

# 2012 MASTER PLAN REEXAMINATION REPORT

Township of Byram  
Sussex County, New Jersey



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**MARCH 2012**

The original of this document was signed and sealed  
in accordance with N.J.S.A. 45:14A-12.

**Prepared by:**

**Byram Township**  
**2012 MASTER PLAN REEXAMINATION REPORT**

**Introduction**

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This report constitutes the Master Plan Reexamination Report for Byram Township as defined by the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-89). The purpose of the Reexamination Report is to review and evaluate the local Master Plan and Development Regulations on a periodic basis in order to determine the need for update and revisions. The Municipal Land Use Law (MLUL) requires that this review be conducted at least every ten years and requires that it be conducted by the Planning Board.

Byram Township adopted its last Comprehensive Master Plan in 2004. The Township has also undertaken the following Master Plan activities within the last ten years:

1. 2002 Master Plan Re-examination
2. 2002 Smart Growth Plan
3. 2003 Lakefront Development Plan
4. 2004 Comprehensive Master Plan
5. 2005 Stormwater Management Plan
6. 2007 Third Round Housing Element and Fair Share Plan
7. 2008 Revised Third Round Housing Element and Fair Share Plan
8. 2010 Revised Third Round Housing Element and Fair Share Plan
9. 2011 Highlands ERI
10. 2011 Open Space and Recreation Plan Update
11. 2011 Sustainability Element

Since the time of adoption of the last amendment to the Master Plan, the assumptions, policies, and objectives upon which the Master Plan is based have changed by virtue of: a) the enactment of the Highlands Water Protection and Planning Act ("Highlands Act," N.J.S.A. 13:20-1 et seq.) by the State Legislature on August 10, 2004; b) the adoption of the Highlands Regional Master Plan by the Highlands Water Protection and Planning Council ("Highlands Council") on July 17, 2008, which became effective on September 8, 2008; c) the requirement of the Highlands Act that municipal Master Plans and regulatory provisions be brought into alignment with the Highlands Regional Master Plan for lands located within the Highlands Preservation Area; d) the authorization within the Highlands Act for voluntary municipal Master Plan and regulatory conformance with the Highlands Regional Master Plan with respect to lands located within the Highlands Planning Area; and e) the affirmative decision of the Byram Township Governing Body to conform to the Highlands Regional Master Plan for municipal lands located in both the Preservation Area and Planning Area, as set forth by Resolutions 172-2009 and 173-2009 adopted on November 23, 2009.

Accordingly, the Planning Board has reexamined the Township Master Plan and development regulations to determine the specific changes necessary to achieve consistency with the Highlands Regional Master Plan and thereby, to incorporate the specific changes in State policies, goals, and objectives as set forth by the Highlands Act. It is the intent of this Report to identify the specific revisions needed to bring the Township Master Plan and development regulations into conformance with the Highlands Regional Master Plan. It is also the intent of this Report to consider and provide recommendations concerning a number of other Land Use and Zoning issues in the Township which have arisen in the past seven years since the adoption of the 2004 Master Plan.

This Report has been prepared in order to satisfy the 10-year review requirement of N.J.S.A. 40:55D-89. Section A of this Report identifies the goals and objectives which were established in the 2004 Master Plan. Sections B and C describe what changes have occurred in the Township, County, Region and the State since the adoption of this plan. Finally, Sections D and E discuss recommended actions to be addressed by the Township in the future.

## **PERIODIC REEXAMINATION**

The MLUL requires that reexamination reports address the following five components, as set forth in N.J.S.A 40:55D-89:

- 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.

## MUNICIPAL SUMMARY

Byram Township, known as the ‘Township of Lakes,’ is located in northwestern New Jersey in the southeast corner of Sussex County, nestled in the heart of the New Jersey Highlands. Bordering Warren County to the southwest and Morris County to the south, the Township maintains the flavor of a rural community. Byram’s easternmost boundary is Lubbers Run, which separates the Township from Hopatcong Borough. The southernmost boundary borders Stanhope Borough (Sussex County) and Mount Olive Township (Morris County). On the southwest is Allamuchy Township (Warren County); on the west and north are Green Township, Andover Borough and Andover Township; and on the north, Sparta Township.

Byram lies about 55 miles west of New York City and boasts excellent access to the regional road network. The major thoroughfares traversing the community are Interstate 80, which crosses the southwestern corner of the Township, and Route 206, which bisects the Township into east and west. Route 15 runs north/south in close proximity to Byram, providing access to the eastern part of the Township near Lake Mohawk. Byram is one of the ‘Gateways to Sussex County’ and the New Jersey Highlands.

Containing more than two-dozen lakes and ponds, this ‘Township of Lakes’ finds the majority of its settlements around the larger lakes. The Township is composed of three watersheds, feeding three major regional rivers: Lake Mohawk is in the headwaters of the Wallkill River; Forest and Panther Lakes are in the headwaters of the Pequest River; and the Musconetcong River watershed comprises about 90% of the Township and, with its tributary Lubbers Run, forms the Township’s southern border.

## **A. Major Land Development Problems & Objectives**

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What follows are the major problems and objectives relating to land development in the Township at the time of the adoption of the last Comprehensive Master Plan. Some of these have changed, specifically as a result of the passage of the Highlands Act, the adoption of the Regional Master Plan, and/or the decision of the Governing Body to conform its planning documents to the Regional Master Plan, while others have not.

### **General Goals**

The goals of a Township represent the long-term vision and the values held collectively by the residents of the Township. These goals are intended to address current issues in a broad perspective and set forth principles to guide the development of Byram.

- Retain the natural features and environmental resources that give the Township its rural character and that provide open space and recreation, protect water quality, and maintain wildlife habitat.
- Develop a Village Center that combines residential, commercial and civic spaces, creating a viable focus for carefully controlled growth and a community hub for planned activities and casual gatherings.
- Maintain the traditional character of each lake community, including preserving the environmentally sensitive and undeveloped forests surrounding these communities, which together establish Byram's distinct land use pattern.
- Establish transportation infrastructure that provides safe and easy travel through and around Byram for residents of all ages, emphasizing bike and pedestrian paths, forested rural roadways, and county and regional routes adequate for the needs of the community.
- Support and promote economic development in the Township by creating balanced opportunities for retail and service businesses, clean industries, eco-tourism, and commercial enterprises that provide jobs and maintain a viable taxable base.
- Use Smart Growth to provide a mix of housing opportunities and control the property tax burden, keeping the Township an affordable place to live for Byram's families to grow and stay, now and in the future.

### **General Objectives**

- Provide municipal services that meet the needs of the residents.
- Minimize the impact of development on Byram's extensive forestlands, waterways, and wildlife.
- Encourage the preservation of the Township's historic and cultural resources, including scenic views, forests, ridges, waterways, and rural roadways.

- Promote recreation and eco-tourism as a means of economic development.
- Coordinate investments for roads, water and sewerage facilities, schools, transportation, and other public facilities to properly serve the Township's growth and low-growth areas.
- Enhance the visual character and beauty of Byram through the preservation of important visual corridors (including rural forested roadways), natural or native landscaping, and perpetuation of consistent architectural themes.
- Develop a Capital Improvement Plan for major projects that ensures the consistency of those projects with the Master Plan.
- Support the State Development and Redevelopment Plan and the Highlands Act, which direct carefully planned growth to Byram's Designated Village Center and call for very limited development in the remaining Environs and the Highlands Preservation Core.

### **Specific Goals and Objectives**

The specific goals and objectives that follow provide more detailed guidance regarding the intents for future development of the Township and form a basis for development of strategies to implement the general goals and objectives.

### **Land Use Goals**

- Provide a balanced variety of land uses, including residential, commercial, and service uses, to promote adequate housing and economic opportunities, within the natural abilities of Byram's lands to support development.
- Ensure that development does not conflict with the orderly growth and general welfare of the county and neighboring municipalities.
- Guide land development and the location of community facilities to meet the community's needs while also preserving the natural environment.
- Create a mixed-use, pedestrian-friendly Village Center, easily accessible from neighboring residential areas, that is developed using enhanced social, environmental, economic, and aesthetic design standards to fulfill the Township's vision and meet the State Plan's goal of creating a 'Community of Place.'
- Maintain the current character of development in each lake community, surrounded by environmentally sensitive and largely undeveloped lands that establish the distinct land use pattern for the Township and ensure the basic water quality of the lakes.

### **Land Use Objectives**

- Locate and promote commercial development to minimize conflicts with other land uses.
- Locate and promote community support services and commercial uses in designated areas to ensure high serviceability.
- Provide adequate land area for regional and neighborhood recreation, community services and facilities to meet future housing and population growth.
- Promote land use patterns to enhance the ratable base with a minimal or manageable burden upon local services.
- Promote land use practices and subsequent development regulations to allow for manageable and controlled growth while protecting the rural ambiance and environmental resources of the Township.
- Promote and develop neighborhood convenience and commercial centers and limit major commercial development to hub areas with regional access.
- Avoid highway 'strip' development, while redesigning existing highway 'strip' areas to meet the Township's improved design standards.
- Promote the design theme established for the Village Center as a design theme for private development and public buildings in the Township, consistent with the Township's rural character.

### **Conservation Goals**

- Maintain the essential rural character of the Township by guarding against degradation and destruction of woodlands, steep slopes, lakes and waterways, areas of natural beauty, critical areas, productive agricultural areas, and important historic places.
- Integrate on-site environmental features into the Village Center and maintain existing natural features in the lake communities.
- Protect environmentally sensitive lands and direct growth toward areas with existing infrastructure, designated for controlled growth, thus deterring both residential and commercial sprawl.

### **Conservation Objectives**

- Continue to discourage sprawl through the use of specific development regulation techniques.
- Continue to minimize site disturbance.
- Limit or prohibit the development and expansion of roads and utilities into environmentally sensitive areas.

- Protect stream corridors, wetlands, woodlands, steep slopes, groundwater recharge areas, lakes, ponds and other critical areas through the enforcement of local ordinances.
- Preserve and maintain major areas of open space.
- Protect and upgrade water quality in Byram's lakes and ponds and groundwater through enhanced land use controls, open space acquisitions, better stormwater management, and septic-management programs.
- Minimize the visual impact of residential, commercial, and public development projects on the natural environment.

### **Housing Goals**

- Provide for a mix of housing types to meet existing and future population needs.

### **Housing Objectives**

- Implement Byram's Fair Share Plan and Housing Element pursuant to the Fair Housing Act, to meet indigenous housing needs.
- Provide housing opportunities for senior citizens and low-moderate income families.
- Provide a balance between housing and job opportunities.

### **Circulation Goals**

- Establish a circulation system that supports the regional and county network and facilitates movement between various parts of the Township.
- Create pedestrian walkways, bikeways, and other pathways to enhance both the ability and desirability of walking and bicycling.
- Establish trails and greenways linking neighborhoods, schools, recreational facilities, and community facilities with the lake communities and the Village Center.
- Retain rural roadways, with forested roadside shoulders, wherever possible.
- Participate in the planning and design of all County and State transportation projects to achieve Context Sensitive Design.

### **Circulation Objectives**



- Continue to incorporate Context Sensitive Design principles into Route 206 improvements to insure adequate traffic flow, limitations on speed, pedestrian and automobile safety, access, as well as attractive roadway design and traffic calming.
- Encourage appropriate mass transportation, namely buses and shuttles, for internal and external movement that will not unduly promote development in and around Byram.
- Clearly state the Township's opposition to the Lackawanna Cut-off re-activation and ensure communication with County and State transportation officials and neighboring affected communities.
- Clearly state the Township's opposition to the County Route 605/Acorn Street extension and ensure communication with County and State transportation officials and neighboring affected communities.
- Recommend additional local road connections where necessary for safety but not to promote development in the limited-growth areas of the Township that lie outside the Designated Village Center.
- Create open space trail linkages between all neighborhoods and destinations in Byram while connecting with regional trails and Allamuchy Mountain State Park.
- Update the official map by classifying roads according to function and by identifying all major existing and proposed rights-of-way.
- Provide safe vehicular, pedestrian, and bicycle circulation by improving traffic signals at key intersections, utilizing traffic calming measures, providing adequate on and off street parking and sidewalks in appropriate locations.
- Enhance the appearance of the Township's transportation corridors and improve signage on roads and at gateway locations to facilitate circulation and identify key destinations in the Township.
- Take measures to mitigate the effects of increased regional traffic, including actively participating in municipal, County, and State planning initiatives to control growth and sprawl in New Jersey and re-examine municipal, County, and State transportation policies.

### **Community Facilities Goals**

- Provide necessary public services and facilities and assure their availability to all areas of the community.

### **Community Facilities Objectives**

- Maintain and enhance the level of community facilities consistent with the pace of development in the Township.

- Provide for the proper placement of community and public services by concentrating them in or near denser population centers.
- Create a civic center with municipal services in the Village Center.
- Plan for the acquisition of parcels needed for future community facilities and services.

### **Open Space and Recreation Goals**

- Provide open space and recreation amenities to all residents throughout the Township.
- Implement the recommendations of the Open Space and Recreation Plan, the Byram Trails Map, and the Lubbers Run Greenway Project.

### **Open Space and Recreation Objectives**

- Preserve the Lubbers Run Greenway.
- Develop a town-wide trail system, as illustrated by the Byram Trails Map, the Open Space and Recreation Plan, and the Lubbers Run Greenway Project.
- Acquire, enlarge and connect protected State, municipal, and non-profit lands in the Township.
- Establish a green boundary that helps delineate the growth zone but continues to allow important connections between the Village Center and the outlying Environs.
- Use open space acquisition to protect the sources of the Township's drinking water.
- Acquire land for additional active recreation field space.
- Promote recreational opportunities for all residents, especially teenagers and senior citizens.
- Enhance the recreational opportunities through better use of current facilities.

### **Historic Preservation Goals**

- Encourage awareness and protection of Byram's cultural, social, and historic heritage to provide a tangible link to the past, foster a sense of place and continuity by maintaining the character of neighborhoods.
- Promote historic heritage based economic development.
- Further develop and promote the Township's identity and unity without undermining its established character.

## **Historic Preservation Objectives**

- Conduct a survey to identify additional properties for nomination to the State and National Registers of Historic Places.
- Create gateways to neighborhoods and recreation areas by encouraging historic facades, intensive natural or native landscaping, and redevelopment with historic designs.
- Preserve the character and special sense of place of the lake communities.

## **Utility Goals**

- Direct higher density development to areas currently served by utilities as a means to shape development patterns and optimally use the existing systems.

## **Utility Objectives**

- Preserve and maintain the existing utility infrastructure, including sewer and stormwater facilities.
- Focus development in those areas served by adequate utility systems.
- Ensure that stormwater and wastewater management is addressed in all future plans.
- Complete the revisions to the Township's Wastewater Management Plan to reflect the actual extent of the intended sewer service area, encompassing the Designated Village Center and the existing municipal and school complexes.
- Implement the Township's stormwater management plan, as required under new NJDEP stormwater regulations.
- Maintain contact and service area information for the 11 water companies with service in the Township.

## **Recycling Goals**

- Continue to be a leader in the use of recycled materials throughout the community, including in parks and Township offices.
- Continue to promote recycling throughout the Township by residences and businesses.
- Incorporate energy conservation, solid waste management and recycling techniques in the Township's land development and other related ordinances and regulations.
- Incorporate 'Green Building' principles such as appropriate building siting, insulating landscaping techniques, and energy conserving heating and cooling systems in the Township's land development and other related ordinances and regulations.

## **B.     Extent of Reduction/Increase in Problems & Objectives**

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The extent to which each of the problems and objectives listed in item A above, has been reduced or has increased subsequent to the date of the last Master Plan, either as a result of passage of the Highlands Act, the adoption of the Regional Master Plan, and the decision of the Governing Body to conform its planning documents to the Regional Master Plan or by independent action of the Planning Board, Governing Body, Township Committees and advisory groups, private developers or the public at large.

### **General Goals**

- Retain the natural features and environmental resources that give the Township its rural character and that provide open space and recreation, protect water quality, and maintain wildlife habitat. **The passage of the Highlands Act, the adoption of the Highlands Regional Master Plan, and the decision of the Byram Township Council to conform its planning documents to the Regional Master Plan has placed 98% of the Township in the Preservation Area, which focuses on the preservation of environmental resources, especially water quality and supply. The 2004 Preliminary Assessment of Groundwater and Aquifers provided an initial evaluation of water quality and supply.**
- Develop a Village Center that combines residential, commercial and civic spaces, creating a viable focus for carefully controlled growth and a community hub for planned activities and casual gatherings. **The Township's Petition for Plan Conformance and subsequent approval by the Highlands Council placed the Village Center in the first designated Highlands Center. The Byram Township Highlands Preservation & Planning Area Land Use Ordinance will include a Form Based Code section specifically designed to apply to the new Village Center. The Design Guide, approved by the Land Use Board in 2010, establishes architectural standards for development and redevelopment in the Township's commercial and mixed-use zones, including the Village Center.**
- Maintain the traditional character of each lake community, including preserving the environmentally sensitive and undeveloped forests surrounding these communities, which together establish Byram's distinct land use pattern. **The passage of the Highlands Act, the adoption of the Regional Master Plan, and the decision of the Township Council to conform its planning documents to the Regional Master Plan has placed 98% of the Township in the Preservation Area, which focuses on the preservation of environmental resources, especially water quality and supply. The Township has also continued its lake community planning process by producing a number of studies and plans in the last few years, including the January 2006 Lake Management Summary by F.X. Browne, under a Highlands Council MP3 grant, and the Septic Management Program, first established at Cranberry Lake in 1990, extended to Lake Lackawanna in 2005 (under the BH1-2005 ordinance), and amended under the BH1-2011 ordinance.**

- Establish transportation infrastructure that provides safe and easy travel through and around Byram for residents of all ages, emphasizing bike and pedestrian paths, forested rural roadways, and county and regional routes adequate for the needs of the community. The widening of Route 206 is to be completed in 2012; several walking trails have been added to the Township's trail network and repairs have been made to parts of Sussex Branch Trail (all of these trail projects were grant funded). Storms in late 2011 caused extensive destruction on various sections of Sussex Branch Trail and the Mansfield Bike Trail, for which funding is now being sought. The Township lacks a good network of bicycle routes, having recreational routes along Sussex Branch and Mansfield Bike Trail but no roadside bicycle routes to truly promote bicycling as an alternate mode of transportation around and through the Township.
- Support and promote economic development in the Township by creating balanced opportunities for retail and service businesses, clean industries, eco-tourism, and commercial enterprises that provide jobs and maintain a viable taxable base. The Land Use Board continues to work with applicants to review and revise development proposals through the application process to create viable commercial enterprises while maintaining high design standards in the Village Business Zone. Examples include the development of the Lower Quarry, CVS at Brookwood Road and the WGB Balinkas site.

A Site Plan Waiver ordinance was adopted to streamline commercial applications in existing developments which reduced approval times and stimulated economic development. The Architectural Review Committee (ARC) meets with applicants prior to the initial Land Use Board hearing to provide guidance and expert advice that streamlines the application and approval process for new developments and improvements to existing developments. The Land Use Board continues to encourage the collaborative planning process and the development concept review process that involves applicants, the Board, Board professionals and the general public in reviewing site plans prior to formal application. The Township worked with the Highlands Council to ensure the continued viability of the Village Center and Village Business Zone through the creation of the first Highlands Designated Center.

- Use Smart Growth to provide a mix of housing opportunities and control the property tax burden, keeping the Township an affordable place to live for Byram's families to grow and stay, now and in the future. The Land Use Board continues to review residential development applications using the current ordinance standards designed to address over-development of lots, tear-downs and development in critical areas. The Township worked with the Highlands Council to ensure the continued viability of the Affordable Housing Plan through the creation of the first Highlands Designated Center. In fall 2011, the Township was awarded a Smart Growth American technical assistance grant in the form of a workshop to be held in early 2012 on Smart Growth economic and fiscal strategies.

## General Objectives

- Provide municipal services that meet the needs of the residents. **This continues to be a goal of the Township and all of its departments.**
- Minimize the impact of development on Byram's extensive forestlands, waterways, and wildlife. **Conformance with the Highlands Regional Master Plan supports this goal and will improve Byram's protection especially of water resources, forests and wildlife habitat. The Township continues to advance this goal through its open space planning, resource protection ordinances and completion of important project areas such as the Lubbers Run Greenway.**
- Encourage the preservation of the Township's historic and cultural resources, including scenic views, forests, ridges, waterways, and rural roadways. **Conformance with the Highlands Regional Master Plan supports this goal and will improve Byram's protection especially of water resources, forests and wildlife habitat.**
- Promote recreation and eco-tourism as a means of economic development. **The Township continues to explore possible trail links into Kittatinny Valley State Park from Village Business sites to physically connect local businesses with eco-tourist attractions. Trail link potential continues to be examined in all commercial development applications, with reference to the trail and greenway systems delineated in the Township Trail Guide and the Open Space and Recreation Plan. In fall 2011, the Township was awarded a Smart Growth American technical assistance grant in the form of a workshop to be held in early 2012 on Smart Growth economic and fiscal strategies. Conformance with the Highlands Regional Master Plan supports this goal.**
- Coordinate investments for roads, water and sewerage facilities, schools, transportation, and other public facilities to properly serve the Township's growth and low-growth areas. **Conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Enhance the visual character and beauty of Byram through the preservation of important visual corridors (including rural forested roadways), natural or native landscaping, and perpetuation of consistent architectural themes. **Unfortunately, the Cat Swamp Route 206 project (completed in 2005) left most of this major road section barren in appearance, stripped of most of its forested verges. The Township will work to see these areas replanted and will partner in future infrastructure projects to make sure the visual character of the Township is not sacrificed.**
- Develop a Capital Improvement Plan for major projects that ensures the consistency of those projects with the Master Plan. **This continues to be a goal of the Township and all of its departments.**

- Support the State Development and Redevelopment Plan and the Highlands Act, which direct carefully planned growth to Byram's Designated Village Center and call for very limited development in the remaining Environs and the Highlands Preservation Core. **Conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

## Land Use Goals

- Provide a balanced variety of land uses, including residential, commercial, and service uses, to promote adequate housing and economic opportunities, within the natural abilities of Byram's lands to support development. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Ensure that development does not conflict with the orderly growth and general welfare of the county and neighboring municipalities. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Guide land development and the location of community facilities to meet the community's needs while also preserving the natural environment. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Create a mixed-use, pedestrian-friendly Village Center, easily accessible from neighboring residential areas, that is developed using enhanced social, environmental, economic, and aesthetic design standards to fulfill the Township's vision and meet the State Plan's goal of creating a 'Community of Place.' **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.** The Byram Township Highlands Preservation & Planning Area Land Use Ordinance will include a Form Based Code section specifically designed for application to the new Village Center. The Design Guide, approved by the Land Use Board in 2010, establishes architectural standards for development and redevelopment in the Township's commercial and mixed-use zones, including the Village Center.
- Maintain the current character of development in each lake community, surrounded by environmentally sensitive and largely undeveloped lands that establish the distinct land use pattern for the Township and ensure the basic water quality of the lakes. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal.** The Township continues to pursue open space acquisition in these areas and will work toward a Township-wide septic management plan.

## Land Use Objectives

- Locate and promote commercial development to minimize conflicts with other land uses. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Locate and promote community support services and commercial uses in designated areas to ensure high serviceability. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Provide adequate land area for regional and neighborhood recreation, community services and facilities to meet future housing and population growth. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Promote land use patterns to enhance the ratable base with a minimal or manageable burden upon local services. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Promote land use practices and subsequent development regulations to allow for manageable and controlled growth while protecting the rural ambiance and environmental resources of the Township. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center. In late 2011, the Township auctioned several Township-owned or foreclosed parcels with prohibitions against using these parcels for principal structures. Allowing development would have risked severe environmental impacts, given the natural limitations of the parcels.**
- Promote and develop neighborhood convenience and commercial centers and limit major commercial development to hub areas with regional access. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Avoid highway ‘strip’ development, while redesigning existing highway ‘strip’ areas to meet the Township’s improved design standards. **The Land Use Board continues to work with applicants to review and revise development proposals through the application process to create viable commercial enterprises while maintain high design standards in the Village Business Zone. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**



- Promote the design theme established for the Village Center as a design theme for private development and public buildings in the Township, consistent with the Township's rural character. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

### **Conservation Goals**

- Maintain the essential rural character of the Township by guarding against degradation and destruction of woodlands, steep slopes, lakes and waterways, areas of natural beauty, critical areas, productive agricultural areas, and important historic places. **Byram's historic locations are described in Highlands Council documents and in Byram's Master Plan and Natural Resources Inventory. None of the Township's historic sites qualifies for listing on State or National registries, but the Township seeks to preserve these historic locations and provide signage calling attention to that history. The Township continues to partner with State Agencies on projects that have the potential to impact natural and historic resources. Conformance with the Highlands Regional Master Plan supports this goal.**
- Integrate on-site environmental features into the Village Center and maintain existing natural features in the lake communities. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Protect environmentally sensitive lands and direct growth toward areas with existing infrastructure, designated for controlled growth, thus deterring both residential and commercial sprawl. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

### **Conservation Objectives**

- Continue to discourage sprawl through the use of specific development regulation techniques. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Continue to minimize site disturbance. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal.**
- Limit or prohibit the development and expansion of roads and utilities into environmentally sensitive areas. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center. The Township**

continues to oppose the PSE&G Susquehanna-Roseland Power-line project, which would cut through the northern end of the Township. Like other opponents of this project, the Township objects to the resultant destruction of natural resources and landscapes, impacts on surrounding properties and it questions the necessity of the project.

- Protect stream corridors, wetlands, woodlands, steep slopes, groundwater recharge areas, lakes, ponds and other critical areas through the enforcement of local ordinances. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Preserve and maintain major areas of open space. With recent preservation projects in municipal and State parks, approximately one-third of Byram is now in permanent preservation. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Protect and upgrade water quality in Byram's lakes and ponds and groundwater through enhanced land use controls, open space acquisitions, better stormwater management, and septic-management programs. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Minimize the visual impact of residential, commercial, and public development projects on the natural environment. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

### **Housing Goals**

- Provide for a mix of housing types to meet existing and future population needs. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

### **Housing Objectives**

- Implement Byram's Fair Share Plan and Housing Element pursuant to the Fair Housing Act, to meet indigenous housing needs. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Provide housing opportunities for senior citizens and low-moderate income families. **This continues to be a goal of the Township; conformance with the Highlands**

**Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

- **Provide a balance between housing and job opportunities. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

### **Circulation Goals**

- **Establish a circulation system that supports the regional and county network and facilitates movement between various parts of the Township. This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- **Create pedestrian walkways, bikeways, and other pathways to enhance both the ability and desirability of walking and bicycling. This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- **Several walking trails have been added to the Township's trail network and repairs have been made to parts of Sussex Branch Trail (all of these trail projects were grant funded). The Township received a grant in 2008 for the installation of bike racks in the Township and a 2011 Recreational Trails grant to construct a loop trail down to Lubbers Run in Brookwood Park. The Environmental Commission is partnering with Salt Gastropub to install a trail linking the restaurant's parking lot with the Highlands Trail in Allamuchy Mt. State Park. Storms in late 2011 caused extensive destruction on various sections of Sussex Branch Trail and the Mansfield Bike Trail, for which funding is now being sought. The Township lacks a good network of bicycle routes, having recreational routes along Sussex Branch and Mansfield Bike Trail but no roadside bicycle routes to truly promote bicycling as an alternate mode of transportation around and through the Township.**
- **Establish trails and greenways linking neighborhoods, schools, recreational facilities, and community facilities with the lake communities and the Village Center. This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- **Retain rural roadways, with forested roadside shoulders, wherever possible. This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- **Participate in the planning and design of all County and State transportation projects to achieve Context Sensitive Design. The Township was successful in obtaining many Context Sensitive Design elements within the Route 206 project, but could not secure bicycle lanes. This continues to be a goal of the Township.**

## Circulation Objectives

- Continue to incorporate Context Sensitive Design principles into Route 206 improvements to insure adequate traffic flow, limitations on speed, pedestrian and automobile safety, access, as well as attractive roadway design and traffic calming. **The widening of Route 206 is to be completed in 2012. The Township was successful in obtaining many Context Sensitive Design elements within the Route 206 project, but could not secure bicycle lanes. This continues to be a goal of the Township.**
- Encourage appropriate mass transportation, namely buses and shuttles, for internal and external movement that will not unduly promote development in and around Byram. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- Clearly state the Township's opposition to the Lackawanna Cut-off re-activation and ensure communication with County and State transportation officials and neighboring affected communities. NJ Transit has continued to advocate for this project, committing additional funding. This remains a concern of the Land Use Board and opposition to the re-activation remains a goal of the Master Plan in that the Land Use Board still has concerns about the re-activation of the line for the use of freight or any other non-passenger use of the line. See Section C for additional details.
- Clearly state the Township's opposition to the County Route 605/Acorn Street extension and ensure communication with County and State transportation officials and neighboring affected communities. **This continues to be a goal of the Township.**
- Recommend additional local road connections where necessary for safety but not to promote development in the limited-growth areas of the Township that lie outside the Designated Village Center. **This continues to be a goal of the Township. The Mansfield Drive/Brookwood Road Extension remains a principal concern of the Land Use Board. This goal also supports the renewed inclusion of the Land Use Board in the Capital Improvement Plan process. Conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Create open space trail linkages between all neighborhoods and destinations in Byram while connecting with regional trails and Allamuchy Mountain State Park. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- Several walking trails have been added to the Township's trail network and repairs have been made to parts of Sussex Branch Trail (all of these trail projects were grant funded). The Township received a 2011 Recreational Trails grant to construct a loop trail down to Lubbers Run in Brookwood Park. The Environmental Commission is partnering with Salt Gastropub to install a trail

linking the restaurant's parking lot with the Highlands Trail in Allamuchy Mt. State Park.

- Update the official map by classifying roads according to function and by identifying all major existing and proposed rights-of-way. **This continues to be a goal of the Township.**
- Provide safe vehicular, pedestrian, and bicycle circulation by improving traffic signals at key intersections, utilizing traffic calming measures, providing adequate on and off street parking and sidewalks in appropriate locations. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- Enhance the appearance of the Township's transportation corridors and improve signage on roads and at gateway locations to facilitate circulation and identify key destinations in the Township. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- Take measures to mitigate the effects of increased regional traffic, including actively participating in Municipal, County, and State planning initiatives to control growth and sprawl in New Jersey and re-examine municipal, County, and State transportation policies. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

#### **Community Facilities Goals**

- Provide necessary public services and facilities and assure their availability to all areas of the community. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

#### **Community Facilities Objectives**

- Maintain and enhance the level of community facilities consistent with the pace of development in the Township. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- Provide for the proper placement of community and public services by concentrating them in or near denser population centers. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

- Create a civic center with municipal services in the Village Center. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.
- Plan for the acquisition of parcels needed for future community facilities and services. This continues to be a goal of the Township.

#### Open Space and Recreation Goals

- Provide open space and recreation amenities to all residents throughout the Township. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal. See Section C for full description of Open Space Acquisition efforts of the Township.
- Implement the recommendations of the Open Space and Recreation Plan, the Byram Trails Plan, and the Lubbers Run Greenway Project. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal. See Section C for full description of Open Space Acquisition efforts of the Township.

#### Open Space and Recreation Objectives

- Preserve the Lubbers Run Greenway. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal. See Section C for full description of Open Space Acquisition efforts of the Township. Specifically, Block 31, Lots 59 and 60 lie in the Lubbers Run river corridor and were purchased by NJDEP on 4/1/11 as part of the “Highlands Greenway” project. These parcels will be attached to Allamuchy Mt. State Park and are one additional step in the permanent protection of the Lubbers Run Greenway.
- Develop a town-wide trail system, as illustrated by the Byram Trails Map, the Open Space and Recreation Plan, and the Lubbers Run Greenway Project. This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.
- Several walking trails have been added to the Township’s trail network and repairs have been made to parts of Sussex Branch Trail (all of these trail projects were grant funded). The Township received a 2011 Recreational Trails grant to construct a loop trail down to Lubbers Run in Brookwood Park. The Environmental Commission is partnering with Salt Gastropub to install a trail linking the restaurant’s parking lot with the Highlands Trail in Allamuchy Mt. State Park.
- Acquire, enlarge and connect protected State, municipal, and non-profit lands in the Township. Such acquisitions and connections are important for recreation, for the

preservation of wildlife corridors and scenic vistas, and for the protection of drinking and surface waters. Byram should identify its scenic vistas and important wildlife habitat, including wildlife corridors. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal.**

- Establish a green boundary that helps delineate the growth zone but continues to allow important connections between the Village Center and the outlying Environs. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Use open space acquisition to protect the sources of the Township's drinking water. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Acquire land for additional active recreation field space. **This continues to be a goal of the Township.**
- Promote recreational opportunities for all residents, especially teenagers and senior citizens. **This continues to be a goal of the Township.**
- Enhance the recreational opportunities through better use of current facilities. **This continues to be a goal of the Township.**

### **Historic Preservation Goals**

- Encourage awareness and protection of Byram's cultural, social, and historic heritage to provide a tangible link to the past, foster a sense of place and continuity by maintaining the character of neighborhoods. **Byram's historic locations are described in Highlands Council documents and in Byram's Master Plan and Natural Resources Inventory. None of the Township's historic sites qualifies for listing on State or National registries, but the Township seeks to preserve these historic locations and provide signage calling attention to that history. The Township continues to partner with State Agencies on projects that have the potential to impact natural and historic resources. Conformance with the Highlands Regional Master Plan supports this goal.**
- Promote historic heritage based economic development. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- Further develop and promote the Township's identity and unity without undermining its established character. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**

## Historic Preservation Objectives

- Conduct a survey to identify additional properties for nomination to the State and National Registers of Historic Places. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- Create gateways to neighborhoods and recreation areas by encouraging historic facades, intensive natural or native landscaping, and redevelopment with historic designs. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**
- Preserve the character and special sense of place of the lake communities. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

## Utility Goals

- Direct higher density development to areas currently served by utilities as a means to shape development patterns and optimally use the existing systems. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.**

## Utility Objectives

- Preserve and maintain the existing utility infrastructure, including its sewer and storm water facilities. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.** The Township adopted a 2005 Stormwater Management Plan. In 2011, the Environmental Commission assisted Rutgers Cooperative Extension in installing two pilot stormwater projects at C.O. Johnson Park to promote groundwater recharge (a rain garden and retrofitting of a detention basin with vegetation). The flooding events in late summer-early fall 2011 revealed serious stormwater issues, especially in areas of steep slopes and near surface waters. The Township engineer has reported on these problems and possible repairs, but municipal budgeting is a limiting factor.
- Focus development in those areas served by adequate utility systems. **This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center.** Plan Conformance will include the creation of a Water Use and Conservation Management Plan.



- Ensure that stormwater and wastewater management is addressed in all future plans. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center. The Township adopted a 2005 Stormwater Management Plan and the Highlands Council completed, for Township review, and submitted a Wastewater Management Plan for the Township to NJDEP for approval.
- Complete the revisions to the Township's Wastewater Management Plan to reflect the actual extent of the intended sewer service area, encompassing the Designated Village Center and the existing municipal and school complexes. The Township, with assistance from the Highlands Council, has nearly fulfilled this objective. As a component of Byram's approved Petition for Plan Conformance, the Highlands Council completed, for Township review, and submitted an updated Wastewater Management Plan for the Township to NJDEP and Sussex County for approval.
- Implement the Township's stormwater management plan, as required under new NJDEP stormwater regulations. This continues to be a goal of the Township; conformance with the Highlands Regional Master Plan supports this goal including the creation of the first Highlands Designated Center. The Township adopted a 2005 Stormwater Management Plan .
- Maintain contact and service area information for the 11 water companies with service in the Township. In late 2010, the Township sent letters asking for updated contacts and detailed service area information from these water companies. Some companies have not responded and several have not provided service area information. This continues to be a goal of the Township.

## Recycling Goals

- Continue to be a leader in the use of recycled materials throughout the community, including in parks and Township offices. This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.
- Continue to promote recycling throughout the Township by residences and businesses. Recycling containers were placed in Township offices in 2010, both in public areas and at individual desks, and in Township parks in 2009. From 2009-2011, annual e-waste days were held at the municipal building, capturing a total of 27.72 tons. In late 2011, an e-waste dumpster was added to the Township's Recycling Center. Also in late 2011, plans were approved to revise the lay-out of the Recycling Center to promote its use and improve traffic patterns and to install cameras to discourage illegal dumping.

- Incorporate energy conservation, solid waste management and recycling techniques in the Township's land development and other related ordinances and regulations. **This continues to be a goal of the Township and conforms with and is supported by the Highlands Regional Master Plan.**
- The Township received a Municipal Energy Audit Grant in 2009-2010, followed by two Federal Block Grants with State incentives to install more efficient lighting in Township buildings and to install better insulated and sealed bay doors in the DPW garage (through 2011).
- Incorporate 'Green Building' principles such as appropriate building siting, insulating landscaping techniques, and energy conserving heating and cooling systems in the Township's land development and other related ordinances and regulations. **In October 2011, the Land Use Board adopted a Sustainability Element to the Master Plan, which recommends and promotes a complete range of 'high performance' and 'green friendly' practices, including energy efficiency, resource protection, encouragement of local economies, smaller home and room sizes, and using recycled/reclaimed building materials as well as recycling construction wastes.**

### **Housing Plan Element Progress Report**

Byram Township submitted a Petition for Substantive Certification for its revised Third Round Housing Element/Fair Share to the Council on Affordable Housing (COAH) on July 7, 2010 by submitting:

1. A copy of the *adopted* Third Round Housing Element and Fair Share Plan. (On Z drive at municipal building. To be submitted on CD.)
2. A copy of the *resolution* of the Township Land Use Board adopting the Housing Element and Fair Share Plan as part of the Township's Master Plan. (Scanned and will be submitted on CD.)
3. A copy of the *resolution* of the governing body endorsing the Housing Element and Fair Share Plan and *seeking substantive certification* from COAH. (Scanned and will be submitted on CD.)
4. Numerous appendices in support of the petition.
5. A CD containing PDF copies of the Third Round Housing Element and Fair Share Plan and supporting material.

Byram is in receipt of a response from COAH dated July 8, 2010 from the COAH acknowledging receipt on June 8, 2010 of the Byram Township, Sussex County re-petition for substantive certification of the Township's Housing Element and Fair Share Plan. In order to complete this re-petition application, COAH asked the Township to provide additional documents within 45 days or by August 23, 2010. This information was needed to maintain protection from exclusionary zoning litigation pursuant to N.J.A.C. 5:96-2.2 and to remain

under COAH's jurisdiction. Byram Township complied with the request within the time period allowed.

Prior to the Township receiving Substantive Certification from COAH, on June 29, 2011 the Governor issued Reorganization Plan No. 001-2011, which abolished COAH, and transferred all responsibilities and duties to the Department of Community Affairs (DCA). There was no attempt at a legislative override of the plan, so the Reorganization Plan went into effect on August 29, 2011. On October 19, 2011 the Appellate Division made two rulings regarding the reorganization and subsequent "interim guidelines" promulgated by the DCA. While the Court denied a motion to stay the implementation of the reorganization plan, it granted a motion to stay the "interim guidelines" issued by the DCA during this transitional period, finding that DCA must act according to the Administrative Procedures Act and propose regulations and go through a public hearing process before adopting the regulations.

## C. Significant Changes in Assumptions, Policies, Objectives

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### *Highlands Regional Master Plan Conformance Process*

Since the adoption of the Byram Township Master Plan on December 16, 2004, the passage of the Highlands Act, adoption of the Regional Master Plan by the Highlands Council, and the adoption by the Governing Body of its resolution to conform the municipal planning documents to the Regional Master Plan, have significantly altered and increased the objectives that must be addressed in the Byram Township Master Plan, including but not limited to incorporating a variety of Highlands Resource protections, providing an emphasis on infrastructure and environmental carrying capacities, and initiating a substantial modification to the methodology to be used in determining permitted densities of development within the municipality.

### *2006 Stormwater Regulations*

In 2004 the State of New Jersey adopted new Stormwater Management Rules as required by the New Jersey Water Quality Planning Act (N.J.S.A. 58:11A) and the New Jersey Water Pollution Control Act (N.J.S.A. 58:10A). The rules require municipalities to adopt a Stormwater Management Plan and a Stormwater Management Ordinance. Byram adopted its Stormwater Management Plan in April 2005 and adopted an implementing Stormwater Management Ordinance in March 2006.

Pursuant to the NJDEP rules, the Byram Stormwater Management Ordinance requires that the applicant for any development which meets the threshold for a “Major Development” must submit a stormwater management plan which: a) provides for reductions in peak flows to below existing peak levels to control downstream flooding; b) provides for enhanced control of the quality of water which is discharged from the site; and c) provides a means to ensure that groundwater recharge is not reduced due to the addition of impervious surfaces.

### *Open Space Acquisitions and Greenway Initiatives*

Since the adoption of the Byram Township Master Plan on December 16, 2004, the Township and/or State has acquired a number of properties and added them to the Township’s Open Space Inventory. These properties include:

1. The Arnell Property - Block 336, Lot 43; 44 acres. Now renamed Briar Ridge Park.
2. The Owners Maintenance/Heitman Property - Block 335, Lots 2 and 1.04; 48.9 acres. Renamed Briar Ridge Park.
3. The Beckmann/Kostrey Property - Block 226, Lot 5.02; 53.97 acres. Renamed Cranberry Overlook.
4. The Buis Property - Block 256, Lot 582 and 585, Block 258, Lot 623, Block 257 Lot 616; total 6.667 acres. Renamed Lackawanna Overlook.

5. The Mansfield Woods Property - Block 365, Lot 26; 21.8 acres.
6. The Hudson Farm Greenway Property - Block 360, Lots 26.01, 39.03, and 42.05 in fee and Block 360, Lots 26.02 and 39.04 under easement. Total 222.6 acres (fee and easement parcels). Renamed Tamarack Park.
7. The One Main Street Property - Block 337, Lot 9; 57.26 acres. Renamed Glenside Woods.
8. The Mohawk View Property - Block 337.07, Lot 7; 5.16 acres.
9. Highlands Greenway Project at Lubbers Run (2 and 4 Byram Avenue) - Block 31, Lots 59 and 60, 0.257 acre and 0.109 acre.

Additionally, a number of Cranberry Ledge parcels were donated to the Township and subsequently purchased by the NJDEP for Allamuchy Mt. State Park. These include Block 81, Lots 178 and 184, Block 78, Lot 106, Block 75, Lots 60 and 66, Block 72, Lots 26 and 11, Block 71, Lot 3, Block 73, Lot 36, Block 74, Lot 56, Block 80, Lot 135, and Block 97, Lot 350; for a total of 13.144 acres.

The Township has also been active in creating trails. These include the Tamarack Park (a.k.a. Hudson Farm Greenway) trail and trails on municipal open space parcels at Cranberry Overlook and Briar Ridge Park, all of these trails were established in 2010 and 2011.

#### *Circulation Plan Improvements & Revisions*

Since the adoption of the Byram Township Master Plan on December 16, 2004, a number of transportation and road projects have been completed or begun. These projects include:

- NJ Route 206 Cat Swamp Mt. improvement; completed 2005-6.
- NJ Route 206 Lackawanna to Acorn in progress; completion anticipated 2012.
- Old Wolf Lake Road abandoned; Council resolution 12/15/08.
- Replacement of County Bridge C16, over Lubbers Run on Lackawanna Drive; completed December 2011.

The Master Plan Circulation Plan states:

Mansfield Drive should be extended southward from the existing Mansfield Drive roadway to Sparta-Stanhope Road near the Lackawanna Cut-off. This Mansfield Drive extension is now under construction as a trail, but the width of this trail has been reduced so that it is no longer a feasible emergency access to the East Brookwood neighborhood. With only one route of ingress and egress for the East Brookwoods, it is necessary to find a way to provide emergency access other than the Route 206 and Brookwood Road intersection.

This Master Plan recommendation remains one of the most important recommendations of the Master Plan. The Land Use Board advocates construction of a true road in the area. Emergency access has been established, in part, but has been compromised by erosion in the

area. The clean-up and remediation of the Mansfield Dump Site by the Federal EPA could be an opportunity to leverage Federal money to improve access to the area.

### *Lackawanna Cut-Off Progress - Planned Andover Passenger Train Station near Byram*

The Lackawanna Cut-Off has been the focus of discussion for some time. The 2004 Master Plan reviewed the issue, noting that over the course of the last several years, the Byram Township Council, Planning Board, and Environmental Commission have raised serious concerns about the re-opening of the Lackawanna Cut-Off. The total project calls for complete reconstruction, including track and signal improvements to approximately 60 miles of right-of-way (which includes the 28-mile Cut-Off), new stations, parking facilities, a train storage yard, and additional rail rolling stock.

New Jersey ridership was projected to be very low and the public costs for study, construction, and operating costs are very high. The number of commuters that were projected to be removed from Interstate 80 by the re-opening would not begin to counterbalance the increased number of commuters on local roads traveling to the projected station locations. Byram was concerned that the line might be used to haul freight from the planned four-fold expansion of the New York-New Jersey ports and to haul New York City garbage to Pennsylvania landfills. In September 2004, the Township Council called its own meeting about the project, where 75% percent of those in attendance opposed the project. Following that meeting, the Council passed a resolution officially opposing the Cut-off reactivation.

Today, according to NJTRANSIT, "The project includes complete reconstruction of the line including track and signal improvements to approximately 88 miles of right of way, new stations, parking facilities, a train storage yard and additional rail rolling stock. It is assumed that NJ TRANSIT would operate the new service. Proposed stations would serve Blairstown and Andover in New Jersey and Scranton, Tobyhanna, Pocono Mountain, Analomink, East Stroudsburg, and Delaware Water Gap in Pennsylvania. The first phase of the project is a 7.3 mile segment from Port Morris Yard to a new passenger station at Andover, NJ. NJ TRANSIT's Board of Directors authorized consultant work for conceptual design, completion of the environmental assessment (EA) and preparation of the documentation required by the Federal Transit Administration for new transit lines. The State of New Jersey completed the purchase of the Lackawanna Cutoff property in May 2001."

In February of 2011, work began on a \$37 million project to restore commuter rail service from Andover Township to the Port Morris railyard on the abandoned Lackawanna Cutoff. Preliminary site work is expected to be completed by the end of the year. The first phase of the work includes clearing the abandoned line and preparing it for the installation of new tracks from Port Morris to Lake Lackawanna in Byram. The second phase will address the segment extending from Lake Lackawanna to Andover Township. The new Andover Township train station will be built off Roseville Road near the Andover Borough border and will have 65 parking spaces.

The Land Use Board continues to have reservations about the re-activation of the Lackawanna Cut-Off. The opposition stems from the concerns the Land Use Board has about the re-activation of the line for the use of freight traffic or any other non-passenger use of the line. The Land Use Board recommends that the Township Council examine the issue again and continue to participate in the public discourse on the topic.

### *Waterloo Village*

On January 1, 2007, Waterloo Village was turned over to the NJDEP, Division of Parks & Forestry, after many years of management by a private foundation. Since then, structural repairs have been made and buildings re-roofed, the Lenape Village has been rebuilt and expanded, and a Preservation Plan was completed by the State.

In January 2009, NJDEP began a process to solicit the participation of qualified facility and event managers to explore viable business opportunities that could support the future operations and marketing of Waterloo Village. The State's goal is to reestablish the Village as a destination for visitors, students and the business community.

Limited capital improvement projects have been undertaken with Waterloo Village temporarily closed to the public. As State-owned parkland, the Village remains accessible to visitors on foot.

In January 2010, the non-profit Friends of Waterloo Village was formed to help raise funds to restore and revive the Village, which is listed on the New Jersey and the National Registers of Historic Places. The Friends of Waterloo Village are raising funds to protect and restore the buildings, with NJDEP committing more than \$600,000 to the effort. The Friends meet monthly at the Byram Municipal Building to discuss the future of the Village and to plan fundraising, restoration, and public programs for these efforts. The group focused first on restoring the grist mill and the blacksmith shop.

In April 2010, opportunities to access the buildings were made available through a concession agreement with Winakung at Waterloo, a company seeking to offer educational tours for groups wishing to schedule a visit to the Village.

### *Commercial Development in the IPR and Village Business Zone*

Lower Quarry - JTK Associates was granted use variance relief and site plan approval to develop an industrial park comprised of two new buildings and an addition to an existing structure with large outdoor storage areas at 9 Lackawanna Drive (Block 226, Lot 16). The property is a large 24.54 acre parcel with frontage along Lake Lackawanna Road, immediately adjacent to the proposed Village Center. The property is located in the Township's IPR Zone which permits the continued operation of existing legally non-conforming quarry operations and other uses, including professional offices and industrial parks.

To the north is located the active Tilcon quarry facility, to the west is Byram Plaza Shopping Center and to the south is the Township's VC Zone which is a large undeveloped area

planned for development as a Village Center. The objective of the Zoning Ordinance and the Master Plan with regard to the subject property is to encourage a use that is compatible with both the existing and permitted uses on the property while at the same time being compatible with the neighboring uses envisioned for the large Village Center zoned property. With certain modifications to the plan, the Planning Board found the proposal to be compatible. It is also important to note that the development requires an additional 12,000 gallons of sewer allocation.

Olde Forge at Byram - WGB Properties, LLC was granted variance relief and site plan approval to develop a mixed use retail and residential project, including a day-care center at 24 Route 206 (Block 41, Lots 90.01, 90.02 & 94). The property is a 4.5 acre parcel located on the eastern side of Route 206, just south of its interchange with Brookwood Road. The approval included 33,100 square feet of office/retail space, a 10,560 square foot day care facility and one apartment in 3 new buildings with a single entrance off of Route 206. This property is in the Village Business (V-B) zone.

CVS at Brookwood - G.B New Jersey 2, LLC was granted variance relief and site plan approval to develop a 12,900 square foot one-story CVS Pharmacy at U.S. Highway 206 and Brookwood Road (Block 41, Lots 88.01, 88.02 & 89). The property is 84,462 square feet in size located on the eastern side of Route 206, approximately 125 feet south of its intersection with Brookwood Road. The areas to the north, south and west are commercial and the areas to the east are residential. Immediately to the north of the site is a 20-foot wide utility easement. The approval included two access points to the site: a one-way entry off of Route 206, and a two-way entry and exit way off of Brookwood Road. The applicant also proposed to connect the CVS parking lot to the Olde Forge at Byram development to the south. This property is in the Village Business (V-B) zone.

Gupta Plaza - Roger Gupta was granted variance relief and site plan approval to develop an 8,000 square foot strip retail center at 9-11 Route 206, Byram Township, NJ (Block 27, Lot 383 & 384). The property is 44,400 square feet in size located on the west side of Route 206, approximately 340 feet from the corner of Acorn Street and Route 206. The property is bound to the south by vacant property and to the north by a similar strip retail shopping center. It is bound to the west by adjacent residential development and to the east by Route 206 and then additional strip style retail on the northbound side of Route 206. The approval included two access points along Route 206. The applicant did not propose providing access to the adjacent retail development. This property is in the Village Business (V-B) zone.

#### *Updated Land Use Information*

A comparison between the 2004 Master Plan Land Use Summary and 2011 information shows no major shifts in tax classifications or net taxable value. The percentages of net taxable value of residential and commercial parcels remain nearly the same. This indicates a slowing of residential suburban sprawl development but may also indicate that commercial development in the Designated Village Center is also slow. However, recent Land Use Board applications and approvals suggest that Byram's center-based zoning and the construction of the Route 206 improvements contribute to making Byram a desirable location for new commercial development or redevelopment.



BYRAM LAND USE SUMMARY							
Based on 2011 Township of Byram MOD IV Electronic Tax File							
TAX CLASSIFICATION	PROPERTY CLASS	# OF PARCELS	% OF TOTAL	TOTAL ACREAGE	% OF TOTAL	NET TAXABLE VALUE	% OF TOTAL
RESIDENTIAL	2	3,112	75.4%	2,171.28	15.7%	\$969,486,200.00	87.9%
MISC. TAX EXEMPT	15F	12	0.3%	816.85	5.9%	\$0.00	NA
COMMERCIAL	4A	123	3.0%	384.72	2.8%	\$91,981,000.00	8.3%
SCHOOLS	2	2	0.0%	103.22	0.7%	\$0.00	NA
UNIMPROVED VACANT LAND	1	503	12.2%	915.13	6.6%	\$20,595,500.00	1.9%
APARTMENTS	4C	3	0.1%	1.4	0.0%	\$1,288,700.00	0.1%
FARM (REGULAR AND QUALIFIED)	3A,3B	157	3.8%	5,446.95	39.4%	\$17,459,400.00	1.6%
INDUSTRIAL	4B	4	0.1%	13.79	0.1%	\$2,134,900.00	0.2%
PUBLIC PROPERTY	15C	208	5.0%	3,973.87	28.7%	\$0.00	NA
CHURCHES & CHARITABLE	15D	5	0.1%	10.18	0.1%	\$0.00	NA
TOTAL		4,129	100%	13,837.39	100%	\$1,102,945,700	100%

### *Updated Census Information*

A comparison between the 2004 Master Plan demographic studies and 2011 information also suggest that Byram has limited new residential development in its environs, as its population increased at considerably slower rates than the County, the State, and most neighboring municipalities. Sparta and Green Townships, saw roughly eight to nine times more population growth, with Green's growth being largely in large lot residential development and Sparta's, in part stemming from more compact housing developments. Byram's Master Plan promotes neither type of residential development but instead calls for future mixed-use projects within the Designated Village Center.

Also, like the County and the State, Byram's population shifted toward reductions in very young residents and increases in residents 65 and older. The County's shifts were more pronounced than the State's, and Byram's were more pronounced than the County's in the reduction of residents under 5 and the increase in residents over 65, again possibly reflecting the halt in new housing developments in Byram's environs. These numbers suggest that the shift away from suburban sprawl toward more compact mixed-use zoning has had a real effect on upcoming school populations—at least in a temporary window. As the Village Center mixed-use district is developed, these numbers should change to reflect the residential element included in that zone, where residential growth is linked with commercial growth.

#### **D. Specific Recommended Changes to the Master Plan and Development Regulations**

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1. The Planning Board recommends that certain aspects of the 2004 Master Plan be reviewed and revised to reflect current information. First and foremost the passage of the Highlands Act, adoption of the Regional Master Plan by the Highlands Council, and the adoption by the Governing Body of its resolution to conform the municipal planning documents to the Regional Master Plan, have significantly altered the Land Use policy of the Region and the Township. It is important to note that 98% of the Township is now within the Highlands Preservation Area and 2% of the Township is within the Highlands Planning Area. The entirety of the Planning Area within the Township has been designated a Highlands Center and will be the focus of most of the remaining development to occur within the Township. This fact will, eventually, lead the Township to comprehensively revise its entire Master Plan and its constituent elements to reflect this new reality.
2. The Planning Board recommends that the specific changes, as detailed in the document titled "Highlands Checklist Ordinance" approved by the Highlands Council as part of the Township's Petition for Plan Conformance, be adopted by the Governing Body as a recommended land development regulatory update.
3. The Planning Board recommends that specific changes to the Byram Township Master Plan be adopted, including modifications to the underlying objectives, policies and standards, all as outlined in detail, in the "Highlands Preservation & Planning Area Master Plan Element" approved by the Highlands Council as part of the Township's Petition for Plan Conformance.
4. The Planning Board recommends that the specific changes, as detailed in the document titled "Byram Township Highlands Preservation & Planning Area Land Use Ordinance," approved by the Highlands Council as part of the Township's Petition for Plan Conformance be adopted by the Governing Body to implement the objectives, policies and standards as outlined in the Highlands Preservation & Planning Area Master Plan Element of the Master Plan.
5. The Planning Board recommends the removal of the NC zone on Roseville Road, opposite C.O. Johnson (Block 360, Lot 42.05) as this is now an open space parcel. This property should be re-zoned to OS Open Space.
6. The following properties have been acquired by the Township as open space. The Planning Board recommends that the parcels should no longer be indicated as developable through zoning and the zone map. The zone designation for each of these parcels should be revised to OS Open Space.
  - The Arnell Property - Block 336, Lot 43; 44 acres. Now renamed Briar Ridge Park.
  - The Owners Maintenance/Heitman Property - Block 335, Lots 2 and 1.04; 48.9 acres. Now renamed Briar Ridge Park.

- The Beckmann/Kostrey Property - Block 226, Lot 5.02; 53.97 acres. Now renamed Cranberry Overlook.
  - The Buis Property - Block 256, Lot 582 and 585, Block 258, Lot 623, Block 257 Lot 616; total 6.667 acres.
  - The Mansfield Woods Property - Block 365, Lot 26; 21.8 acres.
  - The Hudson Farm Greenway Property - Block 360, Lots 26.01, 39.03, and 42.05 in fee and Block 360, Lots 26.02 and 39.04 under easement. Total 222.6 acres (fee and easement parcels). Renamed Tamarack Park.
  - The One Main Street Property - Block 337, Lot 9; 57.26 acres. Now renamed Glenside Woods.
  - The Mohawk View Field Property - Block 337.07, Lot 7; 5.16 acres.
  - Highlands Greenway Project at Lubbers Run (2 and 4 Byram Avenue) - Block 31, Lots 59 and 60, 0.257 acre and 0.109 acre.
  - The parcels at Cranberry Ledge that were donated to the Township, sold to the State, and attached to Allamuchy Mountain State Park. These include Block 81, Lots 178 and 184, Block 78, Lot 106, Block 75, Lots 60 and 66, Block 72, Lots 26 and 11, Block 71, Lot 3, Block 73, Lot 36, Block 74, Lot 56, Block 80, Lot 135, and Block 97, Lot 350; for a total of 13.144 acres.
  - Block 336 Lots 10 and 12.01, which are zoned R-2 on the current zoning map but are now preserved as part of Allamuchy Mt. State Park.
7. The following properties have been identified as Split Zone Lots, meaning that the lots fall within more than one zoning district according to the current zoning map. It is the intention of this Reexamination Report to recommend that any property identified as being split zoned be rezoned to fall entirely within one zone district.
- The PNC property (Block 40, Lot 16), the Vetter property (Block 40, Lot 15) and the Stabile property (Block 40, Lot 13.01) which are located near the corner of NJ Route 206 and Brookwood Road are split between the Village Business Zone and the R-5 Residential zone. This Reexamination Report recommends that these lots be rezoned to fall entirely within the VB zone.
  - The residential properties (Block 219 Lots 4, 5, 6.01 and 7, and Block 220, Lot 7) between Pierson and Willor Drives on Route 206 North, are split between the NC Neighborhood Commercial and the R-4 Residential zone. This Reexamination Report recommends that these lots be rezoned to fall entirely within the NC Neighborhood Commercial zone.
  - The Raimo property (Block 36, Lot 53) located along Lubbers Run west of Route 206 between Lockwood Farms and the Raimo junkyard is split between the VB Village Business and the R-3 Residential zone. This Reexamination Report recommends that this lot be rezoned to fall entirely within the VB

Village Business zone. This parcel is the site of the historic Lockwood forge, remnants of which are visible in and alongside the stream. It is not only in the Lubbers Run riparian zone and floodplain but also partially within the buffer of nearby wetlands.

8. The following properties have been identified as being in an incorrect zone designation. The Planning Board, in reviewing each of the identified lots, recommends a change in zoning designation to better indicate the current use of the property in an effort to reduce the number of pre-existing non-conforming uses in the Township. This will work to create a more accurate Land Use Plan and protect existing property owners from use variance complications if any improvement or expansion of the current uses is contemplated.
  - Houses on Jones Lane (Block 360, Lots 27 and 28) are currently zoned C-R Commercial Recreation. This Reexamination Report recommends that these lots be rezoned R-3 (the lots are 1.52 acres and 2.56 acres).
  - The Hartman house (Block 365, Lot 5.02) is currently zoned V-C Village Center. This Reexamination Report recommends that this lot be rezoned R-4 (it is 1.63 acres and has two houses).
  - The Salt Gastro Pub Restaurant (Block 70, Lot 9) is currently zoned OS Open Space. This Reexamination Report recommends that this lot be rezoned VB Village Business.
  - First three houses on Waterloo Road behind the Sovereign Bank and the adjacent office building (Block 36, Lots 43, 44.01 and 44.02) are currently zoned VB Village Business (with only part of 44.01 being zoned VB). This Reexamination Report recommends that Lot 44.01 be entirely zoned R-4 and that Lots 43 and 44.02 remain VB Village Business
  - George Kately's house and store and an additional house (Block 343, Lots 4 & 5) on Sparta-Stanhope Road are currently zoned C-R Commercial Recreation, along with the surrounding Lot 3. This Reexamination Report recommends that Lot 4 be rezoned NC Neighborhood Commercial and Lot 5 rezoned to R-3.
  - The N-C zone at Sparta-Stanhope/Amity intersection contains one house lot (Block 344, Lot 1) and parts of two larger parcels on both sides of Sparta-Stanhope Road (Block 344, Lot 4 and Block 343, Lot 9). This Reexamination Report recommends that Block 344, Lot 1 be zoned R-3, that Block 344, Lot 4 be rezoned R-1, and that Block 343, Lot 9 be rezoned to C-R.
  - Jennings houses at South Shore Road (Block 213, Lots 1 and 2) are zoned N-C. This Reexamination Report recommends that these lots be rezoned R-2.
  - The existing Neighborhood Commercial zone at Lee Hill Road and Andover-Mohawk Road (part of the very large Block 336, Lot 1) has not developed as

neighborhood commercial. This Reexamination Report recommends that these lots be rezoned to the R-1 designation of the rest of this parcel.

- Neil Gylling Memorial Park, Mansfield Drive, Block 364 Lot 4 currently zoned R-2. This Reexamination Report recommends that this lot be rezoned to OS Open Space.
9. Economic Development – The Land Use Board advocates a renewed effort in town focusing on economic development, particularly concerning eco-tourism. The Township of Lakes with numerous outdoor recreation opportunities and Waterloo Village should be able to leverage these assets. The Land Use Board would support the creation of an Economic Development Committee of some kind to work with other Township Boards and Committees in helping develop new initiatives, including renewed interest in Waterloo Village and perhaps helping spur development in the Village Center by extending utility franchises into the area. Conformance with the Highlands Regional Master Plan supports this goal.
  10. Capital Improvement Planning - The Land Use Board advocates the revival of including the Land Use Board in the review process of the Township Capital Improvement Plan.
  11. Minimizing Site Disturbance - The provisions in the Village Center design standards that require the retention of natural topography, minimal grading, retention of mature trees, and permitting disturbance only in areas approved for construction should be required in the entire municipality, by inclusion of same in the Land Development Ordinance.
  12. Circulation - The Township should examine the use of the Senior bus and its effectiveness as a mode of alternative transportation for Byram's older residents and whether the service could be extended to other residents or purposes as well. The Township should pursue funding for the installation of sidewalks in neighborhoods that are contiguous with the Designated Village Center, such as the Brookwoods and High Glen.
  13. Natural Resource Protection - Large easements, such as those included in the approvals of the Cocchi-McGowan and Bell-McConnell subdivisions, are effectively protecting natural resources and sensitive areas within private developments; but the Township should investigate better methods for recording, mapping, and enforcing those and other easements, including better communication with NJDEP. Conformance with the Highlands Regional Master Plan supports this goal.

**E. Changes Recommended for Incorporation of Redevelopment Plans**

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At this time the Planning Board makes no findings or recommendations regarding the incorporation of redevelopment plans pursuant to the Local Redevelopment and Housing Law, P.L. 11992, c.79 (C.40A:12A-1 et al.) as there are currently no designated Areas in need of Redevelopment or Rehabilitation within the Township.