senior living development within the Glen Alpin/Hurstmont Redevelopment Area that will produce 40 age-restricted affordable units (at the time the HEFSP was adopted the Area had not yet been designated. It has since been designated and a Redevelopment Plan adopted. See below for more information); and
- An overlay zone over portions of the Route 202 corridor that permit mixed-use development at densities between 6 units per acre and 10 units per acre with a required affordable housing set-aside.

Master Plan Land Use Element – 2017

The Township of Harding amended its Land Use Element in 2017 (adopted by the Planning Board on November 27, 2017). The Land Use Element provides a thorough review of each zone within the Township and recommends policies for each of these zones, intended to guide appropriate development in Harding. The 2017 Land Use Element put forth numerous objectives, principals and assumptions, and land use recommendations. In the two years since the Element was adopted, there have been changes in assumptions and circumstances that render some of the Element’s components no longer valid while others have become out-of-date.

The Land Use Element also provides a detailed description of Harding’s “rural character” and the various components that define that character, including compact villages juxtaposed with open countryside, contiguous large areas of open space, low-density development patterns, views of undeveloped land from public rights-of-way, variety of lot sizes and building placement, existing pattern of narrow roadways, and limited commercial development.

The Element recommends the Township continue its policy of preserving sites with significant environmental features, historic resources, or scenic qualities with a target of acquiring at least 500 acres of land over the next 20 years.

Two vacant lots are discussed in the 2017 Land Use Element: Block 23.02 Lots 5 and 15. Both lots abut Morris Township. While Lot 5 was proposed for acquisition by Morris Township, it’s recommended both lots maintain the established single-family residential neighborhood character of nearby development. Since the Land Use Element was adopted, the Township entered into affordable housing negotiations (as discussed earlier in Section C). Lot 5, the eastern of the two parcels, is a component of the Township’s affordable housing settlement and was rezoned in 2018 to the TH-1 Townhouse Zone 1, which is anticipated to be developed with 80 market-rate units and 16 affordable units. The adjacent Lot 15 remains vacant and was not a component of the Township’s affordable housing litigation.

Several components of the Land Use Element discuss the possibilities of an assisted living facility. The Element envisions a possible assisted living facility in the B-2, OB, and PRN/RC zones. A component of

the Township’s affordable housing settlement includes provisions for a Redevelopment Area that allows for a senior living facility, an assisted living facility, and dementia care. The location of the Redevelopment Area (on the former Hurstmont property as discussed on the following page) was not included in the recommended areas for an assisted living facility in the Land Use Element.

The Land Use Element recommends the OB Office Business Zone maintain its established level of development intensity but be considered for alternative uses of lesser intensity, should the opportunity arise. The Township’s affordable housing settlement includes new provisions for the OB zone. An overlay zoning district for the OB zone was adopted in 2019. This Overlay allows for multi-family residential at a density of 8 to 10 units per acre.

Municipal Ordinances

Ordinance 05-2015 Streets and Driveways

The General Regulations section of the Township’s Land Use Code (§225-116) was amended to include provisions for gates, pillars, and posts constructed adjacent to driveways.

Ordinance 04-2016 Cupolas

The General Regulations section of the Township’s Land Use Code (§225-116) was amended to allow cupolas, spires, belfries, and domes upon or attached to a portion of a principal residential structure. Various height and coverage standards were included to govern such appurtenances.

Ordinance 08-2016 Tree Conservation

The Township’s Tree Conservation Ordinance (§225-111) was amended to provide for various revisions, including standards for previously developed land as well as the removal of dead, dying or structurally unsound trees.

Ordinance 10-2016 Repeal of “Appeals to Township Committee”

In 2016, the Township Committee voted to repeal the section of the Township Code found in §225-37 that permitted the appeal of a final decision of the Board of Adjustment be made to the Township Committee. The Township Committee determined that any such appeal will be made directly to the Superior Court of New Jersey in accordance with provisions of the MLUL.

Ordinance 06-2018 TH-1 Townhouse Zone 1

Pursuant to the Township’s settlement agreements with Mt. Kemble Associates and FSHC, the Township passed Ordinance 06-2018, creating a new zoning district for Block 23.02 Lot 5 called the TH-1 Townhouse Zone 1. The new zone permits an inclusionary development of 80 market-rate dwelling units and 16 affordable dwelling units.

Ordinances 10-2018 and 23-2018 Story and Half Story

Via Ordinance 10-2018 the Township amended the definition of “Story and “Story, Half” to clarify inconsistencies in the way in which a story and half story are determined. The definition of “Story, Half” was subsequently amended via Ordinance 23-2018 to include specific provisions for the TH-1 Zone.

Ordinance 11-2018 Zoning Permit

Ordinance Section 225-4 was amended to revise the conditions where a zoning permit is exempt. The provision that development subject an application to the Board of Adjustment or Planning was removed the exemption list.

Ordinances 15-2018 and 19-2018 Marijuana

The Township Committee passed two ordinances in 2018 relating to marijuana. The first, 15-2018, amended the “Prohibited Uses” section of the Land Use Code (§225-116.5), declaring that marijuana cultivation, producing, manufacturing, testing, and retail of marijuana, whether for medical or recreational purposes, are prohibited in all zones. Ordinance 19-2018 then amended Chapter 285 of the Township code to include a provision entitled “Prohibited use or sale of marijuana and marijuana related paraphernalia” (§285-17).

Ordinance 20-2018 Small Cells

The Township Committee added an article to Chapter 345 (Streets and Driveways) entitled “Rights-of-Way Permits” that puts forth standards relating to siting poles, cabinets, and antennas within the public rights-of-way for the use by small cell wireless facilities.

Ordinance 03-2019 Development Fee Ordinance

As part of the Township’s ongoing affordable housing efforts, Ordinance 03-2019 was adopted, replacing the Township’s current development fee ordinance with an updated one, reflective of current standards.

Ordinance 04-2019 Affordable Housing Regulations

Similar to above, the Township’s affordable housing requirements were updated to reflect the current conditions of the affordable housing rules in New Jersey.

Ordinance 05-2019 AHO-1 and AHO-2 Overlays (Affordable Housing Overlays)

Pursuant to the Court-approved settlement agreement with FSHC, the Township adopted two affordable housing overlay zones along the Route 202 (Mt. Kemble Avenue) corridor. The AHO-1 Overlay Zone was implemented over Block 46.01 Lot 7 to permit income-restricted special needs housing. The AHO-2 Overlay Zone was implemented over 16 lots along the Route 202 corridor. This overlay zone permits mixed-use inclusionary development with commercial ground floor uses permitted by the B-2. The underlying zoning (B-2 Zone) remains in effect for all subject properties and all properties can be developed with any use in the underlying B-2 Zone. The AHO-2 Overlay Zone cannot be utilized by a developer unless appropriate infrastructure is brought in.

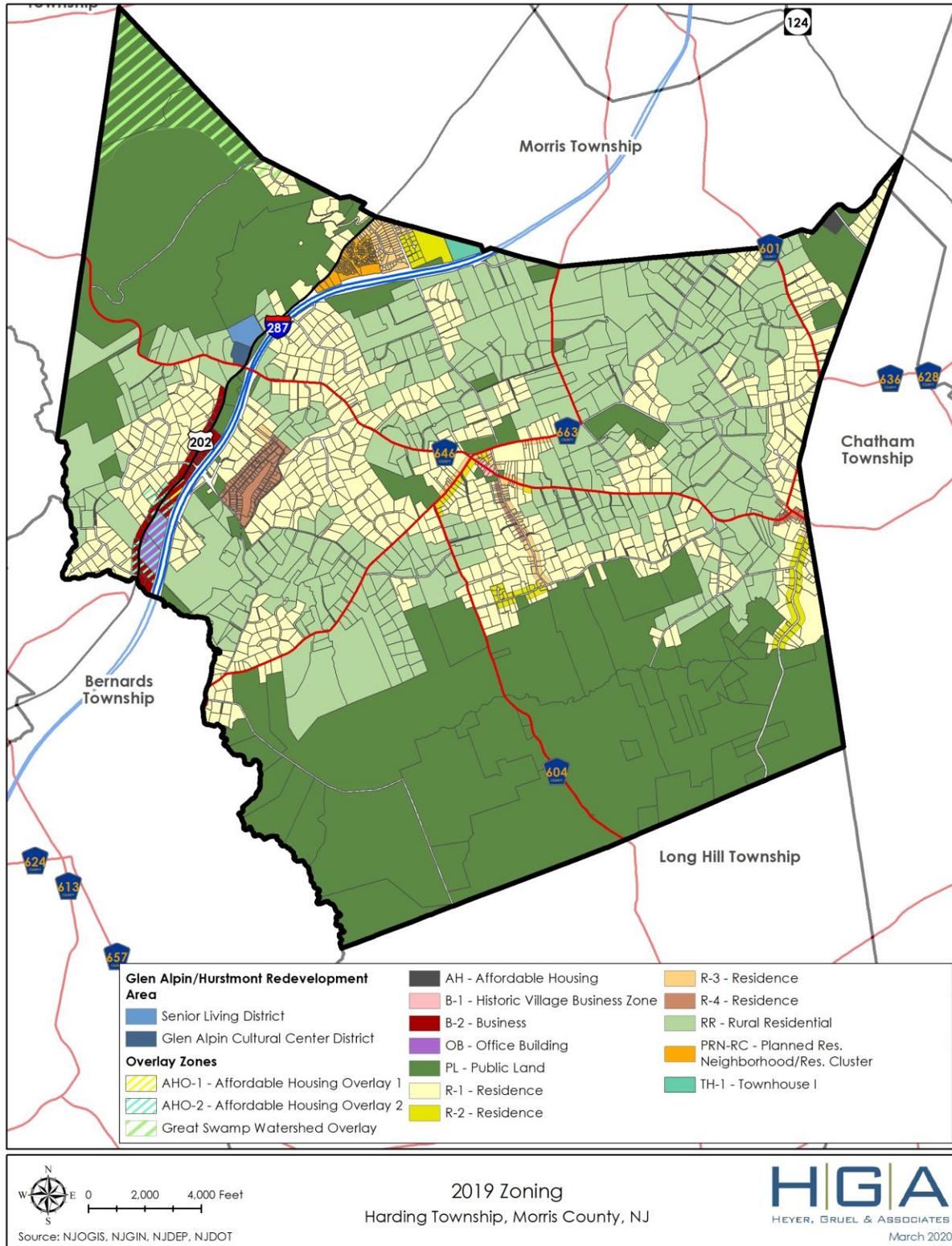
Ordinance 06-2019 Accessory Residence Program

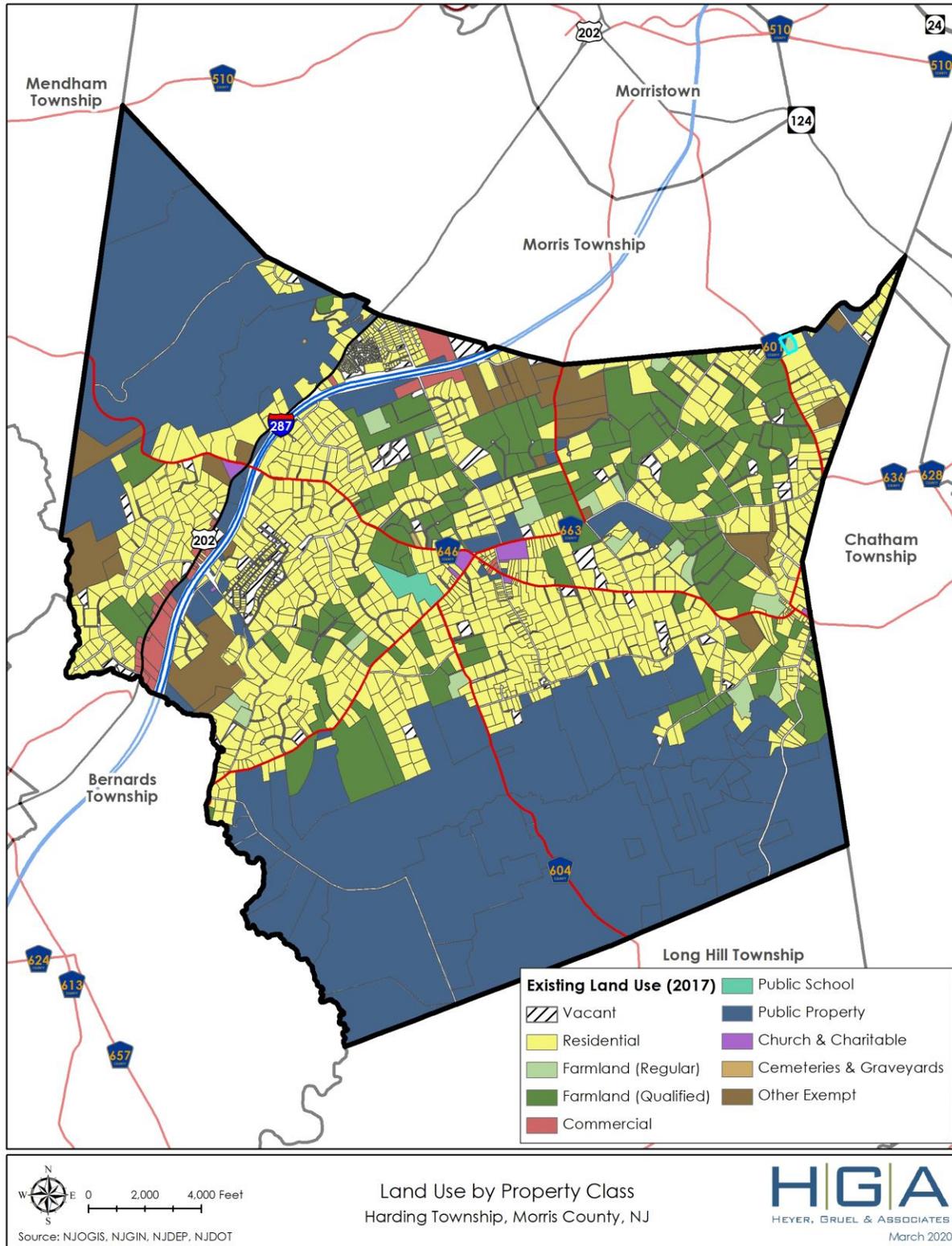
Also, in conformance with the Township’s Court-approved settlement agreements, the Accessory Residence Program was updated.

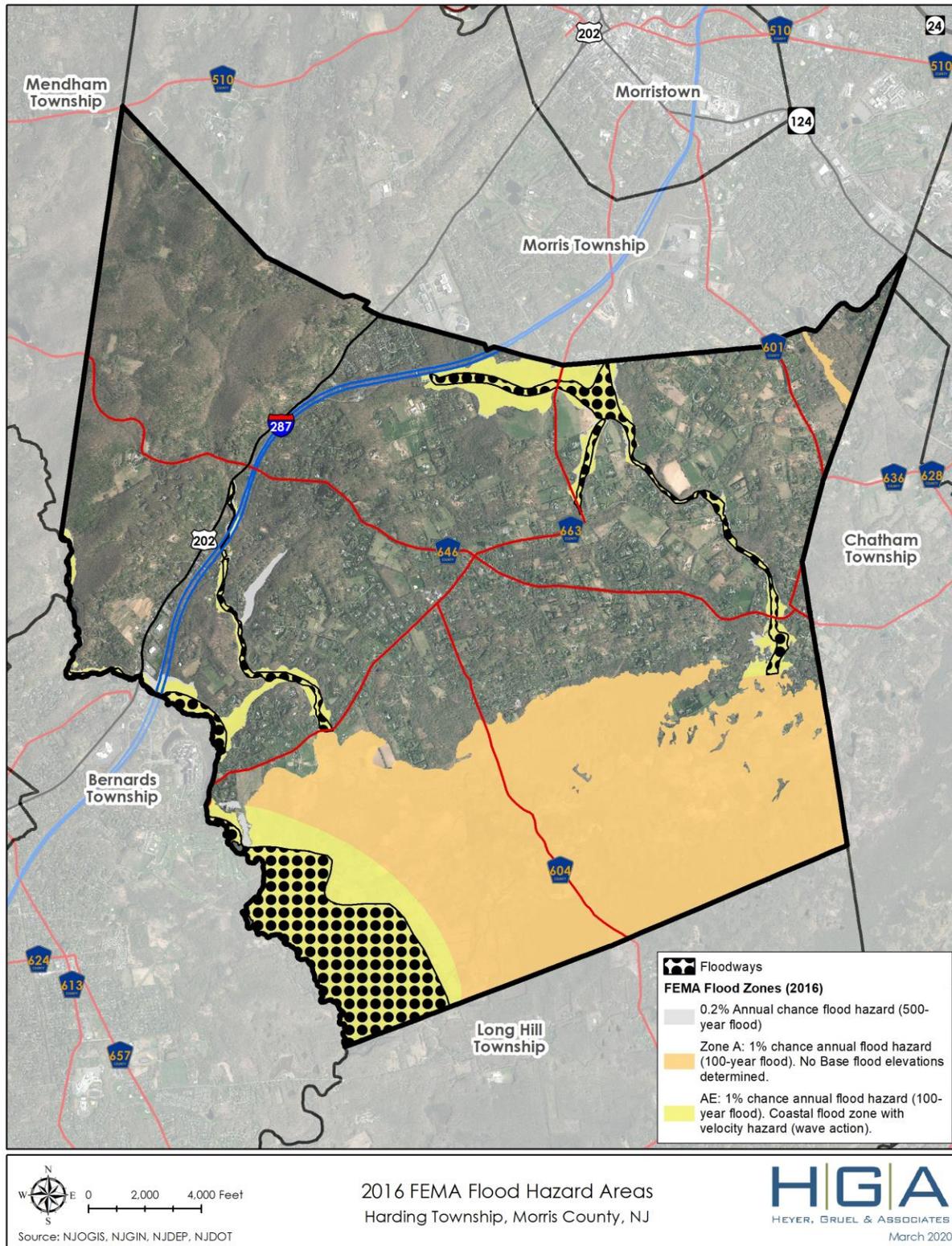
Ordinances 13-2019 and 16-2019 Glen Alpin/Hurstmont Redevelopment Plan

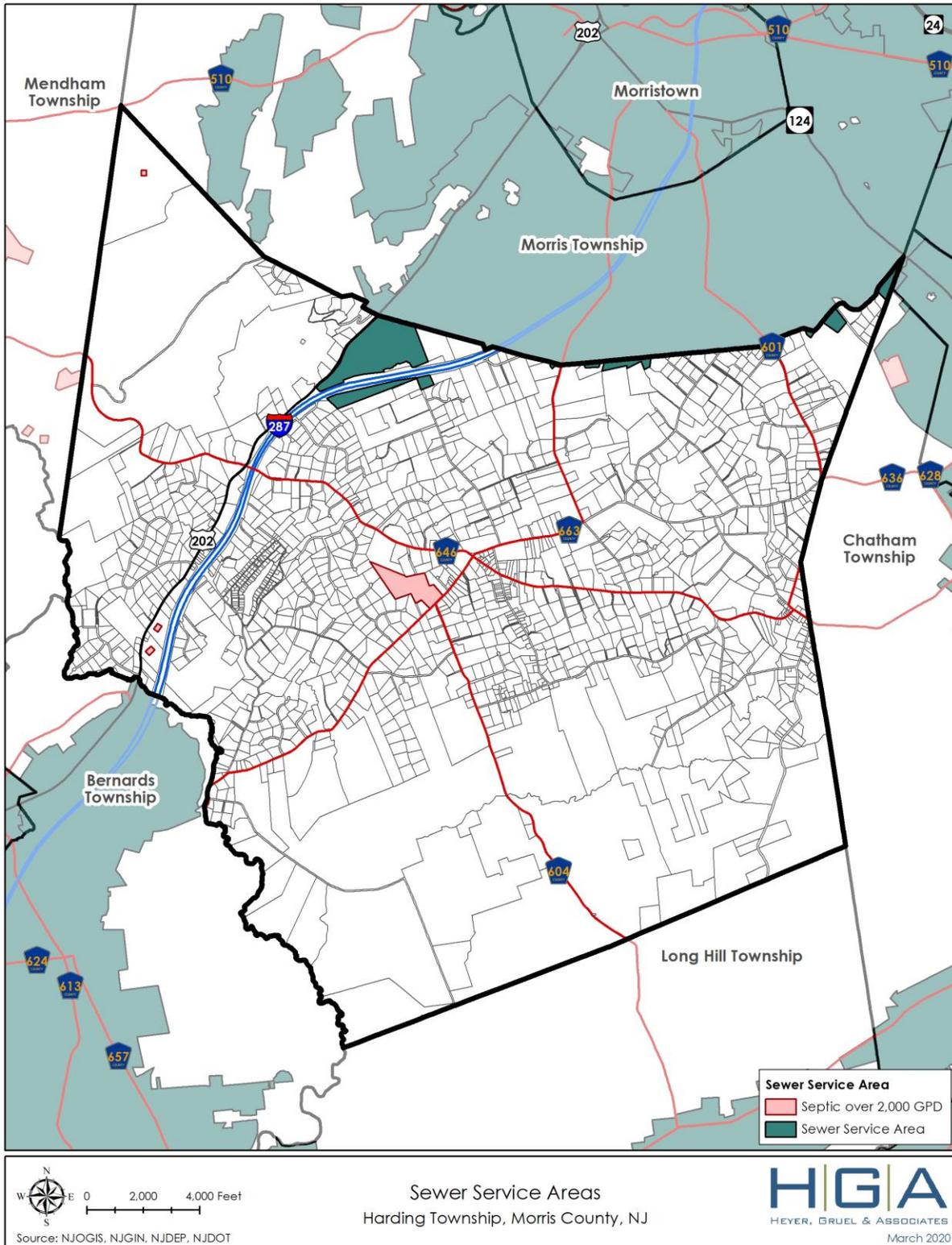
The Township Committee adopted the Glen Alpin/Hurstmont Redevelopment Plan on June 24, 2019 and amended the Plan on September 30, 2019. The adoption of the Plan was a component of the Township’s Conditional Judgment of Compliance and Repose (JOR) issued by the Court in conjunction with the

Township’s affordable housing settlement. The Redevelopment Area is located on the north side of Route 202 on two properties locally known as the “Glen Alpin property” and the “Hurstmont property” (685 Mt. Kemble Avenue and 679 Mt. Kemble Avenue, respectively). The Plan calls for the preservation and reuse of the historic mansion, located on the Glen Alpin property and a senior living facility on the Hurstmont property. The senior living facility will include single-family homes as well as assisted living and dementia care facilities. The Redevelopment Area will produce 40 age-restricted affordable units and 210 market-rate units.









SECTION D: RECOMMENDED CHANGES FOR THE TOWNSHIP'S MASTER PLAN AND LAND DEVELOPMENT ORDINANCE

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

Harding Township Planning Objectives

As indicated in Section B, the goals and objectives that were identified as remaining valid and are carried forward.

Master Plan Amendments

Master Plan Objectives, Goals, Policies, Assumptions and Standards

The Master Plan Objectives, Goals, Policies, Assumptions and Standards Element should be updated to add three new objectives, objectives 13, 14, and 15:

13. Preserve the Township's dark skies and quiet environment by promoting improved outdoor nighttime conditions that enhance and protect the quality of life for residents, visitors, and wildlife.
14. Protect natural resources and environmentally sensitive features by maintaining open space networks. Development and redevelopment should use creative land use and design techniques to ensure that it does not exceed the capacity of natural and infrastructure systems and protect areas where public investments in open space preservation have been made. Development and redevelopment should maintain and enhance the natural resources and character of the Township.
15. Protect and preserve large, contiguous tracts and corridors of recreation, forest or other open space land that protects natural systems and sensitive natural resources, including endangered species, ground and surface water resources, wetland systems, natural landscapes of exceptional value, critical slope areas, scenic vistas and other significant environmentally sensitive features.

Land Use Element

The Land Use Element should be updated to:

- Include current conditions as discussed in Section C
- Reflect the 2017 amendment to the MLUL regarding Smart Growth
- Reflect the 2019 amendment to the MLUL regarding Electric Vehicle Charging Infrastructure
- Provide a broader discussion of the intersection of historic and environmental resources. The efforts to preserve both historic and environmental resources can complement each other; however, they also tend to directly conflict with one another. While the point of view on this matter can be subjective, a discussion of their relationship may prove beneficial to both the Board of Adjustment and Planning Board when reviewing development applications. The existing Land Use Element provides an in depth and thorough discussion of the Township's rural character. Any additional language added regarding the intersection of historic and environmental resources should relate back to Harding's rural character.

- A discussion of the Township’s residential land use and general affordability of Harding’s housing stock should be included (not as in “Affordable Housing” as it relates to Mount Laurel. That discussion is included in the Housing Element and Fair Share Plan). This discussion relates to the existing goals of providing a variety of housing stock and ensuring Harding’s attractiveness to a range of residents.

Housing Element

Once the 2020 Census is complete and the results are released, update the demographic information in the Housing Element.

Environmental Resource Inventory (ERI)

The ERI should be reviewed and updated where necessary. The State Plan encourages the maintenance of ERIs for all PA5 (Environmentally Sensitive Planning Area) communities, which includes Harding Township. While the majority of the Township’s ERI will more than likely remain valid, references to old sources (e.g. the 1995/1997 NJDEP Photos or the 2002 Landscape Project data) should be updated. In addition, updates to flood hazard areas and any general discussions about existing land uses should be reviewed and updated accordingly. Maps should be updated where necessary.

Relationship to Other Plans

This section was last updated in 1997 and does not reflect current planning initiatives and concerns. This was a recommendation from the 2013 Reexamination Report that is carried forward.

Open Space Plan

Update the Open Space Plan so that the Plan is in conformance with the NJDEP Green Acres Planning Incentive Program. Plans written in conformance with this program are eligible for the 50% matching Planning Incentive Program for open space conservation initiatives. This is a recommendation from the 2013 Reexamination Report that is carried forward.

Historic Preservation Plan

The Historic Preservation Plan should be updated to include the updated McCabe survey, once complete. This is a recommendation from the 2013 Reexamination Report that is carried forward.

Community Facilities Plan

The Community Facilities Plan should be updated to reflect the completion of the Library and tennis courts at the municipal complex. This is a recommendation from the 2013 Reexamination Report that is carried forward and amended to include the new tennis courts.

Recycling Plan

The Recycling Plan was written in 1994 and has not been updated since. A general revision and update should occur, noting current conditions and laws at both the State and local levels. The Environmental Commission accurately noted that the recycling of materials generated by modern households is an ever-increasing challenge. Recycling initiatives and capability have shifted and evolved since 1994 when the Plan was written. The update to the Recycling Plan should explore ways in which the Township can actively

encourage reductions in the waste stream as well as look for alternatives that increase the range and volume of real recycling.

Conservation Plan

The Conservation Plan Element should be updated to include the following additional objective:

- Integrate ecological science and associated best practices to help guide Harding’s conservation goals, develop its stewardship plans, and measure the effectiveness of its conservation efforts.

Additionally, further conversation should be added to the Conservation Plan Element regarding the promotion of wildlife habitat and using state-of-the-art technologies to support conservation efforts. According the New Jersey Division of Fish and Wildlife, the dense development pattern of New Jersey along with a changing climate is resulting in a loss of habitat for wildlife and is compromising the connectivity of the State’s wildlife populations. It is recommended the following sections be added to the Conservation Plan Element:

- **Promotion of wildlife habitat on both public and private land.**

Wildlife habitat loss is one of New Jersey’s largest environmental challenges, but one that Harding – with its relatively large inventory of public and private natural lands - can act on locally. A floral habitat of diverse native species and growth habits will naturally create a rich food web necessary for insect, pollinator, bird and mammal habitat. Although a healthy, diverse floral habitat used to occur naturally, this is not the case in today’s Harding, primarily due to the habitat destructive impacts of unsustainable deer populations, over development, and “suburban” landscaping practices. Promotion can be by encouraging private land holders to incorporate wildlife friendly goals in their landscape plan. Promotion also includes ensuring wildlife habitat is a priority objective of the stewardship plan of Harding’s open space properties.

- **Using scientific assessment and data for conservation efforts.**

There is intrinsic value of regularly obtaining and using ecological scientific analyses, data, and best practices. Many conservation decisions overly rely on aesthetic, visual, or anecdotal considerations resulting in poor or ineffective outcomes. Science can address such shortcomings and help us understand serious factors not easy to see (such as the destructive impact on native plant ecology from excessive deer populations or invasive species). Ecological science is also a rapidly advancing discipline with many new resources for education, natural lands health assessment, and stewardship best practices. The Conservation Plan Element of the Master Plan actively promotes the use of science to better help guide Harding’s conservation goals and to assess the success of its conservation efforts.

Land Use and Development Regulation Amendments

General Recommendations

- There are dozens of split-zoned parcels in the Township. The split-zone nature of these lots creates issues, especially for the residential components. The Township should evaluate the split-zoned parcels and determine if and where it may be appropriate to eliminate the split-zone condition. A 2008 study on the split-zoned parcels was performed. It is recommended that study be used as a base for the evaluation and be updated/supplemented as necessary.
- It is recommended the home occupation standards be updated to address occupations or business-related activities that are conducted on the property, but not within a building. Examples of such uses include a wood cutting business or exterior parking/storage of equipment or materials associated with a business at a different location.
- The side yard standards in the PRN-RC Zone (i.e. “Harding Green”) currently require a 10-foot side yard setback. This creates an issue for the “inside” units that do not have any side yard setback. This standard should be updated to clarify the side yard setback requirement is for “outside” units only.
- The Township should create an outdoor dining ordinance that utilizes the existing standards for “delicatessens, coffee shops, and restaurants,” updating as needed.
 - It’s recommended outdoor dining be permitted as an accessory use to eating and drinking establishments pursuant to those standards.
- It is recommended the eating and drinking establishments in the B-1 and B-2 zones be allowed to sell food past the current 9:00 pm cut-off.
- It is recommended the standards of the R-3 Zone be reviewed further. Concerns were raised by both residents and various Township Boards/Committees regarding the permitted massing and bulk of some newly constructed residences. The issues appear to be most prevalent on lots in the R-3 Zone, although it is not completely focused on this zone. A brief analysis of the existing lot sizes in the R-3 zone and associated standards was performed. The existing R-3 standards have a sliding scale for maximum building coverage. It is recommended the lot increments and their associated standards be further broken down into more categories. For example, on a 30,000 square-foot lot the standards in the R-3 would permit a building footprint of up to 3,000 square feet as it currently permits 10 percent building coverage. The R-2 zone allows 8 percent building coverage for a 30,000 square-foot lot, permitting a building footprint of 2,400 square feet.
- In addition to the above point, it is recommended that an evaluation take place of all lot coverage standards for larger residential lots to determine ways to help control massing and encourage more privately-owned open space. A sliding scale similar to the above comment may be an appropriate tool.
- The standards for emergency generators should also apply to other residential mechanical equipment such as air conditioner condenser pads.

- The 5th generation of wireless cellular systems (5G) is the next generation for wireless technology, succeeding 4G. In 2018 the Township Committee adopted a small cells ordinance regarding the siting of poles, cabinets, and antennas within the public rights-of-way for the use by small cell wireless facilities. In light of the changing technology and new implications with 5G, the Wireless Telecommunication Facilities ordinance (Chapter 225 Article XXXV) should be reviewed and updated if deemed necessary to reflect the requirements of 5G technology.
- Implement any remaining provisions from the 2018 Housing Element and Fair Share Plan.
- It is recommended the Township continue to review and monitor the Lighting Ordinances (Chapter 233 and Chapter 225 Section 85 of the Township code) to ensure protection of Harding’s nighttime skies. The preservation of the Township’s nighttime environment is a key goal that has been repeated by residents and stakeholders throughout the Reexamination process.
- Sustainable building guidelines should be incorporated into the Land Use and Development Chapter that promote environmentally sustainable building, development, and infrastructure.
- It’s recommended the Township Engineer review the properties within the sewer service area (“SSA”). The SSA should be limited to properties that already are served by sewer infrastructure. Pipes/other infrastructure should not extend beyond their current limits.

Recommended Amendments to the Township’s Commercial/Office Zoning Districts: B-1, B-2, and OB

- The list of current permitted uses within the B-2 Business Zone is restrictive and outdated. The style in which the zone lists its permitted uses is indicative of a previous era of land use planning where ordinances attempted to list every possible use. That approach is restrictive and not designed to evolve with time. The broader categories of the B-1 Zone can be applicable for the larger-scale operations in the B-2 Zone. It is recommended the list of permitted uses in the B-2 Zone be modernized, similar to how the B-1 was updated. Both zones should be updated to be consistent with one another and to reflect child care centers, as required by the MLUL. Both zones should be reviewed and updated as necessary.
- FAR requirements currently govern residential development in the B-1 and B-2 zones. FAR standards are appropriate for commercial and multi-family construction but are not efficient for single-family residential. It is recommended the Township eliminate FAR requirements for all single-family residential development.
- It is recommended electric vehicle charging stations be permitted accessory uses in the B-1, B-2, and OB Zones.

SECTION E: RECOMMENDED REDEVELOPMENT PLANS

“The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the “Local Redevelopment and Housing Law,” P.L. 1992, c. 79 (C.40A: 12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.”

The Township of Harding has two designated redevelopment areas: The New Vernon Village Redevelopment Area and the Glen Alpin/Hurstmont Redevelopment Area. The New Vernon Village Redevelopment Plan was adopted on May 7, 2003 and the Implementation Program and Policies was adopted on November 19, 2003. The Glen Alpin/Hurstmont Redevelopment Plan was adopted on June 24, 2019. The Plan was subsequently amended and readopted on September 30, 2019. At this point, redevelopment designation is not recommended for any other part of Harding Township.

SECTION F: RECOMMENDATIONS REGARDING ELECTRIC VEHICLE INFRASTRUCTURE

“The recommendations of the Planning Board concerning locations appropriate for the development of public electric vehicle infrastructure, including but not limited to, commercial districts, areas proximate to public transportation and transit facilities and transportation corridors, and public rest stops; and recommended changes, if any, in the local development regulations necessary or appropriate for the development of public electric vehicle infrastructure.”

It is recommended the Township encourage the installation of public electric vehicle infrastructure on commercial properties within Harding. The recommendations in Section D include the provisions for electric vehicle charging stations as permitted accessory uses in the B-1, B-2, and OB zoning districts.