

MARLBORO TOWNSHIP PLANNING BOARD

IN THE MATTER OF THE MARLBORO TOWNSHIP DRAFT GREEN BUILDINGS AND ENVIRONMENTAL SUSTAINABILITY PLAN ELEMENT OF THE MASTER PLAN	FINDINGS OF FACT AND CONCLUSIONS OF LAW Marlboro Township, Monmouth County Approval Date: March 6, 2013
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BE IT RESOLVED, by the Marlboro Township Planning Board (“Board”) that the action taken on March 6, 2013, on the above referenced matter, is hereby memorialized by the adoption of this written resolution setting forth the Board’s findings and conclusions.

RELIEF SOUGHT AND JURISDICTION

1. The Municipal Land Use Law provides municipal planning boards with the authority to prepare and adopt a Green Buildings and Environmental Sustainability Plan Element (“Sustainability Plan”) at section *N.J.S.A. 40:55D-28b(16)*. The purpose of the Sustainability Plan is to “...provide for, encourage, and promote the efficient use of natural resources; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and re-use water; treat storm water on-site; and optimize climatic conditions through site orientation and design.”
2. One of the core principles underlying the Sustainability Plan is conservation at a broad based level. Therefore, this Plan provides an assessment of the natural and built environment as it relates to broad based conservation and subsequently provides goals and objectives for the integration of human activities with the environment in a sustainable manner.
3. The Sustainability Plan is organized into sections by topic in order to facilitate the identification of information on each topic by the reader. Subsequent to this Executive Summary (Section I), Section II of the Plan contains an Introduction that outlines the Municipal Land Use Law criteria for the preparation of the Plan.
4. Section III of the Plan pertains to Natural Resources. This section provides an overview of the natural resource systems located within the Township and provides Goals and Objectives to enhance protection of these resources. The resource types covered include wetlands, floodplains, steep slopes, water, soils, threatened and endangered species and Natural Heritage Priority Sites.
5. Section IV of the Plan, entitled Land Use, provides an assessment of opportunities for sustainable development, including the Form Based Code that is currently under preparation. This section also provides Goals and Objectives for many different

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sustainable ordinance amendments and policy considerations, including those that seek to balance economic development with environmental conservation.

6. Section V of the Plan pertains to Transportation. This section examines the relationship between transportation corridors, existing land uses and the Township Zone Districts. Goals and Objectives for many different policy and ordinance amendments are provided within this section, such as a recommendation to encourage efficient multimodal transportation systems, traffic calming design and shared parking.
7. Section VI of the Plan, entitled Green Buildings and Sustainable Site Design, provides an overview of the techniques and benefits of sustainable building and site design. The Goals and Objectives set forth within this section of the Plan pertain to policy and ordinance amendments to encourage or require more sustainable design and development practices.
8. Section VII, Renewable Energy Resources and Infrastructure, provides an overview of renewable energy alternatives and the benefits of their use. Goals and Objectives within this section encourage the use of energy efficient systems and enhancements to alternative energy infrastructure.
9. Section VIII, Water Conservation and Reuse provides an assessment of the water resources within the Township and Goals and Objectives for water quality protection and water conservation.
10. Section IX of the Plan pertains to Waste Reduction and Recycling. This section provides a summary of the Township's recycling program and the County's hazardous water collection program.
11. Section X, Sustainable Economic Development, provides Goals and Objectives for balancing economic development with environmental conservation in a way that supports local businesses.
12. Section XI of the Plan addresses Public Awareness and Education. This section includes Goals and Objectives for education and outreach to educate the public on best practices as they relate to sustainability. This section highlights the important role that local government plays in the implementation of sustainable projects and programs.
13. Section XII of the Plan provides a brief statement regarding the consistency of this Plan with those of adjacent municipalities and Monmouth and Middlesex Counties. This Plan is also in accordance with the New Jersey State Development and Redevelopment Plan.
14. Section XIII contains the Glossary for this Plan. This Glossary contains definitions for terms and concepts that are commonly found in Sustainability Plans, environmental regulations and policy documents.

15. Section XIV, Resource List, provides an extensive list of resources for further reading and research. The resources are predominantly internet based and are organized alphabetically by topic in order to enable efficient identification by the reader.
16. The Planning Board is required, pursuant to *N.J.S.A. 40:55D-89*, to adopt at least every six (6) years appropriate changes to the Master Plan. This action by the Planning Board is part of that adoption process.
17. The subject matter of this application is within the jurisdiction of this Board, and the Board has acted within the time required by law.

THE HEARING

18. On March 6, 2013, a public hearing took place before the Marlboro Township Planning Board at the Marlboro Township Municipal Building, located at 1979 Township Drive, Marlboro, New Jersey 07746-2299.

EXHIBITS PRESENTED

19. The following exhibits were presented to the Board:
 - a. None.

TOWNSHIP REPORTS/MEMORANDUM

20. At the hearing, the Board considered the following reports/memorandum prepared by Township experts and officials:
 - a. Draft Green Buildings and Environmental Sustainability Plan Element of the Master Plan dated February 21, 2013.

TESTIMONY AND PUBLIC INPUT

21. The testimony was given by and on behalf of the application was as follows:
 - a. Peter Van den Kooy, PPAICP, New Jersey Professional Planner License 05918, who functioned as the Township Planner. Mr. Van den Kooy reviewed with the Board the Marlboro Village Center Form Based Code.
 - b. Council President Paul LaRocca, also reviewed with the Board the history of the Township's Visioning Plan and advocated for the Draft Green Buildings and Environmental Sustainability Plan.
 - c. Adrian Spoda of CMA Associates, 3141 Bordentown Avenue, Parlin, New Jersey 08859.
 - d. Michael W. Herbert, Marlboro Township Planning Board Attorney, who made recommendations to the Board as to the adoption.
22. Members of the public stated the following with regard to the application:

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- a. Kevin Dowd, who is the Chairman of the Environmental Commission. Mr. Dowd lives at 414 Ironwood Lane, Marlboro, New Jersey. He recommended the Draft Green Buildings and Environmental Sustainability Plan Element of the Master Plan.
 - b. Pat Pedlin, who is the Historic Commission's Chairman, who advocated for the Draft Green Buildings and Environmental Sustainability Plan Element of the Master Plan.
23. Members of the Board stated the following with regard to the application:
- a. Board members recommended adoption of the report/plan.
24. Nature of the Application: This is a review of the Draft Green Buildings and Environmental Sustainability Plan Element of the Master Plan.
25. Board Findings: The Board hereby recommends the adoption of the Draft Green Buildings and Environmental Sustainability Plan Element of the Master Plan.

CONCLUSIONS

Based upon the foregoing, the Marlboro Township Planning Board, at its March 6, 2013 meeting, voted to recommend the Draft Green Buildings and Environmental Sustainability Plan Element of the Master Plan.

This Resolution of Memorialization was adopted on March 6, 2013 by a vote of the majority of the members present.

The date of decision shall be March 6, 2013, except that the date of the adoption of this memorializing resolution is the date of decision for the purpose of (1) mailing a copy of the decision to the applicant within ten (1) days of the date of this decision; (2) filing a copy of the decision with the administrative officer; and, (3) publication of a notice of decision. The date of the publication of the notice of decision shall be the date for the commencement of the vesting protection.

CERTIFICATION

I do hereby certify that the foregoing resolution was adopted by the Marlboro Township Planning Board at its regular meeting held on March 6, 2013. The Resolution memorializes the formal action taken by the Board at this regular meeting held on March 6, 2013.



Michael W. Herbert, Esq.
Marlboro Township Planning Board Attorney

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