

2022 MASTER PLAN REEXAMINATION REPORT

**BOROUGH OF BLOOMSBURY
HUNTERDON COUNTY, NEW JERSEY**

**OCTOBER 2022
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**In consultation with:
The Borough of Bloomsbury Planning Board
The New Jersey Highlands Council**

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The original of this document has been signed and sealed pursuant to N.J.A.C. 13:41-1.3

Introduction

The Municipal Land Use Law (MLUL), at N.J.S.A. 40:55D-89 includes the following statement relative to the periodic reexamination of a municipal Master Plan:

“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 Borough of Bloomsbury Planning Board adopted the most recent Periodic Reexamination and Master Plan Amendment on November 20, 2012, which included the requirements of the periodic reexamination of the Borough’s Master Plan as well as the incorporation of the Highlands Regional Master Plan as required for Plan Conformance. Prior to that, a reexamination report was completed on November 18, 2003, November 1997, and December 1990. In addition, the Bloomsbury Borough Planning Board last adopted Master Plan was in 1979.

The impetus for this report is to meet the MLUL requirements to prepare a reexamination report every 10 years. The Municipal Land Use Law requires consideration of five areas (N.J.S.A. 40:55D-89a-e) within the Reexamination Report, which are discussed below:

- 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,” 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.

C. 40:55D-89a “The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.”

The previous reexamination report identified a series of problems and objectives that existed in 2012. The following is a summary of those issues:

1. The Borough seeks a zoning alternative for the PUD zone, Block 31, Lot 1, located to the north of Interstate 78. The Borough’s full inclusion in the Highlands Preservation Area permits a minimum septic density of 1 unit per 25 to 88 acres for Major Highlands Development. Conversely, the gross density for the PUD zone permits seven and two-tenths (7.2) dwelling units per acre, with a net of up to three (3) dwelling units per acre for the single-family residential area and up to ten (10) dwelling units per acre for the multifamily residential area. The PUD zone will require rezoning to conform to the Highlands septic density.
2. The Borough seeks additional outside funding sources to maintain and improve road conditions and sidewalks in the Borough. The Borough received outside funding sources to maintain and improve road conditions for Main Street and Willow Avenue which included street, curb, sewer and stormwater repair, and construction. In addition, the Borough applied for a Safe Route to School (SRTS) grant in December 2011. SRTS is a federal, state, and local effort to enable and encourage children, including those with disabilities, to walk and bicycle to school.
3. The bridges in Bloomsbury require continued maintenance and repair. The Borough recognizes that the County has jurisdiction over projects related to the Route 579 bridge, however, the Borough should continue to partner with the County on any work conducted in the Borough.
4. The Borough should avoid creating long cul-de-sacs as a means of providing alternative emergency vehicle as well as passenger vehicle access.
5. Off-tract improvements for new development and redevelopment should continue to be sought. New development and redevelopment may impact local roads, sidewalks, curbing, stormwater, and other infrastructure. Ensuring that any new development or redevelopment contributes to such infrastructure should be considered at the time of site plan.

6. Non-local and commercial through-traffic on residential streets is an ongoing concern of the Borough. Preventing through-traffic, not just discouraging it, should be examined and implemented where appropriate and practical.
7. The Borough encourages sidewalks for new developments and redevelopment areas; however, in areas where large lots are proposed consideration of the total amount of impervious areas should be considered for its appropriateness.
8. The Borough completed a recreation needs survey and a plan for park improvements was formulated but not adopted by the Borough's governing body due to lack of funding. Recreational opportunities and the improvement of existing facilities remain important for the quality of life of Borough residents.
9. The Borough encourages developers to provide access or right-of-way to open space and recreation areas to all citizens of the community, especially allowing riverfront areas. The Borough encourages private owners to allow public access to recreation and open space areas. The Army Corp of Engineers dam removal project may provide additional opportunities.
10. The Borough recommends that Borough-owned land on the riverfront should be improved as a public park. The Borough has no immediate intention to plan or implement a greenway along the river, nor to acquire land from private property owners for that purpose. However, to the extent that private property owners would be willing to voluntarily permit public access to the waterfront are encouraged to do so.
11. The Borough recommends that part of the submission and review requirements for any development application which includes the formation of a homeowner association, that the deed restrictions and bylaws concerning the provision and maintenance of private open space and recreational amenities be approved during the application review process.
12. The Borough recommends that the submission and review requirements for development approvals be amended to include review and subsequent conditions of approvals of all applicable outside agency jurisdiction. In addition, the applicants are encouraged to utilize the Musconetcong Watershed Guidelines at time of application.
13. Development applications should include stream setback and flood hazard areas; use of drought-tolerant plantings for certain projects; preservation of wooded areas; and provision of conservation easements for environmentally sensitive areas. In particular, the following requirements should be included:
 - a. Stream setback requirements and guidelines for construction in a flood hazard area should be amended to dovetail with and reinforce the current State-mandated standards for all projects.

- b. In all multifamily residential and nonresidential projects, the use of drought-tolerant, indigenous plants should be encouraged to reduce water consumption. In addition, the use of vegetative ground cover alternatives to lawns should also be encouraged to reduce the use of fertilizers and pesticides.
 - c. in all projects, the preservation of wooded areas, or the supplementation of plantings to create or strengthen wooded areas should be encouraged as opposed to the clearing and removal of natural vegetation and their replacement by large expanses of lawn or other types of vegetated or landscaped areas.
 - d. Where developments contain areas of freshwater wetlands, wetland transition areas, stream buffers and other environmentally-sensitive areas, encourage the creation of conservation easements so as to protect these areas from the impacts of development.
- 14. Historic preservation remains an important goal of the Borough and recommends the following actions:
 - a. Form an historic commission;
 - b. Prepare a Historic Preservation Element of the Master Plan
 - c. Designate historic district(s) and apply for a listing of buildings and/or the district on the State's register; and
 - d. Adopt an historic preservation ordinance.
 - e. In addition, the Borough encourages the maintenance and rehabilitation of historic buildings through public education, including an awareness of technical and economic assistance available from County, State and federal agencies and other nonprofit preservation groups.
- 15. The Borough recommends a section on stormwater management be added to the Public Utilities Element of the Borough's Master Plan.
- 16. The Borough recommends that an Economic Plan Element be added to the Borough's master plan.
- 17. The Borough endorses the goal of providing for its fair share of low- and moderate-income housing to meet its fair share obligation. The Borough provided an amended Housing Element and Fair Share Plan to address Bloomsbury's affordable housing obligation as part of the Highlands Plan Conformance.
- 18. The Borough wishes to prevent, and would strongly discourage, any further development of service stations and truck stops, either adjacent to residential uses or anywhere else in the Borough. The negative impacts associated with the uses have become a detriment to the quality of life for Borough residents, in particular the adjoining residences. The Borough recognizes that such uses are entitled to continue as established and encourages any improvements with

regard to traffic safety and congestion. In other parts of the Borough that are currently zoned B-2 or other zoning designations which permit retail and business uses to be established, more balanced, locally-oriented business uses are encouraged to meet the needs of the Borough's population.

19. In an effort to address ongoing concerns regarding property maintenance and enforcement, the Borough has established a series of ordinances to address property maintenance and establish better noise and light standards

C. 40:55D-89b “The extent to which such problems and objectives have been reduced or have increased subsequent to such date”.

1. The rezoning of the PUD zone remains an objective for the Borough. Consideration for the Highlands Preservation Area septic density and balancing the rural character of the area will need to be evaluated to find the appropriate development opportunity for the area.
2. The Borough continues to seek outside funding and opportunities to improve road conditions and provide sidewalk construction and maintenance. The Borough's Safe Route to School (SRTS) grant application was successful however implementation of the grant proved problematic at the time it was awarded. The Borough continues to pursue these forms of grants to provide safe travel and improve road conditions throughout the Borough.
3. The bridges in Bloomsbury require continued maintenance and repair and should continue to partner with the County on any work conducted in the Borough.
4. Commercial and through-traffic on the Borough's residential and local streets continue to be a concern. While the work in Phases 1 through 4, and Phase 5, recently approved by NJDOT, for the project on Main Street helped to alleviate some of the problems associated with local traffic concerns, new regional traffic demands along the Route 78 corridor have renewed these issues. The Interstate 78 corridor in New Jersey and Pennsylvania has witnessed an increase in truck traffic due to an increase in warehouse developments along 78 and 22 which have impacted local communities and roadway networks. Traffic stemming from these traffic-generating-type of uses have increased demand for truck stop areas and gas stations servicing diesel and large trucks, as is the case at the Pilot Station and truck area on route 173 in the Borough. The previously identified concern to mitigate the negative impacts of truck and through-traffic in the Borough has been exacerbated since the prior reexamination report and remains an ongoing issue.

5. The Borough continues to seek means to provide access to the Musconetcong waterfront. Providing access and public recreational areas along the river front have continued and future efforts to increase access continue to be an important goal for the Borough.
6. The Borough continues to support the protection of critical environmental resources, especially when considering development applications, particularly in the ROM zone and the North Street area, where the riparian area requires additional protection.
7. The Borough has submitted a Third Round Housing Element and Fair Share Plan to address Bloomsbury's affordable housing obligation and meet the requirements of Highlands Plan Conformance.
8. In an effort to address ongoing concerns regarding property maintenance and enforcement, the Borough has established a series of ordinances to address property maintenance and establish better noise and light standards
9. The Borough prepared and adopted the necessary items to achieve Plan Conformance with the Highlands Regional Master Plan. These included the 2012 Reexamination Report and Master Plan Amendment, Highlands Land Use Plan, Highlands Land Development Ordinance, Highlands Environmental Resource Inventory, Checklist Ordinance, Housing Element and Fair Share Plan, and a Wastewater Management Plan and Build Out. The Borough has additional grant funding available from the Highlands Council to work on additional land use and Planning items that will further the goals and objectives as identified in this report, including sustainable economic development planning, green building and environmental sustainability planning, Housing Element and Fair Share Plan, Wastewater management planning, and other opportunities.

C. 55D-89c "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."

Municipal Land Use Law

In 2017 the Municipal Land Use Law was amended at N.J.S.A. 40:55D-28.b. to expand the requirements of the land use plan element to include smart growth discussions, existing and potential locations of electric vehicle charging stations, storm resiliency planning, and climate hazard-related assessments, as follows:

(f) including, for any land use plan element adopted after the effective date of L.2017, c.275, a statement of strategy concerning:

- (i) smart growth which, in part, shall consider potential locations for the installation of electric vehicle charging stations,
- (ii) storm resiliency with respect to energy supply, flood-prone areas, and environmental infrastructure, and
- (iii) environmental sustainability;

(g) showing the existing and proposed location of public electric vehicle charging infrastructure; and

(h) including, for any land use plan element adopted after the effective date of P.L.2021, c.6, a climate change-related hazard vulnerability assessment which shall (i) analyze current and future threats to, and vulnerabilities of, the municipality associated with climate change-related natural hazards, including, but not limited to increased temperatures, drought, flooding, hurricanes, and sea-level rise; (ii) include a build-out analysis of future residential, commercial, industrial, and other development in the municipality, and an assessment of the threats and vulnerabilities identified in subsubparagraph (i) of this subparagraph related to that development; (iii) identify critical facilities, utilities, roadways, and other infrastructure that is necessary for evacuation purposes and for sustaining quality of life during a natural disaster, to be maintained at all times in an operational state; (iv) analyze the potential impact of natural hazards on relevant components and elements of the master plan; (v) provide strategies and design standards that may be implemented to reduce or avoid risks associated with natural hazards; (vi) include a specific policy statement on the consistency, coordination, and integration of the climate-change related hazard vulnerability assessment with any existing or proposed natural hazard mitigation plan, floodplain management plan, comprehensive emergency management plan, emergency response plan, postdisaster recovery plan, or capital improvement plan; and (vii) rely on the most recent natural hazard projections and best available science provided by the New Jersey Department of Environmental Protection;

The inclusion of these new Land Use Plan discussions will be required when a new Land Use Plan is prepared.

Legislative Actions

New Jersey Cannabis Regulatory, Enforcement Assistance and Marketplace Modernization Act (P.L. 2021, c. 16)

On February 22, 2021, the "New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act" was approved. A-21 (P.L. 2021, c. 16), and associated A-1897 (P.L. 2021,c.19), decriminalized marijuana and hashish possession and allowed cannabis use and possession for adults 21 years and older. The Governor also signed S-3454, clarifying marijuana and cannabis use and possession penalties for individuals

younger than 21 years old. Any existing municipal ordinance regulating or prohibiting cannabis is null and void and must be readopted to be effective.

The new act provides municipalities until August 21, 2021, to either prohibit, “Opt-Out”, of permitting cannabis activities or “Opt-In”, partially or fully, to chosen cannabis activities. If municipalities take no action by August 21, 2021, cannabis activities will be permitted in the municipality, depending on the type of facility and existing zone districts.

Municipalities that opt-in to cannabis activities must permit those activities for five years. After five years a municipality is provided 180 days to amend any existing ordinances or prohibit cannabis operations. Municipalities that opt-out are permitted to opt-in at any time over the next 5-years. However, regardless of the municipality’s decision at this time, a municipality cannot prohibit the delivery of cannabis items and related supplies by a delivery service within its jurisdiction. The Borough of Bloomsbury opted out of permitting cannabis activities prior to the August 2021 deadline.

The newly adopted act also requires the formation of the Cannabis Regulatory Commission at the State level tasked with the regulation and oversight of cannabis activities. As of this date, the Cannabis Regulatory Commission has been formed and is in the process of seeking public comment regarding cannabis activities and their regulation.

Cannabis Use Licenses and Facilities

The act created six distinct classes of licenses for activities which a municipality can permit or prohibit as outlined below. Persons seeking a license must live in New Jersey for at least 2 years prior to the date of the application, must be 21 years old, must undergo a criminal history background check, and meet the regulations adopted by the Cannabis Regulatory Commission. Applications for a license will be submitted to the Cannabis Regulatory Commission and must also be submitted to the municipality within 14 days. Municipalities must determine whether the application complies with all local restrictions as identified in any “opt-in” ordinance. The applications must include items such as quality control, recall plans, water and wastewater management, odor mitigation practices, safety and security plans, and community impact, social responsibility, and research statements. Any new cannabis facility is also required to follow all applicable planning and zoning regulations, seek necessary permits, site plan approvals, and zoning board approvals as needed. A municipality must then inform the Cannabis Regulatory Commission if the application complies with all local ordinances.

The cannabis licensing classes are as follows:

Class 1 License – Cannabis Cultivator

A class 1 license permits the licensee to grow, cultivate or produce cannabis in New Jersey. The holder may also sell or transport their product to other cannabis growers, processors, wholesalers, or retailers; however, this class of license does not permit direct sale to consumers.

Class 2 License – Cannabis Manufacturing

A Class 2 license permits the holder to process cannabis items in New Jersey by purchasing or obtaining usable cannabis and can manufacture prepared and packaged cannabis items for sale. The holders of this license may also transport the manufactured items to other cannabis processors or retailers but are not permitted to sell directly to consumers.

Class 3 License – Cannabis Wholesaler

A Class 3 license permits the holder to purchase, obtain, store, or transport cannabis items. These items can be transported or held for other cannabis wholesaler or to a cannabis retailer however, the holder of this license is not able to sell or move product directly to consumers.

Class 4 License – Cannabis Distributor

A Class 4 license permits the holder to transport items in bulk within the state from one cannabis establishment to another. A distributor is able to temporarily store items in transport.

Class 5 License – Cannabis Retailer

A cannabis retailer is permitted to purchase or obtain usable cannabis from cultivators, manufacturers, or wholesalers and sell these products directly to the consumer from a retail store. A retailer may also employ a cannabis delivery service or handler for off premises delivery of cannabis items and related supplies to the consumer. A retailer must also accept any consumer purchase from a cannabis delivery service intended to be delivered to a consumer.

Class 6 License – Cannabis Delivery

A Class 6 license permits a delivery services or courier, for the purchase and delivery of cannabis items to consumers. License holders are able to transport cannabis and related items directly to the consumer by purchasing the items from a licensed cannabis retailer. Sales of such items can use a third-party technology to receive, process, and fulfill orders by the consumer.

Local Cannabis Tax

Municipalities that permit cannabis activities may enact a local cannabis tax that cannot exceed 2% for cannabis cultivator, manufacturer, and/or retailer; and 1% for wholesalers. The tax percentage is based on the receipts for each sale and is paid directly to the municipality in the manner prescribed by the municipality. Any delinquencies are treated the same as delinquent property taxes. The tax cannot apply to delivery services to consumers or transfers for the purpose of bulk transportation.

A municipality may also impose a transfer tax on the sale of cannabis or cannabis items by a cannabis establishment located within the municipality. If a municipality adopts an ordinance providing for a transfer tax the ordinance must also provide for a user tax. This user tax must be equivalent to the transfer tax rates, on any concurrent license holder, operating more than one cannabis establishment. The user tax allows for tax parity, by preventing vertically integrated cannabis establishments from avoiding the transfer tax.

Affordable Housing

Since the time of the last reexamination report, ongoing challenges to COAH's Third Round rules continued. The Appellate Division again invalidated COAH's Third Round Rules (Chapter 97) and ordered revised rulemaking. COAH attempted to adopt a third set of Third Round Rules (proposed Chapter 99) but failed to garner a sufficient number of votes on the Council to adopt the rules. As a result, the Chapter 97 Rules remained invalid with no revised rules in place to guide municipal Third Round Mount Laurel compliance. Simultaneously, with these developments, the NJ Supreme Court heard an appeal of the Appellate Division decision invalidating Chapter 97 (and the attendant "procedural rules" entitled Chapter 96) and ruled In the Matter of the Adoption of N.J.A.C. 5:96 and 5:95 by the New Jersey Council on Affordable Housing, 221 N.J. 1, 42 (2015). In response to the NJ Supreme Court's March 10, 2015 decision and order, which dissolved the NJ Fair Housing Act's (FHA) exhaustion-of-administrative-remedies requirement and authorized the Courts to hear and decide actions addressing municipal compliance with Mount Laurel obligations by the municipalities that had sought the protections of the FHA through COAH. The Supreme Court transferred jurisdiction of Mount Laurel constitutional compliance from COAH to the Courts because COAH failed to adopt new third round rules as ordered by the Court in September 2013. The Supreme Court's March 15, 2015 order assigned the task of assigning municipal third round fair share obligations to the trial courts.

Bloomsbury Borough will need to amend the previously approved Housing Element and Fair Share Plan to comply with the recent court decisions and regulations as set forth under those actions.

Municipal Separate Storm Sewer System (MS4) NJDES Permit Program Changes

The New Jersey Department of Environmental Protection (NJDEP) has recently announced a change to the permit structure under the MS4 program. Previously the NJDEP identified two tiers of permitting for municipalities, Tier A and Tier B. Tier A Municipalities are located within the more urbanized regions of the state or along or near the Atlantic coast, while Tier B Municipalities tend to be located in more rural and non-coastal areas. All municipalities in New Jersey are considered either Tier A or Tier B. However, given the ongoing impacts of climate change, stormwater discharges, impacts to water quality, and other associated public health and safety issues, NJDEP is reassigning Tier B municipalities to Tier A municipalities to strengthen regulatory requirements related to stormwater, flooding, and development in flood plains. As such the Borough will be reassigned from Tier B to a Tier A permittee and associated permitting information and actions will have to be addressed.

Warehouse Siting Guidance

On September 7, 2022, the New Jersey State Planning Commission adopted a Warehouse Siting Guidance policy document to provide municipalities with detailed information and considerations regarding warehouse development. The document is a result of the exponential increase in warehouse development across the state which has impacted traffic, road networks, noise, and other development impacts associated with warehouse uses. The document acts as a primer to the types of warehouse facilities, their purpose, typical land use considerations, and proactive ways municipalities can plan for warehouse activity. Such considerations include a review of existing municipal master plans, ordinances, and existing land available for warehouse development. While some areas may benefit from the development of warehouses, others areas may not be suitable based on smaller roadway networks, environmental constraints, and economic and social impacts on residents. The document identifies an evaluation of smart growth principles for those investigating the inclusion or prohibition of warehouse facilities in their municipalities.

C. 40:55D-89d. 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.

The Planning Board recommends the following changes to the Borough of Bloomsbury Master Plan and zoning ordinances be considered, including modifications to the underlying objectives, policies, and standards. The Borough of Bloomsbury revises the Goals and Objectives for as follows:

1. Repeal the PUD zoning district and associated cluster provision and provide new bulk regulations that conform to the Highlands Regional Master Plan and any applicable and associated NJDEP regulations. New zoning should also reflect a desirable development opportunity in keeping with the rural character of the existing property and adjoining uses.
2. The Borough continues to seek additional outside funding sources to maintain and improve road conditions in the Borough. This includes funding for road improvements, sidewalks, stormwater collections, curbing, and traffic calming strategies.
3. Communicate and coordinate with the County and State regarding the improvements, policies, and motor vehicle violation enforcement on Route 579 and Route 173. Issues stemming from County and State roadways regarding traffic patterns, cut-through traffic on local streets, and enforcement of parking and motor vehicle violations, is of particular concern, especially along Route 173.

4. The Borough's ordinances should be reviewed and amended to adequately address new traffic demands and concerns resulting from local and regional uses such as truck stops and warehousing. Providing truck routes and limiting or restricting truck and regional traffic through the Borough may alleviate the negative impacts of new traffic demands that are not compatible with the Borough's historic village roadways and character.
5. Off-tract improvements for new development and redevelopment should continue to be sought to balance new development and redevelopment impacts on local infrastructure.
6. The Borough encourages sidewalks for new and existing developments and redevelopment as well as the maintenance of existing sidewalks. In areas where development occurs on larger lots, consideration of the total amount of impervious areas should be considered for its appropriateness. Alternative porous materials may be considered for areas where impervious coverage is a concern.
7. Creating new recreational opportunities, and enhancing existing facilities, should be considered in order to increase access to recreational areas for all Borough residents. Continued maintenance and upgrades to the existing park remain a priority; however, providing additional recreational opportunities, such as walking trails, exercise stations, environmental education areas, and other passive recreation opportunities, can reach a larger spectrum of Borough residents. The Musconetcong River and access to recreational opportunities within the larger Highlands region is a highly sought-after commodity for local residents as well as a larger regional population. This is especially true after the effects of the COVID-19 pandemic which found many searching for healthy outdoor activities. The Borough is in a unique position to provide additional access and expand upon these recreational areas that can enhance environmental protection efforts, increase recreational opportunities, and may provide additional economic benefits from potential visitors.
8. The Borough encourages developers and redevelopers to provide access to open space and recreational areas to all citizens of the community, especially allowing access to the riverfront area. The Borough also encourages private owners to allow for public access to recreation and open space areas.
9. The Borough recommends that Borough-owned land on the riverfront should be improved as a public park. The Borough continues to expand upon the "Stone Walk" which provides signage to available public access areas and encourages activities such as fishing and kayaking. The Borough has no intention to acquire land from private property owners for that purpose. However, to the extent that private property owners would be willing to voluntarily permit public access to the waterfront, are encouraged to do so.

10. The Borough recommends that the submission and review requirements for development applications be amended regarding outside agency approvals and any associated Borough agency or advisory committee review. Any site plan approval typically includes a condition requiring all outside agency approval such as the County Planning Board, NJDOT, NJDEP, Soil Conservation, and Highlands Council, however, clarification in the development application and submission requirements should be incorporated to alert any applicant of any outside or Borough agency approvals that may be required. In addition, the submission requirements should also include submission to Fire Officials or Emergency Response providers, the Environmental Advisory Committee, Recreation Advisory Committee, and any future advisory Committee for review and comment. In addition, the applicants are encouraged to utilize the Musconetcong Watershed Guidelines at time of application.
11. Development and Redevelopment applications should include the use of native species and drought-tolerant plantings and be sensitive to natural habitats and environmentally sensitive areas.
12. The Borough encourages the maintenance and rehabilitation of historic buildings through public education, including an awareness of technical and economic assistance available from County, State, and federal agencies and other nonprofit preservation groups.
13. The Borough wishes to prevent, and would strongly discourage, any further development of service stations and truck stops, either adjacent to residential uses or anywhere else in the Borough. The negative impacts associated with the uses have become a detriment to the quality of life for Borough residents, in particular the adjoining residences, in particular emissions from idling vehicles, light pollution, congestion, and illegal parking conditions. The Borough recognizes that such uses are entitled to continue as established and encourages any improvements with regard to traffic safety and congestion. In other parts of the Borough that are currently zoned B-2 or other zoning designations which permit retail and business uses to be established, more balanced, locally-oriented business uses are encouraged to meet the needs of the Borough's population.
14. The Borough should review the non-residential zones permitted uses to ensure that uses are compatible with the Borough's small historic character of the Borough as well as infrastructure capacity constraints including wastewater, water, roadways, and access.
15. Bloomsbury currently allows for "storage warehouse" facilities in the B-1 and B-2 districts. The term is not defined in the ordinance and is outdated in light of new warehouse types and increased demand for warehousing that provides distribution areas, cold storage, storage, and module facilities. The Borough should review the current ordinance to ensure that the type of development completed meets the historic character of the Borough.

16. The Borough continues to address ongoing concerns over the enforcement of zoning and property maintenance codes, noise and light nuisance complaints

Master Plan Updates and Changes

This report has identified a series of goals and objectives related to larger land use issues that should be reviewed and considered through various Master Plan elements. Master Plan Elements provide the Borough with an examination of existing conditions and provide an opportunity to review and consider short and long-term goals and objectives, proposed improvements, and implementation strategies. In addition, the preparation of various Master Plan elements are helpful to secure additional funding opportunities to implement recommendations.

The Highlands Council continues to support Highlands Area communities through the funding of a variety of planning documents. The Borough has achieved Plan Conformance with the Highlands Preservation Area and has the ability to take advantage of additional grant funding to prepare Master Plan elements and other planning documents. As such the Borough recommends the following Master Plan updates:

1. Prepare a Historic Preservation Element in order to maintain and enhance the historic character of the Borough. Historic preservation remains an important goal of the Borough.
2. Prepare a Sustainable Economic Development Plan Element. A sustainable economic development plan provides economic initiatives which align with the Borough's community character and market conditions.
3. Prepare a Circulation Plan Element. A circulation plan element identifies the location and types of all modes of transportation within the Borough including existing conditions, problems, and any proposed recommendations. Given the recent increase in regional traffic demands and the desire to promote walkability in the Borough, a new circulation plan will be able to provide an inventory and direction for future improvements which may include means to reduce through-traffic on local residential streets, enhance safety through better visibility at busy intersections, traffic calming, sidewalks, walking or bike trails, better signage and other traffic and pedestrian-related issues.
4. Community Facilities Element. A community facilities plan provides an inventory of existing community facilities, such as Borough Hall, schools, and emergency response facilities with future improvements identified to address any deficiencies.
5. Open Space and Recreation Element. An updated open space and recreation element will address concerns in this report regarding existing facility maintenance and upgrades as well as providing recommendations for new opportunities such as new walking trails, exercise stations, and access to the river.
6. Utilities Element. A utilities element reviews all the existing utilities within the Borough including water, wastewater, stormwater management, and waste disposal

among other items. The utilities element can be done in concert with the Highlands infrastructure planning to provide a path to remedy the Borough's ongoing wastewater and stormwater problems.

7. Housing Element and Fair Share Plan. As stated previously, the Borough will need to amend the existing Housing Element and Fair Share Plan to be in conformance with the most recent court decisions.

Recommended changes to the Zoning Ordinance

Possible changes to the zoning code which require consideration by the Borough's governing body are the following:

1. Review any updates to the Highlands Checklist Ordinance and Highlands Exemption Ordinance and amend as needed for consistency.
2. Review and amend the land development checklist and submission requirements to include any outside agency approvals, Borough advisory committees, and emergency services for review and comment.
3. Review the site plan requirements for new development and redevelopment to provide a provision for sidewalks on both sides of the street in the Borough, where appropriate.
4. Review and amend the provision of adequate width for Borough streets, as well as adequate curbing and paving specifications for new and existing developments.
5. Review the Borough's existing sign ordinance for consistency, clarity, and consideration of new types of signage that may impact the borough, including but not limited to, feather signs, fan-operated signs, and LED signage. In addition, a review of existing sign standards related to the size and number of signs permitted should also be reviewed to avoid sign pollution.
6. Addressing standards for a variety of accessory structures, such as decks and pools, particularly in the Fawn Run Development.
7. The Borough should review fence and residential accessory structure standards to ensure clarity and consistency.
8. Review residential zone bulk standards for inconsistencies with existing development and lot sizes and amend as needed.
9. The PUD zone is no longer consistent with the Highlands Preservation Area development density and should be rezoned to conform with the Highlands Act while providing meaningful development that reflects the rural character of the area.
10. Adding recycling requirements for multifamily and nonresidential developments seeking site plan approval, as per the mandate of the State regulations.
11. Adopting supplementary development regulations in areas of the Borough underlain by limestone to ensure the safety of life and property in the Borough.
12. maintaining and strengthening the character of existing established single-family residential neighborhoods,
13. Review the existing residential ordinance in relation to single-family and multi-family dwellings permitted. The creation of short-term rental services such as Airbnb, Vrbo, and other online rental sites has become increasingly popular. Such

rental services provide income to local residents, however, short-term rental in residential neighborhoods can have negative impacts from visitors and owners that are not considerate of local municipal codes and regulations and the quality of life of neighboring properties. The Borough should review the land development ordinance and consider if short-term rentals are something to permit, permit with conditions, or prohibit. and Airbnb? conversions.

14. Review the Borough's ordinance in relation to home occupations and home businesses. The COVID-19 pandemic drastically altered the way many employers conduct business and how many employees work. Many employers have adopted all remote or hybrid work schedules which means more people work from home for all or a portion of their schedule. While most office workers have little impact, some businesses relocated to the home environment may create additional site impacts such as increased deliveries or client visits. The Borough may wish to review home occupation and business standards in the event of negative impacts.

In addition to these specific changes and updates to Bloomsbury's Master Plan and Zoning regulations, the Borough also seeks to investigate the following issues and development opportunities:

1. Providing mass-transit support infrastructure such as a Park and Ride facility.
2. Investigate how any possible expansion of the NJ Transit Rail Line might impact the Borough.

C. 40:55D-89e 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: 12 A-1 et seq.) 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 Borough has designated an Area in Need of Redevelopment and subsequent Redevelopment Plan since the adoption of the previous Reexamination Report. On November 26, 2019, the Borough Council, by Resolution No. 55-19, authorized the Planning Board to conduct an investigation of the area in order to determine whether 99 North Street, Block 8, Lot 3, and 88 North Street, Block 21, Lot 6, met the requirements for designation as a non-condemnation "area in need of redevelopment" as established under N.J.S.A. 40A:12A. On June 15, 2021, the Planning Board held a public hearing on the study which was entitled "Preliminary Investigation Report Regarding Designation of Block 8, Lot 3 and Block 21, Lot 6, as an Area in Need of Redevelopment" and determined, based on the results of the investigation, that the study area qualified as an area in need of redevelopment and made a formal recommendation to the Borough Council to so designate the area in a resolution adopted at a meeting on June 15, 2021. On August 24, 2021, the Borough Council adopted Resolution No. 43-21 designating the study area as an area in need of redevelopment (Exhibit A).

The Planning Board prepared a Redevelopment Plan for the property which was subject to a public hearing on June 21, 2022 and subsequently adopted by Resolution 05-22. This Redevelopment Plan provides a framework for the redevelopment of 99 and 88 North Street which will maintain the permitted uses in the ROM zone and replace the blighted building with a new commercial building respectful of the existing development pattern. The Plan's goals and objectives are as follows:

- To redevelop the property with commercial uses that have historically been permitted on the site and in the ROM zone.
- To reintroduce commercial uses in a manner that will be sensitive to the existing community context and surrounding uses.
- To provide for an appropriate redevelopment plan that will create tax revenue for the Borough.
- To establish site and building design standards that will foster high-quality development within the Redevelopment Area.
- To integrate environmentally sustainable building design and features into the site such as solar panels, electric vehicle charging stations and green building design.

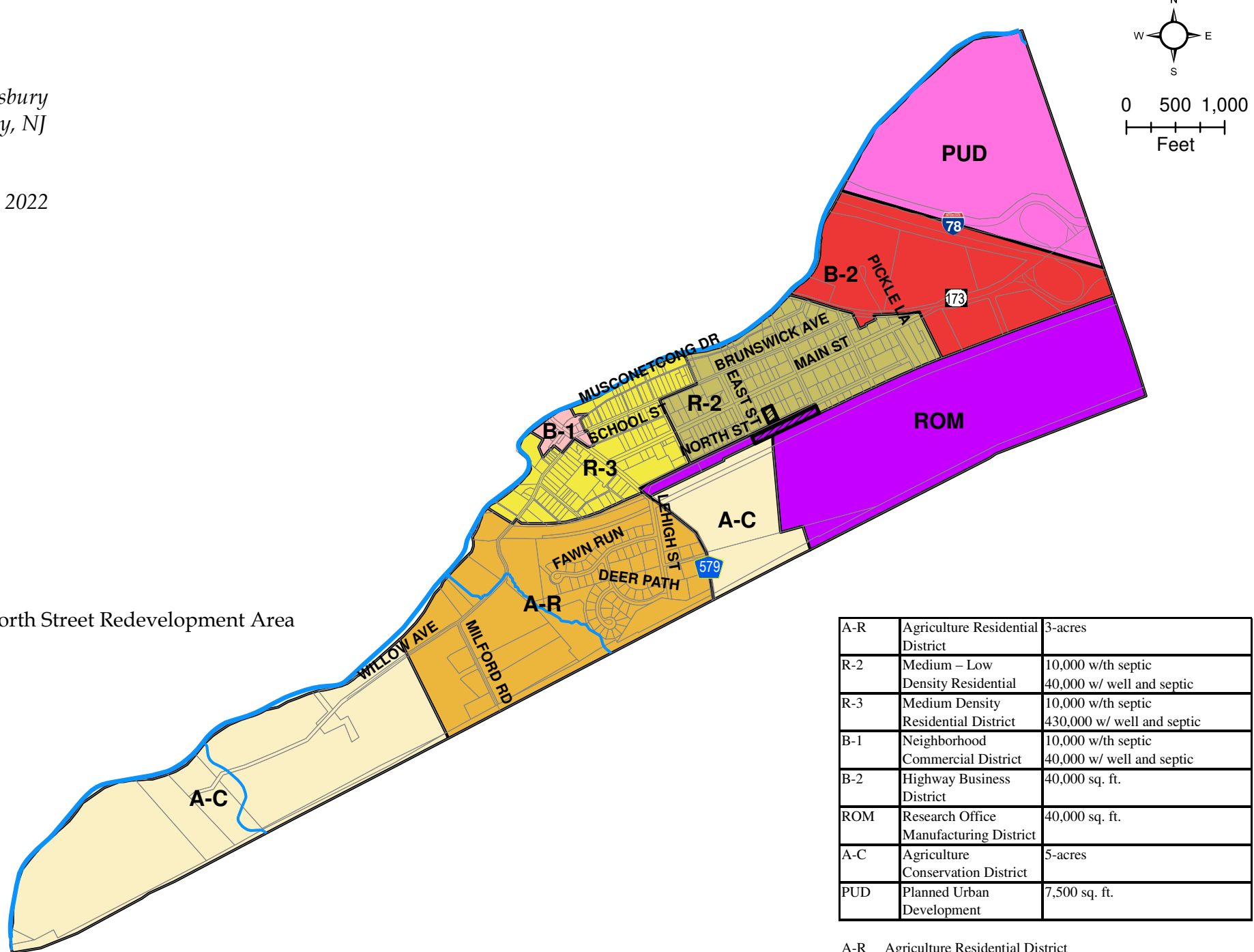
Exhibit A
Zoning

Borough of Bloomsbury
Hunterdon County, NJ

May 2008
Amended October 2022

Legend

- R-2
- R-3
- A-C
- A-R
- B-1
- B-2
- PUD
- ROM
- 88 & 99 North Street Redevelopment Area



A-R	Agriculture Residential District	3-acres
R-2	Medium – Low Density Residential	10,000 w/th septic 40,000 w/ well and septic
R-3	Medium Density Residential District	10,000 w/th septic 430,000 w/ well and septic
B-1	Neighborhood Commercial District	10,000 w/th septic 40,000 w/ well and septic
B-2	Highway Business District	40,000 sq. ft.
ROM	Research Office Manufacturing District	40,000 sq. ft.
A-C	Agriculture Conservation District	5-acres
PUD	Planned Urban Development	7,500 sq. ft.

- A-R Agriculture Residential District
- R-2 Medium – Low Density Residential District
- R-3 Medium Density Residential District
- B-1 Neighborhood Commercial District
- B-2 Highway Business District
- ROM Research Office Manufacturing District
- A-C Agriculture Conservation District
- PUD Planned Urban Development