

# GENERAL REEXAMINATION OF THE MASTER PLAN AND MASTER PLAN AMENDMENT

## BOROUGH OF PENNS GROVE

Salem County, New Jersey

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Adopted by the Borough Planning Board:  
(Resolution # 2021-XX)

Prepared By:



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## **I. INTRODUCTION**

The Borough of Penns Grove is located on the banks of the Delaware River. The Borough shares a municipal boundary with the Township of Carney's Point to the north, south, and east. To the west, the Borough is constrained by the Delaware River. According to the 2019 U.S. Census Estimate, the Borough had a population of 4,816, which is a 6.3% decrease from 2010. Route 130 passes through the Borough, in a north-south direction, providing connections to the greater area. The other main corridors throughout the Borough are East and West Main Street and Broad Street.

Pursuant to Section 40:55D-89 of the Municipal Land Use Law, at least once every ten years municipal master plans and development regulations are to be reexamined for the purpose of determining continued viability and the need for amendments. Consideration should be given to the emergence of land use issues and external influences such as statutory mandates which might impact the underlying basis of the master plan. The reexamination is intended to result in the articulation of planning policy issues which need to be addressed to ensure that the Borough's preeminent planning policy document, which serves as the foundation for development regulation, has continued applicability. Parenthetically, failure to undertake the periodic reexamination constitutes under the law a rebuttable presumption that the development regulations are no longer reasonable.

In accord with the above citation, the reexamination is to address:

- 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:12-1 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. (L.

1975, c. 291, s. 76; amended 1980, c. 146, s. 6; 1985, c. 516, s. 18; 1987, c. 102, s. 29; 1992, c. 79, s. 50.)

The existing Borough of Penns Grove Master Plan was created in 1976 and approved in 1980. As a result of the period of time since the last approved Master Plan document, there have been changes to the conditions of the Borough which will be outlined in section “c” of this Re-examination report. The Master Plan report from 1980 contains the following sections: 1) Preface/Policy Statement, 2) Goals and Objectives, 3) Land Use Element, and 4) Housing Element.

This report is the first reexamination of the 1980 Master Plan, and it addresses in the same sequence the elements outlined within subsections “a” through “e” of the above- mentioned Municipal Land Use Law citation.

## **II. REEXAMINATION REPORT FINDINGS**

### ***a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.***

The statutory charge for this aspect of the reexamination is to identify problems and objectives identified in the most recent reexamination of the Master Plan. As this is the first reexamination of the Master Plan, the charge then becomes one of establishing, from the 1980 Master Plan, specific problems to the extent discussed or, in the alternative, to the extent which can be deduced from the language of the goals and objectives. Specific problems as identified in the 1980 Master Plan are summarized and outlined as follows.

#### **1. Major problems existing at the time of the 1980 Master Plan**

- (a) **Built-out conditions** – The existing lands within the Borough are predominantly built-out, leaving little open space and land to provide for new development.
- (b) **Maintain existing scale of development** – The existing nature of residences and commercial developments remain consistent throughout most of the Borough and these existing parameters should continue to be met by new development or redevelopment.
- (c) **Redevelopment** – Entrances to the Borough, with the exception of Maple Avenue and Virginia Avenue (Route 130) promote a negative first impression of Penns Grove.
- (d) **Balancing residential feel with commercial tax base** – The Borough has a desire to maintain the residential nature of the community while also supporting commercial uses to preserve a balance between the commercial tax base and residential taxes.

## **2. Goals and objectives as identified in the 1980 Master Plan**

The following goals and objectives describe various facets and policies for articulating the community's vision and are presented below as they were in the 1980 Master Plan.

### **Overall goals and objectives**

- (i) Develop methods and strategies to encourage and facilitate commercial development investment and economic revitalization in Penns Grove.
- (ii) Improving the material appearance of commercial establishments, storefronts, and homes along targeted sections of the two main traffic arteries in the Borough (Main Street from Virginia Avenue to State Street and Broad Street from Beach Avenue to Harmony Street).
- (iii) Enhanced revitalization of the Borough through high quality private investment, controlled commercial growth, high standard land use controls, and equal housing opportunities.

### **Goals and objectives relating to Land Use**

- (i) Satisfy the statutory requirements of N.J.S.A. 40:55D-28.
- (ii) Analyze current land use patterns in Penns Grove.
- (iii) Realistically define future residential and commercial districts, and provide recommendations for appropriate zoning and developmental strategies.
- (iv) Assess adequacy of current municipal service facilities for the future location of municipal administrative offices and services.
- (v) Define current levels of tax-exempt properties and develop strategies for ensuring proper conformances for these uses.
- (vi) Ensure retention of publicly held open space, and develop strategies for optimum utilization of this space. Identify potential locations for providing "common ground" areas in individual neighborhoods.
- (vii) Emphasize the proper utilization of the Borough's limited physical resources in order to sustain the value of the community's natural environment.

- (viii) Encourage land development in keeping with the character of adjacent neighborhoods in order to provide an attractive, efficient community.
- (ix) Stress adherence to local ordinances which mandate preservation of existing trees and the natural environment during the course of future development, and to assist in this effort, assess the need to activate the Shade Tree Commission.
- (x) Ensure that the vision and recommendations developed within the Land Use Element are sufficiently clear such that current land use zoning is adhered to, and that variances from current zoning requirements are the rare exception rather than the rule.
- (xi) Assess the adequacy of current zoning requirements to enable the realization of Objective (x).

**(b) Goals and objectives relating to Housing**

- (i) Satisfy statutory requirements of N.J.S.A. 40:55D-28, and to the extent possible, the requirements for New Jersey Council on Affordable Housing certification of the Housing Element.
- (ii) Provide recommendations to stop/arrest/eliminate deterioration of existing housing units.
- (iii) Assure that the housing element identifies the need for ensuring that a variety of housing continues to exist which caters to all age ranges, income levels, and family sizes.
- (iv) Provide recommendations which tie the housing element and strategies to the economic redevelopment of Penns Grove.
- (v) Identify/recommend strategies for encouraging rehabilitation, including code/ordinance enforcement.
- (vi) Define the appropriate levels and needs for low- and moderate-income housing.
- (vii) Instill a sense of promoting future housing development which is geared toward owner occupancy and within the character and scale of individual neighborhoods.
- (viii) Promulgate population/demographic characteristics within the Borough and, based on these characteristics, develop

recommendations which personally enhance the quality of life for all residents.

***b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.***

**1. Major problems existing at the time of the 1980 Master Plan**

- (a) **Built-out conditions** – Although the overall population has decreased in the past decade, the built-out nature of the land in Penns Grove remains an applicable problem.
- (b) **Maintain existing scale of development** – The Borough has, since its last Master Plan, maintained the scale of development to retain the small town feel that is desired by residents.
- (c) **Redevelopment** – Improving the aesthetics of entrances to the Borough remains a problem within the Borough. Redevelopment of these specific areas can provide a more appealing community for residents and visitors.
- (d) **Balancing residential feel with commercial tax base** – The Borough still faces a challenge in balancing commercial uses which blend well with the existing residential environment of the community.

**2. Goals and objectives as identified in the 1980 Master Plan**

All of the aforementioned Goals and Objectives of the 1980 Master Plan remain viable in the Borough of Penns Grove.

***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.***

**1. Approval of Redevelopment Areas**

In 2001, the Borough of Penns Grove approved and adopted the Broad Street/Main Street/Route 130 Redevelopment Area, which encompasses several main corridors throughout the Borough along with adjacent parcels, and also included areas adjacent to the Delaware River to support waterfront development.

## 2. Affordable Housing

The New Jersey Supreme Court decision on March 10, 2015, In the Matter of the Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing, 221, N.J. 1 (2015) (“Mount Laurel IV”) established a new process for certification of Housing Elements and Fair Share Plans. In this decision, the Supreme Court held that since the Council on Affordable Housing (“COAH”) was no longer functioning, trial courts were to resume their role as the forum of first instance for evaluating municipal compliance with Mount Laurel obligations. The decision also established a transitional process for municipalities to seek a Judgment of Compliance and Repose (“JOR”) in lieu of Substantive Certification from COAH.

## 3. Census Analysis

The 2015-2019 American Community Survey (ACS) estimates along with decennial Census data from 2000 and 2010 can be analyzed to recognize trends within the Borough of Penns Grove. The Borough saw an increase in population from 2000 to 2010, but then saw a decline of 6.43% from 2010 to 2019. While the median value of owner-occupied housing units has fluctuated, the total number of housing units and average household size has remained relatively consistent since 2000.

**Figure 1: Census Statistics for the Borough of Penns Grove**

	2000	2010	2019 Estimate	2010-2019 % Change
<b>Persons</b>	4,880	5,147	4,816	-6.43%
<b>Households</b>	1,826	1,918	1,755	-8.50%
<b>Median Housing Value (Owner Occupied)</b>	\$112,970 *	\$168,523 *	\$127,000	-24.64%
<b>Housing Units</b>	2,075	2,134	2,072	-2.91%
<b>Owner-Occupied</b>	814 (39.23%)	953 (44.66%)	523 (25.24%)	-45.12%
<b>Renter-Occupied</b>	1,013 (48.82%)	965 (45.22%)	1,232 (56.46%)	27.67%
<b>Vacant</b>	248 (11.95%)	216 (10.12%)	317 (15.30%)	46.76%
<b>Average Household Size</b>	2.67	2.67	2.74	2.62%

Source: 2000 Census, 2010 Census, 2015-2019 American Community Survey

\* Indicated in 2019 dollars (Adjusted from \$72,900 for 2000 and \$139,600 for 2010.)

As indicated in Figure 2 below, almost all of the land within the Borough is considered “Urban” which depicts the built-out nature of Penns Grove. The next



two largest classifications of land use are “Wetlands” and “Forest,” indicating that there are lands within the Borough that should be preserved and maintained as environmentally sensitive areas.

**Figure 2: 2015 Land Use by Acres**

Land Use	Acres	%
Urban	552	96.67%
Forest	7.1	1.24%
Wetlands	10.3	1.80%
Water	1.4	0.25%
Barren Land	0.2	0.04%
Total	571	100.0%

Source: NJMap2.com, Municipal Land Use Map, Rowan University

The number of housing units authorized by building permits is one of many economic indicators used nationally. In fact, the housing market is a sector that is considered a leading indicator of changing economic conditions. Figure 3 below contains building permit data gathered from the New Jersey Department of Community Affairs (NJDCA) for the years 2010 through 2019. As indicated, there have been few housing units constructed in the past decade, likely due to the built-out nature of the Borough.

**Figure 3: Building Permits Issued**

Year	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	Avg.
Building Permits Issued	0	0	1	0	0	0	1	0	0	3	0.5

Source: NJDCA Construction Reporter, Building Permits, Yearly Summary Data, and Housing Units Authorized by Building Permits for New Construction

#### **4. Changes in State Conditions**

Much has changed in New Jersey over the past thirty to forty years. While far from an exhaustive list, below are some of the more significant recent updates and amendments that impact planning and land use at all levels of government.

- On May 5, 2011, New Jersey enacted a law prohibiting the application of the judicially created Time of Decision rule to “applications for development”. Specifically, the Time of Application Law provides “those development regulations which are in effect on the date of submission of an application for development shall govern the review of that application for development and any decision made with regard to that application for development”.

- On August 7, 2013, New Jersey enacted a law implementing numerous changes to the Municipal Land Use Law with the stated purpose of “enabling municipalities the flexibility to offer alternatives to traditional development through the use of equitable and effective planning tools, including clustering, transferring development rights and lot size averaging in order to concentrate development in areas where growth can best be accommodated and maximized while preserving agricultural lands, open space and historic sites”.
- On March 2, 2020, New Jersey amended its Green Infrastructure Stormwater Rules to require construction permit applicants to use green infrastructure, rather than more traditional engineered structures, to reduce stormwater runoff and achieve water quality goals. The amended rules have a delayed implementation date and will become effective March 2, 2021 to allow sufficient time for municipalities to conform stormwater ordinances and to accommodate a phase-in period for pending projects.

**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.***

**1. Master Plan Recommendations**

Due to the fact that the goals and objectives from the Plan are still largely relevant and applicable, this Reexamination Report does not recommend any amendments or changes to the Master Plan.

**2. Development Regulation Recommendations**

Current development regulations in general allow for ease of administration and continue to meet the needs of the Borough. However, various changes as discussed below should be considered.

- Inconsistent Regulation.** The Land Use regulations should be examined for any inconsistency with the New Jersey Residential Site Improvement Standards N.J.A.C. 5:21-1 et seq. and for instances where existing regulations are inconsistent one with another.
- Adjust Bulk Requirements to Reduce Lot Size.** The existing lot area requirements in the Borough are too large for a waterfront community. The Borough should revise the zoning ordinance, specifically Section 450-17 Attachment 2: Table of Dimensional Requirements.

- (c) **Electric Vehicle Charging.** Consideration should be given to updating ordinances related to electric car charging and exploring provisions in conjunction with gas stations.
- (d) **Promote 5G and other smart technologies.** “Smart” technologies are those which enable mobile, web, databases, wireless access and sensors to meet the needs of its users. Recognizing the significance and benefits of these new technologies, appropriate standards should be established. For example, standards should be developed to accommodate the location of 5G facilities while protecting surrounding residential areas from their visual impact. Additionally, consideration should be given to establishing a licensing fee for these uses located within the rights-of-way.
- (e) **Cannabis Facilities.** In light of State legislation that permits the use of cannabis for recreational and medical use, the Borough should explore various ways to regulate and address the appropriate site locations and design of cannabis facilities which promotes the public health, safety, and welfare of the Borough. Additionally, should the Borough wish to prohibit these uses, action must be taken promptly.
- (f) **Definitions.** Consideration should be given to adding and modifying other definitions within the Borough’s ordinances for clarity to ensure a clear understanding for the public and code enforcement personnel.
- (g) **Parking Regulations.** Revisions to parking regulations should be considered. Considerations include, but are not limited to, reducing required parking for certain uses, the creation of a maximum parking requirement, electric vehicle charging stations, alternative paving materials such as porous pavement and reserve parking.
- (h) **Eliminate Multi-Family Homes on Single Family Lots.** In order to maintain the character of the community, the conversion of multi-family units to single-family units in areas of predominantly single-family homes should be promoted and future conversions of single-family homes to multi-family in these areas should be prohibited.
- (i) **Property Maintenance and Foreclosure Ordinances.** Consideration should be given to improve the Borough’s maintenance ordinance to ensure occupied and vacant properties within Penns Grove are appropriately maintained. Resources and efficient code enforcement procedures will help prevent neighborhood decline, hold the responsible party accountable, and promote the well-being of the community. A foreclosure ordinance should be considered to address vacant and abandoned properties that are often the result of foreclosure. These

ordinances would reduce the impact of poorly maintained and abandoned parcels on the community.

- (j) **Municipal Building and Facilities.** The Borough should evaluate the need for a new Municipal Building as well as community facilities to serve the residents of the community.
- (k) **Develop Municipal Parking Lots and Establish Parking Trust Fund.** Municipal parking lots will be able to provide parking space for businesses located in the community. Additionally, requiring a parking fee or potentially a payment in lieu of providing the required amount of parking could assist in funding the Municipally sponsored lots.
- (l) **Address Flooding Issues.** The Borough should address flooding concerns throughout the community and establish ordinances which reduce runoff. Additionally, there is an opportunity through NJDEP's Blue Acres Program to sell lands which are heavily impacted by flooding issues to preserve environmentally sensitive areas.
- (m) **Evaluate funding sources to support economic development.** The Borough should determine funding sources through local, state, or federal programs which can provide funding opportunities to the Borough to support economic development.
- (n) **Identify Brownfields located within the Borough.** The Borough contains many sites which contain developed land which is no longer in use and may contain potential contaminants. Prior to developing these sites, contamination should be addressed through environmental cleanup.
- (o) **Rezoning.** This report recommends that consideration be given to the following changes to the zoning ordinance and map:
  - Establish a centralized designated business area in the form of an overlay or rezoning along portions of Virginia Avenue, Broad Street, and Main Street to support economic development.
  - Establish a riverfront zoning overlay or rezoning which will support a mixed-use, attractive waterfront destination including entertainment and marina uses.
  - Evaluate existing structures and land use within the community and set forth a historic district with specified ordinances which preserve and maintain the historic nature of buildings.

- 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:12-1 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. (L. 1975, c. 291, s. 76; amended 1980, c. 146, s. 6; 1985, c. 516, s. 18; 1987, c. 102, s. 29; 1992, c. 79, s. 50.)***

The Borough has employed redevelopment planning pursuant to the Local Redevelopment and Housing Law N.J.S.A. 40A:12A-1 et seq. as a mechanism to stimulate growth and has designated various area to be in need of redevelopment.

In the future, additional areas may be deemed in need of redevelopment or rehabilitation given the applicability of certain criteria and undertaking of appropriate procedures outlined in the Local Redevelopment and Housing Law. If the study area is deemed an area in need of redevelopment or rehabilitation, this would then permit the preparation and execution of a redevelopment plan, and – should the plan call for such action – the acquisition of buildings and land through condemnation, the leasing or selling of property without public bidding, and allow the area to qualify for financial incentives.

### **III. CONCLUSION**

While this reexamination report concludes that the goals and objectives as stated in the 1980 Master Plan, remain viable, the Borough should consider the preparation of a new comprehensive master plan to revise and consolidate the goals and objectives, and to create a unified document containing multiple elements which would help to guide the Borough’s future development. Elements for consideration in the new master plan should include: Goals and Objectives, Circulation Plan, Housing Plan, Land Use Plan, Recreation and Community Facilities Plan, Conservation Plan, and Green Building and Environmental Sustainability Plan. Additionally, while not critical, based on the 1980 Master Plan, consideration should be taken towards the future inclusion of a Historic Preservation Plan.