

REEXAMINATION OF THE MASTER PLAN

BOROUGH OF PALMYRA

BURLINGTON COUNTY

Prepared pursuant to N.J.S.A. 40:55D-89
Municipal Land Use Law

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TABLE OF CONTENTS

Periodic Reexamination: Introduction and Purpose	1
Major Problems and Objectives Relating to Land Development	2
A. Major Land Development Problems	2
B. Land Development Objectives	2
Problems and Objectives: Strategic Overview	4
A. Status of Major Land Development Problems	4
Significant Changes to the Underlying Basis of the Master Plan and Development Regulations Vis-À-Vis Assumptions, Policies, and Objectives	5
A. Significant New Conditions	5
Recommended Specific Changes to the Master Plan and Development Regulations	5
A. Recommended Master Plan Changes	5
B. Recommended Development Regulation Changes	7
Incorporation of Redevelopment Plans	12

PERIODIC REEXAMINATION: INTRODUCTION AND PURPOSE

The Master Plan is the key document in the development and redevelopment of municipalities in that it is the expression of how a municipality wishes to evolve as determined by the populace through the instrumentality of the Planning Board. Through the setting forth of assumptions, policies, goals, and objectives, it becomes the framework against which development activity is compared for conformance thereby providing guidance to boards having land use jurisdiction. The significance of the Master Plan is also derived from the fact that it forms the legal foundation for the zoning ordinance and zoning map which, in turn, must be substantially consistent with the municipality's land use policies as enunciated in the plan. In addition, the significance of the document is further evidenced by the requirement set forth under N.J.S.A. 40:55D-89 of the Municipal Land Use Law mandating the periodic reexamination of said document by the Planning Board at least every six years with failure to do so constituting "a rebuttable presumption that the municipal development regulations are no longer reasonable".

Given the statutory charge, the Planning Board of the Borough of Palmyra initiated, in February 2000, a series of monthly meetings, open to the public, in order to discuss and encourage public participation in the review of the Borough's 1992 Master Plan which under the Municipal Land Use Law is to address:

- 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 reexamination is the first such report on the 1992 document. Accordingly, land development problems and objectives, and changes thereto, which typically relate to the most recent reexamination, relate in this instance to the original document. Using then, the statutory construction as an outline, the report on the 1992 Master Plan is as set forth infra:

MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT

A. Major Land Development Problems

At the time of the development of the 1992 Master Plan, the Borough identified several land use problems as being an impediment to development. These included:

- The not fully productive utilization of lands contiguous to the Route 73 corridor.
- Constraints imposed, via regulation, on the environmentally sensitive lands on the west side of Route 73 in proximity to the Delaware River.
- The trend toward decline of the downtown business district.
- The limited utilization of available open space.
- The vacancy of the drive-in theatre site on the west side of Route 73.
- The absence of sufficient stormwater management standards relating to new development.
- The lack of buffer requirements addressing the screening of disparate contiguous uses and lack of controls regulating the intensity of commercial and industrial development.
- The lack of comprehensive stormwater management mapping and details relating to size, location, and conditions of existing piping.
- The instances of less than adequate stormwater management facilities resulting in localized flooding conditions.
- The presence of undersized 4" water mains.
- The need of the Department of Public Works for sewer jetting equipment.

B. Land Development Objectives

Strategic objectives incorporated into the framework of the 1992 document included:

- The provision of a balanced land use development pattern enabling effective public facilities management.
- The provision of a range of housing types through both rehabilitation and in-fill construction.
- The improvement of the transportation system for the more efficient movement of people and goods.
- The provision of utility services in satisfaction of Borough needs and rectification of storm drainage problems.
- The expansion of community facilities in support of the Borough's population.
- The provision of a comprehensive system of public recreation facilities.
- The protection of natural and environmental resources.
- The development of an effective energy conservation program.
- The preservation of Palmyra's heritage.

Specific land use/development objectives for the fully productive utilization of lands within Palmyra, as enunciated encompassed:

- The protection of residential areas from encroachment of commercial and industrial uses.
- The expansion of open space through the development of parklands along the Delaware River from the Pennsauken creek to Riverton, and through the development of a linear park and the anticipated heritage trail.
- The improvement of the downtown business district through the encouragement of commercial in-fill construction.
- The evaluation of residential densities, bulk standards, and land uses to ensure a desired quality of living.
- The encouragement of commercial development along the Route 73 corridor so as to expand the tax base while concomitantly preserving adjoining residential areas.
- The undertaking of initial steps leading to environmentally sensitive development of lands west of Route 73.

PROBLEMS AND OBJECTIVES: STRATEGIC OVERVIEW

The general reexamination report has the statutory charge of reviewing the status of the goals and objectives identified, in this case, of the 1992 Master Plan so as to ascertain currency, and where, through proactive municipal action, problematic conditions have been ameliorated, and where, in the alternative, such conditions have become further aggravated. Given this charge, the report notes:

A. Status of Major Land Development Problems

The problems identified in the 1992 Master Plan are generally carried forward. Comment is provided in those instances where a change in status has occurred, or in those instances where a change of status is anticipated given ongoing Borough action.

- The not fully productive utilization of lands contiguous to the Route 73 corridor is being addressed through the Borough Council's directive to the Planning/Zoning Board to conduct a preliminary investigation to ascertain the appropriateness of an area in need of redevelopment determination.
- The trend toward decline of the downtown business district is more apparent given, in particular, several storefront vacancies.
- The former drive-in theatre on the west side of Route 73 is now the site of what is commonly referred to as a flea market. Planning Board consensus is that the existing use does not represent the highest and best use of the site. Given this condition, private sector redevelopment continues to be encouraged.
- The absence of sufficient stormwater management standards relating to new development has been abated to the extent standards are imposed through the Residential Site Improvement Standards.
- New Jersey-American Water Company has replaced several of the undersized 4" water mains.
- The Department of Public Works has acquired sewer jetting equipment.

**SIGNIFICANT CHANGES TO THE UNDERLYING BASIS
OF THE MASTER PLAN AND DEVELOPMENT REGULATIONS
VIS-À-VIS ASSUMPTIONS, POLICIES, AND OBJECTIVES**

The 1992 Master Plan did not incorporate specific assumptions nor specific overarching policies. In view of this and given the significance of the new conditions, set forth infra, this reexamination report recommends the preparation of a new document that would provide the basis for the specific changes recommended in the next section.

A. Significant New Conditions

- Through technology, increasing numbers of people utilizing portions of their homes for professional use necessitating an evaluation of regulations relating thereto.
- The introduction of the latest transit technology, i.e., the Southern New Jersey Light Rail Transit System (SNJLRTS) which will provide service over a 34 mile corridor having along the route 20 station stops, 1 of which being located at the intersection of Broad Street and Cinnaminson Avenue which will play a positive role in strengthening the local economy.
- The development of the nature preserve west of Route 73 at the confluence of the Delaware River and Pennsauken Creek requiring future development compatibility.
- The anticipated introduction of the Delaware River Heritage Trail which will afford enhanced opportunities for the enjoyment of the outdoors.
- From a regulatory standpoint, the enactment of the New Jersey Residential Site Improvement Standards N.J.A.C. 5:21-1 et. seq., providing in part, predictability in site improvement standards; and the emphasis on the provision of driveways in conjunction with new residential construction.
- Consideration of the utilization of proactive measures, to encourage development and redevelopment, available through the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et. seq.

**RECOMMENDED SPECIFIC CHANGES TO THE
MASTER PLAN AND DEVELOPMENT REGULATIONS**

A. Recommended Master Plan Changes

- Incorporate the below listed assumptions:

- The preservation and accessibility of open space, and provision of active and passive recreation opportunity is of vital importance to the quality of life of current and future residents.
- Development of lands west of Route 73 will be significantly impacted by environmental regulation.
- Valuable lands contiguous to Route 73 are not being utilized in a fully productive fashion.
- The installation of site improvements necessitated by residential development will be governed by the requirements of the New Jersey Residential Site Improvement Standards N.J.A.C. 5:21-1 et. seq.
- The Borough will continue to have a constitutional obligation to provide housing affordable to low and moderate income families.
- Infrastructure specifically sanitary sewer collection system infrastructure is in need of replacement.
- The reduction of solid waste from the waste stream is desirable and necessary.
- Development having an impact on buildings and sites significant to the heritage of Palmyra should be reviewed and reported on by a Historic Advisory Commission.
- Establish policies to provide guidance to development/redevelopment determinations. Said policies to include:
 - Economic vitality and the fully productive utilization of land should be promoted through the development/redevelopment process.
 - Redevelopment planning as enunciated under the Land Redevelopment and Housing Law N.J.A.C. 40A:12A-1 et. seq. should be promoted.
 - The Borough's affordable housing obligation should be satisfied.
 - Development and redevelopment activities must be respectful of the environment and promote the preservation of green space.
 - Public improvements and improvements to facilities frequented by the public are to be barrier-free and in accord with ADA Accessibility Guidelines.

B. Recommended Development Regulation Changes

- Incorporate the definitions set forth below with those established under Section 204 of the Land Development Ordinance (LDO):
 - Automobile Repair Facility
 - Family Member Suites
 - Impervious Coverage
 - Private Garage
 - Public Garage
- Review Section 801 of the LDO to ensure the appropriateness of the fees and escrow amounts collected as well as the appropriateness of the submission deadlines.
- Refine the definition of the term “swimming pool” so as to mirror the definition set forth under the BOCA Building Code.
- Amend Section 305: R-1 Residential District thusly:
 - Provide specific bulk requirements for corner parcels. The front yard being defined as that yard having the lesser linear street frontage.
 - Provide specific yard requirements for two-family dwellings.
 - Ease the front yard setback for principal structures enabling front yard setbacks equal to the average alignment of existing structures within 100 feet of either side and within the same block.
- Amend Section 307: TC Town Center Commercial thusly:
 - Due to limited parking availability, delete churches/houses of worship and funeral parlors as permitted principal uses.
 - Delete gasoline filling stations as a permitted conditional use.
- Amend Section 308: NC Neighborhood Commercial District to reflect the elimination of all conditional uses.
- Amend Section 309: Highway Commercial District thusly:
 - Add as permitted uses, office uses to include general, medical, and professional; commerce parks, and high technology parks for advanced research and knowledge transfer relating to the fields of engineering, the

sciences, computer science, and business. Also permit commercial recreation, hotels, and conference centers.

- Delete wholesaler bottling establishments as a permitted principal use.
- Delete distinction between “old” and “new” automobile sales and dealerships.
- With respect to bulk requirements, recommend:
 - ◆ Increase lot width requirement from 100 feet to 125 feet.
 - ◆ Increase minimum side yard width from 10 feet to 15 feet.
 - ◆ Increase aggregate side yard width from 20 feet to 35 feet.
 - ◆ Specify that accessory structures are not permitted forward of the building line, and in no case, not less than 50 feet from the front property line.
- Amend Section 310: I Industrial District thusly:
 - Delete yards for the storage of building materials and lumber yards as permitted uses given proximity of the zone to residential uses and to avoid problems typically emanating from the presence of sawdust.
 - Amend the area and bulk requirements to reflect:
 - ◆ Required lot area - 25,000 square feet.
 - ◆ Required minimum width - 125 feet.
 - ◆ Required minimum front yard - 50 feet.
 - ◆ Required minimum side yard width - 20 feet.
 - ◆ Required aggregate side yard width - 45 feet.
 - ◆ Required minimum rear yard - 50 feet.
 - ◆ Required minimum front yard for accessory structures - 50 feet with the provision that no accessory structures be permitted forward of the building line, and in no case, closer than 50 feet to the front property line.

- ◆ Permitted height - 25 feet.
- Amend Section 312: OS Conservation and Open Space District by inserting the phrase “to include greenways” following the word “areas” in line 1.
- Amend Section 313: Conditional Uses thusly:
 - Delete the requirement under subsection c.1.b calling for the placement of 3 foot high walls to screen off-street parking areas along Broad Street.
 - Amend subsection c.2.b to read “The maximum lot coverage shall be thirty percent (30%) for buildings and/or structures, and eighty percent (80%) for all impervious surfaces.”
 - Amend subsection c.2.d to permit an expanded variety of products which can be offered at retail at automobile service stations.
 - Amend subsection c.3.f to stipulate that required visitor parking shall be as established under Section 503, and incorporate with Section 503 a requirement to provide, at a minimum, 5 stalls designated for visitor parking.
- Incorporate development ordinance language to:
 - Regulate the size of accessory structures.
 - Regulate the placement of satellite dish antennas.
 - Regulate the location and types of entertainment generally referred to as adult entertainment.
 - Require that the finish side of fencing face outward, i.e., away from the area being enclosed by said fencing.
 - Regulate the establishment of family member suites.
- Amend the zone plan and map to reflect the following recommended changes:
 - Rezone Lots 6 and 7 of Block 30 being the site of the tennis courts at the South Broad Street/Chestnut Street intersection from the current classification of R-1 Residential to P Public and Institutional.

- Rezone Lot 1 of Block 31 being the site of the Municipal Complex situated at South Broad Street and Chestnut Street from the current R-1 Residential classification to P Public and Institutional.
- Rezone Lots 1 and 8 of Block 32 being the site of Legion Hall and Legion Field situated at South Broad Street and Park Avenue from the current R-1 Residential classification to P Public and Institutional.
- Rezone Lots 5 and 6 of Block 84 upon which are located commercial situated just north of the Cinnaminson Avenue intersection with North Broad Street from the current R-1 Residential classification to TC Town Commercial.
- Rezone Lot 1 of Block 37 being the site of the now converted Spring Garden Street Elementary School situated at Spring Garden Street between Cinnaminson and Parry Avenues from the current R-1 Residential classification to OC Office Commercial.
- Master Plan amendments by element are as set forth:
 - Housing Plan

The general reexamination report recommends the inclusion of specific language in the master plan calling for pursuit of Housing Element/Fair Share Plan certification through the Council on Affordable Housing (C.O.A.H.).
 - Circulation Element

Recommendations relating to both pedestrian and vehicular traffic include:

 - ◆ The development of a property maintenance program whereby an inspection of sidewalks, curbs, and driveway aprons would be performed on the transfer of title of all industrial, commercial, and residential property as well as on the occasion of the change of occupancy of rental units.
 - ◆ Establishment of one-way traffic circulation along West Broad Street from Cinnaminson Avenue to Chestnut Avenue so as to enhance pedestrian safety in the vicinity of the municipal building.
 - Community Facilities Element
 - ◆ For the Municipal Complex:

- Cosmetic improvement of Municipal Building exterior to include, for pedestrian safety, the installation of windows in the ground level front doors of the Municipal Building.
- More efficient utilization of space within the Municipal Building.
- Upgrade of electrical and mechanical systems within the Community Center.
- Installation of angled parking.
- ◆ Installation of a fire suppression system at Legion Hall.
- ◆ Develop plan of improvements for the six parcels which comprise a civic center.
- ◆ Enact local legislation addressing the locating of telecommunications towers and equipment.
- Recreation Element
 - ◆ Provide area for roller blade hockey at Legion Field.
 - ◆ Encourage development and participate in the planning of the proposed Delaware River Heritage Trail.
 - ◆ Construct an environmental center similar to the Pennypack facility located on Veree Road in Northeast Philadelphia.
- Conservation Element
 - ◆ Development of an open space plan.
 - ◆ Submit application for Clean Communities Grant funding for the purchase of equipment and supplies used in the maintenance of lands within the Coastal Conservation Area and along the Pennsauken Creek.
 - ◆ Study feasibility of acquiring the parcel commonly known as the "Sharp Estate" and incorporating said land into the existing nature preserve.

- Utilities Element
 - ◆ Replacement or upgrading of public and/or private below grade infrastructure, as necessary, at the time of street reconstruction.
 - ◆ Establishment of a 5 year moratorium on street openings where streets have been rebuilt or resurfaced.

- Historic Preservation
 - ◆ Once established, membership on the Historic Advisory Committee should be extended to current members of the Borough's Historic Society.
 - ◆ Evaluation of the historical significance and historical integrity of the property commonly known as the Sharp property located on Cinnaminson Avenue (Block 151, Lot 8.02) for eligibility for nomination to the State of New Jersey Register of Historic Places.

- Recycling Element
 - ◆ The provision of a recycling report should be incorporated as a submission requirement for all development applications with the exception of minor subdivision applications.
 - ◆ Residents should be informed of recycling policies through advertisement in the Borough Directory, The Bridge newspaper, and through information provided with tax bill mailings.
 - ◆ The Borough policy on the curbside collection of construction debris should be clarified and publicized.

INCORPORATION OF REDEVELOPMENT PLANS

As directed by the Borough Council, the Planning/Zoning Board has undertaken a preliminary investigation to determine whether the lands situated between Route 73 and the Pennsauken Creek, being bounded to the north by the Delaware River and to the south by the shared border with the Township of Pennsauken, meet the statutory criteria for designation as an area in need of redevelopment pursuant to the provisions of the Local Redevelopment and Housing Law, P.L. 1992, c.79 (C.40A:12A-1 et al). This work is ongoing; hence, no recommendations relative to the Master Plan or development regulations emanating from this work can as yet be advanced.