



**STATE OF NEW JERSEY
DEPARTMENT OF COMMUNITY AFFAIRS
COUNCIL ON AFFORDABLE HOUSING
PETITION APPLICATION**



This application is a guideline for creating a Housing Element and Fair Share Plan. A completed version of this application must be submitted as part of your petition for substantive certification to COAH. This application will be used by COAH staff to expedite review of your petition. This application can serve as your municipality's Fair Share Plan. A brief narrative component of the Fair Share Plan should be included with this application and can serve primarily to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would include a description of any waivers being requested.

This form reflects COAH's newly adopted procedural and substantive rules and the amendments to those rules adopted on September 22, 2008. Footnotes and links to some helpful data sources may be found at the end of each section. **To use this document electronically, use the TAB KEY to navigate from field to field. Enter data or use the Right Mouse Button to check boxes.**

MUNICIPALITY	Bloomsbury	COUNTY	Hunterdon
COAH REGION	<u>3</u>	PLANNING AREA(S)	Highlands Preservation Area
SPECIAL RESOURCE AREA(S)	Highlands Region		
PREPARER NAME	Joanna Slagle, Pp/Aicp	TITLE	Borough Planner
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ADDRESS	111 Main St, Flemington, Nj 08822	FAX NO.	908-782-7636
MUNICIPAL HOUSING LIAISON	Lisa Burd	TITLE	Borough Clerk
EMAIL	Blmclerk@Ptd.Net	PHONE NO.	908-479-4200
ADDRESS	<u>91 Brunswick Avenue, Bloomsbury, Nj 08804</u>	FAX NO.	_____

Enter the date(s) that COAH granted Substantive Certification or that the Court granted a Judgment of Compliance (JOC) on the Housing Element and Fair Share Plan.

History of Approvals	<u>COAH</u>	<u>JOC</u>	<u>N/A</u>
First Round	_____	_____	<input checked="" type="checkbox"/>
Second Round	_____	_____	<input checked="" type="checkbox"/>
Extended Second Round	_____	_____	<input checked="" type="checkbox"/>

Does the Petition include any requests for a waiver from COAH Rules? Yes No
If Yes, Please note rule section from which waiver is sought and describe further in a narrative section:6.8(b)1

FILING/PETITION DOCUMENTS (N.J.A.C. 5:96-2.2/3.2 & N.J.A.C. 5:97-2.3/3.2)

All of the following documents must be submitted in order for your petition to be considered complete. Some documents may be on file with COAH. Please denote by marking the appropriate box if a document is attached to the Housing Element and Fair Share Plan or if you are using a document on file with COAH from your previous third round submittal to support this petition. Shaded areas signify items that must be submitted anew.

Included	On File	Required Documentation/Information
<input checked="" type="checkbox"/>		Certified Planning Board Resolution adopting or amending the Housing Element & Fair Share Plan
<input checked="" type="checkbox"/>		Certified Governing Body Resolution endorsing an adopted Housing Element & Fair Share Plan and either (check appropriate box):
		<input checked="" type="checkbox"/> Petitioning <input type="checkbox"/> Filing <input type="checkbox"/> Re-petitioning <input type="checkbox"/> Amending Certified Plan
<input checked="" type="checkbox"/>		Service List (in the new format required by COAH)
<input checked="" type="checkbox"/>		Adopted Housing Element & Fair Share Plan narrative (including draft and/or adopted ordinances necessary to implement the Plan)
<input checked="" type="checkbox"/> <input type="checkbox"/> N/A		If applicable, Implementation Schedule(s) with detailed timetable for the creation of units and for the submittal of all information and documentation required by N.J.A.C. 5:97-3.2(a)4
<input type="checkbox"/> <input checked="" type="checkbox"/> N/A	<input type="checkbox"/>	If applicable, Litigation Docket No., OAL Docket No., Settlement Agreement and Judgment of Compliance or Court Master's Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipal Master Plan (most recently adopted; if less than three years old, the immediately preceding, adopted Master Plan)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipal Zoning Ordinance (most recently adopted) ¹ Date of Last Amendment: <u>5/29/2010</u> Date of Submission to COAH: <u>6/8/2010</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Municipal Tax Maps (most up-to-date, electronic if available) Date of Last Revision: <u>1/1/2005</u> Date of Submission to COAH: <u>6/8/2010</u>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Other documentation pertaining to the review of the adopted Housing Element & Fair Share Plan(list): _____

FOR OFFICE USE ONLY

Date Received _____ Affidavit of Public Notice _____ Date Deemed _____
 Complete/Incomplete _____ Reviewer's Initials _____

¹ Pursuant to N.J.S.A. N.J.S.A. 52:27D-307, as amended by PL 2008 c.46, any residential development resulting from a zoning change made to a previously non-residentially-zoned property, where the change in zoning precedes or follows the application for residential development by no more than 24 months, shall require that a percentage be reserved for occupancy by low or moderate income households.

HOUSING ELEMENT

(N.J.A.C. 5:97-2 & N.J.S.A. 40:55D-1 et seq.)

The following issues and items must be addressed in the Housing Element for completeness review. Where applicable, provide the page number(s) on which each issue and/or item is addressed within the narrative Housing Element.

1. The plan includes an inventory of the municipality's housing stock by¹:

- Age;
- Condition;
- Purchase or rental value;
- Occupancy characteristics; and
- Housing type, including the number of units affordable to low and moderate income households and substandard housing capable of being rehabilitated

Yes, Page Number: 15 - 20 No (incomplete)

2. The plan provides an analysis of the municipality's demographic characteristics, including, but not necessarily limited to²:

- Population trends
- Household size and type
- Age characteristics
- Income level
- Employment status of **residents**

Yes, Page Number: 21 - 25 No (incomplete)

3. The plan provides an analysis of existing and future employment characteristics of the **municipality**, including but not limited to³:

- Most recently available in-place employment by industry sectors and number of persons employed;
- Most recently available employment trends; and
- Employment outlook

Yes, Page Number: 26 No (incomplete)

4. The plan includes a determination of the municipality's present and prospective fair share for low and moderate income housing and an analysis of how existing or proposed changes in zoning will provide adequate capacity to accommodate residential and non-residential growth projections.
AND

The analysis covers the following:

- The availability of existing and planned infrastructure;
- The anticipated demand for the types of uses permitted by zoning based on present and anticipated future demographic characteristics of the municipality;
- Anticipated land use patterns;
- Municipal economic development policies;
- Constraints on development including State and Federal regulations, land ownership patterns, presence of incompatible land uses or sites needing remediation and environmental constraints; and
- Existing or planned measures to address these constraints.

Yes, Page Number: 4 - 8 No (incomplete)

5. The plan includes a consideration of lands that are most appropriate for construction of low and moderate income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate income housing, including a consideration of lands of developers who have expressed a commitment to provide low and moderate income housing.

Yes, Page Number: 6 No (incomplete)

6. The plan relies on household and employment projections for the municipality as provided in Appendix F of COAH's rules (if yes check the yes box below and check no in lines 6a-8).

Yes, Page Number: _____ No (go to 6a)

- 6a. The Plan relies on higher household and employment projections for the municipality as permitted under N.J.A.C. 5:97-2.3(d) (optional - see Fair Share Plan section starting on page 7 of this application).

Yes (go to 7 and 8) No (go to 6b)

- 6b. The Plan relies on a request for a downward adjustment to household and employment projections for the municipality as provided in N.J.A.C. 5:97-5.6 (optional - see Fair Share Plan section starting on page 7 of this application).

Yes, Page Number: 1 - 8 No

7. If the municipality anticipates higher household projections than provided by COAH in Appendix F, the plan projects the municipality's probable future construction of housing for fifteen years covering the period January 1, 2004 through December 31, 2018 using the following minimum information for residential development:

- Number of units for which certificates of occupancy were issued since January 1, 2004;
- Pending, approved and anticipated applications for development;
- Historical trends, of at least the past 10 years, which includes certificates of occupancy issued; and
- The worksheet for determining a higher residential growth projection provided by COAH. (Worksheets are available at www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html)

- Yes, Page Number: _____
- No (incomplete)
- Not applicable (municipality accepts COAH's projections)

8. If the municipality anticipates higher employment projections than provided by COAH in Appendix F, the plan projects the probable future jobs based on the use groups outlined in Appendix D for fifteen years covering the period January 1, 2004 through December 31, 2018 for the municipality using the following minimum information for non-residential development:

- Square footage of new or expanded non-residential development authorized by certificates of occupancy issued since January 1, 2004;
- Square footage of pending, approved and anticipated applications for development;
- Historical trends, of at least the past 10 years, which shall include square footage authorized by certificates of occupancy issued;
- Demolition permits issued and projected for previously occupied non-residential space; and
- The worksheet for determining a higher non-residential growth projection provided by COAH.

- Yes, Page Number: _____ No (incomplete)
- Not applicable (municipality accepts COAH's projections)

9. The plan addresses the municipality's :

- Rehabilitation share (from Appendix B);
- Prior round obligation (from Appendix C); and
- Projected growth share in accordance with the procedures in N.J.A.C. 5:97-2.4.

Yes, Page Number: 9 No (incomplete)

10. If applicable, the plan includes status of the municipality's application for plan endorsement from the State Planning Commission.

Yes, Page Number: _____ No (incomplete) Not Applicable

Petition date: _____ Endorsement date: _____

¹ Information available through the U.S. Census Bureau at

http://factfinder.census.gov/servlet/ACSSAFFHousing?sse=on&submenuId=housing_0

² Information available through the U.S. Census Bureau at <http://factfinder.census.gov/home/saff/main.html>.

³ Information available through the New Jersey Department of labor at

<http://www.wnjp.in.net/OneStopCareerCenter/LaborMarketInformation/lmi14/index.html>

FAIR SHARE PLAN (N.J.A.C. 5:97-3)

Please provide a summary of the Fair Share Plan by filling out all requested information. Enter N/A where the information requested does not apply to the municipality. A fully completed application may serve as the actual Fair Share Plan. A brief narrative should be attached to supplement the information included in the application form. Additionally, the narrative section of the Fair Share plan would fully describe, under a separate heading, any waivers that are being requested.

Determining the 1987-2018 Fair Share Obligation

The following tables will assist you in determining your overall 1987-2018 fair share obligation. For each cycle of the affordable housing need and rehabilitation share, please use the “need” column to enter the number of units addressed in the municipal petition. Where the municipality has received and/or is proposing any adjustments to its rehabilitation share, prior round and/or growth share obligation, use the footnotes providing rule references and follow the procedures for determining the municipal need and/or for calculating any adjustments applicable to the municipality. Enter the affordable housing need as provided by COAH or that results from the adjustment under the “Need” column.

Line		<u>Need</u>
1	<input type="radio"/> Rehabilitation Share (From <u>N.J.A.C. 5:97 Appendix B</u>) OR	<u>0</u>
2	<input type="radio"/> Optional Municipally Determined Rehabilitation Share (If a municipally determined rehabilitation share is being used, attach the survey results as an exhibit to this application and indicate that it is attached as Exhibit _____.)	_____
		<u>Need</u>
3	<input type="radio"/> Prior Round (1987-1999) Affordable Housing Obligation (From <u>N.J.A.C. 5:97 Appendix C</u>)	<u>17</u>
	<input type="radio"/> Prior Round Adjustments:	
	<input type="radio"/> 20% Cap Adjustment	_____
	<input type="radio"/> 1000 Unit Cap Adjustment	_____
4	Total Prior Round Adjustments	_____
5	Adjusted Prior Round Obligation: (Number in Appendix C minus Total Prior Round Adjustment(s))	<u>17</u>
<hr style="border-top: 3px double #000;"/>		
	<input type="radio"/> Prior Round Vacant Land Adjustment (Unmet Need)	<u>17</u>
6	Realistic Development Potential(RDP) ¹	<u>0</u>

¹ RDP = Adjusted Prior Round Obligation minus Vacant Land Adjustment

Determining the Growth Share Obligation

All municipalities must complete the “COAH projections” table below. Only municipalities that anticipate higher projections or that are seeking a growth projection adjustment based on a demonstration that insufficient land capacity exists to accommodate COAH projections need complete the corresponding additional table. COAH has published three workbooks in Excel format to assist with preparing this analysis. All municipalities must complete Workbook A. Workbook B must be used when the municipality anticipates that its growth through 2018 is likely to exceed the growth through 2018 that has been projected by COAH and the municipality wants to plan accordingly. Workbook C must be used by municipalities seeking a downward adjustment to the COAH-generated growth projections based on an analysis of municipal land capacity. Workbooks may be found at the following web location:

www.nj.gov/dca/affiliates/coah/resources/gsworksheets.html.

The applicable workbook has been completed and is attach to this application as Exhibit _____.

Line ○ ***Required 2004-2018 COAH Projections and Resulting Projected Growth Share***

Household Growth (From Appendix F)	<u>2</u>	Employment Growth (From Appendix F)	<u>0</u>
Household Growth After Exclusions (From Workbook A)	<u>2</u>	Employment Growth After Exclusions (From Workbook A)	<u>0</u>
Residential Obligation (From Workbook A)	<u>2.00</u>	Non-Residential Obligation (From Workbook A)	<u>0.00</u>

7 Total 2004-2018 Growth Share Obligation 2.00

○ ***Optional 2004-2018 Municipal Projections Resulting in Higher Projected Growth Share***

Household Growth After Exclusions (From Workbook B)	_____	Employment Growth After Exclusions (From Workbook B)	_____
Residential Obligation (From Workbook B)	_____	Non-Residential Obligation (From Workbook B)	_____

8 Total 2004-2018 Projected Growth Share Obligation _____

○ ***Optional Municipal Adjustment to 2004-2018 Projections and Resulting Lower Projected Growth Share***

Household Growth After Exclusions (From Workbook C)	_____	Employment Growth After Exclusions (From Workbook C)	_____
Residential Obligation (From Workbook C)	_____	Non-Residential Obligation (From Workbook C)	_____

9 Total 2004-2018 Growth Share Obligation _____

10 **Total Fair Share Obligation** (Line 1 or 2 + Line 5 or 6 + Line 7, 8 or 9) 2.00

Summary of Plan for Total 1987-2018 Fair Share Obligation

(For each mechanism, provide a description in the Fair Share Plan narrative. In the table below, specify the number of completed or proposed units associated with each mechanism.)

	<u>Completed</u>	<u>Proposed</u>	<u>Total</u>
Rehabilitation Share			<u>0</u>
<i>Less: Rehabilitation Credits</i>	_____		_____
Rehab Program(s)		_____	_____
Remaining Rehabilitation Share			_____
Prior Round (1987-1999 New Construction) Obligation			<u>17</u>
<i>Less: Vacant Land Adjustment (If Applicable)</i>			
<i>(Enter unmet need as the adjustment amount. Unmet need = Prior round obligation minus RDP):</i>			
Unmet Need			<u>0</u>
RDP	_____	_____	<u>0</u>
Mechanisms addressing Prior Round			
Prior Cycle Credits (1980 to 1986)			_____
Credits without Controls	_____	_____	_____
Inclusionary Development/Redevelopment	_____	_____	_____
100% Affordable Units	_____	_____	_____
Accessory Apartments	_____	_____	_____
Market-to-Affordable	_____	_____	_____
Supportive & Special Needs	_____	_____	_____
Assisted Living	_____	_____	_____
RCA Units previously approved	_____	_____	_____
Other	_____	_____	_____
Prior Round Bonuses	_____	_____	_____
Remaining Prior Round Obligation	_____	_____	<u>0</u>
Third Round Projected Growth Share Obligation			<u>2</u>
<i>Less: Mechanisms addressing Growth Share</i>			
Inclusionary Zoning	_____	_____	_____
Redevelopment	_____	_____	_____
100% Affordable Development	_____	_____	_____
Accessory Apartments	_____	<u>2</u>	_____
Market-to-Affordable Units	_____	_____	_____
Supportive & Special Need Units	_____	_____	_____
Assisted Living: post-1986 Units	_____	_____	_____
Other Credits	_____	_____	_____
Compliance Bonuses	_____	_____	_____
Smart Growth Bonuses	_____	_____	_____
Redevelopment Bonuses	_____	_____	_____
Rental Bonuses	_____	_____	_____
Growth Share Total	_____	_____	<u>2</u>
Remaining (Obligation) or Surplus	_____	_____	<u>0</u>

PARAMETERS¹

<u>Prior Round 1987-1999</u>			
RCA Maximum		RCAs Included	0
Age-Restricted Maximum	_____	Age-Restricted Units Included	_____
Rental Minimum	_____	Rental Units Included	_____

<u>Growth Share 1999-2018</u>			
Age-Restricted Maximum	_____	Age-Restricted Units Included	0
Rental Minimum	.5	Rental Units Included	2
Family Minimum	1	Family Units Included	1
Very Low-Income Minimum ²	1	Very Low-Income Units Included	1

¹ Pursuant to the procedures in N.J.A.C. 5:97-3.10-3.12

² Pursuant to N.J.S.A. 52:27D-329.1, adopted on July 17, 2008, at least 13 percent of the housing units made available for occupancy by low-income and moderate income households must be reserved for occupancy by very low income households.

Summary of Built and Proposed Affordable Housing

Provide the information requested regarding the proposed program(s), project(s) and/or unit(s) in the Fair Share Plan. Use a separate line to specify any bonus associated with any program, project and/or unit in the Plan. As part of completeness review, all monitoring forms must be up-to-date (i.e. 2007 monitoring must have been submitted previously or included with this application) and all proposed options for addressing the affordable housing obligation must be accompanied by the applicable checklist(s) (found as appendices to this application). Enter whether a project is proposed or completed and attach the appropriate form or checklist for each mechanism as appendices to the plan. Please note that bonuses requested for the prior round must have been occupied after December 15, 1986 and after June 6, 1999 for the third round.

Please make sure that a corresponding mechanism checklist is submitted for each mechanism being employed to achieve compliance. Separate checklists for each mechanism are available on the COAH website at www.nj.gov/dca/affiliates/coah/resources/checklists.html.

Table 1. Projects and/or units addressing the Rehabilitation Share

Project/Program Name	Proposed (use Checklists) or Completed (use <u>Rehabilitation Unit Survey Form</u>)	Rental, Owner Occupied or Both	Checklist or Form Appendix Location ¹
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit Rehabilitation Unit Survey Forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter “on file” in this column.

Table 2. Programs, Projects and/or units addressing the Prior Round.

Project/Program Name	Mechanism or Bonus Type	Proposed (use checklists) or Completed (use Project/Unit Program Information Forms)	Units Addressing Obligation (Note with "BR" where Special Needs bedrooms apply)	Number Addressing Rental Obligation)	Number Subject to Age- Restricted Cap	Checklist or Form Appendix Location ¹
1.	_____	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____	_____
5.	_____	_____	_____	_____	_____	_____
6.	_____	_____	_____	_____	_____	_____
7.	_____	_____	_____	_____	_____	_____
8.	_____	_____	_____	_____	_____	_____
9.	_____	_____	_____	_____	_____	_____
10.	_____	_____	_____	_____	_____	_____
11.	_____	_____	_____	_____	_____	_____
12.	_____	_____	_____	_____	_____	_____
13.	_____	_____	_____	_____	_____	_____
14.	_____	_____	_____	_____	_____	_____
15.	_____	_____	_____	_____	_____	_____
Subtotal from any additional pages used				_____		
Total units (proposed and completed)				_____		
Total rental				_____		
Total age-restricted				_____		
Total very-low				_____		
Total bonuses				_____		
Please add additional sheets as necessary.						

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter "on file" in this column.

Table 3. Programs, Projects and/or Units Addressing the Third Round.

Project Name	Mechanism or Bonus Type	Proposed (use checklist(s) or Completed (use Project/Unit Program Information Form)	Units Addressing Obligation (Note with “BR” where Special Needs bedrooms apply	Units Addressing Rental Obligation	Units Addressing Family Obligation	Units Subject to Age-restricted Cap	Checklist or Form Appendix Location¹
16. Municipal Accessory Apartment	Accessory Apartment	<u>Proposed</u>	<u>2</u>	<u>2</u>	<u>1</u>	<u>0</u>	<u>ht</u>
17.		_____	_____	_____	_____	_____	_____
18.		_____	_____	_____	_____	_____	_____
19.		_____	_____	_____	_____	_____	_____
20.		_____	_____	_____	_____	_____	_____
21.		_____	_____	_____	_____	_____	_____
22.		_____	_____	_____	_____	_____	_____
23.		_____	_____	_____	_____	_____	_____
24.		_____	_____	_____	_____	_____	_____
25.		_____	_____	_____	_____	_____	_____
26.		_____	_____	_____	_____	_____	_____
27.		_____	_____	_____	_____	_____	_____
28.		_____	_____	_____	_____	_____	_____
29.		_____	_____	_____	_____	_____	_____
30.		_____	_____	_____	_____	_____	_____
Subtotal from any additional pages used		<u>0</u>	Total units (proposed and completed)		<u>2</u>		
Total family units		<u>1</u>	Total rental units		<u>2</u>		
Total age-restricted units		<u>0</u>	Total family rental units		<u>1</u>		
Total Supportive/Special Needs units		<u>0</u>	Total very-low units		<u>1</u>		
Total Special Needs bedrooms		<u>0</u>	Total bonuses		<u>0</u>		

Please add additional sheets as necessary.

¹ If all completed units have already been reported to COAH as part of 2007 monitoring or subsequent CTM updates, there is no need to re-submit monitoring forms. If additional units have been completed subsequent to 2007 monitoring, the municipality may submit updated forms. If the plan relies only on completed units previously reported via 2007 monitoring, enter “on file” in this column.

Please answer the following questions necessary for completeness review regarding the municipality's draft and/or adopted implementing ordinances.

AFFORDABLE HOUSING TRUST FUND (N.J.A.C. 5:97-8)

1. Does the municipality have an affordable housing trust fund account? (**Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a fully executed escrow agreement will forfeit the ability to retain development fees.**)
- Yes, Bank Name _____
- (Choose account type) Separate interest-bearing account
- State of New Jersey cash management fund
- No (**Skip to the Affordable Housing Ordinance section**)
2. Has an escrow agreement been executed? Yes No
- (**If no, petition is incomplete. Submit an executed escrow agreement.**)
3. Is all trust fund monitoring up-to-date as of December 31, 2007? Yes No
- (**If no, petition is incomplete. Submit an updated trust fund monitoring report.**)

DEVELOPMENT FEE ORDINANCES (N.J.A.C. 5:97-8.3)

1. Does the Fair Share Plan include a proposed or adopted development fee ordinance? (**Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a development fee ordinance will forfeit the ability to retain non-residential development fees**)
- Yes,
- Adopted **OR** Proposed
- No **Skip to the next category; Payments-in-Lieu**
2. If adopted, specify date of COAH/Court approval here: _____
- Have there been any amendments to the ordinance since COAH or the Court approved the ordinance?
- Yes, Ordinance Number. _____ Adopted on¹ _____
- No (**Skip to the next category; Payments-in-Lieu**)
- If yes, is the amended ordinance included with your petition?
- Yes
- No, (**Petition is incomplete. Submit ordinance with governing body resolution requesting COAH approval of amended ordinance**)

3. Does the ordinance follow the ordinance model **updated September 2008** and available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? If yes, skip to question 5.

Yes No

4. If the answer to 3. above is no, indicate that the necessary items below are addressed before submitting the Development Fee ordinance to COAH:

Information and Documentation

The ordinance imposes a residential development fee of ____% and a Non-residential fee of 2.5 %

- A description of the types of developments that will be subject to fees per N.J.A.C. 5:97-8.3(c) and (d);
- A description of the types of developments that are exempted per N.J.A.C. 5:97-8.3(e)
- A description of the amount and nature of the fees imposed per N.J.A.C. 5:97-8.3(c) and (d)
- A description of collection procedures per N.J.A.C. 5:97-8.3(f)
- A description of development fee appeals per N.J.A.C. 5:97-8.3(g)
- A provision authorizing COAH to direct trust funds in case of non-compliance per N.J.A.C. 5:97-8.3(h)
- If part of a court settlement, submit court ordered judgment of compliance, implementation ordinances, information regarding period of time encompassed by the judgment of compliance and a request for review by the court

5. Does the ordinance include an affordability assistance provision per N.J.A.C. 5:97-8.8 (**Note: must be at least 30 percent of all development fees plus interest**)?

Yes (Specify actual or anticipated amount) \$4,866.75

No **Submit an amended ordinance with provisions for affordability assistance along with a governing body resolution requesting COAH approval of the amended ordinance.)**

■ If yes, what kind of assistance is offered?

It is Bloomsbury Borough's intention to provide affordability assistance to convert or produce housing units for low and moderate income households and provide assistance to very-low-income households.

■ Has an affordability assistance program manual been submitted? Yes No

¹ Any amendment to a previously approved and adopted development fee ordinance must be submitted to COAH along with a resolution requesting COAH's review and approval of the amendment prior to the adoption of said amendment by the municipality.

**PAYMENTS-IN-LIEU OF CONSTRUCTING AFFORDABLE UNITS ON
SITE (N.J.A.C. 5:97-8.4)**

1. Does the Fair Share Plan include an inclusionary zoning ordinance that provides for payments-in-lieu as an option to the on-site construction of affordable housing?
 Yes No (**Skip to the next category; Barrier Free Escrow**)

2. Does the plan identify an alternate site and/or project for the payment-in-lieu funds? (**Optional**)
 Yes (**attach applicable checklist**)
 No (identify possible mechanisms on which payment in lieu will be expended in narrative section of plan.)

3. Does the ordinance include minimum criteria to be met before the payments-in-lieu becomes an available option for developers? (**Optional**)
 Yes (indicate ordinance section) _____
 No

BARRIER FREE ESCROW/OTHER FUNDS (N.J.A.C. 5:97-8.5/8.6)

1. Has the municipality collected or does it anticipate collecting fees to adapt affordable unit entrances to be accessible in accordance with the Barrier Free Subcode, N.J.A.C. 5:23-7?
 Yes No

2. Does the municipality anticipate collecting any other funds for affordable housing activities?
 Yes (specify funding source and amount) _____
 No

SPENDING PLANS (N.J.A.C. 5:97-8.10)

1. Does the petition include a Spending Plan? (**Note: Pursuant to P.L. 2008 c.46, municipalities that do not submit a Spending Plan will forfeit the ability to retain development fees.**)
 Yes No

2. Does the Spending Plan follow the Spending Plan model **updated October 2008** and available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? If yes, skip to next section - Affordable Housing Ordinance.
 Yes No

3. If the answer to 1. above is no, indicate that the necessary items below are addressed before submitting the spending plan to COAH:

Information and Documentation

- A projection of revenues anticipated from imposing fees on development, based on actual proposed and approved developments and historical development activity;
- A projection of revenues anticipated from other sources (specify source(s) and amount(s));
- A description of the administrative mechanism that the municipality will use to collect and distribute revenues;
- A description of the anticipated use of all affordable housing trust funds pursuant to N.J.A.C. 5:97-8.7;
- A schedule for the expenditure of all affordable housing trust funds;
- A schedule for the creation or rehabilitation of housing units;
- If the municipality envisions being responsible for public sector or non-profit construction of housing, a detailed pro-forma statement of the anticipated costs and revenues associated with the development, consistent with standards required by HMFA or the DCA Division of Housing in its review of funding applications;
- If the municipality maintains an existing affordable housing trust fund, a plan to spend the remaining balance as of the date of its third round petition within four years of the date of petition;
- The manner through which the municipality will address any expected or unexpected shortfall if the anticipated revenues from development fees are not sufficient to implement the plan;
- A description of the anticipated use of excess affordable housing trust funds, in the event more funds than anticipated are collected, or projected funds exceed the amount necessary for satisfying the municipal affordable housing obligation; and
- If not part of the petition, a resolution of the governing body requesting COAH review and approval of spending plan or an amendment to an approved spending plan.

AFFORDABLE HOUSING ORDINANCE (N.J.A.C. 5:80-26.1 et seq.)

1. Does the Fair Share Plan include an Affordable Housing Ordinance?
 Yes No
2. Does the ordinance follow the ordinance model available at www.nj.gov/dca/affiliates/coah/resources/planresources.html? Yes No
3. If the answer to 1. or 2. above is no, indicate that the required items below are addressed before submitting to COAH. If the required items are addressed in ordinances other than an Affordable Housing Ordinance, please explain in a narrative section of the Fair Share Plan.

Required Information and Documentation

- Affordability controls
- Bedroom distribution
- Low/moderate-income split and bedroom distribution
- Accessible townhouse units
- Sale and rental pricing
- Municipal Housing Liaison
- Administrative Agent
- Reference to the Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

AFFORDABLE HOUSING ADMINISTRATION (As Applicable)

Items that must be submitted with the petition:

- Governing body resolution designating a municipal housing liaison (COAH must approve)

Items that must be submitted prior to COAH's grant of Substantive Certification:

- Operating manual for rehabilitation program
- Operating manual for affordability assistance
- Operating manual for an Accessory Apartment program
- Operating manual for a Market-to-Affordable program
- COAH approved administrative agent if municipal wide

Items that must be submitted prior to any time prior to marketing completed units:

- COAH approved administrative agent(s) is project specific
- Operating manual for sale units
- Operating manual for rental units
- Affirmative marketing plan or ordinance (N.J.A.C. 5:80-26.15)

CERTIFICATION

I, _____, have prepared this petition application for substantive certification on behalf of _____. I certify that the information submitted in this petition is complete, true and accurate to the best of my knowledge. I understand that knowingly falsifying the information contained herein may result in the denial and/or revocation of the municipality's substantive certification.

Signature of Preparer (affix seal if applicable)

Date

Title

N.J.S.A. 2C:21-3, which applies to the certifications, declares it to be a disorderly person offense to knowingly make a false statement or give false information as part of a public record.

Narrative Section

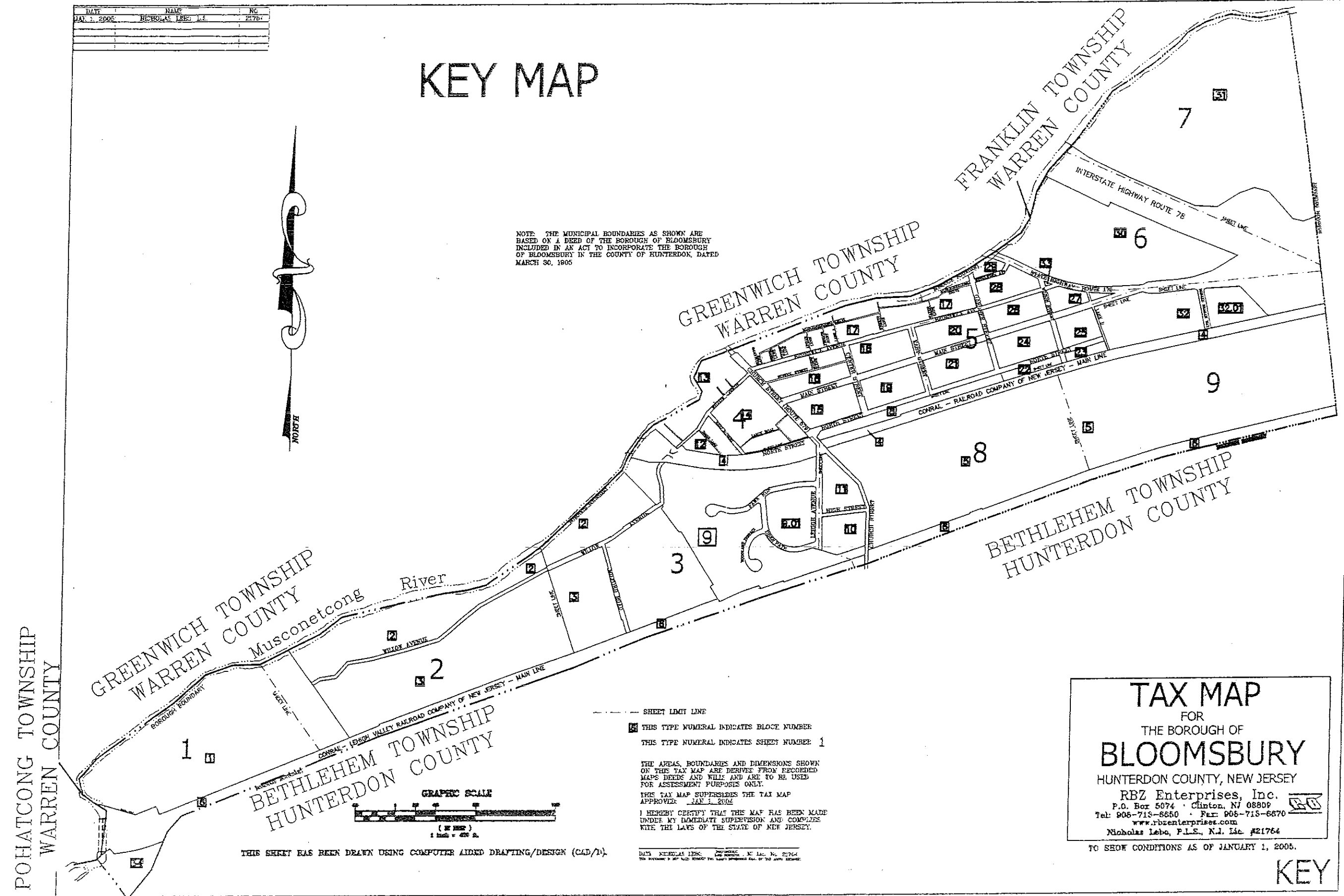
KEY

DATE	NAME	NO.
JAN 1, 2005	NICHOLAS LEBE, P.E.	2176

KEY MAP



NOTE: THE MUNICIPAL BOUNDARIES AS SHOWN ARE BASED ON A DEED OF THE BOROUGH OF BLOOMSBURY INCLUDED IN AN ACT TO INCORPORATE THE BOROUGH OF BLOOMSBURY IN THE COUNTY OF HUNTERDON, DATED MARCH 30, 1905



--- SHEET LIMIT LINE
 [] THIS TYPE NUMERAL INDICATES BLOCK NUMBER
 [] THIS TYPE NUMERAL INDICATES SHEET NUMBER 1

THE AREAS, BOUNDARIES AND DIMENSIONS SHOWN ON THE TAX MAP ARE DERIVED FROM RECORDED MAPS, DEEDS AND WILLS AND ARE TO BE USED FOR ASSESSMENT PURPOSES ONLY.
 THIS TAX MAP SUPERSEDES THE TAX MAP APPROVED JAN 1, 2004
 I HEREBY CERTIFY THAT THIS MAP HAS BEEN MADE UNDER MY IMMEDIATE SUPERVISION AND COMPLETES WITH THE LAWS OF THE STATE OF NEW JERSEY.



THIS SHEET HAS BEEN DRAWN USING COMPUTER AIDED DRAFTING/DESIGN (CAD/D)

DEN NICHOLAS LEBE, P.E. License No. 21764
 2005 January 1st 2005

TAX MAP
 FOR
 THE BOROUGH OF
BLOOMSBURY
 HUNTERDON COUNTY, NEW JERSEY

RBZ Enterprises, Inc.
 P.O. Box 5074 • Clinton, NJ 08809
 Tel: 908-715-8850 • Fax: 908-715-6670
 www.rbzenterprises.com
 Nicholas Lebe, P.L.S., N.J. Lic #21764

TO SHOW CONDITIONS AS OF JANUARY 1, 2005.

KEY

10/2006

DATE	NAME	NO.
JAN 1 2005	NICHOLAS LEBBO P.L.S.	21784

SEE SHEET 2

4
7.42 AC.
"EXEMPTED"
STATE OF NEW JERSEY



GREENWICH TOWNSHIP
WARREN COUNTY

Musconetcong River

APPROX. BOUNDARY

1

3
15.14 AC.

MATCH LINE

BLOCK LINE
CONRAIL - LEHIGH VALLEY RAILROAD COMPANY - MAIN LINE
CLASS 1
31.86 AC.(S)(TOTAL)
APPROX. BOUNDARY

6

BETHLEHEM TOWNSHIP
HUNTERDON COUNTY

POHATCONG TOWNSHIP
WARREN COUNTY

CLASS 2
2
0.55 AC.

BLOCK LINE

MAIN LINE

CLASS 2
3
0.02 AC.(S)

BLOCK LINE

34

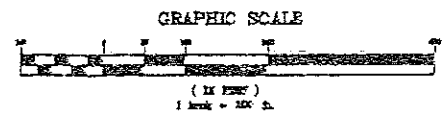
1.01
1.22 AC.
"EXEMPTED"
HUNTERDON COUNTY
PARK SYSTEM

1.80 AC.

2
0.77 AC.(S)

CLASS 1
NEW C&D AC.(S)

3.01
0.43 AC.
"EXEMPTED"
HUNTERDON COUNTY
PARK SYSTEM



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TAX MAP

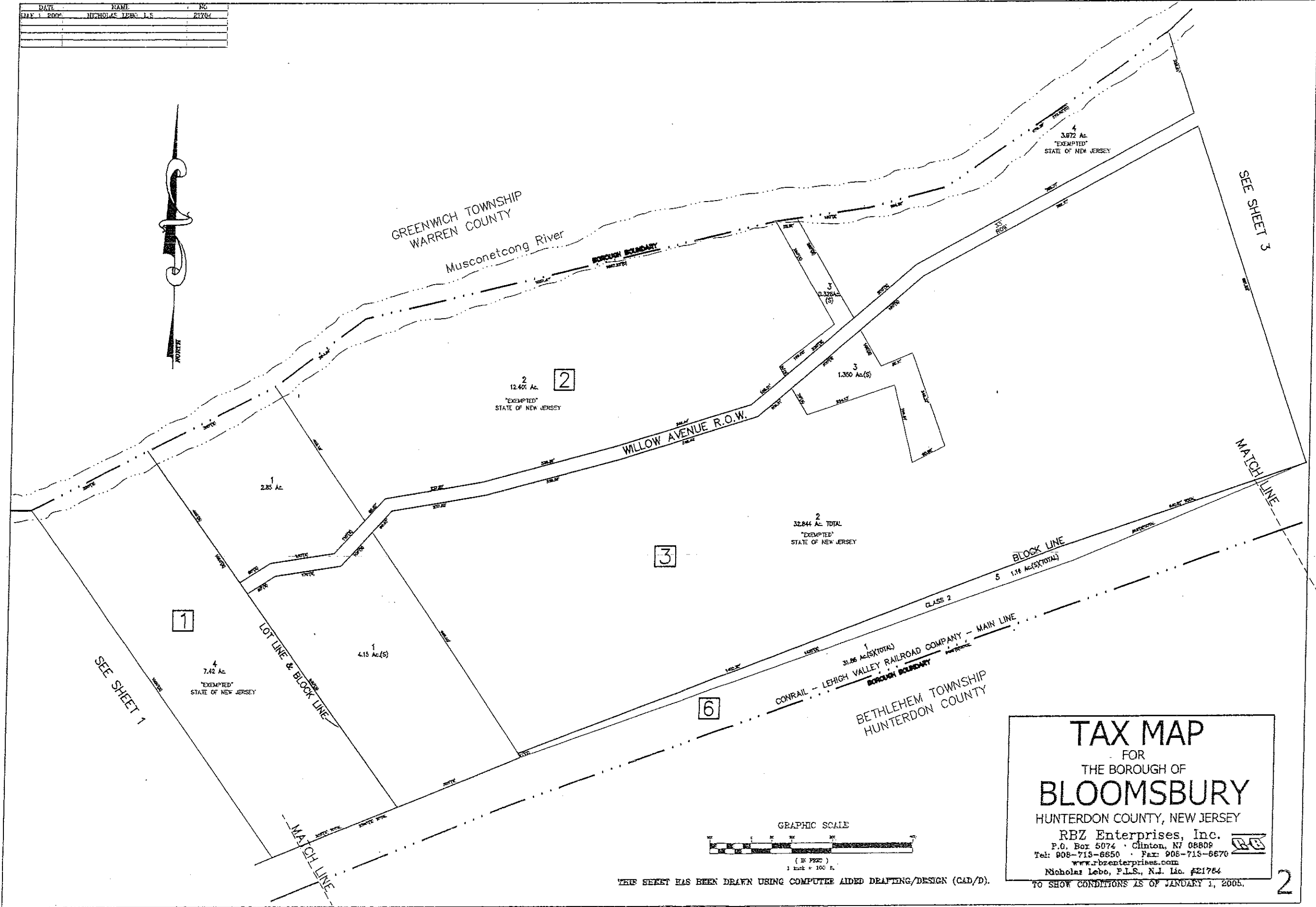
FOR
THE BOROUGH OF
BLOOMSBURY

HUNTERDON COUNTY, NEW JERSEY

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www.rbzentprises.com
Nicholas Lebo, P.L.S., N.J. Lic. #21784

TO SHOW CONDITIONS AS OF JANUARY 1, 2005.

DATE	NAME	NO.
MAY 1 2005	NICHOLAS LERO J.S.	21764

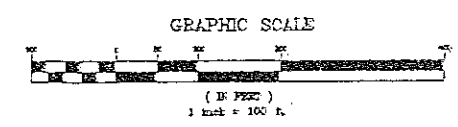


SEE SHEET 1

SEE SHEET 3

MATCH LINE


MATCH LINE



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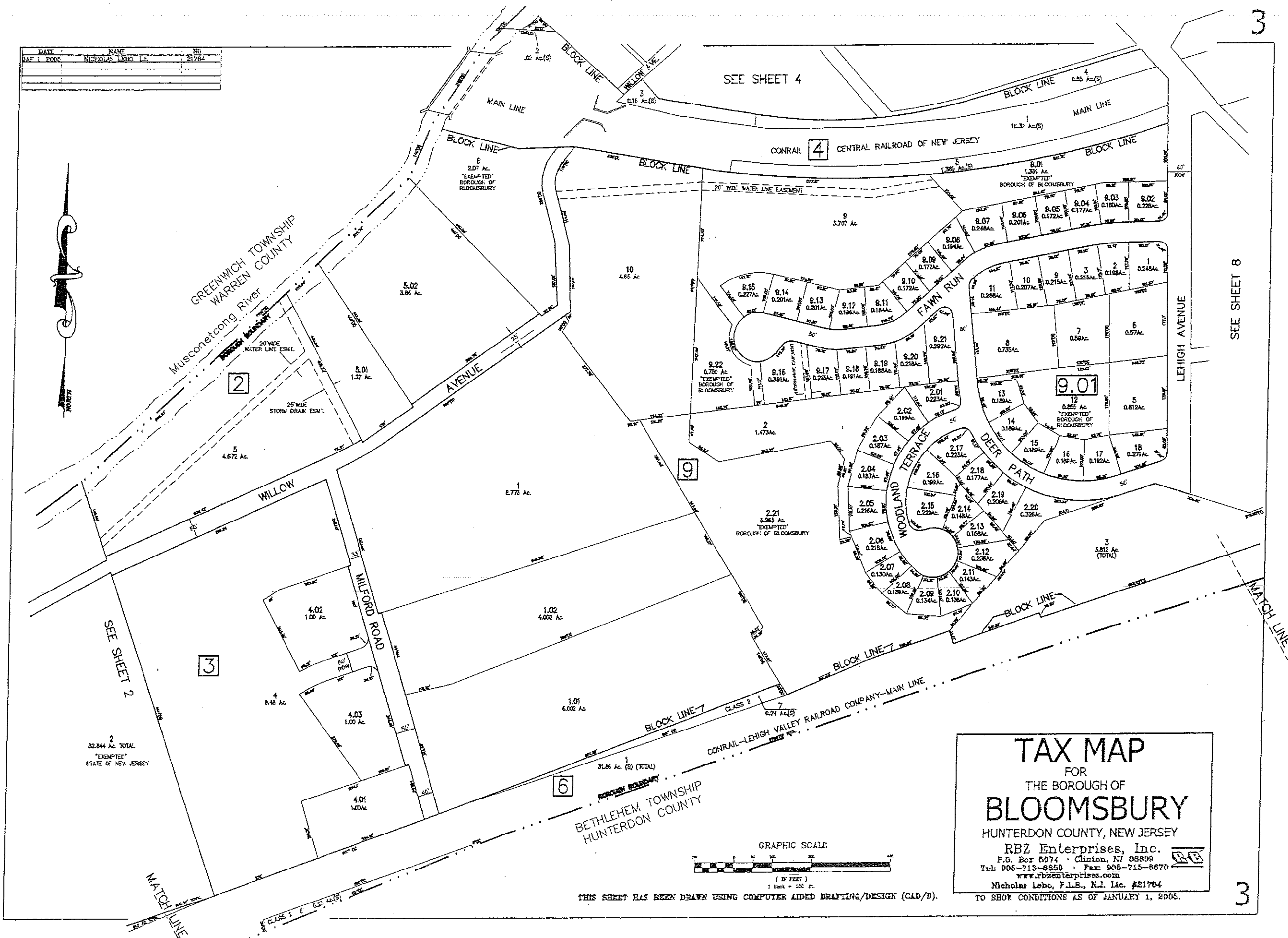
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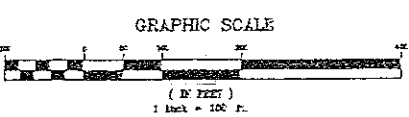
TO SHOW CONDITIONS AS OF JANUARY 1, 2005.

DATE	NAME	NO.
MAY 1 2006	NICHOLAS LEBO F.S.	21764



2
32.844 AC. TOTAL
"EXEMPTED"
STATE OF NEW JERSEY

BETHLEHEM TOWNSHIP
HUNTERDON COUNTY



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TAX MAP
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TO SHOW CONDITIONS AS OF JANUARY 1, 2005.

3

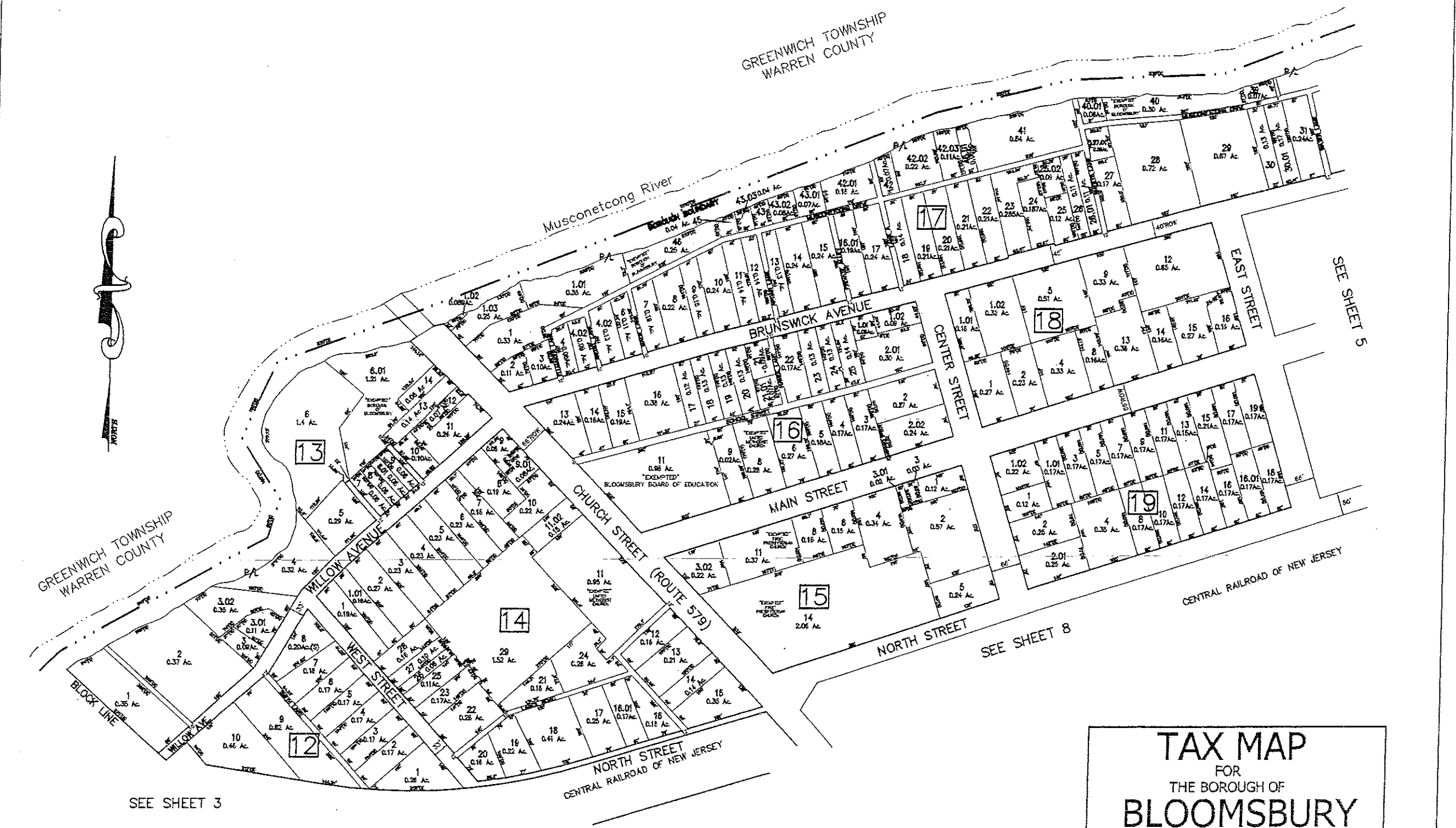
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SEE SHEET 2

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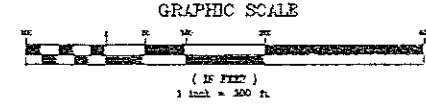
DATE	NAME	NO.
JAN 7 2006	NICHOLAS LEBE, L.L.	21724



SEE SHEET 3

SEE SHEET 8

SEE SHEET 5



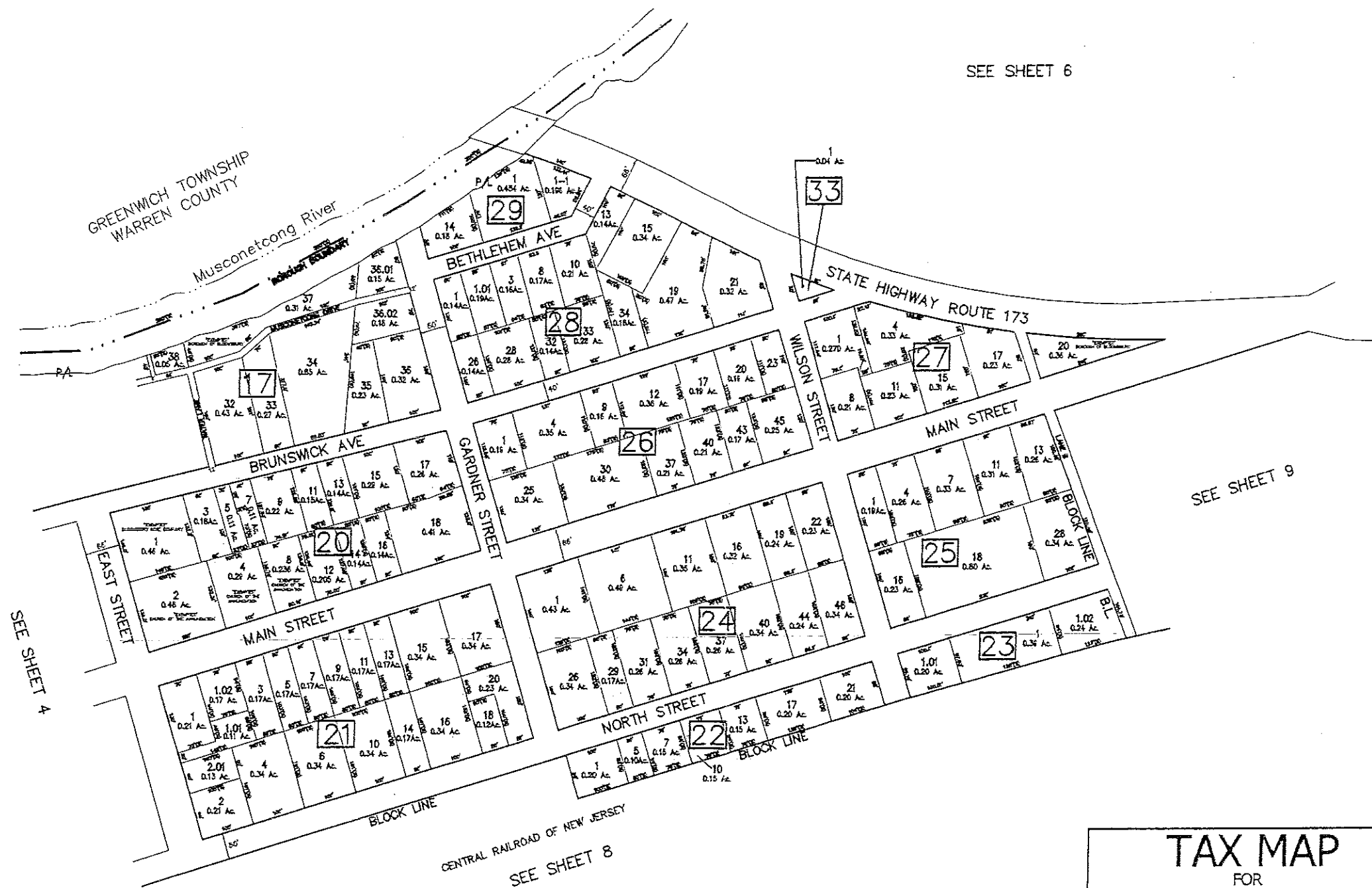
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TAX MAP
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TO SHOW CONDITIONS AS OF JANUARY 1, 2006.

DATE	NAME	NO.
MAY 2005	NICHOLAS LEBO P.L.S.	21784



SEE SHEET 6

SEE SHEET 9

SEE SHEET 4


SEE SHEET 8



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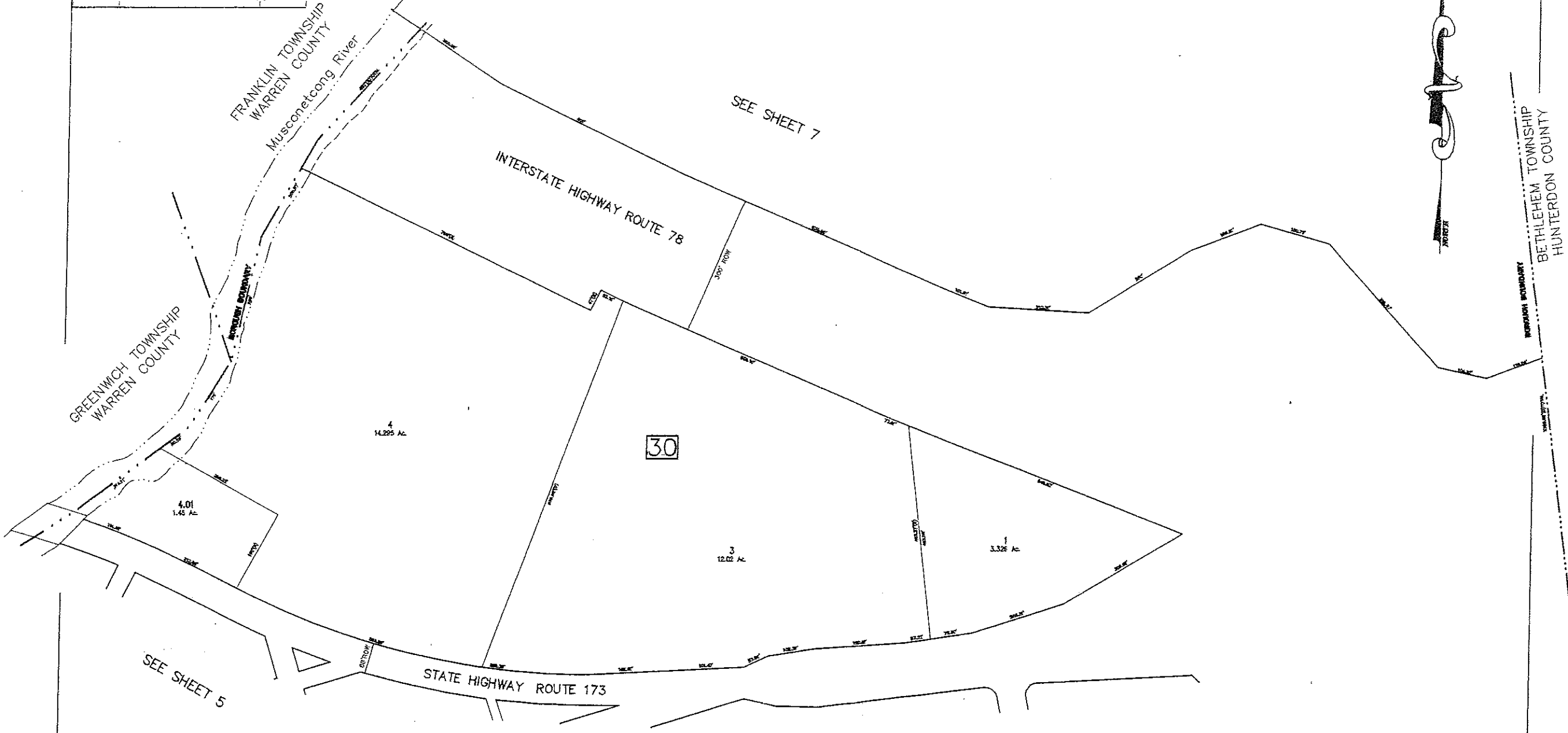
TAX MAP
 FOR
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TO SHOW CONDITIONS AS OF JANUARY 1, 2005.

DATE	NAME	NO.
JAN 1 2006	NICHOLAS LEBBO, F.L.S.	21764



SEE SHEET 5

SEE SHEET 7


SEE SHEET 9



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TAX MAP
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TO SHOW CONDITIONS AS OF JANUARY 1, 2006.

DATE	NAME	NO.
MAY 1 2005	NICHOLAS LABO, P.L.S.	21784

FRANKLIN TOWNSHIP
WARREN COUNTY

Musconetcong River

31

71.24 Ac

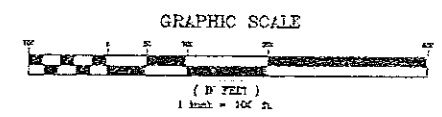
BETHLEHEM TOWNSHIP
HUNTERDON COUNTY

INTERSTATE HIGHWAY ROUTE 78



TAX MAP
FOR
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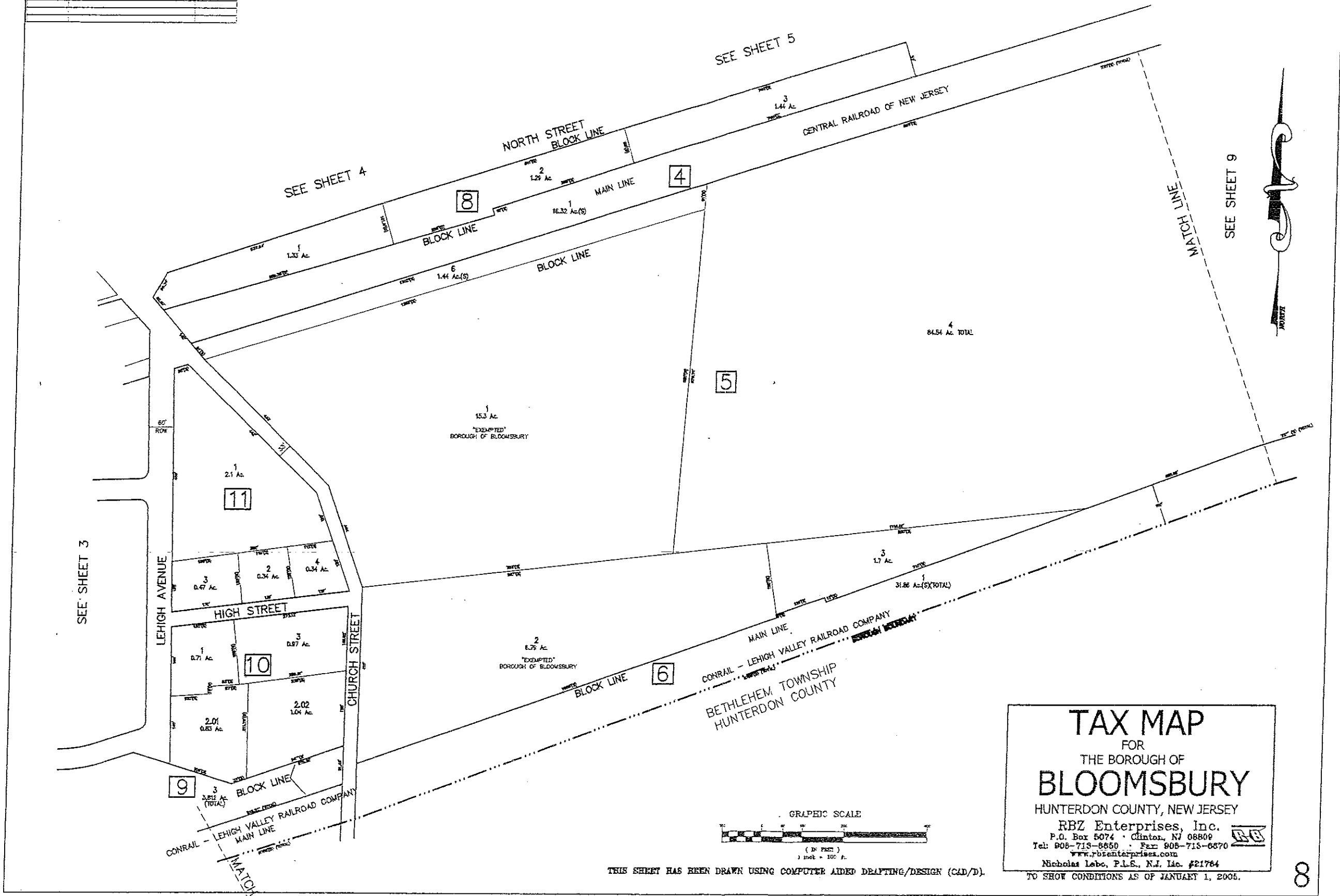
SEE SHEET 6



TO SHOW CONDITIONS AS OF JANUARY 1, 2005.

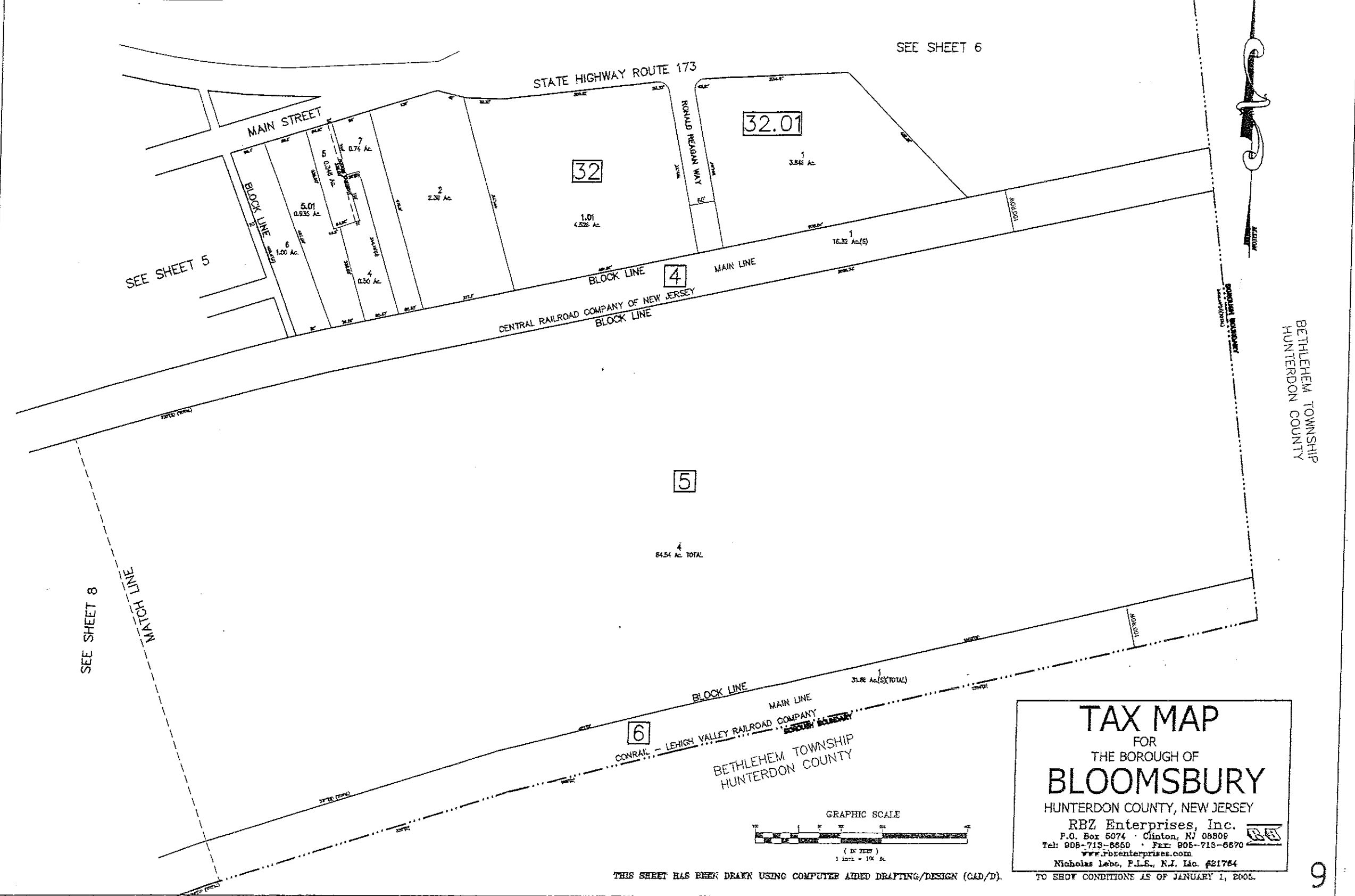
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DATE	NAME	NO.
MAY 1 2006	NICHOLAS LEBE, P.L.E.	21784



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DATE	NAME	NO.
MAY 1 2005	NICHOLAS LEBBO, F.L.E.	1712

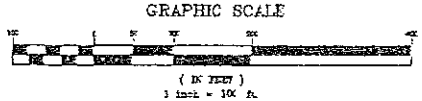


BETHLEHEM TOWNSHIP
HUNTERDON COUNTY

TAX MAP
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TO SHOW CONDITIONS AS OF JANUARY 1, 2005.

■ Master Plan
Re-examination Report
Borough of Bloomsbury,
New Jersey

Prepared for the Bloomsbury Planning Board

Phillips Preiss Shapiro Associates, Inc.

Planning & Real Estate Consultants

Adopted November 18, 2003

**Master Plan Reexamination Report
Borough of Bloomsbury, New Jersey**

Prepared for the Bloomsbury Planning Board

**Phillips Preiss Shapiro Associates, Inc.
Planning and Real Estate Consultants
434 Sixth Avenue
New York, New York 10011**

**54 Shrewsbury Avenue
Red Bank, New Jersey 07701**

Adopted November 18, 2003

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I. INTRODUCTION

Under the Municipal Land Use Law (NJSA 40:55 89), every six years a general reexamination of a municipality's master plan and development regulations by the Planning Board is required. The reexamination report is required to state the following:

- 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.

The Borough of Bloomsbury last adopted a full Master Plan in 1979 entitled **Borough of Bloomsbury Master Plan 1979**, prepared by Musial Guerra. In December 1990 the Borough adopted the **Master Plan Reexamination Report of Bloomsbury Borough**, prepared by Peggy A. Hegarty, P.P., followed by another reexamination in 1997 entitled **Reexamination Report for the Borough of Bloomsbury**, prepared by Schoor DePalma, Inc., November 18, 1997. This is a reexamination of the most recently adopted Reexamination Report (1997). Note that since the Borough of Bloomsbury has no newly designated "areas in need of redevelopment," the latter element (i.e., "e" above) is excluded in this reexamination. The reexamination which is provided in the following 4 chapters follows the state-mandated format above.

II. MAJOR PROBLEMS AND OBJECTIVES OF THE 1997 REEXAMINATION REPORT

The following outlines the major problems and objectives relating to land development set forth in the 1997 Reexamination Report. The 1997 document indicates that a number of problems and objectives highlighted in the 1990 Master Plan Reexamination had been addressed and/or fulfilled in the intervening years. At the same time, the 1997 Reexamination Report revealed that some of these problems and objectives had either remained relatively static or had actually increased over time.

The Borough's major problems and objectives from the prior Reexamination Report in 1990 which were not addressed in the 1997 Reexamination Report may be synthesized as follows:

A. Land Use Plan

- The method for calculating the number of lots under the cluster option needs to be clarified.

B. Traffic Circulation

- Funding for road maintenance and improvements should be sought.
- Encourage the maintenance and improvement of the Milford Road bridge.
- For new residential development in the Milford Road and Willow Avenue area, encourage the use of loop roads and stub-end cul-de-sacs so that new roadways may interconnect and thus reduce the hazard of the long Willow Avenue cul-de-sac.
- Require off-tract improvements for new development or redevelopment.
- Discourage non-local and commercial truck traffic through residential neighborhoods.
- Develop a plan for sidewalks in new and existing developed areas. In areas where minimum lot sizes are one acre or greater, consider a macadam or pervious surface pathway.

C. Public Utilities

- Allow co-permittee responsibility only for selected projects which are judged to advance the goals and policies of the master plan.

D. Community Facilities

- No problems or objectives remain unaddressed.

E. Recreation and Open Space

- Provide for the recreation needs of residents of all ages by performing a community recreation needs survey.
- The Borough needs also to review any proposed open space to determine whether it should be restricted solely to the residents of the new development or whether it should be open to all Borough residents.
- Coordinate open space planning with the county in regard to the greenway designated along the Musconetcong River.
- Ensure the preservation and continued maintenance of homeowner association open space and recreation areas through a review of the deed restrictions and homeowner association bylaws during the application review process.

F. Conservation

- The Borough should require State requirements related to flood hazard areas, wetlands and stream encroachment to be appropriately addressed at the time of a development application.
- The land use plan should be revised to show the Greenway along the whole length of the Musconetcong River.
- As part of ongoing design reviews of large projects, the following is recommended:
 1. Require a stream setback in all zones and note in the regulations that State guidelines for construction within a flood hazard area must also be met.
 2. In larger commercial or industrial and multifamily developments, encourage the use of drought-tolerant, indigenous plantings in order to reduce water consumption, and vegetative ground cover alternatives to grass lawns in order to reduce the use of chemicals for lawn and grounds maintenance.
 3. In larger commercial or industrial and multifamily developments, encourage the preservation or creation of wooded areas as an alternative to large expanses of lawn area.
 4. Require conservation easements for wetlands, wetland transition areas, stream buffers and other environmentally sensitive features which may preclude development.
- Form a historic preservation commission to implement the 1979 master plan's recommendations on preservation and to prepare a Historic Preservation master plan element.
- Designate the historic district, apply for listing on the State register and adopt an ordinance which regulates the historic district.
- Encourage 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.

G. Additional Recommendations

- Add an element on historic preservation. The municipal land use law authorizes the creation of a historic district commission to prepare and implement the historic preservation element. This element indicates the location, significance, proposed utilization and means for preservation of historic sites and districts, and identifies the standards used to assess the worthiness of a historic site or district designation.
- Add a section on stormwater management under the Public Utilities Element.
- Add an element on economic development which would include the information on municipal finance. The economic development element is to consider all aspects of economic development, including a comparison of the types of employment expected to be provided through economic development and an analysis of the stability and diversity of the economic development to be promoted.
- Add the following goal to the master plan: the provision of affordable housing for low- and moderate-income families in order to meet the borough's fair share obligation.

The 1997 Reexamination Report indicated the following were the significant changes in policies from the prior master plan reexamination (i.e., from the 1990 Reexamination Report).

- The Hunterdon County Planning Board has indicated that Bloomsbury may be considered a small center, however center designation requires application through the cross-acceptance process for revised State Development and Redevelopment Plan. The Borough is in the process of making such an application for center designation. Formal designation as a center may provide additional funding sources of particular benefit to the community.
- A large block of land immediately adjacent to the Borough in Greenwich Township, Warren County are zoned for industrial uses. Application for a new sewer treatment plant have reached the initial public hearing stage for a discharge allocation certificate (DAC). Development of this industrial zone would have a substantial impact on the Bloomsbury exit of I-78 and on Route 173 through the Borough.
- Local development in the B-2 zone adjacent to the Bloomsbury interchange has already had a substantial impact on the area. Because of the current zoning and the proximity to I-78, the predominant development in the area has been for gasoline service stations/truck stops, which have begun to have an adverse effect on the surrounding road system, simply because of the demand for this type of development in the area. Although the Borough does not wish to exclude the existing facilities, it does wish to have more balanced commercial development of the area, to promote other, more locally-oriented business uses.

The 1997 Reexamination Report recommended the following specific changes should have been made to the Bloomsbury Master Plan and the land development regulations.

- The additional, optional elements of the master plan, such as historical preservation and economic development, remain to be completed.
- Within the development regulations, the Borough may wish to look at the cluster provisions, especially the method of calculating density, and some of the design standards, particularly related to the PUD zone, to insure that they reflect the desires of the community.
- In addition, because of the unbalanced development in the B-2 zone, the Borough should consider a change to the allowed uses in this district, which would preclude any additional development of gasoline service stations/truck stops and which would encourage the development of locally-oriented businesses to service the needs of the community.
- Finally, because the State Plan will have an increasing affect on how communities plan and develop, the Borough should consider participation in the upcoming cross-acceptance process with the Office of State Planning and Hunterdon County.

III. EXTENT TO WHICH PROBLEMS AND OBJECTIVES FROM THE LAST MASTER PLAN REEXAMINATION HAVE BEEN REDUCED OR INCREASED

1. Number of lots under cluster option

A need still exists for a method to be incorporated into the Bloomsbury development regulations for determining the number of lots that should be permitted in a single-family subdivision when a cluster option is utilized. However, no matter what actual method is adopted, under no circumstances should the number of lots permitted under this option exceed that which would be permitted under a conventional subdivision.

2. Funding for road maintenance/improvements

The Borough still requires, and therefore would encourage the continued search for funding from sources outside of the Borough, for the purpose of both maintaining and improving road conditions in Bloomsbury.

3. Maintenance/improvement of Milford Road bridge

While the Milford Road bridge has been maintained and improved, the Borough would encourage its continued maintenance and improvement in the future. The same policy should be applied to the Route 579 bridge.

4. Loop roads and stub-end cul-de-sacs

Although the 1997 Reexamination Report only encouraged their use in the Milford Road and Willow Avenue area, they are to be encouraged in all new developments throughout the Borough to avoid the hazards of creating long cul-de-sacs and as a means of providing alternative emergency vehicle as well as passenger vehicle access.

5. Off-tract improvements

Off-tract improvements for new development and redevelopment should still be sought, recognizing that under the Municipal Land Use Law, developers are presently only required to pay their pro-rata share of such improvements.

6. Truck traffic on residential streets

Non-local and commercial through-traffic on residential streets remains very much a concern of the Borough. Ways of preventing this through-traffic, not just discouraging it, should be examined and implemented where appropriate and practical.

7. Sidewalks and pathways

Sidewalks should still be planned and provided for in new developments and redevelopment projects. In areas which are developed with lot sizes of one acre or more, pervious surface pathways should still be considered. With respect to the latter, the application of the State-mandated Residential Site Improvement Standards (RSIS) would have to be applied to residential developments. RSIS Standards typically call for sidewalks to be provided on both sides of the street on public roads. However, exceptions and waivers may be granted by either the Borough or through application to the Department of Community Affairs, in circumstances where strict application is unnecessary or disadvantageous to the community.

8. Co-permittee for sewer improvements

The provisions of the State code requiring a municipality to be a co-permittee (jointly with a developer or provider of a wastewater treatment facility) has been repealed and no longer applies throughout the State.

9. Recreation needs survey

The recreation needs survey recommended in the 1997 Reexamination was completed shortly after the Plan was adopted. A plan for park improvements was formulated but not adopted by the Borough's governing body, not due to any deficiencies in the Plan itself, but because of funding-related issues.

10. Opening privately-provided open space to the public

The 1997 Reexamination Plan called for a determination of whether any open space provided in the Borough be restricted solely to the residents of the new development, or open to all Borough residents. Unless rights of access are acquired through outright purchase or via easement acquisition, no municipality can require that privately-owned property be open to the public, or that the open space provided be deeded to the municipality. At the same time, the Borough can request or encourage that such access be provided voluntarily by the owner or owners. Therefore, in appropriate circumstances, such as where the Borough intends to al-

low for public access along a riverfront, the Borough would encourage developers to provide access or right-of-way to all citizens of the community.

11. Public Park on Musconetcong River

The 1997 Reexamination Plan recommended coordination of open space planning with the County in regard to designating a greenway along the Musconetcong River, and recommended a revision to the Land Use Plan of the Master Plan to show the Greenway on the Musconetcong River within the Borough. The Borough now 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, they are encouraged to do so.

12. Private open space maintenance

The Borough endorses the 1997 Reexamination Plan recommendation that as 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.

13. Flood hazard, wetland and stream encroachment requirements

The 1997 Reexamination Report recommended that the State requirements for flood hazard areas, wetlands and stream encroachment be appropriately addressed at the time of a development application. The Borough recommends that the submission and review requirements for development approvals (subdivision and site plan approval, in particular) be amended to include: (1) the submission of the plan and text addressing the State's requirements; (2) a review of these items to the satisfaction of the reviewing agency of the Borough; and (3) conditioning approvals, where applicable, on obtaining the appropriate approvals from the applicable State agency. Utilization of the Musconetcong Watershed Guidelines is also recommended.

14. Review of large projects

The 1997 Reexamination Report recommended four elements be added to the ongoing design review of large projects: the application 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. While the addition of these elements is a positive step for the Borough, the requirement for such reviews should be based upon land use type rather than project size.

Thus, the following amendments to the review requirements of the Borough are recommended:

- 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.

15. Historic Preservation recommendation

The 1997 Reexamination Plan endorsed certain recommendations regarding historic preservation dating back to the 1979 Master Plan, and added a few recommendations of its own. These can be summarized as four distinct recommendations:

- a. Form an historic commission to carry out the recommendations regarding historic preservation;
- b. Prepare an Historic Preservation Element of the Master Plan. (Note that it is a State-mandated requisite prior to the adoption of an Historic Preservation ordinance.) This element requires that historic buildings and sites be identified by location, significance

and that the proposed means of preservation, as well as the standards and to assess the worthiness of their historic designation, be included.

- c. Designate an historic district (or several such districts), and apply for a listing of buildings and/or the district on the State's register; and
- d. Adopt an historic preservation ordinance.

The Borough endorses all of the above recommendations, although it does recognize that the implementation of these recommendations is currently beyond the fiscal resources of the community.

In addition, the Borough endorses the 1997 Reexamination report recommendation which 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.

16. Stormwater Management

The Borough endorses the recommendations in the 1997 Reexamination Report that a section on stormwater management be added to the Public Utilities Element of the Borough's Master Plan. Such an Element should include consideration and inclusion of the State's current standards for groundwater recharge.

17. Economic Plan Element

The Borough endorses the recommendation that an Economic Plan Element be added to the Borough's master plan.

18. Affordable Housing

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 currently provides for its fair share obligation by requiring an affordable housing set-aside in the Planned Unit Development (PUD) zone.

19. State Development and Redevelopment Plan

The Borough did participate in the cross-acceptance process for the State Development and Redevelopment Plan, and started the process of obtaining center designation status. An initial application was submitted and additional information requested by the State was furnished. With little progress being made towards obtaining center designation, and a perception that the benefits thereof would not be considerable, the Borough withdrew its application in September 2001.

20. Sewer treatment plant in Greenwich Township

Greenwich Township has withdrawn its application for a discharge allocation certificate and has no plans to pursue the construction of a sewer treatment plant. In addition, the Township has amended the floor area ratio permitted in its industrial zone to a point where on-site disposal would be sufficient to handle the effluent generated by a build-out of the industrial area.

21. Service station/truck stops

Zoning for the Borough adjacent to the I-78 interchange under a B-2 zoning designation allowed a number of gasoline service stations and a large truck stop to be established at the primary gateway into the Borough. The development of these uses, particularly as it relates to the amount of truck traffic it has generated with frequent movements on and off the interstate, has had a substantial detrimental impact on the Borough. This includes substantial traffic congestion around the entrances and exits to these uses, a source of frequent accidents which pose both a threat to the safety and property of residents in the Borough, and considerable inconvenience and danger from gridlock situations which have forced residents as well as Borough emergency vehicles to find alternative routes to and from regional roadways, and to and from I-78. In addition, it has created a negative visual impression of the Borough due to its location at the primary gateway into the community (including the proliferation of signage), and it has had a negative land use impact in that the level of noise, glare, air pollution and 24-hour nature of activities related to the uses has discouraged new development or redevelopment in the Borough in close proximity to these uses.

Due to the nature and extent of these problems, the Borough wishes to prevent, and would strongly discourage any further development of these types of uses, either adjacent to these uses or anywhere else in the Borough, where similar hazards and problems could arise. At the same time the Borough recognizes that such uses are entitled to continue as established, although to the extent that improvements could be made, particularly with regard to traffic safety and congestion, these should be encouraged. 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.

IV. CHANGES IN ASSUMPTIONS, GOALS AND POLICIES

A. CHANGES AT THE LOCAL LEVEL

Although there have not been any drastic or dramatic changes in the Borough of Bloomsbury in the past six years since the 1997 Reexamination Report was adopted, changes in the surrounding communities in particular, and within the County and at the State level, have brought with them some shift in local policy towards future development and the quality of life in the Borough. The list below represents those policies and objectives which require a greater level of attention in the Borough in the future.

1. Open Space

There are two major concerns related to open space, stemming from a realization that development pressures, already being exerted upon communities surrounding Bloomsbury, may impact the Borough in the future. The first relates to existing development, where existing homes are being renovated and expanded with increases in both building and impervious coverage, and a concomitant loss of vegetated and lawn areas within existing properties. The Borough's policy is to allow for reasonable expansion and coverage, provided the amount of coverage is limited and the sense of openness is retained.

The second issues relates to concerns related to the loss of open space via new development. While the Borough recognizes the rights of property owners to develop their property, ways in which open space within new developments can be provided—particularly natural areas that lend themselves towards this purpose—as well as areas containing environmentally-sensitive areas, need to be reexamined.

2. Environmental Stewardship

Increasing awareness at the State level to protect natural resources and preserve environmentally-sensitive land has prompted legislation which affords such protection. Incorporating such concerns into the Borough's process of reviewing development applications has become a priority. Insuring that development in the future avoids negative impacts on such land has become an important goal of the community.

3. Traffic

One aspect of community life in the Borough which has seen a marked deterioration in the past six years is traffic conditions. This relates not only to traffic safety, convenience and image concerns stemming from the enormous amount of truck traffic generated at the Route 173/I-78 intersection, but also increasing regional traffic on local streets, speeding on North and Main Streets, parking violations throughout the Borough, safety at a number of intersections, and the condition of local roads and bridges. All these issues require attention in the future, and point to the necessity for the Borough to closely monitor increases in traffic within and through the Borough, as well as the potential for new development in the surrounding communities as well as within the Borough, to exacerbate these conditions.

4. Quality of Life

A series of problems, seemingly small and low on the priority list, are now being recognized as each individually contributing to a decrease of the quality of life in the Borough. In combination, if allowed to continue or grow unabated, they have the potential to diminish the wonderful "small town" feeling that makes the Borough an attractive place in which to live and work. These include increasing sources of noise and light glare in the late evening or at night; deferred maintenance of certain properties, and failure to maintain buildings and grounds (particularly homes) in a good state of repair; and traffic congestion, which makes traveling both inconvenient and unsafe. In addition, maintaining the character of single-family residential areas, not merely for historic preservation purposes, but to retain a positive image of the character of these neighborhoods, is important.

5. Economic and Fiscal Health

The Borough has long recognized the importance of economic development in the community, and its link to maintaining its fiscal health. This state of affairs has endured because of an appropriate balance of employment- and property tax revenue-generating land uses with residential land uses. As pressure is exerted in the future for new development, the Borough has to be mindful of the need to maintain this balance, as well as to be in a position to provide the necessary municipal and educational services that such new development will demand.

6. Community Facilities and Utilities

Presently the Borough's community facilities and utilities do not represent major problems or call for significant expenditures of effort or financial resources to serve the current population. However, there are two factors which must be borne in mind with respect to the future of the Borough. The first is that some of the utility systems are aged and beginning to show signs of wear and tear. Present programs for replacing or upgrading these utilities over time will have to be continued. Second, the potential for large-scale development on vacant property in the Borough will have a substantial and dramatic impact on all present utilities (water, sewer, drainage), as well as community facilities—schools, recreation, administration and emergency services. Future planning and accurate projections and studies to gauge these impacts and plan for accommodating this growth will be necessary.

7. Potential Development on Vacant Land

The Borough of Bloomsbury has at present two large parcels of land—an ±80-acre parcel in the Planned Unit Development (PUD) District, and a ±75-acre parcel in the Research Office Manufacturing (ROM) District—which have the potential for generating a very substantial number of dwelling units and thousands of square feet of employment-generating uses. Although vacant for many years, recently the Borough has been approached by a major regional developer with a view towards developing both properties. In the conceptual plans presented informally to the Borough, the PUD parcel would be developed for single-family lots in the form of a contemporary "neo-traditional" village style of development. The ROM parcel would not be developed as intended by the Bloomsbury Master Plan and zoning for employment-generating, nonresidential uses, but as an active adult single-family development including on-site amenities and wastewater treatment plant infrastructure. The developer has also urged the Borough to renew its application for "center designation" per the State Development and Redevelopment Plan.

While the plans presented thus far are of a preliminary nature, and have not been fully fleshed out by the proponents, nor evaluated to any extent by the Borough, it does point to the fact that development of these two large properties, in accordance with or differently from what is envisioned and permitted by the Bloomsbury Master Plan and Zoning Ordinance, has the potential to have enormous impacts on the Borough. Such impacts would stem from the number of new residents and the number of school-age children generated by the development, including: the amount of traffic generated from the project and its impact on the Borough's road network; the demand for utility services—

particularly water and sewer services; the impact on the Borough's community facilities—schools, emergency services and recreation in particular; the economic and fiscal impacts at the municipal level; impacts on the socioeconomic characteristics and visual character of the community; and impacts upon open space and the environment. There are also issues related to the appropriateness of the density of development envisioned, particularly in light of the State Plan's designation for the area; to aesthetics; the design of the project and the quality of development; as well as phasing, and the pace at which the new development would have to be absorbed into the community. Since the development may be undertaken by a single entity, there are questions related to how this may impact the community in the event of a downturn in the economy or financial difficulties associated with completing the development. Finally, since evaluation of all of these very important issues by the Board will be required, how such evaluations will be funded is also a major concern.

While the process of evaluating this proposal has yet to begin, the magnitude of the potential impacts of such large-scale development on so small a community as Bloomsbury, call for careful, detailed, accurate and credible studies to be performed and evaluated before any decisions are made. These analyses not only apply to the proposal, but would be necessary to evaluate the development potential of the two parcels in question, both under current zoning, or assuming that a change in zoning was deemed necessary or appropriate.

B. CHANGES AT THE STATE AND FEDERAL LEVELS

1. State Development and Redevelopment Plan

The State Development and Redevelopment Plan (SDRP) was initially adopted in 1992, but a revised version was adopted by the State Planning Commission in 2001. Most of the Borough is located in the Environmentally Sensitive Planning Area, although the portion north of I-78 is designated "Rural Environmentally Sensitive." In addition, all of the Borough, save for an area generally west of Milford Road, falls within the boundaries of a "Planned Village." The Borough's goals and objectives remain generally consistent with the statewide goals and objectives of the SDRP and the policy objectives for the various Planning Area designations.

2. Other Proposed State Legislation

The following is proposed legislation, in the form of bills before the State government, on various aspects of land use development with a potential bearing on municipalities in New Jersey.

- a. Timed Growth Ordinance
Authorizes a municipality to adopt a timed growth ordinance if it has adopted a master plan and a capital improvement plan. This would allow municipalities to divide their land into special districts in which development would be staggered as capital improvements are structured. The Department of Community Affairs would develop standards and guidelines for such ordinances. Single- and two-dwelling-unit development would be exempt.

- b. Transfer of Development Rights Ordinance
This legislation would authorize all municipalities in the State of New Jersey (not just those in Burlington County, where it has been a pilot program since 1976), to adopt transfer of development rights ordinances. This would allow municipalities to designate areas of the community which they proposed to preserve as "sending zones" and areas of the community in which additional development was appropriate as "receiving zones," with the ability to transfer development rights from the sending zones to the receiving zones.

- c. Impact Fee Ordinance
Municipalities would be authorized to assess an impact fee on development projects to reflect the cost of development on various sectors, including but not limited to schools, wastewater treatment, water supply, storm water management, transportation and parks and recreation. This would enable municipalities to fund the costs of capital improvements or facilities expansions necessitated by development. The fee would have to correlate to the needs created by the new development.

- d. One-Year Moratorium Ordinance
The legislation would authorize municipalities to adopt a moratorium on development for a period of up to one year to enable it to adopt an impact fee ordinance, a timed growth ordinance or to update a master plan.

- e. Mediation Board
The legislation would create a mediation board for the purpose of resolving inter-municipal disputes, otherwise known as "border wars." The legislation is aimed to find regional solutions to regional problems, and for municipalities to consider impacts their development decisions have outside their borders. It is also aimed at avoiding litigation between municipalities, by helping to resolve such problems before they reach the courts.

f. Municipal Land Use Law Changes for Smart Growth

This legislation would amend various portions of the MLUL to strengthen the authority of municipalities and counties decisions that are more in keeping with Smart Growth principles and provide additional tasks in reviewing applications for development. Proposed amendments include: changes to definitions (such as to exclude environmentally-sensitive areas from density calculations); changes in notification requirements on development applications (notifying adjacent municipalities within 1,000 feet of a development application); increasing the educational requirements of Planning and Zoning Boards; making certain elements of a master plan mandatory instead of optional, which is presently the case (e.g., historic preservation, circulation, farmland preservation, and conservation); making both a "vision statement" and a buildout analysis a mandatory element of a master plan; and the ability to review off-tract impacts (e.g., traffic, parking, recreation) not just on-site impacts, as part of development reviews.

g. County Planning Act Amendments

This legislation would not impose an additional layer of county decision-making authority over municipalities, but would define how counties should be involved in planning, and would encourage cooperation between municipalities, counties and the state in planning-related matters. Such items as mandatory contents of a county master plan, educational requirements for a county planning board, and assessing off-tract improvements, are proposed in this bill.

The Borough should monitor the progress of these proposed bills and be in a position to comply with any new mandates that are forthcoming if and when such legislation is adopted.

3. The BIG Map

The New Jersey State Department of Environmental Protection has proposed the adoption of a "Blueprint for Intelligent Growth" or BIG map. The map depicts the entire state in three colors, each of which indicates State policy towards encouraging or discouraging growth through the provision (or denial) of State permits or funding for infrastructure improvements or extensions. "Green" is for "go," or a policy of favoring growth; "red" means "stop," or a policy of discouraging growth; and "yellow" means "caution," or a policy of further analyzing growth to determine its impacts. The DEP recently withdrew the preliminary BIG map from its website to make changes to the initial designations. Thus, Bloomsbury's designation cannot be determined at this time.

V. RECOMMENDED CHANGES TO MASTER PLAN AND ZONING

Based upon the assumptions, policies and objectives discussed in Chapter IV, as well as problems and concerns which have not been ameliorated in the past six years, a number of changes to the master plan and zoning ordinance, as set forth below, are recommended.

A. MASTER PLAN CHANGES

Two new elements of a master plan need to be prepared: an Historic Preservation Element as discussed in Chapter III of this report, and an Economic Plan Element. The purpose of the Historic Preservation Element would be to serve as a basis upon which an historic preservation ordinance can be adopted to protect resources in the Borough, to maintain the historic charm of the community, and to insure that future development or redevelopment in the Borough is compatible with and enhances this historic character, rather than detract from it. The Economic Plan Element would include all aspects of economic development, and insure that the Borough's Land Use Plan and Zoning Map would provide for sufficient tax revenue-generating developments to offset those land uses which demand the provision of municipal services and costs, as well as educational costs and services.

Amendment or updating of a number of the Borough's Master Plan's present elements should also be undertaken. This includes the Land Use Element, the Circulation Element, the Conservation Element, the Community Facilities Element, the Open Space and Recreation Element, and possibly the Housing Element. Once these elements have been updated, the Borough will need to review how the policies and objectives of those updated or amended elements can be implemented, including changes to the Borough's zoning and land development regulations.

With respect to the Land Use Element, the land use designation (and zoning) of vacant parcels needs to be reexamined, particularly in light of a proposal by a major regional developer, which have the potential to drastically transform and impact the nature and character of the Borough as a whole, with ramifications on all aspects of community life—from land use character and economic development, to recreation, community facilities and the provision of utilities. In addition, based upon the discussions in previous chapters of this report, other land use policies have to be reexamined and evaluated as well. These include placing additional limitations on the establishment of truck stops and gasoline service stations serving regional, not local needs; placing limits on the coverage of land by impervious surfaces to maintain more vegetated and natural open space and limit increases in stormwater runoff; and maintaining and strengthening the character of existing established single-family residential neighborhoods, and to prevent illegal or inappropriate conversions to multifamily housing.

The Circulation (Traffic) Element of the Master Plan would be examined in light of a number of traffic-related issues which now confront the Borough, and which are having a real and substantial impact on quality of life for Bloomsbury's residents. These include: measures to limit traffic, particularly truck traffic, through local residential streets; enhancing safety, including better visibility at busy intersections in the Borough; to control speeding and promote traffic calming in the Borough, particularly along North and Main Streets; amendments to ensure that adequate parking is provided for new development and redevelopment; and to enforce parking violations for which there have been increasing complaints in the Borough. Specific improvements that also need to be addressed include the Route 579 bridge, repairs of Willow Avenue, and in particular the intersection of Route 173 and I-78.

Amendments to the Open Space and Conservation Elements of the Master Plan would include examining measures to preserve open space, to provide public access to the Musconetcong River-front (with a view towards possibly creating a park on Borough-owned property along its length), and introducing measures to protect and improve environmentally-sensitive areas of the Borough such as wetland areas, flood hazard areas, and streams and riverbanks. Utilization of the Musconetcong Watershed Guidelines is also recommended.

With respect to the Community Facilities Element, the adequacy of the Borough's space and facilities for administration ("Borough Hall") would be examined, and the need to address the potential for school facilities to become overcrowded would have to be examined, particularly in light of the potential generation of additional school-age population in the new residential developments.

Amongst the items required to be addressed in the Utilities Element is an examination of the adequacy of the Borough's stormwater drainage system, and the possible need to prepare a Borough-wide sewer management plan. One item raised in prior master plan reexaminations which no longer needs to be addressed but should be noted in this element is the water supply system in the Borough. Continuous improvements in the Borough's Water Company system have been made since the prior Reexamination Report was adopted. This includes installation of a backup generator in 2002, such that dependency upon the utility company during power outages is no longer a major concern. A shared service agreement with the Town of Clinton also permits the Borough to access a sophisticated leak detection and monitoring system. One remaining concern is the existence of some pre-20th Century piping along Brunswick Avenue. However, this will be the target of capital improvement programming in the future, and over time the concern is likely to be ameliorated. Since the Water Company is self-supporting, it remains an asset to the Borough. Insuring that the water supply of the Borough can be sustained in the long term should remain a goal of the Master Plan.

In light of the anticipated change to the Substantive Rules of New Jersey's Council on Affordable Housing, the fair share obligation of the Borough is likely to change, along with a new round of reviews which the Borough will be obligated to address. (See discussion in Section B of Chapter IV.) This obligation, in concert with the fact that new information on the Borough's demographic makeup from the 2000 Census has been released, is likely to create the need to update the Housing Element and Fair Share Plan.

Finally, a series of present concerns call for a series of implementation measures to be added to the Master Plan. These include addressing concerns over the enforcement of zoning and property maintenance codes, and addressing quality of life concerns related to excessive noise and light generated in the late evening or at night. In addition, the potential for the Borough to obtain Smart Growth and other State grants and monies for planning and improvement should also be investigated, particularly in light of the Borough's diminutive population and overall municipal budget.

B. CHANGES TO THE ZONING ORDINANCE

Amongst the list of possible changes to the zoning code which require consideration by the Borough's governing body are the following:

- (1) Historic requirements for the Black Mill property (to the extent that a historic preservation ordinance is adopted).
- (2) The provision of sidewalks on both sides of the street in the Borough.
- (3) The provision of adequate width for Borough streets, as well as adequate curbing and paving specifications.
- (4) Updating or amending the Borough's sign regulations.
- (5) Addressing standards for a variety of accessory structures, such as decks and pools.
- (6) Protection of the scenic views of current residential developments.
- (7) Setbacks for development in general, and for the Fawn Run development in particular.
- (8) Providing a mechanism for determining the number of lots allowable under the cluster subdivision option.

- (9) Stormwater drainage requirements for nonresidential development. (The RSIS standards already address all residential development.)
- (10) Impervious coverage limitations for all developments.
- (11) Adding recycling requirements for multifamily and nonresidential developments seeking site plan approval, as per the mandate of the State regulations.
- (12) Adopting supplementary development regulations in areas of the Borough underlain by limestone to insure the safety of life and property in the Borough.

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REEXAMINATION REPORT FOR BOROUGH OF BLOOMSBURY 1997

Prepared for the Bloomsbury Borough Planning Board

ADOPTED

November 18, 1997

Prepared by:

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The original of this report was signed and sealed in accordance with NJSA 45:14-12.



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EBBP002

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REEXAMINATION OF MUNICIPAL PLANS AND REGULATIONS

Pursuant to :

CHAPTER 291, LAWS OF NEW JERSEY 1975

INTRODUCTION

The New Jersey Municipal Land Use Law (MLUL, Chapter 291, Laws of New Jersey 1975) requires that municipalities, at least once every six (6) years, reexamine their Master Plan and development regulations to ascertain whether or not these documents are still valid tools for guiding and implementing the growth and development of the Municipality.

Specifically, NJSA 40:55D-89 requires this reexamination report to state:

- 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) 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 reexamination report must be adopted by Resolution of the Planning Board and distributed to the County Planning Board and the Municipal Clerks of the adjoining municipalities.

BACKGROUND

In 1979, the Borough of Bloomsbury adopted a complete Master Plan in compliance with the then new Municipal Land Use Law (MLUL). This Plan described the existing conditions related to physical characteristics, land use, demographics, traffic, public utilities, community and recreational facilities, natural and historical resources, and municipal finances. It also addressed the major problems facing the community, with plans for future land use, housing, circulation, utilities, community and recreation facilities and conservation of natural and historical resources.

Since its adoption, the Master Plan has been reexamined in accordance with the requirements of section 89 of the MLUL. The last reexamination was completed in 1990. The Master Plan Re-examination Report was prepared by Madden/Kummer, Inc. and adopted December 27, 1990.

The Borough has been the site of settlement for nearly two centuries and much of its development dates from the early railroad era. By 1905, when it became a separate municipality, much of the town had been built. Although there has been some new construction, Bloomsbury has changed very little since the original Master Plan was adopted in 1979. Much of the original Master Plan is still as valid today as when it was adopted.

The Reexamination Report serves as a review of past plans and recent changes to insure that the Master Plan continues to reflect the needs and desires of the community and that it continues to serve as an appropriate guide for future development.

I and II. The major problems and objectives relating to land development in the Municipality at the time of the adoption of the last reexamination report and the extent to which such problems and objectives have been reduced or have increased subsequently.

The 1990 Reexamination Report reviewed the goals and objectives of the 1979 Master Plan and determined the current status of each in 1990. Based on this review, the report highlighted the major issues, either new or still outstanding, relating to land development in the Borough and made recommendations, where necessary, for changes. This reexamination must address those identified issues and objectives, and determine the changes in status since 1990.

To do this, we have detailed the issues and problems, by Plan element, as given in the 1990 Report, and then discussed their current status.

A. LAND USE PLAN

The issues related to land use deal primarily with recommendations for changes to the Borough's zoning.

1990 Reexamination Report Recommendations

I. Commercial/Industrial

1. Change the M-1 Zone to an ROM Zone; Research, Office and Manufacturing, to allow a more diverse base of research, office, light industrial, warehousing and storage uses.
2. Eliminate the B-1 neighborhood business zone on Center Street. There is only one small commercial use remaining, surrounded mainly by single family homes.
3. Require the larger minimum lot size of 3/4 of an acre in both the residential and non-residential zones, if on public water, and minimum lot size of one acre if on well and septic.
4. Eliminate apartment dwellings as a special use in the B-2 Zone. Appropriate areas for multi-family dwellings as a permitted use are designated in the housing element.
5. Allow office uses in the B-1 and B-2 districts.
6. Review existing site plan standards such as for landscaping, detention/retention basins, parking lots, lighting and signage in all commercial and industrial zones, and provide standards which will maintain the village/rural appearance and which will have less of an impact upon the land.
7. Eliminate nursing homes as a special use in the Agricultural Conservation District in order to reduce impacts to this environmentally sensitive area.

8. Eliminate public and private schools as a special use in the Agricultural Conservation District in order to reduce impacts to this environmentally sensitive area.
9. Eliminate the M-1 Zone north of I-78 and designate this area as a Planned Unit Development (PUD) which allows for an inclusionary housing development along with research, office, light industrial and neighborhood commercial uses, as specified in the housing element.
10. In order to maintain the rural character of the borough's outlying areas, in schedule 1103 on area and bulk standards, eliminate the maximum lot coverage for the B-2, and M-1 (ROM) Zones and designate for these zones, as well as for the proposed non-residential areas of the PUD zone, a maximum impervious surface coverage of 60% and a maximum FAR (floor area ratio) range of 0.15 to 0.25, depending on the zone.

II. Residential

1. Provide zoning for affordable housing as indicated in the housing element.
2. Prohibit apartments and two family homes and such conversions in the R-2 and R-3 Zones due to the small existing lot sizes and the limitations on septic and parking; with the exception of "mother/daughter" accessory apartments, where an elderly parent or parents would be permitted a separate apartment as a conditional use, to be allowed only as long as the parent or parents are living in the apartment.
3. Permit schools not run as a business in the R-3 Zone. The public school is already located in this zone.
4. Under the cluster option specify that only single family detached dwellings are permitted.
5. Under the cluster option, allow only the number of lots that would be permitted under the standard zoning based on a sketch plat under standard zoning.
6. Encourage cluster development and locate open spaces in cluster development to preserve environmentally sensitive areas and to create "greenways" of open space linked together.
7. Require that the architecture of new residential development, especially multi-family developments, be compatible in style with the architectural style of existing historic homes.
8. Review the necessity of R-2 and R-3 as separate residential districts.

Current Status

The 1990 reexamination recommended major revisions to the zoning and land use ordinance, which were subsequently adopted. These revisions addressed the issues

identified above, with a few minor exceptions.

1. Site plan design standards were not completely revised. However, because of the pending adoption of State-wide uniform site Improvement standards, most of these issues will be covered by those standards and the problem will be moot.
2. Changes were not made to the special, or conditional, uses allowed in the Agricultural Conservation District to eliminate nursing homes and public and private schools from the zone. Again, this issue is moot, because the property within the District has been acquired for Green Acres.
3. The method of calculating the number of lots allowed under the cluster option is still not clear.
4. The R-2 and R-3 zones have not been consolidated into a single zone, because the R-2 zone allows two-family dwellings. The two distinct zones permit the continuation of this difference in allowed uses.

B. TRAFFIC CIRCULATION

The issues and problems identified in 1990, to a large extent, are on-going issues of maintenance and design to provide a safe and adequate circulation system.

1990 Reexamination Report Recommendations

1. The 1979 master plan recommended a re-alignment of Willow Avenue by the railroad underpass. A re-alignment in this particular location as indicated would further reduce the line of sight for cars utilizing this underpass, causing a hazard, and is therefore not recommended.
2. Funding for road maintenance and improvements should be sought.
3. Encourage the maintenance and improvement of the Musconetcong River and Milford Road bridges.
4. For new residential development in the Milford Road and Willow Avenue area, encourage the use of loops roads and stub end cul-de-sacs so that new roadways may interconnect and thus reduce the hazard of the long Willow Avenue cul-de-sac.
5. Require off-tract improvements for new development or re-development.
6. Discourage non-local and commercial truck traffic through residential neighborhoods.
7. Develop a plan for sidewalks in new and existing developed areas. In areas where minimum lot sizes are one acre or greater, consider a macadam or pervious surface pathway.

Current Status

The issues raised in this section deal with the perennial problem of infrastructure maintenance and improvement and with the safe and adequate design of future road improvements. The Borough has a regular road maintenance program, which is designed to resurface local roads on an established cycle. Progress has been made on some of the larger repairs (for example, the County has completely redone the Musconetcong River Bridge), maintenance of these items remain as valid concerns, important now as they were in 1990.

C. PUBLIC UTILITIES

1990 Reexamination Report Recommendations

1. Require a minimum lot size of 3/4 of an acre for lots served by public water and septic and a minimum lot size of 1 acre for lots dependent on both septic and well.
2. Monitor the public water supply through frequent and regular testing and consider Board of Health findings on private wells, such as well contamination, in regard to the extension of public water infrastructure.
3. Allow co-permittee responsibility only for selected projects which are judged to advance the goals and policies of the master plan.

Current Status

1. The minimum lot sizes have been increased: a thirty thousand square foot (30,000) lot is required with public water and on-site septic; and a forty thousand square foot lot is required for private well and on-site septic. In addition, the approval and installation of on-site septic systems is governed by State regulations, which may necessitate a larger area to meet the required standards.
2. The public water system has undergone extensive renovation, including establishment of a monitoring system and a regular testing program.

D. COMMUNITY FACILITIES

1990 Reexamination Report Recommendations

1. Continue discussions regarding the regionalization of grades 5 through 8, or consider a new or expanded school site to accommodate future increases in enrollment.

2. With every existing and proposed non-residential and multi-family use ensure that adequate land area is designated for the materials required to be recycled and allow for additional land area to accommodate additional types of recyclables. For proposed development, this is most easily accomplished during concept plan or site plan review.

Current Status

1. The school age population in the Borough has not increased as expected. The number of children, and their age and grade, have varied considerably over the years, making reliable projections difficult. As the ages, number and needs of its students change, the Borough has changed its strategy for providing educational services. This policy allows flexibility in meeting the educational needs of the community.
2. The amendment to the zoning ordinance adopted subsequent to the last reexamination contained extensive requirements for recycling.

E. RECREATION AND OPEN SPACE

1990 Reexamination Report Recommendations

1. Provide for the recreation needs of residents of all ages by performing a community recreation needs survey.
2. Provide a mix of both passive and active recreation in locations accessible throughout the borough. While the existing municipal park is in a central location, additional small neighborhood parks and recreation areas should be required in cluster developments and inclusionary affordable housing developments. Require that the recreational facilities, pathways and sidewalks be completed before the granting of a certificate of occupancy to the developer.
3. Ensure the preservation and continued maintenance of homeowner association open space and recreation areas through a review of the deed restrictions and homeowner association by-laws during the application review process.
4. Establish standards for open space and recreation facilities for cluster development and multi-family development.
5. Coordinate open space planning with the county in regard to the greenway designated along the Musconetcong River.

Current Status

1. A recreational needs survey is currently underway to determine what additional recreational programs and facilities Borough residents desire. In the mean time, various recreational opportunities have been developed, based on perceived local needs and often in conjunction with programs in adjoining municipalities. These programs are primarily for

youth, who have the least ability to develop their own organized sports and other activities. Seniors, who may also lack the ability to organize recreational opportunities, are generally serviced by county or regional programs specifically targeted to their needs.

2. The clustering and affordable housing provisions in the zoning ordinance address the need for open space to be included in new development. However, it will be necessary for the Borough to review carefully the development plans for these types of development to ensure that they make adequate provision of recreational facilities. The Borough needs also to review any proposed open space to determine whether it should be restricted solely to the residents of the new development or whether it should be open to all Borough residents.
2. Although not a specific recommendation in this section, the acquisition of 57 acres in the Agricultural Conservation District for Green Acres provides a substantial open space area for the community. This area is part of the desired greenway along the Musconetcong River.

F. CONSERVATION

1990 Reexamination Report Recommendations

1. Update the flood hazard area map in the master plan, if necessary.
2. Add a map to the Conservation Element of the master plan which indicates freshwater wetlands and hydric soils. These factors could be added to the flood hazard area map.
3. Require a stream setback in all zones, and note in the regulations that state guidelines for construction within a flood hazard area must also be met.
4. Review the "Surface Water Management" Ordinance for adequacy.
5. Indicate the proposed greenway along the Musconetcong River on the land use plan.
6. In larger commercial or industrial and multi-family developments, encourage the use of drought tolerant indigenous plantings in order to reduce water consumption, and vegetative ground cover alternatives to grass lawns in order to reduce the use of chemicals for lawn and grounds maintenance.
7. In larger commercial or industrial and multi-family developments, encourage the preservation or creation of wooded areas as an alternative to large expanses of lawn area.
8. Include the minimum acreage requirement for the cluster provisions as recommended in the 1979 master plan; clustering down to a one acre minimum lot size in the Agricultural Residential District and clustering down to a two acre

minimum lot size in the Agricultural Conservation District.

9. Require conservation easements for wetlands, wetland transition areas, stream buffers and other environmentally sensitive features which may preclude development.
10. Form a historic preservation commission to implement the 1979 master plan's recommendations on preservation and to prepare a historic preservation master plan element.
11. Designate the historic district, apply for listing on the state register and adopt an ordinance which regulates the historic district.
12. Encourage 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 non-profit preservation groups.

Current Status

1. State requirements related to flood hazard areas, wetlands, and stream encroachment address the issues of concern in items 1-3 above. The Borough should require that these items be appropriately addressed at the time of a development application.
2. The "Surface Water Management" ordinance was reviewed.
3. The land use plan has not been revised to show the greenway along the Musconetcong River, however substantial progress was made in achieving that greenway, by the acquisition of Green Acres lands along the river at the southern end of the Borough.
4. Items 3, 6, 7 and 9 relate to on-going design review of large projects and should remain as recommendations.
5. Since the majority of the land covered in item 8 is now in Green Acres, this issue is largely moot.
6. To date, little has been done to follow up on the recommendations in items 10-12 in this section and item 1 of the next section. Historical preservation remains an unaddressed issue.

G. ADDITIONAL RECOMMENDATIONS

1990 Reexamination Report Recommendations

1. Add an element on historic preservation. The municipal land use law authorizes

the creation of a historic district commission to prepare and implement the historic preservation element. This element indicates the location, significance, proposed utilization and means for preservation of historic sites and districts, and identifies the standards used to assess the worthiness of a historic site or district designation.

2. Add a section on recycling under the Public Utilities Element.
3. Add a section on stormwater management under the Public Utilities Element.
4. Add an element on economic development which would include the information on municipal finance. The economic development element is to consider all aspects of economic development, including a comparison of the types of employment expected to be provided through economic development and an analysis of the stability and diversity of the economic development to be promoted.
5. Update the zoning ordinance to comply with amendments to the municipal land use law. Amendments include permitting child care centers in all non-residential districts and permitting community homes and shelters in all residential districts. There have been many other amendments which should be reflected in the zoning ordinance.
6. Add the following goal to the master plan: the provision of affordable housing for low and moderate income families in order to meet the borough's fair share obligation.

Current Status

1. A separate Recycling Element in the Master Plan is included for adoption with this Reexamination Report.
2. With the exception of item 5, the update of the zoning ordinance, the master plan was not amended or expanded. A stormwater management section has not been included under the Public Utilities Element of the Master Plan, however the land development ordinance includes the necessary provisions to ensure that it is addressed as part of the application and approval process. Nor have historic preservation and economic development been included. Affordable housing has been addressed through a new housing element and amendments to the zoning ordinance providing for a new PUD zone northeast of I-78.

III 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, including changes in State, county and municipal policies and objectives.

There has been few changes at the Borough or County level in the assumptions, policies or objectives related to growth and development in the community. Most significant changes affecting land development in Bloomsbury have come from changes outside the Borough, in the form of new and revised State regulations and potential new development in adjoining municipalities.

The Municipal Land Use Law has been amended several times since 1990. Because the changes are generally procedural, they apply, whether or not the Borough amends its ordinances to include them. However, compliance with the changes in the MLUL would be desirable. Changes in other state regulations, such as wetlands regulations, septic system design, and pending adoption of residential site improvement standards, will enhance the Borough's ability to control development and its potential adverse effects.

The Council on Affordable Housing has recalculated municipal fair share obligations for the next six year period, 1993-1999. Bloomsbury's affordable obligation has increased by 3 units to a total of 22 low and moderate affordable units. Because the PUD zone is flexible, these few additional units should be accommodated within that zone without any changes.

The State Planning Commission adopted the State Development and Redevelopment Plan, which designates Bloomsbury as part of a Planning Area 5, (Environmentally Sensitive Planning Area). These areas are intended to remain undeveloped, except for growth in existing or newly designated centers. The Hunterdon County Planning Board has indicated that Bloomsbury may be considered a small center, however center designation requires application through the cross acceptance process for revised State Development and Redevelopment Plan. The Borough is in the process of making such an application for center designation. Formal designation as a center may provide additional funding sources of particular benefit to the community.

The required periodic plan review process for the State Plan has begun, and the Borough will participate in the upcoming cross-acceptance process, including center designation. Also of concern is the potential development activity in the area. A large block of land immediately adjacent to the Borough in Greenwich Township, Warren County are zoned for industrial uses. Application for a new sewer treatment plant have reached the initial public hearing stage for a discharge allocation certificate (DAC). Development of this industrial zone would have a substantial impact on the Bloomsbury exit of I-78 and on Route 173 through the Borough.

Local development in the B-2 zone adjacent to the Bloomsbury interchange has already had a substantial impact on the area. Because of the current zoning and the proximity

to I-78, the predominant development in the area has been for gasoline service stations/truck stops, which have begun to have an adverse effect on the surrounding road system, simply because of the demand for this type of development in the area. Although the Borough does not wish to exclude the existing facilities, it does wish to have more balanced commercial development of the area, to promote other, more locally oriented business uses.

IV Specific recommendations for changes in the master plan or development regulations that should be made.

The last reexamination report recommended a number of changes and additions to the master plan and development regulations. Changes to the master plan in generally were not explicitly made, however substantial changes to the development ordinances were. For example, although stormwater management and recycling elements were not included in the master plan, provisions for both were included in the ordinance amendment. A recycling element is included with this reexamination, with a recommendation for adoption. The additional, optional elements of the master plan, such as historical preservation and economic development remain to be completed,

Likewise, although a new goal for the provision of affordable housing has not been directly added to the master plan, the Housing Element provides for such housing to meet the requirements of the Council on Affordable Housing.

Of the outstanding issues from the last reexamination, the Borough may wish to revisit the issue of historical preservation, including the creation of an historical commission, the adoption of an historical preservation element of the master plan and the creation of an historical district within the Borough.

Within the development regulations, the Borough may wish to look at the cluster provisions, especially the method of calculating density, and some of the design standards, particularly related to the PUD zone, to insure that they reflect the desires of the community.

In addition, because of the unbalanced development in the B-2 zone, the Borough should consider a change to the allowed uses in this district which would preclude any additional development of gasoline service stations/truck stops and which would encourage the development of locally oriented businesses to service the needs of the community.

Finally, because the State Plan will have an increasing affect on how communities plan and develop, the Borough should consider participation in the upcoming cross-acceptance process with the Office of State Planning and Hunterdon County.

V. 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) 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 last item to be addressed is a new one, concerning the incorporation of redevelopment plans into the land use plan element of the municipal plan, along with any recommended changes in the local development regulations needed to implement that redevelopment plan. The Local Redevelopment and Housing Law, adopted in 1992, consolidates the various regulations related to housing redevelopment and rehabilitation into a single act. It establishes the goals, conditions and procedures for setting up a redevelopment program. It also requires substantial Planning Board involvement at both the planning and review level. Because of this mandated Board inclusion in the process, the requirements for the periodic reexamination have been expanded to incorporate a review of the need for redevelopment plans in the Township.

The redevelopment law deals with designated redevelopment or blighted areas, not individual units in need of rehabilitation. Since the housing stock in the Borough is generally maintained and there are no designated areas in need of redevelopment, it does not appear necessary at this time to incorporate redevelopment plans into the land use element of the Master Plan or the development ordinances.

**Bloomsbury Borough
Hunterdon County**

Master Plan Re-examination Report

**Adopted
December 27, 1990**

**Prepared by Madden/Kummer, Inc.
Flemington, New Jersey**

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Edwin Tuxhorn, Mayor
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Re-examination Report Bloomsbury Borough Hunterdon County

The impetus for this document is the section in the Municipal Land Use Law (MLUL) that requires all New Jersey municipalities to re-examine their master plans every six (6) years. The last Bloomsbury Borough master plan was adopted in August of 1979.

The following excerpt, Section C. 40:55D-89, serves as a basis for this report.

The governing body shall, at least every six years, provide for a general re-examination 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 re-examination, a copy of which report and resolution shall be sent by certified mail to the county planning board and the municipal clerk of each adjoining municipality. The first such re-examination shall have been completed by August 1, 1982. The next re-examination shall be completed by August 1, 1988. Thereafter, a re-examination shall be completed at least once every six years from the previous re-examination.

1. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last re-examination report.
2. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
3. 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.
4. 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.

General Planning Goals - 1979 Master Plan

1. Maintain the village/rural ambience of the Borough of Bloomsbury. Uses proposed for the vacant portions of the borough are especially crucial.
 - A. Concentrate new development in proximity to existing development.
 - B. Promote the establishment of community-oriented commercial activity.
 - C. Promote the establishment of quality highway-oriented commercial activity.
2. Encourage residential development that respects the ecological balance, existing housing and the historic quality of the borough.
3. Improve and promote efficient traffic circulation throughout the borough.
4. Maintain utility service at the proper level to provide for the existing population and anticipated growth.
5. Provide community facilities that adequately serve the borough's needs for efficient public service.
6. Promote the development of passive and active recreation areas within the borough.
7. Establish conservation areas which would help to preserve ecologically sensitive and valuable locations and preserve the borough's historic quality.

Changes in Assumptions, Policies and Objectives Underlying the 1979 Master Plan

There have been a number of amendments to the municipal land use, housing and environmental laws of New Jersey since the last master plan was prepared in 1979. The most significant of these which impact the future development of Bloomsbury are the laws regarding affordable housing, wetlands, septic fields and state planning.

The Fair Housing Act of 1985 established the Council on Affordable Housing (COAH). The Council is required to determine housing regions of the state, estimate the state and regional fair share for the present and prospective need for low and moderate income housing in the housing regions, and adopt guidelines and criteria for a municipality's housing element. The Fair Housing Act and regulations require the preparation of a housing element which provides for sites to be designated for the construction of housing which is affordable to low and moderate income households.

The Freshwater Wetlands Protection Act was adopted in 1987 to preserve and protect the integrity of freshwater wetlands from undesirable alteration or disturbance. Transition areas, or buffers, around the wetlands must be determined and require the classification of wetlands based on resource value. Transition areas may range from 0 to 150 feet in width, depending on the value of the wetland.

The impact of the 1990 amendments to the Chapter 199 regulations on individual subsurface sewage disposal systems has resulted in, among other requirements, the requirement for larger disposal fields, and in turn, larger lot sizes.

The municipal land use law (MLUL) has been amended a number of times since 1979. Amendments now allow for master plan elements on historic preservation, economic development, and recycling and include revisions to sections dealing with planned developments, family day care, storm water management, and different types of group homes. In addition, the 1980 census information was released after the last master plan had been prepared.

State, county, and regional plans, as well as the land use plans and zoning of adjacent municipalities, should also be considered in this re-examination.

The State Planning Act of 1985 directed the State Planning Commission to adopt a state plan which would provide "a coordinated, integrated and comprehensive plan for the growth, renewal and conservation of the state and its regions...". The draft State Development and Redevelopment Plan designates the entire Borough of Bloomsbury as a Tier 5. Bloomsbury did not participate in the cross-acceptance process which allows each municipality to confirm the background data utilized by the Office of State Planning in designating the tiers.

The Hunterdon County Cross-acceptance Report states that Bloomsbury was designated as a Tier 5 because there are no sewer service areas in the borough and because the borough does not meet Tier 6 or 7 criteria. Tier 5 is described as an area that is rural

and does not contain adequate infrastructure to support intensive development. In addition, a Tier 5 area does not have or plan to have public sewer service, the land is not best suited to agricultural intensification and the land is not environmentally sensitive.

The primary goal of a Tier 5 area is to preserve developable land for growth by the year 2010. Development, therefore, is recommended to be at low densities, and concentrated in villages and rural clusters. The current master plan and the re-examination report are consistent with these policies.

The Hunterdon County Growth Management Plan designates Bloomsbury as a Small Town. The plan defines a small town as a commercial node which serves a local need greater than that of a village. County policy calls for infill development that is compatible in scale and style with existing development. The county also encourages economic revitalization and an evaluation of parking and traffic problems. The current Bloomsbury land use plan as well as the recommended revisions are consistent with this policy.

In regard to the land use plans and zoning of adjacent municipalities, Bloomsbury is surrounded by the natural and man-made buffers of the Musconetcong River and the Conrail railroad lines along the southern, western and northern boundary lines. At the eastern boundary line, Bloomsbury is adjacent to Bethlehem Township.

The land use plan and zoning for Bethlehem designates the land adjacent to Bloomsbury and in-between the two railroads for single family homes on 3 acre lots (the MR Mountain Residential Zone). While this is adjacent to Bloomsbury's current industrial (M-1) zone and proposed Research, Office and Manufacturing (ROM) land use designation, the two land uses will not be incompatible if the ROM zone requires a landscaped buffer of sufficient width between the residential and non-residential uses. North of Route I-78, the land in Bethlehem is designated and zoned for Research, Office and Manufacturing, with a PUD overlay zone which requires a low and moderate income housing setaside. This zoning is compatible with the current industrial land use designation and zoning in Bloomsbury and with the proposed land use designation of a PUD with a lower income housing setaside.

At the local level, in the past ten years, approximately 70 acres of land area have been developed in the borough. Most of this land was previously in agricultural use. Of the 70 acres, about 50 acres was developed for residential use, the largest development being Fawn Run, a single family home subdivision located off of Lehigh Avenue. Another 10 acres was added to commercial land uses, while industrial land use decreased slightly, by about 4 acres. Census and county estimates indicate that the housing stock has increased by about 40 homes in the past decade, and that the population has increased by about 130 residents during the same time period. Covered employment figures indicate that local employment has increased by 110 employees between 1980 to 1989. The impact in 1990 of this most recent recession and the re-location of the Koh-I-Noor plant has not yet been accounted for by the Department of Labor statistics, so this increase may have been recently negated.

Master Plan Elements: Objectives, Problems, Status and Recommendations

Land Use Plan

Objectives in 1979

Residential:

- The use and density of existing residential areas should remain the same and new development should respect the scale and architecture of the neighborhoods.
- Development in the Pine Hollow area should be strictly limited due to poor access and environmental constraints. The density of development permitted in the Agricultural Conservation Zone should be decreased to a minimum lot size requirement of five acres. A cluster option should be included, where the applicant would be allowed to reduce the minimum lot size to two acres, with the remaining land dedicated to open space.
- Subdivision review should ensure that the most environmentally sensitive areas are preserved.
- An Agricultural Residential Zone should be established, permitting development at low densities due to poor access and drainage conditions. A minimum lot size of three acres should be required for single family homes, and a minimum lot size of five acres should be required for agricultural uses. A cluster option should be included which would allow the applicant to reduce the minimum lot size to one acre, with the remaining land dedicated to open space.

Commercial

- The size of the Neighborhood Commercial Zones are and should be adequately related to local purchasing power.
- Development in the Highway Commercial Zone should be compatible in scale with the rest of the borough and should be attractive. The intensity of development should not adversely affect the health of the Neighborhood Commercial Zones.

- The southeast Commercial and Light Manufacturing Zone has poor access. The preferred access is from Route 173 across the railroad tracks to provide a direct link to I-78 and minimize the use of the interior borough roadways.

Housing

- Affordable housing can be provided since two family units are permitted in the Medium Density Residential Zone and apartments are allowed as a conditional use in this zone.
- High density and multi-family housing is limited due to the lack of a sanitary sewer system.

Status in 1990

- Both the Agricultural Conservation Zone and the Agricultural Residential Zone have been adopted with the recommended minimum lot size. The cluster option is also permitted under certain conditions, however, a minimum lot size for this option is not listed in the ordinance.
- The development of the Highway Commercial Zone along Route 173 consists of a couple of neighborhood commercial uses, two truck stops and a gas station. These uses do not negatively impact the neighborhood commercial uses. However, the truck stop and gas station generate an intense amount of truck traffic, to the point where the trucks have been parking along the shoulders of Route 173. While the ordinance requires landscaped buffers between non-residential and residential zones, there are no provisions for the landscaping of parking lots or other site plan requirements which would improve the attractiveness of commercial development.
- The ordinance currently permits two-family housing by right and multi-family housing as a conditional use in the R-3 Zone. While these provisions allow for affordable housing, the borough must also allow for the provision of "affordable housing" as defined by The Fair Housing Act. The Fair Housing Act, as implemented by the Council on Affordable Housing, requires that Bloomsbury allow for the opportunity to provide 19 housing units which are affordable to low and moderate income families. A housing element is currently being prepared as part of the master plan re-examination process, in order to meet the municipal land use law requirements on the housing element.

Recommendations:

Commercial/Industrial

- Change the M-1 Zone to an ROM Zone; Research, Office and Manufacturing, to allow a more diverse base of research, office, light industrial, warehousing and storage uses.
- Eliminate the B-1 neighborhood business zone on Center Street. There is only one small commercial use remaining, surrounded mainly by single family homes.
- Require the larger minimum lot size of 3/4 of an acre in both the residential and non-residential zones, if on public water, and a minimum lot size of one acre if on well and septic.
- Eliminate apartment dwellings as a special use in the B-2 Zone. Appropriate areas for multi-family dwellings as a permitted use are designated in the housing element.
- Allow office uses in the B-1 and B-2 districts.
- Review existing site plan standards such as for landscaping, detention/retention basins, parking lots, lighting and signage in all commercial and industrial zones, and provide standards which will maintain the village/rural appearance and which will have less of an impact upon the land.
- Eliminate nursing homes as a special use in the Agricultural Conservation District in order to reduce impacts to this environmentally sensitive area.
- Eliminate public and private schools as a permitted use in the Agricultural Conservation District, in order to reduce impacts to this environmentally sensitive area.
- Eliminate the M-1 Zone north of I-78 and designate this area as a Planned Unit Development (PUD) which allows for an inclusionary housing development along with research, office, light industrial and neighborhood commercial uses, as specified in the housing element.
- In order to maintain the rural character of the borough's outlying areas, in schedule 1103 on area and bulk standards, eliminate the maximum lot coverage for the B-2, and M-1(ROM) Zones and designate for these zones, as well as for the proposed non-residential areas of the PUD zone, a maximum impervious surface coverage of 60% and a maximum FAR (floor area ratio) range of 0.15 to 0.25, depending upon the zone.

Residential

- Provide zoning for affordable housing as indicated in the housing element.
- Prohibit apartments and two family homes and such conversions in the R-2 and R-3 Zones due to the small existing lot sizes and the limitations on septic and parking; with the exception of "mother /daughter" accessory apartments, where an elderly parent or parents would be permitted a separate apartment as a conditional use, to be allowed only as long as the parent or parents are living in the apartment.
- Permit schools not run as a business in the R-3 Zone. The public school is already located in this zone.
- Under the cluster option specify that only single family detached dwellings are permitted.
- Under the cluster option, allow only the number of lots that would be permitted under the standard zoning based on a sketch plat under standard zoning.
- Encourage cluster development and locate open spaces in cluster development to preserve environmentally sensitive areas and to create "greenways" of open spaces linked together.
- Require that the architecture of new residential development, especially multi-family developments, be compatible in style with the architectural styles of existing historic homes.
- Review the necessity R-2 and R-3 as separate residential districts.

Traffic Circulation

Problems in 1979

- The Church Street/Musconetcong River Bridge. It is narrow and functionally a one-way bridge (17 feet wide) with a ten ton capacity, constructed in 1892.
- The Church Street/Lehigh Valley RR Bridge. This bridge has a ten ton weight limit. When fire trucks are needed in Bethlehem Twp, they have to go over the Milford Road Bridge, which has a higher weight limit. This bridge is very narrow and has very poor sight distance.
- The Milford Road/Lehigh Valley RR Bridge is very narrow and has a very poor sight distance.
- Willow Avenue. The road shoulders are eroding and the road surface is cracked and buckled due to poor drainage. This road also has dangerous sight-line distance due to curves in the road and the proximity of foliage against the roadway.
- Milford Road. A poor road base and surface; there are potholes and cracks in the road.
- Church Street near Brunswick Avenue. There is flooding and icing up during winter months.
- Parking Problems. When there are activities at the municipal building or firehouse, Brunswick Avenue, Main Street and East Street are lined with cars. This is a one night per week problem.

Objectives in 1979

- Repair or replace the bridges, especially the Church Street bridges.
- Re-align Willow Avenue to solve the sight-line and drainage problems and road conditions. New development should be contingent upon roadway improvements.
- Have the developer of the southeast industrial zone provide access over the Central Railroad tracks utilizing the borough easement.

Status in 1990

- The Church Street/Lehigh Valley RR Bridge has been strengthened through repairs and restructuring by Hunterdon County. The weight limit remains the same.
- The Church Street/Musconetcong River Bridge and the Milford Road Bridge have not been improved. Hunterdon County and Warren County plan to undertake a joint capital improvements project to replace the Musconetcong River Bridge. Construction is anticipated to begin in 1992.
- Willow Avenue between the railroad and Milford Road was improved with additional stone as part of the water main installation process. A Small Cities Grant has been applied for to re-construct Willow Avenue from Church Street to Smith Lane. The remainder of Willow Avenue has not been re-aligned or improved.
- On Milford Road, it appears that additional stone has been added to the road surface.
- No improvements have been made to alleviate the Church Street flooding.
- A section of Lehigh Avenue at Fawn Run and Deer Path was improved in conjunction with the development of Fawn Run.
- There are no plans to improve streets within the borough, with the exception of Willow Avenue as previously described.
- Willow Avenue and Milford Road are the roads most in need of repair, and require major reconstruction. With the exception of North Street between Church and East, Fawn Run, Deer Path, Woodland Terrace, Lehigh Avenue and High Street, other roads throughout the borough need minor construction and overlay to major reconstruction.
- The parking problem at the municipal building has been alleviated with some parking stalls which were added alongside the building as part of improvements which were made to the fire house.

Recommendations

- The 1979 master plan recommended a re-alignment of Willow Avenue by the railroad underpass. A re-alignment in this particular location as indicated would further reduce the line of sight for cars utilizing this underpass, causing a hazard, and is therefore not recommended.

- Funding for road maintenance and improvements should be sought.
- Encourage the maintenance and improvement of the Muconetcong River and Milford Road bridges.
- For new residential development in the Milford Road and Willow Avenue area, encourage the use of loop roads and stub end cul-de-sacs so that new roadways may interconnect and thus reduce the hazard of the long Willow Avenue cul-de-sac.
- Provide adequate sight triangles at each roadway intersection, and at the intersections of parking lot accessways with roadways. In new developments or re-development, this may be done through easement. In existing developed areas the line of sight can be improved by limiting the location of fencing on corner lots, and by restricting parking near street intersections.
- Require off-tract improvements for new development or re-development.
- Discourage non-local and commercial truck traffic through residential neighborhoods.
- Develop a plan for sidewalks in new and existing developed areas. In areas where minimum lot sizes are one acre or greater, consider a macadam or pervious surface pathway.

Public Utilities

Problems in 1979

- Development is constrained by lack of a sewerage system
- The existing lots are too small to support septic system disposal and the existing zoning continues to allow these undersized lots.
- The water filter plant on Willow Avenue meets the current needs of the population, but is antiquated.

Objectives in 1979

- A sewer system should not be installed since growth would accelerate beyond the borough's infrastructure capabilities.
- Zone for at least 3/4 acre lots for septic system disposal; each lot should be reviewed individually to ensure adequate size.
- Update the water system to include a new water supply source, new transmission lines and new filtering plant

Status in 1990

- While there is no sewer system, alternative systems will be considered by the borough in order to allow for permitted development. The borough has agreed to be co-permittee of a residential development, Fawn Run, where the common septic system and all other common elements are held by a utility company.
- The R-2, R-3 and B-1 zones have not been amended to require minimum lot sizes of 3/4 acre or more. The R-2 zone requires a minimum lot size of 22,500 sq. ft. and the R-3 zone requires a minimum lot size of 7,500 sq. ft for single-family dwellings. The B-1 zone requires a minimum lot size of 7,500 sq. ft for commercial retail uses.
- In 1985, DEP tests revealed that the borough's water supply was contaminated. A Small Cities Block Grant and some funding from Koh-I-Noor enabled the borough to correct the various problems and provide an airstripper to clean the water. The borough's water has been tested as clean by the DEP since installation of the airstripper.

- Approximately 100,000 gallons of water per day is pumped through the airstripper. Koh-I-Noor is working with the borough to drill an additional well to serve as a back-up to this supply.

Recommendations

- Require a minimum lot size of 3/4 of an acre for lots served by public water and septic and a minimum lot size of 1 acre for lots dependent on both septic and well.
- Monitor the public water supply through frequent and regular testing and consider Board of Health findings on private wells, such as well contamination, in regard to the extension of public water infrastructure.
- Allow co-permittee responsibility only for selected projects which are judged to advance the goals and policies of the master plan.

Community Facilities

Problems in 1979

- The high school students are sent to Phillipsburg High School. The high school capacity is for 1,300 students. The enrollment in 1978/79 is 1,400 students. (Bloomsbury sent 45 students to this high school in the 1978/79 school year).
- A fire department tanker for service to areas where fire hydrants do not exist is needed; mainly to service adjacent townships.
- At the borough hall, there is a lack of privacy for the police department
- At the borough hall, one stairway is the sole access to the public meeting room on the second floor; it is not handicapped accessible.

Objectives in 1979

- There are plans for a tanker for the fire department
- Provide private space in the borough hall to the police department.
- The office/meeting room at the borough hall should be handicapped accessible.

Status in 1990

- The current functional capacity of Phillipsburg High School is 1,200 students. There were 1,176 students enrolled during the 1990-91 school year, 25 students of which were sent from Bloomsbury. Discussions are underway to regionalize grades 5 through 8.
- The fire department's tanker has been purchased.
- The public meeting room is located on the first floor of borough hall and is handicapped accessible.
- The Bloomsbury Borough Police Department was disbanded in 1989. Police services are now provided by the NJ State Police.
- A public works garage is located on municipal land off of Church Street, near the park's recreational facilities.

Recommendations

- Continue discussions regarding the regionalization of grades 5 through 8, or consider a new or expanded school site to accommodate future increases in enrollment.

- With every existing and proposed non-residential and multi-family use ensure that adequate land area is designated for the materials required to be recycled and allow for additional land area to accommodate additional types of recycleables. For proposed development, this is most easily accomplished during concept plan or site plan review.

Recreation and Open Space

Problems in 1979

- The 23 acres owned by the borough are developed with only a baseball field. Active recreational facilities are insufficient. Park and Open Space Guidelines of New Jersey estimate a need of seven acres for Bloomsbury.

Objectives in 1979

- Develop additional land within the 23 acre tract with active recreation.

Status in 1990

- The municipal park has been developed with a number of recreation facilities, as recommended. The park now offers two baseball fields, a soccer field, a playground and a picnic area. a small part of this acreage is set aside for the public works garage.

Recommendations

- Provide for the recreation needs of residents of all ages by performing a community recreation needs survey.
- Provide a mix of both passive and active recreation in locations accessible throughout the borough. While the existing municipal park is in a central location, additional small neighborhood parks and recreation areas should be required in cluster developments and inclusionary affordable housing developments. Require that the recreational facilities, pathways and sidewalks be completed before the granting of a certificate of occupancy to the developer.
- Ensure the preservation and continued maintenance of homeowner association open space and recreation areas through a review of the deed restrictions and homeowner association by-laws during the application review process.
- Establish standards for open space and recreation facilities for cluster development and multi-family development.
- Coordinate open space planning with the county in regard to the greenway designated along the Musconetcong River.

Conservation

Problems in 1979

- The flood hazard area and area known as Pine Hollow warrant protection and preservation.
- The current ordinance provisions dealing with storm water runoff are not adequate.
- The architectural details which identify the style and era of many of the historic buildings in the borough have been removed or altered.

Objectives in 1979

- The location of the flood hazard zone will be updated and mapped by FEMA through the State of New Jersey.
- Conserve the flood hazard area and open space along the Musconetcong River through existing stream setback requirements. Open space proposed in conjunction with the development of land in that area should be located along the river.
- Preserve the Pine Hollow area through cluster zoning
- Require developers to provide control of storm water runoff to ensure that there is no increased runoff through the absorption of a stormwater runoff ordinance.
- Establish a historic district zone.
- Apply for inclusion of the historic district on the State and National Registers of Historic Places.
- Adopt a historic district zoning ordinance to preserve the architectural and historic quality of the district. This ordinance should address the use, height, size, density and design of both old and new structures.

Status in 1990

- The location of the flood hazard area has been updated on the FEMA maps.

- In order to preserve the integrity of streams, ordinance provision 506.2 "stream setback requirements" requires a minimum setback of 100 feet from the bank of any stream as determined at normal flow for private structures in a residential zone. However, the agricultural, business and manufacturing zones are currently exempt from these stream setback requirements.
- In order to preserve the Pine Hollow area, it has been zoned an Agricultural Conservation District. According to Section 1206 of the ordinance, this district permits only single-family homes on a minimum lot size of 3 acres. Public parks and playgrounds are also permitted. Conditional uses allowed include utilities, nursing homes, single-family cluster development and commercial greenhouses structures and establishments. Section 1002.4 on cluster development requires in a minimum of twenty contiguous acres and a minimum of 30% of the land in open space and/or recreation. However, there is no minimum lot size given for the cluster development option.
- A comprehensive stormwater run-off ordinance has been added to the zoning ordinance and is known as the "Surface Water Management Ordinance", Section 1400.
- A historic district is the borough has not been designated, and historic district designation through registration in the State and National Register has not been applied for. In turn, a historic district ordinance which preserves the integrity of the district has not been adopted.

Recommendations

- Update the flood hazard area map in the master plan, if necessary.
- Add a map to the Conservation Element of the master plan which indicates freshwater wetlands and hydric soils. These factors could be added to the flood hazard area map.
- Require a stream setback in all zones, and note in the regulations that state guidelines for construction within a flood hazard area must also be met.
- Review the "Surface Water Management" Ordinance for adequacy.
- Indicate the proposed greenway along the Musconetcong River on the land use plan.
- In larger commercial or industrial and multi-family developments, encourage the use of drought tolerant indigenous plantings in order to reduce water consumption, and vegetative ground cover alternatives to grass

lawns in order to reduce the use of chemicals for lawn and grounds maintenance.

- In larger commercial or industrial and multi-family developments, encourage the preservation or creation of wooded areas as an alternative to large expanses of lawn area.
- Include the minimum acreage requirements for the cluster provisions as recommended in the 1979 master plan; clustering down to to a one acre minimum lot size in the Agricultural Residential District and clustering down to to a two acre minimum lot size in the Agricultural Conservation District.
- Require conservation easements for wetlands, wetland transition areas, stream buffers and other environmentally sensitive features which may preclude development.
- Form a historic preservation commission to implement the 1979 master plan's recommendations on preservation and to prepare a historic preservation master plan element.
- Designate the historic district, apply for listing on the state register and adopt an ordinance which regulates the historic district.
- Encourage 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 non-profit preservation groups.

Additional Amendments to the Master Plan and Zoning Ordinance

- Add an element on historic preservation. The municipal land use law authorizes the creation of a historic district commission to prepare and implement the historic preservation element. This element indicates the location, significance, proposed utilization and means for preservation of historic sites and districts, and identifies the standards used to assess the worthiness of a historic site or district designation.
- Add a section on recycling under the Public Utilities Element.
- Add a section on stormwater management under the Public Utilities Element.
- Add an element on economic development which would include the information on municipal finance. The economic development element is to consider all aspects of economic development, including a comparison of the types of employment expected to be provided through economic development and an analysis of the stability and diversity of the economic development to be promoted.
- Update the zoning ordinance to comply with amendments to the municipal land use law. Amendments include permitting child care centers in all non-residential districts and permitting community homes and shelters in all residential districts. There have been many other amendments which should be reflected in the zoning ordinance.
- Add the following goal to the master plan: the provision of affordable housing for low and moderate income families in order to meet the borough's fair share obligation.

The 1979 master plan also recommends the following actions:

- Develop a capital improvements program to include a priority list of improvements as proposed in the master plan, methods for financing, cost estimates of proposed projects and a schedule coordinated with the borough's budget.
- Re-examine the master plan every six years and consider any necessary detailed changes on an annual basis.

Status in 1990

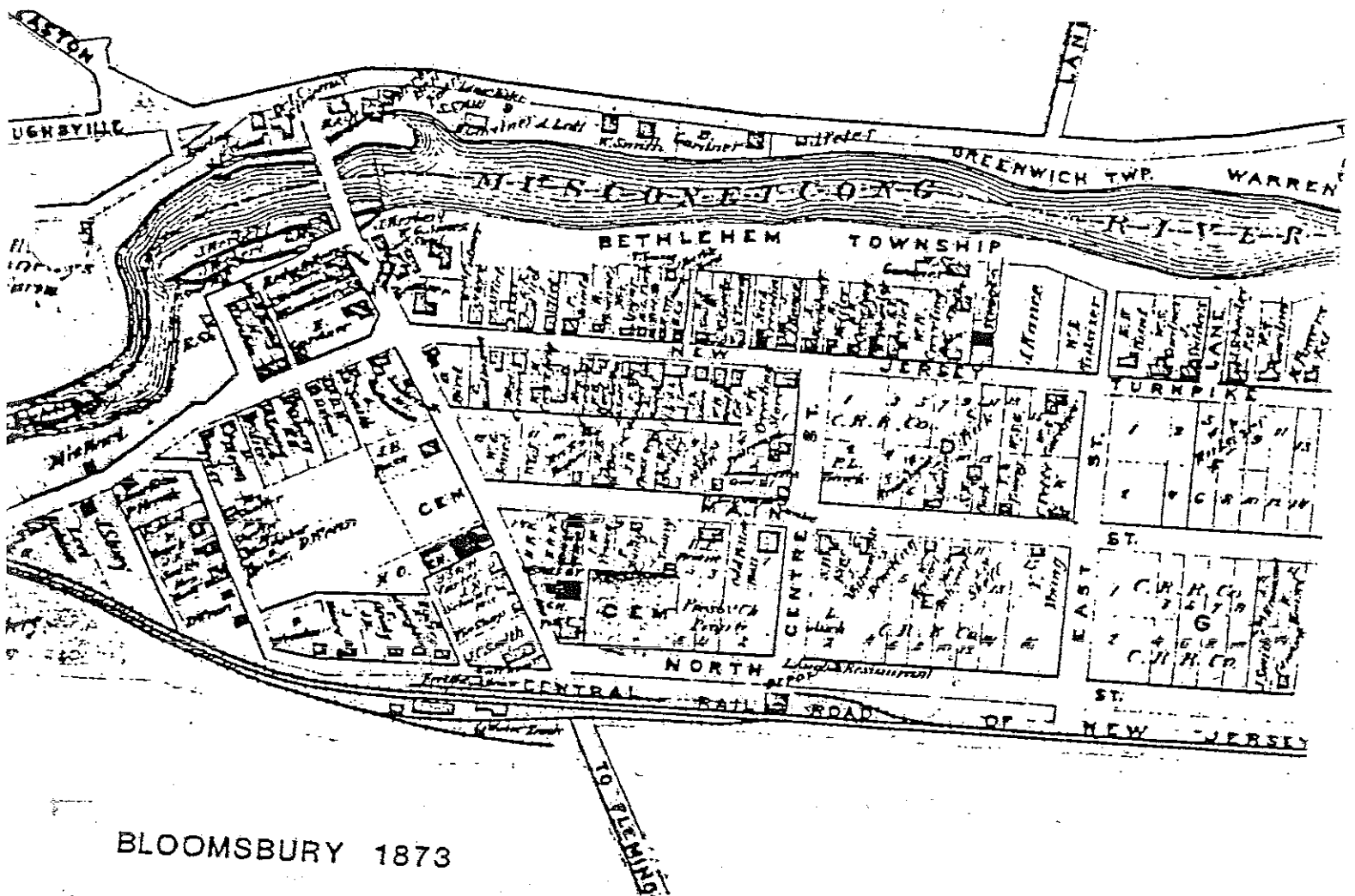
- The borough does not have a Capital Improvements Program as described.
- This re-examination report updates a review of the borough's master plan and zoning ordinance to 1990.

Recommendations

A re-examination report must be undertaken again every six years. The 1990 Census, as well as each municipality's 1993 fair share obligation, will be released in the next few years. The next re-examination report should be undertaken by the planning board before or during 1994.

BOROUGH OF BLOOMSBURY NEW JERSEY

MASTER PLAN 1979



MUSIAL / GUERRA
ARCHITECTS - PLANNERS P.A.
Elizabeth, New Jersey

BOROUGH OF BLOOMSBURY

MASTER PLAN

AUGUST, 1979

Prepared by:

MUSIAL/GUERRA

Architects-Planners p.a.

125 Broad Street

Elizabeth, New Jersey 07201

BOROUGH OF BLOOMSBURY
Hunterdon County, New Jersey

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Borough Engineer - Leo Santowasso

BOROUGH OF BLOOMSBURY

MASTER PLAN

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I INTRODUCTION

A. Definition and Development of the Master Plan

The overall objective of a Master Plan is to provide a body of facts, conclusions, and recommendations that will serve as a guide for a municipality in land-development decision-making.

The preparation of a Master Plan is only the first phase of a rational planning process. Much effort is required to attain the goals of a Master Plan as expressed by the community. The implementation of the proposals contained in a plan depends on the preparation of a capital improvements program and the coordination of efforts among the Planning Board members, other municipal boards, and the governing body.

To accomplish comprehensive planning at the municipal level, New Jersey State law requires that a Master Plan be prepared. Such a plan should serve as an aid to control land use and should serve to guide changes in a community by resolving community conflicts, anticipating needs, protecting community resources, and providing functional guidelines for development. The plan is an instrument of the Planning Board which has the sole responsibility for presenting the plan to the public and adopting it after a public hearing.

The Master Plan was prepared in accordance with the New Jersey Municipal Land Use Law (Chapter 291, Laws of New Jersey, 1975) which specifies that a Master Plan must contain the following seven elements: land use, housing, circulation, utility services, community facilities, recreation, and conservation.

The land-use element is binding on the Mayor and Council since the law requires that the zoning ordinance be in substantial compliance with the land-use element.

The plan proposals of the land-use element can be overridden only by a majority vote of the full membership of Council, with substantiating reasons given for such action. The remainder of the Master Plan elements, including circulation, community facilities, recreation, and conservation, are recommendations by the Planning Board to the Borough Council, but are not binding under the Municipal Land Use Law.

This is the initial Master Plan for the Borough. It was prepared with the aid and cooperation of Bloomsbury's Planning Board, Borough Engineer, Clerk, and many other municipal officials. Hunterdon County Planning Board and Board of Taxation also provided assistance.

B. Statement of Goals

The New Jersey Municipal Land Use Law requires that the preparation of a Master Plan should be based on goals which have been formulated by the community. The Planning Board of Bloomsbury, in conjunction with the consultants, formulated the statement of goals. The following list of goals describes the physical social, economic, and aesthetic elements of the Borough which should be preserved, promoted, and improved by using the Master Plan as a guide.

1. Maintain the village/rural ambience of the Borough of Bloomsbury.
 - A. Concentrate new development in proximity to existing development.
 - B. Promote the establishment of community-oriented commercial activity.
 - C. Promote the establishment of quality highway-oriented commercial activity.
2. Encourage residential development that respects the ecological balance, existing housing, and the historic quality.
3. Improve and promote efficient traffic circulation throughout the Borough.
4. Maintain utility service at the proper level to provide for the existing population and anticipated growth.
5. Provide community facilities that adequately serve the Borough's needs for efficient public service.
6. Promote the development of passive and active recreation areas within the Borough.
7. Establish conservation areas which would help to preserve ecologically sensitive and valuable locations and preserve the Borough's historic quality.

C. History of the Borough

As early as the mid- to late-1700's, the first manufacturing establishments were operating in what is now Bloomsbury. These included a sawmill and a furnace where "blooms," spongy masses of wrought iron, were made from the iron ore which was mined from the nearby Musconetcong Mountain.

During the 19th century, Bloomsbury was a part of Bethlehem Township. Although Dutch and German settlers began settling the Township during this period, the land presently occupied by Bloomsbury contained at least five houses and a farm as late as 1832. As of 1829, a mail coach provided service to the village three times a week; by 1852, the Jersey Central Railroad's Phillipsburg to Elizabethtown route provided the first train service for Bloomsbury. From 1875 to 1925, Bloomsbury was a self-sufficient town which contained more shops and businesses than exist in the Borough today. In 1905, Bloomsbury became a separate municipality from Bethlehem Township by incorporating as a Borough.

Public education has been provided to school children in Bloomsbury since the 1800's. The first school was a two-room wooden structure on Brunswick Avenue; the second school, built in 1886, was a brick structure containing four classrooms. The present school, located on the corner of Main and Church Streets, was erected in 1936 and houses kindergarten through eighth grade students in its nine classrooms.

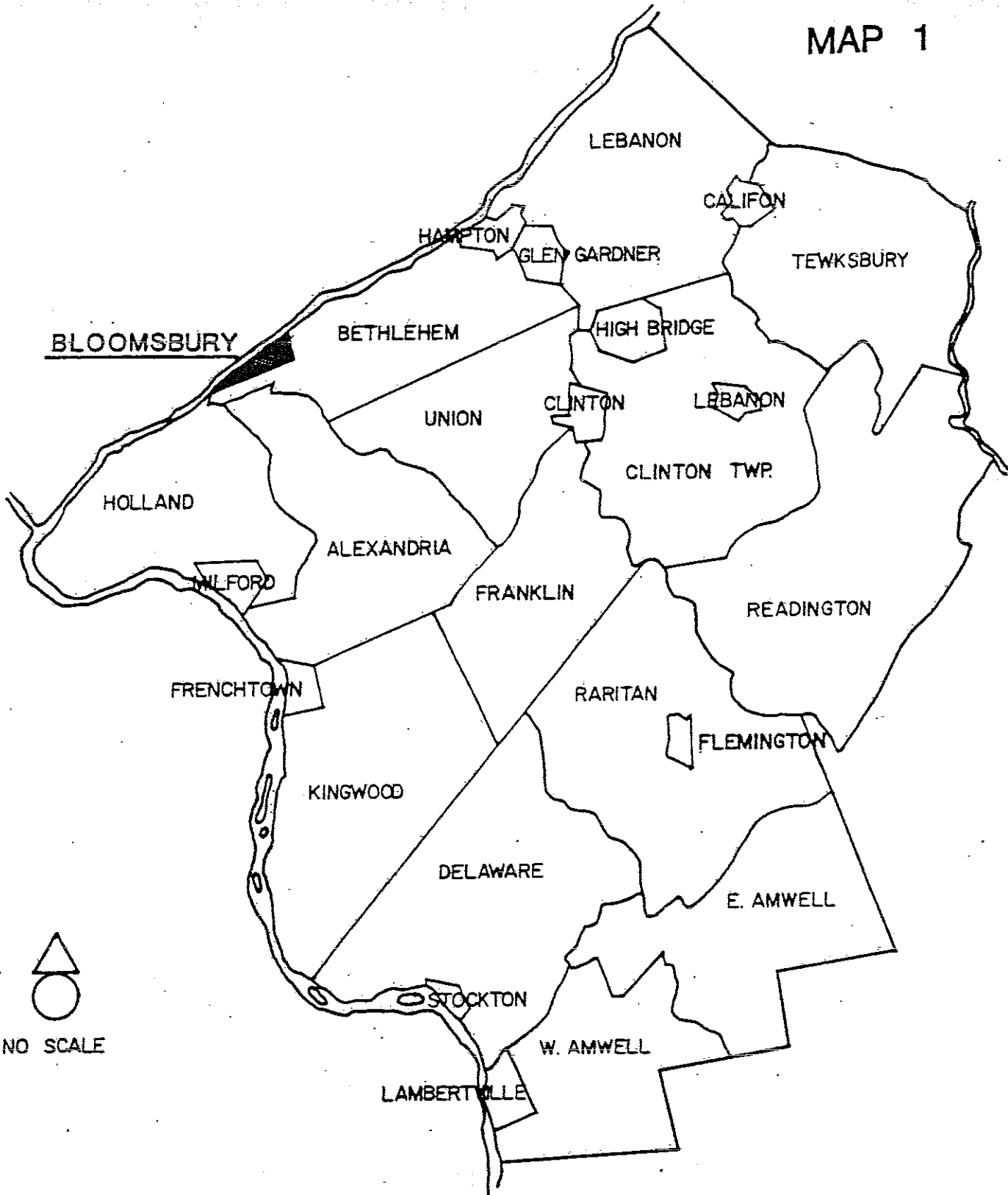
D. Regional Location

Bloomsbury is situated on the banks of the Musconetcong River on the northwestern edge of Hunterdon County, New Jersey. The Musconetcong separates the predominantly rural counties of Hunterdon and Warren and flows into the Delaware River a few miles south of Bloomsbury.

Bethlehem Township borders Bloomsbury on three sides, while the Musconetcong River on the north serves as the Borough's fourth border. Other rural townships near Bloomsbury include Holland, Alexandria, and Bethlehem in Hunterdon County and Greenwich Township across the Musconetcong in Warren County.

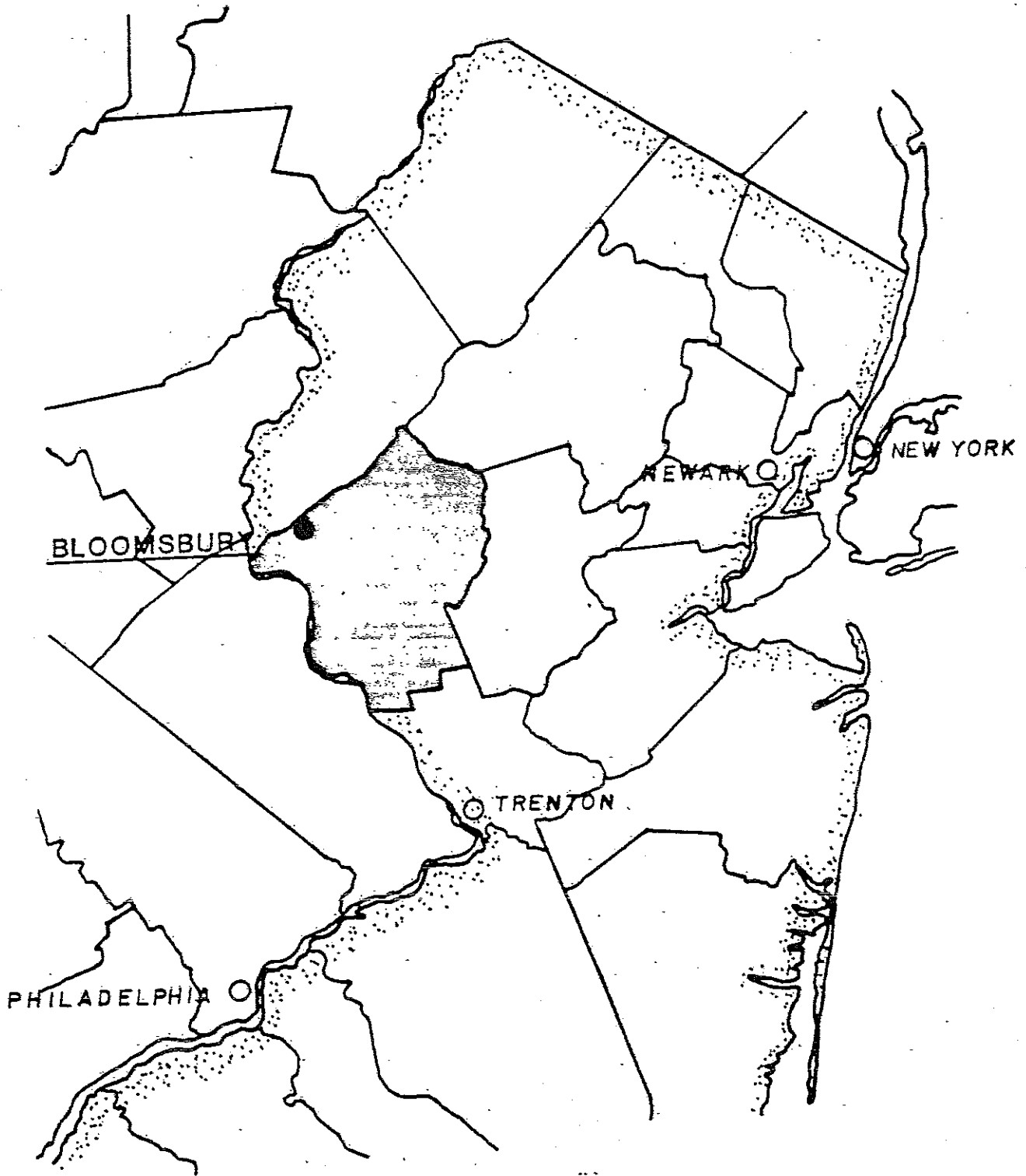
Interstate Highway 78 and U.S. Route 22 pass through the northern portion of the Borough, providing easy access to the nearby cities of Phillipsburg, New Jersey, and Easton, Pennsylvania. These major thoroughfares also make the New York metropolitan area accessible to the Borough (Maps 1 and 2).

MAP 1



REGIONAL LOCATION HUNTERDON COUNTY

MAP 2



0 10 25 miles



REGIONAL LOCATION METROPOLITAN AREA

MUSIAL / GUERRA

II EXISTING CONDITIONS

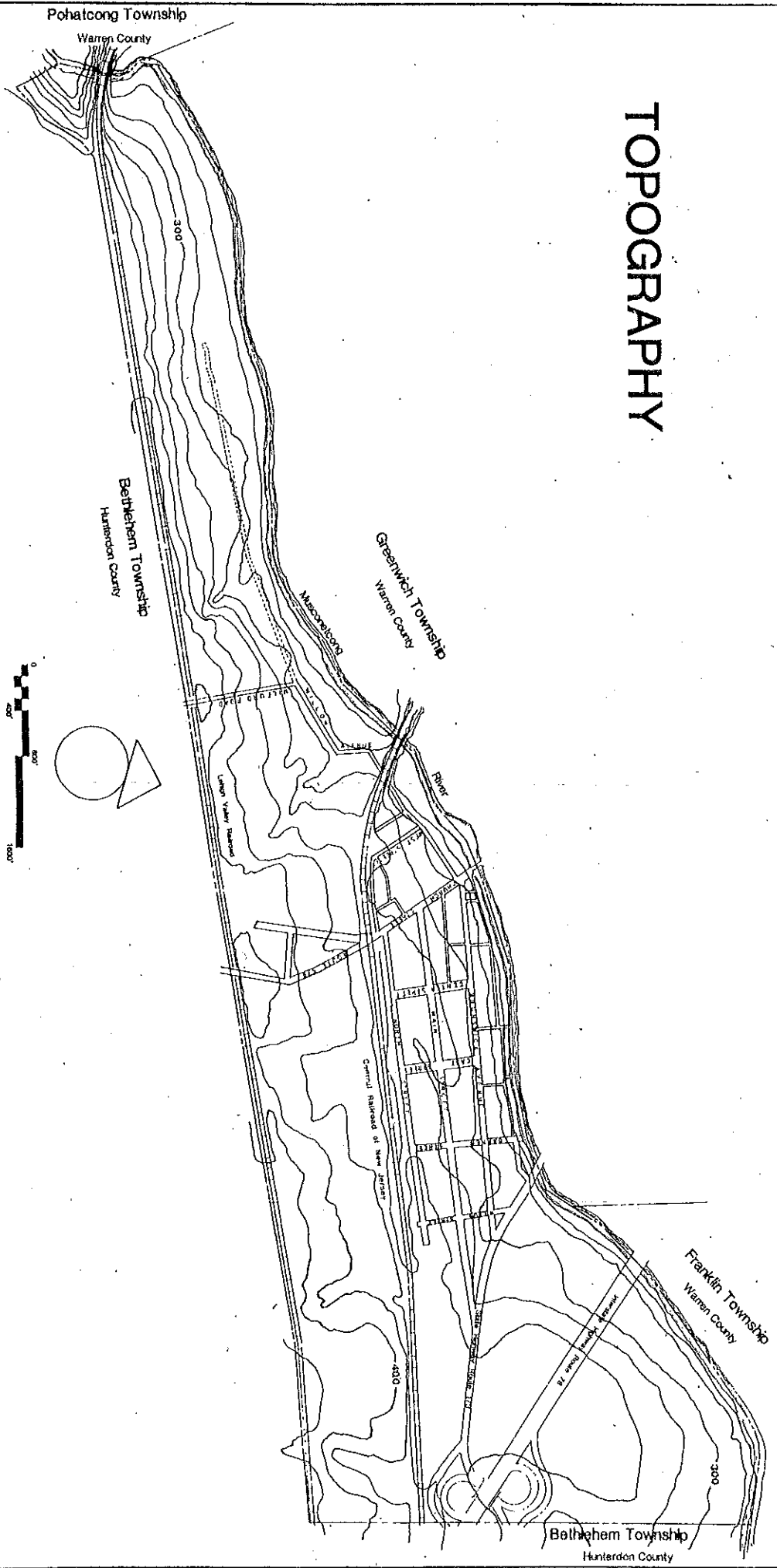
II EXISTING CONDITIONS

A. Physical Characteristics

1. Topography

The Borough of Bloomsbury generally lies between the Musconetcong River and the Musconetcong Mountains. Elevations range from about 260 feet above sea level at the river on the northern border, to approximately 420 feet on the southern Borough line (Map 3). The mountain peaks a short distance from the southern border at the common Bethlehem and Alexandria Township lines at an elevation of between 800 and 900 feet. The western portion of the municipality has the steepest topography, while the area in the vicinity of Interstate Highway 78 is the most level.

TOPOGRAPHY



MAP 3
Borough of Bloomsbury
Hunterdon County New Jersey

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2. Soils

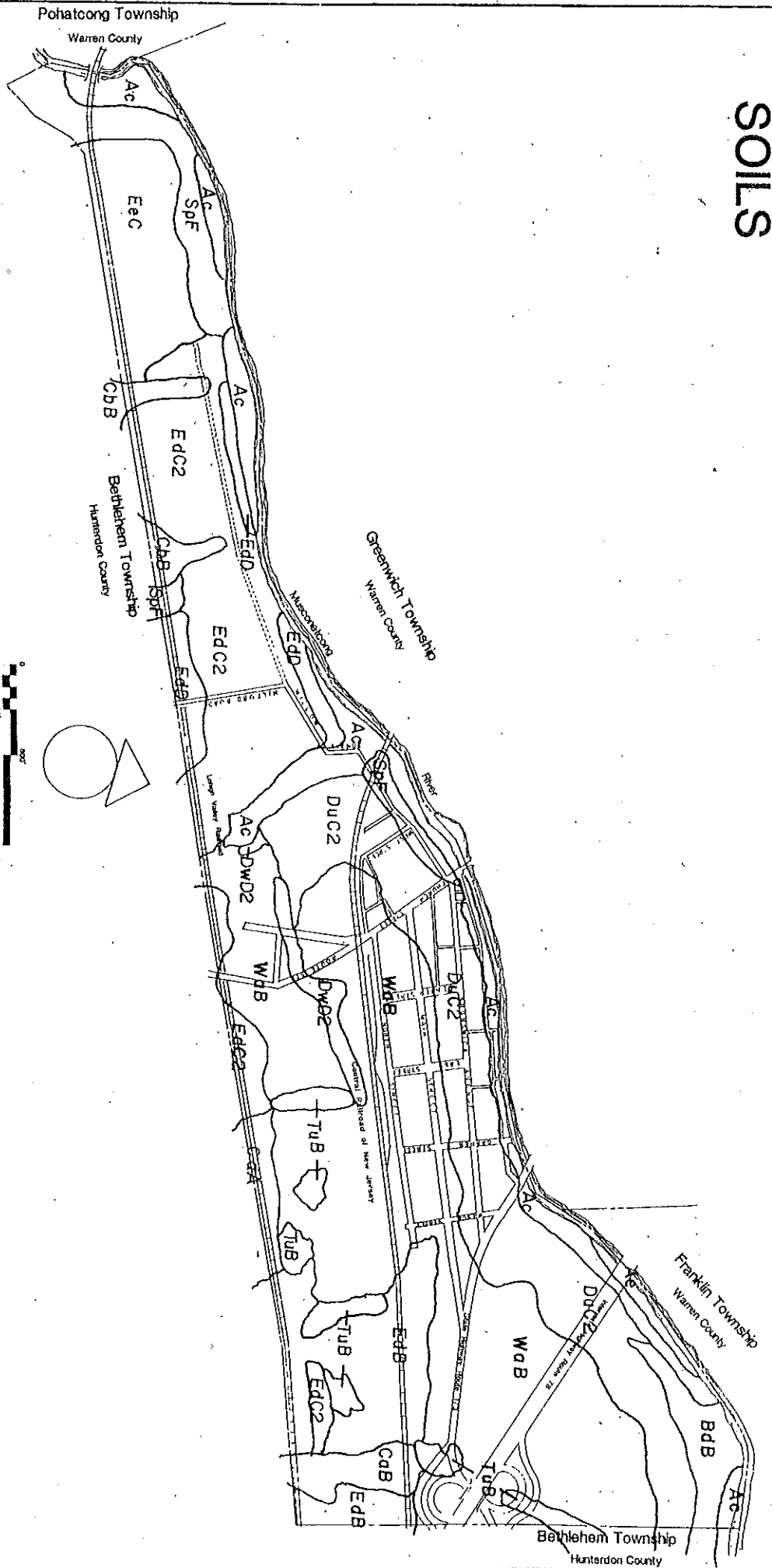
The Soil Conservation Service of the United States Department of Agriculture conducts soil surveys to learn what kinds of soils are in a region, where they are located, and how they can be used. Such information can be applied in managing farms and woodlands, in selecting sites for roads and buildings, and in judging the suitability of parcels of land for agricultural, industrial, residential, and recreational use.

There are several classifications of soils in Bloomsbury based on characteristics of the slopes, streams, natural vegetation, rocks, and composition of the soil (Map 4). Tables 1 and 2 identify all of the soil types in Bloomsbury. Table 2 should be used in conjunction with the Soils Map. That table lists the limitation for various types of activities on all of the soils located within the Borough.

Washington loam, with slopes of 2% to 6% (WaB), is the predominant soil type found in the center of the Borough, south from Main Street to the tracks of the Lehigh Valley Railroad, and in the east central portion of the Borough surrounding the I-78 interchange. The limitations are slight for such uses as foundations for dwellings, onsite disposal of sewage effluent, sanitary landfill, cemeteries, campsites, lawns and landscaping, and picnic areas. Moderate limitations exist for local roads and parking lots due to a potential for frost action and also for athletic fields due to the slope.

Extending from the northeastern portion of the Borough to the north central portion and adjacent to the Washington loam area is Duffield silt loam which is sloped from 6% to 12% and has eroded soil conditions (DuC2). This area has only slight

SOILS



MAP 4
Borough of Bloomsbury
Hunterdon County New Jersey

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Elizabeth, New Jersey 07201

TABLE 1
SOIL TYPES
BOROUGH OF BLOOMSBURY

<u>ABBREVIATION</u>	<u>SOIL TYPE</u>
Ac	Alluvial land, loamy
Ae	Alluvial land, loamy, wet
Bdb	Birdsboro silt loam, 2 to 6% slopes
CaA	Califon loam, 0 to 3% slopes
CaB	Califon loam, 3 to 8% slopes
CbB	Califon very stony loam, 0 to 8% slopes
DuC2	Duffield silt loam, 6 to 12% slopes, eroded
DwD2	Duffield very rocky silt loam, 12 to 18% slopes, eroded
EdB	Edneyville gravelly loam, 3 to 8% slopes
EdC2	Edneyville gradelly loam, 8 to 15% slopes, eroded
EdD	Edneyville gravelly loam, 15 to 25% slopes
EeC	Edneyville and Parker extremely stony loams, 3 to 15% slopes
SpF	Steep stony land, Parker Material
TuB	Turbotville loam, 2 to 6% slopes
WaB	Washington loam, 2 to 6% slopes

TABLE 2

SOIL LIMITATIONS ON SELECTED USES

○ Slight

◐ Moderate

● Severe

SOIL	Disposal of Sewage On-Site	Dwelling Unit Foundations		Local Roads	Parking Lots	Athletic Fields
		With Basement	Without Basement			
AC	●	●	●	●	●	●
AE	●	●	●	●	●	●
Bdb	○	○	○	○	◐	○
CaA	◐	◐	◐	●	●	●
CaB	◐	◐	◐	●	●	●
CbB	●	●	◐	●	●	●
DuC2	○	○	○	◐	●	●
DwD2	●	●	●	●	●	●
EdB	◐	◐	○	◐	◐	●
EdC2	◐	◐	◐	◐	●	●
Edd	●	●	●	●	●	●
EeC	●	◐	◐	●	●	●
Spf	●	●	●	●	●	●
TuB	●	●	◐	●	●	◐
WaB	○	○	○	◐	◐	◐

limitations for dwellings, cemeteries, sanitary land fills, and onsite disposal of sewage effluent. There are moderate limitations for lawns and landscaping, picnic areas, and campsites because of the strong slopes, and for local roads because of a potential for frost action. In addition, severe limitations exist for the use of parking lots and athletic fields, also due to the steep slopes.

The Edneyville series, which consists of deep, gently sloping to steep, well-drained, gravelly soils, is predominant in the western portion of the district. Depth to bedrock is about $3\frac{1}{2}$ feet and erosion control is needed. The two soils of this series which cover most of the area are Edneyville gravelly loam which is sloped from 8% to 15% (EdC2) and Edneyville and Parker extremely stony loams with 3% to 15% slopes (EeC). There is also some acreage with Edneyville gravelly loam with 15% to 25% slopes (EdD); this combination of soil and slope presents a severe erosion hazard. Much of the EdC2 remains in agricultural use; the EeC acreage is heavily wooded.

The limitations for uses on the two predominant areas in the Edneyville series are mostly moderate to severe. More specifically, the EdC2 area has moderate limitations for dwellings, lawns and landscaping, local roads, picnic areas, campsites, and onsite disposal of sewage effluent. Severe limitations exist for parking lots, athletic fields, sanitary landfill, and cemeteries. Most of the EeC area has severe limitations for all the above uses except for dwellings, where moderate limitations exist due to the extremely stony soil.

Along the Musconetcong River, which serves as the Borough's northern border, there is alluvial land with loamy soil (Ac). Since this land is nearly level and is on a flood plain, it is subject to frequent overflow, particularly in early spring.

Understandably, there are severe limitations for most uses due to the flooding potential. There are moderate limitations for lawns and landscaping and for picnic areas.

This discussion of the major soils in the Borough and the potential consequences of their development should serve as a general overview of the Borough's soil composition and limitations. Development of specific parcels should be preceded by detailed analyses of the sites' soil, because variations in slopes, depth, stoniness, drainage, and other characteristics affect development costs and environmental factors.

B. Land Use







The Borough of Bloomsbury covers one square mile of land. Its 640 acres are largely undeveloped: 60.6% of the total land area, or 388 acres, is characterized by either woodland, farm land, or vacant lots scattered throughout the developed areas (Map 5 and Tables 3 and 4).

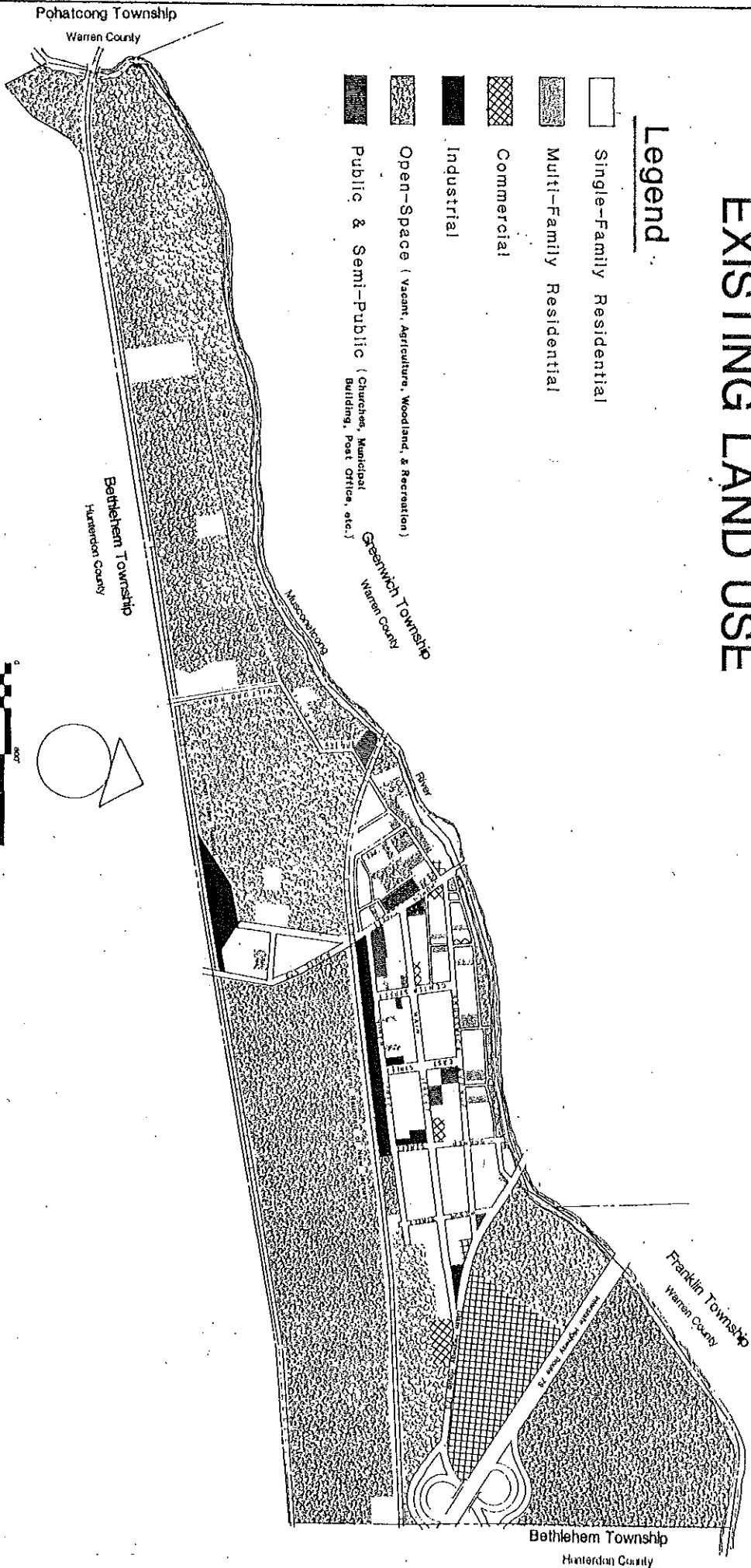
Of the 251.9 acres in the Borough which are developed (39.4% of the total land area), the 71 acres of residential use are the most dominant. The residential area, with Main Street serving as the spine, consists mostly of single-family homes on tree-lined streets. There are several two- to four-family structures scattered throughout the residential district, and there is one apartment building (the former Bloomsbury Hotel) which contains eight dwelling units. Although the bulk of this housing stock was built during the 1830's through the 1880's, most of the structures are well-maintained and appear to be structurally sound.

Most of the circulation system is comprised of residential streets, and the land used by streets and roads consists of everything from dirt roads to an interstate highway. This highway, I-78, cuts through the northeast corner of the Borough, away from the quiet residential streets. Two railroad lines, the Lehigh Valley Railroad and the Central Railroad of New Jersey, occupy 57 acres, or 9% of the Borough's land area. The remaining 5.3% of the developed land in the Borough is devoted to commercial, industrial, semi-public, and public land uses. The 21 acres of commercial land is dominated by the 12-acre Union 76 restaurant/truck service station which is adjacent to the Bloomsbury exit on I-78. The main office of the Citizen's Bank is also located in this part of Bloomsbury. A few other commercial establishments are scattered throughout the Borough, most of which are situated on the lower end of Church Street near the Musconetcong River bridge. Table 5 lists the type of commercial establishments in Bloomsbury.

EXISTING LAND USE

Legend

-  Single-Family Residential
-  Multi-Family Residential
-  Commercial
-  Industrial
-  Open-Space (Vacant, Agriculture, Woodland, & Recreation)
-  Public & Semi-Public (Churches, Municipal Building, Post Office, etc.)



MAP 5
Borough of Bloomsbury
 Hunterdon County New Jersey

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TABLE 3

BLOOMSBURY LAND USE

LAND USE	ACREAGE	PERCENT OF TOTAL LAND AREA
<u>Developed Land</u>		
Residential	71.12	11.0%
Commercial	20.90	3.3%
Industrial	8.72	1.4%
Public	24.05	2.7%
Semi-Public	3.42	0.5%
Railroads	57.02	9.0%
Roadways and Waterways	73.42	11.5%
TOTAL AREA	251.86	39.4%
<u>Undeveloped Land</u>		
Agriculture		
crop land	140.46	23.0%
pasture land	82.69	12.9%
Woodlands	107.06	16.7%
Vacant	51.14	8.0%
TOTAL AREA	388.14	60.6%
TOTAL LAND AREA	640.00	100.00%

SOURCE: Calculations by Musial/Guerra based on Field Survey by Musial/Guerra, April 1979, and Tax Maps of the Borough of Bloomsbury.

TABLE 4
PROPERTY TAX ASSESSMENT BY LAND USE: 1979

LAND-USE CLASSIFICATION	NUMBER OF PARCELS	ASSESSMENT	PERCENT OF TOTAL ASSESSMENT
Residential (1- to 4-family units)	259	\$ 8,512,000	71.5%
Commercial	15	2,128,850	17.8
Industrial	7	732,750	6.2
Apartment	1	81,700	.7
Farm (regular and qualified)	7	113,675	1.0
Vacant	48	335,725	2.8
TOTAL	337	\$11,904,700	100.0%

SOURCE: Borough Tax Assessor's Office, Files, May 1979

TABLE 5

COMMERCIAL ESTABLISHMENTS IN BLOOMSBURY

SERVICE ESTABLISHMENTS	
Bank	1
Beauty Salon	2
Gasoline Station	3
T.V. Repair	1
Restaurant/Truck Stop	2
CONVENIENCE GOODS	
Country Store/Delicatessen	1
Pharmacy	1
MISCELLANEOUS BUSINESSES	
Advertising Office	1
Funeral Home	1
Gift Shop	1
Hobby Shop	1
Sporting Goods Store	1
Taxidermist	1
Total Commercial Establishments	17

SOURCE: Field Survey by Musial/Guerra
April 1979

The major industry in the Borough is Koh-I-Noor Rapidograph, Inc., which has been located in the Borough since 1938. The firm's facilities occupy about six acres of land between North Street and the Central Railroad of New Jersey. The only other industrial land use in the Borough is the three-acre Agway Fertilizer Blend plant situated along the Lehigh Valley Railroad at the upper end of Lehigh Avenue. These industrial land uses cover 8.72 acres.

Establishments such as churches, hospitals, fraternal organizations, etc., are considered as semi-public land uses. In Bloomsbury, there are $3\frac{1}{2}$ acres of semi-public uses including three churches, two cemeteries, and the Bethlehem lodge.

Since the Borough has such a small land area and population, there does not exist an extensive need for community facilities within the Borough. Certain services are available to Bloomsbury residents through Hunterdon and Warren Counties. These include library services, a public high school, and recreational facilities. An elementary school, a post office, and the Borough Hall (which also houses the headquarters for the Fire Department and Rescue Squad) are housed within Bloomsbury. These facilities plus a Little League baseball field comprise 24 acres of public land in the Borough.

Agriculture land, which includes over 140 acres of crop land and 83 acres devoted to pastures, is the most common land use category of Bloomsbury's 388 acres of undeveloped land. One hundred-seven acres of Borough land is covered by woods, and the remaining 51 acres of vacant land consists of small vacant lots which are scattered throughout the developed land area of the Borough.

C. Demographic Trends: Implications for Housing

1. Population Trends

Considering Hunterdon County's 26 municipalities, Bloomsbury is one of only five municipalities which had fewer than 1,000 people according to the 1970 U.S. Census. In that year, Bloomsbury reported a population of 879, while Stockton Borough had the smallest population in the County, housing 619 people. The most recent official State population report estimated Bloomsbury's 1978 population to be 873.¹ The most recent Hunterdon County population projections suggest that Bloomsbury's population will increase slowly, but steadily, to 1,150 people by the year 2000.²

Looking at the past trends of population growth in the Borough, it can be seen that Bloomsbury has increased in population since 1940, but at a much slower rate than the neighboring townships. For example, during the 1960's, Bloomsbury's population increased by only 4.9%, while Bethlehem, Alexandria, and Holland Townships increased by as much as 27%, 31%, and 44% respectively. This sharp difference is mostly due to the fact that Bloomsbury has such a small land area which has been built up for quite a while, whereas these other townships cover large land areas and have only recently become more accessible to the metropolitan area with the construction of Interstate-78 during the 1960's. The population in Hunterdon County, as a whole, increased by 29% during this same decade (Table 6).

TABLE 6

POPULATION GROWTH

<u>Municipality</u>	<u>1940</u>	<u>1950</u>	<u>1960</u>	<u>1970</u>	<u>1960-70 % Change</u>
BLOOMSBURY	704	722	838	879	4.9
Bethlehem	791	857	1,090	1,385	27.1
Alexandria	1,186	1,369	1,629	2,127	30.6
Holland	1,150	1,341	2,495	3,587	43.8
Hunterdon County	36,766	42,736	54,107	69,718	28.9

SOURCE: U.S. Census of Population, Calculations by Hunterdon County Planning Board

Most of the population growth in Bloomsbury has resulted more from natural increase (more births than deaths per year) than from in-migration. This is contrary to the situation in Hunterdon County where the population increase resulted more from in-migration than from natural increase (Table 7).

Although there was a natural increase of 14 people in the Borough by 1976 (Table 8), the State estimated the Borough population to be 874 in that year. This would indicate that there was somewhat of a loss of population due to out-migration. However, by the end of 1978, there had been 19 additional residents resulting from natural increase (30 births and 11 deaths). In sum, during 1970 through 1978, there were 123 births and 90 deaths resulting in a natural increase of 33 people in Bloomsbury.

A survey of local realtors³ revealed that Interstate-78 has made Bloomsbury more accessible to many young professionals employed at office/research parks located along Route I-287 in Somerset and Middlesex Counties. In particular, there have been new residents who commute from American Telephone and Telegraph (AT&T) in Basking Ridge and the Prudential Insurance Company in Piscataway. Additionally, they are attracted to Bloomsbury because of the charming quality of the older homes and the relatively affordable price range (\$45,000 to \$70,000). It must also be remembered that when Exxon moves some of its divisions to a new complex in nearby Clifton Township on Route 31, just south of I-78 (construction is scheduled to begin in 1981), both Hunterdon and Warren Counties, including Bloomsbury, will undoubtedly experience development pressures.

TABLE 7

COMPONENTS OF POPULATION CHANGE: 1950-1970

<u>PLACE</u>	<u>POPULATION INCREASE</u>	<u>NATURAL INCREASE</u>	<u>NET IN-MIGRATION</u>
<u>Bloomsbury</u>			
1950-60	116	110	6
1960-70	41	86	-45
<u>Hunterdon County</u>			
1950-1960	11,371	4,167	7,204
1960-1970	15,611	4,580	11,031

SOURCE: N.J. Department of Health, Bureau of Vital Statistics, U.S. Census, 1960 and 1970, Calculations by Hunterdon County Planning Board

TABLE 8
BLOOMSBURY NATURAL INCREASE 1970-1978

<u>YEAR</u>	<u>BIRTHS</u>	<u>DEATHS</u>	<u>NET CHANGE</u>
1970	22	15	7
1971	9	9	0
1972	13	14	-1
1973	13	7	6
1974	8	8	0
1975	17	13	4
1976	11	13	-2
1977	18	4	14
1978	14	7	6
1970 to 1978	125	91	34

SOURCE: N.J. Department of Health, Health Data Services

In 1970, there were 287 housing units located in the Borough. With the 1970 population of 879, they had 3.06 persons per household. The New Jersey Division of State and Regional Planning determined a local need of 24 housing units in 1970. This included needs due to dilapidated, overcrowded and vacant units only. The prospective housing allocation which includes units needed for low- and moderate-income families to 1990, has been determined to be 100 dwelling units.⁴ This need was determined from local deficiencies, regional needs, and the calculated development limits.

2. Income Characteristics

The breakdown of family income, according to 1970 U.S. Census data, reveals that the median family income in Bloomsbury of \$11,217 was slightly below the \$11,337 median reported for Hunterdon County as a whole (Table 4). Only 16.8% of the Borough's families had incomes above \$15,000 as compared to as many as 28% county-wide. On the other end of the income range however, only 5.3% of Bloomsbury's families had incomes below \$5,000, while as many as 29% of all families in Hunterdon County fell into this lower-income category.

More recent income data for Bloomsbury was obtained from the New Jersey Office of Demographic and Economic Analysis, which compiles U.S. Census data on per capita income for every New Jersey municipality. In 1969, Bloomsbury's population had a per capita income of \$3,188, but by 1974, this had risen to \$4,738. These figures are less than those reported for both Hunterdon County as a whole and for the State of New Jersey (Table 10). Assuming that the Borough's median family income increased at the same rate as its per capita income (48.6%), a 1974 median family income of about \$14,900 would result. Since the composition of the population had not changed significantly during those years, most of this increase was, and is, probably due to inflation.

TABLE 9
FAMILY INCOME: 1970

<u>INCOME</u>	<u>BLOOMSBURY</u>		<u>HUNTERDON COUNTY</u>	
	<u>#</u>	<u>%</u>	<u>#</u>	<u>%</u>
Under \$5,000	12	5.3	1,949	11.0
\$5,000 to 7,999	69	30.5	2,663	15.0
\$8,000 to 9,999	18	8.0	2,443	13.8
\$10,000 to 14,999	89	39.4	5,645	31.8
\$15,000 and Over	38	16.8	5,047	28.4
Total Families	226	100.0	17,747	100.0
Median Income		\$11,217		\$11,337

SOURCE: U.S. Census 1970
 Calculations by Hunterdon County Planning Board

TABLE 10
PER CAPITA INCOME

<u>PLACE</u>	<u>1969</u>	<u>1974</u>	<u>1975</u>	<u>1969-75 % CHANGE</u>
Bloomsbury	\$3,188	\$4,738	\$4,994	56.6
Hunterdon County	\$3,623	\$5,376	\$5,651	56.0
New Jersey	\$3,674	\$5,234	\$5,600	52.4

SOURCE: New Jersey Department of Labor and Industry, Division of Planning and Research, Office of Demographic and Economic Analysis, February 1979.

3. Employment Trends

A look at the employment trends in Bloomsbury reveals that the average annual labor force has increased from 374 people in 1970 to 459 people in 1978 (Table 11). (The labor force includes all Bloomsbury residents who are over 16 years of age and are employed or are seeking employment.) Although the unemployment rate is lower than the State and National rates, it has been fluctuating during the 1970's and is higher than in 1970. The unemployment rate was 1.9% in 1970 and 2.8% in 1978. The impact of the national economic recession of the mid-1970's shows up in the unemployment rates for Bloomsbury. The highest rates were reported in the Borough during 1975 and 1976, whereas 1974 and 1975 were the worst years, employment-wise, in the nation.

The major places of employment in the Borough are Koh-I-Noor Rapidograph, Inc., the Garden State 76 Truck Plaza, and the Agway fertilizer plant. Koh-I-Noor currently employs 274 workers, many of whom live within the Borough. Other employers located in proximity to Bloomsbury are Ingersall Rand and Regal Paper Products.

Table 12 gives a gross look at places of employment for Bloomsbury residents in 1970. Almost 63 percent of the workers were employed in Hunterdon County. Warren County was next with 21 percent of Bloomsbury workers employed there. Just over ten percent of Bloomsbury workers were employed in nearby Allentown-Bethlehem-Easton, Pennsylvania, Standard Metropolitan Statistical Area (SMSA).

TABLE 11
BLOOMSBURY LABOR FORCE: 1970 to 1979

<u>YEAR</u>	<u>LABOR FORCE</u> *	<u>EMPLOYED</u>	<u>UNEMPLOYED</u>	<u>UNEMPLOYMENT RATE</u>
1970	374	367	7	1.9%
1974	-	-	-	2.4%
1975	412	396	16	3.9%
1976	428	411	17	4.0%
1977	442	426	16	3.6%
1978	459	446	13	2.8%
1979**	450	433	17	2.8%

* Bloomsbury Residents over 16 years of age working or seeking work.

** February 1979 figure - all others are yearly averages.

SOURCE: Trenton Field Office of the New Jersey Department of Labor and Industry's Division of Planning and Research, April 1979.

TABLE 12
PLACES OF EMPLOYMENT:
BLOOMSBURY RESIDENTS: 1970

<u>PLACE</u>	<u>NUMBER OF RESIDENTS</u>	<u>PERCENTAGE OF RESIDENTS</u>
Hunterdon County	206	62.6
Morris County	6	1.8
Warren County	69	21.0
Allentown-Bethlehem- Easton, Pa. SMSA	35	10.6
Somerset County	13	4.0
Total	329	100.0

SOURCE: Municipality Supplement to Journey to Work, New Jersey, 1970,
 N.J. Department of Labor and Industry, Division of Planning
 and Research, Office of Business Economics, October 31, 1973.

D. Traffic Circulation

1. Overview

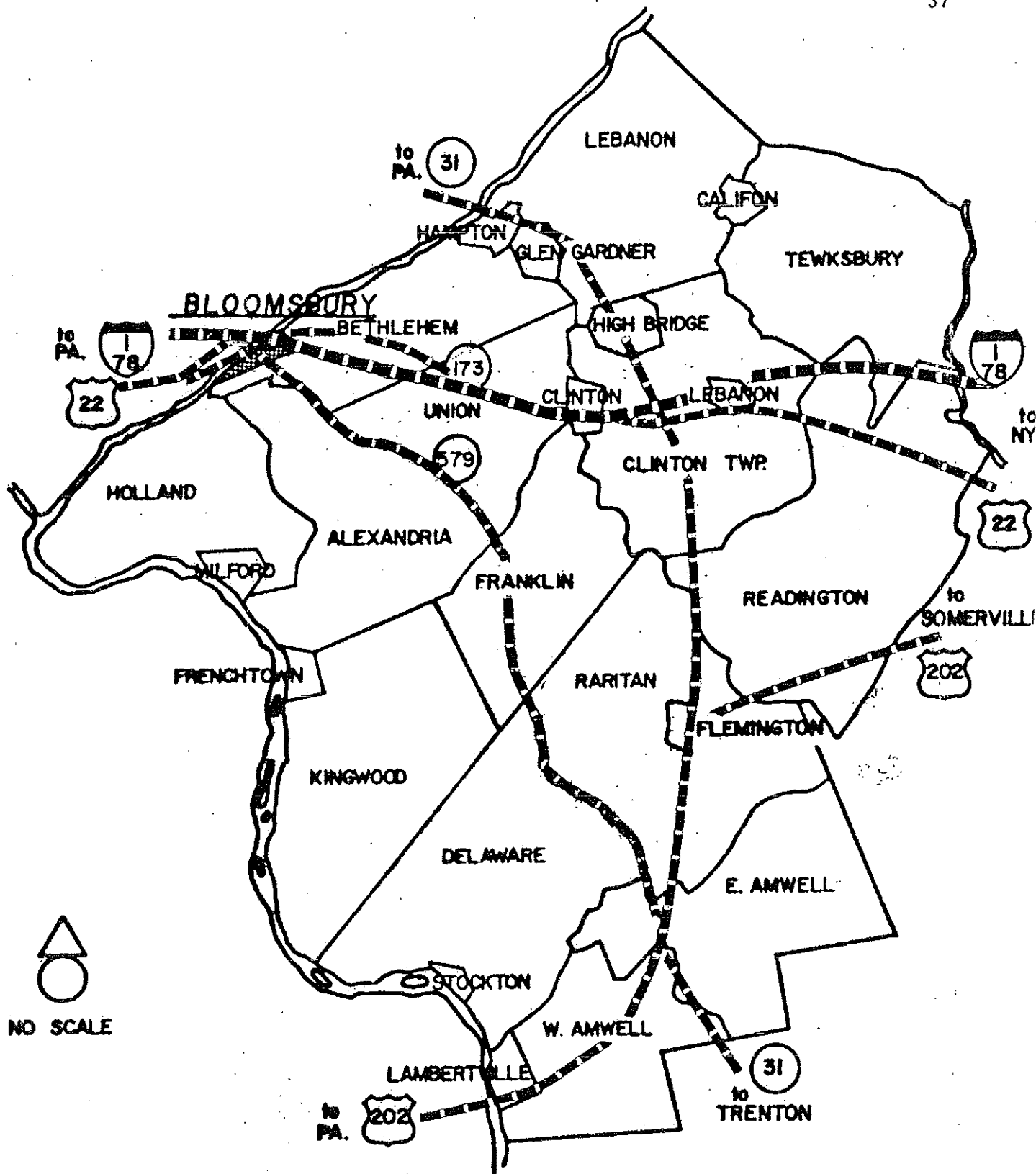
The Borough of Bloomsbury has a variety of roads within its borders. Interstate 78, U.S. Route 22, cuts across its Northeastern border. State Route 173 intersects with I-78 and continues northwesterly crossing the Musconetcong River into Greenwich Township. Hunterdon County Route 579 goes over the Lehigh Valley Railroad tracks and generally travels in a northwesterly direction over the Musconetcong River.

Interstate 78 connects Bloomsbury with Phillipsburg, New Jersey, and Easton, Pennsylvania, to the west and the New York Metropolitan area to the east. Route 173 roughly parallels the Interstate Highway for almost ten miles. County Route 579 terminates in Bloomsbury and crosses the border with Mercer County to the south. The major regional highways that serve Bloomsbury and Hunterdon County are illustrated on Map 6.

Route 173 is classified as a minor collector by Hunterdon County. In spite of its smaller traffic volume, Route 579 is classified as a major collector. These classifications do not exactly correspond to function, but are used for federal funding purposes. The County jurisdiction of Route 579 ends within the Borough at the Central Railroad of New Jersey Mainline tracks. From there to the River, the municipality retains jurisdiction of the road.

There are three major east-west roads that traverse the built-up portions of the Borough. From the northern-most to the southern-most, they are Brunswick Avenue, Main Street, and North Street. In the western portion of the municipality from Church Street to Milford Road, Willow Avenue is the major east-west road.

The major north-south roads, beside Church Street (579) are Milford Road, West Street, Center Street, East Street, Garner Street, and Wilson Street.



MAP 6

REGIONAL HIGHWAYS

MUSIAL / GUERRA

2. Traffic Volumes and Accidents

As can be assumed, both traffic accidents and traffic volume are relatively low in Bloomsbury. Traffic volumes on Interstate 78, State Highway Route 173, and Hunterdon County Route 579 are illustrated on Map 7. The Average Daily Volume (ADV) for I-78 at Bloomsbury was 25,898 vehicles in 1977. There was an ADV of 4,786 vehicles on Route 173 that year, and 733 on Route 579. In 1978, the ADV for County Route 579 increased to 935 vehicles.⁵ The 1977 counts were the most recent available for the interstate and state highways, and there are no traffic counts for the other roads within the municipality. Since traffic to Bloomsbury is directed to Main Street once motorists exit from I-78, it can be assumed that this road receives higher traffic levels than other municipal roads.

Map 7 also notes the location of traffic accidents within the Borough. In 1977, there were 21 accidents in Bloomsbury, none fatal, and four resulting in injuries. Fourteen of the accidents occurred on I-78, and all accidents with injuries occurred on that highway. There were two accidents on state Route 173, and three on County Route 579 (Church Street). Their exact locations are noted on Map 7, along with the other two accidents in the Borough.

The accident on Route 579 nearest the Greenwich Township border seems to point towards one of the road condition problems that will be discussed at greater length in the following section. The accident involved two cars in a head-on collision. It occurred near the narrow bridge which crosses the Musconetcong River. Two-way traffic on the structure is extremely difficult, if not impossible, making it functionally a one-way bridge. This might have been a contributing factor to that accident.

TRAFFIC VOLUME & ACCIDENTS - 1977

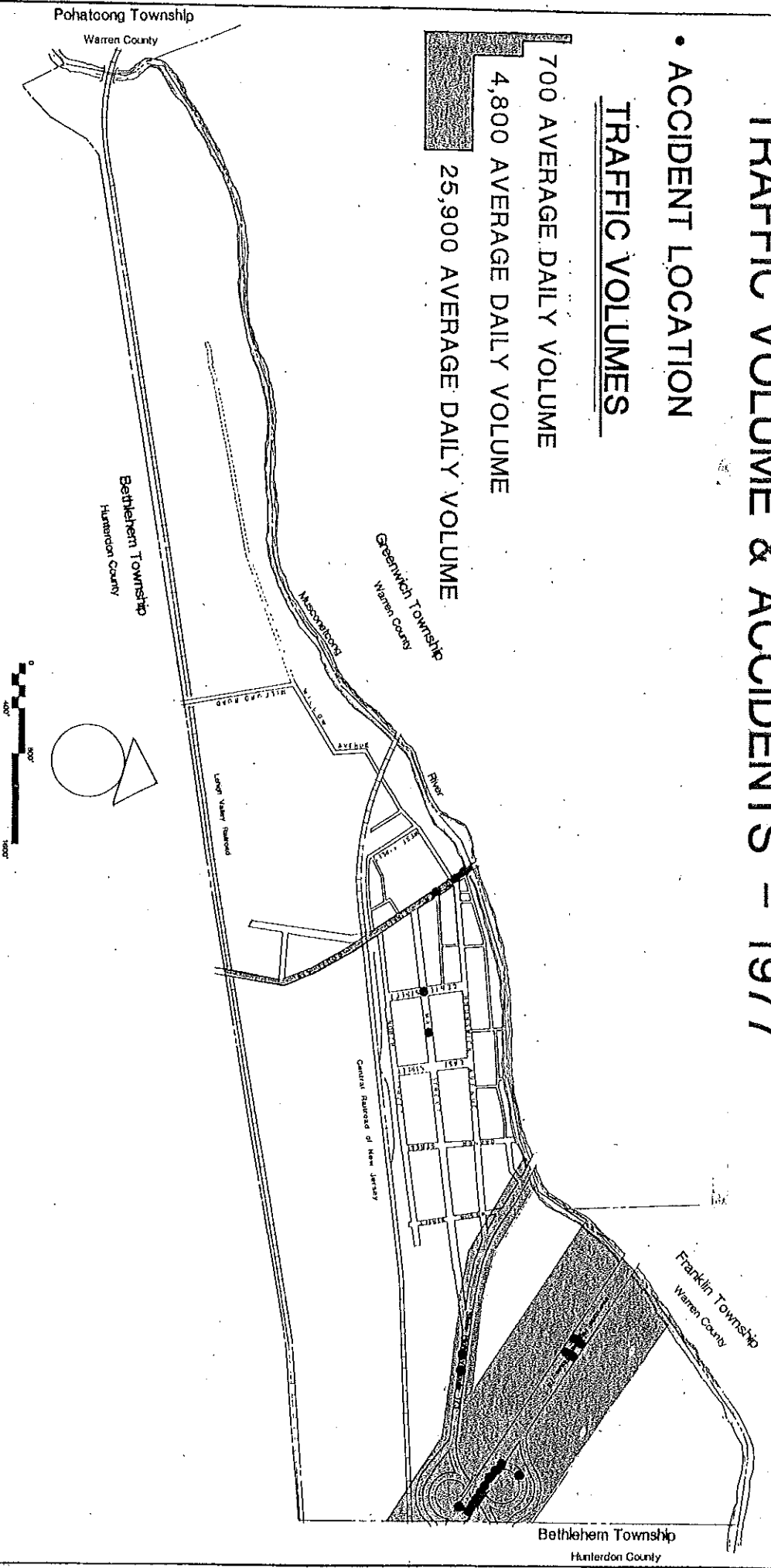
• ACCIDENT LOCATION

TRAFFIC VOLUMES

700 AVERAGE DAILY VOLUME

4,800 AVERAGE DAILY VOLUME

25,900 AVERAGE DAILY VOLUME



MAP 7

Borough of Bloomsbury
Hunterdon County New Jersey

MUSIAL / GUERRA
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Elizabeth, New Jersey 07201

3. Road Conditions and Parking

Generally, road conditions in Bloomsbury are good. There are some roadways that suffer from problems due to poor drainage. The most notable problem is Willow Avenue south of the Central Railroad of New Jersey tracks. Runoff from the fields to the south empty into a stream, is channeled under the road, enters a ditch parallel to the road, and empties into the Musconetcong River. The road shoulder seems to be eroding and the road surface is buckled and cracked. Milford road also suffers from potholes and cracks.

The portion of Willow Avenue that has poor surface condition, also has a poor and dangerous sight-line distance due to the roads curves. This condition is especially severe in the summer months when the foliage is at its peak. This combination of the sharp curves, deteriorating shoulders, and obstructed views make for a potentially dangerous situation.

During heavy precipitation, there are occasionally problems on the lower end of Church Street near the Brunswick Avenue intersection. The storm drainage pipes under Church Street are of varying sizes, with large pipes emptying into smaller ones. The storm water backs up, and, during the colder winter months when ice forms, a dangerous situation develops. There are other localized drainage problems that can be alleviated in most cases by keeping drainage ways and grates clear of debris and obstructions.

There are also some poor bridge conditions within the Borough. The Church Street (Route 579) bridge over the Musconetcong River is 17 feet wide, much narrower than the road feeding it. The bridge was constructed in 1892 and has a ten ton capacity. There is also a bridge on Route 579, that crosses the Lehigh Valley Railroad tracks. This bridge also has a posted ten ton weight limit. When fire trucks are needed to assist Bethlehem Township, they have to proceed to the Milford Road Bridge in order to cross the Lehigh Valley Tracks.

There are some periodic parking problems in the Borough. When popular activities are planned for the municipal building and fire house, Brunswick Avenue, Main Street, and East Street are often lined with automobiles. This is usually only a one night a week problem. Other on-street parking problems in the Borough are exacerbated by the narrowness of the streets. On the whole, the municipality's parking difficulties are minor, especially when weighed against the costs of attempting to alleviate them.

4. Public Transportation

Public transportation in the Borough of Bloomsbury is not too extensive. There is bus service provided by Transport of New Jersey between Allentown, Pennsylvania, and New York City that stops in the Borough. There are two buses that travel in each direction every weekday and one on weekends and holidays. The trip takes approximately two hours to New York City.

The CNJ Division of Conrail has a train that travels through Bloomsbury, but does not stop within the Borough. The closest stations are in Phillipsburg in Warren County and Hampton in Hunterdon County. There are three trains each weekday in both directions between Phillipsburg and New York City. The federal government has announced a grant of \$31 million for new equipment and upgraded track for the Jersey Central Railroad, now known as the Raritan Valley Line.⁶

There is also a private non-profit corporation, Pioneer on Wheels, providing non-emergency, door to door transportation for the elderly, handicapped, and social service clients in Hunterdon County. The program operates Monday through Friday and requests for service are asked to be made 24 hours in advance.

Hunterdon County also operates a car pool organization service. The Hunterdon County Committee on Public Transportation attempts to match commuters in order to form car pools.

E. Public Utilities

1. Sanitary Sewage

There is no sewage system in the Borough. A system of individual on-site septic tanks are used to treat the sanitary sewage generated within the Borough. Currently, all development within the municipality is constrained by the system. Given the general soil conditions, the Borough Engineer feels the minimum residential lot size should be $3/4$ of an acre due to sanitary waste disposal problems. Individual sites should be examined for their particular soil characteristics before specific determinations are made.

2. Water Supply System

Water is supplied to Borough residents from underground wells, a reservoir in the mountains southwest of the municipality, and the Musconetcong River. There is a water filter plant off Willow Avenue in the western portion of the Borough. Although the system is adequate for the current needs of the population, it is antiquated.

The current filtration system is designed for an output of 150 gallons per minute. This converts to a 216,000 gallons per day rate. The system includes pre-chlorination, a sedimentation tank, a pressure filter, and post chlorination. Once a month, the pressure filter is backwashed, and the residue is discharged into the River. The State Department of Environmental Protection wants this type of practice to cease. Solutions to this problem are currently being considered.

Other than the foregoing, no extensive expansion or improvements are being planned by Borough officials at this time. Over the years however, minor projects have been completed to maintain the system at minimum cost. The Borough Engineer recommends that there be a completely updated water system to possibly include a new source of water supply, new transmission lines, and a new filtering plant.

3. Solid Waste Disposal

Trash collection is provided to Township residents on a once-a-week basis by Kasper Disposal Service. There are also three cleanup days per year when residents can dispose of large items. The service is paid indirectly by the residents through their property taxes. Kasper Disposal Service is currently under a three-year contract with the Borough.

The contractor generally uses two 25 cubic yard trucks to accommodate the refuse. On the special clean-up days, three to four trucks are employed. Both residential and commercial refuse is disposed of by the service. The solid waste is trucked to various land fills in Warren, Morris, and Middlesex Counties, depending on where the trucks are at the time.

F. Community Facilities

1. Public Schools

a. Elementary School

The Bloomsbury School located at 20 Main Street serves kindergarten through grade eight. The original school building, erected in 1936, contained four classrooms, and a small addition was built in 1955 to house the kindergarten. In 1968, a large addition containing five classrooms and a library was constructed. In 1977, a kitchen facility with a walk-in freezer was installed in order for lunches to be served at the school.

The September 1978 enrollment was 113 students, well under its functional capacity of 207 students.⁷ The enrollment has steadily dropped from a high of 188 in 1969-70. Projected enrollments to 1984-85 range from 107 to 119 students in the various school years.⁸

There are ten full-time teachers employed at the school, one administrative principal, and three part-time teachers who instruct music, art, and physical education. There is also a part-time child study team which consists of a psychologist, social worker, and learning disabilities consultants. A part-time nurse visits the school one day per week.

b. High School

Since Bloomsbury does not have its own high school, Borough pupils in grades nine through twelve attend Phillipsburg High School. Bloomsbury is one of five sending districts to that City's high school. The four other school districts which send students to Phillipsburg, all of which are in Warren County, are Lopatcong, Pohatcong, Alpha, and Greenwich. Tuition is paid to the Phillipsburg Board of Education by the school districts, and each school district provides bus transportation for their respective students. Currently tuition is \$1,425 per student. It is about a 15- to 20-minute drive from the Borough to Phillipsburg. The Phillipsburg Board of Education is the policy/decision maker for the high school.

The enrollment at Phillipsburg High School has been slightly above 1,400 students during the 1978-79 school year. This is lower than the early 1970's, when there was an average of between 1700 and 1800 students per year. School officials predict that the high school will experience a continued declining trend during the 1980's. Vice Principal Clauss indicated that this will alleviate a great deal of the pressure caused by enrollments which are well above the building's capacity. He mentioned that, according to State regulations, the capacity of the high school is about 1,300 students.

Since Bloomsbury is the smallest sending district, with 45 high school students sent to Phillipsburg High School during the 1978-79 school year, and because Bloomsbury's enrollments have been fairly stable, sending between 40 and 50 students to Phillipsburg yearly, the Borough does not have a major impact on the functioning of the high school.

In addition to Phillipsburg High School which serves the educational needs of Bloomsbury's high school students, there is the Warren County Vocational Technical Institute in Washington Township. In 1978, a full-time program open to any high school student was instituted. There were three students from Bloomsbury enrolled at the institute during the 1978-79 school year. This educational option has helped to decrease the over-crowded situation at Phillipsburg High School.

In conclusion, the high school facility is in good physical condition and is approaching a lower, more desirable enrollment level. Barring any additional major developments within the sending districts, the Phillipsburg High School can adequately serve the educational needs of the students.

2. Library Services

With the exception of the library in the Bloomsbury School, there is no public library in the Borough. The residents of the municipality do enjoy visits by a Hunterdon County Bookmobile once every two weeks. The bookmobile stops at the First Presbyterian Church for four hours. The County will soon provide a mini-library in a temporary trailer at the junction of I-78 and Route 31 in Clinton Township. Library services are also available at Flemington, and some residents utilize the library in Phillipsburg.

3. Police Protection

The personnel of the Bloomsbury Police Department is comprised of two part-time staff members: a chief and a patrolman. A division of the State Police headquartered in Washington Township helps out when there are accidents or other problems in Bloomsbury. Given this supplemental protection and the fact that the F.B.I. recommends that there be two policemen per 1,000 people, it is felt that police protection in Bloomsbury is adequate.

Included in the equipment which assists the Bloomsbury police in their community protection efforts are a 1973 Ford automobile and a dispatcher service located in the Lopatcong Municipal Police Headquarters in Warren County. The Hunterdon County 911 emergency service also handles calls from Bloomsbury.

There are few major crime problems in the Borough. Most of the calls received by the police result from boisterous, loitering adolescents, some instances of minor vandalism especially during Halloween, and domestic disturbances. Recently there has been an increase in burglaries within the Borough.

4. Fire Company

The Bloomsbury Hose Company No. 1 is comprised of a volunteer squad of 40 men, about two-thirds of whom are Bloomsbury residents. The Company serves parts of five surrounding townships in addition to serving the Borough.

The apparatus utilized by the squad consists of three pumpers which are in good condition. These include two 1,000 gallon per minute pumpers - a 1969 Hann model and a 1975 Mack, and one 750 gallon per minute pumper which is also a 1969 Hann. In addition, there is a 1976 automobile for the fire chief. According to Fire Chief Ray Crisman, Jr., there are tentative plans by the fire company to purchase a tanker for service to areas where fire hydrants do not exist. While this tanker would mainly aid fire fighting efforts in the townships, the Borough would also benefit since some of its outlying areas do not have hydrants. The water pressure has proven to be sufficient for existing conditions.

During 1978, the fire company received 70 fire alarms, 24 of which were from incidents in Bloomsbury. Of the 70 fire alarms, car/truck fires, brush fires, and miscellaneous calls (washdowns, stand-bys, etc.) accounted for about 50% of the calls. In addition, there were seven house fires none of which occurred in the Borough, and two fires in each of the following categories: barns, taverns, farm machinery, and electrical fires. There was one factory fire. The company also responds to mutual-aid alarms which are outside the company's service area. There were ten false alarms during 1978 and the past year. Through 1978, similar to the past ten years, there was no major fire in the Borough.

The firehouse is part of the municipal building located on the corner of Brunswick Avenue and East Street. The Rescue Squad has been housed in that facility, but they will move into a building nearby on the corner of Main and Gardner Streets.

That building, an old storage facility for Koh-I-Noor Rapidograph Inc., will be leased from Koh-I-Noor and, therefore, will remain on the tax rolls. As a result of the move by the rescue squad, the fire company will gain floor space, thus providing a facility which will be sufficient for the area's current fire protection needs. Renovations are being planned by the fire company for utilization of this additional floor space.

In sum, the fire protection services are adequate given the existing population and state of development. However, as new commercial, industrial, and residential development occurs in the fire company's service area, additional equipment, personnel, and facilities will be needed.

5. Borough Hall

The Borough Hall is located in the same building as the Fire and Police Departments. A large room on the second floor accommodates the Borough's office and meeting room needs. The Clerk, Tax Collector, and Assessor have hours every Monday evening from 6:30 p.m. to 8:30 p.m. The Borough Council meets in the same room the second Tuesday of each month, and the Planning Board gathers there the fourth Thursday, each month. The Board of Adjustment meets in the room when various requests arise. The Chief of Police also utilizes a portion of this multi-purpose room for his office.

Access is provided to the second floor by one stairway. There are no toilet facilities on that level. One must exit and re-enter the building through a nearby door to reach the washrooms.

There is a large room on the building's ground level that is used for social functions. It has an adjacent kitchen and is often rented to private parties.

Since the Borough's officials are part-time, their office requirements are not great. Even so, the lack of privacy for the Police Department and the stairway as the sole access to a public meeting room are problems with which the Borough has to deal.

The Borough also owns property on Church Street, of which part is rented as a gasoline station. Borough vehicles are stored at the facility as well.

G. Recreation and Open Space

The existence of publicly-owned parkland for active and passive recreation and permanently preserved open space is vital to the health and well-being of residents in any community. Despite the rural/village atmosphere of the Borough, Bloomsbury had a 1970 density of 1,098 persons per square mile, compared to a county-wide density of 162 persons per square mile.⁹

1. Borough Facilities

There are few existing recreational facilities located within the Borough. The municipality owns approximately 23 acres between the Central Railroad of New Jersey and Lehigh Valley Tracks along Church Street. Currently, most of this site is undeveloped with a baseball field being the only active recreation facility. There are also some playground-type facilities located at the Borough school. This area of recreation and open space amounts to one-half acre.¹⁰ The Borough also owns some lots along the river. There are no current plans for these properties, but the municipality intends to hold onto the land in the event public access to the river is ever desired.

The 23 municipally-owned acres are slated for active recreation development. Although no definite plans have been formulated, some of the possible facilities include tennis and basketball courts, a playground, picnicking, ball fields, and bathroom facilities. State of New Jersey, Green Acres funding is being investigated as a source of financing for the project. Green Acres funds are awarded on a matching basis for recreation and open space projects. The monies to be matched are, it is hoped, to be raised by contribution.

The Park and Open Space Guidelines of New Jersey recommend eight acres for every 1,000 residents to meet the local recreation need.¹¹ With an estimated 1976 population of 874, the local recreation need is about seven acres. The amount of Borough-owned recreation land is well above the quantities suggested by the State's Guidelines. Gross guidelines do not always accurately reflect needs or circumstances. Although there is more than adequate land available for recreation, little is developed, thus there is the recognized need for more recreation facilities.

2. County Facilities

Counties as well as municipalities have a responsibility to provide recreation facilities. Hunterdon County, similar to most counties, should "protect the scenic outdoor recreation values of the total environment of the County and acquire and develop for public use portions of the landscape of highest value for outdoor recreation."¹²

The County owns a number of parks, many of which are increasing their size. In 1977, the County acquired 105 acres in Readington Township which is to become Deer Path Park. This land is to be developed to become the County's first active general purpose park. Hunterdon County also owns 397 acres in Holland and Bethlehem Townships that is the Musconetcong Gorge Nature Preserve. This is the closest County facility to the Borough. The County also has the South Branch Nature Preserve, a linear park that totals 752 acres, located in Clinton, Franklin, Raritan, and Readington Townships. The Lockatong Preserve, located in Delaware Township is a County park of almost 77 acres.

Hunterdon County also initiated a Green Acres Local Matching Grant Application to acquire approximately 105 acres in Lebanon Township. This proposed park is to be known as Teetertown Ravine Nature Preserve.

3. State Facilities

A description of the open space/recreation areas that serve the residents of Bloomsbury would not be complete without mentioning the State-owned sites in Hunterdon County. New Jersey owns over 8,000 acres of recreation land in Hunterdon County including the two newly-developed recreation areas at the Spruce Run and Round Valley Reservoirs along Route 31 in Clinton Township. Together, these two public areas comprise 6,128 acres (land and water) and contain horse trails and facilities for boating, camping, fishing, picnicking, swimming, hiking, skiing, and ice skating.

The County's Open Space Plan which includes the State's holdings in Hunterdon County are delineated on Map 8. The area in Bloomsbury along the Musconetcong should be noted.

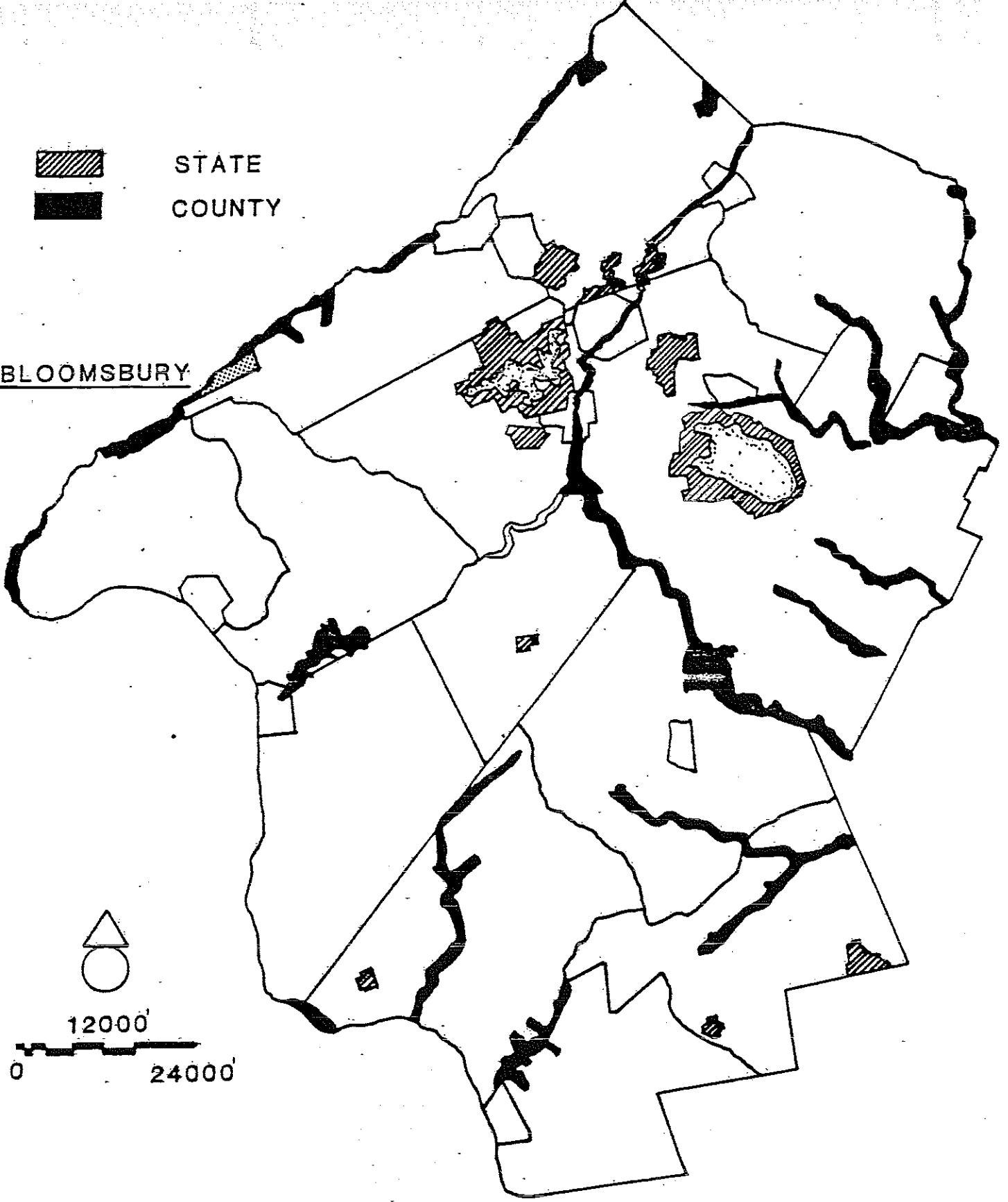


STATE



COUNTY

BLOOMSBURY



12000'

0 24000'

MAP 8

HUNTERDON COUNTY OPEN SPACE PLAN

MUSIAL / GUERRA

H. Conservation

Conservation concerns in Bloomsbury reveal two areas of preservation: natural resources and historic resources. Natural resources include the heavily wooded, undeveloped, steeply sloped western portion of the municipality and the flood hazard zone along the length of the Musconetcong River (Maps 9 & 10). There are many buildings in the Borough that date back to the 1800's that are worthy of preservation and protection. Map 10 is used in this context only to delineate areas of conservation concern.

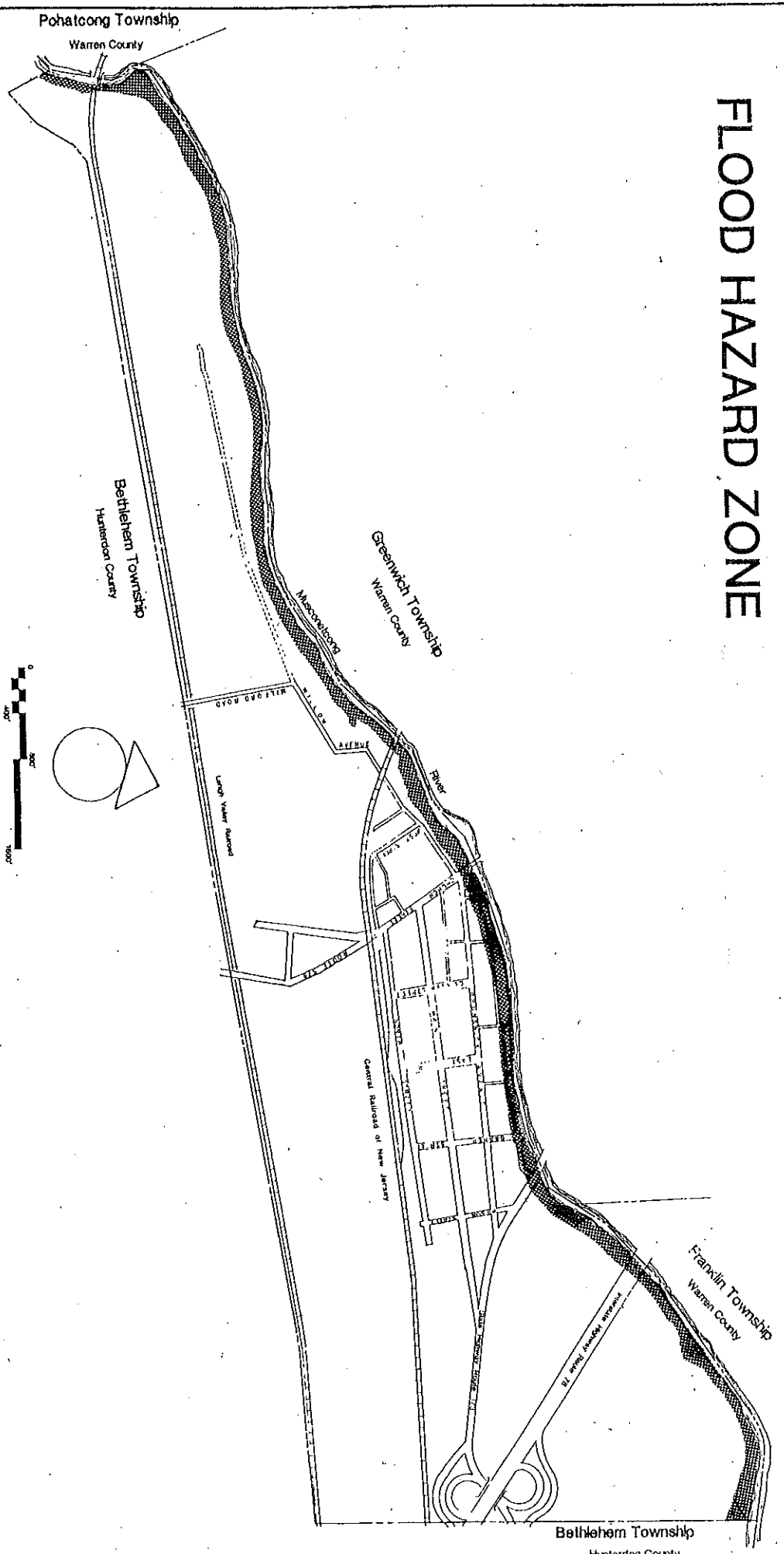
1. Natural Resources

The flood hazard zone as delineated on Map 9, was identified by the Department of Housing and Urban Development, Federal Insurance Administration. The Federal Emergency Management Agency has contracted the State of New Jersey to update, and accurately map the flood hazard area along the entire Musconetcong basin. This area includes 15 to 20 municipalities, of which Bloomsbury is one.

Flood hazard areas may be protected through such regulatory measures as development density limits, water run-off management, site plan and subdivision review which requires the evaluation of environmental impacts to natural and visual resources, public acquisition, and other development controls. Bloomsbury participates in HUD's flood insurance program and has adopted some flood control measures in order to protect lives and property.

Another area of the Borough that warrants protection and preservation is the extreme western section, commonly known as Pine Hollow. It is an area of steep slopes, heavy woods, flood hazard, and soils that pose severe limitations to development. The Musconetcong curves around this area, and access is very poor. This area is generally delineated on Map 10.

FLOOD HAZARD ZONE

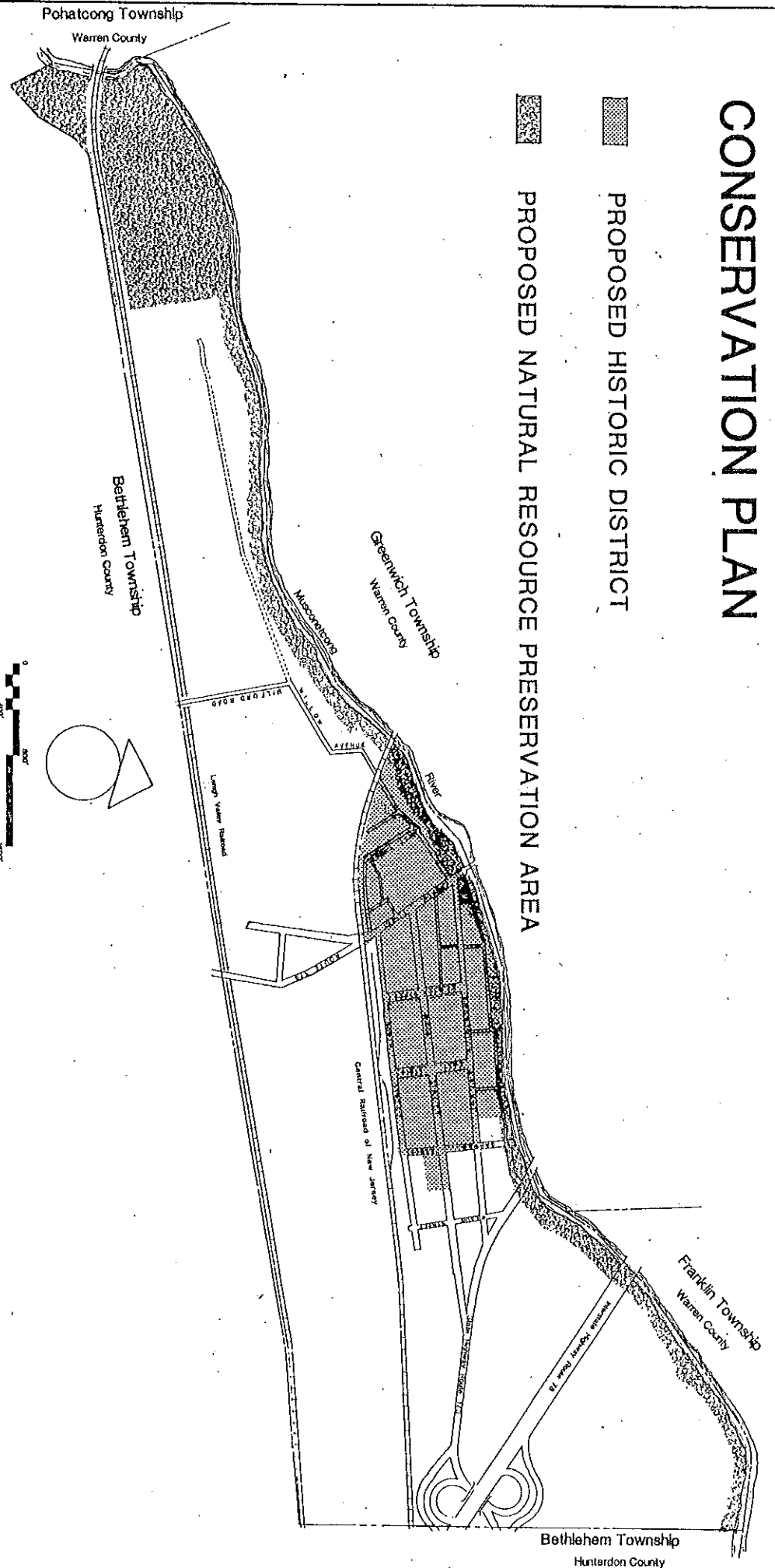


MAP 9
Borough of Bloomsbury
Hunterdon County New Jersey

MUSIAL / GUERRA
ARCHITECTS - PLANNERS p.a.
Elizabeth, New Jersey 07201

CONSERVATION PLAN

- PROPOSED HISTORIC DISTRICT
- PROPOSED NATURAL RESOURCE PRESERVATION AREA



MAP 10

Borough of Bloomsbury
Hunterdon County New Jersey

MUSIAL / GUERRA
ARCHITECTS - PLANNERS p.a.
Elizabeth, New Jersey 07201

2. Historic Resources

The Hunterdon County Historical Society has an inventory of architecturally and historically significant structures. Many of these buildings located in Bloomsbury were erected in the 1850's, 60's, and 70's. Some date back to as early as the 1820's. Some of the building styles include Federal, Neo-Italianate, and Queen Anne. Unfortunately, many architectural details that identify structures as to style and era have been either removed or altered. Map 10, shows the area of the municipality in which the majority of these significant structures are located. There are other buildings of architectural or historical significance scattered throughout the rest of the Borough.

I. Municipal Finances

1. Tax Rate

The tax rate for Bloomsbury in 1979 is \$2.68 per \$100 assessed valuation. It has increased from \$2.29 in 1975 (Table 13). The rate dropped from \$2.55 in 1976 to \$2.30 in 1977. In all other years examined, the rate increased. Table 13 partitions the overall tax rates into their various components. In 1979, the district school tax comprises the largest component of the total tax at 1.847, followed by .496 for County purposes and .305 for local municipal purposes. This year, the local tax component accounts for over 11 percent of the total tax. In 1975, the local component accounted for just six percent of the total, illustrating the growth in the cost of local government. The last revaluation for the Borough went into effect in 1973.

To obtain a better understanding of what the current tax rate means for the Borough taxpayers, a comparative look at the neighboring communities in Hunterdon County can be taken. Table 14 shows that Bethlehem Township has a higher effective tax rate of \$2.39 for \$100 assessed valuation. The effective tax rate removes distortion which is caused by different local assessment methods. It is a ratio of assessed value to true value, the true value being based on property sales. Alexandria Township has an effective tax rate of \$2.22 and Holland Township's effective tax rate is a very low \$0.51. These compare to Bloomsbury's effective tax rate of \$2.33 per \$100 valuation.

Of the 26 municipalities in Hunterdon County, Holland Township's 1978 effective tax rate at \$0.53 was the lowest, and Glen Gardner's was the highest at \$3.19 per \$100 assessed valuation. Bloomsbury ranked 15th from lowest to highest in 1978.

Bloomsbury averages \$1,392 per pupil for both elementary and high school students. This figure is only the amount spent that is raised from local property taxes. Elementary and high school students are lumped together because Bloomsbury is not part of a regional high school district, but instead sends high school students to Phillipsburg. On the average in Hunterdon County, \$2,273 in property taxes are spent per high school student and \$1,572 per grade school pupil.¹³

TABLE 13
BLOOMSBURY TAX RATES: 1975-1979
 (Per \$100 Assessed Valuation)*

<u>TAX COMPONENTS</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
County Tax	.388	.436	.430	.460	.496
County Library Tax	.020	.024	.030	.030	.028
District School Tax	1.681	1.858	1.650	1.810	1.847
Regional School Tax	-	-	-	-	-
Local Tax	.141	.175	.190	.340	.305
Veterans and Senior Citizens	.055	.054	-	-	-
TOTAL TAX	2.285	2.547	2.300	2.640	2.676

*The last revaluation went into effect for 1973.

SOURCE: Hunterdon County Board of Taxation, Flemington, New Jersey.

TABLE 14
1979 COMPARATIVE TAX RATES:
Bloomsbury and Neighboring Municipalities*

<u>MUNICIPALITY</u>	<u>ACTUAL TAX RATE</u>	<u>COUNTY EQUALIZATION RATIO</u>	<u>EFFECTIVE TAX RATE**</u>
BLOOMSBURY BOROUGH	\$2.68	90.41	\$2.33
Alexandria Township	3.65	62.58	2.22
Bethlehem Township	2.96	82.76	2.39
Holland Township	0.59	95.13	0.51

* The rates are per \$100 assessed valuation

**The effective tax rates do not exactly correspond to the results of multiplying the equalization ratios times the respective actual tax rates. Other factors such as delinquent taxes and other losses of revenues contribute to the difference. These figures were supplied by the source.

Source: Hunterdon County Board of Taxation, Flemington, New Jersey.

2. Revenues

During the past few years, total anticipated revenues for the Borough of Bloomsbury increased by nearly \$20,000 from \$106,950 in 1975 to \$126,232 in 1979, an 18.7% increase (Table 15). Two revenue sources, miscellaneous revenues and property tax revenues, each provided about \$15,000 more in 1979 than in 1975. Miscellaneous revenues is the main source of income for the Borough and includes such items as fines, taxes, and revenue sharing funds. Franchise taxes, replacement revenue from business personal property, and bank corporation business taxes provide the largest share of miscellaneous revenues to the Borough.

One revenue source provided less revenue in 1979 than in 1975. This was the surplus anticipated category which decreased from \$44,689 in 1975 to \$33,000 in 1979, a 26% drop. However, this revenue source is anticipated to provide more revenue in 1979 than in 1978 when it accounted for \$29,700. This could be a positive factor if this increase continues, however, it is too soon to tell if this one-year increase is the beginning of an upward trend.

Receipts from delinquent taxes are an additional revenue source. After fluctuating during the past few years, the same amount of revenues, \$9,000, is anticipated for 1979 as was anticipated for 1975.

TABLE 15
ANTICIPATED REVENUES

<u>REVENUE SOURCE</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
Total Surplus Anticipated	\$44,689	\$40,000	\$35,000	\$29,700	\$33,000
Total Miscellaneous Revenues	\$31,654	\$37,475	\$44,022	\$44,010	\$46,937
Receipt from Delinquent Taxes	\$ 9,000	\$12,200	\$ 9,500	\$ 8,600	\$ 9,000
Property Taxes for Municipal Purposes	\$21,608	\$20,801	\$23,483	\$40,979	\$37,295
Total General Revenues	\$106,950	\$110,476	\$112,005	\$123,289	\$126,232

SOURCE: Borough of Bloomsbury, Local Municipal Budgets, 1976, 1977, 1978, 1979.

3. Expenditures

Corresponding to the increasing revenues that are being realized in the Borough, are increasing appropriations which are needed to finance municipal government and services. In 1975, nearly \$107,000 was appropriated for municipal purposes and by 1978, this had increased to just over \$126,000 (Table 16). Consistently, the most expensive category has been General Government which required \$36,650 to operate in 1979, \$10,000 more than was required in 1975. This money pays for such items as salaries, wages, and other expenses needed for the administrative functions of the Borough. Included in this category are legal services, maintenance of public buildings and grounds, the planning and zoning boards, municipal court, tax collection and assessment, and workmen's compensation insurance.

Public Safety, which encompasses police, fire, first aid, civil defense, and building inspection services, has had the second highest appropriation during the past few years. In 1975, \$18,700 was appropriated for these municipal purposes and by 1979, the figure had increased to \$24,300. The third most expensive appropriation category is streets and roads. In 1979, \$15,650 is appropriated to pay for road repairs and maintenance and also salaries and wages.

Completing the table of appropriations for municipal purposes are capital improvements, deferred charges and statutory expenditures, and the services of sanitation, health and welfare, and recreation. The appropriations for sanitation, which covers garbage and trash removal, have decreased by a few thousand dollars since 1975 because much of the sanitation costs are now paid for through revenue sharing funds. As a result of an emergency situation at the water filter plant last year, \$5,000 was appropriated for capital improvements during 1978 and 1979. This was to finance new water pumps and other repairs that were necessary to alleviate the problems at the water filter plant.

TABLE 16
APPROPRIATIONS FOR MUNICIPAL PURPOSES: 1976 to 1979

<u>EXPENDITURE CATEGORIES</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>	<u>1979</u>
General Government	\$26,470	\$28,530	\$31,455	\$35,120	\$36,650
Public Safety (Police, Fire, Rescue Squad, Civil Defense, Bldg. Inspection)	18,700	22,300	19,100	23,900	24,300
Streets and Roads	11,105	10,300	13,157	14,150	15,650
Sanitation/Health and Welfare	7,950	5,500	4,000	4,610	3,607
Recreation	50	50	50	50	50
Capital Improvements (within 5% Caps)	13,201	10,961	11,000	5,000	5,000
Deferred Charges and Statutory Expenditures	6,289	3,524	3,214	2,906	5,211
Total General Appropriations within 5% Caps (including contingent of \$50)	(1)	(1)	82,026	85,786	90,518
Total General Appropriations (including reserve for uncollected taxes and operations which are excluded from 5% Caps)	\$106,950	\$110,476	\$112,005	\$123,289	\$126,232

(1) 1977 was the first year in which the 1976 "Cap" law affected municipal budgets.

SOURCE: Borough of Bloomsbury, Local Municipal Budgets 1976, 1977, 1978, and 1979.

Other expenditures and tax requirements that the Borough has, in addition to expenditures for municipal purposes, are for schools (local and regional), county services, and payments to cover tax deductions. The total expenditures and tax requirements have increased from \$319,301 in 1975 to \$381,095 in 1978, an increase of nearly \$62,000 (Table 17). Looking at the two most expensive items, it can be seen that municipal and school purposes combined require 84% of the tax dollar. The largest share is utilized for school purposes, however, this proportionate share has declined since 1975. In that year, 62% of the total tax requirements was for school expenses, but in 1978, school expenses accounted for 57.5% of every tax dollar. On the other hand, municipal purposes have required an increasing amount of the tax dollar. These expenditures have increased from \$73,038 in 1975 to \$101,484 in 1978, accounting for 22.9% and 26.6% of the Borough's total tax requirements respectively.

TABLE 17

EXPENDITURES AND TAX REQUIREMENTS FOR ALL PURPOSES: 1975 to 1978

<u>CATEGORY/YEAR</u>	<u>1975</u>	<u>1976</u>	<u>1977</u>	<u>1978</u>
Municipal % of Total	73,038 22.9%	84,005 23.3%	82,221 24%	101,484 26.6%
School (Local & Regional) % of Total	\$197,949 62%	\$220,681 61.3%	\$197,625 58%	\$219,205 57.5%
County % of Total	47,990 15%	54,670 15.2%	54,554 16%	59,502 15.6%
Deductions % of Total	324 .1%	496 .1%	5,705 .2%	904 .2%
Total Expenditures & Tax Requirements	\$319,301	\$359,852	\$340,105	\$381,095

SOURCE: Borough of Bloomsbury, Local Municipal Budgets 1975, 1976, 1977, 1978.

4. Borrowing Capacity

The municipal borrowing (bonding) capacity for Bloomsbury in 1979 is \$417,400. This is the amount that the State would authorize based on a municipal debt limit of $3\frac{1}{2}$ percent of the average of the last three years' equalized valuations (Table 18). This average valuation is approximately \$11,925,800.

The Borough currently has an outstanding authorized, but not issued, debt of \$22,500. Bloomsbury also has an outstanding water and utility debt of \$15,000. Of that, \$3,000 are in bonds and \$12,000 are in notes. No retirement schedule has been determined for \$22,500 debt, since it has yet to be issued. The bonds are being retired at the rate of \$250 annually and will be cancelled in 1990. The notes are being retired at the annual rate of \$3,000. When these outstanding debts are subtracted from the municipal bonding capacity, the unused municipal bonding capacity is determined. This is identified on Table 18 as \$379,900.

TABLE 18

MUNICIPAL BONDING CAPACITY: 1979

Average Equalized Value - last 3 years	\$ 11,925,763.66
Municipal Bonding Capacity ($3\frac{1}{2}$ x \$11,925,763.66)	417,401.72
Outstanding Debt*	22,500.00
Authorized, but not issued	
Water and Utility Debt	
Bonds	3,000.00
Notes	12,000.00
Unused Bonding Capacity	\$ 379,901.72

*Since the \$22,500 in debt is not yet issued, no retirement schedule has been determined. The Bonds are being retired at the rate of \$250 annually. The Notes are retired at the annual rate of \$3,000.

SOURCE: Peter Kwalick, Palmer & Co., Accountants, Easton, Pa.

3. Summary of Existing Conditions

1. Physical Characteristics

Sections of the Borough pose moderate to severe limitations on development due to the topography and soil types. Development of specific parcels should be preceded by detailed analysis of the site in order to determine its particular problems.

2. Land Use

Bloomsbury covers one square mile, of which almost 40 percent is developed. The predominate use is single-family residential, although there are some two-to four-family structures scattered throughout the Borough and one eight-family apartment structure. There are 21 acres of commercial use and almost nine percent devoted to industrial use.

3. Demographic Trends: Implications for Housing

The 1970 population for Bloomsbury was 879. In 1978, the State estimated the Borough's population to be 873. The most recent population projections suggest that Bloomsbury's population will increase slowly to 1,150 people by the year 2000. Population growth in the Borough has resulted more from natural increase than from in-migration. By 1990, the State has allocated 100 dwelling units for low- and moderate-income families for Bloomsbury.

The 1970 median family income in Bloomsbury was \$11,217, and 16.8 percent of the Borough's families had incomes above \$15,000.

The average annual labor force has increased in the Borough from 374 people in 1970 to 459 in 1978. In 1970, 63 percent of the workers in the municipality were employed within Hunterdon County.

4. Traffic Circulation

Roads within Bloomsbury range from an Interstate Highway to dirt lanes. In 1977, there were 21 traffic accidents in the Borough, none resulting in fatalities.

Most of the problems with road conditions are due to poor drainage, the most notable being Willow Avenue. Other problems involve narrow and under-strength-bridges.

5. Public Utilities

A system of individual on-site septic tanks are used to treat the sanitary sewage generated within the Borough.

The municipality operates a water filtration plant which treats the potable water that originates from underground wells, the Musconetcong River, and a reservoir. The system is antiquated and in need of extensive repair or replacement.

Trash collection is provided once a week by a private contractor.

6. Community Facilities

Bloomsbury's one elementary school has a 1979 enrollment of 113 students in kindergarten through grade eight. Students in grades nine through twelve are sent to Phillipsburg High School. In the 1978-79 school year, Bloomsbury sent 45 pupils to Phillipsburg.

Library services are provided by bi-weekly visits of the Hunterdon County Bookmobile and a library in the elementary school.

The Borough's Police Department consists of two part-time staff members: a chief and a patrolman. They also receive assistance, when needed, by the State Police. Police protection is thought to be adequate for a municipality of this size.

The 40-man volunteer squad that comprises the Bloomsbury Hose Company No. 1 serves parts of five surrounding Townships in addition to the Borough. Presently, the fire protection services are adequate given the current level of development and existing population.

The Borough Hall is located in the same building with the Fire and Police Departments. Access to the office and meeting room on the second floor is poor, and the Police Department office lacks privacy.

7. Recreation and Open Space

The Borough owns 23 acres of land that it tentatively plans to develop for active recreation.

There are extensive County and State open space facilities located in Hunterdon County. The Musconetcong Gorge Nature Preserve located in Holland and Bethlehem Townships is the closest facility to Bloomsbury.

8. Conservation

Natural Resource areas of conservation include the flood hazard zone along the Musconetcong River and the extreme western section of the Borough known as Pine Hollow.

The Borough has a number of structures built in the mid-1800's that are of architectural and historic significance that warrant preservation and protection.

9. Municipal Finances

The Borough's property tax rate has generally increased since 1975, to a 1979 rate of \$2.68 per \$100 assessed valuation.

Total anticipated revenues for municipal purposes have increased from \$106,950 in 1975 to \$126,232 in 1979. Expenditures have increased likewise.

III MASTER PLAN PROPOSALS

III MASTER PLAN PROPOSALS

A. Land-Use Plan

The overriding consideration in this Land-Use Plan is to maintain the village/ rural atmosphere of the Borough. The uses proposed for the vacant portions of the municipality are especially crucial in the furtherance of this plan. Map 11 delineates the Land-Use Plan.

1. Residential

There are no changes proposed for the existing built-up residential areas. The use and density of those sections should remain the same, and any additions within those areas should respect the scale and architecture of the neighborhoods.

Development in the extreme western portion of the Borough should be strictly limited. The soils analysis showed that there are three soil types west of the end of the private lane. They are alluvial loamy land, steep stony land of Parker material, and Edneyville and Parker extremely stony loams with 3 to 15 percent slopes. All of these soils pose severe limitations for on-site disposal of sewage, local roads, parking lots, and athletic fields. All soils, but the Edneyville and Parker stony loams (EeC) present severe limitations for dwelling unit foundations. The EeC soils have moderate limitations on dwelling unit foundations. At this time, access to that area is extremely poor to non-existent.

Due to these environmental factors and the area's natural beauty, development should be severely restricted in this section. Judging from the Borough's history of slow growth and the inaccessibility of this section, development seems unlikely.

There are a variety of methods that can be employed to limit development and preserve open space. If the community deems the area valuable enough to totally restrict development, they can purchase the land. This option is not recommended,

since it will remove land from the tax rolls, increase the municipality's land holdings to a level not warranted by its size and population, and require a large capital outlay by the Borough.

Other methods involve either the purchase or transfer of development rights. A governmental entity (municipal, county, state) would purchase development rights from the land-owner. The purchase of development rights would be costly, and inappropriate at this level of government. The State has been experimenting with this method, and the future of the program is in doubt.

There is no state-enabling legislation for municipal transfer of development rights ordinances. This method would allow land owners in a preservation area to sell development rights to land owners in a designated development zone where they could be used to increase development density.

This, therefore, requires an area that can assume higher densities. There are no areas in Bloomsbury that can act as a receiving district of high densities. There are also legal problems with implementing this method without State enabling legislation.

Another method that can be employed is a variation on the existing residential cluster option zoning. Presently, the cluster option is only available in the R-1 Low Density Residential District. Under this proposal, the allowable density in the Agricultural-Conservation District will be five acres minimum lot size for a single-family dwelling unit. If the developer wishes, a cluster option can be employed in which the minimum lot size would be reduced to two acres and the remaining land dedicated to permanent open space.

For example, a developer with 45 acres has a right to build nine houses on five

acre lots. If the cluster option is used, the nine houses can be built on 18 acres, and the remaining 27 acres will become permanent open space. The developer can realize a cost savings because less infrastructure (roads, water lines, storm sewers, etc.), will be needed, and the people of Bloomsbury will gain permanent open space.

This cluster option, with the increased minimum lot size from the current zoning regulations to five acres, is the recommended method of preservation of the Agricultural-Conservation District. Subdivision review can insure that the proper, most environmentally sensitive areas are preserved as open space.

The Agriculture-Residential zone to the west and south of the Central Railroad of New Jersey tracks (colored yellow on Map 11) should be low density because of poor road and drainage conditions. Access in that area is poor, and road conditions on Willow Avenue and Milford Road need improvement. Any development proposed for the north side of Willow Avenue should be carefully examined to insure that the flood hazard zone long the Musconetcong River is respected. Buildings sited on lots along the north of Willow Avenue should be located near the road and away from the river. Because of poor conditions within this area, development density should be lowered to a minimum lot size of three acres per single family dwelling unit. Agricultural uses should require a minimum of five acres of land.

The cluster option should also be applied to this Zone. In this area a developer would be allowed to site dwelling units on one acre lots if the cluster option is chosen. The cluster option could only be employed if the developer had 20 contiguous acres to be developed.

2. Commercial

There are three types of commercial property within the Borough. Within the built-up portion of Bloomsbury, there are two neighborhood oriented commercial and retail zones. Along State Highway 173, there is a highway oriented commercial and retail zone. There are also two Commercial/Wholesale, Industrial Districts in the eastern portion of the municipality.

The neighborhood commercial areas should remain as such with functions that serve the community. Its size is generally determined by the combined purchasing power of the community that supports it. The size of these areas are adequate to serve the present needs of the Borough and its projected growth.

The highway oriented commercial zone is located along the entire north side of State Route 173 and a portion of the south side. The goals of this Master Plan call for quality commercial activity in this area. Commercial buildings in the district should be compatible with the scale of the rest of the Borough. The intensity of commercial activity should not adversely affect the health of the neighborhood commercial zone. Appropriate site plan review can help to insure desirable and attractive commercial activity.

There are two Commercial/Wholesale, Industrial Zones. One is on the southeast corner of the Borough and crosses the Central Railroad of New Jersey tracks to include the Koh-I-Noor property. The other is in the northeast corner of the municipality separated from the rest of the Borough by I-78. Access to this parcel of land would have to be through Bethlehem Township. That area in Bethlehem north of 173, is zoned commercial.

The southeast Commercial/Wholesale, Industrial Zone currently has poor access. Before any development could occur in this area, access would have to be provided. The most preferable alignment would be from Route 173 across the Central Railroad tracks. This would provide a direct link to I-78 while minimizing excess traffic on the Borough's interior roads. Any road, other than for emergency purposes, should be discouraged from intersecting with Church Street (Route 579).

B. Housing Plan

The Housing Plan for Bloomsbury does not call for extensive changes in the current housing composition. The fact that there is no sanitary sewage system limits the density of housing construction within the Borough. The State's allocation of the need for 100 low- and moderate-income dwelling units by 1990 can be accommodated within the Land-Use Plan. Although housing prices are apt to increase, the price range of Bloomsbury homes should continue to be relatively affordable.

Two-family dwelling units, including duplex and semi-detached units are allowed as of right in the Medium Density Residential District. Apartment dwellings are allowed with a Special Use Permit in that District. The continuance of these provisions will help to provide for housing for low- and moderate-income families.

C. Traffic Circulation Plan

The proposals for improved traffic circulation mainly involve existing poor road conditions. It is acknowledged that a municipality the size of Bloomsbury would have difficulty acquiring the funds to undertake many road improvement projects. Elements of the circulation plan are delineated on Map 12.

1. Willow Avenue

It is recommended that Willow Avenue be realigned in order to solve the sight-line problem, alleviate the drainage conditions, and repair the deteriorated road condition. The new alignment would avoid the drainage ditch alongside the road, and decrease the chances for road surface and shoulders deterioration in the future. Any development to the west of the problem section should be contingent on improvements to the roadway.

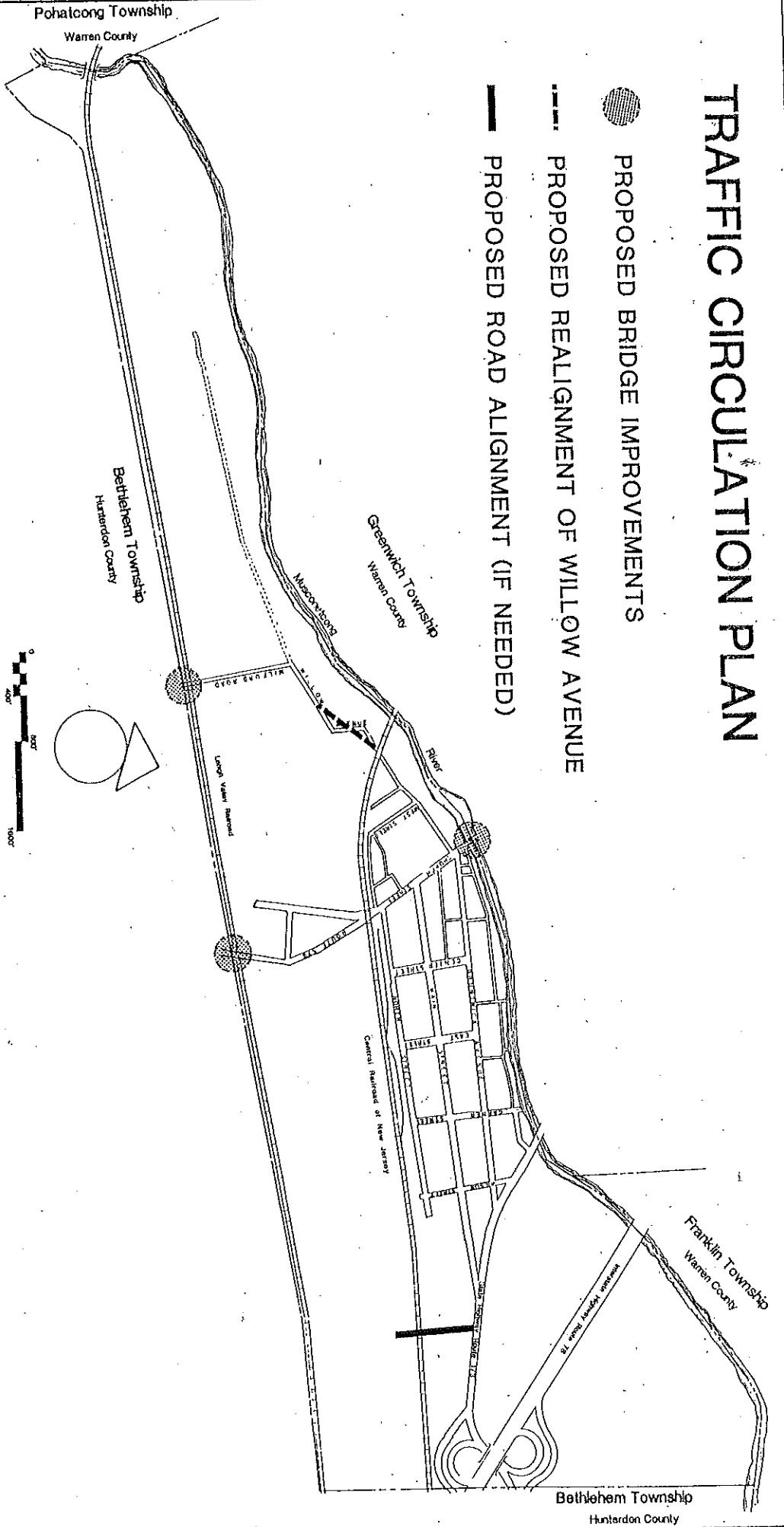
2. The Bridges

Assigning the responsibility for the maintenance of the bridges that cross the Lehigh Valley Tracks is not simply done. Hunterdon County claims that Conrail, the current owner of the line, has the responsibility. Conrail's position is that when they took over rail operations of the various lines, they did not assume the maintenance responsibility of overhead bridges. They will only attend to emergency situations and will only do what is required to alleviate the emergency.

Extensive repair or complete replacement of the bridges (especially the Route 579 structure) is needed. The State Department of Transportation, through the Commissioner's office, should be contacted to determine who in fact is responsible for the bridges and what funding sources are available to finance the project. The same procedure should be followed in respect to the Church Street Bridge over the Musconetcong River.

TRAFFIC CIRCULATION PLAN

- PROPOSED BRIDGE IMPROVEMENTS
- PROPOSED REALIGNMENT OF WILLOW AVENUE
- PROPOSED ROAD ALIGNMENT (IF NEEDED)



MAP 12
Borough of Bloomsbury
 Hunterdon County New Jersey

MUSIAL / GUERRA
 ARCHITECTS - PLANNERS p.a.
 Elizabeth, New Jersey 07201

3. Other Considerations

As was stated in the Land Use Plan, access to the Commercial/Wholesale, Industrial Zone in the southeast portion of the Borough should be directly from State Route 173. This road would have to go over the Central Railroad Tracks, and it should be provided by the developer. Map 12 identifies the approximate alignment of the roadway. If there are no development proposals for that area, then no road is needed and none should be built. The Borough currently has an easement reserved for such a purpose in this area.

D. Utilities Plan

Since the present system of on-site septic tanks adequately serves the needs of the community, there are no plans to alter the system by installing sewer lines. Such an installation would only serve to accelerate growth in the Borough to a rate inconsistent with the community's facilities, circulation, and overall goals.

The water delivery system should be carefully analyzed and improved. The new system could possibly include a new source of water supply, new transmission lines, and a new filtering plant. The specifics of such a plan could only be determined after the proposed detailed analysis.

E. Community Facilities Plan

The Community Facilities Plan mainly involves the Borough Hall. Consideration should be given to providing private space for the Police Department. The office/meeting room should be accessible to all. The present situation of a narrow stairway being the sole means of access should be amended. Either another means of access that does not pose a barrier to the elderly and handicapped should be installed, or the Borough offices should be moved to the first floor.

F. Recreation and Open Space Plan

The Borough of Bloomsbury owns a large amount of vacant land for a municipality of its size. The move to develop this property for active recreation should be encouraged. The municipality may find that the 23 acres is more than is needed for active recreational facilities. If this is the case, the remaining land can be used for passive purposes.

The County Open Space Plan (Map 8) shows an extension of open space along the Musconetcong in Bloomsbury. The County has no plans to purchase that land, but the designation shows their desire to keep the land free from development.

The Borough should embrace this attitude as well. Adherence to the municipality's stream setback requirements will help to insure green space between development and the river. Any open space in conjunction with proposed subdivisions should be encouraged to be sited near the river. If these actions are taken, there should be no need for the Borough or County to purchase flood hazard lands along the Musconetcong.

G. Conservation Plan

1. Conservation of Natural Resources

The conservation plan for natural resources deals with the investigation and adoption of certain implementation measures to protect and properly utilize the flood hazard and other sensitive areas. The Pine Hollow section can be preserved by the use of the cluster option as described in the Land-Use Plan. Strict adherence to the Borough's stream setback requirements will help to insure the integrity of the flood hazard zone.

When the State completes its survey of the Musconetcong River basin and identifies the flood hazard zone more accurately, the Borough should adopt the new zone and apply its stream setback requirements to that area. Consideration should also be given to requiring developers to provide satisfactory control of storm water runoff. Currently, the Borough requires that "if in the opinion of the (Planning Board) the subdivision may create, or contribute to a drainage problem, the Board may require adequate guarantees from the applicant."¹⁴ This provision may not be adequate. One that requires positive measures by a developer to insure that there will be no increased runoff in all cases should be considered.

2. Preservation of Historical Resources

The nature of the historic resources in Bloomsbury point toward the establishment of an Historic District. There are no individual buildings that by themselves are known to be historically unique. Their value and significance is as a group, and, therefore, they should be protected as a group or district.

The shaded area on Map 10, is the proposed outline of the Historic District: It is recommended that the Borough adopt the Historic District and apply for inclusion on the State and National Register of Historic places. In order for the Historic

District to be effective in preserving the architectural and historic quality of the Borough, an Historic District Zoning Ordinance should be adopted. This ordinance would deal with use, height, size, and density, as well as design of both old and new structures.

H. Review of Related Master Plans

The New Jersey Municipal Land Use Law requires that Master Plans include a specific policy statement indicating the relationship of any proposed development to the land-use elements of neighboring municipalities and the County. Besides this legal requirement, it is a recommended practice of comprehensive planning to consult and work with State, County, and adjacent municipal Master Plans and Development Guides. Since Bloomsbury borders some municipalities in Warren County, that County's development plans were also consulted.

The State's Development Guide Plan locates Bloomsbury in a Limited Growth Area. It is on the outer edge of this area bordering on the Growth Area of Phillipsburg which is categorized as a Rural Center.¹⁵ The State has deemed that areas such as this, "should continue to grow at their own moderate pace, thus serving as a land reserve which may be used to accommodate growth after the end of the century."¹⁶

The County Land Use Plan calls for Bloomsbury to become a Planned Center with an average housing density of 2.5 dwelling units per acre by the year 2000. These Centers are planned for areas around existing concentrations of development such as Bloomsbury. Major businesses, shopping and service facilities would also be located in these centers. The western portion of the Borough is planned for open space, as a recreation and conservation area.

This Master Plan is in substantial agreement with the County Land Use Plan. The only differences lie in the general location of some of the land uses. The areas designated as Commercial-Light Manufacturing on the Borough's Land Use Plan are shown as Planned Center-Suburban Residential on the County Plan. Since the Planned Centers are to include businesses and shopping, the differences between plans are not great.

The proposed General Development Plan for Warren County, which has yet to be adopted, assigns the land adjacent to Bloomsbury rural residential densities or "rural style development." The old Regional Development Plan designated the land for agricultural use. There are three Warren County municipalities that share borders with Bloomsbury, and their land use and zoning provisions do not conflict with the proposals for the Borough. Since the Musconetcong River separates Bloomsbury from all of the Warren County municipalities, the impact of their land uses is not as great as it would be if there was no physical barrier.

Franklin Township is northwest of the Borough and borders the portion that is designated for Commerce and Light Manufacturing. Franklin's zoning in this adjacent area is for industrial uses with a minimum lot size of 40,000 square feet.

Greenwich Township is also immediately to the north of the Borough. There are three types of land uses that are adjacent to Bloomsbury. The zoning is for neighborhood business in the area where State Route 173 crosses the river. The rest of the adjacent land is zoned for low density residential with minimum lot sizes of one and two acres. The Master Plan also calls for a conservation district along a large portion of the Musconetcong River.

The Township of Pohatcong is on the extreme western end of Bloomsbury. That community's Master Plan calls for rural residential zoning in that section. The minimum size lot required there is five acres, similar to this Master Plan's proposal for the adjacent section of Bloomsbury.

Bethlehem Township is the only Hunterdon County municipality that borders Bloomsbury. The entire southern and eastern Borough boundaries are shared with

Bethlehem. Along the Borough's southern border, the two municipalities are separated by the Lehigh Valley Railroad Tracks. Bethlehem's land use in that area is rural residential and, therefore, does not conflict with this Master Plan's proposals. The land use along the eastern border is for industrial activity which will pose no conflict with the Borough.

IV PLAN IMPLEMENTATION

A. New and Revised Ordinances

In order to implement all the proposals of this Master Plan for the Borough of Bloomsbury, the following changes are recommended:

1. revisions to the existing Zoning Ordinance
 - a. decreasing the density in the Agricultural/Conservation Zone
 - b. establishing a cluster option for the Agriculture/Conservation Zone
 - c. establishing an Agriculture/Residential Zone with a cluster option.
2. adopt an Historic District Zone
3. develop a storm Water Runoff Ordinance

B. Capital Improvements Program

A capital improvements program should be developed by the Borough. This should include a priority list of the improvements proposed in the Plan, methods for financing them, cost estimates of the proposed projects and a schedule coordinated with the Borough's budgets for the next several years.

C. Periodic Re-Examination of the Master Plan

As specified in the Municipal Land Use Law, a Master Plan must be reviewed and updated in a comprehensive manner no less than every six years. This Master Plan will probably not require a major revision before the six-year period is over. However, the Planning Board should consider on an annual basis whether any detailed changes are needed. Also, the Master Plan should be used on a continuing basis as the framework for considering development applications, zoning variances, and public improvement proposals.

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NOTES AND REFERENCES

1. Office of Demographic & Economic Analysis, Division of Planning and Research, Population Estimates for New Jersey, Department of Labor and Industry, (Trenton: July 1, 1978) p. 13
2. Hunterdon County Planning Board, Hunterdon County Data Book, (Flemington: Revised May 1978) p. V-5
3. Telephone conversations with Weichert Co., Realtors and Sig Kuhne Realty
4. New Jersey Division of State and Regional Planning, Richard A. Ginman, Director, A Revised Statewide Housing Allocation Report for New Jersey, May, 1978, pp. D-4, A-5
5. The traffic counts for Route 579 were actually taken at the intersection with Turkey Hill Road in Bethlehem Township, approximately 1½ miles south of the Borough border.
6. "\$31 Million Will Improve Rail Passenger Service," Hunterdon County Democrat, Flemington, New Jersey, July 19, 1979, p. 3
7. The Architectural Studio, Consultants, Master Plan for Educational Facilities, Bloomsbury Elementary School, Hunterdon County, New Jersey, Bloomsbury Board of Education, (May, 1979), p. 7
8. Ibid., p. 13
9. Hunterdon County Planning Board, Data Book: County of Hunterdon, New Jersey, (Rev. May, 1978), p. V-7
10. Ibid., p. XV-6
11. New Jersey Department of Environmental Protection, New Jersey Statewide Comprehensive Outdoor Recreation Plan, (Trenton: 1973)
12. Hunterdon County Planning Board, Park and Open Space Master Plan, (Flemington: October, 1972) p. 6
13. Jane Wycoff, "Student Costs Rise Throughout County," Hunterdon County Democrat, Flemington, New Jersey, July 19, 1979, p. 1
14. An Ordinance to Amend an Ordinance Entitled, "An Ordinance Providing Rules, Regulations and Standards to Guide Land Subdivision in the Borough of Bloomsbury, County of Hunterdon and State of New Jersey, in order to Promote the Public Health, Safety, Convenience, and General Welfare of the Municipality." February, 1977, p. 7
15. New Jersey Department of Community Affairs, Division of State and Regional Planning, State Development Guide Plan, (Trenton: September, 1977), pp. 61, 62, 87
16. Ibid., p. 86

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- United States Department of Agriculture. Soil Survey: Hunterdon County, New Jersey. Washington, D.C.: U.S. Government Printing Office, 1974.
- Wycoff, Jane. "Student Costs Rise Throughout County," "Hunterdon County Democrat". Flemington: July 19, 1979.

BOROUGH OF BLOOMSBURY

ZONING

ORDINANCE

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ZONING ORDINANCE

FINAL PASSAGE
AUGUST 15, 1972

Revised	March, 1982
	June, 1988
	September, 1988
	December, 1988
	April, 1989
	March, 1991
	December, 1991
	October, 1992

BOROUGH OF BLOOMSBURY
08804

COUNTY OF HUNTERDON

STATE OF NEW JERSEY

REVISIONS AND CORRECTIONS TO THE ZONING ORDINANCES

DATE	CHANGES MADE
3/82	Revision of map (M—5) and description of M-5.
6/88	Revision of fee schedule0 Article XIII.
9/88	Correction of spelling and grammar.
12/88	Addition of missing words and/or paragraphs copied from original Ordinances.
4/89	Article II, section 202: value at which a permit is required was changed from \$100.00 to \$1000.00.
3/91	Revision of fee schedule, Article XIII
12/91	Revision of multiple passages in the following Articles: i, II, iii, Iv, v, VIII, IX, X, XI and XII. Revision and additions to definitions.
10/92	Article II, section 208 — Street Excavation. Article IV, section 8, Part 29 - Parking Lots. Article VIII, Section 806 - Handicapped Parking. Article XI, Section 1103 - Addition of PUP and FAR to the Schedule. Article XI, section 1104 — Residences constructed prior to 1976 — Introducing side lot exemptions to these residences. Article XI, Section 1105 -Revised reduced copy of the Zoning Map now as part. of Zoning Ordinance book. Article XII, Section 1207 —Planned Urban Development. Article XII, section 1208 — Building restrictions. Article XIV - Change the wording of the title. Article XV - Recycling. Article XVI — Flood Protection. Appendix - Correct the definition of FAR. Resolution - Changing the fee of section 205.1 and adding the fee of Section 1003.9.

ZONING ORDINANCE
BOROUGH OF BLOOMSBURY
HUNTERDON COUNTY, NEW JERSEY
AN ORDINANCE REGULATING AND RESTRICTING THE LOCATION,
CONSTRUCTION AND USE OF BUILDINGS, STRUCTURES, AND THE USE OF
LAND IN THE BOROUGH OF BLOOMSBURY AND FOR SAID PURPOSES
DIVIDING THE BOROUGH INTO DISTRICTS, SO AS TO PROMOTE THE
HEALTH, SAFETY, MORALS AND GENERAL WELFARE OF THE BOROUGH OF
BLOOMSBURY, HUNTERDON COUNTY, NEW JERSEY, AND PROVIDING
PENALTIES FOR THE VIOLATIONS THEREOF.

The Borough Council of the Borough of Bloomsbury, County of Hunterdon, New *Jersey*, pursuant to the power and authority conferred by the provisions of the Revised Statutes 40:55—30, et seq. of the state of New Jersey, and the amendments thereof and the supplements thereto, does enact and ordain that the following articles and sections are enacted into law:

ARTICLE I

SHORT TITLE, PURPOSES AND INTERPRETATION

100. SHORT TITLE. This ordinance shall be known as, and may be cited as, “The 1972 Zoning Ordinance for the Borough of Bloomsbury, revised.”

101. PURPOSES AND INTENT. This ordinance is enacted in accordance with the provisions of the Municipal Zoning Enabling Act, Revised Statutes 40:55—30 to 40:55-Si inclusive, and the amendments thereof and the supplements thereto, in order;

- to protect the public health, morals and general welfare with reasonable consideration, among other things, to the character of the zones and their peculiar suitability for uses, and with a view of conserving the values of property and encouraging the most appropriate use of the land throughout the Borough;
- to manage environmental impact considerations such as runoff;
- to lessen and, where possible, to prevent congestion in the streets;
- to secure safety from fire, flood, panic and other dangers;
- to prevent the overcrowding of land and buildings;

- to avoid undue concentration of population;
- to regulate the height, design appearance, number of stories, and size of buildings and other structures; the size of yards, courts and other open spaces; the location and use of buildings, structures and land for commercial trade, industry, residence or other purposes.

102. **EFFECTIVE DATE.** This ordinance shall become effective immediately upon due passage and publication according to law.

103. **INTERPRETATION OF THIS ORDINANCE.** In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements to serve the aforesaid “purposes”. Where the provisions of this Ordinance impose greater restrictions or higher standards than those of any statute, or ordinance or regulation, the provisions of this Ordinance shall govern. Where the provisions of any statute, other ordinance or regulation impose greater restrictions or higher standards than this Ordinance, the provisions of such statute, ordinance or regulation shall govern. The Board of Adjustment shall have the right of decision in the event of disagreement between an applicant and another Board or agency of the Borough as to which of the two conflicting requirements is more stringent.

104. **VALIDITY.** If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid by any court of competent jurisdiction, such decision shall not affect its remaining portions. The Borough Council hereby declares it would have passed this Ordinance and each section and subsection thereof irrespective of the fact that one or more of its section, subsections, clauses or phrases may be found by court action to be invalid.

105. **INTERPRETATION OF TERMS**

105.1 Unless otherwise expressly stated, the words and phrases listed in the Definitions Appendix to this ordinance shall be construed throughout this Ordinance to have the meaning therein indicated. The singular shall include the plural, and the plural the singular. The word “used” shall include the words “arranged,” “designed,” or “intended to be used”. The word “building” shall include “structure”. The present tense shall include the future tense. The word “shall” is always mandatory.

105.2 The word “Borough” means the Borough of Bloomsbury, Hunterdon County, New Jersey; the term “Borough Council” means the Borough Council of the Borough of Bloomsbury; the term “Planning Board” means the Borough of Bloomsbury Planning Board; the term “Board of Adjustment” means the Zoning Board of Adjustment of the Borough of Bloomsbury.

Revised December 1991.

ARTICLE II

ENFORCEMENT AND ADMINISTRATION; PERMITS; REMEDIES; PENALTIES VALIDITY; CONFLICTING ORDINANCES

200. ENFORCEMENT AND ADMINISTRATION. The Ordinance shall be administered and enforced by the Zoning Officer who has been appointed by the Borough Council.

201. DUTIES OF THE ZONING OFFICER.

201.1 It shall be the duty of the Zoning Officer to receive and maintain a record of all applications for permits and a record of all permits issued, with notation of all specific conditions involved. He or she shall file and retain copies of all plans submitted and the same shall form a part of the records of his or her office and shall be available for the use of the Borough council and other Borough Officials. The Zoning Officer shall not issue a permit for the construction of any building or for the use of any property unless such a building or use conforms to the provisions of this Zoning Ordinance and all other applicable ordinances of the Borough, provided, however, that nothing herein contained shall require any change in plans, construction or designated use of a building for which a building permit has been heretofore issued and the construction of which shall have been diligently prosecuted within three (3) months of the date of such a permit, and the ground story framework of which, including the second tier of beams, shall have been completed within six (6) months of the date of the permit, and which the entire building shall be completed according to such plans as filed within one (1) year from the date of this ordinance.

201.2 The Zoning Officer shall prepare a monthly report for the Planning Board, summarizing for the period since his or her last previous report, all zoning permits and building permits issued and certificates countersigned by him or her and all complaints of violations and the action taken by him or her consequent thereon. A copy of each such report shall be filed with the Borough Tax Assessor at the same time it is filed with the Planning Board.

201.3 should the Zoning officer be in doubt as to the meaning or intent of any provision of this Ordinance or as to the location of a zone boundary line on the Zoning Map, or as to the propriety issuing a Zoning or Building Permit or Occupancy Permit in a particular case, he or she shall appeal the matter to the Board of Adjustment for interpretation and decision.

202. ZONING PERMITS. Zoning Permits shall be secured from the Zoning Officer prior to construction, erection or alteration of any building/structure or part of the building, or structure and for any change in the use of land. Emergency construction to protect damaged buildings, structures or land is permitted providing a Zoning Permit is applied for within four (4) days and the emergency construction complies with or is revised to comply with this Ordinance within sixty (60) days. All requests for Zoning Permits shall be made in writing by the owner or his authorized agent on a form to be supplied by the Zoning Officer, and shall include a statement of the use or intended use of the building or land, and shall be accompanied by a plan which shall be prepared and submitted in accordance with requirements established by Article 3, as may be applicable. Zoning Permits shall be issued within forty-five (45) days of application, except when applications require a Variance, a Special Use Permit and/or Site Plan Review, and shall have a one year life. If construction has not been completed these must be renewed annually with approval by the Board of Adjustment and without the payment of additional fees for a period not to exceed three (3) years. Building Permits issued by construction officials shall not be issued without the submission of a current valid Zoning Permit.

203. CERTIFICATE OF OCCUPANCY. No building hereafter constructed, erected or altered under a Zoning Permit shall be occupied or used in whole or in part for any use whatsoever, and no change of use in any building or part of building shall hereafter be made until a certificate of Occupancy has been issued by the Zoning Officer indicating that the building or use complies with the terms of the Zoning Permit and the provisions of this Ordinance and any other applicable statutes, ordinances and regulations. A certificate of Occupancy shall be granted or denied within ten (10) days of date of written application thereof.

204. SPECIAL USE PERMITS. The Zoning Officer shall issue Special Use Permits provided for this Ordinance only upon written direction of the Board of Adjustment and in accordance with the provisions of this Ordinance.

205. APPLICATION FEES. Each application for a permit provided for by this Article shall be accompanied by a fee, payable in cash or other form of security approved by the Borough Attorney in accordance with the following schedule:

205.1 Fee or each Zoning Permit (in addition to any fee required for a building permit):		\$5.00
Fee for each fence or wall permit:	\$1.00	
Fee for each sign permit is as follows:		
Free	signs attached to buildings	Free standing signs
Less than eight (8) sq. ft.	\$1.00	\$3.00
Eight (8) but less than twenty (20) sq. ft.	\$3.00	\$6.00
Twenty (20) but less than Forty (40) sq. ft.	\$6.00	\$10.00
Forty (40) but less than one hundred (100) sq. ft.	\$10.00	\$20.00
One hundred (100) or more sq. ft.	\$15.00	\$30.00

205.2. Fee for Special Use Permit:		
For Special Uses on less than five (5) acres:		\$35.00
For Special Uses on five (5) or more acres:		\$100.00

205.3 Fee for each Certificate of Occupancy:		\$2.00
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206. REMEDIES. In case any building or structure is erected, constructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Ordinance, the Zoning Officer, in conjunction with the Building Inspector, shall have the power, in addition to taking action to enforce this Ordinance pursuant to Section 207, to issue stop, cease, and desist orders, and the Borough Council or any other interested party (as defined in N.J.S.A. 40:55-47.1), in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use to restrain correct or abate such violation, to prevent any illegal act, conduct, business or use in or about the premises.

207. VIOLATIONS AND PENALTIES. Any person or firm or corporation violating any provision of this Ordinance shall be punished by a fine of not exceeding \$200.00 or by imprisonment in the County Jail for not exceeding 30 days, or both, and each day that any violation continues shall constitute a separate offense.

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF
BLOOMSBURY, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY
INTRODUCING ARTICLE II, SECTION 208.

208. STREET EXCAVATIONS

208.1 Permit Required. No person shall remove, excavate, dig up or in any way disturb the surface of any street or curbing for any purpose whatever without first obtaining a written permit for so doing from the Borough Zoning Officer.

208.2 Application for Permit. Before a permit will be issued, an application in writing must be filed with the Borough Clerk, specifying the location, type and purpose of the work. The application shall then be submitted to the Borough Engineer, who shall review the same and issue a written report to the Planning Board containing his approval, recommendations, etc.

208.3 Dates of Opening and Restoration to be Specified. The permit shall specify the date of opening and the date of restoration of the street and curbing.

208.4 Permit Fees. No permit shall be issued until the applicant has paid a nonrefundable minimum street opening fee in the amount of two hundred dollars (\$200.00) with the Borough Clerk. All fees described in this section shall be paid by certified check, bank money order, good check or cash. In the event that the minimum fee of two hundred dollars (\$200.00) is not sufficient to satisfy all borough expenses associated with said street opening and restoration, the applicant shall be required to pay any and all additional fees to the Borough Clerk within thirty (30) days from the notice of said additional fees.

208.5 Performance Bonds. In lieu of deposit, public utilities or any other corporations may file blanket performance bonds in an amount to be fixed by and subject to the approval of the Borough Attorney and the Borough Engineer.

208.6 Barricades, Warning signs and Lights Required. Every excavation shall be properly guarded by suitable barricades and warning signs during the day and by barricades and lights at night.

208.7 Approval of Restoration Required. Proper and satisfactory restoration of an excavation shall be subject to the approval of the Borough Engineer and in accordance with the specifications on file with the Borough Clerk prepared by the Borough Engineer.

208.8 Definitions. As used in this Article, the following term shall have the meaning indicated:

STREET - Any street, avenue, highway, road lane, alley, sidewalk, right of way or easement.

208.9 Certificates of Insurance. Before any permit for any excavation will be issued, the applicant must file a certificate of insurance of One Hundred Thousand Dollars (\$100,000.00) to Three Hundred Thousand Dollars (\$300,000.00) bodily injury and Twenty Five Thousand Dollars (\$25,000.00) property damage indemnifying the Borough of Bloomsbury, its officers, employees and agents harmless from any and all damages and liabilities which shall accrue or be claimed to accrue by reason of any work performed under said permit. The acceptance of any permit under this Article shall constitute such an agreement by the applicant, whether the same is expressed or not.

208.10 Violations and Penalties. Any person violating or failing to comply with any of the provisions of this Article shall, upon conviction thereof, be punishable by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment for a term not to exceed ninety (90) days, or by such fine and imprisonment, in the discretion of the Judge. The continuation of such violation for each successive day shall constitute a separate offense, and the person or persons allowing or permitting the continuation of the violation may be punished as provided above for each separate offense.

208.11 Street Opening Fees.

Application Fee	\$15.00
Permit Fee	\$200.00
Road Repair Fee	\$500.00

Both the application fee and the permit fee are nonrefundable. The road repair fee is an escrow fee and will be held until repairs are completed and approved as stated in section 208.7.

ARTICLE III
SITE PLAN REVIEW

300. GRANT OF POWER. A subdivision plat shall not be recorded with the County Recording Officer, unless and until it has been approved by the Borough Planning Board by resolution as a condition for the issuance of a permit for any development except that subdivision of individual lot applications for detached one or two dwelling unit buildings shall be exempt from Site Plan Review and Approval provided, that the resolution of the Board of Adjustment shall substitute for that of the Planning Board whenever the Board of Adjustment has jurisdiction over a subdivision or a site plan pursuant to its use variance jurisdiction. Each application for subdivision approval, where required, and for site plan approval, where required, shall be submitted by the applicant to the County Planning Board for review and approval, and the Borough Planning Board shall condition any approval it grants upon timely receipt of a favorable report on the application by the County Planning Board or its failure to report thereon within the required time period.

301. APPLICATION. No building in this borough shall be erected or moved or externally altered or added to or enlarged, and no building or land thereon shall be used and no building permit or certificate of occupancy shall be issued except in accordance with site and building plans which have been approved as provided in this section, provided, however, that this section shall not apply to uses or buildings devoted to agriculture or individually designed, detached single family residential structures or uses or structures accessory thereto on an existing independent lot of record or classified as a minor subdivision.

302. WAIVER. The Board may waive the requirements of this article if the total value of construction or alteration is under \$5000.00 or if the nature and extent of construction or alteration is considered a part of normal repair, maintenance or replacement, and any procedural requirements of this article may be waived. In the event of the required terms of the site plan or other supporting documents are not applicable to the site in question, due to practical difficulties, the applicant shall request in writing to the Board those items which he wishes to have waived by the Board and such items may be waived if the Board determines they are not required for review of the site plan, provided, however, this paragraph shall not be construed to permit a waiver of any substantive zoning requirement.

303. PROCEDURE. The following procedures shall govern the submission and review of site and building plans:

303.1 The applicant shall submit at least three weeks prior to any regular meeting of the Board, building and site plans which may be in schematic tentative form for discussion purposes by delivering twelve (12) copies of each to the Board clerk who shall transmit a copy to the Borough Engineer and the Building Inspector. The preliminary plan and elevation shall be sufficient for architectural plans.

303.2 If the Board requires any substantial amendment in the layout of improvements that have been subject of a hearing, an amended application shall be submitted and proceeded upon as in the case of the original application for development.

303.3 If the complete application is for ten (10) acres of land or less, the Board shall grant or deny preliminary approval within forty-five (45) days of such submission or such further time as may be consented to by the developer. If the complete application is for more than ten (10) acres of land, the Board shall grant or deny preliminary approval within ninety—five (95) days of such submission or such further time as may be consented by the developer, Otherwise, preliminary approval shall be deemed granted. This submission shall include:

A. DRAWINGS. Drawing showing as a minimum, the first floor plan and all elevations of all proposed principal buildings and structures and all accessory buildings and structures, including signs and outside lights.

B. SITE PLAN CONTENTS. An accurate site plan drawn to a scale of not less than one inch (1”) equals fifty feet (50’) or such other scale as may be required by the Borough Engineer in cases of large acreage, showing the dimensions in acreage of each lot or block to be built upon or otherwise used and showing all existing and proposed items as follows:

1. The size, shape and location of buildings.
2. The location and layout of parking areas.
3. All parking spaces and driveways.
4. A contour map of the site showing contour intervals not in excess of five feet (5’) based where possible on the New Jersey geodetic control survey elevation datum.
5. Existing and proposed drainage facilities, including all pertinent grades, pipes, slopes, structures such as storm drains, inlets, catch basins, head walls, ditches and drainage channels.

6. Sewer and water facilities and connections.
7. Electric, telephone, gas and other utilities.
8. A landscape plan including locations of proposed plantings and screenings.
9. All required set back lines and rights of way.
10. A key map showing the entire project and its relation to surrounding properties and the existing buildings thereon.
11. Location of fences, signs, lights and advertising features.
12. Data graphic scale and reference meridian.
13. The zoning district.
14. The tax map sheet block and lot numbers.
15. The name and address of the licensed professional engineer or architect preparing the site plan and where applicable, the name and address of the licensed land surveyor, assisting in the preparing of the site plan.
16. Any other information or data required or requested by the Board or Borough Engineer considered necessary to meet the requirements of this Ordinance.

303.4 In the event of an Environmental Impact Statement required by this or any other ordinance of the Borough of Bloomsbury shall be required, this shall be submitted to the Board as part of this site plan review.

303.5 Site Plan Fee. (See Article XIII, Section 1301.2)

303.6 Construction Inspection. (See Article XIII, Section 1301.3)

303.7 Drainage. A copy of the drainage design calculation including water sheds, retention and detention basins, storm water analysis, together with a marked up plan showing the various water shed areas, all as prepared by the applicant's engineer.

304. REPORTS. The Planning Board/Board of Adjustment Secretary and Borough Engineer shall report whether or not the submission complies with all provisions of the Zoning Ordinance and this Ordinance and if not, the report shall specify all the respects in which the submission does not comply. If the Borough Engineer's report indicates that the submission does not comply with Zoning and Subdivision Ordinances, the Engineer shall notify the applicant in writing of the respects in which it does not comply, together

with a copy to the Board. Neither the failure of the Borough Engineer so to notify the applicant, nor the omission of any zoning noncompliance from such notification, shall relieve the applicant from the requirements of the Zoning Ordinance. The submission shall be reviewed as hereinafter provided, notwithstanding that noncompliance with the Zoning Ordinance as indicated thereon, but the grant of approval thereon shall not relieve the applicant from any provisions of the Zoning and subdivision Ordinances, nor shall such approval, unless it so indicates, constitute a recommendation of any zoning variance, or relief that the applicant may hereinafter seek from the Board of Adjustment or the Planning Board.

305. APPROVAL OR DISAPPROVAL. The Board shall after receiving the findings and recommendations of the Planning Board/Board of Adjustment Secretary and Borough Engineer, review the submission and take action thereon. The Board shall be guided in this action by the site and environmental design standards, hereafter set forth as well as by any other applicable provisions of this Ordinance, and may retain such consultants and seek such expert advice as it shall deem necessary. The applicant shall have the right to appear before the Board and be heard with respect to the submission. After the completion of its review, the Board shall approve or disapprove the submission, stating its findings and the reasons for its actions. Approval may be made conditioned upon the applicants' adoption of specified changes in the submission and needed variances or both. A copy of the Board's findings and official action shall be given to the applicant, Borough Engineer and if needed, the Borough Council.

306. EFFECTS OF PRELIMINARY APPROVAL. The preliminary approval shall confer the following rights upon the applicant for a three (3) year period:

- A. The general terms and conditions on which preliminary approval was granted shall not be changed except as relate to public health and safety.
- B. The right to submit the whole or section or sections thereof for final approval.
- C. The right to apply for one (1) year extensions of preliminary approval not to exceed a total extension of two (2) years.
- D. If an area of fifty (50) acres or more is involved, the rights conferred by subparts A and B and C above may be granted for longer than three (3) years taking into consideration:
 1. Number of dwelling units and nonresidential floor area permissible under preliminary approval.
 2. Economic conditions.

. comprehensiveness of the development; and thereafter reasonable extensions to the preliminary approval may be granted taking into consideration:

- a. The number of dwelling units and nonresidential floor area permissible.
- b. The potential number of dwelling units and nonresidential floor area of the section or sections awaiting final approval.
- c. Economic conditions.
- d. The comprehensiveness of the development provided any revised design standards may govern.

307. SITE AND ENVIRONMENTAL DESIGN STANDARDS. The standards hereinafter set forth in this section shall be utilized by the Board in reviewing all site and building plans. The standards are intended to provide a frame of reference for the applicant in the development of site and building plans as well as to provide a method of review for the Planning Board. They are not to be regarded as inflexible requirements nor are they intended to discourage creativity, invention and innovation.

307.1 preservation of landscape. The landscape shall be preserved in its natural state insofar as practicable by minimizing tree and soil removal. If the development of the site necessitates removal of established trees, special attention is to be given to the planting and replacement of trees and other landscape treatment. Any grade changes shall be in keeping with the general appearance of the neighboring developed areas.

307.2 Relation of proposed buildings to environment. Proposed structures shall be harmoniously related to the terrain and to existing buildings and thoroughfares in the vicinity that have visual relationship to the proposed buildings. The achievement of such relationship shall include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features or other buildings.

307.3 On site parking and circulation. With respect to vehicular and pedestrian circulation including walkways, interior drives and parking, special attention shall be given to location and number of access points to the public streets, width of interior drives and access points, general interior circulation, separation of pedestrian and vehicular traffic and arrangement of parking areas that are safe and

convenient, and do not detract from the design of proposed buildings and structures and the neighboring properties.

307.4 connection to public streets. All entrance and exit driveways to a public right of way shall be located and designed to afford maximum safety to traffic both public and private rights of way. Sight triangles, extra right of way and width for acceleration or deceleration, shall be provided where appropriate.

307.5 Surface water drainage. Special attention shall be given to site surface drainage, so that removal of surface waters will not adversely affect neighboring properties or the public storm drainage system. Surface water in all paved areas shall be collected at intervals so that it will not obstruct the flow of vehicular or pedestrian traffic.

307.6 Utility service. Electric and telephone lines shall be underground. Any utility installation remaining above ground, shall be located so as to have a harmonious relation to neighboring properties and the site. The proposed method of sanitary sewage and other waste disposal from all buildings shall be indicated.

307.7 Advertising features. The size, location, design, color, texture, lighting and materials of all permanent signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures and surrounding properties.

307.8 Special features. Outdoor parking and storage areas, outdoor and roof mechanical equipment, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such screen plantings or other screening methods as shall be reasonably be required to prevent their being incongruous with the existing or contemplated environment and the surrounding properties.

307.9 Application of design standards. The standards of review outlined in this section, shall also apply to all accessory buildings, structures, free standing signs and other site features however related to the major building or structure.

307.10 street design. The design of streets within the project shall provide proper access for fire protection and fire fighting equipment, trash collection, service deliveries and snow removal.

308. ENVIRONMENTAL IMPACT STATEMENT. The applicant or developer shall submit to the Planning Board when required by this Ordinance or any other ordinance, an Environmental Impact Statement as part of preliminary site plan review procedure in accord with the provision of this Ordinance or any other ordinances requiring Environmental Impact Statements to be submitted.

309. FINAL APPROVAL.

309.1 The Board shall grant final approval if the detailed drawings, specifications and estimates conform to the standards established by ordinance for final approval and the conditions of preliminary approval.

309.2 Final approval shall be granted or denied within forty five (45) days or within such further time as may be consented to. Failure to act within such time shall constitute final approval and a certificate of the Planning Board secretary as to the failure to so act shall be issued on request and shall be sufficient in lieu of the written endorsement of approval.

309.3 Whenever a review or approval by the County Planning Board is required, the local approval shall be conditioned upon timely receipt of a favorable report from the County Planning Board or its failure to report thereon within the required time period.

310. VARIANCES. The Board when acting upon applications for preliminary site plan approval, may grant such exceptions from the requirements as may be reasonable and within the general purpose and the intent of the requirements, if a literal enforcement of one or more provisions is impracticable or will exact undue hardship because of peculiar conditions pertaining to the land in question.

311. SIMULTANEOUS REVIEW. The Board may review and approve site plans simultaneously with review for subdivision approval without the developer being required to make further application or further hearings being held. The longest time period shall apply.

312. EFFECT OF FINAL APPROVAL. The Zoning requirements and all the rights applicable to the preliminary approval whether conditional or otherwise, shall not be changed for a period of two (2) years; provided, if the standards prescribed for final approval have been followed, the Planning Board may extend the period of protection for periods of one (1) year, not to exceed three (3) extensions.

Final approval terminates the time period for preliminary approval for the section involved.

In the cases of one hundred and fifty (150) acres or more, these rights may be granted for a longer period of time, taking into consideration:

- A. The number of dwelling units and nonresidential floor area permissible.
- B. Economic conditions.
- C. The comprehensiveness of the development. Thereafter an extension of final approval may be granted for such additional periods of time as reasonable, taking into consideration:
 - 1. The number of dwelling units and nonresidential floor area permissible under final approval.
 - 2. The number of dwelling units and non-residential floor area remaining to be developed.
 - 3. Economic conditions.
 - 4. The comprehensiveness of the development.

313. **GUARANTEES REQUIRED, SURETY AND RELEASE.** As a condition of final site plan approval, for the purpose of assuring the installation and maintenance of on tract improvements, the developer shall:

- A. Furnish corporate surety performance bond in favor of the Borough in the amount of one hundred and ten percent (110%) and cash in the amount of ten percent (10%) of the cost installation of all required improvements deemed necessary or appropriate.
- B. As a condition of final approval and the release of the performance bond, a two (2) year corporate surety maintenance bond in favor of the Borough shall be posted in the amount of fifteen percent (15%) of the cost of the improvements.
- C. If other governmental agencies or public utilities will automatically own the utilities installed, or the improvements are covered by a performance or maintenance guarantee to another governmental agency, no performance or maintenance bond shall be required by the Borough for the same.
- D. The amount of the performance bond and deposit may be reduced by resolution of the Borough Council when the Borough Engineer certifies portions of the improvements are completed. The time for the installation of the improvements may be extended by resolution of the Borough Council
- E. The obligor and surety shall be liable to the Borough for the reasonable cost of required improvements not completed or corrected in accordance

with the guarantee and the Borough may either prior to or after receipt of the proceeds thereof complete them.

F. The obligor shall notify the Borough Clerk in writing by certified mail, of the completion of all required improvements and send a copy to the Borough Engineer who shall then inspect them and file a detailed written report indicating approval, partial approval, or rejection with reasons for any rejection. If partial approval is indicated, the cost of the improvements rejected shall be set forth.

C. Within sixty five (65) days after receipt of the obligor's notice of completion, the Borough Council shall approve, partially approve, or reject the improvements based on the Borough Engineer's report and notify the obligor in writing by certified mail of the contents of the report and its action thereon. Where partial approval is granted, that portion of the performance guarantee sufficient to secure improvements not approved, shall be returned, and the remaining liability of obligor released. Failure to send notice within sixty five (65) days, shall constitute approval of the improvements and the release of the obligor and surety from liability.

H. The same procedure of notification shall apply when the obligor completes improvements previously rejected.

I. All reasonable inspection fees of the Borough Engineer for these services shall be paid for by the obligor to the Borough.

314. VARIANCE POWER. The Board when reviewing applications for approval of site plans shall have power to grant the same extent and subject to the same restrictions as the Board of Adjustment:

A. Variances from lot area, lot dimensional, set back and yard requirements, provided lot area relief shall not be granted for more than one lot. This relief may pertain where by reason of exceptional narrowness, shallowness or shape of a specific piece of property or by reason of other extraordinary and exceptional situation or condition of such piece of property the strict application of any zoning regulation would result in undue hardship upon the developer, provided, however, no relief shall be granted to allow a structure or use in a district restricted against such structure or use.

B. Direction by an affirmative vote of a majority of the full authorized membership of the Board for issuance of a permit for a building or a structure in the bed of a mapped street or public drainage way, flood control basin or public area if the parcel

cannot yield a reasonable return to the owner unless a building permit is granted, which will as little as practicable increase the cost of opening such street or tend to cause a minimum change to the official map, subject to reasonable conditions to promote the health, morals, safety and general welfare of the public.

C. Direction for issuance of a permit for a building or a structure which does not abut a street duly placed on the official map, or:

1. An existing state, county or municipal street or highway, or
2. Shown upon a plat approved by the Planning Board, or shown
3. On a plat duly filed in the County Clerks Office prior to passage of the first Zoning Ordinance of the Borough, and
4. Certified to be suitably improved, or its improvement assured by an approved and adequate performance guarantee where denial of the permit would entail practical difficulty or unnecessary hardship, or where circumstances do not require the building or structure to be related to a street, subject to conditions that will provide adequate access for fire fighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety and that will protect any future street layout shown on the official map, if any, or on the general circulation plan element of the Borough Master Plan, if any, and
5. If relief is requested under this section, notice of a hearing shall include reference to the request for a variance or direction for issuance of a permit as the case may be.

315. TIME PERIODS. When a site plan application includes a request for a variance, it shall be granted or denied within ninety five (95) days of receipt of a complete application or such further time as consented to by the applicant. Failure to act within this time shall constitute approval and a certificate to such affect shall be issued on request of the applicant by the Board Clerk.

Whenever review or approval of the application by the County Planning Board is required, the Borough Planning Board shall condition its approval upon timely receipt of a favorable report by the County Planning Board or approval by its

failure to report thereon within the required time period.

316. AS BUILT PLANS. The developer shall comply in every respect with the site plan finally approved by the Board. In the event changes are necessary, they shall require approval by the Board prior to any installation construction in order to conform to the original site plan. Plans of the improvement as built and installed by the developer shall be filed by the developer with the Board Clerk within thirty (20) days after completion of improvements as a condition of release of his performance guarantee.

ARTICLE IV

BOARD OF ADJUSTMENT, PLANNING BOARD, ENVIRONMENTAL IMPACT STATEMENT, PROCEDURES, SUBDIVISIONS, DETAILS, MASTER PLAN AND CERTIFICATES

400. BOARD OF ADJUSTMENTS

401. APPOINTMENT OF MEMBERS. The Board of Adjustment shall consist of seven persons appointed by the Borough Council for terms of four (4) years, the expiration of terms distributed evenly to the greatest practicable extent. Persons presently serving shall continue in the office for the balance of their term and the terms of members appointed during the first four (4) years under this Ordinance may be less than four (4) if necessary to achieve no more than two (2) expiring terms during each year. Thereafter, the term of each member shall be four (4) years.

402. PROHIBITIONS. No member may hold any elective office or position under the Borough. No member shall act on any matter, when directly or indirectly, they have a personal interest or financial interest therein.

403. REMOVAL OR VACANCY. The Borough Council may remove a member for cause after a public hearing if requested by the member. A vacancy occurring other than through expiration of a term shall be filled for the unexpired term only.

404. OFFICERS AND EMPLOYEES. The Board of Adjustment shall elect a chairman and a vice—chairman from its members and select a secretary who may or may not be a member or a Borough Employee. The Board may employ, or contract for and fix the compensation of legal council, other than the municipal attorney, and experts and other staff and services as it may deem necessary, not exceeding, exclusive of gifts or grants the amount appropriated by the Borough Council for its use.

405. POWERS. The Board of Adjustment shall have the power’
to:

405.1 Hear and decide appeals from any order, requirement, decision or refusal of an administrative officer based on or in enforcement of the Zoning Ordinance; such appeal shall be taken within sixty five (65) days by filing a notice of appeal with the officer from whom the appeal is taken specifying the grounds. The officer shall immediately transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

405.2 Hear and decide requests for interpretation of the zoning map or ordinance or decide other special questions they are authorized to pass on by the zoning or official map ordinance.

405.3 Grant a variance from a zoning regulation where by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, or by reason of other extraordinary and exceptional situations or conditions of such a piece of property, the strict application of the regulation would result in peculiar and exceptional undue hardship upon the developer; provided, however, no variance shall be granted hereunder to allow a building, structure or use in a district restricted against the building, structure or use; as provided, further, that the development does not require approval by the Planning Board of a subdivision, site plan or conditional use in conjunction with which the Planning Board shall receive a request for a variance.

405.4 Grant a variance to allow a structure or use in a district restricted against the same in particular cases and for special reasons, but only by affirmative vote of not less than two thirds (2/3) of the full authorized membership of the Board.

No variance or other relief may be under the terms of this subsection unless it can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of the zone plan and Zoning Ordinance. An application under this subsection may be referred to any appropriate person or agency, including the Planning Board for its report; provided such reference shall not extend the period of time within which the Board of Adjustment shall act.

The Board shall grant subdivision, site plan or conditional use approval whenever it is reviewing an application for a use variance under this subsection to the same extent and subject to the same restrictions as the Planning Board.

405.5 Direct the issuance by an affirmative vote of a majority of the full authorized membership of the Board of a permit for a building or structure in the bed of a mapped street or public drainage way, flood control basin or public area if the parcel cannot yield a reasonable return to the owner unless a building permit is granted which will as little as practicable increase the cost of opening such street, or tend to cause a minimum change of the official map subject to reasonable conditions to promote the health, morals, safety and general welfare of the public; provided, however, if a subdivision, site plan or conditional use

approval is also required the Planning Board shall have jurisdiction.

405.6 Direct the issuance of a permit for a building or structure which does not abut a street duly placed on the official map or (A) an existing state, county or municipal street or highway, or (B) shown upon a plat approved by the Planning Board, or (C) on a plat duly filed in the County Clerk's Office prior to passage of the first Zoning Ordinance of the Borough, and certified to be suitably improved or its improvement assured by an approved adequate performance guarantee where denial of the permit would entail practical difficulty or undue hardship, or where circumstances do not require the building or structure to be related to a street, subject to conditions that will provide adequate access for fire fighting equipment, ambulances and other emergency vehicles necessary for the protection of health and safety and will protect any future street layout shown on the official map, if any, or the general circulation plan element of the Borough Master Plan, if any; provided, however, if a subdivision site plan or conditional use approval is also required, the Planning Board shall have Jurisdiction.

406. TIME FOR DECISION. The Board of Adjustment shall render a decision not later than one hundred and twenty (120) days after the date (1) an appeal is taken from the decision of a Borough Officer or (2) the submission of a complete application for development to the Board including a subdivision, site plan or conditional use, which may be done under any of its powers without prior application to a Borough Officer. The failure of the Board to render a decision within such one hundred and twenty (120) day period or within such further period as may be consented to by the applicant shall constitute a decision favorable to the applicant and a certificate of the Board Clerk as to the failure of the Board to act shall be issued on request of the applicant, and it shall be sufficient in lieu of the written endorsement or other evidence of approval and shall be so accepted by the County Clerk for the purpose of filing subdivision plats. Applicants may be referred to any appropriate person or agency, including the Planning Board for its report but this shall not extend the time within which the Board of Adjustment shall act.

407. COUNTY PLANNING BOARD ACTION. Whenever County Planning Board approval is required of a subdivision or site plan, The Board of Adjustment shall condition its approval upon timely receipt of a favorable report by the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time.

408. **MODIFICATION BY THE BOARD.** The Board of Adjustment may reverse, or affirm, wholly or part, or may modify the action, order, requirement, decision, interpretation or determination appealed from and to that end have all the powers of administration officer from whom the appeal is taken.

409. **STAY OF PROCEEDINGS.** An appeal to the Board of Adjustment shall stay all proceedings in furtherance of the action from which the appeal is taken unless the officer from which the appeal is taken certifies that by reason of facts stated therein, a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed except by order of the Superior Court upon notice to the officer to whom the appeal is taken and on due cause shown.

410. **BOARD RULES.** The Board of Adjustment shall adopt, and may amend reasonable rules and regulation, not inconsistent with law or this Ordinance for the administration of its functions, powers and duties, and shall furnish a copy thereof to any person upon request and may charge a reasonable fee for such copy. Copies for all such rules and regulations and amendments thereto shall be maintained in the office of the Borough Clerk.

411. **MEETINGS.** The Board shall fix the time and place for holding its regular meetings to be scheduled and held not less than once a month unless canceled for lack of applications. The Board may provide for special meetings, at the call of the Chairman, or on request of any two (2) of its members, on notice of its members and the public. No action may be taken without a quorum being present. All action shall be taken by a majority vote of a quorum except as otherwise required by law. All regular meetings and special meetings shall be open to the public. Notice of all such meeting shall be given. An executive session for the purpose of discussing and studying any matters to come before the Board shall not be deemed a regular or special meeting.

412. **MINUTES.** Minutes of every regular or special meeting shall be kept and include the names of persons appearing and addressing the Board and of persons appearing by attorney, the action taken the findings, if any, and the reasons therefore. Minutes shall be available for public inspection during normal business hours at the office of the Board Clerk. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceedings concerning its subject matter subject to a reasonable charge for their reproduction.

413. HEARINGS.

413.1 The board shall hold a hearing on each application.

413.2 Maps and documents for which approval is sought shall be on file and available for public inspection at least ten (10) days before the hearing during normal business hours in the office of the Borough Clerk. The applicant may produce other documents, records or testimony at the hearing to substantiate or clarify or supplement the previously filed maps and documents.

413.3 The Board Chairman shall have the power to administer oaths and issue subpoenas to compel attendance of witnesses and production of relevant evidence, including witnesses and documents presented by the parties and the provisions of N.J.S.A. 2A:67A—1 et seq., as amended shall apply.

413.4 The testimony of witnesses shall be under oath or affirmation and the right of cross—examination shall be permitted to all interested parties, subject to the discretion of the Chairman and to reasonable limitations as to time and number of witnesses.

413.5 Technical rules of evidence shall not be applicable, but the Board may exclude irrelevant, immaterial or unduly repetitious evidence.

413.6 The Board shall provide for the verbatim recording of the proceedings by stenographer, mechanical or electronic means. The Board shall furnish a transcript, or duplicate recording in lieu thereof, on request to any interested party at his expense.

413.7 Each decision on any application shall be in writing and include finding of fact and conclusions based thereon.

413.8 A copy of the decision shall be mailed by the Board within ten (10) days to the applicant, or their attorney, if represented, without separate charge, and to all who request a copy for a reasonable fee. A copy shall also be filed by the Board in the office of the Borough Clerk. The Borough Clerk shall make a copy of the filed decision available to any interested party for a reasonable fee and available for public inspection at the Borough Clerks office during reasonable hours.

413.9 A brief notice of the decision shall be published by the Board Clerk in the official newspaper of the Borough and a period of time in which an appeal of the decision may be made, shall from the first publication of the decision.

414. NOTICE OF HEARINGS.

414.1 A notice of a hearing before the Board shall state the date, time and place of the hearing, nature of the matters to be considered, identification of the property by street address, if any, and tax lot and block numbers and the location and time when maps and documents are available. This notice shall be given by the applicant at least ten (10) days prior to the hearing to the owners of real property as shown on the current tax duplicate, located within two hundred (200) feet in all directions of the property subject to the hearing by serving a copy thereof on the property owner or his agent in charge of the property, or mailing a copy by certified mail to the property owner at his address as shown on the said current tax duplicate.

414.2 Notice to a partnership owner may be made by service upon any partner . Notice to corporate owner may be served upon the President, Vice-President, Secretary or any other person authorized by appointment or by law to accept service on behalf of the corporation.

414.3 Upon written request of the applicant, The Borough Tax Collector shall, within seven (7) days, make and certify a list from the current tax duplicates of names and addresses of owners to whom the applicant is required to give notice. The applicant shall be entitled to rely upon the information contained in such list, and failure to give notice to any owner not on the list shall not invalidate any hearing or proceeding. A sum of ten dollars (\$10.00) shall be charged for this list.

414.4 When the subject property is located within two hundred (200) feet of an adjoining municipality, notice shall be given by personal service or certified mail to the Clerk of such municipality.

414.5 When the subject property is located adjacent to an existing county road or proposed road shown on the official county map or the county master plan, adjoining other county land or within two hundred (200) feet of a municipality boundary, notice shall be given by personal service or certified mail to the County Planning Board.

414.6 When subject property is adjacent to a state highway, notice shall be given by personal service or certified mail to the Commissioner of Transportation.

414.7 When the application involves more than twenty five (25) acres or fifty (50) dwelling houses, notice and a copy of any maps or documents required to be on file shall be served personally or by certified mail to the Director of New Jersey Division of State and Regional Planning of the Department of Community Affairs.

414.8 When notice is required under this section the applicant shall file an affidavit of proof of service with the Board.

414.9 Any notice made by certified mail shall be deemed complete upon mailing.

415. APPEALS TO THE BOROUGH COUNCIL.

415.1 Any interested party may appeal to the Borough Council any final decision of the Board approving or disapproving an application granted under Article IV, Section S hereof, within ten (10) days of the date of publication by serving the Borough Clerk in person or by certified mail with a notice of appeal specifying the grounds thereof and the name and address of the appellant and his attorney, if any. This appeal shall be decided by the Borough Council only upon the record established before the Board.

415.2 Notice of the appeal hearing shall be given by the Borough Clerk by personal service or by certified mail to the appellant, the applicant or his attorney, if any, the Board and any interested party requesting same for a reasonable fee, at least ten (10) days prior to the meeting date. The parties may submit oral and written arguments on the record at such meeting and the Borough Council shall provide for verbatim recording and transcripts of such meeting pursuant to Article 413.6 of this Ordinance, or otherwise for use by the Borough Council. If the Borough Council fails to hold a hearing and conclude its review of the record below and render a decision within the forty five (45) day period, without such written consent of the applicant, it shall constitute an affirmance of the action of the Board.

415.3 The Borough Council may reverse, remand or affirm, wholly or in part, or may modify the final decision of the Board.

415.4 The affirmative vote of the majority of the full authorized membership of the Borough Council shall be necessary to reverse, remand or modify any final action of the Board.

415.5 An appeal shall stay all such proceedings in furtherance of the action unless the Board certifies by reason of facts stated therein, that a stay would cause imminent peril to life or property. In such case, proceedings shall not be stayed except by an order of the Superior Court on notice to the Board on good cause shown.

415.6 Within ten (10) days after a decision date, a copy shall be mailed to the appellant or his attorney, if any, and for a reasonable charge to any interested party so requesting. A brief notice of this decision shall be published by the Borough Clerk for a reasonable charge, in the Borough official newspaper.

416. PUBLIC UTILITIES. Public utilities may apply directly to the State Board of Public Utility Commissioners within thirty five (35) days of Board action without appeal to the Borough Council pursuant to N.J.S.A. 40:55D-19.

417. TOLLING OF TIME PERIODS. If, during an approval period, a developer is ready, willing and able to proceed and is barred or prevented from proceeding by State, local agency, court or another party to protect the public health and welfare, the running of the time period shall be suspended during the hiatus.

418. CONDITIONAL APPROVALS.

418.1 If a developer submits an application barred or prevented by State or local agency, court or another party to protect the public health and welfare, the Board shall process and approve it if otherwise in compliance, conditional on removal of such a barrier.

418.2 If an application requires an approval by another governmental agency, the Board in appropriate instances, shall condition its approval upon the other agency's approval; provided the Board shall act within the required time period as may be extended by consent of the applicant, unless the Board is prevented or relieved from acting by operation of law.

Revised December 1991

ARTICLE IV
SECTION 1

PLANNING BOARD

1. MEMBERSHIP. A Planning Board is hereby created to consist of nine (9) members composed of four (4) classes as follows:

Class I Mayor

Class II One (1) Borough official excluding members of the Borough Council. If class IV includes both a member of the Board of Adjustment and Board of Education, the Environmental Commission member constitute this class member.

Class III None, unless the Borough Council exceeds three. (3) members, and then one councilman. Class IV Balance of the Board to be other Borough citizens appointed by the Mayor who hold no other Borough office, except one may be a member the Board of Adjustment, one may be a member of the Board of Education and one shall be an Environmental Commission member.

2. TERMS OF MEMBERS.

CLASS I To correspond to official tenure. Class II Earlier of one (1) year or term of office except Environmental Commission member is earlier of three (3) years or end of term of Environmental Commission.

Class III Earlier of one (1) year or term of office. Class IV Earlier of four (4) years or end of membership on other body if any. The expiration of terms to the greatest practicable extent shall be distributed evenly in this class.

3. VACANCIES. Vacancies in any class occurring otherwise than by expiration of Planning Board terms shall be filled for the unexpired term.

4. CONFLICTS. No member shall act on any matter in which he has any personal or financial interest.

5. REMOVAL. Any member except class I may be removed for cause after a public hearing if he requests one.

6. ABSENCE. An absent member shall be eligible to vote on a matter notwithstanding his absence from a hearing provided he has certified in writing to the Board that he has read a transcript or listened to a recording of the meeting from which he was absent.

7. ORGANIZATION. A Chairman and a Vice Chairman shall be

selected from class IV members, and a Secretary shall be selected who may or may not be a member of the Board or a Municipal Employee. It may employ or contract for, and fix the compensation of legal council, other than the municipal attorney and experts and other staff and services as it may deem necessary, not exceeding exclusive of gifts or grants, the amount appropriated by the Borough Council for its use.

8. POWERS. The Board shall exercise its powers in regard to:

- A. The Master Plan.
- B. Subdivision control and site plan review.
- C. The official Map.
- D. The Zoning Ordinance including conditional uses, if any.
- E. The capitol improvements program.
- F. Variances and certain building permits in conjunction with subdivision approval, site plan and conditional use approval.
- C. Prepare and review programs or plans required by state or federal law regulation.
- H. Assemble data on a continuing basis as part of a continuous planning process; and
- I. Perform such other advisory duties as assigned to it by ordinance or resolution of the Borough Council.

9. CITIZENS ADVISORY COMMITTEE. The Mayor may appoint one (1) or more persons as a Citizens Advisory Committee to assist or collaborate with the Board in its duties, without power to vote or take action at the pleasure of the Mayor.

10. ENVIRONMENTAL COMMISSION. In the event an Environmental Commission is created and if the Environmental Commission has prepared and submitted to the Planning Board an index of the natural resources of the Borough, The Board shall transmit an informational copy of every application received to the Environmental Commission. Failure to submit such a copy shall not invalidate any hearing or proceedings by the Board.

11. RULES AND REGULATIONS. The Board shall adopt and shall amend reasonable rules and regulations not inconsistent with the law or this Ordinance, for the administration of its functions, powers and duties, and shall furnish a copy thereof to any person upon request, and may charge a reasonable fee for such a copy. Copies of all such rules and regulations and amendments thereto, shall be maintained in the office of the Borough Clerk.

12. MEETINGS. The Board shall fix the time and place for holding its regular meetings to be scheduled and held not

less than once a month, unless cancelled for lack of applications. The Board may provide for special meetings at the call of the Chairman or on request of any two (2) of its members on notice to its members and the public. No action shall be taken at any meetings without a quorum being present. All actions shall be taken by a majority vote of a quorum except as otherwise required by law.

All regular meetings and all special meetings shall be open to the public. Notice of all such meetings shall be given. An executive session for the purpose of discussing and studying any matters to come before the Board shall not be deemed a regular or special meeting.

13. MINUTES. Minutes of every regular or special meeting shall be kept and include the names of persons appearing and addressing the Board and of any persons appearing by attorney, the action taken, the findings, if any, and reasons therefore. Minutes shall be available for public inspection during normal business hours at the office of the Board Clerk. Any interested party shall have the right to compel production of the minutes for use as evidence in any legal proceedings concerning its subject matter, subject to a reasonable charge for their reproduction.

14. HEARINGS.

A. The Board shall hold a hearing on each application.

B. Maps and documents for which approval is sought, shall be on file and available for public inspection at least ten (10) days before the hearing, during normal business hours in the office of the Board Clerk. The applicant may produce other documents, or testimony at the hearing to substantiate or clarify or supplement the previously filed maps and documents.

C. The Board Chairman shall have the power to administer oaths and issue subpoenas, to compel attendance of witnesses and production of relevant evidence, including witnesses and documents presented by the parties, and the provisions of N.J.S.A. 2A:67A-1 et. seq. as amended shall apply.

D. The testimony of witnesses shall be under oath of affirmation and the right of cross examination shall be permitted to all interested parties subject to the discretion of the Chairman and to reasonable limitations as to time and the number of witnesses.

E. Technical rules of evidence shall not be applicable, but the Board may exclude irrelevant, immaterial or unduly repetitious evidence.

F. The Board shall provide for the verbatim recording of the proceedings by stenographer, mechanical or electronic means. The Board shall furnish a transcript or duplicate recording in lieu thereof on request to any interested party at his expense.

G. Each decision on any application shall be in writing and include the findings of fact and conclusions based thereon.

H. A copy of the decision shall be mailed by the Board within ten (10) days to the applicant or his attorney, if represented, without separate charge and to all who request a copy for a reasonable fee. A copy shall also be filed by the Board in the office of the Borough Clerk. The Borough Clerk shall make a copy of the filed decision available to any interested party for a reasonable fee, and available for public inspection at this office during reasonable hours.

I. A brief notice of the decision shall be published by the Board Clerk in the official newspaper of the Borough and the period of time in which an appeal of the decision may be made, shall run from the first publication of the decision.

15. NOTICE OF HEARINGS.

A. **CONTENTS.** Notices, where required, of a hearing before the Board shall state the date, time and place of the hearing, nature of matters to be considered, identification of the property by street address, if any, or tax, lot and block numbers and the location and times when maps and documents are available. Such notice shall be given by the applicant at least ten (10) days prior to the hearing to all real property owners as shown on the current tax duplicate located within two hundred (200) feet in all directions of the property subject to the hearing, by serving a copy thereof on the property owner or his agent in charge of the property, or mailing a copy by certified mail, to the property owner at his address as shown on the said current tax duplicate.

B. **WHEN REQUIRED.** Such notice shall be given on applications for development or adoption of the Master Plan, except for:

I Conventional site plan review where improvements total less than three thousand dollars (\$3000.00).

II Minor subdivision, or

III Final approval of subdivisions or site plans.

C. SERVICE ON PARTNERSHIP OR CORPORATION. Notice to a partnership owner may be made on any partner. Notice to a corporate owner may be served upon its President, a Vice President, secretary or other person authorized by appointment or by law to accept service on behalf of the corporation.

D. LIST OF OWNERS. Upon written request of the applicant, the Borough Tax Collector shall, within seven (7) days, make and certify a list from the current tax duplicate of names and addresses of owners, to whom the applicant is required to give notice. The applicant shall be entitled to rely upon the information contained in such list and failure to give notice to any owner not on the list, shall not invalidate any hearing or proceeding. A sum of ten dollars (\$10.00) shall be charged for this list by the Tax Collector.

E. ADJOINING MUNICIPALITY. When the subject property is located within two hundred (200) feet of an adjoining municipality, notice shall be given by personal service or certified mail to the Clerk of such municipality.

F. NOTICE TO COUNTY. When the subject property is located adjacent to an existing county road or proposed road shown on the official county map or on the County Master Plan, adjoining other county land or within two hundred (200) feet of a municipal boundary, notice shall be given by personal service or certified mail to the County Planning Board.

G. NOTICE TO STATE. When subject property is adjacent to a state highway, notice shall be given by personal service or certified mail to the State Commissioner of Transportation. When the application involves more than one hundred and fifty (150) acres or five hundred (500) dwelling houses, notice and a copy of any maps or documents required to be on file, shall be served personally or by certified mail to the Director of the New Jersey Division of State and Regional Planning of the Department of Community Affairs.

H. PROOF OF SERVICE. When notice is required under this section, the applicant shall file an Affidavit of Proof of Service with the Board.

16. NOTICE CONCERNING MASTER PLAN. Public notice of a hearing on adoption, revision or amendment of the Master Plan shall be given by the Board:

- A. By publication in the official newspaper of the municipality at least ten (10) days prior to the date of the hearing.
- B. By personal service or certified mail to the Clerk of an adjoining municipality of hearing involving property situated within two hundred (200) feet of such municipality, at least ten (10) day prior to the date of the hearing.
- C. By personal service or certified mail to the County Planning Board of hearings, at least ten (10) days prior to the date of the hearing, to include a copy of any proposed plan, revision or amendment thereto and not more than thirty (30) days after such adoption, revision or amendment, a copy of the plan, revision or amendment shall be included with the notice of adoption, revision or amendment thereof.

17. EFFECT OF MAILING. Any notice made by certified mail pursuant to the preceding two (2) sections shall be deemed complete upon mailing.

18. OTHER NOTICE OF HEARINGS.

A. When a development regulation is adopted, revised or amended involving property situated within two hundred (200) feet of an adjoining municipality, notice of hearing thereon shall be given by personal service or certified mail to the Clerk of the adjoining municipality of hearings at least ten (10) days prior to the date thereof.

B. A similar notice shall be given to the County Planning Board in the same manner, concerning the same subject and also when the Borough Capitol Improvement Program or Borough official map has been adopted, revised or amended, not more than thirty (30) days after the date of such an adoption, revision or amendment. This notice shall include a copy of proposed development regulation, official map or Municipal Improvement Program, or any revision or amendment thereto as the case may be. Such notice shall state the date, time and place of the hearing and the nature of matters to be considered. Notice by certified mail is deemed complete upon mailing.

19. EFFECTIVE DATE OF ORDINANCES. The zoning, subdivision, site plan review ordinance, or any revision or amendment thereto, and official map of the Borough, shall not take effect until a copy has been filed with the County Planning Board. Copies of all development regulations and any revisions and amendments shall be filled and maintained in the office of the Borough Clerk.

(REVISED FEBRUARY 1, 1977)

ARTICLE IV
SECTION 2

MASTER PLAN

1. PREPARATION. The Board may prepare and after a public hearing adopt or amend a Master Plan or parts thereof to guide in the use of land within the Borough in a manner that protects public health and safety and promotes the general welfare.

2. CONTENTS. The Master Plan shall generally comprise a report or statement and land use and development proposals with maps, diagrams and text, presenting where appropriate the following elements:

A. A statement of objectives, principals, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the Borough are based.

B. A land use element.

I. Taking into account the other elements and natural conditions including, but not by way of limitation, topography, soil conditions, water supply, drainage, flood plain areas, marshes and woodland.

II. Showing existing and proposed location, extent and intensity of development to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes and

III. A statement of standards of population density and development intensity recommended for the Borough.

C. A housing plan element including residential standards and proposals for construction and improvement of housing.

D. A circulation plan element showing location and types of facilities for transportation for efficient movement of people and goods.

E. A utility service plan element concerning future general location of water supply and distribution facilities, drainage and flood control facilities, sewerage and waste treatment, solid waste disposal and provisions for other related utilities.

F. A community facilities plan element showing educational or cultural facilities, historical sites, libraries, hospitals, fire houses, police stations and other related facilities including their relation to the surrounding areas.

- G. A recreation plan element showing a comprehensive system of areas and public sites for recreation.
- H. A conservation plan element for conservation, preservation and utilization of natural resources including to the extent appropriate open space, water, forest, soil, marshes, wetlands, rivers and other waters, fisheries, wildlife and other natural resources.
- I. Appendices and separate reports containing the technical foundation for the Master Plan and its constituent elements.

3. TIMING. The Plan and its elements may be divided according to periods of time or staging sequences.

4. OTHER PLANS. The Plan shall include a policy statement including the relationship to the Borough development in the Plan to:

- A. The Master Plan of other contiguous municipalities.
- B. The County Master Plan.
- C. Any comprehensive guide pursuant N.J.S.A. 13:18—15.52.

5. REVIEW OF CAPITOL PROJECTS. Whenever the Board shall have adopted any portion of the Master Plan, the Borough Council or other agency having jurisdiction over the matter before taking action, necessitating expenditure of public funds, shall refer the project action to the Board for review and recommendation and shall not act thereon without such recommendation or until forty five (45) days have elapsed without such recommendation. This shall apply to action by a housing, parking, highway, special district or other authority, redevelopment agency, school board or other similar public agency, state, county or municipal.

(REVISED FEBRUARY 1, 1977)

ARTICLE IV
SECTION 3

THE OFFICIAL MAP

1. **ADOPTION.** The Borough Council, by ordinance, may adopt or amend an official map of the Borough, to reflect the appropriate provisions of the Master Plan or it may adopt such map inconsistent with the Master Plan, only by affirmative vote of its full authorized membership, with reasons for so acting recorded in the minutes when adopting the official map. Prior to adoption, the Borough Council shall refer the proposed amendment to the Planning Board.

The official map shall be conclusive with respect to location and width of streets and public drainage ways, and location and extent of flood control basins in public areas, whether improved or unimproved or in actual physical existence.

2. **RESERVATION OF PUBLIC AREAS.** Upon receiving an application for development, the Borough may reserve for future public use, the aforesaid streets, ways, basins and areas shown on the Master Plan of the Official Map as follows:

A. **TINE.** The Board may reserve their location and extent as shown on the development plat for a period of one (1) year after the approval of the final plat developer. Unless during such period or extension, the Borough shall have entered into a contract to purchase or institute condemnation, according to the law for the fee or lesser interests therein, the developer shall not be bound by such reservations shown on the plat and may use such land for private use in accordance with applicable development regulations. These provisions shall not apply to streets and roads, flood control basins or public drainage ways, necessitated by the subdivision or land development and required for final approval.

B. **COMPENSATION.** The developer shall be entitled to just compensation for actual loss found to be caused by such temporary reservation and deprivation of use. Unless a lesser amount has been mutually agreed upon, this shall be deemed to be the fair market value of an option to purchase a reserved for the period or reservation including, but not limited to, consideration of real property taxes apportioned to the land reserved and prorated for the period of reservation. The developer shall be compensated for the reasonable increased cost of legal, engineering or professional services incurred in connection with obtaining subdivision or site plan approval caused by the reservation. The procedure by the Borough for

payment of compensation shall be provided for by ordinance.

3. CHANCE OR ADDITION TO MAP. Borough approval by ordinance under any other law of the layout, widening or changing the course of any public drainage way, or changing the boundaries of a flood control basin or public area shall be subject to the provisions of this Ordinance.

(REVISED FEBRUARY 1, 1977)

ARTICLE IV
SECTION 4

ENVIRONMENTAL IMPACT STATEMENT

1. **DEFINITIONS.** The Environmental Impact Statement is a description and analysis of all possible direct and indirect effects development will have on the site itself as well as adjacent and noncontiguous areas with particular reference to the effect of the project on the public safety, health and welfare, the protection of public and private property and the protection, preservation and enhancement of the natural environment.

2. **APPLICABILITY.** No site shall be disturbed by any person, partnership, corporation, public agency or entity within the Borough unless the Environmental Impact Statement has been reviewed and approved by the Board in accordance with the specifications and procedures required by this Ordinance. Exceptions from this Ordinance are only as listed below:

A. Application for site plan review on three (3) acres or less or for a building permit in the residential zone, where the Building Inspector has determined by referring to the Natural Resource Inventory 1975 that no part of the land disturbed falls in:

I. The severe critical areas of the steep slopes map.

II. The floodway area of the flood plain soil map or the N.J.D.E.P. delineation of flood hazard areas report.

III. The critical area of the seasonal high water table map.

B. Signed permits, etc.

C. Applications for minor subdivisions shall be exempt from filling an Environmental Impact Statement but the Board shall include consideration of the natural resources inventory factors in making its classification.

3. **CONSULTANT.** The applicant must provide written information to the Board at the time Environmental Impact Statement is submitted as to the qualifications and experience of the consultant, firm, agency, individual or person selected by the applicant for preparation of the plan.

4. **DATA REQUIRED.** The Environmental Impact Statement shall contain information and analysis with respect to the following:

- A. The location of the project and a description of the project specifying what is to be carried out, including:
 - I. Reason for the project.
 - II. The recommended or favored alternative mapped and/or described.
 - III. Parks, recreation sites, wildlife refuges and historic sites mapped and described.
 - IV. Existing land use, zoning and Master Plan delineation of project mapped and described.
- B. An inventory of existing environmental conditions at the project site and in the surrounding region which shall describe contours, air quality, water quality, water supply, hydrology, geology, soils, topography, vegetation, wildlife, aquatic organisms, ecology, demography, land use, aesthetics and history.
- C. A listing of all licenses, permits or other approvals, as required by Municipal, County or State Law and the status of each.
- D. An assessment of the probable impact of the project, both adverse and beneficial, on the topics described in B. above.
- E. Any probable adverse environmental effects which cannot be avoided, including:
 - I. water supply
 - II. air quality
 - III. noise
 - IV. undesirable land use patterns
 - V. damage or destruction of significant plant or wildlife systems
 - VI. aesthetic values
 - VII. destruction of natural resources
 - VIII. displacement of people and/or business
 - IX. displacement of viable farms
 - X. employment and property tax
 - XI. destruction of man-made resources
 - XII. disruption of desirable community and regional growth
 - XIII. health, safety and well being of the public or
 - XIV. traffic.
- F. A thorough discussion of the steps to be taken, during and after construction, both at the project and the surrounding area, to minimize the adverse environmental effects as described in E. above.
- G. Alternatives to the proposed project, including:
 - I. That of no project.

- II. Description of alternatives with an objective evaluation of the alternatives that might avoid some of or all of the adverse environmental effects with the rationale for acceptability or non-acceptability of each alternative, or
- III. An analysis of the cost and social impact of the alternatives.
- H. Implication of the proposed action for population distribution or concentration should be estimated and assessment made of the effect of any possible change in population patterns upon the resource base, including land use, water and public services of the area impacted.
- I. The relationship between local short-term productivity, environment and the maintenance and enhancement of long-term productivity, assessing the project for cumulative long-term effects from the perspective that each generation is a trustee of the environment for future generations.
- J. A reference list of pertinent published information relating to the project, project site and the surrounding region.
- K. Particular data is required as to:
 - I. Sewerage facilities. Applicant must show:
 - a. Compliance with State and local health regulations.
 - b. If disposal is on site, applicant is to include a soil analysis. Percolation test for every five (5) acres, location of aquifers, depth and capacity of all wells within five hundred (500) feet of site and any other pertinent data.
 - c. If disposal is on site, applicant is to include data on plant design capacity, capacity of plant to treat industrial or commercial waste when applicable and any other pertinent data.
 - d. Flows expected from any approved subdivision which are dependent upon the same facilities in question.
 - II. Water supply. Applicant must show:
 - a. Compliance with State and local regulations.
 - b. Location and depth of all private and public water supplies within five hundred (500) feet of the realty improvement.

- c. Location, depth and adequacy of off-site private or public water supplies to serve the proposed realty improvement.
- d. For realty improvements with more than fifty (50) dwelling units, it will be necessary to obtain a determination by the Division of Water Resources that the proposed water supply and sewerage facilities are adequate.

III. Drainage. Applicant must show:

- a. Volume of storm water runoff now existing from the site and volume to be generated by new improvements.
- b. Any increase in rate or velocity of runoff and change in drainage patterns.
- c. Plans for disposition of storm water whether by retention on site or by means of channeling so as to protect downstream property.
- d. Flood plains description of potential flood conditions or damages including a summary of flood stages from state and federal sources.
- e. Submission of an erosion and sedimentation control plan reviewed by the Soil Conservation District.

IV. Solid waste disposal. Applicant must submit a plan for disposal in compliance with State Sanitary Code.

V. Air Pollution. Applicant must show that no visible smoke or deleterious chemical changes will be produced in the atmosphere by any heating or incinerating devices or by processing of material.

VI. Chemical impact areas. These areas include, but are not limited to, stream corridors, streams, wetlands, estuaries, slopes of greater than twelve percent (12%) high acid and highly erodible soils, area of high water table and aquifer recharge and discharge areas. Applicant must show:

- a. A statement of impact on critical impact areas and of adverse impacts which cannot be avoided.
- b. Environmental protective measures, procedures and schedules to minimize danger to critical impact areas.

5. REVIEWS AND INSPECTIONS. Upon submission of the Environmental Impact Statement to the Secretary of the Planning Board, distribution to the various officials and with three (3) copies available in the Municipal Engineer's office (or other designated place) for any person to review, the following reviews and inspections will be conducted within thirty (30) days:

A. The Municipal Environmental Administrator (or other designated official) will within seven (7) days of receipt of applicant's Environmental Impact Statement, make a field inspection to verify the environmental conditions and make a report to the Planning Board with a copy to the Environmental Commission.

B. The Borough Engineer will within thirty (30) days of receipt of applicant's Environmental Impact Statement review all maps and documents and make a site inspection and then follow with a report to the Planning Board and a copy to the Environmental Commission.

C. The Borough of Bloomsbury Environmental Commission will, within the time period allowable for Planning Board action on site plan, subdivision or development approval or disapproval, present its review and recommendations to the Planning Board for final determination.

D. The Borough of Bloomsbury Planning Board shall analyze and review the applicant's Environmental Impact Statement along with reviews from the Environmental Administrator, Engineer, Environmental Commission and any other interested party within fourteen (14) days of the commission's report and give written notice of approval or rejection to the applicant indicating the reasons therefore.

Revised December 1991

ARTICLE IV
SECTION 5

PROCEDURE

1. APPLICATION. No person or property owner shall hereafter subdivide any land within the Borough without first having obtained approval in accordance with this Ordinance.

2. MINOR SUBDIVISION.

A. DEFINITION. A minor subdivision means a subdivision of land that does not involve:

- I. More than three lots, including lands remaining.
- II. A planned development.
- III. Any new street.
- IV. Extension of any off tract improvement.
- V. Adversely effect the development of the remainder of the parcel.
- VI. Conflict with any provision of the Zoning Ordinance, this Ordinance, Master Plan, Official Map or other Ordinances

B. YEARLY LIMITATION. A lot or part thereof shall not be subdivided or re-subdivided by means of a minor subdivision at a rate to exceed two (2) additional new lots during any twelve (12) month period.

C. REALIGNMENT OF LOT LINES. A realignment of lot lines shall not constitute a subdivision for purposes of the yearly limitations of subparagraph B. above, nor are any separate lots created as a result.

3. MINOR SUBDIVISIONS.

A. APPLICATION. The owner or agent shall sign and make application in triplicate (3) on Planning Board forms accompanied by twelve (12) copies of the sketch plat in accordance with this Ordinance.

B. TIME. The application shall be submitted to the Board Secretary at least two (2) weeks prior to the regular meeting at which consideration is desired.

C. NOTICE AND HEARING. Notice and public hearing on application for minor subdivision shall be waived if the Board or subdivision committee thereof finds that the application for development conforms to the definition of minor subdivision. Approval shall be deemed to be final approval of the subdivision by the Board.

D. APPROVAL. Approval shall be granted or denied within forty five (45) days of the date of submission of the complete application or such further time as may be consented to by the applicant. Failure to act

within the period shall constitute approval and a certificate of the Board Secretary as to the failure of the Board to act, shall be issued on request of the applicant and be sufficient in lieu of a written endorsement or other evidence of approval herein required and be so accepted by the County Clerk for purposes of filing in the same manner as an approved deed.

Whenever review or approval of the application by the County Planning Board is required, the Borough Planning Board shall condition its approval upon timely receipt of a favorable report from the County Planning Board or approval by the County Planning Board by its failure to report thereon within the required time. Approval shall expire one hundred and ninety (190) days from the date of Borough approval unless within such period, a deed in conformity with such approval describing the minor subdivision is filed by the developer with the County Clerk, the Borough Engineer and the Borough Tax Assessor. Any such deed accepted for filing shall have been signed by the Chairman and Secretary of the Planning Board.

E. PROTECTION'. The zoning requirements and general terms and conditions whether conditional or otherwise upon which approval was granted, shall not be changed for two (2) years after date of approval, provided the deed shall have been duly recorded as provided herein.

F. DEED. The deed description shall indicate that twenty five (25) feet from the centerline of the public road upon which the lot fronts is dedicated for public use as a road. Required lot size shall not include any area dedicated for or within the road right of way. The deed description shall run to the centerline of the public road and contain the statement that it is subject to the rights of the public for use as a public road within the strip twenty five (25) feet wide running along the centerline of the public road.

4. MAJOR SUBDIVISIONS.

A. DEFINITIONS. All subdivisions not classified as minor subdivisions are major subdivisions.

B. PROCEDURE FOR PRELIMINARY APPROVAL. The applicant shall submit to the Board Secretary, a plat and other such information as necessary to make an informed decision as to whether their requirements for preliminary approval has been met. This shall include an Environmental statement in accordance with this Ordinance. This plat and other engineering documents shall be required in tentative form for

discussion purposes for preliminary approval. If the application for development is found to be incomplete, the developer shall be notified within forty five (45) days of submission or it shall be deemed to be properly submitted.

C. AMENDMENTS. If the Board requires any substantial amendment in the layout of improvements proposed by the developer, that have been the subject of a hearing, an amendment application shall be submitted and proceeded upon as in the case of the original application. The Board shall, if the proposed' subdivision complies with the Ordinance and this act, grant preliminary approval to the subdivision.

D. TIME FOR APPROVAL. Upon submission to the Board Secretary of a complete application for a subdivision of ten (10) or fewer lots, the Board shall grant or deny preliminary approval within forty five (45) days of such submission or with such further time as may be consented by the developer. Upon submission of a complete application for a subdivision of more than ten (10) lots, the Planning Board shall grant or deny preliminary approval within ninety five (95) days of the date of such submission, or within such further time as may be consented by the developer. Otherwise the Planning Board shall be deemed to have granted preliminary approval to the subdivision.

F. EFFECT OF PRELIMINARY APPROVAL. Preliminary approval of a major subdivision shall confer upon the applicant the following rights for a three (3) year period from the date of the preliminary approval:

I. That the general terms and conditions on which preliminary approval was granted shall not be changed, including, but not limited to, use requirements, layout and design standards for streets, curbs, and sidewalks, lot size, yard dimensions and off tract improvements, except that nothing herein shall be construed to prevent the Borough from modifying by Ordinance such general terms and conditions of preliminary approval as they relate to public health and safety.

II. That the applicant may submit for final approval on or before the expiration date of preliminary approval, the whole or a section or sections of the preliminary subdivision plat.

III. The applicant may apply for and the Board may grant extensions on such preliminary approval for additional periods of at least one (1) year, but not to exceed a total

extension of two (2) years, provided, that if design standards have been revised by Ordinance, such revised standards may govern.

IV. If the subdivision is for an area of fifty (50) acres or more, the Planning Board may grant the rights referred to in the subparts A, B, and C above, for such period of time longer than three (3) years as determined by the Board as reasonable, taking into consideration:

- a. The number of dwelling units and nonresidential floor area permissible under preliminary approval.
- b. Economic conditions.
- c. The comprehensiveness of the development.

V. The applicant may thereafter apply for and the Board may grant an extension to preliminary approval for such additional period of time as shall be determined by the Board to be reasonable, taking into consideration:

- a. The number of dwelling units and nonresidential floor area permissible under preliminary approval.
- b. The potential number of dwelling units and nonresidential floor area of the section or sections awaiting final approval.
- c. Economic conditions.
- d. The comprehensiveness of the development, provided, that if the design standards have been revised, such revised standards may govern.

Revised December 1991

ARTICLE IV
SECTION 6

PLAT DETAILS

1. PRELIMINARY PLAT DETAILS. All plats shall be clearly and legibly drawn and reproduced at a scale of not less than one inch (1") equals fifty feet (50'). They shall be drawn by a licensed New Jersey Land Surveyor, or a licensed New Jersey professional engineer. The plat shall show or be accompanied by the following information:

A. KEY MAP. An adequate key map showing the entire subdivision and its relation to existing areas.

B. NUMBER OF LOTS. Lot layout, dimensions and area in square feet which shall not include any abutting area designated for road right of way purposes.

C. OTHER CONTENTS. The tract name, tax lot sheet, block and lot number, date reference, meridian, graphic scale and the following names and addresses:

I. Record owner or owners.

II. Subdivider.

III. Person who prepared map.

D. ACREAGE. Acreage of tract to be subdivided to nearest tenth (1/10) of an acre.

E. ELEVATIONS. Contours, sufficient elevations and contours at five foot (5') vertical intervals for slopes averaging ten percent (10%) or greater, at two foot (2') intervals for land of lesser slope to determine the general slope and natural drainage of the land and the high and low point.

F. EXISTING AND PROPOSED LOCATIONS. The location of existing and proposed property lines, streets, buildings, water courses, railroads, bridges, culverts, drain pipes and any natural features, such as wooded areas, large trees and rock formations.

G. STREETS. Plans and profiles of cross section of every fifty feet (50') of all proposed streets within the subdivision and profiles of existing or future continuing streets, a minimum distance of two hundred feet (200') beyond the subdivision boundaries.

H. UTILITIES. Plans of proposed utility layouts (water, gas and electricity), showing connections to existing or proposed utility systems.

I. SEWERS, DRAINS, DITCHES, ETC. Plans and profiles of all proposed and existing sanitary sewers, storm drains, drainage ditches and streams within the subdivision, together with the location, sizes, elevations, grades and capacities of any existing sanitary sewers, storm drains, drainage

ditch or stream to which the proposed facilities shall be connected. When storm drains, drainage ditches or brook channel improvements are proposed or required, the plan for such improvement must be approved by the State Water Policy Commission if said improvement is of sufficient size to so warrant.

J. PERCOLATION TESTS. When a public sewerage disposal system is not available, a developer shall have percolation tests made and submit same to the Board of Health for approval. The developer shall show the location and results of the percolation tests on the plat map. The tests shall be done in the area where the disposal facilities will be located. No subdivision or part thereof shall be considered where results of said percolation tests do not meet the established requirements of this Ordinance or other applicable ordinances or regulations, nor shall any subdivision or part thereof be considered where other physical characteristics of the land would cause septic conditions unsanitary to the public or contrary to the requirements of this Ordinance or other applicable ordinances or regulations. Any remedy proposed to overcome such situations or conditions shall first be approved by the appropriate local or state health agency.

K. PRIVATE SEWERAGE DISPOSAL. Plans for an individual sewerage disposal system where same is proposed. Said plans shall be approved by the appropriate local or state health agency.

L. FURTHER INFORMATION. When the development of the subdivision or improvements within the subdivision are contingent upon information outside the boundaries of said subdivision, such information shall be supplied by the subdivider prior to Board consideration for subdivision approval.

M. SET BACK LINES. Minimum building setback lines on all lots and other sites.

N. DEED RESTRICTIONS. A copy of any protective covenants or deed restrictions applying to the land being subdivided shall be submitted with the preliminary plat.

O. STORM WATERS. Topographical information and storm drainage studies on any water disposal problems in accordance with the rules and regulations of the Board. If in the opinion of the Board the subdivision may create, or contribute to a drainage problem, the Board may require adequate guarantees from the applicant.

2. FINAL APPROVAL OF MAJOR SUBDIVISION.

A. The Planning Board shall grant final approval if the detailed drawings specifications and estimates conform to the standards established by ordinance for final approval, the conditions of the preliminary approval and the standards prescribed by the map filling law, N.J.S.A. 46:23—9.9 et seq.

B. Final approval shall be granted or denied within forty five (45) days after submission of a complete application to the Board Secretary or within such further time as may be consented to by the applicant. Failure of the Board to act within the period prescribed, shall constitute final approval and a certificate of the Board Secretary as to the failure of the Board to act shall be issued on request of the applicant, shall be sufficient in lieu of written endorsement or other evidence of approval and shall be so accepted by the County Clerk for purposes of filling subdivision plats.

C. Whenever review or approval by the County Planning Board is required, local approval shall be conditioned upon timely receipt of a favorable report from the County Planning Board or its failure to report thereon within the required time period.

3. EFFECTS OF FINAL APPROVAL.

A. The zoning requirements and all other rights applicable to the preliminary approval whether conditional or otherwise, shall not be changed for a period of two (2) years, provided if the standards prescribed for final approval have been followed, the Planning Board may extend the period of protection for periods of one (1) year not to exceed three (3) extensions. Final approval terminates the time period of preliminary approval for the section involved.

B. In the case of twenty five (25) acres or more, these rights may be granted for a longer period of time, taking into consideration:

I. The number of dwelling units and non-residential floor area permissible.

II. Economic conditions.

III. The comprehensiveness of the development. Thereafter an extension of final approval may be granted for such additional periods of time as reasonable, taking into consideration:

a. The number of dwelling units and non-residential floor area permissible under final approval.

b. The number of dwelling units and non-residential floor area remaining to be developed.

- c. Economic conditions.
- d. The comprehensiveness of the development.

4. PRELIMINARY APPROVAL VARIANCES. The Board when acting on applications for preliminary approval, may grant exceptions from the requirements for subdivision approval, as may be reasonable and within the general purpose and intent of the requirements if the literal enforcement of one or more provisions is impractical or will enact undue hardship because of peculiar conditions pertaining to the land in question.

5. FINAL FLAT CONTENTS. The final plat shall be drawn by a licensed New Jersey land surveyor or professional engineer on mylar twenty four by thirty six inches (24" x 36") at a scale of not less than one inch equals fifty feet (1" = 50') in compliances with provisions of N.J.S.A. 46:23-9.9 et seq. as the same may be amended, and additional copies shall be drawn at a scale of one inch equals one hundred feet (1" = 100') to be filed with the Borough Engineer for tax map purposes. The final plat shall show or be accompanied by the following:

- A. IDENTITY. Date, name and location of the subdivision, name of the owner, or owners, or partnership, or corporation, graphic scale and reference meridian.
- B. OTHER CONTENTS. Tract boundary lines, right of way lines, of streets, street names, easements and other rights of way, planned to be reserved or dedicated to public use, all lot lines and other site lines, with accurate dimensions, bearings, radii, cord, arcs and central angles of all curves.
- C. PUBLIC USE. The purpose of any easement or land reserved or dedicated to public use shall be so designated, and the proposed use of site other than residential, shall be noted.
- D. BLOCK AND LOTS. All block and lot numbers shall be approved by the engineer, shall be related to existing block and lot numbers as shown on the official tax map of the Borough.
- E. SET BACK LINES. Minimum building set back lines on all lots and other sites.
- F. MONUMENTS. Location and description of all monuments.
- G. OWNERS. Names of owners of adjoining properties and those across any existing or proposed street.
- H. ACCURACY. Certification by the surveyor as to the accuracy of the details of the plat.

- I. CONSENT OF OWNER. Certification that the applicant is agent or owner of the land, or that the owner has given consent under an option agreement.
- J APPROVAL. When approval of a plat is required by any officer or body whether municipal, county or state, approval shall be certified on the plat.
- K. PROFILES. Cross-sections and profiles of streets, curbs, or gutter, catch basins and storm sewers showing grades and approved by the Borough Engineer.
- L. CONTOURS. Contours at five foot (5') intervals for slopes averaging ten percent (10%) or greater, and at two foot (2') intervals for land at lesser slopes.
- M. SEWERS, MAINS. Plans and profiles of storm and sanitary sewers and water mains approved by the Borough Engineer.
- N. STREAMS. All streams, ditches and water courses.
- O. TAXES. Certificate from Borough Tax Collector that all taxes are paid to date.
- P. COPIES. Prior to the hearing, copies of the plat shall be forwarded by the Board to the following:
 - I. Borough Assessor.
 - II. County Planning Board.
 - III. Local Board of Health.
 - IV. Borough Engineer.

6. RECORDING OF FINAL APPROVAL.

- A. Final approval shall expire ninety five (95) days from the date of signing of the plat, unless within that period the plat shall have been duly filed by the developer with the County Clerk. The Planning Board may, for good cause shown, extend the period for recording for an additional period not to exceed one hundred and ninety (190) days from the date of signing of the plat.
- B. No subdivision plat shall be accepted for filing by the County Clerk, until it has been approved by the Board as indicated by the signature of the Chairman and Secretary of the Board or a certificate has been issued regarding failure to act within the required time period. The signatures of the Chairman and Secretary of the Board shall not be affixed until the developer has posted the guarantee as required under this Ordinance. If the County Clerk records any plat without such approval, such recording shall be deemed null and void and on request of the Borough, the plat shall be expunged from the official records.
- C. It shall be the duty of the County Clerk to notify the Planning Board, in writing, within seven (7) days of the filing of any plat, identifying

the instrument by its title, date of filing and official number.

7. **GUARANTEE REQUIRED.** Before recording a final subdivision plat, the Board shall require, for the purpose of assuring installation and maintenance of contract improvements the furnishing of a corporate surety performance bond in favor of the Borough, together with a cash deposit all in accordance with the requirements as set forth herein for final site plan approval.

8. **ENVIRONMENTAL IMPACT STATEMENT REQUIRED ON PRELIMINARY APPROVAL.** As part of the documents to be submitted by the applicant at the time of application for preliminary major subdivision approval, there shall be submitted in support thereof an Environmental Impact Statement in accordance with this Ordinance.

Revised December 1991

ARTICLE IV
SECTION 7

CERTIFICATES AND TIME PERIODS

1. CERTIFICATES SHOWING APPROVAL. A prospective purchaser, mortgagee or other person interested in any land forming a part of a subdivision, or which formed part of a subdivision since August 1, 1973, may apply in writing to the Borough Clerk or other designated Borough official, for the issuance of a certificate certifying whether or not such a subdivision has been approved by the Planning Board. The application shall contain a diagram showing the location and dimension of the land to be covered by the certificate and the name of the owner thereof. The Borough official shall make and issue such certificate within fifteen (15) days after receipt of the application and the fees therefore. The Borough official shall keep a duplicate copy of the certificate consecutively numbered including a statement of the fee charged, in a binder as a permanent record of his office. Each certificate shall be designated a "Certificate as to Approval of Subdivision of Land" and shall certify:

A. Whether there exists in the Borough a duly established Planning Board and whether there is an ordinance controlling subdivision of land adopted under authority of the act.

B. Whether the subdivision as it relates to the land shown in said application, has been approved by the Planning Board and if so, the date of approval and any extensions and term thereof, showing the subdivision of which the lands are part as a valid existing subdivision.

2. RIGHT OF OWNER COVERED BY CERTIFICATE. Any person who shall acquire for a valuable consideration an interest in lands covered by any such certificate of approval of a subdivision in reliance upon the information therein contained, shall hold such interest free of any right, remedy or action which could be prosecuted or maintained by the Borough.

If the designated Borough officer required to issue such certificate, fails to issue the same within fifteen (15) days after receipt of the application and fees therefore, any person acquiring an interest in the land described in the application shall hold such interest free of any right, remedy or action which could be prosecuted or maintained by the Borough.

Any such application addressed to the Clerk of the Borough, shall be deemed to be addressed to the proper designated officer and the Borough shall be bound thereby to the same extent as though the same were addressed to the proper designated official.

3. AS BUILT IMPROVEMENT PLANS. The developer shall provide and file with the Borough Engineer, one complete set of as built improvement plans and profiles, showing actual construction as approved prior to release of performance guarantees on a major subdivision.

4. INSPECTION COSTS. All improvements (except electric and gas), shall be installed under the supervision and inspection of the Borough Engineer, the cost thereof to be borne by the developer. Inspection costs shall be computed at five percent (5%) of the total cost of the improvement by the Borough Engineer and such amount in the form of cash or certified check, shall be deposited with the Borough Clerk before commencement of any construction. If construction is commenced prior to tentative or final subdivision approval, the developer shall likewise deposit a sum in the amount estimated by the Borough Engineer to be credited toward said five percent (5%) inspection charge. No refund of inspection deposit shall be made.

5. COMMENCEMENT OF WORK. No construction work shall commence without the Borough Engineer being properly notified. Such notice shall be given at least seventy two (72) hours before commencement of work.

6. PLANNING BOARD REVIEW IN LIEU OF BOARD OF ADJUSTMENT. The Planning Board when reviewing applications for approval of subdivision plats, shall have the power to grant to the same extent and subject to the same restrictions as the Board of Adjustment, variances in accordance with the terms of this Ordinance.

7. TIME PERIODS. Whenever an application for approval of a subdivision plat includes a request for a variance, it shall be granted or denied within ninety five (95) days of receipt of a complete application, or such further time as consented to by the applicant. Failure to act within this time shall constitute approval and such a certificate to such effect shall be issued on request of the applicant by the Board Secretary.

Whenever review or approval by the County Planning Board of the application is required, the Borough Planning Board shall condition its approval upon timely receipt of a favorable report by the County Planning Board or approval by its failure to report thereon within the required time period.

Revised December 1991

ARTICLE IV
SECTION 8

IMPROVEMENTS AND DESIGN STANDARDS

Prior to the granting of final approval, the sub-divider shall have installed or furnished performance guarantees the ultimate installation of the following:

1. **STREETS.** A right of way width of fifty feet (50') shall be dedicated. They shall be granted and constructed in accordance with construction standards and specifications of the Borough, with a thirty foot (30') minimum width, except that the Board may allow a twenty four foot (24') minimum on cul-de-sacs or short streets. Collector streets shall have a minimum paved width of thirty feet (30') from curb line to curb line. Arterial streets shall have a minimum paved width of thirty six feet (36') from curb line to curb line. Arterial streets and collector streets may be given increased special specification by the Board if subject to heavy use. (See Article II, Section 208 also).

2. **GRADES.**

A. Grades for main traffic arteries shall not exceed six feet (6') in one hundred feet (100').

B. Grades for all streets other than main traffic arteries shall not exceed ten feet (10') in one hundred feet (100').

C. The grade of a street shall not exceed two percent (2%) for a distance of fifty feet (50') from its intersection with the pavement line of another street.

3. **STREET INTERSECTIONS.** Shall be as nearly at right angles as possible and in no case shall be less than seventy (70) degrees. The block corners shall be rounded at the curb line with the curve having a radius of not less than twenty feet (20'). Normally the radius at the property line shall not be less than ten feet (10'). Longer radii shall be provided when the Planning Board finds it reasonably necessary to accommodate traffic or topographical conditions or when a special feature of a subdivision requires emphasis.

4. **STREET JOGS.** Center line offset of less than one hundred and twenty five feet (125') shall be prohibited.

5. **REVERSE CURVES.** A tangent of at least one hundred feet (100') long shall be introduced between reverse curves on arterial and collector streets.

6. STREET CONNECTIONS. When connecting street lines deflect from each other at any one point by more than ten (10) degrees and not more than forty five (45) degrees, they shall be connected by a curve with a radius of not less than one hundred feet (100') for minor streets and three hundred feet (300') for arterial and collector streets.

7. GRADE. A vertical curve shall be provided at each change of grade. A vertical curve shall have a length sufficient to enable a driver with his eye at four and one half feet (4 1/2') above the street surface to observe an object four feet (4') high in the same line at a distance of not less than one hundred and fifty feet (150') but in no case shall the length of a vertical curve be less than one hundred feet (100').

8. DEAD END STREETS (CUL-DE-SACS). Shall not be longer than six hundred feet (600') and shall provide a turn around at the end with a radius of not less than twenty five feet (25') and tangent whenever possible to the right side of the street. If the dead end street is of a temporary nature, a similar turn around shall be provided and provisions made for future extension of the street and reversion of the excess right of way to the adjoining properties.

9. NAMES. No street shall have a name which will duplicate or so nearly duplicate as to be confused with the names of existing street. The continuation of an existing street shall have the same name.

10. STREET SIGNS. To the same type and design as the street signs currently in use in the Borough and shall be installed in accordance with applicable Borough Ordinances and state statutes in such manner that the name of each intersecting street is clearly visible to approaching traffic. Where traffic signs are deemed necessary by the Borough, such signs shall be required. The cost of sign and installation of same shall be borne by the developer.

11. ADDITIONAL DEDICATION. Subdivisions that adjoin or include existing streets that do not conform to widths as shown on the Master Plan or official map of the street width requirements of this ordinance shall dedicate additional width along either one or both sides of said road. If the subdivision is along one side only, one-half (1/2) of the required extra width shall be dedicated.

12. **INTERNAL ROAD WIDTHS.** The right of way width for internal roads and alleys in multi-family, commercial and industrial development shall be determined on an individual basis, and shall in all cases be of sufficient width and design to safely accommodate the maximum traffic, parking and loading needs and maximum access for fire fighting equipment.

13. **RESERVE STRIPS.** No subdivision showing reserve strips controlling access to streets shall be approved except where the control and disposal of land comprising such strip has been placed in the governing body under conditions approved by the Planning Board.

14. **CURBS, GUTTERS AND SIDEWALKS.** Concrete sidewalks shall be installed along one or both sides of all streets designated by the Planning Board. Sidewalks shall in all cases be of sufficient width to accommodate the maximum pedestrian traffic, but in no case shall be less than five feet (5') in width in a business zone and four feet (4') in all other zones, and shall be constructed in accordance with the standards and specifications of Section 8, Division 5, of the above State Specifications. Concrete curbs shall be installed on both sides of all streets, running from one end of the street to the other with continuous curbs at the intersections of streets. Drop curbs shall be provided in the curb line at the appropriate places for driveways or entrance points. Sidewalks shall be of concrete.

15. **STREET LIGHTING.** Street lighting shall be provided at points designated by the Planning Board.

16. **SHADE TREES.** Shade trees shall be planted along each side of every street at intervals, in types, sizes and locations according to standards approved by the Planning Board. They shall be located two feet (2') back of the property line and shall not be placed closer than twenty five feet (25') to an existing or proposed street intersection.

Existing trees near street right-of-way shall be preserved where practical.

Shade trees will not be required if the Planning Board finds that the trees already existing on property which will not be destroyed by the subdivision, will provide sufficient foliage and that the resulting informal arrangement of trees in the subdivision will be at least equally desirable. In such cases, the Planning Board may designate shrubs to be planted by the developer in lieu of providing shade trees.

Tree wells. Trees whose trunk base is covered or filled to a depth of six inches (6") or more above its original grade shall be properly welled in accordance with the standards and specifications of Section 3, Division 7, of the above State Specifications.

All trees not surviving after one (1) growing season, shall be replaced by the developer. Other species may be proposed in writing to the Board subject to its approval. The Board may provide rules and regulations compelling the sub-divider or developer at his sole expense to retain a qualified Forester to report to the Borough Engineer as to what can be done to save existing trees, etc.

Disposal of dead trees, etc., all stumps, litter, rubbish, brush, weeds, dead and dying trees, roots and debris shall be removed or destroyed immediately upon the request of and to the satisfaction of the Borough Engineer.

17. UNDERGROUND ELECTRIC AND TELEPHONE UTILITIES.

A. The applicant shall arrange with the serving utility for the underground installation of the utilities' distribution supply lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions Incorporated as part of its Tariff as the same are then on file with the State of New Jersey Board of Public Utility Commissioners and shall submit to the Planning Board prior to the granting of approval a written instrument from each serving utility which shall evidence full compliance with the provisions of this paragraph; provided, however, that lots in such subdivision which abut existing streets where overhead electric or telephone distribution supply lines have theretofore been installed on any portion of the streets involved may be supplied with electric and telephone service from such overhead lines or existing extensions thereof but the service connections from the utilities overhead lines shall be installed underground.

B. On minor subdivision the Planning Board shall determine the necessity for the advisability of installing underground utility services. If the Planning Board determines that the utility services shall be installed underground then the applicant shall comply with all the requirements as set forth in paragraph A. immediately preceding this paragraph.

C. Whenever the utility is not installed in the public right of way, an appropriate utility easement not less than fifteen feet (15') in width shall be provided.

18. BLOCKS.

A. GENERAL. Block length and width, or acreage within bounding roads shall be as such as to accommodate the size of the lot required in the area by the Borough Zoning Ordinance and to provide adequately for sewage disposal, convenient access, circulation, control and safety of street traffic.

B. SIZE. Blocks shall not be less than six hundred feet (600') in length and not a lesser number in feet in width than is necessary to comply with the Borough Zoning Ordinance, except where the Board may deem that the existing conditions or special plans warrant a variation from such minimum requirements.

C. COMMERCIAL, ETC. Block sizes for commercial, business or industrial use shall be sufficient to meet all area and yard requirements for such use.

D. EASEMENTS, ETC. Rights-of-Way and easements within blocks in commercial, business or industrial areas shall be not less than twenty feet (20') in width

19. LOTS.

A. GENERAL. Lot dimensions, front, side and rear yards, total area in square feet, and frontage shall not be less than the requirements of the Zoning Ordinance.

B. SIDELINES. Insofar as practical, side lot lines shall be at right angles to streets and radial to curved streets.

C. SETBACKS. Where extra width has been dedicated for widening of existing streets, all setbacks shall be measured from such line.

D. EASEMENTS EXCLUDED. Easements for natural water courses shall not be deemed part of any servient lot for the purpose of complying with area, frontage and yard requirements.

E. SUBSTANDARD SUITABILITY. Where there is a question of the suitability of a lot or lots for their intended use due to factors such as flood conditions, sewerage disposal or similar circumstances, the Board may, after adequate investigation, with professional assistance if deemed necessary, withhold approval of such lots.

F. GRADES. Grade plans shall be submitted and grades shall be not less than one percent (1%) unless otherwise specified by the Board.

20. AREAS.

A. UTILITY EASEMENTS. In large scale developments or where unusual circumstances warrant, easements may be required for utility installation. Such easements shall be at least fifteen feet (15') wide and located

shall be at least fifteen feet (15') wide and located after consultation with the utility companies or Borough agencies concerned.

B. DRAINAGE EASEMENTS. Where a subdivision is traversed by water course, drainage way, channel or stream, there shall be provided a storm water easement or drainage right—of—way at least fifteen feet (15') wide conforming substantially with the lines of such water course, and further width as will be adequate for the purpose of disposing of storm waters, and -for flood control. Such easements shall be deeded to the Borough prior to final subdivision approval.

C. CONSERVATION. Natural features such as trees, brooks, hilltops and views shall be preserved whenever possible.

D. RECREATION AREAS. May be required.

21. CURBS AND/OR GUTTERS. Curbs shall be constructed of class B concrete in accordance with the construction standards and specifications of Section 5, Division 5, of the above state specification. Gutters, when allowed by the Board, shall be constructed of class B concrete in accordance with the construction standards and specifications of Section 4, Division 5, of the above state specification and shall be of two feet (2') minimum width.

(See Article II, Section 208 also).

22. DRAINAGE STRUCTURES. Drainage structures such as culverts, headwalls, manholes, inlets and catch basins shall be constructed in accordance with Section 3, and Section 12, Division 5, of the above state specifications. Drainage shall be constructed according to approved practice and design. The velocity shall be greater than two feet (2') and less than three feet (3') per second. For those velocities there shall be provided a well grassed ditch. Where velocities of flow are between three feet (3') and four feet (4') per second, the ditches are to be sodded. Where velocities are between five feet (5') and seven feet (7') per second, they shall be made of cobbled stone [nine inches (9'') stone minimum on three inch (3'') gravel bed] or bituminous paving [six inches (6'') thick on four inches (4'') gravel bed]. Where velocities of flow exceed seven feet (7') per second or where change of direction of flow will cause erosion, then the bottom and the banks of the ditches shall be protected with a suitable material such as rip rap or concrete bag material installed in accordance with Section 15, Division 2, of the above state specifications. The sides of the ditch shall be sloped at three to one (3:1) wherever practical and not steeper than one and one half to one (1 1/2: 1). The ditch cross section shall be designed by use of Mannings Formula.

Culverts shall be at least twelve inches (12”) in diameter under driveways. Sanitary sewers, where required, shall be adequately sized and in conformance with the State Department of Health Regulations and Borough Department of Health Regulations. All storm and drainage pipes and appurtenances shall be adequate in size to provide for the proper drainage of the contributing areas with final discharge to an adequate natural or artificial water course. Design size and capacity shall be sufficient to carry the runoff of a storm frequency period of one (1) year with all tributary land area fully developed.

Water mains when installed shall be in accordance with specifications of the water supplier and shall not be less than six inch (6”) pipes, except where otherwise permitted by the rules and regulations of the New Jersey Public Utility Commission and shall be properly connected with an approved system of sufficient size and capacity to provide fire protection.

23. BANK AND SLOPE PROTECTION. Bank and slope protection in cuts or fills and wherever else it is deemed necessary by the Planning Board shall be provided by the use of top—soiling and seeding — Section 5, slope Boards — Section 6, sodding — Section 8, and planting — Section 10, Division 7, of the above state specifications.

24. TOP SOIL PROTECTION. No top soil shall be removed from the site or used as fill. Top soil moved during the course of construction shall be redistributed so as to provide at least six inches (6”) of cover to all areas of the subdivision and shall be stabilized by seeding or planting.

25. EARTH REMOVAL. No change shall be made in the elevation or contour of any lot or site by the removal of earth to another lot or site other than a required minimal amount as determined by the Borough Engineer, except as approved by the Board. All changes in elevation and contours approved by the Engineer and Board shall be shown on the preliminary and final plat profiles.

26. MONTJNENTS. To be of the size and shape required by the New Jersey Revised Statutes 46:23—9.4 and shall be placed in accordance with said statute.

27. FIRE HYDRANTS. To be installed on proposed water mains of intervals of not more than twelve hundred feet (1200') and shall be placed so as to afford fire protection in an overlapping radius of not more than six hundred feet (600') in each direction from the hydrant location. All hydrants shall be placed at or near street intersections or at property lines in such manner as approved by the Board, so as to least interfere with the use of roads and property.

28. CONSTRUCTION SPECIFICATIONS. The construction standards and specifications of the Borough as now or hereafter adopted, if any, shall govern the construction and installation of all of the above improvements. Failure of the sub-divider, developer, his contractor or agent, to conform to said specification will be just cause for the suspension of the work being performed, and no person, firm or corporation shall have the right to demand or claim damage from the Borough, its officers, agents, servants, by reason of said suspension.

29. PARKING AREAS. Parking areas shall be enclosed by concrete or granite block curbing six inches (6") above the paved surface and, unless otherwise required by this ordinance, located at least five feet (5') from any property line or nearest structural wall of a building, except that in the business zones parking areas may be constructed up to the property line which abuts a parking area on property in the business zones, and further provided that proper access and circulation between the two (2) parking areas is provided. Upon recommendation of the Borough Engineer, the Planning Board may waive the curbing requirement where considered advisable in order to facilitate surface drainage.

29-1 Parking areas shall include a separate landscaped island buffer for every twelve (12) cars that are able to park in a row. All head to head parking shall be separated by a landscaped buffer. The type of landscaped buffer and sidewalks for pedestrian use will be at the discretion of the Planning Board.

29-2 Site plans in the B-I, B-2, and RON districts which abut a residential district must provide a solid landscaped screen. Said landscaping shall consist of massed evergreens and deciduous trees and shrubs of such species and size that will produce within two (2) growing seasons, a screen at least eight (8) feet in height, and of such density as will effectively obscure the light of automobile headlights emitted from the premises throughout the full course of the year. Such buffer plantings shall be at least ten (10) feet in width at the time of planting.

29-3 Site plans in the B-1, 5-2, and ROM districts must provide one shade tree for every five (5) proposed parking spaces. These shade trees shall be evenly arranged throughout the parking area and shall be protected by curbed islands wherever practical. Shade trees shall be a minimum two inch (2") caliper at the time of planting.

30. WATER SERVICES - All new water service lines to residential or commercial structures shall be constructed of Type "K" copper from the water main to the structure. The minimum size water service line permitted shall be 3/4". The use of plastic piping for exterior water service lines is prohibited. Corporation stops are required on all new services and shall be for copper service. Curb valves and cast iron extension boxes shall be provided on all water services.

Any existing water services which require repair or replacement shall conform to the specifications provided above to the extent that the repair and/or replacement is required.

Revised December 1995

ARTICLE IV
SECTION 9

PENALTIES

PRIOR TO FINAL SUBDIVISION APPROVAL. If before final subdivision approval has been granted, any person transfers or sells or agrees to transfer or sell, except pursuant to an agreement expressly conditioned on final subdivision approval, as owner or agent, any land which forms a part of a subdivision for which Borough approval is required pursuant to this Ordinance, such person shall be subject to a penalty not to exceed one thousand dollars (\$1000.00) and each 1t disposition so made shall be deemed to be a separate violation. -

In addition to the foregoing, the Borough may institute and maintain a civil action:

A. For injunctive relief, and

B. To set aside and invalidate any conveyance made pursuant to such a contract of sale, if a certificate compliance has not been issued in accordance with this Ordinance.

In such action, the transferee, purchaser or grantee shall be entitled to a lien upon the portion of the land from which the subdivision was made, that remains in the possession of the developer or his assigns or successors, to secure the return of any deposits made or purchase price paid and also reasonable search fees; survey expense and title closing expense, if any. Any such action must be brought within two (2) years after the date of recording of the instrument of transfer, sale or conveyance or within six (6) years if unrecorded.

This Ordinance shall take effect on February 1, 1977.

ARTICLE V

GENERAL REGULATIONS

500. APPLICABILITY OF REGULATIONS. No building shall hereafter be erected nor shall any existing building be moved, structurally altered, rebuilt, added to or enlarged, nor shall any land be designed or used for any purpose other than those included among the uses listed as permitted uses in the applicable zone by this Ordinance and meeting the requirements set forth by the Schedule appended hereto and comprising a part of Article XI of this Ordinance. Nor shall any open space contiguous to any building be encroached upon or reduced in any manner, except in conformity to the yard, lot area, building location, percentage of lot coverage, of f— street parking requirements and such other regulations designated in said Schedule and in this Ordinance for the zone district in which such building or space is located. In the event of any such unlawful encroachment or reduction, such building shall be deemed to be in violation of this Ordinance, and the Certificate of Occupancy shall become void. Accessory buildings and uses to permitted principal or main building and uses, in addition to those specifically listed herein, shall be permitted on the same lot as the principal or main building or use to which they are accessory, to the requirements of this Ordinance.

501. ACCESSORY BUILDING. An accessory building attached to a principal building shall comply in all respects with the yard requirements of this Ordinance for the principal building. A detached accessory building shall be located to the rear of the front building line of the principal building, and if located in a side yard, shall comply to the said yard requirements of the zone district in which it is located.

501.1 For the purpose of regulating the locations of accessory buildings, all portions of a corner lot or through lot which fronts on two (2) parallel streets shall be subject to the front yard requirements of the zone district in which it is located.

502. FRONTAGE ON A STREET. All dwellings or main buildings shall be constructed or located upon a lot abutting and having frontage upon a street.

503. YARDS.

503.1 YARDS FACING PUBLIC STREETS. All yards facing on a street shall be considered front yards and shall conform to the minimum front yard requirements for the zone in which they are located.

503.2 CORNER LOTS. Corner lots shall provide the minimum front yard requirements for the prospective zone for both intersection streets, both principal and accessory buildings.

503.3 YARDS FACING ON PROPOSED RIGHT-OF-WAY WIDENING.

Where a building lot has frontage on a street where the Borough indicates is proposed for right-of-way widening, the required front yard area shall be measured from such proposed right-of-way line.

503.4 FIRE ESCAPES IN YARDS. Open fire proof fire escapes or stairways may project not more than eight feet (8') into any side or rear yard.

503.5 NO STORAGE IN FRONT YARDS. No front yard shall be used for open storage of boats, vehicles, or any other equipment except for permitted vehicular off-street parking or vehicular parking on driveways. All open storage shall be properly landscaped in accordance with provisions of Section 513.

504. YARD MEASUREMENT.

504.1 FRONT YARD DEPTH. The depth of a front yard shall be measured between the street line established by the intended ultimate right-of-way of the street(s) on which the lot fronts and the nearest point of the principal building of the lot. The depth of the front yard shall be measured perpendicular to the street line.

504.2 SIDE YARD. A side yard shall be measured perpendicular to the street line and the dimension of the side yard shall be the distance between the side lot line and the nearest point of the building or structure, for which the side yard is being measured, to that side lot line.

504.3 REAR YARD. A rear yard shall be measured perpendicular to the street line and the dimension of the rear yard shall be the distance between the rear lot line and the nearest point of the building or structure for which a rear yard is being measured to the rear lot line. Where a property has a minimum of two hundred feet (200') of frontage on a railroad or railroad siding, the owner may elect the side of the property fronting on the railroad as the rear yard if such is approved by the Board.

505. OBSTRUCTION OF VISION AT INTERSECTION. At an intersection there shall be no obstruction of vision between the height of three feet (3') and ten feet (10') above the centerline grade of the street within the triangle defined by measurement along the nearest street lines for the first forty feet (40') of each of the intersecting streets for local streets. Said distances shall be increased to seventy feet (70') if either street is a collector street or increased to one hundred feet (100') if one of the streets is an arterial street, all as defined by the Hunterdon County Street and Circulation Plan. Such site triangles shall be graded as necessary and kept clear of any building, solid planting over three feet (3') or sign or other obstruction which would impair clear vision of traffic at the intersection.

506. PRESERVATION OF NATURAL FEATURES. (See also Article IV, section 8)

506.1 TOPSOIL STRIPPING. Stripping of topsoil for sale or for use on other premises, except as may be incidental to construction, shall be prohibited in all Districts. Topsoil removed incidental to construction shall be retained on lot and redistributed after construction over areas not occupied by buildings, walks, parking spaces, driveways or other improvements, except where this is impractical.

506.2 STREAM SETBACK REQUIREMENTS. No use, other than agricultural use of land, otherwise permitted by this Ordinance, shall be established upon land or fill having an elevation lower than the highest elevation of any known flood plain which effects the property; and no building shall be constructed so as to have any floor level less than one foot (1') above the highest elevation of any adjacent known floodplain. Additionally, in residential zones only, no private structures shall be constructed closer than one hundred feet (100') to the bank of any stream as determined at normal flow. In any case, notice shall be given to the Water Policy and Supply Council of the State of New Jersey prior to any construction in any known floodplain.

506.3 RETENTION OF NATURAL FEATURES. Existing natural features such as trees, brooks, drainage channels, and views shall be retained. Whenever such features interfere with the proposed use of such property, the retention of the maximum amount of such features consistent with the use of the property shall be required.

506.4 EROSION AND SEDIMENT CONTROL. Any proposed development of five (5) or more acres shall submit an erosion and sediment control plan. This plan shall be forwarded to the Hunterdon County Soil Conservation District (Flemington) for their review and comments.

507. SEWAGE DISPOSAL AND WATER SUPPLY. All buildings or uses shall be served a public water supply wherever practicable. In such cases where water is supplied by a driven well and/or sanitary sewage is treated by septic tank, installation shall conform to the requirements of the Borough, County and State Boards of Health or other authority having jurisdiction thereof.

508. FORMING NEW LOTS ON WHICH THERE ARE EXISTING BUILDINGS. When a new lot is formed so as to include within its boundaries any part of a former lot on which there is an existing building or use, the subdivision must be carried out in such a manner as will not infringe upon any provisions of this Ordinance either with respect to any existing buildings or use, and any proposed building or use.

509. IRREGULARLY SHAPED LOTS. In cases of irregularly shaped lots, the frontage specified in the schedule may be measured at the rear line of the required front yard, providing that in no case shall the frontage measured at the street line be less than seventy percent (70%) of the minimum width as specified in the schedule.

510. BUSINESS DISPLAYS AND VENDING MACHINES IN FRONT YARDS. Business buildings or uses shall not display goods for sale purposes or coin operated vending machines of any type in any location which would infringe upon the required front yard areas specified in this Ordinance.

511. PARKING COMMERCIAL VEHICLES IN RESIDENTIAL ZONES OVERNIGHT. No commercial vehicle over three (3) tons capacity and no tractor trailer trucks shall be parked overnight or on Sunday other than in an enclosed garage in a residential zone, and not more than one (1) such commercial vehicle and no tractor trailer, may be kept within an enclosed garage on each lot in said zones. No display vehicles for commercial purposes shall be parked in any district.

512. WALLS AND FENCES.

512.1 MAXIMUM HEIGHT. Except as otherwise provided for in Section 513 a wall or fence, which shall not be more than forty eight inches (48") in height, may be erected within any required yard or court without a zoning permit.

512.2 RETAINING WALLS. A retaining wall, when approved by the Zoning Officer, or Construction Code Official, may be taller than forty eight inches (48") but such retaining wall shall not extend in height for more than one foot (1') above the natural or approved finished grade at its top, unless proper surface drainage requires a greater height. Any wall or fence which is made non-conforming by reason of this subsection shall be subject to the provisions of Article VII.

512.3 PERMIT REQUIRED. Except as otherwise provided in this or any other ordinance of the Borough of Bloomsbury no fence or wall shall be taller than forty eight inches (48"). When a variance is required and granted the Zoning Officer or Construction Code Official may issue a Zoning Permit.

512.4 PROHIBITED FENCES. The following fences and fencing materials are prohibited:

- A. Barbed wire.
- B. Fabric.
- C. Electrically charged wire.
- D. Broken glass surmounting a fence.

512.5 FARM AND OTHER FENCES EXCEPTED. Farm fencing (and walls), temporary snow fencing, and other types of temporary* fencing are excepted from the foregoing regulations. [*Not to stand more than one (1) year].

512.6 OBSTRUCTING VISION AT INTERSECTIONS. No fence or wall shall be erected or maintained contrary to the requirements of Article V, Section 505 and Article IV, Section 8.

*512.7 POOL FENCE. Any pool that is constructed shall have a fence surrounding the pool to prevent unauthorized persons from entering this pool. For an in-ground pool the fence shall have a minimum height of four feet (4') with a minimum distance of eight feet (8') from the nearest edge of the water. For an above-ground pool the fence may be the same as for an in-ground pool or a fence with a minimum height of eighteen inches (18") above and on the edge of the pool may be used. Access to all pools must be through a lockable entrance way which must be locked when the pool is not attended by an adult.

513. BUFFER STRIPS. (See Appendix for definition).

513.1 REQUIRED BUFFER STRIPS. When any business, commercial or industrial building or uses, including but not limited to off street parking areas, public garages and automobile or gasoline service stations, occupy a lot in any District as permitted by this Ordinance and such lot abuts

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upon a Residential District, that portion specified herein below of the yard or yards immediately adjacent to, and along the entire length of such lot, adjoining the Residence District shall be considered a buffer strip, which buffer strip shall be regulated as follows, provided that nothing in this subsection shall prevent the reconstruction, repair or rebuilding without enlargement of any non-conforming building existing at the effective date of this Ordinance.

513.2 LOCATION WITHIN THE YARD. The buffer strip shall be located within the required yard area of the property used for non—residential purposes, and the structure and planting required by this subsection shall be provided and properly maintained by the owner of the non-residential property. No part of any buffer strip shall be occupied by a sign, or by any structure or use except as is specifically permitted in this Section.

513.3 TYPE AND HEIGHT OF BUFFER STRIPS. Buffer strips shall be planted with lawn, ornamental shrubbery and other suitable planting approved by the Planning Board under Article III, to provide an effective screen along the entire length of the buffer strip between the non-residential uses and the abutting Residence District. Within the buffer area a solid continuous landscape screen at least four feet (4') in height shall be planted and maintained. The landscape screen shall consist of massed evergreen and deciduous trees and shrubs at least four feet (4') in height of such species and size that will produce, within two (2) growing seasons, a screen at least six feet (6') in height, adjacent to parking areas. The required height of the landscape screen shall be measured in relation to the elevation of the edge of such parking areas. In case the location at which the screen is to be planted is less than the elevation of the edge of an adjacent parking area, the required height of the screen shall be increased in the amount equal to this difference in elevation. In the event the ground elevation of the location of which the screen is to be planted is greater than that of the edge of the adjacent parking area, the required height of the screen may be reduced in an amount equal to the said difference in elevation, provided that in no case shall a required height be reduced to less than two feet (2'). Any portion of a buffer strip not planted with shrubbery or trees shall be graded and planted with grass seed or sod, and be attractively maintained and kept free of all debris and rubbish.

513.4 WIDTH OF BUFFER STRIPS. The minimum width of buffer strips shall be as follows; At least ten feet (10') wide in the Business B—i District; at least fifteen feet (15') wide in the Business B—2 District; at least twenty feet (20') wide in a Commercial and Light Manufacturing H-i District.

513.5 WALLS OR FENCES IN BUFFER STRIPS. A free standing wall or fence which shall not be more than five feet (5') in height may be erected on either side of a buffer strip.

513.6 BUFFER STRIPS FOR GARAGES, SERVICE STATIONS AND OFF-STREET PARKING AREAS. In the case of public garages, automobile and gasoline service stations, and off—street parking areas, whether on separate lots or within the yard of the building to which such parking areas are appurtenant, a solid wall or substantial, tight, neat fence, five feet (5') in height above the grade of the land in the abutting Residence District, shall be constructed along the entire length of the buffer strip. In the case of public garages and automobile and gasoline service stations, such wall or fence shall be on the non-residential side of the buffer strip. In the case of off—street parking areas, however, such wall or fence may be located within the buffer strip but shall be distant at least five feet (5') from the abutting Residence District. In addition, for the uses specified in this paragraph, the planting specified in Article V, Section 513.3, shall be located in the buffer strip on the residential side of such wall or fence.

513.7 WAIVERS FOR BUFFER STRIPS RESERVED FOR PUBLIC RECREATION. When the buffer strip is sufficiently wide and is reserved by agreement, approved by the Planning Board and the Borough Attorney, subjecting its control to the Borough for public recreation purposes, the Board of Adjustment may waive the required screen planting in the portion of the buffer strip so reserved.

513.8 WAIVERS DUE TO HARDSHIP. When there are exceptional hardships in the way of carrying out the strict letter of the provisions of this Section, the Board of Adjustment may, after public notice and hearing, waive or vary the foregoing requirements, subject to such conditions as it may prescribe in the public interest.

514.0 SHED. A shed shall be a non-permanent type of structure without a foundation. It shall not be greater than one hundred (100) square feet nor shall any horizontal dimension be greater than twelve feet (12'). The peak height shall not be greater than twelve feet (12'). Set back lines shall be five feet (5') from any property line as a minimum provided any shed shall be to the rear of the principle structure on the premises. If an application is made to

construct a larger structure it will be declared as that of an accessory building and all setback conditions of an accessory building must be adhered to. Only one shed per lot will be permitted.

515.0 STDEWALKS. All sidewalks within the Borough of Bloomsbury shall be erected, constructed, or maintained in accordance with the provisions of this section. No existing sidewalks shall be enlarged, rebuilt, structurally altered, relocated, or repaired in excess of twenty five percent (25%) of its surface except in accordance with the provisions of this Ordinance and until a permit has been issued by the Zoning Officer. The issuance of a permit does not relieve the owner or lessee of the premises from maintaining the sidewalk in condition permitting safe and unobstructed usage. Only those sidewalks along Borough streets, alleys, or other right-of-ways are subject to this section; sidewalks or pathways leading to structures or otherwise in the interior of the lot are excluded.

515.1 Sidewalks shall parallel horizontally and vertically the street they adjoin. Gradually sloped (less than one inch per linear foot) vertical deviations to accommodate existing terrain may be permitted at the discretion of the Borough Engineer.

515.2 sidewalks must join vertically and horizontally with existing sidewalks of adjoining lots.

515.3 A strip of grass at least two feet (2') wide must be provided between the sidewalk and the curb if the curb exists or where the curb should be as determined by the Borough Engineer. If terrain conditions make it impractical to meet this requirement the Borough Engineer, with the consent of the Planning Board, may waive this requirement.

515.4 sidewalks shall have a minimum width of four feet (4') except that if necessary to accommodate a tree trunk it may be reduced to three feet (3') at the tree.

515.5 Where a sidewalk meets a curb, the vertical rise of the curb must not exceed one and one-half inch (1 1/2") and the sidewalk shall slope (not to exceed one inch per linear foot) to join the curb vertically.

515.6 If any sidewalk develops a vertical rise of two inches (2") or more, the sidewalk must be repaired to eliminate the rise or slope the sidewalk (not to exceed one inch per linear foot) on both sides of the rise.
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515.7 The surface of a sidewalk shall meet or exceed normal requirements of flatness for the material used and be non-slippery for leather soled footwear. Acceptable materials are slate, brick, concrete, or macadam.

515.8 The allowable slope for drainage at right angles to the length of the sidewalk shall not exceed one/eight inch per foot of width.

515.9 Any new or rebuilt structures, or additions increasing floor area by twenty five percent (25.0) or more of existing structures shall provide sidewalks in accord with this section and/or other parts of this ordinance.

516. In all zones outdoor storage is prohibited except in accordance with the terms of this Section 516. This shall not be deemed to include the display and sale of seasonal farm produce or specifically permitted outdoor uses, the outdoor parking of farm machinery or vehicles in use on a farm or normal outdoor storage of firewood in residential zones.

516.1 In the Neighborhood Commercial District, Highway Business and Research, Office and Manufacturing District, no article or material shall be kept stored or displayed outside the confines of a building unless the same is screened by special planting or a fence, as approved by the Planning Board. Said storage area shall meet the location requirements for accessory buildings. These provisions shall not preclude the outdoor storage and display in any yard of plant material by commercial greenhouses and plant nurseries nor motor vehicles being offered for sale by motor vehicle sales establishments, provided that such storage or display is at least fifty (50) feet from a street and twenty-five (25) feet from a property line,

516.2 In any zone, there shall be no outdoor storage of grit, gravel, sand, salt, chemicals, fertilizer or other material intended for any purpose, including landscaping, road and parking area maintenance.

Revised December 1995

ARTICLE VI

PERMITTED MODIFICATIONS

600. HEIGHT MODIFICATIONS

600.1 The height limitations of this Ordinance shall not apply to silos, church spires, belfries, cupolas and domes not used for human occupancy.

600.2 Chimneys, ventilators, skylights, water tanks, television and radio antenna and similar features, and necessary mechanical appurtenances usually carried on and above the roof level may exceed the height limitations of this Ordinance but not more than twenty feet (20').

600.3 The provisions of this Ordinance shall not apply to prevent the erection of a parapet wall or cornice for ornament, extending above height limits of this Ordinance by not more than five feet (5'). Public and quasi—public buildings, schools, churches and other similar permitted uses shall increase the front, rear and side yards by one foot (1') for each foot by which such buildings exceed the height limit herein established for such zone in which it is located.

600.4 When Federal Aviation Authority or other regulation which are promulgated to protect the health, safety and welfare, are more restrictive than the height limitations of this Ordinance, such regulations shall supersede this Ordinance.

601. UNDERSIZED LOTS. Any parcel of land with an area or width less than the prescribed for a lot in the zone in which such lot is located, which was under one ownership and in existence at the time of the adoption of this Ordinance, and the owner thereof owns no adjoining land, may be used as a lot for any purposes permitted in the zone, provided that the minimum lot size requirements for such lot shall be seventy five hundred (7500) square feet of lot area and sixty feet (60') of lot width, and further provided that all other regulations prescribed for the zone by this Ordinance are complied with.

602. PERMITTED YARD AREA MODIFICATIONS.

602.1 FRONT YARDS. In such case in a residential zone where the frontage on the same side of the street within five hundred feet (500') of the lot line is fifty percent (50%) or more developed, then the required front yard for a new structure may be modified to the average for such existing development. Otherwise, the requirements of Article XI, Section 1103, Schedule, shall apply.

602.2 SIDE YARDS. In such cases of lots which comply with the provisions for modification of Section 601, combined total side requirements, as specified in Article XI, Section 1103, Schedule, shall be reduced by six inches (6") for each foot by which a lot is less than the minimum lot width requirement specified in such Schedule for the zone in which located. In any case, the side yard area shall not be reduced to less than fifty percent (50%) of the requirement of such Schedule.

603. TOPOGRAPHY EXCEPTIONS FOR PRIVATE GARAGES. Where the topography is such that, as determined by the Zoning Officer, access to the private garage built back of the front building line as required by this Ordinance is impracticable, it shall be permissible to place such building, not exceeding twelve feet (12') in height, within the front yard space but not closer to the street line than eighteen feet (18').

ARTICLE VII

NON-CONFORMING USES

700. CONTINUANCE. Except as otherwise provided in this Article, the otherwise lawful use of land or building existing at the date of the adoption of this Ordinance may be continued although such use or building does not conform to the regulations specified by this Ordinance for the zone in which such land or building is located, provided however, that no non-conforming lot shall be further reduced in size.

701. RESTORATION. No building damaged by fire or other causes shall be repaired or rebuilt so as to extend or enlarge the non-conforming use to which it was devoted at adoption of this Ordinance. Buildings totally destroyed by fire or other causes, or demolished by the owner, shall not be rebuilt except in conformity with the regulations of this Ordinance. Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition any wall, floor or roof which has been declared unsafe by the Building Inspector.

702. REVERSION. If a non-conforming building or use is subsequently changed to conforming use, it shall not again be constructed, altered, occupied or used except in conformity with the requirements of the district wherein such building or use is located.

703. ALTERATIONS. A non-conforming building may be constructed or structurally altered to an extent not greater than twenty five percent (25%) of the square footage of the building as existing on the effective date of this Ordinance, provided that no non-conforming use is extended or, changed to another non—conforming use, and provided that this Section shall not permit construction or alteration which would be prohibited by Section 701.

704. DISTRICT CHANGES. Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, the foregoing provisions shall also apply to any non-conforming use existing therein or created thereby.

705. CONSTRUCTION APPROVAL PRIOR TO ORDINANCE. Nothing herein contained shall require any change in plans, construction or designated use of building, structure or sign for which a building permit has here-to-fore been issued and the construction of which shall have been diligently prosecuted within three (3) months of the date of such permit, and the ground story framework of which including the second tier of beams shall have been completed within six (6) months of the date of the permit, and which the entire building shall have been completed according to such plans as filled within one (1) year from the date of the adoption of this Ordinance.

ARTICLE VIII

OFF-STREET PARKING AND LOADING FACILITIES

800. GENERAL PROVISIONS.

800.1 SCOPE OF PROVISIONS. Off-street parking and loading requirements of this article shall apply and govern in all present and future zoning districts within the Borough. No land shall be used or occupied, no building shall be constructed, altered, used or occupied, and no use shall be operated, unless off—street parking and loading facilities are provided in at least the amount and maintained in the manner required by this Article; provided, however, that any use in operation on the effective date of these regulations is not affected by the provisions of this Article until such time as the existing gross floor area devoted to such use on one lot is increased.

801. CONSTRUCTION AND DESIGN STANDARDS.

801.1 PROVISIONS FOR PROPER DRAINAGE AND MAINTENANCE. All off-street parking and off-street loading facilities shall be so drained as to prevent damage to abutting lots and/or streets and shall be constructed of materials which will assure a surface resistant to erosion. Such drainage materials shall be installed as required by the Borough Engineer. All such facilities shall be at all times maintained in a clean, orderly and dust free condition.

801.2 SEPARATION FROM WALKWAYS AND STREETS. All off-street parking and off-street loading areas shall be separated from walkways, sidewalks, streets or alleys by curbing or other protective devices approved by the Borough Engineer.

801.3. PRIVATE WALKS ADJACENT TO BUSINESS BUILDINGS. A private walk, if provided, adjacent to a business building, shall be not less than four feet (4') in width and shall be in addition to the other requirements of this Section.

801.4 BUFFER REQUIRED WHEN ADJOINING PROPERTY IS RESIDENTIAL.

Where off-street parking or loading areas are located closer than fifty feet (50') from a lot in any residential zoning district or any lot upon which there exists a dwelling as permitted under these regulations and where such parking, loading or service areas are not entirely screened visually from such a lot by an intervening building or structure, there shall be provided along the lot line a continuous buffer strip as defined in Article V, Section 513, of this Ordinance. No such buffer shall extend nearer to a street line than the established building line of the adjoining residential lot.

801.5 INTERIOR DRIVEWAYS. Each lane of an interior driveway shall be at least twenty four feet (24') wide where used with ninety degree (90°) angle parking, at least eighteen feet (18') wide where used with sixty degree (60°) angle parking, and at least twelve feet (12') wide where used with forty five degree (45°) angle parking. Where used with parallel parking, or where there is no parking, interior driveways shall be at least twelve feet (12') wide for one-way traffic movement and at least twenty four feet (24') wide for two-way traffic movement.

801.6 CONNECTION TO A PUBLIC-RIGHT—OF-WAY. Each off-street parking or loading area shall be connected to a street by means of a driveway constructed in accordance with at least the minimum standards as required by the Borough Engineer.

801.7 SIZE OF DRIVEWAYS. A driveway exclusive of curb return radii shall not be less than twelve feet (12') in width. A curb return radius for a driveway at its entrance to a street shall not exceed ten feet (10') unless required. The maximum width of a driveway exclusive of curb return radii shall not exceed thirty six feet (36') except for unusual circumstances.

801.8 OFF-STREET PARKING SPACE WITHIN BUILDINGS. Garage space or space within buildings, in basements, or on the roofs of buildings may be used to meet the off-street parking requirements of this Ordinance, provided such space is designated to serve as off-street parking space.

801.9 PAVEMENT MARKINGS AND SIGNS. Each off-street parking space shall be clearly marked, and pavement directional arrows or signs shall be provided wherever necessary. Markers, directional arrows and signs shall be properly maintained so as to insure their maximum efficiency.

801.10 LIGHTING FOR NIGHT USE. Adequate lighting shall be provided if the off-street parking facilities are used at night. If said parking facilities abut residential land, the lighting shall be arranged and installed so as not to reflect or cause glare on the abutting residential land in accordance with the provisions of performance standards as required by Article X.

801.11 REQUIRED OFF-STREET PARKING AREA SHALL NOT BE REDUCED. No off-street parking area shall be reduced or encroached upon by buildings, vehicle storage, loading or unloading, or any other use where such reduction or encroachment will reduce the off-street parking spaces below those required by these regulations.

801.12 JOINT PARKING FACILITIES. The off-street parking requirements for two (2) or more neighboring uses, of the same or different types, may be satisfied by the allocation of the required number of spaces for each use in a common parking facility; provided that the number of off—street parking spaces is not less than the sum of individual requirements; provided further, that there be compliance with all other provisions of these regulations.

801.13 PARKING PROVIDED ON THE SAME LOT AS MAIN BUILDINGS. Off-street parking spaces for one-family and two-family dwellings shall be located on the same lot as the main building to be served. Off-street parking spaces for multi-family dwelling shall be located on the same lot as the main building to be served. Off-street parking for all other uses shall be provided on the same lot as the main building to be served or not more than six hundred feet (600') distant, as measured along the nearest pedestrian walkway.

801.14 REQUIREMENTS FOR COMBINED USES. The number of off-street parking spaces required by land or a building used for two (2) or more purposes shall be the sum of the requirements for the various individual uses.

801.15 SHARING OF PARKING FACILITIES. Off-street parking facilities for one use shall not be considered as providing the required facilities for any other use; provided, that one-half (1/2) of the off-street parking space required by any other use whose peak attendance will be at night or on Sundays, such as churches, theaters and assembly halls, may be assigned to a use which will be closed at night or on Sundays.

801.16 COMPUTING NUMBER OF EMPLOYEES. For the purpose of this Article, the number of employees shall be computed on the basis of the average number of persons to be employed, taking into consideration, day night and seasonal variations.

801.17 FRACTIONAL SPACES REQUIRED. When units of measurements determining the required off-street parking and off-street loading spaces results in the requirement of a fractional space, any fraction up to and including one-half (1/2) shall be disregarded and the fractions over one-half (1/2) shall require one (1) off-street parking or off-street loading space.

801.18-1 OFF-STREET PARKING. No required or other off-street parking or maneuvering area for such off-street parking shall be established in the required front setback of the B-1, B-2, ROM, or PUD Districts, unless otherwise provided in specific regulations for such Districts.

801.18-2 LOADING BERTHS OR SPACES. Required or other loading berths and/or spaces including the maneuvering area for such berths and/or spaces and waiting or parking areas for the vehicles to be loaded or unloaded, shall be to the rear of the building being served in the B-1, B-2, ROM, or PUD Districts, unless provided in specific regulations for such Districts.

801.19 OTHER USE OF OFF-STREET PARKING SPACES PROHIBITED.

No off-street parking or loading area shall be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.

801.20 SIZE OF LOADING BERTHS AND SPACES. A loading berth shall be at least twelve feet (12') in width with at least fifteen feet (15') overhead clearance. The length of the loading berth shall be at least forty eight feet (48') or shall be a length such that the horizontal distance from the front of the dock for back-in parking to be the limiting boundary of the loading and unloading area shall not be less than twice the overall length of the longest vehicle expected to use the facility. A loading space need not be necessarily a full berth but shall have a minimum plan dimension of at least ten feet (10') overhead clearance. The Planning Board shall determine the sufficiency of the off-street loading and the maneuvering space based upon the kind and amount of loading and unloading operation required by the given use, but in no case shall the use of space hinder the free movement of vehicles and pedestrians over a street, sidewalk or alley.

801.21 RESIDENTIAL DRIVEWAYS.

801.21-1 Driveways in a single or in two family zoning shall exit only onto interior access streets, except where it can be specifically shown by the applicant to be impractical and the applicant receives approval of the Borough Engineer and the Planning Board.

801.21-2 Driveways shall be located no less than forty feet (40') from any street intersection. Driveways to corner lots shall gain access from the street of lower classification when a corner lot is bounded by streets of two different classifications as defined in this Ordinance.

801.21-3 If access is onto arterial streets, adequate driveway turn-around space shall be provided so that no vehicle need back out in order to leave or back into the lot in order to enter the lot.

801.21-4 Driveways shall be so located, designed and constructed as to provide a reasonable sight distance at intersections with streets, with a stopping space not to exceed a four percent (4%) grade, twenty feet (20') into the lot from the street right-of-way line. No driveway shall be constructed at a profile grade exceeding fifteen percent (15%) at any point. Sight distance shall be a minimum of one hundred and fifty feet (150') in both directions for entry onto an arterial street.

801.21-5 All driveways shall be at least five feet (5') from any side or rear lot line excepting entrance from an alley or street at the side or rear of the lot or a shared driveway by deed restriction.

801.21-6 No driveway shall be permitted to be over or cross—over underground water and/or electrical lines.

801.21-7 No driveway may cause the lowering or raising of the level at which a sidewalk has been installed or shall be installed.

802. MINIMUM REQUIREMENTS FOR OFF-STREET PARKING FACILITIES.

802.1 AUTOMOBILE AND GASOLINE SERVICE STATION. At least one (1) space for each gasoline pump, grease rack, or similar service area, and one (1) additional space for each five hundred (500) square feet of gross floor area of the shop or garage, with a minimum of five (5) spaces.

802.2 AUTOMOBILE AND/OR TRAILER SALES AREA; FLOWER OR PLANT NURSERY; LANDSCAPE GARDENERS BUSINESS. At least one (1) space for each one thousand (1,000) square feet of the area used for such purposes.

802.3 BOARDING OR ROOMING HOUSES. At least one (1) space for each rental unit, plus one (1) additional space for the owner or manager.

802.4 CHURCH OR SIMILAR PLACE OF WORSHIP. At least one (1) space for each four (4) seats or equivalent accommodations provided.

802.5 COMMERCIAL, RETAIL STORE, GENERAL BUSINESS AND PERSONAL SERVICE ESTABLISHMENT. At least one (1) space for each one hundred and fifty (150) square feet of gross first floor area of such establishment plus one (1) additional space for each two hundred (200) square feet additional gross floor area

802.6 EDUCATIONAL INSTITUTION, PUBLIC OR PRIVATE. At least one (1) space for each two (2) employees, including teachers and administrators. Sufficient off-street parking space for the safe and convenient loading and unloading of students. Additional facilities for student parking, taking into consideration the total number of students driving automobiles. The requirements for stadium, gymnasium and auditorium use shall be in addition to these requirements.

802.7 NURSING HOME, ELEEMOSYNARY OR PHILANTHROPIC INSTITUTION. At least one (1) space for each two (2) employees, plus such additional facilities for residents and visitors as shall be deemed necessary in accordance with the provisions of Section 804.

802.8 HOME OCCUPATION - PROFESSIONAL OFFICE. At least one (1) space in addition to the requirements for the dwelling unit plus one (1) additional space for every full-time - employee, excepting that in the case of doctors and dentists, three (3) spaces in addition to the requirement for the dwelling unit plus one (1) space for every full time employee shall be required.

802.9 INDUSTRIAL OR MANUFACTURING ESTABLISHMENT. At least one (1) space for each four hundred (400) square feet of floor area of such establishment exclusive of storage space.

802.10 MEDICAL OR DENTAL PRACTITIONER'S OFFICES. At least five (5) spaces for each professional person occupying or using each office, plus one (1) addition space for each employee.

802.11 MORTUARY OR FUNERAL HOME. At least one (1) space for each eight (8) seats in the chapel, one (1) additional space for each resident family and one (1) additional space for each funeral vehicle.

802.12 MOTEL, HOTEL, AUTO COURT, MOTOR LODGES, TOURIST COURTS. At least one (1) space for each guest or sleeping room plus one (1) space for each employee.

802.13 MULTI-FAMILY DWELLING. At least two (2) spaces for each dwelling unit.

802.14 OFFICE BUILDING, PROFESSIONAL BUILDING OR SIMILAR USE. At least one (1) space for each two hundred (200) square feet of gross floor area of such building.

802.15 ONE (1) OR TWO (2) FAMILY DETACHED DWELLING. At least two (2) spaces per dwelling unit.

802.16 CLUB HOUSE OR UNION HALL. At least one (1) space for each one hundred (100) square feet of gross floor space of such club or hall.

802.17 PUBLICLY-OWNED OR OPERATED BUILDING AND USE; SUCH AS LIBRARY, MUSEUM OR POST OFFICE. At least one (1) space for each one hundred (100) square feet gross floor area of such building.

802.18 RESTAURANT OR SIMILAR PLACE DISPENSING FOOD, DRINK DR REFRESHMENTS. At least one space for each fifty (50) square feet of floor area devoted to patron use of such restaurant or place.

802.19 SHOPPING CENTER (NEIGHBORHOOD BUSINESS). At least seven (7) parking spaces for each one thousand (1,000) square feet of gross lease-able floor area of such shopping center.

803. MINIMUM REQUIREMENTS FOR OFF-STREET LOADING FACILITIES.

803.1 INDUSTRIAL AND WHOLESALE OPERATIONS WITH A GROSS FLOOR AREA OF TEN THOUSAND (10,000) SQUARE FEET OR OVER AS FOLLOWS:

GROSS FLOOR AREA	MINIMUM NUMBER OF LOADING BERTHS
10,000 sq. ft. — 40,000 sq. ft.	1
40,000 sq. ft. — 100,000 sq. ft.	2
100,000 sq. ft. — 160,000 sq. ft.	3
160,000 sq. ft. — 240,000 sq. ft.	4
240,000 sq. ft. — 320,000 sq. ft.	5
320,000 sq. ft. — 400,000 sq. ft.	6
each 90,000 sq. ft above 400,000 sq. ft.	1

803.2 OFFICE BUILDING OR HOTEL WITH A GROSS USABLE FLOOR AREA OF ONE HUNDRED THOUSAND (100,000) SQUARE FEET OR MORE DEVOTED TO SUCH PURPOSES. One (1) loading berth for every one hundred thousand (100,000) square feet of floor area.

803.3 RETAIL OPERATION, AND ALL FIRST FLOOR NON-RESIDENTIAL USES, WITH A GROSS FLOOR AREA OF MORE THAN THREE THOUSAND (3,000) SQUARE FEET AND LESS THAN TWENTY THOUSAND (20,000) SQUARE FEET AND ALL WHOLESALE AND LIGHT INDUSTRIAL OPERATIONS WITH A GROSS FLOOR AREA OF LESS THAN TEN THOUSAND (10,000) SQUARE FEET. One (1) loading berth for every twenty thousand (20,000) square feet of floor area.

803.4 RETAIL OPERATION, INCLUDING RESTAURANT AND DINING FACILITIES WITHIN HOTEL AND OFFICE BUILDINGS, WITH A GROSS USABLE FLOOR AREA OF TWENTY THOUSAND (20,000) SQUARE FEET OR MORE DEVOTED TO SUCH PURPOSES. One (1) loading berth for each twenty thousand (20,000) square feet of floor area.

804. MINIMUM SPACE REQUIREMENTS FOR USES NOT SPECIFICALLY COVERED IN SECTIONS 802 AND 803. Each public or private building or land use not covered by these requirements of Sections 802 and 803 shall provide such parking and loading space for residents, visitors or patrons as the Planning Board shall deem necessary. In making such a determination, the Planning Board shall be guided by the number of persons to be employed in said building or by said use; the number of persons expected to reside in, visit or patronize said building or use; the anticipated percentage of residents, visitors or patrons driving automobiles; and the need for safe and convenient loading space for visitors or patrons and goods arriving by motor transport.

805. CONTINUING CHARACTER OF OBLIGATION. The requirements in these regulations for off-street parking space shall be a continuing obligation. It shall be unlawful for any owner of any land or building affected by these regulations to discontinue, change or dispense with said off-street parking and/or loading facilities without establishing alternate off-street parking and/or loading facilities which comply with the requirements of these regulations.

Revised December 1991

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY INTRODUCING ARTICLE VIII, SECTION 806.

806. HANDICAPPED PARKING. Parking spaces for the physically handicapped shall be constructed in accordance with the following guidelines:

806.1 Handicapped parking is required for all buildings with public parking areas for twenty (20) or more vehicles. The Planning Board/Board of Adjustment may, in connection with its review of an application for development of a property with parking for less than twenty (20) vehicles, require a handicapped parking space if warranted by particular circumstances.

806.2 Designated parking spaces for handicapped persons shall be required as follows:

<u>Total Parking In Lot</u>	<u>Required Number of Spaces</u>
Under 20	At discretion of Planning Board/Board of Adjustment depending on application before it.
20 to 50	one (1)
51 to 250	two (2)
Over 251	one percent (1%) of total spaces in lot (to the nearest whole number).

806.3 Any existing building or buildings which have total parking for twenty (20) or more vehicles and do not have handicapped parking spaces provided are not subject to this ordinance until such time as the owners or proprietors or

agents of said property seek plan approval and/or variance relief from the Planning Board/Board of Adjustment.

806.4 Handicapped parking spaces will be located in the parking areas most accessible and proximate to the entrance to the building which the facility serves. The determination of said locations shall be made by the construction official, or public works administrator, in conjunction and consultation with the owner or as directed by the Planning Board/Board of Adjustment.

806.5 Each handicapped parking space or group of spaces shall be identified in accordance with specifications in the Manual on Uniform Traffic control Devices, which sign shall also state the penalties which may be imposed for violations thereof.

806.6 Each parking space shall be twelve feet (12') wide (or as required by statute) and on a level surface.

806.7 All signs and pavement markers shall be maintained in good and proper condition by the property owner and must remain clearly visible at all times. Failure to comply will result in a summons and fine not to exceed one hundred dollars (\$100.00).

ARTICLE IX

SIGNS

900. GENERAL PROVISIONS.

All signs within the Borough of Bloomsbury shall be erected constructed or maintained in accordance with the provisions of this Article. No existing sign shall be enlarged, rebuilt, structurally altered or relocated except in accordance with the provisions of this Ordinance and until a permit has been issued by the Zoning Officer. The issuance of a permit shall not relieve the owner or lessee of the premises from the duty of maintaining any sign safely. No sign of any description shall be installed, erected, constructed or maintained in such a manner as to obstruct any fire escape or window or door. Every sign constructed or maintained shall be plainly marked with the name of the person, firm or corporation erecting or maintaining such sign.

900.1 TRAFFIC SAFETY. No sign shall be erected in the Borough that:

900.1-1 Obstructs the sight distance at an intersection along a street right-of-way as required in Article V, Section 505 of this Ordinance.

900.1-2 Would tend by its location, color, shape, message or nature to be confused with or obstruct the view of traffic signs or traffic signals by motorists or pedestrians; no red, green or yellow illuminated sign shall be permitted within three hundred feet (300') of any traffic signal.

900.1-3 Uses admonitions such as: "STOP", "GO", "SLOW", "DANGER", etc., which might be confused with traffic directional signs.

900.1-4 Are other than official traffic control devices or street signs if erected within, or encroaches within the right-of-way lines of any street unless specifically authorized by other Ordinances or Regulations of the Borough.

900.2 FIRE, SAFETY, LIGHT AND AIRS No sign shall be erected or constructed that will violate any of the Borough regulations as to health, required light, safety or areas defined in the Building Code of the State of New Jersey.

900.3 MAINTENANCE. Whenever a sign becomes structurally unsafe or endangers the public safety, the Zoning Officer shall order that such sign be made safe or removed. Such order shall be complied within ten (10) days of the receipt thereof by the person, firm or corporation owning or using the sign, or the owner of the buildings or premises on which unsafe sign is affixed or erected. Failure to obey orders shall be a violation of this Ordinance.

900.4 TYPES OF SIGNS. No sign shall contain flashers, animation or mechanical movements or contrivances of any kind.

900.5 ILLUMINATION. Illumination devices such as, but not limited to, flood or spot lights shall be placed and so shielded as to prevent the rays of illumination thereof from being cast into neighboring dwellings or approaching vehicles.

900.6 SIGNS OVER PEDESTRIAN WALKS. No portion of any sign shall be located within or suspended over a pedestrian walk within a ten foot (10') vertical clearance thereof.

900.7 HISTORICAL SITE OR MONUMENT. No sign shall be permitted within one hundred feet (100') of the lot line of any historical site or monument.

900.8 SETBACK FROM RESIDENTIAL DISTRICT. When signs are located along the district boundary of any residential district, the sign shall be set back not less than seventy five feet ('75') from such residential district boundary line and they shall be screened from the adjoining residential district by shrubbery, a wall or other suitable device.

900.9 NON-CONFORMING SIGNS. Any sign existing at the time of this Ordinance that does not conform in use, location, height or size with the regulations of the district in which the sign is located, shall be considered a non-conforming use and may continue in such use in its present location until replacement or rebuilding becomes necessary at which time a permit will be required and the sign brought into conformity with this ordinance.

900.10 MOVABLE SIGNS. No Permanent sign so constructed as to rotate or to be movable, or which shall be placed on a standard sitting upon the ground, shall be placed or permitted to remain on any part of any street, sidewalk, parkway, curb or other public place.

900.11 signs overhanging vehicle parking areas and/or passageways are prohibited.

901. ADMINISTRATION, FILING PROCEDURE AND PERMITS.

901.1 ADMINISTRATION. The Zoning Officer shall only issue a permit for the erection or construction of a sign which meets the requirements of this Article. Any aggrieved person may appeal the decision of the Zoning Officer by filing such appeal with the Board of Adjustment.

901.2 FILING PROCEDURE. Application for permits to erect, hang or place a sign shall be submitted on forms obtainable from the Zoning Officer. Each application shall be accompanied by plans showing the area of the sign, size and character, method of illumination, if any; the exact location proposed for such sign, and, in case of projection or free standing sign, the proposed method of fastening such sign to the building, structure or ground, the vertical distance between such sign and the finished grade, and the horizontal distance between such sign and the curb, and also between such sign and the nearest lot line.

901.3 ADDITIONAL INFORMATION. Each applicant shall upon the request of the Zoning Officer submit any additional information deemed necessary by said Zoning Officer.

902. SIGNS THAT DO NOT REQUIRE A PERMIT. The following signs may be erected, constructed, placed and maintained without a permit from the Zoning Officer. Only one sign of those listed below is permitted on any lot:

902.1 HOME OCCUPATION SIGN. One sign not to exceed three square feet in area may be permitted to identify a home occupation provided that a permit to have that home occupation has been issued by the Zoning Officer.

902.2 ANY TEMPORARY REAL ESTATE SIGN. Such sign shall not be illuminated nor exceed nine (9) square feet, and shall be located within the building setbacks.

902.3 INCIDENTAL SALE OF FARM PRODUCTS SIGN. Any incidental sign advertising the sale of farm products grown or produced on the premises, in any zoning district where agricultural use is permitted, provided that such sign shall not exceed twelve (12) square feet in area and shall be at least one hundred feet (100') from the nearest street intersection of a street, and at least five feet (5') from the cartway and without the side yard setbacks. Such signs shall not be illuminated.

902.4 TEMPORARY CONSTRUCTION SITE SIGN. Any temporary construction site sign erected on the site during the period of construction to announce the name of the owner or developer, contractor, architect, landscape artist or engineer. Such sign shall not be illuminated. In no event shall a temporary sign be located upon a premises for more than six (6) months in a calendar year.

902.5 TEMPORARY CONTRACTOR SIGNS. Temporary signs of mechanics, painters and other artisans provided such sign shall be on the lot where such work is being performed, does not exceed twelve (12) square feet, and shall be removed upon completion of the work. In no event shall a temporary sign be located upon a premises for more than six (6) months in a calendar year.

902.6 LEGAL PROCESS AND PUBLIC WELFARE SIGNS. Signs incident to legal process of law and necessary to the public welfare.

902.7 CUSTOMARY SIGNS. Customary warning, trespassing and posted sign or signs indicating the private nature of a driveway or property, provided the size of the sign does not exceed three (3) square feet.

902.8 DIRECTIONAL OR INFORMATION SIGNS. Directional or information signs of a public or semi-public nature, subject to the following conditions.

902.8-1 Not exceeding eight (8) square feet in area. Not more than one (1) such sign shall be placed on each lot. Lots which have frontage on more than one (1) street, one (1) sign may erected on either frontage, but not on both. Such signs shall be only used for the purpose of stating or calling attention to:

A. The name or place of a meeting of an official or civic body such as the Chamber of Commerce or service club.

B. An event of public interest such as a public or general election, worship or public meeting, local and community fair, volunteer fire department fair, and other similar community activities and campaigns.

C. Soil conservation, 4-H and similar projects.

902.8-2 Not exceeding two (2) square feet in area for each one foot (1') width of the building facade of the principal building or thirty five (35) square feet whichever is smaller. Such sign must be attached to the building, shall not project more than three inches (3") from the face of said wall. Such sign shall not have a vertical dimension in excess of six feet (6'). If such building has frontage on more than one (1) street the total area for all signs on all frontages shall not exceed thirty five (35) square feet. Such signs shall be used only for the purpose of stating or calling attention to:

A. The name or location of a borough or its services, community service centers, public or private schools, or places of worship.

903. SIGNS WHICH REQUIRE PERMITS. No sign except those listed in Section 902 shall be erected, constructed, placed, maintained or altered without a permit from the Zoning Officer. All signs identified in sections 905 require a permit.

904. SIGNS IN RESIDENTIAL DISTRICTS. This includes those areas of the Agriculture-Commercial that include Single Family dwellings. This includes those areas of the PUD district that include: Single Family dwellings, Multi-family dwellings, townhouses and Two Family dwellings. No signs are permitted in this district, except those identified in Section 902.

905. SIGNS PERMITTED IN THE B-1, B-2, PUD and ROM DISTRICTS. Signs in the PUD area are limited to Utilities, Office Buildings, Scientific or Research Facilities and places of worship. The following types of signs shall be permitted provided a permit is issued by the Zoning Officer. For those signs identified in Section 902, no permit is required.

905.1 BUSINESS SIGN. The sign shall not exceed two (2) square feet in area for each one foot (1') width of the building facade which is devoted to the principal business or thirty five (35) square feet which ever is smaller. Such sign is subject to the following regulations:

905.1-1 Any sign attached to a building shall not project more than 3 inches (3") from the face of said wall. The bottom of said sign shall not be closer than ten feet (10') from ground level nor higher than fifteen feet (15') from ground level.

905.1-2 Such Sign shall not have a vertical dimension in excess of five feet (5').

905.1-3 A Free Standing Sign shall not exceed a height of fifteen feet (15') measured from the ground level to the top most portion of the structure. The bottom edge of the sign shall be not less than twelve inches (12'') above the ground.

905.1-3.1 Not More than one (1) free-standing sign per lot shall be permitted on any one (1) street frontage.

905.1-3.2 Such sign may be interior lighted with non-glaring lights or may be illuminated by shielded floodlights. No lights of intermittent or flashing type shall be permitted. Such signs shall not have any changing messages.

905.1-3.3 Such sign shall be no closer than fifty feet (50') from a side yard lot line. If said lot line is adjacent to a different district such sign shall be no closer than seventy five (75') from that lot line.

905.1-3.4 Supporting frames for all such signs shall be of permanent materials, such as steel, concrete or masonry. If such sign and/or supporting structure is not higher than six feet above the ground the supporting frame may be made of wood.

Revised - June 1996

ARTICLE X

PERFORMANCE REQUIREMENTS AND SUPPLEMENTARY RECULATIONS
GOVERNING CERTAIN USES, BUILDINGS AND STRUCTURES

1000. PERFORMANCE REQUIREMENTS FOR ALL NON-RESIDENTIAL AND NON-AGRICULTURAL USES. Non-residential and non-agricultural uses permitted in any District shall conform with the performance requirements listed below. On applying to the Planning Board for site plan approval pursuant to Article III, the applicant shall furnish such evidence and documentation as may be required by the Planning Board to establish that the proposed use will comply with said performance requirements. In the case of a building being built for future lease, in whole, or in part, the Planning Board may waive this requirement and direct that a building permit be issued, provided, however, that no certificate of occupancy shall be issued until the applicant establishes that the proposed occupant will comply with the said performance requirements.

1000.1 NOISE. Any noise produced on the premises shall not be in excess of the standards listed below when measured at any lot line of the lot on which the use is located.

Frequency Band Hertz (Cycles) per Second		Sound Pressure Level Decibels per 0.0002 dyne/cm ²
20 —	75	69
75 —	150	54
150 —	300	47
300 —	600	41
600 —	1200	37
1200 —	2400	34
2400 —	4800	31
4800 —	10000	28

If the noise is not smooth and continuous but is of an impulsive or periodic character, the decibel levels indicated above shall be reduced by five percent (5%).

1000.2 SMOKE. Any smoke emitted from any source on the lot shall not be of a density greater than the density described as No. 1 on the Ringlemann Chart, as published by the United States Bureau of Mines or shall comply with the standards promulgated pursuant to State statute, whichever shall be more strict.

1000.3 DUST AND ODORS. No visible fly ash and no dust, fumes, vapors, odors or other forms of air pollution shall be transmitted beyond the lot lines of the lot on which the use is located.

1000.4 HEAT OR GLARE. No activity shall be maintained on the lot which will produce heat or glare beyond any lot line.

1000.5 VIBRATIONS. No machinery or operation shall be permitted which shall cause perceptible earth-shaking vibration beyond the lot lines of the lot on which the use is located.

1000.6 OPEN BURNING. No open burning shall be permitted except where it may be allowed by the New Jersey Air Pollution Control Code.

1000.7 OPEN STORAGE. No open storage or accumulation of junk, solid wastes or other objectionable materials shall be permitted.

1000.8 FIRE PREVENTION REGULATIONS. The applicant shall provide the Bloomsbury Fire Chief and the Hunterdon County Fire Marshal with copies of proposed plans with request that such plans be reviewed for compliance with all applicable fire prevention regulations.

1001. SPECIAL PERMIT USE: PROCEDURE, STANDARDS AND SPECIAL CONDITIONS.

1001.1 GENERAL PROVISIONS. The special use for which conformance to additional standards is required shall be deemed to be permitted uses in their respective districts subject to the satisfaction of the requirements and standards set forth herein. In addition to all other requirements of this Ordinance, all such uses are hereby declared to possess characteristics of such unique and special forms that each specific use shall be considered as an individual case.

1001.2 GUIDING PRINCIPLES. In making its decision on an application for a special permit use, the Board of Adjustment shall take no action which will be detrimental to the public welfare or which will substantially impair the intent or purposes of this Ordinance. The Board may attach terms and conditions to an approval of such application if in its judgment they will preserve such public welfare or such intent or purposes and shall be guided by the following principles:

1001.2-1 The proposed use will not be prejudicial to the character of the neighborhood.

1001.2-2 The proposed use will not affect adversely the general plans for the physical development of the Borough, as embodied in this Ordinance and in any Master Plan or portion thereof as may be adopted by the Planning Board.

1001.2-3 The proposed use will not be detrimental to the use or development of adjacent lots or the general neighborhood.

1001.2-4 The proposed use will not be affected adversely by the existing uses.

1001.2-5 The proposed use will adequately provide for access facilities for the estimated traffic from streets and sidewalks.

1001.2-6 The proposed use shall be subject to off-street parking, loading and service requirements of this Ordinance.

1001.2-7 Screening or buffer strips, as required, shall be installed.

1001.2-8 No outdoor floodlighting or spotlighting shall be permitted to shine directly or indirectly on any abutting property.

1001.2-9 The proposed use is reasonable in terms of the logical, efficient and economical extensions of public services and facilities, such as water, sewers, police and fire protection, transportation, recreation and public schools.

1001.2-10 Each proposed use shall be further subject to specific conditions as set forth in this ordinance.

1001.3 SITE PLAN. Each applicant for a Special Use Permit shall be prepared to comply with the provisions of Article III of this Ordinance.

1001.4 EXPIRATION. A Special Use Permit shall be deemed to authorize only one (1) particular special use and shall expire if the special use shall cease or be unused for more than six (6) months for any reason. This period may be extended by the Board of Adjustment, on application made within the six (6) month period for up to six (6) additional months, without public hearing or referral.

1001.5 EXISTING VIOLATIONS. No permit shall be issued for a special use for a lot where there is an existing violation of this Ordinance.

1001.6 PROCEDURE. The Board of Adjustment shall hear and decide requests for Special Use Permits in accordance with Article IV of this Ordinance.

1001.7 ISSUANCE OF PERMIT. If the Board of Adjustment finds, after the hearing required by Article IV, that the proposed special use meets the requirements of this Ordinance, the Board shall cause an appropriate Special Use Permit to be issued by the Zoning Officer, stating the use of facilities authorized and any terms and conditions attached thereto. The Special Use Permit shall be construed to be a conforming use. The Zoning Officer shall maintain a special file as a record of such permits.

1002. SPECIFIC STANDARDS FOR SPECIAL USE PERMITS. The Board may grant a Special Use Permit in permitted districts provided the additional conditions and requirements for each use set forth in the subsections below are complied with:

1002.1 AUTOMOBILE AND/OR TRAILER SALES AREA IN B-2 DISTRICT.

1002.1-1 LOT AREA AND FRONTAGE. The minimum lot area shall be forty thousand (40,000) square feet. The minimum frontage shall be one hundred and fifty feet (150’).

1002.1-2 SIGNS. All signs shall conform with all provisions and regulations of Article IX of this Ordinance.

1002.1-3 GLARE. No direct or indirect glare shall be permitted beyond any lot line.

1002.1-4 LANDSCAPE. A ten foot (10’) wide strip across the entire frontage with the exception of exit and entrance driveways shall be landscaped with grass or ground cover and attractively planted with low growing shrubbery and plants.

1002.1-5 SCREENING. When a new or used car lot abuts residential lots, a planted buffer strip shall be installed and maintained at all times in a proper manner in accordance with Article V, Section 513.

1002.1-6 DRIVEWAYS. Driveway opening approval shall be required of the agency having jurisdiction of this street upon which the lot fronts.

1002.1-7 LOT SURFACE. All lot areas used by motor vehicles shall be provided and maintained with a dust free surface and drained into a public drainage system or in another manner as may be determined by the Borough Engineer.

1002.1-B OFF-STREET PARKING. Sufficient off-street parking shall be established.

1002.1-9 NEW OR USED CARS. No new or used cars held for sale or rent shall be parked on a street.

1002.2 AUTOMOBILE AND GASOLINE SERVICE STATIONS.

1002.2-1 LOT AREA. The minimum lot area shall be twenty two thousand and five hundred (22,500) square feet.

1002.2-2 FRONTAGE. The minimum frontage shall be one hundred and fifty feet (150'). The tangent at a circular curve at an intersection may be used in determining the frontage.

1002.2-3 DEPTH. The minimum lot depth shall be one hundred and ten feet (110').

1002.2-4 FRONT YARD. The minimum front yard shall be fifty feet (50').

1002.2-5 SIDE YARD. The minimum side yard shall be forty feet (40').

1002.2-6 REAR YARD. The minimum rear yard shall be twenty five feet (25').

1002.2-7 LOCATION OF FUEL PUMPS. All fuel pumps shall be located at least twenty five feet (25') from a street line and thirty five feet (35') from any lot line.

1002.2-8 DRIVEWAYS. Driveways shall not be wider than thirty six feet (36') at any point and must be at least five feet (5') from any side lot line, and thirty five feet (35') from the intersection of street lines. No more than two (2) driveways shall be permitted for each one hundred and fifty feet (150') of frontage.

1002.2-9 ROAD SURFACE. The entire area of a site traversed by motor vehicles shall be constructed and maintained with a dust free surface and drained into a public drainage system or in another manner as may be determined by the Borough Engineer.

1002.2-10 LANDSCAPING. All property corners along frontages shall be landscaped. If the automobile and gasoline service station abuts residences, a planted buffer strip shall be required in accordance with Article V1 section 513 of this Ordinance A ten foot (10') wide strip across the entire frontage with the exception of exit and entrance driveways shall be landscaped with grass or ground cover and attractively planted with low growing shrubbery and plants.

1002.2-11 GLARE. No direct or indirect glare shall be permitted beyond any lot line.

1002.2-12 SPACING. No automobile and gasoline service station shall be located within six hundred feet (600') of a church, school, library, hospital, charitable organization, or place of public assemblage, public park, playground, fire station, an institution for the care or housing of children or the aged and infirm, which distance shall be measured in a straight line from the nearest lot line of one (1) such use to the nearest lot line of the other.

1002.2-13 REPAIRS. Any repair of motor vehicles shall be performed in a fully enclosed building.

1002.2-14 AUTO SALES. No motor vehicle shall be offered for sale on the site.

1002.2-15 SIGNS. All signs shall conform with all of the provisions of Article IX of this Ordinance.

1002.2-16 OTHER SALES AND RENTALS. No sale or rental shall be permitted other than those normally made in conjunction with an automobile and gasoline service station.

1002.3 NURSING HOMES. Nursing homes and other buildings to the extent required by the State of New Jersey shall conform to the Manual of Standards for Nursing Homes issued by the Department of Institutions and Agencies of the state.

1002.3-1 LOT AREA. The minimum lot area for a nursing home shall be five (5) acres.

1002.3-2 LOT WIDTH. The minimum lot width, at the front building line, shall be three hundred feet (300').

1002.3-3 FRONT YARD. The minimum front yard shall be seventy five feet (75).

1002.3-4 SIDE YARD. There shall be two (2) side yards no less than one hundred feet (100') in aggregate width and neither yard less than fifty feet (50').

1002.3-5 REAR YARD. There shall be a rear yard with a depth of not less than fifty feet (50’).

1002.3-6 LOT COVERAGE. No more than twenty percent (20%) of the area of each lot may be occupied by buildings.

1002.3-7 HEIGHT REGULATIONS. No building shall exceed a height of thirty six feet (36’) or two and one half (2 1/2) stories.

1002.3-8 WATER SUPPLY AND SEWERAGE DISPOSAL. Each nursing home shall be served by a public water supply and a sanitary sewer facilities approved by the Borough Engineer, the Board of Health Officer and New Jersey State Department of Health.

1002.3-9 BUFFER STRIP REQUIREMENTS. Along each side or rear lot line, a buffer strip shall be provided in accordance with Article V, Section 513 of this Ordinance.

1002.3-10 SERVICE AREAS. No service area may be on any street frontage.

1002.3-11 REQUIRED OFF—STREET PARKING AND LOADING FACILITIES. As provided in Article VIII of this Ordinance; also, front yard parking shall not be permitted.

1002.3-12 SIGNS. As provided in Article IX of this Ordinance.

1002.4 SINGLE FAMILY CLUSTER RESIDENTIAL DEVELOPMENTS.

1002.4-1.1 LAND AREA. The project shall encompass a minimum land area of twenty (20) contiguous acres in the A-C Zone and ten (10) contiguous acres in the A-R Zone and shall have a permitted principal use only single family dwellings.

1002.4-1.2 PERMITTED ACCESSORY USE IN A-R ZONE. permitted accessory uses for cluster developments in the A-R Zone are as follows: Private garages, home occupations and professional uses in accordance with Section 1003, private swimming pools for residential uses as defined in this Ordinance.

1002.4-1.3 PERMITTED ACCESSORY USE IN A—C ZONE. Permitted accessory uses for cluster developments in the A—C Zone are as follows: Private garages, home occupations and professional uses in accordance with Section 1003, private swimming pools for residential uses as defined in this Ordinance, shelter for domestic pets not in access of fifty (50) square feet of gross floor area of buildings, exclusive of runs.

1002.5-3 Each dwelling unit shall contain complete kitchen facilities, toilet, bathing and sleeping facilities, and shall have a net livable floor area in accordance with the following:

1002.5-3.1 An efficiency apartment shall contain a minimum of six hundred (600) square feet.

1002.5-3.2 A one-bedroom apartment shall contain a minimum of seven hundred (700) square feet.

1002.5-3.3 A two-bedroom apartment shall contain a minimum of nine hundred and fifty (950) square feet.

1002.5-3.4 A three-bedroom apartment shall contain a minimum of one thousand (1000) square feet.

1002.5-4 In addition to the required livable floor area there shall be a minimum storage area in each building for bicycles, perambulators, furniture and similar equipment of fifty (50) square feet in area and a minimum of seven feet (7') in height per dwelling unit. Storage areas for each dwelling shall be separate and designed for individual access by dwelling unit residents.

1002.5-5 Each garden apartment dwelling unit with a floor level over eight feet (8') above grade level shall have an exterior balcony. Balconies shall have a minimum floor area of eighteen (18) square feet and a width of not less than six feet (6'). Balconies shall have railings and balusters of not less than three feet (3') in height.

1002.5-6 Sufficient laundry, drying, garbage pick-up and other utility areas must be provided and shall be located with a view both to convenience and to minimizing the detrimental effect on the aesthetic character of the building(s) and shall be enclosed and shielded from view by fencing, walls or shrubbery of at least six feet (6') in height around the perimeter. Fencing and walls shall not be more than fifty percent (50%) open on the vertical surface.

1002.5-7 There shall not be more than sixteen (16) dwelling units in each building. The facade of any building shall not exceed seventy feet (70') in length unless making an angle turn or having an offset of at least five feet (5') within each seventy feet (70') of length.

1002.5-8 Courts bounded on three (3) or more sides by the wings of a single building or the walls of separate buildings shall have a minimum court width of two feet (2') for every one foot (1') in height of the tallest adjacent building.

1002.5-9 No garden apartment dwelling structure shall be located within twenty five feet (25') of another structure.

1002.5-10 Every building shall have a minimum setback of twenty feet (20') from any and all interior roads driveways and parking areas.

1002.5-11 Garages and carports not part of a garden apartment dwelling structure but intended for use of the residents of a multiple family dwelling structure and all other accessory building shall be located at least fifteen feet (15') from the nearest wall of any garden apartment dwelling structure.

1002.5-12 A strip of land at least five feet (5') in width surrounding each building shall be kept completely open except for foundation plantings of less than six feet (6') in height. Open space adjacent to, around or between building not surfaced as walkways, driveways, parking areas, utility areas or other required improvements shall be graded and seeded to provide for a thick stand of grass or other plant material. Approaches to apartment structures and entrance areas shall be attractively shrubbed and properly maintained.

1002.5-13 A fifteen foot (15') wide buffer strip with screening shall be provided in accordance with Article V, Section 513 of this Ordinance.

1002.5-14 Access driveways shall be limited to one (1) per development plus one (1) additional access driveway for each one hundred and fifty feet (150') of frontage. Access driveways shall be located at least one hundred feet (100') from the intersection of two (2) streets.

1002.5-15 Site planning shall create usable, private open space to the fullest extent feasible.

1002.5-16 A minimum of ten percent (10%) of the total lot area, exclusive of normal dwelling yards, buffer strips and parking areas, shall be designated for common recreational purposes. No one (1) recreational area shall be less than six thousand (6,000) square feet in area nor less than sixty feet (60') in width. Such areas shall be located so as to be convenient to dwelling units. Sand boxes, swings, slides or other recreation equipment for use by the residents may be required by the Board of Adjustment or Planning Board.

1002.5-17 Driveways, parking areas, dwelling entranceways and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and motor vehicles utilizing the same and light sources shall, where necessary, be shielded to avoid glare disturbing to occupants of the apartment buildings or of adjacent lots.

1002.5-18 The land shall be so graded, paved areas so pitched, and, if necessary, storm drains and/or catch basins so located as to minimize the harmful effects of storm water runoff, soil erosion and sedimentation; both on site and off site. (See also Section XIV of this ordinance).

1002.5-19 Up to two (2) trees and four (4) shrubs for each dwelling unit may be required, exclusive of those in parking areas, by the Planning Board or Board of Adjustment. Up to twenty five percent (25%) of these trees may be of a decorative or flowering variety, the remaining trees shall be an approved variety of shade trees. A planting plan shall be required and shall include the type and location of all proposed shrubs and trees.

1002.5-20 Topsoil shall not be removed from the site during construction but shall be stored and redistributed to areas where seeding is required, except as provided in Article I, Section 506.1 of this Ordinance.

1002.5-21 All on-site electrical utility services shall be installed below ground level.

1002.5-22 All driveways and off-street parking areas shall be designed in accordance with the provisions of Article VIII of this Ordinance.

1002.5-23 Signs shall comply with the provisions of Article IX of this ordinance.

1002.5-24 other standards and conditions of the site plan and of curbing, driveways, parking areas, pedestrian walks, landscaping and planting not otherwise specified herein may be attached as conditions by the Board of Adjustment if circumstances indicate they will further the purpose and intent of this Ordinance.

1002.5-25 All site plans shall be subject to review as specified in Article III of this Ordinance.

1002.6 APARTMENT DWELLINGS. Apartments may be permitted provided the following standards and other requirements deemed necessary by the Board of Adjustment are met.

1002.8-2 The design of any building in connection with such installation or facility shall conform to the general character of the area and will not adversely affect the safe and comfortable enjoyment of property rights of residents in the area in which it is located.

1002.8-3 Buffer strips and fencing shall be provided in accordance with this Ordinance. Safety devices and fencing shall be provided where necessary to protect Borough residents.

1002.8-4 The site of the installation shall be landscaped and the yards and landscape materials shall be maintained in a neat and attractive manner.

1002.8-5 Parking areas for employees and service equipment shall be provided to insure an adequate off-street parking area.

1003 HOME OCCUPATIONS. Home occupations, as defined in this Ordinance shall conform to the following restrictions.

1003.1 Home occupations are permitted only by inhabitants of the dwelling. Not more than one (1) equivalent full-time employee, outside the inhabitants shall be employed in such occupation and not more than one at any given time.

1003.2 The home occupation shall be carried on wholly within a completely enclosed building and shall be clearly incidental and subordinate to its use for residential purposes by its occupants.

1003.3 The floor area devoted to a home occupation shall not be more than twenty-five percent (25%) of the ground floor area of the principal residential structure, or five hundred (500) square feet, whichever is less. An equivalent area in an existing accessory building may be utilized instead.

1003.4 There shall be no exterior display or exterior sign except as permitted by this Ordinance, and no other exterior indication of such home occupation or variation from the residential character of the principal building or accessory building by use of colors, materials, construction, lighting, show windows or advertising visible outside the premises, nor any adverse effect upon the safe and comfortable enjoyment of the neighborhood in which it is located.

1003.5 The home occupation shall not generate discernible noise, vibration, glare, fumes, odors, or other interference that may affect electrical, radio or television devices at the property line or cause fluctuations in electrical line

voltages off the lot. Nor shall it generate parking requirements that cannot be accommodated by the street frontage of the lot involved or off street parking on the lot -

1003.6 There shall be no exterior storage of materials or parking of commercial vehicles.

1003.7 Servicing by commercial vehicles for supplies and materials in excess of two (2) trucks per week shall not be permitted.

1003.8 No articles shall be sold or offered for sale except such as may be produced on the premises.

1003.9 occupations which are home occupations and those which are not home occupations are determined in the following lists. A permit is required from the Planning Board for the home occupation and may be obtained after a hearing at the Planning Board. With the granting of a permit the applicant shall pay a non-refundable fee of Ten Dollars (\$10.00) to the Borough of Bloomsbury. Occupations not listed will require a variance from the Planning Board to determine if they meet the requirements of a Home Occupation.

1003.9-1 occupations which are Home Occupations:

- Art studio
- Dress making or millinery
- Individual instruction of a single student for
 - Art
 - Dance
 - Music
 - Musical instrument
 - Tutoring
 - Voice
- Insurance agent
- PC operation Professional office of a
 - Accountant
 - Architect
 - Artist
 - Dentist
 - Engineer
 - Lawyer
 - Physician
- Stock or bond broker
- Travel or ticket agent

1003.9-2 occupations which are not Home Occupations and will not be permitted under any circumstance:

- Animal hospital or pet shop
- Antique shop
- Automotive repair
- Barber shop
- Beauty parlor
- Clinic
- Commercial stables and/or kennels
- Dance or art studio not on individual instruction, single student basis
- Dress shop
- Funeral home
- Gunsmith shop
- Health or exercise studio
- Hospital
- Insurance office
- Machine shop
- Printing shop
- Radio, TV, etc. repair
- Real estate office
- Restaurant
- Tea room
- Tourist home

1004. MOTELS. Motels, auto courts, motor lodges, tourist courts or related developments shall comply with the Hotel and Multiple Dwelling Health and Safety Law (N.J.S.A. S5-13A-1 et seq.) and the New Jersey Hotel and Multiple Dwelling Regulations.

1004.1 Building heights, lot areas, yard requirements and other regulations shall be in accordance with Article XI, section 1103 of this Ordinance.

1004.2 DRIVEWAYS. Driveways shall not be wider than thirty six feet (36') at any point and must be at least five feet (5') from any side lot line and thirty five feet (35') from the intersection of street lines. No more than two (2) driveways shall be permitted for each one hundred and fifty feet (150') of frontage.

1004.3 DRIVEWAY AND PARKING SURFACES. The entire area of a site traversed by motor vehicles shall be constructed of a dust free surface and drained into a public drainage system or in another manner as may be determined by the Borough Engineer.

1004.5 GLARE. No direct or indirect glare shall be permitted beyond any lot line.

1004.6 COURTS. Courts as defined in this Ordinance shall be permitted and shall have a minimum width of two feet (2') for each one foot (1') in height of the tallest building.

1004.7 ACCESSORY USES. Motel complexes may include accessory uses customary to motel operations. Such uses include, but are not limited to, restaurants, cocktail lounges, ballrooms, swimming pools, gift and souvenir shops, news and magazine stands and carports and automobile garages (for customers only).

1005. INDUSTRIAL / OFFICE PARK

1005.1 DEFINITION. A total tract comprehensively planned, designed and approved for industrial/office uses whether or not the building are erected in one development stage or over a period of time, but where the streets, utilities and lots and/or tenant's parcels are set forth on a plan for the entire tract prior to construction of any portion of the tract. Parks designed for more than one building or for more than one tenant (but no subdivided lots) shall have buildings spaced so that the mortgage and/or lease lines shall conform to the requirements for lot lines as if the parcels were being subdivided and in order to establish conformance with all of the following requirements. A site plan shall be required (and a major subdivision plan if applicable).

1005.2 REQUIREMENTS.

Total Tract Area: Minimum of 25 acres.

Minimum Individual Lot Size: 2 Acres

Average Lot Size: Not less than 3.5 acres (no more than 50% of total number of lots may be less than 3.5 acres).

Minimum Lot Frontage: 250 feet.

Minimum Front yard: 40 feet. *

Minimum Rear Yard: 40 feet. *

Minimum Side Yard: 25 feet. *

Minimum Building coverage: 20%

Maximum Lot coverage: 50%

Maximum Building Height: 39 feet. **

* If abutting a Residential Zone, the minimum requirement shall be 100 feet.

** If located within 500 feet of a Residential Zone, the maximum height shall be 30 feet.

In addition to the above requirements, the following shall also apply:

1. Buffer strips shall be required where the non-residential development abuts a Residential Zone. The buffer strip shall meet the requirements of Section 513 of the Zoning Ordinance.
2. The design shall incorporate a comprehensive circulation system which will limit congestion and provide proper access for all anticipated vehicles. A detailed traffic analysis shall be submitted.
3. An Environmental Impact Statement shall be submitted.

1006. AGED PARENTS TEMPORARY HOUSING.

1006.1 DEFINITION. The temporary apartment or separate dwelling in a normally restricted zone to house only the parents of the resident owner(s) of said property.

1006.2 REQUIREMENTS. After the parent cease to use the temporary facilities the facility must be restored to its original condition and use within 6 months. If the temporary facility is an external building the building must be removed within 6 months

Revised December 1991

ARTICLE XI

ESTABLISHMENT OF ZONE DISTRICTS AND ZONING MAP

1100. ESTABLISHMENT OF ZONE DISTRICTS. In accordance with the purpose and intent of this Ordinance (Article I, Section 101), the Borough of Bloomsbury is hereby divided into the following zone districts:

SECTION	DESIGNATION	DESCRIPTION
1200	A-R	Agriculture-Residential District
1201	R-2	Medium - Low Density Residential District
1202	R-3	Medium Density Residential District
1203	B-1	Neighborhood Commercial District
1204	B-2	Highway Business District
1205	ROM	Research Office & Manufacturing
1206	A-C	Agriculture - Conservation District
1207	PUD	Planned Urban Development

1101. ZONING MAP. The boundaries of all zone districts set forth in this Ordinance shall be shown on a map bearing date of adoption. Said map shall be filed in the office of the Borough Clerk and shall hereafter be “The Official Zoning Map” of the Borough. Such map is hereby declared a part of this Ordinance and shall be duly certified by the Borough Clerk.

1102. DISTRICT BOUNDARIES.

1102.1 CONFORMITY TO STREET OR LOT LINES. Except where referenced on The Official Zoning Map to a street line or other designated line by dimensions shown on said map, the district boundary lines are intended to follow lot lines, the centerline of street or railroad right-of-way lines or the centers of rivers or streams as they existed at the time of enactment of this Ordinance, or extensions of same.

1102.2 DIVISIONS OF LOTS OF SINGLE OWNERSHIP. Where a district boundary line as established in this section or as shown on The Official Zoning Map divides a lot at the time of the effective date of this Ordinance, the use authorized on, and the other district regulations applying to, the least restricted portion of such lot under this Ordinance shall be construed as extending to as much of the more restricted portion of such lot as is entirely within thirty five feet (35') of said dividing district boundary line.

1103. SCHEDULE. The schedule of area, lot, yard, building height, lot coverage and minimum floor area requirements enclosed herein is made a part of this Ordinance. The regulations included in said schedule are hereby established as minimum regulations of this Ordinance except that Borough facilities deemed necessary and appropriate by the Borough Council may be exempted from these regulations.

Revised December 1991

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF
BLOOMSBURY, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY
REVISING AND CHANGING ARTICLE XI, SECTION 1103, SCHEDULE.

1103. SCHEDULE

Dist																MIN N		
PERMITTED USES		INTERIOR		CORNER		MINIMUM YARD REQUIREMENTS							MAXIMUM BLDG HEIGHT		MAX IMPER	FLR AR	LIV	
		AREA (SQ FT)	WIDTH {FT}	AREA (SQ FT)	WIDTH {FT}	PRIM. FRONT	BLDG REAR	ONE	BOTH	EXT(a)	FRONT	REAR	ACCESSORY BLDG. SIDE	STORIES	BLDG FT	SURF COV	P/V. U SQ FT	FAR %
A-R	Single-Family Dwelling	3 acres	200	3 acres	200	50	50	30	60	30	50	25	20	2 1/2	30	20	900	—
	Churches	3 acres	250	3 acres	300	50	50	30	60	50	50	25	20	3	36	20	25	25
	Agriculture-Horticulture	5 acres	200	5 acres	200	50	50	30	60	30	50	25	20	3	36	10	900	—
	Schools (public/private)	3 acres	200	3 acres	220	50	50	30	60	50	50	25	20	2 1/2	36	25	—	25
	Businesses	3.5 acres		3.5 acres		—	20	—	—	—	—	20	—	3	36	20	—	25
	Agriculture Supporting																	
R-2	Single-Family Dwelling	(f)	125	(f)	125	40	35	20	40	30	40	25	20	2 1/2	30	20	900	—
	Churches	43,560	200	43,560	200	50	50	30	60	50	50	25	20	3	36	20	—	25
	Schools (public/private)	2 acres	150	2 acres	150	40	35	30	60	40	40	35	20	2 1/2	36	30	—	25
R-3	Single-Family Dwelling	(f)	75	(f)	85	25	35	8	2.0	25	25	25	8	2 1/2	30	30	900	—
	Semi-Detached Dwelling	(f)	100	(f)	110	25	35	8	20	25	25	25	8	2 1/2	30	30	900	—
	Churches	(f)	200	(f)	210	40	40	30	60	40	40	25	10	3	36	25	—	25
	Schools (public only)	2 acres	150	2 acres	150	40	35	30	60	40	40	35	20	2 1/2	36	30	—	25
B-1	Commercial & Retail	(f)	75	(f)	75													
	Joint Occupancy Use (b)	(f)	75	(f)	75	none	35	none	none	none	20	35	none	3	39	75		25
B-2	Commercial & Retail	40,000	200	42,500	225	none	35	5	10	10	20	35	none	3	39	60	—	25
ROM	Commercial Wholesale	40,000	150	40,000	175	75	25	10	20	20	75	35	5	2	28	60	—	25
	Industrial	40,000	150	40,000	175	35	15	none	none	none	35	15	10	2	3D	60	—	25
A-C	Agriculture-Horticulture	5 acres	200	5 acres	200	50	50	30	60	30	50	25	20	3	36	10	900	—
	Single-Family Dwelling	3 acres	200	3 acres	200	50	50	30	60	30	50	25	20	2 1/2	30	20	900	—
	Churches	3 acres	250	3 acres	300	50	50	30	60	50	50	25	20	3	36	20	—	25
PUD	Single-Family Dwelling	7,500.	75	7,500.	75	30	40	10	25	10	10	25	10	3	39	60	(e)	—
	Multifamily Dwelling	3 acres	250	3 acres	250	50	50	20	30	20	20	30	20	3	39	60	(e)	—
	Townhouses	3 acres	250	3 acres	250	50	50	20	30	20	20	30	20	3	39	60	(e)	—
	Two Family Dwellings	3 acres	250	3 acres	250	50	50	20	30	20	20	30	20	3	39	60	(e)	—
	Utilities	(f)	100	(f)	120	40	20	50	50	50	—	—	—	2	30	20	—	25
	Office Buildings	40,000	150	40,000	175	35	30	30	60	30	35	15	10	2	30	60	—	25
	Scientific or Research	40,000	150	40,000	175	35	30	30	60	30	35	15	10	2	30	60	—	25
	Churches	3 acres	250	3 acres	300	50	50	30	60	50	50	25	20	3	36	10	900	—

Dist

PERMITTED USES	INTERIOR		CORNER		PRIM. FRONT	BLDG REAR	MINIMUM YARD REQUIREMENTS			ACCESSORY BLDG.			MAXIMUM BLDG HEIGHT		MAX IMPER SURF COV	MIN N LIV FLR AR P/V. U SQ FT	FAR %
	AREA (SQ FT)	WIDTH {FT}	AREA (SQ FT)	WIDTH {FT}			ONE	SIDE BOTH	EXT(a)	FRONT	REAR	SIDE	PRIN. BLDG	STORIES			
SPECIAL USE WITH A PERMIT																	
Apartment Developments (c)	3 acres	200	3 acres	200	50	40	40	40	—	50	30	30	3	30	30	(c)	
Apartment Dwelling	10,000	100	11,000	110	25	35	8	20	50	25	25	8	2 ½	30	30	700	
Automobile or Gasoline Service Station	22,500	150	22,500	150	50	50	25	—	60	—	—	—	1	20	25	—	25
Motels	80,000	150	80,000	150	50	25	25	50	50	—	—	—	2	30	30	—	25
Shopping Centers	80,000	200	80,000	200	50	35	30	60	50	—	—	—	2	30	30	—	25
Drive-In Restaurants	60,000	200	60,000	200	50	25	25	50	25	—	—	—	1	10	25	—	25
Automobile and/or Trailer Service Area	60,000	200	60,000	200	50	25	25	50	50	—	—	—	2	20	30	—	25
Utilities	(f)	100	(f)	120	40	20	50	50	50	—	—	—	2	30	20	—	25

(a) Exterior side yard of corner lot.

(b) Maximum density not to exceed twelve (12) dwelling units per gross area

(c) See Article X, Section 1002.

(d) Not to exceed four (4) dwelling units

(e) See Article XII, Section 1207.4, Part E.

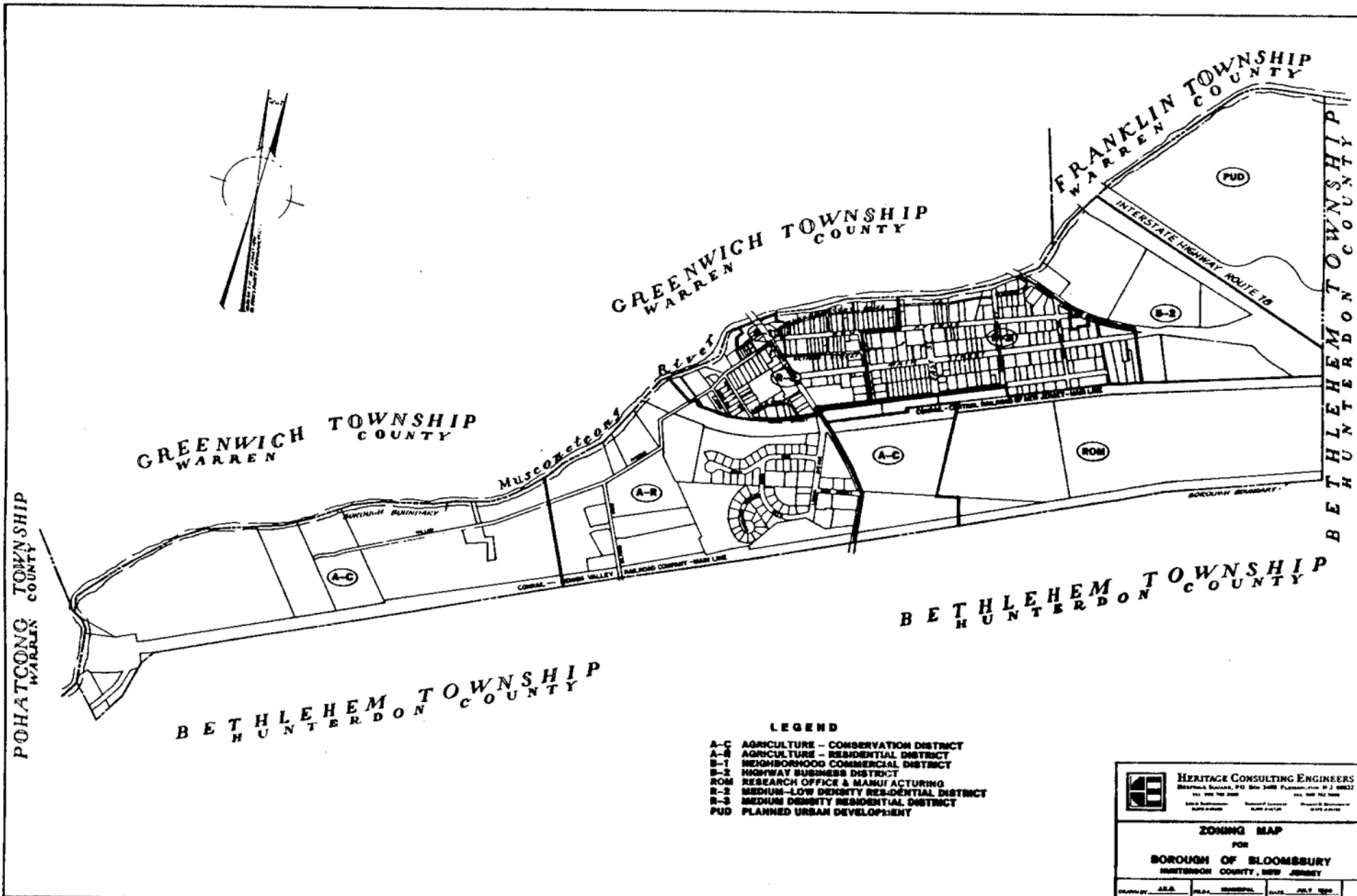
(f) With septic system - 30,000; with well and septic system - 40,000.

AN ANENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY INTRODUCING ARTICLE XI, SECTION 1104 TO THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMSBURY.

1104. EXEMPTIONS FOR RESIDENCES CONSTRUCTED PRIOR TO 1976.

Residences constructed prior to 1976 may add one story additions, without regard to required front and/or side yard setbacks, so long as these additions do not penetrate an encompassing rectangle formed by the major dimensions of the house. The major dimensions are determined for purposes of this Section at right angles to each other, are the maximum width along a wall of the house and the maximum length of the house, and are to exclude bays, porches or decks and any additions since 1976. Additions under this Section may not reduce the existing minimum front and side setbacks nor obstruct or prevent a driveway on the property construction must conform to that of the existing architecture of the building and to all other provisions of this Zoning Ordinance.

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF
BLOOMSBURY, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY
INTRODUCING ARTICLE XI, SECTION 1105, A REDUCED COPY OF THE
ZONING MAP.



LEGEND

- A-C AGRICULTURE - CONSERVATION DISTRICT
- A-R AGRICULTURE - RESIDENTIAL DISTRICT
- B-1 NEIGHBORHOOD COMMERCIAL DISTRICT
- B-2 HIGHWAY BUSINESS DISTRICT
- ROM RESEARCH OFFICE & MANUFACTURING
- R-2 MEDIUM-LOW DENSITY RESIDENTIAL DISTRICT
- R-3 MEDIUM DENSITY RESIDENTIAL DISTRICT
- PUD PLANNED URBAN DEVELOPMENT

HERITAGE CONSULTING ENGINEERS
 2000 Route 100, P.O. Box 3488, Flemington, NJ 08822
 Tel: 908-782-1000 Fax: 908-782-1001
 Linda R. Hoffmann, P.E. Robert J. Lutz, P.E. Philip B. Brannon, P.E.
 State of New Jersey License No. 12-10000 State of New Jersey License No. 12-10000 State of New Jersey License No. 12-10000

ZONING MAP
 FOR
BOROUGH OF BLOOMSBURY
 HUNTERDON COUNTY, NEW JERSEY

DESIGNED BY: A.E.	FILED: _____	DATE: JULY 1998
CHECKED BY: A.E.	SCALE: 1"=500'	

REVISED JANUARY 1988

ARTICLE XII

ZONE DISTRICT REGULATIONS

1200. AR, AGRICULTURE - RESIDENTIAL DISTRICT.

1200.1 PERMITTED PRINCIPAL USES.

1200.1-1 Single-family dwellings.

1200.1-2 Churches or other similar places of worship and cemeteries.

1200.1-3 Such municipal or public buildings, parks, playgrounds or other municipal facilities, as deemed appropriate by the governing body, not customarily conducted as gainful business.

1200.1-4 Public and private schools including nursery schools as defined in this Ordinance.

1200.1-5 Any form of agriculture consisting of customary and conventional fanning operations; all forms of agriculture support business including the operation of a fertilizer blend plant, but excepting those uses for which a Special Use Permit is required by Section 1200.3-4; and any form of horticulture except the commercial keeping, breeding, raising or handling of livestock, fowl and fur bearing animals.

1200.1-6 Agricultural support related business not open to the general public for retail purposes.

1200.1-7 Farming and the usual customary accessory uses thereto are permitted as of right. It is not the intention of this Ordinance to establish policy that the existence of a farming operation within this zone is a preferential land use. No action shall be commenced in any court of competent jurisdiction predicated upon this Ordinance which seeks to restrict or limit farming activities except as from time to time may be incorporated into this Ordinance.

1200.2 PERMITTED ACCESSORY USES.

1200.2-1 Private garages.

1200.2-2 Home occupations and professional uses in accordance with Article X, Section 1003 of this Ordinance.

1200.2-3 Private swimming pools for residential use as defined in this Ordinance.

1200.2-4 Shelter for domestic pets not in excess of fifty (50) square feet of gross floor area of buildings, exclusive of runs.

1200.2-5 Customary farm buildings for the storage of products or equipment on the same lot as the principal use.

1200.3 USES PERMITTED WITH A SPECIAL USE PERMIT.

1200.3-1 Public or private utilities excluding storage yards, garages or workshops.

1200.3-2 Public or private nursing homes.

1200.3-3 single—family cluster residential developments in accordance with Article X, Section 1002.4 of this Ordinance as it applies to the A-R Zoning District.

1200.3-4 Commercial green houses and structures or establishments for the raising or sale of farm horticultural products.

1200.4 OTHER PROVISIONS AND REQUIREMENTS.

1200.4-1 A farm shall have a minimum lot area of five (5) acres, exclusive of the lot area required for a single-family dwelling of both uses are included.

1200.4-2 A farm shall not use the portion of the lot within one hundred feet (100') of a residential lot line for the storage of fertilizer, produce or equipment. No barns, silos, equipment storage sheds, greenhouses or similar type structures shall be located within one hundred feet (100') of a residential lot line.

1200.4-3 A minimum of three (3) acres is required for the keeping of horses.

1200.4-4 A maximum of two (2) horses may be kept on a three (3) acre lot and an additional horse may be kept for each acre over three (3) acres.

1200.4-5 All nonresidential and agricultural uses in this district shall comply with the Performance Standards in Article X of this Ordinance.

1200.5 SIGNS. (See Article IX).

1200.6 LOT AREA AND YARD REQUIREMENTS. (See Article XI).

1201. R-2, MEDIUM-LOW DENSITY RESIDENTIAL DISTRICT.

1201.1 PERMITTED PRINCIPAL USES.

1201.1-1 Single-family dwellings.

1201.1-2 churches or similar places of worship and cemeteries.

1201.1-3 such municipal or public buildings, parks and other municipal facilities or properties of a character not customarily conducted as a gainful business, as deemed appropriate by the governing body.

1201.1-4 Public and private schools except nursery schools as defined by this Ordinance.

1201.2 PERMITTED ACCESSORY USES.

1201.2-1 Private garages.

1201.2-2 Home occupations and professional uses in accordance with Article X, Section 1003 of this Ordinance.

1201.2-3 Private swimming pools for residential use as defined in this Ordinance.

1201.3 USES PERMITTED WITH A SPECIAL USE PERMIT.

1201.3-1 Public or private utilities excluding storage yards, garages or workshops.

1201.3-2 Public or private nursing homes.

1201.4 OFF-STREET PARKING. (See Article VIII).

1201.5 SIGNS. (See Article IX).

1201.6 LOT AREA AND YARD REQUIREMENTS. (See Article XI).

1202. R-2, MEDIUM DENSITY RESIDENTIAL DISTRICT.

1202.1 PERMITTED USES.

1202.1-1 All uses permitted in Section 1201.1.

1202.1-2 Two-family dwellings, including duplex and semi-detached dwellings.

1202.2 PERMITTED ACCESSORY USES.

1202.2-1 Private garages including garages for apartment dwellers.

1202.2-2 Home occupations in accordance with Article X, Section 1003 of this Ordinance in single or two-family dwellings, and in apartment dwellings provided such uses are contained on the first floor of the apartment building.

1202.3 USES PERMITTED WITH A SPECIAL USE PERMIT.

1202.3-1 .11 uses permitted in Section 1201.3.

1202.3-2 Apartment dwellings.

1202.4 OFF-STREET PARKING. (See Article VIII).

1202.5 SIGNS. (See Article IX).

1202.6 LOT AREA AND YARD REQUIREMENTS. (See Article XI).

1202.7 COURTS. Inner courts shall be not less than twenty feet (20') in width or depth. Outer courts shall be not less than twenty feet (20') in width nor shall the depth exceed fifty percent (50%) of its width.

1203. B-1, BUSINESS DISTRICT.

1203.1 PERMITTED PRINCIPAL USES.

1203.1-1 Commercial, general business and other retail stores such as, but not limited to:

- A. Grocery stores, dairy stores and retail bakeries.
- B. Book, stationary and novelty stores.
- C. Department, apparel and accessories stores.
- D. Flower shops.
- E. Furniture, home furniture, home furnishings and equipment stores.
- F. Paint and hardware stores.
- G. Jewelry stores.
- H. Home appliance sales and repair stores.
- I. Sporting goods, bicycles and hobby stores.
- J. Eating places, not including drive-in restaurants.
- K. Optical goods store.
- L. Drug stores.
- N. Antique stores, gift, novelty and souvenir stores.

- N. Camera, photographic supply and art supply stores.
- O. Luggage and leather goods stores.

1203.1-2 Personal service establishments such as, but not limited to:

- A. Banks and fiduciary institutions.
- B. Credit agencies.
- C. Security and commodity brokers.
- D. Real estate, insurance and title offices.
- E. Holding and investment company offices.
- F. Laundry and dry cleaning self-service and pick-up stores.
- G. Photographic studios.
- H. Barber and Beauty shops.
- I. Shoe repair shops.
- J. Garment pressing, alteration and repair shops.
- K. Miscellaneous repair services, other than automotive.
- L. Indoor theaters, clubs or assembly halls.
- M. Dance studios and schools.
- N. Medical and health services, excluding veterinarian services.
- O. Legal services.
- P. Engineering and architectural offices.
- Q. Accounting and bookkeeping services.
- R. Funeral home or mortuary.

1203.1-3 Such municipal or public buildings, parks and other municipal facilities or properties of a character not customarily conducted as a gainful business as deemed appropriate by the governing body.

1203.2 PROHIBITED USES. The following uses shall be prohibited in the B-1 Business District:

1203.2-1 Any process of manufacture, assembly or treatment, except of goods or, merchandise, sold at retail on the lot; any process which constitutes an unusual fire risk or explosion hazard, or which constitutes a nuisance of odor, dust, noise, vibration, smoke or glaring lights.

1203.2-2 Bottling or beverage processing plants.

1203.2-3 Lumber and building material storage yards, coal yards and places for handling of other fuels.

1203.2-4 Automobile wrecking, junk yards or dumps.

1203.2-5 New car, used car or equipments sales lots.

1203.2-6 Outdoor sales or displays.

1203.2-7 Storage warehouses devoted exclusively for such use.

1203.2-8 Bulk storage of fireworks, explosives, inflammable or other gases.

1203.2-9 Any process prohibited in the ROM District.

1203.3 PERMITTED ACCESSORY USES.

1203.3-1 Any use permitted in Section 1201.2-1.

1203.4 USES PERMITTED WITH A SPECIAL USE PERMIT.

1203.4-1 Public or private utilities excluding storage yards, garages or workshops.

1203.4-2 Apartment dwellings.

1203.5 OFF-STREET PARKING. (See Article VIII).

1203.6 SIGNS. (See Article IX).

1203.7 LOT AREAS AND YARD REQUIREMENTS. (See Article XI).

1203.8 COURTS. As permitted in Section 1202.7.

1203.9 OTHER PROVISIONS.

1203.9-1 All non-residential uses in this district shall comply with the Performance Standards in Article X of this Ordinance.

1204. 2-2, HIGHWAY BUSINESS DISTRICT

1204.1 PERMITTED PRINCIPAL USES.

1204.1-1 All uses permitted in 1201.1-2.

1204.1-2 Commercial, general business oriented toward highway us.:

A. Automobile Showroom

B. Campus-type office (non-manufacturing) complex

C. Retail Stores

D. Family Restaurant

E. Wholesale stores and distributors in a completely enclosed building but not involving the processing or treatment of goods or products.

Revised - June 1996

- 1204.1-3 Personal services, professional offices and other uses including or similar to:
- A. Churches or other places of worship.
 - B. Medical clinics or laboratories serving medical and dental requirements.
 - C. Offices or office buildings for physicians,
 - dentists, lawyers, engineers, architects, real estate brokers, stock brokers and related uses.
 - D. Scientific research laboratory or other experimental, testing or research establishment including applied research, such as product development, provided that:
 - I. No processing shall be permitted except insofar as such processing is incidental to an experiment, or testing process.
 - II. There is no commercial production or storage of goods, materials or any other substance for sale, except as may be produced by a small pilot plant for scientific research.
 - E. Theater, but not including a drive-in theater.
 - F. Printing, lithography, publishing and photostating establishments.
 - G. Lodges, club houses or fraternal organizations.

1204.1-4 Such municipal or public buildings, parks and other municipal facilities or properties of a character not customarily conducted as a gainful business as deemed appropriate by the governing body.

1204.2 PERMITTED ACCESSORY USES.

1204.2-1 Private garages necessary to store vehicles on the same lot.

1204.2-2 Any accessory use on the same lot with and customarily incidental to any use permitted in this district.

1204.3 USES PERMITTED WITH A SPECIAL USE PERMIT.

1204.3-1 Drive-in restaurants.

1204.3-2 Automobile and gasoline service stations.

1204.3-3 Automobile and/or trailer sales areas.

1204.3-4 Motels.

Revised - June 1996

1204.4 OFF-STREET PARKING. (See Article VIII).

1204.5 SIGNS. (See Article IX).

1204.6 LOT AREA AND YARD REQUIREMENTS. (See Article XI).

1204.7 OTHER PROVISIONS.

1204.7-1 All non-residential uses in this district shall comply with the Performance Standards in Article X of this Ordinance.

1204.8 PROHIBITED USES. All uses that are not permitted are prohibited.

1205. ROM, RESEARCH OFFICE & MANUFACTURING.

1205.1 PERMITTED PRINCIPAL USES.

1205.1-1 Commercial and wholesale establishments such as, but not limited to:

- A. Wholesale businesses, including the storage of building materials and storage warehouse.
- B. Cold storage plant, ice plant, bottling or central distribution station, baking plant and dyeing plant.
- C. Laundry and dry cleaning plant.
- D. Lumber yard and garden center.
- E. Equipment sales, but not including automobile sales.

1205.1-2 Light mechanical operations or industrial processes such as, but not limited to:

- A. Publishing, printing, bookbinding and related industries.
- B. Electronic components and accessories, and computer centers.
- C. Engineering, laboratory, scientific, and research instruments and related equipment.
- D. Optical instruments and lenses.
- E. Surgical, dental and medical instruments and apparatus.
- F. Jewelry, silverware and precious metals.

1205.1-3 Public and private utilities including storage yards, garages and workshops.

1205.1-4 Any form of horticulture consisting of customary and conventional farming operations, and any form of

Revised - June 1996

and conventional farming operations, and any form of horticulture except the commercial keeping, breeding, raising or handling of livestock, fowl and fur-bearing animals. Commercial greenhouses and structures or establishments for the raising or sale of farm or horticultural products are permitted.

1205.1-5 Such municipal or public buildings, parks and other municipal facilities or properties of a character not customarily conducted as a gainful business, as deemed appropriate by the governing body.

1205.2 PERMITTED ACCESSORY USES.

1205.2-1 Private garages and other enclosed storage space necessary to store motor vehicles or mobile vehicles on the premises.

1205.2-2 Any accessory use on the same lot with and customarily incidental to any use permitted in this district.

1205.3 OFF-STREET PARKING. (See Article VIII).

1205.4 SIGNS. (See Article IX).

1205.5 LOT AREA AND YARD REQUIREMENTS. (See Article XI).

1205.6 OTHER PROVISIONS.

1205.6-1 All uses in this district shall comply with the Performance Standards in Article X of this Ordinance.

1206. A-C. AGRICULTURAL - CONSERVATION DISTRICT.

1206.1 PERMITTED PRINCIPAL USES.

1206.1-1 Single-family dwellings.

1206.1-2 Churches and similar places of worship and cemeteries.

1206.1-3 Public parks, playgrounds and recreational areas owned or operated by the Borough.

1206.1-4 Public and private schools.

1206.1-5 Any form of agriculture consisting of customary and conventional farming operations, all forms of agriculture supporting businesses including the operation of a fertilizer blend plant and any form of horticulture except the keeping, breeding, raising or handling of livestock, fowl and fur-bearing animals.

1206.1-6 Farming and the usual and customary accessory uses thereto are permitted as of right. It is the intention of this Ordinance to establish policy that the existence of a farming operation within this zone is a preferential land use. No action shall be commenced in any court of competent jurisdiction predicated upon this Ordinance which seeks to restrict or limit farming activities except as from time to time may be incorporated into this Ordinance.

1206.1-7 Such municipal or public buildings, parks or other municipal facilities or properties of a character not customarily conducted as a gainful business as deemed appropriate by the governing body.

1206.2 PERMITTED ACCESSORY USES.

1206.2-1 Private garages.

1206.2-2 Shelters for domestic pets not in excess of fifty (50) square feet of gross floor area of the buildings, exclusive of runs.

1206.2-3 Customary farm buildings for the storage of products or equipment on the same lot as the principal use.

1206.2-4 Private swimming pools for residential use as defined in this Ordinance.

1206.3 USES PERMITTED WITH A SPECIAL USE PERMIT.

1206.3-1 Public or private utilities including storage yards, garages or workshops.

1206.3-2 Public or private nursing homes.

1206.3-3 Single-family, detached dwelling, cluster residential developments in accordance with Article X, Section 1002.4 of this Ordinance as it applies to the A-C Zoning District.

1206.3-4 Commercial greenhouses and structures or establishments for the raising or sale of farm or horticultural products are permitted.

1206.4 OTHER PROVISIONS AND REQUIREMENTS.

1206.4-1 Farms shall have a minimum lot area of five (5) acres, exclusive of the lot area required for a single-family dwelling, if both uses are included.

1206.4-2 Farms shall not use the portion of a lot within one hundred feet (100') of a residential lot line for the storage of fertilizer, produce or equipment. No barns, silos, equipment sheds, greenhouses or similar type structures shall be located within one hundred feet (100') of a residential lot line.

1206.4-3 A minimum of three (3) acres is required for the keeping of horses.

1206.4-4 A maximum of two (2) horses may be kept on a three (3) acre lot and an additional horse may be kept for each additional acre over three (3) acres.

1206.5 OFF-STREET PARKING. (See Article VIII).

1206.6 SIGNS. (See Article IX).

1206.7 LOT AREA AND YARD REQUIREMENTS. (See Article XI). Revised December 1991

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY INTRODUCING ARTICLE XII, SECTION 1207 AND SECTION 1208.

1207. PUD, PLANNED URBAN DEVELOPMENT.

1207.1 PURPOSE.

1207.1-1 The purpose of the PUD district is to encourage the development of certain large vacant tracts in a manner which incorporates the best features of design and relates the type, design and layout of residential, nonresidential and recreational development to the particular site and, at the same time, to provide the realistic opportunity for lower income housing to be constructed in accordance with the guidelines set forth in the Mount Laurel II decision. Special standards and procedures applicable to these two (2) districts only are set forth herein to expedite the production of the lower income housing.

1207.1-2 Recognizing that the provision of lower-income housing requires the removal of standards which may be desirable to achieve but which may also be cost generating to a developer of lower-income housing and thereby inhibit its production, the multifamily residential development areas of the PUD may be designed in accordance with the guidelines set forth at Article 1207.8, which guidelines are deemed to be the minimum necessary for public health, safety and welfare.

Any provision of this chapter or any other ordinance in conflict with this section and which imposes restrictions or limitations not required for health and safety, shall be inapplicable to the PUD Districts.

1207.2 APPLICATION PROCEDURES.

1207.2-1 The applicant shall submit all plans and documents to the Planning Board for review and approval as required in by this zoning Ordinance. The applicant shall distribute the plans to those agencies required by law to review and/or approve development plans and to all other town agencies which normally review development plans.

1207.2-2 The technical advisors to the Board shall review the complete application for technical compliance and shall convey comments directly to the applicant's advisors in advance of the public hearing so that at the time of the public hearing the applicant will have had sufficient opportunity to resolve any technical problems associated with the submission. Daytime meetings shall be held at the request of the applicant between the Boroughs advisors and/or technical coordinating committee and the applicant's advisors for this purpose.

1207.2-3 The Planning Board shall hold a public hearing in accordance with N.J.S.A.40:55D-46.1 on the application. The Planning Board shall take action on the application within sixty (60) days from the date of submission of a complete application for preliminary or for simultaneous preliminary and final approval. If a subsequent final approval is sought, action on the final plan shall be taken by the Board within thirty (30) days of the date a complete application is submitted.

1207.2-4 The applicant is encouraged to submit a concept plan for informal review by the Board pursuant to N.J.S.A. 40:55D-10.1 prior to the preparation of a preliminary development plan

1207.2-5 The development plans submitted shall contain the information as required in the Ordinance.

1207.3 PERMITTED USES. Permitted uses shall be as follows:

1207.3-1 Principal uses.

A. Single-family dwellings in the single-family residential development area of the PUD.

B. Multifamily dwellings and townhouses in the multifamily residential development areas of the PUD.

- C. Two-family dwellings, including both side-by-side style and duplex style (one over another) dwellings, in the multifamily residential development areas of the PUD.
- D. Public or private parks and playgrounds.
- E. Public or private recreation buildings and facilities.
- F. Public utilities.
- G. Office building(s), scientific or research laboratories, data processing facilities in the office development area of the PUD.
- H. Churches.

1207.3-2 Accessory uses and structures.

- A. Garages and off-street parking facilities.
- B. Storage and maintenance buildings.
- C. Customary accessory structures approved as part of the site plan for the development, including fences, walls, lampposts, trellises and the like.
- D. Signs in accordance with this Ordinance.

1207.4 TRACT AREA, DEVELOPMENT AREAS, DENSITY AND BULK REQUIREMENTS

1207.4-1 Tract area. A PUD shall contain a minimum of fifteen (15) acres.

1207.4-2 Development areas. The PUD shall be divided into a single-family residential development area, multifamily residential development areas and an office development area

1207.4-3 Density. Within the PUD, the gross density shall not exceed seven and two-tenths (7.2) dwelling units per acre. The net density shall be 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 with such net densities computed as averages for the entire single-family residential development area or multifamily residential development area.

1207.4-4 Bulk requirements, multifamily residential development areas.

- A. Minimum distances.
 1. There shall be the following minimum distances between buildings in the multifamily residential development areas of PUD.

<u>Type of Structure</u>	Minimum Distance (feet)
Windowless wall to windowless wall	20

Window wall to windowless wall	20
Window wall to window wall	
Front to front	50
Rear to rear	50
End to end	30
Any building face to local street curbface or edge of pavement	30
Any building face to collector street curbface or edge of pavement	40
Any building face to arterial street curbface or edge of pavement	50
Any building face except garage face to common parking area	12
Garage face to common parking area	5

2. The Planning Board may reduce the above distance by not more than one-third (1/3) if there is an angle of twenty degrees (20°) or more between buildings and if extensive landscaping or buffers are placed between buildings.

B. Coverage. The maximum coverage by buildings in the multifamily residential development areas shall not exceed thirty percent (30%). The maximum coverage by all impervious surfaces, including buildings, shall not exceed sixty percent (60%).

C. Buffer areas. No building, driveway or parking are shall be located within thirty feet (30') of any tract boundary line.

D. Building height. No building shall exceed three (3) stories in height, nor shall any building exceed thirty- nine feet (39') in height.

E. Minimum floor area for individual multifamily units:

<u>Number of Bedrooms</u>	<u>Area (square feet)</u>
1	550
2	660
3	850

1207.4-6 Bulk requirements, single-family residential development area.

A. Lot area. No individual lot shall contain less than seven thousand five hundred (7,500) square feet nor have a lot width of less than seventy-five feet (75').

B. Building setbacks.

1. Building setbacks shall be as follows:

<u>Yards</u>	<u>Setback</u>
Front yard	30
Rear yard	40
Side yards	
Minimum on 1 side	10
Combined	25

2. Where individual lots are not being subdivided, yards shall be created for each building such that a subdivision could occur and all lots and buildings would conform to the area and setback requirements set forth herein.

1207.5 PARKING REQUIREMENTS.

1207.5-1 Residential uses.

- A. There shall be 2.0 parking spaces for each dwelling unit in the residential area.
- B. parking spaces in common parking areas in the multifamily residential development area shall be located within three hundred feet (300') of the dwelling unit served.
- C. All required parking for multifamily dwelling units shall be provided off-Street, except that nothing herein shall be construed to prohibit required parking spaces from being placed perpendicular to a one- or two-way local street or at an angle on a one-way local street, provided that both the pavement width of the street and the length of each parking space meet the requirements set forth in this Ordinance.
- D. No arterial or collector street shall provide direct access to an individual required parking space.

1207.5-2 Nonresidential uses. parking in the office development area shall conform to the applicable requirements of Article VIII of this ordinance.

1207.6 LOWER-INCOME HOUSING REQUIREMENTS.

1207.6-1 Lower-income dwelling units required to be constructed.

- A. Number. AU developments in the PUD Zone shall be required to provide housing affordable to lower-income households at the rate of twenty percent (20%) of the number of dwelling units constructed in the PUD. If the required percentage of the lower-income housing units required to be constructed in a PUD yields a fraction of five-tenths (0.5) or more, the number shall be rounded up to the next whole number; If the required percentage yields a fraction of less than five-tenths (0.5), the number may be rounded down to the next whole number but at no time shall it be less than one (1).
- B. Type and location. All lower-income units may be multifamily units and may be located in the multifamily residential development area.
- C. Size. A minimum of fifteen percent (15%) of the

lower income units shall be three-bedroom units, and a minimum of thirty-five percent (35%) of the lower-income units shall be two-bedroom units: at least one-half (1/2) of all two-bedroom and one-half (1/2) of all three-bedroom lower-income units shall be for very-low- income as opposed to low-income occupancy, as defined in this Ordinance. If a required percentage yields a fraction of five-tenths (0.5) or more, the number shall be rounded up to the next whole number; if a required percentage yields a fraction of less than five-tenths (0.5) the number may be rounded down to the next whole number but at no time shall it be less than one (1). Odd units may be considered low- as opposed to very-low- income units.

1207.6-2 Eligibility standards for housing units. One-half (1/2) of all lower-income units shall be priced so as to be eligible for rent or purchase by very-low-income households earning between a floor of forty percent (40%) and a ceiling of fifty percent (50%) of the median household income for the region and one-half (1/2) of all lower—income units shall be priced so as to be eligible for rent or purchase by low-income households earning between a floor of fifty percent (50%) and a ceiling of eighty percent (80%) of the median household income for the region. such housing units shall be priced to be affordable to households representing a reasonable cross section of households within the above stated income ranges.

1207.6-3 Definition of housing costs. Lower—income housing costs shall not exceed twenty-eight percent (28%) of the monthly family income for sale housing and not more than thirty percent (30%) of the monthly family income for rental housing, considering the following:

- A. Rental units; gross rent, including utilities or a utility allowance.
- B. Sale units:
 - 1. Principal and interest.
 - 2. Insurance.
 - 3. Taxes.
 - 4. Condominium or homeowners' association fees.

1207.6-4 Relief. In the event that a lower-income unit cannot be sold or rented, as applicable, within one hundred and twenty (120) days of being substantially completed and offered for sale or rent, the inclusionary developer may apply to the Affordable Rousing Board appointed by the Mayor and Council for relief. Such application must provide evidence of the developer's having undertaken an affirmative marketing effort to sell or rent the unit. Relief to the developer shall not include exempting the unit from the

required low- or very—low-income sales price or rent level, nor shall relief include exempting the unit from restrictions on escalation allowable upon re-rental. The Board may allow the developer to sell or rent the subject unit to a household whose income exceeds that otherwise required; provided, however, that in no event shall a very-low— income unit be sold or rented to a household earning in excess of fifty percent (50%) of the median income for the region and in no event shall a low—income unit be sold or rented to a household earning in excess of eighty percent (80%) of the median income for the region.

1207.6-5 Down payment Assistance. At least twenty five percent (25%) of all lower— income housing units shall be made available for sale under a program of down payment assistance administered by the Borough in accordance with applicable regulations, provided that such a program is funded by the State of New Jersey.

1207.6-6 Subsidies. Government subsidies may be used at the discretion of the applicant and are encouraged. The Borough of Bloomsbury shall cooperate in obtaining such subsidies by making application for assistance either in concert with or on behalf of a private developer, if requested to do so, and will provide a resolution of need and authorization of tax abatement, where required, to facilitate obtaining such subsidies. Additionally, the Borough of Bloomsbury shall make application for available state funding to establish a down payment assistance program of housing rehabilitation and conversion. The lack of said subsidies shall in no way alter or diminish the lower-income- housing requirements of this chapter.

1207.6-7 covenants and controls on sales and Rentals.

A. All lower-income dwelling units shall be covered by a covenant, with the Borough of Bloomsbury as a party beneficiary, to insure that in all initial sales and rentals, and in all subsequent re-sales and re-rentals, the unit will continue to remain available and affordable to the lower-income households for which they were intended. All such covenants shall be approved by the Borough Attorney

B. The application for the issuance of a certificate of occupancy for any new designated low-income housing unit shall include certification by the Housing Officer to the Affordable Housing Board documenting the eligibility of the unit and the qualification of the new purchaser and/or occupant as a lower-income household.

C. Prior to any resale or transfer of ownership or

change of occupancy of a designated lower-income housing unit, application shall be made for a new certificate of occupancy. The application for a certificate of occupancy shall include certification by the Housing Officer to the Affordable Housing Board documenting the continued eligibility of the unit and the qualification of the new purchaser and/or occupant as a lower-income household.

D. Lower-income rental units may be leased for periods of up to, but not exceeding one (1) year. At least sixty (60) days prior to the expiration of each lease which is subject to renewal, the owner of any lower-income rental unit shall provide documentation to the Housing Officer that the rental unit continues to be occupied by and remains affordable to a lower-income household. At such time as an owner of a rental unit is informed by the Affordable Housing Board that the occupying household no longer qualifies as lower-income, the rental unit shall, within ninety (90) days, be made available for occupancy by a qualified household.

E. All requests for certification shall be made by the seller or owner in writing, and the Housing Officer shall grant or deny such certification within thirty (30) days of the receipt of the request.

F. The town shall develop reasonable administrative procedures for the qualifying the occupants of lower-income housing. Procedures shall be directed and administrated by an Affordable Housing Board, appointed by the Mayor with the advise and consent of Council, and a Housing Officer, appointed by the Mayor and Council. The Housing Officer may be a full- or part-time municipal employee or consultant, an outside agency or a housing authority. Lower-income employees of the Borough of Bloomsbury and lower-income residents of the Borough of Bloomsbury living in substandard or overcrowding housing shall have first priority over all lower-income housing for a period not to exceed fifteen (15) business days from the time such units are listed for sale or resale or made available for rent.

G. At the time a certificate of occupancy is reissued, sales prices and rents may be increased over the original levels permissible by the Affordable Housing Board in accordance with the annual Metropolitan New York Regional Consumer Price Index for Housing of the Department of Labor, including, in the case of sales units, the addition of reimbursements for documented monetary outlays for reasonable improvements, similarly increased over the original costs incurred in selling

the unit, less withholdings for the current costs of essential maintenance not undertaken by the previous owner. After thirty (30) years from the date of its initial occupancy, a lower-income housing unit may be sold or rented without restrictions.

H. Rental units may be converted for sale as condominium or fee simple units, but any sale of converted units shall continue to be restricted as to purchase price and occupancy to persons to meeting the income eligibility standards as set for the particular unit until the thirty-year restriction period has passed.

I. Phasing of Construction of Lower-Income Housing.

1. Lower-income housing shall be phased in accordance with the following schedule:

Maximum Percentage of Total Market Dwelling Units	Minimum Percentage of Lower-Income Dwelling Units
25	0
50	35
75	75
100	100

2. The developer may construct the first twenty-five percent (25%) of the market units without constructing any lower-income housing units. No certificates of occupancy shall be issued for any of the next twenty five percent (25%) of the market units until thirty five percent of the lower-income units (of which half must be very-low-income) shall have been issued certificates of occupancy. No certificates of occupancy shall be issued for any of the next twenty five percent (25%) of the market units until at least seventy five percent (75%) of the lower-income units (of which half must be very-low-income) have been issued certificates of occupancy. The remaining required lower-income housing units shall be completed and certificates of occupancy issued before certificates of occupancy shall be issued for any of the remaining market units.

J. Placement. The lower-income dwelling units shall be designated on the preliminary site plan, shall have compatible exteriors to the market units and shall be

located so that they have comparable access to that of the market units to all common elements within the development.

K. Waiver of Fees for Lower-Income Housing Units. Notwithstanding any other requirements of the Borough of Bloomsbury, the following fees shall be waived for every unit designated as lower-income housing and only for those units designated as lower-income housing:

1. Subdivision and site plan application fees applicable to lower-income housing units.

1207.7 COMMON OPEN SPACE AND COMMON ELEMENTS.

1207.7-1 A minimum of twenty percent (20%) of the land in the multifamily residential area in a PUD shall be designated as conservation area, open space, recreation and/or other common open space. Up to twenty five percent (25%) of the designated common open space may consist of natural or man-made water bodies. The common open space area shall include private patios and any are located between a building and street or common parking area.

1207.7-2 All property owners and tenants in the development shall have the right to use the common open space and any recreational facilities located on the site.

1207.7-3 Common open space may be deeded to the Borough, if accepted by the Mayor and Council.

1207.7-4 All common open space not accepted by the Borough and all common elements in the development shall be deeded to an open space organization established to own and maintain the common elements as provided in N.J.S.A.40:55d-43. The open space organization documents shall be submitted to the Borough Attorney for review and approval.

1207.8 ENGINEERING AND CONSTRUCTION DESIGN STANDARDS.

Design and construction design standards, single and multifamily residential development areas shall be determined by the Borough Engineer in compliance with other standards of this Ordinance.

1207.8-1 Lighting.

A. Street lighting shall be provided at all street intersections and along all collector and local streets, parking areas and anywhere else deemed necessary for safety reasons.

B. Any outdoor lighting such as building and sidewalk

illumination, driveways with no adjacent parking, the lighting of signs, and ornamental lighting, shall be shown on the lighting plan in sufficient detail to allow a determination of the effects upon adjacent properties, roads and traffic safety from glare, reflection and overhead sky glow in order to recommend steps needed to minimize these impacts.

C. The average intensity of lighting permitted on roadways shall be as follows: two-tenths (0.2) foot-candle along local streets, two and zero-tenths (2.0) foot-candles at local street intersections, four-tenths (0.4) foot-candle along collector streets and three and zero-tenths (3.0) foot-candle at any intersection involving a collector street.

1207.8-2 Sanitary Sewers. The developer shall design and construct sewage collection facilities in accordance with applicable requirements and in such a manner as to make adequate sewage treatment available to each lot and building within the development from said treatment and collection system. The developer shall provide the Planning Board with a copy of the agreement with the contractor for the sewage treatment.

1207.8-3 streets.

A. All developments shall be served by paved streets in accordance with the approved subdivision and/or site plan, and all such streets shall have adequate drainage.

B. Local streets shall be planned so as to discourage through traffic.

C. All streets within the development shall be designed in accordance with New Jersey Department of Transportation "Standard Specifications for Road and Bridge construction, 1983," as amended, together with the construction standards of the Borough of Bloomsbury, on file with the Borough Engineer.

D. Intersections shall be designed in accordance with and as described in this Ordinance.

1207.8-4 Sidewalks. Sidewalks shall be installed in locations determined by the Board to be in the interest of public safety and proper pedestrian circulation. Sidewalks need not follow all streets and in some instances may better follow open space corridors. The determination of whether sidewalks are needed and where they are best located shall be based on public safety considering the intensity of development, the probable volume of pedestrian traffic, the

adjoining street classification (where sidewalks parallel streets), access to school bus stops, recreation areas and the general type of improvement intended.

1207.8-5 Water Supply.

* A. Water mains and services shall be constructed and paid for by the developer in such a manner as to make adequate potable water service available to each lot and building within the development. The system shall be designed and constructed in accordance with applicable requirements of the Borough Engineer. Prior to the grant of the preliminary approval, the applicant shall provide the Board with a copy of a letter from the water company indicating that the project will be serviced with public water.

B. Fire hydrants of a type and number and in locations approved by the Borough Engineer with the advice of the chief of the Bloomsbury Fire Company shall be installed by the developer.

1207.9 MULTIFAMILY RESIDENTIAL DEVELOPMENT AREA REQUIREMENTS.

1207.9-1 No building or group of attached buildings shall contain more than twenty four (24) dwelling units.

1207.9-2 No building shall exceed a length of two hundred feet (200').

1207.9-3 Each dwelling unit shall have at least two (2) exterior exposures with at least one (1) window in each exposure; alternatively, each dwelling unit shall be designed in conformance with the Uniform Construction Code such that either eight percent (8%) of the floor area of all habitable rooms shall be in windows or the maximum depth of the unit shall not exceed twenty two feet (22').

1207.9-4 No room within a dwelling unit intended for human habitation shall be located in a cellar, basement or attic, except that a cellar or basement may contain a family room or recreation room.

1207.9-5 Accessory buildings shall meet the property line setbacks of the principal building.

1207.9-6 The maximum height of an accessory building shall be sixteen feet (16'). Recreational building and facilities shall be governed by the height limitations for principal buildings.

*(Effective 12-08-93)

1207.9-7 Garages may be built into the principal structure or separately constructed as hereinafter provided. Each garage space shall be at least ten feet (10') in width and twenty feet (20') in depth. Each group of attached garages shall have a joint capacity of not more than twelve (12) automobiles arranged in a row, and there shall be a minimum distance of ten feet (10') between structures.

1207.9-8 Exterior television antennas shall be limited to one (1) antenna per building.

1207.9-9 Laundry facilities shall be provided in each building. Outside clothes drying is prohibited except in designated areas on the site plan.

1207.9-10 One (1) or more completely enclosed but unroofed structures for the collection and storage of solid waste shall be provided. The system of collecting and storing solid waste shall be approved by the Board of Health. No garbage or other refuse shall be stored or collected except in such approved structures.

1207.9-11 In addition to any storage area contained within the dwelling unit, a minimum of one hundred and fifty (150) cubic feet of storage space shall be provided for each dwelling unit, which storage area shall be convenient to and accessible from the outside of the building for the purposes of storing bicycles, perambulators and similar outside equipment.

1207.9-12 Screening and fencing shall be provided as needed to shield parking areas and other common facilities from the view of adjoining properties and streets.

1207.9-13 Provisions shall be made for the preservation of existing trees and natural features to the extent possible. All disturbed areas shall be landscaped. Landscaping shall be provided as follows:

A. Shade trees shall be planted along all streets and in common parking areas. Such trees shall be one and one-half (1 1/2) to two (2) inches in caliper at time of planting and shall be planted a minimum of fifty feet (50') on center along both sides of all streets and common parking areas. The Planning Board shall approve the choice of plantings and, in so doing, may rely upon the recommendations of the Shade Tree Commission.

B. Common areas and yards shall be planted with: one (1) conifer, six (6) to eight (8) feet high at time of planting, for each dwelling unit; one (1) deciduous tree, one and one-half (1 1/2) to two (2) inches in

caliper, for each two (2) dwelling units; and ten (10) shrubs, fifteen (15) to eighteen (18) inches high at time of planting, for each dwelling unit.

C. Buffer areas shall be left in a natural state wherever they are outside the limits of disturbance; otherwise, buffer areas shall be planted with conifers, six (6) to eight (8) feet high at time of planting, eight feet (8') on center.

D. All disturbed areas shall be planted in grass or ground cover.

E. All plantings shall be of nursery stock, balled and burlapped, and shall be healthy and free of disease.

Be it ordained by the Mayor and Common Council of the Borough of Bloomsbury, in the County of Hunterdon, that section 9, 10 and 12 of "An Ordinance to Regulate and Control the Location, Construction, Erection Alteration and Repair of Buildings Within the Borough of Bloomsbury, in the County of Hunterdon and State of New Jersey for the Purpose of Serving the Public Health, Welfare, Safety and Welfare of the Said Borough of Bloomsbury," Adopted January 29, 1957., be, and the same are hereby amended to read as follows and be incorporated into the Borough of Bloomsbury Zoning Ordinance:

1208. Entitled "An Ordinance to Regulate and Control the Location, Construction, Erection Alteration and Repair of Buildings Within the Borough of Bloomsbury, in the County of Hunterdon and State of New Jersey for the Purpose of Serving the Public Health, Welfare, Safety and Welfare of the Said Borough of Bloomsbury," Adopted January 29, 1957.

1208.1 No permit shall be issued to erect a building which is to be used as a dwelling on any plot having less than a hundred foot (100') frontage and a hundred and fifty foot (150') depth for each family unit for which the building is designed or by which it is occupied; provided that any owner of a lot which was acquired, or which was a separate lot, prior to January 29, 1957, and which has a frontage of fifty feet (50'), or more, may construct a single family dwelling thereon without violating the provisions of this Ordinance. The lot depth must be sufficient to permit proper location, installation and operation of a septic tank disposal system.

1208.2 All buildings hereafter erected which front on State Highways shall be set back at least thirty feet (30') from the right of way line. All buildings on other roads or streets shall be set back at least fifty feet (50') from the

center thereof or in line with other houses in built up sections. No garages, signboards or buildings of any kind shall be erected without a permit and none shall be closer to the road or highway than the line permitted for dwellings. The construction for such shall not depreciate the value of the existing property, or create a fire hazard causing insurance rates to be raised.

Every building to be used for a dwelling shall be constructed on a foundation of not less than six hundred and seventy two (672) square feet, outside measurement, for each family unit, and shall contain no fewer than three (3) rooms for each family unit, exclusive of toilets, bathrooms, porches and breezeways

1208.3 No permit shall be granted for a temporary residential trailer, cabin tent, or tourist cabin, or any temporary place for living, nor shall any permit be granted for a trailer to be used for a dwelling, except as provided in Article X, section 1006. No place shall be used or occupied as a dwelling except a building meeting all of the requirements of this ordinance, or a building which was so used or occupied on the effective date of this ordinances

This Article shall take effect immediately upon advertisement and final passage as required by law.

ARTICLE XIII

FEE SCHEDULE

1301. FEE SCHEDULE.

1301.1 PURPOSE. The purpose of this section shall be to set a fee schedule for site plan, subdivision and variance requests in the Borough of Bloomsbury.

1301.2 FEES. All fees, and deposits therefore, described in this section shall be paid by certified check, bank money order or good check. Development proposals involving more than use shall pay a fee and deposit equaling the sum of the fees for the component elements of the plat or submission. Development proposals requiring a combination of approvals, such as subdivision, site plan, and/or a variance, shall pay a fee and deposit equal to the sum of the fee for each element.

A. FILING FEES. The applicant shall, at the time of submission pay the following nonrefundable fee to the Borough of Bloomsbury:

- (1) Application for Classification: Fifty dollars (\$50.00) per application.
- (2) Informal (Conceptual) Review: One Hundred Dollars (\$100.00). This fee to be credited toward Filing Fees for a later formal application for the same development within ninety (90) days.
- (3) Minor Subdivision Approval: Three hundred dollars (\$300.00), plus one hundred dollars (\$100.00) for each lot.
- (4) Major Subdivision Approval:
 - a. Preliminary Approval: Seven hundred dollars (\$700.00), plus two hundred dollars (\$200.00) for each lot in the proposed subdivision.
 - b. Final Approval: Five hundred dollars (\$500.00), plus one hundred dollars (\$100.00) for each lot in the proposed subdivision.
 - c. Extension of Preliminary Approval of a Major Subdivision: Five hundred dollars (\$500.00).

(5) Site Plan Approval:

- a. Minor Site Plan Approval: Two hundred dollars (200.00).
- b. Preliminary Major Approval: Four hundred and fifty dollars (\$450.00).
- c. Final Major Approval: Two hundred and fifty dollars (\$250.00).
- d. Extension of Preliminary Approval of a Major Site Plan: Five hundred dollars (\$500.00).

(6) Conditional Use Approval (N.J.S.A. 40:559-67): Five hundred dollars (\$500.00).

(7) Appeal Pursuant to NSJ.S.A. 40:559-70 a. or b.: Three hundred dollars (\$300.00).

(8) Hardship or Other Variance Under N.J.S.A. 40:55D-70 c.: Three hundred dollars (\$300.00).

(9) Use or Other Variance Under N.J.S.A. 40:559-70 d.: Seven hundred and fifty dollars (\$750.00).

(10) Construction Permit in conflict with Official Map or for Lot Not Related to a Public Street (N.J.S.A.40:55D-36): Four hundred dollars (\$400.00).

(11) Application for certification of Pre-existing Nonconforming Use (N.J.S.A. 40:559-68): Four hundred dollars (\$400.00).

(12) Other Unspecified Applications to the Planning Board or Board of Adjustment: Four hundred dollars (\$400.00).

(13) Appeal to Borough Council (N.JLS.A. 40:550-17): Four hundred dollars (\$400.00). The appellant shall also, in accordance with N.J.S.A. 40:559-17 c., arrange for seven (7) copies of the transcript of the hearing(s) before the Board of Adjustment, the cost of which is to be paid for by the appellant.

(14) Waiver Request as to Checklist Item Required for Completeness of Application: Ten dollars (\$10.00) per waiver request.

B. REVIEW FEES ESCROW DEPOSITS. The Filling Fees hereinabove set forth are based upon normal services required for processing applications for development and include, among other expenses, the services of the approving authority Secretary in handling the application. These Filling Fees are not intended to cover the following costs (also called "Review Costs"):

(i) The cost of the technical reviews of the application, and reports on it, by experts such as the Borough Engineer, the Borough planning consultant, and any other professional experts and consultants, whose review, study, research and reports and/or testimony are deemed necessary by the approving authority in order to assure compliance with applicable laws, ordinances, rules and regulations and

(ii) The charges of the approving authority attorney, Borough Engineer, Borough planning consultant, and of a certified shorthand reporter, if any, at approving authority meetings during the discussion, review or processing of the application. In addition to the foregoing Filling Fees, each applicant for development approval shall establish one or more escrow accounts with the Borough to cover Review Costs involved with the application . A Review Fee is to be paid by the applicant. The Review Fee is equivalent to the total of the Review Costs associated with the application, as they are finally determined as described below.

At the time of submitting an application for development, and periodically thereafter, the applicant shall deposit to the escrow account(s) the amounts hereinafter provided which are designed to cover the Review Fee, and shall execute an escrow agreement. The escrow agreement shall be in a form prescribed by the approving authority. All Filling Fees and the required initial escrow deposit must be paid prior to certification that the application is complete. In the event that the amounts required to be deposited initially in the escrow account are not sufficient to cover the Review Costs, the approving authority shall request additional escrow funds, in accordance with the procedure hereinafter set forth, and these additional funds shall be paid by the applicant.

The initial deposit to an escrow account for Review Costs shall be the amount calculated as follows:

- (1) Informal (Conceptual) Review: Two hundred dollars (\$200.00).
- (2) Minor Subdivision Approval: Four hundred dollars (\$400.00) for each lot.
- (3) Major Subdivision Approval:
 - a. Preliminary Approval: Two thousand and five hundred dollars (\$2500.00) plus five hundred dollars (\$500.00) per lot for the first ten (10) lots, and one hundred dollars (\$100.00) per lot for all lots over ten (10).
 - b. Final Approval: Two thousand dollars (\$2000.00), plus two hundred and fifty dollars (\$250.00) per lot for the first ten (10) lots, and fifty dollars (\$50.00) per lot for all lots over ten (10).
 - c. Extension of Preliminary Approval of a Major Subdivision: Two hundred and fifty dollars (\$250.00).
- (4) Site Plan Approval:
 - a. Minor Site Plan Approval: Eighteen hundred dollars (\$1800.00).
 - b. Preliminary Major Approval: One thousand dollars (\$1000.00), plus thirty dollars (\$30.00) per one thousand square feet (1000 sq.ft.) of lot area, plus eighty dollars (\$80.00) per one thousand square feet (1000 sq.ft.) of lot coverage by building(s), all paved surfaces, and graveled parking and vehicular circulation areas.
 - c. Final Major Approval: Five hundred dollars (\$500.00), plus fifteen dollars (\$15.00) per one thousand square feet (1000 sq.ft.) of lot area, plus forty dollars (\$40.00) per one thousand square feet (1000 sq.ft.) of lot coverage by building(s), all paved surfaces, and graveled parking and vehicular circulation areas.
 - d. Extension of Preliminary approval of a Major Site Plan: Two hundred and fifty dollars (\$250.00).

(5) Conditional Use Approval (N.J.S.A. 40:55D-67): Two hundred dollars (\$200.00).

(6) Appeal Pursuant to N.J.S.A. 40:55D-70 a.: One hundred and twenty five dollars (\$125.00). Appeal Pursuant to N.J.S.A. 40:55D-70 b.: Two hundred dollars (\$200.00).

(7) Hardship or Other Variance under N.J.S.A. 40:55D-70 c.: Three hundred dollars (\$300.00).

(8) Use or Other Variance Under N.J.S.A. 40:55D-70 d.: Three hundred dollars (\$300.00).

(9) construction Permit in conflict with Official
Map or for Lot Not Related to a Public Street
(N.J.S.A. 40:55D-36): Four hundred dollars
(\$400.00).

(10) Application for certification of Pre-existing Nonconforming Use
(N.J.S.A. 40:55D-68): Two hundred dollars (\$200.00).

(11) Appeal to Borough council (N.J.S.A.
40:55D-17): One thousand dollars (\$1000.00).
In addition, the appellant shall comply with
N.J.S.A. 40:55D-17c regarding the transcript.

(12) Waiver Request as to Checklist Item for any Approving Authority
Review or Approval: Twenty dollars (\$20.00) per waiver request.

The escrow deposit shall be utilized to pay the Review Fees which are based upon the Review costs. The professional services constituting the Review costs shall be calculated in accordance with the actual time required for the review, study, research, report, testimony, and/or transcription, at rates established by a schedule of professional fees adopted and from time to time amended, by resolution of the Borough council, when requested by the Planning Board or Board of Adjustment. This schedule shall be maintained in the office of the Borough Clerk as well as the office of the Secretary of the Planning Board and Board of Adjustment for public inspection.

Professional (including certified shorthand reporters) engaged by any approving authority in connection with the application, and whose services

are to be paid from an escrow account, shall submit vouchers for all fees and expenses for their services to the approving authority for approval, itemized by application and by type of service rendered. The approving authority shall review all Review Costs to be assessed to an escrow account as determined in accordance with the aforementioned schedule of professional fees, as well as the need therefore. In making such review, the approving authority shall consider the following criteria as they apply to the particular application:

- (1) The presence or absence of public water and/or sewer servicing the site
- (2) Environmental considerations, including but not limited to geological, hydrological and other ecological factors.
- (3) Extent of new streets, roads, and other circulation and parking areas, and the traffic impact of the proposed development.
- (4) Impact of the proposed development on surface water drainage, on existing aquifer and/or water quality.
- (5) Changes in the application which require additional review.
- (6) Length of time of hearings and other meetings reasonably required to process the application.
- (7) Amount of time involved in the professional review and report. If the approving authority determines the costs are reasonable and appropriate, the costs so determined shall constitute part of the Review Fee, and the approving authority shall forward its determination to the Borough Treasurer who shall withdraw the amounts from the escrow account and pay them over to the appropriate professional.

C. ADMINISTRATION OF REVIEW FEES ESCROW DEPOSITS.

Each escrow deposit shall be held in escrow by the Borough in an account separate from the general funds of the Borough and separate from any other such account. Review Fees escrow deposits shall be

in an account separate from Inspection Deposits established under Article 1301.3. The account shall be in a banking institution or savings and loan association in this State insured by an agency of the federal government, or in any other fund or depository approved for such deposits by the State, in an account bearing interest at the minimum rate currently paid by the institution or depository on time or savings deposits.

All interest earned on any account shall be retained in the account until paid over as hereinafter provided.

The escrow deposit and account associated with each application shall be replenished by the applicant whenever the original escrow deposit is reduced by payments and approved charges against the account to thirty five percent (35%) or less than the original amount. The approving authority Secretary shall notify the applicant to replenish the escrow, and the applicant shall upon request deposit up to an additional twenty five percent (25%) of the original escrow account amount. In addition to all of the above, if the approving authority or its designee shall determine that the approved additional estimated costs exceed any of the foregoing amounts, the approving authority or its designee shall require such additional amounts as shall be required to cover such expenses. No further consideration, review, processing or inspection shall be performed by or on behalf of the approving authority or its designee until the additional escrow has been paid (except that the application may be denied for failure to make the required additional payment).

In the event the applicant believes any amount charged or to be charged to his escrow deposit is unreasonable, the applicant may (provided he has then made all required payments into his escrow account) file, with the approving authority Secretary, a written objection and request for a hearing by the approving authority with respect to such amounts. If the applicant was sent written notice that such amount was so charged or would be so charged, he shall file such written objection and request for hearing within ten (10) days after such written notice was sent to him. In the event an objection and request for hearing is made in this manner, the approving authority shall hold a hearing

with respect to the objection and make a determination as to the appropriateness of the amounts, using the criteria set forth above in this section. If the approving authority modifies its previous determination, an appropriate adjustment shall be made.

The applicant may also, within ten (10) days after the decision of the approving authority following the hearing, appeal its decision to the Borough Council by written notice of appeal received within such time by the Borough Clerk. The applicant shall provide the Borough Council with that portion of the transcript of the approving authority hearing on the matter, and the appellant's cost, and the appeal shall be on the record made before the approving authority.

The approving authority or Borough Council shall hold any hearing it conducts (as provided for above in this subsection) within thirty (30) days of receiving the request for the hearing. The decision of the body conducting the hearing shall be memorialized in a resolution containing finding of fact and conclusions. The Borough Council, when acting as an appellate body from a decision of the approving authority, may affirm, or alter the approving authority's decision.

Within one hundred and twenty (120) days:

- (i) after completion of the review of an application for development by the approving authority, whether preliminary or final, the adoption of any resolution memorializing the decision on the application, and the satisfaction of all conditions required for the plat to be signed, or
- (ii) after the withdrawal of an application (or after the conclusion of the informal discussion if the deposit was made for that purpose and is not to be credited toward an application for development), the Borough Treasurer shall refund to the applicant all deposit monies remaining in the account together with the interest, if any, which the applicant is entitled to receive.

The Borough shall retain interest earned on the deposit which does not exceed one hundred dollars (\$100.00) for the year. If the interest earned on the deposit exceeds one hundred dollars (\$100.00)

for the year, two thirds (2/3) of the entire amount of the interest earned shall be refunded to the applicant and the remaining one third (1/3) shall be paid over to the Borough. After any remaining balance in the account (including such interest) is so disposed of, the escrow account shall be terminated.

D. PAYMENT OF FEES REQUIRED. All permits, determination, resolutions, or certificates of approval are subject to the payment of all required fees, including the Filing Fee(s) stated above and the Review Fee (which is the aggregate of the finally determined Review Costs). No application shall be deemed complete until the required Filing Fee(s), and the required initial escrow deposit amounts, have been paid to the Borough. The full payment of the proper Filing Fee(s), the Review Fee(s) as finally determined, are required conditions for the approval of an application for development, and action to approve such application shall not be taken until such full payment has been made.

E. OTHER GUARANTIES AND FEES. Performance guarantees, inspection fees, and maintenance guaranties shall be in addition to the Filing Fee(s) and Review Fee(s) referred to above and shall be as described in Article 1301.3 and 4.

1301.3 SUBDIVISION INSPECTION. Prior to the requesting of any inspections, the applicant shall deposit with the Borough a fee to cover the cost of construction inspection in all major subdivisions. The amount of the fee shall be based upon the following schedule:

<u>Total Cost of Improvements</u>	<u>Inspection Fee</u>
Less than \$10,000.00	\$100.00 plus seven percent (7%) of the excess over \$1,000.00
\$10,000.00 to \$50,000.00	\$700.00 plus six percent (6%) of the excess over \$10,000.00
\$50,000.00 to \$100,000.00	\$3,100 plus five percent (5%) of the excess over \$50,000.00
More than \$200,000.00	\$5,600 plus four and one half percent (4 1/2%) of the excess over \$100,000.00
More than \$200,000.00	\$10,000.00 plus four percent (4%) of the excess over \$200,000.00

Revised March 1991

ARTICLE XIV

AN AMNENDMENT TO THE ZONING ORDINANCE INTRODUCING ARTICLE
XIV
FOR THE MANAGEMENT OF SURFACE WATER RUNOFF
IN THE BOROUGH OF BLOOMSEURY, COUNTY OF HUNTERDON,
STATE OF NEW JERSEY.

1400. TITLE.

1400.1 This ordinance shall be known as the Bloomsbury Borough Surface Water Management Ordinance.

1401. GENERAL INTENT.

1401.1 The general intent of this Ordinance is to manage the increased rate and velocity of the surface water runoff created by alterations in the ground cover and natural runoff patterns.

1402. PURPOSES.

1402.1 To protect the public health, safety and welfare of the citizens of Bloomsbury Borough and the surrounding communities, this Ordinance is deemed necessary and essential in order to:

1402.1-1 Maintain the adequacy of natural stream channels and prevent accelerated bank erosion by controlling the rate and velocity of runoff discharge to these water courses so as to avoid increasing the frequency of the bankfull stage.

1402.1-2 Enhance the quality of non-point runoff by water retention measures.

1402.1-3 Preserve present adequacy of culverts and bridges by reducing artificial induced flood peaks.

1402.1-4 Reduce public expenditures for replacement or repair of public facilities resulting from artificially induced flood peaks.

1402.1-5 Prevent damages to life and property from flooding resulting from excessive rates and velocities of runoff.

1402.1-6 Deter potential pollution of potable water supplies.

1403. POLICY.

1403.1 The declared policy of the Borough is to accomplish the above purposes, and to administer the provisions of this Ordinance, in such a manner as to cause the least possible expense to the applicants in complying therewith, and the requirements imposed on applicants by this Ordinance shall be liberally construed so as to effect such policy, consistent with law and the purposes and provisions set forth herein.

1404. DEFINITIONS.

APPLICANT: Any person submitting a surface water management plan.

APPROVED PLAN: A plan to control surface water runoff, approved as provided in this Ordinance.

BOROUGH: The Borough of Bloomsbury in the County of Hunterdon in the State of New Jersey.

CHANNEL: A water course with a definite bed and banks which confine and conduct continuously or intermittently flowing water.

DEVELOPMENT: The meaning ascribed to such work by the Municipal Land Use Law.

DRAINAGEWAY Any water course, trench, ditch, depression or other hollow space in the ground, natural or artificial which collects or disperses surface water from land.

LAND DISTURBANCE: Any activity by which or in which land is cleared, graded, transported or filled, or by which or in which the topography or vegetative cover of land is altered. This definition is not intended to encompass alteration of topography or vegetation generated by natural phenomena without specific human or other non-natural intervention.

1405. APPLICABILITY.

1405.1 A surface water management plan shall be submitted and approved, as provided herein, in connection with any application within the Borough for a construction permit, site plan approval or subdivision approval unless the application involves only a single land disturbance of less than seven hundred and fifty (750) square feet of surface area, or unless a waiver is granted under Section 1406.6 of this Ordinance.

1406. ADMINISTRATION.

1406.1 A surface water management plan shall be submitted and approved, as provided herein, prior to, or at the same time as, any site plan, preliminary major, or minor, subdivision approval required under the Zoning Ordinance for the Borough of Bloomsbury, or construction permit required pursuant to the New Jersey State Uniform Construction Code Act, is granted.

1406.2 An applicant shall submit a surface water management plan to the Secretary of the Borough Agency (either Planning Board or Board of Adjustment) if it is in connection with a subdivision or site plan approval being considered by such Borough agency. Otherwise the applicant shall submit such plan to the Borough Construction Official. The foregoing official to whom the plan is submitted shall promptly forward the same to the Borough Engineer for review.

1406.3 surface water management plans shall be reviewed by the Borough Engineer. The engineer's consideration of plans shall be guided by the following factors, as more fully defined in the following Articles:

1406.3-1 The suitability of the applicant's proposed surface water management measures, devices and planning techniques, whether involving on-site or off-site measures, or some combination thereof, in respect to the total surface water runoff, velocities and rates of discharge which the applicant's proposed construction or land disturbance may generate.

1406.3-2 Existing topography, present vegetation and hydrologic soil factors.

1406.3-3 Ground water recharge and discharge areas and wet soils.

1406.3-4 seasonal high ground water table.

1406.3-5 The design storm.

1406.3-6 Natural drainage pattern throughout the sub-water shed(s) affected by the plan.

1406.3-7 Land uses in both the immediate vicinity and surrounding drainage region.

1406.3-8 Any other applicable or relevant environmental and resource protection ordinances, statutes and regulations.

1406.4 The Borough Engineer shall make a decision to approve or disapprove the surface water management plan within thirty (30) days of the submission to the proper official of a complete plan. The plan shall be approved only if he has determined, taking into account the foregoing guidelines, that the plan will manage surface water runoff in accordance with the standards contained in this Ordinance.

1406.5 The borough engineer shall communicate in writing his decision on every completed surface water management plan (with reason for disapproval) to the official whom the plan was initially submitted, and to the Borough Planning Board Secretary if such plan initially was submitted to the Borough Construction Officer. In the event of disapproval, the applicant may submit the Borough Engineer's disapproval to the full membership of the agency (Planning Board or Board of Adjustment) considering the related site plan or subdivision application, or to the Planning Board (in connection with a construction permit application), at the agency's next regular meeting following disapproval and, in such event, the reviewing agency shall render a decision in the matter by no later than the first regular meeting following the meeting at which the disapproval is first presented to it. The reviewing agency may, in accordance with the purposes, policy and provisions of this Ordinance, affirm or reverse the Engineer's disapproval, or grant approval on such conditions as it deems appropriate.

1406.6 WAIVER.

1406.6-1 An applicant may request the Borough Engineer to waive the provisions of this ordinance upon certification that there will be no appreciable increase in the rate or velocity of surface water runoff from a proposed land disturbance, or that a proposed land disturbance will have no effect upon surface water runoff beyond the borders of the applicant's lot (the word "lot" as here being used deemed to include both any new and any remaining lot or lots created in connection with a proposed subdivision). The Borough Engineer shall grant or deny such request for waiver within thirty (30) days of submission thereof to the Borough Engineer. A denial of such request may be submitted for review to the appropriate agency in the same manner as set forth above in Section 1406.5 of this Ordinance.

1407. STANDARDS.

1407.1 GENERAL STANDARDS. In the preparation and implementation of a surface water management plan, the following general standards shall be adhered to:

1407.1-1 The rate and velocity of runoff from the site of the disturbance following completion of the planned development shall not exceed that which is generated from pre-construction conditions utilizing existing ground cover.

1407.1-2 Maximum use shall be made of presently existing surface water runoff devices, mechanisms or areas such as existing berms, terraces, grass waterways, favorable hydrologic soils, swamps, swales, water courses, woodlands, flood plains, as well as any proposed retention structures.

1407.1-3 Evaluation shall be made of the nature of the sub-watershed(s) of which the site is part, the receiving stream channel capacities and point of concentration structures.

1407.1-4 Surface water runoff shall generally not be transferred from one (1) watershed to another.

1407.1-5 The plan shall coordinate with the soil erosion-sediment control plan and, where applicable, to other environmental protection ordinances in force.

1407.1-6 To the greatest possible extent, the plan shall avoid the concentration of flow and shall provide for dissipation of velocities at all concentrated discharge points.

1407.1-7 Vegetative cover shall be re-established in accordance with “Standards and Specifications for Soil Erosion and Sediment Control in New Jersey”, adopted by the Hunterdon County Soil Conservation District, latest edition.

1407.1-8 Timing for the plan shall establish permanent surface water management measures prior to construction or other land disturbance, including seeding and establishing sod in grass waterways.

1407.2 DESIGN STANDARDS. The surface water management plan shall be prepared and implemented in accordance with the following design standards:

1407.2-1 For calculating runoff and controls either of the following methods may be used in computing runoff: “Soil Conservation Service Method” or the “Rational Formula”.

CRITERIA METHOD	SCS METHOD	RATIONAL
Collection system	15 year storm	15 year storm
Storage	100 year storm	100 year storm
Outlet discharge	10 year storm	10 year storm
Emergency spillway	100 year storm	100 year storm
Soil types	A, B, C, D, as determined loam by Soil Survey, Hunterdon County by USDA Soil Conservation Service. Issued Nov., 1974	
Maximum velocity at pine outlets	4 FPS	4 FPS
Intensity	SCS Method	water policy rainfall curves

Calculations for runoff shall be submitted for the entire lot on which the land disturbance is to be conducted. Calculations for design of control structures and outfalls shall be based upon the actual existing and/or proposed ground surface cover conditions in the sub-watershed(s) affecting such structures and outfalls.

1407.2-2 All outfalls are to be designed in a manner to retard velocities at the outfall and to provide stream channel protection.

1407.2-3 When a natural drainage pattern is necessarily intercepted, as by a street, this shall be considered.

1407.2-4 All structures and land treatment practices shall conform to “Standards and Specifications for Soil Erosion and Sediment Control in New Jersey”, adopted by the Hunterdon County Soil Conservation District, latest edition.

1407.2-5 All water—carrying structures and/or retention areas shall be completed and stabilized prior to diversion of water to them.

1407.2-6 Existing natural and man—made drainage related features (such as berms, terraces, grass waterways, favorable hydrologic soils, poorly drained soils, swamps, swales, water courses, woodlands, floodplains and similar features) shall be incorporated in the plan to the greatest possible extent in accordance with their functional capability.

1407.2-7 Drainage-ways and water courses which normally carry or receive surface water runoff shall not be overloaded with increased runoff, sediment or other pollution resulting from disturbance of soil and vegetation or incident to development, construction or other activity.

1407.2-B Where possible, drainage shall follow the natural or established drainage pattern of the sub-watershed(s) of which the subject property is a part.

1407.2-9 Innovative surface water runoff control and recharge devices may be utilized, such as rooftop storage, dry wells, cisterns, roof drain infiltration trenches, provided they are accompanied by detail engineering plans and performance capabilities, and approved by the Borough Engineer.

1408. DATA REQUIRED.

1408.1 The surface water management plan required hereunder shall include the following:

1408.1-1 Lot and block numbers of the entire property involved as shown in the current tax map of the Borough, north arrow and scale.

1408.1-2 Name and address of the applicant and the owner(s) of the land.

1408.1-3 Size of watershed and location of site within the sub-watershed(s).

1408.1-4 In the event (and only in the event) they will effect or be effected by the proposed land disturbance, the location, description and qualification of significant natural and man-made features on and surrounding the site of the disturbance, including topography, all impervious surfaces, and soil drainage characteristics, with particular attention to the location and description of presently existing natural or man-made surface water runoff controls, such as berms, terraces, water courses, swamps, flood plains, swales, woods, vegetation, steep slopes, and similar features.

1408.1-5 In instances where it is proposed to install a storm drainage system or surface water control device which will discharge directly into a water course, the size of the nearest culvert or bridge downstream of the discharge area, profiles and cross-section of stream channel upstream of stream channel at all points of proposed surface water discharge from the site as required by the Borough Engineer.

1408.1-6 Location, description and quantification of proposed changes to the site of the disturbance whether of a permanent or temporary nature with particular attention to impervious surfaces and interception of presently dispersed flow which may impact upon the capacity of the soil, vegetative cover and drainage-ways to absorb, retard, contain or control surface water runoff.

1408.1-7 Computation of the total surface water runoff before, during and after the disturbance of land and/or construction of impervious surfaces.

1408.1-8 Proposed measures for surface water management.

1408.1-9 A schedule of installing of the surface water management plan, related to the starting and completion dates of the project.

1408.1-10 Proposed maintenance schedule for all surface water management structures, stipulating current maintenance, continued maintenance, and responsibility for same.

1408.1-11 Any application form, approved for the purpose by the Borough Planning Board and Borough Engineer.

1408.1-12 The appropriate fee required under this Ordinance.

1408.2 The Borough Engineer may, at the request of an applicant and on a determination by him that it is not required in that instance for an evaluation as to whether the proposed land disturbance meets the standards of this Ordinance, waive the furnishing of certain design data and/or a maintenance schedule.

1409. FEES.

1409.1 For review and inspection required by this ordinance, the following non-refundable fees, payable to the Borough, shall be submitted with each surface management plan:

1409.1-1 For plan in connection with a construction permit, fifty dollars (\$50.00) per permit.

1409.1-2 For plan in connection with a site plan or subdivision approval, no separate fee (fee is deemed included in application fee for such approval).

1409.1-3 No fees shall be required in connection with a request for waiver of the provisions of this Ordinance under Section 1406.6.

1409.2 Notwithstanding the forgoing, in instances where a separate fee is required by this Ordinance and a submitted plan is not approved, twenty five dollars (\$25.00) of the fifty dollar (\$50.00) fee per lot paid by the applicant shall be refunded to the applicant because inspection of the implementation of the plan was not necessary.

1410. IMPLEMENTATION.

1410.1 TIMING. The construction and/or installation of surface water management improvements shall be in accordance with the schedule of sequence of installation as approved.

1410.2 BONDING. The Borough Engineer may require the posting of a performance and/or maintenance bond where necessary in the public interest to insure completion and/or maintenance of the surface water runoff controls required by a surface water management plan. In case of a major subdivision or site plan, the bonding required for such surface water runoff controls shall be included in the bonding for other improvements. The form of the bond shall be approved by the Borough Attorney. Such bond shall have a sufficient surety and be in the amount approved by the Borough Engineer as adequate to cover the cost of the measures to be performed or maintained as part of the approved plan. Such bond may be released upon approval by the Borough Engineer following completion of the required measures or if maintenance is no longer required.

1410.3 INSPECTION. The applicant shall be responsible for the installation and construction of all required surface water runoff control measures according to the provisions of his approved plan and this Ordinance; but such responsibility shall not relieve others violating this Ordinance from liability for such violation. The Borough Engineer shall have the right to inspect the site during its preparation and development to determine whether all surface water management measures have been constructed in accordance with the provisions of the applicant's approved plan under this Ordinance, Subsequent to the date of completion, the Borough Engineer may also periodically inspect the site to ascertain that the provisions of the applicant's approved plan are complied with.

1411. APPEALS.

1411.1 Appeals from decisions of the Planning Board or the Board of Adjustment affirming disapproval by the Borough Engineer of a surface water management plan, or affirming denial by the Borough Engineer of a request for waiver, may be made by the applicant within ten (10) days of the giving or mailing to the applicant a notice of such disapproval or denial (which notice shall contain a written statement of reasons therefore). Such appeal shall be made by notice in writing, specifying the grounds of appeal, filed with the Borough Clerk within such ten (10) day period. A hearing of such appeal shall be scheduled before the Borough Council for a date within forty five (45) days of such notice of appeal, and the applicant shall be given ten (10) days notice of the time and place of such hearing. Such appeal shall be decided by the Borough Council only upon the record before the Borough Engineer and the relevant Borough agency, and the standard for review shall be the same as that applied upon an appeal to the Borough Council pursuant to N.J.S.A. 40:55D-17. The Borough Council may affirm or reverse the decision below to disapprove the plan, and shall make its decision within fifteen (15) days of the hearing before it, and furnish a copy thereof to the applicant. No decision by the Borough Engineer to disapprove a plan or deny a request for waiver, but only from a decision of the Planning Board or the Board of Adjustment affirming such disapproval or denial.

1412. PENALTY AND ENFORCEMENT.

1412.1 Any person, firm or corporation violating any provisions of this Ordinance shall be punished by a fine of not exceeding five hundred dollars (\$500.00) or by imprisonment for a term not exceeding ninety (90) days, or both; and each day that such violation shall occur shall constitute a separate offense.

In addition to the above, the Borough Engineer is hereby empowered, after making a personal inspection of the site in question, to issue written notice to any property owner on whose property a land disturbance occurs prior to submission and approval of a plan under this Ordinance, or to any person causing or creating such land disturbance, ordering such owner or person immediately to cease, or cause to be ceased, such land disturbance, and further requiring such owner or person immediately to take such measures as may, in the Engineer's discretion, be reasonably necessary to protect the public health, safety and welfare, consistent with Section 1402 of this Ordinance, Compliance with any such order may be enforced under the police power of the Borough, and any person, firm or corporation violating such order shall be subject to the penalties set forth above.

1413. VALIDITY.

1413.1 If any portion of this Ordinance shall be adjudged by a court to be invalid, such judgment shall apply only to the portion so adjudged, and the remainder of this Ordinance shall be deemed valid.

1414. EFFECTIVE DATE.

1414.1 This Ordinance shall take effect immediately upon publication following final passage according to law.

ARTICLE XV

AN AMENDMENT TO THE ZONING ORDINANCE INTRODUCING ARTICLE XV ESTABLISHING IN THE BOROUGH OF BLOOMSBURY A PROGRAM FOR THE SEPARATION OF DESIGNATED RECYCLABLES FROM THE SOLID WASTE STREAM, THE COLLECTION/DISPOSITION OF SAME FROM RESIDENCES AND BUSINESSES AND INSTITUTIONAL PREMISES, PROMULGATING AND AUTHORIZING THE PROMULGATION OF RULES AND REGULATIONS THEREFORE, AND PRESCRIBING PENALTIES FOR THE VIOLATION THEREOF.

1500. PREFACE

WHEREAS, conservation of recyclable materials has become an important public concern by reason of the growing problems of solid waste disposal and its impact on our environment; and

WHEREAS, there is an increasing necessity to conserve our natural resources; and

WHEREAS, a reduction in the financial burden of solid waste disposal will be realized by both a reduction in the amount of solid waste and the sale of recyclable materials; and

WHEREAS, the recycling of designated materials will, for the reasons herein above set forth, foster and promote the general public health and quality of life.

NOW, THEREFORE, be it ordained by the Mayor and Common Council of the Borough of Bloomsbury that an ordinance, entitled "An Amendment establishing in the Borough of Bloomsbury a program for the separation of designated recyclables from the solid waste stream the collection/disposition of same from residences and businesses, promulgating and authorizing the promulgation of rules and regulations therefore, and prescribing penalties for the violation thereof", is hereby adopted as follows:

1501. GENERAL.

1501.1 The rules and regulations of this ordinance are mandatory for all occupants of residential, commercial and institutional establishments located in the Borough of Bloomsbury.

1501.9 Section 1510 designates materials that are to be recycled in the Borough of Bloomsbury.

1501.10 If any section, sentence or other part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance but shall be confined in its affect to the section, sentence or other part of this ordinance directly involved in the controversy in which such judgment shall have been rendered.

1501.11 All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

1501.12 This ordinance shall take effect after final passage and publication according to law.

1502. DESIGNATION OF RECYCLABLE MATERIALS.

Because of changing markets for recyclable materials, a long term discussion on which solid waste materials should be designated as recyclable is not possible. Therefore, please refer to Section 1509 and Section 1510 of this ordinance for a list of those materials which are designated as recyclable.

1503. RECYCLING IN RESIDENCES.

1503.1 Residences are defined as single dwellings designed for occupancy by from one (1) to four (4) families.

1503.2 Each family within a residence is required to recycle all materials designated by Section 1509 and Section 1510 as “residential recyclables”.

1503.3 Each category of recyclable material must be prepared for collection as specified in Section 1507.

1503.4 Failure of a family within a residence to abide by the rules and regulations of this ordinance may be fined up to two hundred and fifty dollars (\$250.00) for each month of non-compliance.

1504. RECYCLING IN RESIDENTIAL COMPLEXES.

1504.1 Residential complexes are defined as single or multiple dwellings designed for occupancy by more than four (4) families.

1504.2 Each family within a residential complex is required to recycle all materials designated by section 1509 and Section 1510 as “residential recyclables”.

1504.3 Each category of recyclable material must be prepared for collection specified in Section 1507.

1504.4 The owner of each residential complex is responsible for providing a recycle depot for the entire complex. The depot shall be equipped with owner or contractor supplied receptacles for each category of designated recyclable material. Access to the depot shall be controlled by the owner or his agent(s); however, access to the depot for the families of the residential complex must be scheduled at least once a week for at least a two (2) hour period and access to the depot must be made available to the recyclables collector between 7 AM and 4 PM on collection days.

1504.5 Failure of a family within a residential complex to abide by the rules and regulation of this ordinance may be fined up to two hundred and fifty dollars (\$250.00) for each month of non-compliance. Failure of an owner (or his agent) to abide by the rules and regulations of this ordinance may be fined up to two hundred and fifty dollars (\$250.00) for each month of non-compliance.

1505. RECYCLING BY COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL ESTABLISHMENTS.

1505.1 Commercial, industrial and institutional establishments are defined as all entities which operate or conduct any business whatsoever which cannot be included within the definitions of a residential premises or complex.

1505.2 Each commercial, industrial and institutional establishments is required to recycle all materials designated by Section 1509 and Section 1510 as “commercial, industrial and institutional recyclables”.

1505.3 commercial, industrial and institutional establishments may be exempted from recycling all materials designated by Section 1509 and Section 1510 as “commercial, industrial and institutional recyclables” provided at least one commodity is recycled. This exemption must be applied for and approved by the Recycling Coordinator and must be made in writing. Include with the request must be evidence showing that the applicant will implement an individual establishment’s alternate recycling plan identifying the material(s) that will be recycled and represents that an excess of fifty percent (50*) of the solid waste generated by

the applicant will be recycled. A temporary one time three (3) month exemption may be granted without supporting evidence at the discretion of the Recycling Coordinator, however, at the end of the three (3) month period the establishment must reapply for exemption with evidence collected during the three (3) month period. All regular exemptions (non-temporary exemptions) will expire on December 31st of each year. Exemptions must then be reapplied for no later than January 31st of the next year.

1505.4 Designated recyclables as described in Section 1509 and Section 1510 must be delivered to a State approved recycling facility at least once a month. Weight slips detailing the date, type of recyclables and the weight (in pounds or tons) must be delivered to the Borough Clerk no later than the 15th of the month for the preceding month.

1505.5 Failure of a commercial or industrial establishment to abide by the rules and regulations of this ordinance may be fined up to two hundred and fifty dollars (\$250.00) for each month of non-compliance.

1506. ESTABLISHMENT OF THE POSITION OF MUNICIPAL RECYCLING COORDINATOR.

1506.1 In order to carry out the requirements of the New Jersey Mandatory Source Separation and Recycling Act and the Hunterdon County Recycling Plan, the position of Municipal Recycling Coordinator is hereby established.

1506.2 The Municipal Recycling Coordinator will be annually appointed by the Mayor and will serve a term of one (1) year. The Mayor will annually affirm in writing the name of the person holding the position of Municipal Recycling Coordinator.

1507. JOB DESCRIPTION FOR THE POSITION OF MUNICIPAL RECYCLING COORDINATOR.

1507.1 The Recycling Coordinator will report to the governing body and/or the Municipal Clerk at least once annually on the status of the Municipal recycling program including:

1507.1-1 Tonnages that have been recycled by the Municipal program since the last report.

1507.1-2 Any additional materials that can reasonably be considered to be recycled as part of the Municipal program.

1507.1-3 The impact that the Municipal recycling program has had upon the amount of solid waste generated within the Municipality.

1507.1-4 Report on financial or technical assistance that is available to the Municipal recycling program.

1507.1-5 Recommending revisions of the rules and regulations of the Municipal recycling program as developed by the Recycling Coordinator in Sections 1508, 1509 and 1510 of this Ordinance.

1507.2 The Municipal Recycling Coordinator will attend all municipal recycling coordinator meetings that the governing body deems to be important. This includes meetings that may be conducted by the State, the County or other appropriate organizations.

1507.3 Promotes the Municipal Recycling Program by educating citizens, businesses, institutions and organizations to the need to participate in the Municipal Recycling Program.

1507.4 Explain to citizens, businesses and organization the provisions of the mandatory recycling ordinance and assist in the enforcement thereof.

1508. COLLECTION SCHEDULE FOR THE MUNICIPAL RECYCLING PROGRAM OF THE BOROUGH OF BLOOMSBZJRY

1508.1 Curbside pickup of newspapers, aluminum cans and glass is held on the first Friday of each month. Newspapers (no magazines or junk mail) must be tied in bundles. Green, brown and clear glass and aluminum cans must be separated.

1509. MATERIALS THAT MUST BE RECYCLED AS REQUIRED BY THE HIJNTERDON COUNTY RECYCLING PLAN.

1509.1 Residential -

- Newspapers
- Clear Glass
- Brown Glass
- Green Glass
- Aluminum Beverage Cans
- Leaves

1509.2 commercial/Industrial and Institutional* -

Newspapers
Clear Glass
Brown Glass
Green Glass
Aluminum Beverage cans
Leaves
Corrugated Cardboard

* Unless otherwise exempted pursuant to Section 1505.3 of this Ordinance.

1510. MATERIALS NOT REQUIRED TO BE RECYCLED BY THE HUNTERDON COUNTY RECYCLING PLAN.

1510.1 The following materials are not required to be recycled but may be considered mandatory by a municipality and or alternate recyclables for residential, commercial and industrial and institutional establishments.

Yard Waste
Bi-Metals/ Steel Cans
White Goods
Plastics - #'s 1 and 2 at present (may be expanded in the future)
Magazines Junk Mail Food Waste
Batteries - Low voltage and rechargables*
Batteries - Lead acid motor vehicle* Waste Oil*
Corrugated Cardboard* Tires*
High Grade and/or Office Paper* Construction/Demolition Debris** - components resulting from the construction and/or demolition of a building or structure, both residential and commercial, including but not limited to brick, sheetrock, glass, wood, tree stumps, logs, branches and other like material found in the demolition and/or construction industry.

Any material that can be unquestionably be recycled of nontraditional nature that is generated by a commercial/industrial or institutional establishment provided that there is a proven, viable market for the said materials.

* Should be mandatory for commercial, industrial and institutional establishments.

** The Construction and Building permits that are issued may require performance bonds and/or escrow accounts that are returned to the permit holder when receipts are shown documenting the proper disposal at the appropriate solid waste facility or approved recycling center.

APPENDIX

DEFINITIONS

1. **ACCESSORY BUILDING:** A detached subordinate building, the use of which is appropriate, subordinate and customarily incidental to that of the main building or principal use of the land and which is located on the same lot with the main building or principal use.

(See Article VI Section 501)

2. **ACCESSORY USE:** The use of a building, lot or portion thereof which use is customarily incidental and subordinate to the principal use of the main building or lot.

3. **AGRICULTURAL OR HORTICULTURAL:** Any parcel of land three (3) acres or larger in size upon which the principal pursuit for gain is the raising of agricultural or horticultural products.

4. **ALLEY:** A right-of-way, other than a street, designed or suitable for vehicular travel, providing access to the lot it reaches, either by the public or private parties, and not located entirely on one lot.

5. **ALTERATIONS, STRUCTURAL:** Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, except such change as may be required for safety, or any substantial change in the roof or in the exterior walls, not including, however, changes in doors or windows or alterations which affect primarily the appearance and not the life of the structure. Any addition to a building, any change in the use from that of one zoning classification to another, or moving a building from one site, location or position to another.

6. **APARTMENT DWELLING:** One of a group of not exceeding four (4) dwellings in one building in which two (2) or more dwellings share a common hall or passageway to the outside.

7. **APARTMENT DEVELOPMENT:** A use comprising of a building, or buildings, commonly called garden apartments, on a lot.

8. AUTOMOBILE AND GASOLINE SERVICE STATION: Any premises used for supplying gasoline and oil, tires, accessories and services for automobiles at retail direct to the motorist consumer, including the making of minor repairs, but not including major repairs or;

(a) Spray painting

(b) Body, fender and frame repairs, or automobile wrecking

(c) Complete recapping or re-treading of tires.

(See Article X, Section 1002.2)

9. AUTOMOBILE AND/OR TRAILER SALES AREA: An open area other than a street or way used for the display, sale or rental of new or used automobiles or trailers, and where minor and incidental repair work (other than body and fender) may be done.

(See Article X, Section 1002.1)

10. AUTOMOBILE WRECKING: The dismantling or wrecking of used automobiles or trailers, or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

11. BASEMENT:

(a) For purposes of this Ordinance, with reference to occupancy or use and to regulate the height and bulk of buildings, the portion of a building in which the ceiling averages less than four (4) feet above the finished grade where such grade meets the outside walls of the building, which shall not be considered a story and habitable.

(b) If the ceiling height averages more than four (4) feet above such grade and has a clear height of seven (7) feet or more, such portion shall be considered a story and habitable.

12. BILLBOARD: See SIGN

13. BOARDING OR ROOMING HOUSE: A building or portion thereof, other than a hotel, containing not more than one (1) dwelling unit, where meals and/or lodging are provided for three (3) or more persons in addition to the family unit, for a valuable consideration.

14. **BUFFER STRIP OR SCREEN:** A combination of lawn and a landscape screen of densely-planted (or having equivalent natural growth) evergreen shrubs or trees at least four (4) feet high at the time of planting of a type that will form a year-round dense screen at least six (6) feet high, which shall be maintained in good condition at all times. Where required in the district regulations, a screen shall be installed along or within the lines of a lot as a protection to adjoining or nearby lots.

(See Article V, Section 513)

15. **BUILDING:** A structure having a roof supported by columns, posts or walls, for the housing or enclosure of persons, animals, or property of any kind, including tents, lunch wagons, trailers, camper vehicles or mobile homes or other structures on wheels or other supports and any unroofed platform, terrace or porch having a vertical face higher than three (3) feet above the level of the ground from which the height of the building is measured.

16. **BUILDING, HEIGHT OF:** The total number of stories in a building, and the vertical distance measured from the average elevation of the finished lot grade at the front of the building to the highest point of the roof adjacent to the street wall for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridges for gable or hip or gambrel or pent roofs.

17. **BUILDING LINE:**

(a) **FRONT:** A line parallel to the street line at a distance there from equal to the depth of the front yard required for the district in which the lot is located.

(b) **SIDE:** A line parallel to the side line at a distance there from equal to the depth of the side yard required for the district in which the lot is located. (c) **REAR:** A line parallel to the front building line at a distance from the rear lot line equal to the depth of the rear yard required for the district in which the lot is located.

18. **CARPORT:** Any structure or portion of a building or structure other than an attached or detached garage used for the shelter of self—propelled vehicles, and shall be considered as part of the main building.

19. (Reserved for future use.)

20. **COVERAGE:** Ground area covered by buildings.

21. **CELLAR:** See **BASEMENT**.

22. CHURCH, OR SIMILAR PLACE OF WORSHIP: One or more of the following: church, manse, house, temple, synagogue, rectory, convent, parish or similar building incidental to the particular use; school for religious education, convents, teachers, communicants and domestic or maintenance employees; but not including business offices (except administrative office incidental to the operation of the particular use), rescue missions or the occasional use for religious purposes or properties not regularly so used.

23. CLUB HOUSE: A building or portion thereof or premises owned or operated by a corporation, association, person or persons for civic, social, cultural, religious, literary, political, educational or recreational purposes, but not primarily for profit or to render a service which is customarily carried on as a business, but not including shooting clubs, operated for the benefit of its members and not open to the general public.

24. COURT: An open, unoccupied and unobstructed space on a lot other than a yard, street or way bounded by two (2) or more sides of a building, including similar areas fully open to the sky but not necessarily beginning at the ground level.

(a) An OUTER COURT is one which opens for its full width into a yard or a street. The depth of an outer court is the greatest horizontal dimension measured at right angles from the yard or street upon which such court opens, to the face of the opposite building or wall. The width of the outer court is its least horizontal dimension measured at right angles to its depth.

(b) An INNER COURT is any court other than an outer court including a court completely surrounded by building walls and an interior lot line. The width of an inner court is its least horizontal dimension between opposite walls, measured at right angles to its longest side. The depth of an inner court is its greatest horizontal dimension, measured parallel to its longest side.

25. DRIVEWAY: A private strip of land, generally graded, intended for use as a means of vehicular or pedestrian access to an individual lot.

26. DUMP: A lot or part thereof used primarily for the disposal by abandonment, dumping, burial, burning or any other means and for whatever purpose of garbage, sewage, trash, refuse, junk, discarded machinery, vehicles, or parts thereof, or waste materials of any kind.

27. DUST-FREE SURFACE: A surface adequately covered with concrete, bituminous products, or surface-treated macadam properly drained, and maintained in good condition at all times.

28. DWELLING: A building or portion thereof designed for and used exclusively for residential occupancy, including one (1) family, two (2) family, and multiple family dwellings, and not including apartment hotels, hospital hotels, boarding houses, multiple homes, residential clubs, rooming houses, tourist courts, trailers, mobile homes and the like.

29. DWELLING UNIT: One (1) or more living or sleeping rooms with cooking and sanitary facilities for one (1) person or one (1) family.

30. DWELLING, ONE-FAMILY: A detached building containing only one (1) dwelling unit for the exclusive use by one (1) family.

31. DWELLING, TWO-FAMILY: A building containing only two (2) non-communicating dwelling units, each for the exclusive use by one (1) family and each with its own separate exterior entrance door.

32. DWELLING, DUPLEX: A two (2) family dwelling with one (1) dwelling unit above the other, having a single front entrance or one (1) front and one (1) side entrance on the first floor level and, in general having the exterior appearance of a one (1) family dwelling, provided that an enclosed stairway may give direct access to the second floor level.

33. DWELLING, MULTIPLE FAMILY: A building or portion thereof used designed as a residence for three (3) or more dwelling units, but not including automobile courts, motels, or former single-family dwellings converted for occupancy by not more than four (4) families as permitted herein.

34. DWELLING, SEMI-DETACHED: A dwelling designed for occupancy for one (1) family and being one of two (2) dwelling units under the same roof, separated by a party wall and having separate exits and entrances and no interior connection. ...The combined units being commonly known as a double house.

35. FAMILY: One (1) or more persons customarily living together as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house or hotel.

36. FLOOR AREA: The sum of the areas of the several floors of a building measured from the outside face of the exterior walls or from centerlines separating two buildings. In particular, floor area includes, but is not limited to, the following:

- (A) Basement space if it meets the requirements of a building story.
- (B) Elevator shafts, stairwells, and attic space (whether or not a floor has been laid) providing structural headroom of seven and one half feet (7 1/2') or more, and including only such floor area under a sloping ceiling for which the headroom is not less than five and one half feet (5 1/2') and only if at least seventy five percent (75%) of such floor area has a ceiling height of not less than seven and one half feet (7 1/2').
- (C) Roofed terraces, exterior balconies, breezeways, decks or porches, provided that over fifty percent (50%) of these is enclosed.
- (D) Any other floor space used for dwelling purposes, no matter where located within the building.
- (E) Accessory buildings, excluding space used for of f— street parking or loading berths.
- (F) Any other floor space not specifically excluded, excluding space used for air conditioning machinery or cooling towers and similar mechanical equipment serving the building and cellar space.

37. FLOOR AREA RATIO: The sum of the area of all floors of buildings or structures (as defined in paragraph #36) compared to the total area of the site. i.e. floor area/site area.

38. FRONTAGE: The portion of a lot extending along a street line.
(See Article V, Section 502).

39. GARAGE, PRIVATE: A detached accessory building or portion of a main building for the parking or temporary storage of automobiles of occupants of the main building, and wherein not more than one (1) space is rented to persons not residents of the lot, or not more than one (1) commercial vehicle, not to exceed three (3) tons, rated capacity.

40. GARAGE, PUBLIC: A building used for the care, repairing of, equipping of vehicles, or where such vehicles are parked or stored for remuneration or hire, which may be under public or private ownership or operation.

42. GARAGE, STORAGE: Any premises except those described above used exclusively for the storage of self-propelled vehicles.

43. GRADE, ESTABLISHED: The elevation of the centerline of streets as officially established by the Borough, County or State authorities.

44. GRADE, FINISHED: The complete surfaces of lawns, walks and roads brought to grades as shown on official plans or designs related thereto.

45. (Reserved for future use).

46. HABITABLE ROOM: A room or other enclosed floor space located in a basement, as defined by 10(b) of this Appendix, first or upper story of a dwelling, arranged for living, recreation, eating or sleeping purposes.

47. HOME OCCUPATION: Any occupation carried on as a subordinate use on a residential lot by a member of the family residing on the premises of the same lot.

48. JUNK YARD: Any land or premises, with or without buildings, used for the deposit, collection or storage of salvageable materials, used or discarded things, whether or not in connection with the dismantling, processing, salvage, sale or other use or disposition thereof; and for the purposes of this section, the deposit or storage on any lot of two (2) or more wrecked or inoperative vehicles or parts thereof for one (1) month or more shall be deemed to be a junk yard.

(Also see DUMP).

49. LANDSCAPING: Landscaping consists of the placing of attractive trees, shrubs, plants, natural lawns, and decorative stones or rock gardens.

50. LOADING FACILITY: An off—street space or berth abutting upon a street or other appropriate means of access intended for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials.

(See Article VIII)

51. LOT: A parcel of land shown on a subdivision map, or a record survey map, or a parcel described by metes and bounds, or a building site in one (1) ownership, occupied or proposed for occupancy by one (1) or more main and accessory buildings, and including the open spaces required by this Ordinance.

52. LOT AREA: The total area within the lot lines of a lot, expressed in terms of square feet or acres. Any portion of a lot in a street or alley, existing or proposed, shall be included in calculating lot area.

53. LOT, CORNER: A parcel of land at the junction of and fronting on two (2) or more intersecting streets.

54. LOT COVERAGE: The amount of a lot stated in terms of percentage that is covered by all buildings and/or structures located thereon. This shall be deemed to include all buildings, porches, arbors, breezeways, patio roofs and the like, whether open, box-type and/or lath roofs or fully roofed, but shall not be deemed to include fences, walls or hedges used as fences.

55. LOT DEPTH: The average distance between the front and rear lot lines measured in the mean direction of the side lot lines.

56. LOT, INTERIOR: A lot other than a corner lot.

57. LOT LINE: A line separating a lot from an adjoining lot or a street, except where part of the lot lies within the street, in which case, the lot line shall be the street line.

58. LOT LINE, FRONT: In the case of an interior lot, a line separating the lot from the street, and in the case of a corner lot, a line separating the narrowest street frontage of the lot from the street, except where part of the lot lies within the street line, in which case, the front lot line shall be the street line.

59. LOT LINE, REAR: A lot line which is opposite and most distant from the front lot line, and in the case of an irregular shaped lot, the line which is most nearly parallel to and at the greatest average distance from the street line.

60. LOT LINE, SIDE: Any lot boundary line not a front lot line or a rear lot line.

61. LOT, REVERSED CORNER: A corner lot, the rear of which abuts upon the side of another lot.

62. LOT, THROUGH: A lot having a frontage on two (2) streets.

63. LOT, WIDTH: The distance between the side lot lines measured at right angles to the lot depth at a point which constitutes the rear line of the required front yard space.

64. (Reserved for future use).

65. MOBILE HOME: Any portable or mobile vehicle used or designed to be used for living purposes, and with its wheels, rollers or skids in place.

66. MOTEL, AUTO COURT, MOTOR LODGES, TOURIST COURTS: One or more structures designed for the renting of sleeping room to transient guests, chiefly motorists, and so laid out that there is a direct and immediate access from a parked automobile to the rooms, and access to the rooms is not restricted to passage by a single control desk or lobby.

67. NONCONFORMING LOT: A lot, the size, dimension or location of which does not or ceases to conform to the requirements of the district in which it is located by reason of adoption, revision, or amendment of a zoning ordinance.

68. NONCONFORMING STRUCTURE: A building, structure, or sign the size, dimension or location of which does not or ceases to conform to the requirements of the district in which it is located by reason of adoption, revision or amendment of a zoning ordinance.

69. NONCONFORMING USE: A building, structure, lot or sign, the use of which does not or ceases to conform to the requirements of the district in which it is located by reason of adoption, revision or amendment of a zoning ordinance. As used in this Ordinance, a nonconforming use includes a nonconforming structure, lot or activity.

(See Article VII).

70. (Reserved for future use).

71. NURSERY SCHOOL: A school designed to provide care or instruction for two (2) or more children up to six (6) years of age inclusive, and operated on a regular basis. Children enrolled are not necessarily in need of supplemental parental care.

72. NURSING CONVALESCENT HOME: Any dwelling where persons are housed or lodged or furnished with meals and where nursing care is for hire.

73. **CERTIFICATE OF OCCUPANCY:** A permit issued by the Zoning Officer to indicate that, after construction of a building, or use in an existing building has been changed, the purpose for which the building was constructed meets the requirements of this ordinance, of the site plan provisions established by the Planning Board, or of other Boards or agencies which have the authority to establish standards of use, construction or other requirements.

74. **OFF-STREET PARKING SPACE:** A space in a parking garage or parking area not less than two hundred (200) square feet, ten (10) feet wide and twenty (20) feet long, reserved for the parking of only one (1) automobile. This space is exclusive of driveways, passageways, ramps, columns, office and word area.

75. **OPEN SPACE:** Any space or area characterized by (A) great natural scenic beauty, or (B) whose existing openness, natural condition or present state of use, if retained, would enhance the present or potential value of abutting or surrounding urban development, or would maintain or enhance the conservation of natural or scenic resources. Open space includes areas of historic significance.

76. **PARKING AREA:** An area other than a street, used for the parking of motor vehicles.

77. **PREMISES:** The land, buildings and all other facilities situated upon a lot.

78. **PRINCIPAL USE:** The main use to which a building or lot is placed on to be used, not incidental or subordinate to another use on the same lot.

79. **PRINCIPAL OR MAIN BUILDING OR STRUCTURE:** A building or structure primarily devoted to a principal use.

80. **PROFESSIONAL OFFICE:** The office of a recognized profession including architects, artists, authors, dentists, doctors or physicians, landscape architects, lawyers, ministers, musicians, optometrists, professional engineers, and such other similar professional occupations which may be so designated by the Board of Adjustment upon finding by such Board that such occupation is truly professional in character \ by virtue of the need of similar training, and especially as a condition for the practice thereof. The issuance of a state or local license for regulation of any gainful occupation need not be deemed indicative of professional standing.

(Also see HOME OCCUPATION).

81. **PROPERTY OWNER:** The person owning fee, title, or the person in whose name the legal title to the property appears, by deed, duly recorded in the office of the County Clerk of Hunterdon County, or the person in possession of the property or buildings under claim of, or exercising act of ownership over the same for himself, or as the executor, administrator or guardian of the property.

82. **SCREEN:** See **BUFFER STRIP OR SCREEN.**

83. (Reserved for future use).

84. (Reserved for future use).

85. **SHOPPING CENTER:** A group of commercial establishments planned, constructed, and managed as a unit with customer and employee off—street parking, truck loading and unloading facilities, landscaping, pedestrian walkways, utilities and sanitary facilities provided on the property. The integrated development, planned as an architectural unit, shall be related in location, size and type of shops to the trade area which the unit serves, and may include such uses as retail stores and shops, personal service establishments, professional and business offices, banks, post offices, gasoline service stations, restaurants, theaters and auditoriums housed in an enclosed building or buildings.

86. **SIGNS:** Any structure or part thereof, or any device, attached to a building or painted or represented thereon, or otherwise, which shall display or include any work, model, flag, insignia, device or representation which is in the nature of, or which is used as an announcement, direction, or advertisement for commercial purposes or otherwise. A sign includes a billboard, also a neon tube, string of lights or similar device outlining or hung upon any part of a building or lot, but does not include the flag or insignia of any nation or group of nations, or of any government agency or of any political, educational, charitable, philanthropic, civic, professional, religious or line campaign, drive, movement or event.

87. **SIGN, AREA:** The area within the shortest line that can be drawn around the outside perimeter of the face of a sign including all decoration, spaces between open—type letters and figures, background structure or other decoration ;. or addition which is an integral part of the sign, but excluding supports, if any. In computing sign area, the area of all faces of a sign shall be counted, and any neon tube, string of incandescent lights or similar devices shall be considered as having a minimum dimension of three (3) inches.

88. SIGN, BUSINESS: A sign which directs attention to a business, commodity, service, entertainment, or attraction conducted, sold, or offered upon the same lot where such sign is displayed. A “for sale” or “to let” sign related to the lot on which it is displayed shall be deemed to be a business sign.

89. SIGN, DIRECTIONAL: A sign with sign area of not over two (2) square feet indicating the direction or route to an establishment.

90. (Reserved for future use).

91. (Reserved for future use).

92. (Reserved for future use).

93. SIGN, WALL AREA: The area of a building wall fronting on a street including windows and doors.

94. SITE PLAN: A plan of a lot or subdivision on which is shown topography location of all buildings, structures roads, rights-of-way boundaries and all essential dimensions and bearings and other information deemed essential to the Planning Board.
(See Article III).

95. SPECIAL USE: A Modification of the regulations of the ordinance which the Board of Adjustment is permitted to authorize in specific instances listed in this Ordinance under the terms, procedures and conditions prescribed herein (See Section 1001) which special exception use as described in N.J.S. 40:55-39(b). Also called special permit use.

96. STORY: That portion of a building included between the surface of any floor and the surface of the next floor above it with a clear headroom of seven (7) feet in the basement, seven (7) feet six (6) inches in the first story, and seven (7) feet four (4) inches in upper stories, however, in apartments, all upper stories shall have a clear headroom of seven (7) feet six (6) inches or more whether finished or not. If the ceiling or underside of supporting members is less than four (4) feet above average grade surrounding any space, that space shall not be considered a story nor counted as floor area.

97. STORY, HALF: A story under a gable, hip, or gambrel roof, the wall plates of which, on at least two (2) opposite exterior walls, are not more than two (2) feet above the floor of such story.

98. STREET: Any public thoroughfare, designed or suitable for vehicular traffic, to the limits of the street line, provided that said thoroughfare is an existing state, county or borough street or highway, a street shown upon a plat approved by the Planning Board pursuant to the provisions of the Land Subdivision Ordinance and for which a performance guarantee has been posted, or a street shown upon a plat duly filed in the Hunterdon County Clerk's office prior to the adoption of the Land Subdivision Ordinance and which shall have been suitably improved to the satisfaction of the Borough Council.

99. STREET GRADE: The officially established grade of the street upon which a lot fronts.

100. STREET LINE: The dividing line between the lot and the street; or the street right-of-way line running across a lot where the lot extends into the street. On a street or highway shown on an approved plat map, the street line shall be considered to be the proposed right-of-way for this street.

101. STRUCTURE: Anything constructed or erected, the use of which required, directly or indirectly, a permanent location on the land.

102. STRUCTURE, ACCESSORY: See ACCESSORY BUILDING.

103. STRUCTURE, HEIGHT OF (OTHER THAN A BUILDING): The vertical distance measured from the curb level to the point of the structure. (For Height of Building see BUILDING, HEIGHT OF).

104. SWIMMING POOL - PRIVATE: A private swimming pool shall mean any private pool either permanently constructed or the portable type having a depth of more than eighteen (18) inches below the level of the surrounding land or an above- surface pool, having a depth of more than thirty (30) inches, designed, used and maintained for swimming or bathing purposes by an individual for the use of the members of his household and guests, and located on a lot as an accessory use to a residence and shall include all buildings, structures, equipment and appurtenances thereto.

105. (Reserved for future use).

106. (Reserved for future use).

107. THEATER, MOTION PICTURE: A building or part of a building devoted to the showing of motion pictures on a paid admission basis.

108. USE: The specific purposes for which land or a building is designed, arranged, intended, or for which it is or may be occupied or maintained. The ten “permitted use” or its equivalent shall not be deemed to include any nonconforming use. (Also see PRINCIPAL USE).

109. VARIANCE: A modification of the provisions of this Ordinance granted by the, Board of Adjustment, Planning Board or the Borough Council under the provisions of law.

110. YARD: An open space on a lot other than a court unoccupied and unobstructed from the ground upward except as otherwise provided in this ordinance.

(See Article V, Section 503).

111. YARD, FRONT: A yard extending across the full width of the lot and into which space there shall be no extension of building parts other than steps, eaves and cornices.

112. YARD, REAR: A yard extending across the full width of the lot between the most rear main building and rear lot line.

113. YARD, SIDE: A yard between a main building and the side lot line extending from the front yard to the rear yard.

114. ZONING MAP: The map annexed to and made a part of this Ordinance.

115. ZONING PERMIT: A Permit stating that the purpose for which a building, structure or land is to be used in conformity with the uses permitted and all other requirements under this Ordinance for the zone in which it is located or is to be located.

(See Article II, Section 202).

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HUNTERDON AND STATE OF NEW JERSEY INTRODUCING THE RESOLUTION TO CHANGE OR INTRODUCE SPECIFIED FEES IN THE ZONING ORDINANCE.

ARTICLE II, Section 205.1. The fee for a zoning permit shall be changed from two dollars (\$2.00) to five dollars (\$5.00).

ARTICLE X, Section 1003.9. Shall include a fee of ten dollars and read as follows:
1003.9 Occupations which are home occupations and those which are not home occupations are determined in the following lists. A permit is required from the Planning Board for the home occupation and may be obtained after a hearing at the Planning Board. With the granting of a permit the applicant shall pay a non-refundable fee of Ten Dollars (\$10.00) to the Borough of Bloomsbury. Occupations not listed will require a variance from the Planning Board to determine if they meet the requirements of a Home Occupation.

AN AMENDMENT TO THE ZONING ORDINANCE OF THE BOROUGH OF BLOOMSBURY, COUNTY OF HIJNTERDON AND STATE OF NEW JERSEY INTRODUCING THE RESOLUTION TO CHANGE ARTICLE IV, SECTION 8, PARAGRAPH 27 TO READ AS FOLLOWS:

27. FIRE HYDRANTS. To be installed on proposed water mains of intervals of not more than twelve.....

VARIANCE HELP

The following information is in aid to the preparation of an application for a variance to the Borough of Bloomsbury Planning Board/Board of Adjustment.

The two major types of variances are Bulk and Use. Applicants wishing to add a structure outside the building envelope (i.e. deck, swimming pool, etc.) would have to apply for a Bulk variance.

The following steps should be followed:

1. Obtain an application and fill out the required portion completely. This means that all questions and/or statements on the application must be filled in. If the statement or question does not apply for this application then it shall be so stated.
2. The application shall be given to the Secretary of the Planning Board, at least 30 days before the next scheduled meeting, so that it can be reviewed for completeness. If complete the Secretary will inform the applicant to continue with steps 3, 4 and 5. The applicant will also be informed as to the date on which the application will be heard before the Board.
- 3A. The applicant must obtain a certified list of all property owners within 200 feet of applicants property line. If another county is within the 200 feet then that county and all property owners within the 200 feet must also be included on the list. If a county road is within the 200 feet then NJDOT must also be included on the list.
- 3B. All of these property owners **MUST** be served a Notice- of-Hearing papers at least 10 days prior to the meeting. This notice can be a duplicate of the notice that will appear in the newspaper. (See step 4). Serving of a notice means that the notice is sent via certified mail or hand delivered. If done by hand, the applicant must obtain the signatures of the persons on the certified list and the date upon which they received the notice. If done by certified mail, the mailing receipts must be presented at the hearing.

4. At least 10 days prior to the hearing notice must be published in the official newspaper. A sample of the notice has been enclosed. The official newspaper is the Hunterdon Democrat which publishes every Thursday. To place a notice in the legal section of the newspaper the newspaper must receive the notice by 10 AN on Tuesday.

5. A Certification That Municipal Taxes are Current is enclosed. This must be filled out. The Certificate is then given to either the Town Clerk or the Tax Collector for completion. This completed form MUST accompany the application.

If there are any questions the Secretary can be contacted after 7 PM at 479-6065.

Mary Kiersh
Secretary
Borough of
Bloomsbury

The following is a sample of the ad that must be placed in the Hunterdon Democrat. The same form may be used to notify all persons and/or municipalities that are within 200 feet of the applicant's property lines.

**BLOOMSBURY BOROUGH
NOTICE**

Notice is hereby given that the undersigned, {NAME OF APPLICANTS}, have applied to the Bloomsbury Borough Planning Board/Board of Adjustment, Hunterdon County, for a variance from the terms of the Zoning Ordinance of the Borough of Bloomsbury in order to (REASON FOR THE REQUEST OF THE VARIANCE). A hearing on this application, known as Block (NO.), Lot (NO.) will be held by the Planning Board/Board of Adjustment of Bloomsbury Borough in the Municipal Building, Bloomsbury, N.J. on Tuesday (DATE) at 7:30 pm. (APPLICANTS) will appear before the Board with the completed application at this time.

All interested parties will be heard.

The application and all documents are on file and may be inspected by interested persons at the Borough Hall during regular business hours.

{ APPLICANT }

{ APPLICANT }

Applicant

NOTES: All items that are designated by { } are to be filled in by the applicant.

* The date will be determined by the Secretary of the Planning Board.

BOROUGH OF BLODMSBURY
COUNTY OF HUNTERDON

SUBDIVISION APPLICATION TO BLOOMSBURY
PLANNING BOARD - ZONING BOARD

Must be submitted a minimum of ten (10) days before meeting to be scheduled.

FOR OFFICIAL USE ONLY

Date Application Filed: _____

Board Action Required By: _____

Fee Paid: Amount _____ Date: _____

Date File Complete: _____

I certify that the enclosed Application is complete.

Signature of Certifying Agent

Date

Other signature (if required)

Date

SECTION 1. GENERAL INFORMATION

A. Applicant: NAME _____

ADDRESS _____

TELEPHONE NO. (____) _____ ext. _____

B. The Applicant is a: CORPORATION _____ PARTNERSHIP _____

INDIVIDUAL(S) OTHER (please specify)

C. If the Applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a ten percent (10%) interest, or more, in the corporation or partnership.

D. The relationship of the Applicant to the property in question is:

OWNER _____ LESSEE _____ PURCHASER UNDER CONTRACT _____

OTHER (please specify) _____

E. Owner:

NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

F. Engineer/Surveyor: NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

G. Attorney: NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

=====

SECTION 2. TYPE OF APPLICATION (Check one)

Minor _____ Major-Preliminary _____ Large Scale _____

Development Major Final _____ PUD _____

Single Family Cluster _____

Variance (type) _____

=====

SECTION 3. INFORMATION REGARDING THE PROPERTY

A. The street address of the Property is _____

B. The location of the Property is approximately _____ feet from the intersection
of _____ and _____

C. The Block number(s) is; the lot number(s) is _____

D. Use of Property: Existing use _____
Proposed use _____

E. The zone in which the Property is located is _____ (The Building Inspector's
office can help determine this information).

F. Acreage of entire tract to be subdivided _____

G. Number of lots proposed _____

H. Is the subject Property located on a county road? Yes _____ No _____ ; state road?
Yes _____ No _____ ; or within 200 feet of a municipal boundary? Yes _____ No _____

I. Was the Property subject to a prior subdivision?
Yes _____ No _____
(if yes, attach list of dates of prior subdivisions and resolutions or minutes.)

J. Number of lots created on tract prior to this application _____

K. Are there any existing or proposed deed restrictions, easements, rights-of-way or other
dedication?
Yes _____ No _____

A COPY OF THE DEED MUST ACCOMPANY THIS APPLICATION.

L. Improvements: List all proposed on site utility and off-tract improvements.

M. Plat submission: List maps and other exhibits accompanying this application.

SECTION 4. INFORMATION REGARDING APPLICATION

A. Describe any proposed “c” variances requested, their location (proposed lot and block), and the sections of the Zoning Ordinance from which relief is granted.

B. Additional relief required for approval:

- 1. Waiver of lot to abut street_____
- 2. Exception to the official map_____
- 3. Application for construction on mapped street, public drainage-way, flood control basin or public area

C. Comment by Zoning Officer (For official use only.):

SECTION 5. CHECK LIST OF WAIVER REQUESTS

A. (This subsection is reserved for the individual municipality to list all the submissions required by its Ordinance).

B. Please list which sections of the Ordinance applicant requests a waiver from and the reasons thereof.

SECTION 6. AUTHORIZATION AND VERIFICATION

I certify the statements and information contained in this application are true.

Applicant

Date

I authorize the applicant to submit this application and process for approval.

Owner's Signature

Date

CONCEPTION PLAT CHECK LIST
(If conception plat is requested).

<u>ITEM</u>	<u>APPLICANT</u>	<u>P.B.</u>
1. Twelve (12) copies of application form	_____	_____
2. Agreed fees if any	_____	_____
3. Twelve (12) copies of sketch plat	_____	_____
4. Size of map _____ (8 1/2 X 13, 15 X 21, 24 X 36, 30 X 48)	_____	_____
5. Scale _____ (not to exceed 1"=100')	_____	_____
Plats should contain the following data (refer to the subdivision ordinance for details):		
6. Location	_____	_____
7. Structures, wooded areas and topography	_____	_____
8. Owners	_____	_____
9. Identity	_____	_____
10. Streets, easements, watercourses and rights-of-way	_____	_____
11. Lots	_____	_____
12. Endorsements, minor and exempt subdivisions	_____	_____
13. Utility and drainage information	_____	_____
14. Date of original preparation and date of revision, if any, of plat, as well as old name if submitted previously under a different title	_____	_____
15. Evidence of satisfactory percolation test	_____	_____

16. Certification from assessor that taxes are
current

Person preparing check list

Date

Township Official

Date

PRELIMINARY PLAT CHECK LIST

Applicant _____ File No. _____

<u>ITEM</u>	<u>APPLICANT</u>	<u>P.B.</u>
1. Twelve (12) copies of application form	_____	_____
2. Fees as per schedule	_____	_____
3. Twelve (12) copies of preliminary plat	_____	_____
4. Two (2) copies of affidavit of ownership or letter from owner authorizing submission of plat	_____	_____
Plats should contain the following data:		
5. Record owner or owners	_____	_____
6. Key map	_____	_____
7. Number of lots, lot layout, dimensions and area in square feet not including dedicated right-of-way purposes	_____	_____
8. Record owner or owners of property to be subdivided; if other than an individual, the corporate officers or partner or other statutory agent	_____	_____
9. Subdivider	_____	_____
10. Person who prepared map, official seal and license number	_____	_____
11. Owners of property within 200 feet of entire tract	_____	_____
12. Acreage	_____	_____
13. Elevations and contours	_____	_____
14. Existing and proposed locations	_____	_____
15. Streets	_____	_____

- 16. Utilities _____
- 17. Sewers, drains and ditches _____
- 18. Percolation tests _____
- 19. Private sewage disposal _____
- 20. Off-site improvements _____
- 21. Setback lines _____
- 22. Deed restrictions (Copy of deed enclosed) _____
- 23. Open space _____
- 24. support capability _____
- 25. Proof that current taxes are paid _____
- 26. Tract name _____
- 27. Tax lot and block numbers _____
- 28. Further information if related to
another subdivision _____
- 29. Storm waters, proposed _____

Person preparing check list

Date

Township Official

Date

FINAL PLAT CHECK LIST

Applicant _____ File No. _____

<u>ITEM</u>	<u>APPLICANT</u>	<u>P.B.</u>
1. Twelve (12) copies of application form	_____	_____
2. Fees as per schedule	_____	_____
3. One (1) original, one (1) translucent cloth, two (2) color and ten (10) black and white prints	_____	_____
4. Affidavit from applicant indicating no changes from the preliminary or detailing the changes in the preliminary	_____	_____
5. Letters from the following individuals or agencies:		
A. Township engineer	_____	_____
B. Water supplier	_____	_____
C. Fire department	_____	_____
D. Board of health	_____	_____
E. Tax collector	_____	_____
F. Township clerk	_____	_____
Plats should contain the following data besides the preliminary data:		
6. Identification	_____	_____
7. Tract boundary lines, rights-of-way line of street names, easements and other rights-of-way, land to be reserved or dedicated to public use, all lot lines with accurate dimensions, bearings, or deflection angles, and radii, arcs and chord bearings, distances arc lengths, and radii of all curves	_____	_____

8. Public use

9. Block and lots

10. Monuments

11. Consent of owner

12. Approval

13. certifications

14. Proof that current taxes are paid

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Person preparing check list

Date

Township Official

Date

BOROUGH OF BLODMSBURY
COUNTY OF HUNTERDON

SITE PLAN REVIEW APPLICATION TO BLOOMSBURY
PLANNING BOARD -ZONING BOARD

Must be submitted a minimum of three (3) weeks before meeting to be scheduled.

FOR OFFICIAL USE ONLY

Date Application Filed: _____

Board Action Required By: _____

Fee Paid: Amount _____ Date: _____

Date File Complete: _____

I certify that the enclosed Application is complete.

Signature of Certifying Agent

Date

Other signature (if required)

Date

SECTION 1. GENERAL INFORMATION

A. Applicant: NAME _____

ADDRESS _____

TELEPHONE NO. (____) _____ ext. _____

B. The Applicant is a: CORPORATION _____ PARTNERSHIP _____

INDIVIDUAL(S) OTHER (please specify)

C. If the Applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a ten percent (10%) interest, or more, in the corporation or partnership.

D. The relationship of the Applicant to the property in question is:

OWNER _____ LESSEE _____ PURCHASER UNDER CONTRACT _____

OTHER (please specify) _____

E. Owner:

NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

F. Engineer/Surveyor: NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

G. Attorney: NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

SECTION 2. TYPE OF APPLICATION (Check one)

Minor _____ Major-Preliminary _____ Large Scale _____

Development Major Final _____ PUD _____

Single Family Cluster _____

Variance (type) _____

SECTION 3. INFORMATION REGARDING THE PROPERTY

A. The street address of the Property is _____

B. The location of the Property is approximately feet from the intersection
of _____ and _____

C. The Block number(s) is; the lot number(s) is _____

D. Use of Property: Existing use _____
Proposed use _____

E. The zone in which the Property is located is _____ (The Building Inspector's
office can help determine this information).

F. Acreage of entire tract is _____

G. Is the subject Property located on a county road? Yes _____ No _____ ; state road?
Yes _____ No _____ ; or within 200 feet of a municipal boundary? Yes _____ No _____

H. The type of proposal is: New Structure _____
Expanded Area _____ Improved Parking Area _____
Alteration to Structure _____ Expansion to Structure _____
Change of Use _____ Sign _____

I. The name of the business or activity (if any) _____

J. Are there any existing or proposed deed restrictions, easements, rights-of-way or other
dedication?
Yes _____ No _____

A COPY OF THE DEED MUST ACCOMPANY THIS APPLICATION.

K. Improvements: List all proposed on site utility and off-tract improvements.

L. Plat submission: List maps and other exhibits accompanying this application.

SECTION 4., INFORMATION REGARDING APPLICATION

A. Describe any proposed “c” variances requested, their location (proposed lot and block), and the sections of the Zoning Ordinance from which relief is granted.

B. Additional relief required for approval:

- 1. "C" Variance_____.
- 2. "D" Variance_____.
- 3. Subdivision_____.
- 4. Waiver of lot to abut street_____.
- 5. Exception to the official map_____.
- 6. Construction on mapped street, public drainage way, flood control basin or public area_____.

C. Comment by Zoning Officer (For official use only.):

SECTION 5. CHECK LIST OF WAIVER REQUESTS

A. (This subsection is reserved for the individual municipality to list all the submissions required by its Ordinance).

B. Please list which sections of the Ordinance applicant requests a waiver from and the reasons thereof.

SECTION 6. AUTHORIZATION AND VERIFICATION

I certify the statements and information contained in this application are true.

Applicant

Date

Owner's Signature

Date

BOROUGH OF BLOOMSBURY
 COUNTY OF HUNTERDON

SITE PLAN CHECK LIST
 (37 ITEMS)

The following checklist is designed to assist applicants in preparing site plans for Planning Board review. Applicant should check of each item to insure that it is included on the plan. ITEMS OMITTED MAY DELAY CONSWERATION BY THE BOARD. Utility plans, landscaping plans, architectural elevations, etc., may be shown on separate sheets.

	<u>APPLICANT</u>	<u>P.B.</u>
1. Name and title of applicant, owner and person preparing map.	_____	_____
2. Place for signature of Chairman and Secretary of the Planning Board or the Zoning Board of Adjustment.	_____	_____
3. Place for signature of the Township Engineer.	_____	_____
4. Tax map lot and block numbers.	_____	_____
5. Date, scale and "North" sign.	_____	_____
6. Key map of the site with reference to surrounding areas and to existing street locations.	_____	_____
7. Zone district in which property in question falls; zone district of adjoining properties and all property within a 200 foot radius of the property in question.	_____	_____
8. Names of owners of all contiguous land and adjacent property.	_____	_____
9. Dimensions lots, setbacks, front yards, side yards and rear yards, size, kind and location of fences.	_____	_____
10. Location, dimensions and details of all signs and exterior lighting including type of standards, location, radius of light and intensity in foot-candles.	_____	_____

11. The outside dimensions of existing and/or proposed principal building(s) and all accessory structures. Distances from property lines, use, first floor corner elevations and floor areas.

12. Storm drainage plan showing location and size of inlets, pipes, swales, berms and other storm drainage facilities including roof leaders, indicate existing and proposed runoff calculations.

13. Proposed soil erosion and sedimentation controls.

14. Rights-of-way, easements and all lands to be dedicated to the municipality or reserved for specific uses.

15. The entire property in question, even though only a portion of said property is involved in the site plan; provided, however, where it is physically impossible to show the entire property on the required sheet, a separate sheet at an appropriate scale may be submitted.

16. Significant existing physical features including streams, water courses, rock outcrops, swampy soil, etc. within 200 feet.

17. Bearings and distances of property lines.

18. Plans of off-street parking area layout and off-street loading facilities showing location and dimensions of individual parking spaces, loading areas, aisles, traffic patterns and driveways for ingress and egress.

19. All driveway and streets within 200 feet of site.

- 20. Location and width of all existing and proposed curbs, sidewalks and streets including type of pavement and material and top and bottom elevations. _____
- 21. All existing and proposed utility lines within and adjacent to the subject property. _____
- 22. Typical floor plans and elevations. _____
- 23. Existing and proposed sanitary sewerage disposal system. Show percolation test holes and results and soil log data. _____
- 24. Water supply system. Including location and size of water mains, fire hydrants, service shutoff valve locations, water meter placements, etc. wherever possible. NOTE: Meter is placed three feet (3') above finished floor and six inches (6") from walls. _____
- 25. Method of solid waste disposal and storage. _____
- 26. Existing and proposed spot elevations based upon the U.S. Coastal Geodetic datum at all building corners, all floor levels, center lines of abutting roads, top and bottom curbs, property corners, gutters and other pertinent locations. _____
- 27. Existing and proposed contours of site at two foot (2') intervals for areas not five feet (5') wherever possible. _____
- 28. Location of all existing trees or tree masses, indicating general sizes and species of trees. _____

- 29. Landscaping and buffering plan showing what will remain and what will be planted, indicating names of plants and trees and dimensions, approximate time of planting and method of planting (base rooted, ball and burlap). Including seeding schedule, slope stabilization, etc. _____
- 30. Preliminary architectural plans (if available). _____
- 31. Detailed cost estimates for construction work. _____
- 32. Designs and details of any structures such as retaining walls, manholes, headwalls, retention and detention basins, etc. _____
- 33. Location and capacity of all petroleum storage tanks, water towers, antenna structures, etc. _____
- 34. Offsite improvements required and bonds. _____
- 35. Submission of plans to proper agencies. _____
- 36. Environmental Impact Statement where required. _____
- 37. Any other pertinent information as may be requested by the Board. _____

BOROUGH OF BLODMSBURY
COUNTY OF HUNTERDON

CONDITIONAL USE APPLICATION TO
BLOOMSBURY PLANNING BOARD -ZONING BOARD

FOR OFFICIAL USE ONLY

Date Application Filed: _____

Board Action Required By: _____

Fee Paid: Amount _____ Date: _____

Date File Complete: _____

I certify that the enclosed Application is complete.

Signature of Certifying Agent

Date

Other signature (if required)

Date

SECTION 1. GENERAL INFORMATION

A. Applicant: NAME _____

ADDRESS _____

TELEPHONE NO. (____) _____ ext. _____

B. The Applicant is a: CORPORATION _____ PARTNERSHIP _____

INDIVIDUAL(S) OTHER (please specify)

C. If the Applicant is a corporation or a partnership, please attach a list of the names and addresses of persons having a ten percent (10%) interest, or more, in the corporation or partnership.

D. The relationship of the Applicant to the property in question is:

OWNER _____ LESSEE _____ PURCHASER UNDER CONTRACT _____

OTHER (please specify) _____

E. Owner:

NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

F. Engineer/Surveyor: NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

G. Attorney: NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

SECTION 2. INFORMATION REGARDING THE PROPERTY

A. The street address of the Property is _____

B. The location of the Property is approximately feet from the intersection
of _____ and _____

C. The Block number(s) is; the lot number(s) is _____

D. Use of Property: Existing use_____

Proposed use_____

E. The zone in which the Property is located is_____ (The Building Inspector's office can help determine this information).

F. Acreage of entire tract is_____

G. Is the subject Property located on a county road? Yes_____ No_____ ; state road?

Yes_____ No_____ ; or within 200 feet of a municipal boundary? Yes_____ No_____

H. The type of proposal is: New Structure_____

Expanded Area_____ Improved Parking Area_____

Alteration to Structure_____ Expansion to Structure_____

Change of Use_____ Sign_____

I. The name of the business or activity (if any)_____

J. Are there any existing or proposed deed restrictions, easements, rights-of-way or other dedication?

Yes_____ No_____

K. Plat submission: List maps and other exhibits accompanying this application.

SECTION 3. INFORMATION REGARDING APPLICATION

A. Does the application conform to all the regulations governing this conditional use?

Yes_____ No_____

B. If No, which regulations must be varied so that the application can be granted?

(If all the variances required are “c” variances, the application shall be considered by the Planning Board. If any “c” variance is needed, the application shall be considered by the Zoning Board of Adjustment).

C. Additional relief required for approval:

- 1. Subdivision_____
- 2. Waiver of lot to abut street_____
- 3. Exception to the official map_____
- 4. Application for construction on mapped street, public drainage way, flood control basin or public area_____

SECTION 4. AUTHORIZATION AND VERIFICATION

I certify the statements and information contained in this application are true.

Applicant

Date

Owner’s Signature

Date

BOROUGH OF BLODMSBURY
COUNTY OF HUNTERDON

SIGN PERMIT APPLICATION TO
BLOOMSBURY PLANNING BOARD - ZONING BOARD

FOR OFFICIAL USE ONLY

Date Application Filed: _____

Board Action Required By: _____

Fee Paid: Amount _____ Date: _____

Date File Complete: _____

I certify that the enclosed Application is complete.

Signature of Certifying Agent

Date

Other signature (if required)

Date

SECTION 1. GENERAL INFORMATION

A. Applicant: NAME _____

ADDRESS _____

TELEPHONE NO. (____) _____ ext. _____

B. Site Erector: NAME _____

ADDRESS _____

TELEPHONE NO. (____) _____ ext. _____

C. Owner:

NAME _____

ADDRESS _____

TELEPHONE NO. (_____) _____ ext. _____

SECTION 2. INFORMATION REGARDING THE PROPERTY

A. The street address of the Property is _____

B. The location of the Property is approximately _____ feet from the intersection
of _____ and _____

C. The Block number(s) is; the lot number(s) is _____

D. The zone in which the Property is located is _____ (The Building Inspector's
office can help determine this information).

E. The sign is a: GROUND (freestanding) _____ WALL _____
ROOF CANOPY _____ SIGN PLAN for MULTIPLE-USE STRUCTURE or
MULTI-STRUCTURE DEVELOPMENT _____ OTHER _____

F. Describe location of sign (on building or property)

G. The estimated cost of sign is (including installation):

H. Permit Fee (to be completed by Construction Official):

SECTION 3. INFORMATION REGARDING APPLICATION

A. A scaled drawing, which must include the following details, should be submitted to the Planning Board/Zoning Board:

- 1. Message on each sign face.
- 2. Method of illumination and intensity of lighting.
- 3. Materials.
- 4. Color scheme.
- 5. Structural design.
- 6. Location on building if a wall, roof or canopy sign.
- 7. Location on property if a ground sign. Show ground sign in relation to street right-of-way line, buildings, paved and landscaped areas within 100 feet of the sign.
- 8. Height of top of ground sign.
- 9. Square footage of sign — show dimensions.
- 10. Square footage of main building face for wall and roof signs.
- 11. Sign plan requirements pursuant to Article IX of the Zoning Ordinance when applicable.

B. Comments by Zoning Officer (For official use only).

SECTION 4. AUTHORIZATION AND VERIFICATION

I certify the statements and information contained in this application are true.

Applicant

Date

Owner's Signature

Date

AFFIDAVIT PROOF OF SERVICE
PLANNING BOARD/BOARD OF ADJUSTMENT
of the
BOROUGH OF BLOOMSBURY

I, _____, hereby certify that I have given
written notice to all parties owning property within 200 feet of Block_____,
Lot_____, as shown on the attached list from the Tax Assessor, by certified
mail or hand delivery on
_____, 20_____.

Applicants Signature

BOROUGH OF BLOOMSBURY
COUNTY OF HUNTERDON

Enclosed are the forms that are required for all applicants who wish to appear before the Borough of Bloomsbury Planning Board.

The required pages to be filled out are as follows:

Variance	Pages 1 thru 6
Hints to fill out Variance Application	Pages A1 and A2
Sample Newspaper Ad	Page B
Subdivision	Pages 1 thru 12
Conception Plat Checklist	
Preliminary Flat Checklist	
Final Flat Checklist	
Site Plan	Pages 13 thru 22
Site Plan Checklist	
Conditional Use	Pages 23 thru 26
Sign Permit	Pages 27 thru 29
Affidavit Proof of Service	Page 30
Tax Certificate	Page 31

NOTE: The Tax Certificate and the Affidavit Proof of Service MUST accompany all applications.

Forms should be filled out as complete as possible.

Secretary

Bloomsbury Planning Board

COAH requires that each certified municipality appoint a specific municipal employee to serve as a Municipal Housing Liaison responsible for administering its affordable housing program, including affordability controls and the Affirmative Marketing Plan, and, where applicable, supervising any contracting Administrative Agent. This model ordinance reflects the minimum requirements that may be required of a Municipal Housing Liaison.

ORDINANCE NO. _____ - _____

AN ORDINANCE TO CREATE THE POSITION OF MUNICIPAL HOUSING LIAISON FOR THE PURPOSE OF ADMINISTERING BLOOMSBURY BOROUGH'S AFFORDABLE HOUSING PROGRAM PURSUANT TO THE FAIR HOUSING ACT.

BE IT ORDAINED by the *Borough Council of the Borough of Bloomsbury* in the County of *Hunterdon* and State of New Jersey that the following amendments be made to Chapter [*insert number*] of Bloomsbury Borough:

Section 1. Purpose.

The purpose of this article is to create the administrative mechanisms needed for the execution of Bloomsbury Borough's responsibility to assist in the provision of affordable housing pursuant to the Fair Housing Act of 1985.

Section 2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

MUNICIPAL HOUSING LIAISON – The employee charged by the governing body with the responsibility for oversight and administration of the affordable housing program for Bloomsbury Borough

ADMINISTRATIVE AGENT – The entity responsible for administering the affordability controls of some or all units in the affordable housing program for Bloomsbury Borough to ensure that the restricted units under administration are affirmatively marketed and sold or rented, as applicable, only to low- and moderate-income households.

Section 3. Establishment of Municipal Housing Liaison position and compensation; powers and duties.

- A. Establishment of position of Municipal Housing Liaison. There is hereby established the position of Municipal Housing Liaison for Bloomsbury Borough.
- B. Subject to the approval of the Council on Affordable Housing (COAH), the Municipal Housing Liaison shall be appointed by the Governing Body and may be a full or part time municipal employee.

- C. The Municipal Housing Liaison shall be responsible for oversight and administration of the affordable housing program for Bloomsbury Borough, including the following responsibilities which may not be contracted out, exclusive of item 6 which may be contracted out:
- (1) Serving as Bloomsbury Borough's primary point of contact for all inquiries from the State, affordable housing providers, Administrative Agents, and interested households;
 - (2) Monitoring the status of all restricted units in Bloomsbury Borough's Fair Share Plan;
 - (3) Compiling, verifying, and submitting annual reports as required by COAH;
 - (4) Coordinating meetings with affordable housing providers and Administrative Agents, as applicable;
 - (5) Attending continuing education opportunities on affordability controls, compliance monitoring, and affirmative marketing as offered or approved by COAH;
 - (6) If applicable, serving as the Administrative Agent for some or all of the restricted units in Bloomsbury Borough as described in F. below.
- D. Subject to approval by COAH, Bloomsbury Borough may contract with or authorize a consultant, authority, government or any agency charged by the Governing Body, which entity shall have the responsibility of administering the affordable housing program of Bloomsbury Borough, except for those responsibilities which may not be contracted out pursuant to subsection C above. If Bloomsbury Borough contracts with another entity to administer all or any part of the affordable housing program, including the affordability controls and Affirmative Marketing Plan, the Municipal Housing Liaison shall supervise the contracting Administrative Agent.
- E. Compensation. Compensation shall be fixed by the Governing Body at the time of the appointment of the Municipal Housing Liaison.
- F. Administrative powers and duties assigned to the Municipal Housing Liaison. *[Select only those tasks that are not delegated specifically to an approved Administrative Agent as part of a contract and will therefore be the responsibility of the Municipal Housing Liaison.]*
- (1) Affirmative Marketing
 - (a) Conducting an outreach process to insure affirmative marketing of affordable housing units in accordance with the Affirmative

Marketing Plan of *[insert name of municipality]* and the provisions of N.J.A.C. 5:80-26.15; and

- (b) Providing counseling or contracting to provide counseling services to low and moderate income applicants on subjects such as budgeting, credit issues, mortgage qualification, rental lease requirements, and landlord/tenant law.

(2) Household Certification

- (a) Soliciting, scheduling, conducting and following up on interviews with interested households;
- (b) Conducting interviews and obtaining sufficient documentation of gross income and assets upon which to base a determination of income eligibility for a low- or moderate-income unit;
- (c) Providing written notification to each applicant as to the determination of eligibility or non-eligibility;
- (d) Requiring that all certified applicants for restricted units execute a certificate substantially in the form, as applicable, of either the ownership or rental certificates set forth in Appendices J and K of N.J.A.C. 5:80-26.1 et. seq.;
- (e) Creating and maintaining a referral list of eligible applicant households living in the housing region and eligible applicant households with members working in the housing region where the units are located; and
- (f) Employing the random selection process as provided in the Affirmative Marketing Plan of *[insert name of municipality]* when referring households for certification to affordable units.

(3) Affordability Controls

- (a) Furnishing to attorneys or closing agents forms of deed restrictions and mortgages for recording at the time of conveyance of title of each restricted unit;
- (b) Creating and maintaining a file on each restricted unit for its control period, including the recorded deed with restrictions, recorded mortgage and note, as appropriate;
- (c) Ensuring that the removal of the deed restrictions and cancellation of the mortgage note are effectuated and properly filed with the

appropriate county's register of deeds or county clerk's office after the termination of the affordability controls for each restricted unit;

- (d) Communicating with lenders regarding foreclosures; and
 - (e) Ensuring the issuance of Continuing Certificates of Occupancy or certifications pursuant to N.J.A.C. 5:80-26.10.
- (4) Resale and rental
- (a) Instituting and maintaining an effective means of communicating information between owners and the Administrative Agent regarding the availability of restricted units for resale or rental; and
 - (b) Instituting and maintaining an effective means of communicating information to low- and moderate-income households regarding the availability of restricted units for resale or re-rental.
- (5) Processing request from unit owners
- (a) Reviewing and approving requests from owners of restricted units who wish to take out home equity loans or refinance during the term of their ownership;
 - (b) Reviewing and approving requests to increase sales prices from owners of restricted units who wish to make capital improvements to the units that would affect the selling price, such authorizations to be limited to those improvements resulting in additional bedrooms or bathrooms and the cost of central air conditioning systems; and
 - (c) Processing requests and making determinations on requests by owners of restricted units for hardship waivers.
- (6) Enforcement
- (a) Securing annually lists of all affordable housing units for which tax bills are mailed to absentee owners and notifying all such owners that they must either move back to their unit or sell it;
 - (b) Securing from all developers and sponsors of restricted units, at the earliest point of contact in the processing of the project or development, written acknowledgement of the requirement that no restricted unit can be offered, or in any other way committed, to any person, other than a household duly certified to the unit by the Administrative Agent;

- (c) The posting annually in all rental properties, including two-family homes, of a notice as to the maximum permitted rent together with the telephone number of the Administrative Agent where complaints of excess rent can be made;
 - (d) Sending annual mailings to all owners of affordable dwelling units, reminding them of the notices and requirements outlined in N.J.A.C. 5:80-26.18(d)4;
 - (e) Establishing a program for diverting unlawful rent payments to the municipality's affordable housing trust fund or other appropriate municipal fund approved by the DCA;
 - (f) Creating and publishing a written operating manual, as approved by COAH, setting forth procedures for administering such affordability controls; and
 - (g) Providing annual reports to COAH as required.
- (7) The Administrative Agent shall have authority to take all actions necessary and appropriate to carry out its responsibilities hereunder.

Section 4. Severability.

If any section, subsection, paragraph, sentence or other part of this Ordinance is adjudged unconstitutional or invalid, such judgment shall not affect or invalidate the remainder of this Ordinance, but shall be confined in its effect to the section, subsection, paragraph, sentence or other part of this Ordinance directly involved in the controversy in which said judgment shall have been rendered and all other provisions of this Ordinance shall remain in full force and effect.

Section 5. Inconsistent Ordinances Repealed.

All ordinances or parts of ordinances which are inconsistent with the provisions of this ordinance are hereby repealed, but only to the extent of such inconsistencies.

Section 6. Effective Date.

This Ordinance shall take effect immediately upon final adoption and publication in the manner prescribed by law.

Adopted: (Insert date)

ATTEST:

APPROVED:

Lisa Burd

Municipal Clerk

Mark Peck

Mayor

DRAFT



Bloomsbury Borough **Municipal Build-Out Report**

Prepared by the State of New Jersey Highlands Water Protection and Planning Council in Support of the Highlands Regional Master Plan: Report on the Results of Modules 1 and 2 of the 2009 Plan Conformance Process

June 2009

BLOOMSBURY BOROUGH MUNICIPAL BUILD-OUT REPORT

for
HIGHLANDS REGIONAL MASTER PLAN CONFORMANCE

Purpose and Scope

The Highlands Regional Master Plan (RMP) requires that conforming municipalities develop a local build-out analysis that incorporates the policies and objectives of the RMP. Specifically, conforming municipalities are required to “use the Highlands Build-Out Model to develop a local build-out analysis that incorporates RMP policies and objectives to evaluate land use capability and capacity planning” (Objective 6G4c). The RMP build-out process requires a Limiting Factor Analysis to examine three categories of constraints:

1. Land Based Capacity (potential developable lands);
2. Resource Based Capacity (Septic System Yield and Net Water Availability); and
3. Utility Based Capacity (public water and wastewater).

This Municipal Build-Out Report provides the results of the local build-out analysis based on potential developable lands and existing municipal conditions, including sewer and water supply capacity and Net Water Availability where relevant. It incorporates the results of the first two modules of the 2009 Plan Conformance Grants Program: Module 1 “Current Municipal Conditions and Build-Out Analysis,” and Module 2 “Land Use and Resource Capacity Analysis.” Both modules were completed through a detailed process involving a cooperative effort of the municipality and the Highlands Council. This process was designed to ensure use of the most current municipal information available and proper application of RMP requirements in the conduct of all analyses. The results for Bloomsbury Borough are presented in the section “**Full Build-Out and Constraints Summary**” and tabulated in Table 4 below.

The results of the local build-out analysis are for use by conforming municipalities for other planning activities required for Plan Conformance, such as development of Fair Share Plans addressing affordable housing obligations (Module 3). They also will be useful in complying with the New Jersey Department of Environmental Protection (NJDEP) wastewater management planning requirements under the Water Quality Management Planning rules at N.J.A.C. 7:15-5. The results are intended to assess current municipal conditions as they relate to specific RMP policies and objectives. It is important to note that the build-out analysis incorporates many but not every constraint to development included in the RMP, State regulations or local zoning. Future activities under Plan Conformance will address issues such as more refined or current analyses of land availability, resource capacity, resource protection and utility capacity that may modify these results to either increase or decrease the projected build out of the municipality (e.g., reducing build-out

Municipal Build-Out Report for Bloomsbury Borough

projections through land preservation, increasing build-out projections by increasing Net Water Availability or designation of Highlands Redevelopment Areas).

The results of the municipal build-out analysis are designed to be utilized at a municipal scale and are not appropriate for determining if a particular parcel or development project is consistent with the RMP. Therefore, the Highlands Build-Out Model is not intended to be applied at a parcel level to determine the development potential of that parcel, as the municipality must apply additional planning and zoning analyses to determine appropriate future sustainable development.

All of the data and figures regarding specific parcels, including, but not limited to, preserved lands and water and sewer service, are based on a review of currently available information; however, unintentional inaccuracies may occur and may be formally addressed as RMP Updates. Any request for a formal determination to address updated information may be submitted to the Highlands Council in accordance with the RMP policies and procedures for RMP Updates. In addition, this report does not address any Map Adjustments that a municipality may seek to revise the Land Use Capability Zone Map; these will be addressed at a later date.

It is critical to note that this build-out analysis was conducted based on the requirements of Plan Conformance with the RMP, as applied to parcels deemed potentially developable (vacant, oversized and redevelopable) as of early 2009. These results do not include:

- development that has been approved but not completed as of early 2009, which may yield more or less growth than the build-out results calculated for the affected parcels;
- the potential impact of some future development that may be deemed exempt from the Highlands Act, which may yield more or less growth than the build-out results calculated for those lands;¹
- the potential impact of future redevelopment that may be approved through designation of Highlands Redevelopment Areas or other approvals granted with waivers as authorized by the Highlands Act, which may yield more growth than the build-out results calculated for those lands;
- the potential impact of certain land use restrictions based on State regulations and local ordinances that could not be assessed through a municipal level of analysis; and

¹ Where such development is located in an approved wastewater service area in the RMP Existing Community Zone (not including the Environmentally-Constrained Sub-Zone) or the Lake Community Sub-Zone, the results should be similar because the build-out analysis used local zoning. Future developments that may be authorized within the Environmentally-Constrained Sub-Zones, Protection Zone or Conservation Zone that use public or community on-site wastewater systems will have significantly different yields than calculated through the RMP build-out process. Likewise, the Septic System Yields for lands that will rely on septic systems may be significantly different from what those allowed by current municipal zoning.

Municipal Build-Out Report for Bloomsbury Borough

- any reductions in build-out projections due to land preservation for open space or farmland beyond those preserved lands identified by the municipality through Module 1.

Therefore, the Highlands Municipal Build-Out Report for a municipality is a result of current conditions and application of RMP requirements. It provides a critical planning tool but cannot be used as a definitive prediction of the future or as a basis for parcel-based development potential.

This is a final Municipal Build-Out Report, which supersedes the Module 1 Summary Report. The results may be used in Module 3 by the municipality in support of its Housing Element and Fair Share Plan and other relevant purposes.

Report Structure

This Highlands Council report is based on the municipal build-out results from Modules 1 and 2 performed by Bloomsbury Borough and the Highlands Council, in conformance with the Highlands Regional Master Plan (RMP). These results include consideration of potential land availability, utility capacity, municipal zoning in wastewater utility service areas, Septic System Yield and Net Water Availability in accordance with the RMP. The RMP build-out analysis estimates the potential for new development in Bloomsbury Borough, for the entire municipality (see **Full Build-Out and Constraints Summary**, below).

First, the analysis addressed the build-out potential of the available lands, assuming application of RMP requirements for septic system yields and utility service areas without constraints related to the available capacity of public water supply and wastewater utilities or Net Water Availability. Essentially, the land-based build out represents the maximum potential for development in conformance with the RMP if no other constraints exist. Where sewered development is in conformance with the RMP, municipal zoning is used to determine build-out potential. Where septic systems will be used, the RMP requirements apply and the resulting septic system yield is assumed to be entirely residential in nature. To the extent that septic system capacity is used for non-residential development based on a proportional reallocation from residential development, the projected growth will be different than those reported above. Any reallocations of septic system yield will be addressed in Module 3 – Housing Element and Fair Share Plan.

Second, the public water supply and wastewater demands of development projected for the utility service area are compared to the utility capacity available to the municipality, regarding both public water supply and wastewater utilities. Where capacity is insufficient to support the build-out demand, the build-out estimates are reduced.

Third, the resulting water supply demands from build out in both public water supply utility service areas and domestic well service areas are compared to the Net Water Availability for the HUC14 subwatershed. In many cases, this step required information regarding water supply demands from other municipalities, so that the full demands against each HUC14 subwatershed could be assessed. Again, where Net Water Availability is insufficient to support the build-out demand, the build-out estimates are reduced.

This report also includes a discussion of technical methods used in the build-out process, including quality control assessments and build-out impact factors.

Full Build-Out and Constraints Summary for Bloomsbury Borough

Overview

Bloomsbury Borough is located entirely in the Preservation Area. The RMP build-out analysis for Bloomsbury Borough estimates the following new development results for potential developable lands for the entire municipality, which are discussed in detail in the following section:

1. Development in Wastewater Utility Service Areas: No HDSF wastewater utility serves the municipality.
2. Development in Septic System Areas: 4 septic systems in the Preservation Area.

The build-out results based on potential developable lands are not constrained by water supply utility capacity. There is no HDSF wastewater utility. The water supply demands from the build-out are not constrained by water availability.

Municipal Capacity Conditions and Analysis

A summary of findings on municipal build-out capacity conditions appears in Table 1. It includes the following: potential developable vacant, over-sized and redevelopable lands in the RMP wastewater utility area; potential developable vacant, over-sized and redevelopable parcels in the septic system areas; RMP Septic System Yield; RMP Build-Out Environmentally Constrained lands; available wastewater utility capacity; and available Public Community Water Supply utility capacity.

All figures are the results of an RMP consistency analysis applied to the information supplied by the Highlands Council, as supplemented and verified by Bloomsbury Borough. Each Figure shows all of the parcels that were used in the build-out process, whether for Septic System Yield or for build out of RMP wastewater utility areas.

- **Figure 1** presents the parcel-based potential developable lands and their association with HUC14 subwatersheds and Land Use Capability Zones, which relate to the RMP Septic System Yield values where the parcels will be served by septic systems.
- **Figure 2** presents the parcel-based potential developable lands and the RMP Build-Out Environmentally Constrained lands (i.e., steep slopes, flood prone areas and Highlands Open Water buffers). Some of these areas are within the RMP Environmentally-Constrained Sub-Zones while others are smaller-scale environmental features outside those sub-zones.

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- **Figure 3** presents the parcel-based potential developable lands and their association with the RMP utility area² for RMP HDSF³ wastewater utilities.
- **Figure 4** presents the parcel-based potential developable lands associated with the RMP utility area⁴ for RMP Public Community Water System utilities.

RMP Build-Out Developable Land, Over-Sized Lot Analysis and Redevelopable Land

Bloomsbury Borough identified 151 acres of potential developable vacant lots and no (0) acres of potential developable lands on over-sized lots within areas that will be served by septic systems, for a total of 151 acres of potential developable Septic System Yield lands. These lands were used as the basis for Septic System Yield, regardless of the extent to which any of the lands were steep slopes, flood prone areas or Highlands Open Water buffers.

In addition, there are no (0) acres of potential developable vacant lands and no (0) acres of identified potential redevelopable land (either over-sized lots or specifically identified by the municipality as being a redevelopment target) within the Existing Area Served by utilities. The municipal information for potential developable lands, over-sized lots and redevelopable land was evaluated by the Highlands Council in accordance with the RMP for the build-out analysis. The results for all report figures are summarized in Table 1.

RMP Septic System Yield Analysis

There is one HUC14 subwatershed located within Bloomsbury Borough, within the Preservation Area. The RMP Septic System Yield analysis determined a yield of 4 units for the Preservation Area and for Bloomsbury Borough as a whole. Refer to Table 1 and Figure 1 for additional details.

The build out for septic systems in the Preservation Area identifies the number of septic systems that would be considered permissible under the NJDEP Preservation Area Rules at N.J.A.C. 7:38-3.4. Each vacant or over-sized lot identified through Module 1 and 2 was assessed to determine whether it was of sufficient size to accommodate one or more septic systems, based on NJDEP

² The RMP utility area for wastewater includes the Existing Areas Served based on the RMP, plus any NJDEP-approved Sewer Service Area that is within the Existing Community Zone (not including the Environmentally-Constrained Sub-Zone) or the Lake Community Sub-Zone.

³ HDSF - Highlands Domestic Sewerage Facility. These are wastewater treatment works that provide wastewater treatment primarily of sanitary sewage rather than industrial wastewater as a public utility, and may include service areas and treatment capacities sufficient to support redevelopment and regional growth opportunities. As such, they provide service to multiple parcels under different ownership, rather than to specific developments (e.g., schools, shopping centers, public institutions).

⁴ The RMP utility area for public water supply includes the Existing Areas Served based on the RMP, plus any additional properties identified by the municipality that are within the Existing Community Zone (not including the Environmentally-Constrained Sub-Zone) or the Lake Community Sub-Zone.

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requirements for 1 unit per 25 acres of non-forested lands, 1 unit per 88 acres of forested lands, or some proportional combination thereof. The yield is assigned by parcel, not by aggregate acreage across multiple parcels, and is compiled for the entire Preservation Area of the municipality as shown in Table 1. Parcels that were too small to accommodate a new septic system under these provisions received no Septic System Yield.

The RMP Septic System Yield is calculated for all potential developable lands reliant on septic systems, which may include lands zoned for both residential and non-residential development. Any yields are provided in “equivalent residential units” which may later be allocated among residential and non-residential development using flow translation factors provided in the *Highlands Regional Build-Out Technical Report* (see Appendix B of this report). Therefore, Septic System Yield calculated for Bloomsbury Borough would equate to 4 residential units only if no yield is allocated to non-residential development. Septic System Yield may be allocated to non-residential development by reducing the number of residential units and increasing the amount of non-residential development proportionally based on relative flows. This allocation process and the implications for affordable housing requirements will be addressed in Module 3 - Housing Element and Fair Share Plan; this analysis is not part of this report. Therefore, no estimate is made here of non-residential development. All development on septic systems is assumed to rely on domestic wells for the purposes of this analysis.

RMP Build-Out Environmentally Constrained Lands

The RMP Build-Out analysis identified portions of the potential developable lands that are environmentally constrained based on the RMP (i.e., steep slopes, flood prone areas and Highlands Open Water buffers). These constraints were used in the build-out analysis to determine, where wastewater utility service was anticipated based on conformance with the RMP and approved sewer service areas, whether specific parcels had at least 1,400 square feet of unconstrained area. In addition, the nature and extent of these lands may influence the future development of lands in the septic system areas regarding the allocation of Septic System Yield to them and utility lands that are suitable for development. Out of the 151 gross developable acres in Bloomsbury Borough, for vacant parcels there is a potential net developable area of 99 acres in the Preservation Area; for over-sized parcels there is a potential net developable area of 0 acres in the Preservation Area. These values are a summation of the parcel-specific analyses. Refer to Table 1 and Figure 2 for additional details. This analysis should be viewed as an indicator of the level of environmental constraints in potentially developable lands, not as a parcel-based measure of development capacity.

In certain instances, the municipal potential net developable acres may be under-reported relative to actual buildable area conditions, and may even show a zero or negative value. A zero or negative value indicates that a very high degree of environmental constraints exists on the potential developable parcels of the municipality as a whole and especially on the over-sized lots; however, some potential developable lands may still exist. This result reflects the evaluation of over-sized lots and of vacant lots that are partly included in the sewer service build-out analysis. The potential

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developable acres for over-sized parcels are calculated by subtracting the equivalent of a buildable area for a single unit of development (e.g., one house) under the RMP from the total parcel size. Likewise, some parcels are only partially eligible for sewer development. In both cases the environmental constrained acres for these parcels are calculated based on the entire parcel area due to GIS processing issues. This section of the Municipal Build-Out Report uses a municipal aggregate land area analysis. This information will be used in later aspects of Plan Conformance at a parcel level and not as a municipal land aggregate value. Evaluation of the relationship of septic system yield and buildable lands will be based on the build-out parcel data information and not the Table 1 municipal summary reported values.

As part of that analysis, the municipality will be able to use the database to analyze vacant parcels in septic system areas, to help identify parcels that could be considered to have some reasonable potential for development based on the amount of unconstrained land within them. Further analysis in later phases of Plan Conformance would then identify additional constraints to the realistic development potential of these parcels based on one or more of the following factors:

1. lack of a minimum one-acre contiguous, unconstrained building site;
2. the potential building site is not accessible or access will result in damage to environmentally constrained lands;
3. application of municipal zoning constraints such as those prohibiting creation of flag lots, landlocked parcels, etc.; or
4. parcel configuration or other parcel-specific issues.

This information on vacant lands with a reasonable potential for development can be used to support the evaluation of Septic System Yield assignment in later phases of Plan Conformance.

Available HDSF Wastewater Utility Capacity

There is currently no HDSF facility serving Bloomsbury Borough.

Available Public Community Water System Utility Capacity

The public water supply utility serving Bloomsbury Borough is the Bloomsbury Water Department. The current available Highlands Region and municipal capacity for the utility is 0.12 million gallons per month (MGM). The total estimated public water demand from the build out is 0 MGD for the Preservation Area and does not exceed the utility capacity conditions. Refer to Table 1 and Figure 4 for additional details.

Based on the current municipal available capacity minus the build out for this water supply utility, there may be capacity available for future allocation. Priority shall be given to addressing additional needs based on Objective 2J4c, such as imminent threats to public health from areas of failing septic systems, designated TDR Receiving Zones, and to infill or redevelopment projects in the Existing Community Zone (not including the Environmentally-Constrained Sub-Zone) that are consistent

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with the RMP and either address affordable housing obligations or have final municipal approval. Additional priorities include Highlands Redevelopment Areas or cluster development consistent with the RMP. Capacity may also be allocated to the Existing Area Served for redevelopment purposes.

Water Availability Constraints

The build-out results for Bloomsbury Borough, based on developable land and utility capacity, were compared to Net Water Availability by the Highlands Council to determine if Net Water Availability posed an additional constraint on development capacity. This analysis determined the potential for Net Water Availability constraints by HUC14 subwatershed, including water demands from both Bloomsbury Borough and other municipalities and water users that withdraw water from the same HUC14 subwatershed. The Highlands Council determined whether each demand was consumptive or depletive. For the purpose of this analysis, all septic system units were considered to represent a residential land use in accordance with the Highlands Module 2 Build-out Impact Factors presented in Appendix B, and were addressed as consumptive water uses.

The results were compared to Net Water Availability, whether for non-deficit (surplus) subwatersheds, or deficit (Conditional Water Availability) subwatersheds. These values, whether from a deficit or surplus subwatershed, are collectively referred to as Net Water Availability. In HUC14 subwatersheds dominated by Conservation Zone lands, the water availability dedicated for agricultural purposes is not used for this analysis.

Based on this analysis, the Highlands Council determined that the following HUC14 subwatersheds, both within the municipality and in other municipalities but relied upon for municipal water supply, have insufficient Net Water Availability to support the build out demand:

Table 2 – Net Water Availability Constraints Analysis – Deficits			
HUC14 Subwatershed	Build-Out Demand (MGD)*	Net Water Availability (MGD)	Shortfall (MGD)
NA			

*Subsequent to any reductions due to utility constraints.

For the remaining HUC14 subwatersheds partially or entirely in the municipality, the Highlands Council also assessed the amount of Net Water Availability remaining after build out. The results are in Table 3, which indicates the remaining Net Water Availability for each HUC14 subwatershed (where positive) and the associated public water supply systems that rely upon the HUC14 subwatershed for supply. This information can be used by the municipality to determine whether there is water available to the public water supply system that could support development, whether within the same HUC14 subwatershed or another, for purposes consistent with the RMP as describe above. There is no HDSF wastewater utility in the municipality at this time. (Note: this available water cannot be used to increase the Septic System Yield beyond the amount calculated by the Highlands Council, nor can it be used to justify creation or expansion of utilities in violation of RMP

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requirements.) A decision as to the allocation of this capacity may occur in Module 3 regarding affordable housing needs identified in the Fair Share Plan, or later in the Plan Conformance process regarding other uses. Where a HUC14 subwatershed is relied upon by more than one municipality for water supply, whether on-site or a public water supply system, coordination will be needed among the municipalities to ensure that proposals for additional use do not exceed the remaining Net Water Availability. Also, there may be additional HUC14 subwatersheds not within the municipality that supply water to the municipality, which are not assessed here.

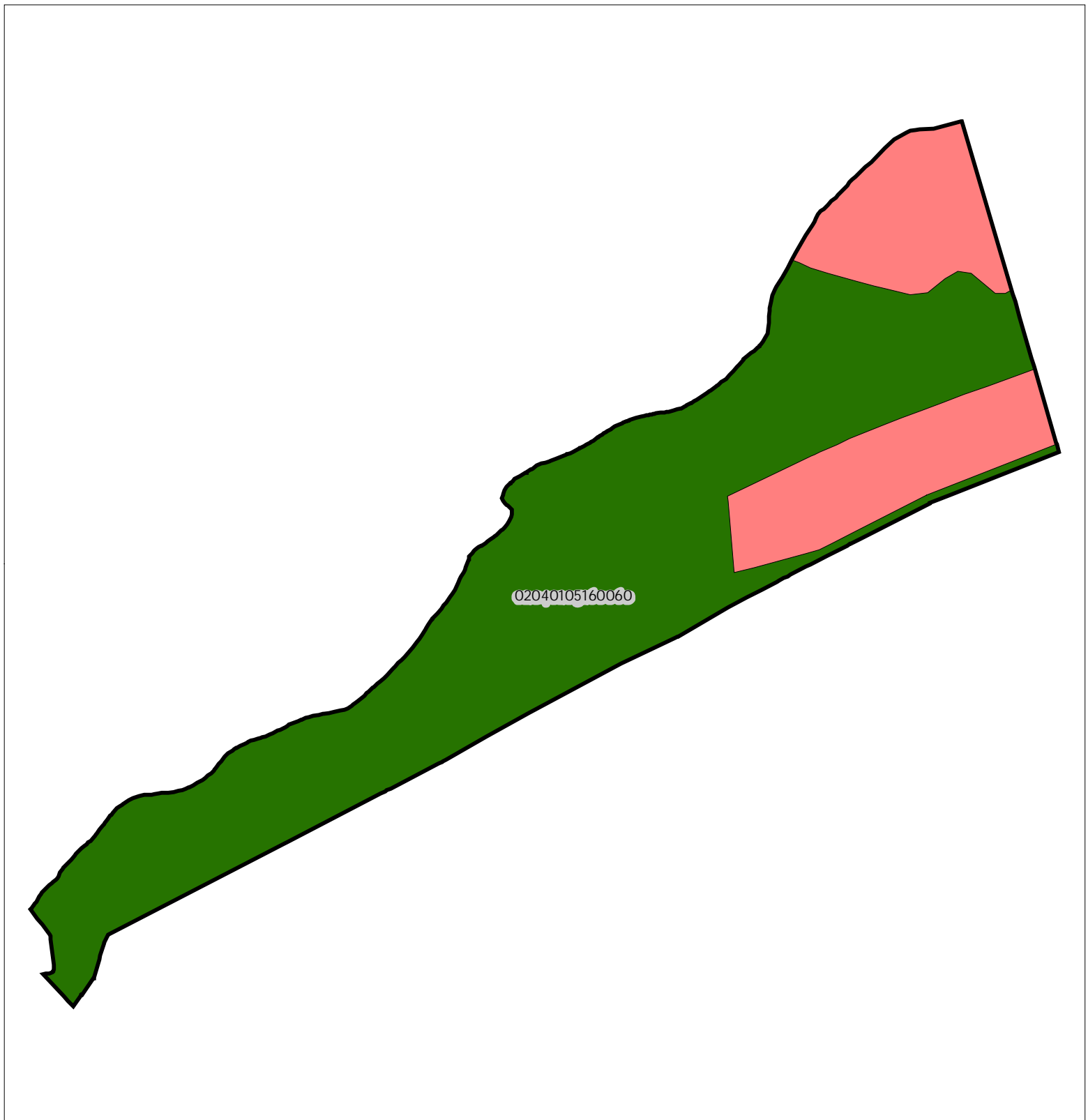
Table 3 – Net Water Availability – Remaining Capacity		
HUC14 Subwatershed	Remaining Net Water Availability (MGD)	Public Water Supply System(s) Reliant Upon the HUC14 Subwatershed (w/ PWSID)
02040105160060 Musconetcong R (Warren Glen to I-78)	0.006046	1003001 Bloomsbury Water Department

Final Build-Out Results

The build-out results for Bloomsbury Borough are summarized in Table 4, based on land based capacity (potential developable land in both wastewater and septic system service areas), utility capacity and resource based capacity (Net Water Availability). These results are to be applied in Module 3 - Housing Element and Fair Share Plan toward the determination of affordable housing obligations. To assist in the evaluation of this information, an Excel file of the Module 2 database has been prepared by the Highlands Council for use in Module 3, where applicable. The Excel file is included on the Module 2 CD.

Table 4 – Municipal Build-Out Results With Resource and Utility Constraints			
	Preservation Area	Planning Area	Totals
Residential units – Sewered	0	NA	0
Septic System Yield	4	NA	4
Total Residential Units	4	NA	4
Non-Residential Jobs – Sewered	0	NA	0

Figure 1: Municipal Build-out Report Septic System Yield by HUC14 and LUCM Zone *
 BLOOMSBURY BOROUGH



Potential Undevelopable Lands	Potential Oversized Lots	Potential Developable Lands	Potential Redevelopable Lands
Conservation Zone	in Conservation Zone	in Conservation Zone	in Conservation Zone
Existing Community Zone	in Existing Community Zone	in Existing Community Zone	in Existing Community Zone
Protection Zone	in Protection Zone	in Protection Zone	in Protection Zone
Preservation Area	in Preservation Area	in Preservation Area	in Preservation Area

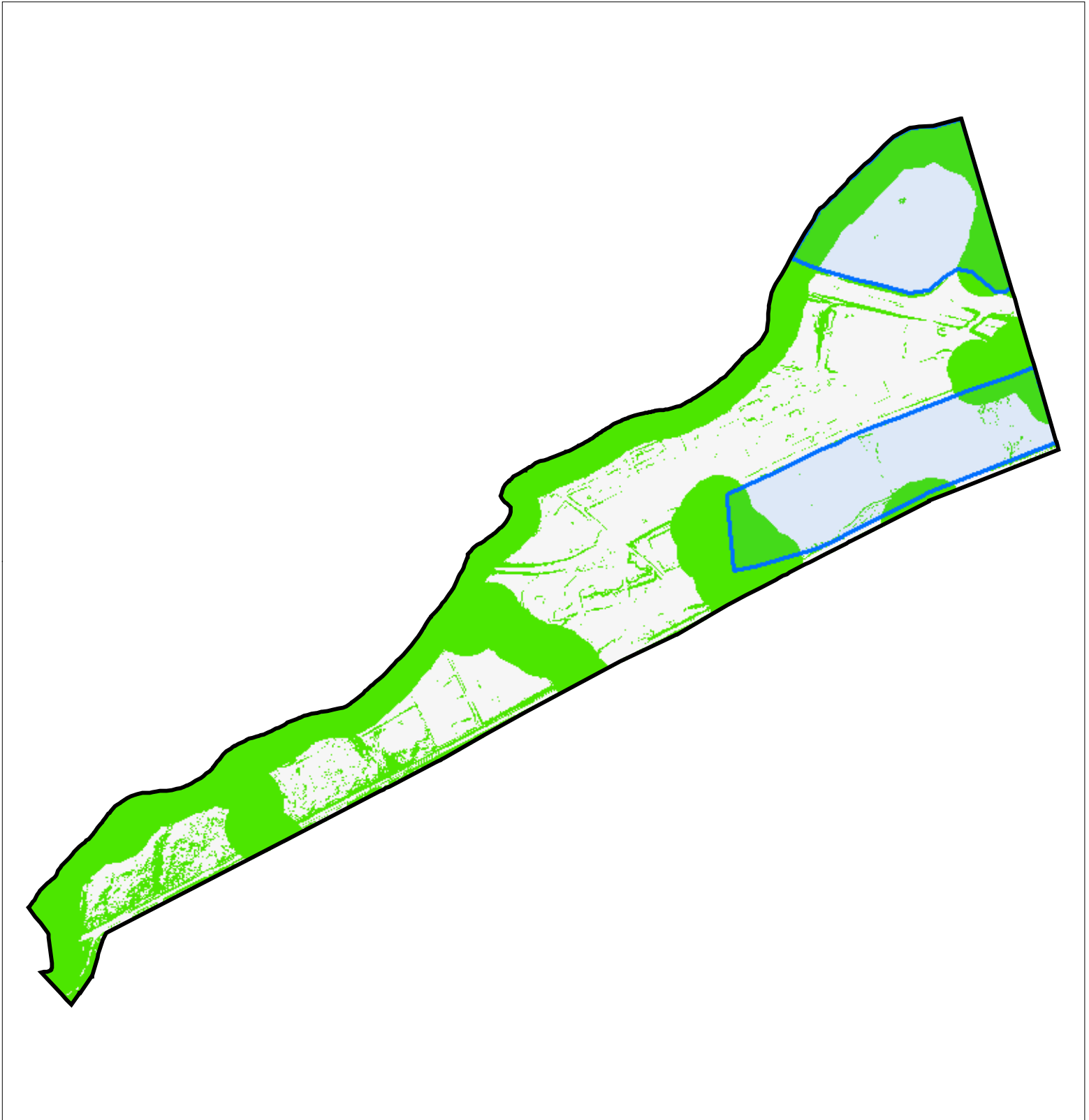
HUC14 Subwatersheds
 02040105160060 HUC 14 ID Number


Miles


Highlands Council
 New Jersey


* Refer to Table 1 for Septic System Yield values, indexed by HUC14 ID


Figure 2: Municipal Build-out Report Environmental Constrained Lands



 Highlands Build-Out Environmental Constrained Lands
Constraints:
Highlands Open Water Buffers (300ft)
Flood Prone Areas
Steep Slopes (Moderate and Severe)

 Potential Oversized Lots

 Potential Developable Lots

 Preservation Area

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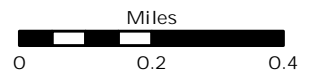




Figure 3: Municipal Build-out Report RMP HDSF Wastewater Utilities




Highlands Domestic Sewerage Facilities "2008 RMP Existing Area Served"

 N/A

 HUC14 Subwatersheds

 Potential Oversized Lots

 Potential Developable Lots

 Preservation Area






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Figure 4: Municipal Build-out Report RMP Public Community Water System Utilities



Public Community Water Systems "2008 RMP Existing Area Served"

-  *BLOOMSBURY WATER DEPARTMENT*
-  HUC14 Subwatersheds
-  Potential Oversized Lots
-  Potential Developable Lots
-  Preservation Area

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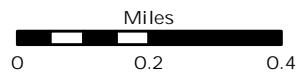


Figure 5: Municipal Build-out Report Final Build-out Results



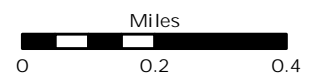
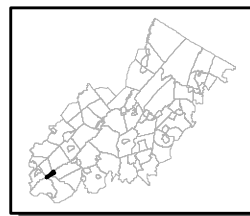
Table 4 - Municipal Build-out Results With Resource and Utility Constraints

	Preservation Area	Planning Area	Totals
Residential Units - Sewered	0	N/A	0
Septic System Yield	4	N/A	4
Total Residential Units	4	N/A	4
Non-Residential Jobs - Sewered	0	N/A	0



Preservation Area Boundary

BLOOMSBURY BOROUGH



Overview of Technical Method for Build-Out Analysis

Module 1 “Current Municipal Conditions and Build-Out Analysis” (results of which are incorporated into or modified as appropriate for this report) was based on municipal information regarding potential developable lands (including identification of preserved lands and fully developed lands) and areas currently served with public water supply and wastewater utilities. It also included the current capacity conditions of public water supply and wastewater utilities, and was evaluated for municipal Land Use Capability in accordance with the RMP. The information was initially prepared by the Highlands Council and has been edited and verified by the municipality as representing the best available information on existing potential developable lands, which include vacant, non-preserved lands, as well as partially-developed lands having potential for further development (i.e., over-sized parcels) or redevelopment. The Highlands Council performed a quality control assessment to ensure that the database was technically sufficient for the build-out process (see Appendix A – Module 1). The build-out capacity conditions represent the complete build out of potential developable lands in accordance with the RMP, assuming no constraints other than location within areas served by water supply or wastewater utilities or, for those lands not within a wastewater utility service area, the Septic System Yield based upon RMP Land Use Capability Zone Map policies (which incorporate the NJDEP Rules for the Preservation Area at N.J.A.C. 7:38-3.4). The Module 1 Summary Report was prepared by the Highlands Council and provided to the municipality, which further verified or corrected land availability and municipal zoning information in the report as the first step in Module 2.

The build-out capacity conditions in Module 1 identified the available utility capacity (in units of flow) allocated to the municipality for associated Highlands Domestic Sewerage Facilities (HDSF), on-site wastewater facilities, and Public Community Water Supply Systems. The Highlands Council initially used available capacity information from the *Utility Capacity Technical Report (2008)*, which used 2003 data for wastewater utilities (comparing permitted flows to the rolling maximum three month daily average in million gallons per day, or MGD) and 2004 data for public water supply utilities (comparing permitted flows to the maximum monthly demand, in million gallons per month, or MGM). The available capacity estimates initially assumed that the capacity for regional utilities (i.e., serving more than one municipality) would be allocated on a first-come, first-served basis; available capacity was apportioned among the municipalities based on relative land availability in the service area municipalities. In the Module 1 process, municipalities and regional utilities were requested to provide both updated flow data and any available information on contracted flows for a municipality. Where such information was provided and verified, it was used to update both utility-wide and municipal available capacity estimates.

The build-out impacts analysis within RMP utility areas was performed by the Highlands Council using build-out environmental constraints, municipal zoning and various impact factors (e.g., water demand, sewerage demand, population, jobs) as identified in the *Highlands Regional Build-Out Technical Report (2008)* and listed in Appendix B of this report. This analysis was applied only within the RMP utility service areas, defined as the lands within a NJDEP approved utility service area that are also

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located within the Existing Community Zone or Lake Community Sub-Zone (not including the Existing Community-Environmentally-Constrained Sub-Zone). Of these lands, only parcels with at least 1,400 square feet of land that is not environmentally constrained based on the RMP (i.e., steep slopes, flood prone areas and Highlands Open Water buffers) were evaluated for build out in RMP utility service areas. Potential developable lands that did not meet the criteria of the build-out RMP utility areas were evaluated as lands contributing to Septic System Yield.

In addition, the RMP Septic System Yield was calculated for the municipality. The build out for septic system areas in the Planning Area is based on the RMP Septic System Yield Analysis and does not incorporate or evaluate the effects of environmental constraints or municipal zoning. The build-out of septic system areas in the Preservation Area is based on the NJDEP Preservation Area Rules at N.J.A.C. 7:38-3.4, as required by the RMP. The total acreage of all vacant lands, the net acreage of over-sized parcels (i.e., the total lot size minus the acreage needed for one lot under the RMP) and redevelopable lands were used in the Septic System Yield analysis. In the Planning Area, the analysis used the nitrate target for the appropriate Land Use Capability Zone and the drought recharge value for the appropriate HUC14 subwatershed. In the Preservation Area, the analysis used the forested and non-forested lands at a parcel level. In keeping with RMP policies, preserved lands (including SADC, Green Acres, federal, State, county and local lands, and land trust properties and conservation easements where known) were excluded from this analysis. Environmentally constrained lands (i.e., steep slopes, flood prone areas and Highlands Open Water buffers) were included in the septic system yield analysis because the methodology assumes a mixture of constrained and unconstrained lands, but will affect how Septic System Yield is allocated in later stages of the Plan Conformance Process.

The information from Module 1 directly supported the Module 2 Land Use and Resource Capacity Analysis, results of which are incorporated into this report. In Module 2, the Highlands Council and the municipality evaluated the build-out impacts and the associated wastewater and water supply demands within the RMP utility areas as identified in Module 1.

In Module 2, municipalities reviewed the RMP build-out impacts for RMP utility areas and verified that they reflect densities allowed by existing municipal zoning. Areas included in the build-out process for sewer service included those lands within the wastewater Existing Area Served, as defined by the RMP, and also those lands within an NJDEP-approved Sewer Service Area that is also within the Lake Community Sub-Zone or the Existing Community Zone (excluding the Existing Community-Environmentally Constrained Sub-Zone). If the existing municipal zoning conditions have changed from the 2005 data used by the Highlands Council, then the municipality provided the current zoning and the Highlands Council revised the build-out impacts accordingly. The Highlands Council performed a quality control assessment to ensure that the database was technically sufficient for the build-out process (see Appendix A – Module 2).

Where utility capacity exceeded the land-based build out of potential developable lands in Module 1, the utility capacity is potentially available for future demands. The municipality will evaluate utility

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capacity assignment in Module 3 where appropriate to support affordable housing, and in support of later phases of Plan Conformance.

For some HUC14 subwatersheds in the municipality, the projected consumptive or depletive water demand based on both domestic well sources (either as derived from Septic System Yield, which is assumed to be supplied by domestic wells, or within a RMP wastewater utility area served by domestic wells) and water supply utility service indicate that the complete municipal build out of potential developable lands might exceed the Net Water Availability. In such cases, the Highlands Council then calculated Net Water Availability values in Module 2 for use as a further constraint on growth, and determined the extent to which the Net Water Availability would reduce the build out. The Highlands Council also assessed the extent to which the use of remaining wastewater utility capacity (i.e., beyond full build-out), if any, would be constrained by Net Water Availability. This information can be used by the municipality to determine whether the wastewater utility capacity can reasonably be used for purposes consistent with the RMP (e.g., affordable housing projects, TDR receiving zones, Highlands Redevelopment Areas, redevelopment within the Existing Area Served) as provided for by Objective 2K3e. A decision as to the allocation of this capacity will occur in Module 3 regarding affordable housing needs identified in the Fair Share Plan, or later in the Plan Conformance process regarding other uses.

Appendix A: Technical Sufficiency Review

MODULE 1

The Module 1 Geodatabase (GDB) and utility capacity spreadsheet information submitted by the municipality were evaluated for technical sufficiency and quality assurance and quality control purposes by the Highlands Council staff. The Highlands Council reviewed the GDB (GDB#1 and GDB#2, with GDB#3, where relevant) to determine that all the changes that the municipality made to the GDB are technically sufficient in order to process for RMP Build-out. All revisions made to a GDB by the Highland Council are reflected in the NJHC_QA_QC_COMMENTS field of the GDB. The same Build-out QA/QC Review method is conducted for both GDB#1 and GDB#2. These results were reviewed by the municipality in Module 2 (see below). Any database issues that were not specifically responsive to the technical sufficiency review and not specific to the Module 1 Build-Out Analysis were flagged in the GDB by the Highlands Council for future reference.

When a municipality received GDB#3 (the updated public water utility database), the Council joined and updated the PWSID data from GDB#3 into GDB#1 so all the Module 1 information was in GDB#1 for build-out processing.

Before a GDB is processed for Build-out, the Highlands Council reviewed the material submitted by the municipality including cover letters and any email correspondence for additional information relevant to the build-out analysis. The Highlands Council utilizes Microsoft Access to process the GDB through the NJHC QA/QC review method to create a Technical Protocol Status (TPS) report that flags all parcels that have contradictory data, as well as a SDE check which identifies inserted, deleted and updated information in the GDB. The Highlands Council utilized the TPS Report and the GDB along with the supporting documentation to evaluate any contradictory data reported as Error Codes on the TPS Report.

The TPS report created by the Highlands Council identifies parcels that may contain contradictory data in the GDB and therefore not process correctly in the build-out. There are 11 Error Codes and 5 Data Conditions that may potentially be flagged by the Highlands Council within a GDB. The identification of an Error Code may or may not result in an edit by the Council. If an edit was required in order to technically correct the GDB for build-out processing, the edit was conducted by the Highlands Council and recorded in the GDB. The following is a list of the TPS Error Codes and Data Conditions that may be applicable to the municipality:

- **Error Code 01: Municipal Verification Field Missing** - every verifiable field and row should include the Module 1 verifier's name. If a row was blank, the NJHC QA/QC reviewer would populate the field with the verifier's name or consult with the municipality as required, and enter a comment in the NJHC_QA_QC_COMMENTS field in the GDB.

Municipal Build-Out Report for Bloomsbury Borough

- **Error Code 02: Parcels identified as both a Condo and Open Space** - the Highlands Council evaluated the parcel's development and land preservation status to determine if the necessary data fields were populated correctly by the municipality.
- **Error Code 03: Parcels identified as both Developable and Open Space** - the Highlands Council evaluated the parcel's development status and land preservation status and determined if the necessary data fields were populated correctly by the municipality.
- **Error Code 04: Parcels identified as Oversized or Redevelopable and missing the oversized or redevelopable acreage value** - the Highlands Council would either consult with the municipality in order to edit the data field or utilized the GDB information to determine the missing value.
- **Error Code 05: Parcels identified as Oversized or Redevelopable that were also listed as Not Developable** - the Highlands Council evaluated the parcel and edited the PARC_STAT_DEV_STATUS data field accordingly.
- **Error Code 06: Parcels identified as connected to a wastewater utility however no System Provider was identified** - the Highlands Council would consult with the municipality and/or review the GDB and supporting documentation in order to edit the missing entry.
- **Error Code 07: Parcels identified as a "Yes" indicating they are currently both connected and not connected to a wastewater utility** - the Highlands Council edited Not Developable, oversized or redevelopable parcels in the wastewater no connect field to a "No." and if the parcel is vacant and developable then the Highlands Council edited the wastewater existing served field to a "No."
- **Error Code 08: Parcels identified as being connected to a wastewater utility and also identified as vacant or developable** - the Highlands Council evaluated these parcels to see if they are developable, redevelopable or oversized and edited and documented accordingly in the GDB.
- **Error Code 09: Parcels identified as connected to a public water utility however no System Provider was identified** - the Highlands Council would consult with the municipality and/or review the GDB and supporting documentation in order to edit the missing entry.
- **Error Code 10: Parcels identified as a "Yes" indicating they are currently both connected and not connected to a public water utility** - the Highlands Council edited Not Developable, oversized or redevelopable parcels in the public water no connect field to a "No." and if the parcel is vacant and developable then the Highlands Council edited the public water existing served field to a "No."
- **Error Code 11: Parcels identified as being connected to a public water utility and also identified as vacant or developable** - the Highlands Council evaluated these parcels to see if they are developable, redevelopable or oversized and edited and documented accordingly in the GDB.

Municipal Build-Out Report for Bloomsbury Borough

- **Data Condition 1: Parcels identified as Not Developable due to Environmental Constraints or Inadequate Lot Geometry** - these parcels were evaluated in septic served areas to ensure that the environmentally constrained parcels in the GDB were not a water body and therefore not appropriate for inclusion in the RMP Septic System Area analysis. Otherwise, vacant parcels indicated to be “Not Developable” due to environmentally constrained lands were included in the Septic System Yield analysis. Parcels that were identified as an inadequate lot geometry but developable with an adjacent parcel may require further review by the municipality to ensure that the build-out process was applied correctly because the Highlands Council is not able to discern the adjacent parcel record that is in common ownership and referenced by the municipality.
- **Data Condition 2: Parcels identified as having a WW Utility with a Contractual Allocation** were flagged in the TPS Report.
- **Data Condition 3: Parcels identified for PW Utility with a Contractual Allocation** were flagged in the TPS Report.
- **Data Condition 4: Parcels containing entries as “OTHER” with associated comments** were reviewed to see if the proper data field associated with the comment had been completed correctly and to assist in the review of the GDB information.
- **Data Condition 5: Parcels with entries in any of the “Comment” data fields-** the Council reviewed this information as a means to assist in GDB technical evaluation and QA/QC review.

In addition to going through the TPS Report as described above, the Council evaluated all open space parcels to ensure they are technically correct in the GDB. The Council also reviewed parcels that have no provider listed for public water or wastewater to ensure that there are no “Yes” data fields in the utility connection status data field, as these parcels are on septic/domestic wells and not relevant regarding a utility connection status in the GDB. Lastly, the Council QA/QC reviewer initialed and dated the GDB to complete the TPS Report and QA/QC Review process.

The municipality then received a modified GDB that:

1. incorporated the results of all edits by the Highlands Council;
2. merged the final results of GDB’s #1 and, where applicable, #2 and #3 into a single GDB;
3. identified the parcels that were processed for build out as potential developable vacant, redevelopable and over-sized lots in both septic system and sewer areas; and
4. incorporated additional fields used by the Highlands Council in running the build-out process, including municipal zoning for potential developable vacant and redevelopable parcels associated with sewer service conforming with RMP requirements, and having at least 1,400 square feet of land that is not environmentally constrained. Where such parcels were associated with public water supply service, they were also evaluated for water demands.

Municipal Build-Out Report for Bloomsbury Borough

The Municipal Conditions Geodatabase may include in some cases duplicate parcel records within the municipality. These duplicates derive from the process of creating a spatial representation of parcels in GIS. The Highlands Council has taken the necessary steps to avoid double counting of developable duplicate parcels, in the summary reports and in the geodatabase and any derivatives thereof.

MODULE 2

In Module 2, the municipality completed a final check on parcel information and verified the municipal zoning applicable to parcels that were processed for build out in RMP utility areas. Where edits were made and returned to the Highlands Council, the Council incorporated the edits and, where necessary, performed a revised build-out analysis, the results of which are reflected in this report.

Please note that the Type A and Type B edits conducted by the municipality were reviewed by the Highlands Council and only when an edit was relevant to the RMP Build-out analysis was it incorporated and re-processed for build-out analysis as required.

Type A Edits – Tabular

- The information will be updated in the GDB as indicated.
- The nature and extent of the information may or may not affect the build-out results.
- Type A tabular edits that require a revised build-out will be processed and reported as a Module 2 Municipal Build-out Summary Report.

Type A Edits – Spatial

- The revised spatial information will be reviewed in accordance with the Module 1 Technical Review Protocols.
- Type A spatial edits that require a revised build-out will be processed and reported as a Module 2 Municipal Build-out Summary Report.

Type B Edits – Municipal Zoning

- The information will be updated in the GDB as indicated.
- Updated zoning changes only affect parcels in RMP utility areas.
- Type B edits that require a revised build-out will be processed and reported as a Module 2 Municipal Build-out Summary Report.

Appendix B – Highlands Module 2 Build-Out Model Impact Factors

Highlands Zone Type	Comparison Zone/Unit Type	Source	Region	Density Dwelling unit (du)/acre *	Efficiency Factor % (1)	Average Household Size (2)	Average School Children in Household (2)	Percent Impervious (3)	Consumptive/Depletive Water Use includes Indoor demand (gpd per person) plus outdoor demand as (gpd per unit) multiplied by Consumptive/Depletive Use Coefficient (4)	Public Water System Demand (5)	Public Wastewater System Generation (6)
SF Estate Residential or (PA-5)				0.05 to 0.20 (0.17 maximum)	95			0.075* acres	(75 gpd/person + 50 gpd/unit) * Consumptive/Depletive Coefficient	100 gallons per person per day	75 gallons per person per day
	Single-family Detached 4-5 BR	Statewide NJ Demographic Multipliers (2)	Northern ¹			3.809	1.072				
Single-family Detached 4-5 BR	Central ²					3.780	1.094				
SF Rural Residential, Resource Residential, or (PA-4B)				0.21 to 0.5 du/acre (0.17 maximum)	95			0.075* acres	(75 gpd/person + 50 gpd/unit) * Consumptive/Depletive Coefficient	100 gallons per person per day	75 gallons per person per day
	Single-family Detached 4-5 BR	Statewide NJ Demographic Multipliers (2)	Northern ¹			3.809	1.072				
Single-family Detached 4-5 BR	Central ²					3.780	1.094				
SF Low Density or (PA-4)				0.51 to 1.0 du/acre (1.16 maximum)	80			0.075* acres	(75 gpd/person + 50 gpd/unit) * Consumptive/Depletive Coefficient	100 gallons per person per day	75 gallons per person per day
	Single-family Detached 4-5 BR	Statewide NJ Demographic Multipliers (2)	Northern ¹			3.809	1.072				
Single-family Detached 4-5 BR	Central ²					3.780	1.094				
SF Medium Density, Suburban Residential, or (PA-3)				1.01 to 3.0 du/acre (3.81 minimum)	75			26.7	(75 gpd/person + 30 gpd/unit) * Consumptive/Depletive Coefficient	100 gallons per person per day	75 gallons per person per day
	Single-Family Detached, 2-3 BR	Statewide NJ Demographic Multipliers (2)	Northern ¹			3.137	0.607				
Single-Family Detached, 2-3 BR	Central ²					2.578	0.367				
SF High Density or (PA-2)				3.01 to 8.0 du/acre (7.04 minimum)	75			33.7	(75 gpd/person + 5 gpd/unit) * Consumptive/Depletive Coefficient	75 gallons per person per day	75 gallons per person per day
	Single-Family Attached, 2-3 BR	Statewide NJ Demographic Multipliers (2)	Northern ¹			2.477	0.296				
Single-Family Attached, 2-3 BR	Central ²					2.296	0.292				
Attached/Townhouse or (PA-1)				8.01 to 16.0 du/acre (9.78 minimum)	75			45.7	(75 gpd/person + 5 gpd/unit) * Consumptive/Depletive Coefficient	75 gallons per person per day	75 gallons per person per day

Appendix B – Highlands Module 2 Build-Out Model Impact Factors

Highlands Zone Type	Comparison Zone/Unit Type	Source	Region	Density Dwelling unit (du)/acre *	Efficiency Factor % (1)	Average Household Size (2)	Average School Children in Household (2)	Percent Impervious (3)	Consumptive/Depletive Water Use includes Indoor demand (gpd per person) plus outdoor demand as (gpd per unit) multiplied by Consumptive/Depletive Use Coefficient (4)	Public Water System Demand (5)	Public Wastewater System Generation (6)
	Single-Family Attached, 2-3 BR	Statewide NJ Demographic Multipliers (2)	Northern ¹			2.477	0.296				
	Single-Family Attached, 2-3 BR		Central ²				2.296	0.292			
Garden Apartment or (PA-1)				16.01+ du/acre (9.78 minimum)	70			57.1	(75 gpd/person + 5 gpd/unit) * Consumptive/Depletive Coefficient	75 gallons per person per day	75 gallons per person per day
	5+ Units (Own/Rent), 2-3 BR	Statewide NJ Demographic Multipliers (2)	Northern ¹			2.262	0.308				
	5+ Units (Own/Rent), 2-3 BR		Central ²				2.342	0.373			
Mixed use/Age Restricted Housing (percent mix based on 40% residential and 60% non-residential as Office/Commercial)		Municipal Zoning		Apply zone density and FAR value Note: Use Retail/Commercial Impact factors for non-res %	70	Varies Based on zoning Du/Acre description	0.00	68.8	(75 gpd/person + 5 gpd/unit) * Consumptive/Depletive Coefficient	75 gallons per person per day	75 gallons per person per day
Mixed use (percent mix based on 40% residential and 60% non-residential as Office/Commercial)		Municipal Zoning		Apply zone density and FAR value Note: Use Retail/Commercial Impact factors for non-res %	70	Varies Based on zoning Du/Acre description	Varies Based on zoning Du/Acre description	42.0	(75 gpd/person + 5 gpd/unit) * Consumptive/Depletive Coefficient	75 gallons per person per day	75 gallons per person per day
Senior or Age restricted Housing		Municipal Zoning		Varies Based on zoning Du/Acre description	70	Varies Based on zoning Du/Acre description	0.00	60.3	(75 gpd/person + 5 gpd/unit) * Consumptive/Depletive Coefficient	75 gallons per person per day	75 gallons per person per day

Highlands Build-Out Residential Impact Factors – Sources

* Residential dwelling units generated by the build-out model include both market rate and affordable units.

(1) Source: Efficiencies are given as a percentage, between 0 and 100, where a 100 value means complete efficiency (no land lost to development), and a 0 value means no buildings will be estimated for that land use. For example an efficiency of 70% may be representative of developable land that has a 10% set aside for parks and 20% for roads (100% - 10% - 20% = 70%). Project determined values.

(2) Source: Who Lives in New Jersey Housing? New Jersey Demographic Multipliers, The Profile of Occupants of Residential and nonresidential Development. Listokin, D., Voicu, I., Dolphin, W., Camp, M. Center for Urban Policy Research, Rutgers University, November 2006. Northern NJ values were applied to Bergen, Morris, Passaic, Sussex and Warren County municipalities. Central NJ values were applied to Hunterdon and Somerset County municipalities.

1 Table II-C-1 North Region of New Jersey Total Persons and Persons by Age (2000) (p. 85)

2 Table II-D-1 Central Region of New Jersey Total Persons and Persons by Age (2000) (p. 99)

(3) Source: NCNBR, Rutgers University, April 27, 2006. The impervious surface area for new dwelling units large lot zoned areas (*) is based on an average 15% impervious surface value (per NJDEP LU/LC) and a project determined average homestead area of 0.50 acres. No impact value is attached to the remaining undeveloped area. The impact percentage factors for the other residential composite zones represent weighted averages of NJ Highlands Percent Impervious Surface for all residentially developed lands in that composite zone. The raw data was obtained by overlaying NJ Highlands Zoning and DEP 2002 LU/LC spatial data files, and extracting the calculated percent impervious surface area attached to each LU/LC residential developed land polygon and the acres of associated developed land in each intersecting municipal zone polygon. The impervious surface areas in each municipal zone within the composite zone were aggregated and then divided by the total developed residential land area, to produce a weighted IS average for each composite zone.

(4) Source: Center for Urban Policy Research (CUPR), September 2000. NJGS Consumptive Use Coefficients. For consumptive uses, a factor of 29% is utilized. For depletive uses, a factor of 100% is used

(5) Source: NJDEP N.J.A.C. 7:10 Safe Drinking Water Act Regulations Adopted November 4, 2004, 7:10-12.6 Water Volume Requirements and State Plan Impact Assessment

(6) Source: NJDEP N.J.A.C. 7:14A-23.3 Pollutant Discharge Elimination System: Technical Requirements For TWA Applications; Projected flow criteria

Appendix B – Highlands Module 2 Build-Out Model Impact Factors

Highlands Composite Zone Type	Floor Area Ratio	Efficiency Factor % (1)	Region	Jobs per 1,000 sf (2)	Percent Impervious (3)	Consumptive/Depletive Water Use multiplied by Consumptive/Depletive Use Coefficient (4)	Public Water System Demand (5)	Public Wastewater System Generation (6)
Office/Commercial	Based on zoning	80	Northeast US	2.99	78.3	0.125 gpd/sf * Consumptive/Depletive Coefficient	0.125 gallons/day/sf	0.10 gallons/day/sf
Retail	Based on zoning	80	Northeast US	1.63	72.5	0.125 gpd/sf * Consumptive/Depletive Coefficient	0.125 gallons/day/sf	0.10 gallons/day/sf
Industrial	Based on zoning	80	Northeast US	1.11	53.4	25 gpd/person * Consumptive/Depletive Coefficient	25 gallons per person per day	25 gallons per person per day

Highlands Build-Out Non-Residential Impact Factors – Sources

(1) Source: Efficiencies are given as a percentage, between 0 and 100, where a 100 value means complete efficiency (no land lost to development), and a 0 value means no buildings will be estimated for that land use. For example an efficiency of 70% may be representative of developable land that has a 10% set aside for parks and 20% for roads (100% - 10% - 20% = 70%). Project determined values.

(2) Source: Who Lives in New Jersey Housing? New Jersey Demographic Multipliers, The Profile of Occupants of Residential and nonresidential Development. Listokin, D., Voicu, I., Dolphin, W., Camp, M. Center for Urban Policy Research. Rutgers University. November 2006.

a Table II-I-3 Commercial - Office Employees per 1,000 Square Feet of Gross Floor Area (GFA) (p. 136) (Reported Northeast mean value).

b Table II-I-4 Commercial – Retail Employees per 1,000 Square Feet of Gross Floor Area (GFA) (p. 139)

(Value derived by averaging the mean number of employees per 1,000 sq. ft. of GFA for retail (excluding mall), retail (enclosed mall), and retail (strip shopping mall) space in the Northeast).

c Table II-I-6 Industrial – Warehouses Employees per 1,000 Square Feet of Gross Floor Area (GFA) (p. 143)

(Value derived by averaging the mean number of employees per 1,000 sq. ft. of GFA for Non-Refrigerated and Refrigerated space in the Northeast).

(3) Source: NCNBR, Rutgers University, April 27, 2006. The impervious surface area for new dwelling units large lot zoned areas (*) is based on an average 15% impervious surface value (per NJDEP LU/LC) and a project determined average homestead area of 0.50 acres. No impact value is attached to the remaining undeveloped area. The impact percentage factors for the other residential composite zones represent weighted averages of NJ Highlands Percent Impervious Surface for all residentially developed lands in that composite zone. The raw data was obtained by overlaying NJ Highlands Zoning and DEP 2002 LU/LC spatial data files, and extracting the calculated percent impervious surface area attached to each LU/LC residential developed land polygon and the acres of associated developed land in each intersecting municipal zone polygon. The impervious surface areas in each municipal zone within the composite zone were aggregated and then divided by the total developed residential land area, to produce a weighted IS average for each composite zone.

(4) Source: Center for Urban Policy Research (CUPR), September 2000. NJGS Consumptive Use Coefficients. For consumptive uses, a factor of 29% is utilized. For depletive uses, a factor of 100% is used

(5) Source: NJDEP N.J.A.C. 7:10 Safe Drinking Water Act Regulations Adopted November 4, 2004, 7:10-12.6 Water Volume Requirements and State Plan Impact Assessment

(6) Source: NJDEP N.J.A.C. 7:14A-23.3 Pollutant Discharge Elimination System: Technical Requirements For TWA Applications; Projected flow criteria

BOROUGH OF BLOOMSBURY
COUNTY OF HUNTERDON
STATE OF NEW JERSEY

PLANNING BOARD
RESOLUTION # 06-10

RESOLUTION OF THE BLOOMSBURY BOROUGH PLANNING BOARD ADOPTING
THE MAY 2010 HOUSING PLAN ELEMENT & FAIR SHARE PLAN

WHEREAS, the Planning Board of Bloomsbury Borough, State of New Jersey, adopted its current Housing Element and Fair Share Plan of the Master Plan pursuant to N.J.S.A. 40:55D-28.b.(3) on May 18, 2010; and

WHEREAS, N.J.A.C. 5:97-2.1(a) requires the adoption of the Housing Plan Element by the Planning Board and endorsement by the Borough Council; and

WHEREAS, N.J.A.C. 5:97-3.1(a) requires the preparation of a Fair Share Plan to address the total 1987-2018 fair share obligation of Bloomsbury Borough; and

WHEREAS, N.J.A.C. 5:97-3.1(b) requires the adoption of the Fair Share Plan by the Planning Board and endorsement by the Borough Council; and

WHEREAS, upon notice duly provided pursuant to N.J.S.A. 40:55D-13, the Planning Board of Bloomsbury Borough held a public hearing(s) on the Housing Plan Element and Fair Share Plan on May 18, 2010; and

WHEREAS, the Planning Board has determined that the Housing Plan Element and Fair Share Plan are consistent with the goals and objectives of Bloomsbury Borough's Master Plan and that adoption and implementation of the Housing Plan Element and Fair Share Plan are in the public interest and protect public health and safety and promote the general welfare.

NOW THEREFORE BE IT RESOLVED by the Bloomsbury Borough Planning Board, Bloomsbury Borough, Hunterdon County, State of New Jersey, that the Planning Board hereby adopts the May 2010 Housing Plan Element and Fair Share Plan.

Tom Reilly
Chairman of Planning Board

I herein certify that the foregoing is a true and correct copy of the resolution adopting the Housing Plan Element and Fair Share Plan of Bloomsbury Borough, on May 18, 2010.

Lisa A. Burd
Lisa A. Burd,
Planning Board Secretary

I hereby certify that the foregoing is an accurate copy
of a Resolution adopted by the Common Council of
the Borough of Bloomsbury, State of New Jersey on

May 18, 2010
Lisa A. Burd, RMC
Lisa A. Burd, RMC, Borough Clerk/Administrator

BOROUGH OF BLOOMSBURY
COUNTY OF HUNTERDON
STATE OF NEW JERSEY

RESOLUTION # 30-10

RESOLUTION OF THE BLOOMSBURY BOROUGH COUNCIL ENDORSING THE
2010 HOUSING PLAN ELEMENT AND FAIR SHARE PLAN AND PETITIONING THE
NEW JERSEY COUNCIL ON AFFORDABLE HOUSING FOR THIRD ROUND
SUBSTANTIVE CERTIFICATION

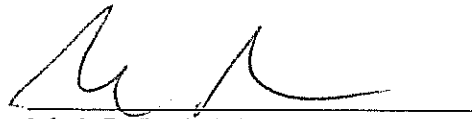
WHEREAS, the Planning Board of Borough of Bloomsbury, County of Hunterdon, State of New Jersey seeks to adopt the Bloomsbury Borough 2010 Housing Plan Element and Fair Share Plan of the Master Plan on May 18, 2010; and

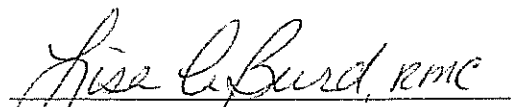
WHEREAS, a true copy of the resolution of the Planning Board adopting the Housing Plan Element and Fair Share Plan is attached pursuant to N.J.A.C. 5:95-2.2(a)2; and

NOW THEREFORE BE IT RESOLVED that, pursuant to N.J.A.C. 5:96-2.2, the Bloomsbury Borough Council, hereby endorses the Housing Element and Fair Share Plan as adopted by the Bloomsbury Borough Planning Board; and

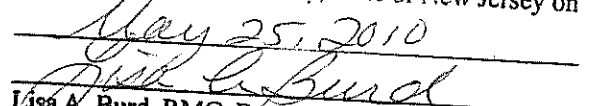
BE IT FURTHER RESOLVED that the Bloomsbury Borough Council, pursuant to the provisions of N.J.S.A. 52:27D-301 et seq. and N.J.A.C. 5:96-3.2, submits this petition for substantive certification of the Housing Plan Element and Fair Share Plan to the Council on Affordable Housing for review and certification; and

BE IT FURTHER RESOLVED that notice of this petition for substantive certification shall be published in a newspaper of countywide circulation pursuant to N.J.A.C. 5:96-3.5 within seven days of issuance of the notification letter from the Council on Affordable Housing's Executive Director indicating that the submission is complete and that a copy of this resolution, the adopted Housing Plan Element and Fair Share Plan and all supporting documentation shall be made available for public inspection at the Bloomsbury Borough Clerk's office, located at 91 Brunswick Ave, Bloomsbury, NJ 08804, during the hours of 6:30 to 4:30 on Monday and 9 to 3 Tuesday through Friday for a period of 45 days following the date of publication of the legal notice pursuant to N.J.A.C. 5:96-3.5.


Mark R. Peck, Mayor


Lisa A. Burd, RMC
Borough Clerk/Administrator

Adopted: May 25, 2010

I hereby certify that the foregoing is an accurate copy
of a Resolution adopted by the Common Council of
the Borough of Bloomsbury, State of New Jersey on
May 25, 2010

Lisa A. Burd, RMC, Borough Clerk/Administrator

ACCESSORY APARTMENTS (N.J.A.C. 5:97-6.8)

General Description

Municipality/County: Bloomsbury Borough, Hunterdon County

Affordable Units Proposed: 2

Family: 1

Low-Income: 1

Moderate-Income: 1

Age-Restricted: 0

Low-Income: 0

Moderate-Income: 0

Average expenditure:

For each low-income unit: \$ 20,000

For each moderate-income unit: \$ 25,000

Information and Documentation Required with Petition

- Project/Program Information Form (previously known as Project/Program Monitoring Form. If relying on previously submitted 2007 monitoring and/or subsequent CTM update, also check here in lieu of submitting forms.)
- Draft or adopted accessory apartment ordinance
- Documentation of funding sources
- Municipal resolution appropriating funds from general revenue or a resolution of intent to bond in the event of a funding shortfall
- Demonstration that the housing stock lends itself to accessory apartments
- Demonstration that there is water and sewer infrastructure with sufficient capacity to serve the proposed accessory apartments (indicate below type of infrastructure)
 - Public water and sewer system; OR
 - If served by individual well and/or septic system, the municipality must show that the well and/or septic system meet the appropriate NJDEP standards and have sufficient capacity for additional unit

Information and Documentation Required Prior to Substantive Certification

- Resolution or executed contract designating an experienced Administrative Agent, and a statement of his/her qualifications, in accordance with N.J.A.C. 5:96-18
- Adopted operating manual that includes a description of program procedures and administration or a statement indicating that the Administrative Agent designated to run the program uses a COAH-approved manual
- Affirmative Marketing Plan in accordance with UHAC

Accessory Apartment Narrative Section

The Borough's existing housing stock lends itself to the Accessory Apartment program. The historic and built out nature of the Borough, coupled with the larger, traditional homes on small lots lend themselves to the ability to incorporate accessory apartments into the current fabric of the Borough without a loss of the Borough's character and sense of place. The Borough's existing developed residential properties and neighborhoods are capable of supporting, and are compatible with, the Borough's accessory apartment strategy for addressing its affordable housing obligation. In combination with there being adequate water infrastructure capacity to support the modest level of affordable housing that is called for in Bloomsbury's Plan, the Borough's existing housing stock and developed neighborhoods are suitable for accessory apartments where opportunities for affordable housing may arise.
