



**2020 Master Plan Periodic
Reexamination Report and
Land Use Element Recommendation**

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BLAIRSTOWN TOWNSHIP LAND USE BOARD

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SECTION I: INTRODUCTION

The Township of Blirstown is located in the northern portion of Warren County, New Jersey. It is bordered by Hardwick Township to the north and east, Frelinghuysen Township to the east, Hope Township to the south, and Knowlton Township to the west. The Township occupies an area of approximately 32 square miles and has slightly under 6,000 people according to recent Census information. The population has actually decreased since the 2010 Census. The population of the Township has been losing population over the last decade as has been the bulk of Warren County communities. This can be accounted for due to several factors including economic downturns, changing in trends by Millennials and other groups in terms of housing locations and types, increases in transportation costs, lack of developable land and regulatory restrictions on development. The recent pandemic involving Covid-19 may reverse some of those trends in terms of population decrease. The Township is generally characterized as rural with the Kittatinny Mountains to the north with diversity including forests, parks and agricultural lands.

The Township is characterized by the village straddling State Route 94 which is generally located in the Village Neighborhood (VN) district. State Route 94 is the major thoroughfare through the municipality running generally in a northeast southwest direction.

The last Master Plan was adopted by the Planning Board on December 20, 2004. A Master Plan Reexamination Report was adopted by the Planning Board in November 2010.

SECTION II: LEGAL REQUIREMENTS FOR PLANNING

The New Jersey Municipal Land Use Law (MLUL under Section N.J.S.A. 40:55D-89a) requires municipalities to periodically reexamine their Master Plan and development regulations minimally once every ten years. Failure to conduct this review shall, pursuant to MLUL, constitute a rebuttable presumption that the municipal development regulations are no longer reasonable. It is therefore, an extremely important function of the Land Use Board to conduct this review in a timely manner. A Master Plan reexamination is also a part of any municipal planning program as the process ensures that the municipality's policies and development regulations are relevant to current community needs.

Aside from the statutory requirements, however, a reexamination of the municipality's planning documents and development regulations offers an excellent opportunity to assess where the community was, what has occurred since the last adoption of the reexamination, and to establish a pathway to the future. The reexamination process provides the necessary framework needed to address community planning issues that have evolved over time and to adjust planning policies accordingly. While the Reexamination Report does not constitute an official master plan amendment, the Land Use Board's analysis during the reexamination process could result in findings that either reaffirm the policies of the past necessitating no changes to the plan or the Land Use Board could recommend that an entirely new Master Plan be prepared. Very often, modifications to present policies are sufficient without the need for an entirely new Master Plan document.

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The MLUL provides specific requirements for the preparation of the Master Plan Reexamination Report inclusive of the following components:

- The major problems and objectives relating to the land development in the community at the time of the adoption of the last reexamination period
- The extent to which such problems and objectives have been reduced or have increased subsequent to such state
- The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis of the Master Plan or development regulations since last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and Municipal policies and objectives.
- The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared;
- The recommendations of the Planning Board concerning the incorporation of the development plans adopted pursuant to the “Local Redevelopment and Housing Law”, into the land use plan element of the municipal Master Plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

SECTION III: THE MAJOR PROBLEMS AND OBJECTIVES RELATED TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF THE ADOPTION OF THE LAST MASTER PLAN REEXAMINATION REPORT

The 2010 Reexamination Report noted that the major problems and objectives regarding land development in the municipality included preserving the rural character of Blirstown and protecting the environment through protecting ground water, promoting balance between residential and nonresidential development and preventing suburban-type development in Blirstown.

SECTION IV: IDENTIFY THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR INCREASED SUBSEQUENT TO SUCH STATE (40:55D-89b)

Since the adoption of the 2010 plan, the municipality has engaged in several Ordinance modifications that have been designed to reduce the major problems and objectives as outlined in the 2010 Master Plan Reexamination Report. They include the following Ordinances:

- Ordinance 2010-01 transferring construction code responsibility to the State of New Jersey
- 2010-07 Ordinance that established priorities for an overall comprehensive plan for the revision for full cellular communications within the Township of Blirstown utilizing the fewest number of towers as possible

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- 2011-02 an Ordinance creating the historic preservation committee and deactivating the historic preservation commission
- 2011-05 an Ordinance known as Flood Damage Prevention seeking to update the Township's Ordinances in accordance with State regulations
- 2011-08 an Ordinance to minimize noise within the Township
- 2012-02 a consolidation of the Planning Board and Zoning Board into a Land Use Board
- 2016-04 this Ordinance deals with insuring proper maintenance of properties dealing with brush, grass and weeds all on private property
- 2016-05 this Ordinance deals with maintenance of vacant and abandoned properties
- 2016-06 a Property Maintenance Code was established
- 2018-01 an Ordinance revising the Affordable Housing Ordinance of the Township
- 2018-08 an Ordinance prohibiting billboards, boarding houses, junk yards, privately operated dumps, removal of sand, stone, gravel and top soil and businesses selling medicinal or recreational marijuana
- 2018-13 updating the Property Maintenance Code
- 2018-17 providing a Fee Schedule for the maintenance of vacant and abandoned properties for inspections
- 2018-19 an Ordinance amending Ordinance 2018-13
- 2018-28 an Ordinance defining household and non-household animals
- 2020-15 an Ordinance increasing fees for applications

In addition to the Ordinance modifications that have occurred over the last 10 years, the Land Use Board does take into account the policy modifications that have occurred by outside agencies including County and State government. They are as follows:

- The New Jersey Supreme Court in a Decision of March 15, 2015 stripped the Council of Affordable Housing (COAH) of its authority of its jurisdiction over affordable housing and assumed responsibility for that constitutional obligation and provides enforcement through the Courts by way of litigation
- The State has modified its regulations regarding storm water management and has required municipalities to take a greater role in supervising and enforcing storm water management plans
- As previously noted, the population of Blirstown along with other Warren County municipalities has decreased since the Reexamination Report of 2010.
- The United States is in the process of conducting the 2020 Census. Those numbers are not yet available as the Census has not been completed.
- In February and March of 2020 Blirstown Township along with the State of New Jersey, United States and the rest of the Globe has been hit with a pandemic involving the coronavirus which is having a major impact on the economics of the County generally, and on Blirstown in particular. It has also raised questions as to the adequacy of the ability of the Government to provide adequate health services to meet the needs of its citizens in regard to the ongoing pandemic.

With regard to the major objectives and problems raised during the 2010 master plan reexamination and report regarding preserving the rural character of Blirstown and protecting

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the groundwater and promoting the balance between residential and nonresidential development and protecting the suburban development, the Land Use Board finds that the Township has enacted a number of Ordinances that have helped to alleviate some of those concerns. In particular, the noise Ordinance has assisted in assuring the peaceful use of properties in the Township. The Township has adopted and amended the various property maintenance codes for properties that are developed as well as properties that are vacant, assisting in making sure that the quality of life and property value maintenance will be maintained in the future for the residents of Blairstown. Also, the definition of household and non-household animals is an attempt to try to balance the rural character of Blairstown without interfering with the quiet enjoyment of residents within the Township.

With regard to modifications due to State regulations, the Township has adopted a Stormwater Ordinance that provides for and meets the regulations of the State whereby the Township is required to take greater responsibility to control stormwater runoff within its environs. The Township has also established a policy where it does not wish to be included in the use or sale of marijuana within its borders either for recreational or medicinal purposes. Finally, with regard to Affordable Housing, the Township has adopted a Housing Element and Fair Share Plan dated August 21, 2017 which establishes its obligations and the method to satisfy that obligation in the future through the third round which will end in 2025.

SECTION V: SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES, STANDARDS OR WHETHER A NEW PLAN OF REGULATIONS SHOULD BE PREPARED

During the Master Plan review process, several items have come before the Land Use Board that have raised concerns for the future of Blairstown. The first is the reduction in population over the last 10 years. This is due to a number of factors including the preference of the Millennial in terms of housing choices, the cost of transportation, and the maintenance of large properties. The real estate trends in Blairstown and in other communities, in either rural or suburban locations in New Jersey and other parts of the Country, have gravitated other individuals toward more urban settings or to communities where public transportation is readily available. It is yet to be seen how the coronavirus pandemic will change those attitudes of the general population being clustered in high density areas due to health concerns that have been raised due to the pandemic. With the loss of population, the effect on business has been negative.

The Land Use Board has attempted to look at the mechanisms that will revitalize Blairstown while continuing to maintain its rural character. One of the ideas that has been put forth is the advancement of agritourism and agritainment. The Land Use Board has acknowledged that these concepts provide both opportunities and potential detriments to the rural character of Blairstown Township. Several ideas have been advanced in regard to both agritourism and agritainment.

Mr. David Diehl, the Zoning Officer of the Township, has advanced the possibility of adding definitions to the Ordinance involving agritourism and agritainment and has suggested the possibility of including those activities as conditional uses within certain zones. Additionally, Ms. Evelyn Tilney, a Board Member, made a presentation to the Board and noted that

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agritourism in the Country has tripled between 2002 and 2017. She suggested that agritourism can include you-pick operations, pumpkin picking patches, community supported agriculture, corn mazes, cut-your-own Christmas trees, hayrides, dude ranch demonstrations, farms, farm stands, wineries and wine tastings, weddings on agricultural settings, rural bed and breakfasts, garden tours. She acknowledged that the benefits could include increasing income to Blairstown's farm community as well as the tax base. The concerns she pointed out were noise, traffic, and additional liabilities to farms, waste management and protection of natural resources.

The Land Use Board debated these various concepts and based upon the available information, came up with the following recommendations:

1. Exploration of adding agritourism and agritainment into the Town's Ordinances which would help support current and future Blairstown farmers with diversified opportunities to increase and sustain incomes without adversely affecting surrounding properties.
2. Exploration of developing and implementing an agritourism and agritainment section on the Township webpage including but not limited to a webpage for visitors listing and linking to all local farms and operations that may wish to be posted; providing resources, both national and local, for farmers and agricultural operations looking for opportunities, advice and ideas around agritourism; and to include on the webpage a section indicating for-sale properties to attract potential agricultural contributors and current/future residents.
3. Exploration of developing a more robust and enforceable vacant land registration Ordinance (VRPO) as well as an abandoned properties list, and a foreclosure properties list that will assist in further beautifying, preserving and protecting the Township and seeking to improve or enhance Blairstown Township Code, Chapters 132 and 147 and taking into account the New Jersey Abandoned Properties Rehabilitation Act.
4. Exploration of adjusting permissible uses in several areas of Blairstown that are intended for business including the General Commercial and Industrial (GCI) zone which explicitly allows warehousing and assembly and distribution centers as a conditional use (Sections 19-410(8) and 19-601); potential inclusions to zoning to support renewable energy businesses, health-focused businesses, responsible ecotourism businesses and nonprofit organizations. The goal of the above is to provide a more welcoming environment to small businesses while mitigating adverse impacts to over-commercialization that is currently impacting nearby towns, including White Township.
5. Exploration of integrating local senior service and healthcare needs into the Master Plan by repurposing empty retail locations for these services.
6. Exploration of utilizing empty school/retail/business facilities for education/training/continuing education facilities which would allow for post-high school continuing education for non-college workers.

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7. Exploration of necessary support information infrastructure for increased migration out of densely populated areas.
8. Exploration of creative methods to upgrade the individual sanitary infrastructure of the Village area to include utilization of any technology that would upgrade the individual sanitary infrastructure thereby supporting small business while maintaining a concern for environmental protection of natural waterways.
9. Exploration of supporting local sourced food by new methods of farming, by supporting new and innovative methods of farming including but not limited to hydroponic farming and other methods as well as an increase in food processing to produce onsite finished products.
10. Exploration of Blairstown flood zones and how to minimize future issues residentially, commercially and agriculturally to protect Blairstown and its residents in flood-prone areas particularly in light of climate change having the potential of creating increased flooding issues as well as impacting local farming.
11. Exploration of supporting electric vehicle charging station installation and/or infrastructure by encouraging existing and future auto fueling stations and other existing car part facilities to provide charging stations to support electric vehicles.
12. Exploration of improved internet connectivity through the Town by means of current and future technologies which will include the buildout of wireless internet delivery to home and business replacing hardwire systems, using ground base and satellite technologies.

The Land Use Board also became aware of complaints within the Township over the last several years involving the Township being targeted by dog owners and potential kennel operators. The Land Use Board took note that some surrounding municipalities had regulations in regard to dog ownership and kennel use which potentially made Blairstown a target for such activities. The Land Use Board reviewed several ordinances and concepts that it received through researching various ordinances around the Warren County area. There were rigorous debates with regard to the best approach to take in regard to what control if any should be taken by the municipality in regard to this issue. As a result of that debate the Land Use Board makes the following recommendations:

In order to control the potential downside of kennel operations in the Township, it is recommended that Section 19-106 include a prohibited use to limit kennel and kenneling operations including but not limited to boarding, breeding, selling, training and marketing for sale of these services. The Land Use Board also recommends the elimination of kennels as a permitted use in the Highway Commercial and Community Commercial zones while continuing to allow as a principal permitted use small animal hospitals.

Finally, the Blairstown Historic Preservation Committee has submitted a report dated August 3, 2020. The Historic Preservation Committee noted several of the major accomplishments that it has achieved in relationship to preserving the history of Blairstown. It also pointed out that

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Blairstown Township is one of five Warren County communities designated as an Appalachian Trail Community and is also a Township which utilizes a portion of the Paulinskill Valley Trail which is the former rail bed of the Blairstown Railroad later known as the New York, Susquehanna and Western Railroad. The Historic Preservation Committee submitted the recommendations to the Land Use Board and they include the following:

- To provide an overview of Blairstown's history
- To support the Township's ideals for the preservation of our rural character landscapes by focusing on the retention of historic farms, landmarks and other historic resources
- To identify and map historic districts/sites by merging resources to create a single master document to be used for reference during review of land use applications
- To explore and communicate initiatives to encourage the maintenance and restoration of historically notable buildings and landmarks
- To foster the addition of historic properties to the National Register of Historic Places (NRHP)
- To support the adoption of design standards
- To present the implications of noncompliance regarding the State Historic Preservation Office's expectations for the NRHP District sites.
- To promote the adoption of agritourism and heritage tourism to sustain our farms and complement historic preservation goals.

The Land Use Board reviewed these recommendations and debated same. The Land Use Board makes the following recommendations regarding historic preservation:

The Land Use Board, in its evaluation of the Reexamination Report, supports the historic nature of Blairstown Township, specifically and the historic character of the region in and around Warren County. This recognition not only includes structures but also natural features. Therefore, the Land Use Board, in its Reexamination Report, endorses the recommendations of the Blairstown Historic Preservation Committee of August 3, 2020 and supports the continued evaluation and investigation of these areas.

SECTION VI: RECOMMENDATIONS CONCERNING REDEVELOPMENT PURSUANT TO THE "LOCAL REDEVELOPMENT HOUSING LAW" INTO THE LAND USE PLAN ELEMENT OF THE MASTER PLAN

Not unlike the Reexamination Report of 2010, the Land Use Board does not envision the need for any redevelopment within the Township in the foreseeable future and therefore makes no comments and does not feel as though any recommendations toward that end are appropriate in this document.

SECTION VII: CONCLUSIONS

The Land Use Board has reviewed the requirements of N.J.S.A.40:55D-89. It finds that many of the major problems and objectives of the last Reexamination Report have been addressed either by way of ordinance change or by actions of the municipality in regard to affordable housing. Therefore the Land Use Board finds that the land development regulations of the Township are currently meeting those previous problems and objectives.

The Land Use Board did identify certain issues that may potentially affect Blirstown in the future. Those issues include the recommendations made by the Land Use Board with regard to agritourism and agritainment together with the recommendations involving the restrictions on dog ownership and kennel use as well as those recommendations that have been incorporated into this document and made by the Historic Preservation Committee.