

Taking the Next Step:

East Windsor Township
Municipal Assessment

May 2003



Executive Summary

The elected and appointed officials in East Windsor Township have a challenging task. They must balance natural resource protection with economic prosperity, encourage business, provide residential services, and determine where to best site residential, commercial and agricultural interests within the town. They must provide all of this while maintaining a unique quality of life for their residents. The Township's leaders also strive to ensure that the needs of current residents are met, as well as those of the future. To carry out this daunting task, officials look to their Master Plan for the vision and use zoning, policies and ordinances as the tools to move towards this vision.

The Stony Brook-Millstone Watershed Association (the Association) realizes the magnitude of this task and also understands that the protection and health of a watershed relies a great deal on the land use laws and policies that govern development. Thus, we developed the Municipal Assessment Project to partner with municipal leaders to provide an outside evaluation of current practices and support for implementing proactive measures to ensure that the vision in the Master Plan is achieved and that natural resources are protected.

The Association was pleased when East Windsor became the second municipality to partner with us in this project. East Windsor Township, a fairly developed community, has already implemented many programs, ordinances, and policies that balance development and conservation and look toward the future of the community. They have adopted a Stream Corridor Ordinance that protects the area around streams to ensure the protection of water quality and critical habitats and they have also been granted significant funding to preserve open space. By linking greenways for bicycle and pedestrian access and using a ride-share program, transportation in East Windsor is less focused on automobiles. The Township has made great strides in utilizing their greenways for passive recreation and alternative transportation, as well as for preserving open space.

Another step in this journey was taken by choosing to participate in the Municipal Assessment Project that takes a comprehensive look at the municipality's vision and the current zoning, ordinances and policies meant to achieve it. The results of this analysis are documented in this report, entitled "Taking the Next Step," that highlights areas where the municipality has set positive examples in current practices and areas where planning strategies, already in place, could be enhanced or where new strategies could be developed.

This report outlines a list of areas where various tools could be implemented to help move East Windsor toward their vision. The fourteen areas include:

1. Groundwater Protection
2. Pesticide and Fertilizer Use
3. Stormwater Management
4. Stream Corridors
5. Soil Erosion and Sediment Control
6. Natural Resource and Habitat Protection
7. Cultural and Historical Resources
8. Open Space
9. Cluster Development
10. Green Infrastructure
11. Construction Practices
12. Master Plan Revision and Rezoning of Township
13. Resident Participation
14. Education of Officials, Planning Board, and Environmental Commission Members

The document is meant to be an interim step in the implementation of practices that work to balance land use planning with environmental protection. After the Township prioritizes the areas they would like to develop, the Association will provide support for implementation.

Acknowledgements

We commend East Windsor's leaders for participating in this program and for allowing the Association to evaluate current practices. It is often difficult for anyone—whether an individual, municipality, or even a business—to see the various options where work could still be done to improve a current system. East Windsor is in a fortunate position because of all that it has already accomplished. We now offer a myriad of choices for future endeavors.

Our hope is that East Windsor will share experiences, challenges, and successes with surrounding municipalities, keeping in mind that zoning and policies should correspond with surrounding areas to provide comprehensive, sensible regional growth. We also look forward to partnering with the Township in embracing new opportunities that support efforts in proactive planning.

We wish to thank the William Penn Foundation and the Geraldine R. Dodge Foundation for their generosity in funding this project, and the Township Council, Planning Board and Environmental Commission for their enthusiastic responses to our Framework Questions. We would also like to acknowledge the individual input of Mayor Janice Mironov, Tom Ogren, and township staff for generously giving our staff the time and answers to complete the assessment.

Table of Contents

| | |
|--|-----|
| Executive Summary | i |
| Acknowledgements..... | ii |
| Table of Contents..... | iii |
| How to Use This Report..... | iv |
| Next Steps..... | iv |
| Highlights of Your Town..... | v |
| | |
| Step 1: Groundwater Protection | 2 |
| Step 2: Pesticide and Fertilizer Use | 4 |
| Step 3: Stormwater Management..... | 6 |
| Step 4: Protection of Stream Corridors | 8 |
| Step 5: Soil Erosion and Sediment Control..... | 10 |
| Step 6: Natural Resource and Habitat Protection..... | 12 |
| Step 7: Cultural and Historical Resources..... | 14 |
| Step 8: Open Space..... | 16 |
| Step 9: Cluster Development | 18 |
| Step 10: Green Infrastructure | 20 |
| Step 11: Construction Practices..... | 22 |
| Step 12: Master Plan Revision and Rezoning of Township | 24 |
| Step 13: Resident Participation..... | 26 |
| Step 14: Education of Officials, Planning Board, and Environmental Commission Members | 27 |
| | |
| Appendix A: Response to Survey | |



How to Use This Report

The Association staff began this process by comparing East Windsor Township's recently drafted Master Plan with its land use ordinances, policies and best management practices using a checklist developed by the Association. The checklist covers areas important to land use planning techniques, land conservation practices, how the municipality handles environmental issues, and what watershed stewardship projects are underway.

Each "step" in the assessment document lists the Township's *Goal* for that step according to the Master Plan and survey responses. The *Current Protection* describes what the Township has on the books and the heart of each step focuses on the *Options* for new opportunities, as suggested by the Association. Here the municipality is given a menu of choices for planning and conservation projects to tackle now and in the future. In the *Did You Know* section you can find out information such as population change within the Township, water quality and quantity protection measures, and what surrounding communities are working on. Finally, *Additional Resources* show you where you can do further research about that particular area.

The assessment document is an excellent guide for future boards and committees to inspire work on new projects and to support those tasks before them. It also provides an opportunity for those municipal groups to support other community groups and non-governmental organizations.

Next Steps



As East Windsor Township continues its work enhancing the quality of life for its residents, this document can serve as guidance for future projects or provide ideas on where to begin. Once the Assessment document is adopted and a short list of priorities is determined, the Association will work with Township officials to develop more detailed information, models and guidance to help implement that list.

The Association will work by your side in your efforts to provide the citizens that reside in the Township with a sense of community, a healthy environment and a strong economy. We realize that the Township has already begun implementing some of the options listed in this report (such as Stream Corridor Ordinance Protection and acquiring funding for open space) and we offer our assistance to the Township in completing those projects. By committing ourselves to follow through on this report and its results, the Association is achieving its mission of protecting and preserving the watershed and allowing us to pass along lessons learned to other municipalities.

Highlights of Your Town



East Windsor Township was the second municipality to accept our offer of assistance and partner with us on this project. When beginning the assessment, members of the East Windsor Township Committee, Planning Board, and Environmental Commission articulated their goals and vision for the Township by responding to our survey. We feel it is important to note the proactive measures that Mayor Janice Mironov, Town Council, Planning Board, other committees and the staff have been implementing within the Township.

Good Things...

Every Wednesday at 7 pm, Mayor Janice Mironov hosts a live call-in program called “Spotlight East Windsor: Ask the Mayor”. The program keeps residents well-informed about programs, events, news, and other issues. The Mayor also connects with residents by contributing the “Mayor’s Message” to the Township newsletter’s front page.

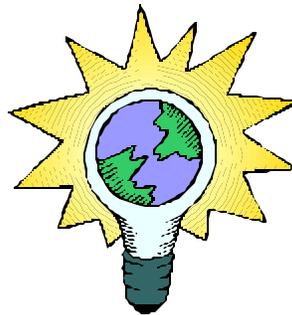
East Windsor Township has a very active committee, “Clean Communities”, that is dedicated to producing educational materials, projects, and volunteer programs that help enhance the environmental quality of the Township. Activities such as poster contests, Adopt-A-Spot, and a month dedicated to clean-up activities are some examples of what this committee has accomplished. The Township employs numerous activities that contribute to the health of the watershed and to sound planning strategies. Some of these current practices include:

- ⌘ Providing greenspace around wellhead areas to protect groundwater from nearby development
- ⌘ Implementing an Integrated Pest Management program
- ⌘ Encouraging new development designs to incorporate natural stormwater management strategies and retrofitting conventional stormwater designs to create vegetated areas
- ⌘ Encouraging the Environmental Committee to refer to a checklist when reviewing site plans and subdivision proposals to ensure that all environmental areas are covered
- ⌘ Enforcing the Association’s Stream Corridor Ordinance protecting critical habitat and water quality
- ⌘ Preparing a soil erosion and sediment control plan in accordance with the State Soil Conservation Committee to enhance protection of steep slopes and their critical environment
- ⌘ Updating the Natural Resources Inventory and becoming knowledgeable about plant and animal species within the Township to support protection strategies
- ⌘ Utilizing the Greenway Plan to map out stream corridors and woodlands to help in preparing documents to protect these critical areas
- ⌘ Considering shared parking on some properties to reduce impervious cover in residential and commercial areas

Highlights of Your Town

In 2001, East Windsor was named a Tree City, USA by the National Arbor Day Foundation and in a partnership with Washington Township in Mercer County, East Windsor Township has created the Bear Brook Greenway, one project that implements some of the Township's goals for open space planning. The Township is also active in open space and farmland preservation efforts with approximately 200 acres in open space acquired in 2002 alone. They have also been awarded a \$2.5 million Green Acres Grant to implement the Open Space Plan.

Finally, due to the increased development in the Township, Historic Preservation and Cultural Heritage Commissions have definitely had difficult tasks in front of them. They have made great strides in preserving the Historic and Cultural aspects of the community. For instance, the threatened Rescarrick-Moore House was dismantled and is being held in storage until a proper site is established for permanent residence and a published book on local historic landmarks is available on the Township's website—www.east-windsor.nj.us. The Commission has also taken the initiative to set up Goals for the year 2003. Some of these goals include recording and displaying archaeological finds from One Mile Road dig sites and distributing a children's education package entitled "A Kid's History of Early East Windsor".





Next Steps

STEP

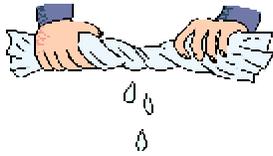
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Groundwater Protection



GOAL: The Master Plan states that it would like to “recognize water supply and wastewater disposal as limited resources that must not be over burdened” (p.20).

The Township also plans to “ensure that future low intensity development in areas not served by public utilities is adequately controlled through sound septic management techniques to assure maintenance of a high level of surface and ground water quality” (p.21).



CURRENT PROTECTION: East Windsor MUA indicates that they are working on Geographic Information Systems (GIS) mapping showing the location of public wells and their wellhead protection areas. Currently, all wellheads are surrounded by greenspace that is dependent upon the level of surrounding development .

The Township has no separate septic inspection ordinance, but it is part of the housing inspection when a home is sold or rented. Typically, individual phone calls or public health complaints are an indication of failing systems.

The Township does conduct daily testing on wellheads and less frequent testing on distribution systems. All testing is done per state regulations.

OPTIONS: ADOPT ORDINANCES TO PROTECT GROUNDWATER AND INCREASE MAP DATABASE.

Specifically, the Township might consider:

- ⊗ Continuing to work on GIS to map locations of public wells and their wellhead protection areas and creating a wellhead protection plan (WHP).
- ⊗ Adhering to the provisions set forth in the Private Well Testing Act.
- ⊗ Preparing map(s) identifying the location of known facilities that handle hazardous materials and/or toxic waste and their proximity to critical recharge areas.
- ⊗ Increasing education on the proper care and maintenance of septic systems.
- ⊗ Implementing regular inspection or pump out requirements for septic systems.
- ⊗ Mandating that the protection of known and potential ground water recharge areas be addressed in the review of all development applications in the Township.
- ⊗ Limiting impervious cover.
- ⊗ Preparing for the new Stormwater Rules and reviewing current stormwater practices and understanding how these rules may modify your current practices.



Groundwater Protection



Did You Know?

Water is a finite resource that moves from the clouds to the land through precipitation and then back to the clouds through evapotranspiration. Rain catches airborne pollution and dust, carrying these particles down to the land and its surface waters. Stormwater washes across parking lots, roads and lawns, carrying pollutants into storm drains that eventually dump into streams and lakes. Since most of these pollutants do not evaporate, much remains in the water, a permanent part of the hydrologic cycle. That is why it is critical to ensure that pollutants do not have the opportunity to enter the water cycle.

90% of East Windsor residents are on public well water obtained from the Municipal Utilities Authority, which is supplied strictly by groundwater from six wells located throughout East Windsor Township. The water is pumped from the Potomac-Raritan-Magothy (PRM) Aquifer formation with a current diversion of 128 million gallons per month as permitted by the NJDEP's Bureau of Safe Drinking Water. The Southeast corner of the township is not served by the MUA because Section 208 plans did not include this section of the Township. This process was intentional for limiting development and for preserving this agricultural area of the Township.

Wellhead protection is a preventive program designed to protect public water supply wells. The goal of wellhead protection is to prevent contaminants from entering public water supply wells by managing the land that contributes water to the wells.

Your community can protect its water supply by taking the following steps:

- ⌘ Forming a planning committee.
- ⌘ Delineating the wellhead protection area.
- ⌘ Taking an inventory of potential groundwater contamination sources.
- ⌘ Managing the wellhead protection area.



Additional Resources

- ⌘ StreamWatch Program, Stony Brook-Millstone Watershed Association (609-737-3735 or www.thewatershed.org)
- ⌘ Center for Watershed Protection (410-461-8323 or www.cwp.org). Also see their project, The Stormwater Manager's Resource Center, an extensive educational website that contains more than 3,000 pages of technical content. (www.stormwatercenter.net)
- ⌘ Clean Water Network, Water Quality Standards section. "Technology Fact Sheet for BMPs". (www.cwn.org)
- ⌘ National Water Quality Monitoring Council. "Watersheds: The Natural Basins for Monitoring". (www.nwqmc.org)

STEP

2

Pesticide and Fertilizer Use



GOAL: There are no established goals in the Master Plan stating the future of Pesticide and/or Fertilizer Use. However, the township acknowledges (in the questionnaire) that policies and guidelines for chemical application is an important goal for the Township to protect water quality.



CURRENT PROTECTION: According to the Department of Public Works (DPW) the Township employs a certified chemical spray technician who is enrolled in continuing education courses at Rutgers Cooperative Extension.

There are no policies for application. The Township only becomes involved when there is a question about improper application. The Township also follows the state regulations on spraying.

The Township does implement an Integrated Pest Management program that needs to be supported with an educational program for residents to learn about its benefits.

OPTION: ADOPT ORDINANCES THAT REGULATE THE SPRAYING OF PESTICIDES / FERTILIZERS.

Specifically, the Township might consider:

- ⌘ Formally documenting and continuing to implement Best Management Practices (BMPs) for the Township's Department of Public Works in the areas of fertilizer and pesticide application, road salt or sand application, use and storage of chemicals and the reduction thereof, and disposal of hazardous materials.
- ⌘ Implementing a program on municipal property and specifically encouraging Integrated Pest Management (IPM) and BMPs on athletic fields and evaluating the effectiveness of the techniques.
- ⌘ Continuing and expanding on current educational programs to inform residents of the benefits of an IPM program to control plant insects and disease in their own homes.
- ⌘ Creating an educational program for residents to better understand the proper uses of pesticides and fertilizers.
- ⌘ Implementing policies and guidelines for pesticide and fertilizer application for at-home use.
- ⌘ Adopting an ordinance that strongly suggests the use of native landscape to reduce the usage of water, fertilizers, herbicides, and pesticides.



Did You Know?

Once pollutants find their way into the water cycle, they are difficult to remove. This fact is even more salient for people who depend on groundwater as their drinking water supply source. In addition, increased protection of water supplies by minimizing potential non-point source pollution reduces the need to develop new and more costly sources of water or to import water from other watersheds.

Pesticides are substances used to prevent, destroy, repel or mitigate any pest ranging from insects, animals and weeds to microorganisms such as fungi, molds, bacteria and viruses.

All pesticides are toxic to some degree. This means they can pose some risk to you, to your children and pets, and to any wildlife that venture onto your lawn - especially if these chemicals are overused or carelessly applied. Pesticides can also kill earthworms and other beneficial organisms, disrupting the ecological balance of your lawn.

There are ways to care for your lawn without toxic chemicals. Some of them include: planting proper varieties of grass, aerating soil, and removing weeds by hand. Weeds are a fact of life so some may need to determine their tolerance for them. Also, a solution of 50% white vinegar and 50% water kills weeds at curbside, on sidewalks, and driveways.



Additional Resources

- ⊗ US EPA “Healthy Lawn, Healthy Environment: Caring for Your Lawn in an Environmentally Friendly Way”. June 1992.
- ⊗ New Jersey Environmental Federation (NJEF) - State Office: 1002 Ocean Avenue Belmar, NJ 07719, (732) 280-8988, (732) 280-0371 Fax
- ⊗ Rutgers Cooperative Extension “Natural Pest Control: Using beneficial insects to control landscape pests”.
- ⊗ ANJEC Report- Fall 2001. “Leaving the Greens—Creating a Naturalized Landscape”.
- ⊗ Stony Brook-Millstone Watershed Association River Friendly Program (609-737-3735 or www.thewatershed.org).

STEP

3

Stormwater Management



GOAL: To “ensure that future low intensity development in areas not served by public utilities is adequately controlled through sound septic management techniques to assure maintenance of a high level of surface and ground water quality” (MP p. 21).

CURRENT PROTECTION: §19A-2.6 *Drainage*. “Stormwater management shall conform to §22-10 of the Technical Standards Ordinance. It is the obligation of the applicant to seek the appropriate approvals from State and County agencies and the Delaware and Raritan Canal Commission, whichever has jurisdiction”.

§19A-2.13 *Drainage*. Requires a showing that stormwater run-off from the site is so controlled that on and off-site erosion is neither caused nor worsened, and that the potential of downstream flooding is not increased.

According to the Department of Public Works, all catch basins have grates to trap trash and floatables. The Township would like to look at the feasibility of providing hoods for all catch basins.

§22-27.5 *Stormwater Areas*. Stormwater management areas include retention and detention basins, drainage ditches and swales. The general design concept of these areas should be to de-emphasize their function creating aesthetic landscape and ecological features.

The Mayor informed SBMWA for this report that the Planning Board developed a checklist for issues such as this. It is an ongoing policy to encourage the EC to refer to that checklist when reviewing site plans and subdivision proposals.

OPTION: ADOPT ADDITIONAL ORDINANCES AND POLICIES TO IMPLEMENT STORMWATER MANAGEMENT.

Specifically, the Township might consider:

- ⊗ Finding financial assistance to retrofit the catch basins with hoods.
- ⊗ Coordinating a program to clean out ALL catch basins as needed.
- ⊗ Implementing a public education campaign to get people to stop littering into the catch basins.
- ⊗ Preparing for the new Stormwater Rules and reviewing current stormwater practices and understanding how these rules may modify your current practices.
- ⊗ Incorporating a comprehensive stormwater management plan into the master plan to help protect water resources.
- ⊗ Encourage use of retention basins in new development and apply Best Management Practices (BMPs) for monitoring and maintenance. These BMPs could include: native vegetation, grassed areas, and removal of any concrete structures.



Stormwater Management



Did You Know?

Water is a finite resource that moves to the land through precipitation and then back to the clouds through evapotranspiration. Rain and snow catch airborne pollution and dust, carrying these particles to the land and surface waters. Stormwater and nonpoint source pollution are major sources of pollutants entering our water, contributing up to 60% of our existing water pollution problems (NJDEP 2/28/02). Stormwater washes across parking lots, roads and lawns, carrying pollutants into storm drains that eventually dump into streams and lakes. Most of these pollutants do not evaporate and remain a permanent part of the hydrologic ecosystem. That is why it is critical to ensure that pollutants do not have the opportunity to enter the water cycle.

The effects of stormwater/nonpoint pollution can prohibit recreational activities (beach closings, fish advisories); impact the tourism economy (commercial fishing and shellfishing) and increase drinking water treatment costs. There are alternatives to the way we choose to plan our communities, commute to work, or treat our lawns that can aid in protecting water supplies.

The USEPA Clean Water Act Phase II rules (published in December 1999) mandate a Municipal Stormwater Regulation Program. The NJDEP Stormwater Program was proposed in January 2003 and addresses pollutants entering our waters from many storm drainage systems owned or operated by local, state, interstate, or federal government agencies. The Program has assigned NJ municipalities into Tier A and Tier B categories. Tier B municipalities, like East Windsor Township, are generally located in rural and non-coastal regions. The Program permits will require implementation of best management practices and include public education and outreach. It is estimated that by the Summer of 2003 most of New Jersey's municipalities; State, county and interstate transportation entities; and large public complexes will be required to apply for the NJPDES permits 30 days after the rules take effect. The Program will allow phased-in approaches which will aid municipalities in implementing the new rules in a feasible manner.



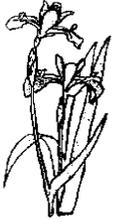
Additional Resources

- ⌘ Clean Water Network. "Technology Fact Sheet for BMPs". (www.cwn.org)
- ⌘ Center for Watershed Protection (410-461-8323 or www.cwp.org). Also see their project, The Stormwater Manager's Resource Center, an extensive educational website that contains more than 3,000 pages of technical content (www.stormwatercenter.net).
- ⌘ NJ DEP Stormwater Website includes information on the State's stormwater permitting and management programs, including the municipal stormwater regulation program and more. (www.njstormwater.org).

STEP

4

Protection of Stream Corridors



GOAL: The Township’s Master Plan states that “Lands lying along streams should be preserved for recreation or open space, including such activities as hiking or cycling.”

CURRENT PROTECTION:

East Windsor Township adopted SBMWA’s Stream Corridor Ordinance.

§19A-2.13d Stream Encroachments

“An encroachment permit is required from the Division of Water Resources for full or diversion of a water channel, alteration of a stream, repair or construction of a bridge, culvert, reservoir, dam, wall, pipeline, or cable crossing.”

According to the Site Plan Review Ordinance, Plans shall identify any area designated as a Critical Impact Area, as described in the following sections.

§19A-2.16a Critical Impact Areas.

“Critical impact areas include, but are not limited to, stream corridors, streams, wetlands, estuaries, slopes greater than 15 percent, highly acid or highly erodible soils...”

b. “Statement of impact upon critical areas... and describing the impact of development proposed upon the critical impact area.”

c. “Protective measures shall be identified... to minimize damage... during both construction and thereafter.”

d. “An assessment shall be submitted of environmental impact of the project.”

§19.1a. Prohibition Against Disturbance of Conservation Easement Areas “...shall mean any recorded easement...for the purpose of maintaining...resources in their natural state, for the benefit of the general public...”

Stream Corridors

OPTION: ADOPT ORDINANCES TO COINCIDE WITH THE ASSOCIATION’S STREAM CORRIDOR ORDINANCE.

Specifically, the Township should consider:

- ⌘ Continuing application of the SBMWAs Stream Corridor Ordinance.
- ⌘ Continuing to apply measures to monitor existing and potential development that may impact critical areas.
- ⌘ Continuing to incorporate enforcement and monitoring measures into the Township’s ordinances in order to maintain areas in the Stream Corridor.
- ⌘ Continuing to educate residents, developers and businesses of the benefits of this type of protection.
- ⌘ Continuing to utilize education measures such as newsletters, websites, and work sessions.



Did You Know?

If stream corridors are maintained in their natural condition, with minimum disturbance, they are instrumental in performing the following functions:

- ⌘ Removing sediment, nutrients, and pollutants by providing opportunities for filtration, absorption, and decomposition;
- ⌘ Reducing stream bank erosion by slowing stormwater velocity, which aids in allowing stormwater to be absorbed in the soil and taken up by vegetation;
- ⌘ Preventing flood-related damage to surrounding communities;
- ⌘ Displacing potential sources of nonpoint-source pollution from the water's edge;
- ⌘ Providing shade that maintains cooler water temperatures needed by certain aquatic species during the hot summer months;
- ⌘ Maintaining genetic diversity;
- ⌘ Helping maintain adequate flows of filtered water to underground aquifers; and
- ⌘ Providing greenway corridors for wildlife.



Additional Resources

- ⌘ Society for Ecological Restoration. (www.ser.org)
- ⌘ Seth Wenger and Lori Fowler, "Guidebook for Developing Local Riparian Buffer Ordinances" (Office of Public Service & Outreach, Institute of Ecology, University of Georgia, 706-542-3948) (1999).
- ⌘ Seth Wenger, "A Review of the Scientific Literature on Riparian Buffer Width, Extent and Vegetation" (Office of Public Service & Outreach, Institute of Ecology, University of Georgia, 706-542-3948) (1999).
- ⌘ United States Department of Agriculture, "Riparian Forest Buffers: Function and Design for Protection and Enhancement of Water Resources" (202-512-2250) (1991).

STEP

5

Soil Erosion, Sediment Control Management and Monitoring



GOAL: The Township's 2002 Master Plan and Reexamination Report describes goals for protection of environmentally sensitive areas and to ensure a compatible balance between environmental and economic concerns.



CURRENT PROTECTION:

The State Soil Conservation Committee requires and monitors plans submitted by municipalities. East Windsor Township is working toward this in addition to their own efforts. Township staff is also knowledgeable about the sections of ordinances that apply to this area.

§19A-2.1b(6) "A soil erosion and sediment control plan prepared in accordance with requirements promulgated by the State Soil Conservation Committee shall be submitted."

§19A-2.13f "Submission of an erosion and sedimentation control plan for both the construction phase and post construction phase accompanied by a review by the District Conservation, Soil Conservation Service, USDA."

§22-23 *Soil Erosion and Sediment Control* "All applications for site plan, subdivision or other land use plan approvals must submit with their application a soil and sediment control plans submitted to the Mercer County Soil Conservation District."

OPTION: ADOPT A MONITORING PROGRAM TO ENSURE SOIL EROSION MANAGEMENT AND SEDIMENT CONTROL.

Specifically, the Township should consider:

- ⊗ Continued enforcement of the soil erosion/sediment control ordinance.
- ⊗ Adopting a steep slope protection ordinance to ensure development does not take place on steep slopes, particularly in riparian areas.
- ⊗ Creating a monitoring plan that revisits construction (and/or residential) sites after the project is complete. Assess the revegetation of the area.
- ⊗ Educating officials of the key cause-and-effect relationships between various program interventions and target group responses.

Soil Erosion / Sediment Control



Did You Know?

What is soil erosion?

Soil erosion is the detachment and movement of soil particles by water, wind, ice, or gravity.

What is sediment?

Sediment is the result of erosion. Once soil particles have detached from the surface, are transported from their site of origin and have come to rest on other ground surfaces or in bodies of water, watercourses, or wetlands, they are referred to as sediment.

Why be concerned about soil erosion and sediment control?

- *It's The Law:* Soil erosion and sediment control requirements are a part of several Federal and State regulations and may be required by local ordinances as well.
- *Surface Water Quality:* Based on the most recent Illinois Water Quality Report (IEPA 1998), nearly 45% of Illinois' streams and more than 75% of lake acres assessed are adversely impacted by nonpoint source pollutants (NPS). Urban runoff and construction site erosion have been identified as significant sources of this pollution.
- *Chemical Pollutants:* Chemicals, such as some pesticides, phosphorus, as well as toxicants and trace metals, can be transported with sediment to receiving waters where they cause additional damage to aquatic ecosystems.
- *Construction Sites:* Construction site erosion is a significant source of sediment and other NPS pollutants. Soil erosion from a construction site without proper soil erosion and sediment control practices in place can average between 20-200 tons/acre/year. This is ten to twenty times greater than typical soil losses on agricultural lands.
- *Damage on Wetland Mitigation Sites:* Findings from a June 1998 Wetland Mitigation and Section 404 (of the Clean Water Act) Permit Compliance Study conducted in the Chicago region found that approximately 70% of permitted sites examined showed evidence of sediment accumulation resulting from erosion. Active erosion entering mitigation sites was observed on 14% of the permit sites. Other studies show sediment deposition of less than 0.1 inch results in a 60-90% decrease in wetland seed germination from new seedlings or from wetland seed banks. Decreased species diversity is also a result of sediment deposition, with less desirable species often becoming prevalent.



Additional Resources

- ⌘ USDA National Resources Conservation Service (www.il.nrcs.usda.gov/engineer/SoilEro.html)
- ⌘ Soil Erosion and Sediment Control Act, Chapter 251, January 1, 1976.
- ⌘ Cape-Atlantic Soil Conservation District (www.capeatlantic.org/soil.htm)
- ⌘ Paterson, Robert G. University of Texas at Austin. "Enforcing Sediment Regulations in North Carolina" (www.stormwatercenter.net).

STEP

6

Natural Resource and Habitat Protection



GOAL: The Township’s Master Plan states that “lands which have mature wooded areas, particularly upland woodlands, should be protected to the extent possible, perhaps through the use of cluster forms of development.”

In a broader statement, the Township should “Preserve, to the extent practical and feasible, environmentally sensitive areas, major vistas and other aesthetic attributes of the township and ensure adherence to strict performance standards for those developments which incorporate such areas.”

CURRENT PROTECTION:

§5-19.1a *Conservation Easement* “...any recorded easement...for the purpose of maintaining open space or preserving woodlands, wetlands, vegetation or other resources in their natural state...”

The Township’s Stream Corridor Ordinance provides habitat protection, but more can be done to preserve woodlots, habitats, and trees.

The Environmental Commission reviews each site plan and subdivision proposal and a landscape architect reviews development applications. Developers are required to prepare an environmental assessment for proposals.

The Natural Resources Inventory has been updated.

The Shade Tree Commission has become part of the Township’s Environmental Commission.



OPTION: ADOPT ORDINANCES TO PROTECT WETLAND, WOODLAND, AND WILDLIFE HABITATS.

Specifically, the Township should consider:

- ⊗ Encouraging the Environmental Commission to continue reviewing development proposals to ensure protection of critical lands.
- ⊗ Adopting an ordinance that requires commercial development to include landscaping for wildlife.
- ⊗ Monitoring buffers in the stream corridor where wetlands, flood plains, steep slopes or critical habitats are adjacent. This will ensure that the Stream Corridor Ordinance is effectively enforced.
- ⊗ Providing education on the importance of wetlands protection.
- ⊗ Continuing to update the Natural Resources Inventory as needed.
- ⊗ Specifying environmental requirements from developers so the necessary information is collected to protect natural resources.



Did You Know?

- ⊗ Wetlands are a critical resource that provide important wildlife habitat and play a key role in flood prevention, surface water management, groundwater recharge, and removal of sediment and pollutants.
- ⊗ In East Windsor **wetlands** make up **64.8%** of the land within the 100 ft. buffer of streams. **6.0%** is **agriculture** and **15.6%** is **urban**.
- ⊗ Of New Jersey's 4,748,000 acres some 1,864,300 are classified as forestland, 75% of which are privately owned. Three of the five major forest regions in the United States are found in New Jersey.
- ⊗ In East Windsor **forests** make up **7.1%** of land within the 100 ft. buffer of streams.
- ⊗ According to the most conservative estimates, New Jersey has lost more than 20 percent of our wetlands since 1900 and as much as 50 percent since colonial times.
- ⊗ The State Development and Redevelopment Plan has as a statewide policy the protection of biological diversity, forests, wildlife habitat, critical slope areas, and water resources through preservation and protection of contiguous open spaces, connecting corridors, and public lands and management of the character and nature of development (SDRP, Statewide Policy #12).



Additional Resources

- ⊗ National Resources Defense Council. (www.nrdc.org/land/use/default.asp) and (www.nrdc.org/cities/smartGrowth/default.asp)
- ⊗ Delaware and Raritan Canal Commission (www.dandrcanal.com/drcc/index.html)
- ⊗ National Park Service, NatureNet (www.aqd.nps.gov)
- ⊗ Nature In Focus: Rapid Ecological Assessment. The Nature Conservancy. (Island Press: Washington, DC, 2000).
- ⊗ The Environmental Manual for Municipal Officials. ANJEC. Fall 1998, Second Edition.

STEP

7 Preserve Cultural and Historical Resources



GOAL: The Township states in the Master Plan that one general goal is to “Preserve...major vistas and other aesthetic attributes of the Township and ensure adherence to strict performance standards for those developments which incorporate such areas.”

CURRENT PROTECTION: The Township has a Historic Preservation/Cultural Heritage Commission that sponsors and participates in many educational programs. This includes the dismantling of the Rescarrick-Moore House and holding it in storage until a proper site can be established for permanent resident. A book on historic landmarks is available on the Township’s website—www.east-windsor.nj.us.

OPTION: ADOPT ADDITIONAL ORDINANCES AND POLICIES TO ENSURE FURTHER PRESERVATION AND PROTECTION OF HISTORIC STRUCTURES, LANDS, AND VIEWS.

Specifically, the Township might consider:

- ⌘ Adopting ordinances that protect sites containing cultural and/or historical resources. The regulations should also encourage the preservation, rehabilitation or adaptive reuse of historic buildings and structures that protects their architectural integrity and preserves their context within the historic landscape.
- ⌘ Requiring the Historic Preservation Commission to receive a copy of every application for development concerning historic sites so that it may provide comments on the application.
- ⌘ The Commission should continue to update the survey of historic sites in the municipality. The Township should also work with the Commission to present these sites to the public in an appropriate manner (i.e., signage, parking facilities, etc.).
- ⌘ The Commission should continue to prioritize historic sites for preservation and inclusion on the New Jersey Register of Historic Places and the National Register of Historic Places.
- ⌘ The Township and Commission should continue education programs to heighten awareness of the historic and cultural heritage of East Windsor Township and its environs.
- ⌘ The Township should encourage cooperation among local and regional entities involved in similar historic preservation initiatives.
- ⌘ Adopting an ordinance to protect viewsheds. Map viewsheds and scenic vistas.



Did You Know?

- ⊗ Preserving the historic and cultural character of the Township will encourage shopping, dining, and sightseeing for visitors.
- ⊗ The National Register makes determinations based upon the level of importance or significance in American history and architecture displayed by the district.
- ⊗ Historic cities, towns and rural areas are under attack. Misplaced priorities, unwise public policies, and a lack of information threaten the livability and "sense of place" that make our older communities unique. The National Trust helps citizens fight back. The Trust continues to develop resources that address specific problems now facing communities across the country.



Additional Resources

NJ Dept. of Env. Protection
 Division of Parks and Forestry
 Historic Preservation Office
 P.O. Box 404
 Trenton, NJ 08625-0404
 Tel: (609) 292-2023
 Fax: (609) 984-0578
 Email: njhpo@dep.state.nj.us
 Web site: www.state.nj.us/dep/hpo/

New Jersey's Historic Preservation Office, located within the Division of Parks and Forestry, Department of Environmental Protection, brings expertise in a variety of fields essential to preserving historic resources. It responds to more than 40,000 calls yearly from people working to preserve, protect and promote New Jersey's historic resources.

New Jersey Historic Trust
 P.O. Box 404
 Trenton, NJ 08625-0404
 Tel: 609.984.6017
 Fax: 609.984.7590
 Email: njht@dep.state.nj.us
 Web site: www.njht.org

The New Jersey Historic Trust is a non-profit historic preservation organization affiliated with the Department of State. It recommends awards from the Garden State Historic Preservation Trust Fund for a variety of planning projects for historic preservation.

Preservation New Jersey
 30 South Warren Street
 Trenton, NJ 08608
 Tel: 609.392.6409
 Fax: 609.392.6418
 Email: info@preservationnj.org
 Web site: www.preservationnj.org

Preservation New Jersey's mission is to protect and promote the state's historic resources, communities and landscapes through education and advocacy.

STEP

8

Preservation of Open Space



GOAL: “To recognize the land as a prime community resource that is both finite and irreplaceable, to provide steps to protect the land from poor development practices, conserve appropriate quantities as permanent open space and actively seek practical methods for preserving farmland.”

“To unify the Township through coordinated open space...”

“Encourage development of a township wide open space network which connects local parks and portions of environmentally sensitive areas... through the preservation of open space providing habitat for wildlife without pedestrian or bicycle.”

CURRENT PROTECTION: The Township allows for conservation easements in §22-27.6a *Preservation of Open Space*. “This type of open space shall be either deed restricted from future development by

conservation easements, or dedicated to the township or another public or quasi-public agency or organization...”

§5-19.1a *Conservation Easements* are defined as “...any recorded easement...for the purpose of maintaining open space or preserving woodlands, wetlands, vegetation or other resources in their natural state...”

East Windsor Township recently received NJDOT funding for establishing bikeways throughout the Township. They have also been awarded a \$2.5 million Green Acres Grant to implement their Open Space Plan.

In addition to the Open Space Plan, the Township utilizes their Greenway Plan to map out stream corridors and woodlands. Included in this is the Bear Brook Greenway connecting to West Windsor Township, the Township’s work with the County to preserve farmland and efforts to incorporate alternative transportation measures.

OPTION: ADOPT ADDITIONAL ORDINANCES AND POLICIES TO ENSURE FURTHER PERMANENT PROTECTION OF THE TOWNSHIP’S REMAINING OPEN SPACE.

Specifically, the Township might consider:

- ⊗ Continuing to work with East Windsor Greenspace, Inc., a non-profit land trust, to accept conservation easements and create a monitoring program for those lands.
- ⊗ Continuing to work with adjacent municipalities to creating a comprehensive regional open space plan to help preserve ecosystems across jurisdictional lines.
- ⊗ Working with developers and with major employers of the area to provide links between residential and commercial/office/retail areas using bike and/or pedestrian paths.
- ⊗ Continuing to update recreation and open space master plans and maps (great visual aids for articulating your vision and describing potential greenbelts).
- ⊗ Continuing to support alternative transportation options for the Township, including shuttle bus service.
- ⊗ Continuing to evaluate and work on expanding these programs.





Did You Know?

- ⌘ N.J.S.A. 40:55D-28 of the MLUL empowers the Planning Board to prepare a Master Plan, "... (which) may include a conservation plan element as provided herein, for the preservation, conservation, and utilization of natural resources and present future preservation, conservation, and utilization of these resources."
- ⌘ Open space preservation not only benefits the environment and enhances quality of place, it can also benefit residents when it comes to tax time. It often costs a municipality less to buy selected open land than for residents to pay the higher taxes that result from development to build additional schools, to improve roads and to increase municipal services. Some studies have indicated that when a community buys and preserves land rather than allowing houses on every farm field, they break even on their investment within a few years.

Increased Property Values - When we preserve open space, we make our communities more desirable places to live by enhancing:

- Attractive settings
- Wildlife and natural area accessibility
- Recreational opportunities
- Environmental education possibilities

Seizing these opportunities increases the property values surrounding the preserved space.



Additional Resources

- ⌘ The Green Acres Program, NJDEP. (www.state.nj.us/dep/greenacres)
- ⌘ Trust for Public Land. (www.tpl.org/index.cfm)
- ⌘ Natural Lands Trust. (www.natlands.org/planning/growgreen.htm)
- ⌘ Natural Resources Conservation Service, Mercer County Contact. (303 West Main Street, Freehold, NJ 07728-2522, Tel: (732) 462-1079 ext. 3, Fax: (732) 462-3499. www.nj.nrcs.usda.gov)
- ⌘ NJ Conservation Foundation. (www.njconservation.org)
- ⌘ Association of New Jersey Environmental Commissions. (Tel: 973-539-7547, Fax: 973-539-7713, E-mail: anjec@aol.com, www.anjec.org)
- ⌘ NJ Municipal Land Use Law. January 2002
- ⌘ New Jersey Office of State Planning. (www.state.nj.us/osp/osp.htm)

STEP

9

Cluster Development or “Conservation Design”



GOAL: The Residential Goals and Objectives of the Master Plan include: “Utilizing, where appropriate, clustering techniques which consider social and environmental factors in meeting future housing needs.”

“...lands which have mature wooded areas, particularly upland woodlands, should be protected to the extent possible, perhaps through the use of cluster forms of development.”

The Township also wishes to “Promote continuation of farming as part of an agriculture-related economic base.”



CURRENT PROTECTION:

§20-4.1500 *Residential Cluster Development*
“Lot size averaging shall be considered a form of residential cluster development.”

§20-4.1500b “Cluster development is allowed when the tract size is at least ten acres, all dwelling units are connected to approved and functioning central water and sanitary sewer systems, except for developments which lie in the RA and RE zoning districts.”

§20-4.1500b4 “Land equal in area to a minimum of 20 percent of the tract’s total land is set aside for agriculture, open space, common property, conservation, schools, recreation, parks, and land for other public purposes...shall be in one functional and contiguous parcel to the maximum extent possible.”

§20-4.1500b4 “At least one-half of the land set aside shall be outside of wetlands and wetlands transition area and lands within the 100-year floodplain.”

OPTION: ADOPT A CONSERVATION DESIGN ELEMENT IN THE MASTER PLAN TO ACCOMMODATE PRESERVATION OF CONTIGUOUS OPEN SPACE.

Specifically, the Township might consider:

- ⊗ Initiating and promoting cooperation between the Township and adjacent municipalities to advance the consistent development of open space goals, policies and plans.
- ⊗ Posters highlighting the benefit of cluster vs. sprawling designs that eat up farmland and open space and provide only expensive housing options.
- ⊗ Requiring clustering as a mandatory development option.
- ⊗ Increasing the percentage of the open space set aside in a cluster development.
- ⊗ Applying these practices to the remaining housing to be built in the Township. This includes senior housing.

Conservation Design



Did You Know?

- ⌘ “The key to conserving natural resources and cultural features within new developments is to rearrange density on each subdivision tract as it is being laid out, so that only half (or less) of the developable land is cleared, graded, and turned into lawns, driveways, streets, and cul-de-sacs. In this way, homes are built in a less land-consumptive fashion allowing the balance of the property to be permanently protected and added to an interconnected system of green spaces and greenway corridors criss-crossing towns, townships, and counties where these principles are incorporated into the basic design standards for new development” (Randall Arendt. *Conservation Design for Subdivisions*, 1996).
- ⌘ Conservation design provides a “density-neutral” approach for a fair and equitable way to balance conservation and development objectives.
- ⌘ Most proponents of cluster development recommend a minimum of 40% open space preservation on the subdivision site.
- ⌘ “Open Space Zoning”, a term interchangeable with “clustering”, can aid towns in planning for future development, especially where significant lands are threatened.
- ⌘ Allowing for landscaped islands in cul-de-sacs adds to the natural feel of the conservation design.



Additional Resources

- ⌘ New Jersey Office of State Planning. (www.state.nj.us/osp/osp.htm)
- ⌘ Association of New Jersey Environmental Commissions. (Tel: 973-539-7547, Fax: 973-539-7713, E-mail: anjec@aol.com, www.anjec.org)
- ⌘ Center for Watershed Protection. (www.cwp.org/index.html)
- ⌘ Randall Arendt (author of *Growing Greener* and *Rural By Design*) (www.greenerprospects.com).
- ⌘ Natural Lands Trust. (www.natlands.org/planning/growgreen.htm)
- ⌘ “Open Space Zoning: What it is and Why it Works”. Randall Arendt. (www.plannersweb.com)
- ⌘ Ohio State University Fact Sheet. “Community Development”. (www.ohioline.osu.edu/cd-fact/1270.html)
- ⌘ Daniels, Tom and Deborah Bowers. *Holding Our Ground: Protecting American Farms and Farmland*. Island Press: Washington, DC, 1997.

STEP

10

Green Infrastructure



GOAL: “To subject all development to rigorous quality standards regardless of types of location.”

“Ensure that future low intensity development in areas no served by public utilities is adequately controlled through sound septic management techniques to assure maintenance of a high level surface and ground water quality.”

CURRENT PROTECTION: The Township allows for development practices that are considered “green” designs. The Mayor also mentioned that they have considered shared parking on some properties.

§22-9.2a “The minimum stall width and depth shall be 9 and 18 feet respectively, except for the following uses:

- 1) Retail Store: 10ft x 18ft
- 2) Hospital or Sanitarium: 10ft x 18ft
- 3) Club, nightclub or lounge: 10ft x 20ft.

§19A-2.3 *Parking*. (b) “The minimum number of off-street parking spaces with proper access from a street, alley, or driveway for each use in all districts shall be as follows:” (Ordinance lists #s 1-13 describing the amount of spaces for respective uses).

§22-9.3 *Pavement Thickness and Design*. The ordinance section gives specific definitions of what materials are to be used when, all of which are impervious.

For residential areas, the Township’s ordinance supports lessening impervious cover: §22-4.6e “In the center of the turn-around a planting island equal in dimension to the road cartway radius minus the road cartway width shall be provided in lieu of excess pavement.”

OPTION: ENCOURAGE MORE INNOVATIVE TECHNIQUES IN PUBLIC WORKS PROJECTS:

Specifically, the Township should consider:

- ⊗ Improving parking codes to accommodate green practices and allow smaller spaces and more pervious surfaces.
- ⊗ Revising parking codes to lower parking requirements where mass transit is available or enforceable shared parking arrangements are made.
- ⊗ Designing residential streets for the minimum required pavement width needed to support travel lanes, on-street parking, and emergency, maintenance, and service vehicle access. Street widths should be based on traffic volumes.
- ⊗ Minimizing the number of residential street cul-de-sacs and incorporating landscaped areas to reduce their impervious cover. The radius of cul-de-sacs should be the minimum required to accommodate emergency and maintenance vehicles. Alternative turn-arounds should be considered.



Did You Know?

- ⌘ Infrastructure investments are intended to eliminate backlogs, rehabilitate and re-develop existing infrastructure systems as needed, and support future new growth. Some of these needs must be timed to forestall crises in service; many, however, may be scheduled within a general time period rather than in a specific year (NJ Office of State Planning, State Development and Redevelopment Plan).
- ⌘ Green Infrastructure provides a diversity of public and private functions and values that address both natural and human needs and benefit the environment and communities.
- ⌘ It provides for important ecological functions that help conserve native ecosystems and landscapes. These include:
 - ⌘ maintaining space to sustain the biodiversity of native plant and animal communities;
 - ⌘ maintaining connections to allow interchange between native plant and animal communities; and
 - ⌘ maintaining the health of native ecosystems and landscapes by sustaining their physical, chemical, and biological processes.



Additional Resources

- ⌘ Center for Watershed Protection. (410-461-8323 or www.cwp.org).
- ⌘ Green Infrastructure Network. (www.greeninfrastructure.net/FAQ/Faq_new-development.htm)
- ⌘ Maryland Department of Natural Resources. (www.dnr.state.md.us/irc/gia)
- ⌘ NJ Office of State Planning. (www.state.nj.us/osp)
- ⌘ Tri-State Transportation. (www.tstc.org)



STEP

11

Construction Practices

GOAL: The Township’s Land Subdivision Ordinance gives support for construction practices regarding landscaping and design although no goals are mentioned in the Master Plan.

CURRENT PROTECTION:

The following sections describe support for new construction practices.

§19A-2.1b1 *Landscaping and Site Design.* “Natural or existing topographical patterns or other natural features such as trees or shrubs shall be preserved and protected.”

§19A-2.8 *Landscaping.* Site design shall be based on preservation of all beneficial natural features...and replacement of

initial planting to ensure natural plants, shrubs and shade trees for energy conservation as well as for screening and buffering, photosynthesis and aesthetic quality.”

§22-27.11 *Amenities/Resources.*

(b) “Clearing trees and shrubs from a lot or filling around trees on a lot shall not be permitted unless it can be shown that grading or construction requirements, and/or proposed building locations necessitate removal of trees and shrubs...”

§16-2 *Soil Disturbance.* “No person shall disturb the soil of any lot within the township without having first obtained a permit from the township engineer.”

OPTION: ADOPT ORDINANCES THAT ALLOW FOR NEW CONSTRUCTION PRACTICES.

Specifically, the Township should consider:

- ⊗ Requiring that sketch plans be submitted to the planning board during the Conceptual Plan Stage of the development review process.
- ⊗ Requiring an Existing Resources and Site Analysis Map.
- ⊗ Strengthening the ordinance that regulates clearing and grading of sites/vegetation. Include a penalty provision and require vegetation replacement with native species.
- ⊗ Encouraging low impact development designs for new construction, which includes compliance with Stormwater Rules.
- ⊗ Encouraging the Shade Tree Commission, now part of the Environmental Commission, to continue planting and maintaining native trees within the Township.
- ⊗ Developing water conservation measures on new construction and redevelopment sites to prevent:
 - runoff from rooftops
 - clearing and grading of forests and native vegetation
 - fire hazards





Did You Know?

- ⌘ Best management measures and redevelopment measures are considered a means to effectively reverse the effects of and amount of impervious surface coverage in a well established urban watershed.
- ⌘ Land-use changes such as agriculture, low and high density residential, and commercial land uses can have dramatic effects on water flow and quality in a watershed. As land-uses move from more natural states (such as woodlands) to extremely developed conditions (i.e., high density residential and commercial) the percentage of area which becomes impervious (paved streets, parking lots, and sidewalks and paths, rooftops etc.) increases markedly.
- ⌘ The following BMP hierarchy should be used in designing a project:
 - preservation of natural features on the project site (e.g. floodplains wetlands, streams, and other drainageways, prairies, woodlands, and native soils);
 - preservation of natural infiltration and storage characteristics of the site;
 - minimization of impervious surfaces;
 - structural measures that provide water quality and quantity control; and
 - structural measures that provide only quantity control and conveyance.



Additional Resources

- ⌘ Center for Watershed Protection. (410-461-8323 or www.cwp.org)
- ⌘ National Resources Defense Council. (www.nrdc.org)
- ⌘ U.S. EPA Office of Sustainable Ecosystems and Communities.
(www.epa.gov/ecocommunity/tools/econatt3.pdf)
- ⌘ John Irwin, PhD. Candidate, Resource Management and Environmental Studies, University of British Columbia. *The Importance of Being Pervious*.
(www.alternatives.com/aqualibrium/pervious.htm)
- ⌘ U.S. Army Corps of Engineers. “Best Management Practices (BMP) Overview”, December, 2000. (www.lrc.usace.army.mil/co-r/best_management_practices.htm)

STEP

12

Master Plan Revision and Rezoning of Township



GOAL: In potentially recognizing Hightstown as “an integral part of the East Windsor community”, the Master Plan states this goal so as to work across political boundaries to achieve more regional goals.

East Windsor Township’s general goals for a Master Plan Revision include the following:

“To establish the township as a socially balanced and viable community by offering a full variety of housing types and a full range of job opportunities.”

“To encourage the township’s development as a sub-center of commercial trade serving local needs and area wide needs as well.”

“To encourage that type of development which does not produce an intolerable tax burden on itself and other members of the community.”

“Ensure location of new public facilities such as schools and park areas so they are coordinated with existing needs and future development patterns.”

CURRENT PROTECTION: Under the Municipal Land Use Law the Master Plan is required to be updated every six years. East Windsor Township updates the Master Plan on an ongoing basis and utilizes other reports to supplement the Plan.

The Master plan acknowledges the State Plan and shows mapping.

§19A-2.11 *Impact Statement*. “...every municipal agency (is) empowered to require of any application a statement containing as much of the following information as that agency deems:...”

- a. Inventory of Existing Environmental Conditions.
- b. Assessment of Environmental Impact of Project.
- c. Listing of all Unavoidable Adverse Environmental Impacts.
- d. Steps to Minimize Environmental Damage.
- e. Alternatives.

OPTION: CONTINUE TO ENSURE THE MASTER PLAN IS FULLY UPDATED AND REPLACED EVERY SIX YEARS.

Specifically, the Township should consider:

- ⌘ Mandating an agency to adopt and apply the language of the *Impact Statement* section, described above, to the site plan application.
- ⌘ Continuing to successfully defend Master Plans and Zoning changes through consistency with the goals of the Municipal Land Use Law and the State Plan, as in the past.
- ⌘ Continuing to develop sound planning strategies through the structure of the Master Plan and implementing ordinances.
- ⌘ When setting land use policies research the scientific background to support the intended purpose of the policy, such as water quality, water quantity, groundwater recharge, and traffic information.





Did You Know?

- ⌘ According to the Municipal Land Use Law “*land use can be guided to promote public health and safety.*” (N.J.S.A. 40:55D-2 et seq.) By updating the Master Plan every six years a municipality can be shaped as its vision changes.
- ⌘ An effort to rezone gives the vision life. Land uses can be reorganized to best fit the goals of the place and of the people who live and work there, while preventing threats to public health and safety.
- ⌘ In other words, the most effective plans are those which are accurate enough to prepare for anticipated events, and flexible enough to provide guidance for events which are not anticipated.
- ⌘ Efforts to rezone will likely be upheld by the courts if...
 - due process is applied;
 - expert studies for environmental, engineering, and economics are conducted;
 - there is a consistency between the goals of the Municipal Land Use Law and State Plan Measure;
 - there is a balance with land use opportunities and defined growth areas;
 - COAH requirements are satisfied;
 - public participation is encouraged; and
 - there is compliance with statutory and municipal procedures.
- ⌘ Land use restrictions that are designed to *provide a public benefit* may be more likely to be considered a taking, requiring just compensation.



Additional Resources

- ⌘ NJ Office of State Planning (www.state.nj.us/osp/) - research the State Development and Redevelopment Plan, Smart Growth, Maps and GIS data, and Laws and Regulations.
- ⌘ Natural Lands Network Series on Master Planning. (www.thewatershed.org/WSM/nln.html).
- ⌘ Environmental Law Institute (www.eli.org). Search on “takings”.
- ⌘ Land Use Law and Development Strategies (www.nj-landuselaw.com). Gives information on land use law in NJ, including recent cases, unlawful ordinances, and other useful links.

STEP

13

Resident Participation



GOAL: East Windsor Township continuously recruits volunteers who regularly participate in Township events.



The Mayor also hosts a live call-in show once a week where residents can call in and ask her questions. This local channel also carries public announcements and programming throughout the week from Mayor Mironov and Council Members, the East Windsor Regional School District and other community groups.

The Township has many organizations and programs that involve volunteers. Some of them include: the Clean Communities Committee, the Senior Citizen organization, the Adopt-A-Spot program, Recreational programs, and the Arbor Day event.

Residents are always encouraged to participate.

CURRENT PROTECTION:

Through the quarterly newsletter the Mayor encourages residents to serve on the Township's volunteer boards and committees. It also puts out information on when and where volunteers are needed, educational materials on various issues, new development projects, and other areas where residents can get involved.



OPTION: CONTINUE TO ENCOURAGE PUBLIC PARTICIPATION BY EXPANDING INFORMATION AVAILABLE ON YOUR TOWNSHIP WEBSITE, SETTING UP AN EMAIL USER GROUP, OR HAVING COMMITTEE MEMBERS, ETC., WRITE A REGULAR COLUMN IN THE NEWSPAPER TO KEEP RESIDENTS INFORMED ON KEY PROGRAMS AND ISSUES.

Resident Participation

STEP

14

Knowledge Base of Municipal Officials and Staff



GOAL: It was stated in the survey that increased cooperation with adjoining municipalities on environmental issues should be a goal for the Township. This would help increase regional awareness and knowledge.



CURRENT PROTECTION: The Environmental Commission is required to review a copy of every development application that is submitted to the Planning Board.

East Windsor Township works with NJDEP, SBMWA, and ANJEC to help protect the watershed. A town newsletter, website, public meetings and town programs help to educate residents about the Township's goals.

The Township also has participated in stream monitoring programs, restorations, and reforestations.

OPTION: ENCOURAGE TRAINING AND SITE WALKS FOR COMMISSION MEMBERS.

Specifically, the Township should consider:

- ⌘ Encouraging and supporting officials and board and commission members to obtain education relevant to their duties (beyond ANJEC trainings).
- ⌘ Encouraging the EC to conduct more public education campaigns.
- ⌘ Encouraging site walks by the planning board and environmental commission.
- ⌘ Keeping Township staff members, elected and appointed officials, aware of documents that are updated and those that need updating.

