

Master Plan Reexamination Report



Delanco Township

Burlington County, New Jersey

September 17, 2019

Adopted October 1, 2019

Township of Delanco

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Master Plan Reexamination Report

September 17, 2019 and Adopted October 1, 2019

Delanco Township Joint Land Use Board

Delanco Township, Burlington County, New Jersey

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Master Plan Original Signed and Sealed
in accordance with NJAC 13:41-1.3;
and on file in the Delanco Township Clerk's Office

Table of Contents

I. Introduction.....	2
II. Process	2
III. Vision.....	2
IV. Major Problems & Objectives in the Last Reexamination Report.....	3
V. Master Plan Implementation Status 2008 through 2018.....	9
VI. Zoning Examination	12
VII. Recommendations Concerning the Incorporation of Redevelopment Plans.....	14
VIII. Appendix A: Master Plan Document & Ordinance Lists.....	16
IX. Appendix B: Illegal Apartment Conversions.....	22
X. Appendix C: Delanco Composite Map	32
XI. Appendix D: Exterior Lighting.....	34
XII. Appendix E: Land Use Plan.....	36
XIII. Appendix F: Zoning Map.....	38

I. Introduction

The Municipal Land Use Law (MLUL) requires every municipality in New Jersey to reexamine the Master Plan and development regulations at least once every 10 years (N.J.S.A. 40:55D-89) to ensure periodic review of information and changing conditions in order to keep municipal planning efforts current. The Township has adopted a Comprehensive Master Plan on January 6, 2009. The MLUL sets forth that the Reexamination Report addresses the following five specific areas:

1. Major problems and objectives relating to land development in the Municipality at the time of such adoption, last revision or re-examination, if any;
2. Extent to which such problems and objectives have been reduced or have increased subsequent to such date;
3. Extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for such plan or 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, and changes in State, County and Municipal policies and objectives;
4. 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; and
5. Recommendations of the [Joint Land Use Board acting as] Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing Law, P.L. 1992, c. 79 (C.40A:12 A-1 *et al.*) into the land use plan element of the municipal master plan, and recommended changes if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

II. Process

The preparation of this Reexamination Report has been a transparent and open process in which the issues were initially discussed at Joint Land Use Board Meetings. The Reexamination Report was discussed by the board on October 2, and November 2, 2018. The process proceeded as follows:

1. The Joint Land Use Board held a public hearing on the Reexamination Report on October 1, 2019; and adopted the report on November 6, 2019 by resolution.
2. Implementation of recommendations may require the preparation and adoption of ordinances by the governing body. All ordinances must be referred to the Joint Land Use Board for review in accordance with the Municipal Land Use Law.

III. Vision

“The plan (2008) provides a vision for Delanco Township that embraces the quaint charm and the historic architectural character of the bedroom community. Pedestrianism is strong in this community where the train station and Delaware Avenue are the most popular destinations.

The transit line provides a connection from Camden to Trenton and beyond via connecting transit nodes. Delaware Avenue provides a pleasant, quiet, promenade between stately historic homes and the scenic Delaware River and Pennsylvania beyond. It is possible due to the small commercial nodes located along Burlington Avenue to buy milk, dinner, and other necessities without getting into one's vehicle. The Rancocas Creek is more accessible because of an aggressive effort by the community and the county to obtain large parcels through purchase and dedication via clustering provisions, providing passive recreation to the residents of Delanco and Burlington County. The Rancocas Greenway is well connected to the existing developed portion of the community, providing access across the railroad to the open space. Generally, the community views their "dry town" status as a benefit to the quality of life of the residents."

IV. Major Problems & Objectives in the Last Reexamination Report

A Reexamination Report is required to address major problems and objectives relating to land development from the last Reexamination Report. The 2007 Master Plan Reexamination Report reviewed goals developed by previous Master Plan documents and reaffirmed those goals and objectives. In 2009, the Planning Board reiterated those goals and objectives and expanded the objectives. The 2016 Housing Plan was accepted by the Courts and is currently in the implementation phase. The Housing Plan describes the density, population, housing conditions, and housing tenures for the community. The goals and objectives of the current plan are outlined below. The extent to which the objectives and problems outlined in the 2008 Master Plan have been reduced or increased must be discussed. A Master Plan document list as well as a Master Plan Implementation Ordinance List is attached as Appendix A.

The major Goals of the Plan are summarized as follows:

1. Preserve and enhance the small-town character of the Township, including population densities, land use, the historic riverfront, and recreational facilities, providing opportunities for growth and changes in lifestyle.
2. Enhance existing structures and land in a manner that is compatible with existing neighborhood character by encouraging rehabilitation and maintenance.
3. Preserve the established residential districts and provide the opportunity for a range of housing types to meet the varied income and age level of residents.
4. Encourage industrial areas to redevelop and operate by responding to market forces, while seeking to minimize truck traffic in the residential areas of the Township.
5. Enhance Burlington Avenue as a viable commercial district, serving the daily needs of residents and visitors through a variety of retail and service uses.
6. Maximize the use of existing recreation infrastructure by continuing to share facilities with the Board of Education, develop new facilities, and enhance existing public spaces.

7. Preserve a greenbelt along the Rancocas Creek and enhance public access to the Delaware River.
8. Preserve significant wooded areas, floodplains, wetlands, and high-water table areas to the fullest extent, mitigating, recognizing, and minimizing the risk of natural hazards.
9. Encourage sustainable development.

The major Objectives of the Plan are as follows:

Land Use

1. Enhance and redevelop older residential areas.

The design guidelines have been adopted and are applicable to commercial development, which has been limited. It is difficult to ascertain if the standards are utilized by residents as they are not mandatory for residential development, but simply advisory.

2. Create new residential neighborhoods in appropriate locations.

The JLUB has continued to review and approve infill development, particularly near the Delanco RiverLine Train Station.

3. Preserve and enhance the town's traditional residential village character and provide appropriate buffers between the mixed-use village from more intensive industrial uses along the railroad.

This has been problematic due to the nature of the uses and the accessibility of the railroad siding, which is a benefit to the industrial uses. Where site plans are reviewed typically lighting and buffers are addressed as site constraints and physical layout may allow.

4. Encourage development that respects existing development intensities, densities, patterns, and environmental constraints.

This objective is ongoing, due to limited developable area. However, where development and redevelopment occur particularly in re-use of industrial sites and buildings the JLUB has provided expedited and limited scope site plan reviews, where appropriate.

5. Discourage illegal apartment conversions that create higher residential densities, overcrowding, and insufficient parking and other detrimental conditions and promote the rehabilitation of structures to their original single-family character.

This objective is ongoing, and actively pursued by the Township Committee through the formation of a governing body subcommittee investigating tax abatement programs. The

JLUB has reviewed the issue and the report is attached as an exhibit to the Reexamination Report. See Appendix B.

6. Reuse vacant land and underutilized sites.

This is ongoing and largely successful at the current time due to the location of the township and the economic environment. This issue requires vigilance and continued advocacy on the part of the Township and the County.

7. Encourage the creation of infill commercial development along Burlington Avenue in appropriate locations.

New development activity on Burlington Avenue has been limited to a few scattered sites.

8. Continue to reexamine ordinances regarding industrial, commercial, and residential development requirements and provisions.

The ordinance reviews have been ongoing, where issues and problems are identified and addressed as may be practical. There is continued concern regarding the lack of consistent enforcement of ordinances.

9. Encourage the development of green buildings; and have Delanco Township lead by example by constructing LEED-certified buildings.

It appears that little has been accomplished with respect to LEED-certified buildings, however, the industrial areas are utilizing solar energy as alternative green energy sources using both on-site and off-site sources.

Community Facilities

1. Prepare the Township for an increase in the existing aging population and accommodate influxes of aging populations anticipated for new developments.

This is ongoing.

2. Explore possibilities for regionalization of local services.

This is ongoing.

3. Maintain, preserve, and replace trees in accordance with the guidance set forth in Delanco's State approved Community Forestry Management Plan while protecting the Township's sidewalk and street infrastructure.

Open Space and Recreation

1. Capitalize on the Township's major assets, the Delaware River and Rancocas Creek, by maintaining and increasing public access to the waterfront.

The Township has undertaken improvements to the Delaware River frontage adjacent to Delaware Avenue and across from the Zurbrugg Mansion Redevelopment Area. There has been ongoing discussion about providing public access and amenities at street-ends along Delaware Avenue. Furthermore, access to the Rancocas in the form of a kayak launch or similar amenity may be available at the Ash Street street-end.

2. Improve and enhance access to the Delaware River and the Rancocas Creek by incorporating such access into the Delaware River Heritage Trail and the Rancocas Greenway Trail.

The Delaware River Heritage Trail requires a more active plan to install painted and signed bike lanes which could be implemented as capital funds are available. The Rancocas Greenway Trail is actively being pursued by Burlington County and the Township Committee approved a letter of authorization for the Greenway in 2018.

3. Establish and maintain public access to the natural areas throughout the Township, particularly the waterfront along the Rancocas and Delaware Rivers, Hawk Island, and the Pennington Farm.

Public access is readily available to the Pennington Farm and the Rancocas via the Burlington County Rancocas Greenway. Visual and physical access to the Delaware River is provided along Delaware Avenue and the municipal park at the Zurbrugg Mansion. Hawk Island contains many informal user forged trails and is sought to be fully acquired.

4. A healthy community forest is an important aspect in the attractiveness, comfort, and scale of Delanco's neighborhoods. Establishing and maintaining a vigorous community forest, in accordance with the adopted Community Forestry Management Plan must be an integral part of overall community development and redevelopment.

The Community Forestry Management Plan has been approved by the New Jersey Forest Service. As characterized by the agency, an approved CFMP is an essential guide to a successfully achieving a healthy, safe, and sustainable community forest. Particularly, green infrastructure provides a carbon sink.

5. Protect, preserve, and conserve environmentally sensitive areas, particularly the wetlands, floodplains, streams, steeply sloped areas, and forested areas,

This is ongoing. The Township's ordinances seek to protect these spaces in compliance and conformance with best management practices and state and federal regulations.

6. Expand, enhance, and restore existing parks, recreational facilities, and open space.

At this time, the Recreation Commission has focused upon targeted improvements to the West Avenue Fields and the Field of Dreams active recreation areas. Enhancement projects are undertaken by Township Committee as capital funds are available.

7. Improve the quality of Township landscaping maintenance.

This is ongoing and generally managed very well. Maintenance of naturalized meadows should be completed in the fall to conserve plants during the growing season, and provide habitat for bees, butterflies, insects, birds, and small mammals.

Historic Preservation

Aggressively protect and preserve the Township's historically significant structures, districts, and areas.

New Jersey has Certified Local Government Guidelines which, if undertaken, provide more formal participation by communities in federal and state historic preservation programs. The Municipal Land Use Law at 40:55D-28 characterizes the requirements for an historic preservation plan element, which would be necessary prior to the creation of an Historic Preservation Commission and any accompanying ordinances.

Circulation

1. Complete the sidewalk network.

The 2008 Master Plan included a Circulation Plan Map which outlined proposed bikeways incorporating the Delaware River Heritage Trail, and Burlington County Rancocas Greenway, as well as areas where sidewalk is not provided. A mapping at the parcel level would provide more information to the governing body so that as capital funds become available, bicycle and pedestrian improvements could be more easily implemented. The Circulation Plan Map notes that Coopertown and Creek Roads lack sidewalks. Implementation of sidewalks and bicycle paths along these corridors would be appropriate for pedestrians, cyclists, and employees to access Field of Dreams, Pennington Park, and businesses along both roads. When the mapping is generated it will be important to balance the need for circulation and maintaining the vibrant street tree canopy. See Composite Map attached as Appendix C, provided for any eventual capital improvement parcel map development.

2. Take steps to mitigate the impacts of truck traffic in the Township, especially on Burlington Avenue and Creek Road.

Where practical the freight rail system provides an alternative to trucks using the roads, however, due to the nature of industrial uses, truck traffic is inevitable and required for logistics.

Economy

1. Strengthen the Township's economic position by encouraging a diverse mix of residential, commercial, professional, and industrial uses.

The zoning ordinance and Master Plan reinforce the objective.

2. Enhance the entrances into Delanco, recognizing that such entrances are gateways into the Township.

The Township gateways at NJSH Route 130, Creek Road, Coopertown Road, and Burlington Avenue have been the focus of improvements, both public and private, which seek to enhance and embrace Delanco's community identity.

3. Retain and enhance existing industrial uses and attract new, compatible industrial uses to the Township.

This is ongoing and complex as industrial needs and users change constantly. At the current time, FedEx no longer leases the building at 800 Creek Road, but has purchased the site. Just next door at 700, a costume manufacturer has been sold and all manufacturing has been relocated outside the country. Carvana operates an automotive repair and refurbishment facility at 600 Creek Road. A solar field is being erected on a portion of the Winzinger site, resulting in closure of the landfill and green energy availability for the uses nearby including a newly constructed refrigerated warehouse and existing building materials supply. There are innumerable large and small operations in the industrial areas which are all valuable to the Township and the region, providing jobs, goods, and services. The Township is very interested in retaining viable industrial areas, and regularly insures that the zoning ordinances are consistent with the requirements of industrial uses and space, as well as expediting reviews, where practical.

4. Retain existing jobs and attract new job opportunities that provide the ability for the Township residents to earn a 'living wage' within Township boundaries.

This is ongoing and largely related to the continued success of the industrial area as well as small businesses in the commercial areas.

5. Retain and enhance existing commercial uses and attract new, compatible uses to the Township.

There are a few highlights along the Burlington Avenue Commercial corridor including a new coffee shop and existing commercial retail and service shops. There are vacant commercial spaces throughout the corridor which have largely been abandoned. The previous master plan reduced the size and type of commercially zoned property along Burlington Avenue to provide a more concentrated area of business and permit residential infill. The challenges to the district include, but are not limited to, low residential density in the surrounding area, development along the Route 130 corridor, other available commercial sites in more prominent highly trafficked locations, and online competition.

Consistency with Other Plans

1. Examine zoning of adjacent communities to identify discrepancies and, upon discovery, recommend changes to eliminate and/or minimize zoning conflicts.

This is on-going, and no conflicts have been identified in Beverly City, Delran Township, Edgewater Park, Township, or Riverside Township.

2. Implement recommendations set forth in the Regional 130 Corridor Plan by which a portion of Delanco is designated as a 'Town Center'.

The Township attempted to create a commercial node adjacent to the train station via zoning, however, there was no desire to develop commercial uses by the developers of subdivision and site plans submitted for review to the JLUB. The intersection of Burlington Avenue and Cooper Street is approximately ¼ mile from the train station. The Township will continue to focus their marketing efforts upon that existing commercial node with the intention of improving the overall corridor's business climate.

Housing Plan

1. Provide affordable housing opportunities in the community.

The Housing Element and Fair Share Plan was approved by the courts and adopted in 2016. Implementation is ongoing. A Redevelopment Plan was adopted, and a 100% low and moderate-income family rental housing community is located adjacent to the NJTransit RiverLine station.

Stormwater Management

1. Consistent with state requirements the Township adopted a Stormwater Management Plan in 2006 and has implemented ordinances which seek to reduce flood damage, stormwater runoff, reduce soil erosion, maintain groundwater recharge, and prevent non—point source pollution.

It is recommended that the municipal ordinances governing impervious cover on individual lots is maintained at the status quo, reducing the impacts of flooding and increasing storm resiliency. No ordinance changes are recommended. A program for yearly maintenance of Boggs Ditch and the West Avenue Nature trails drainage canal should be implemented.

V. Master Plan Implementation Status 2008 through 2018

The extent to which the problems and objectives have been reduced or increased from 2008 to 2018 is as *characterized above* and as follows:

1. The major goals of the plan included preservation and enhancement of the character of the community seeking to reduce nonconformity of structures and uses in all districts to encourage reinvestment and respond to bleak market forces. Through implementation of subtle zoning changes such as adding affordable housing districts, enhancing residential conformity for single family and two-family dwellings for uses and structures, expanding permitted uses, and reflecting the built environment in the zoning code, these overarching goals were largely accomplished.
 - a. Reduce residential dwelling nonconformity, vastly decreasing the number of applications to the Zoning Board for minor additions and improvements to residential structures and properties.
 - b. The industrial zone is largely occupied by a variety of tenants and owner-occupied buildings and sites. Expansion of the permitted uses in the zone and targeted marketing programs have enhanced the industrial zones. It is imperative that the Township continue to anticipate market forces and expand permitted uses as may be necessary to continue this trend.
 - c. The defunct Dietz and Watson site was the subject of a Redevelopment Plan implemented by Stanker and Galetto, reusing the site for industrial food processing and cold storage uses in a multi-tenant building, with construction planned in phases as industrial users are identified.
 - d. The landfill site is in the process of being closed through a NJDEP approved closure plan and a solar facility is under construction and anticipated to serve the industrial users in the zone.
 - e. Distributec Site is still used as an industrial warehouse and processing facility per 2018 approvals for Merfish Pipe, Stylex Seating and Simon & Schuster.
 - f. Streamline the site plan review process for existing industrial buildings and sites for the DriveTime, now Carvana and Costume Gallery, now vacant, facilities, resulting in building occupancy and employment.
2. The Burlington Avenue Commercial corridor has experienced some minor growth and improvement with the addition of a Dunkin' Donuts, ice cream shop, deli, and insurance agency, offices, and storage on Burlington Avenue. However, there are a great deal of vacancies in the commercial zone and conversions from what had been mixed use commercial and residential properties to multi-family residential. Further study of the zone is warranted.
3. Pursuant to the court-approved 2016 Housing Element and Fair Share Plan and the court-approved 2016 Settlement Agreement, the Township has a 131-unit third round obligation which was satisfied with 162 credits including the following:
 - a. A Redevelopment Plan was adopted on what was the Rhawn Pipe Factory site for family affordable rental units known Cornerstone at Delanco of Delanco Family Apartments. The Delanco Family Apartments construction is under way and the

master plan vision will be realized with the NJTransit RiverLine and Burlington County Rancocas Creek Greenway connections.

- b. The Township also has a significant number of surplus senior affordable units through the Abundant Life development.
 - c. The Township has 31 surplus affordable housing credits, plus 25% of the surplus senior credits towards any fourth round (future) obligation.
4. Consistent with municipal ordinances, any residential development, redevelopment or rehabilitation should be required to provide an affordable housing setaside.
5. The Crossings at Delanco Station site has been approved as an age-restricted development with the required affordable units constructed upon the Delanco Family Apartment development nearby.
6. Land use and zoning designations appear stable particularly in the residential zones except for multi-family conversions. The R-3 and R-4 zone amendments have resulted in less Zoning Board variance applications due to improvements and modifications to dwellings in the districts. The annual reports are limited in scope and it appears that changes to the ordinances has resulted in less volume of applications to the Boards for residential variances due to bulk setback issues.
7. Continued cooperation is anticipated between the Township and the Board of Education and Burlington County to share facilities.
8. It appears that further acquisition of open space is not warranted at this time. However, improvements and expansions of trails and fields at existing open spaces and recreation areas, particularly at West Avenue and the Field of Dreams is envisioned to accommodate open space users.
9. Implementation of complete streets circulation planning, particularly for bicycle and pedestrian networks plans are ongoing. At the time of the last master plan, a sidewalk map was provided, and it may be appropriate to further formalize that mapping with any street, curb, sidewalk, or utility plans to expand facilities in the areas identified as part of any capital improvement programs.
10. Eco-Tourism was identified as a possibility for the Township to encourage due to the Pennington Park expansion, Field of Dreams, and Hawk Island, Burlington County Rancocas Greenway connection. The streets and sidewalks in these areas along with the Delaware River Heritage Trail should be identified as part of any capital improvement programs.
11. Hawk Island Marina received some land development approvals through the conditional use ordinance. The marina offers, daily through seasonal boat slips, dry boat storage, equipment, accessories, supplies, heated private bathrooms, decks, ramp, electrical service, boating classes, and a Thursday evening summer concert series in 2018. No other marinas are active in the community.

12. The Canvas Shop Area identified by the 2009 Master Plan remains static and is now unoccupied. The Board recommended that the governing body consider methods to redevelop, re-use, and revitalize the building through the Local Redevelopment and Housing Law. A preliminary investigation has been completed, known as the “Ash Street Area”; and the area has been deemed in part a Redevelopment Area and Rehabilitation Area.
13. Burlington Avenue Corridor rezoning implementation was adopted by the zone map; however, two areas were omitted due to the lot configuration and the user.
 - a. Block 1400, Lots 1.01 and 1.02 was previously subdivided and therefore of insufficient size to be included in the C-1 Zone but remained in the R-6 Zone.
 - b. Block 1514, Lot 1 is a school (public facility).
14. The “Pelligrino Site” is no longer an affordable housing site and currently occupied by Braga Construction. The Zoning Map has been amended.
15. The PSE&G Transformer Site remains vacant. The site is zoned industrial and is located within a residential zone. Due to the nature of the contamination, it is important that the site remain vacant until it can be remediated.
16. The Community Design Standards have been implemented.
17. If exterior lighting and subsequent glare concerns are still of concern, the board may consider producing an informational brochure about the impacts of lighting and/or implementing a zoning ordinance which organizes exterior lighting by zone.
18. In 2011, the State of New Jersey moved the Office of Smart Growth to the Department of State and renamed it the Office of Planning Advocacy. No imminent action is required.
19. The 2009 Master Plan resulted in the promulgation of ordinances to address the Plan.

VI. Zoning Examination

Based upon the noted changes and assumptions the Board makes the following recommendations regarding zoning map amendments, additional master plan elements, redevelopment, modification of the C-1 Neighborhood Commercial District uses, outdoor lighting, marinas and eco-tourism, the potential for the State of New Jersey to legalize marijuana, and the capital improvement program. See Appendix E for Land Use Plan Map and Appendix F for Zone Map Amendments.

1. A Behavioral Health Overlay Zone was added to a portion of the industrial area, along Coopertown Road. The Zoning Map should be amended.
2. The Board might consider further evaluation of the Burlington Avenue commercial corridor and the Ash Street Area through an economic plan element to the Master Plan per N.J.S.A. 40:55D-28.

It may be appropriate to evaluate the existing developed Burlington Avenue corridor and the R-6 Residential Zone as a Rehabilitation Area per the Local Redevelopment and Housing Law. Opportunities for regular community events, such as a weekly summer farm market, should be evaluated to increase foot traffic downtown.

An impediment to development and redevelopment along the corridor is a requirement in the C-1 Neighborhood Commercial District which conditionally permits apartments over first floor commercial uses, provided that the residential uses are 100% affordable units. The Board recommends that the affordable housing setaside requirement be reduced to 15%. The addition of market-rate units may incentivize mixed-use development.

The Board has recommended, a Rehabilitation Plan and Redevelopment Plan for portions of the Ash Street Area per the Local Redevelopment and Housing Law. The governing body has accepted the recommendation, but no Redevelopment Plan has been generated or adopted.

3. Exterior lighting has been identified as an issue which negatively impacts dark skies for night-time astronomy and migratory bird path flight. The JLUB controls lighting and its impacts when projects are required to obtain subdivision or site plan approval. There are identified negative impacts due to residential lighting over which the Board exercises very limited control. There are amendments to the lighting ordinance which may be warranted. The Board suggests that public education regarding outdoor lighting be undertaken at public events and through informational publications or the Township website. See attached Appendix D for the oral report delivered to the JLUB.
4. Marinas and eco-tourism continue to be an important part of the Master Plan. There are additional sites with waterfront access, which should be evaluated for public or private use as may be appropriate. The zone changes appear to have enhanced the development of the Hawk Island Marina. Continued evaluation of the ordinances is appropriate insuring that the regulations are consistent with state requirements and encourage marina and eco-tourism development and waterfront access. The zone changes appear to have had little effect upon the decommissioned marina located along the Rancocas near The Field of Dreams and Pennington Park.
5. Zoning Map changes should be made to include the following as M/OS Municipal/ Open Space Zone:
 1. Block 1401, Lot 1 – Gateway Park;
 2. Block 1404, Lot 1 – Vine Street Pocket Park; and
 3. Block 1705, Lot 1 – Babe Ruth Fields as Municipal / Open Spaces.
6. The legalization of marijuana is a topic that is being discussed in the state. The New Jersey Legislature has introduced multiple assembly and senate bills regarding the legalized possession and personal use of marijuana for persons aged 21 and over. The efforts of the Legislature failed in late March of 2019.

It will be incumbent upon the governing body and the Joint Land Use Board to maintain vigilance upon the State Legislature's efforts and be prepared to respond to the requirements and/or limitations of any adopted legislation.

7. An ordinance updating trash and recyclable material enclosures and containment areas was updated in 2011 to conform to the Solid Waste Management Act.
8. Once 2020 census data becomes available for Delanco Township, an update to the population density and development intensity should be undertaken. The timeliness and availability of the data will likely coincide with the 2021 Housing Plan.
9. Capital Improvement Program Recommendations
 - a. Bicycle and Pedestrian Improvements. (see Appendix C)
 - i. Municipal sidewalk and bicycle lane program connecting community facilities and buildings, NJTransit RiverLine, residential areas, public parks, and employment.
 - ii. Municipal connections to the Burlington County Rancocas Greenway Trail.
 - iii. Municipal connections or expansions around the planned Delaware River Heritage Trail.
 - b. Recreation facility improvements.
 - c. Boggs Ditch and the drainage serving the West Avenue Nature Trails should be regularly maintained.
 - d. A regular maintenance program for any naturalized meadow habitats and detention basins should be promulgated and followed to insure sustainability of the plant species and establishment of wildlife habitat for bugs, butterflies, bees, birds, and small mammals.
 - e. The JLUB thanks Burlington County for revised mapping including the following:
 - i. Combination Circulation Plan, Open Space Map, Historic Site, Municipal Land Use, Schools, and Headstart.
 - ii. Land Use Map revisions to include Municipal Open Spaces as noted above.
 - iii. Zoning Map amendments to include the Behavioral Health Overlay District and the M/OS Municipal Open Space Zone.

VII. Recommendations Concerning the Incorporation of Redevelopment Plans

The Municipal Land Use Law requires that the Reexamination Report address the following:

- 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), into the land use element of the municipal master plan and recommend changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

In 2016, a new Redevelopment Plan for a previously designated Redevelopment Area known as Block 1900, Lot 8 was prepared in accordance with the New Jersey Redevelopment and Housing Law (LRHL) N.J.S.A. 40A:12A et. seq. and will provide a mechanism for the orderly

planning and redevelopment of the designated Redevelopment Area, which is already shown on the Zoning Map.

In 2015, a Redevelopment Plan for Block 2100, Lot 1 was adopted in compliance with the LRHL and the Township Housing Plan. The property is currently being developed with family rental affordable housing apartments.

VIII. Appendix A: Master Plan Document List (to April, 2019)

Year Published	Title of Document
2016	<u>Single Site Redevelopment Plan: Block 1900, Lot 8 for an Area in Need of Redevelopment, without Condemnation</u> , Taylor Design Group, October 17, 2016.
2016	<u>Amended Third Round Housing and Fair Share Plan Narrative</u> , Clarke, Caton, Hintz, August 2, 2016.
2015	<u>Redevelopment Plan: Rhawn Pipe Factory</u> , Taylor Design Group, July 8, 2015.
2010	<u>Amendment to Third Round Amended Housing Element and Fair Share Plan</u> , Clarke, Caton, Hintz, October, 2010.
2009	<u>Comprehensive Master Plan</u> , Taylor Design Group, January 6, 2009.
2008	<u>Redevelopment Plan Zurbrugg Mansion</u> , Taylor Design Group, May 5, 2008.
2008	<u>Amended Third Round Element and Fair Share Plan</u> , Clarke, Caton, Hintz, December 15, 2008
2007	<u>Master Plan Reexamination Report</u> , Taylor Design Group, March 2007.
2006	<u>Municipal Stormwater Management Plan</u> , Birdsall Engineering Inc., August 2006.
2005	<u>Delanco Housing Element</u> , THP, Inc., November, 2005.
2004	<u>2004 Master Plan Reexamination Report for a Portion of the Township Located on Burlington Avenue</u> , Taylor Design Group, July 6, 2004.
2003	<u>Housing Element</u> : Delanco Township, THP, Inc. October, 2003.
2002	<u>Recreation, Park, & Open Space Plan</u> , Lord, Worrell & Richter, December 2002.
2002	<u>Delanco Township Redevelopment Plan</u> , Burlington County Office of Economic Development and Regional Planning, August 5, 2002.
2001	<u>Master Plan Revision</u> , Burlington County Office of Economic Development and Regional Planning, July 19, 2001.
1999	<u>1999 Master Plan Update: Land Use Plan Element</u> , Burlington County Office of Land Use Planning, August 3, 1999.
1996	<u>Master Plan Reexamination Report, Planning Board, December 3, 1996</u>
1992	<u>1992 Master Plan Land Use Element Update</u> , Thomas J. Scangarello and Associates, October 6, 1992.
1990	<u>1990 Master Plan Land Use Element Update and Housing Element</u> .
1982	<u>Periodic Reexamination of Master Plan and Development Regulations</u> , R. Louis Gallagher, December 1982.
1976	<u>Delanco Riverbank Historic District</u> , Proposed and not adopted.
1973	<u>Delanco Township Comprehensive Plan</u> , John J. Holland, September 1973.

2009 Master Plan Implementation

Ordinance List prepared 8/17/18

Ordinance 2009-2 “Design Guidelines” – Establishment of Standards in the Definitions and Building Standards

- Preserving the appearance of the Township
- JLUB through the Master Plan process and a Smart Future Grant has been assigned to create “Design Guidelines” for the community as part of the Master Plan review process
- Evaluated existing building siting in the C-1 and C-2 zones – revision of bulk standards with addition of performance requirements will promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of these neighborhoods, revisions encourage compatible infill in the existing developed and infill portions of the community [Building Location and Orientation; Building Arrangement; Building Use and Density; Parking Standards; Architectural Standards]

Ordinance 2009-4 Establishment of “Planned Development—Affordable Housing—2” Zone

Ordinance 2009-8 PD-AH-2 Zoning Regulations

- Implementation of the portions of the Housing Element and Fair Share Plan and the Comprehensive Master Plan that pertain to the Abundant Life property by creating the PD-AH-2 Zone
- Planned community containing affordable housing opportunities for senior citizens...amenities such as landscaping, outdoor gathering spaces and walking paths and increase pedestrianism
- All units shall be occupied by households that qualify as low- or moderate-income
- Provide village green, strong pedestrian connection to County parkland, utilize green building practices

Ordinance 2009-12 Private Storm Drain Inlet Retrofitting

- Requiring the retrofitting of existing storm drain inlets which are in direct contact with repaving, repairing, reconstruction, or resurfacing or alterations of facilities on private property, to prevent the discharge of solids and floatables (such as plastic bottles, cans, food wrappers and other litter) to the municipal separate storm sewer system(s) operated by the Township so as to protect public health, safety and welfare and to prescribe penalties for the failure to comply

Ordinance 2009-17 Bond Ordinance Providing for the Township’s Development of Pennington Farm Park

- Purpose of bonds is the Township’s development of recreational and related improvements at Pennington Farm Park

Ordinance 2010-1 Amending and Supplementing Chapter 110 “Zoning” to Implement 2009 Master Plan Recommendations

- §110-29 D(2) shall be stricken so that principal uses permitted in the C-1 District shall no longer be permitted in the R-6 District

Ordinance 2010-12 Authorizing and Adopting Amendment to Redevelopment Plan for Zurbrugg Mansion Properties

- Redeveloper was able to construct and obtained approval from the New Jersey Department of Community Affairs to construct three (3) additional age-restricted affordable housing units

Ordinance 2011-13 Amendments to the Use, Bulk and Building Standards in the C-1 Zone and C-2 Zone and Creation of the Live/Work Zone

- Improving and preserving the appearance of the Township for the betterment of the community
- C-1 Zoning modified to a less intensive use of existing sites that are for the most part residential uses and structures...revision of bulk standards with performance requirements will promote the

2009 Master Plan Implementation

Ordinance List prepared 8/17/18

establishment of appropriate population densities and concentrations that will contribute to the well-being of the neighborhood...revisions encourage compatible infill in the existing developed and infill portions of the community..bulk standards revisions encourage rehabilitation in the existing developed and infill portions of the community

- Created new L/W zone
- C-2 Zoning amended to permit existing two family and existing single family semidetached dwellings pursuant to the provisions for the R-6 bulk, area and yard requirements...residential units permitted on any floor above the ground or first floor where commercial uses occupy the ground floor

Ordinance 2011-14 Amend Chapter 110 "Zoning" Pertaining to Nonconforming Uses or Structures

- Non-conforming use of a building or land, which has been abandoned, shall not thereafter be revived
- Residential structures which have become non-conforming by virtue of the adoption of more stringent area, setback, yard or height limitations, may be enlarged or modified without the need for variance relief under certain circumstances
- Establishment of Certificate of Nonconformity

Ordinance 2011-15 Amend Chapter 110 "Zoning" to Permit Limited Light Industrial Uses in the R-6 Zone

- Permit limited industrial uses in the Canvas Shop Area

Ordinance 2011-16 Amend Chapter 110 "Zoning" to Modify Standards Pertaining to Marinas

- §110-10.P entitled "Marinas and marine-related facilities in the R-6, LRD/OS-3, and WFD-AH Zoning Districts" shall be stricken
- Marina and marine-related facilities shall be permitted in the R-4, R-6, I-1, LRD/OS-3 and LDR/OS-5 Districts...standards established

Ordinance 2011-17 Amend Chapter 110 "Zoning" in Multiple Sections to Implement Various Master Plan Recommendations

- Consistency with the MLUL's provisions regarding child-care centers and family day care homes...permit adult day care centers in all non-residential zones including the Abundant Life property
- Other updates to zoning

Ordinance 2011-18 Amend Chapter 91 "Site Plans" regarding Landscaping, Screening and Lighting; Amend Chapter 100 "Subdivision" regarding Lighting and Underground Wiring; Amend Land Use Procedures for the Establishment of Definitions and Amending Standards for Street Lighting and Site Lighting

Ordinance 2011-19 Amend Chapter 110 "Zoning" for the Establishment of Zoning Standards for Site Lighting

- JLUB assigned to amend "Lighting Standards" for the community as part of the Master Plan review process...energy conservation, dark skies initiatives to reduce negative outdoor lighting impact to the natural environment for stargazing, wildlife, birds and bird migration...encourage reasonable outdoor lighting providing nighttime safety, security and enjoyment while preserving the setting of the night

Ordinance 2011-20 Amend Zoning Map for District Zone Change from C-1 Zone and Creating L/W Zone

- In areas where lots are narrow and shallow it is recommended that the C-1 zoning be modified to L/W zone...frontage lots on the west side of Burlington Avenue are recommended for L/W

2009 Master Plan Implementation

Ordinance List prepared 8/17/18

Ordinance 2011-21 Amend Zoning Map for District Zone Change from C-1 Zone to C-2 Zone and from R-6 Zone to C-2 Zone

- Lots along the eastern side of Burlington Avenue to the west of Union Avenue currently zoned C-1 are recommended to be rezoned to C-2...single-family residential uses now ruled by R-4 standards rather than R-3 which would render more of the existing residential lots more conforming...C-2 zoning will better suit smaller lots in this area

Ordinance 2011-28 Amend Chapter 216 Governing “Parks and Public Property Regulations”

- Establish and amend hours of operation...distinguish between active and passive parks
- Revisions in best interests and furtherance of the health, safety and welfare of residents and the public at large

Ordinance 2012-3 Amend Chapter 216 Governing “Parks and Public Property Regulations”

- Establishment of regulations to govern the Dunes property, also referred to as the “Delanco Nature Trails at West Avenue”

Ordinance 2012-6 Amend and Supplement Chapter 91 “Site Plan Approval” and Chapter 110 “Zoning” to Implement 2009 Master Plan Recommendations

- Seeks to improve the appearance of the Township and for the betterment of the community
- Seeks to encourage the establishment of appropriate population densities and concentrations that will contribute to the wellbeing of persons in the neighborhoods of the R-6 Zone District and encourage rehabilitation and renovation of existing single family semidetached and two family dwellings in the zone district

Ordinance 2012-10 Amend Chapter 10-19 Governing “Environmental Advisory Board”

- Increases the number of members from three to five...one member shall be a member of the JLUB and one member of the Shade Tree Commission

Ordinance 2013-9 Amend Chapter 110 “Zoning” regarding “Planned Residential Development/Affordable Housing District”

- Provide zoning for an age-restricted single family cottage community as an alternative use to the commercial development of the remaining tract on Russ Farm (High Point at Newton’s Landing)

Ordinance 2014-1 Amend Chapter 234 “Rental Property”

- Provides access to rental properties for inspections to determine the condition of rental facilities, rental units and rooming/boarded houses to safeguard the health, safety and welfare of the occupants and the general public

Ordinance 2015-07 Amend Chapter 110 “Zoning” to Create “Planned Development – Affordable Housing 3 (PD-AH-3)” and an Overlay Zone Entitled “Planned Development Affordable Housing 100 (PD-AH-100)” for Rhawn Pipe Site

- Amended Third Round Housing Element & Fair Share Plan adopted 12/15/08 and Amendment to Third Round Amended Plan adopted 10/5/10 recommended the property be rezoned to permit an inclusionary development of approximately 8 units per acre

2009 Master Plan Implementation

Ordinance List prepared 8/17/18

- An affordable housing developer has provided the Township with a plan to provide a maximum of 64 rental units on the site...maximum permitted site density is 13 units per acre to satisfy Township's affordable housing needs

Ordinance 2015-9 Adopt Redevelopment Plan for Rhawn Pipe Factory

- Resolution 2015-78 declared Rhawn Pipe Factory an "Area in Need of Redevelopment"
- Township found Redevelopment Plan to be consistent with the Master Plan and approved it...zoning map to be amended to incorporate the provisions of the Redevelopment Plan and delineate the boundaries of same

Ordinance 2015-10 Amend Chapter 110 "Zoning" to Amend the "Planned Residential Development/Village District" (Hovnanian)

- At least 40% of the area is preserved as permanent open space along the Rancocas Creek
- Amended to comply with "housing for older persons"...details accessory uses, conditional uses, bulk requirements

Ordinance 2016-4 Amend Chapter 110 "Zoning"

- Utility sheds, private garages and other accessory structures not permitted in front yard

Ordinance 2016-9 Adopt "Single Site Redevelopment Plan" (former Dietz & Watson Site)

- Adoption of Redevelopment Plan is in the best interests of the Township for redevelopment of the property
- Zoning Map is amended

Ordinance 2016-14 Amend Chapter 58 "Fair Housing" to Address the Requirements of the NJ Superior Court

- Superior Court requires that Township's affordable housing ordinances be updated and brought into compliance with its current rules

Ordinance 2017-3 Amend Chapter 110 "Zoning" Limiting Outdoor Operations and Activities in the Overnight Hours in the "I-1 Light Industrial District"

- Improving and preserving quality of life for residents...reinforcing the conduct of operations and limiting hours of operation
- Manufacture, fabrication, assembly, packaging or repair of products, goods, equipment or similar shall be conducted entirely indoors
- No operations between hours of 11 PM and 7 AM with a few exemptions

Ordinance 2017-5 Creating Chapter 240 "Sidewalk and Curb Repair"

- Property owners responsible for the maintenance of the area within an abutting public right-of-way between the property lines of the premises in question, extended to the cartway line
- Details maintenance responsibilities...establishes municipal contribution for heaving caused by municipally-owned trees...establishes enforcement program and penalties, standards, inspection program

Ordinance 2017-6 Amend Chapter 216 "Park Regulations"

- Township Committee, with input from the Recreation Commission, expands and refines park regulations in the best interests of the health, safety and welfare of the Township's residents and the public at large

2009 Master Plan Implementation Ordinance List prepared 8/17/18

Ordinance 2017-7 Amend Zoning Map

- Zoning Map amendments

Ordinance 2017-11 Authorize Installation of Various Capital Improvements

- Improvements included road projects, municipal building improvements, drainage facilities such as Stormwater Detention basins at various locations, sidewalks including replacement and tree removal, crosswalk lighting systems

Ordinance 2017-15 Amend Chapter 65 "Flood Damage Prevention"

- Pursuant to the recommendation of the NJDEP and in order to continue participation in the National Flood Insurance Program, the Township Committee has deemed it in the best interest of the health, safety and welfare of the Township's residents and the public at large to repeal the current chapter and adopt a new chapter

Ordinance 2018-4 Amend Chapter 216 "Parks"

- Clarifies decisions with respect to trees within Township parks

Ordinance 2018-6 Amend Land Use Ordinance to address Substance Abuse Treatment Centers

- JLUB has adopted a Master Plan that provides a foundation for the appropriate use, regulation and development of lands in the Township in a manner which will promote the public health, safety, morals and general welfare
- Township desires to establish appropriate zoning for residential medical detoxification centers to permit such uses where their negative impacts may be minimized consistent with the New Jersey Legislature's recognition that substance abuse treatment facilities are appropriate in some zoning districts but not others...I-2 Industrial Zone is the most suited because of its proximity to the regional highway network, distance from established neighborhoods where a 24-hour operation would have a substantial impact, availability of public sewer and water and adequate land resources for new construction or conversion or existing buildings

IX. Appendix B: Illegal Apartment Conversions



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Amy Cieslewicz, LLA
Steven Lennon, LLA

Gaetano Romano, LLA

February 2, 2016
February 7, 2017

Planning
Landscape Architecture
Municipal Consulting
Streetscape Design
Economic Development
Parks and Recreation

Ms. Kitty Martin, Joint Land Use Board Secretary
Delanco Joint Land Use Board
770 Coopertown Road
Delanco, New Jersey 08075

Re: Multi-family Housing Conversion
Delanco Township, Burlington County, New Jersey
TDG File: 2002-102.107
Meeting notes (2-2-2016) and Amendments of February 7, 2017 in Italics

Dear Chair & Board Members:

Concern has been raised regarding some multi-unit structures in the Township which may not be serving the needs of Delanco's residents. The subject of this memo is to begin to investigate illegal housing conversions, as well as unsatisfactory duplexes and multi-unit structures, and provide methods to incentivize property owners to renovate these units to single-family homes.

Quite a number of homes in Delanco are large and symbolized the community's wealth. In some cases single units might have been converted to 2 to 4 unit apartments. *Often these conversions provide affordability, but they can also increase crime, provide insufficient off-street parking, increase on-street parking deficiency, increase noise, impact trash collection, and present unsafe life safety conditions for occupants and neighbors.* The Community seeks to attract households who will restore dwellings to their original single family condition. This evaluation of housing and potential solutions is supported by Delanco's Master Plan and Burlington County's Consolidated Plan.

Delanco's 2009 Master Plan specifically identifies housing rehabilitation as a major goal and objective stating that the Township seeks to "Discourage illegal apartment conversions that create higher residential densities, overcrowding, insufficient parking and other detrimental conditions and promote the rehabilitation of structures to their original single-family character" (Master Plan).

Burlington County's 2015 housing market analysis found that 34% of owner-occupied units and 45% of renter-occupied units have substandard conditions and may be unfit or inappropriate for safe human occupancy and expresses a need for owner- and rental-unit rehabilitation. The 2015-2019 Burlington County agenda places the rehabilitation of owner-occupied and rental properties as a "high priority" (Consolidated Plan).

The following report provides an overview of the existing housing stock, issues and concerns, and offers solutions to incentivize reconversion and rehabilitation of Delanco's noncompliant housing.

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I. Delanco's Current Housing Stock

The 2010-2014 American Community Survey estimated that there are 1,932 total housing units in Delanco to serve the 4,283-person population. Of those housing units, 1,750 are occupied: 81.2% are owner-occupied and 18.8% are renter-occupied.

58.5% of Delanco's housing stock is 50 years or older, with 32.5% of all the units constructed before 1940. 32.1% of all units were built between 2000 and 2009.

Owner-occupied units in Delanco range in value from less than \$50,000 to over \$1,000,000. Of the 1,421 occupied units, 38.2% are valued between \$200,000 and \$299,999. 93.5% have a value between \$100,000 and \$499,999.

While a majority of the housing structures in Delanco are single-family dwellings, 17.6% are reported to contain two units or more. The figures in Burlington County as a whole are similar to Delanco; however there are more single family detached and attached units in Delanco. There are more 2 to 4 unit buildings in Delanco, but fewer units with 5 or more units. See table below. (US Census Bureau 2014)

Table 1: Delanco Township and Burlington County - Units in Structure

Units in Structure	Number Delanco	Percent Delanco	Percent Burlington Co.
1-unit, detached	1,202	62.2%	66.4%
1-unit, attached	390	20.2%	14.6%
2 units	80	4.1%	2.0%
3 or 4 units	118	6.1%	3.2%
5 to 9 units	70	3.6%	4.2%
10 to 19 units	27	1.4%	8.3% (10+)
20 or more units	45	2.3%	1.3% (mobile)
TOTAL	1,932	100%	100%

NOTE: Pursuant to the rental properties database there are 297 buildings containing greater than 2 units, where 2 buildings are noted to be "owner occupied".ⁱ The census data indicates there are 340 buildings containing greater than 2 units. Anecdotally it appears very possible that there are some unregistered rentals; and/or some portion of owner occupied units which may be utilized by family members and not rented.

Of housing units with a mortgage (1,074), 32.8% those households pay 30% or more of their income on housing. The gross rent as a percentage of household income of the rental units (329) 41.3% of those households pay 30% or more of their income on housing which is considered a "cost burden". Patterns illustrate that increasing amounts households who rent are cost burdened and in 2014 Harvard cited that 51% of renters are cost burdened. Renters with lower and middle incomes are much more likely to struggle with the high cost of housing when it exceeds 30% of their income.ⁱⁱ

II. Zoning

Delanco permits multi-unit structures in a number of affordable housing districts, including the WFD/AH; PRD/AH; and PD-AH-2 Districts. The R-1 through R-5 residential districts allow single-family residences only. Existing two-family structures are permitted in the R-6, C-1 Neighborhood Commercial, C-2 Downtown Commercial, and L/W Live Work Commercial districts.

III. Delanco's Unreported Housing Stock: Illegal Conversions

The Census Data characterized previously represents what has been reported, anecdotally there may be many more units in Delanco, created by illegal single family housing conversions.

Illegally converted units are dwelling units created or occupied without obtaining land use approval and/or building permits. These units can be converted basements or garages, second floors, or even duplexes turned into multi-family dwellings. Some illegal conversions are single rooms, as in a boarding house, or can be independent spaces with their own kitchens and bathrooms.

Illegally converted units can be harmful to occupants, property owners, neighbors, and Delanco Township as a whole.

- 1) Occupancy of an illegally converted unit violates §197-6, which states "No person shall occupy as owner-occupant, or rent to another for occupancy, any dwelling or dwelling unit for the purpose of living therein which does not conform to the provisions of the New Jersey State Housing Code, established hereby as the standard to be used in determining whether a dwelling is safe, sanitary and fit for human habitation."
- 2) If units and people are not accounted for, it could stress essential services and infrastructure such as schools, sanitation, municipal staff, and budget. Proper population and housing data is necessary for evaluating and receiving public funds, federal and state educational programs, health care, and law enforcement.
- 3) There is a great potential for illegal conversions to have unsafe living conditions. If the proper procedures have not been taken in the building process, there is not a way to ensure that the unit meets the minimum requirements for light, air, sanitation, ingress and egress. Building permits and subsequent inspections provide safeguards against unsafe electric work, fire hazards, and other safety concerns.
- 4) In case of emergency, first responders might have difficulty locating residents. If unexpected interior locked doors are encountered, it could thwart or prevent safe evacuation for both the occupants and the responders.

The JLUB recommended that the Registered Rental Lists be provided and reviewed. Windshield surveys and complaints should be used determine if there are obvious signs of buildings and structures which operate as multi-family buildings but which are not registered.

The JLUB recommended that Property Maintenance Violations be evaluated, however these complaints usually focus upon tall grass, unregistered vehicles, rubbish, unsafe structures, discarded bulk items such as appliances, and other maintenance issues characterized by the Property Maintenance code at §222. The relationship of these complaints to multi-family buildings would need to be established through windshield surveys.

There was a long discussion and some concern voiced that if Police, Fire and other Public Safety Officials were interviewed and they reported issues with certain dwellings, that this may negatively impact community policing and life safety. It was determined that the public safety officials should be interviewed to understand if this was a real concern.

Where practical and possible evaluate anecdotal evidence such as word of mouth, neighborhood/ neighbor complaints and perform windshield evaluations to determine if community perceptions are consistent with the registered rental lists. Windshield surveys would seek out unregistered dwellings with multiple door bells, mailboxes/ mail slots, and/or electric meters as methods to visually assess multi-tenanted buildings.

IV. Reconversion

The intent of this investigation and potential reconversion is not to eliminate all multi-family homes or unfairly target duplex property owners. Where multi-family units are appropriate, owners of illegal conversions may choose to seek variances and approvals retroactively. This will allow for proper taxation, safety inspections by fire officials, and appropriate population records for municipal budgeting and services. One alternative which provides affordability mechanisms is the potential to permit accessory dwelling units.

Due to the relatively large number of households with housing costs exceeding 30% of their income, perhaps a zoning amendment could provide some relief with board oversight as perhaps a permitted conditional use. An accessory dwelling unit (ADU) is an accessory unit serving single family dwelling purposes, and may not necessarily be subordinate to or smaller than the principal dwelling unit on a single family lot. This definition of accessory as it relates to an ADU permits the owner to choose to live in either the principal unit or ADU. Owner occupancy should be required in either the principal dwelling or the accessory dwelling unit.

In some cases an accessory apartment is created by converting part of or adding onto an existing detached single family dwelling. In the alternative, it might be a detached cottage or unit above an accessory building such as a detached garage.

An accessory dwelling unit (ADU) is a general term for accessory apartments and even detached cottages. ADU is defined as a residential living unit that provides complete independent living facilities for one or more persons. The unit includes permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel as the single family dwelling it accompanies. Some of the potential benefits of providing these types of units include:

- a. Provide housing options for older homeowners, single parents, young people and the disabled.
- b. Provide a means for adult children to give care and support to a parent.

If the other converted units are not appropriate, are unsafe, or are not properly serving the residents and the town as single family or accessory dwelling units, the dwelling unit should be reconverted to its original single-family use.

Reconversion from multiple units to single-family will require construction including converting electrical wiring and gas piping to one meter, removing additional stairs and entrances, tearing down any walls that were used to subdivide the space, and some exterior improvements. This may place a financial burden on the property owner, which discourages investment.

The first step of the process is to identify illegal conversions and non-compliant units. The second action is to establish programs and policies offering incentives for property owners to convert illegal multi-unit buildings back to single family dwellings.

The Board discussed that the possible outcome of the policy may result in legislation so that in the future these units do not operate as absentee landlord situations, which is an articulated as an undesirable social value established by the Maser Plan.

Identification of illegal conversions/non-compliant units

The Township can choose from a variety of tools to identify and remediate non-conforming and illegal properties, ranging from condemnation and penalties to financial relief and incentives:

- Property Maintenance Code and Violations
 - §222 contains property maintenance codes for all residential and non-residential properties in Delanco. Enforcement and inspection of all lands and structures in Delanco is the responsibility of the Zoning Officer in conjunction with the Construction Official and Engineer. Per §222-9C(1), Enforcement Officer may enter any land at any reasonable time to perform their duty, with the consent of the property owner. If the property owner refuses consent, the Township Judge may issue such an order. The Zoning Officer may issue violations.
 - Per §139-19, “The public officer may determine that a dwelling is unfit for human habitation if he or she finds that conditions exist in such dwelling which are dangerous or injurious to the health or safety of the occupants of such dwellings or other residents of this municipality; such conditions shall include the following (without limiting the generality of the foregoing): defects therein increasing the hazards of fire, accident or other calamities; lack of adequate ventilation, light or sanitary facilities; dilapidation: disrepair; structural defects or un-cleanliness”.
- Fire inspections
 - Per §139, the Fire Chief shall report to the Township Committee regarding any building, wall or structure which poses a fire hazard, and the Township Committee shall make an investigation and determination, and alert the owner to immediately make appropriate repairs/alterations/fireproofing.
 - Per §178-6, residential/multi-family units are to be inspected annually, but where a condition liable to cause fire, contribute to the spread of fire, interfere with the fire-fighting operations, endanger life, or violations of the provisions or intent of this chapter, inspections may be made as often as necessary for the purposes of ascertaining these conditions and causing them to be corrected.
- Police Response
 - If a police officer is responding to a call and observes conditions that could jeopardize the public health, safety, or welfare, it should be reported. (see above re: *Community Policing concerns*)
- Health Department of the County of Burlington
 - Per §197, the Health Department of the County of Burlington may inspect the condition of dwellings, dwelling units, rooming units and premises located within the Township of Delanco and issue violations if necessary.
- Neighbor complaints about excessive site traffic, noise, trash, and vehicles may be an indicator of overcrowding.
- Real estate and rental apartment listings that advertise for multiple tenants may reveal additional illegally converted units. (*Internet searches*)
- Perhaps an annual smoke detector inspection could be implemented to obtain access to units and provide clues to the conformity of the structure. (*Unlikely to be advanced legislatively for all single family units in the community*)

Programs and policies providing incentives to owners to convert multi-family structures back to single-family homes

The Township can utilize rewards and/or penalties to encourage compliance of non-conforming or illegal properties:

1) Penalties:

Violating the above mentioned rules and regulations of the township, county, and state has consequences. Agreeing to remove unsafe and unsatisfactory conditions in the home would be a better option than facing prolonged fines, court appearances and applicable penalties.

2) Low-Interest Loans: Collingswood, NJ:

In 2000, Collingswood began the Duplex Conversion Program to address their “duplex problem”. According to Adam Cataldo of Philly.com, Collingswood’s Mayor James Maley Jr. was plagued by a troubled duplex on every block in town. Many of these duplexes were created when older couples converted their single-family homes into duplexes, so that they could continue to live in their homes as they retired (Cataldo 2001). When these duplexes were sold, they were often used as rental properties for an investment instead of as owner-occupied homes, and over time it led to increased parking and traffic, additional students in schools, and overburdened local infrastructure. The Duplex Conversion Program incentivized property owners to return the duplexes to single-family homes through low-interest loans made through First Colonial National Bank and guaranteed by the town. As of a 2008 article in the New York Times, 80 Collingswood homes had been converted under the program. Additionally, the Township annually inspects all multi-family units via a property management task force (Capuzzo 2008).

In order for the application of this sort of program a community partner bank(s) would need to be identified and designated by the Township Committee

3) Grants: Woodbury, NJ:

In 2005, Woodbury partnered with a non-profit historic preservation group to incentivize the restoration of multi-family homes to a single family use. The Woodbury Old City Restoration Committee (WORC) awards grants up to \$15,000 per unit removed, plus the city waives up to \$500 in permit fees and WORC covers 50% of the remaining fees over that \$500. ("Multi-Family Housing Conversion Program" 2015).

Only structures that are currently approved for multi-family use are eligible for this grant program; it does not include illegal conversions. However, WORC does offer a Preservation, Restoration and/or Renovation award, for which illegal conversions may be eligible.

4) Burlington County Assistance:

Burlington County offers the First Time Homebuyer Program, the HOME Investment Partnership Program, and the Community Development Block Grant Program. While they are not directly related to reconversion, these programs may incentivize purchasing and rehabilitation of non-compliant and conforming homes.

5) Area Designated in Need of Rehabilitation:

If there are neighborhoods which meet the criteria; and there are units in need of reconversion, an “area in need of rehabilitation” designation may be able to provide incentives to improve all types of structures. Under the Local Redevelopment and Housing Law P.L.1992, c.79 (C.40A:12A), this designation provides 5-year tax exemptions on improvements to buildings. Both illegally converted buildings and existing conforming buildings can take advantage of this program.

“A delineated area may be determined to be in need of rehabilitation if the governing body of the municipality determines by resolution that there exist in that area conditions such that:

- (1) a significant portion of structures therein are in a **deteriorated or substandard condition** and there is a continuing pattern of vacancy, abandonment or **underutilization of properties** in the area, with a persistent arrearage of property tax payments thereon or –
- (2) more than half of the housing stock in the delineated area is at least 50 years old, or a majority of the **water and sewer infrastructure in the delineated area is at least 50 years old** and is in need of repair or substantial maintenance; and –
- (3) a program of rehabilitation, as defined in section 3 of P.L.1992, c. 79 (C.40A:12A-3), may be expected to **prevent further deterioration and promote the overall development of the community.**”

At the meeting of February 2, 2016, the Board requested additional available information regarding the following:

1. *actual tax assessment valuation of multi-tenanted buildings alone; and*
2. *Multi-tenant buildings’ impacts upon the actual tax valuation of existing conforming buildings in the surrounding area.*

1. *The trend (2013-16) data on tracked sales prices from the assessor’s office indicates that multi-family dwellings’ sale prices are typically below the assessed value.*

- *The assessed valuation is determined utilizing comparable sales for similar buildings.*
- *For example the assessed value of a multi-unit building could be \$150,000.00 based upon comparable sales.*
- *For example, the actual sale price for that same building might be \$125,000.00 at some point between the years 2013 to 2016.*
- *For example, the capitalized rent value for the multi-unit building may be \$200,000.00 which is related to market rents the property is expected to produce based upon available information.*
- *The capitalized rent value for multi- tenant structures is typically similar to the overall district ratio for the community as a whole.*
- *The lower sales price contributes to tax appeals sought by multi-tenanted buildings. The assessor addresses appeals in part utilizing a capitalized rent value approach as well as interior inspections and other metrics.*
- *It may be worthwhile to determine if a particular condition of the example property such as location, maintenance or appearance, available parking, etc may have negatively impacted sales price.*

2. *The second part, determining if these values negatively impact single family dwellings value nearby, has not been fully quantified or evaluated. The question is, do lower sales prices or lower assessed values of multi-tenanted buildings negatively*

impact the surrounding street, block, and neighborhood real sales and assessed value of conforming single family dwellings?

V. Recommended Actions

The recommended actions are to be discussed and determined by the JLUB; and forwarded to Township Committee based upon the merits.

Provide Inventory

- *Determine number of multi-family dwellings through available property record data, windshield surveys, rental registration, and other available municipal sources.*
- *Determine if there are methods to quantify lawfully existing and not lawfully existing nonconforming buildings.*
- *Evaluate rental occupancy versus vacancy rates.*
- *Determine the number of bedrooms provided as it relates to family size.*
- *Suitability of structure to accommodate conversion (i.e. structurally intact, detached garages, 2- story home, larger homes, and alley and street access.*

Review of Existing Zoning/Ordinances/Incentives/Enforcement

Identification of goals and objectives

- *Determine appropriate methodology to restore to single-family dwellings such as all, by zone, street, block, or neighborhood, or building type, size, or style.*
- *Provide ADUs (for seniors, for economic incentives, to increase rental units, increase affordability, etc)*
- *Determine Acceptable Multi-Unit Density through building cover, minimum unit size, off-street parking availability. Where existing identified densities may be identified as appropriate or deficient.*
- *Develop methods or standards to determine whether conversion to legal Accessory Dwelling Unit (ADU) is appropriate, establish lawfully conforming two family or greater multi-family status, or restoration to single family is warranted.*

Develop ADU Ordinance

- *Accessory Use*
- *Bulk Standards*
- *Parking*
- *Design guidelines*
- *Owner & Occupant/Tenant Restrictions*

Incentives

- *Loan and/or Grant Programs*
- *Rehabilitation Area(s) with the principal goal to provide tax abatement for taxable improvements to buildings and structures.*

Enforcement and Fines

- *Time and Money for Court Costs, Penalties, and Fines. Review of existing enforcement (cert of habitability, etc); and determine if additional enforcement viable and/or warranted.*

If you have any questions or require additional information regarding this memo, please do not hesitate to contact our office.

Respectfully submitted,
Taylor Design Group, Inc.



Michelle Taylor, P.P., AICP, CNU-A
Board Planner

Ec: Kitty Martin, Board Secretary
Denis Germano, Esq., Board Attorney
Hugh Dougherty, PE, PP, CME, Board Engineer

Work Cited

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ⁱ Housing Registrations by Rate Group for Delanco Township dated September 9, 2016

ⁱⁱ America's Rental Housing: Expanding Options for Diverse and Growing Demand, December 9, 2015, Harvard Joint Center for Housing Studies
http://www.jchs.harvard.edu/sites/jchs.harvard.edu/files/americas_rental_housing_2015_web.pdf

X. Appendix C: Delanco Composite Map

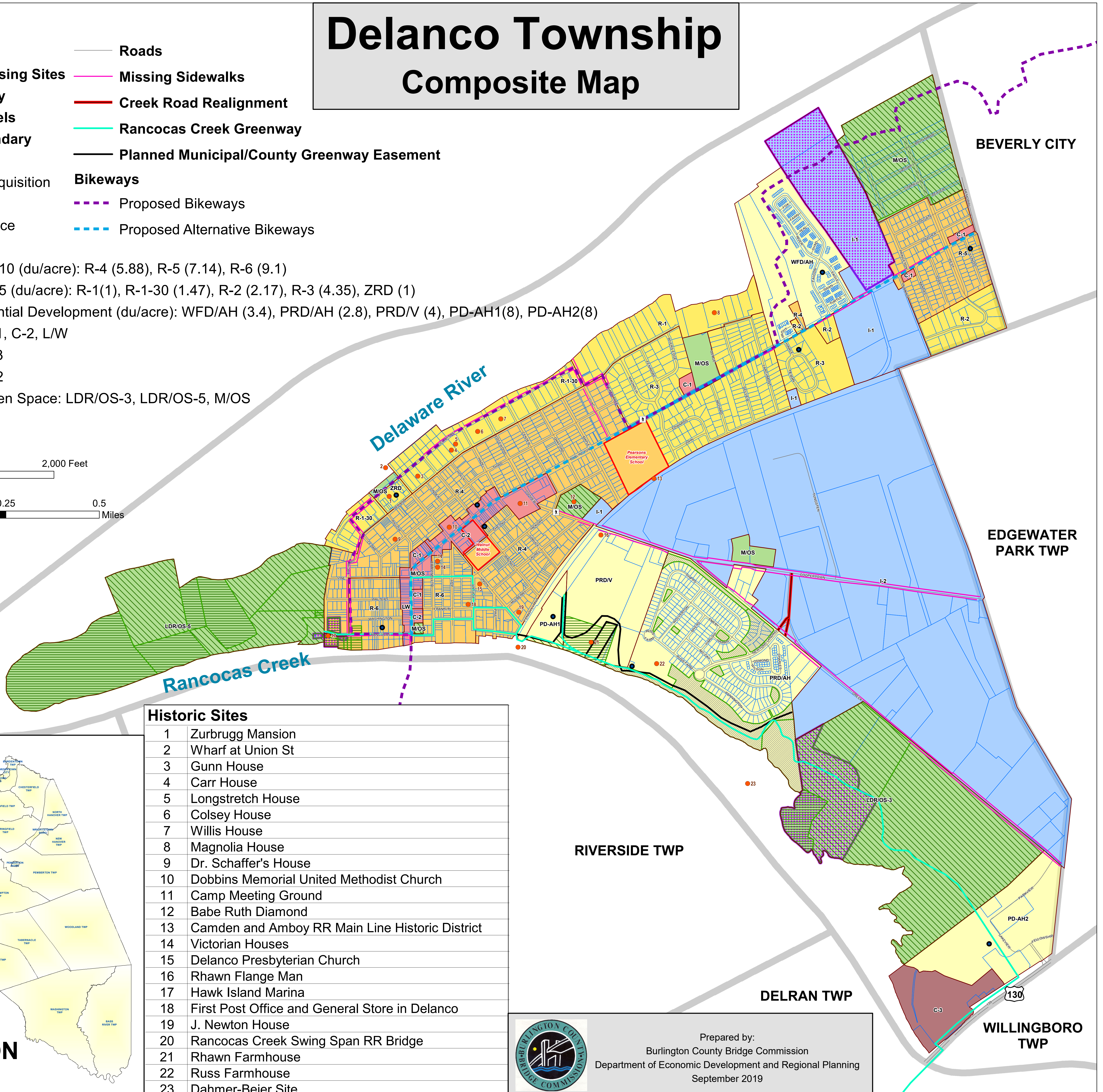
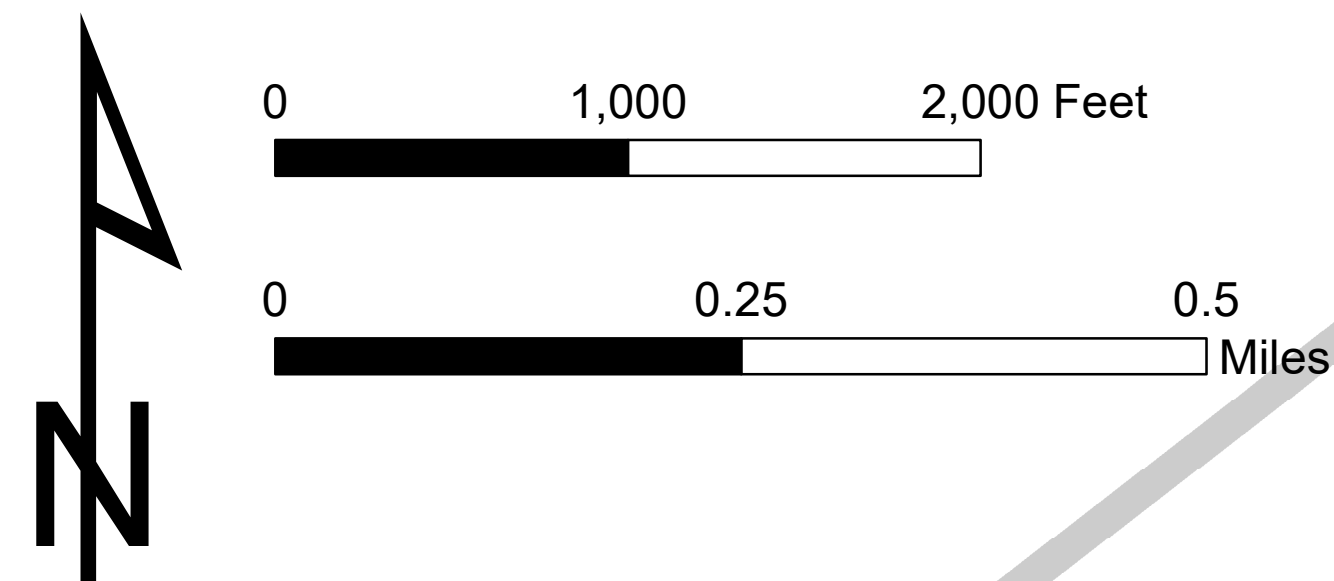
Delanco Township

Composite Map

-  **Crosswalk**
 -  **Historic Sites**
 -  **Affordable Housing Sites**
 -  **School Property**
 -  **Municipal Parcels**
 -  **Municipal Boundary**
 - Open Space**
 -  Proposed for Acquisition
 -  Existing
 -  Other Open Space
 -  **Roads**
 -  **Missing Sidewalks**
 -  **Creek Road Realignment**
 -  **Rancocas Creek Greenway**
 -  **Planned Municipal/County Gr**
 - Bikeways**
 -  Proposed Bikeways
 -  Proposed Alternative Bikeways

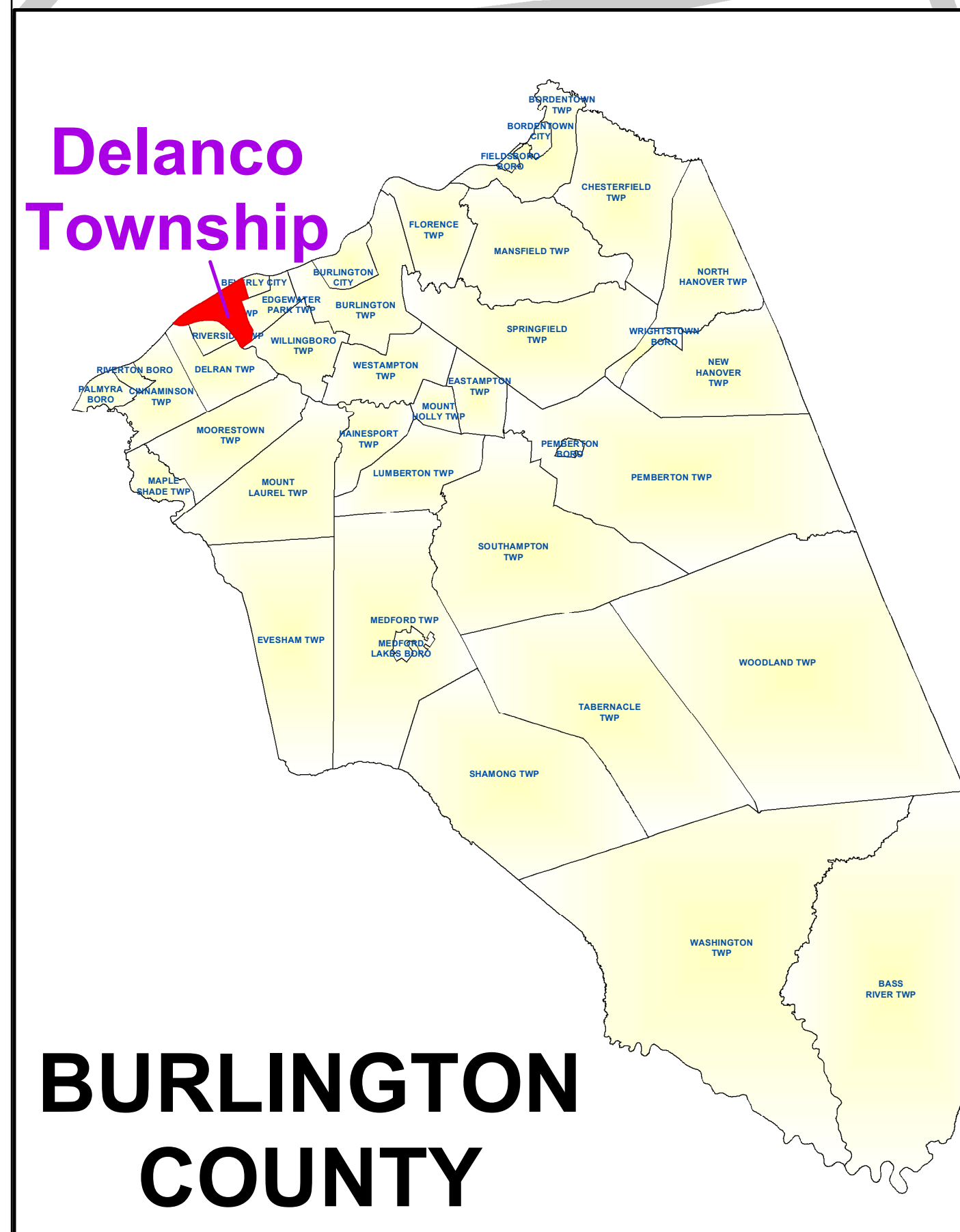
Land Use Plan

-
- Residential 5 to 10 (du/acre): R-4 (5.88), R-5 (7.14), R-6 (9.1)
- Residential 1 to 5 (du/acre): R-1(1), R-1-30 (1.47), R-2 (2.17), R-3 (4.35), ZRD (1)
- Planned Residential Development (du/acre): WFD/AH (3.4), PRD/AH (2.8), PRD/V (4), PD-AH1(8), PD-AH2(8)
- Commercial: C-1, C-2, L/W
- Commercial: C-3
- Industrial: I-1, I-2
- Low Density/Open Space: LDR/OS-3, LDR/OS-5, M/OS
- Marina Overlay
- Delaware River
- R-1-30
- 7



Historic Sites

- | | |
|----|---|
| 1 | Zurbrugg Mansion |
| 2 | Wharf at Union St |
| 3 | Gunn House |
| 4 | Carr House |
| 5 | Longstretch House |
| 6 | Colsey House |
| 7 | Willis House |
| 8 | Magnolia House |
| 9 | Dr. Schaffer's House |
| 10 | Dobbins Memorial United Methodist Church |
| 11 | Camp Meeting Ground |
| 12 | Babe Ruth Diamond |
| 13 | Camden and Amboy RR Main Line Historic District |
| 14 | Victorian Houses |
| 15 | Delanco Presbyterian Church |
| 16 | Rhawn Flange Man |
| 17 | Hawk Island Marina |
| 18 | First Post Office and General Store in Delanco |
| 19 | J. Newton House |
| 20 | Rancocas Creek Swing Span RR Bridge |
| 21 | Rhawn Farmhouse |
| 22 | Russ Farmhouse |
| 23 | Dahmer-Beier Site |



Prepared by:
Burlington County Bridge Commission
Department of Economic Development and Regional Planning
September 2019

XI. Appendix D: Exterior Lighting

June 12, 2017 - Dark skies initiatives:

- 1.) A review of the existing ordinance may be warranted because it does not address new technologies in lighting such as LED lighting. The International Dark Sky Association (IDSA) has a model ordinance for comparison or use. The earliest form of that model ordinance is what was used when Burlington County created the first ordinance which Delanco adopted in approximately 2002. IDSA has a newer version which at first glance appears user friendly.

An initial review of the IDSA “dark skies” model ordinance that is concerning is that it does not address the warmth or coolness of the light emitted. For example, LED lights range from a color temperature measured in Kelvin of a warm/ yellow 2,700 Kelvin to a cool/blue white of 4,000 Kelvin (equivalent to the noonday sun as far as color temperature) and higher temperatures like 5,000 Kelvin. The 5,000 K light becomes blue and bothers most people. The difference between for example the 2,700 to 4,000 is most noticeable to the average person with exterior holiday lighting using “white” lights where some are noted to be “warm” and others “cool”. The cool lights are bluer in color and almost appear to vibrate as you pass by in a car, which can be a distraction and result in negative health impacts per the report provided by the American Medical Association (AMA) in July of 2016.

<http://darksky.org/ama-report-affirms-human-health-impacts-from-leds/>

http://darksky.org/wp-content/uploads/bsk-pdf-manager/AMA_Report_2016_60.pdf

http://darksky.org/wp-content/uploads/bsk-pdf-manager/16_MLO_FINAL_JUNE2011.PDF

- 2.) Sign, awning and canopy lighting should also be addressed separately in the sign ordinance, which is another source of light that can be very detrimental to the night sky, dark sky initiatives and create glare on roads and spill over into adjacent properties.
- 3.) Review the current ordinance for single site zoning standards with respect to lighting, and perhaps make changes, but this may be labor intensive and virtually impossible for any typical enforcement officer to enforce.
- 4.) Discuss enforcement issues; and what if anything Delanco is willing to do to enforce their current ordinances. Inspectors and enforcement officers who are operating during the day and night will impact the municipal budget. This is not necessarily a concern of the JLUB, but ordinances are not helpful if they are not adequately enforced.

- 5.) Enhance public understanding through community events and education. The International Dark Sky Association has generated quite a bit of material.

The thing about public education currently is the general public disdain for health, science, nature; and experts. Additionally, the attention span of most people is stretched to the limit in this age of the mobile phone and non-stop activity. Migratory birds, wildlife impacts, glare, or seeing the stars, let alone the Milky Way does not interest some; excess energy consumption and wasteful spending does not matter to some; or negative mental and physical health impacts due to sleep disruption patterns may not particularly interest people. If at a Delanco Day a person was to try to educate the public, they would have to convey some excitement about the perceived issue. The schools are a good place to begin, but school hours are limited and there are barriers to fulfilling curriculum obligations and finding additional class time to educate school children can be difficult, even in a science classroom.

<http://darksky.org/resources/public-outreach-materials/>

There is no chapter of IDSA in Philadelphia or South Jersey though it seems improbable due to the proximity of the Pinelands National Reserve, Delaware Bay and Atlantic Ocean.

XII. Appendix E: Land Use Plan

Delanco Township

Land Use Plan Map

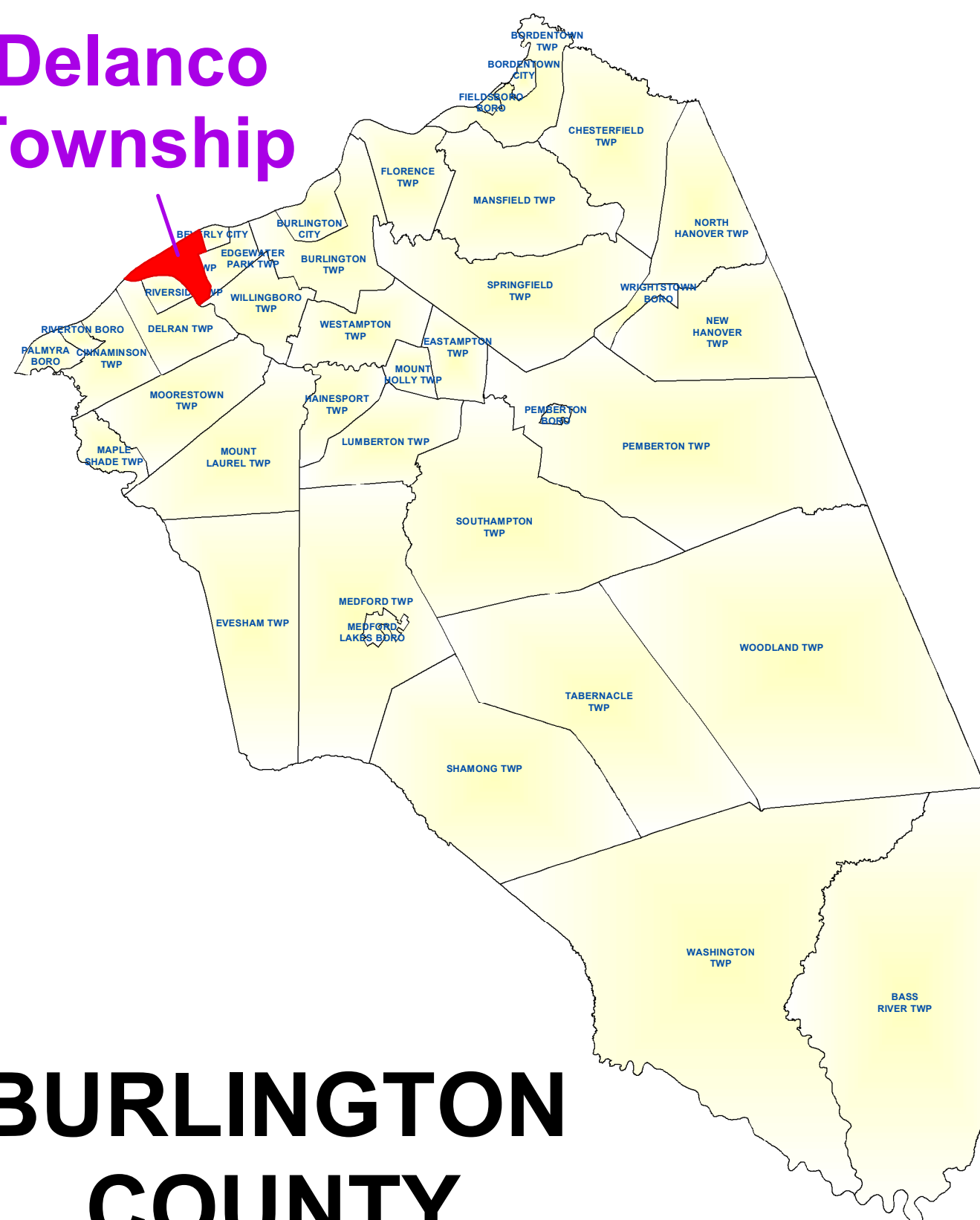
- Affordable Housing Sites
- Historic Sites
- Rancocas Creek Greenway
- Planned Municipal/County Greenway Easement
- Municipal Parcels
- ▬ Municipal Boundary

Land Use Plan

- Residential 5 to 10 (du/acre): R-4 (5.88), R-5 (7.14), R-6 (9.1)
- Residential 1 to 5 (du/acre): R-1(1), R-1-30 (1.47), R-2 (2.17), R-3 (4.35), ZRD (1)
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- Commercial: C-1, C-2, L/W
- Commercial: C-3
- Industrial: I-1, I-2
- Low Density/Open Space: LDR/OS-3, LDR/OS-5, M/OS
- Marina Overlay



Delanco Township



BURLINGTON COUNTY

Historic Sites

- | | |
|----|---|
| 1 | Zurbrugg Mansion |
| 2 | Wharf at Union St |
| 3 | Gunn House |
| 4 | Carr House |
| 5 | Longstretch House |
| 6 | Colsey House |
| 7 | Willis House |
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| 9 | Dr. Schaffer's House |
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| 21 | Rhawn Farmhouse |
| 22 | Russ Farmhouse |
| 23 | Dahmer-Beier Site |



Prepared by:
Burlington County Bridge Commission
Department of Economic Development and Regional Planning
September 2019

BEVERLY CITY

EDGEWATER PARK TWP

RIVERSIDE TWP

DELRAN TWP

WILLINGBORO TWP

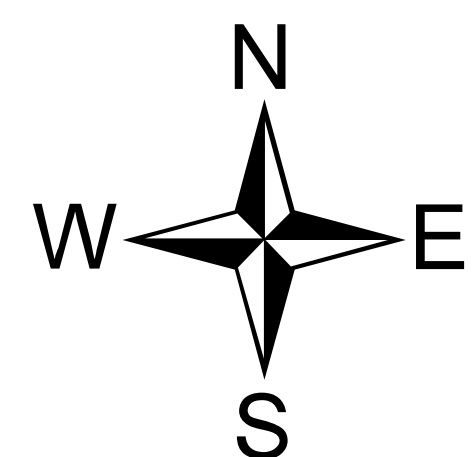
XIII. Appendix F: Zoning Map

Zoning

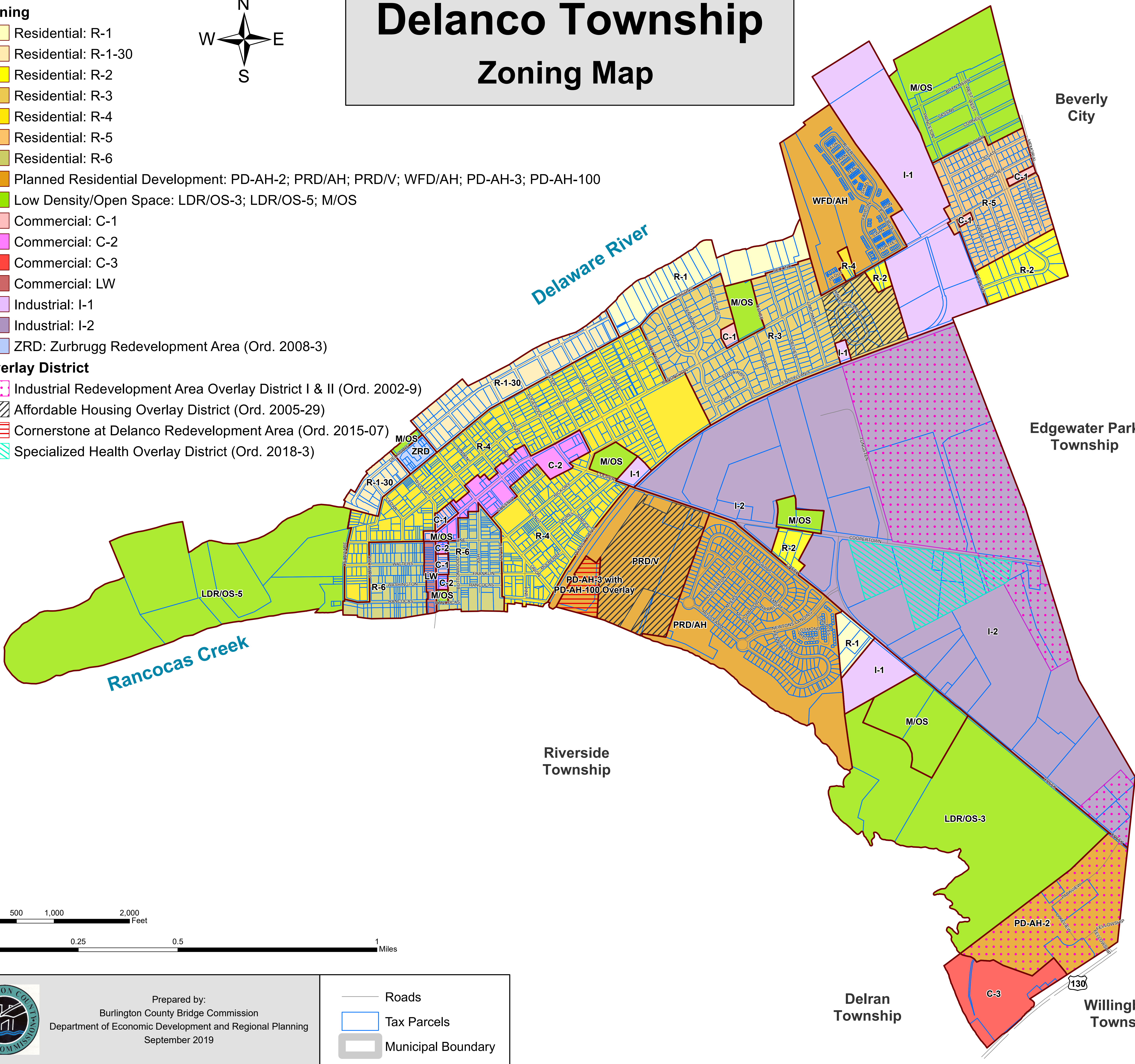
- Residential: R-1
- Residential: R-1-30
- Residential: R-2
- Residential: R-3
- Residential: R-4
- Residential: R-5
- Residential: R-6
- Planned Residential Development: PD-AH-2; PRD/AH; PRD/V; WFD/AH; PD-AH-3; PD-AH-100
- Low Density/Open Space: LDR/OS-3; LDR/OS-5; M/OS
- Commercial: C-1
- Commercial: C-2
- Commercial: C-3
- Commercial: LW
- Industrial: I-1
- Industrial: I-2
- ZRD: Zurbrugg Redevelopment Area (Ord. 2008-3)

Overlay District

- Industrial Redevelopment Area Overlay District I & II (Ord. 2002-9)
- Affordable Housing Overlay District (Ord. 2005-29)
- Cornerstone at Delanco Redevelopment Area (Ord. 2015-07)
- Specialized Health Overlay District (Ord. 2018-3)



Delanco Township Zoning Map



0 500 1,000 2,000 Feet

0 0.25 0.5 1 Miles



Prepared by:
Burlington County Bridge Commission
Department of Economic Development and Regional Planning
September 2019

- Roads
- Tax Parcels
- Municipal Boundary