
RELATIONSHIP OF THE HARDING MASTER PLAN TO STATE, REGIONAL AND AREA PLANS

(Amended May 19, 1997)

The purpose of this element is to evaluate the relationship of this Master Plan to the master plans and zoning in adjacent communities. In addition, regional, county and state plans are examined. It is a goal of the Harding Master Plan to be consistent with those plans to the extent possible while maintaining consistency with Harding's own planning goals and objectives. As documented below, this goal has been achieved to a high degree. This element also includes specific policy statements indicating the relationship of this Master Plan with those plans, as required by law.

RELATIONSHIP TO ADJOINING MUNICIPALITIES

It is in the collective best interest of all municipalities in our area to take into account the planning and zoning in adjacent municipalities, especially in border areas. To the extent possible, consistent with Harding's goals and objectives, and in recognition of inherent differences in existing patterns of development and environmental characteristics, conflicts and inconsistencies in border areas should be minimized. Following is a summary of the land use designations of the surrounding municipalities in areas adjoining Harding.

Madison Borough

The Borough of Madison borders the northeastern tip of Harding Township for a short distance. Harding Township's low density residential district in that area is compatible with the adjacent low density residential zoning areas found in Madison Borough.

Chatham Township

The Township of Chatham is located east of Harding Township south of Madison Borough. Chatham's Master Plan dates from 1989 (1994 Reexamination). The low density residential and county park area in Harding abutting Chatham Township are compatible with the low density districts of R-1A, R-1, R-2 and CP (county park) zones in Chatham. Chatham's low density district (R-1A) is distinct from Harding's in that it allows for a cluster option, provided that final lot sizes are at least 25,000 square feet. Lands in the Great Swamp National Wildlife Refuge, designated as Public Lands in Harding, adjoin the Wilderness Area District in Chatham. A small Neighborhood Business District in Chatham, within the Green Village area which straddles both townships, is compatible with the developed R-3 Residential areas in Harding.

Long Hill Township

The Township of Long Hill borders Harding to the southeast. Long Hill's Master Plan dates from 1995. Harding Township land zoned for Public Lands (the Great Swamp National Wildlife Refuge) adjoins Long Hill Township lands that are zoned for Conservation, compatible land use designations. The National Wildlife Refuge straddles both townships and is an area of special mutual concern and responsibility.

Bernards Township

The Township of Bernards lies to the west of Harding but is separated from it by the Passaic River. Bernards' Master Plan dates from 1984 (1995 Reexamination). Bernards has 3 acre residential zoning districts along the border with Harding which permit flag lot and cluster development. This zoning designation is compatible with residential districts that border Harding. Land which abuts Interstate 287 in Bernards Township is zoned for office and laboratory uses; in Harding the land on each side of I-287 nearest the border is zoned B-2 Business and Public Land (Harding's Office Building Zone is a limited area just north of the B-2 Zone between Route 202 and I-287). A portion of the office/laboratory area in Bernards east of I-287 is separated from the R-1 (3 acre lot) residential area in Harding Township by the Passaic River.

Bernardsville Borough

The Borough of Bernardsville extends for approximately 3,400 feet along the western border of Harding Township in the vicinity of Peachcroft Road. Bernardsville's Master Plan dates from 1984 (1996 Reexamination). This area of Bernardsville Borough is designated for low density (5 acre) residential lots which is compatible with the R-1 (3 acre) residential designation in Harding.

Mendham Township

The Township of Mendham is located along the northwestern border of Harding Township. Mendham's Master Plan dates from 1983 (1993 Reexamination). The Morristown National Historical Park extends almost the entire length of the Harding-Mendham border. The protection of the National Historical Park is an issue of mutual concern and responsibility for both towns. There is a small area north of Tempe Wick Road in the Sunrise Lake area of Mendham which is zoned for single family residential use adjacent to the Jockey Hollow area of Harding Township.

Morris Township

The Township of Morris is located to the west of Madison on Harding's northern border. Morris Township's Master Plan dates from 1994. From a land use standpoint, the R-1 (3 acre residential lot) zoning in Harding is not incompatible with adjacent 15,000 sq. ft. and 35,000 sq. ft. lots in Morris Township notwithstanding the higher density development pattern. In the north central portion of Harding, areas zoned for 3 acre residential use abut areas in Morris zoned for and developed as townhouses at a density of six units per acre. However, these areas are separated

by a broad flood hazard area. National and county park lands located in Harding are adjacent to areas in Morris that are zoned for OS/GU or Open Space-Government Use. This zone allows for a wide variety of permitted public uses.

The area along Sand Spring Road in Morris and Harding is an area of some planning and zoning inconsistency between the townships. The area in Morris is zoned for Office Building and Research Laboratory (OL-40 zone) uses while the area at the southern end of Sand Spring Road in Harding is zoned for R-2 and R-3 single family residential use. Most of the remaining vacant land in the area is zoned residential (in Harding). Access to these vacant lots is obtained from Morris Township through the OL-40 zone.

Planning Proposals in Harding Affecting Adjoining Municipalities

There is only one planning proposal in this Master Plan that will have a direct effect on an adjacent municipality. Harding's Housing Element and Fair Share Plan calls for Harding Township to construct an affordable housing development on a township-owned site on Kitchell Road on the border with Morris Township. An important factor in the site's selection was the existence of water and sewer utilities adjacent to the site, and surrounding land uses. The adjacent zoning and land use across Kitchell Road in Morris Township is RH-5 (affordable housing). This is the site of the Moore Estate including using development which, in the area closest to Harding, represents a density of more than 5 units per acre. The designation of the housing site in Harding at a density of less than 3 units per acre is fully compatible with the zoning and existing land use in Morris Township.

RELATIONSHIP TO REGIONAL PLANS CONCERNING THE GREAT SWAMP

Since Congress authorized the creation of the Great Swamp National Wildlife Refuge in the 1960's there has been increasing concern about the impact of development on the Refuge which comprises the southern third of the township. Planning reports and studies by the New Jersey Department of Environmental Protection, the Great Swamp Watershed Advisory Committee and the USDA Great Swamp Hydrologic Unit have documented in great detail the need for land use planning policies and strategies addressing the impacts of development on the Great Swamp. Of particular concern is the effect of stormwater runoff from development within the Great Swamp Watershed on water quality and quantity in the Refuge.

Policy Statement

One of the principal goals of Harding's Master Plan is to protect the ecosystem of the Great Swamp National Wildlife Refuge. Pursuant to this goal, land use and planning decisions should be carefully considered in the context of their effect upon the Great Swamp. In particular, since most of the township lies within the Great Swamp Watershed, Harding's land use regulations and policies should work to meet the goal of "no net increase" in the rate, volume or pollution from storm water runoff from development in the Watershed.

"Ten Towns" Committee

In 1995 the *Ten Towns Great Swamp Watershed Committee* was established, made up of representatives of the ten municipalities in the Great Swamp Watershed. The Committee's primary purpose is to prepare recommendations to the communities in the watershed on measures to protect water quality in the Great Swamp, in particular, stormwater management standards. A consultant has been working with the Committee to develop a watershed-based stormwater management plan and model stormwater regulations. The towns within the watershed have agreed to carefully consider these recommendations and standards.

"Special Area" Designation

Harding's principal strategy for minimizing the impact of development upon the Great Swamp has been to designate most of the privately owned land within the Great Swamp Watershed for low density development. Consistent with this, Harding has adopted development standards that encourage narrow roadways, grass swales as a preferred method of stormwater drainage, and strict standards for stormwater detention.

In January 1997, the New Jersey Department of Community Affairs promulgated statewide residential site improvement standards. Unless modified through a procedure referred to as a *Special Area* designation, the statewide standards as applied in Harding would require a substantial change in the level of improvements required in residential developments. The changes include increased pavement widths and inadequate standards for stormwater management. This would be harmful to Harding's efforts to protect the Great Swamp. Except for about 360 acres of land located in the Whippany River Drainage Basin (parts of Lewis Morris Park the National Park, and a portion of a developed subdivision adjoining the latter) in the northwestern-most part of the township, all of Harding lies within the Great Swamp Watershed. Designating the Watershed as a *Special Area* would permit the continuation of Harding's residential development regulations and comprehensive stormwater management standards which are more appropriate in view of the effect of uncontrolled runoff on the ecology of the Great Swamp.

RELATIONSHIP TO MORRIS COUNTY PLANS

Morris County in recent years has attempted to foster a cooperative working relationship with its communities through such efforts as the *cross acceptance process* associated with the evolution of the State Development and Redevelopment Plan. Harding has been actively involved in this and other regional planning efforts.

There exists a high degree of consistency between township and county planning which is the result of the cooperative relationship between the two levels of government. This should be continued and expanded where appropriate in the future. Consistency in planning between the township and county is of mutual benefit and should be an important factor in making planning decisions.

Morris County Master Plan

The elements of the Morris County Master Plan of most relevance to Harding are the Circulation Plan, Recycling Plan, and Open Space Plan. Other elements of the County Plan are either very outdated, and thus of limited relevance, or have limited applicability to the township.

Circulation Plan

The Morris County Circulation Plan element was adopted in 1992 and assesses all aspects of transportation in the county. Of particular concern to Harding are policies and proposals affecting the size and standards for county roads, bridges (most of the bridges in Harding are county-owned and maintained) and culverts. Harding should continue to work closely with the county to ensure that future improvements to county roadways and bridges (including bridges classified as culverts) will be undertaken in a manner that recognizes the special concerns about the Great Swamp and historic preservation. Widening of county roads should be avoided and historic bridges should be well maintained to avoid replacement. Where replacement is necessary, the township should work with the county to replace the bridge in kind.

Solid Waste Management Plan

The Morris County Recycling Plan element was adopted in 1985 and amended through 1993 in conformance with the *Statewide Mandatory Source Separation and Recycling Act*. As reflected in the Recycling Plan of Harding's Master Plan, the township has instituted a recycling program consistent with the county (and state) plans.

Open Space Plan

The Morris County Open Space Plan element was adopted in 1988. A portion of the County's Loantaka Brook Reservation is located within Harding. Harding's affordable housing site is adjacent to the Loantaka Reservation. However, the site is not listed in the County Open Space Plan as an area for future acquisition by the County. In addition, the portions of the affordable housing site that are adjacent to the park are wetlands that are precluded from development, thus buffering the park from effects of development. As a result, this Master Plan is consistent with the Morris County Open Space Plan.

RELATIONSHIP TO NEW JERSEY STATE PLANS

The State of New Jersey sets forth the framework for p in Harding and all communities in the state through the Municipal Land Use Law and numerous other state laws and regulations. In recent years, local government has adapted to new initiatives from the state in housing (the Council on Affordable Housing - COAH), road improvements and stormwater management standards (statewide Residential Site Improvement Standards), and planning (the State Development and Redevelopment Plan).

There exists a high degree of consistency between township and state planning which is the result of the township's active participation in *cross acceptance*, a process which brought about

the adoption of the State Development and Redevelopment Plan (SDRP) in 1992, and participation in COAH's administrative process which resulted in *Substantive Certification* of Harding's affordable housing plan on November 6, 1996. Consistency between local and state planning is in the best interests of both levels of government and it should be continued and expanded where appropriate in the future.

Fair Housing Act

The New Jersey Fair Housing Act established that every New Jersey community has a responsibility to provide for its fair share of affordable housing and created the Council On Affordable Housing (COAH) to administer compliance with that mandate. Harding has adopted a Housing Element and Fair Share Plan that complies with state regulations and was approved by COAH. The most important part of the township's affordable housing plan is the proposed construction of 23 affordable units (plus one unit for an on-site superintendent) on a site that is appropriate and available for affordable housing and where access to public utilities is available.

State Development and Redevelopment Plan (SDRP)

In June 1992, the State Planning Commission adopted the New Jersey State Development and Redevelopment Plan. Individual municipalities were invited to be directly involved in the formulation of this "state master plan" through the cross acceptance process which was administered by the County Planning Board in Morris County. Representatives from Harding were actively involved in the process and the result is a state plan that is generally consistent with Harding's Master Plan. Excluding park lands, most of Harding is designated as Planning Area 5 -Environmentally Sensitive (PA-5) in the SDRP. Small areas along the northern border of the township are designated Planning Area 1 - Metropolitan (PA-1) and Planning Area 3 - Fringe (PA-3) because of the existence of infrastructure (water and sewer utilities) in those areas.

SDRP Mapping Amendment

Since the adoption of the SDRP in 1992, Harding adopted a Housing Element and Fair Share Plan to comply with its affordable housing obligation. Substantive Certification was granted by COAH in November 1996. COAH regulations stipulate that inclusionary housing be located in Planning Areas 1, 2 or 3 or in designated "centers". Harding's plan includes the designation of a site on Kitchell Road for construction by the township of 23 affordable units plus one unit for an on-site superintendent. The 8.5 acre site is located in the northeastern portion of Harding adjacent to the township boundary with Morris Township. Loantaka Brook Reservation abuts the site to the south and east. This part of Harding, surrounded by three adjoining communities (Morris, Madison and Chatham) is not now served by public water or sewer. It is within the SDRP- designated Environmentally Sensitive Area (PA-5), while all of the surrounding areas which are served by public utilities, are included within the Metropolitan Planning Area (PA-1).

An important determining factor in the township's choice of the Kitchell Road site was its proximity to existing water and sewer infrastructure. The existence of water and sewer infrastructure was also a factor in determining the boundary between the PA-1 and PA-5 in this

area. Since no available, appropriate, or feasible site for affordable housing exists in the very small areas of the township designated PA-1 or PA-3, the township designated a site that is immediately adjacent to Planning Area 1 where water and sewer infrastructure exists and rezoned it to permit the housing development.

There were other important factors in choosing the Kitchell Road site that are consistent with SDRP policies. The site contains an adequate developable area free of environmental constraints for the construction of 24 units meeting Harding's fair share requirement. It is adjacent (across Kitchell Road) to an existing affordable housing development in Morris Township, thus eliminating a potential conflict in adjacent land use designations between the two townships. The site is closer to public transportation than any other potential sites in Harding.

Since the Kitchell Road site is immediately adjacent to existing water and sewer lines, a major extension of these services is not necessary or envisioned. The Loantaka Brook Reservation (which surrounds the site on two sides) acts as a natural physical boundary to the extension of such infrastructure, maintaining the integrity of the remaining environmentally sensitive area designation. For these reasons, the State Planning Commission should include Harding's affordable housing site within Planning Area 1. North of Woodland Avenue, the township-owned large vacant lot with a pond should be added to the township's Open Space Inventory to buffer nearby residences. That site and the remaining residences which have historic character and are situated on large lots should remain in the R-1 Zone which is more consistent with the current PA-5 designation.

Statewide Residential Site Improvement Standards -"Special Area" Designation

As outlined previously in this Master Plan, The NJ Department of Community Affairs has promulgated statewide Residential Site Improvement Standards. These standards are substantially inconsistent with Harding's standards as they pertain to road widths and stormwater management (particularly with respect to water quality) for residential development. The state's standards require greater pavement widths (than Harding requires or encourages) in new subdivisions and stormwater controls which will not adequately protect the Great Swamp National Wildlife Refuge from the negative effects of development.

The township's road standards have evolved over a long period of time to strike a reasonable balance between the need to provide safe roadways and other important township goals. Chief among these other goals are the need to minimize land disturbance and stormwater runoff and its impact on the Great Swamp and a strong desire to maintain the historic and rural character of the township. New roadways and road improvements in the Great Swamp Watershed and/or in areas designated as historically significant in the Historic Preservation Plan and Circulation Plan should be consistent with the recommendations contained in those elements. As a result, the township is seeking a *Special Area* designation pursuant to NJAC 5:21-1 et. seq. (statewide Residential Site Improvement Standards) for the portion of the township that is within the Great Swamp Watershed.