



## #4873 ~ Land For Development

**211 Bennett Road  
Howell Township, NJ 07728**

### Land

**Block: 167**  
**Lot: 1, 2, 3, 4, 12, 12.01, 12.02, 12.03**  
**12.04, 12.05, 12.06, 12.07**

**Land Size: 49.31 Acres**

### Tax Information

**\*Farm Assessed\***

**Land Assessment: \$ 396,100.**  
**Improvement Assessment: \$ 478,300.**  
**Total Assessment: \$ 874,400.**

**Taxes: \$ 15,061.**  
**Tax Year: 2022**  
**Tax Rate: 1.990/\$100**  
**Equalization Ratio: 89.51%**  
**Updated: 11/13/2023**

**Zoning: ARE-2 ~ Agricultural Rural Estate 2 Zone**  
**ARE-6 ~ Agricultural Rural Estate 6 Zone**

**Remarks: 49.31 Acres of Land For Development in Howell Township. Located Between Fairfield Road and Vanderveer Road. Easy Access to Highway 9, 18, 33, 34, 138, Interstate 195 and the Garden State Parkway.**

**Price: \$ 4,999,999. ~ Sale**

Please call **Ray S. Smith/Broker** of **Stafford Smith Realty** at **(732) 747-1000** for further details.

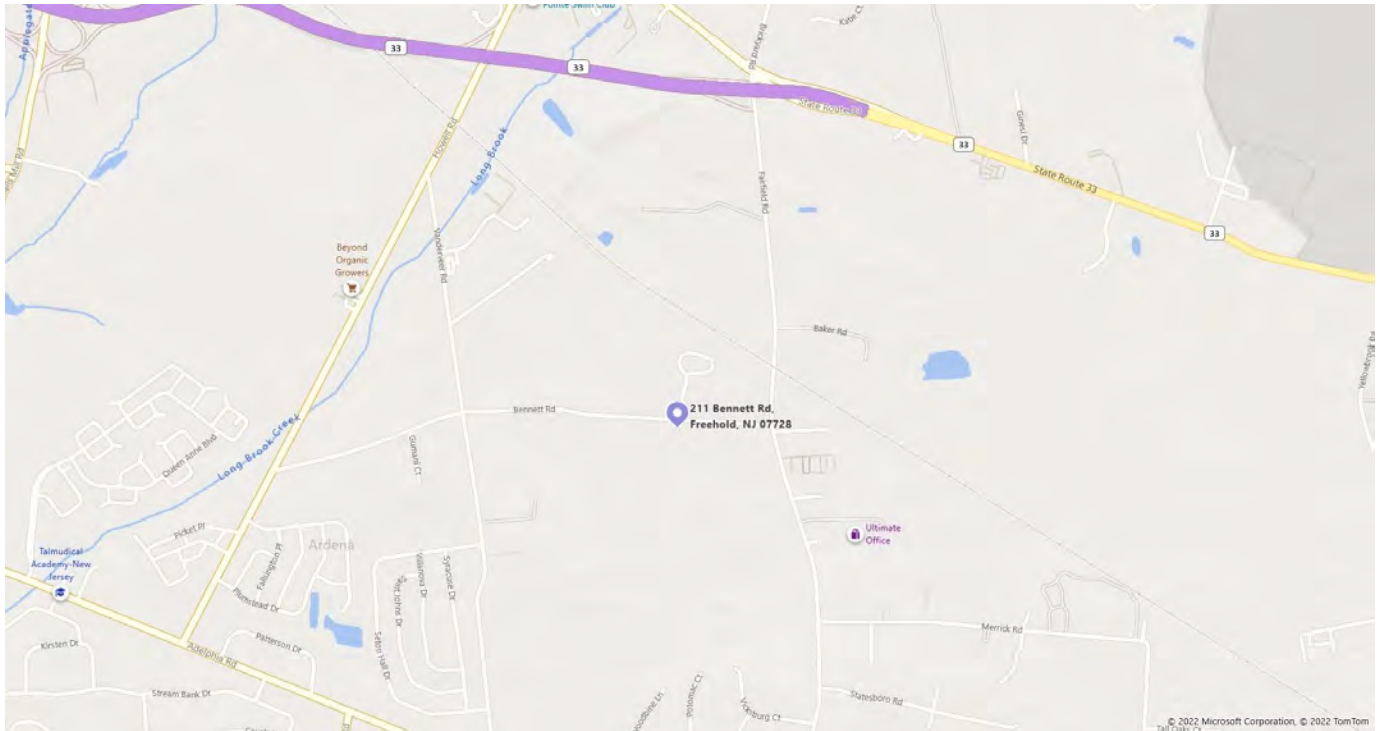
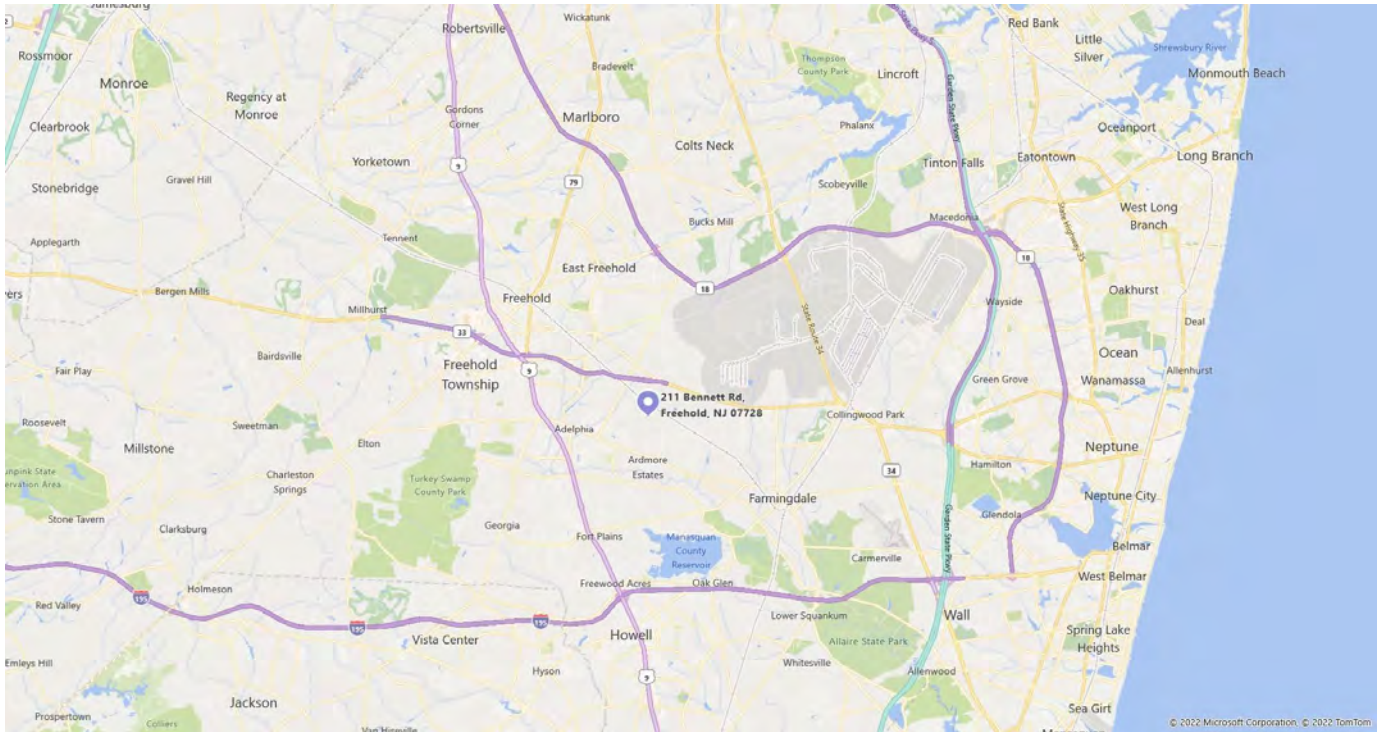
530 Prospect Avenue, 2E, Little Silver, New Jersey 07739-1444  
4440 PGA Blvd., Ste. 600, Palm Beach Gardens, Florida 33410-6542  
732-747-1000 • [Ray@SSRealty.com](mailto:Ray@SSRealty.com) • [www.SSRealty.com](http://www.SSRealty.com)



- Road Centerlines
- ▭ Parcels (cadastral non-survey)



— Road Centerlines

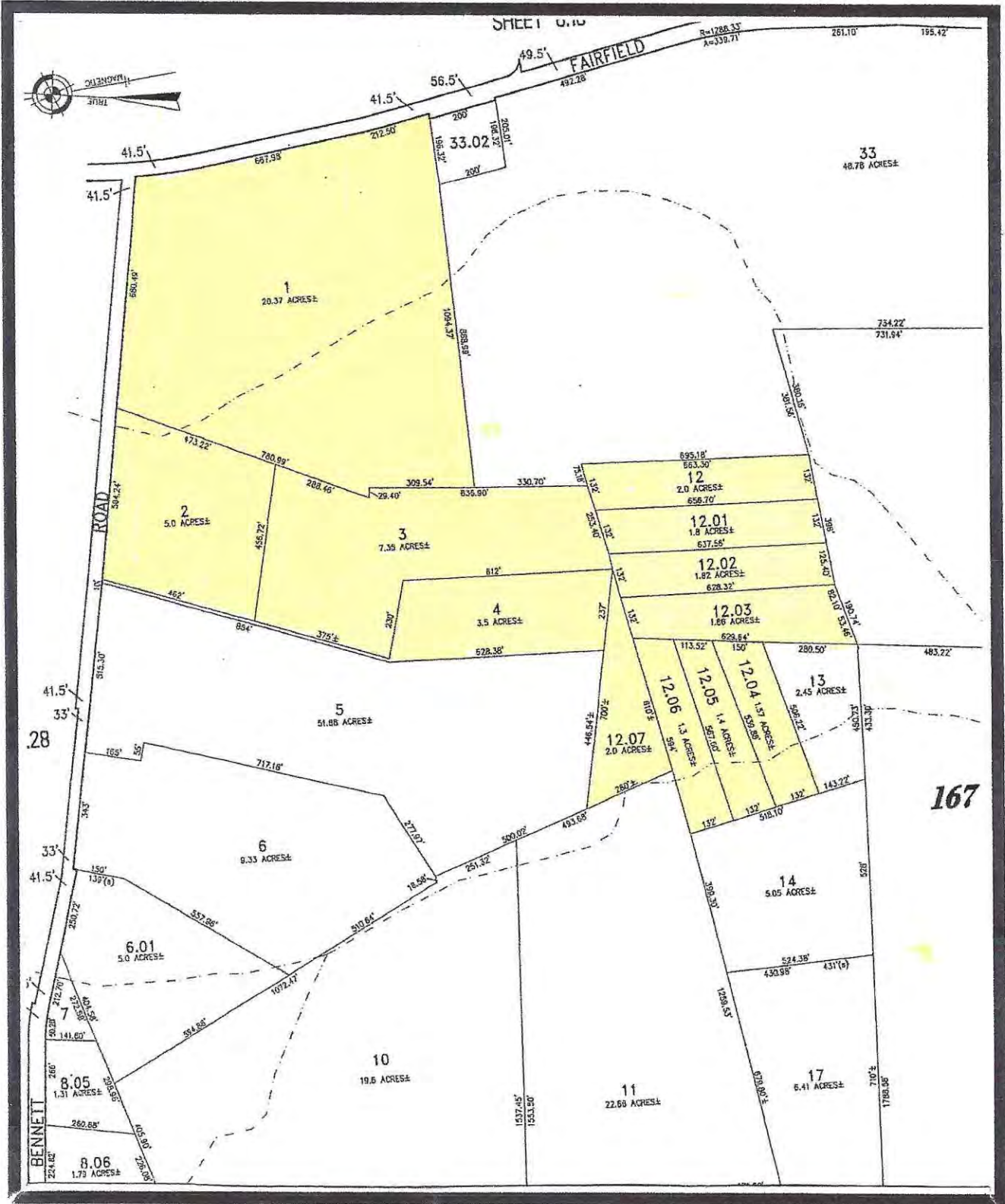


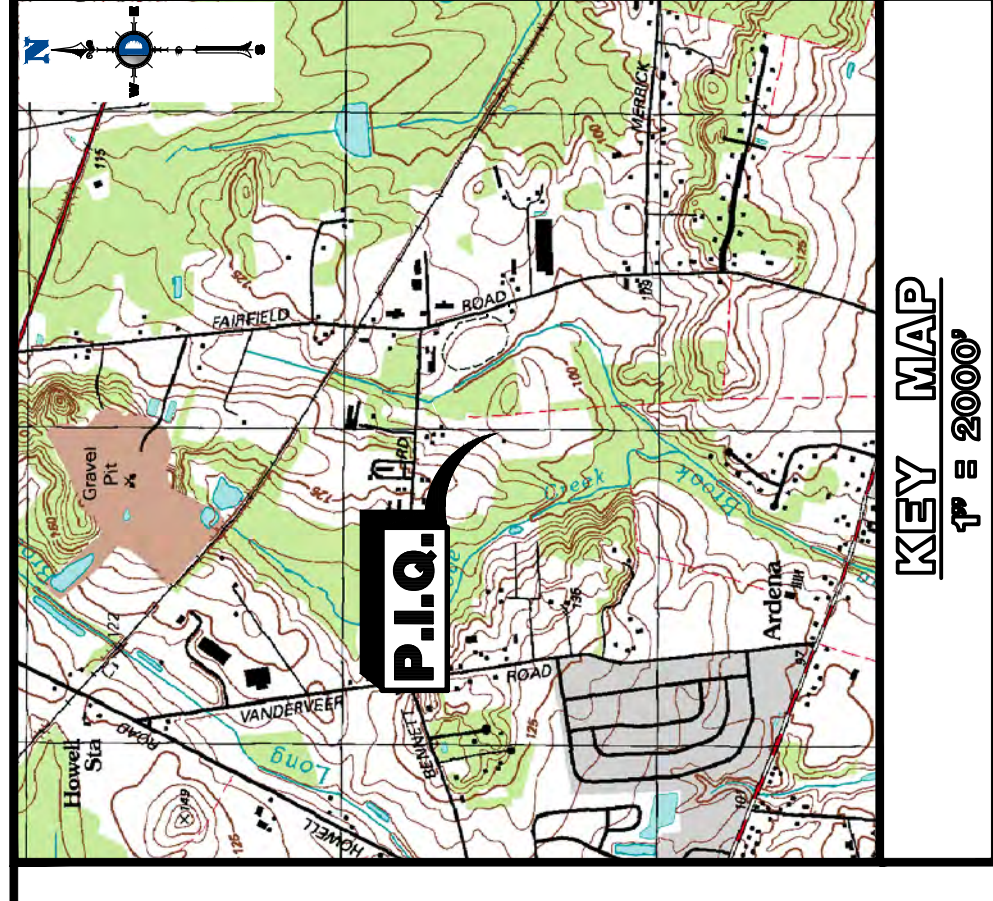
# WETLANDS MAP



- Road Centerlines
- ▭ Parcels (cadastral non-survey)

# Tax Map Location





**GENERAL NOTES**

1. THE MONUMENTAL SURVEY WAS MADE ON THE MAP OF THE TOWNSHIP OF HOWELL, MONMOUTH COUNTY, NEW JERSEY, SHEET NO. 423.
2. MONUMENTAL SURVEY WAS MADE BY THE BUREAU OF TOPOGRAPHIC SURVEYING BY DYNAMIC SURVEY ON JANUARY 17, 2017, UTILIZING THE LEICA TRK CODE NETWORK.
3. VERTICAL CURVE - NAD 83, BASED ON GPS FIELD OBSERVATIONS PERFORMED BY DYNAMIC SURVEY ON JANUARY 17, 2017, UTILIZING THE LEICA TRK CODE NETWORK.
4. FIELD WORK PERFORMED BY DYNAMIC SURVEY FROM JANUARY 17, 2017 THROUGH FEBRUARY 10, 2017 AND SUPPLEMENTED ON APRIL 15, 2020 AND ADDITIONAL FIELD WORK ON LOT 1 ON JUNE 28 AND 29, 2021.
5. SURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS PART OF THIS SURVEY. THE SURVEYOR ASSUMES RESPONSIBILITY FOR THE ACCURACY OF THE SURVEY. THE SURVEYOR DOES NOT WARRANT THAT THE SURVEY IS SUITABLE FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS MADE.
6. PROPERTY OWNERS AND ADJACENT PARTIES ARE ADVISED THAT THE CONVEYANCE OF THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS, ENCUMBRANCES, COVENANTS, AGREEMENTS AND RESTRICTIONS OF RECORD.
7. NOT ALL LOT LINES OUTSIDE THE BOUNDARY OF THE SUBJECT PROPERTY SHOWN HEREON HAVE BEEN FIELD SURVEYED AND ARE SHOWN AS A GRAPHICAL REPRESENTATION OF CURRENT LOT LINES BASED ON RELEVANT MAPS AND TAX MAP INFORMATION.
8. SUBJECT TO ROAD RIGHT-OF-WAY, ALL EASEMENTS, ENCUMBRANCES, COVENANTS, AGREEMENTS AND RESTRICTIONS OF RECORD.
9. PROPERTY OWNERS AND ADJACENT PARTIES ARE ADVISED THAT THE CONVEYANCE OF THE PROPERTY SHOWN HEREON IS SUBJECT TO ALL EASEMENTS, ENCUMBRANCES, COVENANTS, AGREEMENTS AND RESTRICTIONS OF RECORD.
10. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT, OTHER DOCUMENTS OF RECORD OR RECORD THAT WOULD AFFECT THIS PARCEL.
11. BY GRAPHICAL PLOTTING ONLY, THE PREMISES IS LOCATED IN ZONE 'X' PER FLOOD INSURANCE RATE MAP NUMBER: AG02000101, AG02000102 AND AG02000103.
12. NO ATTEMPT WAS MADE TO DETERMINE THE EXISTENCE OF ANY PART OF THIS PARCEL OR TO OBTAIN THE TITLE RECORDS OF THE PARCEL.
13. THE SURVEY WAS MADE BY THE BUREAU OF TOPOGRAPHIC SURVEYING BY DYNAMIC SURVEY ON JANUARY 17, 2017, UTILIZING THE LEICA TRK CODE NETWORK.
14. THE EFFECTS SHOWN ON THIS PLAN SHALL NOT BE USED AS THE BASIS FOR THE CONSTRUCTION OF FENCES OR ANY OTHER PERMANENT STRUCTURES.
15. TOPOGRAPHIC SURVEY WAS LIMITED TO AREAS OF INTEREST TO THE SUBJECT PROPERTY. THE TOPOGRAPHIC INFORMATION SHOWN IN THE WOODED AREA IS BASED ON AERIAL PHOTOGRAPHS.

**MAP REFERENCES**

1. A PLAN ENTITLED "FINAL PLAT, WOODBINE LOTS 30 AND 31, BLOCK 167, HOWELL TOWNSHIP, MONMOUTH COUNTY, NEW JERSEY," PREPARED BY LYNCKA CARANO, GULIANO & ASSOCIATES, INC., MONMOUTH COUNTY, NEW JERSEY, DATED 07/20/19 AS MAP 1714-19.
2. A PLAN SET ENTITLED "FINAL MAPS, GERRISON PLACE, MONMOUTH COUNTY, NEW JERSEY," PREPARED BY ESS CONSULTANTS, INC., MONMOUTH COUNTY, NEW JERSEY, DATED 12/01/2005 AND REVISED THROUGH 05/09/2012, FILED IN THE COUNTY CLERK'S OFFICE ON 12/09/2012 AS MAPS 4311-24 THROUGH 4311-33.
3. A PLAN SET ENTITLED "SURVEY OF PROPERTY, LOT 1 BLOCK 167, TOWNSHIP OF HOWELL, COUNTY OF MONMOUTH, NEW JERSEY," PREPARED BY MORGAN ENGINEERING & SURVEYING, DATED 12/27/2018.

**DEED REFERENCES**

1. DEED BOOK 8271, PAGE 2497 - LOTS 2-4, 12 & 1201-1207
2. DEED BOOK 8384, PAGE 4117 - LOT 1
3. DEED BOOK 4120, PAGE 700 - LOT 1
4. DEED BOOK 5946, PAGE 861 - LOT 5
5. MORTGAGE BOOK 4379, PAGE 878 - LOT 6
6. DEED BOOK 8269, PAGE 4108 - LOT 11
7. DEED BOOK 8701, PAGE 7646 - LOT 101
8. DEED BOOK 3075, PAGE 829 - LOT 17
9. DEED BOOK 8042, PAGE 2406 - LOT 32
10. DEED BOOK 5818, PAGE 327 - LOT 33

**CERTIFIED TO**

I, CRAIG BLACK, PROFESSIONAL ENGINEER & LAND SURVEYOR, DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE PROFESSIONAL ENGINEERING AND SURVEYING ACT, AS APPLICABLE TO THIS SURVEY, AND THAT I AM A MEMBER IN GOOD STANDING OF THE PROFESSIONAL ENGINEERING AND SURVEYING SOCIETY OF NEW JERSEY.

**DYNAMIC SURVEY, LLC**  
 BOUNDARY & TOPOGRAPHIC SURVEY • CONSTRUCTION STAKEOUT • ALTA/ACAM AND TITLE • FOUNDATION LOCATION • FINAL SURVEYS

248 Adams Street, Suite 110, Cranford, NJ 07016 • T: 908.879.2229 • F: 908.879.2221 • 8 Tomlinson Street, Suite 102, Tomlinson, NJ 08054 • T: 732.943.9198 • F: 732.974.3321  
 790 Northwood Road, Suite 100, Marlton, NJ 08053 • T: 609.251.2422 • F: 609.251.2421 • 14021 Oakdale Road, Suite 200, Haddonfield, NJ 07940 • T: 856.444.8464

PROJECT: CONTROL SERVICES, LLC  
 EASTING CONDITIONS  
 211 BENNETT ROAD, LOTS 1, 2, 3, 4, 12.01, 12.02, 12.03, 12.04, 12.05, 12.06 & 12.07  
 211 BENNETT ROAD  
 TOWNSHIP OF HOWELL, MONMOUTH COUNTY, NEW JERSEY

TITLE: BOUNDARY AND TOPOGRAPHIC SURVEY

JOB NO: 1276-99-0045E  
 DATE: 02/17/2017  
 SCALE: (H) 1"=50'  
 (V) N/A

FIELD BY: SIM  
 DRAWN BY: RLG/BVT  
 CHECKED BY: JTB

SHEET NO: 1 OF 3

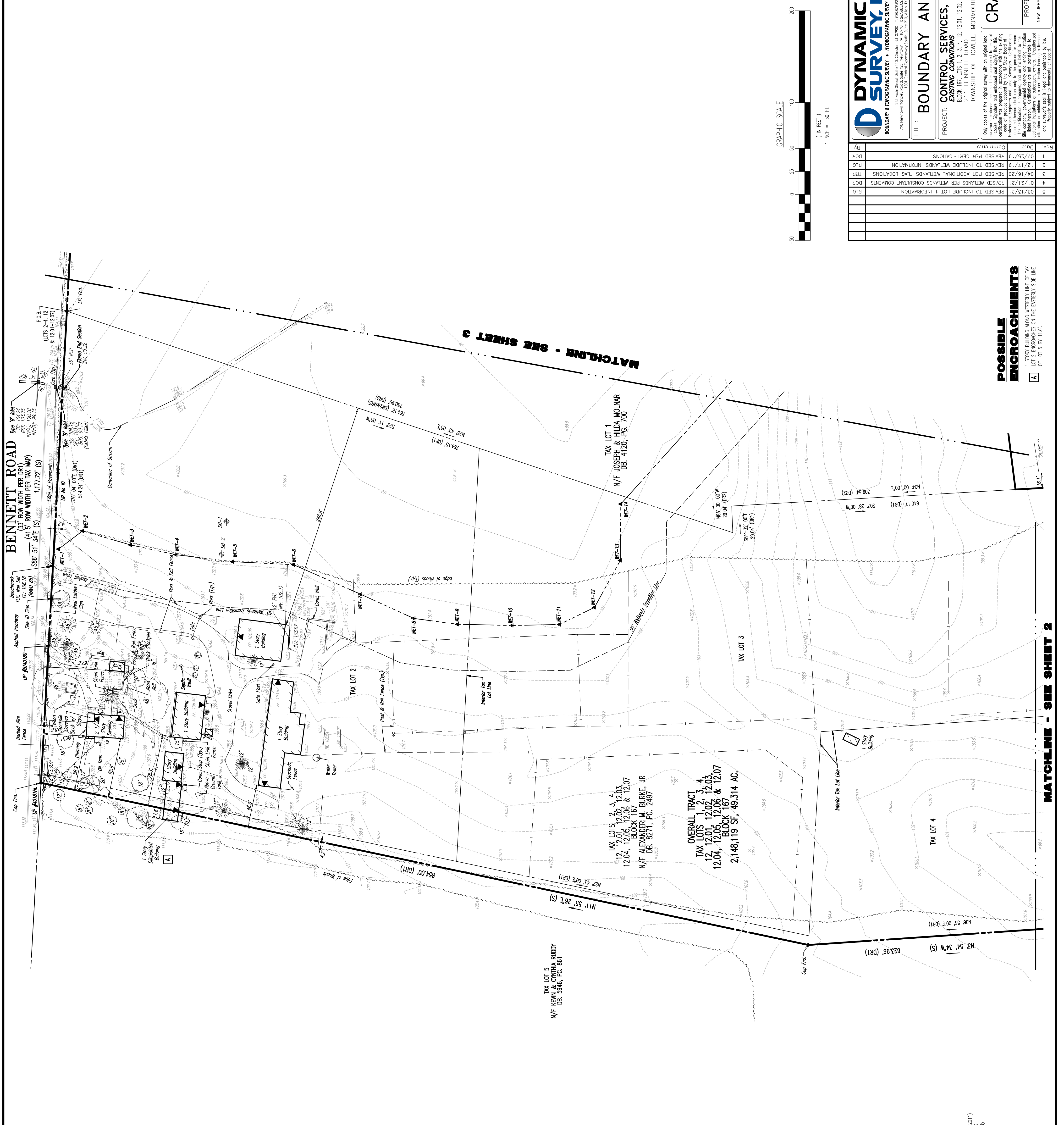
DATE: \_\_\_\_\_  
 DATE: \_\_\_\_\_

STAKEOUT CHECK: \_\_\_\_\_  
 STAKEOUT CHECK: \_\_\_\_\_

PROPERTY OWNER: CONTROL SERVICES, LLC  
 PROFESSIONAL ENGINEER & LAND SURVEYOR: CRAIG BLACK  
 NEW JERSEY LICENSE NO. 24084054000

PROPERTY ADDRESS: 211 BENNETT ROAD, LOTS 1, 2, 3, 4, 12.01, 12.02, 12.03, 12.04, 12.05, 12.06 & 12.07  
 TOWNSHIP OF HOWELL, MONMOUTH COUNTY, NEW JERSEY

Only copies of the original survey with an original seal and signature of the surveyor shall be considered to be valid. This survey was prepared in accordance with the existing conditions of the property and the surveyor's records. The surveyor does not warrant that the survey is suitable for any purpose other than that for which it was made. The surveyor is not responsible for any errors or omissions in this survey or for any consequences that may result therefrom. The surveyor is not responsible for any encroachments or other matters that may be discovered after the survey. The surveyor is not responsible for any matters that may be discovered after the survey. The surveyor is not responsible for any matters that may be discovered after the survey. The surveyor is not responsible for any matters that may be discovered after the survey.



**LEGEND:**

- PROPERTY LINE (PARCEL & QUESTION)
- OFF-SITE PROPERTY LINES
- EXISTING MAJOR CONTOUR & ELEVATION
- EXISTING MINOR CONTOUR & ELEVATION
- APPROX. LOC. EAST UNDERGROUND ELECTRIC LINES
- APPROX. LOC. WEST UNDERGROUND ELECTRIC LINES
- APPROX. LOC. EAST UNDERGROUND OPTIC LINES
- APPROX. LOC. WEST UNDERGROUND OPTIC LINES
- APPROX. LOC. EAST UNDERGROUND SHAWNY SINK LINES
- APPROX. LOC. WEST UNDERGROUND SHAWNY SINK LINES
- APPROX. LOC. EAST UNDERGROUND WATER LINES
- APPROX. LOC. WEST UNDERGROUND WATER LINES
- EXISTING SHORING FENCE
- EXISTING BARRIERS ON BARRIERS
- EXISTING CONCRETE FENCE
- EXISTING CHAIN LINK FENCE
- EXISTING STAINLESS STEEL FENCE
- EXISTING WAVE FENCE
- EXISTING EDGE OF WATER
- EXISTING WETLANDS LINES
- EXISTING SANDWY SINKER (S' AND WAVE)
- EXISTING STORM SEWER
- MONUMENT
- WALL
- UNITARY POLE
- SKIN
- SKIN DOUBLE POST
- FIRE HYDRANT
- "X"-INLET
- "B"-INLET
- "T"-INLET
- FLARED END SECTION
- HEADWALL
- WATER VALVE
- WATER METER
- SKIN
- GAS VALVE
- GAS METER
- WATER SHUT OFF VALVE
- ELECTRIC BOX
- SHRUB
- EM EGRESS/STAIRWELL
- REINFORCED CONCRETE
- CLEAN OUT
- BUILDING LIGHT
- TELEPHONE BOX
- BEST PRACTICE LOCATION
- CABLE TV BOX
- EXCEPTION
- PHONING STIAL COUNT
- DOWN SPOUT
- POINT OF BEGINNING

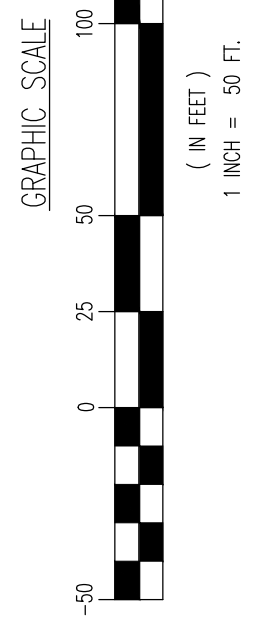
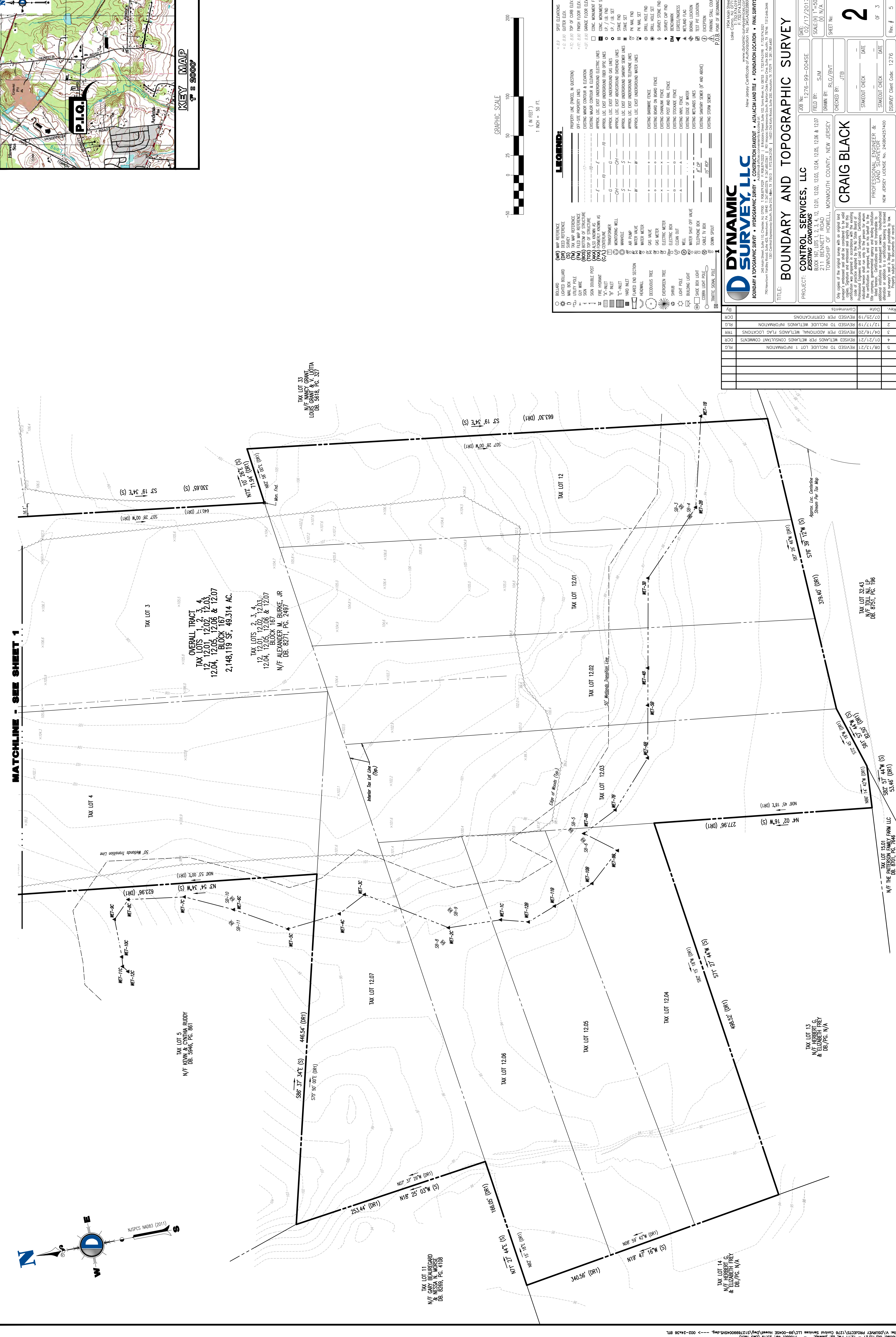
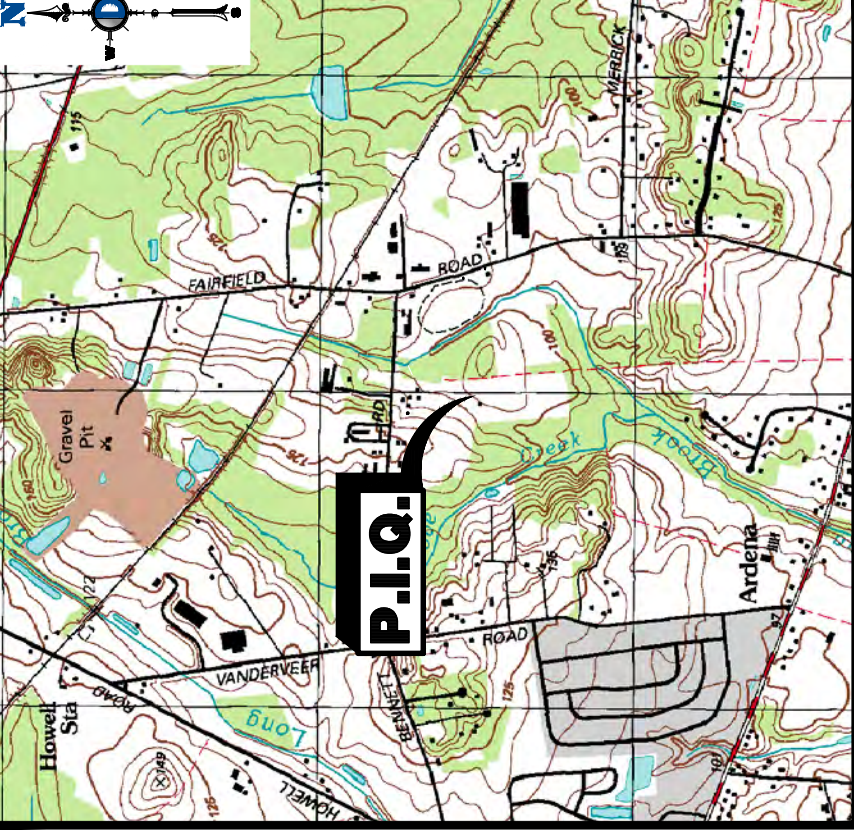
**POSSIBLE ENCROACHMENTS**

1 STORY BUILDING ALONG WESTERN LINE OF TAX LOT 2 ENCROACHES ON THE EASTERN SIDE LINE OF LOT 5 BY 11.6'.

PHILIP V. SPINNEY, PROFESSIONAL ENGINEER & LAND SURVEYOR, LICENSE NO. 24084054000  
 Product Ver 23.18 (LMS Tech) • Product Ver 23.18 (LMS Tech) • Product Ver 23.18 (LMS Tech)

MATCHLINE - SEE SHEET 1

KEY MAP  
1" = 2000'



**LEGEND**  
PROPERTY LINE (PARCEL IN QUESTION)  
OFF-SITE PROPERTY LINES  
EXISTING MARK CONTOUR & ELEVATION  
APPROX. LOC. EXIST. UNDERGROUND UTILITY LINES  
APPROX. LOC. EXIST. UNDERGROUND OVERHEAD LINES  
APPROX. LOC. EXIST. UNDERGROUND FIBER OPTIC LINES  
APPROX. LOC. EXIST. UNDERGROUND SHAWTRON LINES  
APPROX. LOC. EXIST. UNDERGROUND TELEPHONE LINES  
APPROX. LOC. EXIST. UNDERGROUND WATER LINES  
EXISTING SHAWTRON FENCE  
EXISTING SHAWTRON FLOOR  
EXISTING POST AND RAIL FENCE  
EXISTING STORABLE FENCE  
EXISTING WIRE FENCE  
EXISTING EDGE OF WATER  
EXISTING WETLANDS LINES  
EXISTING SANITARY SEWER (8" AND ABOVE)  
EXISTING STORM SEWER  
P.O.B. POINT OF BEGINNING

**DYNAMIC SURVEY, LLC**  
BOUNDARY & TOPOGRAPHIC SURVEY • HYDROGRAPHIC SURVEY • CONSTRUCTION STAKEOUT • ALTA/ACM AND TITLE • FOUNDATION LOCATION • FINAL SURVEYS  
245 Main Street, Suite 110, Cranford, NJ 07033 | Tel: 908.879.2222 | Fax: 908.879.2223 | E: 908.879.2224 | F: 732.974.3231  
790 Northwood Valley Road, Suite 102, Morrisville, NJ 07952 | Tel: 908.879.2222 | Fax: 908.879.2223 | E: 908.879.2224 | F: 732.974.3231  
1501 Central Expressway, Suite 110, Morrisville, NJ 07952 | Tel: 908.879.2222 | Fax: 908.879.2223 | E: 908.879.2224 | F: 732.974.3231

BOUNDARY AND TOPOGRAPHIC SURVEY

PROJECT: CONTROL SERVICES, LLC  
EXISTING CONDITIONS: 12,01, 12,02, 12,03, 12,04, 12,05, 12,06 & 12,07  
211 BENNETT ROAD  
TOWNSHIP OF HOWELL, MONMOUTH COUNTY, NEW JERSEY

DATE: 02/17/2017  
SCALE: 1" = 50'  
SHEET NO. 2 OF 3

TAX LOT 5  
N/F KEVIN & CYNTHIA RUDDY  
DB. 3840, PG. 061

OVERALL TRACT  
TAX LOTS 1, 2, 3, 4,  
12, 12.01, 12.02, 12.03,  
12.04, 12.05, 12.06 & 12.07  
BLOCK 167  
N/F ALEXANDER P. BURKE, JR  
DB. 8271, PG. 2497  
2,148,119 SF, 49,314 AC.

TAX LOT 33  
N/F NANCY GRANT,  
LOUIS GRANT & V. LOTTIA  
DB. 5818, PG. 327

TAX LOT 11  
N/F GARY BEAUREGARD  
& MESSY MISS  
DB. 6253, PG. 4108

TAX LOT 14  
N/F HERBERT S.  
& ELIZABETH FREY  
DB/PG. N/A

TAX LOT 13  
N/F HERBERT S.  
& ELIZABETH FREY  
DB/PG. N/A

TAX LOT 12.05  
N/F THE PATTERSON FAMILY FARM LLC  
DB. 8707, PG. 766

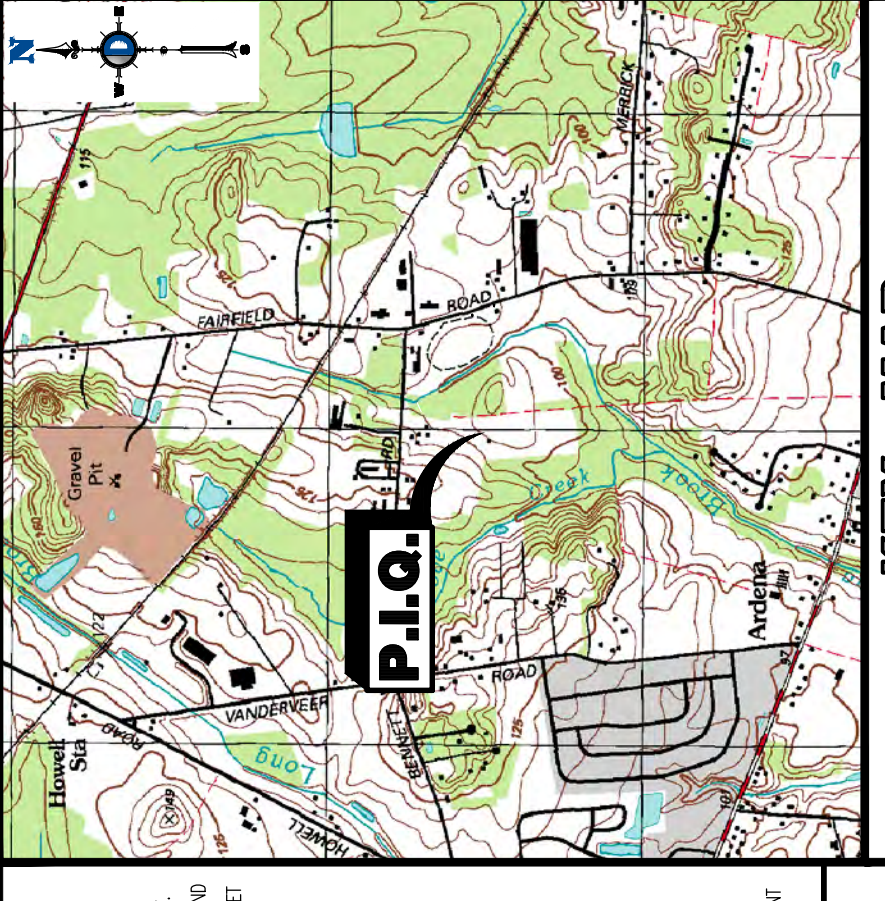
TAX LOT 12.03  
N/F JULIA M. PIP  
DB. 8751, PG. 166

TAX LOT 12.02  
N/F JULIA M. PIP  
DB. 8751, PG. 166

TAX LOT 12.01  
N/F JULIA M. PIP  
DB. 8751, PG. 166

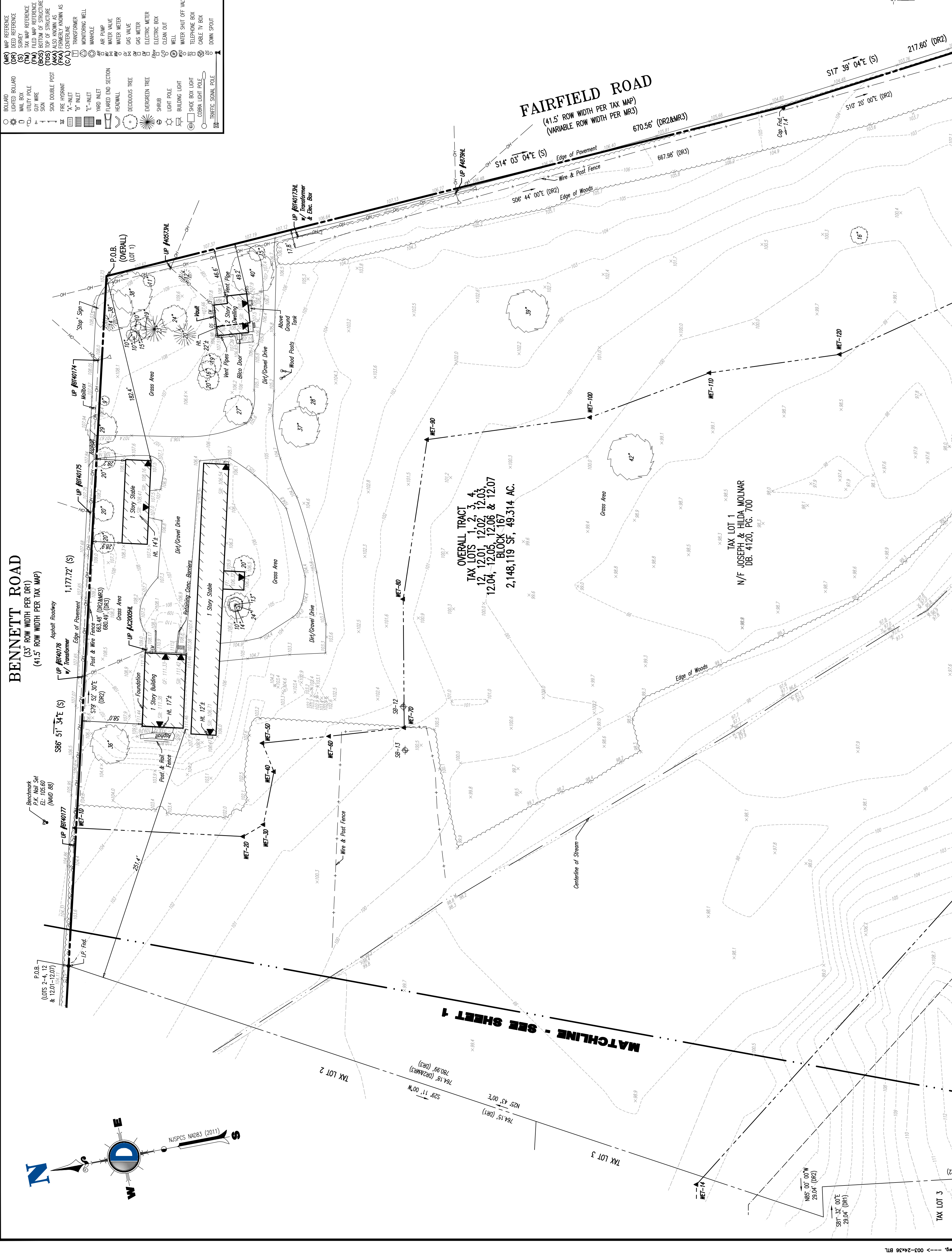
TAX LOT 12  
N/F JULIA M. PIP  
DB. 8751, PG. 166





**LEGEND:**

(M)	MAP REFERENCE	(C)	CORNER	(S)	SPOT ELEVATION
(P)	PROPERTY LINE (PARCEL IN QUESTION)	(T)	TAX MAP REFERENCE	(O)	OUTER ELEV.
(F)	FILLED MAP REFERENCE	(E)	EXISTING MAJOR CONDUIT & TELEPHONE	(F)	FINISH FLOOR ELEV.
(L)	LINE	(R)	RAILROAD	(F)	FINISH FLOOR ELEV.
(S)	SECTION	(P)	PROPOSED	(T)	TOP OF CURB ELEV.
(D)	DRAINAGE	(S)	STATE	(F)	FINISH FLOOR ELEV.
(T)	TERRACE	(S)	STATE	(F)	FINISH FLOOR ELEV.
(S)	SECTION	(S)	STATE	(F)	FINISH FLOOR ELEV.
(S)	SECTION	(S)	STATE	(F)	FINISH FLOOR ELEV.



1	08/13/21	REVISED TO INCLUDE LOT 1 INFORMATION
2	01/21/21	REVISED WETLANDS PER WETLANDS CONSULTANT COMMENTS
3	04/16/20	REVISED PER ADDITIONAL WETLANDS FLAG LOCATIONS
4	12/17/19	REVISED PER WETLANDS INFORMATION
5	07/25/19	REVISED PER CERTIFICATIONS

REV.	DATE	COMMENTS
1	08/13/21	REVISED TO INCLUDE LOT 1 INFORMATION
2	01/21/21	REVISED WETLANDS PER WETLANDS CONSULTANT COMMENTS
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**DYNAMIC SURVEY, LLC**  
 BOUNDARY & TOPOGRAPHIC SURVEY • HYDROGRAPHIC SURVEY • FOUNDATION LOCATION • FINAL SURVEYS

248 Adams Street, Suite 110, Camden, NJ 08105 • T: 856.979.2222 • F: 856.979.2223 • E: info@dynamicllc.com  
 790 Haddonfield Road, Suite 210, Haddonfield, NJ 08033 • T: 856.979.2222 • F: 856.979.2223 • E: info@dynamicllc.com

**BOUNDARY AND TOPOGRAPHIC SURVEY**

**PROJECT: CONTROL SERVICES, LLC**  
 211 BENNETT ROAD  
 TOWNSHIP OF HOWELL, MONMOUTH COUNTY, NEW JERSEY

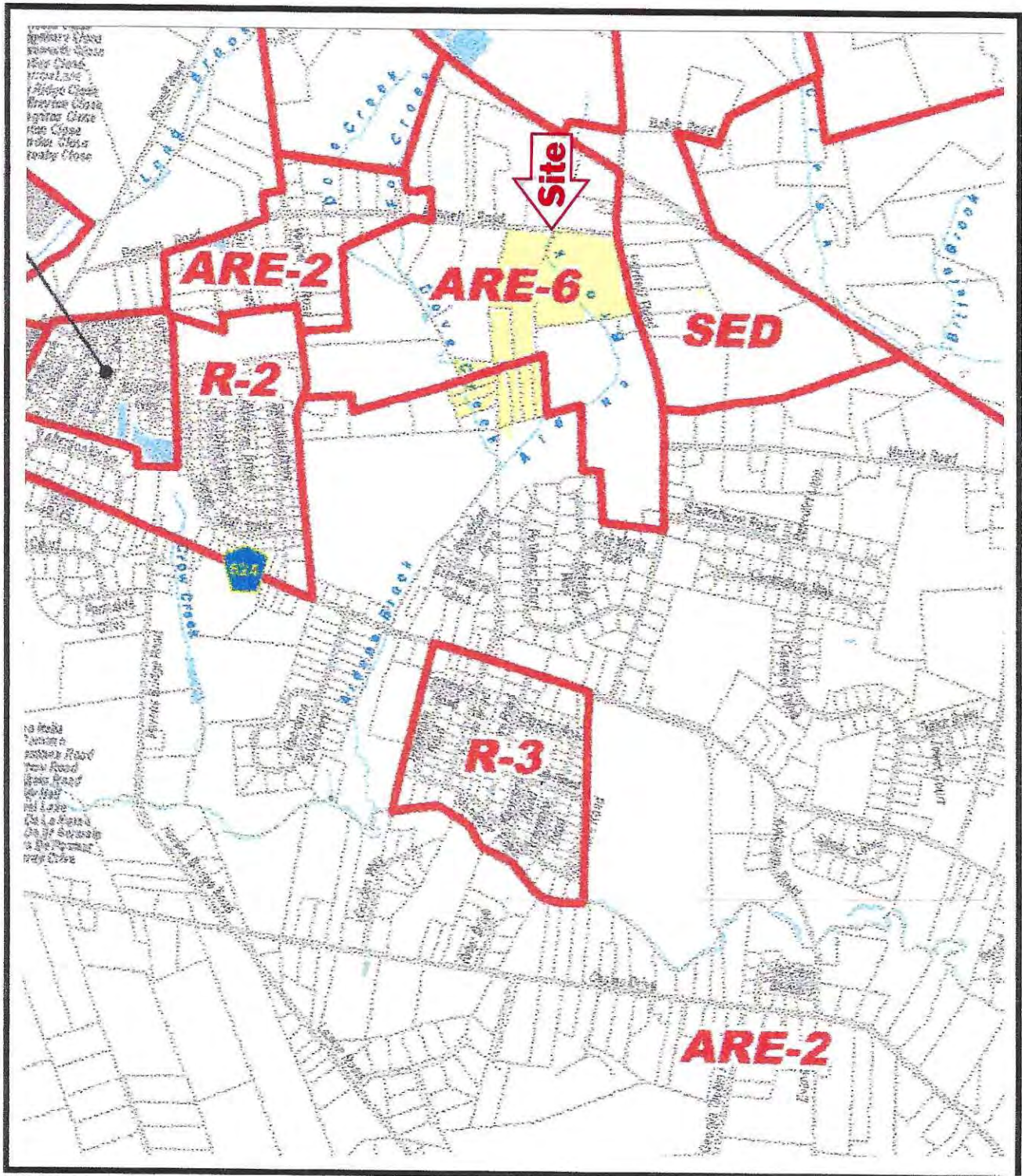
**CRAIG BLACK**  
 PROFESSIONAL ENGINEER & LAND SURVEYOR  
 NEW JERSEY LICENSE NO. 24684057400

DATE: 02/17/2017  
 SCALE: (H) 1"=50'  
 SHEET NO. 3 OF 3

Only copies of the original survey with an original seal of the surveyor shall be considered to be valid. Any other copies, including those made by computer or other means, are void. The surveyor shall be held responsible for the accuracy of the survey. The surveyor shall be held responsible for the accuracy of the survey. The surveyor shall be held responsible for the accuracy of the survey.

PHOTO: 08/13/21 - 12:13 PM, By: [redacted] - Product: Ver 23.16 (LMS Tech) - Project: 24684057400.dwg - 003-2468

# Zoning Map



- (f) The deed for any lot created by lot averaging shall contain a restriction against its further subdivision for the purpose of creating an additional lot or lots.
  - (g) The applicant is advised to submit a concept plan of the lot averaging subdivision for review and comment in accordance with this chapter.
- (6) Farmland preservation parcels. These parcels are intended to provide a development option to an individual who intends to remove the development rights from the majority of the property, typically through a government or nonprofit sponsored farmland preservation program in accordance with the following standards. The farmland preservation option shall also apply to existing farms and other proposed farms in the ARE zones:
- (a) To receive treatment under this section, farmland preservation property must consist of a lot, tract or parcel of land with a minimum contiguous acreage of 15 acres.
  - (b) The owner of a lot, tract or parcel of land who intends to place a portion of such property into farmland preservation shall be entitled to subdivide one or more residential lots from the lot, tract or parcel. The remainder shall be placed in farmland preservation. Use of the subdivided lot shall be limited to a detached single-family dwelling with permitted accessory uses.
  - (c) The number lots subdivided shall be in accordance with the following table:

Range by Acres	Permitted Lots
15 to 29.99	1
30 to 49.99	2
50 or more	3

- (d) The subdivided residential lot shall meet the following zoning requirements:

- [1] Minimum lot area.
  - [a] ARE-6: 2 acres.
  - [b] ARE-4: 1.5 acres.
  - [c] ARE-3: 1.25 acres.
- [2] Lot frontage: 100 feet.
- [3] Minimum front yard setback: 50 feet.
- [4] Minimum rear yard setback: 40 feet.
- [5] Minimum side yard: 30 feet.
- [6] Maximum height: 30 feet/2 1/2 stories.
- [7] Building coverage: 10%.
- [8] Lot coverage: 15%.
- [9] Accessory buildings: side and rear yards shall equal building height.

[1] *Editor's Note: Ord. No. 0-07-18, adopted 5-15-2007, "grandfathered" the bulk and dimensional requirements of existing lots and lots that were the subject of final subdivision approvals prior to the effective date of Ord. No. 0-07-9 as follows: "All lots in existence on the official Zoning Map of the Township of Howell, or which were approved for final subdivision by the Howell Planning Board prior to the effective date of Ordinance 07-09, shall not be deemed nonconforming under the zoning criteria and bulk and dimensional requirements of Ordinance 07-09, but shall instead be subject to the bulk and dimensional requirements of the zoning districts pursuant to the zoning ordinances that were in effect immediately prior to the adoption of said ordinance. The bulk and dimensional requirements established by Ordinance 07-09 shall apply only to lots created after the effective date of said ordinance."*

## § 188-69.1 Agricultural Rural Estate (ARE-2).

[Added 3-20-2007 by Ord. No. 0-07-9<sup>[1]</sup>]

**A.** Purpose. The purpose of the ARE-2 Zone is to minimize the impacts of development in areas located outside of the centers identified in the Township's Master Plan. The goals include not only the preservation of rural and agricultural uses and preservation of rural character, but in addition to act as a buffer between zones of greater development and the ARE-3, ARE-4 and ARE-6 Zones. (See Schedule III, Bulk and Dimensional Requirements, for the ARE-2 Zone<sup>[2]</sup>).

[2] *Editor's Note: Schedule III is included as an attachment to this chapter.*

**B.** Permitted uses.

(1) Principal uses: same as § 188-69B(1) and including the following:

(a) Public recreation (passive or active) facilities, including soccer and baseball fields.<sup>[3]</sup>

[3] *Editor's Note: Former Subsection B(1)(b), educational facilities, which immediately followed this subsection, was repealed 1-25-2016 by Ord. No. 0-16-01.*

(b) Multigenerational family accommodations.

[Added 6-12-2018 by Ord. No. O-18-8]

(2) Accessory uses: same as § 188-69B(2).

(3) Conditional uses.

[Amended 5-24-2011 by Ord. No. 0-11-13; 5-20-2014 by Ord. No. 0-14-13]

(a) Houses of worship.

(b) (Reserved)

(c) Community residences for the developmentally disabled and community shelters for victims of domestic violence that contain more than six and fewer than 15 occupants.

(d) Solar energy generation facility in ARE-2 Zone only. See § 188-98.3 for conditional requirements.

**C.** Design standards for solar energy generation facilities.

[Added 5-24-2011 by Ord. No. 0-11-13<sup>[4]</sup>]

(1) Ground-mounted systems shall provide emergency vehicle access to all components as per the New Jersey State Fire Code, Section 305, "Fire Apparatus Access Roads."

(2) Except pursuant to a permit issued by the New Jersey Department of Environmental Protection ("NJDEP"), no portion of a solar energy generation facility shall occupy areas of land designated and regulated by NJDEP as floodplains, flood hazard areas, wetlands, wetland transition areas or riparian corridors. An applicability determination from the NJDEP shall be provided to document the presence and/or absence of these regulated areas. Except pursuant to a permit issued by NJDEP, a three-hundred-foot buffer shall be maintained between NJDEP-designated Category One waters, as defined in the existing Surface Water Quality Standards rules at N.J.A.C. 7:9B-1.4, and any portion of a proposed solar energy generation facility. Category One waters include, and may not be limited to, the Metedeconk River and the Manasquan Reservoir.

(3) Solar energy generation facilities shall be screened from the public traveled way (public roads, trails, navigable waterways, scenic highways and byways), publicly owned properties, open space, preserved farmland and historic resources, including sites and buildings listed or eligible for listing on the State and National Registers of Historic Places.

(a) Installations shall be sited behind existing vegetation, which shall be supplemented with landscaping to shield the installation from public view.

(b) To the extent achievable, solar energy facilities shall be sited using the natural topography to screen the energy project from public view and the view of any adjoining residences.

(4) Decommissioning plan. All applications for a solar energy generation facility shall be accompanied by a decommissioning plan to be implemented upon abandonment, or cessation of activity, or in conjunction with removal

of solar energy systems. The decommissioning plan shall be submitted in accordance with the requirements of this Subsection D(4). Prior to removal of solar energy systems, a demolition permit for removal activities shall be obtained from the Howell Township construction official. Prior to issuance of a demolition permit, the owner or operator of the facility shall post a performance bond, letter of credit or cash to ensure removal of the facility or systems in accordance with the decommissioning plan. Removal of solar energy systems shall be conducted by an electrician licensed in the State of New Jersey.

- (a) Solar and photovoltaic energy facilities and structures (roof or ground) which have not been in active and continuous service for a period of one year shall be removed from the property to a place of safe and legal disposal in accordance with a decommissioning plan.
- (b) If the applicant ceases operation of the energy project for one year, or begins, but does not complete, construction of the project within 180 days of receipt of final site plan approval, the applicant shall restore the site according to a decommissioning plan prepared by the applicant and approved by the Board. The applicant shall submit a decommissioning plan that ensures that the site will be restored to a useful, nonhazardous condition without significant delay, including but not limited to the following:
  - [1] Removal of aboveground and underground equipment, structures and foundations to a depth of at least three feet below grade. Underground equipment, structures and foundations need not be removed if they are at least three feet below grade and do not constitute a hazard or interfere with agricultural use or other resource uses of the land. The plan shall describe the means by which all equipment and components of the system(s) shall be disposed of in an environmentally responsible manner and in accordance with prevailing federal, state and/or local regulations.
  - [2] Restoration of the surface grade and soil after removal of aboveground structures and equipment.
  - [3] Restoration of surface grade and soil.
  - [4] Revegetation of restored soil areas with native seed mixes and plant species suitable to the area, which shall not include any invasive species. In farmland areas, the revegetation component of the decommissioning plan should include provisions to resume agricultural use of the site.
  - [5] The plan may provide for the retention of access roads, fences, gates or buildings in place or regarding restoration of agricultural crops or forest resource land.
  - [6] The plan must provide for the protection of public health and safety and for protection of the environment and natural resources during site restoration.
  - [7] The plan must include a schedule for completion of site restoration work.
- (c) A cost estimate shall be provided for the cost of fully implementing the decommissioning plan prior to the issuance of a demolition permit. The cost estimate shall be subject to review and approval by the Township Engineer.
- (d) Before beginning any decommissioning activities, the applicant must submit a performance bond, cash or letter of credit in a form and amount satisfactory to the Township Attorney, which shall be based upon an estimate approved by the Board Engineer, assuring the availability of adequate funds to restore the site to a useful, nonhazardous condition in accordance with the decommissioning plan.
- (e) Upon cessation of activity for a cumulative period of 180 days of construction or installation activities of an approved solar energy system, the Township may notify the owner and/or the operator of the facility to complete construction and installation of the facility. If the owner and/or operator fails to complete construction and installation activities within 180 additional days, the Township may order the owner and/or operator of the facility to implement the decommissioning plan. Within six months of notice being served, the owner and/or operator shall substantially complete all activities in the decommissioning plan.
- (f) Upon cessation of activity of a fully constructed solar energy system for a cumulative period of one year, the Township may notify the owner and/or the operator of the facility to implement the decommissioning plan. Within 180 days of notice being served, the owner and/or operator shall either resume energy generation to at least eighty-percent capacity of the facility or system as established at the time of approval, or fully implement the decommissioning plan. If, within 180 days of receipt of notice, the owner and/or operator of the facility or

system fail to resume energy generation to at least 80% of capacity of the facility or system as established at the time of approval, the Township may order the owner and/or operator of the facility to implement the decommissioning plan.

- (g) If the operator fails to fully implement the decommissioning plan subject to the procedures and timelines set forth in Subsection D(4)(e) and (f) above, or is otherwise unable to restore the site as required within 180 days of the Township's service of notice in accordance with this Subsection D(4), the Township may, at its own expense, provide for the restoration of the site in accordance with the decommissioning plan and may in accordance with the law recover all expenses incurred for such activities.

[4] *Editor's Note: Pursuant to this ordinance, former Subsection C was redesignated as Subsection D.*

#### D. Development options.

- (1) All subdivisions in the ARE-2 Zone are required to utilize one of the following three development options discussed below: (1) open lands subdivisions; (2) lot averaging subdivisions; and (3) conventional subdivisions, which are permissible for minor subdivisions and in cases where applicants can demonstrate to the Planning Board that the objectives of the district will be enhanced by the submission of a conventional subdivision. Factors to be utilized by the Planning Board in its determination are:
  - (a) Retention of large contiguous wooded tracts.
  - (b) Retention of large farm tracts.
  - (c) Aggregation of smaller wooded and farm parcels.
  - (d) Enhancement of water quality.
  - (e) Protection of habitats.
- (2) Open lands subdivisions. This option is intended to promote the retention of contiguous wooded tracts and large farm tracts, and to promote the aggregation of smaller wooded and farm parcels. It is also intended to encourage and promote flexibility, economy and environmental soundness in subdivision layout and design. The following standards shall apply to open lands subdivisions.
  - (a) In order to determine the maximum number of lots for open lands subdivision, a conforming plan of a conventional subdivision shall be submitted based on minimum lot areas of two acres in the ARE-2 District. The concept plan shall be in sufficient detail to permit the Planning Board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the Planning Board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the conventional concept plan shall be the maximum number of lots permitted under an open lands subdivision.
  - (b) At least 50% of the tract if located in the ARE-2 District shall be designated as "open lands" and shall, as a condition of approval of the development, be deed restricted for agricultural or conservation use. Lots qualifying as open lands shall be permitted a primary residence and other accessory building uses as provided in this section. Development density shall be one unit per acre.
  - (c) At least 20% of designated "open lands" shall be some combination of unconstrained land area, or prime soils or soils of statewide importance, or prime forested area. On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
  - (d) All lots created under this subdivision option shall be deed restricted against further subdivision for the purpose of creating an additional lot or lots.
  - (e) The design of the development utilizing this option shall foster the following objectives: retention of contiguous farmland areas; retention of contiguous prime forested areas; stream corridor and wetlands preservation; aquifer recharge protection; overall site design; reduction of impervious coverage; traffic circulation; and sensitivity to the site's natural features, topography and relationship to open lands on neighboring parcels.

- (f) In forested areas, the design of the development shall include a 100-foot buffer along existing roads, which shall either maintain existing woodlands or establish new forested areas for those areas that are disturbed during site development or are currently cleared. The intent of this provision is to maintain the scenic roadside views in the Township.
  - (g) Natural features such as trees, natural terrain, open waters and natural drainage areas shall be preserved wherever possible in designing any development containing such features. As part of the subdivision or site plan review process, development should be designed to preserve scenic vistas and views of cultural/historic landmarks and of unique geologic and topographic features.
  - (h) The applicant is advised to submit a concept plan of the open lands subdivision for review and comment in accordance with this chapter.
- (3) Lot averaging subdivisions. This option is permitted in the ARE-2 District in accordance with the following standards.
- (a) The lot averaging development plan shall not result in a greater dwelling unit yield than if the property in question were developed as a conventional subdivision. In order to determine the maximum number of lots for a lot averaging subdivision, a conforming plan of a conventional subdivision shall be submitted, based on a minimum lot size of two acres in the ARE-2 District. The concept plan shall be in sufficient detail to permit the Planning Board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the Planning Board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the conventional concept plan shall be the maximum number of lots permitted under an open lands subdivision.
  - (b) A lot averaging subdivision may be permitted when the applicant proposes a distribution of lot areas within the subdivision that results in at least 60% of the lots having a minimum lot area between one acre and three acres except in the case of a two-lot subdivision, in which case one of the two lots shall be one acre to three acres.
  - (c) The site design of lot averaging subdivisions should shift the more intensive development toward those lands that can best support the installation of the dwelling, well, septic system and associated site improvements. Similarly, lot averaging should seek to preserve those areas which exhibit sensitive environmental features (i.e., water bodies, floodplains, aquifer recharge areas, seasonal high water table, etc.) or which contain active or prime agricultural lands or forested areas.
  - (d) On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
  - (e) The proposed development shall comply with the bulk and dimensional standards contained in Schedule III.<sup>[5]</sup>  
<sup>[5]</sup> *Editor's Note: Schedule III is included at the end of this chapter.*
  - (f) All lots created under this subdivision option shall be deed restricted against further subdivision for the purpose of creating an additional lot or lots.
  - (g) The applicant is advised to submit a concept plan of the lot averaging subdivision for review and comment in accordance with this chapter.
- (4) Farmland preservation parcels. These parcels are intended to provide a development option to an individual who intends to remove the development rights from the majority of the property, typically through a government or nonprofit sponsored farmland preservation program in accordance with the following standards:
- (a) To qualify under this section, farmland preservation property must consist of a lot, tract or parcel with a minimum contiguous acreage of 15 acres.
  - (b) The owner of the lot, tract or parcel of land who intends to place a portion of such property into farmland preservation shall be entitled to subdivide one or more residential lots from the lot, tract or parcel. The remainder shall be placed in farmland preservation. Use of the subdivided lot shall be limited to a detached single-family dwelling with permitted accessory uses.
  - (c) The number of lots subdivided shall be in accordance with the following table:

**Range by Acres****Permitted Lots**

15 to 29.99

1

30 to 49.99

2

50 or more

3

(d) The subdivided residential lot shall meet the following zoning requirements:

[1] Minimum lot area: 1 acre.

[2] Lot frontage: 100 feet.

[3] Minimum front yard setback: 50 feet.

[4] Minimum rear yard setback: 40 feet.

[5] Minimum side yard: 30 feet.

[6] Maximum height: 30 feet.

[7] Building coverage: 10%.

[8] Lot coverage: 15%.

[9] Accessory buildings: side and rear yards shall equal building height.

[1] *Editor's Note: Ord. No. 0-07-18, adopted 5-15-2007, "grandfathered" the bulk and dimensional requirements of existing lots and lots that were the subject of final subdivision approvals prior to the effective date of Ord. No. 0-07-9 as follows: "All lots in existence on the official Zoning Map of the Township of Howell, or which were approved for final subdivision by the Howell Planning Board prior to the effective date of Ordinance 07-09, shall not be deemed nonconforming under the zoning criteria and bulk and dimensional requirements of Ordinance 07-09, but shall instead be subject to the bulk and dimensional requirements of the zoning districts pursuant to the zoning ordinances that were in effect immediately prior to the adoption of said ordinance. The bulk and dimensional requirements established by Ordinance 07-09 shall apply only to lots created after the effective date of said ordinance."*

## § 188-70 Residential 2 (R-2) and Residential 3 (R-3).

A. Purpose. The purpose of the R-2 and R-3 Zoning Districts is to permit infill development at moderate densities within the established centers identified in the Howell Township Master Plan.

B. Permitted uses.

(1) Principal uses.

(a) Single-family residences.

(b) Agriculture and horticulture; however, buildings housing livestock shall be set back at least 75 feet from all property lines.

(c) Community residences for the developmentally disabled and community shelters for victims of domestic violence that contain less than six occupants.

(d) Multigenerational family accommodations.

[Added 6-12-2018 by Ord. No. O-18-8]

(2) Accessory uses. Accessory uses customarily incidental and ancillary to a permitted use.

(3) Conditional uses.

(a) Houses of worship.<sup>[1]</sup>

[1] *Editor's Note: Former Subsection B(3)(b), which allowed schools with state-approved curricula as a conditional use, which immediately followed this subsection, was repealed 5-20-2014 by Ord. No. 0-14-13; former Subsection B(3)(c), pertaining to community residences, which immediately followed this former Subsection B(3)(b), was repealed 7-26-2005 by Ord. No. 0-05-23.*



- F. This section does not establish new principal or ancillary uses in any zone nor does it affect or alter any bulk requirements of any zone.
- G. This section merely permits temporary, occasional sales via permit process at permanent business establishments in certain zones when certain conditions are met.
- H. Violations and penalties. The failure to obtain a permit from the Land Use Officer prior to holding a sidewalk sale, or similar sale or flea market sale, will subject violators to a fine of up to \$500 per day.

## § 88 69 Agricultural Rural Estate Zones (ARE 1, ARE 3, ARE 4 and ARE 6).

[Amended 3-20-2007 by Ord. No. O-07-9;<sup>[1]</sup> 10-16-2007 by Ord. No. O-07-36]

- A.** Purpose. The purpose of the ARE-1, ARE-3, ARE-4 and ARE-6 Zones is to minimize the impacts of development in areas located outside of the centers identified in the Township's Master Plan. The goals include preservation of rural and agricultural uses and preservation of rural character. Many areas include significant environmental constraints, including wetlands, floodplains, rare and endangered species habitats, aquifer recharge areas and high-quality watersheds. (See Schedule III, Bulk and Dimensional Requirements, for the ARE-1, ARE-3, ARE-4 and ARE-6 Zones<sup>[2]</sup>)

[Amended 5-24-2011 by Ord. No. 0-11-13]

[2] *Editor's Note: Schedule III is included at the end of this chapter.*

- B.** Permitted uses.

- (1) Principal uses.

(a) Agricultural and horticulture.

(b) Single-family residences.

(c) Municipal buildings and other public-purpose buildings owned by the Township, as well as quasi-public uses limited to fire stations and first-aid buildings.

(d) Community residences for the developmentally disabled and community shelters for victims of domestic violence that contain fewer than six occupants.

(e) Multigenerational family accommodations.

[Added 6-12-2018 by Ord. No. O-18-8]

- (2) Accessory uses.

(a) Accessory uses customarily incidental and ancillary to a permitted use.

(b) Home occupations as regulated in this chapter.

- (3) Conditional uses.

(a) Houses of worship.

(b) Schools with state-approved curricula in accordance with § 188-93 and limited to ARE-4 and ARE-6.

[Amended 5-20-2014 by Ord. No. 0-14-13]

(c) Community residences for the developmentally disabled and community shelters for victims of domestic violence that contain more than six and fewer than 15 occupants.

(d) Solar energy generation facility in ARE-3, ARE-4, and ARE-6 Zones only. See § 188-98.3 for conditional requirements, and see Schedule III for bulk and dimensional requirements.<sup>[3]</sup>

[Added 5-24-2011 by Ord. No. 0-11-13]

[3] *Editor's Note: Schedule III is included at the end of this chapter.*

- C.** Design standards for solar energy generation facilities.

[Added 5-24-2011 by Ord. No. 0-11-13]<sup>[4]</sup>

- (1) Ground-mounted systems shall provide emergency vehicle access to all components as per the New Jersey State Fire Code, Section 305, "Fire Apparatus Access Roads."
- (2) Except pursuant to a permit issued by the New Jersey Department of Environmental Protection ("NJDEP"), no portion of a solar energy generation facility shall occupy areas of land designated and regulated by NJDEP as floodplains, flood hazard areas, wetlands, wetland transition areas or riparian corridors. An applicability determination from the NJDEP shall be provided to document the presence and/or absence of these regulated areas. Except pursuant to a permit issued by NJDEP, a three-hundred-foot buffer shall be maintained between NJDEP-designated Category One waters, as defined in the existing Surface Water Quality Standards rules at N.J.A.C. 7:9B-1.4, and any portion of a proposed solar energy generation facility. Category One waters include, and may not be limited to, the Metedeconk River and the Manasquan Reservoir.
- (3) Solar energy generation facilities shall be screened from the public traveled way (public roads, trails, navigable waterways, scenic highways and byways), publicly owned properties, open space, preserved farmland and historic resources, including sites and buildings listed or eligible for listing on the State and National Registers of Historic Places.
  - (a) Installations shall be sited behind existing vegetation, which shall be supplemented with landscaping to shield the installation from public view.
  - (b) To the extent achievable, solar energy facilities shall be sited using the natural topography to screen the energy project from public view and the view of any adjoining residences.
- (4) Decommissioning plan. All applications for a solar energy generation facility shall be accompanied by a decommissioning plan to be implemented upon abandonment, or cessation of activity, or in conjunction with removal of solar energy systems. The decommissioning plan shall be submitted in accordance with the requirements of this Subsection D(4). Prior to removal of solar energy systems, a demolition permit for removal activities shall be obtained from the Howell Township construction official. Prior to issuance of a demolition permit, the owner or operator of the facility shall post a performance bond, cash or letter of credit to ensure removal of the facility or systems in accordance with the decommissioning plan. Removal of solar energy systems shall be conducted by an electrician licensed in the State of New Jersey.
  - (a) Solar and photovoltaic energy facilities and structures (roof or ground) which have not been in active and continuous service for a period of one year shall be removed from the property to a place of safe and legal disposal in accordance with a decommissioning plan.
  - (b) If the applicant ceases operation of the energy project for one year, or begins, but does not complete, construction of the project within 180 days of receipt of final site plan approval, the applicant shall restore the site according to a decommissioning plan prepared by the applicant and approved by the Board. The applicant shall submit a decommissioning plan that ensures that the site will be restored to a useful, nonhazardous condition without significant delay, including but not limited to the following:
    - [1] Removal of aboveground and underground equipment, structures and foundations to a depth of at least three feet below grade. Underground equipment, structures and foundations need not be removed if they are at least three feet below grade and do not constitute a hazard or interfere with agricultural use or other resource uses of the land. The plan shall describe the means by which all equipment and components of the system(s) shall be disposed of in an environmentally responsible manner and in accordance with prevailing federal, state and/or local regulations.
    - [2] Restoration of the surface grade and soil after removal of aboveground structures and equipment.
    - [3] Restoration of surface grade and soil.
    - [4] Revegetation of restored soil areas with native seed mixes and plant species suitable to the area, which shall not include any invasive species. In farmland areas, the revegetation component of the decommissioning plan should include provisions to resume agricultural use of the site.
    - [5] The plan may provide for the retention of access roads, fences, gates or buildings in place or regarding restoration of agricultural crops or forest resource land.

[6] The plan must provide for the protection of public health and safety and for protection of the environment and natural resources during site restoration.

[7] The plan must include a schedule for completion of site restoration work.

- (c) A cost estimate shall be provided for the cost of fully implementing the decommissioning plan prior to the issuance of a demolition permit. The cost estimate shall be subject to review and approval by the Township Engineer.
- (d) Before beginning any decommissioning activities, the applicant must submit a performance bond, cash or letter of credit in a form and amount satisfactory to the Township Attorney, which shall be based upon an estimate approved by the Board Engineer, assuring the availability of adequate funds to restore the site to a useful, nonhazardous condition in accordance with the decommissioning plan.
- (e) Upon cessation of activity for a cumulative period of 180 days of construction or installation activities of an approved solar energy system, the Township may notify the owner and/or the operator of the facility to complete construction and installation of the facility. If the owner and/or operator fails to complete construction and installation activities within 180 additional days, the Township may order the owner and/or operator of the facility to implement the decommissioning plan. Within six months of notice being served, the owner and/or operator shall substantially complete all activities in the decommissioning plan.
- (f) Upon cessation of activity of a fully constructed solar energy system for a cumulative period of one year, the Township may notify the owner and/or the operator of the facility to implement the decommissioning plan. Within 180 days of notice being served, the owner and/or operator shall either resume energy generation to at least eighty-percent capacity of the facility or system as established at the time of approval, or fully implement the decommissioning plan. If, within 180 days of receipt of notice, the owner and/or operator of the facility or system fails to resume energy generation to at least 80% of capacity of the facility or system as established at the time of approval, the Township may order the owner and/or operator of the facility to implement the decommissioning plan.
- (g) If the operator fails to fully implement the decommissioning plan subject to the procedures and timelines set forth in Subsection D(4)(e) and (f) above, or is otherwise unable to restore the site as required within 180 days of the Township's service of notice in accordance with this Subsection D(4), the Township may, at its own expense, provide for the restoration of the site in accordance with the decommissioning plan and may in accordance with the law recover all expenses incurred for such activities.

[4] *Editor's Note: Pursuant to this ordinance, former Subsection C was redesignated as Subsection D.*

#### D. Development options.

- (1) All subdivisions in the ARE-3, ARE-4 or ARE-6 Zone are required to utilize one of the following four development options. Conventional subdivisions are permissible for minor subdivisions and in cases where applicants can demonstrate to the Planning Board that the objectives of the district will be enhanced by the submission of a conventional subdivision. Factors to be utilized by the Board in its determination are:
  - (a) Retention of large contiguous wooded tracts.
  - (b) Retention of large farm tracts.
  - (c) Aggregation of smaller wooded and farm parcels.
  - (d) Enhancement of water quality.
  - (e) Protection of habitats.
- (2) The maximum density of units per gross acre of land in the ARE-3 District shall be 0.33 unit per acre, ARE-4 District shall be 0.25 unit per acre and in the ARE-6 District shall be 0.167 unit per acre.
- (3) Open lands subdivisions. Open lands subdivisions are permitted on all tracts in the ARE-3, ARE-4 and ARE-6 Districts. This option is intended to promote the retention of large contiguous wooded tracts and large farm tracts, and to promote the aggregation of smaller wooded and farm parcels. It is also intended to encourage and promote flexibility, economy and environmental soundness in subdivision layout and design. The following standards shall apply to open lands subdivisions:

- (a) In order to determine the maximum number of lots for an open lands subdivision, a conforming plan of a conventional subdivision shall be submitted, based on minimum lot area of three acres in the ARE-3 District, four acres in the ARE-4 District and six acres in the ARE-6 District. The concept plan shall be in sufficient detail to permit the Planning Board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the Planning Board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under an open lands subdivision.
  - (b) At least 55% of the tract if located in ARE-3, 60% of the tract if located in the ARE-4 District and 75% of the tract if located in the ARE-6 District shall be designated as "open lands" and shall, as a condition of approval of the development, be deed restricted for agricultural or conservation use. The maximum density of the remaining property is 1.25 acres per unit in ARE-3, 1.5 acres per unit in ARE-4 and two acres per unit in ARE-6. Lots qualifying as open lands shall be permitted a primary residence and other accessory building uses as provided in this section.
  - (c) At least 40% of designated "open lands" shall be some combination of unconstrained land area, or prime soils or soils of statewide importance, or prime forested area. On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
  - (d) For tracts of 30 acres or less, the open lands shall be contained in one deed-restricted contiguous parcel; for tracts greater than 30 acres, the open lands may be composed of noncontiguous parcels, provided that each open lands area shall contain at least 15 contiguous acres. When noncontiguous parcels of at least 15 acres are provided, each parcel may have a residence, provided that the total density is not exceeded.
  - (e) All lots created under this subdivision option shall be deed restricted against further subdivision for the purpose of creating an additional lot or lots.
  - (f) The design of the development utilizing this option shall foster the following objectives: retention of large contiguous farmland areas; retention of large contiguous prime forested areas; stream corridor and wetlands preservation; aquifer recharge protection; steep slope protection; overall site design; reduction of impervious coverage; traffic circulation; and, sensitivity to the site's natural features, topography and relationship to open lands on neighboring parcels.
  - (g) In forested areas, the design of the development shall include a 100-foot buffer along existing roads, which shall either maintain existing woodlands or establish new forested areas for those areas that are disturbed during site development or are currently cleared. The intent of this provision is to maintain the scenic roadside views in the Township.
  - (h) Natural features such as trees, natural terrain, open waters and natural drainage areas shall be preserved wherever possible in designing any development containing such features. As part of the subdivision or site plan review process, development should be designed to preserve scenic vistas and views of cultural/historic landmarks and of unique geologic and topographic features.
  - (i) The proposed development shall comply with the bulk and dimensional standards contained in Schedule III.<sup>[5]</sup>  
<sup>[5]</sup> *Editor's Note: Schedule III is included at the end of this chapter.*
  - (j) The applicant is advised to submit a concept plan of the open lands subdivision for review and comment in accordance with this chapter.
- (4) Cluster subdivisions in the ARE-3 District, ARE-4 District and ARE-6 District may be permitted at the sole discretion of the Planning Board. To utilize the cluster option the Planning Board must find that the resulting open space is of a sufficient character, size and location to effectuate the goals and objectives of the Township's Open Space, Conservation, Parks and Recreation or Farmland Preservation Plan elements. The following standards shall be minimum requirements:

[Amended 10-16-2012 by Ord. No. 0-12-18]

- (a) In order to determine the maximum number of lots for a cluster subdivision, a conforming plan of a conventional subdivision shall be submitted, based on minimum lot areas of three acres in the ARE-3 District, four acres in the ARE-4 District and six acres in the ARE-6 District. The concept plan shall be in sufficient detail to permit the Planning Board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the Planning Board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under a cluster subdivision.
  - (b) The minimum open space shall be 65% of the total tract in the ARE-3 District, ARE-4 District and ARE-6 District. Maximum density is 1.25 in ARE-3, 1.5 acres per unit in ARE-4 and 2.0 acres per unit in ARE-6.
  - (c) Areas reserved as permanent open space shall have a minimum contiguous area of not less than three acres, and no portion thereof shall be less than 50 feet in width. At least 40% of the open space shall be uplands. The open space area(s) shall be contiguous to open space on adjoining parcels, where applicable, and shall include areas identified in the Township's open space and recreation or conservation plans, if any, including greenways.
  - (d) On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
  - (e) The open space shall be reserved in perpetuity either by dedication for public use or for use by the residents of the development by private covenant or deed restriction for one of the following purposes: undeveloped open space; public or private recreational facilities; conservation of environmentally sensitive features, including, but not limited to, wetlands, aquifer recharge areas, floodplains and wooded areas; and agricultural use.
  - (f) The proposed development shall comply with the bulk and dimensional standards contained in Schedule III.
  - (g) Provision shall be made to ensure suitable maintenance of any area to be reserved by private covenant or deed restriction by the establishment of a property owners' association or other appropriate organization.
  - (h) The applicant is advised to submit a concept plan of the cluster subdivision for review and comment in accordance with this chapter.
- (5) Lot averaging subdivisions are permitted in the ARE-3 District, ARE-4 District and in the ARE-6 District in accordance with the following standards:
- (a) In order to determine the maximum number of lots for a lot averaging subdivision, a conforming plan of a conventional subdivision shall be submitted, based on a minimum lot size of three acres in the ARE-3 District, four acres in the ARE-4 District and six acres in the ARE-6 District. The concept plan shall be in sufficient detail to permit the Planning Board to make an informed decision as to the subdivision satisfying all ordinance requirements and in a form that would be acceptable to the Planning Board as a conventional subdivision without the need for any lot area or lot dimension variances or exceptions to subdivision design standards. The number of lots on the concept plan shall be the maximum number of lots permitted under a lot averaging subdivision.
  - (b) A lot averaging subdivision may be permitted when the applicant proposes a distribution of lot areas within the subdivision that results in at least 60% of the lots having a minimum lot area between two acres and three acres, except in the case of a two-lot subdivision, in which case one of the two lots shall be two acres to three acres.
  - (c) The site design of lot averaging subdivisions should shift the more intensive development toward those lands that can best support the installation of the dwelling, well, septic system and associated site improvements. Similarly, lot averaging should seek to preserve those areas which exhibit sensitive environmental features (i.e., water bodies, floodplains, aquifer recharge areas, seasonal high water table, etc.) or which contain active or prime agricultural lands or prime forested areas.
  - (d) On tracts in areas which are predominantly active agricultural lands or consist of prime agricultural soils or soils of statewide importance, the preservation of agricultural lands and soils shall take precedence. On tracts in areas which are predominantly prime forested areas, the preservation of forested areas shall take precedence.
  - (e) The proposed development shall comply with the bulk and dimensional standards contained in Schedule III.

- (f) The deed for any lot created by lot averaging shall contain a restriction against its further subdivision for the purpose of creating an additional lot or lots.
  - (g) The applicant is advised to submit a concept plan of the lot averaging subdivision for review and comment in accordance with this chapter.
- (6) Farmland preservation parcels. These parcels are intended to provide a development option to an individual who intends to remove the development rights from the majority of the property, typically through a government or nonprofit sponsored farmland preservation program in accordance with the following standards. The farmland preservation option shall also apply to existing farms and other proposed farms in the ARE zones:
- (a) To receive treatment under this section, farmland preservation property must consist of a lot, tract or parcel of land with a minimum contiguous acreage of 15 acres.
  - (b) The owner of a lot, tract or parcel of land who intends to place a portion of such property into farmland preservation shall be entitled to subdivide one or more residential lots from the lot, tract or parcel. The remainder shall be placed in farmland preservation. Use of the subdivided lot shall be limited to a detached single-family dwelling with permitted accessory uses.
  - (c) The number lots subdivided shall be in accordance with the following table:

Range by Acres	Permitted Lots
15 to 29.99	1
30 to 49.99	2
50 or more	3

- (d) The subdivided residential lot shall meet the following zoning requirements:

- [1] Minimum lot area.
  - [a] ARE-6: 2 acres.
  - [b] ARE-4: 1.5 acres.
  - [c] ARE-3: 1.25 acres.
- [2] Lot frontage: 100 feet.
- [3] Minimum front yard setback: 50 feet.
- [4] Minimum rear yard setback: 40 feet.
- [5] Minimum side yard: 30 feet.
- [6] Maximum height: 30 feet/2 1/2 stories.
- [7] Building coverage: 10%.
- [8] Lot coverage: 15%.
- [9] Accessory buildings: side and rear yards shall equal building height.

[1] *Editor's Note: Ord. No. 0-07-18, adopted 5-15-2007, "grandfathered" the bulk and dimensional requirements of existing lots and lots that were the subject of final subdivision approvals prior to the effective date of Ord. No. 0-07-9 as follows: "All lots in existence on the official Zoning Map of the Township of Howell, or which were approved for final subdivision by the Howell Planning Board prior to the effective date of Ordinance 07-09, shall not be deemed nonconforming under the zoning criteria and bulk and dimensional requirements of Ordinance 07-09, but shall instead be subject to the bulk and dimensional requirements of the zoning districts pursuant to the zoning ordinances that were in effect immediately prior to the adoption of said ordinance. The bulk and dimensional requirements established by Ordinance 07-09 shall apply only to lots created after the effective date of said ordinance."*

POPULATION

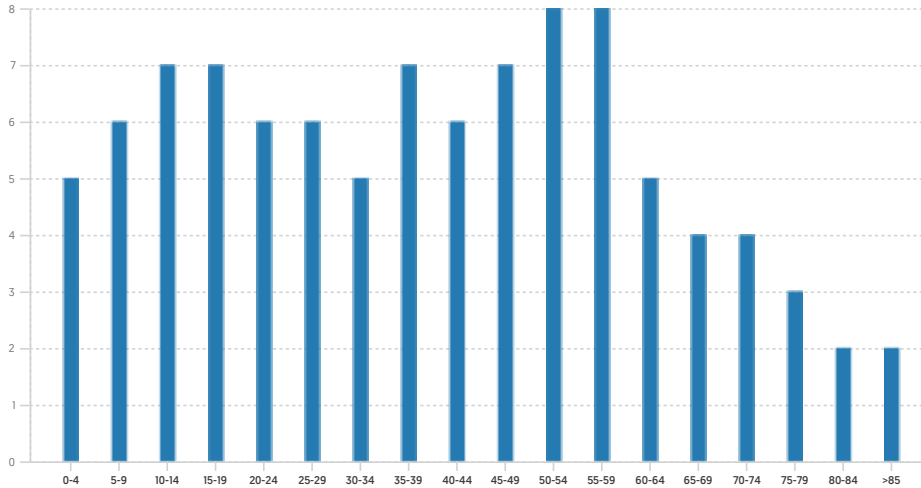
SUMMARY

Estimated Population	55,039
Population Growth (since 2010)	-15.3%
Population Density (ppl / mile)	1,125
Median Age	41.6

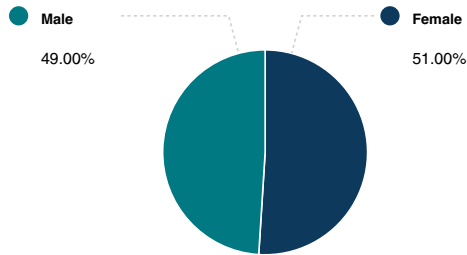
HOUSEHOLD

Number of Households	19,946
Household Size (ppl)	3
Households w/ Children	12,080

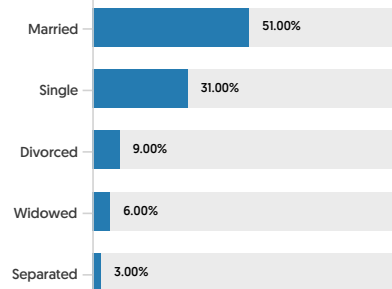
AGE



GENDER



MARITAL STATUS



HOUSING

SUMMARY

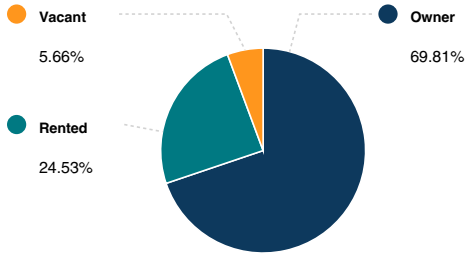
Median Home Sale Price	\$365,400
Median Year Built	1981

STABILITY

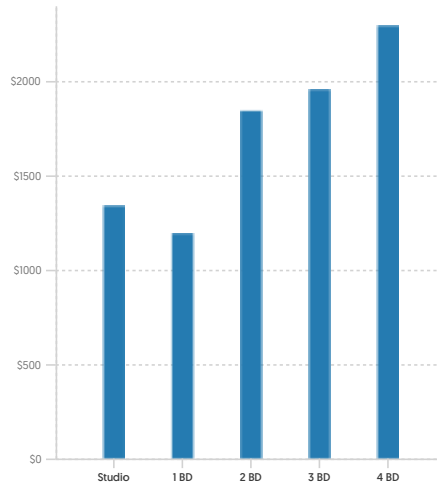
Annual Residential Turnover	9.32%
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OCCUPANCY



FAIR MARKET RENTS (COUNTY)

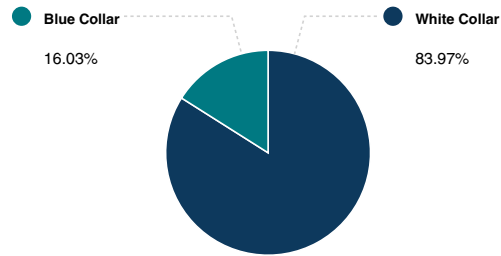


QUALITY OF LIFE

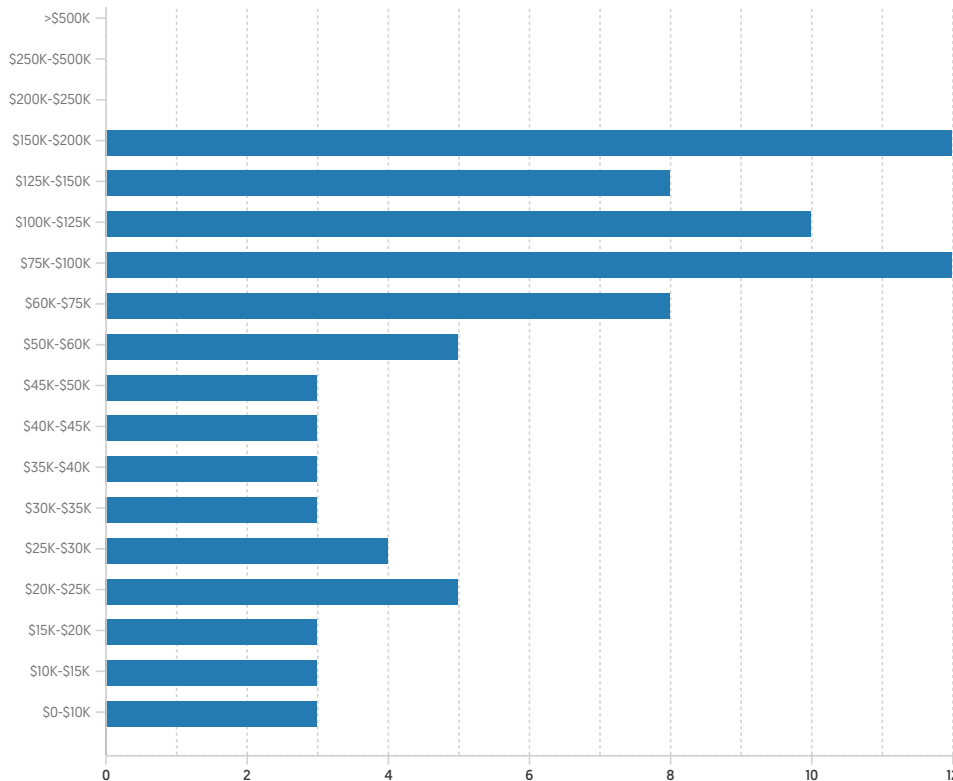
WORKERS BY INDUSTRY

Agricultural, Forestry, Fishing	48
Mining	
Construction	2,088
Manufacturing	1,755
Transportation and Communications	1,152
Wholesale Trade	874
Retail Trade	3,342
Finance, Insurance and Real Estate	2,412
Services	10,402
Public Administration	1,015
Unclassified	

WORKFORCE



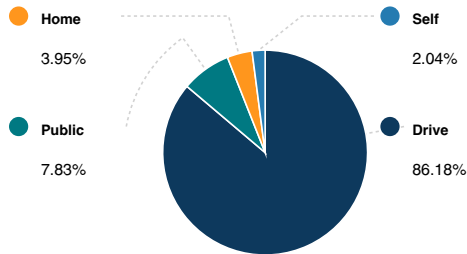
HOUSEHOLD INCOME



Average Household Income **\$89,484**

Average Per Capita Income **\$43,402**

**COMMUTE METHOD**



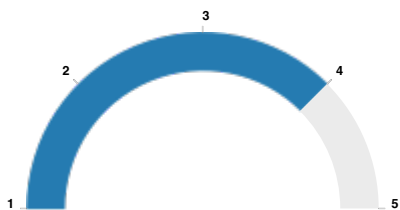
Median Travel Time **33 min**

**WEATHER**

January High Temp (avg °F)	<b>40</b>
January Low Temp (avg °F)	<b>22.4</b>
July High Temp (avg °F)	<b>85.3</b>
July Low Temp (avg °F)	<b>65.9</b>
Annual Precipitation (inches)	<b>46.87</b>

**EDUCATION**

**EDUCATIONAL CLIMATE INDEX (1)**



**HIGHEST LEVEL ATTAINED**

Less than 9th grade	<b>1,459</b>
Some High School	<b>3,846</b>
High School Graduate	<b>10,366</b>
Some College	<b>6,319</b>
Associate Degree	<b>2,961</b>
Bachelor's Degree	<b>11,956</b>
Graduate Degree	<b>5,676</b>

(1) This measure of socioeconomic status helps identify ZIP codes with the best conditions for quality schools. It is based on the U.S. Census Bureau's Socioeconomic Status (SES) measure with weights adjusted to more strongly reflect the educational aspect of social status (education 2:1 to income & occupation). Factors in this measure are income, educational achievement and occupation of persons within the ZIP code. Since this measure is based on the population of an entire ZIP code, it may not reflect the nature of an individual school.  
 (2) Powered by Liveby. Information is deemed reliable but not guaranteed. Copyright © 2021 Liveby. All rights reserved.

**SCHOOLS**

**RADIUS: 1 MILE(S)**

**LOCAL BUSINESSES**

**RADIUS: 1 MILE(S)**

**EATING - DRINKING**

	Address	Phone #	Distance	Description
Javaman LLC	<b>4 Woodbine Ln</b>	<b>(732) 620-1343</b>	<b>0.65</b>	<b>Coffee Shop</b>
6-B George Washington Drive LLC	<b>31 Syracuse Dr</b>	<b>(732) 677-2726</b>	<b>0.7</b>	<b>Eating Places</b>
Jakes Cree-Mee-Freeze	<b>630 Adelpia Rd</b>	<b>(732) 431-5387</b>	<b>0.87</b>	<b>Ice Cream Stands Or Dairy Bars</b>
Frutta Bowls II, LLC	<b>82 Evesboro Ln</b>	<b>(732) 614-8630</b>	<b>0.88</b>	<b>Eating Places</b>
Cabin Restaurant	<b>984 State Route 33</b>	<b>(732) 462-3090</b>	<b>0.95</b>	<b>American Restaurant</b>

**SHOPPING**

	Address	Phone #	Distance	Description
Autumn's Glass, LLC	<b>331 Fairfield Rd Ste 3b</b>	<b>(848) 992-3172</b>	<b>0.26</b>	<b>Glass</b>
Tafco Inc	<b>50 Vanderveer Rd</b>	<b>(732) 780-5553</b>	<b>0.48</b>	<b>Garden Supplies And Tools, Nec</b>
Apco Specialties Limited Liability Company	<b>3 Woodbine Ln</b>	<b>(732) 414-2333</b>	<b>0.67</b>	<b>Bathroom Fixtures, Equipment And Supplies</b>
Beyond Organic Growers LLC	<b>89 Howell Rd</b>	<b>(732) 740-8591</b>	<b>0.77</b>	<b>Fruit And Vegetable Markets</b>
Brick Paver Pros	<b>953 State Route 33 Ste 3</b>	<b>(732) 866-1661</b>	<b>0.88</b>	<b>Lumber And Other Building Materials</b>