

**RE-EXAMINATION
OF
OGDENSBURG MASTER PLAN**

OGDENSBURG, N.J.

**Prepared For:
Ogdensburg Land Use Board**

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

The Borough of Ogdensburg Planning Board adopted a Master Plan on July 11, 1991 and updated the Housing Element on June 15, 1998.

This Re-Examination Report, as required by the Municipal Land Use Law (MLUL) N.J.S.A. 40:55D-89, evaluates the Borough's current Master Plan as well as planning activities and development regulations undertaken since 1991.

The areas identified below are submitted in response to the "periodic re-examination of Municipal Plans and Regulations" requirements of the MLUL. This re-examination report should be used by the Land Use Board as a framework for preparing and ultimately adopting amendments to the Borough's Master Plan as well as revisions to its Land Development Ordinance.

This report is developed into the following:

- A. **Introduction** - The 1991 Master Plan and 1998 Housing Update Goals and overall development objectives for the future are highlighted for reference against any changed conditions which could warrant revisions for evaluation.
- B. **Major problems and objectives** relating to land development in the Borough at the time of adoption for the current Master Plan.
- C. **The extent to which such problems and objectives** have been reduced or have increased subsequent to the 1991 Master Plan Update.
- D. **The extent to which there has been significant changes** in the assumptions, policies and objectives forming the basis for the Master Plan or development regulations which implement the Plan. Particular attention is focused on land uses, density and distribution of population, housing conditions, recreation, circulation, conservation of natural resources, historic preservation, changes in State, County and municipal policies and objectives.
- E. **Recommendations** for specific changes to the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be proposed.
- F. **The recommendations of the Land Use Board concerning the incorporation of redevelopment plans adopted pursuant** to the "Local Redevelopment and Housing Law," P.L. 1992. C70 (C.40A:12-1 et seq.) into the land use plan element of Ogdensburg's Master Plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the Borough.

A. Introduction : (Overview 1991 Master Plan & Housing Update Goals & Overall Development Objective)

The basic goals and policies necessary to guide the future development as well as community improvement, revitalization and rehabilitation contained in the 1991 Master Plan and 1998 Housing Update are still relevant today with some revisions. Ogdensburg investigated along with Franklin, Hamburg and Hardyston the feasibility to join together as a Town Center and jointly petition the State Planning Commission for Town Center designation. No formal application was ever submitted due to the State's response that such a large geographic area would not be considered and that each municipality should seek designation individually or jointly with one adjacent municipality. Ogdensburg historically has relied upon its location between major thoroughfares surrounding it.

Ogdensburg has not experienced significant growth due partially to its reliance on individual on-site septic systems. Although it has a central water system, its capability is limited due to groundwater production. The Borough has a historic tradition as a zinc mining town similar to Franklin Borough. However, Ogdensburg capitalized on its historic tradition by supporting the creation by a private owner to develop the Sterling Mine Museum. Ogdensburg's business district is uniquely small and sewer allocation would greatly enhance the Borough's businesses to revitalize an aging business district and encourage mixed use two story structures with sufficient on-street and off-street parking. Route 517 Bypass has linked Sparta with Franklin with increased traffic. The Borough should promote an economic development strategy which includes business expansion and location of services such as medical offices which can be community supported.

Since 1999, the State Development and Redevelopment Plan, Sussex County Strategic Growth Plan and draft Highlands Regional Master Plan have been completed and serve as a basis for further consideration and refinement of its Master Plan. The State Plan identifies Ogdensburg as Planning Area 5 – Environmentally Sensitive Planning Area. These areas contain large continuous land areas with valuable ecosystems, geological and wildlife habitats particularly in the Highlands Region. Most of the undeveloped lands in Ogdensburg are considerably constrained for intense development unless sewerage is secured. The Borough has an existing rural center which developed around a wide diversity of natural and built systems in similar small rural towns. The next evolution of the State Plan process involves plan endorsement. Sussex County Board of Chosen Freeholders authorized the preparation of a County Strategic Growth Plan. That regional growth plan is based on several landscape characteristics: rural/agricultural, Highlands, Traditional Centers, Job Creation Centers, Parks and Wildlife Management Areas and Lake Communities. The plan addresses the County's approach to the growth identified in the Goals and Policies of the State Development and Redevelopment Plan. The County Plan only identifies Ogdensburg as an existing center but not as a growth center where jobs may be created. Seeking plan endorsement based on sewerage would help to make its case that the Borough can direct any future growth into a designated growth area. The State Planning Commission endorsed the County Plan on May 17, 2007. The final draft Highlands Regional Plan has been adopted by the Highlands Council. That plan identified most of the Borough in a Planning Area except for the Preservation Area

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located east of the railroad right-of-way and north of Edison Road. Ogdensburg Borough has 1,232 acres with the Planning Area and 199 acres in the Preservation Area for a total of 1,431 acres in the Highlands Region. The Borough has until December 5, 2009, 15 months after the Highlands Council's adoption of the Regional Plan, to adopt its master plan which conforms with the Regional Plan. Municipalities are required to comply with the Regional Master Plan in the Preservation Area and conformity is voluntary in Planning Areas. The Borough Council with input from the Borough Land Use Board should review the Regional Master Plan and decide if opting to conform to the Regional Plan is more beneficial than pursuing Plan Endorsement with the State Development and Redevelopment Plan.

The Borough should explore a Town Center designation based upon State standards as a key development strategy. As the Borough continues to experience by-pass traffic between Sparta and Franklin, the obvious answer depends on its willingness to engage in the investment of major improvements to its infrastructure - water, sewer and roads/parking.

The Land Use Board has reviewed the current goals in the Master Plan and identified which are recommended to be continued and expanded to address the Borough's intent to seek Town Center designation and revitalization of its business district.

B. Goals and Objectives (Major problems and objectives relating to land development in the Borough at the time of adoption for the current Master Plan)

Goal #1: Protect the Environmentally sensitive portions of the Borough

Objectives:

1. Delineate those environmentally sensitive areas that should be protected.
2. Reduce zoning densities based on environmental constraints.
3. Enact controls which will minimize the disturbance of steep slopes, wetland areas, and flood hazard areas. Selected wildlife habitats and aquifer recharge areas. The Sussex County Growth Management Plan was endorsed by the State Planning Commission in May, 2007. That plan included updated mapping on environmental constraints and those maps would constitute an updated environmental resource inventory.
4. A fourth objective is included to “Incorporate environmental criteria identified by the New Jersey Highlands Council which affects the Preservation Area within the Borough boundaries.”

Goal #2: Meet the Housing Needs of the Community

Objectives:

1. Continue to improve the code enforcement capabilities of the Borough.
2. Provide zoning districts that will allow for a variety of housing types in accordance with the zoning ordinance to be accommodated within the Borough.

Ogdensburg has been designated a receiving municipality for Regional Contribution Agreements (RCA's) from other communities within the Region One housing area. Ogdensburg has benefited from funds of other municipalities to increase its ability to rehabilitate its housing stock. RCA's are no longer permitted under the revised COAH Round III regulations. However, Ogdensburg elected to withdraw its Round II COAH - Housing and Fair Share Plan for COAH consideration. If the Borough intends to file for Plan Endorsement and approval of a Town Center as part of that approval, then a housing plan should be prepared in accordance with revised COAH rules and regulations.
3. A third objective is included to “Comply with the requirements of the New Jersey Council on Affordable Housing in order to substantiate an application for Plan Endorsement and Town Center designation.”

Goal #3: Ensure that the Infrastructure needs of the Community are met

Objectives:

1. Maintain and upgrade the road network as budgetary constraints permit.
2. Upgrade the potable water supply system.
3. Monitor use of subsurface wastewater disposal systems to ensure that the health and safety of the community is protected.
4. Maintain and upgrade other municipal facilities particularly those that provide direct services to the residents of Ogdensburg, such as the DPW operation and the recreation facilities and programs. In addition, the Borough will implement the provisions of the New Jersey Statewide Mandatory Source Separation and Recycling Act.
5. A fifth goal is included to “Explore the feasibility of securing wastewater allocation from the S.C.M.U.A. Upper Wallkill Wastewater Treatment Facility and further investigate the use of a community septic system for the Town Center area along Main Street.”

Goal #4: Maintain the Small Town Character of the Borough

Objectives:

1. Acknowledge the presence of existing higher-density residential development, but not to encourage any new residential development in excess of 1 to 1.4 dwelling units per acres that will alter the pastoral character of the Borough.
2. Locate non-residential uses where traffic impacts can be handled adequately and where adequate provisions can be made for ground water recharge, wastewater management and control of storm water runoff impacts from impervious surfaces.
3. Encourage the proper maintenance, restoration and upgrading of older homes in the community, possibly through the use of five year property tax incentives for substantial rehabilitation, as well as community design standards for new infill construction so that neighborhood character is preserved and enhanced.

Objective #3 should be revised as follows:

“Encourage the proper maintenance, restoration and upgrading of older homes in the community by continuing to participate in a housing rehabilitation program utilizing previously approved RCA funds from sending municipalities and securing future community development block grant funds.”

4. Revitalize the Main Street Business District through the tightening of zoning standards to guard against undesirable land uses.

Objective #4 should be revised as follows

“Revitalize the Main Street corridor (Rt. 517) by encouraging a mixed-use pattern focusing on a pedestrian-oriented environment in a new a Town Center zoning district.

Suggestion is made to add two new objectives as follows:

1. *Upgrade signage ordinance & design standards using a historic theme.*
 2. *Develop a parking plan for the Town Center area utilizing a redesign of the parallel parking along Main Street and off-street parking lots to encourage and strengthen existing and future commercial uses.*
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Goal #5: Strengthen the Ratable Base of the Community

Objective:

1. Continue to encourage the development of new residential land uses in appropriate locations.
 2. Encourage commercial recreation uses in the Borough, especially any such opportunities that might be associated with the Zinc Company property.
 3. Determine how the anticipated increase in traffic on Rt. 517 which may result from the completion of the Sparta bypass can benefit the Borough.
 4. Encourage railroad revitalization especially to the Sterling Mine Museum.
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Objective #4 should be eliminated since there isn't any realistic expectation that the railroad bed near the Sterling Mine would be reactivated.

The following new objectives are included as follows:

4. *Develop a historic theme (branding) which highlights the historic mining heritage and links revitalization efforts along Main Street.*
 5. *Encourage redevelopment and the use of tax abatement mechanisms for existing deteriorating structures to be rehabilitated and new businesses to locate in the Borough.*
 6. *Promote and support annual events which represent the Borough's mining heritage and develop an appropriate entertainment activity, which attracts public participation.*
 7. *Develop municipally owned property along Main Street (Rt. 517) into a commercial retail/office campus area as part of the new Town Center Zoning District.*
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B. Major problems and objectives relating to Land Development in the Borough of Ogdensburg at the time of adoption of the 1991 Master Plan and 1999 Housing Update

- a) -COAH Round II Housing Plan (1999) prepared for submission to NJDCA was withdrawn without prejudice.
- b) -Establish zoning densities consistent with environmental constraints.
- c) -Enact regulations which protect steep slopes.
- d) -Provide variety of housing types.
- e) -Provide opportunities for senior and multi-family housing.
- f) -Upgrade the roadway network.
- g) -Upgrade water supply system and provide for opportunity to secure sewer allocation.
- h) -Upgrade municipal recreational activities for residents.
- i) -Improve housing stock through housing rehabilitation and other available programs.
- j) -Revitalize Main Street area with zoning standards which promote desirable land uses.
- k) -Respond to increased traffic along Route 517 (Main Street) due to Sparta Bypass completion.
- l) -Establish a parking plan which supports a business center where a mixed use concept is fundamental to a pedestrian-oriented environment.
- m) -Upgrade signage controls and design standards to reduce visual clutter and promote special events.

C. The Extent to which the problems and objectives have been either reduced or increased subsequent to the last Master Plan adoption is considered in the narrative below.

Problems/Objectives which need addressing:

Monitor zoning changes through use variances and land use plan modifications to insure that such uses will not negatively impact the Borough.

- Continued preservation of the Borough's older housing stock through rehabilitation.
- Monitor conversion of existing structures in the business district with regard to impervious coverage and parking.
- Examine residential zoning bulk standards for housing improvements including additions and accessory uses to insure that setbacks are maintained and lots are not overdeveloped.
- Examine non-residential use and zoning bulk standards to insure compatible development between permitted land uses and adjacent residential neighborhoods.
- Integrate historic preservation with economic development strategy to conserve historic properties and enhance rehabilitation programs.

Objectives which have been addressed:

- Developed and approved a Storm Water Management Plan.
- Adopted a Wireless Telecommunication Ordinance.
- Participated in the County Strategic Growth Plan process.
- Participated in the State Cross-Acceptance process.

D. The extent to which there have been significant changes in the assumptions.

Policies and objectives forming the basis for such plan or 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 , and changes in State, County and Municipal Policies and Objectives.

1. The Borough's goals and policies for land use and other Master Plan elements continue to remain relevant exclusive of the development pressure on adjacent municipalities-Sparta and Franklin. Ogdensburg's mining history has been transformed into an active family-oriented community with minimal service-oriented businesses. The Borough needs to refine its character by promoting a Town Center designation which would establish it as a business center where retail, office and medical services can serve the Borough residents and surrounding communities.
2. The State Development and Redevelopment Plan adopted by the State Planning Commission reinforces that mixed use pedestrian-oriented environments are smart growth principles worth promoting. Therefore, re-use and redevelopment in and around the Main Street corridor an control overdeveloped and prevent deterioration of existing structures. Review of applicable design standards for non-residential properties should be reviewed and promoted.
3. Capital improvements must be examined to take advantage of the State Plan's emphasis on upgrading older community infrastructure needs. Although grants are limited, Ogdensburg should develop a strategy where developers engage in a partnership program to jointly improve infrastructure assets.
4. The completion of the Sparta Route 517 Bypass certainly has caused an increase in through traffic between Sparta and Franklin. That same traffic can be captured if appropriate service retail and office uses are designed to provide needed uses which are conducive to local needs.
5. Historic tourism can be utilized to further economic development and expansion of businesses along Main Street. A central theme and development of an annual themed event or a series of related events certainly will enhance the Borough's ability to attract niche businesses.

- E. Specific changes recommended for such plan or regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulation should be prepared.
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Although the basic objectives of the Master Plan remain valid today, the combination of changed State Plan policies, County Strategic Plan, Highlands Act, changes to the municipal land use law and case law since 1991, effects of other development in adjoining municipalities and the need to balance municipal budgets and services create the basis for refinements to the Master Plan and its development regulations.

Specific areas of study for recommended refinements include the following:

1. The Borough's Housing Plan should be updated in conformance with the intent of the revised COAH Round III regulations. The decision to file with COAH would be made by the Borough Council on advice from the Land Use Board.
2. The Borough should consider filing for Plan Endorsement with the State Planning Commission and designate the Main Street corridor as a Town Center comprised of mixed-uses in a pedestrian oriented environment which includes retail, office and residential apartments through a new zoning ordinance or a redevelopment plan.
3. Continue to examine the feasibility of obtaining sewer allocation from the Upper Wallkill Wastewater Treatment Facility operated by the S.C.M.U.A. sufficient to accommodate the Town Center area and areas where flooding and failing septs occur. Evaluate other alternative wastewater treatment systems which can accomplish the intent.
4. Improve and expand the existing park and playground areas throughout the Borough and provide linkage with future walk/bike paths in the Town Center area.
5. Develop a parking plan which includes a landscape plan which enhances parking areas within the Town Center zoning district to support the need of new businesses.
6. Develop Town Center design standards which regulate building design, signage and site development.
7. Secure assistance from the County in evaluating traffic calming measures to assist in slowing vehicle travel through the Town Center area.
8. Evaluate the need and feasibility of creating a historic district within an area in the Borough where historic structures/lands are in need of restoration and/or designation.

9. Replace the R-100 zone with a PC zone on properties east of the N.Y.S. &W. Railroad R.O.W. and north of Edison Road, which now lies in the Highlands Preservation Area and maximize Borough recreational facilities in this area.
10. Evaluate and update land use definitions and zoning controls concerning personal services and restaurants. Further clarification is needed to define a buffer area between residential and commercial/industrial districts. Such buffer areas could be only reduced where substantial man-made and natural materials are incorporated to keep the integrity of the buffer. The Borough should enact a steep slope ordinance to prevent soil erosion and sedimentation and protect slopes which exceed 20 %.

F. The recommendation of the Planning Board concerning the incorporation of redevelopment plans into the Land Use Plan Element of the Municipal Master Plan and recommended changes, if any, in the local development regions necessary to effectuate the redevelopment plans of the Borough.

1. Major changes enacted to the Local Redevelopment and Housing Law, may provide an additional opportunity for the Borough to examine business district reuse and promote a mixed-use development strategy. The Borough Council should investigate the municipally owned property located along Highland Avenue and Rt. 517 which contains the existing municipal building and considerable vacant land to determine if that property meets the criteria for an “area in need of redevelopment”.
2. Financing mechanisms associated with redevelopment should be examined. The use of a PILOT (payment in lieu of taxes) program is advantageous along with other State incentives to securing future businesses which can bring in additional revenues to the Borough budget.

This reexamination report is recommended by the Ogdensburg Land Use Board as the basis for changes in the form of amendments to the Borough’s Master Plan and subsequent revisions to the Borough Land Development Ordinance.