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Master Plan Reexamination Report

For

Branchville Borough

Sussex County, New Jersey

2006

Prepared By: David R. Troast, L.L.C.

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This report has been signed and sealed in the original in accordance with N.J.A.C. 13:41 – 1.3

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LI005150, AS00621

Reexamination Report:

1.00 Introduction: The Municipal Land Use law (MLUL) under N.J.S. 40:55D-89 requires each municipality to periodically reexamine their Master Plan at a minimum of every six years. The importance of the Master Plan is clearly documented in the MLUL as the basis for establishing the policies and directives of future development for the decision making process in zoning and capital spending in local government.

1.01 Evaluation Criteria: The following five criteria have been established in the Municipal Land Use Law in evaluating municipal Master Plans.

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

The development issues in Branchville have historically evolved around the availability of a sanitary sewer system. The lack of sewers continues to limit new development or redevelopment in the Borough.

The 1994 Master Plan and Reexamination Report projected 79 potential residential building lots. The current projected building lots based on the Sussex County Strategic Growth Plan has been reduced to 48 residential building lots.

The Borough struggled with the affordable housing obligation issues in the 1994 Plan and concluded that the lack of a wastewater treatment facility prevented the development of a realistic plan.

The 1994 study recommended a sidewalk survey to designate routes or paths to encourage walking within the Borough. There have been some improvements to the commercial area.

The previous Report concluded that the existing land use policies were consistent with the state and county plans as well as with the Borough of Branchville.

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

The Borough Committee and Planning Board have actively pursued providing sewers to reduce the environmental issues with individual septic systems on small lots. A site for ground water discharge is currently under review by New Jersey Department of Environmental Protection (NJDEP), which is one of the last steps in the approval process.

NJDEP continues to promulgate rules to protect the environment, specifically water quality and quantity (Storm Water Management Regulations).

The Council on Affordable Housing has released the new Growth Share Rules on affordable housing further complicating the issue for Branchville.

Branchville has been constructed pedestrian improvements to the commercial area. Construction cost has prevented the Borough from meeting the objective of linking the entire "village" to the commercial district.

1.01-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.”

The first major change deals with Branchville Borough’s affordable housing obligation under the Fair Housing Act.

The Council On Affordable Housing (COAH) adopted the Round #3 Growth Share Rules in December of 2004 with an effective date of January 1, 2004. The third round obligation for each municipality is determined with two components.

“ 1. Growth Share – the number of units that must be built based on a town’s actual growth, allowing municipalities a much greater level of self determination;

2. Rehabilitation share – the number of substandard units a town must Rehabilitate as identified by COAH.”

Source: COAH

The Growth Share calculation is based on the following formula.

“1. For every 8 residential units receiving a certificate of occupancy in a municipality from 2004 to 2014, one affordable unit must be provided.

2. For every 25 jobs created in the municipality, the municipality incurs an obligation of one affordable housing unit.”

Source: COAH

The second change or impact on the Master Plan is the New Jersey State Plan adopted in 2001, which promotes compact development patterns that respect the natural systems and eliminate sprawl development. The State Planning Commission designated Branchville as a “Village Center” in 2003

The Sussex County Strategic Growth Plan is the third change impacting the Master Plan that needs to be addressed.

The final area deals with the new Storm Water Management Rules concerning residential and commercial development.

1.01-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." MLUL.

The Branchville Borough Master Plan specifically the Housing Plan and Fair Share Plan should be amended to comply with the COAH Growth Share Rules. The Governing Body should prepare the appropriate ordinances and apply to COAH for Certification.

The policies of the State Plan and Sussex County Strategic Growth Plan should be incorporated into the Branchville Borough Master Plan and Zoning Ordinance consistent with the approved Center Designation. This may include residential density reductions and eliminating or modifying the commercial uses along State Highway 206 consistent with the Center Plan Implementation Agenda. The Borough should pursue Plan Endorsement from the State Planning Commission.

Branchville Borough should evaluate the latest environmental information from NJDEP to evaluate the current land use districts and densities. The Master Plan and Zoning ordinances should be amended recommending the appropriate changes to protect the rural character, critical environmental features and habitats consist with the Municipal Land Use Law, State Plan, Sussex County Strategic Growth Plan.

The Planning Board should prepare and adopt a Historic Element of the Master Plan . The Historic Element will establish the policies to preserve and enhance the important historic features and character of the Borough.

The Borough should adopt storm water ordinances consist with the new rules.

1.01-e. "The recommendations of the Land Use Board concerning the incorporation of redevelopment plans adopted pursuant to the Local Redevelopment and Housing law, N.J.S. 40A:12A-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." MLUL.

Currently, there is not a need to incorporate redevelopment plans in the Borough of Branchville.

1.01-f. Completed Borough Projects:

The following is a list of projects implemented by the Borough consistent with the Master Plan.

Lower Mill Street Roadway Improvements - 1999

Wantage Avenue (CR 519) Pedestrian Bridge and Sidewalk - 2000

Broad Street Curb, Sidewalk and Waterline Improvements – 2001

1.02 Conclusion: The Reexamination Report provides the vehicle to evaluate the existing policies and plans of a municipality in the context of the State, region, county and within the municipality.