



# Master Plan for the Township of Nutley, Essex County, NJ

  Prepared for the Nutley Planning Board

by

**PHILLIPS PREISS GRYGIEL LLC**

Planning & Real Estate Consultants

December 19, 2012

# **MASTER PLAN FOR THE TOWNSHIP OF NUTLEY**

**Prepared for**

**The Nutley Planning Board**

**Prepared by**

**Phillips Preiss Grygiel LLC  
Planning and Real Estate Consultants  
33-41 Newark Street  
Hoboken, New Jersey 07030**

**December 2012**

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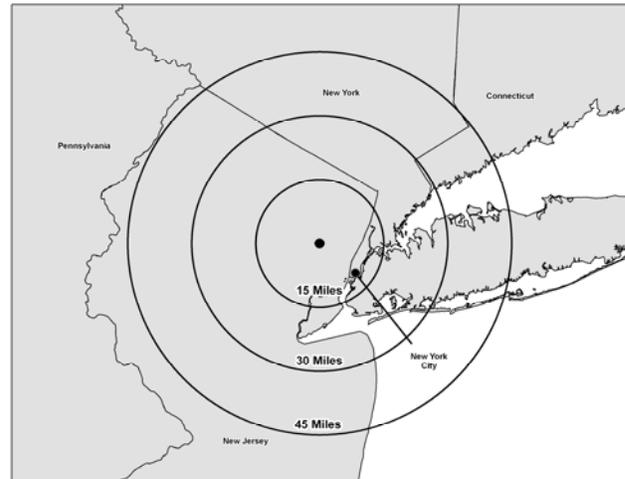
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## CHAPTER 1 INTRODUCTION

### A. Introduction

The Township of Nutley is a mature suburban community located in northern Essex County on the Passaic River (Figure 1-1). The Township encompasses an area of 3.4 square miles and borders Bloomfield to the west, Belleville to the south, Lyndhurst in Bergen County to the east and Clifton to the north in Passaic County. In the year 2010, the total population of Nutley was 28,370 persons, a 3.68% increase over the 2000 population of 27,362 persons.<sup>1</sup>

Figure 1-1 Regional Location



### B. Brief History of the Township of Nutley

Nutley derived its name from the large estate of the Satterthwaite family, established in 1844, which stretched along the banks of the Passaic River. In 1902, Franklin, New Jersey, once the northeast corner of Newark, changed its name to Nutley when a growth in population prompted a change in the form of government from Township to Mayor/Council.

In 1870, three passenger railroad stations opened in Nutley. They included the Franklin Avenue station on High Street, Nutley station on Highfield Lane and Walnut Street station on Walnut Street. Passenger rail service quickly transformed Nutley into a bedroom community to New York City. As the mills and quarries that historically operated on the Third River and Passaic River closed, homes transitioned to residents, many of whom became New York City commuters. While passenger rail service no longer exists in Nutley, it is responsible for the current land use patterns which exist today. The Township has managed to conserve its natural resources in a distinctly suburban landscape. Nutley boasts an excellent park and recreation system. Nutley maintains over 10,000 trees and over 100 acres of recreational land. No home in Nutley is more than one half mile from a park or playground.

A more detailed description of Nutley's history can be found in Chapter 7, The Historic Preservation Element of this Master Plan.

<sup>1</sup> U.S. Bureau of the Census.

### *1. Recent History of Master Planning in Nutley*

Nutley's last comprehensive Master Plan was adopted in 1974. The 1974 plan discussed land use, housing, circulation, community facilities, the downtown and implementation. Like many plans of that era, the 1974 Plan was generalized in its Planning and Land Use Recommendations. Since the 1974 Plan, the Township has reexamined the Master Plan in 1982, 1986, 1991, 2003 and 2009. These reexamination reports reaffirmed many of the 1974's Plan's goals and objectives, but also identified new planning challenges that face the Township. These include the future redevelopment or revitalization of the Downtown, economic development needs, the need for circulation improvements and the regulation of oversized homes. The 2009 Reexamination Report acknowledged a need to comprehensively reevaluate the Township's land use, circulation, open space, recreation and historic preservation needs.

## **C. The 2012 Master Plan for the Township of Nutley**

### *1. Purpose of a Master Plan*

A Master Plan provides a comprehensive framework for future decision making regarding a community's land use and planning policies. The planning process provides the opportunity for community residents and others to provide input on what they want the Town to be like in the future, and identify the key areas where the Town must act to preserve those characteristics it wishes to retain. Accordingly, this 2012 Master Plan for Nutley sets forth a set of goals, objectives, strategies, and specific actions to make the plan a reality. It guides future development and redevelopment of Nutley; it is also a reflection of the wishes of its residents; and it describes and defines its relationship to the Region. Aside from setting forth goals and objectives and a Land Use Element, it also incorporates several additional elements, including Circulation, Conservation, Recreation and Open Space, Historic Preservation, Community Facilities, Economic Development, Utilities, Recycling and a Green and Sustainability Element. A separate Housing Element and Fair Share Plan were adopted in 2008 which addresses the Township's compliance with previous regulations adopted by the Council on Affordable Housing (COAH), and remains in effect to the present time. It is also hereby incorporated by reference in this Master Plan.

### *2. Overview of the 2012 Master Plan for Nutley*

While Nutley's land use has not changed dramatically in the last few decades, many state planning policies, changes in the real estate marketplace and statutory requirements have changed the environment in which it exists. Such changes have affected and will continue to affect the future of Nutley. In 2001, the New Jersey State Planning Commission adopted a State Plan to guide the future development and redevelopment of the State. This Master Plan not only recognizes the goals, objectives and strategies of the State Plan, but has considered them in the development of this Plan. This Plan also recognizes and considered rules created by the New Jersey Department

of Environmental Protection (NJDEP) and the Federal Emergency Management Agency (FEMA), which have adopted rules and regulations that regulate development in wetlands, floodplains, areas near stream banks and brownfields in addition to other environmentally constrained lands.

To meet the public need for the orderly growth and development and redevelopment of the Township, and to provide balanced land use that includes housing, community facilities, economic development and job creation as well as the conservation of its natural resources, the Nutley Planning Board has prepared the most critical and fundamental element of this master plan—the Land Use Element—in accordance with the New Jersey Municipal Land Use Law (N.J.S.A. 40:55D-28.b(2)). The Land Use Plan is based upon the objectives, principles, policies and standards for the development of the Nutley Master Plan and takes into consideration all the other elements of the Master Plan as well as the State Development and Redevelopment Plan.

The Conservation Plan and Green Plan Master Plan Elements acknowledge the impacts of global climate changes, a significant increase in cost of energy and the potentially environmentally destructive nature of our carbon footprint—defined as the “measure of the impact human activities have on the environment in terms in the amount of green house gases produced and measured in units of carbon dioxide.”<sup>2</sup> The Passaic and Third Rivers and their tributaries are important natural features of Nutley's landscape and provide needed drainage for the community, as well as scenic views and habitat areas for a variety of plant and animal species.

The Township includes school, library, police, fire protection and first aid facilities, and community recreational areas and playgrounds. The majority of Nutley's community facilities are located near or in the Downtown. The Township is served by a well-developed transportation network consisting of local streets connected to County roads and State highways, as well as a freight rail line.

#### **D. Public Input in the Master Plan**

Aside from significant contributions from many public officials and boards of the Township of Nutley, the Planning Board also sought the input of a cross-section of the residents of the Township.

The process of preparing Nutley's Master Plan officially began in March 2009. The Planning Board was charged with developing a new Master Plan and building consensus to implement it. This Master Plan provides a long-term guide for the Township's future. This plan stresses positive and proactive cooperation among residents, business owners, and the Township to achieve the Plan's goals and objectives. The Plan also serves as a policy statement and provides a framework for the Township's implementation ordinances.

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<sup>2</sup> [www.carbonfootprint.com](http://www.carbonfootprint.com)

The Master Plan is the result of a consensus-based process that included interviews with major stakeholders in the community and public meetings. A public visioning meeting was held on March 4, 2009. The public meeting provided an opportunity for all residents to provide input into the Master Plan. Over 80 individuals attended the public meeting. The attendees were broken into 10 groups of approximately 8 persons and were given 8 topics relevant to the master plan to discuss. (The results of the meeting are provided in Appendix A of this Master Plan.) The Board continued with multiple informal sub-committee meetings to review each proposed element of the Master Plan followed by multiple public board meetings to review each element of the Master Plan and the recommendations of the sub-committees. These public meetings directly impacted in forming the goals and objectives, and recommendations of this Master Plan.

## CHAPTER 2 GOALS AND OBJECTIVES

### A. Goals

The goals of the 2012 Master Plan for the Township of Nutley are as follows:

1. Preserve and maintain sound residential neighborhoods through preservation, rehabilitation and, where necessary, redevelopment of housing, traffic improvements and measures designed to reduce and eventually eliminate areas of incompatible mixed uses.
2. Provide adequate community facilities to serve Nutley's residents in terms of schools, parks and playgrounds, a library, a senior citizens center, fire stations and other municipal buildings.
3. Provide suitable senior citizen housing for all income levels.
4. Provide affordable housing.
5. Continue to provide housing for various income levels and family compositions.
6. Broaden the tax base through the attraction of commercial uses compatible with a residential community in order to provide for government services needed by residents and taxpayers of the Township.
7. Strengthen retail and service trade, especially comparison shopping facilities in locations which will not have an adverse effect on residential areas.
8. Encourage the revitalization of Nutley's central business area through street improvements and the provision of municipal off-street parking, with the cooperation of merchants and property owners to enhance the appearance of the area.
9. Provide adequate community services for Nutley's residents, businesses and industry in terms of police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreation program, senior citizens services, sewerage, water supply and recycling pickup.
10. Provide for the safe and efficient movement of people and goods throughout the community and encourage use of public transportation wherever possible.
11. Preserve and enhance the quality of the environment.
12. Encourage good design, amenity and proper landscaping in new and rehabilitated buildings.
13. Conduct the Township's planning program within the framework of a regional setting and fully cognizant of the needs and rights of the adjoining municipalities and of Essex County.
14. Encourage stormwater management controls for all new developments.
15. Promote the conservation of energy through the use of planning practices designed to reduce energy consumption and to provide for maximum utilization of renewable energy sources.
16. Encourage citizen and business participation in the planning process.
17. Promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the

State Recycling Plan goals and to complement municipal recycling programs (Municipal Land Use Law, Chapter 291, Laws of New Jersey 1975).

## **B. Objectives**

The following are the specific objectives of the 2012 Master Plan for the Township of Nutley.

### 1. *Economic & Non-Residential*

- Broaden the tax base through the attraction of commercial uses compatible with a residential community in order to provide for government services needed by residents and taxpayers of the Township.
- Strengthen retail and service trade, especially comparison shopping facilities in locations which will not have an adverse effect on residential areas.
- Encourage the revitalization of Nutley's central business area through street improvements and the provision of municipal off-street parking, with the cooperation of merchants and property owners to enhance the appearance of the area.
- Encourage citizen and business participation in the planning process.
- Provide a parking strategy to accommodate all of the downtown's constituents: commuters, office workers, shoppers and downtown residents.
- Undertake a review of zoning districts to ensure that they are responsive to market conditions and allow for the attainment of the Township's overall goals and objectives. Consider new uses compatible with the existing community which allow for economic growth.
- Encourage the development of a diversified economic base that generates employment growth, increases property values and income levels, and promotes the reuse of under-utilized properties.
- Concentrate economic and commercial activities in existing centers of commerce.
- Recognize the unique character of each area, and promote development that takes advantage of market opportunities unique to Nutley.
- Capitalize on Nutley's competitive advantages for economic development including its metropolitan location, extensive transportation and utility infrastructure, land available for redevelopment, a stable and highly skilled labor force, and an excellent quality of life.
- Encourage redevelopment in areas that need rehabilitation or improvement.
- Create attractive gateways at the principal entrances to the Township through upgraded land uses, streetscape improvements and signage.
- Explore and promote greater linkages between the downtown, the park system and community facilities west of Franklin Avenue and the linear park system.
- Actively incorporate the arts and cultural activities into the downtown or other suitable areas to enhance its appeal as a destination for the arts.

## 2. *Residential*

- Preserve and maintain sound residential neighborhoods through preservation, rehabilitation and, where necessary, redevelopment of housing, traffic improvements and measures designed to reduce and eventually eliminate areas of incompatible mixed uses.
- Provide suitable senior citizen housing for all income levels.
- Provide affordable housing.
- Continue to provide housing for various income levels and family compositions.
- Encourage neighborhood preservation through a public and private partnership fostered by the municipality.
- Require all in-fill development to be undertaken in a manner that is consistent and compatible with the surrounding neighborhood and environment.
- In existing residential zones, provide appropriate density controls for new development.
- Ensure that the use of public and quasi-public land remains compatible with the character of adjacent neighborhoods and meets the needs of the public.
- Set limits on developments that would generate a high volume of traffic on local and collector streets.
- Encourage the preservation, maintenance, and restoration of all residential properties.

## 3. *Conservation*

- Preserve and enhance the quality of the environment.
- Encourage stormwater management controls for all new developments.
- Promote the conservation of energy through the use of planning practices designed to reduce energy consumption and to provide for maximum utilization of renewable energy sources.
- Promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs (Municipal Land Use Law, Chapter 291, Laws of New Jersey 1975).
- Encourage sustainable development practices.
- Establish the Township as a leader of sustainable practices through the adoption and implementation of environmentally responsible policies.
- Seek opportunities to add open space to the Township's inventory where other government or private funding is available.
- Maintain Nutley as a Tree Township, U.S.A. community.
- Conserve and protect as many environmentally sensitive areas in the Township as possible, including but not limited to waterways, wetlands and woodlands. Require new development to conform to rigorous performance standards so as to minimize potential adverse impacts on the environment.
- Support the goals and objectives of Nutley's Stormwater Management Plan and implement best management practices so as to improve local stormwater drainage patterns and enhance environmental protection.

- Maintain and upgrade the storm and sanitary systems.
- Reduce the extent of removal of existing trees so as to improve the Township's air quality, reduce erosion, and to preserve community character.
- Minimize the potential environmental impacts that could result from development and redevelopment.
- Protect groundwater resources and promote the recharge of groundwater.
- Incorporate the utilization of energy-efficient technologies in new development.
- Encourage the remediation of brownfield sites and their reuse in a sustainable manner.
- Promote and encourage the use of LEED (Leadership in Energy and Environmental Design) standards in all development.
- Promote development and redevelopment in existing nonresidential areas of the community that accommodate alternative modes of transportation and shared parking where possible.
- Encourage opportunities for increase mass-transit ridership where practicable and appropriate.

#### 4. *Circulation*

- Provide for the safe and efficient movement of people and goods throughout the community and encourage use of public transportation wherever possible.
- Support State and County efforts to adopt a regional approach in road and traffic management.
- Encourage NJ Transit or NJDOT to undertake a study evaluating the feasibility of installing a light-rail transit line directly to Manhattan or along the former Erie-Lackawanna line.
- Support the creation of a fully intermodal transportation system that enhances local circulation, increases regional access, and provides links to regional destinations.
- Coordinate land development with transportation investments which would provide for intermodal connections and encourage alternatives to driving such as mass transit, bicycle and pedestrian pathways.
- Evaluate the need for traffic calming measures in residential areas and provide bike lanes, where appropriate that connect activity centers to residential areas throughout the Township.
- Provide coordinated and consolidated management of all public and private parking facilities in Nutley.
- Develop a comprehensive long-term parking strategy.

#### 5. *Community Facilities/Utilities*

- Conduct the Township's planning program within the framework of a regional setting and fully cognizant of the needs and rights of the adjoining municipalities and of Essex County.
- Provide adequate community facilities to serve Nutley's residents in terms of schools, parks and playgrounds, a library, a senior citizens center, fire stations and other municipal buildings.

- Provide adequate community services for Nutley's residents, businesses and industry in terms of police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreation program, senior citizens services, sewerage, water supply and recycling pickup.
- Encourage the preservation of historic buildings and landmarks that are significant to Nutley's past by pursuing and adopting a historic preservation ordinance.
- Investigate the possibilities of consolidating or sharing of municipal services with other municipalities as a way to cut municipal expenditures.
- Dedicate sufficient resources to regularly scheduled infrastructure maintenance as part of an ongoing long-term maintenance strategy.
- Regularly review the adequacy of all municipal systems and services and assess future needs and demands.
- Cooperate with surrounding communities, County, and State organizations to make the best use of available public facilities.

#### 6. *Recreation and Open Space*

- Continue to provide improved and increased park, open space, recreational and cultural facilities for all Township residents.
- Cooperate with public and quasi-public institutions to utilize and maintain their undeveloped and underdeveloped land for open space or recreation.
- Review and, if necessary, amend current regulations to assure that quality open space is provided and maintained as redevelopment occurs.
- Encourage the use of high quality landscaping design and encourage the development of civic space and public art.
- Develop an increasingly diversified array of quality recreational and cultural facilities, services and offerings.

#### 7. *Community Identity*

- Encourage good design, amenity and landscaping in new and rehabilitated buildings.
- Develop and effectively communicate a strong and appealing identity for the Township.
- Create attractive "gateways" into the Township and improve the appearance of intermediate and major thoroughfares.
- Develop and implement streetscape improvements for major public thoroughfares.
- Preserve and protect historic resources and natural amenities.
- Preserve, restore, maintain and enhance the appearance of all Township properties.
- Encourage quality architectural and landscape design through the use of design standards.
- Retain the quality of aesthetically appealing neighborhoods.
- Promote the adoption of design standards to enhance the aesthetic appearance of all new development and redevelopment projects.
- Use available technology to improve the Township's communication with residents and other interested constituents.

## CHAPTER 3 LAND USE ELEMENT

### A. Introduction

The New Jersey Municipal Land Use Law requires that the Township Master Plan include a Land Use Plan Element. The purpose of the Plan is to guide the use of lands within the Township to protect the public health, safety, and welfare. The Municipal Land Use Law further requires that the Township may only adopt a zoning ordinance to regulate land use and the location of buildings and structures after the adoption of the Land Use Element. The law further requires that the provisions of the Township zoning ordinance or any amendment to the zoning ordinance shall either be substantially consistent with the Land Use Element or be designed to effectuate it.<sup>3</sup>

The Land Use Plan map which is included in this Element is based upon Nutley's vision for future growth, redevelopment, and conservation that maintains a compact pattern of development within the Township's borders. The Township envisions a vibrant Downtown, appropriate infill development, adaptive reuse of obsolete industrial and manufacturing uses and brownfield reclamation. Nutley's nonresidential areas and suburban development transitions at a linear greenway of preserved open spaces that extends along and adjacent to the Third River within the Township limits. A challenge presented to the Township is to preserve the existing character of the parklands and the natural buffers between these lands and the abutting private properties.

The Land Use Element also presents the standards for density and development intensity recommended for Nutley.

### B. Land Use Issues to be Addressed in the Master Plan

There are several land use issues which are addressed in the Land Use Element, as follows:

1. Permitted uses and bulk requirements were evaluated for all zoning districts in the Township. A particular emphasis was placed upon the following districts/areas:
  - a. Downtown (the B-3 and B-3A zones);
  - b. Washington Avenue from Belleville to Park Avenue (the B-4 zone);
  - c. The Hoffman-La Roche tract (the M-O zone);
  - d. East Centre Street (the B-4 zone); and
  - e. Standards to address residential infill development.

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<sup>3</sup> N.J.S.A. 40:55D-62.a.

2. There are several special development areas, which were evaluated for potential redevelopment/rehabilitation (See Chapter 9, Economic Development Plan Element). These special development areas include:
  - a. The Downtown;
  - b. The Washington Avenue/East Centre Street corridor;
  - c. The Atlantic Chemical property;
  - d. Hoffman-La Roche.
3. Addressing parking needs in the Downtown in particular and planning for parking demand associated with residential and commercial growth in targeted areas of the Township.
4. The Plan evaluates the current zoning for consistency with Nutley's existing land use pattern. There are several areas of the Township where changes in zoning are recommended so as to be consistent with existing land uses, while in other areas no change in zoning is proposed; as such, nonconforming land uses are encouraged to become a conforming use over time.
5. The types of uses in nonresidential districts are evaluated to reflect the type of development and redevelopment most appropriate for their respective districts.
6. Existing design and development standards were evaluated and recommendations were made to encourage high quality development.
7. The Land Use Element evaluates Nutley's strengths to capitalize on the attributes of the Third River, the established Downtown, proximity to the Garden State Parkway and Route 3, as well as to existing parks.
8. The Land Use Element recognizes flooding problems and the impacts of the Federal Emergency Management Agency Regulations and needed changes to encourage building outside of the 100-year floodplain.
9. The Land Use Element addresses appropriate infill for residential and commercial development.
10. The Land Use Element addresses the consistency of Township policies with the State Development and Redevelopment Plan (SDRP).
11. The Plan recognizes a need to provide affordable housing. Such requirements and recommendations were evaluated and included within a separate Housing Element and Fair Share Plan which was adopted in 2008, and incorporated by reference herein.
12. The Norfolk Southern rail line has, to date, not been identified for additional potential public transportation use. If the line is ever abandoned, a greenway or walking/bike trail should be explored.
13. The Land Use Element addresses the opportunities and constraints of the Downtown and actions that should be taken to encourage a more vibrant environment.

14. The Land Use Element addresses economic development priorities and implementation mechanisms.
15. The Land Use Element balances conservation, economic development, community facilities, utilities, circulation, housing, recreation, open space and recycling in the form of a Future Land Use Plan, which is described within this Element.

### C. Existing Land Use

Table 3-1 below tabulates approximate existing land uses by type in Nutley broken down by acreage and by percentage of developed or open land within the Township. Figure 3-1, Existing Land Use, graphically depicts the land use throughout the Township.

Cumulatively, over half (approximately 55 percent) of the land in Nutley is developed for residential use, including single- and multi-family. Approximately one-quarter of Nutley's land percent of Nutley consists of roads, road rights-of-way and utilities, which includes the right-of-way of the Garden State Parkway. Recreation and open space lands comprise more than 6 percent, while over 8 percent is commercial (retail and office).

**Table 3-1: Distribution of Existing Land Uses in Nutley, 2009**

Existing Land Use	Acres	Percent
Vacant (unimproved land)	10.1	0.5
Single-Family Residential	978.1	44.6
Two-Family Residential	91.6	4.2
Townhouse	55.3	2.5
Three to Four Family Residential	15.3	0.7
Five-Family Residential and Greater	77.6	3.5
Retail/General Commercial	90.4	4.1
Office/Bank	84.6	3.9
Daycare/Private School	3.3	0.1
Public/School/Government	51.1	2.3
Civic/Charitable	31.7	1.4
Utility/Transportation	521.7	23.7
Municipal Parking	5.8	0.3
Industrial/Warehouse/Flex	16.8	0.8
Parks and Open Space	137.1	6.3
Passaic River	25.4	1.2
<b>Total</b>	<b>2,194</b>	<b>100.0</b>

*Source: MOD-IV Tax Assessment Data from the Township of Nutley, updated by field survey and from the Township Tax Assessor*

Of the 2,194 acres in Nutley, approximately 92 percent of the land area is improved for residential, commercial, industrial, roads/rail/utility or public/civic and charitable uses. When including lands preserved for parks and open space that are permanently dedicated for recreational and open space purposes and the Passaic River, less than one (1) percent of the Township is privately-owned and available for development.

#### **D. Existing Zoning Map & Regulations**

The Township is divided into sixteen (16) zoning districts. These districts can be divided into five broad categories:

- Single and Two-Family Residential—including the R-1, R-1A, R-1AA and R-2 districts
- Multi-Family Residential—including the R-3, R-SC and PRD districts
- Commercial and Mixed-Use Districts—including the B-1, B-2, B-3, B-3A and B-4 districts
- Manufacturing and Industrial—including the M, M-O, M-1 districts
- Parks—P district

As shown in Table 3-2, the single- and two-family districts encompass almost 76 percent of the Township land area. With the exception of the Downtown area and commercial corridors, single and two-family districts are located throughout Nutley. Permitted uses include single-family homes, two-family homes (R-2 district only), home occupation and home professions and one-story garages housing no more than two motor vehicles.

Multi-family residential districts are located proximate to the Downtown and adjacent to the City of Clifton on Washington Avenue. The Township's multi-family districts permit townhouses, apartments and senior citizen apartments. These districts encompass 1.3 percent of the Township.

Commercial and mixed-use districts comprise 8 percent of the Township and are located predominantly along the Franklin Avenue corridor. Exceptions include a general business district on Washington Avenue and East Centre Street, Centre Street adjacent to Bloomfield Avenue, Passaic Avenue and Union Avenue, the Passaic Avenue and Kingsland Street intersection in addition to several other neighborhood commercial areas throughout town.

Manufacturing and industrial districts are located generally adjacent to the freight rail right-of-way in the northwestern and the southeastern portions of the Township, along the Passaic River in the northeastern portions of the Township and along Baltimore Street. Manufacturing and industrial districts comprise 6.3 percent of the Township's land area.

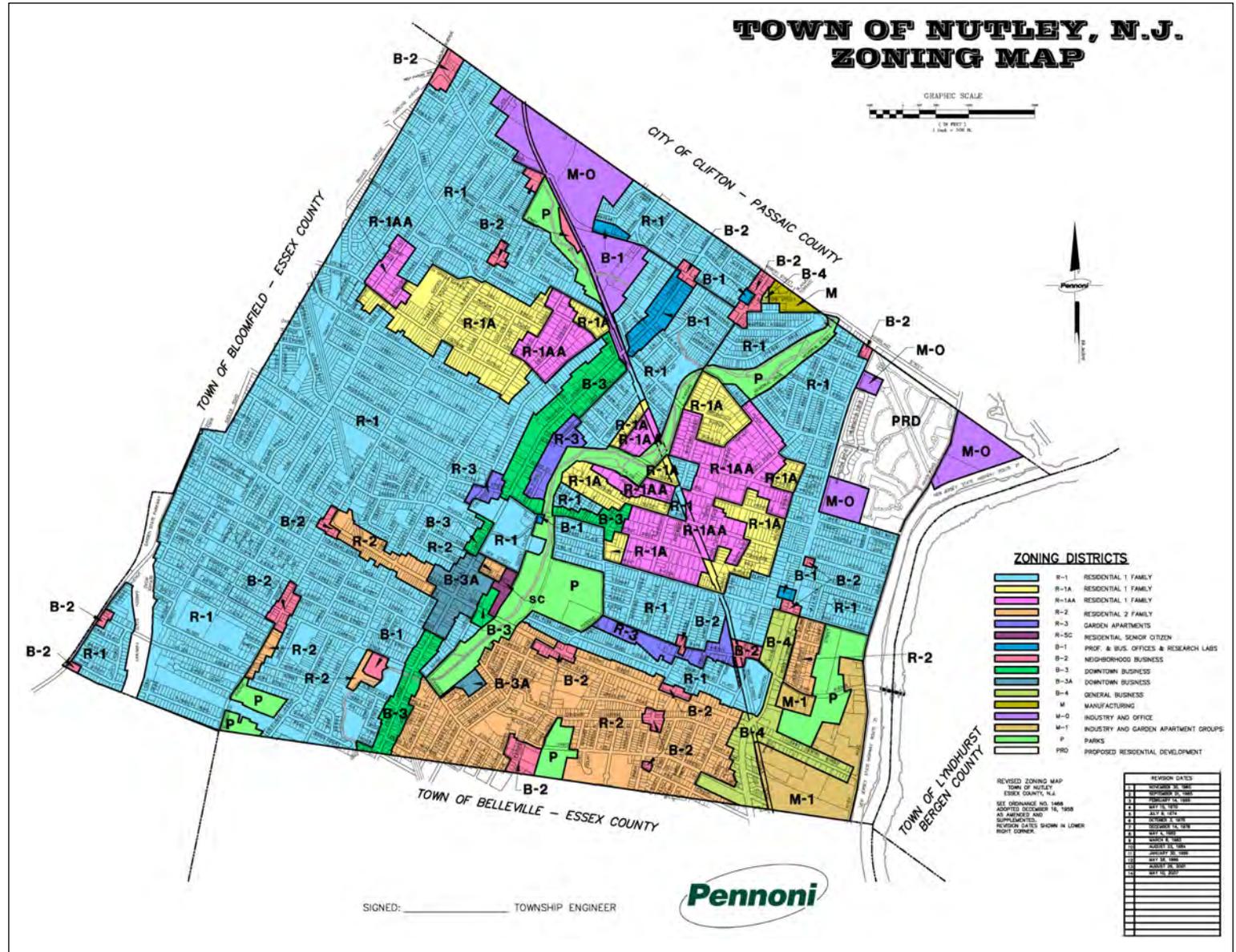
Parks and Open Spaces are located throughout the Township. A greenway bisects the Township adjacent to the Downtown, which extends from Harrison Street to the municipal border with Clifton. The Parks (P) district comprises six (6) percent of the Township's land area.

**Table 3-2 Land Area within Each Zoning District in Nutley**

Zone District	2012	
	Acres	Percent
Residential 1 Family (R-1)	1,163.5	53.0
Residential 1 Family (R-1A)	126.8	5.8
Residential 1 Family (R-1AA)	94.9	4.3
Residential 2 Family (R-2)	204.1	9.3
Garden Apartments (R-3)	25.7	1.2
Residential Senior Citizen (R-SC)	3.2	0.1
Professional & Business Office & Research Lab (B-1)	17.4	0.8
Neighborhood Business (B-2)	41.3	1.9
Downtown Business (B-3)	56.8	2.6
Downtown Business (B-3A)	20.1	0.9
General Business (B-4)	38.9	1.8
Manufacturing (M)	4.3	0.2
Industry and Office (M-O)	88.1	4.0
Industry and Garden Apartment Groups (M-1)	46.0	2.1
Parks (P)	132.2	6.0
Mixed Residential Development (PRD)	70.1	3.2
Route 21 and the Passaic River <sup>4</sup>	61.0	2.8
<b>Total</b>	<b>2,194</b>	<b>100.0</b>

<sup>4</sup> Approximately 61 acres of land associated with Route 21 and the Passaic River is not located within a zone district.

**Figure 3-2**  
**Existing Zoning**  
**Nutley Township**  
**Essex County, New Jersey**



## **E. Future Development Potential**

The development potential identified in this section is based upon analyzing vacant properties identified in the Township's Geographic Information System (GIS) and recently approved projects not yet built. The majority of opportunities for development in the future will result from redevelopment of existing properties. The amount of potential for redevelopment in terms of residential units and/or nonresidential square footage associated with redevelopment and rehabilitation projects is as follows:

- Redevelopment in the existing M-O district (Roche)
- M district (vacant building on Baltimore Street)
- M-1 district adjacent to East Centre Street
- Washington Avenue from King Street to Grant Avenue

As depicted in Table 3-1, the Township only has 10 acres of vacant unimproved land in private ownership. These properties are scattered throughout the Township.

## **F. Future Land Use Plan Strategy**

### *1. Proposed Strategy*

The Township's future land use strategy is to encourage a balance between beneficial growth and redevelopment, and the conservation of natural resources and open space. This is to be accomplished by focusing new growth in the form of redevelopment in the Township's Downtown and existing commercial and industrial areas while conserving, preserving and expanding existing parklands, the green belt adjacent to the Third River, ecologically sensitive areas, and open spaces. This strategy supports the Township's long-standing economic development priorities in support of the Township's suburban Downtown, corporate campus development where infrastructure and regional highway access exist, and where community facilities to support and serve the Township population and provide for new job creation and housing are in place. The Township will utilize its existing suburban footprint more efficiently through the redevelopment and rehabilitation of the Township's Downtown, by reclaiming brownfields and greyfields for beneficial economic development and through the adaptive reuse of existing developed sites. The Township will look to monitor and stabilize existing residential development.

The Township will continue to expand its open space system of passive and active open space to protect its environmentally critical lands and natural resources while providing opportunities for informal and formal sporting activities. The system will provide species habitat, protect water quality, control of flooding and provide for resource-based recreational opportunities, a desirable visual environment, and promote balanced land use in a compact, efficient and sustainable pattern of development within Nutley.

## 2. *Proposed Concept*

The Land Use Plan (shown in Figure 3-4) indicates the Master Plan's recommendations with respect to land use. Collectively, the Land Use Plan text and corresponding map indicate the proposed location and intensity of land for residential, commercial, industrial, public/quasi-public and other uses. The Land Use Plan is intended to guide the Township to develop more detailed land use regulations, which are regulated by the Township's ordinances. Given the fully developed character of the community, the Land Use Plan recognizes the existing distribution and character of land uses within the community. While no substantial changes in the Township's existing Zone Plan are proposed, the plan is designed to refine and further clarify the Master Plan's recommended approaches to balancing preservation and growth within Nutley. Future changes should support that effort.

In particular, the Land Use Plan was crafted to preserve but not expand the existing residential character of the community. With the exception of some minor changes to reflect existing land uses, the majority of changes proposed in the Land Use Plan are within the non-residential areas of the community. As described in this text of the Land Use Plan, these changes are designed to improve the economic base and aesthetic character of the Township's nonresidential districts.

### **G. Land Use Plan**

Figure 3-4 shows the recommended locations of land use in the Township in the future. Table 3-3 shows the distribution of different land uses from the Land Use Plan. The Land Use Plan, and its relation to the Township zone plan, is described in the following section. The recommended standards for development density and intensity for the Township zone plan are shown on Table 3-4.

The concept for Nutley's future land use is based upon the following generalized land use areas shown on the Land Use Plan (see Figure 3-4 and Table 3-3):

- Downtown
- Neighborhood Commercial
- Corporate Campus
- Office
- General Commercial
- Age Restricted
- Single-Family, Single-Family and Two-Family Residential
- Multi-Family Residential

**Figure 3-3**  
**Land Use Plan**  
**Nutley Township**  
**Essex County, New Jersey**

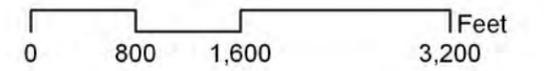
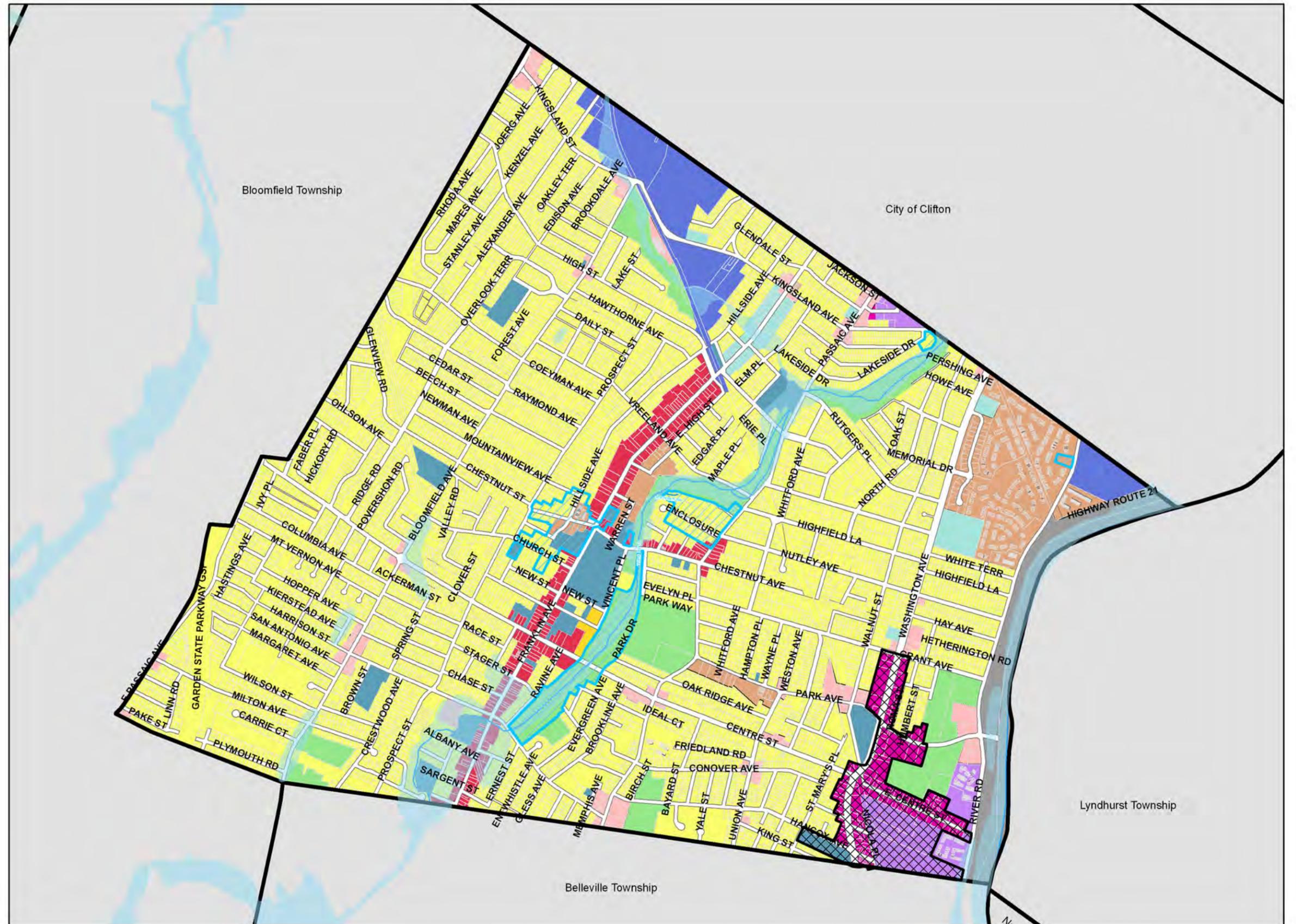
**Legend**

**Overlay Areas**

-  Special Economic Development
-  Historically Significant\*
-  100 Year Floodplain

**Future Land Use**

-  Office
-  Corporate Campus
-  Neighborhood Commercial
-  General Commercial
-  Downtown
-  Industry/Manufacturing
-  Single-Family/Two-Family Residential
-  Age Restricted Residential
-  Multi-family Residential
-  Public and Private Recreation and Open Space
-  Transportation - Route 21
-  Public/Quasi Public



- Industry/Manufacturing
- Public and Private Recreation and Open Space
- Transportation
- Overlay Districts

The distribution of future land use areas on the Land Use Plan is shown in Table 3-3 below. A brief description of each category follows, with a more detailed analysis and recommendations provided in subsequent sections.

**Table 3-3: Distribution of Land Uses in Land Use Plan, 2012**

Land Use	Acres	Percent
Downtown	74.5	3.4
Neighborhood Commercial	50.8	2.3
Corporate Campus	74.5	3.4
Office	26.6	1.2
General Commercial	45.4	2.1
Age Restricted	3.1	0.1
Single-Family, Single-Family and Two-Family Residential	1,589.9	72.5
Multi-Family Residential	95.4	4.6
Industry/Manufacturing	36.9	1.7
Transportation	60.2	2.7
Private and Public Recreation and Open Space	136.4	6.2
<b>Total</b>	<b>2,194</b>	<b>100.0</b>

Source: Phillips Preiss Grygiel LLC

1. **Downtown** – The Downtown represents the center or commercial core of Nutley. Two areas—Franklin Avenue and Centre Street, and Franklin Avenue and Chestnut Street—each serve as the heart of the downtown. What is considered the Downtown area actually extends for several miles from the intersection of Harrison Street and Franklin Avenue to the intersection of High Street and Franklin Avenue. It is suggested that there be separate, identifiable parcels within the Downtown that may be considered separately for zoning and land use purposes. A greater level of detail for this land use category is provided in the proceeding section of this Land Use Element.
2. **Neighborhood Commercial** – Located throughout town and primarily adjacent to existing residential areas, these areas provide for necessary commercial uses of a convenience nature within residential areas. These uses are intended to provide establishments which

Table 3-4: Recommended Development Density and Intensity Standards (Page 1 of 3)

Zone	Principal Use	Minimum Lot Area (sq. ft.)	Maximum Net Density (units per acre)	Floor Area Ratio (FAR)	Principal Building Height (stories/ft.)	Lot Coverage (%)	Impervious Coverage (%)	Notes/Recommendations
R-1	1-Family	Interior Lot: 5,000	8.7	N/A	2.5/30	35	65	A sliding scale approach to building and impervious coverage maximums should be considered as part of ordinance revisions
		Corner Lot: 6,000	7.3					
R-1A	1-Family	Interior Lot: 6,500	6.7	N/A	2.5/30	35	60	A sliding scale approach to building and impervious coverage maximums should be considered as part of ordinance revisions
		Corner Lot: 6,500	6.7					
R-1AA	1-Family	Interior Lot: 7,000	6.2	N/A	2.5/30	35	55	A sliding scale approach to building and impervious coverage maximums should be considered as part of ordinance revisions
		Corner Lot: 7000	6.2					
R-2	1 Family	Interior Lot: 5,000	8.7	N/A	2.5/30	35	65	A sliding scale approach to building and impervious coverage maximums should be considered as part of ordinance revisions
		Corner Lot: 6000	7.3					
	2-Family	Interior Lot: 7,000	12.4					
		Corner Lot: 7,500	11.6					

Table 3-4 (Continued) (Page 2 of 3)

Zone	Principal Use	Minimum Lot Area (sq. ft.)	Maximum Net Density (units per acre)	Floor Area Ratio (FAR)	Principal Building Height (stories/ft.)	Lot Coverage (%)	Impervious Coverage (%)	Notes/Recommendations
R-3	Garden Apartment	43,560	20	N/A	2.5/30	25	60	
	Townhouse	43,560	16					
R-SC	Age-restricted Housing	36,000	87	N/A	2.5/30	32	80	
B-1	Office and Business	5,000	17.4 (apartments)	N/A	2.5/30	45-50	N/A	Include a density standard reflective of the 2,500 square foot bulk requirement
B-2	Neighborhood Business	5,000	17.4 (apartments)	N/A	2/30	45-50	N/A	Include a density standard reflective of the 2,500 square foot bulk requirement. Create a maximum building setback requirement.
B-3	Downtown Business	3,000 (nonresidential only)/ 5,000 (mixed use)	No standard	N/A	3/40	80	N/A	Increase building coverage to 80%. Create a maximum building setback requirement.
B-3A	Downtown Business	5,000	No standard	N/A	3/40	90	N/A	Increase building coverage to 90%. Increase building height to 40 feet. Create a maximum building setback requirement.
B-4	General Business	5,000	N/A	N/A	2/25	60	N/A	
M	Manufacturing, Warehouse	10,000	N/A	N/A	2/40	50	N/A	Lower building stories commensurate with industry standards.

Table 3-4 (Continued) (Page 3 of 3)

Zone	Principal Use	Minimum Lot Area (sq. ft.)	Maximum Net Density (units per acre)	Floor Area Ratio (FAR)	Principal Building Height (stories/ft.)	Lot Coverage (%)	Impervious Coverage (%)	Notes/Recommendations
M-1	Industrial/Flex/Warehouse	10,000 (Industry)		N/A	2.5/40 2.5/30 (apartments)	50 – Industry 25- Apartment	N/A	Lower building stories commensurate with industry standards
		43,560 (Garden Apartments)	20					
M-O	Industry and Office	2 acres	87	N/A	4/50	50	80	Reduce building height consistent with existing development.
PRD	Planned Residential Development	Townhouse – 9.25 DU per acre (4,709 sq. ft.) Single-Family – 6,500	9.25 – Townhouse 6.7 – Single-Family House	N/A	3/35 Townhouse 2.5/30 Single-Family	25-30	55 – tract	
CHE	Corporate/Hotel/Entertainment	Office/Hotel/Entertainment		1.0	8/100	N/A	65	Create new zone

serve the everyday needs of the surrounding neighborhood. They should be designed to allow for convenient pedestrian circulation, common parking and a village-type atmosphere.

3. **Corporate Campus** – These land uses are located along the north side of Kingsland Street from Edison Avenue to approximately Hillside Avenue, and on River Road in the northeast corner of the Township. These areas are proposed to allow for class “A” office and research facilities and manufacturing associated with single-user research and developments. This Master Plan recommends that this zone should include hotel, convention and meeting facilities, restaurant (banquet center and traditional restaurant) and entertainment facilities (movie theaters, theater and music venues). These areas are not viewed as appropriate for residential development or mixed-use development.
4. **Office (General)** – These land uses are located along Franklin Avenue from the railroad bridge to one parcel south of Kingsland Street (on both sides of Franklin Avenue), on Kingsland Avenue at two locations, along Washington Avenue at three locations, and adjacent to the Municipal Building on Chestnut Street. These areas are proposed to allow of-fice development within pitched roof buildings, with the exception of the office locations along Washington Avenue. The purpose of this zone is to allow for redevelopment or the rehabilitation of buildings with the intent to maintain the character of the district.
5. **General Commercial** – Located along Washington Avenue and East Centre Street, the general commercial area represents a special future economic development opportunity for the Township. These are not viewed as sites for increased residential development or mixed-use development.
6. **Age Restricted/Senior Services** – This classification identifies areas of the Township that currently provide for age-restricted housing. It includes the Nutley Senior Manor located on Vincent Place and Nutley Parkside Apartments located on William Street.
7. **Single-Family, Single-Family and Two-Family Residential** ~ Residential districts comprise over 77 percent of the Township. Located throughout the Township and almost entirely built-out, these districts have an established character. Pressure exists for additions and tear-down/replacements of houses. Investments to encourage revitalization should be balanced with the preservation of existing character and retention of high-quality neighborhoods.
8. **Multi-Family Residential** – Multi-family residential districts comprise over four (4) percent of the Township. The R-3 multi-family residential district is primarily located adjacent to Franklin Avenue, and on Park Avenue between Passaic Avenue and the freight rail right-of-way. The R-3 district provides for multi-family housing in Nutley. The 70-acre Planned Residential Development District provides for townhouses and stacked apartment flats and limited single-family development within a single comprehensive development.

9. ***Industry/Manufacturing*** – Industrial and manufacturing areas of the Township are located adjacent to the Planned Residential Development district; East Centre Street and River Road and along Baltimore Avenue.
10. ***Public and Private Recreation and Open Space*** – This category includes active and passive recreation resources in the Township. It includes the Township’s greenway located along the Third River, and county and municipal parks located on Township and County recreation and open space inventories (ROSI).
11. ***Transportation*** – This category represents lands encompassing those portions of the Garden State Parkway and Route 21 in Nutley.

#### H. **Downtown Plan**

The Downtown commercial area covers approximately 75 acres, or less than 4 percent of Nutley's total land area. The Downtown encompasses areas appropriate for the highest density and intensity of mixed-use. The Downtown includes the Township's central business district that runs along Franklin Avenue from the Belleville Border to High Street, and along Chestnut Street from Franklin Avenue to just past Passaic Avenue.

##### 1. *Existing Land Use*

The Franklin Avenue business district consists of four (4) distinct segments (see Figures 3-5 through 3-7). The southern segment runs from the Belleville Border (Tremont Place) to Harrison Street. It includes a professional building, a bakery, a pork and pasta store, a drug store, a fast food restaurant, an Italian specialty shop, a gas station, and many other businesses.

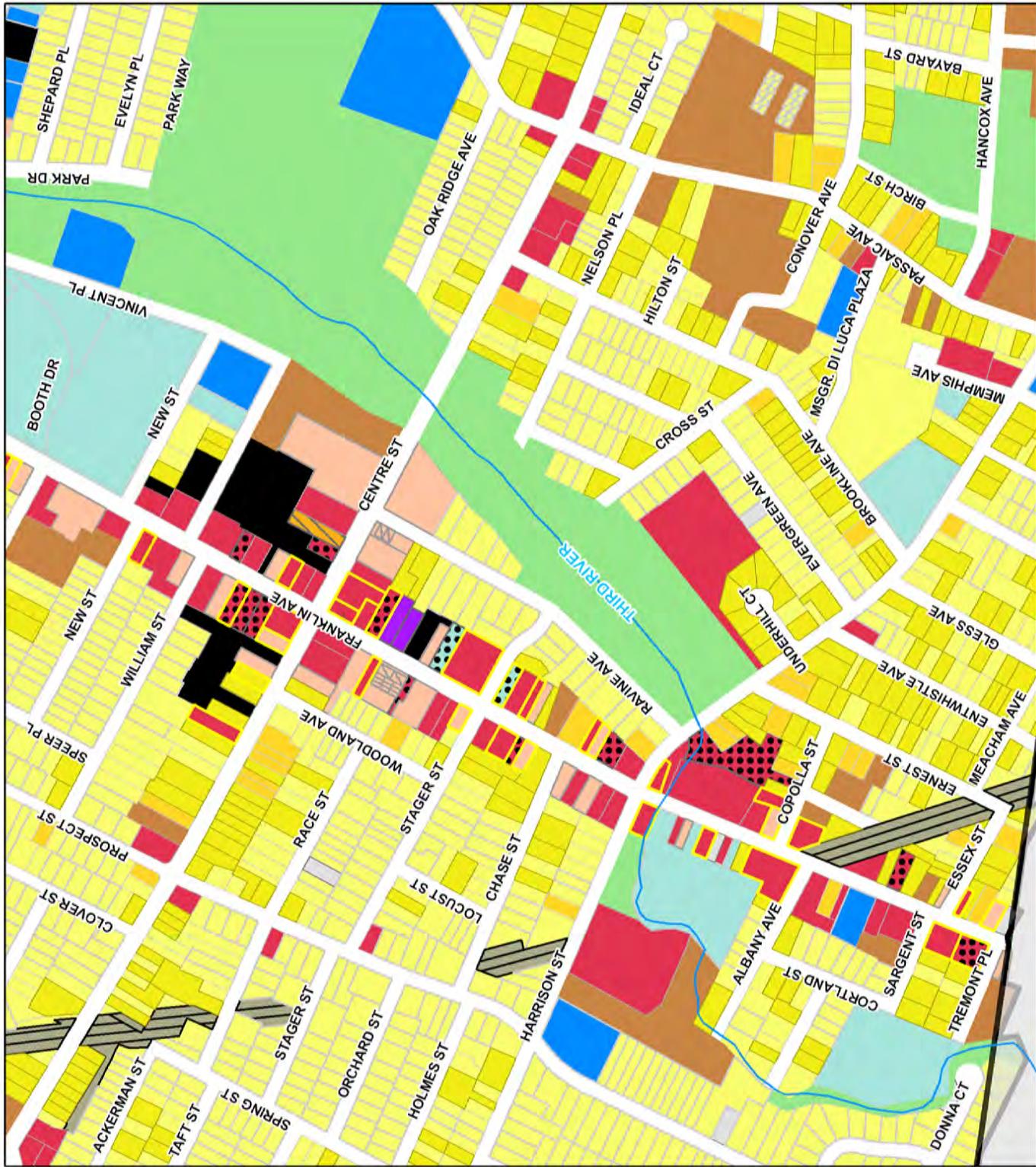
The central segment begins at Harrison Street and runs north to Chestnut Street. It contains a restaurant, a food store, an insurance agency, a realtor, a liquor store, a gas station, a bank, a restaurant, a café, a restaurant, Nutley High School, John Walker Middle School and many other businesses. Chestnut Street contains several quasi-public uses on the south side of the street and a mix of retail, residential and restaurant uses on its northerly side.

The north-central segment begins at Chestnut Street and extends to Vreeland Avenue. It contains several banks, a Shop-Rite supermarket, a post office, a coffee shop, a funeral home, an appliance store, restaurants, a wine shop and many other businesses.

The northern end of the district, from Vreeland Avenue to High Street contains traditional mixed-use buildings with retail or restaurant uses on the ground floor with apartments on upper floors and residential style buildings that have been tastefully converted to commercial uses.

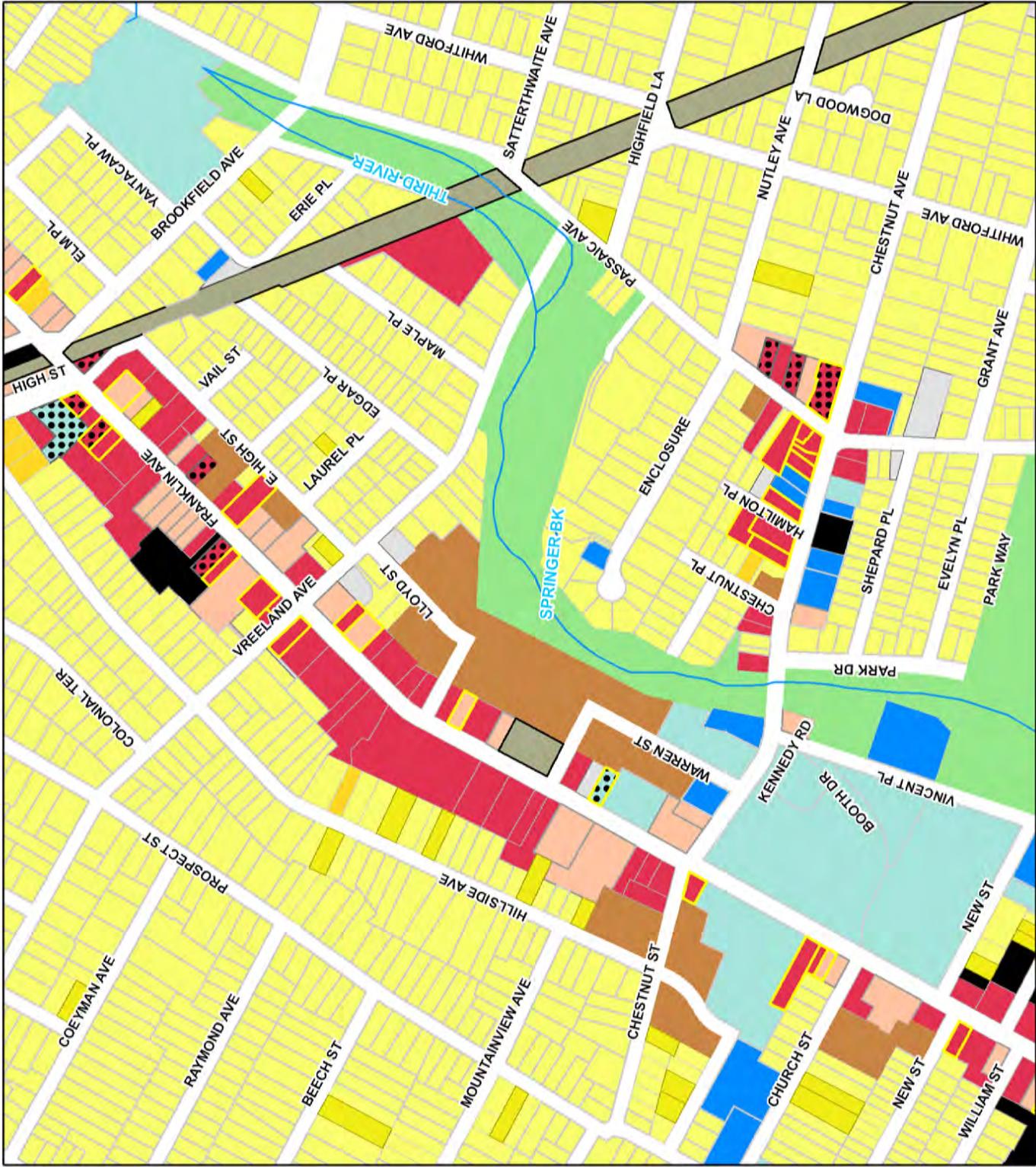
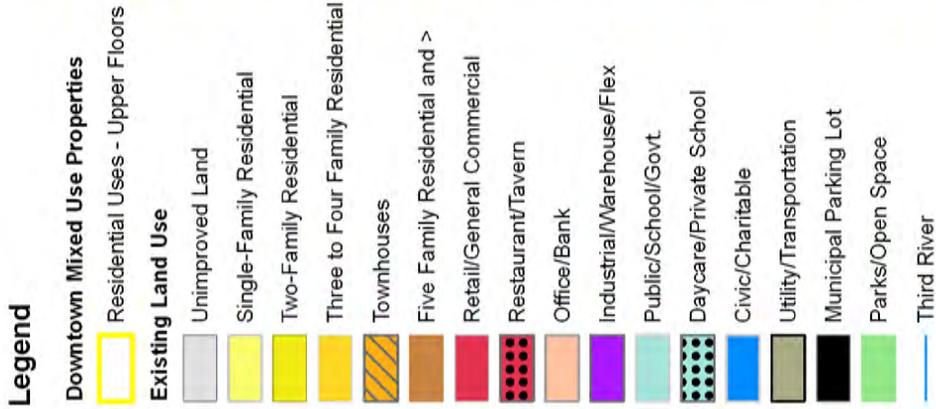
**Figure 3-4**  
**Existing Land Use**  
**Downtown Area - 1**  
**Nutley Township**  
**Essex County, New Jersey**

- Legend**
- Downtown Mixed Use Properties**
  - Residential Uses - Upper Floors
  - Existing Land Use**
  - Unimproved Land
  - Single-Family Residential
  - Two-Family Residential
  - Three to Four Family Residential
  - Townhouses
  - Five Family Residential and >
  - Retail/General Commercial
  - Restaurant/Tavern
  - Office/Bank
  - Industrial/Warehouse/Flex
  - Public/School/Govt.
  - Daycare/Private School
  - Civic/Charitable
  - Utility/Transportation
  - Municipal Parking Lot
  - Parks/Open Space
  - Third River



This map was prepared utilizing NJDEP and FEMA digital data, but this secondary product has not been verified by NJDEP or FEMA.

**Figure 3-5**  
**Existing Land Use**  
**Downtown Area - 2**  
**Nutley Township**  
**Essex County, New Jersey**

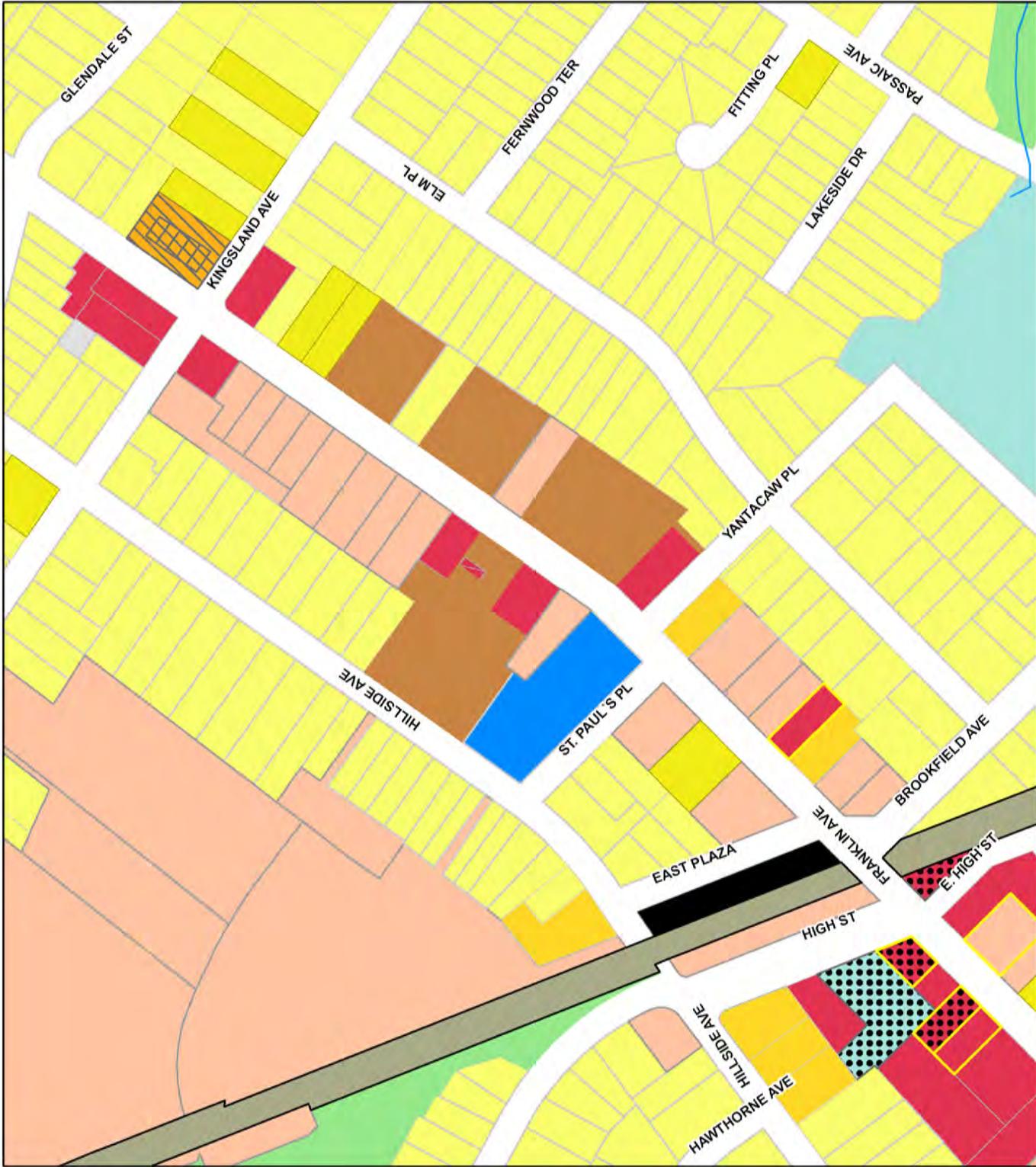
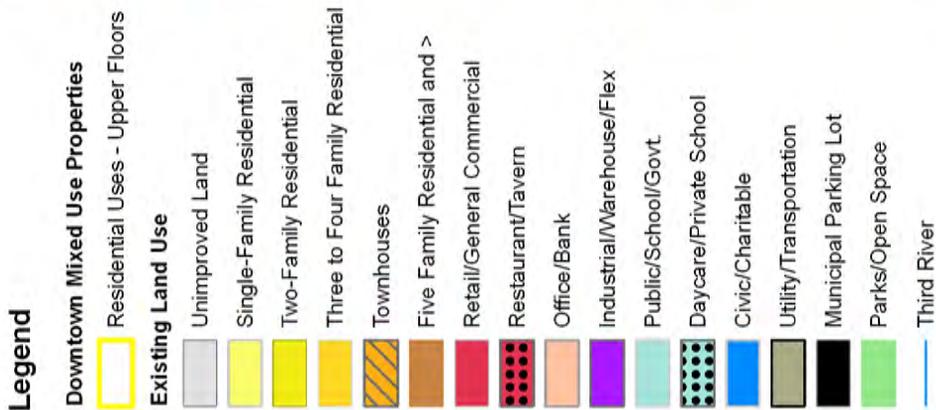


↑ Feet  
 0 255 510 1,020

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This map was prepared utilizing NJDEP and FEMA digital data, but this secondary product has not been verified by NJDEP or FEMA.

**Figure 3-6**  
**Existing Land Use**  
**Downtown Area - 3**  
**Nutley Township**  
**Essex County, New Jersey**



Feet  
 500  
 250  
 0

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This map was prepared utilizing NJDEP and FEMA digital data, but this secondary product has not been verified by NJDEP or FEMA.

The northern district runs from the railroad bridge (High Street) to Kingsland Avenue. It contains several medical and legal offices, other professional offices, a hair salon and limited retail uses.

Retail and service businesses can be found on virtually every block within the downtown. Most merchants are local entrepreneurs. However, national and retail chains operate on Franklin Avenue. They include two fast food establishments, a pizza takeout store, two ice cream parlors, a coffee house, drug store, cellular wireless store, and a supermarket, in addition to several national banks. Restaurants, delicatessens and takeout food can be found throughout the downtown. There are several pizza parlors and Chinese restaurants. Full-service sit down restaurants are common, including Italian restaurants, ethnic food restaurants, steak houses and traditional family restaurants.

Virtually all the space on Franklin Avenue and Chestnut Street in the downtown area predates 1970. Moreover, the majority of buildings are at least sixty to seventy years old. In comparison to surrounding towns such as North Arlington, the majority of lots have sufficient depth—ranging from 125 to 175 feet deep—to provide for modern mixed-use buildings. The majority of shops are owned and operated as “mom and pop” stores providing retail sales, service and dining uses. Second-level shops are not found on Franklin Avenue or Chestnut Street. Apartments over stores are located throughout the Franklin Avenue corridor from the Belleville border to approximately High Street, with the Shop-Rite supermarket, the High School and the Middle School as the exceptions. A few retail buildings have second floor office space, but this use is not currently in high demand.

While many New Jersey downtowns have experienced store closings during the recession that began in 2007, Nutley’s downtown has relatively few vacancies. Existing land uses are predominantly commercial, consisting of retail sales, personal service uses, food service uses, and office uses. There are residential uses on the upper floors of buildings. The area also includes public and quasi-public uses, such as places of worship. The downtown functions as the Township’s central business district and primary shopping, entertainment and service destination.

## *2. Downtown Policies*

Included in Chapter 2 - Goals and Objectives, are specific objectives for the Downtown. This Plan recognizes that a downtown is a constantly changing place. While reinvestment in properties and changes in use are healthy, caution should be exercised in regard to policies and practices that could alter those qualities of the Downtown that make it unique. To this end, Nutley should strive to retain buildings that exhibit specific architectural style. Examples include: Nutley High School, John Walker Middle School, the Art Deco building at the corner of Franklin Avenue and Chestnut Street. Those buildings which do not exhibit historic or meritorious architecture are more appropriate for renovation or redevelopment. Accordingly, the design and land use review of such buildings should be more flexible. As part of all Downtown projects, Nutley should continue to encourage the use of superior building materials. It is recommended that the

Township incorporate architectural design review as part of its site plan review process. The initial review of plans for Downtown properties should incorporate recommendations focused on promoting consistency in design and architecture as redevelopment and façade improvements occur.

The Plan for the Downtown is intended to provide opportunities for mixed use of retail, office and residential uses in the same building, while creating a pedestrian-focused environment. Commercial uses including retail sales, retail services, with design standards to retain window transparency, are encouraged. Offices and residential apartments on upper floors, parking facilities, restaurants and theaters—subject to conditions—are also appropriate uses in the Downtown. Retail development should be permitted on all building levels without a requirement for accompanying residential or office uses. Banking, professional services and medical office space are appropriate and compatible uses that can complement current uses in the Downtown.

### 3. *Zoning*

Per the Township's zoning ordinance, the Downtown area is zoned B-3 and B-3A Downtown Business. Permitted uses include a wide range of commercial and institutional uses—retail business and service establishments, offices, government and essential services and uses, and public utilities. The minimum lot size is 5,000 square feet, with a 50-foot minimum lot width and frontage, and a minimum lot depth of 100 feet. A three-foot front yard setback is required in the B-3 district. No minimum front setback is required in the B-3A district. Furthermore, no side yard setbacks are required. A 30-foot rear-yard setback is required in the B-3A district and a 10-foot rear yard setback requirement or a percentage of the height of the building (when adjoining an R Zone) is required in the B-3 district. The permitted building height in the B-3 district is 40 feet, or 3 stories, and 25 feet or 2 stories in the B-3A district. In 2011 the Township adopted an ordinance limiting the hours of certain defined businesses in all zones to preserve the Township's character.

Because the B3-A district has stringent bulk requirements, many properties in the Downtown are nonconforming with respect to building height, rear-yard setback and parking. In their review of new development or redevelopment, it is important that both the Township Planning Board and Board of Adjustment take into account the fact that existing structures in the Downtown predate the zoning ordinance. With respect to bulk and parking requirements, many properties cannot be developed without granting several variances.

The list of permitted uses in the Downtown should be expanded to include and permit performing and fine art schools and similar uses on upper floors in the Downtown. Drive-through facilities and auto dominant uses should be prohibited, i.e., auto repair, gasoline sales, car dealers and other similar uses. Art galleries should also be permitted in the Downtown subject to conditions. Professional and business offices, which currently are restricted, should be permitted on the first floor. Financial institutions (without drive-through lanes) are an appropriate use in the

Downtown. Banquet facilities should be permitted on upper floors subject to meeting Township parking requirements. Medical offices should be permitted on the first floor. Finally, bowling alleys, given the low demand for such uses and the large area of land required to accommodate such a use, should be removed as a principal permitted use in the B-3 district. Furthermore, consideration should be given to conditionally permitting structured and surface parking facilities as principal uses in the Downtown.

#### 4. *Parking*

A significant issue in the Downtown is the availability of parking. Figure 3-8 shows the location of parking lots in Nutley. Parking meters within these lots provide for a variety of parking needs. Three-hour meter parking provides midterm parking for Downtown shoppers. Nine (9) hour meter and 9-hour permit spaces provide Downtown employee parking. Twelve (12) hour meter and permit spaces provide commuter parking spaces. The predominant parking provided in the Downtown is for commuters, with 51.3 percent of the meters providing 12-hour parking, followed by shopper parking, with 26.1 percent 3-hour parking, with downtown employee parking last, with 20.2 percent 9-hour parking. Just over two (2) percent of the spaces are reserved for handicapped individuals.

Off-street parking areas are a necessary component for most development. Their location and appearance can impact the image of the development along a corridor. Parking lots must be designed to facilitate the movements of pedestrians as well as the storage and circulation of vehicles. Since pedestrians must navigate the parking lot on foot, the design of the parking lot must meet pedestrian needs for convenience, safety, and visual comfort. To retain a “main street” environment, parking lots and loading areas should be located behind store fronts so as not to provide gaps in the retail “streetwall” of the Downtown. Small parking lots between buildings may be appropriate if no other alternative exists, but the design of the lot should continue the street wall by means of an attractive masonry wall, or similar urban design technique. Structured parking must either be placed in unobtrusive locations or wrapped with aesthetically appropriate storefronts at the street level. Parking lots need to be designed to make a positive contribution to the image of the Downtown.

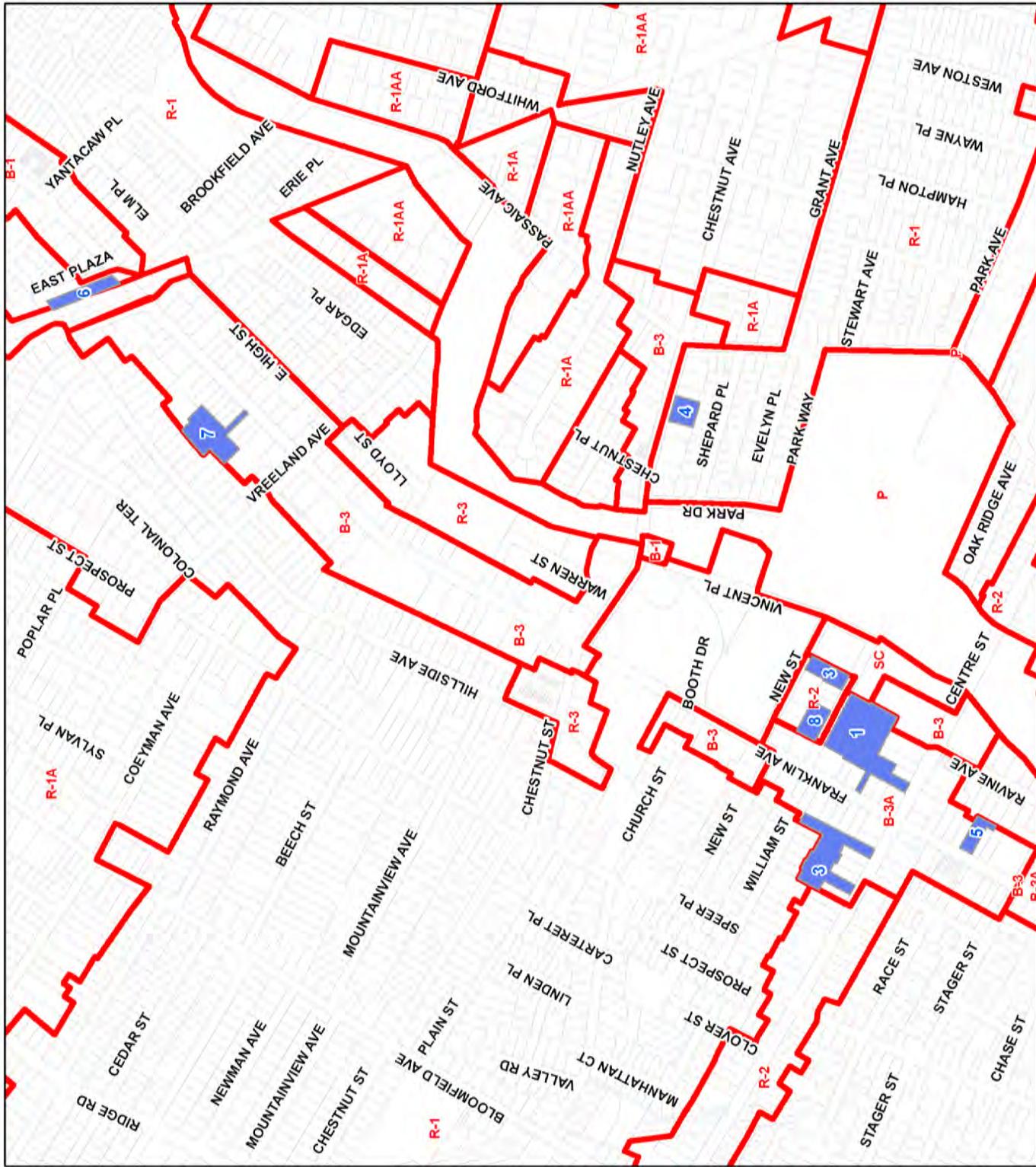
A principal asset within successful downtowns is the inclusion of enough—but not too much—parking. Too much parking will reduce the pedestrian friendliness and wastes space that could otherwise be used for development. Too little parking can undermine the economic viability of a project or may force individuals to park in adjoining residential neighborhoods. This Plan recommends providing off-street parking as part of all new residential development.

This Plan recognizes the potential for property owners to add to the intensity of development on downtown lots by expanding vertically, that is, by constructing additional stories under current and proposed development standards. To serve the parking needs of this additional floor area, this Plan specifically recommends that additional off-street parking be provided.

**Figure 3-7**  
**Existing Municipal**  
**Downtown Parking Lots**  
**Nutley Township**  
**Essex County, New Jersey**

**Legend**

-  Municipal Parking Lots
-  Zone Districts



↑ Feet  
 0 350 700 1,400

←

This map was prepared utilizing NJDEP and FEMA digital data, but this secondary product has not been verified by NJDEP or FEMA.

## 5. *Marketing*

The Township has made the retention of existing businesses and the capture of new destination businesses a priority for the Downtown. Nutley created a façade improvement program, which provides matching grants to local businesses. The Township also continues to make streetscape improvements throughout the downtown. These programs help to reinforce a historic, “main street” environment, which many shoppers find an appealing aspect of downtown shopping. Nutley should build upon these efforts to create a regional market niche and a distinguishable identity.

Nutley residents must travel a considerable distance (10-15 miles) along congested regional highways to reach large regional malls. The absence of specialty shops in the downtown makes trips to a mall a necessity when purchasing clothes, shoes, gifts, housewares, pet supplies or books. There are five malls in the region which draw Nutley residents; Newport Centre in Jersey City, Willowbrook Mall in Wayne, Garden State Plaza and Bergen Mall in Paramus and Riverside Square in Hackensack. A large shopping mall is under construction and substantially complete adjacent to Giants Stadium. In addition, other community shopping centers, given their relative proximity to Nutley, including Clifton Commons located between Route 7 and Route 3 at Washington Avenue and commercial development along Route 3, also provide comparison shopping opportunities. Clifton Commons contains a supermarket, convenience stores, a cinema, and other big-box retail stores. This location is just outside of Nutley.

Over the past decade numerous restaurants have opened in Downtown Nutley—along both Franklin Avenue and Chestnut Street. Nutley may consider itself a restaurant destination as part of creating an identity and market niche. This Plan recommends basing downtown recruitment and expansion efforts on these established restaurants. Furthermore, as restaurants attract activity in the downtown during evening hours, efforts should be made to encourage stores to stay open late during busy evenings for restaurants (Thursday through Saturday). The Chamber of Commerce, as well as the possible creation of a business improvement district (see description in the following paragraph), or the hiring of a downtown manager, could help in this effort. This Plan recognizes this goal as a primary approach to capturing additional comparison shopping stores in the downtown. The Township has utilized this concept in attracting new shoppers to the downtown through the establishment of a seasonal farmers market and staging periodic events and festivals.

Most successful downtowns have utilized a business improvement district (BID) to assist in downtown marketing, business attraction, business retention, overseeing of downtown events, as well as other duties. A BID is a public-private partnership in which businesses in a defined area pay an additional fee or assessment in order to fund improvements to the district's public realm and trading environment for the benefit of all retail establishments. BIDs are quasi-governmental entities composed of businesses with the authorization of the local government or municipality. BIDs often are operated by not-for-profit partnership organizations, and overseen

by a board of directors. As an alternative to creating a BID, a downtown manager should oversee downtown projects and activities.

## 6. *Aesthetics*

Many buildings have been refaced or have had their facades rehabilitated over the years. While most of the façade improvements were completed in an appropriate manner, i.e., use of appropriate and attractive materials, some are inconsistent with the existing and surrounding buildings' architectural styles. As part of ordinance revisions associated with master plan implementation, additional design standards and guidelines should be incorporated into the Township's code to address this issue. Additional standards should not be onerous to business owners. Rather, the intent would be to treat the downtown similar to the business practices of a mall. In such an environment, practices of one store could lessen the desirability of the district and reduce the revenue for a neighboring business. Ordinance design standards to improve the downtown's appearance should be drafted with the input of businesses and their leadership over time. The design ordinance should clarify the right and wrong way to conduct building improvements.

Although sidewalks are relatively narrow, opportunities exist to incorporate street trees in the downtown. Additional street trees are necessary to improve the perception of the downtown to shoppers, encourage shoppers to stay longer (primarily during summer months) and to increase visual interest. To further build upon the theme of aesthetics, the Township should adopt an ambient light ordinance to create appropriate "soft" lighting in the downtown.

## 7. *Assets & Liabilities*

Nutley's Downtown has many assets, which include:

- A stable middle- to upper middle-class community with a diversity of housing types
- Franklin Avenue has many civic uses that generate patronage for area businesses. These include the Municipal Building, the high school, the middle school, the post office, public library and police and fire department buildings
- An excellent park system adjacent to the downtown
- Excellent indoor recreation space at Nutley High School
- A heavily traveled "Main Street" (Franklin Avenue)
- Most Nutley residents live within walking distance of Franklin Avenue and Chestnut Street
- A strong sense of community and the willingness to "adopt the Downtown."

Downtown area liabilities include:

- Lack of anchor retailers that would regularly draw repeat shoppers

- The current mix of small convenience stores and offices serve basic needs, but will not draw many customers beyond five miles
- Home furnishings, electronics, clothing and other specialty retailers are limited in the downtown
- Professional and service offices are scattered throughout the business district. They occupy small storefronts that could be better used by retail stores
- Older buildings do not provide the type of store spaces desired by top quality national chain retailers
- Rite Aid, while an important use, does not serve as an anchor tenant as the building is a standalone store, and is not pedestrian-oriented
- While the downtown is well maintained and storefronts have been improved, opportunities exist to create a more “quaint” downtown, which many shoppers find desirable
- Store hours are not consistent or predictable.

## 8. *Recommendations*

### a) **Development Intensity**

The Downtown is located within the B-3 and B-3A zoning districts. The existing districts in the Downtown are primarily located adjacent to existing single-family and two-family residential neighborhoods. With the exception of recent façade changes, the physical makeup or size and location of buildings have remained relatively unchanged during the past several decades. As expressed in the Zoning section, numerous nonconforming buildings exist within the downtown.

Under the existing schedule of regulations, the B-3 and B-3A districts have standards relating to minimum lot size, lot width, depth, front yard setback, rear yard setback, maximum building stories, maximum building height and maximum building coverage. The recommended development standards for the downtown zones are located in Table 3-4. Generally, the master plan recommends relaxing those bulk standards to allow for a vertical expansion of one- and two-story buildings, but not to permit a maximum height above three stories. A height above 3 stories is not considered appropriate due to concerns related to access to light and air on adjacent properties.

### b) **Creating Subdistricts in the Downtown**

During public input and stakeholder meetings, many individuals expressed a need to create sub-districts within the downtown to better reflect existing uses and businesses along the Franklin Avenue corridor. As the downtown districts currently permit a full range of uses, allowing a wide variety of uses is still recommended. However, this Plan recognizes specific development opportunities along the west side of Franklin Avenue adjacent to High Street and adjacent to

municipal parking lot #1 in the downtown. The Economic Plan element discusses these areas and implementation techniques in greater detail (see Chapter 9).

**c) Feasibility of Residential Uses in the Downtown**

Housing can continue to be an important component of the Downtown, with an abundant and diverse mix of housing (large and small) located within and surrounding the Downtown. Downtown housing should reinforce the connections between residents and the Downtown and create a sense of neighborhood. It should also help to reduce residents' dependence on the automobile. Nutley has excelled in incorporating residential housing within or near the downtown. This Plan recognizes that residential uses on upper floors can share off-street parking with retail, office and other non-residential uses in Downtown, thereby reducing the amount of off-street parking that has to be provided for new development.

**d) Street Level Uses**

The B-3 district permits a range of retail, office and restaurant uses on the ground and upper floors. The B-3 district also permits mixed-use buildings for commercial and residential uses. This Plan recommends clarifying that residential uses shall be permitted only on upper floors of buildings. The B-3A district permits non-drive-through restaurants, takeout food establishments, theaters, a range of retail sales and service uses and mixed use buildings containing retail, service and office uses. Within the downtown, office uses should only be permitted on upper floors of buildings.

**e) Business Retention and Attraction**

Downtown Nutley is an established shopping and employment center. Downtown Nutley contains a mix of "mom and pop" stores and several national retailers. While retaining a strong collection of "Mom and Pop" or local businesses is important, the Township should plan for and attract destination uses that are typically provided by national retailers. As part of future planning efforts, consideration should be given to encouraging larger retail spaces (8,000 to 10,000 square feet and larger). Additionally, the Township should continue to identify and attract new niche businesses if or when existing local business relocate or go out of business. A business retention and expansion program which identifies desirable businesses and employs strategies to attract them would be the vehicle to achieve this objective. Accordingly, a major component of this program should entail the retention of existing businesses within the community.

**f) Signs**

From an aesthetic point of view, signage is perhaps the most important and the most difficult appurtenance to regulate. This is directly related to the numerous elements of signage, i.e., type, illumination, size, lettering, color and orientation.

Policy-makers realize the importance of signage to the success of businesses. The following recommendations are intended to satisfy the signage needs of local businesses. It provides for a design that is suitable to the requirements of a healthy, visually attractive Downtown, while encouraging opportunities to reduce sign clutter (excess usage of signs). The following design criteria should control how signage should be architecturally integrated into their surroundings in terms of size, shape color, texture and lighting. The Planning Board investigated and held hearings on recommendations for a new sign ordinance which was delivered to the Board of Commissioners in 2011, revised and redelivered to the Commissioners in 2012. The ultimate result of this section, upon adoption, is to provide sufficient detail to update the sign regulations within the Township's Zoning Code.

**Master Sign Program** - A master sign program should be required for any building or group of buildings that contain five (5) or more businesses to coordinate signage in an orderly manner. This program should be "triggered" when an application for an individual sign is located in a building that does not already have an approved program. This master sign program, should be required in all non-residential districts in addition to the Downtown.

Furthermore, the zoning ordinance should include a master sign matrix plan by zoning district, which identifies by district and type of sign the following:

- Maximum number of signs permitted
- Maximum permitted area (square feet)
- Maximum height (feet)
- Setback (feet)
- Internal lighting (permitted/not permitted)
- External lighting (permitted/not permitted)
- Size allocation (maximum percent of canopy surface area (for canopies))

**g) Outdoor Design**

While Nutley has an outdoor dining ordinance, the downtown lacks substantial outdoor dining. For Nutley to continue to establish itself as a local and regional dining destination, additional opportunities for outdoor dining are needed. Consideration should be given to permitting outdoor dining adjacent to public alleys and incorporating bump-outs into streetscape design to provide additional sidewalk space with due regard for public and private rights. Currently, the existing narrow width of sidewalks limits outdoor dining opportunities.

#### h) **Structured Parking**

This Plan recommends that all parking structures be architecturally compatible with the buildings they serve, and be compatible in appearance, size, and bulk with their surroundings. One mitigation technique is to front a parking garage building with another more attractive use at the ground level—such as retail or office use. Constructing an attractive building along the street right-of-way is a way to enhance pedestrian scale and act as a buffer between the parking structure and the public realm. To ensure these requirements are satisfied, stand-alone parking structures should be regulated as a conditional use on parcels greater than one acre in size.

#### i) **Wayfinding Signs and Pedestrian Maps**

A system of wayfinding signs should be designed and installed directing visitors to the Downtown and other sites of significance (historical sites and parks). Once in the Downtown, the wayfinding signs should direct individuals to primary destinations such as community facilities, off-street parking and other major retailers.

#### j) **Summary of Recommendations**

- The Downtown is long and meandering. Focus should be placed upon creating a true center in the downtown and enhancing the different uses of each distinct area.
- As part of any rehabilitation plan, a parking solution for the area around Cicollini's appliance store is needed. If a rehabilitation plan is not prepared, solutions for off-street parking in this area would still be necessary to benefit businesses in the area.
- Create a maximum building setback from the right-of-way, e.g. build to line. Allow exceptions for public plazas and similar uses.
- In accordance with the Economic Plan Element, through special area plans, create opportunities for:
  - Additional redeveloped retail space, which includes spaces for larger users; and
  - A more diverse mix of retail businesses, including but not limited to a wider assortment of apparel, pet supply, hardware, produce, home accessory, houseware, gift, sporting good and specialty food stores, including a farmers market.
- Require off-street parking for all residential and office uses or at a minimum require a fee in-lieu of providing parking.
- Seek funding to create a revolving loan program or work with New Jersey Housing Mortgage and Finance Agency (HMFA) to provide low interest loans to locally-owned businesses for the purpose of making interior improvements (handicapped accessibility, plumbing, electrical). Such a program would complement the existing façade improvement program.
- Continue to permit residential uses as principal permitted uses on upper floors in the Downtown.
- Revise sign requirements in accordance with previous sections of this Plan.

- Beautify the downtown area with pedestrian and public space improvements.
- Create parking lot design standards for surface and structured parking lots.
- Create a master sign program for all nonresidential districts.
- Redevelopment projects must set aside areas for public parking.
- Incorporate open space, green space and environmentally sensitive design practices in development plans.
- There is a need to create a long term parking strategy. While the Township has numerous lots, equity issues arise associated with existing municipal parking for users.
- While a parking study is being undertaken based upon existing demand, there is a need to understand the total floor area of space in the downtown compared to the number of off-street parking spaces (municipal). This is necessary to comprehensively evaluate whether a shortfall of off-street parking may exist. As part of the Township's parking strategy, a shared parking approach should be utilized on private lots that have off-peak capacity. The spaces in these lots could be used jointly by other users, having a different peak parking demand. For example, a bank could lease space to a restaurant during evening hours. However, a public or quasi-public entity is needed to manage the arrangements between such users.
- Continue the streetscape beautification efforts the downtown area with pedestrian and public space improvements.
- Conduct a mail or telephone survey of Nutley residents to determine where they shop for different items and what they would like to see on Franklin Avenue.
- Conduct an on-the-street (intercept) survey of persons currently patronizing Franklin Avenue and Chestnut Street businesses.
- Revise the range of permitted uses in accordance with the recommendations identified in this section of the Plan.

## I. **Commercial Land Use**

Areas planned for commercial land use which are located outside the Downtown cover approximately 197 acres or 9 percent of the Township's total land area. The commercial land use designation recognizes the special economic development potential of the Washington Avenue commercial corridor and provides commercial nodes that serve the needs of the neighborhoods of the Township for shopping and personal services.

### 1. *Location of Districts*

Commercial land uses are found within four (4) land use districts in the Township's zone plan and provide opportunities for the development or redevelopment of community and neighborhood commercial land uses. The character of development consists of downtown transition uses, B-1 professional and business office uses, B-2 neighborhood business, B-4 general business uses and corporate campus uses. The Township's Plan is to concentrate commercial land use in these zones in order to promote compact nodes of commercial development. The land use districts are located as follows:

- Neighborhood Commercial – Twenty six locations (see Figure 3-4, Land Use Plan):
- General Commercial – One Location: One contiguous district located along Washington Avenue from the Belleville Border to Grant Avenue and along East Centre Street from Washington Avenue to just short of River Road.
- Corporate Campus – Two locations: One contiguous district is located on the Clifton border in the northwest area of town along Kingsland Street from approximately Oakley Terrace to Hillside Avenue. A second district is located in the northeastern corner of the Township adjacent to Route 21, River Road and Clifton Township.
- Office (General) – Six locations: One contiguous district on Franklin Avenue north of the railroad bridge to just south of Kingsland Street. A second district on Kingsland Avenue adjacent to Cathedral Avenue; a third district is located at the intersection of Glendale Street and Passaic Avenue. Three separate districts are located on Washington Avenue between Grant and Hay Avenues, adjacent to Fairfax Court and adjacent to Howe Avenue.

## 2. *Description of Business Districts*

Each category of business zone in the Township's zone plan is described below.

### a) **Neighborhood Commercial Areas**

These areas provide convenience goods and services, that is, to provide for the everyday goods and needs of surrounding residential neighborhoods outside the Downtown. In total, 53.1 acres are set aside for this purpose. The mean lot size in the existing B-2 zone is approximately 4,800 square feet where a 5,000 square foot lot size is required. While some residential uses are located in the B-3 zones, the zones have generally developed or are developing in accordance with the Township's zone plan.

Uses characteristic of the B-1 zone include professional and medical offices, and a few neighborhood service uses. While restaurants are permitted, currently none exist within the B-1 district. Consideration should be given to eliminating restaurants as a principal permitted use to encourage their location in the downtown. Given the limited number of service uses, consideration should be given to eliminating service uses as a principal permitted use or possibly limiting service uses as conditional uses in the district.

### b) **General Commercial**

One area along Washington Avenue and East Centre Street comprises approximately 45.4 acres or 2.1 percent of the total land area in Nutley. This Land Use Plan designation comprises

areas associated with the existing B-4 designation in this area. However, this Master Plan recognizes the existing freight line that runs through and adjoins a portion of the existing B-4 district.

Significant areas of the General Commercial in the Land Use Plan are either vacant or contain underutilized properties. The area does not project a favorable image for the Township. Reinvestment, improved building design, signage and connections between adjoining uses are needed. This area of the Township has the highest commercial vacancy rate. The Township should closely monitor the status of the existing businesses. Furthermore, the Township should work with property owners to better understand their needs and encourage reinvestment in these properties. As described in Section M of this chapter, this plan recognizes the special economic development potential of this area of Nutley, to be designated as the "Washington Avenue/East Centre Street Overlay District." The Plan understands the need to more closely evaluate a coordinated approach to development. Initially, the Township should rezone this area in accordance with the design overlay recommendations within this Plan to discourage inappropriate land use development, while the Township considers crafting a detailed development plan for this area. Consideration of redevelopment and rehabilitation powers should be evaluated as this area may qualify as such in accordance with the Local Redevelopment and Housing Law (LHRL).

### c) **Corporate Campus**

Located at the northwestern boundary of Nutley along Kingsland Street is the campus of Hoffman-La Roche (Roche), an international research health care corporation. For decades, Roche has provided significant tax ratable and jobs to Nutley and the region. In 2009, Roche merged with Genentech to create the seventh largest U.S. pharmaceutical company. In 2009, the Township designated the Roche property as "an area in need of rehabilitation," thus enabling the Township to offer Roche short-term tax incentives on recent renovation work within its campus.

In July 2012 Roche announced it would be closing the campus by December 2013. The closing of Roche is expected to result in loss of jobs for those employed at the facility. Until a plan for redevelopment is adopted and implemented, the impact on Nutley cannot be fully known. Given the size and location of the Roche property, Nutley should consider general principles of development that allow for use consistent with Nutley's economic and quality of life needs. In order to achieve those goals, Nutley should work closely with the City of Clifton, whose property, while smaller, is adjacent to Route 3 east. Working together with Clifton, Nutley should seek to avoid any residential development or commercial big-box retail stores for the site. If possible, Nutley should seek the continued use of the Roche campus for Class "A" office and research purposes. Nutley should also consider other uses to be added to the M-O zone (Roche property). The Board recommends that a hotel convention center, restaurant facilities for events, entertainment (theater, movies, music) be added to the uses as being compatible with and complementing

present use. Regulations which discourage future subdivision of existing large lots, which provide significant economic development opportunities for the Township should be followed. Every effort should be made to preserve and maintain the Roche site until a full redevelopment plan has been presented and approved.

The range of principal permitted uses in the Corporate Campus and M-O district should include office, laboratories for research analysis, design and/or experimentation; printing establishments; commercial greenhouses; manufacturing uses; data processing and storage; hotel convention center, restaurant/catering for events, entertainment (theater, movies, music); and similar uses. This plan specifically recommends the elimination of warehouses not associated with a manufacturing facility.

#### d) **Office General**

The purpose of the district is to provide for the retention and improvement of existing office uses in the Township. The office district is intended to provide for medical and service office uses, in addition to other general and professional office uses. Appropriate uses include offices for executive, administrative or business operations, professional offices of an architect, engineer, attorney or similar profession, medical, dental offices and outpatient clinics, service office uses, such as but not limited to, real estate and branch banks. Standards intended to minimize adverse impacts upon any adjoining or nearby residential districts and uses are provided. The outdoor storage of goods or materials, warehousing or indoor storage of goods or materials that are not incidental to the permitted use should be prohibited.

### 3. *Recommendations*

- Create a Corporate Campus district as depicted on the Land Use Plan with a minimum lot size of twenty acres.
- Expand the B-1 district as depicted on the Land Use Plan.
- Recognize the Rehabilitation designation of the Roche properties and create a plan to implement the rehabilitation designation.
- Create a land use/redevelopment plan for the Washington Avenue/East Centre Street area as discussed in the general commercial section of this Plan.
- Consider an evaluation of the appropriate zone for the area on Chestnut Street currently zoned R-1 that contains commercial and public buildings.

## J. **Industry and Manufacturing**

### 1. *Description*

The Industry and Garden Apartment districts (M-1) located in the south eastern area of the Township adjacent to East Centre Street is an area in transition. Historically this area consisted

of manufacturing and industrial uses, which benefited from the adjacent freight line. However, over time, garden apartment buildings have replaced manufacturing uses. The M-1 district permits: storage and sales facilities for building materials; laboratories for research analysis, design and/or experimentation; takeout food establishments; automotive sales agencies, laundries, dry-cleaning and dyeing plants; printing establishments; commercial greenhouses; light assembly uses; manufacturing uses; commercial warehouses; and garden apartments in accordance with standards from the R-3 district.

## 2. *Issues*

In 2003, a 120-unit garden apartment complex was approved at 57 East Centre Street, and in December 2007, a 71-unit garden apartment complex was approved at 65 River Road. The new developments adjoin existing garden apartment complexes located at Block 9701, Lot 5 (113 River Road) and Block 9700, Lot 10 (25 River Road). Recent development approvals and existing land uses in the M-1 district have transformed the M-1 district from a primarily manufacturing district to a district containing numerous medium- to high-density residential developments.

During the public visioning meeting, the public expressed concern over the number of high density developments that have recently been approved in the Township. They expressed a desire to evaluate the impacts that continued construction of medium- to high-density residential housing would have on the Township's infrastructure.

The area of the M-1 district just north of Park Avenue contains a bank, a public use, garden apartments and two single-family homes. Just south of Park Avenue on River Road are a restaurant/coffee shop, an automotive use and a vacant lot. The Land Use Plan recommends rezoning this area from M-1 to B-2, which is more conforming with the existing character of this area.

Portions of the M-1 district south of East Centre street lack frontage on East Centre Street—with the exception of one property located at the intersection of River Road and East Centre Street. The limited roadway frontage and lack of exposure to a primary roadway limit the attractiveness of a number of nonresidential uses within the balance of the M-1 district south of East Centre Street for redevelopment. However, given their proximity to Route 21 and Route 3, the potential for a warehouse or a self storage facility exists. The range of permitted uses should therefore be expanded to permit self-storage facilities, which are relatively passive non-residential uses. While a self storage facility or similar use may locate in this area in accordance with a change in zoning, consideration should be given to determining if the area meets the criteria to be designated in “need of redevelopment,” and for a redevelopment plan to be prepared for this entire area (see Chapter 9, the Economic Development Plan Element). Such an action may result in the creation of additional economic development opportunities.

The Township should closely monitor the status of the recent development approvals in the area and consider actions to assist in the environmental remediation of contaminated properties. Brownfield cleanup monies are available for properties located within a designated Redevelopment Area. The Township should consider undertaking a preliminary investigation report to determine whether a portion or all of the East Centre Street area qualifies as an “area in need of redevelopment” pursuant to the Local Housing and Redevelopment Law of New Jersey.

### 3. *Recommendations*

- Rezone the existing M-1 district on Park Avenue to B-4.
- Rezone the portion of the M-1 district near Park Avenue and River Road to B-4.
- Properties on River Road south of Park Avenue should remain M-1. Those River Road properties north of Park Avenue should be rezoned B-4. The Planning Board should analyze the existing M-1 districts and their uses.
- The existing property directly behind the B-4 zoned properties on East Centre Street should be rezoned to B-4.
- Policies which would retain relatively large lot sizes in the M-1 district should be continued. Minimum lot sizes should be increased from 10,000 sq. ft. (Industry) to two and a half (2.5) acres.
- An area in need study and possibly a redevelopment plan for the Washington Avenue/ East Centre Street area as discussed in the general commercial section of this Plan should be considered.
- Regulations in Nutley should be amended to require all utility lines to be installed underground where wholesale redevelopment occurs.

## K. **Residential Land use**

### 1. *Overview*

The Township accommodates a wide variety of housing types as part of its plan for residential land use. The Land Use Plan identifies 2.63 square miles of the Township for residential use. This represents approximately 77% of the Township's total land area. Residential areas include land used for single-family, two-family and multi-family development. The overriding land use policy within the Township's Land Use Plan seeks to locate the densest residential areas proximate to the Downtown and existing parks. The residential categories of the Land Use Plan and their relationship to the Township zone plan are described below.

#### **Recommendations for all Residential Districts**

- Adjust the standard that limits the total amount of imperious coverage.
- Create infill development standards to prevent the construction of oversized homes.
- Regulations in Nutley should be amended to require all utility lines to be installed underground where wholesale redevelopment occurs.

## 2. *Single-Family Residential Designation*

### a) **Description**

The Single-Family Residential land use designation envisions a suburban area of the Township consisting of 5,000 to 7,000 square foot lots, which represents a net density ranging from 6.2 to 8.7 units per acre. We do note that many single-family residential properties are larger in area than the minimum area required by ordinance. This land use designation covers 2.16 square miles, or 63% of the Township. The intent of this Master Plan is to provide an area for development of low-density single-family detached housing. The Single-Family residential area also includes institutional uses such as schools, the municipal building and library.

The single-family residential districts are designed for single family development in detached structures. They are located throughout the Township. The single-family districts also permit home occupations and home professional offices. Over time, many of these users may expand their premises to better serve the community. Accordingly, there is a need to create more specific standards to better regulate such uses. Family day-care homes with limited enrollment are permitted in all residential zoning districts in accordance with the Municipal Land Use Law. Currently there are no permitted conditional uses in these zones in the Nutley Zoning Ordinance.

### b) **Issues**

The primary issues facing the single-family residential districts include:

- Preserving the integrity of the existing single-family neighborhoods (including the prevention of oversized homes);
- A need to refine the existing bulk standards; and
- A need to incorporate stormwater controls into new development (See Chapter 5, the Conservation Plan Element).

The Religious Land Use and Institutionalized Persons Act (RLUIPA) of 2000 places limitations on actions that would restrict the exercise of religion. In accordance with RLUIPA, this Master Plan recognizes that the Township may not create a land use regulation that imposes a substantial burden on the exercise of religion of a person, including a religious assembly or institution, unless the Township demonstrates that such imposition is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling government interest.

### c) **Recommendations**

- The existing character of Single-Family residential areas should continue to be protected by retaining the R-1, R-1A and R-1AA single-family residential zones. The R-1 zone will

permit a maximum density of 8.7 dwelling units per acre, the R-1A zone a maximum density of 6.7 dwelling units per acre, and the R-1AA zone a maximum density of 6.2 dwellings per acre.

- Consider adding the following intent statement in each of the R-1, R-1A and R-1AA districts:

*The Township of Nutley is an established suburban residential community. It is the desire of the community to preserve and protect the established character of neighborhoods in the Township and to encourage a compatible relationship between renovated, expanded or altered homes with the current homes in the community of which they are part in terms of scale, siting, design features, and orientation on the site.*

- Craft infill development standards that reduce development potential proportionally as lot size increases.
- Consider regulating side yard setbacks as a percentage of lot width rather than a single static standard. However, a minimum setback—possibly 8 feet—would be required to address undersized lots.
- The Township has numerous deep lots with relatively narrow frontages (50-60 ft). Consideration should be given to measuring lot coverage (commonly referred to as building coverage) within the first 120 feet of the tract lot line.
- Require a usable open space area on single-family and two-family residential lots.
- Consider creating a sliding scale approach to building height, i.e., larger lots would be permitted a slightly taller building than smaller lots. To implement this provision, it is recommended that topographic measurements be provided to the satisfaction of the Construction Official when a new home is proposed or when an addition is proposed with a taller roofline than the existing roofline.
- For religious institutions, this Plan specifically recommends creating standards to better regulate their intensity, scale, building setbacks, parking requirements, appropriate buffers and other standards in the context of surrounding development within all residential districts in a manner that does not impose a substantial burden on the exercise of religion.
- Create design requirements for religious uses to ensure that appropriate parking and buffers are in place.

### 3. *One- and Two-Family Residential Land Use Designation*

#### a) **Description**

The one- and two-family residential land use designation is applied to those suburban areas of the Township which have interior lots of between 5,000 and 7,000 square feet and corner lots of between 6,000 and 7,500 square feet, thus representing a net density ranging from 6.2 to 8.7 for single-family residential units and 11.6 to 12.4 units per acre for two-family homes (see Table 3-4). The One and Two-Family residential areas cover 203 acres or 9.3% of the Township. The intent is to provide for and retain the existing character of single-family homes and two-

family homes and to craft standards appropriate for new two-family homes that are typically larger than homes that were built in the post-war era.

The one- and two-family residential area is organized by the Township zone plan into the R-1, R-2 and R-3 residential zones. Permitted uses include single-family detached, two-family homes and home occupation and professions.

**b) Recommendations**

- The Township should update the inventory of all two-family dwellings identified on the Existing Land Use Map (Figure 3-1). The Township should also prohibit the intrusion of non-residential uses that conflict with, or which detract from the quality of the residential environment.
- Create an inventory of all two-family residences in the Township.
- Given the recent trend of constructing larger homes on lots, this Plan recommends increasing the minimum lot size for duplexes ranging from 7,000 to 8,000 square feet and increasing the minimum lot width from 70 to 80 feet.

**4. Multi-Family Residential Land Use**

**a) Description**

Multi-Family residential land uses, including the R-3, R-SC and PRD districts, are intended to provide for medium residential densities and a mix of housing choices in Nutley. The Residential – 3 district permits multi-family development associated with townhouses and garden apartments. Garden apartments are permitted at a density of twenty (20) units per acre, whereas townhouses are permitted at a density of sixteen (16) units per acre. The fully developed PRD district permits single-family development and townhouses at a density of 6.7 and 9.25 units per acre respectively. The R-3, R-SC and PRD districts cover approximately 99 acres or 4.5% of the Township. The intent of their designation in the Land Use Plan is to preserve the existing housing stock and provide a wide range of housing types to meet varied income and age level needs.

**b) Issues**

This Land Use Plan identifies two existing developments providing shelter and services to seniors. These include the existing SC district, which currently provides for senior age-restricted apartments. The district is located along Centre Street and also extends along Yantacaw Park to New Street. Its purpose is to provide a comprehensively planned, age-restricted housing development. Approximately 3.2 acres, or 0.1% of the Township's total area, is located in this designation. This district contains Nutley Parkside Apartments and Nutley Senior Manor which have a total of 203 age-restricted units.

In July 2009, the New Jersey Legislature passed a law that allows the conversion of age-restricted housing units to non age-restricted housing units through seeking site plan approval only (i.e., no “d” or use variance is required). The law requires that applications seeking amended approval for a converted development shall include only documentation that the following site improvement and infrastructure requirements have been met:

- (1) the site meets the Residential Site Improvement Standards parking requirement for the residential land uses in a converted development as established pursuant to N.J.A.C.5:21-4.14-4.16;
- (2) the recreation improvements and other amenities to be constructed on the site have been revised, as needed, to meet the needs of a converted development;
- (3) the water supply system is adequate, as determined pursuant to N.J.A.C.5:21-5.1, to meet the needs of a converted development;
- (4) the capacity of the sanitary sewer system is adequate to meet the projected flow requirements of a converted development pursuant to N.J.A.C.7:14A-23.3;
- (5) if additional water supply or sewer capacity is needed and the developer is unable to obtain additional supply or capacity, the number of dwelling units in the development has been reduced accordingly;
- (6) if additional parking is needed, and the developer is unable to provide the required parking, the number of dwelling units in the development has been reduced accordingly; and
- (7) if additional parking is provided and increases the amount of impervious cover by more than one percent, the storm water system calculations and improvements have been revised accordingly.

c) **Recommendations**

- Monitor the impact of legislation that allows the conversion of age-restricted units to non-age-restricted housing with minimal restrictions.

**L. Public and Private Parks & Open Space**

The Parks district includes Township and county parks, recreation and open space. The Parks district encompasses approximately 136 acres or 6% of the Township's total area. The Township's Recreation and Open Space Plan Element (Chapter 6 of this document) provides recommendations regarding parks and open space within Nutley.

**M. Overlay Districts**

The Overlay land use designation covers a portion of, or all of, one or more underlying categories of the Land Use Plan. Within an overlay district, there are special features or considerations that need to be respected, managed, or regulated based upon Township or State objectives or regulations. In Nutley there are three land use overlay districts, the Washington Avenue Corridor overlay district, Floodplain overlay district and the Historic Preservation overlay district.

## 1. *Washington Avenue/East Centre Street Corridor Overlay District*

### a) **Description**

Areas along Washington Avenue and East Centre Street outside of the Downtown are predominantly non-residentially zoned. From a planning perspective, there are concerns relating to the future layout and scale of development within these areas. It is the intent of this Plan to improve the existing layout of development by specifically discouraging the replacement of existing buildings along this area with strip commercial development.<sup>5</sup> Additional steps are also necessary to allow for the orderly redevelopment of this corridor. This Master Plan discourages residential development in the overlay district, and instead encourages commercial development compatible with the existing area.

The overlay district would allow the types of non-residential uses that are of a lower intensity than the Downtown and which are compatible with residential uses. The proposed boundaries of the overlay district are depicted on the Land Use Plan. The overlay district should also include design guidelines and bulk standards such as open space, landscaping, signage, setbacks, connectivity, and screening. The standards in the overlay district would be more restrictive than those required in the underlying zone district.

The bulk and design requirements of the overlay zone would apply to all new non-residential development, expansions, or redevelopment, except for smaller additions or modification to existing uses. These exceptions would permit small additions to the principal building and/or construction of any accessory buildings or structures without the necessity to obtain a variance from the overlay zone standards. An expansion or modification would have to meet the following to qualify for the exception from the overlay zone requirements:

- (a) There is no change in the use of the lot or principal building.
- (b) The expansion conforms to the requirements of the underlying zone district.
- (c) The building additions do not cumulatively exceed one thousand (1,000) square feet of gross floor area.
- (d) The development does not disturb more than five thousand (5,000) square feet of land area.

All residential uses in residential districts would continue to be governed by the existing underlying district standards.

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<sup>5</sup> Strip Commercial development: A one (1) story shopping center consisting of a series of adjoining shops in a building or buildings typically with a uniform front design and direct access to each shop from a common parking area in front of the building.

**b) Yards, Open Space and Landscaping**

- In this overlay district, off-street parking and loading areas would not be permitted in the required front yard setback area.
- The minimum setback requirement from the Washington Avenue/East Centre Street cartway for all detention basins would be thirty-five feet (35') feet.
- A maximum building setback should be established to encourage a traditional commercial layout and arrangement; parking lots in front of buildings would be prohibited.
- A ten- to twenty-foot buffer (standards should be based proportionally by lot size and/or lot depth) should be located within the minimum yard setbacks when a non-residential use adjoins a residential use. Buffer areas should be located entirely within the property of the non-residential that abuts residential zones to protect potential adverse light, noise and other impacts or disturbances. This should be designed to reduce the impacts of noise, movement of people and vehicles, and to shield activities from adjacent properties and nearby roadways. Buffering should consist of fencing, landscaped berms and plantings, or a combination thereof.
- A five- to ten-foot wide landscaped area (dependent upon existing conditions) should be established and maintained along the roadway frontage to promote a desirable visual environment. The design guidelines for the enhanced landscape should include the following:
  - Shade trees forming a “tree line” should be spaced forty (40) feet apart. The tree lines should be clear of any overhead utility lines and be located at least ten (10) feet behind the curb line and/or sidewalk.
  - A landscape strip behind the tree line should be provided and designed with site specific plantings that include trees, shrubs, and ground cover. The landscape strip should be extended around the perimeter of off-street parking areas to distinguish parking areas from abutting vehicular rights-of-way and adjoining lots.

**c) Signage**

The Planning Board has issued comprehensive recommendations for signage. Ordinance revisions should create standards that permit the size of signs to be based upon the amount of lot and/or building frontage they serve.

**d) Relationship to Residential Areas**

- Adjacent to a residential area, the outdoor lighting levels at the adjoining lot line should not exceed 0.1 foot-candles.
- Adjacent to a residential area, parking lot lights and building lights in a non-residential building should be turned off at the close of business, except for lighting needed for security purposes.

### e) **Connectivity between Sites**

Circulation planning for development in the overlay area should promote connectivity between sites to facilitate convenient cross-access and movement for pedestrians and vehicles. Where possible, cross access drives for vehicles between adjoining sites and parking areas should be encouraged to reduce trips on and off Washington Avenue and East Centre Street.

### 2. *Floodplain Overlay*

The Federal Emergency Management Agency (FEMA) has delineated floodplain areas in GIS format using Flood Insurance Rate Maps (FIRM). Floodplain boundaries have been determined from profiles based on high water marks and regional stage-frequency relations. Floodplain areas average a 1 chance in 100 that the designated area will be inundated in any year. Areas located within the 100-year floodplain in Nutley are predominantly located adjacent to the Passaic and Third Rivers and its tributaries. Floodplains should be regulated by the addition of a Floodplain overlay district to discourage the type of development in the floodplain that would pose a threat to life and property from flood events. The overlay ordinance would reduce the permitted building coverage and impervious surface coverage area (and the extent of building volume in the floodplain) in comparison to the underlying zoning.

### 3. *Historic Preservation Overlay*

As depicted on Figure 3-3 and within the Historic Preservation Element (Chapter 7), numerous properties and districts have been identified as having historical significance in Nutley. The Historic Preservation overlay district is intended to add restrictions or requirements for aiding in the preservation of these resources in Nutley and to assist the Township in meeting its historic preservation objectives.

## **N. Gateways**

There are numerous areas in Nutley that function as “gateways” into the Township. They are located at:

1. Franklin Avenue at the Belleville border
2. Passaic Avenue at the Belleville border
3. Washington Avenue at the Belleville border
4. Park Avenue at the Park Avenue bridge
5. Washington Avenue at the Clifton border
6. Kingsland Street at the Clifton border
7. Franklin Avenue adjacent to the channelized stream
8. Bloomfield Avenue at the Belleville and Bloomfield borders.
9. Passaic Avenue at the Clifton border.

Gateways play an important role in making a first impression and in helping to define the image of the Township. They should present a positive and inviting impression. This can be accomplished through landscaping, quality of design, signage and higher-quality site development. The Township should identify specific initiatives for each gateway which improve the visual image for those entries into the Township.

#### **O. Land Use and Transportation Planning**

It is very difficult to completely separate land use and transportation issues since the two are inextricably linked. Real estate professionals typically characterize the value of a property as being a function of its location. Planners and transportation professionals evaluate a property's accessibility. A transportation system comprising roads, rail, bus, taxi, bicycle and foot traffic both enables and constrains the location, shape, size, intensity and overall pattern of land uses. At the same time, the type, capacity and usage of transportation systems depends on land uses.

In recent years, there has been a growing effort to more fully understand the relationship between land use and transportation. It is necessary to understand these relationships in order to:

1. Complement transportation investments by placing compatible activities adjacent to transportation infrastructure and by placing new development or redevelopment at locations where transportation infrastructure and services exist or are planned.
2. Influence the amount of travel, the geographic location of travel demand, and the relative attractiveness and use of various modes of travel.
3. Complement land use goals by locating new facilities appropriately so as to minimize impacts on adjacent land uses and by providing sufficient transportation capacity to accommodate development in desired locations.

This Plan specifically recommends that the impacts of future land use planning be evaluated in the context of impacts on the local transportation network (including parking) and the need to improve roadways and other infrastructure.

#### **P. Recommended Revisions to the Zoning Ordinance**

In addition to the changes or additions recommended to the Land Use Plan itself, this Land Use Element also recommends other changes to Nutley's land use regulations, as listed below:

1. Separate the zoning ordinance from the design, administrative and other requirements. Currently all requirements are located within the Zoning ordinance. All deviations from the

- zoning ordinance require variance relief, whereas, a deviation from a design section, for example, would require a design waiver, whose standards of relief are less stringent.
2. Permit Township uses in all zone districts, with appropriate design standards.
  3. Rezone districts in accordance with the recommendations herein.
  4. Revise the front yard averaging ordinance for residential properties; allow setback averaging on the same side of the street.
  5. Consider the adoption of standards which allow for duplex homes in accordance with this Plan.
  6. Better define retail trade, retail service and restaurant uses.
  7. Change the definition of building height to allow homes within 100-year floodplain areas to be raised without requiring variance relief.
  8. Evaluate the need to update the existing tree ordinance.
  9. Review and revise parking standards for nonresidential uses.
  10. Provide standards appropriate for changes of use.
  11. Set forth more explicit standards for determining when site plan and subdivision approval is required.
  12. Create a parking standard for restaurants based on floor area, not seating.
  13. Revise and update landscape ordinances within the Township.
  14. Revise and update development and escrow fees as appropriate.
  15. Evaluate the impact, development and pro-rata contributions for infrastructure improvements to ensure that appropriate monies are being collected to make the necessary capital improvements, including the reconstruction of sewer, roads and other infrastructure.
  16. While this Plan discourages the creation of new flag lots, revise the code to provide appropriate standards for existing flag lots, i.e., how to determine front, side and rear yard setback, etc.
  17. Apply required yard setback requirements to elevated decks.
  18. Analyze and review existing development density and intensity standards, and amend as necessary.

## **Q. Relationship to Other Plans**

### *1. Introduction*

Per NJSA 40:55D-28(16)d, “the master plan shall include a specified policy statement indicating the relationship of the proposed development of the municipality as developed in the Master Plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located, (3) the State Development and Redevelopment Plan, and (4) the district solid waste management plan of the county in which it is located.”

The following sections provide the required information per the Municipal Land Use Law.

## 2. *Relationship to the Master Plan of Adjacent Communities*

The Township of Nutley shares a border with two Essex County municipalities, the Township of Bloomfield and the Township of Belleville, one Bergen County municipality, the Township of Lyndhurst and one Passaic County municipality, the City of Clifton.

### a) **Township of Bloomfield, Essex County**

The Township of Bloomfield borders Nutley to the west. The western portion of Nutley consists almost entirely of residential land uses, and is zoned R-1 (Residential 1 Family). There are also three small commercial pockets zoned B-2 (Neighborhood Business). The portion of Bloomfield that is adjacent to Nutley is also zoned primarily for single-family residential use with a small section dedicated to two-family residential use. In addition, the Garden State Parkway separates a small section of Bloomfield and Nutley on Nutley's southwestern border, and continues on to traverse the southwestern corner of the Township. Overall, land uses observed in Bloomfield compliment the residential nature of parcels in Nutley.

### b) **Township of Belleville, Essex County**

The Township of Belleville lies to the south of Nutley. Land adjacent to Nutley in Belleville is zoned for a mix of single-, two- and multi-family residential uses. Much of Nutley's two- and multi-family residential land uses are located in the southern portion of the Township and, as such, these land uses are consistent with land uses in Belleville.

### c) **Township of Lyndhurst, Bergen County**

Nutley shares its eastern border with the Township of Lyndhurst. The two municipalities are not directly adjacent to one another, but are separated by the Passaic River and New Jersey State Route 21, eliminating much of the potential for land use conflicts. In the absence of the natural barrier formed by the river, land uses in the two municipalities are largely compatible, with a mix of single and multi-family homes, as well as limited office, business and industrial uses. As per the Lyndhurst 2008 Master Plan Reexamination, the western portion of the Township adjacent to Nutley is "typical of many older suburbs and characterized by mostly single-family homes on small lots, as well as two-family homes". Because of the built-out nature of Lyndhurst, there is increasing pressure for higher-density housing in the western portion of Township.

### d) **City of Clifton, Passaic County**

The City of Clifton lies to the north of Nutley. While there is a mix of land uses along the Clifton-Nutley border, these uses generally mirror one another on either side of the municipal boundary. The northwestern portion of Nutley consists primarily of parcels zoned R-1 (Residential 1 Fam-

ily) and M-O (Industry and Office), and is home to the Roche campus. The Roche Campus and other industrial and office uses extend into Clifton's M-1 and M-3 zones (Restricted Industrial and Research Laboratories and Special Industrial, respectively), while a single-family residential district in Clifton abuts a single-family residential district in Nutley along the municipal boundary. The July 2012 decision of Roche to close its Nutley/Clifton campus requires both communities to find appropriate use and development for the needs of the respective communities. There is a collection of parcels surrounding Passaic Avenue in Nutley that are zoned B-2 (Neighborhood Business) and M (Manufacturing), which are adjacent to the B-A zone (Business and Professional Offices) and M-1 zone (Restricted Industrial and Research Laboratories) along Main Avenue in Clifton.

The northeastern portion of Nutley consists of a small portion of single-family residential land uses, the PRD zone (Proposed Residential Development), which has been developed with townhouses, and the M-O zone (Industry and Office). This section of Nutley is located, for the most part, across from the Clifton Commons Shopping Center in Clifton's P-MU zone (Planned Multiple Use). As such, some of the observed land use and/or zoning along the municipal boundary in Nutley is residential while in Clifton it is commercial and industrial. Issues such as traffic, noise and other potential impacts that may be generated by these commercial and industrial uses in Clifton should be monitored for any effects they may have on uses in Nutley.

### 3. *Essex County Master Plan*

Essex County's Master Plan elements were adopted during the late 1970s and early 1980s; the Land Use Element and the Housing Element were adopted in 1989. The 2002 Essex County Cross Acceptance document states that while the County Master Plan has not been updated in many years, it is still generally valid and consistent with the goals and policies of the State Plan.

### 4. *Essex County Solid Waste Management Plan*

Essex County Utilities Authority (ECUA) was formed in 1992 to "acquire, maintain and operate or contract for the operation of facilities for the collection, transportation, processing, recycling and disposal of solid waste generated within the County". The Essex County Solid Waste Management Plan was last updated in 2006, in accordance with the Solid Waste Management Act (N.J.S.A. 13:1E-1 et seq.). The update does not enumerate any significant changes to previous versions of the County's Solid Waste Management Plan, but rather it continues to support previously approved provisions adopted by the County and certified by the NJ Department of Environmental Protection.

In accordance with New Jersey State Law, Nutley requires recycling for all residents and businesses in the Township as per Chapter 614 of the Township Code. The municipal recycling ordinance establishes a recycling program that is in compliance with all requirements set forth in N.J.A.C. 7:26A-11.1-11.5. All solid waste collected within Township is disposed of in accor-

dance with the Essex County Solid Waste Management Plan. In addition, this Master Plan includes a Recycling Element (Chapter 11), which was formulated using both Statewide and County recycling goals as guidance.

#### 5. *The New Jersey State Development and Redevelopment Plan*

The State Development and Redevelopment Plan (State Plan) was adopted in March 2001 by the legislature of the state of New Jersey. Since that time, the State Planning Commission has issued a working Draft Final State Plan, which is slated to be adopted after a series of public hearings. The State Plan is not a regulation, but a policy guide, and is meant to coordinate planning activities and development throughout the state. At the municipal level, master plans should be evaluated and modified to reflect the policies of the State Plan, as necessary.

The State Plan “provides a balance between growth and conservation by designating planning areas that share common conditions with regard to development and environmental features.” The State Plan Map indicates that Nutley is located in the Metropolitan Planning Area, or Planning Area 1 (PA1). Characteristics of areas designated PA1 include having reached or are approaching build-out capacity, wherein redevelopment and infill will be the major form of new development, possessing existing infrastructure systems, such as sewer and water, that may be aging and/or at capacity and ties to regional metropolitan areas such as New York and Philadelphia. Generally, the State Plan encourages growth and increased density, where appropriate, in PA1. Nutley is not designated as a “center” by the State Plan, or a central place within a planning area where growth should be attracted or contained. The 2009 Draft Final State Plan Policy Map for Essex County does not indicate any revisions that are expected to substantially impact the State’s policies with regard to the Township.

The State Plan has a set of Statewide Planning Goals, stemming from the State Planning Act. The relationship of the Master Plan to these goals is described below:

#### **Goal 1: Revitalize the State’s Cities and Towns**

The Master Plan recognizes the importance of investing in Nutley’s downtown business district and enhancing existing neighborhoods. The Township’s planning initiatives have been revised in recent years to focus on revitalizing the downtown business district. As such, the Township has been undertaking a streetscape improvement program in the area of Franklin and Centre Streets to increase walkability and improve aesthetics. A portion of Nutley’s downtown has been designated an “Area in Need of Redevelopment.”

#### **Goal 2: Conserve the State’s Natural Resources and Systems**

Though there are no designated Environmentally Sensitive Planning Areas in the Township of Nutley as per the State Plan, the Master Plan recognizes the importance of preserving existing natural resources and systems through the preparation of an Open Space and Recreation Element, a Conservation Element and a Recycling Element. An overarching principle of the Master

Plan is to promote balanced land use, including supporting sustainable development practices, encouraging stormwater management controls for new development and expanding the Township's open space areas.

**Goal 3: Promote Beneficial Economic Growth, Development and Renewal for All Residents of New Jersey**

The Master Plan includes an Economic Development Element that outlines a strategy to encourage the creation of special area plans, which are intended to promote economic development that is sensitive to community character and encourage superior design, including the use of high-quality materials.

**Goal 4: Protect the Environment, Prevent and Clean Up Pollution**

As stated in Goal 2 above, an overarching principle of the Master Plan is to promote balanced land use. The Master Plan promotes the rehabilitation of Nutley's downtown through reclaiming brownfields for economic development, adaptive reuse of existing developed sites and promoting the infill of areas where sewer and water lines currently exist. Additionally, the Township adopted a Stormwater Management Element of the Master Plan in 2006 to manage and plan for increased runoff associated with future development and land use changes.

**Goal 5: Provide Adequate Public Facilities and Services at Reasonable Cost**

The Community Facility Plan Element of the Master Plan assesses existing public facilities and services in the Township and offers recommendations regarding how to improve and enhance access to these amenities.

**Goal 6: Provide Adequate Housing at Reasonable Cost**

A Housing Element was prepared in 2008 which was in compliance with COAH's then-most recent regulations regarding affordable housing in New Jersey. Nutley provides housing options that include single-family, detached homes, apartments, townhouses and senior citizen housing complexes.

**Goal 7: Preserve and Enhance Areas with Historic, Cultural, Scenic Open Space and Recreational Value**

The Historic Preservation Element of this Master Plan provides recommendations meant to assist and guide historic preservation efforts in the Township; it provides an overview of important historic elements within the Township and can serve as a reference point for the Township to continue identifying and increasing awareness of the community's historically important structures and sites. The Open Space and Recreation Element identifies existing open space and recreation resources in the Township and identifies any future open space and recreation needs.

**Goal 8: Ensure Sound, Coordinated and Integrated Statewide Planning**

The Township of Nutley Master Plan strives to be consistent with the New Jersey State Development and Redevelopment Plan, Essex County Master Plan and Solid Waste Management Plan and to be compatible with the master plans of all municipalities adjacent to Nutley.

## CHAPTER 4 CIRCULATION PLAN ELEMENT

### A. Introduction

The purpose of this Circulation Plan Element is to document existing conditions and to provide recommendations to improve traffic circulation in the Township. This Plan provides an inventory of existing circulation and transportation elements, areas of concern, and makes recommendations to improve circulation patterns within Nutley. It also identifies key transportation linkages within the Township.

### B. Transportation-Related Demographics

This section presents transportation-related demographic information for Nutley. It supplements demographic information located within the Housing, Economic Development and Sustainability Plan elements. It is important to understand demographic conditions and trends in order to effectively plan for the Township's present and future development. Although past trends do not necessarily predict future conditions, they do provide a sense of the Township from a circulation perspective and call attention to emerging trends.

#### 1. *Travel Time to Work*

As shown in Table 4-1, 2010 ACS Estimates show that 78 percent of Nutley residents had commutes that were less than 45 minutes. Fifty-four percent of the population had a commute of 30 minutes or less and 22 percent of the population had a commute of 15 minutes or less. The percentage of residents with a commute longer than 45 minutes increased from 18 percent in 2000 to 22 percent in 2010. The average travel time to work for Nutley per 2010 estimates was 29.1 minutes. Those living in and adjacent to urban areas typically live closer to their place of employment. In Essex County, Fairfield Township (21.4 minutes) had the shortest average commute time, while Millburn had the longest average travel time to work (36.5 minutes). In Essex County, travel time to work is largely dependent upon the number of individuals who commute to New York City. While New York City is in close-proximity to Nutley and most Essex County communities, commute times often exceeded one hour resulting from traffic congestion and the need to use several modes of transportation to reach a final destination. Individuals traveling to the Upper East-Side of Manhattan, for example, which is distant from New York Penn Station and PATH rail service, can expect commutes in excess of one hour from Nutley.

Overall, Essex County had the 8<sup>th</sup> longest commute time of all New Jersey counties at 31.1 minutes, reflecting the County's "bedroom community" character relative to New York City. Overall, southern New Jersey counties experienced the shortest commute times to work (Atlantic, Cape May, Cumberland and Salem).

**Table 4-1: Travel Time to Work  
Nutley, NJ**

	Number	Percent
Workers who did not work at home	13,808	100
Less than 15 minutes	5,467	22.4
15 to 29 minutes	4,378	31.7
30 to 45 minutes	3,260	23.6
45 to 59 minutes	1,429	10.3
60 to 89 minutes	1,253	9.1
90 or more minutes	398	2.9
Workers who did not work at home	13,808	100
<b>Mean travel time to work: 29.1 minutes</b>		

Source: 2006-2010 American Community Survey (ACS) 5-Year Estimates

## 2. Means of Transportation

Due to the predominantly suburban nature of Nutley, the overwhelming majority of Township residents (76.7%) drive alone to their place of employment, while only 11.4 percent of the workforce uses public transportation. However, this represented an increase from 8.2 percent in 2000, most of which was accounted for by additional bus ridership. In 2010, 6.5 percent car-pooled, 3.6 percent walked or used other means of transportation (bicycle, motorcycle), while 1.8 percent worked at home.

**Table 4-2: Means of Transportation to Work  
Nutley, New Jersey**

	Number	Percent
Workers 16 and over	14,064	100.0
Worked at home	256	1.8
Total who did not work at home	13,808	98.2
Car, truck, or van	11,707	83.2
Drove alone	10,791	76.7
Carpooled	916	6.5
In 2-person carpool	822	5.8
In 3-or 4-person carpool	94	0.7
Workers per car, truck, or van	1.05	(X)
Public transportation	1,605	11.4
Bus, streetcar, or trolley	1,287	9.2
Subway or elevated	25	0.2
Railroad	293	2.1
Bicycle	10	0.1
Walked	220	1.6
Other means	266	1.9

Source: 2006-2010 ACS 5-year Estimates

### 3. *Vehicles per Household*

The number of vehicles available per household is a useful statistic in determining vehicle dependence and transit demand in an area. As of the 2010 Census, 50.5 percent of Nutley households had access to more than one vehicle. This is consistent with the State figure of 54 percent (see Table 4-3), considering that Nutley is more urbanized than many parts of the state. Over 92 percent of Nutley households have access to at least one car, where 6.5 percent did not. More urbanized areas tend to be less vehicle-dependent. As would be expected of a suburban area in the vicinity of a major city, Nutley residents are somewhat vehicle dependent.

**Table 4-3: Vehicles Available Per Household  
Nutley, New Jersey**

Number of Vehicles	Number	Percent
0 vehicles	696	6.4
1 vehicle	4,700	43.2
2 vehicle	3,820	35.1
3 or more vehicles	1,672	15.4
<b>Total Households</b>	<b>10,888</b>	<b>100</b>

*Source: 2006-2010 ACS 5-Year Estimates*

### **C. Inventory of Circulation and Transportation Elements**

The following narrative identifies the inventory of circulation and transportation facilities within Nutley. The design and maintenance of an established system of roadways, public transportation, sidewalks and trails is subject to numerous agencies operated under numerous design manuals and requirements. State roads are subject to the jurisdiction of the New Jersey Department of Transportation; county roads are subject to Essex County jurisdiction; local roads are built and maintained to the Township's standards or are subject to design requirements located within the State Residential Site Improvement Standards.

#### 1. *Roads and Highways*

The Township of Nutley has a hierarchy of roads that serve different functions, with highways accommodating major regional flows, arterials handling inter-municipal traffic and collectors distributing traffic to local streets. The classifications of streets in Nutley are described below. Nutley's circulation pattern consists of two highways, eight arterial roadways, six collector roads, and many local roads. Figure 4-1 graphically depicts the location of the highways and arterials in Nutley.

##### a) **State Highways**

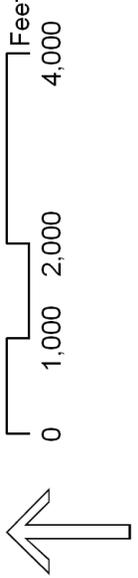
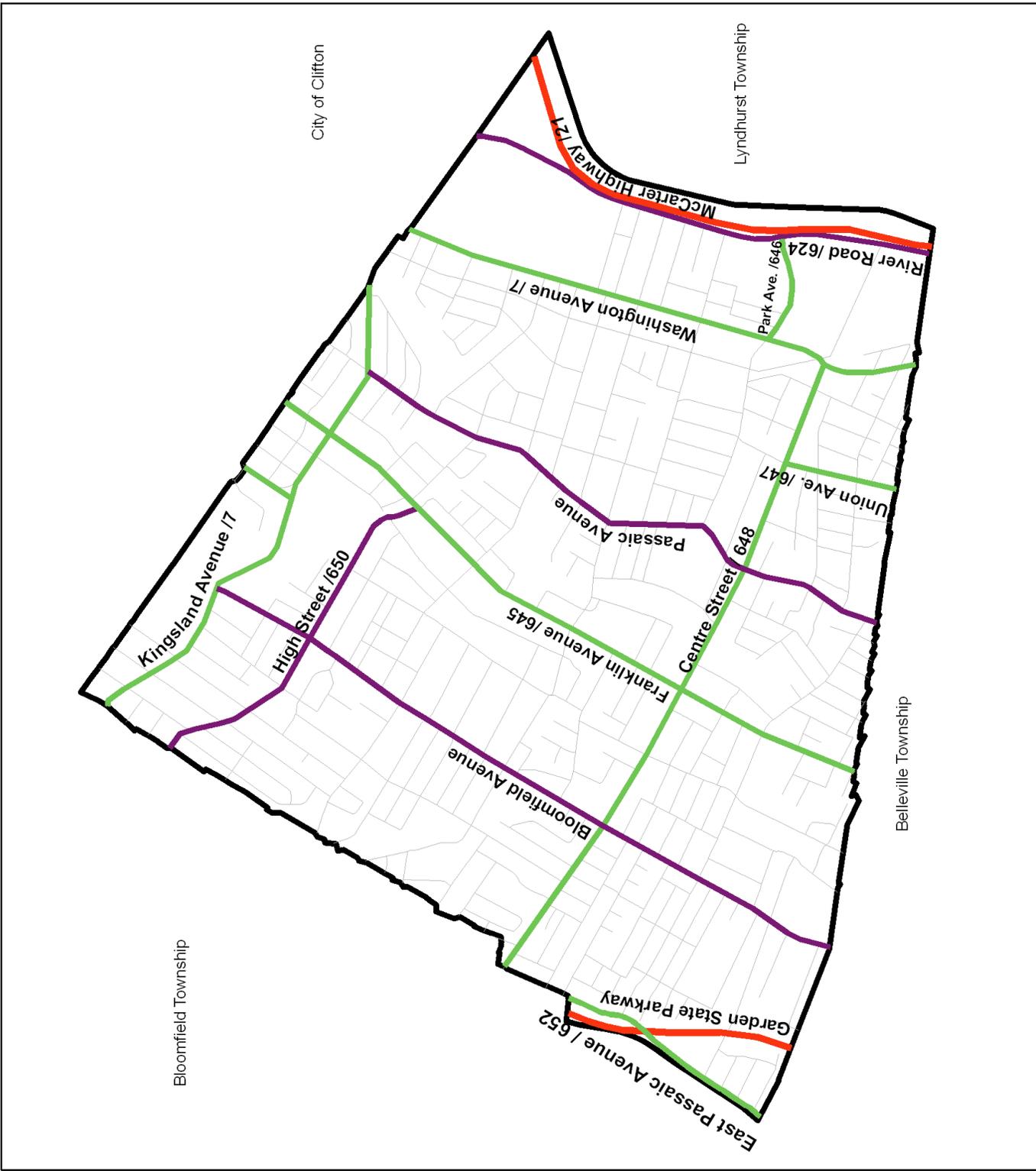
###### (i) **Route 21**

In Nutley, Route 21 is a divided three lane urban freeway/expressway which runs in the north-south direction. Route 21, which was formerly referred to as McCarter Highway, originates at the Route 1/Route 22 intersection in Newark and runs northwards through Nutley adjacent to

the Passaic River, ultimately terminating at the Route 46/Route 20 intersection in Passaic County. The posted speed limit is 55 miles per hour.

**Figure 4-1**  
**Major Roads**  
**Nutley Township**  
**Essex County, New Jersey**

- Legend**
- Major Roads**
  - Urban Collector
  - Urban Freeway
  - Urban Minor Arterial



Source: New Jersey Department of Transportation

## (ii) Garden State Parkway

The Garden State Parkway is a limited access urban freeway/expressway operated under the jurisdiction of the New Jersey Turnpike Authority. It carries traffic which is primarily related to the region rather than to Nutley. The Garden State Parkway originates in Montvale at the New York State border in the north, and then runs in a southerly direction to Cape May in the south. In Nutley, the Garden State Parkway transects only a small portion of the Township in the southwestern corner, where it has 3 lanes of traffic running in each direction. A speed limit of 55 miles per hour is posted along this section of the Garden State Parkway. The closest entrances/exits to the Township are Exits 150 & 151 in the adjacent municipality of Bloomfield.

## b) Arterials

One State roadway (State Route 7), and 6 County roads can be classified as arterials in Nutley (see Table 4-4). Each is described below. Only 6 of the County's 8 roads are classified as arterials—the other 2 are collectors. Table 4-4 details the local road names, their approximate lengths, existing cartways and roadway classifications.

**Table 4-4: County Road Inventory  
Nutley, New Jersey**

Route #	Common Name(s)	Length (mi)	Existing Cartway (ft)	Speed Limit	Road Classification
624	River Road	1.24	27 – 39	25	Urban Collector
644	Kingsland Street	0.8	39	25	Urban Minor Arterial
645	Franklin Avenue	1.64	40 – 52	25	Urban Minor Arterial
646	Park Avenue	0.28	39	25	Urban Minor Arterial/Urban Collector
648	Centre Street	1.80	36 – 45	25	Urban Minor Arterial
650	High Street	0.92	29	25	Urban Collector
652	East Passaic Avenue	0.57	39	40	Urban Minor Arterial
647	Union Avenue	0.27	39	25	Urban Minor Arterial

*Source: New Jersey Department of Transportation Straight Line Diagrams 2010, last inventoried 1/2001  
Compiled By: Phillips Preiss Grygiel LLC, May 2009 and revised in Sept 2012*

## (i) State Route 7

State Route 7 is not a highway; it acts more like an arterial roadway. It is a state roadway maintained under the auspices of the New Jersey Department of Transportation (NJDOT). Locally, Route 7 is comprised of Washington Avenue running from Belleville Township to the City of Clifton border. It resumes in Nutley Township on Kingsland Avenue and ends at the intersection with Orange Street. Nutley obtained jurisdiction of the roadway in 1999 and is responsible for maintaining Washington Avenue from Park Avenue to the Clifton border.

(ii) Kingsland Street (CR-644)

Kingsland Street is a two-lane urban minor arterial that runs in a somewhat east-west direction from approximately Cathedral Avenue to Darling Avenue. (The remainder of Kingsland Street is under the jurisdiction of NJDOT as part of Route 7). This arterial roadway provides access to the Hoffman-La Roche corporate campus in addition to numerous commercial and residential uses.

(iii) Franklin Avenue (CR-645)

Franklin Avenue is a two-lane urban minor arterial that runs in a north-south direction from Belleville to Kingsland Street (SR-7). Franklin Avenue carries a high volume of traffic to a number of commercial sites and retail uses. It serves as Nutley's "Main Street." Its appearance, i.e., streetscape, as well as the timing of lights, is an essential component of the Township's downtown. While the roadway facilitates the movement of a large amount of vehicles, moving vehicles at lower speeds through the downtown (i.e., "traffic calming") would encourage drivers to stop and frequent local commercial businesses. A variety of traffic calming methods (to be discussed later in this chapter), should be considered in future roadway design and the timing of lights.

(iv) Park Avenue (CR-646)

Park Avenue is a two-lane urban minor arterial that runs in an east-west direction from Washington Avenue (SR-7) to River Road (CR-624). This arterial roadway provides access to numerous commercial uses, park and recreation facilities and fields in addition to the Bergen/Essex County Bridge, which crosses the Passaic River into the Town of Lyndhurst.

(v) Centre Street (CR-648)

Centre Street is a two-lane urban minor arterial that runs in an east-west direction from East Passaic Avenue (CR-652) to Washington Avenue (SR-7). This arterial roadway provides access to numerous commercial uses, residential, park and recreation facilities. The area of Centre Street in close proximity to Franklin Avenue is considered part of Nutley's Downtown. The intersection with Franklin Avenue has historically been considered an area in need of traffic improvements.

(vi) East Passaic Avenue (CR-652)

East Passaic Avenue is a two-lane urban minor arterial that runs in a north-south direction in Nutley from the southwest border of Nutley (boundary with Bloomfield and Belleville) to Centre Street. This arterial roadway provides access to a range of commercial and residential uses as well as park and recreation facilities. North of Nutley, East Passaic Avenue provides access to

Garden State Parkway Interchange 151; to the south, it becomes John F. Kennedy Drive, which provides access to Garden State Parkway interchanges 149 and 148.

(vii) Union Avenue (CR-647)

Union Avenue is a two-lane urban minor arterial that runs in a north-south direction from Centre Street (CR 648) to the Township's southern border that adjoins Belleville. The portion of Union Avenue north of Centre Street is considered a local roadway. Union Avenue continues through Belleville to the South where it becomes Mount Prospect Avenue in Newark. In Nutley, Union Avenue terminates at the intersection with Park Avenue.

c) **Collectors**

The following two County roads act as collector roads in Nutley.

(i) River Road (CR-624)

River Road is a two-lane urban collector on the eastern part of the Township that traverses in a north-south direction parallel to Route 21 and the Passaic River. River Road has a posted speed limit of 25 miles per hour and runs the entire north-south length of Nutley. River Road provides access to a number of commercial businesses and multi-family housing.

(ii) High Street (CR-650)

High Street is a two-lane urban collector that runs in a east-west direction from the Bloomfield Border to Franklin Avenue (CR-645). This arterial roadway provides access to numerous commercial and residential uses.

d) **Local Roads**

Local roads distribute traffic from arterial and collector roads to residential neighborhoods and to local businesses and places of employment. According to the Residential Site Improvement Standards (RSIS), local roads consist of two types, as follows:

(i) Residential Access Roads<sup>6</sup>

Lowest order, other than rural street type, of residential streets. Provides frontage for access to lots and carries traffic with destination or origin on the street itself. Designed to carry the least amount of traffic at the lowest speed. All, or the maximum number of housing units, shall front on this class of street.

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<sup>6</sup> Residential Site Improvement Standards, NJDCA 2007.

(ii) Residential Neighborhood Roads

A type of residential access street conforming to traditional subdivision street design, and providing access to building lots fronting on a street, with parking on both sides of street.

All roadways in Nutley not otherwise classified as highways, arterials or collector roads are classified as local roads. Local roads or residential access streets are designed to carry the least amount of traffic at the lowest speed. Overall within Nutley, most local roads appear to be in fair condition. Minor maintenance and repairs are required on some roadways.

**D. Public Transportation**

1. *New Jersey Transit Bus Service*

New Jersey Transit provides passenger bus service to and from Nutley Township via bus routes 13, 27, 74 and 93. There are also a number of connecting buses along each route. Schedules are available from New Jersey Transit on their web site at <http://www.njtransit.com>.

The following bus routes are currently available:

a) **Route 13 Bus**

Route 13 provides service between Irvington and Clifton. The bus stops in Nutley at Washington Avenue (Big Tree Garage) and along Centre Street between Washington Avenue and Bloomfield Avenue, along Bloomfield Avenue between Centre Street and Kingsland Street, along Kingsland Street between Bloomfield and West Passaic Avenue. There are transfer points to Routes 27 and 74.

b) **Route 27 Bus**

Route 27 provides service between Broad Street bus terminal in Paterson to the Newark light rail at Branch Brook Park station. The bus stops in Nutley along Washington Avenue from Clifton to Centre Street, along Centre Street to Union Avenue and along Union Avenue to Belleville. There are transfer points to Route 13.

c) **Route 74 Bus**

Route 74 provides service between Irvington and Delawanna Station in Clifton. The bus stops in Nutley along Passaic Avenue between Clifton and Kingsland Street, along Kingsland Street between Passaic Avenue and Franklin Avenue and along Franklin Avenue. There are transfer points to Route 13 and connecting bus service to Routes 27, 72 and 192. The southern termi-

nus for the Route 74 Bus connects with Route 93, Newark Light Rail, that in turn travels to Newark's Penn Station where AMTRACK and PATH Service to Jersey City and New York City are available.

d) **Route 192 Bus**

The Route 192 provides service along Kingsland Street and River Road to Rutherford, Lyndhurst, Lyndhurst Office Park, Union City, and New York City.

2. *DeCamp Bus Lines*

a) **Route 32 Bus**

Route 32 provides bus service to New York, which includes intra-town service along its route. Route 32 travels along Kingsland Street between Darling Avenue & Bloomfield Avenue; along Bloomfield Avenue between Kingsland Street and High Street; along High Street between Bloomfield Avenue & Franklin Avenue; along Franklin Avenue to Centre Street; along Centre Street to Washington Avenue; along Washington Avenue to Park Avenue; along Park Avenue across the Lyndhurst Bridge to Riverside Avenue; along Riverside Avenue to NJ Route 3 (in Lyndhurst); and along Route 3 to New York.

b) **Route 33 Bus**

Route 33 also provides bus service to New York. It originates in Caldwell and stops at the intersection of West Passaic Avenue / Darling Avenue / Kingsland Street.

c) **Route 88 Bus**

Route 88 also provides bus service to New York. It originates in East Orange and stops at the intersection of West Passaic Avenue / Darling Avenue / Kingsland Street.

3. *Jitney Service*

A jitney service is currently provided to the Delawanna passenger rail station in Clifton. Jitney service is timed with rail service at the Delawanna station to limit the waiting period of travelers. Nutley purchased the bus through a New Jersey Department of Transportation grant and pays for a part-time bus driver and maintenance of the vehicle. For one (1) dollar, residents receive excellent service (and value) to and from the Delawanna station.

4. *Passenger and Cargo Rail*

a) **Passenger Service**

The Township does not have a passenger rail service. The City of Clifton has passenger rail service at the Delawanna rail station. New Jersey Transit proposes passenger rail service in Clifton adjacent to Nutley's corner.

b) **Cargo Rail Service**

Freight rail service is provided along the former Erie-Lackawanna (Newark Branch) passenger line. The line is currently owned by and operated by the Norfolk Southern Corporation.

5. *Air Transportation*

There are no air transportation services within the Township. However, the Township is located in close proximity to Newark Liberty International Airport, and Teterboro Airport, which results in the need to monitor existing and proposed flight paths that may cause negative impacts to residential neighborhoods.

**E. Pedestrian and Bicycle Circulation**

During public visioning sessions and municipal stakeholder meetings, a desire was expressed for Nutley to be more "pedestrian friendly." Fortunately, most of the Township has a strong foundation of interconnecting streets with sidewalks to build upon. However, there are opportunities to improve connections between residential neighborhoods and community facilities.

Improvements to Nutley's pedestrian circulation system in the downtown area are strongly recommended. The Township is in the process of implementing streetscape design with attractive pedestrian-scaled lighting, and landscape improvements throughout the downtown.

To understand the need for pedestrian improvements outside of the downtown, a more detailed analysis of the current sidewalks should be conducted. A determination of where sidewalk connections to community facilities are needed, should be made. Pedestrian-friendly design should be considered whenever and wherever either redevelopment or revitalization is undertaken. Such plans should consider improving connections between the downtown, community facilities and Township parks. Additionally, the Township should consider creating a comprehensive sidewalk/pedestrian/bicycling circulation plan in cooperation with adjoining communities.

One of the ways in which a community can make itself more pedestrian-friendly is through the institution of what is referred to as "traffic calming" measures. Traffic calming measures are designed to reduce speed and heighten motorists' awareness of pedestrians and cyclists on the roadway. Nutley should investigate whether the addition of traffic calming measures at intersections on Franklin Avenue in the downtown would make the downtown more pedestrian-friendly.

**F. Circulation Areas of Concern**

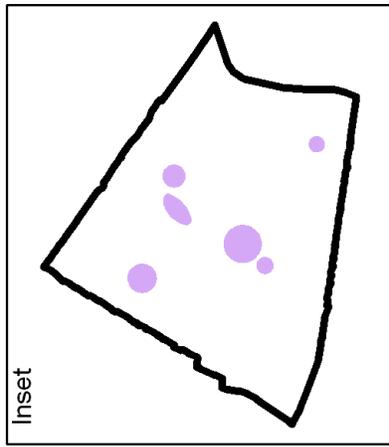
As listed below and shown in Figure 4-2, critical circulation areas in Nutley are those areas in the Township where potential future projects should be undertaken. These areas are characterized as having a high rate of accidents, poor roadway configuration, or general circulation concerns. Realizing that many of these projects may not be under local jurisdiction, the Township will need to identify county and state agencies/organizations and stakeholders and work with them to solve particular problems. Figure 4-2 identifies these areas of concern, most of which were identified by Township stakeholders and by residents at a public meeting. Further study of these areas is needed to evaluate the following areas of concern:

1. Pickup and drop-off at elementary schools.
2. Parking in the downtown.
3. Parking adjacent to Nutley High School, Library and Municipal Building.

**G. Recommended Circulation Improvements****1. *Department of Public Works***

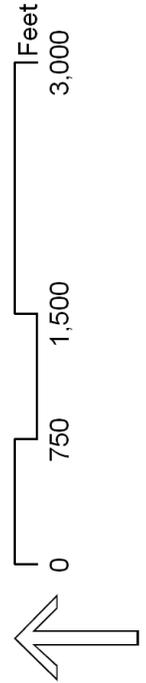
Work completed by the Department of Public Works (DPW) is critical for Nutley to maintain a safe network of local roads, sidewalks and trails. The DPW, on a yearly basis, is responsible for reconstruction projects, milling and resurfacing of roadways and routine maintenance. The continuation of a successful road program is vital to promoting the free flow of traffic necessary to encourage commerce, retain a high quality of life and to maintain the visual appearance of Nutley. The Township's Road Program operates on a budget which typically ranges from \$250,000 to \$500,000 per year. To supplement local revenues, the Township typically receives local aid from NJDOT and monies from federal programs. On average, Nutley receives approximately \$300,000 in grant monies from the NJDOT local aid program each year. Additionally, in accordance with stimulus programs from the federal government, Nutley was successful in receiving an additional \$600,000 to be utilized for the general road program. The Township should continue to support roadway maintenance and improvement projects undertaken by the DPW.

**Figure 4-2**  
**Circulation Areas of Concern**  
**Nutley Township**  
**Essex County, New Jersey**



**Legend**

- Circulation Areas of Concern
- Major Roads**
- Urban Collector
- Urban Freeway
- Urban Minor Arterial



## 2. *Assistance Available*

Due to the varied and expansive transportation needs of the State and region, organizations have been formed which aid local municipalities with data collection, research, carpool and van-pool services, transit information, funding, etc. A list of such organizations is provided in the next paragraph. While it is only a limited list, the organizations listed can provide additional information to member municipalities, should a specific need arise.

Transportation funding is available at the Federal, Regional, State and County divisions of government. However, the major sources of funding come from the Federal government's Transportation Equity Act for the 21st Century (TEA-21) programs. The New Jersey Planning Transportation Authority (NJPTA) is the federally sanctioned Metropolitan Planning Organization (MPO) for the six million people in the thirteen county Northern New Jersey Region. The NJPTA oversees over one (1) billion dollars in transportation investments each year. The Transportation Improvement Program (TIP) is the program coordinated by the NJTPA that lists the projects in each of the Counties in the planning area that are to receive federal funding. The TIP process builds consensus between state and local officials as to the regional transportation improvements that are to be made.

Moreover, as already discussed above, the Township applies to the NJDOT Local Aid program on an annual basis to subsidize the Township's local road maintenance program. Specifics of the program are provided in Section 1 above.

## 3. *Gateways*

Gateways can be defined as vehicular or pedestrian entrances into the Township from adjacent communities. Gateways are important in that they help not only to define the Township's boundaries but also provide a first impression or image of the community. Just as your home or business should have an identifiable entrance, so should a community. Communities should not ignore the impact that a first impression has on visitors and customers. Through proper design, gateways can be improved to provide a strong sense of identity and arrival in Nutley. Gateway treatments at the locations identified in Table 4-5 can convey the Township's identity by utilizing characteristic design elements that reflect Nutley's character and vision.

**Table 4-5: Gateway Locations  
Nutley, New Jersey**

<b>Gateway</b>	<b>Location</b>
Franklin Avenue Entrances	Belleville/Clifton Border; Downtown
Park Avenue	Adjacent to Park Avenue Bridge
Washington Avenue Entrances	Belleville/Clifton Border
Kingsland Street	Darling Avenue/Kingsland Street
Passaic Avenue	Belleville/Clifton Border
Centre Street	East Passaic Avenue / Sadler Road
East Passaic Avenue	Bloomfield Border

There are numerous methods to enhance gateway locations. These include upgrading informative way-finding signage, landscaping and streetscape improvements and the promotion of desirable land uses. A combination of these methods is recommended for all gateway locations in Nutley.

#### 4. *Specific Recommended Circulation Improvements*

The following listed items are recommendations (not in order of priority) intended to improve circulation throughout the Township.

1. Coordinate specific traffic improvements recommended by the Department of Public Works and Township Police with the County and State for funding and implementation.
2. Light rail is no longer an option along the former Newark Branch rail line that runs through Nutley, and therefore efforts to promote it should be diverted to more practical improvements. The rail line has been transformed into a linear park in Harrison and Kearny. Limited freight trains will continue to utilize the line.
3. This Plan supports the proposal to create a transit hub in the vicinity of the Route 21/Route 3 interchange in Clifton, to include a new train station which should include Nutley's name as an identifier servicing the NJ Transit Main Line and bus service that will increase access to New York. This proposal eliminates the need for Nutley to address parking and station problems associated with the creation of light rail through Nutley.
4. This Plan recognizes Nutley as an automobile dependent community, similar to most New Jersey communities. In accordance with recommendations located within the Township's Sustainability Plan Element, additional measures to encourage the use of a wider range of transportation choices is needed to encourage a reduction in energy use, shorten travel time to work, create local jobs, reduce environmental impacts, support local commerce, in addition to numerous other benefits.

5. Continue to plan for and install safety improvements at existing at-grade railroad crossings adjacent to the former Newark Branch freight rail line.
6. Conduct a downtown area parking study to include evaluating the number of residential units and the actual amount of non-residential space by use, in the downtown, in order to evaluate the current ratio at which on and off-street municipal parking is provided. Such a study will serve as baseline data for assessing future downtown parking needs.
7. Investigate utilizing the Abundant Life School property for municipal civic services. This facility is currently being leased by ITT and is a possible location for the parking of Township school buses.
8. Evaluate options to maximize and enhance off-street parking in the downtown to accommodate additional off-street parking. For example, the Township has previously constructed Parking Lot 8 to serve as overflow to Parking Lot #1; Parking Lot 1 was reconstructed to increase revenues for the Township and to support the core businesses.
9. Seek NJDOT Safe Routes to School grants to construct sidewalks in the PRD district.
10. Educate the community regarding recent standards created by the DPW for pavement, sidewalks and curbing.
11. Work with the County to determine designated bike routes within Nutley. Bike routes should connect many of the public areas, such as parks and schools, which already provide bicycle racks, benches, and other amenities for cyclists. Roadway designations should be based on shoulder width (both existing and proposed), speed limits for motorists, and level of traffic. Seek NJDOT Safe Streets grants to construct bike routes. Particular consideration should be given to: (a) creating bicycle lanes on Washington Avenue, which has a 100-foot right-of-way (ROW), and the freight rail line (a 100-foot ROW); (b) demarcating bike routes through the existing central park system and along Centre Street, which has a 60-foot ROW, and (c) along the Passaic River adjacent to the Route 21 ROW.
12. In addition to the local road program, seek NJDOT local aid grants to provide funding for bike and pedestrian improvements.
13. Consider improving pedestrian safety at key intersections and implementing traffic calming measures such as rumble strips, different pavement colors and textures and signs at pedestrian crossings. Particular consideration should be given to the following intersections: Franklin Avenue and Centre Street; Franklin Avenue and Chestnut Street; Bloomfield Avenue and High Street; and Bloomfield Avenue and Chestnut Street.

14. Investigate the creation of a park-n-ride area adjacent to Hoffman-La Roche to provide better access to New York City bus service.
15. In accordance with recommendations within the Land Use Element of this Master Plan, a system of wayfinding signs should be designed and installed directing visitors to the Downtown. Once in the Downtown, the wayfinding signs should direct individuals to community facilities, off-street parking and other destination locations.
16. Investigating no left turns and other turning movements at various locations to improve traffic circulation.
17. Improve emergency access in and out of Township parks in accordance with recommendations from Township emergency response personnel.
18. In conjunction with the Shade Tree Committee, supplement existing perimeter plantings (trees and shrubs) along existing roads to maintain the established character of the Township.
19. Expand the existing shuttle system to Delawanna Station in Clifton by serving the downtown and other activity centers, and provide an alternative to driving.
20. Research alternative funding sources to undertake a sidewalk inventory in the Township. The inventory should include the condition, location, width, and handicap accessibility of all sidewalks. Recommendations should include making improvements in areas where sidewalks need to be reconstructed, or installed for the first time, or built to serve as a connection between existing sidewalks.
21. Adopt an "official map," per the Municipal Land Use Law, or incorporate a local roadway inventory into the Master Plan.
22. Survey areas along the Township's borders where parking from adjoining communities overflows onto Township streets, and take steps to prevent the overnight parking of vehicles on Township roads from adjoining communities.
23. Monitor existing and proposed flight paths from Newark Liberty International Airport and Teterboro Airport to evaluate the negative impacts on residential areas of the community.

## CHAPTER 5 CONSERVATION PLAN ELEMENT

### A. Introduction

Nutley has prepared this Conservation Plan Element in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-28.b.(8)) to provide for the preservation, conservation, restoration, and appropriate utilization of natural resources. Resources considered for conservation purposes include open space, forests, soils, wetlands, rivers, surface and ground water, air, endangered and threatened species and wildlife, energy, and other natural resources important to the well being of the community and the region. In accordance with the MLUL, this Conservation Plan examines these natural resource conditions within Nutley and devises goals and objectives to preserve, conserve, and utilize its natural resources. Consideration is also given to the significant investment in transit, roads, and community facilities in Nutley, as well as the historic and cultural resources attributed to the Township. This Conservation Plan also sets forth an implementation strategy and additional steps needed to improve the balance between manmade and natural resources. Planning and recommendation specific to sustainability and greenhouse gas reduction are located within the separate Green/Sustainability Plan Element.<sup>7</sup>

Recognizing that Nutley is almost fully developed with few remaining undeveloped parcels, a significant proportion of the community's natural resource conditions have been altered to accommodate a community with a population of approximately twenty-seven thousand people within 3.4 square miles. In the future, most new development is anticipated to occur in the form of scattered residential infill development and redevelopment of the Township's Downtown and non-residential areas. Despite the extent to which the Township's natural resources have been altered as a result of development, Nutley's conservation planning is important to the long-term quality of life for its residents. To protect natural resources from degradation, the Conservation Plan identifies the key resources and features within the Township that should be maintained and protected. The Conservation Plan also recommends the actions that the Township should undertake to focus public and private conservation efforts to achieve Nutley's conservation goals.

### B. Resource Protection Needs

Resource protection in Nutley will be addressed through the following actions:

- Implementing the Conservation Plan for greenways and environmentally sensitive lands through amending and supplementing the Township zone plan and by adding appropriate site plan and subdivision design standards.
- Recognition of and incorporation of State-mandated regulations that protect wetlands, wetlands transition areas, and air and water resources.

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<sup>7</sup> Nutley's conservation goals are listed in Chapter 2, Goals and Objectives, of this Master Plan.

- Creation of partnerships with state agencies and private entities to encourage brownfield remediation and sustainable reuse.
- Acquisition of available state and federal grants for conservation purposes.
- Conservation education.

Nutley must protect the Township's natural resources by managing its environmentally-sensitive features. These resources include:

1. Soils
2. Wetlands
3. Floodplain
4. Surface water
5. Stream corridor
6. Water quality
7. Stormwater runoff
8. Wellhead protection
9. Tree buffers.

The major environmentally sensitive features that the Township plans to conserve and improve are shown on the following Conservation Plan Map (Figure 5-1: Conservation Plan). The importance of these features to the Township Conservation Master Plan and Nutley are reviewed below.

### **C. Natural Conditions in Nutley**

Natural conditions and physical characteristics play an important role in shaping the development of the Township of Nutley. However, to the extent that the community is almost completely built up, few areas remain in their natural state, or close to their original form. Nevertheless, the overall topography of the community, the soil type and depth, drainage and flooding characteristics and wetlands will continue to have an effect on the location and form of development in the Township.

#### *1. Soils*

National Resource Conservation Service (NRCS) soil maps classify the majority of Nutley as disturbed urban land, representing 70% of the Township (see Figure 5-2). The second most prominent soil type within the Township are Boonton series soils, found mainly in the eastern portion of Nutley from the vicinity of River Road to the Third River. The Boonton series consists of very deep, moderately well drained soils that formed on glacial till dominated by red sandstone, shale basalt, or diabase. Thirteen percent (13%) of the Township consists of Boonton soils.

Udorthents soils, located in 4% of the Township, consist of deep and very deep, well drained and moderately well drained soils that formed in material transported by human activity or in the original C horizon or mineral soils. Typically, Udorthent soils are composed of soils altered by excavating, cutting and filling activities associated with construction.

Soil composition throughout the remainder of the Township varies predominantly surrounding the Third River. The Third River area, which runs generally north-south bisects Nutley contains soils from the Dunellen, Fluvaquents, Tunkhannock and Udifluents series.

The Dunellen series consists of very deep, well-drained soils with negligible to high potential surface run off. The Fluvaquent soil series consists of young sediments deposited by flooding within a floodplain area. The Tunkhannock series consists of very deep, well to somewhat excessively drained soils formed in water-sorted glacial material derived from reddish sandstone, siltstone, and shale. Finally, the Udifluents soil group represents frequently flooded soils in Nutley. The Township contains only limited critical steep slope areas of 15% or greater.

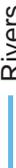
## 2. *Wetlands*

Wetlands provide critical habitats for endangered and threatened species and many other wild-life species, and are vital to the recharge of aquifers, the control of flooding, and the removal of pollutants from the environment.

The wetlands within the Township are regulated and protected by the NJDEP pursuant to the State Freshwater Wetlands Protection Act.

Wetland areas within the Township of Nutley occupy only a very small area of the Township—approximately 4 acres, or 0.2% of overall land area within the community (see Figure 5-1). The majority of these fresh water wetlands identified within the New Jersey Department of Environmental Protection (NJDEP) geographic information system mapping are small isolated wetlands. Figure 5-1 depicts wetland areas under one acre in size within the Nutley High school Oval football/baseball field, Flora Louden Park and the parking lot of Diamond Springs Private Pool club. It appears that these wetland areas identified within the NJDEP wetland mapping database, representing approximately two (2) acres, have been filled. The fourth and final wetland area located between Route 21 and the Passaic River at the northeastern corner of the Township, representing approximately two (2) acres areas appears to be a fresh water tidal marsh associated with the Passaic River.

**Figure 5-1**  
**Conservation Plan**  
**Nutley Township**  
**Essex County, New Jersey**

- Legend**
-  Rivers
  -  100 Year Floodplain
  -  Public Schools
  -  Parks/Open Space
  -  Tax Parcels
  -  Culvert
  -  Wetlands
  -  Historically Significant\*
  -  Contaminated Sites



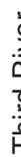
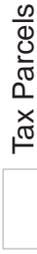
0 1,000 2,000 4,000 Feet

This map was prepared utilizing NJDEP and FEMA digital data, but this secondary product has not been verified by NJDEP or FEMA.

\*Historically significant properties are those that are listed on the State or National Register or are considered to have local historic significance.

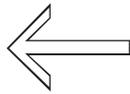
**Figure 5-2**  
**Nutley Township**  
**Soils**  
**Essex County, New Jersey**

**Legend**

-  Third River
-  Tax Parcels

**Soils**

-  Boonton Series
-  Dunellen Series
-  Fluvaquents Series
-  Tunkhannock Series
-  Udifluvents Series
-  Udorthents Series
-  Urban Land
-  Water



This map was prepared utilizing NJDEP and FEMA digital data, but this secondary product has not been verified by NJDEP or FEMA.

### 3. *Floodplains*

Another critical environmental area within the Township is floodplains, delineated on Federal Emergency Management Agency (FEMA) maps. These flood areas generally represent the 100-year floodplain limits of the Passaic and Third Rivers. (Floodplains are identified within Figure 5-1.) Floodplains are usually lower-lying areas of land bordering streams, which are periodically inundated by floodwaters. Rainstorms of severe intensity may cause the entire floodplain to flood. Flood hazard areas are the areas within the floodplain that are subject to flooding from a storm with a frequency of recurrence of once or more per 100 years. Floodplains also are areas of substantial ecological value. In general, further development should be carefully monitored within the flood hazard areas because of their impact on flooding. An increase in the volume of development within flood hazard areas should be prevented. Uses that are not significantly harmed by periodic flooding, such as recreation and nature study, should be encouraged.

Certain stream areas and small water bodies in Nutley do not have their flood hazard areas delineated. In these undetermined areas, development may be limited due to potential flooding. Specific areas identified as having local flooding problems include:

- Passaic Avenue/Rutgers Place
- Kingsland Street/Bloomfield Avenue
- Bloomfield Avenue/Mountainview Avenue
- Franklin Avenue/Harrison Street.

### 4. *Surface Waters*

The surface waters of the Township are important resources insofar as wildlife habitat, recreational and park and scenic resources are concerned, as well as for flood control and drainage. Both the groundwater and surface water resources in the Township are finite resources that need to be protected and conserved. As indicated in the Township's 2006 Stormwater Management Plan, surface waters in the Township include the Passaic River, the Third River and its tributaries.

### 5. *Stream Corridors*

The stream corridors of the Township consist of streams and associated wetlands, together with adjacent upland areas, inclusive of the floodplain. A stream buffer is an area of undisturbed vegetation that is maintained along the bank of a surface water body which can help to protect the stream corridor from development impacts. The maintenance of a stream buffer is recommended to protect the stream from development impacts. Buffer widths may vary depending upon the degree to which the stream, its resources and the functions need to be protected.

Considerations include water quality and stream functions, such as wildlife habitat, scenic value, and recreational value.

Impacts from land development and urban runoff contribute to nonpoint sources of pollution in the Township's local waterways. These impacts include siltation of rivers, streams and ponds, and increased nutrient, bacterial, and chemical contaminants.

The use of fertilizers to create the "perfect lawn" is an increasingly common concern in many residential areas. Fertilizer run-off increases the level of nutrients in water bodies and can accelerate eutrophication<sup>8</sup> in the lakes and rivers. The excessive use of fertilizer causes nitrate contamination of groundwater. Good lawn maintenance practices can help in reducing the amount of nitrates in the soil and thereby lower its content in the water. Almost as important as the use of fertilizer is the combination of over-fertilizing and overwatering lawns. In many cases, this leads to nutrient rich runoff, which ultimately may drain into a nearby stream, lake, or other water body. If fertilizer is applied correctly, the natural characteristics of the underlying soils will absorb or filter out the nutrients in the fertilizer.

The NJDEP Water Monitoring Standards Division monitors the water quality of State waterways. In particular, they identify waterways which have exceeded the permitted State's total maximum daily loads for a particular heavy metal or biological impairment. The closest monitoring station along the Passaic River is located in Little Falls. The Watershed Management Area (WMA) in which Nutley is located is impaired for phosphorous.

## 6. *Stormwater Runoff*

In 2005, the Township adopted a Stormwater Management Element of the Master Plan. It was updated in 2008. The Plan provides a strategy for Nutley to plan for and manage increased runoff associated with development and changes in land use. Proper stormwater management contributes to improved water quality and the preservation of floodplains maintains the natural paths for stormwater to flow. The Stormwater Management Element of the Master Plan is hereby incorporated by reference into this 2012 Master Plan for the Township of Nutley. Properties in floodways and flood zones should be identified and acquired with available government funds.

## 7. *Wellhead Protection Areas*

The protection of public community water supply wells from the impact of contaminants associated with particular land uses and chemical management practices is an important water supply and groundwater protection issue. Pollutants can seep through the soil from the land surface and contaminate groundwater water supply. While there are no primary public community water

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<sup>8</sup> Eutrophication – The normally slow aging process by which a lake evolves into a bog or marsh and ultimately assumes a completely terrestrial state and disappears.

supply wells (PCWS) in Nutley, this Plan recognizes a secondary well at Vincent Place and that portions of the Township lie within areas that may impact PCWS in adjoining communities.

Wellhead protection areas are delineated around public community water wells based on site-specific wellhead information, such as groundwater time of travel, rate of pumping, and aquifer characteristics (thickness, transmissivity, porosity, and hydraulic gradient). Time of travel of the pollutant to the well is directly related to the distance the water has to travel to arrive at a well once it starts pumping. The time is divided into three tiers based on travel time to wells:

- Tier 1: 2 years (730 days) - This boundary accounts for the time travel to the outer boundary and presence. The boundary extends from the well to the boundary established to represent the 2-year time travel.
- Tier 2: 5 years (1,826 days) - This boundary accounts for the discharge of known pollution contamination and the ability of the NJDEP to locate responsible parties. The boundary accounts for the “smearing effect” observed in pollution plumes and the acceleration of groundwater near a pumping well. The Tier 2 boundary extends from the perimeter of Tier 1 to the boundary representing the 5-year time travel.
- Tier 3: 12 years (4,383 days) - This boundary is the complete zone of contribution and the limit of the wellhead monitoring areas. The Tier 3 boundary extends from the perimeter of Tier 2 to the outer boundary representing the 12-year time travel.

New Jersey Safe Drinking Water Act rule 7:10-11-7 (b) (1) (i) requires a public community water system to acquire and control all land within a 50-foot radius of any ground water source. Rule 7:10-11-7 (b) (1) (i) recommends ownership or control of a minimum of 1-acre or property around wells producing less than 1 million gallons per day (MGD). The rule further prohibits all sanitary sewers, storm sewers, manholes and service connections within 50-feet of a well and requires all such lines within 100-feet of a well to be constructed of water tight materials.

The Township should evaluate greater buffering needs around the Vincent Street well as part of Township land use planning efforts. Nutley should also work with adjoining communities as necessary to ensure that public water supplies are not contaminated as a result of poor land use practices.

#### **D. Conservation Plan Recommendations**

The development and redevelopment of Nutley should be consistent with the principle of sustainable development. Development is considered to be sustainable if it meets the needs of the present without compromising the ability of future generations to meet their needs. Development and growth should not exceed the limits of Nutley’s natural systems and its infrastructure system, nor should it degrade those systems. Consistent with the principle of sustainable development, the Township should take the following actions—not listed in order of priority—to achieve its conservation goals and objectives and meet the Township’s conservation needs:

## 1. *Resource Protection*

### a) **Promote Cooperation among Communities along the Passaic River**

The Passaic River is the most significant natural resource in Nutley and many other communities in Essex and adjoining Counties.

Although Nutley has little or no control over activities that affect the quality or quantity of water from upstream communities, this Plan recognizes the need to manage the Passaic River on a regional basis. The Passaic River Coalition is the primary organization charged with that responsibility. It was created in 1969 and incorporated in 1972 to protect and restore the Passaic and its ecosystem. According to its website, "Passaic River Coalition has faced the challenges of a watershed beset with every conceivable environmental problem" (see Figure 5-2). To help fulfill its purpose, the Association provides assistance associated with:

- Flood Management;
- Enlargement of Recreational & Natural Areas;
- Enhancement of Water Supply Management;
- Improvement of Water Quality; and
- Ground Water Management.

A primary goal of this Conservation Plan is to adopt land-use policies within Nutley and participate in inter-municipal planning to regulate land adjacent to the Passaic River. The latter will require coordination with numerous municipalities located in six (6) counties through which the Passaic River flows. This Plan recommends collaborating with both the Passaic River Coalition and these communities to encourage water quality improvement along the entire length of the Passaic River.

### b) **Conserve Stream Corridors and Flood Hazard Areas**

Nutley should regulate development to preserve the existing stream corridors and flood hazard areas. Township regulations should attempt to conserve, to the extent possible, natural open spaces along the stream corridors from increased development, and only to allow activities that would minimize adverse impacts on the environment. The flood hazard areas should be regulated to minimize the potential for damage to life and property from flood events.

The Township should adopt its own stream corridor protection regulations, such as limit the expansion of buildings and impervious areas within floodways. There are several model regulations which can be adapted for this purpose. These regulations should provide for a buffer adjacent to the River with a minimum width as part of the stream corridor. The Township should

regulate all flood hazard areas to control or limit further development that might exacerbate the potential for flood damage.

## 2. *Maintain and Expand Greenways*

Adopting a plan and implementing a riverfront greenway system is an excellent way to preserve riverfront land and restore regional ecosystems. Greenways have also been adopted along ridgelines, as hedgerows dividing farmlands, as greenbelts around cities, as rails-to-trails programs, and in many other areas. A greenway is, in simplest terms, a linear open space. In Nutley, an existing greenway exists adjacent to the Third River. Opportunities continue to exist to expand the existing Third River greenway. PSE&G and water rights-of-way also provide possibilities for greenways. Currently, State and regional agencies are evaluating the possibility of converting the freight line into a light rail line. If it is not feasible for use as the light rail line, another option includes acquiring the freight rail line right-of-way and transforming it to a rail-to-trails network with connections to community facilities, commercial and residential uses along its path. Nutley should continue to work with State and regional agencies on the most appropriate future use of the freight line, both of which options would provide benefits to Nutley and the Region.

Greenways may be owned either publicly or privately. They may be acquired as open space through fee simple acquisition or through conservation easements. For example, most of the land adjacent to the Passaic River is privately-owned. If these properties become available, the Township should consider acquiring or implementing conservation easements for those portions which front on the River, and in some cases where feasible, the entire property.

The Township greenway system should include the Township's stream corridors in conjunction with a program of stream corridor protection and restoration. The development and improvement of river walkways should be encouraged. Furthermore the use of pervious materials should be considered as part of the design of new walkways with consideration given to the needs of handicapped individuals.

## 3. *Best Management Practices*

### a) **Improve the Water Quality of Local Streams**

To protect streams from further degradation of water quality, stream restoration and best management practices are needed. The Township should establish minimum standards for stream corridor protection. Ideally, a stream buffer width having a minimum distance of 75 feet and an average distance of 100 feet, as measured from the 100-year floodline is appropriate. Even if there is no 100-year floodline, a buffer of some width should be maintained adjacent to a stream, lake, or pond. An exact width of the buffer should be determined during the crafting of implementation ordinances.

The buffer will slow the rate at which water enters the stream, allowing sediment to drop and be contained. Sediment often contains contaminants such as fertilizers, pesticides, pathogens, and heavy metals. Filtering particulates prevents them from entering the surface water body. Buffers also provide a source of food, nesting, cover and shelter for wildlife species and a corridor for the migration and movement of wildlife. Buffers are desirable that provide at least three (3) layers of vegetation, including herbaceous plants that serve as ground cover, under story shrubs, and trees that, when fully mature, will form an overhead canopy. When constructing a buffer area, vegetation should be indigenous, noninvasive species and be consistent with the soil, slope, and moisture conditions of each site.

This Conservation Plan specifically recommends the use of the following nonstructural strategies for all major developments in accordance with Subchapter 5 of the DEP Best Management Practices manual:

1. Protect areas that provide water quality benefits or areas particularly susceptible to erosion and sediment loss.
2. Minimize impervious surfaces and break up or disconnect the flow of runoff over impervious surfaces.
3. Maximize the protection of natural drainage features and vegetation.
4. Minimize land disturbance including clearing and grading.
5. Minimize soil compaction.
6. Provide vegetated open-channel conveyance systems discharge into and through stable vegetated areas.
7. Provide preventative source controls.

**b) Require the Use of Vegetated Filter Strips**

Vegetated filter strips are engineered stormwater conveyance systems that treat small drainage areas. Generally, a vegetated filter strip consists of a level spreader and planted vegetation. The level spreader ensures uniform flow over the vegetation that filters out pollutants, and promotes infiltration of the stormwater. Vegetated filter strips are best utilized adjacent to a buffer strip, a watercourse, or a drainage swale since the discharge will be in the form of sheet flow, making it difficult to convey the stormwater downstream in a normal conveyance system (swale or pipe).

**c) Increase the Use of Stream Corridor Buffer Strips**

Buffer strips are undisturbed areas between development and the receiving waters. There are two management objectives associated with stream corridor buffer strips:

- To provide buffer protection along a stream corridor to protect existing ecological form and functions; and
- To minimize the impact of development on the stream itself (filter pollutants, provide shade and bank stability, reduce the velocity of overland flow).

Buffers only provide limited benefits in terms of stormwater management; however, they are an integral part of a system of best management practices. Green gabion walls along the Third River will provide both stability and help control overland flow.

#### d) **Improve Requirements to Stabilize Stream Banks, Shoreline and Slopes**

The root systems of trees, shrubs, and plants effectively bind soils to resist erosion. Increasing the amount of plant material for new and redeveloped residential and nonresidential sites should be encouraged throughout the Township. Planting schemes should be designed by a certified landscape architect to combine plant species that have complementary rooting characteristics to provide long-term stability.

4.

#### 5. *Create Scattered-Site Redevelopment Areas and Plans*

To leverage the maximum amount of funding to cleanup existing Brownfields, consideration should be given to creating scattered site redevelopment areas<sup>9</sup> and plans. The intent is to utilize powers and environmental cleanup monies offered to municipalities and property owners within formal Redevelopment Areas. The goal is to increase the likelihood of environmental remediation.

#### 6. *Ordinance Recommendations*

##### a) **Create a Lot Coverage (Building Coverage) Standard for All Zone Districts**

Lot coverage standards for all zones should be adopted to restrict impervious coverage of all property and to prevent owners from paving over their entire properties.

##### b) **Floodplain Overlay**

Create an ordinance in accordance with recommendations incorporated into the text of this Conservation Plan.

##### c) **Stormwater Management**

The Township should create provisions that:

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<sup>9</sup> Redevelopment areas dispersed throughout the Township.

- (1) Require stormwater improvements for construction that substantially increase the building footprint.
- (2) Revise Township ordinances to permit the use of permeable materials where appropriate;
- (3) Require vegetative filters and improved landscaping in off-street parking areas;
- (4) Permit flush curbs and/or curb cuts to allow for runoff to discharge into adjacent vegetated areas as sheet flow; and
- (5) Permit an open filter area adjoining a catch basin.

d) **Bicycle Racks**

Revise bicycle rack requirements in accordance with the recommendations.

e) **Stream-corridor Protection**

Create an ordinance in accordance with the recommendations in this Conservation Plan.

f) **Landscape Plans**

Require that a certified landscape architect prepare or review all landscape plans for major development.

g) **Environmental Impact Statement**

To evaluate potentially harmful effects on the natural and aesthetic environment, consideration should be given to requiring an Environmental Impact Statement for all major site plan and subdivision applications. A modified environmental impact statement or environmental assessment for lesser and for minor site plan and subdivision applications in those situations in which the natural environment is not being significantly disturbed or altered, or where sensitive environmental features are not being significantly impacted should also be required. This Conservation Plan recognizes that the level of detail required for various types of applications should vary depending on the size of the development proposal, the nature of the site and the location of the project. Consideration should be given to conducting a “scoping session” or a pre-application conference with the Township Engineer/Planner to determine the content of the environmental impact statement or environmental assessment.

**E. Implementation/Action Plan**

This section is intended to provide concrete steps towards implementing the objectives of this Conservation Plan. This Conservation Plan recommends a course of action to improve conservation policies and an implementation agenda. The Township Planner, Township Engineer and

associated Township personnel should be responsible for implementing the goals and specific objectives of this Conservation Plan.

Successful implementation will require the participation of existing Township boards, committees, and staff including, but not limited to, the Township Council, Planning Board, Zoning Board, Township Engineer, Department of Public Works, and others.

Accomplishing the conservation objectives will require time and commitment from Township personnel. Where money is required, it may be sought from state, county, and federal governmental agencies, private nonprofit conservation agencies, foundations, and individual donations in addition to municipal funds.

This Conservation Plan recommends the following implementation actions:

1. Prepare ordinance amendments to implement the recommendations contained within this Conservation Plan.
2. Create land-use policy and an inter-municipal plan to regulate land adjacent to the Passaic River. Collaborate with the Passaic River Coalition and the communities along the River to develop a plan.
3. Expand the existing Third River greenway in conjunction with a program of stream corridor protection and restoration.
4. Create energy-efficiency goals for all municipally-owned and operated buildings and for the municipal mobile fleet to reduce energy demand. Perform periodic energy audits of the municipal buildings and mobile fleet.
5. Collaborate with Essex County to improve bike paths.
6. Continue the Township's efforts to stabilize streams in the Township's parks.
7. Maintain the Township's parks to prevent degradation to water quality and to retain the full resource value of each facility. Short-term projects include dredging the "mud hole" and widening the existing bridge in Memorial Park to increase stream flow.
8. Consider creating scattered site redevelopment areas to expedite environmental cleanup.
9. Work with the NJDEP Office of Brownfield and NJ Economic Development Agency to remediate brownfield sites. Monies are available to:
  - Conduct project feasibility studies.
  - Provide predevelopment funding.

- Investigate and remediate.
  - Cleanup underground storage tanks owned by private parties.
10. Investigate where appropriate and provide technical assistance to encourage the clean up and reuse of contaminated sites pursuant to the Economic Opportunity Zone Act, which expands eligibility for property tax exemptions to residential developers, and extends the maximum tax exemption term from ten to fifteen years where developers agree to fully remediate sites rather than using engineering controls, i.e., capping a site.
  11. Assist property owners and the Township in assessing the extent of environmental contamination of properties by accessing the Hazardous Discharge Site Remediation Fund (HDSRF) to prepare environmental assessments on contaminated sites.
  12. Support policy recommendations within the Township's Stormwater Management Plan.
  13. Incorporate pedestrian and bicycle friendly design into redevelopment projects and improvements near community facilities and public transportation.
  14. Work with the Township Engineer and Chamber of Commerce to identify locations where bicycle racks should be installed.
  15. Implement the stormwater management recommendations within this Plan.

## CHAPTER 6 RECREATION AND OPEN SPACE PLAN

### A. Introduction

#### 1. *Overview*

This Open Space and Recreation Plan establishes an inventory of existing recreational and open space resources in Nutley, evaluates such facilities in terms of meeting the needs of current and future residents and employees in the community, and recommends acquisition of potential properties which could be used to meet the demands of the future population in the Township.

The Township of Nutley has nine municipal parks and one county park totaling approximately 127.35 acres which provide for the active and passive open space and recreational needs of the community. With a year 2006 population of 27,011 persons, it represents 3 acres of parks and open space per 1,000 persons in Nutley. This amount of space falls below the minimum range of 6.25 to 10.5 acres per 1,000 persons recommended by the National Recreation and Park Association (NRPA) for local communities. The Balanced Land Use Method (BLUM), the methodology utilized by the State of New Jersey, recommends that communities reserve a minimum of 3% of their land for recreation and open space purposes, which in Nutley's case would be approximately 65 acres. Nutley's 127.35 acres of municipal and county recreation and open space is therefore twice the recommended state standard, which suggests that Nutley has an adequate amount of recreation and open space lands.

Both the NRPA and BLUM standards are guidelines; the true test of the sufficiency of open space is the level of satisfaction of the community and the extent to which the present facilities can accommodate the current programs and future needs of the residents and employees of Nutley. Some community members have expressed a desire to create a community pool if adequate affordable land becomes available.

This Plan identifies several additional properties which could be targeted for acquisition for open space and recreational purposes. These acquisitions would assist the Township in providing additional lands to meet specific shortfalls of space, such as a space to accommodate a community pool.

#### 2. *Essex County Park System*

##### a) **History of County Park System**

On March 5, 1895, the first county park system in the United States was established by New Jersey Governor Werts when he signed legislation creating the Essex County Park Commis-

sion. This led to the sixty acre acquisition of Branch Brook Park in Newark, the nation's first county park, now a national historic site.

Originally, the Commission engaged the landscape architectural and engineering firm of Bogart and Barrett to plan the Essex County park system. They were replaced in 1898 by the Olmsted Brothers most famous for the design of Central Park in New York City. The firm was responsible for the final design of all the parks and reservations of the Essex County System, with the exception of recent park acquisitions. Established by the nephew and stepson of Frederick Law Olmsted, considered the nation's foremost landscape architect of the time, the Olmsted Brothers designs are considered to have produced one of the nation's finest park systems.

To the casual observer, the Olmsted parks seem to be preserved areas of natural beauty. However, this is not the case. The Olmsted parks of Essex County were fully designed and constructed. This included the excavation of lakes, the construction of mounds, and the importation of trees and plants. The parks are considered works of art that are designed with nature. The "Olmsted style" features winding roads, natural waterways, open fields and scenic overlooks. The Olmsted philosophy included linking up green spaces through a system of parkways.

In the latter half of the 20<sup>th</sup> century, years of deferred maintenance took their toll on the parks. In 1998, a voter referendum established a dedicated funding source to rehabilitate and maintain the park system which was supplemented by grant monies through the New Jersey Green Acres Program. Essex County has been most successful in utilizing non-profit organizations (501 c.3.) to leverage the maximum amount of grant monies from the State. Since 1995, the Essex County Park System has seen over 100 million dollars in capital improvements.

Frederick Law Olmsted and his sons were part of the "City Beautiful" movement, where planners and landscape architects created green spaces and new parks not only to beautify the environment, but to allow people living in substandard housing and working in factories to lead a healthier lifestyle. The Essex County park system original designs were intended to create a place of tranquility for the public and spaces where individuals could meander through the common linear parkways. Much has changed over the last century. Demand for active recreation facilities has increased. While many wish to retain the Olmsted heritage and the original park designs, others are more focused on expanding facilities to accommodate active recreation uses such as baseball and soccer fields. Essex County's goal is to create a balance between today's increased needs for active recreational facilities and a respect for the historic park design. These guidelines have been an integral part of the County's 2003 Open Space Master Plan.<sup>10</sup>

#### **b) Essex County Park, Recreation and Open Space Master Plan**

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<sup>10</sup> Essex County Parks, Recreation and Cultural Affairs- <http://www.essex-countynj.org/p/index.php?section=history/over>

The Essex County Park, Recreation and Open Space Master Plan was adopted on April 10, 2003.

Purposes of the Plan are to:

- Serve as the blueprint for improving the Essex County Park System;
- Provide County support to increase the amount of open space to meet the recreation and conservation needs of local communities;
- Establish direction and priorities for the Land Preservation Program of the Essex County Park System;
- Communicate the Park System's Vision to other agencies and the public; and
- Satisfy the Statutory Requirements of N.J.S.A 40:12-15.2 Governing "County Open Space, Recreation and Farmland and Historic Preservation Funds."

## **B. Goals and Objectives**

Nutley Township establishes the following goals and objectives for providing open space and recreation within the Township and conserving its important natural and cultural resources.

- Continue to provide adequate park, open space, and recreational facilities for all Township residents.
- Cooperate with public and quasi-public institutions to utilize and maintain their undeveloped and underdeveloped land for open space or recreation.
- Review and, if necessary, amend current regulations to assure that quality open space is provided and maintained as redevelopment occurs.
- Encourage the use of high quality landscaping design and encourage the development of civic space and public art.
- Continue to develop an increasingly diversified array of quality recreational and cultural facilities, services and offerings.

## **C. Classification of Parks and Recreation Facilities**

The following is a list of recreation area classifications and respective definitions that are referenced throughout this Plan:

**Mini-Parks** are specialized facilities serving a limited population. They are typically one acre or less in area and located in neighborhoods in close proximity to apartments, townhouses, or age restricted housing. The facilities within a mini-park may be oriented to serve a specific population such as young children (tots) or senior citizens.

**Neighborhood Parks/Playgrounds** are the basic units of the park system and serve recreational and social purposes. They typically are 5 acres or more, with 3 acres the desired minimum size in area and 8 to 10 acres preferred. They provide for a diversity of active recreational

activities such as field sports, court sports, playground apparatus, and are designed to meet the needs of a neighborhood population. Their service area is one-fourth to one-half mile, uninterrupted by major roads.

**Community Parks** are larger parks that serve a broader purpose than neighborhood parks. Community parks focus on meeting community-based recreational needs as well as preserving landscapes and open space areas. Landscapes or passive areas may include natural features or areas reserved for viewing, sitting, or picnicking. Active areas may include playgrounds, swimming pools, athletic fields, court sports, and similar athletic complexes for organized activities and team competitions. The size and service area of community parks varies depending upon function. A minimum of 20 acres is preferred, with 40 or more acres being optimal. The service area may be community-wide or several neighborhoods in a given community.

**Greenways** are lands set aside for preserving natural resources, landscapes, open space and providing visual aesthetics/buffering as well as passive activities. Ecological resource stewardship and wildlife protection are high priorities. The size of the service area varies depending on the opportunity and the general character of the natural systems the greenway is designed to protect.

**Parkways** are linear park-like transportation corridors between public parks, monuments, institutions, and sometimes business centers. They can be maintained as green space or natural in character. Their size and service area varies.

**Special Use Areas** cover a broad range of parks and recreation facilities oriented toward single-purpose uses such as a nature center, historic sites, plazas, urban squares, aquatic centers, campgrounds and golf courses. The size and service area varies depending on community need.

**Private Park/Recreation Facilities** are parks and recreation facilities that are privately owned, yet contribute to the community's park and recreational system. Their size and service area varies from community to community.

**Park-Schools** are school sites that are used in concert with, or in lieu of, public parks to meet community park and recreation needs. School sites often provide the majority of indoor recreational facilities within a community. Their size and service area varies depending on specific site opportunities.

#### **D. Inventory of Nutley's Recreation and Open Space Facilities**

The inventory of existing public and private open space is the starting point in undertaking a needs assessment within a community and provides the baseline information for developing a local open space plan to meet public recreation and open space needs.

The Township of Nutley's inventory of park and recreational facilities is related to its location in Essex County. The early development patterns of this area of the State played a significant role in the distribution of recreation and open space resources. Historically, Essex County provided the majority of passive and active recreation areas for Essex County communities. However, in Nutley the opposite is true: the majority of passive and active recreation areas are provided by the Township.

Most of the Township's local close-to-home active recreational open space is found in mid-size community parks. The total area of the Township is approximately 3.4 square miles. Of this, nearly the entire Township is developed. Thus, the Township is limited in its options for providing new outdoor recreation and open space.

**Table 6-1: Dedicated Public Park and Recreation Land  
Nutley Township, New Jersey**

	Area (acres)	% of Township Area
State of New Jersey	0	0%
Essex County	28.75	22.6%
Nutley Township	98.6	77.4%
<b>Total Area</b>	<b>127.35</b>	<b>100%</b>

### 1. *County Parks*

Yantacaw Park is a 28.75-acre community park located at Centre Street and Park Drive. Active recreation facilities include football and baseball fields, lighted basketball courts, shuffleboard, bocce, a playground and support buildings. No off-street parking exists within the park. Passive recreation facilities include walking areas, foot bridges, and gently sloping topography to the river and benches. The park is maintained by Essex County.

Portions of the park were issued a Certificate of Eligibility (COE) in 1993 by the New Jersey State Historic Preservation Officer, which indicates that the park/landscape is eligible for a historic designation. The Centre Street bridge is recognized as a contributing element of the eligible historic landscape/district. Recent improvements include:

- Installation of new equipment and rubberized safety surface in playground
- Path paving
- Reconstruction of Park Way to address flooding and enhance aesthetics.

### 2. *Nutley Township Parks*

As shown in Figure 6-1 and as tabulated in Table 6-2, Nutley has nine (9) handicapped accessible parks dedicated to recreation and open space use. The sites total 127.35 acres and are distributed throughout the Township.

**Figure 6-1**  
**Parks and Open Space**  
**Nutley Township**  
**Essex County, New Jersey**

**Legend**

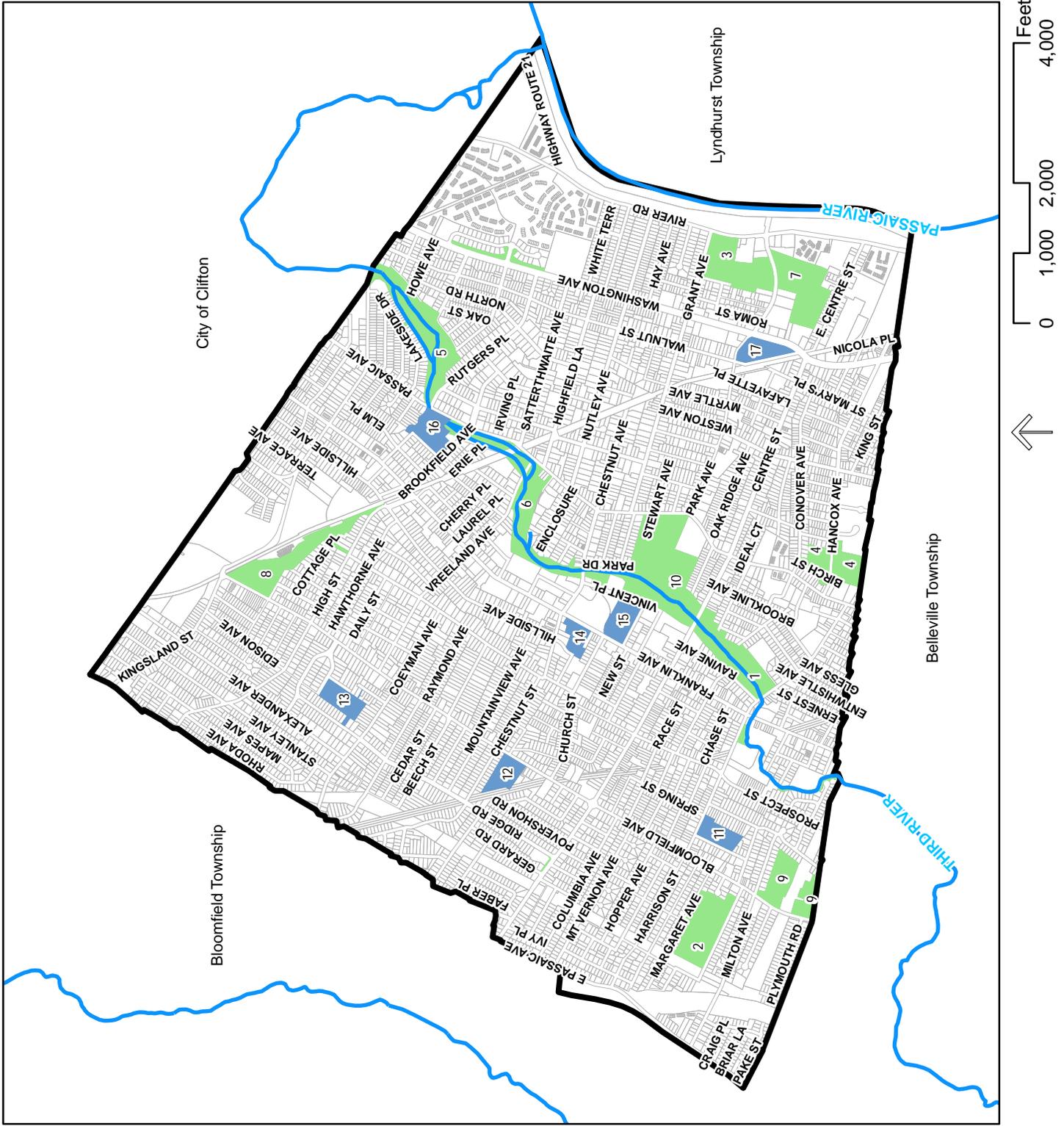
- Municipal Parks/  
Open Space
- Public School Recreation  
and Open Space

**Parks/Open Space**

- 1 Booth Park
- 2 DeMauro Park
- 3 Father Glotzbach Park
- 4 Flora Louden Memorial Park
- 5 Kingsland Park
- 6 Memorial Park
- 7 Monsignor Owens Park
- 8 Nichols Park
- 9 Reinheimer Park
- 10 Yantacaw Park

**Public School Recreation  
and Open Space**

- 11 Lincoln Elementary
- 12 Radcliffe Elementary
- 13 Spring Garden Elementary
- 14 John H. Walker Middle
- 15 Nutley High
- 16 Yantacaw Elementary
- 17 Washington Elementary



**Table 6-2: Inventory of Township Public Park and Recreation Facilities**

No.	Park	Approx. Acreage
1	Booth Park	11.3
2	DeMauro Park	11.5
3	Father Glotzbach Park	11.8
4	Flora Louden Memorial Park	7.5
5	Kingsland Park	17.1
6	Memorial Park (Total)	15.4
	Memorial Park I	(5.5)
	Memorial Park II	(3.0)
	Memorial Park III	(6.4)
7	Monsignor Owens Park	10.0
8	Nichols Park	11.6
9	Reinheimer Park	8.3
<b>Total</b>		<b>104.5</b>

Individual parks in Nutley have been classified based on their size, location and function as mini-parks, neighborhood parks, or special use areas. Each of the parks is described below.

a) **Booth Park**

Booth Park is an 11.3-acre linear park located between Centre and Harrison Streets on the on the Third River. The majority of the park is comprised of linear walking/jogging trails. Active recreation areas include one baseball/softball field, one soccer multi-use field, a children's playground, walking paths and off-street parking.

Recent Park Renovations

Playground area (2011)

Park Condition Assessment

The park is in fair condition.

Recommended Improvements

Construct additional off-street parking; upgrade and maintain all facilities.

b) **DeMauro Park**

DeMauro Park is a 11.5-acre neighborhood park located between Wilson Street and Margaret Avenue near Bloomfield Avenue. The park contains a running track and field apparatus, i.e., long jump, high jump and room for discus and javelin events. Additional facilities include four tennis courts, a basketball court, a bocce court, a fieldhouse with restrooms and concession

stand, off-street parking, a children's playground, handicapped accessible swings, and an open space area.

Recent Park Renovations

Tennis courts were resurfaced. The existing basketball court was reconstructed.

Park Condition Assessment

The park is well maintained.

Recommended Improvements

Reactivate basketball courts; upgrade and maintain all facilities.

c) **Father Glotzback Park**

Father Glotzback Park is an 11.8-acre neighborhood park located adjacent to the Parks Department on Park Avenue. The facility contains two (2) baseball/softball fields, one (1) soccer/football/lacrosse field, a playground, a concession stand, bathrooms, a walking track, picnic tables and an off-street parking lot.

Recent Park Renovations

The installation of field turf associated with the multipurpose soccer/football/lacrosse field. An updated child-safe playground was installed.

Park Condition Assessment

The park is well maintained.

Recommended Improvements

Future park renovations will include a new outdoor volleyball court, a reconstructed ball field and handicapped accessible swings.

d) **Flora Loudon Memorial Park**

Flora Loudon Memorial Park is a 7.5-acre neighborhood park located between Conover and Hancock Avenues on Birch Street. The park contains three (3) baseball/softball fields, a football/soccer field, a playground, an off-street parking lot and a children's playground.

Recent Park Renovations

None

Park Condition Assessment

The park is in fair condition.

Recommended Improvements

Provide additional off-street parking. Improve and maintain all facilities, especially on the south side of Hancock Avenue.

**e) Kingsland Park**

Kingsland Park is a 17.1-acre linear park located north of Rutgers Place on the Third River and terminates at the municipal border with Clifton. The park provides linear walking/jogging trails along the river, open space, a children's playground, a gazebo and one baseball/softball field. Kingsland Park also contains the United Nations (UN) Gardens. Originally planted in the 1950's, the garden includes trees from different countries represented in the UN. The Kingsland Manor historic site is Township owned and located in the park.

Recent Park Renovations

Gazebo (2002); playground (2007); United Nations Garden (2010)

Park Condition Assessment

The park is well maintained.

Recommended Improvements

Resurface and maintain athletic surfaces. Address the serious erosion problems on the steep slope area and continue construction of gabion walls. Also, the replacement of trees in the UN Garden as needed as well as refurbishing the monument.

**f) Memorial Park**

Memorial Park I, II and III collectively are a 15.4-acre linear community park located along the Third River from Chestnut Street to just north of Brookfield Avenue. The park provides walking/jogging trails along the river, a pond (the mud hole), open space, a children's playground, benches and a picnic area. The "mud hole" is used as an outdoor ice skating area during winter months. The Nutley Recreation Department stocks the Third River and the "mud hole" with trout each year. While approximately 300 fish are stocked each year, a total of 900 fish ranging in size from 9" to 18" were stocked in 2009.

Recent Park Renovations

Installation of lighting along walking paths in Memorial 1

Park Condition Assessment

The park is well maintained.

Recommended Improvements

Construct bathrooms in Memorial I. There should be no dredging of the “mud hole”, which is approximately three (3) feet in depth, and should be maintained at the maximum. Perform a hydrological study to see if there are natural and safe methods to reduce and control flooding.

**g) Monsignor Owens Park**

Monsignor Owens Park is a 10.0-acre community park located along the south side Park Avenue between Washington Avenue and River Road. The park provides four (4) tennis courts, a multi-use field containing two (2) baseball/softball fields and one (1) football/soccer field. The park also contains concession stands, restrooms, a roller hockey rink and off-street parking.

Recent Park Renovations

Reconstruction of the existing baseball/softball fields as well as the multi-purpose football/soccer field. New field lighting, re-grading, new turf/grass and drainage improvements at the existing field and new fencing.

Park Condition Assessment

The park is generally well maintained.

Recommended Improvements

Determine better use of hockey rink.

**h) Nichols Park**

Nichols Park is a 11.6-acre community park located adjacent to the Roche Campus on Kingsland Road. The park provides one baseball/softball field, basketball court, a new neighborhood playground, walking/hiking opportunities along the Third River (pond and waterfall) and passive open space.

Recent Park Renovations

One basketball court, playground and walking path.

Park Condition Assessment

The park is generally well maintained.

Recommended Improvements

Acquire property or permission to use property to expand and connect existing walking path to connect with High Street. Upgrade and maintain all facilities.

i) **Reinheimer Park**

Reinheimer Park is an 8.3-acre community park located on the municipal border with Belleville on Bloomfield Avenue. The park provides three (3) baseball/softball fields, a field house, a playground, parking and restrooms.

Recent Park Renovations

None

Park Condition Assessment

The park is well maintained.

Recommended Improvements

None

3. *School Facilities*

There are seven schools within Nutley Township. The existing schools provide numerous active and recreation facilities, as follows. No improvements are planned or proposed at this time.

**Table 6-3: Inventory of Public School Recreational Facilities**

School	Current Facilities
Nutley High School	One multi-use football/baseball field, Indoor gymnasium, weight room
John H. Walker Middle School	Indoor gymnasium
Lincoln Elementary School	One baseball/softball field and an indoor gymnasium
Radcliffe Elementary School	One baseball/softball field and an indoor gymnasium
Spring Garden Elementary School	One multi-use football/two baseball fields, one gymnasium and a second gymnasium is under construction
Washington Elementary School	One baseball/softball field and an indoor gymnasium
Yantacaw Elementary School	One baseball/softball field and an indoor gymnasium

**E. Nutley’s Recreation Programs**

The Township of Nutley Recreation Department focuses on conducting recreational activities, sports, leisure, educational and special events. These programs are offered at the Frank Cocchiola Park and Recreation building located at 44 Park Avenue (the “Annex Building”) and at a

number of Nutley School facilities. All citizens of Nutley have access to these programs. Costs are based on fees assessed by the sponsoring organization with the approval of the Department.

The Parks and Recreation Department's staff is comprised of 18 full-time maintenance workers, 4 supervisors, 3 recreational staff, 4 clerical workers and a superintendent. The Recreation Department of Nutley sponsors programs and helps facilitate participation by promoting recreation and leisure activities and other events for youth, teens, adults and the senior citizen population. Over the past several years, Nutley's Recreation Department has been successful in improving and expanding its programs. However, as recreation demand increases so does the demand on staff, maintenance and existing facilities.

The following is a listing of some of the programs offered:

1. Youth Recreation Programs

Recreation Soccer, Traveling Soccer, Football, Cheering, Recreation Roller Hockey, Traveling Roller Hockey, Wrestling, K2 Hoops, Recreation Basketball, Traveling Basketball, Tennis, Little League Baseball, Sr. League Baseball, Golf, Track, Messy Masterpieces, Hula Dancing, Recreation Softball, Traveling Softball, Lacrosse, Summer Clinics, Tumbling, Fun with Music, Petite Soccer, and Special Needs Programs.

2. Adult Recreation Programs

Yoga, Aerobics, Men's Soccer, Men's Softball, Women's Softball, Men's Basketball, Men's Volleyball, Women's Volleyball, Co-Ed Volleyball, Latin Aerobics and more.

3. Senior Citizen Recreation

Clubs and Special Events. Bingo, fitness, line dancing, walking program, Tai Chi, A.A.R.P, Old Guard, Senior Social Club, Golden Age Club are an example of some programs. Special Trips and events are also planned throughout the year for our Senior Citizen Community.

4. Special Events and Trips

A listing of special events include: Ski Trips, Halloween Party, Fishing Contest, Holiday Concerts, Movie Under the Stars, Kid's Night Out, Christmas Basketball Tournament, Ice Shows, and Wrestling Tournament.

5. Other Events

These include Summer Concert Series, Theatre Programs, Rutgers Safety Training, Infant/Toddler CPR Training, Fingerprinting Program, Senior Citizen Tax Assistance and Essex County Clerk Program, Relay for Life and Autism Awareness.

In addition to the Recreation Department offerings, the Community Center provides meeting or event space during the year. This includes either one time events or regularly scheduled meetings. Events include but are not limited to school events, Rotary Club, Lions Club, Sports Dinners, fundraisers, etc. The Recreation and Parks Department also acts as an informational and referral resource for residents or visitors in search of assistance for recreation, leisure or other human service type needs.

## **F. Recreation and Open Space Needs**

### *1. National and State Standards*

To estimate the land area which should be owned and controlled by the Township and dedicated for public use and access for outdoor recreation, a needs analysis for recreation and open space in Nutley Township was conducted. Generally accepted planning standards were applied to the Township's population, land area and its existing inventory of recreational facilities and parkland. The needs analysis also takes into account the community's demand for different types of recreation facilities and activities.

#### **a) Core System Standard**

The National Recreation and Park Association (NRPA) has established standards and guidelines by which to evaluate the quality and adequacy of parkland available to residents within a municipality. The Core System Standard published by the NRPA recommends that a municipality provide between 6.25 acres and 10.5 acres per 1,000 residents within local, or close-to-home, space. Based upon Nutley's 2006 population of 27,011 persons, between 171 and 287 acres of parkland should be provided in Nutley to meet the Core System Standard.

#### **b) Balanced Land Use Method**

Balanced Land Use is the methodology utilized by the State of New Jersey to calculate public open space needs. This approach estimates the *minimum* land area that should be dedicated as public recreation and open space. The approach takes into consideration that recreation and open space demands are driven by new population that could be generated by new development, not just the existing population.

The Balanced Land Use Method recommends that municipalities set aside 3% of their developed and developable land area for recreation. The guidelines also suggest 7% be set aside by the county, 10% by the state, and 4% by the federal government. Undevelopable land such as wetlands and land preserved as open space by the County or State governments is subtracted

out of the total land area to calculate the municipal need for public recreation and open space land. As Table 6-4 indicates, the Balanced Land Use Method as applied to Nutley calls for just under 65 acres of municipal parks and open spaces to be provided.

**Table 6-4: Balanced Land Use Method as Applied to Nutley**

<b>Factor</b>	<b>Acreage</b>
Total Township Area =	2,194
(-) Undeveloped Wetlands and Floodplains =	0
(-) State, and County Parklands =	28.75
Total =	2,165.25
<b>3% of Total =</b>	<b>64.95 acres</b>

*Source: NJ SCORP 2012, NJDEP GIS Data & Philips Preiss Grygiel LLC*

Naturally, since communities can vary widely according to location, the degree to which they are urbanized, the density of development, and their proximity to regional (County or State) parks, parkland or agricultural areas, the standards used by the NRPA and the New Jersey Green Acres Program are broad and generalized standards. Furthermore, since the standards represent an ideal, such a standard must be used as a goal rather than a mandate. However, such a standard can be used as a broad measure to determine the adequacy of the amount of space that should be devoted to such uses.

For the purpose of this analysis, “local” or “close-to-home” parks in Nutley would include: (a) miniparks or pocket parks serving a block or street (within an approximate  $\frac{1}{4}$  to  $\frac{1}{2}$  mile radius); (b) neighborhood parks, serving residents within a  $\frac{1}{2}$  to 1 mile radius; and (c) community parks, which serve residents within a 2-mile radius, or in this case, the entire Township. In this context, all of the parks in Nutley can be classified as local, since all are within a 2-mile radius of all residents in the City, and furthermore, all have the types of facilities that serve local community needs rather than the County or region as a whole.

The present total of park, recreation and open space within Nutley is 127 acres (including Essex County Parklands), which when measured against the total estimated Township population of 27,011, represents 4.64 acres per 1,000 persons. Comparing this to the NRPA standard of 6.25 to 10.5 acres per 1,000 residents, the Township has a shortfall of recreation and open space lands.

Using the Balanced Land Use method, the estimated land required for local public recreation and open space in Nutley is 65 acres. Based upon the existing 104.5 acres of park and recreation land in the Township, this methodology suggests that Nutley has more than sufficient open space and recreational lands to serve its population.

## 2. *Site and Facility Needs*

To further evaluate future recreational needs, existing recreation and open space facilities were surveyed, stakeholders were interviewed, participation rates were analyzed and professional judgment was applied to create quantifiable park and recreation standards for Nutley. Overall Nutley is well-served by existing recreation and open space facilities. However, certain areas are underserved as a result of one or more of the following: (1) the recreation facilities which serve the area do not supply a wide enough range of recreation opportunities to meet neighborhood needs; (2) the area may be isolated from the population it serves due to a highway or other high volume roadway; (3) the existing and projected population of a particular area will create a much greater demand than the existing recreation facilities can provide; or (4) the area may be outside the service radius of an existing neighborhood park or playground.

This Plan previously addressed standards developed on a national basis using criteria developed by the Department of Interior and the National Recreation and Park Association. However, standards should be adapted to local circumstances and local demand levels, as is the case in Nutley. Acquiring new parklands to provide outdoor recreation fields may be the greatest challenge facing Nutley's recreation and open space future. In a community where the population density is high and where the land use is almost entirely developed, finding land for new park facilities will be challenging. Consideration should be given to incorporating plans for new parks in any redevelopment plans, acquisition of Brownfield sites, and expansion of the existing park system into areas of the community that are already built up. Ideally in Nutley, several neighborhood level parks and facilities are more appropriate than one large community park. Standards for specific recreational facilities are shown in Table 6-5 on the next page.

The Recreation and Open Space Facility Standards table indicates that Nutley has several recreation and open space shortfalls. This table is a barometer of local recreation and open space needs. Most notably, Nutley requires a community pool and some volleyball courts.

## 3. *Opportunities for Shared Use*

Developing partnerships with other governmental agencies, nonprofit organizations, and the private sector will be a critical component of the delivery of park and recreation services in the foreseeable future.

Participants in the Township's recreation programs would benefit from utilizing facilities at non-Township recreation sites, which may include facilities at Yantacaw (Essex County Park) and the Nutley public school system. Historically, the Nutley Board of Education has shared both indoor and outdoor recreational facilities with the Township when not in use by the school system.

### a) Essex County Parks System

The Essex County Park System adopted an Open Space Plan in 2003. The County controls and operates over 6,000 acres of land or 9.4 square miles in the form of regional parks, recreation areas, special use areas, conservation areas, golf courses, greenways, open lands and unclassified areas. A formal description of each type of park is discussed within the County Plan. Accordingly, Essex County provides significant recreation and open space opportunities to residents of Essex County and the region. Yantacaw Park provides a playground, a ball field, walking/biking trails as well as passive open space for community use.

**Table 6-5: Public Recreation and Open Space Facility Standards  
Determined for Nutley**

Facility	Number/Population	Nutley's Need	Existing Facilities	Surplus/Deficit
Arboretum	1 per 500,000 or 1 per region	0	0	0
Athletic Complex	1 per 30,000	1	1	0
Baseball/Softball Field	1 each per 2,500	11	13	+2
Football/Soccer Field	1 each per 2,500	11	5	-6
Lacrosse Field	One per community	1	1	0
Tennis Court	1 per 3,000	10	8	-2
Basketball Court	1 per 5,000	6	2	-4
Bocce Court	One per community	1	3	+2
Botanical Garden	1 per 500,000 or 1 per region	0	1	0
Community Center	1 per community	1	3	+2
Convention Center	1 per 500,000 or 1 per region	0	0	0
Golf Course 18 holes	1 per 50,000	0	0	0
Ice Skating Rink	1 per region	1	3 <sup>11</sup>	+2
Major Pool (for competition)	1 per 30,000	1	0	-1
Community Pool	1 per community	1	0	-1
Outdoor Stadium	1 per 50,000	0	2	+2
Playgrounds	1 per neighborhood	5	7	+2
Volleyball Court	1 per 15,000	2	0	-2
Track & Field Facility	1 per 20,000	1	1	0
Bicycle Trails	Continuous system connecting recreational, educational and community facilities and other points of general community interest. One per community	1	1	0
Picnic Areas	Areas developed according to public interest and site availability.	1	3+	+2

\* Standards adjusted to the local needs and capabilities.

\*\* Existing facilities include outdoor Board of Education facilities.

Source: *OUTDOOR RECREATION SPACE STANDARDS*, Department of the Interior, Bureau of Outdoor Recreation 1970, or *RECREATION PLANNING AND DESIGN*, Seymour Gold, 1980.

<sup>11</sup> Richard Codey Ice Rink in West Orange (Turtle Back Zoo) and the rink at Montclair State College.

**b) Board of Education Facilities**

There are presently seven public schools in Nutley. These include the Nutley High School, John H. Walker Middle School, and the Lincoln, Radcliffe, Spring Garden, Washington and Yantacaw Elementary Schools. The Board of Education is currently implementing its Long Range Facilities Plan for their school system. As reported by the Township Superintendent of Schools, the Township has an excellent working relationship with the Board of Education and utilizes Board of Education facilities on a regular basis. This Plan supports a continuation of this existing relationship.

**4. Potential Acquisitions**

In order to meet the present and future open space and recreational needs of the residents and employees of the community, the Township of Nutley has undertaken a Township-wide survey of all vacant land which may be suitable for providing either active recreational facilities or passive open space. The following two properties or areas of the Township were identified for possible acquisition and development (see Figure 6-2 on the next page).

- a. Diamond Springs private pool club.** The Township lacks competitive and community recreational pool space for families. The Township should discuss the long-term plans of the Diamond Springs club with the property owner. If the pool became available, the Township should leverage Green Acres and other funding sources to add this 2.44-acre site to the Township's recreation and open space lands. As this facility adjoins Booth Park, it traditionally would rank highly in Green Acres funding criteria objectives.
- b. 126 Washington Street—Block 6902, Lot 7.** This 1.36 acre site is currently vacant as result of fire.

The total area of all of the properties identified as having the potential for acquisition for open space and recreation purposes amounts to 3.8 acres. The Township should generally seek to acquire suitable properties as they become available for future development.

The Township should continue to implement efforts to create bike lanes within the right-of-way of Township roads that connect to community facilities. Furthermore, while isolated from the Township by Route 21, potential exists to create a linear bike path adjacent to the Passaic River. The Township should approach Essex County and ultimately Passaic and Bergen Counties with respect to the feasibility of constructing a regional trail, which would connect Nutley to other communities along the Passaic River by means of a linear riverside park and trail.

**Figure 6-2**  
**Potential Acquisition for**  
**Open Space**  
**Nutley Township**  
**Essex County, New Jersey**

- Legend**
- Municipal Parks/  
Open Space
  - Acquisition Properties
- Parcel 1: Diamond Spring Club  
 Parcel 2: 126 Washington Street



## **G. Recommendations**

### *1. Overall Principles*

The improvement or development of neighborhood parks and playgrounds with their variety of features including play fields, play equipment, picnic facilities and other such features will provide residents with close to home recreational opportunities. This will enhance the neighborhood environment. Provision of facilities which will accommodate recreation programs needed by special population groups, such as the elderly or the disabled, is also necessary. This includes development of new facilities and/or upgrading of existing facilities.

This Plan places a greater emphasis on providing for recreational needs in the form of neighborhood parks and playgrounds that contain active athletic fields, rather than on open space acquisition. A secondary, but equally important part of the Township's park, recreation and open space planning, is the recognition of Nutley as a pedestrian- and bike-friendly community located on the Passaic River. The goal of increasing biking opportunities and connectivity to community facilities is an important aspect of this Plan.

This Plan recognizes that Nutley is primarily built-out with limited opportunities for acquiring unimproved land. Strategies for increasing the amount of public recreation and open space properties must be creative. By employing several strategies and funding sources, the Township's plan has a realistic possibility of coming to fruition.

### *2. Specific Recommendations*

#### **a) Designate and Set Aside a Minimum of 4 Additional Acres of Land for Development of Dedicated Community Park and Recreation Areas**

Improvements to existing facilities and the construction of new facilities (athletic fields, etc.) could enable the Township to expand the programs it offers for organized team sports and the number of participants involved. Due to the limited number of fields in the Township, and the limited time when such fields are available for use, a de facto cap is placed on the number of individuals who can participate in organized sports activities.

To accommodate future growth, Nutley Township should acquire additional parkland and expand the Township park system. This will help ensure that the Township will have a core system of parkland, owned and controlled by the municipality that can support a variety of recreation facilities and programs needed by residents. This plan recommends acquisition of 2 parcels which in total will add 4 acres of land to the public park system should funding become available.

**b) Develop a public community pool**

Nutley lacks a community pool. The Township should conduct a feasibility study and/or consider options that would lead to the development of a community pool. This Plan recommends acquiring the Diamond Springs private pool club should it become available for purchase.

**c) Develop at least one new large neighborhood park and recreation area**

The Township lacks one large neighborhood park and recreation areas. To accommodate future growth and development, the Township should plan on developing one large neighborhood park having at least two (2) multipurpose fields. This park should ideally be accessible to the residents through a variety of modes of transportation including automobile, walking, and bicycling.

**d) Create a Recreation and Open Space Advisory Committee**

To implement capital improvements recommended in this Plan, a Recreation and Open Space Advisory Committee should be created. The committee should consist of a Council representative, Planning Board member, Recreation Director, Parks and Recreation Commissioner, Police representative, public works representative and two (2) citizen members. The committee could meet monthly during initial implementation stages and quarterly thereafter. The committee should create a work plan each year to establish the desired level of annual performance.

**e) Solicit grant monies to supplement local expenditures to satisfy Nutley's local recreation and open space needs**

There are several grant and service opportunities that could assist in financing the implementation of this Recreation and Open Space Plan. Independent of the well known Green Acres program, there are several other opportunities that the Township should investigate. These include the following programs:

- Aid for Urban Environmental Concerns
- Athletics for Individuals with Disabilities
- Green Communities Challenge
- Paying Communities Back
- Recreation and Park Assistance
- Southern State Industries

Nutley has hired a professional grant-writing firm to identify and assist the Township in securing additional non-Nutley taxpayer dollars.

f) **Continue to monitor affordable user fees for programs**

The Township should continue to study the feasibility and acceptability of instituting user fees for participating in certain recreation programs or by certain groups (e.g., out-of-town adult soft-ball leagues). A balance exists between generating revenue to manage programs while still providing opportunities to the Township's residents.

g) **Provide bike racks at parks as necessary**

This Plan recognizes a need to encourage non-vehicular circulation opportunities. The inclusion of bike racks at parks supports this goal.

3. *Implementation Plan*

a) **Acquisition**

Two properties in the Township of Nutley have been identified as having the potential for providing future active and passive recreational and open space needs of the Township (see Figure 6-2). The existing active status of the properties (i.e., a commercial swim club) are such that it would be unrealistic to assume that all such parcels could be acquired by the Township either in the short or intermediate term. The Township does not have the financial resources to purchase all of the properties or to fund all of the improvements that would be required.

If and when one or all of the identified properties become available, and to the extent that the Township has sufficient funding, such properties could be added to the Township's inventory. Placing them on the list indicates a desire on the part of the Township for such acquisition, and puts the property owner and the community on notice as to the Township's long-term intentions. Since there are also alternatives to outright acquisition in terms of making land available for recreation and open space, the listing of such properties also indicates that other possible methods of open space provision may be considered, e.g., the purchase of conservation easements, or the provision of zoning incentives wherein a portion of the property is preserved or set aside for recreation in exchange for favorable zoning treatment on the remainder. In this fashion it is hoped that beyond the priorities for short-term acquisition and development, additional lands and facilities will be provided to the community on some of the other parcels on the list.

b) **Coordination with State Open Space Programs**

- The Township should submit the open space and recreation plan for approval by the Office of Green Acres in the New Jersey Department of Environmental Protection. The approved plan can then be used to secure additional grants and loans from the State for land acquisition and development for public park and recreation sites.

- The Township should initiate an acquisition program to implement the open space, recreation, and conservation plan. The Township should negotiate with property owners for the acquisition of land for additional park and recreation sites. The acquisition program should be reviewed annually by the Township to assess progress in implementing the open space, recreation, and conservation plan and to determine whether the sites identified for acquisition should be modified to reflect changes in the availability of land or new opportunities for meeting the plan objectives.
- Upon acquisition of new parkland, the Township should prepare a design plan to guide its future use and improvement to meet Township recreation needs.

c) **Future Studies/Actions**

As part of the Nutley Township's recreation and open space implementation efforts, the following studies and/or actions should be explored:

- (i) Conduct appraisals on properties that Nutley is interested in acquiring to determine current market value and potential acquisition costs;
- (ii) The Recreation and Open Space Advisory Committee should continue seeking additional ways to maximize the joint use of Board of Education facilities;
- (iii) Explore/encourage partnerships with not-for-profit organizations to maximize local recreation and open space funding; and
- (iv) Prepare engineered design plans on any acquired parcels.

## **CHAPTER 7 HISTORIC PRESERVATION PLAN ELEMENT**

### **A. Introduction**

The underlying rationale for preparing and adopting an historic preservation plan element of a master plan is a recognition of the need for a community to be proactive in regard to preserving and protecting buildings, sites and districts that are an important part of the community's history, culture and physical characteristics. Fostering an understanding and appreciation of these historic resources can help to provide the community with a sense of civic identity and pride. Through the cooperative efforts of local government, business, property owners, residents and institutions, communities can collectively celebrate their history and culture.

This element of the Nutley Township Master Plan is intended to provide an overview of the important historic resources in the Township, as well as options for implementing the community's goals and objectives for historic preservation. With an understanding of the resources and a proactive and stewardship role towards historic preservation, a community can protect its history and culture for future generations.

To meet this challenge, this element of the Master Plan provides a brief summary of Nutley's history, reviews past and current historic preservation efforts in the Township, discusses potential threats to Nutley's historic resources, and examines tools that are available to the community to protect these resources. This is followed by setting forth both a state and local listing of historic resources in the community, as well as recommended criteria for determining which districts, sites and buildings could be deemed worthy of preservation. Potential sources of rehabilitation standards and guidelines for historic preservation purposes are discussed, and funding opportunities for undertaking preservation, as well as other agencies that could support Nutley's efforts to implement an historic preservation program are discussed. Finally, a series of recommendations are provided at the conclusion of this Element.

### **B. Brief History of the Township of Nutley**

The area of New Jersey in which Nutley is located was first inhabited by Native American tribes, referred to as the Lenni-Lenape, who utilized the area for hunting and fishing. Organized around familial associations, small communities of the Lenni-Lenape lived in an area which was filled with wildlife, and pristine rivers and lakes that were stocked with abundant fish. These communities coexisted peacefully with one another, as well as the early white settlers, who began to settle in the area after the arrival of Robert Treat and a group of Puritans from Connecticut in 1666.

Nutley's development as a permanent settlement, as opposed to supporting a nomadic subsistent existence, began in the mid-1600s when the Aquackanonk and Newark Patents were granted by Royal Governor Carteret. Farmers who settled in the area along the Raritan River

were mostly of Dutch and English descent. Settlement began in the area that is now within the boundaries of the City of Newark and spread outward to include land within Nutley. Homes at the time were built in the style reflecting the settlers' homeland. The Van Giesen House (nee the Vreeland Homestead) is the earliest known (and surviving) house built in Nutley—it stands as the Women's Club on Chestnut Street. Historical records indicate a Newark town meeting being held in the Van Giesen House in 1693. In 1695 John Treat acquired land adjacent to the Van Giesen House, and in 1696 Thomas Stagg purchased another adjacent lot. These transactions signified the beginning of permanent settlement and land development in Nutley.

Although it is not known when quarrying began in Nutley, existence of a number of stone houses in the 1700s gives credence to their existence at the time. Reflective of the Dutch architectural influence, many stone houses were built at the time, six of which remain in existence today: Methodist old stone parsonage at 213 Passaic Avenue; Van Riper House (Four Maples) at 491 River Road; Kingsland Manor at 3 Kingsland Street; Vreeland Homestead (or Woman's Club) at 216 Chestnut Street; Abram M. Speer House off Church Street; and the John Mason House at 19 Calico Lane.

Initially this area of settlement was considered to be part of Newark. In 1812, the area became a part of Bloomfield which broke off from Newark. In 1839, the area was divided again, forming the communities of Bloomfield and Belleville. By the 1800s, mills were established along the Third River and additional homes were erected to accommodate the mill workers and their families. Clusters of frame houses were built around town dating back to the 1830s, '40s and '50s. Many of these buildings have survived to the present day. Notably, Prospect Street near Church Street has a group of such houses. There are other groups of such homes along Bloomfield Avenue and Vreeland Avenue.

In 1868 a railroad connecting Nutley to New York City was constructed and the development of the area as a commuter community began. John and Silas Hay and Ashbel T. Barney developed residential areas on the first ridge around upper Rutgers Place, North Road, Satterthwaite Avenue, Highfield Lane, Nutley Avenue, Chestnut Street, and Grant Avenue called "Nutley Heights." In the valley, an artist's colony called "The Enclosure" was built. These residential areas were built near the Nutley Railroad Station for easy commuting to New York. Meanwhile, in 1875, the northern section of Belleville broke away to become Franklin. By the 1890's, Hay and Barney were joined by William Lambert, who created the Nutley Realty Company, developed "Prospect Heights" on the second ridge near the Franklin Railroad Station and "Terrace Height" on the north of Kingsland Street and along Cathedral Avenue. By the 1900s, Lambert bought out the Barney-Hay real estate holdings and developed "Nutley Park."

In 1902, Nutley was incorporated as an independent Township. After World War II, the area now known as Spring Garden was developed to fill the need for housing for returning veterans. While development in the 20th Century led to the destruction of many significant structures,

there still remain a number of buildings and districts in which the history of the Township is reflected.

### **C. Historic Preservation in Nutley**

#### *1. The Nutley Historical Society*

Established in 1945, the Nutley Historical Society (which includes a Town Historian) promotes and preserves historical information, artifacts, sites, and structures pertaining to Nutley's history. The Historical Society is a not-for-profit organization dedicated to serve the educational, cultural and historical needs of Nutley. They meet at the Nutley Museum (former Church Street School – 65 Church Street) and have published several books and other articles on the history of the Township.

The Society consists of nine officers which includes Board members (President, Vice-President, Secretary, and Treasurer). An annual membership can be acquired for a fee of 15 dollars for an individual and 25 dollars for a family. In addition to meeting about once a month, the Society sponsors annual events such as museum tours, winter open house at the museum, jazz at the museum, historic anniversary of significant events (Town anniversaries, opening of the Velodrome, etc.) and numerous other events. Exhibits at the museum include but are not limited to old photographs of Nutley, Anne Oakley memorabilia and artwork of historic places and events.

#### *2. Current Threats to Nutley's Historic Resources*

Currently Nutley's historic buildings are vulnerable to demolition or alteration, which could completely undermine any remnant of historic integrity that presently exists. Despite the great efforts of the Nutley Historical Society, local preservation is not enforceable as Nutley lacks any regulations or administrative body which has any authority, even in an advisory capacity, to preserve the community's resources. While some properties in Nutley are on the State or Federal register of historic places, such bodies are not authorized or empowered to halt demolition or to stop homeowners from altering their homes in a manner which is historically inappropriate.

#### *3. Historic Preservation Tools Available*

The Municipal Land Use Law (MLUL) of New Jersey provides enabling legislation for a local government to establish an Historic Preservation Commission, a body charged with the responsibility of protecting and preserving historic resources. It also enables a municipality to adopt ordinances which allow for the designation of locally historic buildings, sites and districts, and to administer regulations and standards which regulate either in a mandatory or advisory capacity, alternatives to such historically designated resources. These historic preservation tools, which are available to Nutley, are described in more detail below.

a) **Designation of Historic Sites or Districts**

According to the New Jersey Municipal Land Use Law (MLUL) a zoning ordinance may designate or regulate historic sites or historic districts and provide design criteria and guidelines for these sites and districts. An "historic site" is defined as "any real property, man-made structure, natural object or configuration of historical, archeological, cultural, scenic or architectural significance." An "historic district" is defined to mean "one or more historic sites and intervening or surrounding properties significantly affecting or affected by the quality and character of the historic site or sites." N.J.S. 40:55D-4. Definitively, an historic district cannot exist separate and apart from historic sites. All the sites and districts designated in the zoning ordinance must be based on identifications in the Historic Preservation Plan Element of the Master Plan. However, the governing body may, at any time, adopt a zoning ordinance designating additional sites or districts that are not listed in the Master Plan.

b) **Establishment of an Historic Preservation Committee**

In February 2012 the Board of Commissioner adopted an Ordinance creating a Historic Preservation Committee. The Committee is charged with creating and maintaining a survey of proposed Historic Landmarks worthy of preservation and protection. The Committee is to make recommendations to the Planning Board on the Historic Preservation Element of the Master Plan and to recommend future Historic Landmarks, comment when requested on development applications and issue a Certificate Appropriateness before construction is commenced on any Historic Landmark.

**D. Designation of Historic Buildings and Districts in Nutley**

As indicated above, to the extent that Nutley establishes a Historic Preservation Committee empowered to administer many of the responsibilities of preserving and protecting historic resources in the community, it will have to identify and designate Historic Landmarks to be preserved and protected by such an ordinance.

It is worth noting that while such an undertaking has not occurred in Nutley, the community is fortunate to have four districts and three properties identified by the State Historic Preservation Office as being historically significant. In addition, the Historical Society of Nutley has identified five additional buildings, sites or areas which are of historic significance. To the extent that Nutley was to adopt an Historic Preservation Ordinance, these two lists provide an excellent starting point for compiling a list of potential sites and buildings that could be designated as a local historic landmark or resource worthy of preservation. Of course, a duly constituted Historic Preservation Commission would have to undertake a thorough analysis of these as well as other sites or districts that may be worthy of designation, according to a set of adopted criteria

(examples of which are provided further along in this chapter). The State list, followed by the Historical Society list, is set forth below.

### 1. *State Historic Preservation Office List*

To date, the Nutley has four districts or sites and three additional areas/properties that have been identified by the State Historic Preservation Office as having historical significance. The characteristics of the four districts or sites are provided in Table 7-1; their locations are shown in Figure 7-2. A more detailed description of each of these landmarks is provided below.

#### a) **Church Street School**

(65 Church Street)<sup>12</sup>

National and State Registers of Historic Places  
Built in 1875, The Church Street School (now the Nutley Museum) is a two story brick building—in common bond with yellow or buff brick as a decorative accent—is a good example of Italianate style. The windows of the first and second floor are tall and narrow, sash type, nine over nine glazing with stone sills and topped in a segmental brick arch.

On May 28, 1857 the land was purchased by the Franklin District of Belleville from Henry Stager for \$220. At the time, the property was land-locked; a 12-foot easement from John Street (now Prospect Street) provided access to the property. A small frame building was built around 1857 on the property and was later destroyed by fire in 1874. Mr. William Wilbert became principal upon the reopening of the school. A school newspaper was started in 1875 called the Franklin Star.<sup>13</sup> The Church Street School has been listed in the *New Jersey Register of Historic Places* since July 13, 1995 and in the *National Register of Historic Places* since August 25, 1995.



Figure 7-1  
Former Church Street School

<sup>12</sup> Summary materials obtained from the National Register of Historic Places Continuation Sheet

<sup>13</sup> IBID

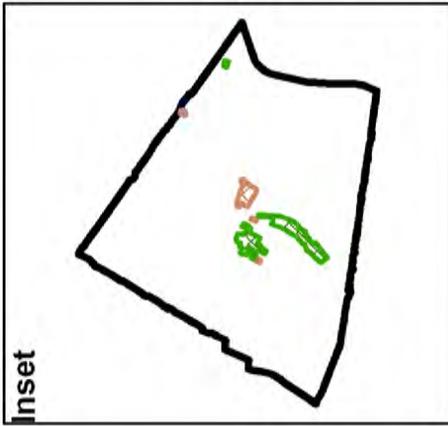
**Table 7-1: Designated Historic Landmarks in the Township of Nutley**

	<u>Historic Name</u>	<u>Street Address</u>	<u>Designation*</u>
1.	Church Street School	65 Church Street	NR 3/24/78 SR 1/9/78 COE: 1/18/90
2.	Enclosure Historic District	Enclosure and Calico Lanes	NR 12/31/74 SR 7/1/74
3.	Kingsland Manor	3 Kingsland Street	NR: 3/24/78 SR: 1/9/78
4.	Vreeland Homestead	216 Chestnut Street	NR 10/14/94 SR 3/14/94 COE: 3/21/91

## \* Designations:

SR	—	New Jersey Register of Historic Places
NR	—	National Register of Historic Places
COE	—	Certificate of Eligibility

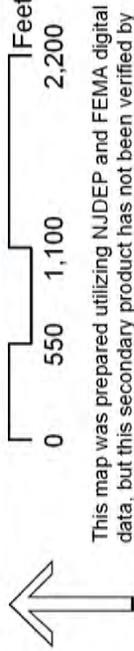
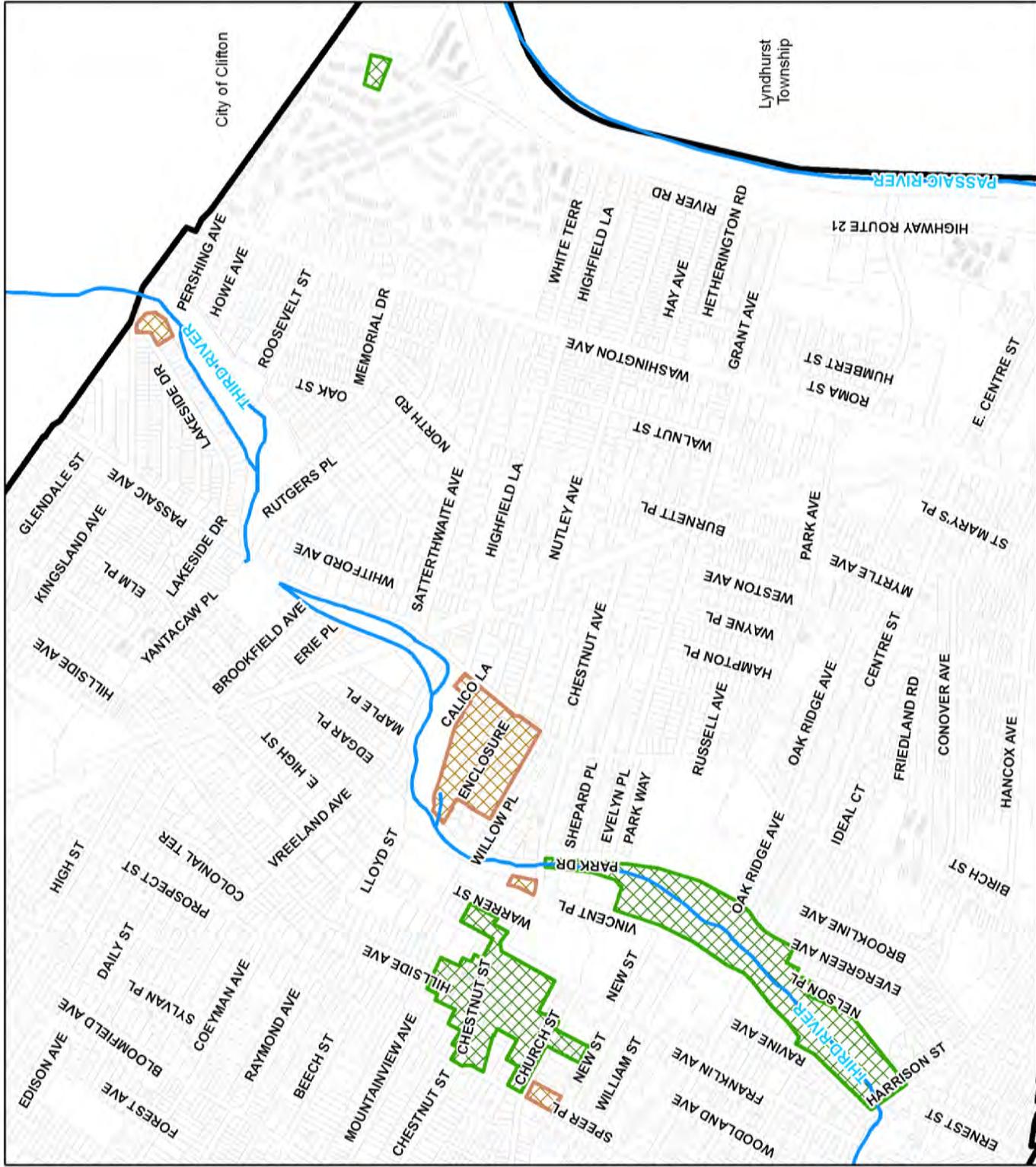
**Figure 7-2**  
**Historic Resources**  
**Nutley Township**  
**Essex County, New Jersey**



**Inset**

**Legend**

-  Historic Landmark/District
-  Historically Significant



This map was prepared utilizing NJDEP and FEMA digital data, but this secondary product has not been verified by NJDEP or FEMA.

**b) The Enclosure Historic District –**

National and State Registers of Historic Places

Around the turn of the 20<sup>th</sup> century, Nutley was a vibrant art community. There were more noted artists in Nutley than in any other community in New Jersey, with the possible exception of Montclair. The majority of these artists clustered around an area in Nutley called the Enclosure. The rustic tranquil like setting of the area was ideal for concentrating artists. The market, however, was still in New York so most of the artists held studios in New York and commuted via the railroad, from Nutley Station, which was a few blocks away. The railroad, built around 1885, led to the development of the Enclosure district.



*Figure 7-3  
Contributing Property in The Enclosure Historic District*

Frank Fowler (1852 – 1910) built the first artist's studio within The Enclosure around 1880 without the convenience of a nearby railroad station. Fowler was a painter and art critic. One of Fowler's paintings, "Young Bacchus", was exhibited at the Paris Exposition. In 1893, Fowler painted the ceiling frescoes of the old Waldorf-Astoria Hotel ballroom (demolished when the Empire State Building was erected). Fowler moved out of the Enclosure after the death of his wife. Many other noted artists resided in the Fowler house and within The Enclosure over the years. They include: Frederick Dana Marsh, Guy Pene du'Bois, Albert Sterner, Charles Hawthorne and Earl Stetson Crawford.

While the homes of the former artists are not exceptional works of architecture in themselves, they are still rather unique as they were constructed as studios and homes for artists. No one style is alike, but most of the structures have high-ceiling studios within their interiors. It is speculated that the Nutley Library, which was established in 1896, was a result of the influence and encouragement of the artists.

Contributing properties in the district include:

- Baron von Strom House – 5 The Enclosure
- Frank Fowler Residence and Studio – 16 The Enclosure
- John R. Hay Residence – 24 The Enclosure
- Albert Sterner Studio – 40 The Enclosure
- Albert Sterner Residence – 48 The Enclosure
- Earl Stetson-Crawford Residence and Studio – 41 The Enclosure
- Abraham Vreeland House – 51 The Enclosure
- Arthur Hoeber Residence and Studio – 55 The Enclosure

- Mallaby House – 62 The Enclosure
- 1904 Nutley Library – 381 Passaic Avenue
- John Mason House – 19 Calico Lane
- William Duncan House – 401 Passaic Avenue

The Enclosure has been listed in the *New Jersey Register of Historic Places* since July 1, 1974 and in the *National Register of Historic Places* since December 31, 1974.

c) **Kingsland Manor**

(3 Kingsland Street) – National and State Registers of Historic Places

The Manor was built about 1796 with a Victorian ballroom section added around 1860. It was used as a private home, training camp, speakeasy and a convalescent home. Nutley purchased it in 1973 and gave authority to the Nutley Historic Restoration Trust to restore the building as a landmark, museum and center for local activities.

d) **Vreeland Homestead**

(216 Chestnut Street) – National and State Registers of Historic Places

The Vreeland Homestead (or Van Giesen House) is located on the north side of Chestnut Street adjacent to the west bank of the Third River. Constructed in the 18<sup>th</sup> century using brown sandstone from a local quarry, the house is an interesting and important example of a Dutch stone house. The Vreeland Homestead floor plan contains a five bay center hall instead of a one-room deep plan is rare among the 219 stone houses surveyed as part of a study of early stone houses of Bergen County.<sup>14</sup>



Figure 7-4  
The Vreeland Homestead

## 2. *Historical Society List*

With its long history of development, Nutley Township has several other buildings and sites that may be considered for a historic designation. The following is a list of sites that the Historical Society has identified as having historical significance. Once the sites are investigated, it may

<sup>14</sup> National Register of Historic Places Continuation Sheet – Vreeland Homestead, 3/14/1994.

be determined that some of them are eligible for listing on the State and National registers of historic places.<sup>15</sup>

Further studies may need to be commissioned in Nutley to determine other buildings that are eligible for registration. Properties/districts having historical significance include:

a) **Yanticaw-Booth Parks Historic Area**

SHPO opinion 7/13/1993

Comprising portions of Yantacaw and Booth Parks, the Yanticaw-Booth Parks Historic District was issued a Certification of Eligibility (COE) on July 13, 1993 by the New Jersey State Historic Preservation Officer. For properties not already listed on the New Jersey Register of Historic Places, a COE satisfies a prerequisite to apply for funds from the New Jersey Historic Trust, as well as several county preservation funding programs. The COE specifically found the Centre Street Bridge to be a contributing element of an eligible historic landscape/district.



*Figure 7-5  
Centre Street Bridge*

b) **Municipal/Civic Center Historic Area**

Located in the center of the city, it is bounded approximately by Adams Street on the north; the rear property line of the lots on Vincent Place on the east; Booth Drive on the south; and the rear property lines of the lots on Franklin Avenue on the west.

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<sup>15</sup> For a property to be designated as a state or national historic place it must be at least 50 years of age and demonstrate a high degree of physical integrity and significance in history or architecture.

c) **Van Ripper House –**

*Certificate of Eligibility 11/6/1995*

Located at 491 River Road and constructed in 1788, the Van Ripper House is eligible for listing in the New Jersey and National Registers of Historic Places. According to the certificate of eligibility, the Van Ripper house qualifies under criterion C for its architecture and use of brownstone as a material. The cut stone façade featuring coursed brownstone blocks laid up in Flemish bond, like fashionable brick houses of the period, and splayed stone lintels, mark this as one of the finest houses of its time in the Nutley area.



*Figure 7-6  
The Van Ripper House*

The Van Ripper Historic Trust, in partnership with Commissioner of Parks and Public Property, has been active in restoring the Van Ripper House. Recent improvements include new plantings, a sign, and a fence as well as plans to begin replacing windows.

d) **Franklin Station Historic District**

Bounded by St. Paul's Place on the north, Brookfield Avenue to Brookway on the east, Erie Place on the south, and Franklin Avenue at its intersection with Brookfield Avenue on the west, this area of Nutley exemplifies several architectural styles. St. Paul's United Church of Christ, built circa 1880, is an excellent example of a shingle Style church set on a rusticate brownstone base. The residence located at 142 Brookfield Avenue, built circa 1890, is a Queen Anne house that includes all of



*Figure 7-7  
Saint Paul's United Church of Christ*

the architectural features generally associated with that style. An example of Italian Renaissance Revival villa architecture in the potential district is located at 54 Brookfield Avenue. The Yantacaw School is a finely detailed classicizing building. This area, containing 18 buildings, should be further investigated to determine whether the features that existed in 1986 during the last historic survey of this area are still in place to consider further historic preservation efforts. The area south of the freight rail line east of Bloomfield Avenue, from High Street to Chestnut Street, contains homes built by notable architects including Ashford Barney, James Hay and William Lambert.

e) **Bank of Nutley**

Located at 356 Franklin Avenue, the original Bank of Nutley building was constructed in 1927 after the Abraham Vreeland House was removed from that site to the Enclosure. Though subsequently occupied by various banks, the physical plant was sorely neglected until Pascack Community Bank purchased the building and undertook a six-month renovation to preserve the existing details and the essence of the building. Repairs were made to the palladium windows, the original plaster reliefs, an intricate ceiling motif and the original vault. “Modern” office and drive-through additions were built using the same plaster, brick and slate as the original structure. By the time the building was reopened in 2008 as the Bank of Nutley, it had become a shining example of how the function of an older building can be “modernized” while retaining the integrity and beauty of the original concept.

3. *Process Whereby Historic Landmark Designation Occurs*

The procedure utilized to designate Historic Landmarks is identified in the ordinance.

4. *Criteria to Determine Eligibility for Designation*

The Committee should seek Historic Landmarks which have the following characteristics:

- (1) Of particular historic significance to the Township of Nutley by reflecting or exemplifying the broad cultural, political, economic or social history of the nation, state or community; or
- (2) Associated with an historic personage(s) important in national, state or local history; or
- (3) The site of an historical event which had a significant effect on the development of the nation, state or community; or
- (4) An embodiment of the distinctive characteristics of a type, period or method of architecture or engineering; or
- (5) Representative of the work of an important builder, designer, artist or architect; or
- (6) Significant for containing elements of design, detail, materials or craftsmanship which represent a significant innovation; or
- (7) Able or likely to yield information important in prehistory or history.

**E. Preservation Standards and Guidelines**

1. *Rehabilitation Standards*

The adopted Historic Preservation Ordinance includes, amongst other requirements, a list of standards and guidelines for rehabilitating (or altering) existing historically designated buildings

in the community. In Nutley, this would appear to be of great importance, as the greatest threat to historic resources in the community are alterations that are not undertaken in keeping with the buildings' historic qualities and characteristics.

The *Secretary of the Interior* has developed *Standards for Rehabilitation*, which serve to assist in the long-term preservation of a property's signification through the preservation of historic materials and features.<sup>16</sup> The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the building exterior and interior. In addition they encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction.

The Standards for Rehabilitation from the Secretary of the Interior can be found in Appendix "B" of this Master Plan.

## 2. *Guidelines for Rehabilitating Historic Buildings*

A threat to the remaining historic resources in Nutley Township is inappropriate management of resources, which includes altering, rehabilitating, or demolition of buildings without an understanding or appreciation for their historic importance. The *Guidelines for Rehabilitating Historic Buildings* were established in the late 1970s through the National Park Service in conjunction with architects, historians and craftspeople. They are intended to assist in applying the above standards to projects to ensure that historic resources are appropriately maintained, rehabilitated, and restored. These are described more fully in Appendix "C" of this Master Plan.

### **F. Funding Opportunities for Historic Preservation**

A significant number of Federal and State funding opportunities are available to Nutley to fund the implementation of a variety of recommended historic preservation actions by the community. These are described in detail in Appendix "D" of this Master Plan.

### **G. Recommendations**

Based on the areas addressed in the preceding sections of this Element of the Master Plan, the following recommendations are made to meet the goals and objectives of promoting historic preservation within Nutley.

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<sup>16</sup> The Standards for Rehabilitation have also been used to determine the appropriateness of a proposed work projected of registered properties within the Historic Preservation Fund grant-in-aid program, as well as if a rehabilitation qualifies as a Certified Rehabilitation for Federal tax purposes. Generally speaking to be certified for Federal tax purposes, a rehabilitation project must be determined by the Secretary to be consistent with the historic character of the structure(s), and where applicable, the district in which it is located.

### 1. *Identify and Register Historic Landmarks*

The establishment of the Nutley Historical Society in 1948 was an important first step for the community in terms of historical preservation. Encouragement of registration of historic districts and landmarks at the state or federal level not only raises public awareness, but also protects certain properties from publicly funded projects that could result in demolition or destruction of a historic building or site. In addition, listing a property on the state or national register may also provide certain investment tax credits to income-producing properties.

In cooperation with the Historical Society, the Township could play an important role in identifying buildings that may be eligible for historic preservation. A consultant could be hired to prepare a comprehensive inventory of eligible properties for registration. Such a study could also detail the important historic features, materials, and designs within the Township so that residents could recognize and appreciate these elements.

### 2. *Designated Historic Landmarks*

The Historic Preservation Committee should undertake or commission a study to determine which sites, buildings and districts in Nutley are deemed worthy of preservation.

### 3. *Public Education on Historic Preservation*

The Historical Society already plays an active role in terms of historic preservation education in Nutley. Many residents, however, are unaware of the importance of historic preservation and what it means to the community. To further educate the public, the Township may consider collaborating with the Historical Society to produce promotional materials, such as brochures, handouts, and booklets, which outline the importance of historic preservation. Manuals can be produced to assist the public in identifying historic properties and architectural features, and provide relevant technical assistance and guidance for preservation and rehabilitation of historic property and features. Matching funds for such a project may be available from the New Jersey state agencies.

### 4. *Promote the Historic Character of Nutley*

The information provided in this element of the Master Plan provides evidence of a wealth of historic qualities within Nutley. With a well-organized historic preservation plan, the Township may be in the position to market the history of Nutley as a tourist attraction. There are many

steps that can be taken to highlight Nutley's historic features and attract people from other areas of the state and country.

Wall murals depicting historic themes of Nutley are one possibility of building on the character of Nutley' past while simultaneously attracting tourists to the Township. Many cities and communities have established wall mural committees to identify themes, locations, and works that are both aesthetically attractive and serve to reflect the community's history.

A community rich in historic resources can also organize self-guided tours through its Township. Brochures can be used and distributed to tourists to guide them to historic buildings and landmarks.

#### *5. Identify the Township's Assets with Plaques*

The Township's historic assets could be identified with plaques at key sites or buildings to identify historic importance.

#### *6. Explore Government Agency Support*

This section of the Master Plan has emphasized that historical elements should be considered resources or assets within a community. Preservation, rehabilitation and promotion of these resources however do require investment. For this reason, identifying funding support through State or Federal programs is essential. In Appendix "E" of this Master Plan a listing of the various agencies that might provide support or assistance in developing and implementing this historic preservation plan in Nutley is provided.

## CHAPTER 8 COMMUNITY FACILITIES PLAN

### A. Schools

The public school system in Nutley is administered by the Nutley Board of Education and serves grades kindergarten through 12. There are five elementary schools in the Township, which includes Lincoln, Radcliffe, Spring Garden, Washington and Yantacaw Elementary Schools (grades K-6). There is one middle school, the John H. Walker Middle School, serving grades 7-8, and one high school, Nutley High School, serving grades 9-12.

**Table 8-1: Inventory of Board of Education Facilities**

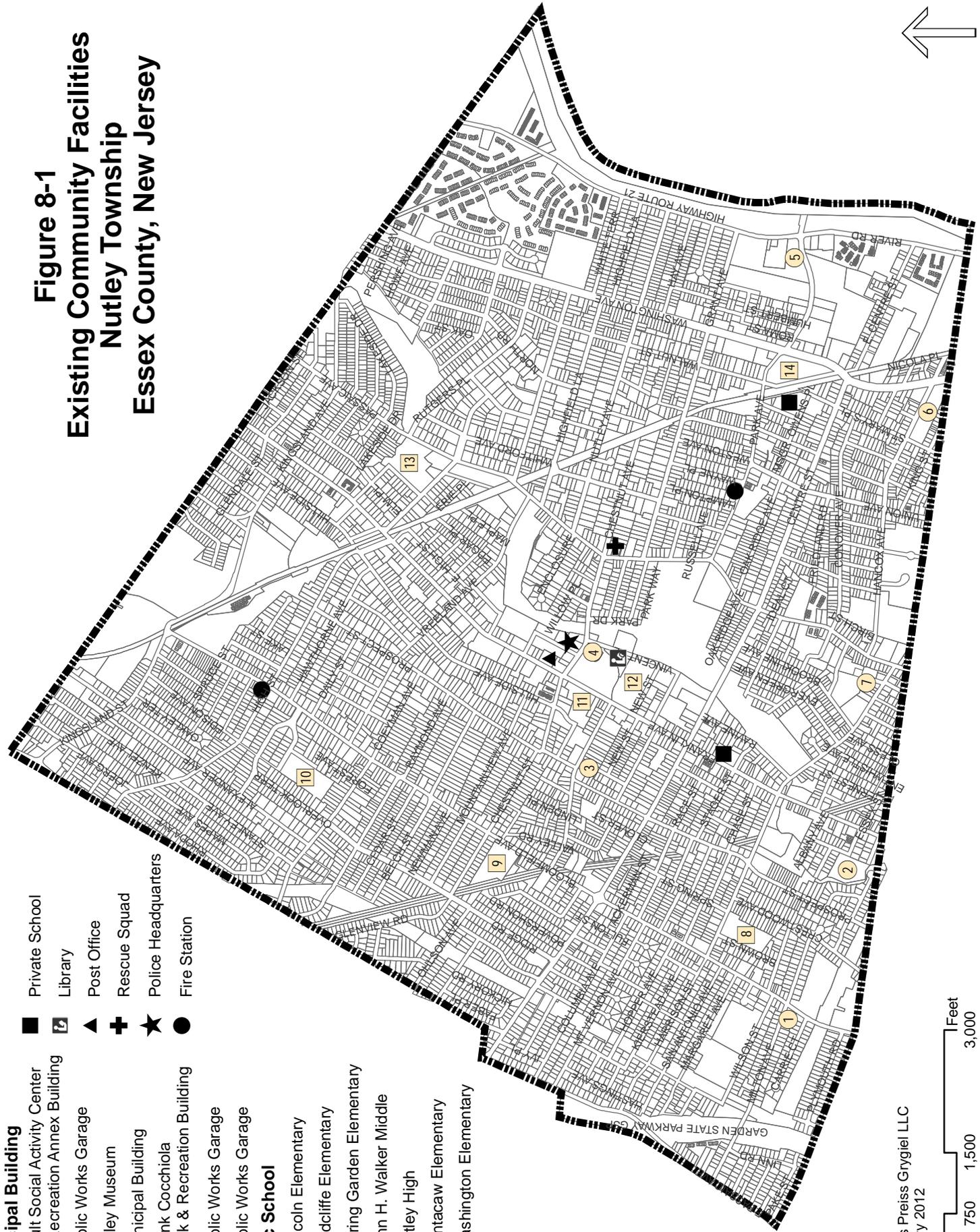
School Name	Grade Level	Address
Lincoln Elementary	K-6	301 Harrison Street
Radcliffe Elementary	K-6	379 Bloomfield Avenue
Spring Garden Elementary	K-6	59 S. Spring Garden Avenue
Washington Elementary	K-6	155 Washington Avenue
Yantacaw Elementary	K-6	20 Yantacaw Place
John H. Walker Middle	7-8	325 Franklin Avenue
Nutley High	9-12	300 Franklin Avenue

*Source: Township of Nutley Board of Education*

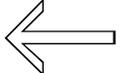
Enrollment at Nutley High for the 2010-11 school year was reported at 1,271 students; during the 1970s the high school had almost 2,000 students, necessitating a split schedule. Current enrollment at the district's other schools include: 480 students at Lincoln Elementary; 354 students at Radcliffe Elementary; 367 students at Spring Garden Elementary; 388 students at Washington Elementary; 453 students at Yantacaw Elementary; and 599 students at John H. Walker Middle. Special education courses are offered within the school district and there is a program for autistic students at Radcliffe Elementary. In September 2012 total enrollment was approximately 4000 students. The Board of Education has convened a long-range planning committee to investigate school enrollment and to establish a plan for the future. An expert will be retained for preparation of a demographic/enrollment study of the district.

# Figure 8-1 Existing Community Facilities Nutley Township, New Jersey

- **Municipal Building**
- 1 Adult Social Activity Center & Recreation Annex Building
- 2 Public Works Garage
- 3 Nutley Museum
- 4 Municipal Building
- 5 Frank Cocchiola Park & Recreation Building
- 6 Public Works Garage
- 7 Public Works Garage
- **Public School**
- 8 Lincoln Elementary
- 9 Radcliffe Elementary
- 10 Spring Garden Elementary
- 11 John H. Walker Middle
- 12 Nutley High
- 13 Yantacaw Elementary
- 14 Washington Elementary
- Private School
- 📖 Library
- 📮 Post Office
- ➕ Rescue Squad
- ★ Police Headquarters
- Fire Station



Phillips Preiss Grygiel LLC  
January 2012



The Board of Education views all of the school facilities to be at or above capacity.

See Table 8-2: School Enrollment by Grade for detailed information on school enrollment in the Township.

**Table 8-2: School Enrollment by Grade**

Grade	2007-08	% Change	2008-09	% Change	2009-10	% Change	2010-11	% Change	2011-12	% Change
K	240	-6%	259	8%	271	5%	216	-20%	259	20%
1	279	9%	260	-7%	269	3%	281	4%	223	-21%
2	268	-10%	291	9%	263	-10%	272	3%	269	-1%
3	305	9%	280	-8%	304	9%	265	-13%	279	5%
4	285	-1%	310	9%	287	-7%	305	6%	272	-11%
5	292	-9%	284	-3%	309	9%	297	-4%	302	2%
6	315	-6%	295	-6%	289	-2%	307	6%	292	-5%
7	344	22%	322	-6%	299	-7%	293	-2%	308	5%
8	274	-8%	340	24%	319	-6%	295	-8%	303	3%
9	297	-10%	270	-9%	335	24%	304	-9%	286	-6%
10	335	13%	293	-13%	279	-5%	333	20%	312	-6%
11	302	-12%	339	12%	293	-14%	273	-7%	339	24%
12	339	5%	293	-13%	324	11%	291	-10%	270	-7%
Un-graded	159	2%	212	34%	167	-21%	188	13%	217	16%
<b>Total</b>	<b>4,033</b>	<b>-1%</b>	<b>4,048</b>	<b>0%</b>	<b>4,007</b>	<b>-1%</b>	<b>3,919</b>	<b>-2%</b>	<b>3,931</b>	<b>0%</b>

Source: New Jersey Department of Education

Going back a decade, enrollment in the Nutley School System has not changed substantially. Enrollment peaked in 2004-2005 with 4,072 students. Since the 2004-2005 school year, student enrollment has continued to decrease slightly through 2007-2008, with an almost 3% decrease in students in 2006-2007. Enrollment has decreased slightly since then, with 3,931 students in 2011-12. Nevertheless, Nutley's ten year student enrollment has remained relatively stable. For additional information on Nutley's student enrollment profile, see Table 8-3: [Ten Year Enrollment Profile](#).

**Table 8-3: Ten Year Enrollment Profile for Nutley Schools**

Year	K-6		7-8		9-12		Total	
	Number	% Change						
2002-03	2141	-0.33%	667	-1.95%	1250	7.12%	4058	1.70%
2003-04	2101	-1.90%	651	-2.46%	1293	3.33%	4045	-0.32%
2004-05	2096	-0.24%	673	3.27%	1303	0.77%	4072	0.66%
2005-06	2053	-2.09%	659	-2.12%	1299	-0.31%	4011	-1.52%
2006-07	2031	-1.08%	579	-13.82%	1292	-0.54%	3902	-2.79%
2007-08	1984	-2.37%	618	6.31%	1273	-1.49%	4034	3.26%
2008-09	1979	-0.25%	662	6.65%	1195	-6.57%	4048	0.35%
2009-10	1992	0.65%	618	-7.12%	1230	-12.53%	4007	-1.02%
2010-11	1943	-2.52%	588	-5.10%	1200	2.03%	3919	-2.25%
2011-12	1896	-2.48%	611	3.76%	1207	4.75%	3931	0.31%

**Source: New Jersey Department of Education**

The average total spending per pupil in the Nutley School System for the 2010-2011 school year is \$15,973, up slightly from \$15,609 for the 2009-2010 school year. Nutley's total spending per pupil for both years was lower than the state averages of \$17,745 in 2009-10 and \$17,289 in 2010-11. The current school budget is 62 million dollars.

Overall, the Township has a strong educational system. The Board of Education has strived in recent years to upgrade their facilities. Nutley High School underwent a 5 million dollar renovation during the 2004-2005 school year. Improvements included a new science wing, new windows and repairs to the roof and HVAC system. The high school gym was recently renovated using funds from the school district budget, and the auditorium was renovated through fundraising and private donations. The John H. Walker Middle School was completely renovated at a cost of \$27 million. Improvements included a new gym, library, media center, cafeteria and roof, five new classrooms, and the renovation of existing classrooms, façade work and HVAC system improvements. The five elementary schools have undergone necessary repairs to roofs and HVAC systems, as well as façade improvements and new windows. Construction of a new gym has been completed at Spring Garden Elementary School.

Cafeterias could be added to three of the elementary schools to obviate their dependence on the middle school for lunch preparation. There has also been an interest in encouraging students to walk to school, which can be accomplished through participation in the national Safe Routes to School program or undertaking a similar Township-sponsored initiative.

The Board of Education, the municipal government—particularly the recreation department—and the community should continue to work together to coordinate and optimize the use of school facilities. One method of doing this is joint usage of the schools' recreational facilities by the Township residents, and vice versa. Currently, the school's buildings, gyms and auditoriums are often used by local recreation teams and organizations, and the Township of Nutley recreation fields are made available to the school district for athletics. Opportunities for additional shared use could be examined prior to the addition of new facilities.

## **B. Department of Public Works Facilities**

The Township of Nutley Department of Public Works (DPW) is responsible for maintaining the Township's streets, sidewalks, curbs, parking lots, street signs and street lighting. The DPW regulates parking meters, provides snow plowing and ice removal services on streets, maintains water and sewer service and water billing, and houses the Township's professional engineering services. In addition, the DPW provides for curbside pickup of recyclable materials, including commingled recycling material, papers and leaf collection.

The DPW is also responsible for administering several Township permits, including a landscape license, parking permits for reserved permit parking areas and sidewalk permits for residents seeking to install or repair a sidewalk. The DPW issues coupons to landscapers allowing them to dump leaves at the Township's recycling site.

All equipment maintained by the DPW is located at the DPW's main facility, the Department of Public Works Garage at 1 Cortland Street. The DPW Engineering Department is located in the municipal building at 1 Kennedy Drive. In addition, the DPW maintains a leaf and recycling drop-off site adjacent to Monsignor Owens Park.

Most of Nutley's potable water comes from the Passaic Valley Water Commission (PVWC), whose main facility is the Little Falls Water Treatment Plant in Totowa, NJ. Water is drawn from both the Passaic and Pompton Rivers; in drought conditions or in emergency situations, water from the Point View Reservoir in Wayne, NJ can be used. Treated water is mixed at the PVWC main pumping station with water from the North Jersey District Water Supply Commission's Wanaque Reservoir treatment plant. The mixed water is pumped into underground transmission lines that run through Nutley.

There are five PVWC intake pits in Nutley, located at Coeyman Avenue, Ridge Road, Centre Street, Meacham Avenue and Kingsland Street. A small portion of Nutley is served by the City of Newark with water from the Pequannock Reservoir; the reservoir is located west of Ridge Road and Van Winkle Avenue bordered by Glenview Road, the Township of Nutley and Township of Bloomfield boundary line and East Passaic Avenue. There is one City of Newark intake pit in the Township located on Ridge Road. In addition, the Township maintains a sewage pumping station on Bloomfield Avenue.

The DPW reports that the Township's stormwater regulations are current with New Jersey Department of Environmental Protection requirements and the Department has engaged in an ongoing stream maintenance program in the parks to provide streambank stabilization. Future DPW project funding may be dedicated to addressing a mud-hole in Memorial Park and bridge widening to accommodate greater stream flow and improving stormwater drainage at streets where lacking. Phase I of the streetscape improvement initiative was completed from 2004-2005 and the Township has applied for federal appropriations to continue streetscape improvements. The DPW has suggested adding more benches as part of the streetscape improvement initiative and planting trees to maintain and enhance the Township's "urban forest"; Nutley has been a National Arbor Day Foundation Tree City USA community for the past 22 years.

The DPW identified several areas of concern that Nutley may seek to address moving forward. A number of streets in the Township have been deemed by the DPW to be in below-average condition; greater attention to the resurfacing program is merited. In addition, there is a need to standardize sidewalk regulations throughout the Township to clarify who the responsible party is when sidewalk improvements are needed, and to determine at what point property owners should make improvements to the sidewalk in front of their property; this action will promote well-maintained sidewalks Township-wide. Nutley may also consider evaluating Township ordinances and revising them to aide in the reconstruction of modern sewers, roads and other infrastructure.

### **C. Police**

The Nutley Police Department is located at 228 Chestnut Street and employs 66 police officers and eleven civilian staff members. All in-service marked and unmarked police vehicles are stored either at the police department or the town garage. The Department did not report any significant high problem areas in the Township.

The crime rate for the Township in 2010 was 11.1 crimes per 1,000 residents, which is lower than rates observed in all of the municipalities adjacent to Nutley: The Department has a ratio of 423 residents per officer, which is within the range of policing levels observed in municipalities adjacent to the Township. The Department has expressed concerns that the ratio of residents to police officers is lower than that of some nearby communities, including Belleville with 363 residents per officer and Bloomfield with 388 residents per officer. The fact that the number of police officers in the Department has not increased in almost 40 years is a testament to the strength and careful administration of the police force in the Township.

**Table 8-4: Nutley & Vicinity Crime Rates and Policing Levels, 2010**

Municipality	Crime Rate per 1,000	Police Officers	2010 Estimated Population	Residents per Officer
Nutley	11	67	28,370	423
Bloomfield	25	122	47,315	388
Belleville	23	99	35,926	363
North Arlington	13	32	16,341	511
Lyndhurst	16	50	20,554	411
Clifton	22	148	84,136	568

*Source: New Jersey State Police, 2010 Uniform Crime Report*

The Police Department offers several community policing initiatives including a neighborhood watch program, community policing initiatives, car seat safety instruction for parents and child caregivers, and a domestic violence intervention program consisting of a group of trained individuals available 24 hours a day, 7 days a week to counsel victims of domestic violence, among others. In addition, resident members of the Police Auxiliary program are trained to assist the Department with traffic control for church services and crowd control at Township events.

The Department has engaged in partnerships with the Nutley School District, including the Junior Police Academy, a program aiming to teach students grades 6-8 the principles of law enforcement, and the H.O.P.E. Initiative, established to educate parents about the signs of abuse and to better identify and address drug issues in the middle and high schools as well as educating parents about the signs of abuse.

#### **D. Fire**

The headquarters of the Nutley Fire Department is located at 228 Chestnut Street and is proximate to other municipal buildings, including Township Hall. There are two additional fire stations in the Township, Fire House 1 located at 290 Park Avenue and Fire House 2 located at 200 High Street. The fire department is made up of a combination of career and volunteer personnel. Of the four fire companies, there is one paid ladder truck and engine company and the remaining three are volunteer engine companies.

Two of the Township's engines, as well as the ladder truck, are housed at the fire department headquarters. Both Fire House 1 and Fire House 2 have one engine and the auxiliary firehouse has two engines. The Township owns the 732 fire hydrants throughout the municipality and maintains the water system; hydrants are flushed and inspected annually.

**Table 8-5: Inventory of Nutley Fire Department Equipment**

Unit Number	Station Number	Station Name	Description	Pump Size (GPM)	Water Tank Size (gal)
E-1	1	Headquarters	Pumper Engine	1,500	560
E-4	1	Headquarters	Pumper Engine	1,500	600
T-1	1	Headquarters	Aerial Ladders/Platforms; Aerial Device 110 ft.	500	250
E-2	2	House 2	Pumper Engine	1,250	1,000
E-3	3	House 1	Pumper Engine	1,250	500
E-30	Auxiliary	Township Garage	Pumper Engine	1,500	500

Source: Fire Protection Survey, 2009

The fire department is called and dispatched through the Central Dispatch Headquarters. Concerns have been raised by the fire department regarding the antiquated dispatch system. Emergency personnel have indicated that a new response system is needed to modernize the fire department command center and ensure reliability in the future. Suggested improvements include adding vehicle-based computers to access necessary data while at a fire scene or other emergency locations.

The Nutley Fire Department issues fire permits in accordance with the New Jersey Fire Safety Code, which provides funding to offset costs associated with fire inspections in the Township. Assistance is also provided through the New Jersey Division of Fire Safety to help fund fire inspections. In addition, the fire department offers fire safety education programs in nursery, elementary, junior and high schools in the Township, as well as fire prevention initiatives for civic and senior groups. The fire department holds an annual Open House as a means to better inform residents about the fire department and its role in the community, as well as to provide educational information regarding fire prevention.

The fire department has indicated that there are no response issues in the Township, nor are there any existing problems with water pressure. Overhead wires have created problems for the department when responding to an emergency and limited emergency vehicle access in and out of parks is an area of concern. While the Township is considering allowing private inspections, the Department has expressed concern that if Township inspectors are not involved, this may cause a lack of continuity in the inspection process.

#### **E. Hazmat Team**

The Township of Nutley Public Safety Department established a Hazardous Materials Team in 1986 in response to oil slicks that contaminated the Third River, which runs through Nutley and is a main tributary of the Passaic River. The Hazardous Materials Station is located at 1 Frank-

lin Terrace. The hazmat technicians are on duty, twenty four hours a day, seven days a week. The Nutley Volunteer Emergency and Rescue Squad provides ambulance support for hazardous materials calls.

The team is responsible for responding to hazmat materials incidents throughout Essex County, with the exception of the City of Newark, and responds to an average of 250 to 300 calls in the county annually. Approximately 30 hazmat calls originate in Nutley each year. The team supports the Police Rapid Deployment Team for terrorist and other law enforcement incidents as needed, and provides backup to the bomb squad when a suspicious package contains hazardous materials. In addition, the team participates in a county-wide decontamination task force.

The team has four quick response vehicles, which are housed at the Hazardous Materials Station (see Table 8-6). Hazmat 1 contains communications equipment and serves as a command vehicle for hazardous materials incidents and other emergencies; Hazmat 2 serves as a first response vehicle, has the capacity to contain a 150-gallon fuel spill with the equipment on board and handles chemical detection; Hazmat 3 carries generally the same equipment as Hazmat 2 but with a few additional pieces of equipment and can also handle spills and chemical detection; and Hazmat 4 was recently purchased with a grant from Essex County Homeland Security funds and serves as a combination hazmat and mass decontamination vehicle.

**Table 8-6: Inventory of Nutley Hazmat Team Vehicles**

Vehicle Number	Year	Description
Hazmat 1	2005	F550 Ford utilizing an ambulance body customized
Hazmat 2	2002	E450 Ford plumbers body
Hazmat 3	1999	E550 Ford plumbers body
Hazmat 4	2005	Freightliner E-One rescue body

*Source: Township of Nutley website, 2012*

#### **F. Emergency Medical Services**

Emergency medical services within the Township of Nutley are provided by the Nutley Volunteer Emergency and Rescue Squad, the headquarters of which is located at 119 Chestnut Street. There are five salaried emergency medical technicians that are on call between 6:00 AM and 6:00 PM during the weekdays, while part-time employees provide coverage from 6:00 AM Saturday to 6:00 AM Sunday. Squad volunteers provide overnight emergency service coverage from 6:00 PM to 6:00 AM during the weekdays and are also on call throughout the weekend. Career EMTs are employed by the squad rather than by the Township, and their salaries are paid through the squad's annual drive and other donations.

The Nutley First Aid and Rescue Squad was established in 1953, later to be renamed the Nutley Volunteer Emergency and Rescue Squad in 1973. Due to volunteer staffing shortages during the daytime, the squad hired its first paid members in 1988, followed by two additional EMTs in 1999. Services provided to Nutley by the squad have expanded over the years to include water recovery and rescue, a scuba team and a bike team.

Today all members of the squad are required to attend New Jersey State Emergency Medical Training courses, supplemented by training sessions sponsored by the squad. Additional training is required for those members involved with light and heavy rescue. The squad currently has truck-style ambulances with modern life saving equipment and additional room for patient care.

### **G. Library**

The Nutley Public Library is located at 93 Booth Drive. The Township's first library opened in a small building across from the Nutley Train Station in 1896. At that time, the library was a private facility with an annual membership fee of three dollars. Following the move to Passaic Street in 1904, the library was established at its current location on Booth Drive in 1914. With a grant from Andrew Carnegie, a new facility was constructed and opened as the Nutley Free Public Library. The library was renovated and expanded to 20,000 square feet 1990. Attention was paid to preserving the historic qualities of the original Carnegie-sponsored structure throughout the renovation process.

The Nutley Public Library is a member of the Bergen County Cooperative Library System (BCCLS), which consists of 75 member libraries in Bergen, Essex, Hudson and Passaic Counties. BCCLS members share library materials including books, CDs and DVDs, providing patrons with access to a much greater breadth of literature, music and film than would otherwise be available to Nutley residents.

The library runs programs and events for residents. Children and Young Adults (CYA) Services are geared towards children preschool-age through high school. Librarians and staff members provide book, music and film recommendations, facilitate youth reading groups and offer crafts and activities. Adult services include assistance with book, film and music selection, book discussions, performances and author visits. In addition, the Nutley Hall of Fame is housed at the Nutley Public Library; the library hosts Hall of Fame meetings and events, and serves as an archive for Hall of Fame materials. The Nutley Hall of Fame Committee formed in 2002 to recognize outstanding Nutley residents and has since joined with the Friends of Nutley Public Library. The first honorees were inducted in 2003.

The library is looking into planting a children's garden and creating public open space on the library grounds. In contemplating expansion opportunities for the future, the Library Board envisions a facility with a teen center and a space to accommodate programs for special needs students. In addition, the current facility does not have performance space, which could also serve

as a meeting space for Township organizations and residents, but should be coordinated and shared with the Board of Education and the Recreation Department.

**Table 8-7: Inventory of the Public Library Collection**

Category	Number
Book Titles	86,319
Book Volumes	99,217
Periodicals and Newspapers	219
Audio-Visual Material	10,820
Electronic Materials (Databases)	12
Circulation	174,645

*Source: Joanne Tropiano, Library Director, June 2009*

## **H. Historical Society and Museum**

The Nutley Historical Society and Nutley Museum are located at 65 Church Street. The historical society was founded in 1945. One of their first projects was to preserve and restore the Church Street School in which to establish a town museum. The Church Street School was built in 1875 and is on the National Register of Historic Places. The building continues to serve as the town museum today.

The Nutley Museum is run by historical society volunteers and houses the Alice J. Bickers Library, which has over 200 books and maps on New Jersey history. There is a meeting room on the first floor that is used by local civic organizations, such as the Nutley Art Group and the Tri-County Camera Group.

There is an interest in the Township to expand and/or establish additional protections for existing historic districts, such as the Enclosure area and its environs and the Erie Place Town Historic District. In response to infill and redevelopment potential in the Township, more attention has been paid to the retention of appropriate historic buildings and design in Nutley, potentially through zoning, design standards and the establishment of an historic preservation policy, as discussed in greater detail in the Historic Preservation Plan Element.

## CHAPTER 9 ECONOMIC DEVELOPMENT PLAN ELEMENT

### A. Introduction

#### 1. *Overview*

Nutley has taken steps in recent years to revitalize the Township's downtown district and retail corridors, particularly through the development and implementation of a streetscape improvement program and ongoing façade improvements. Although the Township has undertaken numerous efforts to revitalize the downtown and foster economic development, there remains room for improvement, including improving the quality of tenants, the variety of stores, building design, streetscape and landscaping, parking, signage and lighting. While adjacent communities like Montclair have been able to attract high-quality retail development, Nutley's retail corridors, with the exception of façade improvements, have remained somewhat stagnant.

At this time, a broad and comprehensive commercial revitalization strategy is necessary and desirable, one which allows Nutley to capitalize upon dormant market forces and address the conditions that have inhibited the private sector from undertaking these improvements themselves. In particular, downtown Nutley—Franklin Avenue—is in need of a strategy that makes renovation and redevelopment economically worthwhile, and which provides sufficient economic incentive for the physical and aesthetic environment to be substantially upgraded.

A primary goal of this Master Plan is to create a new vision for the Township and to organize past and new planning efforts through an Economic Development Strategy Action Plan and Implementation Strategy, which will establish accountability for all planning efforts moving forward. The desired outcome is to create a Township-wide consensus on new policies and implementation agenda; only with Township-wide consensus is it likely that such policies and plans will be implemented and succeed.

#### 2. *Legal Basis and Purpose*

The New Jersey Municipal Land Use Law, Article 3, Section 40:55D-28(9) states that the preparation and contents of an economic plan element should "consider all aspects of economic development and sustained economic vitality." This includes "a comparison of the types of employment expected to be provided by the economic development to be promoted with the characteristics of the labor pool resident in the municipality and nearby areas." Furthermore, section 40:55-D-28(9) states that there should be "an analysis of the stability and diversity of the economic development to be promoted."

This Economic Plan element evaluates the economy of the Township of Nutley and identifies trends, strengths, opportunities and constraints. This includes an analysis of Essex County's

economy and the state economy where appropriate. Moreover, baseline information of existing economic conditions is utilized to present future economic development potential.

## B. Economic and Demographic Profile

### 1. *Private Sector Employment*

The total number of private sector jobs<sup>17</sup> located in Nutley has decreased since 2007, consistent with the employment trends that have affected the region and the nation since the economic downturn began. The number of private-sector jobs stood at 9,796 in 2007 and has since dipped to a low of 7,800 in 2011. As indicated in Table 9-1, Private Sector Covered Employment, 2007-2011, the number of jobs in the Township decreased by 23 percent, or almost 2,000 jobs, from 2007 to 2011. In comparison, Essex County lost 22,510 jobs, or 7.6 percent of the starting total of 285,286, from 2007 to 2011, peaking with the loss of 14,782 jobs in 2009. The county showed small job growth in 2011, adding 600 jobs. While this may not be statistically significant, it is in line with national trends. While signs point to job growth nationwide, Nutley will lose nearly 1,000 more jobs by the end of 2013 with the closing of Roche headquarters; job growth elsewhere in the county and region may help offset this loss for Nutley residents and employees.

**Table 9-1: Private Sector Covered Employment, 2007-2011  
Township of Nutley and Essex County**

Year	Nutley Township			Essex County		
	Number of Jobs	Difference		Number of Jobs	Difference	
		Number	% Change		Number	% Change
2007	9,796	-	-	285,286	-	-
2008	9,595	-201	-2.05%	282,682	-2,604	-0.91%
2009	9,001	-594	-6.19%	267,900	-14,782	-5.23%
2010	8,578	-423	-4.70%	262,176	-5,724	-2.14%
2011	7,800	-778	-9.07%	262,776	600	0.23%
<b>Employment Change (2007-2011)</b>		<b>-1,996</b>	<b>-23.01%</b>		<b>-22,510</b>	<b>-7.58%</b>

Source: New Jersey Department of Labor and Workforce Development Quarterly Census of Employment & Wages (2003-2007)

<sup>17</sup> Covered employment is a monthly count of full and part-time employees who earned wages during the pay period as reported quarterly by employers covered by the New Jersey Unemployment Compensation Law. Basically, any employer paying at least \$1,000 in wages in the current or preceding calendar year is covered. Jobs not covered by the law include self-employed and unpaid family workers or certain agricultural and in-home domestic workers.

## 2. Average Annual Wages

The average annual wage in Nutley rose from \$85,509 in 2007 to \$93,883 in 2011. Taking into account inflation during this period, real wages rose 1.11 percent. , Comparatively, county and state annual wages actually decreased during this period when normalized to 2011 dollars. See Table 9-2, Private Sector Annual Average Wages, 2007-2011 for more detailed information.

**Table 9-2: Private Sector Annual Average Wages, 2007-2011  
Township of Nutley, Essex County and New Jersey**

Year	Nutley Township	Essex County	New Jersey
2007	\$85,589	\$55,874	\$53,590
2008	\$82,509	\$56,378	\$54,929
2009	\$88,917	\$56,146	\$54,543
2010	\$92,731	\$57,559	\$55,736
2011	\$93,883	\$59,046	\$56,885
2007 (Inflation Adjusted to 2011)	\$92,853	\$60,616	\$58,138
<b>Percent Change 2007-2011 (Inflation Adjusted)</b>	<b>1.11%</b>	<b>-2.59%</b>	<b>-2.16%</b>

Source: New Jersey Department of Labor and Workforce Development  
Quarterly Census of Employment & Wages (2007-2011)

## 3. Labor Force Characteristics

### a) Resident Labor Supply

Table 9-3, Selected Resident Labor Characteristics, 2010 indicates the general composition of Nutley's labor force, including their commuting characteristics and place of work. The Township's resident labor force, which represents both individuals working or seeking employment, consists of 14,709 civilian workers. This represents a labor force participation rate of 67% for the Township, compared with 61% for Essex County and 64% statewide. Of those participating in Nutley's civilian labor force, 94% were employed, while employment rates were recorded at only 89.6% in Essex County; employment rates for the civilian labor force statewide were observed to be 92% in 2010.

**Table 9-3: Selected Resident Labor Characteristics  
Township of Nutley, Essex County and New Jersey**

	Nutley		Essex County		New Jersey	
<b>Labor Force participation</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Employed	14,495	93.3%	358,120	89.6%	4,230,560	92.2%
Unemployed	1,040	6.7%	41,587	10.4%	356,690	7.8%
Total	15,535	100.0%	399,707	100.0%	4,587,250	100%
<b>Commuting Characteristics</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Drove alone	10,791	77%	212,746	61%	2,953,040	72%
Carpool	916	7%	34,639	10%	370,898	9%
Public Transportation	1,605	11%	68,629	20%	438,293	11%
Bicycle	10	0.1%	520	0.1%	13,438	0.3%
Walked	220	2%	14,775	4%	134,922	3%
Other Means (including Motorcycle)	266	1.9%	6,023	2%	69,060	2%
Worked at Home	256	2%	10,185	3%	142,903	3%
Total	14,064	100%	347,517	100%	4,122,554	100%
<b>Place of Work</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>	<b>Number</b>	<b>Percent</b>
Worked in State of Residence	11,997	85.3%	303,035	87.2%	3,586,622	87.0%
<i>Worked in County of Residence</i>	5,808	41.3%	184,532	53.1%	2,242,669	54.4%
<i>Worked Outside County of Residence</i>	6,174	43.9%	118,156	34.0%	1,343,953	32.6%
Worked Outside of State	2,067	14.7%	44,482	12.8%	535,932	13.0%
Total	14,064	100.0%	347,517	100.0%	4,122,554	100.0%

Source: U.S. Census Bureau, 2006-2010 ACS Estimates

77% of the Township's labor force commutes to work by car alone, 11% use public transportation, 7% carpool, and a combined 4% walked or worked at home. The percentage of individuals that drive alone to work in Nutley is slightly higher than the rate observed at the state level (72%), but is 15% higher than that of Essex County. This difference can be accounted for, in part, by the higher levels of public transit use in Essex County's more urbanized municipalities, particularly the City of Newark. The percentage of individuals that commute to work using public transit in Essex County was nearly twice that of Nutley in 2010 (20% and 11%, respectively), while rates of walking and working at home in Nutley were similar to that of the county and state.

There are two New Jersey Transit rail lines, the Main Line and the Montclair-Boonton Line, with stations proximate to Nutley. Both the Main Line and the Montclair-Boonton Line terminate at

Hoboken Station, with transfers available at Secaucus Station to connecting service into Newark and New York Penn Station. Though there are four train stations less than four miles from Nutley's Municipal Offices (Delawanna and Lyndhurst Stations in Lyndhurst and Watchung Avenue and Walnut Street Stations in Montclair), this rail service is likely most attractive to Nutley commuters traveling to New York City; as nearly 15% of Nutley's labor force work outside of New Jersey. For those Nutley commuters working in New Jersey, particularly outside of a traditional central business district, current public transportation service levels are generally not as convenient or reliable as individual auto use. In addition, nearby NJ Transit train stations in Lyndhurst and Montclair are not located within a 10 minute walk of most Nutley residences—it is thought that people will be willing to walk to a destination up to ½ mile, or 10 minutes, of their point of origination—thereby necessitating the use of an automobile to access stations.

Just over 41 percent of Nutley's labor force works in Essex County and 85 percent work in New Jersey. In general, fewer Nutley workers are employed in their county of residence than in Essex County or the state; 53% of Essex County residents are employed in their county of residence as compared to 54% statewide (or 8% and 13% greater, respectively, than that observed in Nutley). While somewhat more Nutley workers are employed outside of the county and state in which they reside, the rates do not differ substantially from those rates observed both on the county and state level and can be explained by the density of North Jersey and Nutley's proximate location to New York City. Additionally, data statewide since 2000 demonstrate a trend towards more employees working outside their county and state of residence.

#### b) **Resident Unemployment**

As shown in Table 9-4, Resident Unemployment Rate, 2001-2011 Nutley has historically maintained a lower unemployment rate than Essex County. The Township's unemployment rate was 8.5% in 2011, which was a decrease from the previous year's peak of 8.7 percent following the recession that began in late 2007. Essex County's unemployment rate also peaked in 2010 with 11.1 percent, almost 2.5 percentage points higher than that of Nutley.

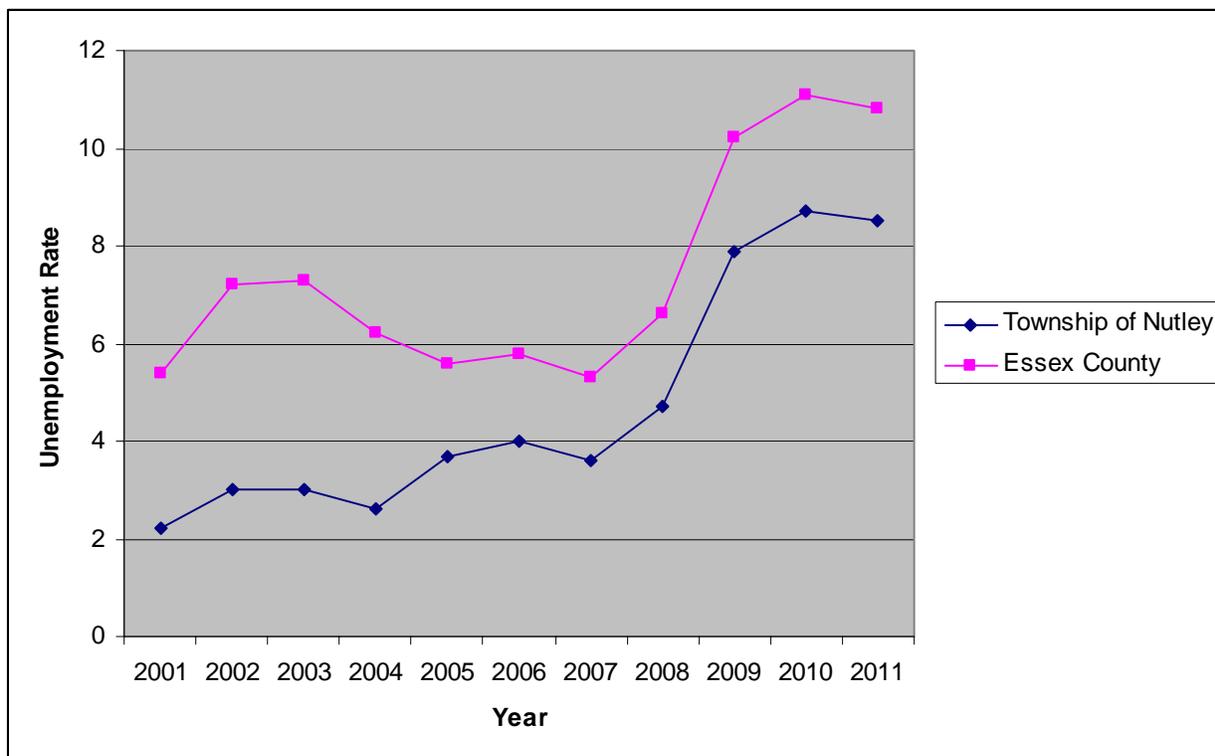
**Table 9-4: Resident Unemployment Rate, 2001-2011  
Township of Nutley and Essex County**

Year	Nutley		Essex County	
	Rate	Change	Rate	Change
2001	2.2	-	5.4	-
2002	3.0	0.8	7.2	1.8
2003	3.0	0.0	7.3	0.1
2004	2.6	-0.4	6.2	-1.1
2005	3.7	1.1	5.6	-0.6
2006	4.0	0.3	5.8	0.2
2007	3.6	-0.4	5.3	-0.5
2008	4.7	1.1	6.6	1.3
2009	7.9	3.2	10.2	3.6
2010	8.7	0.8	11.1	0.9
2011	8.5	-0.2	10.8	-0.3

*Source: New Jersey Department of Labor and Workforce Development, Labor Force Estimates (2001-2011)*

As displayed in Figure 9-1, Resident Unemployment Rate, 2001-2011 the Township's unemployment rate has remained lower than that of the county's over the past decade and the changes in Nutley's unemployment rate over time mimic that of the county. Since the late 1990's, Nutley's unemployment rate has been reflective of the fluctuations observed in the county.

**Figure 9-1:  
Resident Unemployment Rate, 2001-2011  
Township of Nutley and Essex County**



Source: New Jersey Department of Labor and Workforce Development, Labor Force Estimates (2001-2011)

#### 4. EDUCATIONAL ATTAINMENT

The educational attainment of Nutley residents is generally greater than that of the educational attainment of residents of Essex County. According to Table 9-5, Resident Educational Attainment, 2010, 92% of Township residents age 25 and over have at least a high school degree and 41% have a Bachelor's degree or higher. In comparison, the Census reported that Essex County maintains a 82% percent high school graduate rate, with 32% of residents holding a Bachelor's degree. Educational attainment for both the Township and County has increased since 2000, with Nutley's percentage of high school and college graduates over 25 increasing from 87% and 33%, respectively.

Over the past two decades, New Jersey's economy has continued to replace traditional manufacturing jobs with high technology, communications and research jobs. Throughout New Jersey there exist opportunities for a high quality labor force to support the continuation of the growing technological sector in which the tri-state region continues to benefit from a competitive advantage. Another recent trend that warrants further attention is the development of a bimodal

work force, with one group of highly skilled, highly educated workers and another group of relatively unskilled workers. Economic opportunities for this second group are limited because the educational and social system cannot overcome the cultural, monetary and social difficulties that separate the two groups. Preventing this bimodal split, which disconnects one segment of the Township from meaningful participation in the work force, is necessary for the long-term economic well-being of the Township and its residents.

**Table 9-5: Resident Educational Attainment, 2010  
Township of Nutley and Essex County**

Educational Attainment	Nutley		Essex County	
	Number	Percent	Number	Percent
Less than 9th grade	619	3.1%	41,919	8.2%
9th to 12th grade, no diploma	979	4.9%	50,098	9.8%
High school graduate	6,173	30.9%	147,739	28.9%
Some college, no degree	2,877	14.4%	83,327	16.3%
Associate degree	1,079	5.4%	26,072	5.1%
Bachelor's degree	5,274	26.4%	98,663	19.3%
Graduate or professional degree	2,997	15.0%	62,878	12.3%
<i>High school graduate or higher</i>	<i>18,380</i>	<i>92.0%</i>	<i>419,190</i>	<i>82.0%</i>
<i>Bachelor's degree or higher</i>	<i>8,271</i>	<i>41.4%</i>	<i>161,541</i>	<i>31.6%</i>

Source: U.S. Census Bureau, 2010

#### 5. Resident Employment Characteristics

The Township of Nutley has a significant concentration of residents working in education/health/social services (23.8%), retail trade (12.7%), and professional / scientific / management / administrative / waste management services (12.2%) as shown in Table 9-6 Resident Labor Force by Industry of Employment (persons age 16+), 2010. In total, 49% of all Township residents are employed in these industries. The distribution of residential employment for the aforementioned industries in Nutley, as well as for most other industries noted in Table 9-6 below, are similar to those observed in Essex County and the state.

**Table 9-6: Resident Labor Force by Industry of Employment (persons age 16+)  
Township of Nutley, Essex County and New Jersey**

Industry	Nutley		Essex County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Agriculture, forestry, fishing and hunting, and mining	0	0.0%	455	0.13%	14,702	0.3%
Construction	724	5.0%	22,135	6.18%	259,043	6.1%
Manufacturing	1,101	7.6%	25,830	7.21%	396,329	9.4%
Wholesale trade	612	4.2%	10,575	2.95%	160,966	3.8%
Retail trade	1,845	12.7%	34,408	9.61%	469,625	11.1%
Transportation and warehousing, and utilities	660	4.6%	25,431	7.10%	242,906	5.7%
Information	542	3.7%	12,371	3.45%	134,690	3.2%
Finance, insurance, real estate and rental and leasing	1,411	9.7%	32,213	9.00%	385,143	9.1%
Professional, scientific, management, administrative, and waste management services:	1,774	12.2%	43,932	12.27%	517,257	12.2%
Education, health and social services	3,449	23.8%	90,944	25.39%	942,587	22.3%
Arts, entertainment, recreation, accommodation and food services:	1,097	7.6%	25,050	6.99%	325,783	7.7%
Other services (except public administration)	549	3.8%	18,068	5.05%	186,453	4.4%
<b>Total</b>	<b>14,495</b>	<b>100%</b>	<b>358,120</b>	<b>100%</b>	<b>4,230,560</b>	<b>100%</b>

Source: U.S. Census Bureau, 2010

Nutley has a significant concentration of residents working in management, professional, and related occupations; nearly 43% of all Township residents are employed in these occupations. The Township also has a large proportion of resident workers employed in sales and office-related occupations (31%). See Table 9-7, Resident Labor Force by Occupation, 2010 for more detailed information.

**Table 9-7: Resident Labor Force by Occupation, 2010  
Township of Nutley, Essex County. and New Jersey**

Occupation	Nutley		Essex County		New Jersey	
	Number	Percent	Number	Percent	Number	Percent
Management, professional, and related occupations	6,191	42.71%	1,667,330	39.41%	1,667,330	39.41%
Service occupations	1,826	12.60%	668,098	15.79%	668,098	15.79%
Sales and office occupations	4,550	31.39%	1,122,931	26.54%	1,122,931	26.54%
Natural resources, construction, and maintenance occupations	856	5.91%	331,641	7.84%	331,641	7.84%
Production, transportation, and material moving occupations	1,072	7.40%	440,560	10.41%	440,560	10.41%
<b>Total</b>	<b>14,495</b>	<b>100%</b>	<b>4,230,560</b>	<b>100%</b>	<b>4,230,560</b>	<b>100%</b>

Source: U.S. Census Bureau, 2010

#### 6. Future Employment and Projections

According to the 2012 Labor Market Information Data Report prepared by the New Jersey Department of Labor and Workforce Development, state employment is expected to increase 7.7% between 2010 and 2020, while Essex County employment is expected to rise 4.7%. While Ocean and Burlington Counties are expected to see the largest employment growth rate by 2020, Essex County is classified as “stable” over the next decade and is projected to be home to the third-highest number of jobs of all New Jersey counties by 2020. New Jersey’s northern counties are still projected to see an acceleration of job growth over the decade.

**Table 9-8: Employment Projections, 2010-2020  
Essex County and New Jersey**

	2010	2020	Change: 2010-2020		Avg. Annual Job Openings	
	Existing	Projected	Number	Percent	Growth	Replacement
Essex County	386,050	404,200	18,150	4.7%	11,190	2,380
New Jersey	4,155,700	4,476,000	320,300	7.7%	132,940	35,070

Source: NJ Department of Labor and Workforce Development, Division of Labor and Market Development Research, Bureau of Occupational Research, December 2012

Table 9-9 Ten Largest Growing Occupations, 2010-2020 indicates the ten projected largest growing occupations for Essex County according to the New Jersey Department of Labor and Workforce Development. Construction and extraction occupations see nurses are expected see the largest job growth between 2010 and 2020 (2,850 new jobs), followed by construction trades (2,250 new jobs), transportation (2,100 new jobs), installation, maintenance and repair (1,750

new jobs) and food preparation and serving (1,450 new jobs). The construction occupations will see the greatest percent and absolute increases, likely assuming that construction and building rates will begin to rise following the recession.

**Table 9-9: Ten Largest Growing Occupations, 2010-2020  
Essex County**

Occupation	2010		2020		Change:2010-2020	
	Number	Percent of Total	Number	Percent of Total	Number	Percent Growth
Construction and Extraction	11,000	2.8%	13,850	3.4%	2,850	25.8
Construction Trades Workers	9,100	2.4%	11,400	2.8%	2,250	24.9
Transportation and Material Moving	24,300	6.3%	26,400	6.5%	2,100	8.7
Installation, Maintenance, and Repair	16,600	4.3%	18,350	4.5%	1,750	10.6
Food Preparation and Serving	19,350	5.0%	20,800	5.1%	1,450	7.5
Sales and Related	30,600	7.9%	32,000	7.9%	1,400	4.6
Personal Care and Service	13,750	3.6%	15,150	3.7%	1,350	10
Education, Training, and Library	34,950	9.1%	36,200	9.0%	1,250	3.6
Business and Financial Operations	24,650	6.4%	25,850	6.4%	1,200	4.8
Healthcare Support	13,600	3.5%	14,800	3.7%	1,200	8.9

Source: NJ Department of Labor and Workforce Development, Division of Labor and Market Development Research, Bureau of Occupational Research, December 2012

### **C. Economic Development Strategy Action Plan**

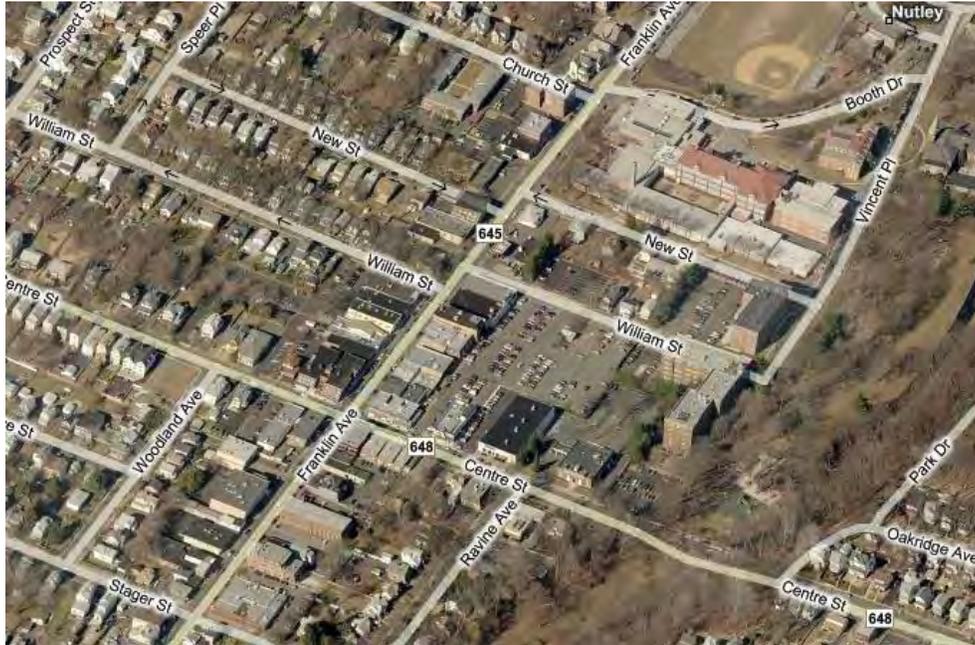
The following five (5) areas of the Township provide development and redevelopment opportunities that will influence the nature and rate of the Township's economic growth over the next ten to twenty years (see Figure 9-2 on the next page). Acceptable areas for consideration of redevelopment were suggested by the community at a public meeting that was convened at the start of the Master Plan review process. The narrative for each area identifies the current zoning for the area and explores the initial strategies and recommendations for the most practical and effective ways to support existing development and enhance future economic growth. The strategy encourages the creation of special area plans to promote economic development in a manner that is sensitive to community character and the use of superior design and high-quality materials.

#### 1. *Downtown Corridor*

Current Zoning: B3 and B3A

The Downtown Corridor is currently within the B3 (Downtown Business) and B-3A (Downtown Business) zoning districts. The Downtown Corridor consists of properties fronting on Franklin Avenue from the municipal boundary with Belleville to Stager Street, from New Street to Church Street, from Chestnut Street to West Plaza.

**Figure 9-2: Aerial View of Downtown Corridor**



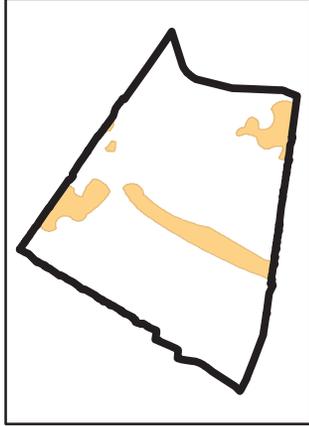
Source: Bing Maps

The B-3 zone permits the following uses:

1. Professional and business offices.
2. Financial institutions.
3. Restaurants, bars and taverns, but excluding drive-in restaurants.
4. Bowling alleys, theaters and other indoor amusement services, including amusement devices as an accessory use as set forth in § 700-38 hereof, commercial schools and colleges.
5. Take-out food establishments.
6. Service establishments.
7. Printing establishments, provided that no individual motor exceeds five horsepower.
8. Telephone exchange, bus or railroad passenger station, United States Post Office.
9. Stores devoted to retail commerce where goods are sold directly to the customer for personal use or household use, with or without processing on the premises for such retail sale, but excluding the processing, repair or renovating of bedding and excluding the sale of motor vehicles, boats, lumber, masonry, roofing or siding where an inventory is maintained on the premises. No crating, outdoor displays and/or outdoor sales are permitted except that occasional outdoor sales may be held as provided by Ordinance No. 1845.
10. Mixed-use buildings for commercial and residential uses.
11. Business establishments having amusement devices as a principal use.

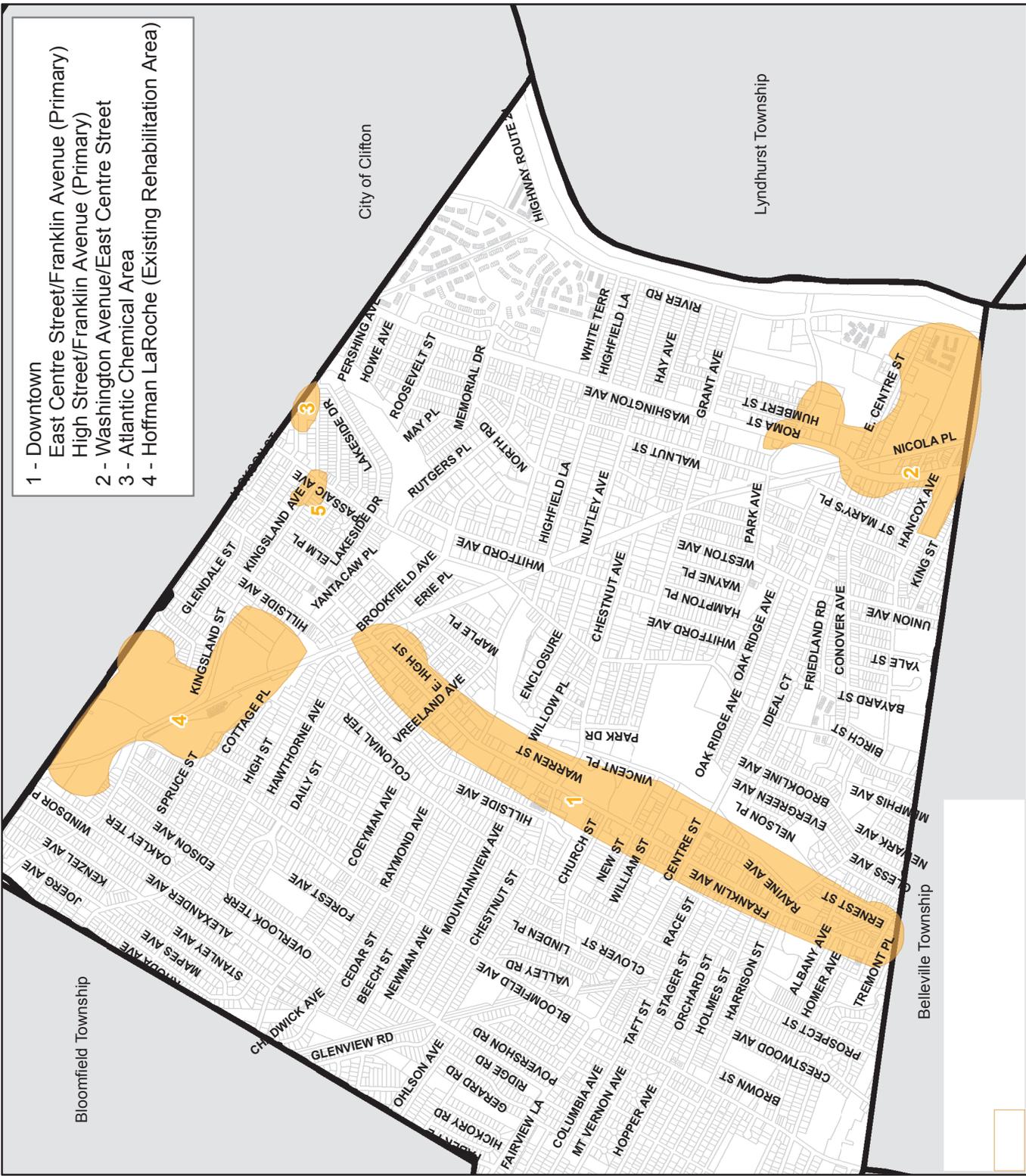
**Figure 9-3**  
**Economic Development**  
**Areas**  
**Nutley Township**  
**Essex County, New Jersey**

**Inset**



**Legend**

 Economic Development Areas



The following uses are permitted in the B-3, conditionally:

1. Elementary and secondary school.
2. Nursery school and day care centers.
3. Satellite dishes on rooftop or side yard.
4. Houses of worship.
5. Clubhouses.
6. Off-premises auto parking lots.

The B-3A zone permits the following:

1. Professional and business offices (second floor only).
2. Restaurants and bars which serve food, excluding drive-in restaurants, take-out or fast food.
3. Take-out food establishments.
4. Theaters.
5. Service establishments (personal and household).
6. Printing and copier services for retail customers.
7. United States Post Office.
8. Bus station.
9. Stores devoted to retail commerce where goods are sold directly to the customer "for personal use or household use, with or without processing on the premises for such retail sale, but excluding the processing, repair or renovating of bedding and excluding the sale of motor vehicles, boats, lumber, masonry, roofing or siding where an inventory is maintained on the premises. No crating, outdoor displays and/or outdoor sales are permitted except that occasional outdoor sales may be held as provided by Ordinance No. 1845.
10. Mixed-use buildings for retail, service and office uses.

The following uses are permitted in the B-3A, conditionally:

1. Elementary and secondary school.
2. Nursery school and day care centers.
3. Satellite dishes on rooftop or side yard.

The Downtown Corridor is currently being revitalized through the efforts of the Township and downtown merchants. Many parcels in the downtown are underutilized and strategies to redevelop or revitalize them should be evaluated. This is consistent with public opinion stated during the Master Plan visioning sessions where individuals spoke of their desire for reinvestment within the Township's downtown. In addition, the Township has applied for consideration as a Main Street NJ Aspiring Community and has been the subject of review by that organization as well as Downtown New Jersey. Many of the recommendations of those two agencies have been incorporated into this review.

Under a traditional non-redevelopment or rehabilitation scenario, future growth in the downtown most likely would be limited to infill development of vacant buildings, and business turnover may produce additional employment, tax ratables and economic activity.

This Plan specifically recommends investigating the potential for redevelopment within the downtown to address problems, identify opportunities and provide a guide for future reinvestment. While the Township has planned downtown improvements by targeted investment of public funds for facade improvements, streetscape upgrades and has provided off-street parking, the diversity of land ownership and number of businesses make it challenging for private land owners to independently reinvest into Franklin Avenue. Additional planning efforts outside of this Master Plan are needed. Consideration should be given to creating a downtown revitalization plan with direct business owner involvement, which excludes the possibility of condemnation except in extreme circumstances. The use of experienced professionals to work with Nutley to create a plan that is endorsed by business owners and the community is needed.

A revitalization plan acting as a hybrid of a master plan and a full development plan with regulating ordinances would indicate the location of existing buildings, uses, height, density and additional standards which visually portray the vision for Franklin Avenue. Particular emphasis should be placed upon the areas adjacent to Franklin Avenue and Centre Street and Franklin Avenue and High Street (see Figure 9-2). It should be noted that currently the B-3 zone permits professional and business offices on the second floor only. Although the primary goal for the B-3 zone is to promote retail establishments, consideration should be given to allowing professional and business offices to occupy first floor space. In recent years, there has been heightened interest for medical offices with the Township presumably due to the proximity to three local hospitals. Such use should continue to be encouraged. The focus of any such plan should recognize the Recommended Development Density and Intensity Standards within Table 3-4 of the Land Use Plan, which indicates the level of growth that the community is willing to accept.

## *2. Washington Avenue/East Centre Street Area*

### **Current Zoning: B4**

The Washington Avenue / East Centre Street area is within the B-4 zoning district. The permitted uses within the B-4 (General Business) Zoning District are as follows:

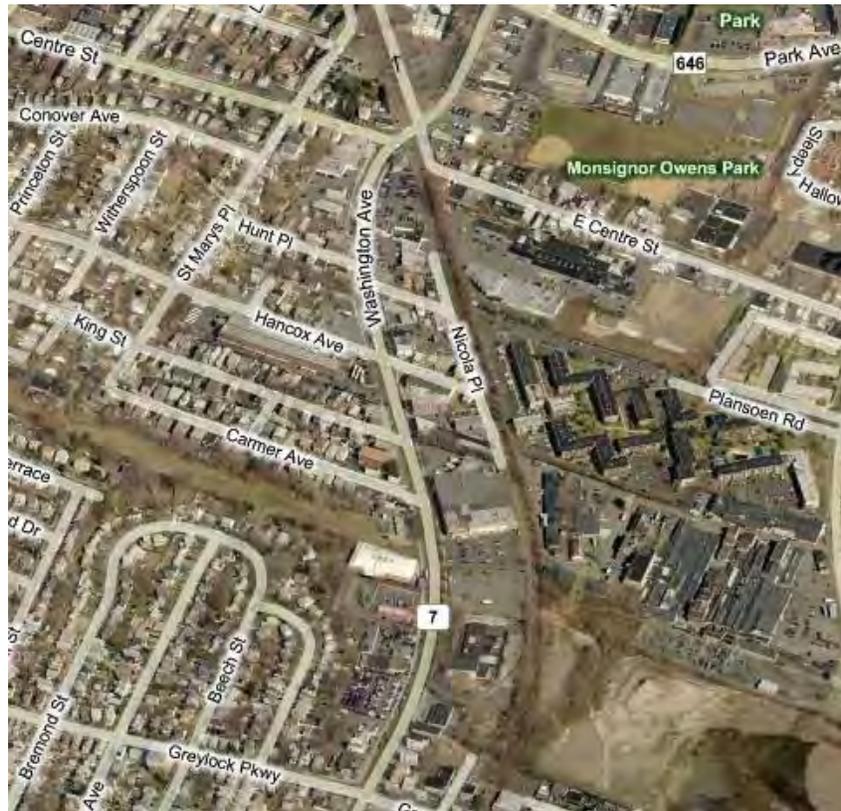
**Figure 9-4: Aerial View of Washington Avenue/East Center Street Area - Northern End**



Source: Bing Maps

1. Storage and sales facilities for building materials.
2. Laboratories for research, analysis, design and/or experimentation.
3. Takeout food establishments.
4. Automotive sales for the sale of new motor vehicles and parts within a building and external building sales of vehicles only.
5. Laundries, dry cleaning and dyeing plants.
6. Printing establishments, provided that no individual motor exceeds 10 horsepower.
7. Commercial greenhouses.
8. Light assembly as follows: the manufacture, compounding, processing, packaging or treatment of apparel, art goods, photographic equipment, millinery, precision instruments, musical instruments, housewares and similar items.
9. Professional and business uses.

**Figure 9-5: Aerial View of Washington Avenue/East Center Street Area - Southern End**



Source: Bing Maps

The only other lots located in the B-4 zone can be found on Baltimore Street. This zone district (B-4) is plagued with nonconforming residential land uses. Zoning must be drawn with a reasonable relationship to the character of the community. That is to say that a zone that has a high degree of nonconforming uses could be seen as invalid. On recommendation of the Township Planner, this zone must be analyzed on a lot-by-lot basis to ascertain the current non-conformity rate. Consideration should be given to the idea of splitting the B-4 zone into two or three separate zoning districts for the following reasons:

1. The high amount of nonconforming residential land uses on East Centre Street, Hancock Avenue and Hagert Street.
2. Differing traffic volumes on Washington Avenue as compared to East Centre Street, Hancock and Hagert Street.
3. Larger lot sizes found on the west side of Washington Avenue.

It should be noted that the “right turn only” designation for westbound East Centre Street traffic at the intersection of Washington Avenue is critical due to the proximity of the intersection to the signalized intersection at Washington Avenue and Centre Street and the Norfolk Southern Railroad crossing.

As noted above, there is a large percentage of nonconformity in the current use of the B-4 zone on Washington Avenue and East Centre Street. A multi-family housing development known as East Gate of Nutley has been constructed on East Centre Street, consisting of 120 rental apartment units. The area cannot support additional multi-family housing and any such future use should be discouraged and/or prohibited. To further that proposition, “garden apartments” should be removed by ordinance as an acceptable use in the M-1 zone. Numerous units already do and will continue to exist, among a mixed neighborhood of residential and industrial type uses. It is suggested that the area be rezoned to acknowledge its current uses and to support uses that will be compatible with the area, and encourage commercial and small business development to support the neighborhood’s needs.

### 3. Atlantic Chemical Property and Surrounding Area

**Current Zoning: M**

**Figure 9-6:**

**Aerial View of Atlantic Chemical Property and Surrounding Area**



Source: Bing Maps

The Atlantic Chemical Property is located at the end of Baltimore Street and is located in the M (Manufacturing) Zoning District. The uses permitted in the M Zoning District are as follows:

1. The manufacture, compounding, processing, packaging or treatment of goods or materials.
2. Commercial warehouses.

3. Printing establishments.
4. Commercial greenhouses
5. Laboratories for research, analysis, design and/or experimentation.

The Atlantic Chemical property is listed as a Superfund site and is listed on the NJDEP known contaminated site. As such, the redevelopment of this site should contain land uses that are compatible with a "capped" site. Redevelopment of a "capped" site typically requires uses that have little or no penetration into the ground. Residential land uses should be strictly prohibited on such a site. The following types of uses should be considered for the Atlantic Chemical Property and surrounding uses:

1. Self storage facility.
2. Commercial Warehouses.
3. Warehouse, retail.
4. Lumber yard.
5. Building Supply Company.
6. Gardening Center.
7. Data Center.

The Atlantic Chemical property located in Nutley and in the bordering Town of Clifton has remained vacant for decades. The property is identified on the NJDEP known contaminated sites list and accordingly should be prioritized by the Township for redevelopment. The Mayor has initiated dialogue with representatives of Clifton to attempt to coordinate future planning of this and other bordering properties and to promote development that is in the best interests of both municipalities. Such an initiative would cleanup a deteriorated property, bring new tax ratables and new jobs to the area. Given the period of time that this site has lied vacant and the existence of environmental contamination, the ability to designate this area or parcel in need of redevelopment in accordance with the requirements of the Local Redevelopment and Housing Law (LRHL) is a consideration. It must also be noted that the property is situated on Kingsland Street, which is State Highway #7. Any development must comply with NJDOT regulations pertaining to access management.

It is further recommended that the current M (Manufacturing Zoning) District include as permitted uses: storage and sales facilities for building materials, and storage and sales facilities for telecommunications services.

4. *Hoffman La Roche*  
**Current Zoning: M-O**

**Figure 9-7: Aerial View of Hoffman La Roche Property**

Source: Bing Maps

The Roche property is located in the M-O (Industry and Office) Zoning District. The uses in the M-O Zoning District are recommended as follows:

1. The manufacture, compounding, processing, packaging or treatment of goods or materials.
2. Commercial warehouses.
3. Printing establishments.
4. Commercial greenhouses.
5. Laboratories for research, analysis, design and/or experimentation.
6. Office buildings.
7. Hotel-convention, entertainment (theater, music, movies) and restaurant/catering.

The zoning for this portion of the municipality appears to be a reasonable use for the lands within the zone, but additional, compatible uses must be considered. However, the bulk standards for the zone do not appear to appropriately reflect the Corporate Campus Environment at the Roche site. The bulk standards should be reviewed to ensure the continuance of such a corporate campus. This would include an increase in the minimum lot size, as well as other regulating bulk standards.

The Land Use Plan (see Chapter 3), acknowledges the July 2012 decision of Roche to close its facilities by December 2013. To this end, the Land Use Plan recognizes the desirability of en-

couraging the continuance of Class "A" office and research and development facilities, as well as other compatible uses. The Land Use Plan further recognizes the Township's intent to work with Clifton and Roche to encourage the maximum level of investment at the campus. To this end, this Plan recommends the creation of a revitalization plan—as necessary—to implement the future vision for this area. Moreover, the Land Use Plan element recommends zoning revisions to promote positive development and prevent the subdivision of the principal campus pieces into smaller properties. This Plan recognizes the fragmentation of this tract as having the potential to eliminate the characteristics necessary to retain a corporate campus environment or other positive development. However, given the economic climate since 2009 and the uncertainty of future long-term plans for the tract, the Township should continue its close working relationship with Roche and any future owner to retain this tract as a primary economic development area of the Township. The current zone designated M-O does not permit residential use. Residential use is not an option for any of the Roche property within the Township. The current designated uses for the M-O zone should be maintained and supplemented where appropriate.

Continuing dialogue will be maintained with representatives from the City of Clifton who will be equally impacted by any changes to the existing site. In addition, any increased development may necessitate an evaluation of existing and needed signalization and traffic control, and other off-site improvements and development, the cost of which should be borne by the developer.

#### 5. *Kingsland Street/Passaic Avenue*

##### **Current Zoning: B-1 and B-2**

**Figure 9-8: Aerial View of the Kingsland Street/Passaic Avenue Area**



Source: Bing Maps

The Kingsland Street / Passaic Avenue area consists of lots located in the B-2 Zoning District (General Business) and a single lot in the B-1 zone. The permitted uses in the B-1 Zone are as follows:

1. Professional offices and uses necessarily incidental thereto, provided that any residential use of the structure, lot or premises involves only occupancy by a resident professional practitioner and his family and shall not be subleased in part or full.
2. Business offices used for the condition and operation of general commercial or mercantile enterprises and endeavors, but not involving sales, storage or handling of goods, wares or merchandise upon the premises, except the interior display of samples not visible from the exterior of the structure, provided that any residential use of the structure, lot or premises involves only occupancy by a resident businessman and his family and shall not be subleased in part or full.
3. Financial institutions without drive-in facilities.
4. Medical laboratories as an accessory use or a principal use, for the testing related to the medical care of humans and excluding use of animals for testing or experimentation.
5. Neighborhood retail stores and personal and household service establishments, as defined in Article III. No loading or unloading across any sidewalk is permitted. No crating, outdoor display and/or outdoor sales are permitted, except that occasional outdoor sales may be held as provided by Ordinance No. 1845.
6. Mortuaries.
7. Business services, as defined in Article III.
8. Restaurants, but excluding drive-in restaurants.
9. Take-out food establishments.
10. Amusement devices as an accessory use and subject to the requirements of §700-38 thereof.
11. Mixed-use buildings for commercial and residential uses.

The B-2 zoning District Permits the following:

1. Neighborhood retail stores and personal and household service establishments, as defined in Article III.

2. Professional and business offices.
3. Bars and taverns.
4. Restaurants, but not drive-in restaurants or fast-food establishments.
5. Take-out food establishments.
6. Financial institutions without drive-in facilities.
7. Residence on the second floor of business buildings only.
8. Amusement devices as an accessory use as defined in and subject to requirements of § 700-38 hereof.
9. Mixed-use buildings for commercial and residential uses.

This area of the Township has experienced periodic building vacancies as well as deferred maintenance. Consideration should be given to preparing a specific area plan to encourage revitalization of this area. It might also be appropriate to create a new zone or overlay zone to allow for development other than what is currently defined.

A proposed New Jersey Transit rail/bus has been discussed in Clifton close to this area. Such an initiative would greatly enhance commuter opportunities for Nutley residents. The Planning Board has sought to have the station identified as the Clifton-Nutley station in order to promote Nutley as having readily accessible rail transportation and to encourage its use by Nutley residents. The station will create opportunities for enhanced development along Kingsland Avenue. Continued dialogue with NJ Transit and the City of Clifton must be maintained to capitalize on future initiatives that will be available for the area and the Township.

#### 6. *Other Recommendations*

The Goals and Objectives of this Master Plan include economic development goals for the Township (see Chapter 2). In pursuing these goals, a number of development-related issues should be considered. The following are important to address:

- Reaching consensus on a vision for Nutley's future, including economic development priorities, their location, and sources of funding.
- Recognize the designation of the Roche properties as an area in need of rehabilitation and create a rehabilitation plan as needed to implement Township economic development priorities.
- Consider the creation of revitalization or redevelopment districts for the:
  - Franklin Avenue Corridor
  - Washington Avenue Corridor (from Belleville to Grant Street)/East Centre Street area
  - The Atlantic Chemical Property and surrounding area
- Increase investment of capital in the Township to carry out economic development initiatives.
- Assemble sites that can be offered for new business development.

- Improve the appearance of neighborhood commercial districts and the General Business district (B-4).
- Provide timely responses to requests for business licenses, permits, zoning, funding, and related business and development initiatives.
- Target sectors of the economy where the Township has a competitive advantage for further development.

**Specific recommended actions include:**

- Develop effective marketing campaigns and outreach programs to build the Township's image.
- Utilize the Chamber of Commerce to assist with business development initiatives in the Township.
- Continue to support the public transportation improvements within the Township and the proposal for development of the rail/bus depot in the City of Clifton.
- Expand the façade improvement program to create a revolving loan program for interior building improvements; intensify downtown beautification and cleanup programs.
- Encourage the development of niche retail markets.
- Create a year round marketing program.
- Involve leasing agents and realtors as part of the business recruitment efforts.
- Budget for and prepare professionally produced recruitment literature.
- Develop a business retention and expansion program.

**D. Implementation Strategy**

The proposed Land Use Plan and Economic Development Strategy Action Plan may be implemented through rezoning, redevelopment and rehabilitation powers. Rezoning, redevelopment and rehabilitation powers would be used to revise local ordinances to encourage the implementation of the Economic Development Strategy Action Plan "by right" within the framework of Township rules and regulations. However, additional marketing efforts, market forces and other strategies will be needed to build consensus and to gain interest of the development community to bring new economic projects to fruition. Each approach requires different procedural requirements as follows:

1. *Rezoning*

To implement by rezoning, the following steps would be necessary:

- a. The Township Governing Body would implement the recommendations of the Planning Board by the introduction and adoption of an ordinance amending the Township's Zoning Ordinance and development regulations. The proposed ordinance would be developed by the Planning Board consistent with the Township's Master Plan.

- b. Amendments to the Zoning Ordinance that are not the result of recommendations contained in a Master Plan would require notice to the effected property owners in the district and those property owners within 200 feet of the proposed new zone districts.

## 2. *Redevelopment*

### a) **Rehabilitation Area Designation and Redevelopment Plan**

An alternative approach to rezoning for a portion of the Township would be to designate portions of the Township as “an area in need of rehabilitation” and prepare a redevelopment plan (within a rehabilitation area) that would contain specific and detail design and architectural standards for each area. An area may be designated in need of rehabilitation by the municipal governing body if it is determined that the area exhibits the following conditions:

- A significant portion of structures in the area are deteriorated or substandard; there is a continuing pattern of vacancy, abandonment, or underutilization of properties in the area; and a “persistent arrearage” of property tax payments; or
- More than half the housing stock in the delineated area is at least 50 years old, or a majority of the water and sewer infrastructure in the delineated area is at least 50 years old and is in need of repair or substantial maintenance.

Given the nature of the existing development within the Township, either one or both of the findings set forth in the second paragraph above are more likely to be determined for the area. The finding that the infrastructure in the area is 50 years of age or older would be based on a certification of the Township Engineer or similarly qualified professional.

The procedure for designating an area in need of rehabilitation area is much simpler than the process to designate an area in need of redevelopment. No formal investigation or public hearing is required, and the governing body must only adopt a resolution designating the area “in need of rehabilitation.” In addition, no special public notice is required, except what would normally be required to publicize any meeting of the governing body. To implement such an approach, the following steps would need to be taken:

1. Prior to the adoption of the resolution designating “an area in need of rehabilitation,” the governing body is required to submit the resolution to the Planning Board for its review.
2. The Planning Board has up to 45 days to submit its recommendations on the designation to the governing body, including any proposed revisions.
3. The governing body adopts the resolution designating the “area in need of rehabilitation” and forwards a copy of the adopted resolution to the Commissioner of the Department of Community Affairs (DCA).

4. The Governing Body adopts a Redevelopment Plan for the area in accordance with the procedure described in the following section of this report.

Pursuant to the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq., hereinafter referred to as the "LRHL" or the "Redevelopment Statute"), no property may be acquired by eminent domain in a rehabilitation area. This approach may be particularly appropriate where it is contemplated that private property owners or developers will implement the Redevelopment Plan and no acquisition of property by the Township will be required.

**b) Redevelopment, Process, Criteria and Benefits**

In 1992, the State of New Jersey empowered local municipalities to address conditions of deterioration and lack of proper use of lands by adopting the LRHL. The purpose of the Redevelopment Statute is to provide municipalities with the powers needed to plan undeveloped and underdeveloped portions of a municipality, and to actively redevelop designated areas into productive assets for the community. These powers allow a Municipality to acquire private land (through negotiation or condemnation) for the redevelopment process, and to form partnerships with public-private entities.

**c) Redevelopment Process**

According to the LRHL, to initiate a redevelopment plan, a municipality may either designate a redevelopment agency or may assume the responsibility through the existing governing body. Upon establishment of the redevelopment agency, the governing body can then initiate the process of redevelopment and coordinate that process with the Planning Board. The following steps should be taken to initiate the redevelopment process:

1. The Governing Body must direct the Planning Board to undertake an investigation of the area in question to determine whether it meets the criteria established (under N.J.S.A. 40 A: 12A-5) for an "Area in need of Redevelopment".
2. The Planning Board must prepare and publish a map showing the boundaries of the area in question and the location of the various parcels therein. This map must include a statement setting forth the basis for the Township's investigation.
3. The Planning Board must conduct an investigation and hold a duly noticed public hearing in order to discuss the findings of the investigation and to hear persons who are interested in or would be affected by the contemplated action. The results and recommendations of the said hearing are then referred (in the form of a Planning Board Resolution) to the Governing Body for formal action.

4. Upon receipt of the recommendation from the Planning Board, the Governing body may act to adopt a resolution designating the area in question as an “Area in Need of Redevelopment”.
5. Upon this designation the Planning Board is then required to prepare a Redevelopment Plan, which establishes the goals and objectives of the municipality in designating the area in need of redevelopment. The Plan is then referred to the Governing Body in the form of a Planning Board Resolution for formal action.
6. Upon receipt of the Redevelopment Plan from the Planning Board, the Governing Body may act to adopt the Plan by Ordinance. The Redevelopment Plan then becomes an explicit amendment to the Township’s Zoning District Map and Zoning Ordinance.

**d) Redevelopment Criteria**

The criteria used by the Redevelopment Statute (N.J.S.A. 40A: 12A-5) for designating areas in need of rehabilitation or redevelopment offer a great deal of flexibility. As long as the designated area meets any of the following conditions it may be considered for redevelopment status:

- a. The buildings are substandard, unsafe, unsanitary, dilapidated or obsolescent, or are so lacking in light, air, or space as to be conducive to unwholesome living or working conditions.
- b. The discontinuance or abandonment of the use of buildings previously used for commercial, manufacturing, or industrial purposes. This also refers to such buildings that have fallen into a state of disrepair as to be untenable.
- c. Land that is owned by various government entities, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, may be considered for redevelopment based on factors such as remoteness, accessibility, topography, soil conditions, and marketability.
- d. Areas with buildings or improvements that are detrimental to the safety, health, morals or welfare of the community.
- e. An area that is potentially valuable to serving the public health, safety, and welfare, which is not properly utilized as a result of the condition of title, diverse ownership of real property, or other conditions.
- f. Areas, in excess of five contiguous acres, upon which buildings or improvements have been destroyed, consumed by fire, demolished or other natural disasters so as to cause depreciation in the aggregate assessed value.
- g. In any municipality in which an enterprise zone has been designated pursuant the “New Jersey Enterprise Zones Act,” P.L. 1983.c.303 (C.52: 27H-60 et seq.) an area may be eligible for redevelopment status for the purpose of granting tax exemptions within the zone.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

#### e) **Benefits of Redevelopment Designation**

The benefits of formally establishing designated Redevelopment Areas are well worth the effort of the required process. Unlike typical short-term Redevelopment Plans, the formal redevelopment process requires a comprehensive approach through the preparation of a Redevelopment Plan. In addition to allowing for public input this approach allows the municipality to apply a maximum level of creativity and flexibility to establish a broad vision of development for the community.

An important component of the redevelopment process is the fostering of public-private partnerships. Unlike conventional development where the private sector and the local government are often at odds, public-private partnerships are a co-operative opportunity. By working as a team, the municipality is able to exercise greater control and the developer is often able to leverage a better deal through the incentives offered. This approach results in creative projects that establish a unique environment for the public to enjoy and business to prosper.

The most beneficial aspect of the formal redevelopment process is the allowance of payment in lieu of taxes over a period of 30 years, enabling the municipality to capture almost a full portion of the tax dollar. Under the traditional process, the tax dollar is split between county, school and local purposes tax. In redevelopment projects, depending upon the agreed formula, municipalities can capture substantially greater proportions of the tax dollar and use the excess revenues to fund infrastructure, assist in financing, or initiate other creative ways to attract development to specific target sites<sup>18</sup>.

The Township of Nutley contains several areas with redevelopment or revitalization potential for commercial redevelopment. Figure 9-2 depicts areas recommended to be investigated as potential redevelopment or revitalization areas. (This Plan recognizes that the Hoffman-La Roche tract is already designated as an area in need of rehabilitation).

#### f) **Redevelopment Plan**

The governing body may direct the Planning Board to prepare the Redevelopment Plan (for a rehabilitation area) or it may choose to prepare the Redevelopment Plan itself, referring the Plan to the Planning Board for its review and comment.

If the Planning Board prepares the Plan, it would prepare the Plan, review it at a meeting of the Planning Board, and adopt a resolution referring the Plan to the governing body for adoption by ordinance and confirming that the Plan is consistent with the municipal master plan.

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<sup>18</sup> This process is applicable to non-residential projects.

If the governing body finds the referred Redevelopment Plan acceptable, it adopts the plan by ordinance. The governing body may change or revise the Plan, but must do so by a majority vote of its full authorized membership and record its reasons in the minutes of the meeting. The procedures for ordinance adoption include introduction and first reading, public notice, and second reading and public hearing. No special notice requirements are needed beyond those already required by statute for ordinances adopted by the governing body.

Alternatively, the governing body may prepare the Redevelopment Plan. If the governing body prepares the Plan, it must refer the Plan to the planning board for review and comment prior to holding a public hearing and adopting the Plan. Referral is usually done prior to first reading of the ordinance adopting the Plan. The planning board has up to 45 days to review the proposed Redevelopment Plan and prepare a report offering its recommendations. The report must specifically identify any inconsistencies between the Redevelopment Plan and the municipality's master plan, and include recommendations regarding these inconsistencies.

The governing body must consider the report and recommendations of the Planning Board as part of its deliberations. However, the governing body may either ignore or change any recommendation, as long as it does so by a majority vote of its full authorized membership and specifies in its minutes the reasons for not following the Planning Board's recommendations.

## **CHAPTER 10    UTILITY PLAN ELEMENT**

### **A.    Introduction**

Utility service provision includes potable water supply, electrical and gas service, public sewer services, stormwater management, and telephone, cable TV and internet access. Of all of these services, the two most important utility services are water supply and public sewer services. This is not only because they involve the most significant capital and operating expenditures in the infrastructure needed to provide such services, but also because from a land use viewpoint, along with zoning, they are the key determining factors in terms of what types and intensities of land uses are possible at specific locations throughout a community. As a result, a master plan must consider the availability and capacity of both potable water and sewer service that can be provided in order to accommodate new development or the redevelopment of property. Moreover, since over time such infrastructure tends to deteriorate and often requires improvements that go beyond periodic maintenance, the condition of the infrastructure which provides water and sewer service to the community must be examined with an eye toward maintaining a high degree of reliability and quality of service.

Stormwater management has also become an important consideration in development and redevelopment, especially given the degree to which urbanization (paving over pervious surfaces) increases problems like flooding and erosion, and also because requirements under State law have been significantly tightened in this respect. The overall stormwater management system in Nutley is therefore described in this element, but is much more comprehensively dealt with in the adopted Stormwater Management Plan Element of the Master Plan for Nutley Township adopted in March 2005 and revised in March 2008, and incorporated into this Master Plan by reference.

Information related to electrical and gas service, telephone, cable TV and internet services is also provided below.

### **B.    Water Service**

The provider of potable water in Nutley is the Nutley Water Company, operating as a Utility under New Jersey Law, which has a contract with North Jersey Water, Passaic Valley Water Commission and Newark Water, large regional water service providers, to provide water to all residents and businesses in the Township. The Township of Nutley also has a contract with the Township of Kearny to purchase additional water rights above and beyond its allocated amount through the aforementioned entities. Public water is available and provided to all properties throughout the Township.

No pump stations exist in Nutley as the Nutley Water Company operates a gravity system. The primary source of water for the Township is the Wanaque Reservoir. The Township, through the Nutley Water Department, also maintains a public well located adjacent to the Public Library on the corner of Vincent Place and Booth Drive. Water samples are routinely taken from this well by the Nutley Water Department for testing and monitoring.

Under New Jersey law, all waters, both surface and groundwater, belong to the State of New Jersey. Any withdrawal or diversion of these waters requires a diversion permit from the New Jersey Department of Environmental Protection (NJDEP). Diversion permits allocate water to the Township within defined limits. Groundwater allocations establish the maximum allowable volume of water that can be diverted from all sources in any month.

Nutley's water contract allocates approximately a total of 112.5 million gallons of water per month and 1,350 million gallons per year. Currently, the Township utilizes approximately 1,131 million gallons per year allocated for its use under its current contract and operates at a 6.5 MGD surplus, or a 16% total surplus for the year. The Township Water Operator is working with NJDEP to ensure adequate water supply is available to handle additional demand relating to further growth within the Township.

The water system in the Township of Nutley is governed by Township Ordinance Chapter 685. Pursuant to this chapter, the water distribution system includes all mains, with gate valves, hydrants and other appurtenances, from the intake up to and including the consumer's water meters. The Nutley Water Department will construct all consumers' mains, taps and services from the street main to the sidewalk area. Mains, taps and services from the sidewalk area to consumers' buildings will be constructed only by a master plumber licensed by the Township of Nutley. Furthermore, this chapter outlines all applicable fees and costs associated with the water system.

Every service line in the Township of Nutley is provided with a water meter of approved type and size. The owner of the premises served by said water meter shall pay the Nutley water Department the established charge for the meter and all applicable usage. The current meters located within all residential properties require manual readings which are performed on a quarterly basis. The Nutley Water Department recently initiated the conversion/upgrade of residential water meters from a manual read system to a radio control remote read system. These new radio control remote meters operate at greater efficiency and accuracy over existing meters.

The Nutley Water Department implements a routine leak detection program on its water system. This program consists of periodic surveys of the valves and hydrants utilizing a Z-Corr device. This device provides a flexible network of digital correlating loggers (DCL) combined with digital mapping and advanced analysis software for a temporary and strategic deployment of an advanced leak detection system. The data recorded by the ZCorr system is transferred via serial

link to a desktop PC or laptop where ZCorr's analysis software automatically pinpoints the locations of any detected leaks.

The fire department flushing program for the Township is currently performed by the Nutley Fire Department. The Chief of the Fire Department is responsible for monthly reports to the Nutley Water Department, showing in detail the number of openings of fire hydrants and the length of time of said opening(s). All physical maintenance and replacement of fire hydrants is performed by the Nutley Water Department. The Nutley Water Department is looking to perform both static and dynamic pressure testing of the fire hydrants in the Township for purposes of (1) determining the adequate coverage for given areas, and (2) determining the proper water pressure within adjacent water mains.

Nutley Water Department continuously reviews infrastructure data, i.e., main breaks, water quality complaints, etc. annually to identify network facilities that should be considered for replacement. The Nutley Water Department also continues to review and amend Township Ordinances governing the water system.

The Nutley Water Department performed a detailed Water Vulnerability Assessment Study (WVA) on its water system in 2003. This study was performed following the events of September 11, 2001 in order to determine deficiencies in the water system. Deficiencies include but are not limited to any harm to the general public, health, safety and welfare. The Department of Public Works-Water Department continually reviews and updates the WVA.

### **C. Sanitary Service**

The entire Township of Nutley is located within the sewer service area of the Passaic Valley Sewerage Commissioners (PVSC). The industrialized service area of northern New Jersey encompasses all of the land draining into the Passaic River from the Great Falls in Paterson to Newark Bay on the Atlantic Ocean. Currently, there are 48 municipalities in the service area, located in portions of Passaic, Bergen, Essex and Hudson Counties with a population of about 1.3 million. The average influent flow is about 330 million gallons per day (MGD) and is estimated to be a fourth of the total wastewater generated in all of New Jersey.

According to PVSC, the wastewater facility is a specialized secondary treatment plant designed to remove approximately 93% of the biochemical oxygen demand (BOD) and 94% of the total suspended solids (TSS). The secondary treatment approach utilizes a pure oxygen-activated sludge process with wet air oxidation for sludge treatment.

The plant is capable of treating an average of 330 million gallons per day of wastewater, with peak dry weather flows of 400 million gallons per day, and peak wet weather flows of 550 million gallons per day. Treatment capacity is in compliance with requirements through the year 2000 and the hydraulic capacity through the year 2040.

The 172-acre (0.27 square mile) plant is one of the largest modern wastewater facilities in the Eastern United States and one of the half-dozen largest in the entire Country. It contains over eight miles of access roads, over one mile of 15-foot-wide utility tunnels, miles of sewers and storm drains, miles of process pipes, hundreds of pumps, thousands of instruments and valves, and a 450-foot long bridge over Doremus Avenue.<sup>19</sup>

As in many developed northern New Jersey communities, the sanitary sewer infrastructure in Nutley is aging. In areas of Town, vitrified clay pipes (VCP) continue to carry sanitary sewer waste. The aged system collects water intrusion, e.g., localized groundwater, which is unnecessarily treated at the sanitary sewer treatment plant. The Department of Public Works has begun to install manhole inserts in order to eliminate inflow of surface water caused by localized runoff and flooding. Also, the Department of Public Works is investigating opportunities to limit the existing infiltration of groundwater through the manhole ring and accordingly save local monies in the process.

All costs and expenses for the installation and connection of the building sewer within the Township of Nutley is the responsibility of the building owner. All sewer connections are to be in accordance with the requirements of the municipality as otherwise provided by ordinance. In the case of the connection into PVSC sewer, the connection shall be in accordance with the conditions contained in the approval of the PVSC.

The Township of Nutley–Department of Public Works operates one (1) Sanitary Lift Station. This station is responsible for pumping sewage from lower-lying areas to greater elevations where it is then gravity driven to PVSC. This facility was last upgraded in 2005. Maintenance to this facility consists of routine wet well cleaning and flushing, valve exercising, control maintenance and pump cleaning.

The Department of Public Works–Sewer Division performs routine maintenance on its entire sewage collection system. This program consists of flushing and debris removal from all sanitary mains as well as clearing emergency blockages in household sewer laterals. The Sewer Department also performs camera inspections of lateral lines for property owners at their request for a nominal fee. The Department of Public Works is presently seeking to acquire a camera video system which will allow it to inspect its main sewer lines. Currently the video inspection of main sewer lines is done through private contractors.

#### **D. Stormwater Management**

Stormwater runoff is the water that drains or "runs off" hard or impervious land surfaces when it rains or snows. This water may drain from developed properties into the street, or to a nearby

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<sup>19</sup> Passaic Valley Sewerage Commissioner's website - <http://www.pvsc.com>

stream or storm sewer. Stormwater runoff is referred to as a nonpoint source of pollution because the surface water flows have the potential to pick up material and pollutants derived from many different sources as it runs across land before it reaches a water body or until it seeps into the groundwater found beneath the surface. Nutley Township has a storm sewer system located throughout the Township which dates back several decades.

According to the NJDEP, stormwater/nonpoint pollution contributes to up to 60% of the existing water pollution problems. In an effort to reduce stormwater pollution, the State created a Municipal Stormwater Regulation Program. The regulations of the program designate Nutley as a "Tier A municipality." Nearly all urbanized municipalities are in the Tier A category. Under the Municipal Stormwater Regulation Program, Nutley is required to implement a Stormwater Program in accordance with State law. Compliance means addressing various statewide requirements related to stormwater runoff, such as public education, the adoption of new ordinances, floatable and solids controls, and good housekeeping of municipal maintenance yard operations. These programs include: public meetings, distributing educational materials, street sweeping, catch basin cleaning, catch basin inserts and outfall and drain gates. However, additional measures are sometimes required and optional measures may be recommended depending on federal and regional regulations and planning.

Nutley's Stormwater Management Plan Element of the Master Plan, which addresses all of the statewide stormwater management requirements, was prepared in March 2005 and revised in March 2008. The Township is currently in conformance with State stormwater requirements. The Township also continues to upgrade its stormwater basins during the course of yearly road resurfacing projects.

The Department of Public Works performs routine maintenance of the stormwater system in the Township of Nutley as per NJDEP requirements. This consists of, but is not limited to the yearly cleaning of all basins within Township limits and the repairs of basin structures as identified.

The Township of Nutley has in place a comprehensive Ordinance dealing with stormwater management which governs specific requirements and controls on developers and property owners. The Department of Public Works continues to review said ordinance making modifications as required by NJDEP and that which will decrease potential stormwater runoff.

#### **E. Electricity and Natural Gas**

Electrical power and natural gas are provided to the entire Township of Nutley by PSE&G Company. The Electrical Power source is supplied through the Township of via both overhead and underground feeders. The Natural Gas source is supplied through the Township via only underground feeders. Additionally, there is a major gas pipeline which traverses the Township of Nutley via underground pipes. This pipeline is operated through the Transcontinental Gas Pipeline.

**F. Telephone**

Telephone lines in the Township are owned, operated and maintained by Verizon. Verizon is the largest local telephone service operator in the United States. Telephone service is also available in the Township through various third parties and also cable lines and Verizon FIOS. Moreover, there are currently five (Verizon, Sprint, T-Mobile, AT&T and Metro PCS) providers of wireless telephone service within the Township. All telephone service is routed within the Township via overhead and underground lines. These routes are at times found through Township rights-of-way.

**G. Cable TV and Internet Access**

Cablevision is the cable television provider of service to the Township. Cablevision provides cable television service to a number of communities throughout New Jersey. Utilizing their cable infrastructure, Cablevision also provides high-speed cable broadband internet and phone service. Verizon is also a provider of DSL broadband Internet Service. Nutley is one of the communities in Essex County where Verizon offers fiber-optic high-speed Internet service, FIOS.

Both Cablevision and Verizon offer local programming channels to the community for broadcast of local community and educational news. The municipality has permitted the Board of Education to utilize the channel originally designated by Cablevision for the municipality for the purpose of educating students and providing basic notification information to residents who are Cablevision subscribers. Verizon FIOS now manages its own local programming channel for the Township. The Code of the Township of Nutley, Section 12-1, et seq., permits the establishment of a Cable Access Committee, the membership of which is designated or appointed by the governing body. By utilizing the services of a volunteer committee, the municipality will be able to expand and broaden its use of cable television as a method of communicating to residents and publicizing events. This will enable the municipality to work with both companies, and any of those that may provide the same service in the future, in the most efficient and effective programming options for the local broadcast channels.

**H. Recommendations**

1. In conjunction with redevelopment efforts, the Township should seek to mitigate flood areas and structures located within such areas;
2. Continue to update the Township's 5-year Capital Improvement Plan to serve as a guide for the Township's capital budget decisions regarding necessary capital improvements.
3. Continue to monitor the proposed Municipal Stormwater Regulation Program.

4. The Township should look to expand on its current Infiltration and Inflow (I&I) study identifying key areas of concern along with a remediation plan;
5. Map the Township's existing water and sewer infrastructure within a Geographic Information System (GIS) in accordance with NJDEP requirements;
6. Examine and evaluate the current hydrant flushing program along with hydraulic study. This will allow for improved integration within a Geographic Information System (GIS). It is recommended that the flushing program be consolidated into one central department, preferably within the Department of Public Works as a result of the aforementioned and in order to comprehensively address and monitor water quality concerns with the distribution system. Moreover, the Department of Public Works continually monitors water pressure for the Township to ensure adequate supply during peak demand periods;
7. Review existing fee schedules and evaluate pro rata share ordinances to collect appropriate fees for utility improvements;
8. Evaluate current Township ordinances dealing with water, sewer, stormwater and well ordinances for compliance with applicable NJDEP and EPA requirements and regulations;
9. In conjunction with water meter upgrades, the Department of Public Works should inspect all public buildings for utilities, i.e., water leaks, sewer breaks, etc. on a quarterly basis;
10. Prepare/introduce ordinance dealing with water conservation within the Township of Nutley;
11. Institute annual presentation to joint or individual meetings of the planning and zoning boards regarding Township utilities, i.e., changes, upgrades, functionality, etc.;
12. Institute procedures for planning/zoning board applications proposed in floodways and zones;
13. Coordination with all Township Departments regarding education of Department of Public Works utilities and facilities.
14. Identify locations where there are water runoff issues requiring greater control and seek government funding to address and correct the problem.
15. Acquire properties in floodways or flood zones and prevent further construction in those areas.

## CHAPTER 11 RECYCLING ELEMENT

### A. Introduction

#### 1. *Recycling Mandates*

The New Jersey Mandatory Statewide Source Separation and Recycling Act of 1987 (N.J.S.A. 13:1E-99.11 et. seq.) requires that municipalities incorporate the State Recycling Goals for collection, disposition, and recycling as a component of their Master Plans. To that end, the Township of Nutley created a local recycling program and recycling program coordinator, which provides annual reports annually to the New Jersey Department of Environmental Protection, to address the pressing need to decrease solid waste generation and increase the amount of goods recycled.

The Municipal Land Use Law of 1975 (N.J.S.A. 40:55D-1 et. seq.) specifies that municipalities shall create an implementation mechanism to meet and exceed Statewide and County recycling goals. As set forth in N.J.S.A. 13:1E-99.13.3.b.(4)(c), the Township of Nutley accepts the goal of 50% recycling of municipal solid waste by 2015 and will monitor its level of recycling and solid waste disposal and shall strive to achieve the recycling of 50% of the municipal solid waste generated within its borders.

The Municipal Land Use Law of 1975 (N.J.S.A. 40:55D-1 et. seq.) specifies that municipalities shall create an implementation mechanism to meet and exceed Statewide and County recycling goals. The Statewide goals represented a multi-year reduction of solid waste reduction to achieve a maximum feasible recovery target of recyclable materials by a minimum of sixty (60%) percent by the year 1996 (N.J.S.A. 13:1E-99.13a. (4)). The 1987 Essex County Solid Waste Management Plan as amended through 1993 contains two waste reduction goals 1) 15% reduction in municipal and commercial waste streams for determining capacity of the Energy Recovery Facility by 1987, and 2) 25% reduction in municipal waste streams by 1988. The Essex County Solid Waste Program addresses safety concerns of the removal and maintenance of the waste management stream by investigating all solid waste complaints received from residents and the State, monitoring of Class A, B and C recycling facilities, solid waste facilities, solid waste transporters and generators, assisting municipalities with Household Hazardous Waste Collection Days and identifying tire sites with up to 5000 tires on site to comply with the tire site exemptions at N.J.A.C. 7:26-1.4(a)5.

#### 2. *Recycling Requirements for Site Plan Approval*

The Municipal Land Use Law requires a recycling plan element which incorporates the State Recycling Plan goals which includes provisions for *the collection, disposition and recycling of recyclable materials within any development proposal for the construction of 50 or more units of*

*single-family residential housing or 25 or more units of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land* (N.J.S.A. 40:55D-28.b;12). On May 5, 2009, the Township of Nutley adopted an ordinance which updated the Township's recycling ordinance. The adopted ordinance conforms with the Municipal Land Use Law requirements.

The Township should be constantly investigating new opportunities to reduce their overall waste stream and increase recycling opportunities. Inclusion of large-scale developments would promote the overall recycling goals of the municipality.

The Township should continue to update and enforce its Recycling Program and encourage participation through its recycling ordinance. Residents will participate in recycling programs if it is made convenient and accessible. The Township updated its recycling ordinance in 2009. The ordinance requires the provision of adequate space on site to collect and store recyclables in an attractive and safe facility. The facilities are required to be located in a manner that is accessible for pick up by the municipality.

### 3. *Compliance with Recycling Mandates*

The Township of Nutley continues to comply with the New Jersey Department of Environmental Protection Recycling Rules (N.J.A.C. 7:26A-11.1 - 11.5). Nutley designated a municipal recycling coordinator who reports recycling tonnage as required by N.J.S.A. 13:1E-99.16e. Nutley acknowledges the January 28, 2010 deadline to appoint a municipal recycling coordinator who has received certification in compliance with the requirements of N.J.S.A. 13:1E-99 et seq. Moreover, the municipal recycling ordinance establishes a recycling program sufficient to achieve the designated recovery targets set forth in the district recycling plan and complies with all requirements enumerated in N.J.A.C. 7:26A-11.1-11.5.

### 4. *Scope of Recycling Plan*

Both the Statewide and County goals serve as the basis of the Township of Nutley's Recycling Element. This Element provides an overview of the current status of solid waste management and recycling within the Township, along with waste generation and recycling rates. Lastly, a series of recommended actions and programs are presented for the Township to pursue in order to increase the percentage of solid waste that is recycled in the community.

## **B. Current Status of Waste Management and Recycling Programs**

### 1. *Waste and Recycling Collection Programs*

Waste and recycling is collected from residences, churches, commercial properties and all municipally owned buildings, parks and playgrounds, and facilities. The Township of Nutley prints

a reference guide for its residents highlighting items that are considered waste and recyclables. The reference guide provides symbols delineating scheduled collection days for co-mingled containers (plastics numbered 1 through 7 and glass products), mixed paper (newspaper, office paper, magazines, junk mail, letters, envelopes, catalogs, phone books, cereal boxes, etc.), corrugated cardboard (cut into 18" pieces) and ferrous and non-ferrous metal products and provides contact information for further assistance. The Township has divided the collection areas into Section I, Section II and Section III with curbside pickup once per week for each section.

## 2. *Solid Waste*

Waste resulting from food preparation and other general household functions, toys and small appliances is picked up twice per week, excluding the following holidays: New Year's Day, Good Friday, Memorial Day, Independence Day, Labor Day and Thanksgiving. Excluded items include construction debris (broken concrete, asphalt, roofing shingles, dirt and rocks, sheetrock, or other items commonly referred to as construction debris); hazardous materials, stones, brick and tree stumps or logs. All Essex County residents are able to dispose of their Household Hazardous Waste, defined as pesticides, oil-based paints, batteries, varnishes, pool chemicals and others not listed yearly at a scheduled time and date. Residents may dispose of up to ten (10) quarts of their spent Motor Oil at a state licensed re-inspection station, oil retailer, or retail service station that has an existing used oil collection tank on premise.

So called "Bulk Trash," consisting of mattresses, box springs, furniture, wooden cabinets, wooden doors, screens, rolled carpet, empty paint cans and similar items, scrap wood and branches are picked up on Tuesday, Wednesday and Thursday.

All solid waste collected within the Township of Nutley is disposed of in accordance with the 1987 Essex County Solid Waste Management Plan.

The Township of Nutley also lists Sewer Alerts and requests that residents not flush disposable diapers, sanitary napkins, tampons or paper towels down the toilet, nor should they pour coffee grounds, grease or cat litter down the sink. These materials may harm and/or interfere with Nutley's sewer system given their composition.

## 3. *Recyclable Materials*

### a) **Weekly Pickup**

The following recycled materials are collected weekly:

1. Co-mingled Bottles and Cans, which means mixing the following items in a reusable container:
  - Beverage and Food Containers: Aluminum, steel, tin and bi-metal containers.

- Glass: All products made from silica or sand, soda ash and limestone, the product being transparent or translucent and being used for packaging or bottling of various materials commonly know as clear (flint), green or brown (amber). Glass shall not include crystal, ceramics, cookware, light bulbs, and plate, window, laminated, wired or mirrored glass.
  - Plastics: Symbols 1-7.
2. Paper/Corrugated Cardboard: All uncontaminated newspaper, magazines, books, junk mail, chipboard, computer paper, office paper, corrugated cardboard and panels must be tied with string or rope or contained within a paper bag and placed in bundles no higher than ten (10) inches.
  3. Electronics: All electronics products are picked up curbside on Mondays. Residents are required to call ahead to schedule pickup.

#### b) **Annual Programs**

The following biodegradable materials are collected and recycled by a certified recycling center that the Township of Nutley contracts on an annual basis:

1. Ferrous and Non-Ferrous Metal Products: All ferrous and non-ferrous metal/bulk appliances/white goods are picked up every Thursday. All items, such as washers, dryers, dishwashers, ovens, refrigerators, freezers, hot water tanks, hot and cold water tanks, air conditioners, gas/oil/electric heaters, gas tanks, bicycles, metal lawn equipment or other large appliances commonly referred to as white goods, have to be placed on the curb. Residents are required to call ahead to schedule pickup.
2. Leaf Collection: During mid-December to mid-December, the Township of Nutley collects leaves in biodegradable leaf disposable bags provided that the bundles do not exceed more than four (4) feet.
3. Spring Cleanup Collection: During the period of late March to early April, the Township of Nutley collects leaves, twigs, brush, etc. in biodegradable disposable bags. Bag collection is scheduled for a two-week period.

#### c) **Grass Clippings**

The Township of Nutley encourages residents not to throw out their grass clippings. The Township observes that grass provides a natural fertilizer for residents' lawns and should be recycled.

#### 4. Waste Generation

The Township produces annual Recycling Tonnage reports that categorize the recyclable materials collected throughout the year, in the following groups, but not limited to: aluminum containers, batteries (car & household), corrugated cardboard, electronics, glass & plastic containers, light bulbs, mixed office paper, nonferrous/aluminum scrap, newspapers, and white goods.

Table 11-1, entitled “Municipal Solid Waste and Recycling Rates Tonnage,” breaks down the amount of solid waste disposed of and the recycling materials for which the Township of Nutley is responsible. Table 11-1 illustrates that the recycling rate varies from 47.7% to 65.7%.

**Table 11-1: Municipal Solid Waste and Recycling Tonnage Rates  
Township of Nutley**

Year	Solid Waste Tonnage	Recycling Tonnage	Total	Recycling Rate
2004	20,088	21,534	41,622	51.70%
2005	19,385	17,674	37,059	47.70%
2006	19,284	36,971	56,255	65.70%
2007	18,547	23,708	42,255	56.10%
2008	17,463	21,491	38,954	55.20%

*Source: Township of Nutley Recycling Coordinator, 2009*

#### 5. New Initiatives

The Nutley Department of Public Works continuously strives to introduce new programs to its residents aimed at increasing recycling awareness. The following programs were recently implemented:

1. Shred-it Day—Provides residents of Nutley with a safe and effective way of disposing of sensitive paper material while continuing to promote recycling;
2. Compost Day—Aimed at educating residents on the many benefits of composting;
3. Eco-Fest—The Department of Public Works along with the Department of Public Affairs introduced this program in order to promote the “green initiative” to Nutley residents.

### C. Existing Recycling Area of Concerns

As part of the creation of this Recycling Element, the Township of Nutley Recycling Coordinator was contacted to identify opportunities and constraints to improving recycling rates in Nutley.

Identified constraints include:

- Large rental population translates into a transient population. In many instances, new tenants are not aware of the recycling procedures, which results in lower recycling rates.
- Perceived low recycling rates in multi-family residential buildings with trash dumpsters (difficult to enforce regulations)

Identified opportunities include:

- Evaluating the various State programs identified above to reduce tax payer costs for both trash and recycling programs.
- Sending recycling information to property owners when a change of ownership occurs in the tax assessor's office.
- Continuing to mail educational materials to Nutley's residents.

### D. Recycling Programs and Funding

The New Jersey Department of Environmental Protection, the New Jersey Department of Community Affairs and the non-profit New Jersey Clean Communities provide grants, loans, and technical assistance to encourage municipalities to increase their recycling waste tonnage. The Municipal Land Use Law provides for site plan specific recycling considerations for new construction and apartment dwelling units. In sum, the following programs aim to provide recycling incentives, encourage cost-sharing amongst neighboring municipalities, and target site plan reviews for new construction and apartment dwelling units.

#### 1. *Grant/Loan Opportunities*

##### a) **Pay-As-You-Throw Program**

Division of Solid and Hazardous Waste

Grant Amount: up to \$75,000 and based on recycling tonnage amounts (not funded)

In New Jersey numerous municipalities utilize pay-as-you-throw programs (United States Environmental Protection Agency—Region 2). A pay-as-you-throw program benefits residents who recycle more of their waste and charges residents who generate solid waste of an established limit.

Contact: Sondra Flite ([Sondra.flite@dep.state.nj.us](mailto:Sondra.flite@dep.state.nj.us))—(609) 984-4621

**b) Recycling Tonnage Grants**

Division of Solid and Hazardous Waste

Award is dependent on Recycling Tonnage

A Recycling Tonnage Grant is based on the tonnage of recyclable material generated by and recovered for recycling by residential and/or commercial sources within a municipality. Up to \$10 per ton are provided depending on the amount of funding available to the Recycling Grant Fund.

Contact: Joseph Davis ([joseph.davis@dep.state.nj.us](mailto:joseph.davis@dep.state.nj.us))—Bureau of Recycling and Planning  
(609) 984-3438, [www.state.nj.us/dep/dshw/recycle](http://www.state.nj.us/dep/dshw/recycle)

**c) Local Tire Management Program**

Division of Solid and Hazardous Waste Fund

Grant Amount: up to \$300,000.00

Acknowledging that there are potential human health hazards and ecological concerns with stockpiles of tires, municipalities can request funding from the Department of Environmental Protection to properly clean up abandoned tire pile sites. For this program, the funding sources are taxes collected on the sale of new tires.

Contact: Steve Rinaldi—Bureau of Recycling and Planning, (609) 984-3438

**E. Recommendations**

1. Implement recycling notification system through Township of Nutley Code Enforcement Department when issuing Certificate of Occupancies;
2. Implement plan to provide further enforcement of Township recycling ordinance through the use of spot inspections and enforcement officers;
3. Encourage Solid Waste Disposal companies to reject and notify Township of all containers containing recyclable material;
4. Encourage greater recycling compliance at all public institutions;
5. Encourage food establishments to recycle food waste through the use of licensed food recycling collection companies;
6. Continue to look to new technologies and equipment that will assist in increasing recycling capacity while reducing fuel consumption and carbon emissions;
7. Investigate/implement programs in conjunction with the Department of Code Enforcement for the recycling by private contractors of building debris and material waste.
8. Recommend that all retail businesses use recyclable materials in packaging consumer products.

## CHAPTER 12 GREEN AND SUSTAINABILITY PLAN

### A. Introduction

**“Society is living beyond its means. We are about to dispossess the earth of capital assets in the space of a few lifetimes through patterns of exploitation. These patterns are devastating the natural environment upon which we depend for our long-term survival.”** – Architects for Social Responsibility

The World Commission on Environment and Development defined "sustainable development" as "meeting the needs of the present without compromising the ability of future generations to meet their own needs."<sup>20</sup> While this may be a generalized definition of sustainability, it engenders the question, how can a small suburban municipality in Essex County, New Jersey contribute to the global principles of sustainability that include:

- Providing future generations with the same environmental potential as presently exists;
- Managing economic growth to be less resource intensive and less polluting;
- Integrating environmental, social and economic sectors when developing sustainability policies;
- Avoiding unfair or high environmental costs on vulnerable populations (environmental justice);
- Assuming responsibility for environmental effects that occur outside areas of jurisdiction; and
- Investigating problems and developing new solutions.

This Green and Sustainability Element of this Master Plan acknowledges the challenges associated with developing and implementing policies designed to create a more sustainable Nutley. The developed nature of the Nutley poses greater challenges to improve sustainability efforts than a developing community, which has the ability to plan prior to development. Through education, the creation of desired future goals or targets, indicators to measure progress from baseline data, and incorporation of the community and businesses as part of a consensus-based process, Nutley establishes its own path for improving its own local sustainability efforts. Beginning at the municipal level through the assessment of the municipal fleet, the incorporation of energy efficiency building standards, locating new public buildings near public transportation, policies are created to shape the future development and redevelopment and conservation of Nutley.

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<sup>20</sup> World Commission on Environment and Development, 1987. Our Common Future. (Oxford: Oxford University Press )

Furthermore, this Green and Sustainability Element recognizes recommendations within the Conservation; Open Space and Recreation; Land Use; Historic Preservation; Community Facilities; Recycling; Housing; and Circulation elements of the Master Plan that also provide recommendations to encourage sustainability planning efforts.

Moreover, this plan recommends actions, some of which are simple common sense alternatives to existing trends or the status quo, to create a more sustainable Nutley. Given the desire to create a reader-friendly document, this plan is not exhaustive in its recommendations and action agenda. Rather it focuses on the core sustainability items determined by Nutley to be paramount.

## **B. Nutley's Ecological Footprint**

This section summarizes Nutley's environmental impact as a result of existing municipal operations and land use planning practices. The following narrative estimates the resource consumption and waste requirements for the Township and measures the resources required to sustain households and businesses. This baseline information is used to develop goals for carrying capacity<sup>21</sup>, sustainability and resource use specific for land use, infrastructure and utilities, air quality and local government.

### *1. Land Use Regulations*

Land use regulations affect the way in which Nutley develops and redevelops. Permitted densities, building heights, setback requirements and permitted building and impervious coverage percentages determine where buildings may be placed and at what density or intensity. From a sustainability planning perspective a need arises to evaluate the consistency of current land development regulations and with New Jersey environmental program objectives to encourage Township sustainability efforts. As the Township's Master Plan contains numerous elements with competing objectives, recommendations in this Plan are reconciled within the Land Use Plan, where numerous changes to land use regulations are recommended. The Sustainability Targets and Action Plan (Section D of this Chapter) also set forth numerous recommendations for ordinance changes for this purpose.

### *2. Infrastructure and Utilities*

#### **a) Solid Waste and Recycling**

As indicated in the Recycling Element of the Master Plan, the Township produces annual Recycling Tonnage reports that categorize the recyclable materials collected throughout the year, in the following groups, but not limited to: aluminum containers, batteries (car & household), corru-

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<sup>21</sup> Carrying Capacity is the population size of the species that the environment can sustain indefinitely.

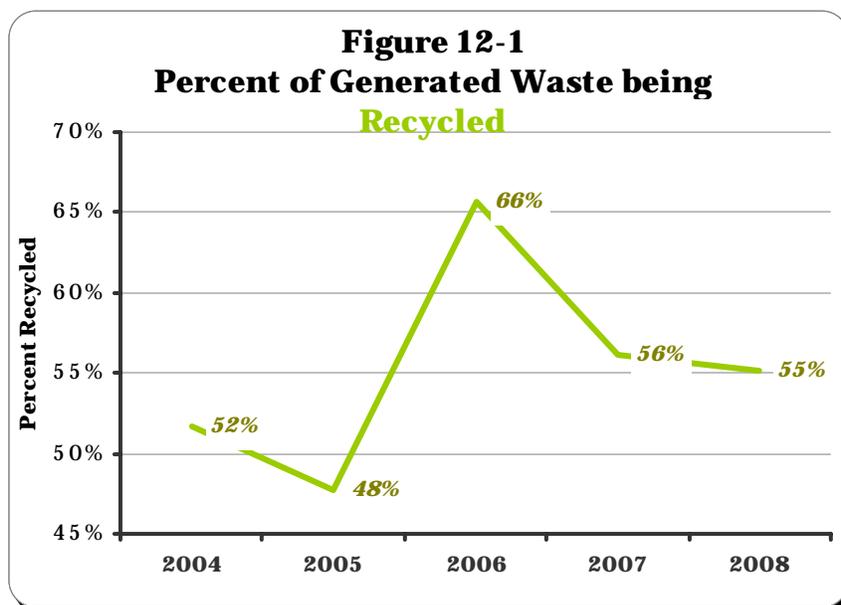
gated cardboard, electronics, glass & plastic containers, light bulbs, mixed office paper, nonferrous/aluminum scrap, newspapers, and white goods.

Table 12-1, “Municipal Solid Waste and Recycling Rates Tonnage,” provides a breakdown of the amount of solid waste disposed of and the recycling materials for which the Township of Nutley is responsible and illustrates that the recycling rate varies from 47.7% to 65.7%.

**Table 12-1: Municipal Solid Waste and Recycling Tonnage Rates  
Township of Nutley**

Year	Solid Waste Tonnage	Recycling Tonnage	Total	Recycling Rate
2004	20,088	21,534	41,622	51.70%
2005	19,385	17,674	37,059	47.70%
2006	19,284	36,971	56,255	65.70%
2007	18,547	23,708	42,255	56.10%
2008	17,463	21,491	38,954	55.20%

Source: Township of Nutley Recycling Coordinator



**b) Energy Consumption**

The need to reduce carbon emissions begins with estimating carbon emissions within Nutley. As every business, residence and public facility in Nutley has not undergone an audit to deter-

mine energy use, this Plan bases energy use and corresponding carbon dioxide emissions utilizing the best data sources available. The United States Department of Energy estimates that each person generates approximately 14 metric tons of carbon dioxide per year. Based upon New Jersey state averages and information provided in the Wall Street Journal and Public Service Energy and Gas (PSE&G), the percent of energy use by sector can be estimated as indicated in Table 12-2.

**Table 12-2: Total Annual Carbon Dioxide Emissions (Metric Tons)  
Nutley, New Jersey**

	Percent of Energy Use	Tons of CO <sub>2</sub> per Year
Residential	21%	76,942
Non-Residential	38%	139,230
Municipal	4%	14,656
Transportation	25%	91,598
Other	12%	43,967
<b>Total</b>		<b>366,394</b>

Sources: Wall Street Journal, the U.S. Department of Energy and PSE&G, 2012

Adherence to the State Energy Plan's goal to reduce carbon dioxide emissions by 20% by the year 2020 will require Nutley to reduce its emissions by 73,279 metric tons.

### c) Street Trees

Nutley is blessed with an abundance of Shade Trees that help create the character of the Township. Given the number of trees located within the public rights-of-way and community lands, there is a need to manage this resource similar to any other resource. Over time trees become damaged, exceed their life expectancy and require pruning and removal. For this reason, it is important for communities to create and maintain a community forestry plan. Nutley has prepared such a plan and has inventoried its street trees throughout the Township. At the time this Plan was drafted, minimal tree openings to plant additional street trees exist within Township rights-of-way. Furthermore, the Township has been proactive in planting approximately 900 trees in Township parks. Historically, Nutley has not forced replacement trees in front of homes where the property owner wished not to have a tree replaced, which represents a small fraction of street trees in Nutley. According to the Township Forrester and field investigation, Nutley maintains an established tree canopy within public rights-of-way and within Township and County parks. However, opportunities for additional tree plantings could be provided at the following locations:

1. As part of the downtown streetscape;
2. Within municipal and private parking lots;
3. On Centre Street adjacent to Brookline Avenue;
4. On Board of Education properties;

5. Within the Route 21 R-O-W; and
6. Within the Garden State Parkway R-O-W.

d) **Access to Recreation and Open Space**

As documented in the Recreation and Open Space Plan Element of the Master Plan, Nutley is fortunate to have ample recreation spaces and recreation opportunities for all age groups. While parklands are distributed throughout the community, residents located in the northwest area or the Spring Garden section of Nutley are the furthest removed from the central park system and the Park and Recreation Center on Park Street. Access to the central park system from this area would require pedestrians and bicyclists to cross Bloomfield Avenue and Franklin Street. For this reason, the Circulation Plan Element of the Master Plan recommends the creation of traffic calming improvements at the intersections of Franklin Avenue and Centre Street, Franklin Avenue and Chestnut Street, Bloomfield Avenue and High Street and Bloomfield Avenue and Chestnut Street.

e) **Water and Wastewater Demand**

As Nutley is a fully developed community the existing water and sewer infrastructure can support sanitary sewer and water demand. The following analysis is intended to identify and educate the public regarding infrastructure impacts of various residential and non-residential uses. Through examples, infrastructure needs of theoretical redevelopment projects are provided.

(i) **Water Demand**

With regard to residential zone districts, Appendix "F" indicates that the average daily water demand for a residential occupant is 100 gallons. When the Township's average household size of 2.50 persons per household<sup>22</sup> for the year 2010 is applied, an average of 251 gallons of water per day will be demanded by each additional residential unit in Nutley.

Appendix "F" also indicates that stores and offices demand an average of 0.125 gallons of water per square foot. For example, a new 100,000 square foot office building would generate the demand for 12,500 gallons of water per day.

With regard to industrial zone districts, Appendix "F" indicates that industrial facilities typically demand 25 gallons per eight (8) hour shift. In order to apply this multiplier, the square footage anticipated to be developed is converted to jobs by using a conversion factor. N.J.A.C. 5-97 as part of the former Third Round Affordable Housing rules indicates that between 1.2 to 1.7 jobs per 1,000 square feet of industrial space can be anticipated. Accordingly, the development of a

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<sup>22</sup> 2010 U.S. Census.

25,000 square foot industrial facility would generate the need ranging from 750 to 1,062 gallons of water per day.

(ii) **Wastewater Demand**

As indicated in the Utilities Plan Element, Nutley is located within the service area of the Passaic Valley Sewerage Commissioners (PVSC). The industrialized service area of northern New Jersey encompasses all of the land draining into the Passaic River from the Great Falls in Paterson to Newark Bay on the Atlantic Ocean. Currently, there are 48 municipalities in the service area located in portions of Passaic, Bergen, Essex and Hudson Counties with a population of about 1.3 million. The average influent flow is about 330 million gallons per day (MGD) and is estimated to be a fourth of the total wastewater generated in all of New Jersey.

From an economic development perspective, Nutley is fortunate to be located within the PVSC as existing sanitary sewer capacity will likely be able to accommodate any future development or redevelopment project in Nutley. Furthermore, as Nutley and other communities in the PVSC continue to upgrade older sanitary sewer lines and other infrastructure, intrusion into the system, mostly from groundwater entering through cracks in sanitary sewer lines, will be reduced. The elimination of intrusion into the sanitary sewer system lessens the needed gallons of sanitary sewer treatment without the loss of residential or nonresidential facilities' sanitary sewer capacity.

Residential uses of all sizes discharge between 150 to 300 gallons of wastewater per day (see Appendix "G"). This assumes 150 gallons per day for a one-bedroom unit and 300 gallons per day for a three-bedroom unit and larger. In Nutley, approximately 73% of housing units in 2000 likely meet the three-bedroom standard.

With regard to non-residential uses, retail and office-type uses will discharge a projected flow of 0.10 gallons of water per day per square foot (see Appendix "G"). For example, a 100,000 square foot office development will require sanitary sewer capacity to treat 10,000 gallons of wastewater.

f) **Stormwater**

According to the National Oceanographic and Atmospheric Administration (NOAA), the agency that develops statistical estimates of rainfall amounts for 1-, 2-, 5-, 10-, 25-, 50- and 100-year storms, the amount of rainfall has increased for the majority of storm events. Table 12-3 below indicates the old and new twenty-four hour rainfall amounts in inches for Essex County.

**Table 12-3: NRCS 24-Hour Design Storm Rainfall Depth (inches) –**

Storm Period	1 yr.		2 yr.		5 yr.		10 yr.		25 yr.		50 yr.		100 yr.	
	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New	Old	New
Essex County	2.7	<b>2.8</b>	3.3	<b>3.4</b>	4.3	<b>4.4</b>	5.3	<b>5.2</b>	5.7	<b>6.4</b>	6.4	<b>7.5</b>	7.5	<b>8.7</b>

Source: NOAA, 2012

The decrease in infiltration that occurs from the continued increase of impervious cover reduces soil moisture replenishment and groundwater recharge, the source of stream baseflow which is important for sustaining aquatic life.

The preservation of the natural hydrologic cycle, to the greatest extent practicable, will maintain groundwater recharge by reducing baseflow impacts. It will also reduce the potential for flooding and erosion, and possibly, the size and cost of stormwater infrastructure.

Without proper stormwater management, reduced baseflow, degradation of water quality, and increased flooding and erosion can lead to reduced diversity of aquatic life, fewer opportunities for human uses of water resources, and loss of property and human life.

### 3. *Transportation and Circulation*

#### a) **Bike Lanes**

With the exception of paved ways through the central park system, no formal bike lanes exist in Nutley. As indicated in the Open Space and Recreation Element of the Master Plan, the Township should continue to implement efforts to create bike lanes within the right-of-way of Township roads that connect to community facilities. The best opportunities to create bike lines as painted lanes within the existing cartway or the paved area within a road right-of-way exist on Washington Avenue (100 R-O-W), the freight rail line (100 R-O-W), painting trails through the existing central park system, along Centre Street (60' R-O-W) and possibly adjacent to the Route 21 R-O-W and the Passaic River.

#### b) **Bike Racks**

With the exception of public schools, bike racks are limited in Nutley. Sustainability planning requires educating the public so individuals are aware of alternative options or ways of conserving a resource. Sustainability planning also requires the creation and placement of services to make the conservation of a resource easier for users to implement. An opportunity to encourage bicycling to the train (Lackawanna Station), nearby commercial areas, community facilities, and other locations would be promoted through the placement of bicycle racks at key locations throughout town. The Township, working with the business community should identify locations where bicycle racks are needed to encourage their use. Township ordinances should be created that require bicycle racks associated with all major development.

### c) **Sidewalk Connectivity**

From a pedestrian's perspective, Nutley is fortunate to have developed during a time-frame when the installation of sidewalks on both sides of the street was commonplace. As a result, the majority of Nutley contains sidewalks within the public right-of-way. However, as common with most communities, areas in need of sidewalk or pedestrian improvements, including "pedestrian lanes," exist in Nutley. These areas include:

- Rutgers Place – to improve pedestrian access to Yantacaw School;
- River Road – to connect apartments located at the Regency apartments with the sidewalks on East White Terrace; and
- Improvements adjacent to the Washington School consistent with the Township's Safe Streets to School application that was not funded by the New Jersey Department of Transportation.

## 4. *Air Quality*

### a) **Air Quality Index**

Many complex and interrelated factors affect indoor air quality. These factors involve the emission of odors, particulates, volatile organic compounds (VOCs), microbial volatile organic compounds (MVOCs), and radon into the air. Examples include: emissions from construction materials, indoor occupant activities, building maintenance products, cleaning products, personal care products, and equipment (computers, copy machines, etc.); molds and mildew; building ventilation systems; radon emissions from below-grade rock; and smoke from tobacco products.

Research is increasingly showing links between these factors and human health. Health problems that may result from indoor air quality are classified as follows:

- Sick Building Syndrome describes a collection of symptoms experienced by building occupants that are generally short-term and disappear after the individual has left the building. Examples of such symptoms include sore throat, fatigue, lethargy, dizziness, lack of concentration, respiratory tract irritation, headache, eye irritation and other cold- and allergy-like symptoms.
- Building-Related Illnesses are more serious than sick building condition ailments and are clinically verifiable diseases that can be attributed to a specific source or pollutant within a building. Examples of such conditions include cancer, Legionnaire's disease, and carbon monoxide poisoning.

Unacceptable indoor air quality carries an economic impact. Costs include lost productivity and increased liability to building owners.

## b) **Air Quality Sensitivity Receptors**

Air Quality Sensitive Receptors include schools, churches, residences, community facilities, etc., and include areas adjacent to roadways and intersections where the general public would have access. Examples of receptor sites include:

- All sidewalks to which the general public has access on a continuous basis;
- Vacant or occupied lot adjacent to intersections;
- Parking lots; and
- Property lines of residences, hospitals, rest homes, schools, playgrounds and building entrances/air intakes.

In Nutley, air quality sensitive receptors most notably include areas adjacent to the following facilities:

- Hoffman-La Roche
- The former Atlantic Chemical Manufacturing facility – Kingsland Street
- PNC Inc. – 115 East Centre Street
- The New Jersey Transit Bus Garage on Washington Avenue
- 1 Hr Martinizing – 239 Franklin Avenue
- Service Station – 110 Centre Street
- Woroco Service Station – 248 Franklin Avenue
- S&N Service Center – 29-35 Franklin Avenue
- Meyers Service Center – 84 Kingsland Street
- Nutley Municipal Building
- Nutley High School
- John Walker Middle School
- Radcliffe Elementary
- Spring Garden Elementary
- Washington Elementary
- Yantacaw Elementary
- Lincoln Elementary

## 5. *Local Government*

### a) **Evaluation of Sustainability of Vehicles and Practices**

The creation of a Green and Sustainability Plan is the first step in the right direction towards creating a more sustainable Nutley. To be successful, buy-in from residents, business owners and municipal employees will be required. Improvements to the municipal fleet, updating public buildings and green purchasing represent opportunities for achieving sustainability. Data collection as part of this Plan resulting in the following findings:

(i) Municipal Fleet

**Police.** The older police cars, Ford Crown Victorias, are not particularly fuel efficient. For that reason, that model has been taken out of production in recent years. Currently, Dodge Chargers have replaced the Crown Victoria. At present the Department feels that there are not any good choices with regard to fuel-efficient police cars. A new, more fuel-efficient Ford model police car is not available yet, but will be a year or two down the road. Nutley's police cars will be replaced with this more fuel efficient vehicle, as needed, in the future. The police department has a Segway that is used for patrolling larger events.

**Fire/Hazmat.** Fire trucks/hazmat vehicles are presently not particularly fuel efficient, but currently no new "green" initiatives have been adopted. The Fire Department has a grant out to replace fire trucks; it is possible that fire trucks of the future will be more fuel efficient.

**Others.** No other municipal departments have reported any new fuel efficiency initiatives with respect to their vehicles.

(ii) Municipal Building

Nutley has invested significantly in updating its aging school buildings in recent years. The existing elementary schools were built in the early 1900's. While these facilities helped create distinctive neighborhoods in Nutley, the existing elementary schools are inefficient in comparison to modern green constructed buildings, which adhere to LEED standards. Decisions regarding the future of the Township's public schools represent a major challenge for Nutley. Should the Township continue to invest in older school buildings in an effort to retain community character and historical significance? As discussed in the Community Facilities Element, opportunities exist to consolidate school buildings and to incorporate a more energy-efficient design. Energy audits and architectural evaluations of these buildings lies outside the scope of a master plan. Moreover, the future of sustainability planning for municipal and school buildings first requires long-term decisions to be made regarding the long-range planning of the Township's schools.

**C. Goals and Indicators**

Goals are written statements expressing our desired future outcome. Indicators provide benchmarks which tell us how we are doing - along the way - towards meeting our goals. Targets tell us what our destination is for each of the indicators. Targets are necessary to establish quantitative outcomes for each of the indicators, e.g., Nutley will reduce carbon dioxide emissions by 25% by the year 2030. (The following section of this Element indicates both targets and indicators for Nutley.)

1. *Goals*
  - a. Improve the environment
  - b. Reduce energy use
  - c. Create transportation choices
  
2. *Indicators*
  - a. **The Environment**
    1. Greenhouse gas emissions
    2. Recycling rate
    3. Water consumption
    4. Municipal purchasing options
    5. Air quality
    6. Water quality
    7. Local urban heat island
    8. Locally grown foods
  
  - b. **Energy Use**
    1. Local renewable energy
    2. Building rehabilitation and improvements to minimize energy loss
    3. Biofuels as part of municipal fleet operations
    4. Sustainable landscape architecture
    5. Green roofs
    6. Pervious materials and site design
  
  - c. **Transportation Choices**
    1. Public transit and bicycle usage and storage locations
    2. Sidewalk connectivity
    3. Local job creation

The target for each of the three overarching goals, their indicators and the action to be taken are dealt with in the next section of this chapter, Section D, Sustainability Targets and Action Plan. They are also summarized in Table 12-4 located at the end of this chapter in tabular form.

#### **D. Sustainability Targets and Action Plan**

##### 1. *Improve the Environment*

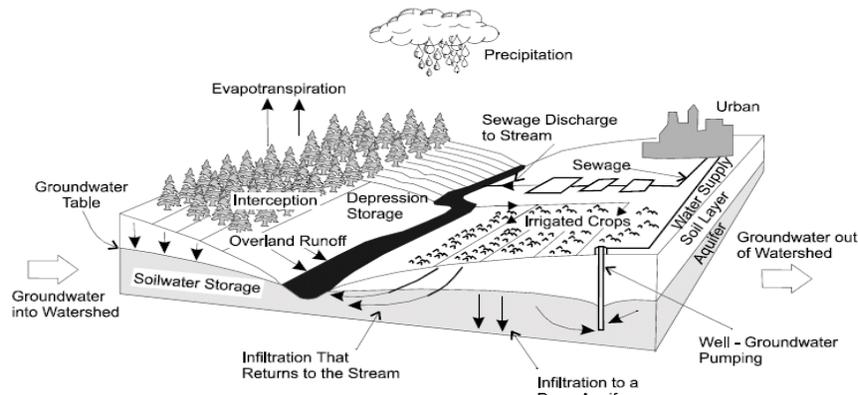
###### a) **Water Quality**

**Target:** Improve the quality of water in Nutley's waterways, as measured by NJDEP stream monitoring, with a 20% net decrease in net toxins downstream by 2020.

*Why is this important?*

The hydrologic cycle describes the continuous circulation of water between the oceans, atmosphere, and land. Water is supplied to the atmosphere by evapotranspiration. This includes evaporation from water, vegetation, snow, and transpiration from plants. Water is returned to the land through precipitation. Within the hydrologic cycle, water may be stored by vegetation, snowpacks, land surfaces, water bodies, saturated subsurface zones, and unsaturated subsurface zones/soils. Water may be transported between these storage areas via overland runoff, streamflow, infiltration, groundwater recharge, and groundwater flow, among other processes (Figure 12-2).

**Figure 12-2:  
The Hydrological Cycle**



Source : After, M. L. Davis, D. A. Cornwell. **Introduction to Environmental Engineering**, 1991.

#### Definitions:

Overland runoff – water that travels over the ground surface to a channel

Streamflow – movement of water via channels

Groundwater flow – movement of water through the subsurface

Infiltration – penetration of water through the ground surface

Groundwater recharge – water that reaches saturated zone

People interact with the hydrologic cycle by removing water for agricultural, domestic, and non-residential uses, and returning it as wastewater discharges. Urban development is believed to interfere with the natural transfers of water between storage components of the hydrologic cycle, i.e., infiltration to aquifers, streams, etc.

Within a watershed, a water balance may be used to describe the hydrological cycle. A water balance provides for an accounting of water transfers across a watershed's boundaries over a period of time. Any difference between inflows to the system and outflows from the system during this time period must be balanced by a change of storage within the system.

#### Changes to the Hydrologic Cycle/Water Balance

An increase in impervious area associated with urbanization increases runoff while it decreases infiltration of water into surrounding soils. Urbanization also results in decreased evapotranspiration. Conventional development practices on an urban stream dramatically change the hydrologic condition of a stream.

Impacts include:

- An increase in the magnitude and frequency of runoff events;
- An increase in the stream's annual flow as surface storm runoff rather than base flow; and
- Increases in velocity of flow during storms.

Other benefits of improved stormwater planning include improved water quality in local streams and waterways.

### *Fertilizers*

The use of fertilizers to create the “perfect lawn” is an increasingly common problem in many residential areas. Fertilizer runoff increases the level of nutrients in water bodies and can accelerate eutrophication<sup>23</sup> in the lakes and rivers and continue on to coastal areas—well known examples of large seasonal areas of eutrophication occur in the Gulf of Mexico and the Black Sea. The excessive use of fertilizer causes nitrate contamination of groundwater. Good fertilizer maintenance practices can help in reducing the amount of nitrates in the soil and thereby lower its content in the water.

### **Actions to be taken**

- The Borough should continue to update applicable design and performance standards for stormwater management measures as presented in N.J.A.C. 7:8-5 to reduce the negative impact of stormwater runoff on water quality and water quantity and loss of groundwater recharge in receiving water bodies. However, there are additional opportunities to increase groundwater recharge and reduce evaporation by using structural stormwater systems, such as a drywell. Other options include:
  - Redirecting gutters to lawns;
  - Creation of rain gardens;
  - Using rain barrels;
  - Promoting awareness of problems associated with soil compaction; and
  - Encouraging public education.

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<sup>23</sup> Eutrophication – The normally slow aging process by which a lake evolves into a bog or marsh and ultimately assumes a completely terrestrial state and disappears.

- To regulate infill development properly, this Plan specifically recommends the creation of regulations that require stormwater improvements for construction that substantially increase the building footprint. Revisions to the Township's grading and disturbance requirements is one method to regulate infill development.

#### STORMWATER MANAGEMENT THRESHOLDS (EXAMPLE)

##### A. Residential Development

1. Total lot disturbance, including new building and lot coverage, soil disturbance and/or re-grading, exceeds X square feet in the R-X, R-Y or R-Z Zone District or 7,000 square feet in other zone districts; and/or
2. New impervious surface exceeds 10,000 square feet; and/or
3. A building permit is required and:
  - a. Building coverage or lot coverage exceeds or will exceed 75% of the maximum permitted in the R-X, R-Y or R-Z Zone District or 85% of the maximum permitted in the other zone districts; and
  - b. Building coverage added as a result of the development exceeds 1,200 square feet in the R-X, R-Y, or R-Z Zone District or 400 square feet in other zone districts.

- The Township should work with the NJDEP to educate homeowners of the impacts of the overuse of fertilizers. This discussion should include other techniques to create a "green lawn" without over fertilizing. Almost as important as the use of fertilizer is the combination of over fertilizing and over watering lawns. In many cases, this leads to nutrient rich runoff, which ultimately may terminate into a nearby stream, lake or other water body. If fertilizer is applied correctly, the natural characteristics of the underlying soils will absorb or filter out the nutrients in the fertilizer.

##### b) Urban Heat Island

**Target** – Through a series of best management practices, reduce Nutley's contribution to the New York metropolitan urban heat island by 2015.

##### *Why is this important?*

An urban heat island is a metropolitan area which is warmer than its surrounding rural areas. The temperature difference usually is larger at night than during the day. The main cause of the urban heat island is modification of the land surface by urban development which uses materials which effectively retain heat. Monthly rainfall is typically greater downwind of cities, partially due to the urban heat island.

Urban heat islands decrease air quality as a result of the corresponding increase in the production of pollutants such as ozone. Water quality decreases as warmer waters flow into area streams, which stress their ecosystems.

***Actions to be taken***

Mitigation of the urban heat island effect can be accomplished through:

- The use of green roofs (see green roof indicator)
- The use of lighter-colored impervious surfaces.
- The expansion and management of the Township's tree resources (municipally controlled)
- Consider revising tree ordinances to regulate private property.
- Review and amend ordinances as appropriate to require tree and landscaping requirements in parking lots and streets.

c) **Water Consumption**

**Target** – Reduce Township water use by 20% by 2020

*Why is this important?*

In 2004 the State Legislature adopted the Highlands Water Protection and Planning Act for the purpose of protecting water quality in the Highlands Region of the State. The Legislature declared that the New Jersey Highlands is an essential source of drinking water, providing clean and plentiful drinking water for one-half of the State's population. Nutley's water source includes the Highlands Region. Clean water is a finite resource and needed for all life; accordingly it should not be taken for granted.

***Actions to be taken***

Nutley can reduce water consumption through best management practices, education, and common sense practices that encourage residents to employ water efficient landscape techniques. Outdoor examples include:

- Install rain gardens and rain barrels.
- Plant drought-resistant lawns, shrubs and plants.
- Put a layer of mulch around trees and plants.
- Water your lawn only when it needs it.
- Water during the early parts of the day; avoid watering when it's windy.
- Don't run the hose while washing your car.
- Use a broom, not a hose, to clean driveways and sidewalks.
- Check for leaks in pipes, hoses, faucets and couplings.

Indoor examples include:

- Check faucets, pipes and toilets for leaks.
- Use your water meter to check for hidden water leaks.
- Install water-saving shower heads and low-flow faucet aerators.
- Insulate your water pipes.
- Take shorter showers.
- Turn off the water after you wet your toothbrush.
- Rinse your razor in the sink.
- Use your dishwasher and clothes washer for only full loads.
- Minimize use of kitchen sink garbage disposal units.
- When washing dishes by hand, don't leave the water running for rinsing.
- Keep a bottle of drinking water in the fridge.

#### d) **Municipal Purchasing Options**

**Target** – Purchase a minimum of 50% of all purchases consistent with EPA green purchasing guidelines

*Why is this important?*

Encouraging others to participate in sustainability efforts requires a conscious effort by Nutley to provide leadership in this regard. As one of the largest purchasers of supplies in the community, the creation of more sustainable municipal purchasing guidelines (e.g., recycled paper, recycled bathroom tissue and paper towels, recycled ink cartridges, and Energy Star appliances) is a simple short-term action that can generate an immediate impact.

#### **Actions to be taken**

- Utilize U.S. Environmental Protection Agency (EPA) resource guides and the NJDEP Green Purchasing: A Guide for Local Governments and Communities to assist in green purchasing to assist in green purchasing.<sup>24</sup>
- Consider attending U.S. EPA training seminars regarding green purchasing to assist in the purchases of non-toxic, sustainably-produced or recycled materials which require little energy to process and purchasing longer-lasting and better functioning products that will have to be replaced less frequently, reducing the impacts of producing replacements.

#### e) **Air Quality**

Air quality is important since we can't avoid breathing in the air around us. The average adult breathes in about 20 cubic meters, or 20,000 liters of air a day. Those of us who live in north

<sup>24</sup> [http://www.epa.gov/opptintr/epp/pubs/buying\\_green\\_online.pdf](http://www.epa.gov/opptintr/epp/pubs/buying_green_online.pdf)

central New Jersey are exposed to pollutants coming from automobile traffic, commercial, industrial and manufacturing facilities, as well as other sources.

Air pollutants are known to cause a variety of health problems - including breathing problems; asthma; reduced lung function; lung damage; bronchitis; cancer; and brain and nervous system damage. Air pollution can also irritate the eyes, nose and throat, and reduce resistance to colds and other illnesses. Air pollution can be especially harmful to the very young, the very old, and those with certain preexisting medical conditions.

Air pollution also causes haze and smog, reduces visibility, dirties and damages buildings and other landmarks, and harms trees, lakes and animals. It is also responsible for thinning the protective ozone layer in the upper atmosphere that protects us from harmful ultraviolet radiation from the sun.

#### ***Actions to be taken***

- Unfortunately, Nutley has limited control over its ability to improve its own outdoor air quality. This is a national and global issue subject from the direction of the prevailing winds. However, Nutley can impose requirements to improve local and indoor air quality such as:
  - Scheduling activities that generate emissions to occur when site users are not present;
  - Prohibiting smoking near building entries; and
  - Requiring the design of public buildings with indoor air quality standards.

#### **f) Locally Grown Foods<sup>25</sup>**

**Target** – Encourage all Nutley restaurants to offer locally grown food as part of their menu by 2014.

#### *Why is this important?*

In our modern age of food preservatives and additives, genetically altered crops and *E. coli* outbreaks, people are increasingly concerned about the quality and cleanliness of the foods they eat. Given the near impossibility of identifying the pesticides used and other practices of food growth, purchasing foods grown locally is a better alternative for those who want more control over what they put into their bodies.

Farmers who sell direct to local consumers give less priority to packing, shipping and shelf-life issues and can instead focus on harvesting high quality crops. Eating local also means eating what is in season, a concept forgotten in modern times.

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<sup>25</sup> Note that Nutley has made a significant stride towards meeting the target by establishing a seasonal outdoor market in 2010.

Most proponents for eating locally argue that local grown foods are safer for consumption. Smaller local farms are typically “less aggressive” in comparison to larger farms in regard to the use of chemicals and pesticides. Clearly, organic choices would prove to be the safest for consumption. Small farms are also more likely to grow more variety, which protects biodiversity and preserves a wider gene pool, an important factor in long-term food security.

Eating locally-grown foods helps in minimizing global warming. The less distance that food must travel to reach our homes lessens fuel used for transportation.

Eating local foods benefits the local economy. Farmers on average receive only a fraction of each food dollar spent. Much of the cost goes to transportation, processing, packaging, refrigeration and marketing. Farmers who sell food to local customers receive close to the full retail value. Additionally, eating locally encourages the use and long-term viability of local farmland for farming, thus keeping development in check while preserving open space.

#### ***Actions to be taken***

- Maintain a farmers market in Nutley that sells products raised or manufactured within 90 miles of Nutley.
- Work with local restaurants to support and publicize locally grown ingredients.
- Post educational materials on the Township’s website stressing the benefits of purchasing locally grown foods.

#### **g) Recycling rates**

**Target** – Increase recycling rates to a minimum of 60% by 2014 with an ultimate goal of 75%

#### *Why is this important?*

The Municipal Land Use Law specifies that municipalities shall create an implementation mechanism to meet and exceed Statewide and County recycling goals. The Statewide goals represent a multi-year reduction of solid waste reduction to achieve a maximum feasible recovery target of recyclable materials by a minimum of sixty (60%) percent).

Experience has shown that there is no completely safe method of waste disposal. While new technologies may provide clean alternatives, all forms of disposal have negative impacts on the environment and public health. Garbage burned in incinerators has polluted air, water and soil. Landfills have contaminated drinking water, contributing to air pollution, changed soil fertility as well as the production of noxious odors. It takes the municipal solid waste decades, sometimes centuries, to break down completely in a landfill. Furthermore, many of the items we dispose are pollutants themselves. Historic examples include:

- Paint;
- Oils;

- Batteries;
- Medications;
- As well as many others.

As new technologies become available, it is difficult for communities to remain up to date with recycling needs. A prime example is compact fluorescent light bulbs, which contain mercury, a metal known to cause toxic effects to the brain, kidney and lungs.

### ***Actions to be taken***

Municipal solid waste recycling can minimize the amount of waste that needs to be burned, so that items like metal which can be reused are removed before the waste is burned.

Nutley can do its part by increasing recycling rates to minimize the amount of municipal solid waste it contributes.

- As part of municipal mailings, educate residents on the environmental and cost savings associated with increased recycling rates.
- Place recycling containers in addition to trash containers as part of the municipal street-scape improvements.
- Include recycling demonstrations as part of public school curriculums.
- Participate in seasonal county recycling efforts.

These steps will decrease the amount of municipal solid waste that is generated, so that it is easier to manage and dispose of.

## *2. Reduce Energy Use*

### **a) Greenhouse Gas Emissions**

#### **Targets:**

- Increase percentage of renewable energy used to 10% of Nutley's total energy use by 2020.
- Increase the number of Nutley residences the New Jersey Energy Star audit to 10% by 2015.
- Reduce greenhouse gas emissions by 20% in existing homes and businesses by 2020.
- Encourage all major renovations valued at over \$50,000 to meet LEED (Leadership in Energy and Environmental Design) minimum certification standards by 2015.

*Why is this important?*

The need to encourage sustainable energy practices is a local, national and global need. At the State level, New Jersey's legislature adopted an Energy Master Plan in December 2008. The generation of local renewable energy implements at least two of the State Energy Master Plan's Goals and Action Items. These include:

- GOAL 1: Maximize the State's energy conservation and energy efficiency to achieve reductions in energy consumption of at least 20% by 2020.
- GOAL 2: Reduce peak demand for electricity by 5,700 MW by 2020.
- GOAL 3: Strive to surpass the current RPS goals with a goal of achieving 30% of the State's electricity needs from renewable sources by 2020.
- GOAL 5: Invest in innovative clean energy technologies and businesses to stimulate the industry's growth in New Jersey.

#### *The Municipal Land Use Law*

The encouragement "to promote utilization of renewable energy resources" is listed as one of the fifteen purposes of the Municipal Land Use Law [NJSA 40:55 D-2].

The public interest would be substantially enhanced through the creation of on-site renewable energy sources which advances the State goal of reducing New Jersey's dependency on foreign energy sources and meeting energy needs through renewable sources and by increasing the sustainability of existing businesses and residences in the Township.

#### *Greenhouse gas emissions*

Global warming is the increase in the average temperature of the Earth's air and oceans since the mid-20th century and its projected continuation. The Intergovernmental Panel on Climate Change (IPCC) indicates that most of the observed temperature increase since the middle of the 20th century is caused by increasing concentrations of greenhouse gases resulting from human activity such as fossil fuel burning and deforestation.

The objective is the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic or manmade interference with the global climate system.

#### *Proposed Cap and Trade System*

The Regional Greenhouse Gas Initiative (RGGI) is the first mandatory, market-based effort in the United States to reduce greenhouse gas emissions. Ten states will cap and then reduce CO<sub>2</sub> emissions from the power sector by 10% by 2018.

New Jersey will sell emission allowances through auctions and invest proceeds in consumer benefits such as: energy efficiency, renewable energy, and other clean energy technologies. It is anticipated that RGGI will spur innovation in the clean energy technologies. It is anticipated that communities undertaking their own green initiatives may benefit most in the form of incentives, grants and other measures.

New Jersey is one of ten states participating in RGGI (Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, and Vermont) to implement the first mandatory cap-and-trade program in the United States to reduce greenhouse gas emissions.

Regulated power plants will be required to use a CO<sub>2</sub> allowance issued by any of the ten participating states to demonstrate compliance with an individual state program. Under this regulatory framework, the ten state programs, function as a single regional compliance market for CO<sub>2</sub> emissions.

### *Impact of Residential Development*

According to a recent Wall Street Journal<sup>26</sup> article, twenty-one percent of all energy used in the U.S. comes from residential homes. This is more than cars, planes or offices. Studies indicate that U.S. homes waste approximately 30% of energy they use. The federal government indicates that existing homes consume about 90 percent of the amount of energy that will be used by the country's housing stock in 2030. The goal of sustainability will require multiple actions to improve energy efficiency. In today's times much consideration is given to a new world consisting of solar panels, wind turbines and cars fueled by various low or no carbon dioxide emitting fuel. While technological improvements should be applauded and incorporated into Nutley's and world sustainability efforts, we first need to recognize that one of or the greatest energy inefficiencies results from heat and air conditioning loss from the home. According to a new study by McKinsey & Co. funded in part by the Climate Works Foundation, by 2030, improving the energy efficiency of buildings could limit greenhouse gas emissions more than ramping up either wind or solar power. The same study speculates that improving the energy efficiency of buildings through improved insulation would provide a greater benefit than the inclusion of photovoltaic (solar) panels, wind turbines and other renewable energy sources.

### *Leadership in Energy and Environmental Design (LEED)*

The U.S. Green Building Council has established a green building certification process to certify energy efficiency buildings and projects. It sets forth specific standards for site suitability, water efficiency, energy and atmosphere conservations, building materials and resources, and indoor environmental quality for new construction, existing buildings, and commercial interiors. The LEED certification system offers four certifications for new construction: certified, silver, gold

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<sup>26</sup> Wall Street Journal, Packing Heat: The firepower of the Lowly Caulk Gun, March 6, 2009.

and platinum. LEED certified projects are currently being built in New Jersey. The Township should require new public buildings to become LEED certified and should encourage LEED certification for private construction projects.

### ***Actions to be taken***

In the short term, Nutley should begin an outreach campaign with the New Jersey Clean Energy Community Partner program staff to educate residents about New Jersey's Clean Energy Programs. The coordinators work with the community, residents and businesses to help a community plan for local events or fairs, door-to-door distribution of literature, or a resident mailing.

In the long term, Nutley should be committed to reducing its carbon emissions by 20% by the year 2020. As U.S. homes commonly waste 30% of the energy they use, residential compliance could be met by conducting and implementing the recommendations of an energy audit. To achieve this goal, without implementing alternative technologies to reduce energy loss in residential units, over two-thirds of Nutley households would be required to conduct such an audit and implement the cost savings associated with improved insulation and caulking. These figures are based upon minimal new residential development in Nutley.

Non-residential and municipal reductions may be achieved through a similar energy audit and implementation process and through the incorporation of renewable energy sources, i.e., photovoltaic or solar panels. The following specific actions should be implemented to achieve these targets:

- The Township should incorporate LEED® (Leadership in Energy and Environmental Design) building standards into all public buildings and should encourage their use in new development.
- Become a New Jersey Clean Energy Program Community Partner.
- Work with large commercial users to enroll in the Pay-For-Performance New Jersey Clean Energy Program.
- Enroll in the TEACH program from New Jersey's Clean Energy Program which provides hands-on curricula that faculty members can use to teach their students about energy efficiency.<sup>27</sup>
- Through the New Jersey Clean Energy Program, conduct an energy audit of municipal buildings. The costs of the audit may be subsidized up to 100% of the cost (initially 75% is reimbursed, with the remaining 25% reimbursed if recommendations of the audit are implemented).
- Encourage participation in the New Jersey Smart Buildings Program for free energy savings advice for commercial and industrial projects.

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<sup>27</sup> [NJTEACH@trcsolutions.com](mailto:NJTEACH@trcsolutions.com)

- Over time, replace existing street lighting bulbs with street lighting that consumes less energy and takes advantage of long lasting bulbs.
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#### b) **Biofuels as part of municipal fleet operations**

**Target** – Incorporate biofuels and increased efficiencies into municipal fleet operations by 2012

*Why is this important?*

Biofuels are cleaner than traditional fuels, are renewable and consume carbon dioxide as they are grown, offsetting the carbon dioxide produced when burnt as fuel. While there is not total agreement within the scientific community over the carbon life cycle of biofuels they are currently considered an improvement over solely burning petroleum-based fuels. Views are divided over the complete carbon life cycle of biofuels, nevertheless they are considered as one of the few means of "greening" the transportation sector.

Currently, despite high oil prices, diesel continues to remain cheaper than biodiesel. Accordingly, Biofuels are dependent on fiscal incentives which require their benefits to society to outweigh the additional cost to incorporate their use. Montclair, an adjoining community in Essex County, is currently utilizing a 20% mixture of biofuel as part of the operation of their diesel fleet. The increased cost of the biodiesel over traditional petroleum diesel is refunded as part of the New Jersey Biodiesel Fuel Rebate Program<sup>28</sup>.

#### **Actions to be taken**

- Investigate incorporating a 20% blend of biodiesel<sup>29</sup> as part of municipal fleet operations (diesel engines only).
- Replace 10% of the municipal fleet with new more fuel efficient modes each year.
  - Incorporate hybrid and other vehicle technologies to replace older models to increase fuel efficiency.

#### c) **Sustainable Landscape Architecture**

**Target** – Revise Township ordinances to include sustainable landscape architecture requirements by 2014

*Why is this important?*

<sup>28</sup> <http://www.njcleanenergy.com/files/file/2007%20bioapppackage.pdf>

<sup>29</sup> Biodiesel is made by combining raw vegetable oil with methanol to make a vegetable oil methyl ester (VOME). This can be used directly as fuel or blended with petroleum diesel.

Sustainable landscape architecture is a category of sustainable design focused with planning and design of outdoor space. Design considerations include planting trees to shade buildings from the sun or protecting them from wind, using local materials, using drought resistant planting and buying local nursery stock to avoid energy use in transportation.

The established urban forest in Nutley is important to the Township's identity and environmental health, in addition to providing habitat for local species. Trees protect water and air quality, control flooding, and reduce stormwater runoff and erosion. They absorb carbon dioxide and release oxygen into the atmosphere. They reduce greenhouse gas emissions, especially carbon dioxide, and they help control global warming.

Planting or preserving trees in strategic locations can reduce energy demand in buildings and heating and cooling costs.

Landscaping is a major part of community design. Site plans and subdivision plans need to include well designed landscaping for nonresidential and residential projects. The benefits of a professionally installed and maintained landscape are economic as well as aesthetic and environmental. A well-designed landscape is inviting to customers and is generally accepted as producing higher rental fees and lower vacancy rates. The proper selection and placement of plant material can lower heating and cooling costs by as much as 20%. Well designed landscaping can increase residential and commercial property values from 5% to 20%.

### **Actions to be taken**

Landscaping plans submitted for Township major site plan approval should be prepared by a New Jersey certified landscape architect and be designed to achieve the following:

- Provide landscaping to screen parking areas, provide breaks from winter winds, and to provide summer cooling for buildings, streets, and parking.
- Provide landscaping to screen or create views, to define boundaries between public and private spaces, to mask noise, to articulate outdoor spaces, and to define circulation systems.
- Provide plant materials appropriate to the intended design function and to local soil conditions, water conservation, and the environment.
- Provide a varied palette of plant materials giving consideration to hardiness, susceptibility to disease, colors, seasonal interest, textures, shape, blossoms, and foliage.
- Provide native plant material and do not introduce invasive plant species.
- Consider the impact of growth of the plant materials on other elements of the development plan, such as sight distances.
- Accent site entrances with special landscaping treatment.
- Mass trees at critical points.
- Accent and complement buildings with foundation plantings and landscaping.

- Retain existing specimen trees, tree stands, and shrubs as part of the site design.

#### d) **Green Roofs**

**Target** – Adopt green roof standards into municipal ordinances by 2014

*Why is this important?*

Green roofs help control the urban heat island effect and provide numerous benefits.<sup>30</sup>

- Savings on energy heating and cooling costs, depending on the size of the building, climate and type of green roof.
- Protection of roof membrane resulting in a longer material lifespan resulting in decreased maintenance and savings in replacement costs;
- Potential to reduce the size of HVAC equipment on new or retrofitted buildings.
- Potential to reduce the amount of standard insulation used.
- Potential to reduce or eliminate roof drains.
- Potential to meet regulatory requirements for stormwater management.
- Potential to reduce community resistance to new developments.
- Provision of amenity space for day care, meetings, and recreation.
- Aesthetic appeal, increasing the value of the property and the marketability of the building as a whole, particularly for accessible green roofs.
- Satisfying the aesthetic needs of people looking down upon the roof from adjacent buildings.

#### **Actions to be taken**

Adopting an ordinance requiring or encouraging green roofs on all new flat-roofed buildings over a certain size.

#### e) **Pervious Materials and Site Design**

**Target** – Adopt green pervious materials standards into municipal ordinances by 2014

*Why is this important?*

Pervious hardscape materials, such as pervious asphalt and concrete, provide numerous environmental benefits. The use of pervious materials often eliminates the need for stormwater devices such as retention ponds and swales, which can limit land disturbance on a tract of land. The use of pervious materials are best management practices (BMP) recommended by the Environmental Protection Agency and the New Jersey Department of Environmental Protection

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<sup>30</sup> <http://www.greenroofs.org/index.php/about-green-roofs/2577-aboutgrnroofs>

(NJDEP) and other agencies for the management of stormwater runoff on a regional and local basis.

Pervious materials typically provide projects with points toward certification under the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED®) Green Building Rating System.

Pervious pavement integrates hardscape surfaces with stormwater management by allowing rainwater to seep into the ground. Pervious materials can be instrumental in recharging groundwater and reducing stormwater runoff.

This Plan recommends the use of pervious materials and design when appropriate for:

- Parking lots
- Sidewalks and pathways
- Patios
- Tennis courts
- Swimming pool decks
- Foundations/floors for greenhouses and similar uses
- Sound barriers
- Tree grates in sidewalks
- Low-volume pavements
- Other appropriate uses as recommended by the Township Engineer

### **Actions to be taken**

Consider allowing the use of pervious materials over and above the impervious coverage limitations in certain circumstances, and up to appropriate limits.

## *3. Transportation Choices*

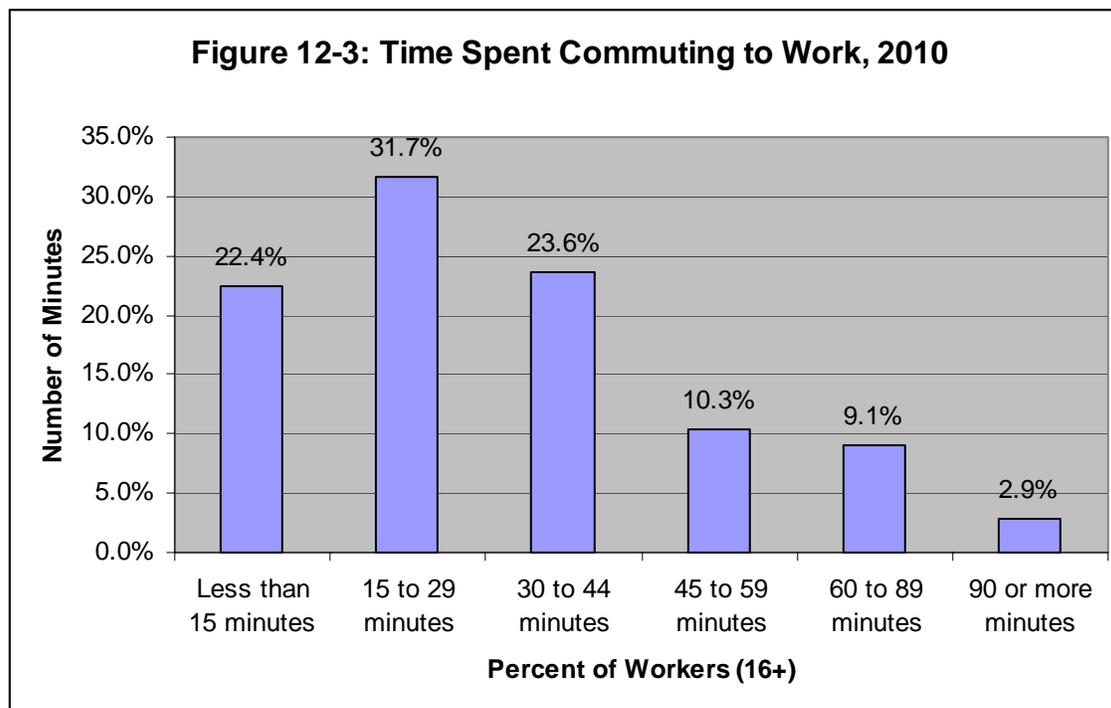
### **a) Public Transportation**

**Target** – Increase public transportation ridership/carpooling to work to 40% by 2020.

*Why is this important?*

A reduction of vehicular trips is necessary to reduce greenhouse gas emissions. A greater sense of urgency is required to encourage individuals to walk or ride a bicycle for short trips or take public transportation for longer ones. As indicated in Figure 12-3, 46% of Nutley residents

have a commute time to work in excess of 30 minutes, an increase from 40 percent in 2000. As commute times lengthen, and considering that almost 80% of Nutley residents drove alone to work, increasing public transportation usage and carpooling is critical to reducing CO<sub>2</sub> emissions from private vehicles in Nutley.

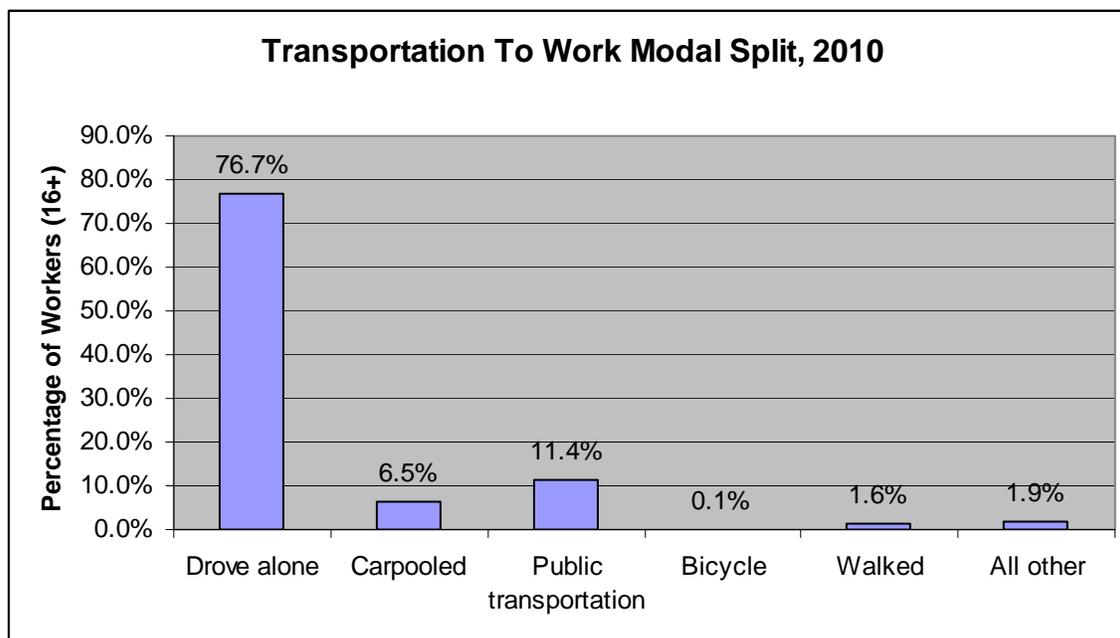


Transportation accounts for more than 30 percent of U.S. carbon dioxide emissions. According to the American Public Transportation Association (APTA), public transportation in the United States saves approximately 1.4 billion gallons of gasoline and about 1.5 million tons of carbon dioxide annually. Yet only 14 million Americans use public transportation daily while 88 percent of all trips in the United States are made by car—and most of those cars carry only one person. As depicted in Chart SU-3, 78.5% of Nutley residents drove alone to work, 7.7% carpoled, and 13.6% used either public transportation, walked or worked from home.

Benefits of public transportation include:

- Greater energy independence;
- Safety - Riding a bus is significantly safer than riding in an automobile, and riding a train or subway is even safer;
- Health - Studies have shown that people who use public transportation regularly tend to be healthier than people who don't, because of the exercise they get walking to and from bus stops, subway stations and their homes and offices; and
- Cost savings - Families that use public transportation can reduce their household expenses.

Given the benefits, why don't more Americans use public transportation. (See Figure 12-4.) The reason is primarily twofold: Americans love their cars, and public transportation does not serve enough locations. Good public transportation systems are not available to enough people. Nutley, for example, despite its close proximity to New York City, is not served by commuter rail, a type of public transportation individuals are more willing to ride. The problem that Nutley and the nation are facing is the high cost and the ability to locate rail in urbanized areas. To this end, rail options require significantly higher capital costs than bus and rapid bus service.



Increasing sustainability in Nutley requires persuading people with ready access to public transportation to use it more often and the inclusion of additional public transportation options other than bus service, i.e., passenger rail, light rail or bus rapid transit, which runs extra long buses in dedicated lanes.

### ***Actions to be taken***

- Encourage NJ Transit or NJDOT to undertake a study evaluating the feasibility of installing a light-rail transit line directly to Manhattan or along the former Erie-Lackawanna line, and include Nutley in proposed Clifton train/bus stop and/or the feasibility of bus rapid transit on Route 3.
- Sustainability planning requires educating the public so individuals are aware of alternative options or ways of conserving a resource. Sustainability planning also requires the creation and placement of services to make the conservation of a resource easier for users to implement. The Township working with the Chamber of Commerce should identify locations where bicycle racks are needed to encourage their use. Township ordinances should require bicycle racks associated with all major development. Further-

more, consideration should be given to incorporating bicycle racks (decorative bollard style) within Downtown streetscape improvements.

- Consistent with the Circulation Plan Element of the master plan, evaluate expanding the existing community shuttle service to Delawanna Station in Clifton to include the downtown and other community facilities.

**TABLE 12-4 SUMMARY OF ACTION PLAN**

SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES						
S = Short Range Strategy (1 year or less)						
M = Medium Range Strategy (2 – 5 years)						
L = Long Range Strategy ( 6 – 10 years)						
Action Steps	RESPONSIBLE PARTY					Implementation Time Frame
	Municipality	Residents	Businesses	Schools	Partners/Civic Organization	
<b>Water Quality</b>						
<b>Target 1 - Improve the quality of water in Nutley's waterways, as measured by NJDEP stream monitoring, with a 20% decrease in net toxins downstream by 2020.</b>						
Revise to the Township's grading and disturbance requirements to require stormwater management improvements as part of building additions that would not typically be required in accordance with current stormwater management rules.	X					M
Develop a series of workshops with NJDEP to educate the community as to the benefits of improved stormwater management and best management practices.	X	X	X	X	X	M
Investigate the creation of a stream buffer ordinance.	X					S
Require sites having an impervious coverage in excess of 75% as appropriate to incorporate the use of pervious materials	X		X			S
Require conservation easements within environmentally constrained lands, i.e., wetlands and buffer areas.	X					S
Improve water quality through better stormwater management planning.	X	X	X	X	X	S
<b>Urban Heat Island</b>						
<b>Target 2 - Through a series of best management practices, reduce Nutley's contribution to the New York metropolitan urban heat island by 2015.</b>						
Review and amend ordinances as appropriate to require tree and landscaping requirements in parking lots and streets.	X					S

SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES						
S = Short Range Strategy (1 year or less)						
M = Medium Range Strategy (2 – 5 years)						
L = Long Range Strategy ( 6 – 10 years)						
Action Steps	RESPONSIBLE PARTY					Implementation Time Frame
	Municipality	Residents	Businesses	Schools	Partners/Civic Organization	
Create ordinance standards to permit green roofs.	X					S
Require re-vegetation standards to minimize tree and vegetation loss as a result of development.	X					S
Dedicate areas for replacement tree plantings.	X					S
<b>Water Usage</b>						
<b>Target 3 - Reduce Township water use by 20% by 2020</b>						
With the assistance of ANJEC and other not-for-profit organizations, provide education materials and guidance to residents on indoor and outdoor best management water conserving practices.	X	X	X	X	X	M
With ANJEC and/or other not-for-profit environmental organization, setup water conservation demonstrations.	X				X	S
Replace inefficient municipal faucets and other fixtures with water saving fixtures.	X					M
<b>Green Purchasing</b>						
<b>Target 4 - Purchase a minimum of 50% of all purchases consistent with EPA green purchasing guidelines</b>						
Utilize U.S. Environmental Protection Agency (EPA) resource guides and the NJDEP Green Purchasing: A Guide for Local Governments and Communities to assist in green purchasing. <sup>31</sup>	X					S
Attend training seminars regarding green purchasing to assist in the purchases of non-toxic, sustainably-produced or recycled products.	X					M
Purchase biodiesel (20%) as part of the municipal diesel fleet operation and replace 10% of the municipal fleet each year with energy efficient vehicles.	X					S
Educate and promote the purchase of green products by residents, businesses and schools.	X	X	X	X		S

<sup>31</sup> [http://www.epa.gov/opptintr/epp/pubs/buying\\_green\\_online.pdf](http://www.epa.gov/opptintr/epp/pubs/buying_green_online.pdf)

SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES						
S = Short Range Strategy (1 year or less)						
M = Medium Range Strategy (2 – 5 years)						
L = Long Range Strategy ( 6 – 10 years)						
Action Steps	RESPONSIBLE PARTY					Implementation Time Frame
	Municipality	Residents	Businesses	Schools	Partners/Civic Organization	
Create guidelines for more sustainable municipal purchasing.	X					M
Use products designed for reuse and recycling.	X	X	X	X	X	S
<b>Recycling</b>						
<b>Increase recycling rates to a minimum of 60% by 2012 with an ultimate goal of 75%</b>						
As part of municipal mailings, educate residents on the environmental and cost savings associated with increased recycling rates.	X					M
Place recycling containers in addition to trash containers as part of the municipal streetscape improvements.	X					M
Include recycling demonstrations as part of public school curriculums.	X			X		M
Participate in seasonal county recycling efforts.	X	X	X	X	X	S
Post educational materials on the Township's website stressing the environmental and fiscal benefits associated with recycling.	X					S
<b>Energy Use</b>						
<b>Target 8 - Increase percentage of renewable energy used to 10% of Nutley's total energy use by 2020</b>						
<b>Target 9 - Increase to the number of Nutley residences the New Jersey Energy Star audit to 10% by 2015.</b>						
<b>Target 10 - Reduce greenhouse gas emissions by 20% in existing homes and businesses by 2020.</b>						
<b>Target 11 - Encourage all major renovations valued at over \$50,000 to meet LEED (Leadership in Energy and Environmental Design) minimum certification standards by 2015.</b>						

SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES						
S = Short Range Strategy (1 year or less)						
M = Medium Range Strategy (2 – 5 years)						
L = Long Range Strategy ( 6 – 10 years)						
Action Steps	RESPONSIBLE PARTY					Implementation Time Frame
	Municipality	Residents	Businesses	Schools	Partners/Civic Organization	
<b>Target 12 – Incorporate biofuels and increased efficiencies into municipal fleet operations by 2012.</b>						
Promote residential use of NJ Clean Energy’s Home Performance with ENERGY STAR Measured Audit or use of online assessment tool.	X	X	X	X	X	S
Require new governmental buildings to become LEED certified.	X					M
Promote enrollment in NJ CleanPower Choice Program, sponsored by the New Jersey Board of Public Utilities.	X			X	X	S
Recognize the Borough’s aging housing stock; place an emphasis on improving the efficiency of existing homes.	X	X				M
Evaluate options to reduce energy consumption in the public realm, e.g., street lights, illuminated signs, etc.	X			X	X	M
Require major site plan applications to submit an energy efficiency plan as a condition of site plan approval.		X	X			S
Create ordinances and guidelines for incorporating solar and other renewable energy technologies for residential and non-residential development.	X				X	M
Increase the use of recycled and renewable materials in construction projects.	X	X	X	X	X	S
Become a New Jersey Clean Energy Program Community Partner	X				X	S
Work with large commercial users to enroll in the Pay-For-Performance New Jersey Clean Energy Program .	X		X		X	S
Enroll in the TEACH program from New Jersey’s Clean Energy Program which provides hands-on curricula that faculty members can use to teach their students about energy efficiency. <sup>32</sup>				X		S
Through the New Jersey Clean Energy Program, conduct an energy audit of municipal	X				X	M

<sup>32</sup> [NJTEACH@trcsolutions.com](mailto:NJTEACH@trcsolutions.com)M

SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES						
S = Short Range Strategy (1 year or less)						
M = Medium Range Strategy (2 – 5 years)						
L = Long Range Strategy ( 6 – 10 years)						
Action Steps	RESPONSIBLE PARTY					Implementation Time Frame
	Municipality	Residents	Businesses	Schools	Partners/Civic Organization	
buildings. Through the New Jersey Clean Energy Program, costs of the audit could be subsidized up to 100% of the cost.						
Encourage participation if the New Jersey Smart Buildings Program for free energy savings advice for commercial and industrial projects.	X		X		X	S
Encourage the use of street lighting that consumes less energy and takes advantage of long lasting bulbs.	X				X	S
Use renewable energy sources for site outdoor electricity.	X	X	X	X	X	S
<b>Sustainable Design and Ordinance Revisions</b>						
<b>Revise Township ordinances to include sustainable design requirements by 2012</b>						
General – Adopt and enforce land use planning policies and development standards that encourage mixed-use, walkable, bikeable and disabled accessible neighborhoods in accordance with the Future Land Use Plan.						S
Adopt sustainable landscape architecture provisions into Township ordinances.	X					S
Adopt green roof provisions into Township ordinances.	X					S
Adopt pervious materials provisions into Township ordinances.	X					S
Recycle organic matter generated during site operations and maintenance.	X	X	X	X	X	M
Place vegetation at strategic locations around buildings to reduce energy consumption and costs associated with indoor climate control.	X	X	X	X	X	M
Repair or restore damaged or lost streams and wetlands.	X	X	X	X	X	L
Protect and restore floodplain functions or riparian areas.	X				X	L
Use non-potable water for at least 50% of total irrigation.		X				L
Select brownfields for redevelopment.	X				X	S

SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES						
S = Short Range Strategy (1 year or less)						
M = Medium Range Strategy (2 – 5 years)						
L = Long Range Strategy ( 6 – 10 years)						
Action Steps	RESPONSIBLE PARTY					Implementation Time Frame
	Municipality	Residents	Businesses	Schools	Partners/Civic Organization	
<b>Transportation</b>						
<b>Increase public transportation ridership and carpooling to work to 40% by 2020.</b>						
<b>Encourage alternate forms of transportation</b>						
Encourage NJ Transit or NJDOT to undertake a study evaluating the feasibility of installing a light-rail transit line directly to Manhattan or along the former Erie-Lackawanna line.	X				X	S
The Township working with the Chamber of Commerce should identify locations where bicycle racks are needed to encourage their use. Township ordinances should require bicycle racks associated with all major development. Furthermore, consideration should be given to incorporating bicycle racks (decorative bollard style) within Downtown streetscape improvements.	X				X	S
Site new and/or relocate municipal buildings near public transportation.	X					L
Continue to build and improve the walkability of Nutley’s neighborhoods and the downtown.	X					S
Recognize and promote Nutley as a place where one can live without a vehicle.	X				X	M
Improve bicyclist safety; create bicycle routes.						M
Promote Nutley as a green shopping destination easily reached by public Transportation.	X		X		X	S
Decrease number of car trips and miles driven by people living in Nutley.	X	X	X	X	X	L
Define bike lanes in the downtown and major roads (See Circulation Plan Element).	X					M
<b>Air Quality</b>						

SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES						
S = Short Range Strategy (1 year or less)						
M = Medium Range Strategy (2 – 5 years)						
L = Long Range Strategy ( 6 – 10 years)						
Action Steps	RESPONSIBLE PARTY					Implementation Time Frame
	Municipality	Residents	Businesses	Schools	Partners/Civic Organization	
Design publically funded buildings with indoor air quality design criteria and develop incentives to encourage the private sector to use the criteria.	X		X		X	M
Adopt ordinances prohibiting smoking within 25 feet of building entrances	X					M
Place education materials on the Township web site indicating the benefits of scheduling activities that generate emissions to occur when site users are not present.	X					S
Additional Measures						
Create and distribute fact sheets and toolkits to the public about green building and energy conservation practices.	X				X	M
Create a Greenutley Day with events and educational materials.	X	X	X	X	X	S
Continue to hold Mayor's Wellness Campaigns.	X					S
Prepare an annual report to the Planning Board and Board of Commissioners assessing the implementation of the Plan.	X					M
Join the Climate Registry, a nonprofit collaboration among North American states, provinces, territories and Native Sovereign Nations that sets consistent and transparent standards to calculate, verify and publicly report greenhouse gas emissions into a single registry.	X				X	S
Increase Township employees' awareness of Climate protection issues and develop internal committees such as green purchasing and energy efficiency.	X					S

**APPENDICES**  
**OF THE MASTER PLAN FOR**  
**THE TOWNSHIP OF NUTLEY**

**DECEMBER 2012**

## Public Responses

### QUESTION 1 - WHAT IMPROVEMENTS WOULD YOU MOST LIKE TO SEE IN DOWNTOWN NUTLEY?

#### *Group 1*

- Great downtown
- Deck parking/mixed-use except behind Nutley Dinner
- Façade enhancement and enforcement
- Designate a downtown zone
- Get rid of the gas station (Woroco)

#### *Group 2*

- Need beautification
- Need more parking by Chestnut Street and Passaic Intersection, as well as the library
- Need for an anchor store in downtown

#### *Group 3*

- Greater variety of uses
- Redevelopment south of Centre Street
- Develop Franklin Avenue as a business district without residential
- More parking
- Needs to be vibrant with a theme

#### *Group 4*

- Provide angle parking by schools
- Divide the long and narrow Franklin Avenue into different districts
- More restaurants, retail and office areas in downtown
- Retail on ground level; mid-rise and residential on top
- Off-site parking with jitney bus to draw people into the downtown

#### *Group 5*

- Need more parking and parking deck
- Relax parking requirements

#### *High school group (Group 6)*

- Need train station by High Street
- More pedestrian-friendly areas
- Provide activity-oriented businesses and more to do in downtown
- Public space to post events
- Movie theater with youth center needed

#### *Group 7*

- More streetscape improvements
- Stricter enforcement of parking meters
- Improve aesthetics of storefronts
- Increase the limit of height restrictions
- Revitalize commercial uses to produce greater tax ratables
- Increase pedestrian traffic
- See more of a mix of residential and commercial uses

#### *Group 8*

- Façade improvements and façade ordinance for commercial district
- Streetscape public mailboxes needed with streetscape amenities
- Less concrete walkways and more pavers that are well designed
- Try to improve lack of continuity
- Businesses need to group together possibly through chamber, e.g., joint advertising/promotion

#### *Group 9*

- More trees in the downtown
- More garbage cans and recycling
- Define downtown boundaries
- More retail stores/restaurants
- Better upkeep of shops
- Unify look of facades
- Downtown needs to be a destination – need draw
- Sweep streets more often

#### *Group 10*

- Installation of benches and more trees
- Improve streetscapes and facades
- Steam clean sidewalks
- Add more parking at south end of downtown and in general in downtown
- More consistent enforcement of parking violations
- Improve property maintenance in downtown

### **QUESTION 2 - WHERE IN NUTLEY WOULD YOU LIKE TO SEE COMMERCIAL REDEVELOPMENT OR REVITALIZATION?**

#### *Group 1*

- At East Centre Street and Washington Avenue

### *Group 2*

- On Bloomfield from Cavallos to Belleville
- At intersection of Passaic and Kingsland
- Along Route 21
- The old Atlantic Chemical Property
- On Washington Avenue from Park Avenue South to Belleville
- Designated commercial areas to remain commercial and not allow mixed-use

### *Group 3*

- East Centre Street needs redevelopment and revitalization
- River Road and Passaic Avenue needs redevelopment

### *Group 4*

- Convert La Roche plant to green technology – light manufacturing and explore industrial green uses
- Anchor stores in the downtown
- Mid-rise building with residential on upper floors and retail on ground floor in downtown

### *Group 5*

- At East Centre Street; rezone for commercial and industrial only
- Washington Avenue from East Centre to Park Avenue

### *High School (Group 6)*

- Train station should be around High Street
- Bagel place needed for commuters
- Renovate area south of Centre Street to create more activity
- Renovate Franklin Avenue and Center Street

### *Group 7*

- Kingsland Avenue area
- La Roche for new possible ratable-generating use
- Improve all entrances to Nutley, including Washington Avenue and other gateways
- Washington Avenue and East Centre Street

### *Group 8*

- River Road along Route 21 for economic redevelopment with higher density
- Don't over-develop residential uses
- Southern end of Washington Street and southern end of Franklin Avenue needs commercial redevelopment
- Farmers market needed in downtown on East Centre Street or southern end of Franklin Avenue

*Group 9*

- At Kingsland Street and between Passaic and Washington – empty lot
- At East Centre Street
- In several areas along Washington Avenue
- Hoffman-La Roche site—what happens if buildings are demolished?

*Group 10*

- Washington Avenue, East Centre Street and Old Towne Center
- Provide a major tax incentive for Shop-Rite to move to Washington Avenue and redevelop Shop-Rite site

**QUESTION 3 - WHAT ARE THE BEST 3 THINGS ABOUT LIVING IN NUTLEY?**

*Group 1*

- Town services are good
- Walkable community with park system
- Community events

*Group 2*

- Unique identity and traditions resulting in a sense of family and camaraderie
- Extensive volunteerism
- Park system

*Group 3*

- Town services, accessibility of town officials and employees
- Parks
- A good sense of community

*Group 4*

- Small town feeling and sense of community
- Parks and walkability through downtown
- One-family houses

*Group 5*

- Parks
- Schools
- People

*High School Group (Group 6)*

- Safe and quiet
- Tree-lined streets with flowers

- Parks
- Education and community involvement

*Group 7*

- Park system throughout center of town
- Proximity to city, shore, airports and major highways
- Sense of community – civic center and senior citizen center

*Group 8*

- Good sense of community and family with common bond
- Governing body
- Park system is linear and is accessible to all

*Group 9*

- Family-oriented with emphasis on quality of life
- Park system
- Town Centre

*Group 10*

- Parks
- Sense of community and volunteerism
- Town layout

**QUESTION 4 - WHAT ARE THE WORST 3 THINGS ABOUT LIVING IN NUTLEY?**

*Group 1*

- Commission form of government
- Traffic on Franklin Avenue
- Too much speeding

*Group 3*

- Traffic
- Too many apartments and condos
- Schools

*Group 3*

- Too much high density housing which diminishes sense of neighborhood
- Road and infrastructure deterioration
- Congestion and traffic

#### *Group 4*

- Lack of public transportation
- Light-rail needed
- Parking, traffic patterns and traffic control
- Poor zoning in residential neighborhoods

#### *Group 5*

- Taxes
- Lack of retail parking
- Lack of business diversity

#### *High School Group (Group 6)*

- Parking
- Abuse of lot size and multi-family homes
- Need improvements to infrastructure, quality of life, noise levels, lights, paving and air traffic

#### *Group 7*

- Taxes
- Traffic control
- Occasional lack of coordination of governmental bodies

#### *Group 8*

- Over-development of residential areas
- Schools system needs improvement
- Aging infrastructure and schools

#### *Group 9*

- Traffic and congestion
- Density of development
- Taxes

#### *Group 10*

- Over-development and weakness of zoning laws
- Lack of mass transit options
- Traffic flow

**QUESTION 5 - HOW WOULD YOU RATE NUTLEY'S COMMUNITY FACILITIES AND SERVICES, AND HOW DO YOU THINK THEY CAN BE IMPROVED?**

*Group 1*

- Community facilities good overall – but need better sound system for public meetings
- More even distribution of park improvements
- Keeping trash pickup twice per week

*Group 2*

- Facilities old but well maintained
- Oval concrete steps are crumbling
- Garbage pickup needed more often in businesses areas
- Schools are lacking due to old age and overcrowding
- Library should explore expansion of a teen center

*Group 3*

- Garbage collection and town services are excellent
- Need more recycling
- Do better job of maintaining roads; better paving
- School maintenance should be improved

*Group 4*

- Good community facilities
- Better education training and supervision of parks and public works
- Dredge the mud hole

*Group 5*

- Everything is good
- Need a skateboard park and dog park

*High School (Group 6)*

- Plowing certain side streets better
- Better snow plowing at schools
- Recreation league for some sports
- Garbage and public safety very good
- Library needs expansion

*Group 7*

- Good and average services
- Needs planning and facility management
- Go green initiative needed

- Improvement of a viable school system should be a priority.

*Group 8*

- Services are good, but facilities need improvements, such as gym, ball fields and old United Nations garden restored by waterfall
- Upkeep of school facilities
- Need place for teenagers to go

*Group 9*

- Services good overall - A rating

*Group 10*

- Services good, but police and fire buildings need improvement and school buildings need upgrading

**QUESTION 6 - WHAT SHOULD NUTLEY'S PRIORITIES BE IN REGARD TO  
TRANSPORTATION AND PARKING IMPROVEMENTS IN TOWN?**

*Group 1*

- See responses to questions 1 and 4

*Group 2*

- Parking is lacking on Franklin Avenue and by the library
- Light rail with limitations
- Parking deck at Ciccolini's lot

*Group 3*

- Investigate rail transportation
- Study improvement of traffic flow
- Explore possibility of parking deck or below-ground parking

*Group 4*

- Traffic patterns and control
- Parking deck
- Light rail
- Jitney buses
- Angle parking along Franklin Avenue
- Off-site parking with Jitney bus available

*Group 5*

- Light rail

## APPENDIX "A"

### SUMMARY OF PUBLIC INPUT PROVIDED AT THE NUTLEY PUBLIC INPUT MEETING Held at the Nutley Parks and Recreation Building—44 Park Avenue March 4, 2009

On March 4, 2008, a public input meeting was convened at the Nutley Parks and Recreation Building located at 44 Park Avenue. The meeting was well attended; approximately 80 residents participated. The purpose of the meeting was to solicit input from the community to help shape the development of a new municipal master plan. The participants were divided into ten groups of approximately eight persons per group and were asked to discuss the following eight questions.

1. What improvements would you most like to see in downtown Nutley?
2. Where in Nutley would you like to see commercial redevelopment or revitalization?
3. What are the best 3 things about living in Nutley?
4. What are the worst 3 things about living in Nutley?
5. How would you rate Nutley's community facilities and services, and how do you think they can be improved?
6. What should Nutley's priorities be in regard to transportation and parking improvements in town?
7. What other town-wide concerns and issues should be brought to the attention of the Planning Board?
8. Of all of the strengths, weaknesses, problems and issues, which do you believe are the highest priority? (List them and vote if necessary.)

The results of the discussions were recorded by each group and then presented to the entire audience. The results of these discussions, which are summarized below, helped to focus the research and work of the Planning Board and its consultants, and informed both the Goals and Objectives of this Master Plan, as well as many of its recommendations.

- Bus station
- Parking deck

*High School group (Group 6)*

- Light rail around High Street
- Trolley around Franklin Avenue and throughout Nutley
- More parking areas and possibly getting rid of building on New Street

*Group 7*

- Pursuit of light rail
- Increase mass transit
- Develop a park-&-ride system
- Parking deck or garage
- Promote walking, biking and pedestrian traffic
- Reexamine public parking as part of a larger plan

*Group 8*

- Light rail system with park-&-ride
- Trolley service
- Parking deck structure in place of ground level parking lots in middle, and at both ends of town
- Need to improve traffic flow on Park Avenue and River Road
- Need for more parking at library and public buildings

*Group 9*

- Would like to see a train station
- Evaluate parking spaces for restaurants (ratios currently too high)
- No overnight parking rule should remain

*Group 10*

- Improve parking in south end and near middle school
- Improve mass transit and build train station

**QUESTION 7 - WHAT OTHER TOWN-WIDE CONCERNS AND ISSUES SHOULD BE BROUGHT TO THE ATTENTION OF THE PLANNING BOARD?**

*Group 1*

- Save money on health insurance by passing on group coverage to families(?)
- Deal with flooding of Passaic Avenue and River Road
- Enforcement of signs in downtown and business areas; parking ordinances in residential areas

- Need more tree maintenance

#### *Group 2*

- Smaller homes being replaced with McMansions and multi-family dwelling units put in their place
- Decrease present lot coverage
- Too many trees being cut down
- Greater emphasis on planting to beautify town center
- Enforcement of zoning regulations
- Proactively cite citizens for infractions of zoning laws

#### *Group 3*

- Historic preservation
- Overview of density of development
- Lot coverage
- Over-development of large properties in smaller home areas
- Issue fewer variances for lot sizes
- Improve development of businesses districts

#### *Group 4*

- Historic preservation ordinance
- Green Element in master plan
- Flooding

#### *Group 5*

- Limit size of houses
- More open space around houses

#### *High School Group (Group 6)*

- Issue with over-development with better relationship of lot size to house size
- Over-development
- Historic preservation of Victorian homes and building codes
- Consistency with and enforcement of zoning regulations

#### *Group 7*

- Historic preservation and maintain distinctive buildings
- Address density issues
- Qualitative versus quantitative development
- Widen the scope of the questions

*Group 8*

- Over-development of commercial and residential sites
- Historic preservation – better ordinance needed
- Need greater visibility and presence of Police Department
- Cops need to walk the streets
- Change local government to a mayor and council form

*Group 9*

- Too many condos and apartments
- Need recycling and education
- Historic preservation ordinance needed

*Group 10*

- Need tighter zoning and land use ordinances
- Too much impervious coverage and lot coverage
- Need more follow through to check on conditions of variances
- Implementation of developer and impact fees

**QUESTION 8 - OF ALL OF THE STRENGTHS, WEAKNESSES, PROBLEMS AND ISSUES, WHICH DO YOU BELIEVE ARE THE HIGHEST PRIORITY? (LIST THEM AND VOTE IF NECESSARY.)**

*Group 1*

- Maintenance of existing services
- Downtown parking problem
- Enforcement of zoning and other ordinances

*Group 2*

- Curtail multi-dwelling housing
- Attract key anchor businesses
- Increase parking without changing overnight parking laws
- Beautification of town center
- Traffic and congestion

*Group 3*

- School maintenance
- Traffic
- Development of business district
- Density of multiple dwellings
- Parking
- Historic preservation

#### *Group 4*

- Historic preservation
- Redevelopment of downtown
- Parking
- Public transportation
- Environmental concerns
- Green element of master plan needed
- Changes in zoning ordinances

#### *Group 5*

- East Centre Street redevelopment
- Parking
- Control of McMansions

#### *High School (Group 6)*

- Opportunity for Nutley demographic – need youth center
- Zoning enforcement
- Transportation improvements, i.e., light rail or trolley
- Infrastructure or pedestrian friendly paving or walkways
- Diversity of businesses
- Maintain a good quality of life, monitoring noise levels and maintaining parks

#### *Group 7*

- Monitor density issues
- Focus on redevelopment of downtown areas
- Continue improvement and coordinated effort of long-term planning
- Continue to improve school system

#### *Group 8*

- Control over-development in certain residential and commercial areas
- Creating an economic development zone
- Improvements to business district, especially at the south end of Washington Avenue and along River Road
- Improve parking situation; parking policy issues
- Improve traffic conditions at certain intersections on Franklin Avenue

#### *Group 9*

- Need commercial versus residential development
- Traffic congestion is a problem affecting quality of life
- Control taxes

*Group 10*

- Preserve community through responsible development
- Add a train station
- Preservation of parks
- Improve the schools and academic performance

## APPENDIX "B"

### Secretary of Interior Rehabilitation Standards

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning structures, if appropriate shall be undertaken using the gentlest means possible.
8. Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

## APPENDIX “C”

### Guidelines for Rehabilitating Historic Buildings (National Park Service)

The recommended course of action for property owners are prioritized into seven areas to addressed.

1. Identify, Retain, and Preserve – The identification, retention and preservation of the form and detailing of architectural features which define the historic character of a building is the number one priority for rehabilitating historic buildings. Even minor interventions that change the historic character of a building can have the cumulative of destroying a building’s historic character.
2. Protect and Maintain – After identifying materials and features to be retained, protecting them is the next important step. Protection includes the maintenance of historic material through treatments such as rust removal, caulking, limited paint removal, and re-application of protective coating; the cyclical cleaning of roof gutter systems; or installation of fencing, protective plywood, alarm systems and other temporary protective measures.
3. Repair – When the physical condition of historic features requires additional work, repairing is recommended. The guideline for repairing historic materials such as masonry, wood, and architectural metals begins with the least degree of intervention possible such as patching, piecing-in, splicing, or consolidating.
4. Replace – Replacing should only be an option when deterioration is so severe to be considered beyond repair. When replacing however, a compatible substitute or prototype should be used. Ideally the same type of material should be used, but substitute material is acceptable if the form and design of substitute material convey visual appearance of remaining parts.
5. Design for Missing Historic Features – Where an important architectural feature is missing, its recovery is always recommended in the guidelines as the preferred course of action. Therefore, if it is desirable to recreate the feature, and adequate historical, pictorial, and physical documentation exists to accurately reproduce the feature, than it should be designed and built based on the information. Another option is to produce a replacement feature based on a new design that is compatible with the remaining character, but that does not give a false historical appearance.
6. Alterations/Additions to Historic Buildings – Alterations or additions to an historic building may include construction of an additional building, installing a new mechanical system, inserting a new floor, adding new entrances or windows, and so on. While it such alterations or additions to the exterior or interior of a building may be made to extend the use of the

building, it is recommended that they should not dramatically change, obscure, or destroy the historic features, materials or finishes.

7. Energy Efficiency / Accessibility Considerations / Health and Safety Considerations – As with any other building, historic buildings need to consider factors such energy conservation, accessibility, and health and safety code requirement. Similar to the above guidelines it is suggested that changes made to accommodate these considerations should be approached with care not to radically change, obstruct, damage, or destroy the historic features, materials or finishes.

## APPENDIX "D"

### FUNDING OPPORTUNITIES FOR HISTORIC PRESERVATION

The Township of Nutley should consider the following programs to protect and maintain already designated Federal and State historic sites. The requirement is that all properties must be in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties:

#### 1. National Trust Loan Funds

##### National Trust for Historic Preservation

**Grant Amount: up to \$350,000 & based on the type of project and use of funds**

For the purpose of Nutley, municipalities and non-profits can apply for the following two revolving funds:

- 1) National Preservation Loan Fund ~ The National Preservation Loan Fund (NPLF) is a more flexible fund in terms of project criteria, that provides funding for a variety of preservation projects. These may include establishing or expanding local and statewide preservation revolving funds, acquiring and/or rehabilitating historic buildings, sites, structures and districts, and preserving National Historic Landmarks.

Funds can be used for acquisition, construction, bridge, predevelopment, mini-permanent financing, and capitalizing revolving funds. The loan amount is based on the type of project and use of funds and range from one to seven years. To secure the loan collateral is required and closing fees are charged.

Contact: <http://www.nationaltrust.org/loan/index.html>

#### 2. Historic Site Management Grants

##### New Jersey Historic Trust

**Grant Amount: \$5,000 to \$50,000; Grant Match 25%**

The Garden State Historic Preservation Trust Fund provides grants to municipalities under the Historic Site Management program for collaborative planning for multiple historic properties, projects in urban communities, and heritage tourism initiatives.

Contact: [http://www.njht.org/2005\\_guidelines.pdf](http://www.njht.org/2005_guidelines.pdf)

#### 3. Capital Preservation Grants

##### New Jersey Historic Trust

**Grant Amount: 1) \$200,000 or less; Match 3:2 or 2) 200,000 or more; Match 1:1**

The Garden State Historic Preservation Trust Fund provides funding for the following preservation activities: rehabilitation, restoration, preservation and certain non-construction activities related directly to the development, implementation, operation, and monitoring of historic preservation projects.

Contact: <http://www.njht.org/programs.htm#cap>

A critical element in securing Federal and State funds for rehabilitating existing historic sites and proposing new sites is to consider the following programs:

New Jersey Department of Environmental Protection

**4. Certified Local Government Program  
New Jersey Historic Preservation Office  
Grant Amount: Dependent on Annual Appropriation to State**

This office provides a variety of technical information and support for historic preservation activity. It can provide further assistance in completing the National Register nomination process. This office also implements the Certified Local Government (CLG) program which provides program development matching funds to qualifying municipalities with an appropriately-managed local historic society. The benefits of CLG status include state grants, state and federal government information exchange, and participation in the National Register and statewide preservation planning process. CLGs are expected to maintain and support their municipality's historic preservation ordinance, commission, planning, local survey, public participation, and registration process.

The Certified Local Government Program provides development matching funds to qualifying municipalities. In Essex County, four municipalities participate in this program and are as follows: Glen Ridge, Maplewood, Montclair and West Nutley. The benefit of submitting an application to become certified is access to federal funds that are dedicated to participants for each appropriation with a set-aside at ten (10%) percent. The State provides training sessions and technical assistance to maintain historic properties. Potential costs in participating in the program include maintaining the ordinance revisions, surveys and reporting, public participation and outreach, and the registration process.

Contact: [http://www.cr.nps.gov/hps/hpf/hpf\\_t.htm](http://www.cr.nps.gov/hps/hpf/hpf_t.htm)

Although municipalities do not need to participate in the Certified Local Government Program (described below), the following Federal programs administered by the New Jersey Historic Preservation Office prioritize funding for those that do in the following programs:

**Historic Preservation Fund Grants**  
**National Park Service— Historic Preservation Services**  
**Grant Amount: Dependent on Annual Appropriation to State**

Described as “seed money” for preserving and protecting historic areas, these grants can be utilized to fund part of the cost of surveys, comprehensive historic preservation plans, National Register nominations, brochures and educational materials, as well as architectural plans, historic structure reports, and engineering studies necessary to repair listed properties.

Contact: [http://www.cr.nps.gov/hps/hpf/hpf\\_t.htm](http://www.cr.nps.gov/hps/hpf/hpf_t.htm)

Other Funding Sources

- National Park Service (Mid-Atlantic Regional Office -Philadelphia) -Provides technical information on building rehabilitation and conservation issues, matching grants to encourage preservation efforts, tax incentives for income-producing properties, and promotes the preservation of significant historic battlefields associated with wars on America soil. Also, through the “Save America’s Treasures” program, provides grants for preservation and/or conservation work on nationally significant intellectual and cultural artifacts and nationally significant historic structures and sites.
- NJ Department of Community Affairs (Trenton) -In addition to the Neighborhood Preservation Program, there is also a Main Street program, which provides downtown commercial revitalization support, such as marketing, design, and business development.
- Preservation New Jersey (Trenton) -As the major non-profit, statewide historic preservation advocacy group, this organization is the general clearinghouse for information and local referrals. The organization offers workshops and conferences on private and public preservation planning issues and on technical matters related to restoration. Membership includes notification of programs, technical assistance, and subscriptions to its quarterly newsletter.
- NJDEP Green Acres Program (Trenton) – Provides low-interest loans to counties and municipalities for the acquisition or development of land for public outdoor recreation or conservation purposes. Eligible projects include historic sites.

## APPENDIX “E”

### Agencies That Provide Support for Historic Preservation Programs for Municipalities

1. National Trust for Historic Preservation – Provides technical support for local government organizations ranging from site visits, guest speakers, promotional materials and media, and program development grants.
2. National Park Service (Mid-Atlantic Regional Office -Philadelphia) – Provides technical information on building rehabilitation and conservation issues, matching grants to encourage preservation efforts, tax incentives for income-producing properties, and promotes the preservation of significant historic battlefields associated with wars on America soil. Also, through the “Save America’s Treasures” program, provides grants for preservation and/or conservation work on nationally significant intellectual and cultural artifacts and nationally significant historic structures and sites.
3. NJ Department of Community Affairs (Trenton) – In addition to the Neighborhood Preservation Program, there is also a Main Street program, which provides downtown commercial revitalization support, such as marketing, design, and business development.
4. NJ Historic Trust (Trenton) – Provides support and protection for New Jersey’s historic resources through a variety of grant, loan, and property donation programs.
5. NJ Historic Preservation Office (Trenton) – This office provides a variety of technical information and support for historic preservation activity. It can provide further assistance in completing the National Register nomination process. This office also implements the Certified Local Government (CLG) program which provides program development matching funds to qualifying municipalities with an appropriately-managed local historic society. The benefits of CLG status include state grants, state and federal government information exchange, and participation in the National Register and statewide preservation planning process. CLGs are expected to maintain and support their municipality’s historic preservation ordinance, commission, planning, local survey, public participation, and registration process.
6. Preservation New Jersey (Trenton) – As the major non-profit, statewide historic preservation advocacy group, this organization is the general clearinghouse for information and local referrals. The organization offers workshops and conferences on private and public preservation planning issues and on technical matters related to restoration. Membership includes notification of programs, technical assistance, and subscriptions to its quarterly newsletter.

7. NJDEP Green Acres Program (Trenton) – Provides low-interest loans to counties and municipalities for the acquisition or development of land for public outdoor recreation or conservation purposes. Eligible projects include historic sites.

**APPENDIX "F"**  
**AVERAGE DAILY WATER DEMAND**

<u>Type of Establishment</u>	<u>Gallons per Person</u>
Cottage	100
Single-family dwelling	100
Multiple-family dwelling (apartment)	75
Rooming house	50
Boarding house	75
a. For each nonresident border	15
Hotel	50-75
Motel or tourist cabin	50-75
Mobile home park	100
Restaurant	
a. Sanitary demand	5
b. Kitchen demand	5
c. Kitchen and sanitary demand	10
Camp	
a. Barracks type	50
b. Cottage type	40
c. Day camp (no meals served)	15
Day school	
a. No cafeteria or showers	10
b. With cafeteria and no showers	15
c. With cafeteria and showers	20
d. With cafeteria, showers and laboratories	25
Boarding school	100
Health care institution other than hospital	75-125
Hospital (depending on type)	150-250
Industrial facility (8-hour shift)	25
Picnic grounds or comfort station	
a. With toilet only	10
b. With toilet and showers	15
Swimming pool or bathhouse	10
Club house	
a. For each resident member	60
b. For each nonresident member	25
Nursing home	150
Campground	
a. Without individual sewer hookup	75 per site
b. With individual sewer hookup	100 per site
c. With laundry facility and individual sewer hookup	150 per site
Store, office building	0.125 gal./sq.ft.
Self-service laundry	50 gal./wash

Source: State of New Jersey Department of Environmental Protection, Bureau of Safe Drinking Water Act Regulations (N.J.A.C. 7:10); adopted November 4, 2004.  
Compiled by: Phillips Preiss Grygiel LLC, January 2012

## APPENDIX "G"

### AVERAGE SEWER DEMAND

<u>Type of Establishment</u>	<u>Measurement Unit</u>	<u>Gallons per Day</u>
<i>Residential Dwellings</i> (single-family home, duplex units, Townhouses, condominiums, apartments)		
1-bedroom unit	per dwelling	150
2-bedroom unit	per dwelling	225
3-bedroom unit or larger	per dwelling	300
1-bedroom unit (age-restricted)	per dwelling	110
2-bedroom unit (age-restricted)	per dwelling	170
3-bedroom unit (age-restricted)	per dwelling	225
<i>Transit dwelling units</i>		
Hotels	bedroom	75
Lodging houses and tourist homes	bedroom	60
Motels and tourist cabins	bedroom	60
Boarding houses (maximum permitted occupancy)	boarder	50
<i>Camps</i>		
Campground/mobile recreational vehicle/tent	site	100
Parked mobile trailer site	site	200
Children's camps	bed	50
Labor camps	bed	40
Day camps—no meals	person	15
<i>Restaurants (including washrooms and turnover)</i>		
Average restaurant	seat	35
Bar/cocktail lounges	seat	20
Fast food restaurant	seat	15
24-hour service restaurant	seat	50
Curb service/drive-in restaurant	car space	50
<i>Clubs</i>		
Residential	member	75
Nonresidential	member	35
Racquet club	(per court per hour)	80
Bathhouse with shower	person	25
Bathhouse without shower	person	10
<i>Institutions (includes staff)</i>		
Hospitals	bed	175
Assisted living facility	bed	100
Skilled nursing facility	bed	75
Other institutions	bed	125

**APPENDIX "G"**  
(Continued)

<u>Type of Establishment</u>	<u>Measurement Unit</u>	<u>Gallons per Day</u>
<i>Schools (includes staff)</i>		
No shower or cafeteria	student	10
With cafeteria	student	15
With cafeteria and showers	student	20
With cafeteria, showers and laboratories	student	25
<i>Automobile service stations</i>		
	per filling position	125
Service bays	per bay	50
Mini-market	sq.ft.	0.100
<i>Miscellaneous</i>		
Office buildings (gross area)	sq.ft.	0.100
Stores and shopping centers (gross area)	sq.ft.	0.100
Factories/warehouses (add process wastewater)	employee	25
With showers (add process wastewater)	employee	40
Laundromats	per machine	580
Bowling alleys	alley	200
Picnic parks (restrooms only)	person	10
Picnic parks (with showers)	person	15
Fairgrounds (based upon average attendance)	person	5
Assembly halls	seat	3
Airports (based on passenger use)	passenger	3
Churches (worship area only)	seat	3
Theater (indoor)	seat	3
Dinner theater	seat	20
Catering/banquet hall	person	20
Sports stadium	seat	3
Visitor center	visitor	5
Multi-member swimming pool	person	15

Source: State of New Jersey Department of Environmental Protection, New Jersey Pollutant Discharge Elimination System (NJPDES) 7:14A  
Compiled by: Phillips Preiss Grygiel LLC, January 2012