

REEXAMINATION OF THE MASTER PLAN
BOROUGH OF PALMYRA, BURLINGTON COUNTY



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

Adopted by the
Borough of Palmyra Land Use Board
March 17, 2008

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STATUTORY REEXAMINATION OF MASTER PLAN

New Jersey's Municipal Land Use Law (MLUL), N.J.S.A. 40:55D-1 et seq., requires all municipalities to reexamine their master plans at least every six years. The purpose of this requirement is for municipalities to have regular, periodic reviews of current information and changing conditions within the municipality in the interest of keeping long-range planning as up-to-date as possible.

In C.40:55D-89 of the MLUL, the following language is set forth:

The governing body shall, at least every six 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 Borough of Palmyra's Land Use Board adopted an updated Master Plan on March 19, 2001. That Master Plan was based on the previous Master Plan that was adopted in May, 1992.

INTRODUCTION

The Master Plan serves as the guiding document in the development and redevelopment of municipalities in that it sets fourth the vision for the community through the Land Use 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 stated 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 Land Use Board of the Borough of Palmyra initiated, in August 2007, 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 and 2001 Reexamination Report 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 redevelopment 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.
- c. 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.

The MLUL requires consideration of these five areas of concern within the statutory reexamination report. Those areas are identified below along with response statements.

REVIEW OF PAST CONDITIONS

C.40:55D-89a of the MLUL provides that the reexamination report shall review:

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

At the time of the development of the 1992 Master Plan, the Borough identified several land use issues as being impediments 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.

A. **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 Land Use Board to conduct a preliminary investigation to ascertain the appropriateness of an area in need of redevelopment determination. The determination was made that the area is in need of redevelopment and negotiations are ongoing with a preferred Master Redeveloper.
- The trend toward decline of the downtown business district remains an issue with ongoing storefront vacancies. The issue is being addressed by a partnership between the Burlington County of Economic Development and Regional Planning, which is conducting a Determination of Need Study, and the Borough, which will develop a downtown revitalization planned based on the County's findings. In addition, owner rehabilitation should be encouraged and the Palmyra Economic Development committee and Palmyra Business Alliance should spearhead business recruitment efforts.
- 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. Private sector redevelopment is being utilized to address this issue.

- 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 RiverLine transit system continues to play a positive role in strengthening the local economy. However, stagnant economic conditions remain in the Borough's Broad Street corridor and the area lacks destination shops and restaurants needed to create a vibrant atmosphere that will attract visitors to the corridor, particularly in the evening hours.
- The development of the Palmyra Cove Nature Park has not been fully utilized to attract visitors to downtown Palmyra and joint marketing opportunities need to be explored.
- The anticipated introduction of the Delaware River Heritage Trail which will afford enhanced opportunities for the enjoyment of the outdoors.
- 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. should be continued in Palmyra once the Route 73 South Redevelopment Project is under a Redevelopers Agreement.

RECOMMENDED SPECIFIC CHANGES TO THE MASTER PLAN AND DEVELOPMENT REGULATIONS

A. Recommended Master Plan Changes

- Incorporate the below listed assumptions:
 - The ongoing expansion and preservation of open space and active and passive recreation opportunities should be continued to the greatest extent possible.
 - Efforts should be continued to remediate the lands west of Route 73 to facilitate redevelopment.
 - The Borough should investigate avenues to reverse the trend of single-family housing units being converted to multi-family rental units.
 - The Borough will continue to have a constitutional obligation to provide housing affordable to low and moderate income families. This obligation should be placed on the selected Master Redeveloper for the Route 73 South project, to minimize the fiscal impact on the Borough.
 - 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 continue to be promoted.
 - The Borough's affordable housing obligation should be satisfied via the redevelopment process.
 - 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

Master Plan amendments by element are set forth:

- **Housing Plan**

The general reexamination report recommends the inclusion of specific language in the Master Plan calling for continuing the ongoing efforts by the Borough to attain certification through the Council on Affordable Housing (C.O.A.H.).

- **Circulation Element**

Recommendations relating to both pedestrian and vehicular traffic include:

- 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, post office and planned community center. Angled parking should also be created on West Broad Street to address access issues in the downtown district.

- **Community Facilities Element**

- For the Municipal Complex:
 - Develop a new community center to meet the recreation, community and cultural needs of the Borough's residents.
 - Installation of angled parking along West Broad Street.

- **Recreation Element**

- Examine the feasibility of replacing the Legion Field soccer surface with safer, more durable synthetic turf.
- Encourage development and participate in the planning of the proposed Delaware River Heritage Trail.
- Revitalize the recreational facilities at the Ethel B. Hardy Playground.
- Continue to expand recreational opportunities for Borough residents.

- **Conservation Element**
 - Development of an open space plan.
 - Continue to acquire parcels which could be used to expand existing recreational opportunities.
 - Study feasibility of acquiring the parcel commonly known as the “Sharp Estate” and incorporating said land into the Borough’s recreational lands inventory.

- **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**
 - Expand the capacity of the Borough’s Historic Society to protect significant resources via the acquisition or easement and encourage grantseeking for such activities.

- **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.
 - The Borough should examine sharing services and utilizing alternative energy sources to reduce its carbon footprint
 - Residents should be encouraged to expand recycling activities through information published in the Borough Directory, The Bridge newsletter, and through information provided with tax bill mailings.

INCORPORATION OF REDEVELOPMENT PLANS

As directed by the Borough Council, the Land Use Board has completed two Determination of Need studies to facilitate the redevelopment of both the West Broad Street corridor and the Route 73 South area. Efforts should be maintained to build on these initiatives as a tool to revitalize the Borough of Palmyra and to address blighted or brownfield conditions.