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2017
VICTORY GARDENS
MASTER PLAN REEXAMINATION

Adopted:
September 27, 2017

Prepared for:
VICTORY GARDENS PLANNING BOARD

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Master Plan Reexamination – 2017

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Residents,

This 2017 Master Plan Reexamination for the Borough of Victory Gardens presents the findings and recommendations of your Planning Board concerning the future of our community. This reexamination is a continuation of the planning process in Victory Gardens and represents an update of the Master Plan Reexamination that was adopted in 2007. This document is prepared according to N.J.S.A. 40:55D-89 Periodic Master Plan Reexamination that requires every municipality to examine their master plan every ten years.

Diane Feola, Chairperson
Victory Gardens Borough Planning Board

Table of Contents

MASTER PLAN REEXAMINATION 1

a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report. 2

b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date. 2

c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives. 10

d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared. 14

e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et 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.. 18

APPENDIX:

- Aerial photograph of Victory Gardens
- Existing Zone Map
- Proposed Zone Map

MASTER PLAN REEXAMINATION

The last and latest Master Plan Reexamination was prepared in 2006 and adopted by the Victory Gardens Planning Board on April 18, 2007. At this date, the Board also adopted a Housing Plan Element and Fair Share Plan. The Municipal Land Use Law ("MLUL") requires all municipalities in New Jersey to periodically reexamine their master plans every ten years, according to the following (N.J.S.A. 40:55D-89):

The governing body shall, at least every ten years, provide for a general reexamination of its master plan and development regulations by the planning board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the county planning board and the municipal clerk of each adjoining municipality. The first such reexamination shall have been completed by August 1, 1982. The next reexamination shall be completed by August 1, 1988. Thereafter, a reexamination shall be completed at least once every 10 years from the previous reexamination.

The reexamination report shall state:

a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

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

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

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

e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et 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.

This Master Plan Reexamination first addresses the following two paragraphs of the MLUL:

a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.

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

MASTER PLAN PROBLEMS AND OBJECTIVES 1998-2006

The 1998 Master Plan Reexamination for the Borough of Victory Gardens stated a concern over the following local problems and conditions (shown below in italics). The "1998 response" addresses the extent to which such problems and objectives have been reduced or increased subsequently. Following the 1998 and 2006 responses is the present **2017 Response**.

1. The maintenance of the local housing stock was an issue in 1979 due to a gradual shift toward renter occupied units and absentee ownership.

1998 Response: The Borough has been aggressively pursuing programs for housing rehabilitation which have generated housing improvements.

Since April 1, 1990 a total of 154 housing units have received public funds (grants and loans) for housing rehabilitation. In addition, private individual resources have also contributed. The public funds have been generated principally by the State Neighborhood Preservation Rehabilitation and County Rehabilitation Program.

Approximately half the homes in Victory Gardens have received rehabilitation assistance. These programs are continuing with the aim of rehabilitating all homes in need.

2006 Response: The Borough continues to pursue programs for housing rehabilitation.

2017 Response: The Borough continues to pursue programs for housing rehabilitation.

2. Relatively high property taxes resulting from high education costs.

1998 Response: Property taxes continue to be high due to education costs. Examination of the 1998 budget shows 66.8 percent of revenues was spent on education, compared to 59.9 percent in 1988.

Tax rates and rateable information is presented herein and provide further insight into this important relationship between land use and municipal finances.

2006 Response: The 2005 Borough budget shows that 41.8 percent of revenues were spent on education: a decrease from the 66.8 percent in 1998.

2017 Response: The 2016 Borough budget shows that 51.4 percent of the tax revenues were spent on education; a slight increase over 2005. The remainder is budgeted for municipal expenditures and County taxes.

MUNCIPAL BUDGET-2016

Apportionment:	Amount:	Percent:
County Open Space	$6,357	0.4
School	$ 908,325	51.4
County Taxes	$ 178,076	10.0
Municipal	$ 674,139	38.2
Total	$1,766,897	100.0

VICTORY GARDENS BOROUGH
EQUALIZED TAX RATES
1998, 2005 AND 2016

	1998	2005	2016
General Tax Rate	3.340	4.090	2.501
County Equalization Ratio (%)	94.29	38.73	98.10
Equalized Tax Rate	3.149	1.584	2.453

Source: US Census of Housing and Population

3. A lack of ratable generating land within the Borough, and an imbalance of residential properties to commercial and industrial parcels. This pattern was noted to generate high education and local service costs that could not be offset by nonresidential rateables.

2017 Response: The table below shows the changes in tax rateables 2005 and 2016:

PROPERTY TAX ASSESSMENTS
BOROUGH OF VICTORY GARDENS
2005 AND 2016

	2005		2016	
Rateable	**Amount**	**Percent**	**Amount**	**Percent**
Vacant (1)	$ 104,800	.11	$ 49,600	0.07
Residential (2)	76,561,500	78.38	50,656,900	71.69
Farm (3)	0	0	0	0
Commercial (4A)	12,308,900	12.60	11,872,400	16.80
Industrial (4B)	0	0	0	0
Apartments (4C)	8,703,800	8.91	8,086,100	11.44
Total	97,679,000	100.0	70,665,000	100.0

Source: Borough Tax Assessor

The most noteable change 2016-2005 is the decline in assessed value of residential to $50,656,900 in 2016 from $76,561,500 in 2005. Commercial and apartments remain stable in that period.

4. A relative decline in some residential property values was noted, and concern over stabilizing those values was also stated.

2006 Response: Residential values are a reasonable level.

2017 Response: Residential values have declined but remain at reasonable level.

5. A court-imposed sewer moratorium of the Rockaway Valley Regional Sewerage Authority, which serves Victory Gardens, was noted as an additional constraint to the growth of tax rateables.

2006 Response: The moratorium is still in effect; the Borough has enough gallonage for present and future needs.

2017 Response: The moratorium is still in effect; the Borough has enough gallonage for present and future needs.

6. Land use and environmental problems were noted with an industrially zoned parcel at the eastern edge of the Borough.

2006 Response: There are no environment or clean-up problems in the Borough.

2017 Response: There are no environment or clean-up problems in the Borough.

7. The unique size of Victory Gardens was observed to create problems in achieving a balanced land use pattern.

1998 Response: While the size and shape of Victory Gardens has remained unchanged, a greater balance in land uses has been achieved through new commercial and townhouse uses.

2006 Response: The size and shape of the Borough has not changed. The balance of land uses observed in 1998 remains.

2017 Response: The size and shape of the Borough has not changed. The balance of land uses observed in 1998 remains. The most dramatic land use changes in the past have been:

1. Industrial development fronting Reed Street and at the end of Washington Avenue,
2. Townhouse development: Victory Highlands,
3. Strip commercial fronting So. Salem Street,
4. Two small office conversions fronting So. Salem Street.

The following goals and objectives were expressed in the 1979 Master Plan (shown below in italics):

1. To reverse the decline in the condition of housing in the Borough and promote owner occupancy of housing;

2006 Response: The total number of owner to renter ratio has not substantially changed; a slight increase in owner percent in 2000 (41.0%) compared to 1990 (39.2%). The total number of housing units has increased substantially or 18.2% to 564 (2000) from 477 (1990). This increase is a function of the new townhouses.

OWNER AND RENTER TENURE
OF OCCUPIED UNITS, VICTORY GARDENS
1990, 2000 and 2010

Occupied Units	1990	Percent	2000	Percent	2010	Percent
Owner	187	39.2	231	41.0	203	34.7
Renter	290	60.8	333	59.0	382	65.3
Total	477	100.0	564	100.0	585	100.0

Source: US Census of Housing and Population

2017 Response: Examination of the above data shows a notable decline in owner occupied units to 34.7% (2010) from 41.0% (2000). This trend is typically the result of absentee ownership and the rental of such units.

2. To encourage the development of properties that will constitute rateables for the Borough;

2006 Response: As the Borough is fully developed there are very few parcels that have been developed or can be redeveloped to create rateable properties.

2017 Response: The Borough is fully developed and essentially built-out. Although there may be some properties that could be redeveloped, any proposed redevelopment should produce a rateable for the Borough.

Planning Policy Changes Since 1979

Changing conditions and shifting local concerns in Victory Gardens since 1979 now require the following items to the addressed and incorporated into this reexamination report:

1. Off-street parking in residential areas has become a significant problem in the Borough due to multiple car ownership and limited driveway and garage space at many local residences. On-street parking necessitated by these conditions has caused congested roadways, site distance limitations and parking regulation enforcement problems for the Borough in recent years.

2006 Response: The Borough has no plans for street widening.

2017 Response: In the past, the Borough has widened or improved the following streets: Cleveland, Garfield, Taft, Adams, Roosevelt, Polk and Jefferson. There are no plans for additional street widening.

2. Sidewalk maintenance, tree maintenance and leaf removal have generated some local concerns in the Borough.

2006 Response: Sidewalks have been repaired, damaged or rotted trees have been cut down and the Borough now collects leaves. These programs will continue.

2017 Response: These maintenance programs continue.

3. The future use of Borough owned land requires some planning attention.

2006 Response: In the mid 1980's the Borough, after study and analysis, divested municipal property fronting Washington Avenue. This land was sold to a developer and new townhouses, Victory Highlands now occupy this property. Victory Highlands townhouses are complete and occupied; both owner-occupied and renter-occupied.

2017 Response: Victory Highlands continues to be an important housing asset to the Borough and its goal of providing a variety of housing within its borders.

4. The central land use problem in the Borough has shifted from the Hamilton Business Campus site to the highly visible west side of South Salem Street.

2006 Response: The Hamilton Business Campus is developed for commercial, assembly, warehouse and light industrial uses. The west side of South Salem Street has been redeveloped. The dilapidated motel has been demolished and replaced by a new retail shopping plaza.

2017 Response: These new land uses continue.

5. The Fair Housing Act of 1985 has established certain lower income housing obligations on the part of the Borough.

2006 Response: The housing needs identified in the Borough are rehabilitation of existing single family detached and attached units. The Borough has aggressively pursued State and County grants for rehabilitation which has resulted in the upgrading and rehabilitation of a substantial number of housing units.

2017 Response: The Borough continues to pursue grants for housing rehabilitation. All municipalities in New Jersey have an obligation to provide a realistic opportunity for the development of affordable housing. To assist in the implementation of this goal, the State created the New Jersey Council On Affordable Housing ("COAH"), in the 1985. Since there have been numerous COAH publications outlining each municipality's numerical obligation for rehabilitation and future affordable needs. Since, there also has been numerous litigation over those numbers and subsequent court rulings. The latest is the 2013 Supreme Court decision.

On September 26, 2013, the New Jersey Supreme Court issued its decision *In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 215 NJ 578 (2013)* in which the COAH was directed to use methodology similar to that used in the first and second round affordable housing regulations rather than the growth-share approach used in previous iterations of the third round rules. In response to the above, COAH proposed new rules: N.J.A.C. 5:99 as published in the New Jersey Register, Volume 46, Number 11, June 2, 2014 Indexed 46 N.J.R. 893-1372. These rules were not adopted by COAH's governing council.

It is these rules, that are relied upon, as determinative of New Jersey Municipality's Fair Share Housing needs. Consistent with these rules, a consortium of municipalities retained the services of Econsult Solutions to determine the affordable housing needs of all New Jersey municipalities, including Victory Gardens. Their number for Victory Gardens is a rehabilitation need of 12. That is, there are 12 units in Victory Gardens that are sufficiently deficient to require major rehabilitation. Econsult Solutions also determined that Victory Gardens does not have a prospective need. That is, a need to provide for the development of future affordable units. This determination is entirely reasonable given two important facts. First, most of the housing in Victory Gardens is and always has been affordable. Second, Victory Gardens is a built-out municipality. There are no vacant parcels remaining to be developed nor, are there properties that could be redeveloped for affordable housing. None the less, Victory Gardens will continue to seek out County and State programs that assist and promote rehabilitation.

6. The State Planning Commission is now developing a statewide master plan for development and redevelopment that may affect local planning decisions.

2006 Response: The State Development and Redevelopment Plan (March 1, 2001) continues to designate Victory Gardens as a Suburban Planning Area (PA2).

2017 Response: The new State Development and Redevelopment Plan (March 1, 2001) continues to designate Victory Gardens as a Suburban Planning Area (PA2).

7. There continues local concern to develop housing maintenance and home improvement programs.

2006 Response: The Borough continues to pursue State and County grants for housing rehabilitation.

2017 Response: The Borough continues to pursue State and County grants for housing rehabilitation.

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

POPULATION CHANGE IN VICTORY GARDENS AND MORRIS COUNTY- 1960-2010

	Victory Gardens	Morris County
1960	1085	+261,620
1970 Change	1027 -58 (-5.3%)	383,454 +121,834 (+46.6%)
1980 Change	1043 +16 (+1.6%)	407,630 +24,176 (+6.3%)
1990 Change	1314 +271 (+25.9%)	421,361 +13,731 (+3.4%)
2000 Change	1546 +232 (+17.7%)	470,212 +48,851 (+11.6%)
2010 Change	1520 - -26 (-1.7%)	492,793 +22.581 (+4.8%)

Source: US Census of Housing and Population

The substantial population change between 1980-1990 was a result of the construction of Victory Highlands townhouses: 83 units.

AGE DISTRIBUTION
BOROUGH OF VICTORY GARDENS- 2000 AND 2010

	2000		2010	
Age Groups	**Number**	**Percent**	**Number**	**Percent**
0 - 4	117	7.6	137	9.0
5 - 9	143	9.2	108	7.1
10 - 14	89	5.8	92	6.1
15 - 19	100	6.5	99	6.5
20 - 24	108	7.0	104	6.8
25 - 34	315	20.4	267	17.5
35 - 44	293	19.0	253	16.6
45 - 54	184	11.9	233	15.4
55 - 64	113	7.3	132	8.7
65 and over	84	2.6	95	6.3
Total	1546	100.0	1520	100.0

Source: US Census of Housing and Population

Median age (2000) 31.9
Median age (2010) 33.3

The above data shows a decrease in the school age group (5-19) of 33 persons. There is a decrease in the 25-44 age group (-122). There was a substantial increase in the 45 and over age group (+79).

HOUSEHOLD SIZE
BOROUGH OF VICTORY GARDENS
2000 AND 2010

	2000		2010	
Household Size	**Number**	**Percent**	**Number**	**Percent**
1 person	142	25.2	92	15.7
2 persons	140	24.8	158	26.9
3 persons	115	20.4	121	20.5
4 or more persons	167	29.6	217	36.9
Total	564	100.0	588	100.0

Source: US Census of Housing and Population

The above table shows a decrease in the 1 person household and a substantial increase in the 4 or more person household.

HOUSEHOLD INCOME
BOROUGH OF VICTORY GARDENS
1999 AND 2009

	1999		2009	
Annual Household Income	**Number of Households**	**Percent**	**Number of Households**	**Percent**
Under $25,000	106	18.8	112	19.5
$25,000- $49,999	242	43.0	150	26.2
$50,000-$74,999	139	24.7	187	32.7
$75,000-$99,999	44	7.8	74	12.9
$100,00-$149,999	16	2.8	37	6.5
$150,000 or more	15	2.7	12	2.1

Source: US Census of Housing and Population

Median Income (1999) $44,375
Median Income (2009) $53,269

The above table shows incomes remain in the moderate income category. However, they have increased overall about 20 percent in the intervening years.

HOUSING UNITS BY YEAR STRUCTURE BUILT IN VICTORY GARDENS

Year Structure Built	Structure
1939 or earlier	59
1940-1959	248
1960-1979	124
1980-1989	79
1990-1999	52
2000-or later	10
Total	572*
Median Year Built	1964

Source: US Census of Housing and Population

UNITS IN RESIDENTIAL STRUCTURES IN VICTORY GARDENS 2000-2010

	2000	2010
Total Housing Units	588	572
1-unit, detached	148	200
1-unit, attached	163	115
2 units	66	54
3 or 4 units	21	52
5 to 9	44	42
10 or more units	144	153
Mobile home	2*	3*

Source: US Census of Housing and Population

* Field inspection shows there are no mobile homes in Victory Gardens

* The Borough Clerk calculates that there are 586 dwelling units in Victory Gardens

HOUSING TENURE IN
VICTORY GARDENS
2000-2010

	2000	2010
Total Occupied Housing Units	564	572
-Owner, Occupied	231 (40.9%)	241 (42.1%)
-Renter, Occupied	333 (59.1%)	331 (57.9%)

Source: US Census of Housing and Population

MEDIAN VALUE OF OWNER OCCUPIED
UNITS AND MEDIAN CONTRACT RENT IN
VICTORY GARDENS
2000-2010

	2000	2010
Owner Value	$117,100	$237,700
Contract Rent	$ 722.00	$ 1,238

Source: US Census of Housing and Population

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

2006 RECOMMENDATION FOR CHANGES TO THE VICTORY GARDEN DEVELOPMENT REGULATIONS

1. Zone districts map. The present zone district map shows a B Business zone district that describes two classes of properties. The first are properties that front South Salem Street and are developed and used for commercial purposes. The second are residential properties fronting Washington Avenue that are also in the B Business zone district but are presently used for residential purposes. The consequence of this zoning pattern would allow conversion of a Washington Avenue and Franklin Road residence to a commercial use to the detriment of the immediately abutting homes. There may, however, be transition properties that may be appropriate for professional office use. These will be reviewed on a case-by-case basis by the zoning board of adjustment.

The recommendation is to bring the zoning into conformance with the land uses. Thus, the properties fronting South Salem Street will remain in the B zone but the residential properties fronting Washington Avenue and Franklin Road should be placed in the S-1 Residential zone district. A Land Use Plan map follows that shows the proposed new zone boundary between B and S-1 zone districts.

2017 Response: This zone map change was adopted by the Planning Board, but was not adopted by the Borough Council. See present and proposed zone maps in appendix. However, the zone map change is again recommended.

2. Steep Slopes. There is variety of topography within Victory Gardens. Some areas are characterized by steep slopes or slopes over 15%. Properties so characterized have, as a consequence, diminished utility as steep slope areas present challenges for construction, are fragile environmentally and best remain undisturbed.

Presently, the minimum lot size for a single-family home is 5,000 sq. ft. However, review of several areas in the Borough shows a number of lots are both characterized by steep slopes and lot sizes larger than 5,000 sq. ft. This is appropriate as lots with steep slopes should be larger in size.

The recommendation is to include in the Borough development regulations a steep slopes provision. This provision will require those properties and areas with steep slopes to have larger minimum lot size than the existing S-1 requirement of 5,000 sq. ft. for single family and 7,500 sq. ft. for two-family. The size of the lot is thus a function of the severity and amount of steep slope in the lot. However, no lot need be larger than 10,000 sq. ft. for single family and 15,000 sq. ft. for two family. Existing lots that may not conform to these new regulations can be "grandfathered" as conforming lots.

2017 Response: The above changes have been implemented.

3. Two family conversions. There are numerous two family side-by-side homes in the Borough. Many are on 10,000-15,000 sq. ft. lots. In the recent past, there has been interest in subdividing this type lot to create two separately owned homes. They would remain attached and as such there is no side yard between them.

These type subdivisions are not in the best interests of the Borough or future homeowners. There would be a lack of light, air and open space normally expected and provided with all single family homes in the Borough. It would reduce the availability of a homeowner renting the second half of the duplex. It may lead to incongruous treatment of the individual duplex units.

2017 Response: The Planning Board is divided as to whether to allow duplex units to be subdivided or not. The issue has to be further discussed by the Board.

4. Minor site plan. Presently, the development regulations do not differentiate between a minor site plan versus a major site plan. All are considered major. However, there are situations where minor modifications are proposed for a site that can be reviewed expeditiously and efficiently with less regulatory procedures as a minor site plan.

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It is recommended that a minor site provision be drafted and included into the site plan section of Land Development regulation ordinance.

2017 Response: This recommendation has been implemented. In addition, however "adult entertainment uses" should also be prohibited uses. In addition, "hotels and motels".

5. There are certain uses that are retail/commercial but are inappropriate for the B Business zone in the Borough. The list of prohibited uses (section 23-10.1) should be expanded to include: adult bookstore, massage parlor, service station, taxi/limousine service and other

uses that may create nuisances, negatively impact abutting uses, create traffic congestion, or be inimical to public health, safety and welfare.

2017 Response: This recommendation has been implemented.

6. There is a problem with stacking or overcrowding. While technically not a development regulation, overcrowding is unhealthy and detrimental to property values and to the spirit and intent of the master plan and zoning ordinance. The Borough is encouraged to adopt and enforce overcrowding housing conditions.

2017 Response: This recommendation has not been adopted and remains an objective of Victory Gardens. The Borough should review state standards and, if appropriate adopt them for the Borough.

7. It is recognized that a substantial portion of Victory Gardens was developed during WWII to house families employed at Picatinny Arsenal. These dwellings now exceed 50 years in age and as such are historically noteworthy structures. The site plan and subdivision ordinance should include design standards respecting the historic nature of Borough homes to insure their character and integrity is maintained and is not compromised by inappropriate redevelopment or new development.

2017 Response: This recommendation has not been implemented.

8. There are presently very minimal standards and regulations for accessory structures and buildings in the Land Development ordinance. The maximum height is 20 ft. and the minimum distance to a main building is 10 ft. There should be set back regulations, a reduced height maximum and definitions for accessory structures and buildings. There also should be regulations for temporary structures and buildings such as sheds and membrane garages and regulations for the number of accessory structures on one property.

2017 Response: This recommendation has been implemented.

9. Land Development ordinance should be amended to only allow one permitted principal structure, one permitted principal use and one permitted principal building. Presently, only "one principal structure" is permitted in the S-1 Residential Zone. It should be expanded to only allow "one principal building" and "one principal use".

2017 Response: This recommendation has been implemented.

10. The Planning Board needs to discuss and implement a Municipal Stormwater Management Plan as required by our NJDEP stormwater permit.

2017 Response: A Municipal Stormwater Management Plan was adopted in 2004. It is reviewed annually. There have been no changes recommended at these annual reviews.

2017 Zone Ordinance Recommendations: The "terms defined" Section of the ordinance should be amended to add a definition for "yard: front, side and rear."

e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c. 79 (C.40A:12A-1 et 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.

There are no plans to investigate possible properties for redevelopment that may be appropriate for designation as "an area in need of redevelopment".

P. David Zimmerman, P.P.
Borough Planner

APPENDIX

- Aerial photograph of Victory Gardens
- Existing Zone Map
- Proposed Zone Map