

# 2010 Master Plan Update



## Reexamination Report, Sustainability Plan and Updated Plan Elements

Township of West Orange, Essex County, New Jersey

Prepared by:

**Township of West Orange Planning Board and  
Susan Borg, P.P., A.I.C.P., A.I.A., Director of Planning and Development**

in consultation with

**Phillips Preiss Grygiel LLC**

Planning & Real Estate Consultants

and

**Langan Engineering & Environmental Services**

Adopted June 2, 2010

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The original of this report was signed and  
sealed in accordance with N.J.S.A. 13:41-1.2

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## EXECUTIVE SUMMARY

### I. Planning Context

The Township of West Orange benefits from many assets, including its location, diverse population, employment base and accessibility. It has also benefitted for some time from forward-looking planning efforts, which have shaped the Township and improved quality of life for its residents. From early undertakings such as Llewellyn Park, one of the nation's first planned residential communities, to more recent redevelopment projects, West Orange has been proactive in guiding its future. The Township has grown from a population of fewer than 7,000 in 1900 to nearly 45,000 in 2000, yet has maintained a balance of land uses and open spaces. While West Orange has grown in population, its neighborhoods and business centers have retained their own unique characters within the context of a larger municipality.

However, there are also issues facing West Orange. The Planning Board recognizes the challenges that have emerged as a result of development pressures, and seeks to protect the established character of residential and commercial areas. At the same time, there is a need for creative reuse, infill and redevelopment, and the Township would like to leverage opportunities to incorporate smart growth, energy efficiency, environmentally friendly practices, low-impact development policies and other sustainability measures in its planning. In addition, changes to the Township's zoning map are needed to address inconsistencies between land use classifications, zoning designations and actual land uses. There are also many changes that have occurred since 2004, when the most recent reexamination of the West Orange Master Plan was adopted.



West Orange is a large suburban municipality with varied development patterns and character throughout its twelve square miles.

The West Orange Planning Board will be adding to the Township's legacy of planning through the preparation of this document, which includes a Master Plan Reexamination, updates to certain existing Master Plan elements and preparation of a new Sustainability Plan (collectively referred to as the "Master Plan Update"). A Master Plan Reexamination Committee guided the preparation of the Master Plan Update. This committee includes representatives of the Township Council and the West Orange Planning Board and the Township's directors of Planning and Engineering. It was assisted by professional planning consultants retained by the West Orange Planning Board.

## II. Process

This Master Plan Update was prepared through a process that drew upon the insights of dozens of stakeholders, including residents, business owners, government officials and others with an interest in maintaining and enhancing what makes West Orange a special place. The planning process incorporated extensive review of existing conditions and documents, as well as public meetings and other outreach efforts. This process also was coordinated with the preparation of an updated Open Space and Recreation Plan for the Township by the West Orange Open Space and Recreation Commission, which will be incorporated into the Master Plan.

The first public meeting was held in January 2010 and was a joint meeting of the West Orange Planning Board and the Open Space and Recreation Commission to discuss both the updated Open Space and Recreation Plan and the Master Plan Update. A second meeting on the Master Plan Update was held two months later to get feedback on potential recommendations for zoning changes and other plan components. The third meeting was a formal public hearing on the proposed plan. Documents were posted online throughout the process on a website set up specifically for the Master Plan Update, which was linked to the Township of West Orange's website.



Thomas Edison National Historic Park, one of many historic and cultural attractions in West Orange, is an anchor of the Township's downtown.

### III. Document Overview

The Master Plan Update is intended to preserve and enhance what is best about West Orange, and to help ensure that future development in the Township will be balanced and sustainable, with public facilities and other improvements that will benefit the entire community. The remainder of this document consists of three main sections. The first is a Reexamination Report, which is a mandated six-year update of the Master Plan prepared in a format consistent with the requirements of the New Jersey Municipal Land Use Law. It outlines changes that have occurred since the last Master Plan Reexamination was adopted and presents an overview of recommended master plan and zoning changes. The second is a sustainability plan element, which is included for the first time as part of the West Orange Master Plan. The third is a series of plan element amendments.

This document includes recommendations for both small and large changes, which can be implemented through amendments to zoning and other actions. The Master Plan Update's key ideas and initiatives can be summarized as follows:

**Sustainability:** A new Sustainability Plan is included, which builds on the Township's many ongoing green initiatives and provides a series of guiding principles and action items in categories including education, energy, recycling, water, land use and transportation. Sustainable development principles are also woven into the other plan elements, particularly land use and circulation.

**Land Use:** Emphasis has been placed on maintaining a balance of land uses in the Township, including a healthy commercial sector, while protecting residential areas. Targeted changes are recommended to zoning districts and regulations. Specific recommended changes include the following:

- **Public Lands:** It is recommended that all Essex County park and recreation properties and the National Guard Armory be placed in the Township's R-1 zone. In addition, a Conservation overlay should be applied to any of the above properties that do not already have such a designation.
- **West Essex Highlands:** It is strongly recommended that this property remain undeveloped and be preserved as open space. It is further recommended that the existing zone map designations for this property remain unchanged. Attached cluster housing is still not recommended as an option for this site. Single-family detached dwellings should only be permitted in accordance with the bulk limitations of the zone districts for the property (i.e., lots designed in accordance with R-4 zone standards should not be permitted). The proposed density limits for this site are appropriate in light of the environmental features and access deficiencies that limit the ability of the site to accommodate a large number of dwelling units.

- Private Golf Courses: It is recommended that the Essex County Country Club and Montclair Golf Club properties be rezoned to R-1. The Master Plan strongly encourages that these properties and the other private golf clubs in the Township continue to be operated as golf courses.
- Stagg Field and the Property Adjacent to Stagg Field: It is recommended these properties be rezoned to R-2.
- Northern End of Pleasant Valley Way: It is recommended that lots currently located in the O-R zone in this area be placed in the B-1 zone. The properties currently located within the R-2 zone should remain within that district, with the exception of the Montclair Golf Club parcels, which are proposed to be placed in the R-1 zone.
- East Side of Prospect Avenue: Two lots currently located in the PURD Planned Unit Residential Development zone across from Essex Green shopping center are recommended to be placed in the B-2 General Business zone in recognition of their size, location and current uses.

A number of other modifications are suggested to portions of the Land Use Regulations Ordinance. These include improvements to many permitted conditional uses and the standards pertaining to them, changes to zoning regulations for single-family residential districts to combat out-of-scale and/or out-character houses, modifications to cluster provisions and landscape buffer strip requirements and strengthening of the Natural Features Ordinance and Tree Ordinance.



Mayfair Farms (pictured above) and other catering and special event facilities contribute to the economic base of West Orange.

**Economic Development:** Main Street and the Valley continue to be promoted as focal points of West Orange, while improvements are recommended to neighborhood and regional business districts. The Master Plan recognizes a need to balance commerce and provision of services for Township residents and others with the preservation of neighborhoods and open space.

**Historic Preservation:** Improved education and procedures are recommended, and limited updates are provided to reflect changed conditions.

**Community Facilities, Utilities and Recycling:** Suggested actions are offered to improve coordination between government entities, make community service provision more efficient and to reduce costs to West Orange residents and businesses.

**Circulation:** Various recommendations are made to help make the Township a safer place to walk, bike and drive, while making transit services more accessible for residents and workers. Connectivity is promoted as a guiding principle in development design.

The Master Plan's Housing Plan Element and Open Space and Recreation Plan Element have been recently updated by others and therefore have not been updated as part of this document. However, this document is consistent with the recommendations of those other studies.



Proximity to New York City is one of West Orange's strengths. The Township's topography provides skyline views, such as the one above from Eagle Rock Reservation.

## IV. Acknowledgments

### Mayor

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### Township Council

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Sal M. Anderton

Renard E. Barnes

Robert Parisi

Patty Spango

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*Photographs in the document were taken by Mary Ellen Morrow Photography, Planning Board Chairman Ron Weston and Paul Grygiel and Rachana Sheth of Phillips Preiss Grygiel LLC, the Planning Board's Master Plan consultants*

Stakeholders

The Planning Board gratefully acknowledges the contributions of the following Township residents, employees, elected officials and other stakeholders who participated in interviews conducted as part of the process of preparing this Master Plan Update:

West Orange Fire Department

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West Orange First Aid Squad

Beyyinah Hasan  
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West Orange Police Department

Tim Rogers  
Rob Hartman  
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## REEXAMINATION REPORT

### I. Introduction

The Municipal Land Use Law of the State of New Jersey mandates at N.J.S.A. 40:55D-89 that the governing body shall, at least every six years, provide for a general reexamination of its master plan and development regulations by the planning board, which shall prepare and adopt by resolution a report on the findings of such reexamination.

There are five elements which the reexamination report must include:

- 1) A section outlining the major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- 2) A section describing the extent to which such problems and objectives have been reduced or have increased subsequent to that date.
- 3) A section discussing the extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in state, county and municipal policies and objectives.
- 4) A section setting forth the recommended changes to the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- 5) A section setting forth the recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law" into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The Township of West Orange completed its last comprehensive master plan in 1989. Reexamination reports of the master plan and development regulations were subsequently prepared, the most recent of which was adopted in 2004. Consequently, there is a need to reassess West Orange's 2004 reexamination report in compliance with N.J.S.A. 40:55D-89.

## **II. Major Problems and Objectives Relating to Land Development in the 2004 Master Plan Reexamination**

The 2004 West Orange Master Plan Reexamination Report includes all of the statutorily required components of a reexamination report, and went beyond the minimum required in many aspects. In addition to including updates to a number of elements of the Township's Master Plan, the 2004 Reexamination listed a series of objectives; principles; assumptions, policies and standards; and topical and geographical issues within the "problems and objectives" portion of the Reexamination. The remainder of this chapter outlines the major problems and objectives relating to land development as set forth in the 2004 Reexamination Report. The current status of these items is included in Chapter III.

### **Objectives from 2004**

The Township's major objectives as set forth in the 2004 Master Plan Reexamination may be summarized as follows:

1. *Guide Appropriate Long Range Development of Lands within the Township*

It was stated that the Township should encourage municipal actions to guide the long range development of lands within the Township of West Orange in a manner which would promote the health, safety, and general welfare of present and future residents.

2. *Ensure That the Public's Safety is Secured*

The 2004 Reexamination Report indicated the need to secure the public's safety from fire, flood, panic, and other natural and man-made disasters.

3. *Provide and Preserve Adequate Light, Air and Open Space*

The 2004 Reexamination Report re-emphasized the need to not only provide adequate light, air and open space but also to the preserve adequate light, air and open space for its residents.

4. *Ensure Compatibility with the Development and General Welfare of Other Jurisdictions*

It was noted in the 2004 Reexamination Report that it remains an objective of the Township to ensure that development within the Township does not conflict with the development and general welfare of neighboring municipalities, the County, the region, and the State as a whole.

5. *Encourage the Preservation of Neighborhoods and the Environment*

The 2004 document reiterated the need to encourage the preservation of the Township's neighborhoods and its environment.

6. *Encourage Coordination of Public Development with Land Use Policies*

It was recommended that in order to ensure the appropriate and efficient expenditure of public funds, the Township should encourage coordination of public development with land use policies.

7. *Provide Sufficient Space for Balanced Growth and Development*

The 2004 Reexamination report discussed the need to provide sufficient space in appropriate locations for residential, recreational, commercial/retail, industrial and open space uses in a manner that would provide balanced growth and development.

8. *Ensure Safe and Efficient Transportation and Circulation Routes*

The 2004 report noted the need to encourage the location and design of transportation and circulation routes which would promote the safe and efficient flow of traffic while discouraging routes and facilities resulting in congestion or compromised safety.

9. *Promote a Desirable Visual Environment*

It was noted that the Township should continue to promote a desirable visual environment through creative development techniques and good civic design and arrangements. The 2004 document recommended that the Township's Zoning Regulations should contain specific design guidelines that would allow the Planning Board to enforce provisions to guide development that is in character with the existing development in the Township. The 2004 report further noted that creative development techniques can include the use of cluster zoning, at comparable densities, that would encourage the preservation of open space and the Township's natural features.

10. *Promote the Preservation of Historic Structures and Places*

The 2004 report stated that the Township should continue to promote the preservation of historic buildings, structures, sites, objects and districts, and maintain the appropriate settings for such places.

11. *Encourage Development, Redevelopment and Rehabilitation of the Main Street Central Business District and the Downtown Redevelopment Area*

In the 2004 Reexamination Report, it was noted that the Township should encourage the development, redevelopment and rehabilitation of the Main Street Central Business District and the Downtown Redevelopment Area. In December 2002, the Planning Board adopted the Downtown Redevelopment Plan, which was later adopted by the Township Council in February 2003. The Downtown Redevelopment plan provides guidelines and regulations for the redevelopment of the Edison Storage Battery Building and its surrounding area. The 2004 document noted that the adoption of the Downtown Redevelopment Area plan emphasized the importance of the revitalization of the

downtown within the Township and recommended that this be included in the objectives of the Master Plan.

12. *Provide for the Housing Needs of Senior Citizens and Low and Moderate Income Households*

The 2004 Reexamination Report stated that the Township should encourage the provision of the housing for senior citizens and low to moderate income households in the Township.

13. *Improve and Maintain Existing Residential Neighborhoods*

It was stated that there was a need to improve and maintain residential neighborhoods by encouraging rehabilitation of existing dwellings and new residential construction at suitable densities.

14. *Promote the Recovery of Recyclable Materials from Solid Waste and Encourage the Conservation of Energy*

The 2004 report noted that the Township should continue to encourage and promote the recovery of recyclable materials from solid waste and the conservation of energy.

15. *Coordinate Public and Private Procedures and Activities*

The 2004 Reexamination Report noted the need to coordinate the public and private procedures and activities that influence land development in the Township.

16. *Encourage Economic Development and Redevelopment That Is Compatible with the Suburban Character of the Township*

The 2004 report discussed the need to encourage economic development and redevelopment that is compatible with the suburban character of the Township and with particular sensitivity to existing residential neighborhoods. It was further noted that as the amount of open space continued to diminish, the Township should stress the importance of redevelopment of its neighborhoods. The report further stated that as commercial and industrial facilities become obsolete and outdated, efforts should be made to rehabilitate and revitalize these areas prior to, or in lieu of, the development of existing open space.

17. *Maintain a Continual Planning Process*

The 2004 report indicated that the Township should continue to maintain a continual planning process which would coordinate capital expenditures with the Master Plan and provide for development reviews to implement the Plan's policies and standards.

18. *Utilize Available Federal, State and County Level Funding Sources*

It was stated that the Township should utilize available funding sources at the Federal, State, and County levels to improve and revitalize the community.

### **Principles from 2004**

The 2004 West Orange Master Plan Reexamination report was based on the following principles:

1. *Encourage Appropriate Residential Development*

The 2004 Reexamination report stated that there was a need to encourage appropriate residential development, whether single family or cluster housing, in locations and densities that are consistent with existing zoning and development patterns and that can be properly served by public roadways, utilities, and services. It further stated that the Planning Board had revised this principle to specifically address the character of the Township. It was recognized that there was a need to address the strong tension between encouraging single family housing development and preserving open space. The report recommended that through revised zoning standards, maintaining the residential character of West Orange and preserving open space could be compatible. The key principle was to retain the character of the Township, particularly residential neighborhoods, by providing zoning that is compatible with the surrounding zoning and development patterns established by those neighborhoods, while at the same time, achieve open space preservation. It was noted that the remaining developable sites should be reviewed in this context. The report recommended that permitting residential development of the remaining developable sites and preserving open space as part of that development was achievable through the use of cluster zoning (e.g., open space set-asides in return for clustered units). It was noted that the Board viewed low density cluster zoning as a sound planning tool that offered the flexibility to allow residential development and encourage open space preservation.

2. *Properly Locate Public, Commercial/Retail, Industrial, Residential and Service Uses*

The 2004 document reemphasized the need to locate public, commercial/retail, industrial, residential and service uses at sites and locations which are suitable for their use environmentally, economically, and geographically, and can be adequately serviced by public infrastructure.

3. *Protect Natural Features and Environmental Resources*

The 2004 Reexamination Report noted that one of the principles of the Master Plan was to protect natural features and environmental resources including, but not limited to, floodplains, wetlands, woodlands, steep slopes, ridgelines, and areas valuable as scenic, historical, cultural, or recreational resources.

4. *Maintain the Existing Scale of the Community*

The 2004 document further noted the need to maintain the community scale by limiting the intensity of commercial/retail, industrial and residential development to assure compatibility with existing neighborhood character.

### **Assumptions, Policies and Standards from 2004**

In the 2004 Reexamination Report, the Assumptions, Policies and Standards were revised to include items that had been addressed since the adoption of the 1997 Reexamination Report. The revised assumptions, policies and standards in the 2004 report are as follows:

*The West Orange Master Plan assumes a continuation of the region's economic growth, which has contributed to the Township's recent development activity. Continued economic growth and development will result in pressures to intensify existing land uses and develop remaining available lands. The Township has an aging infrastructure. Within the foreseeable future, many of the Township's existing roads, drainage facilities, and public buildings will require repair or replacement. New development will place increased pressure on the infrastructure system; however, it also provides an opportunity to fund infrastructure improvements or expansions. Infill development and new development should be balanced with the need to maintain open space. In addition, redevelopment and rehabilitation of existing structures should be encouraged.*

In order to address these issues, the 2004 Master Plan was based upon the following general policies and standards:

#### **Housing and Neighborhood Preservation**

The 2004 report stated that the Township of West Orange has a variety of housing types and residential neighborhoods. It was stated that housing costs were high, particularly for owner-occupied units, and that there was a need for housing that is affordable for senior citizens and young households. The Township's planning policy is to maintain the existing stock of viable housing, particularly for low and moderate income households, through code enforcement and rehabilitation programs. Furthermore, because the value of housing is related to neighborhood conditions, the Township should give priority consideration to drainage, sidewalk, curb, safety, and recreation improvements. The Township should encourage and provide for construction of additional senior citizen housing within the community to help meet its obligation to provide opportunities for affordable housing. It was noted the Township's Housing Element has been certified by the Council on Affordable Housing (COAH).



Protection of neighborhood character is a primary objective of the Township's Master Plan.

#### **Environment and Open Space**

It was noted in 2004 that although many of West Orange's natural features and environmental resources had been substantially altered by development, the Township continued to enjoy large areas of open space either as part of the Essex County Park System or as golf courses and country clubs. Efforts to maintain the large open space areas should be encouraged. Moreover, remaining undeveloped lands that contained environmentally constrained areas should be

protected. Accordingly, land use regulations should establish development standards that require a minimum contiguous developable area for lots. Site design standards should limit the disturbance of natural and environmentally critical features. Development standards should encourage the conservation of quasi-public open space and recreation areas through cluster provisions. One of the goals of the 2004 Reexamination Report was to incorporate the recommendations of the 2003 Open Space and Recreation Plan into the overall land use policies of the Township.

#### Land Use

The 2004 Reexamination Report stated that prior land use planning and regulations have produced stable residential neighborhoods and commercial/retail districts. The character of these areas and their suitability for particular uses could best be provided for by maintaining established residential and commercial/retail land use patterns through the prudent application of appropriate regulations to assure that future development, redevelopment or expansion occurs at reasonable levels of intensity. Standards compatible with the character of existing development within residential neighborhoods and commercial districts are needed to restrict the coverage of lots by improvements. Within commercial districts, floor area ratio limits should be applied to control the intensity of commercial and retail uses.

The 1989 Master Plan and 1997 Reexamination Report analyzed all vacant parcels for their development potential. The Open Space and Recreation Plan analyzed these parcels and prioritized sites for open space acquisition. As a part of the 2004 Reexamination Report, the Planning Board reviewed the remaining vacant parcels and proposed zoning and density recommendations for each site.

#### Main Street-Valley Road Corridor

The 2004 report noted that the improvement and revitalization of commercial/retail and residential areas within the Main Street-Valley Road Corridor should continue to be the focus of municipal efforts. It indicated that “(d)esign review standards should be used to encourage unified building appearance, conservation of historic structures, visually aesthetic streetscape, and parking improvements.” Municipal support for commercial/retail and residential rehabilitation should be continued as part of the long term public commitment to maintain and improve this area.

The Township of West Orange adopted a Redevelopment Plan for the Downtown Redevelopment Area in February 2003. The plan addressed a portion of the Main Street-Valley Road Corridor. The Plan provided specific design guidelines, the development of a visually aesthetic streetscape and the construction of parking facilities. The Plan focused on the rehabilitation of the Edison Battery Storage Building and its surrounding sites. Public open space and the construction of a civic building were proposed for the area. It was noted that the Township had aggressively started work on implementation of the Plan. Additional areas in the Valley Road Corridor were noted for consideration for redevelopment opportunities, and were

identified later in the 2004 Reexamination Report. These are discussed in Chapter VI of this report.

#### Economic Development

The 2004 report noted that development that generates employment opportunities and beneficial commercial/retail activity should continue to be encouraged where it is compatible with adjacent land uses, and sensitive natural and environmental features, and should be balanced by the need to maintain adequate public infrastructure and facilities, services and pedestrian and vehicular circulation patterns.

The 2004 report further noted that the Economic Development component has increased in importance as the Township focuses on maintaining and revitalizing its commercial areas. In 1998, the Township created a Special Improvement District (SID) for Main Street, which includes the neighborhoods of Eagle Rock, Tory Corner, St. Mark's and the Valley. The adoption of the Downtown Redevelopment Plan includes a component to support the shopping at Tory Corner through the addition of parking and expanding the retail component along Main Street at the Battery Building. The 2004 Reexamination Report included recommendations to update and assist the existing shopping areas in the Township.

#### Recommended Master Plan and Zoning Changes from 2004

A number of planning and zoning initiatives were recommended as part of the 2004 Master Plan Reexamination. The following is a brief description of the Planning Board's land use and zoning recommendations.

#### Land Use Recommendations from 2004

As part of the process of the 2004 Reexamination report, several land use concepts were considered for implementation in the Township. The recommended land use changes incorporated many of the goals and principles established in the original Master Plan and reviewed and revised in the 1997 reexamination report.

1. *Table of District Regulations*

The 2004 Reexamination report noted that the Table of District Regulations of the Township should be reviewed to eliminate inconsistencies in the requirements. It was recommended that the regulations be more specific for each zone, rather than based on the requirements of the R-1 Zone. The 2004 report recommended that minimum lot size for each type of permitted use in a zone be developed for each zone.

2. *Conditional Uses*

The 2004 report noted that the Township's provision of conditional uses for several types of uses in various zoning districts did not provide a listing of conditions to be met for the conditional use to be granted. It was recommended that the conditional uses have

specific standards that should be comparable to the standards developed for the same uses in zones where they are permitted uses. The report recommended that “active adult” residential use be considered as a conditional use, as it would provide additional housing opportunities for a portion of the Township’s population.

3. *R-C and PURD Districts*

The 2004 report recommended that the maximum density of single family housing, cluster housing (townhouses), garden apartments or any other form of multi-family housing in the R-C or PURD Districts be strictly limited to not more than four dwelling units per acre. It was noted that the Table of District Regulations should be revised to provide this change in density.

4. *Cluster Housing Development*

The 2004 Reexamination Report noted that the preservation of open space and natural land features was an important goal of the West Orange Master Plan. It was recommended that cluster housing development would best address the Township’s goal of preserving open space and natural land features. The 2004 report further recommended various standards and requirements for the cluster housing, such as base densities and bonus densities, design requirements, minimum lot area and open space setbacks.

5. *Natural Features*

The 2004 report recommended that the Natural Features Ordinance be revised to provide maximum protection of steep slopes in accordance with permitted law.

6. *Residential Landscape Buffer Strips*

The 2004 Reexamination report recommended that the requirements for landscape buffer strips, as required in all non-residential zoning districts, be applied to all residential districts as well for large subdivisions and site plan applications. The report recommended that for woodland sites, existing trees should be saved within buffer strip zones to the maximum extent possible. It was noted that where existing trees would be removed in buffer strips, replacement trees and landscaping should be provided to form a continuous natural landscape edge.

7. *Transfer of Development Rights (TDR)*

It was recommended that the Township explore the use of TDR as a method of balancing open space preservation and redevelopment across the Township. It was noted that TDR allows communities to balance and shift development density to reflect strategic economic development and open space preservation goals. It was further stated that TDR be encouraged to the maximum extent permitted by law. The 2004 report recommended that the Township should encourage the use of the Downtown Redevelopment Area, as

well as any subsequent Redevelopment Areas as “receiving areas” of development density.

8. *Design Element*

The 2004 report recommended that the Development Regulations be expanded to include a Design Element that would provide detailed regulations for signs, streetscapes, building facades, layout of parking and other items that have a visual impact on development throughout the Township. It should include written guidelines and visual diagrams to provide assistance to applicants and Board members when reviewing projects. It was recommended that design guidelines be developed for other commercial areas, as well as office and large residential developments within the Township similar to the design standards for the Main Street Overlay in the Land Use Regulations Ordinance.

Zoning Recommendations from 2004

The 2004 Reexamination report noted that at the time of the reexamination, several sites remained vacant and had been reviewed for zoning density and use. The 2004 report provided a brief description of the recommendations of the vacant sites as follows:

1. *Metzger Farm/Jayber (Block 166, Lots 7.02 and 8)*

It was recommended that the site be rezoned to R-5 as, at the time of the 2004 Report, the site was located in two different zones.

2. *West Essex Highlands (Block 179, Lot 32)*

It was recommended that this site remain as it was zoned, but with permanent preservation and protections of its ridge line, steep slopes, wetlands, and similar natural features. It was further suggested that it would be appropriate to allow the portions of the site west of the natural ridge line that bisected the site to permit conventional single-family homes at an R-4 density, lot area and setbacks. In addition, it was recommended that cluster housing be strictly prohibited as a conditional use for the property.

3. *McShane Property (Block 85.02, Lot 9.01)*

It was recommended that this property remain zoned as R-1.

4. *Golf Course Properties*

The 2004 report recommended that all of the Township’s golf course sites be rezoned to a newly created “G” zone district. At the time of the reexamination, some of the sites were zoned R-1 and some were zoned R-2. It was further noted that an ordinance be drafted to define all permitted area, bulk, permitted uses, conditional uses and related land use limitations for the golf course zone.

5. *Morris Properties (Block 111, Lot 1)*

It was recommended that in order to make the site compatible with the surrounding land uses along Eagle Rock Avenue and Prospect Avenue, the site be rezoned from the OB-2 zone to the B-2 zone. It was noted that this would also further the planning objectives for the Eagle Rock Commercial Area.

6. *Upper Section of Winding Way (Block 50.01, Lots 1 through 15 and 33 through 40)*

The 2004 document recommended that the site be rezoned from R-5 to R-3 to be consistent with the zoning of adjacent sites. It was further noted that as the site is constrained by slopes, a reduction in density should be considered in response to the unique natural features of the site.

7. *Stagg Field and the Property Adjacent to Stagg Field (Block 168, Lots 22 and 25)*

It was recommended that the two properties be rezoned to a lower density from R-4 to R-2 as the properties were contiguous on two sides with R-2 zones.

8. *Cestone Property (Ridge Road – Block 80.03, Lots 1, 5, 10 and 21)*

It was recommended that this property remain as zoned for R-1 single-family.

9. *Grabowski (Block 168, Lot 22)*

It was recommended that this property be rezoned from R-4 to R-2 to be consistent with surrounding properties.

A number of additional recommendations were provided in the 2004 report in the following plan element updates:

- Economic Development
- Historic Preservation Plan Element
- Community Facilities, Utilities and Recycling Element
- Circulation Element
- Housing
- Open Space and Recreation

These elements are further updated in the last chapter of this document.

### **III. Current Status of Problems and Objectives Set Forth in the 2004 Master Plan Reexamination**

This chapter examines the extent to which there have been significant changes in the problems and objectives forming the basis for the 2004 Master Plan Reexamination, as described in Chapter II of this current Reexamination Report.

#### **Objectives – Status in 2010**

As indicated in Chapter II, there were 18 objectives set forth in the 2004 Reexamination Report. Each of these objectives remains valid at this time. Objective 11, “Consider Development, Redevelopment and Rehabilitation of the Main Street Central Business District and the Downtown Redevelopment Area,” is reaffirmed in particular. While the redevelopment project referenced in this objective has not proceeded as anticipated, due in large part to changes in economic and real estate market conditions in the past few years, there have been a number of successful actions taken in the past six years that have furthered this objective. Improving the Main Street area remains a focus of the Township’s planning efforts.

#### **Principles – Status in 2010**

The four principles set forth in the 2004 Reexamination Report are listed below along with a discussion of the current status of each one.

##### *1. Encourage Appropriate Residential Development*

The overall principle of encouraging appropriate residential development in locations and densities that are consistent with existing zoning and development patterns and that can be properly served by public roadways, utilities, and services remains valid. There also remains a strong tension between encouraging single family housing development and preserving open space, which needs to be addressed. Revisions to zoning standards will be necessary to help maintain a balance between the Township’s residential character and open space preservation. This principle remains particularly important as applied to remaining developable sites, including potentially redevelopable properties such as private golf courses.

The Planning Board continues to view low density cluster zoning as a sound planning tool that offers the flexibility to allow residential development and encourage open space preservation. However, the cluster provisions in the Land Use Regulations Ordinance should be reexamined and amended as necessary to ensure that development yields are limited to the amount of units that would be permitted under conventional zoning after accounting for development constraints. New cluster development should only permit single-family detached dwellings, not townhouses or other multi-family residential.

2. *Properly Locate Public, Commercial/Retail, Industrial, Residential and Service Uses*

The 2004 document reemphasized the need to locate public, commercial/retail, industrial, residential and service uses at sites and locations which are suitable for their use environmentally, economically, and geographically, and can be adequately serviced by public infrastructure. This principle is still valid.

3. *Protect Natural Features and Environmental Resources*

The 2004 Reexamination Report noted that one of the principles of the Master Plan was to protect natural features and environmental resources including, but not limited to, floodplains, wetlands, woodlands, steep slopes, ridgelines, and areas valuable as scenic, historical, cultural, or recreational resources. This principle is still valid – in fact, revisions are currently being undertaken to the Township’s Natural Features Ordinance to enhance protection environmental resources.

4. *Maintain the Existing Scale of the Community*

The 2004 document further noted the need to maintain the community scale by limiting the intensity of commercial/retail, industrial and residential development to assure compatibility with existing neighborhood character. This principle is still valid.

**Assumptions, Policies and Standards – Status in 2010**

There have been changes in circumstances that warrant the revision of the assumptions underlying the Township’s Master Plan. The updated assumption is as follows:

*The West Orange Master Plan recognizes that the region’s economic growth has slowed in recent years due to various issues, which in turn have had impacts at the local level. However, West Orange benefits from its location and quality of life, as well as increased interest in promoting growth in areas already served by infrastructure. It is assumed that there will continue to be development activity in the Township. Such growth and development will result in pressures to intensify existing land uses and develop remaining available lands. But it also provides an opportunity for increased sustainability measures. The Township has an aging infrastructure. Within the foreseeable future, many of the Township’s existing roads, sanitary sewers, drainage facilities and public buildings and facilities will require repair or replacement. New development will place increased pressure on the infrastructure system; however, it also provides an opportunity to fund infrastructure improvements or expansions. Infill development and new development should be balanced with the need to maintain open space. In addition, redevelopment and rehabilitation of existing structures should be encouraged, consistent with smart growth principles.*

Below are discussions of the general policies and standards included in the 2004 Master Plan, and how they have changed:

### Housing and Neighborhood Preservation

The 2004 report stated that the Township of West Orange has a varied housing stock, but that due to high housing costs there was a need for housing that is affordable for senior citizens and young households. Housing prices have dropped in recent years in West Orange along with the rest of the New York Metropolitan region, but affordability remains a concern. The Township should continue to promote maintenance of the existing stock of viable housing, particularly for low and moderate income households, through code enforcement and rehabilitation programs. The Township should give priority consideration to drainage, sidewalk, curb, safety, and recreation improvements. It should also encourage connectivity within new and existing neighborhoods, and green design throughout the Township. In the past six years, West Orange has continued to proactively address its COAH (Council on Affordable Housing) obligation, and will monitor future changes that are made to State-determined method of addressing its affordable housing obligation.

### Environment and Open Space

West Orange continues to benefit from its large areas of open space, including Township properties, the Essex County Park System and private country clubs. The Master Plan should continue to support efforts to maintain the large open space areas and protection of remaining undeveloped lands that contain environmentally constrained areas. Priority should be given to those properties most valuable for preservation due to sensitive environmental features or other factors, in recognition of some parcels being more appropriate for economic development activity in order to help maintain a balanced tax base. Sustainability measures should be incorporated into the Township's development regulations and development projects, both public and private. Recommended changes to development regulations are included in the Land Use Element update. The recommendations of the 2010 Open Space and Recreation Plan should be incorporated into the overall land use policies of the Township.

### Land Use

West Orange's prior land use planning and regulations have produced stable residential neighborhoods and commercial/retail districts. The 2004 Reexamination's recommendation to maintain established residential and commercial/retail land use patterns through the prudent application of appropriate regulations remains valid. While the Township's zoning regulations are generally adequate, some changes are recommended to address some concerns in both residential and commercial areas. Future development, redevelopment and expansion should occur at reasonable levels of intensity in accordance with the character of existing development.

### Main Street-Valley Road Corridor

The 2004 report noted that the improvement and revitalization of commercial/retail and residential areas within the Main Street-Valley Road Corridor should continue to be the focus of municipal efforts. The downtown area remains a priority for the Township in its planning efforts. The existing design guidelines for the Special Improvement District should be enforced,

and improved if necessary. The implementation of plans for streetscape, parking and façade improvements should be supported. There are existing Redevelopment Plans for two sites in the downtown area. The Master Plan supports the redevelopment of these particular sites (the Edison Battery Factory and vicinity and the Harvard Press site) in accordance with their respective redevelopment plans.

#### Economic Development

The 2004 report noted that development that generates employment opportunities and beneficial commercial/retail activity should continue to be encouraged where it is compatible with adjacent land uses, and sensitive natural and environmental features, and should be balanced by the need to maintain adequate public infrastructure and facilities, services and pedestrian and vehicular circulation patterns. This objective is important now more than ever, and is reaffirmed. There have been a number of efforts to support economic development throughout the Township, and continued maintenance and revitalization of commercial and office areas is supported by the Master Plan. It is also recognized that with limited available land remaining in West Orange, there should be balance between development and preservation.



The redevelopment of Main Street remains a focus of the Township's planning efforts.

#### Recommended Master Plan and Zoning Changes – Status in 2010

##### Land Use Recommendations – Status in 2010

###### *1. Table of District Regulations*

The 2004 Reexamination report's recommendation to review and edit the Table of District Regulations in the Land Use Regulations Ordinance is still relevant. Various specific recommendations for improvements to the Table of District Regulations are listed in Chapter V of this document.

###### *2. Conditional Uses*

Improvements to conditional use standards are still recommended. The recommended changes are to provide specific conditions pertaining to each conditional use, which should be comparable to the standards developed for the same uses in zones where they are permitted uses. Specific recommendations for zoning changes are included in Chapter V. The 2004 Reexamination recommended that Active Adult residential use be considered as a conditional use in order to provide an additional housing option for an aging population. However, in the past six years there has been a glut of such housing created throughout the state, and there is limited demand for age-restricted housing.

However, new housing that is geared to — but not limited to — this segment of the population should be considered as part of a diverse housing stock.

3. *R-C and PURD Districts*

The 2004 report recommended limiting the density of any form of multi-family housing in the R-C or PURD Districts to no more than four dwelling units per acre. The R-C District limits density of townhouses to four dwelling units per acre, but this change has not been made in the PURD District. It is still recommended that the maximum density in the PURD District be limited to four dwelling units per acre.

4. *Cluster Housing Development*

The preservation of open space and natural land features remains an important goal of the West Orange Master Plan. Cluster housing development is still recommended to address the Township's goal of preserving open space and natural land features. The specific requirements for cluster housing should be reviewed to help ensure they will further this goal.

5. *Natural Features*

It is still recommended that the Natural Features Ordinance be revised to provide maximum protection of steep slopes in accordance with permitted law. Consistent with this recommendation, the Township is currently in the process of revising this ordinance.

6. *Residential Landscape Buffer Strips*

The 2004 Reexamination report included a number of recommendations for improving requirements for landscape buffer strips, and expanding the requirement to provide them to large residential projects as well as all non-residential development. These are still valid and are listed in Chapter V of this document along with recommended new standards. It is still recommended that existing trees should be saved within buffers to the maximum extent possible, and when removed should be replaced to form a continuous natural landscape edge. Residential landscape buffer strips remain especially critical where new subdivisions or cluster housing developments abut major roadways, utility easements, parks or adjacent zoning districts that differ in character or density from proposed residential use.

7. *Transfer of Development Rights (TDR)*

It was recommended that the Township explore the use of TDR as a method of balancing open space preservation and redevelopment across the Township. It was noted that TDR allows communities to balance and shift development density to reflect strategic economic development and open space preservation goals. It was further noted that TDR should be encouraged to the maximum extent that the New Jersey Municipal Land Use Law, and related State enabling legislation permitted. This recommendation remains

valid. In the event a TDR program can be created within West Orange, the Township should encourage the use of Redevelopment Areas as “receiving areas” of development density. Consideration could also be given to allowing development density to be transferred to existing larger scale commercial areas such as the Essex Green and Whole Foods shopping centers.

8. *Design Element*

The 2004 report recommended that the Development Regulations be expanded to include a Design Element, which would provide detailed regulations for signs, streetscapes, building facades, layout of parking and other items that have a visual impact on development throughout the Township. This recommendation is still appropriate. A series of design guidelines are included within this Master Plan Update. Consideration should be given to incorporating some of these into the Township’s Development Regulations.

Zoning Recommendations – Status in 2010

1. *Metzger Farm/Jayber (Block 166, Lots 7.02 and 8)*

The recommendation to rezone this site to R-5 was implemented through the adoption of Ordinance 1930-04.

2. *West Essex Highlands (Block 179, Lot 32)*

The 2004 Reexamination recommended certain changes to the zoning regulations for this property, in particular to protect environmentally sensitive features. Changes were also suggested for the zone regulations with regard to permitted uses and densities. These recommendations were implemented through the adoption of Ordinance 1934-04. The modified zoning maintained both R-2 and R-3 zoning for this site, with clustered lots at R-4 district densities permitted in exchange for the preservation of approximately 25 acres of the site along the ridgeline. Significant buffer areas were proposed along the property’s boundaries. It is strongly recommended that this property remain undeveloped and be preserved as open space. Certain changes are also recommended for the zoning of this property, as detailed in the Land Use Plan Element Update and summarized in Chapter V of the Reexamination Report.

3. *McShane Property (Block 85.02, Lot 9.01)*

This property has remained zoned as R-1 as recommended. The property was subsequently acquired by the Township.

4. *Golf Course Properties*

The recommendation to rezone all of the Township’s golf courses to a newly created “G” zone district was not implemented. It is still recommended that the zoning for these

properties be revised to include new protections in the event one or more of the courses is redeveloped. Detailed recommendations are included in the Land Use Plan Element Update and summarized in Chapter V of the Reexamination Report.

5. *Morris Properties (Block 111, Lot 1)*

The recommendation to rezone this site from OB-2 to B-2 was implemented through the adoption of Ordinance 1929-04. The property was subsequently acquired by the Township using Green Acres funding.

6. *Upper Section of Winding Way (Block 50.01, Lots 1 through 15 and 33 through 40)*

The recommendation to rezone this site from R-5 to R-3 to be consistent with the zoning of adjacent sites was implemented through the adoption of Ordinance 1928-04.

7. *Stagg Field and the Property Adjacent to Stagg Field (Block 168, Lots 22 and 25)*

It was recommended that the two properties be rezoned to a lower density from R-4 to R-2 as the properties were contiguous on two sides with R-2 zones. This recommendation is still valid.

8. *Cestone Property (Ridge Road – Block 80.03, Lots 1, 5, 10 and 21)*

This property has remained zoned as R-1 as recommended.

9. *Grabowski (Block 168, Lot 22)*

It was recommended that this property be rezoned from R-4 to R-2 to be consistent with surrounding properties. This recommendation is still valid.

#### **IV. The Extent to Which There Have Been Significant Changes in Assumptions, Policies and Objectives Forming the Basis for the Master Plan or Development Regulations as Last Revised**

As discussed in the prior chapter, many of the policies and objectives which formed the basis for the Township's Master Plan as last revised remain valid at the present time. Nonetheless, some changes have occurred in West Orange that were not envisioned at the time of the 2004 reexamination report. Such changes have taken place not only at the municipal level, but at other levels of government as well and in the broader economy. The assumptions forming the basis for the West Orange Master Plan thus have been modified as noted in Chapter III.

The Township of West Orange's Department of Planning and Development prepares annual reports that provide details on the activities within the Department and the various boards and commissions. These reports provide a summary of the applications submitted, considered and approved or denied by the Boards, the status of the Master Plan, changes to the ordinance to effectuate the Master Plan and changes to other Township regulations that impact on the functions of the Department. According to the information included in the annual reports, development application activity has generally remained steady over the past six years. These reports for the past few years also list some issues that should be addressed in the Master Plan Update. These include the following:

- Add conditional use standards for all uses permitted as conditional uses, including commercial recreation, schools, churches, libraries, museums and utility buildings
- Address teardowns and "McMansions" (i.e., out-of-scale, out-character houses)
- Improve the Township's existing sign, temporary sign and tree ordinances
- Leave most setback requirements in place

These items and other zoning-related recommendations are discussed in detail in other sections of this document.

The Township has remained generally stable in terms of population and development. Table 1 shows the estimated population of West Orange from 2004 to 2008. According to State estimates, the Township's population has decreased by nearly four percent since 2004. Table 2 indicates that an average increase of 62 dwellings per year occurred from 2004 to 2009 as determined by building permits. During the same time period, only 7.5 residential demolition permits were issued annually. There was substantial variation during this time period, however. For example, only four building permits were granted in 2005 while there were 154 the following year.

**TABLE 1: Estimated Population, Township of West Orange, 2004 to 2008**

| Year                 | Residents | Change |         |
|----------------------|-----------|--------|---------|
|                      |           | Number | Percent |
| 2004                 | 44,252    | --     | --      |
| 2005                 | 43,625    | -627   | -1.42%  |
| 2006                 | 42,916    | -709   | -1.63%  |
| 2007                 | 42,699    | -217   | -0.51%  |
| 2008                 | 42,617    | -82    | -0.19%  |
| Change, 2004 to 2008 |           | -1,635 | -3.69%  |

Source: State of New Jersey Department of Labor and Workforce Development

**TABLE 2: Residential Building and Demolition Permits Issued, Township of West Orange, 2004-2008**

| Year         | Building Permits | Demolition Permits |
|--------------|------------------|--------------------|
| 2004         | 12               | 1                  |
| 2005         | 4                | 4                  |
| 2006         | 154              | 3                  |
| 2007         | 101              | 2                  |
| 2008         | 70               | 3                  |
| <b>Total</b> | <b>341</b>       | <b>13</b>          |

Source: State of New Jersey Department of Community Affairs, Division of Codes and Standards

It is noted that in 2009, an additional 32 residential building permits were granted through October, although 32 residential demolition permits were granted during the same period. There are also additional dwelling units and non-residential projects that received approvals prior to the economic downturn that have recently finished construction. These include some sizable residential developments in the western portion of the Township.

The data in Tables 1 and 2 at first glance are at odds with one another – the Township’s population is estimated to have dropped by nearly four percent, even as a net of increase of over 300 permitted dwelling units occurred. However, it is likely that not all of the dwelling units permitted were constructed and occupied during that time period. There is also a broader trend in northern New Jersey in recent years of reductions in average household sizes due to changing demographic patterns and other factors.

The changes noted in Tables 1 and 2 also are not substantial in the context of long-term development trends in West Orange. As shown in Table 3, the Township's population experienced major growth in the first few decades of the Twentieth Century and in the 1950s. The population of West Orange also grew by 15 percent during the 1990s, before declining somewhat in the past decade according to state projections. A more accurate figure for the current population will be determined by the 2010 Census.

**TABLE 3: Historical Population, Township of West Orange, 1900 to 2008**

| Year  | Residents | Change |         |
|-------|-----------|--------|---------|
|       |           | Number | Percent |
| 1900  | 6,889     | --     | --      |
| 1910  | 10,980    | 4,091  | 59.4%   |
| 1920  | 15,573    | 4,593  | 41.8%   |
| 1930  | 24,327    | 8,754  | 56.2%   |
| 1940  | 25,662    | 1,335  | 5.5%    |
| 1950  | 28,605    | 2,943  | 11.5%   |
| 1960  | 39,895    | 11,290 | 39.5%   |
| 1970  | 43,715    | 3,820  | 9.6%    |
| 1980  | 39,510    | -4,205 | -9.6%   |
| 1990  | 39,103    | -407   | -1.0%   |
| 2000  | 44,943    | 5,840  | 14.9%   |
| 2008* | 42,617    | -2,326 | -5.2%   |

\*Estimate

*Sources: 1997 West Orange Master Plan Reexamination; State of New Jersey Department of Labor and Workforce Development*

Since the 2004 Master Plan Reexamination was adopted, there have been other governmental actions that relate to Township land use policies and objectives.

At the local level, investigations were undertaken to determine whether two areas of the Township meet the criteria for designation as an "area in need of redevelopment" as defined by the New Jersey Local Redevelopment and Housing Law. The first of these is a property now known as the Organon Redevelopment Area. The second is site now known as the Valley Road Area (Harvard Press) Redevelopment Area. Additional information regarding these two redevelopment areas is included in Chapter VI. In addition, the Township of West Orange adopted a Storm Water Management Plan in 2005.

At the state level, in December 2004, the New Jersey Council on Affordable Housing (COAH) adopted its "Third Round" rules covering the period from 2004 to 2018. A successful legal challenge was mounted to these rules, which were invalidated by a New Jersey Appellate Court

decision in January 2007. This decision upheld some sections of COAH's Third Round rules, invalidated other aspects of them and remanded certain issues to COAH. In December 2007, COAH released revised rules which went into effect on June 2, 2008. In contrast to COAH's prior rules, the Third Round rules utilize a "growth share" approach, by which municipal affordable housing obligations are determined by the amount of new market-rate residential and non-residential growth. West Orange prepared a Housing Element and Fair Share Plan that complied with these rules, and the Township received Substantive Certification from COAH in December 2009.

However, the future of COAH is uncertain. The first bill introduced in the 2010 session of the New Jersey State Senate, S-1, proposes to abolish COAH and provide a new means of calculating and addressing affordable housing needs. Also, the Transition Team for Governor Christie issued a report which addressed COAH and called for its abolition and new mechanisms for providing affordable housing. There are also court cases pending that address COAH and, in particular, growth share. All of these factors point towards major potential changes to affordable housing requirements, and it is unclear what their exact form will be. But as it has been determined that municipalities have a constitutional obligation to provide a realistic opportunity for affordable housing, this obligation will not go away without amending the state constitution. West Orange has consistently addressed its obligation to provide affordable housing opportunities within its borders, and intends to continue to do so.

Increased interest in sustainability in recent years has made its way into State law, as the Municipal Land Use Law was amended in 2008 to permit a "green buildings and environmental sustainability plan element" as part of a municipal master plan. The Municipal Land Use Law was further amended in 2009 to allow wind and solar facilities as permitted uses on parcels of land comprising 20 or more contiguous acres in industrial zones and to make renewable energy facilities an "inherently beneficial use" (i.e., one that serves the public interest by its very existence), and in 2010 to prevent municipalities from unreasonably limiting "small wind energy systems" (i.e., turbines that generate power primarily for on-site consumption) and to exempt solar panels from impervious surface or impervious cover designation. West Orange citizens and government have been active in recent years in energy and natural resource conservation, and this Master Plan Update includes a Sustainability Element describing existing and proposed green initiatives in the Township. It is recommended that renewable energy and energy efficiency measures be encouraged in new development.

Another change affecting land use and development that has occurred since 2004 is a downturn in the economy. While due to a variety of factors, the results have included reduced housing values, increased retail vacancies, higher unemployment and tightened lending standards. This last item in particular has not only had negative impacts on the ability of prospective homebuyers to obtain mortgages, but also made it much more difficult for developers to obtain financing for commercial, office and multi-family residential development. The fallout from the economic crisis will also have future impacts on real estate as loans expire, particularly for commercial properties that have declined in value and are facing declining rental income. It is

uncertain as to what the long-term impacts of the downturn will be on West Orange. But the Township is poised to benefit from its location and other assets, which will help attract new investment as the economy recovers.



Due to its location and other assets, West Orange is well-positioned to attract new investment and development interest as the economy improves.

## **V. Specific Changes Recommended for the Master Plan and Development Regulations**

A number of changes are recommended to the Township's Master Plan and development regulations. These are summarized below:

### **Land Use Regulations Ordinance**

A primary recommendation is that a comprehensive review of the Land Use Regulations Ordinance should be undertaken. More specific recommendations are included in the Land Use Plan Element.

### **Table of District Regulations**

Certain districts, uses and bulk standards in the Land Use Regulations Ordinance are recommended for revisions, including potential changes to bulk regulations for single-family residential districts to address concerns about bulky houses/McMansions.

### **Permitted Principal and Conditional Uses**

Minimal changes may be warranted with regard to permitted principal uses in West Orange's zoning districts, but various improvements are recommended to many permitted conditional uses and the standards pertaining to them. The primary recommended change is to ensure there are specific standards provided for each conditional use. Recommendations and comments for consideration in revising the Land Use Regulations Ordinance are listed in the Land Use Plan Element for certain uses.

### **Single-Family Residential Zone Regulations**

A number of potential changes to zoning regulations for single-family residential districts are offered to address concerns regarding the construction of new or expanded houses that are out-of-scale and/or out-character with the neighborhoods in which they are located. These impact the measurement and regulation of building height, coverage, setbacks and façade dimensions.

### **Cluster Housing Development**

Various recommendations are offered for the cluster provisions in the Land Use Regulations Ordinance.

### **Landscape Buffer Strips**

A number of recommendations are provided in the Land Use Plan Element to improve requirements for landscape buffer strips.

### **PURD District**

It is recommended that the maximum density in the PURD Planned Unit Residential Development District be revised to four dwelling units per acre for townhouses, garden apartments and multi-family structures.

### **Transfer of Development Rights (TDR)**

In the event a TDR program can be created within West Orange, the Township should encourage the use of Redevelopment Areas as “receiving areas” of development density. Consideration could also be given to allowing development density to be transferred to existing larger scale commercial areas such as the Essex Green and Whole Foods shopping centers.

### **Natural Features Ordinance**

Some changes are recommended to the Township’s Natural Features Ordinance at Section 25-28 of the Land Use Regulations Ordinance. The Township is currently in the process of updating the Natural Features Ordinance consistent with these recommendations.

### **Tree Ordinance**

The Township adopted a new Tree Ordinance in 2008 to replace a prior version of the ordinance that was invalidated by the Superior Court of New Jersey, Law Division in 2007. If a comprehensive update of the Land Use Regulations Ordinance and other development regulations is undertaken, the new tree ordinance should be reviewed to ensure it provides maximum protection of trees as permitted by law.

### **Design Element**

The Township’s Development Regulations should be expanded to include a Design Element.

### **Linkage with Sustainability Plan**

The Sustainability Plan Element includes various recommendations that overlap with other elements of the Master Plan and implementing ordinances. It is the intent of the Master Plan that such recommendations are included in appropriate topical elements of the Master Plan and that development applicants incorporate such principles in project designs.

### **Other Potential Zoning Changes**

Other recommendations are offered for changes to portions of the Land Use Regulations Ordinance, including some yard encroachments, temporary advertising sign regulations for Main Street/Neighborhood Business Zones, requirements for environmental impact statements, inclusion of sustainability measures should be added in environmental impact statement and/or development application checklist requirements and application procedures.

### **Rezoning**

#### **Public Lands**

It is recommended that all Essex County park and recreation properties and the National Guard Armory be placed in the Township’s R-1 zone. In addition, a Conservation overlay should be applied to any of the above properties that do not already have such a designation.

West Essex Highlands (Block 179, Lot 32)

It is strongly recommended that this property remain undeveloped and be preserved as open space. It is further recommended that the existing zone map designations for this property remain unchanged. Attached cluster housing is still not recommended as an option for this site. Single-family detached dwellings should only be permitted in accordance with the bulk limitations of the zone districts for the property (i.e., lots designed in accordance with R-4 zone standards should not be permitted). The proposed density limits for this site are appropriate in light of the environmental features and access deficiencies that limit the ability of the site to accommodate a large number of dwelling units.

Private Golf Courses

It is recommended that the Essex County Country Club and Montclair Golf Club properties be rezoned to R-1. The Master Plan strongly encourages that these properties and the other private golf clubs in the Township continue to be operated as golf courses.

Stagg Field and the Property Adjacent to Stagg Field (Block 168, Lots 22 and 25)

It is recommended these properties be rezoned to R-2.

Northern End of Pleasant Valley Way

It is recommended that lots currently located in the O-R zone in this area be placed in the B-1 zone. The properties currently located within the R-2 zone should remain within that district, with the exception of the Montclair Golf Club parcels, which are proposed to be placed in the R-1 zone.

East Side of Prospect Avenue

Two lots currently located in the PURD Planned Unit Residential Development zone across from Essex Green shopping center are recommended to be placed in the B-2 General Business zone in recognition of their size, location and current uses.

More detailed explanations and recommendations for the above items are included in the Land Use Plan Element Update.

It is also recommended that the Township continue to look for ways to become a more sustainable community. For example, renewable energy should be encouraged in residential and non-residential development and governmental projects. The Sustainability Plan included in the following section of this Master Plan Update addresses this topic in detail.



The "Light Bulb Parade" is one of a number of West Orange events that has helped raise awareness of sustainability issues.

## **VI. Recommendations of the Planning Board Concerning the Incorporation of Redevelopment Plans into the Land Use Element and Local Development Regulations**

In 1994, the Municipal Land Use Law in New Jersey was amended to include, as part of the Master Plan Reexamination report, recommendations of the Planning Board concerning the incorporation of redevelopment plans (adopted pursuant to the Local Redevelopment and Housing Law of 1992) into the land use element, and accompanying changes to the development regulations. The Local Redevelopment and Housing Law affords municipalities the authority to designate areas “in need of redevelopment,” provided they meet specific statutory criteria, as well as to prepare and implement redevelopment plans for such areas. There are three areas of the Township of West Orange that have been determined to qualify as redevelopment areas.

### **Downtown Redevelopment Area**

An area located along Main Street in the northeastern section of the Township was declared an area in need of redevelopment by the Township Council in 2002. The Downtown Redevelopment Plan was adopted by the Township Council in February 2003. The Downtown Redevelopment plan provides guidelines and regulations for the redevelopment of the Edison Storage Battery Building and its surrounding area. This plan was adopted in July 2006, and then again in February 2007. The redevelopment project referenced in this objective has not proceeded as anticipated due in large part to the current economic climate. The plan remains valid and is consistent with the Township’s desire to promote the redevelopment of this section of West Orange.

### **Organon Redevelopment Area**

A redevelopment area investigation was conducted in early 2006 for an approximately 11-acre area located on the north side of Mount Pleasant Avenue just west of its intersection with Prospect Avenue. In July 2006, the Township Council declared the area “in need of redevelopment,” subsequent to which a redevelopment plan was prepared and adopted. The Organon Redevelopment Plan encourages the redevelopment of the redevelopment area for non-residential uses, but allows for residential uses in certain instances. This redevelopment plan has been implemented with non-residential development.

### **Valley Road Area (Harvard Press) Redevelopment Area**

In early 2008, an area comprised of five tax parcels located between Central Avenue and Mitchell Street along West Orange’s border with the City of Orange was determined to be in need of redevelopment. These parcels are part of a larger property that includes additional land in Orange. A redevelopment plan was prepared for the Valley Road Area (Harvard Press) Redevelopment Area in April 2008. This plan is consistent with other efforts by West Orange, Orange, landowners and other entities to improve the Valley area. The Township should consider expanding this redevelopment area to include nearby properties in order to promote

the comprehensive redevelopment for new uses that would contribute to West Orange's tax base, while taking advantage of proximity to the Highland Avenue railroad station. Provision of additional parking to support development in this area is also encouraged.

## SUSTAINABILITY PLAN

### I. Introduction

Planning by its very nature should be about sustainability – addressing today’s needs in order to improve communities and quality of life in the future. In a sense, sustainable planning and development techniques are essentially what has been considered “good” planning for years, with an increased emphasis on environmental impacts. Some of its concepts have been in vogue for a time in past decade or two – whether defined as new urbanism, neo-traditional development, smart growth or similar terms. However, green design, environmental conservation and other aspects of sustainability planning have often been scattered about municipalities’ planning efforts, if they are included at all.

A confluence of events — rising energy costs, concerns about climate change and awareness of toxic chemicals in everyday products, among them — have moved green issues into mainstream public consciousness. In line with this shift in thinking, New Jersey law was recently changed to more formally recognize sustainability’s role in community planning by providing a specific location to address this topic. A 2008 amendment to the Municipal Land Use Law specifically authorizes the inclusion of a “green buildings and environmental sustainability plan element” in a municipal master plan, which:

“shall provide for, encourage, and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site; and optimize climatic conditions through site orientation and design.”

This element of the West Orange Master Plan addresses the above requirement and provides a central location for the Township’s many existing and planned sustainability efforts.

The overall philosophy of this Sustainability Plan is to balance preservation and enhancement of natural resources with promotion of appropriate future growth and the needed infrastructure for this growth. The plan is intended to raise awareness of West Orange’s existing and future sustainability planning efforts and to highlight the Township’s commitment to supporting such goals and concepts. To this end, overall goals and guiding principles are provided, which provide the basis for numerous recommended actions. Some of these are simple common sense alternatives to existing trends or the status quo, while others require more substantial changes. This Sustainability Plan addresses many of the topics included in other elements of the Township’s Master Plan in a comprehensive manner, particularly Land Use; Open Space and Recreation; Community Facilities; Recycling; and Circulation. Updates to these other elements of the Master Plan have been written to be consistent with the goals and recommendations of the Sustainability Plan.

## II. Existing Conditions and Issues

A commonly cited definition of “sustainable development” is “development that meets the needs of the present without compromising the ability of future generations to meet their own needs.”<sup>1</sup> West Orange has benefitted for many years from planning efforts that further this objective. From early efforts, such as South Mountain and Eagle Rock Reservations — part of the nation’s first county park system — and early transit-oriented neighborhoods, through master planning and zoning efforts in the past two decades, West Orange has been at the forefront of sustainability efforts.

Actions in recent years have included the creation of the West Orange Energy Commission in 2007, which grew out of the Township’s “Energy Diet” program. Subsequent events have included a light bulb parade and the art of recycling. These latter two events combined art and education in prominent locations to help promote the themes of conservation and recycling. The Energy Commission also has guest speakers and quarterly events, and works with the Township’s schools. In addition, the Township is installing solar panels on the West Orange Public Library and the West Orange Fire Department’s headquarters.

West Orange also has committed to obtaining Sustainable Jersey certification. Sustainable Jersey is a municipal certification and incentive program started in 2009 that includes required and elective “actions” that municipalities can implement to receive the certification. (Additional information about this program is included in the final section of this plan element.) Between expanded recycling programs, retrofitting of public facilities and incorporating green purchasing measures, West Orange has consistently promoted sustainability while leading by example.

Utility companies and other entities operating in West Orange also have made strides that benefit the Township and its residents. To cite a just a couple of examples, electric company PSE&G is replacing mercury vapor streetlights with more energy-efficient induction fluorescent lighting, which emit more light, last longer and are less costly to operate, while New Jersey American Water Company is working with the Energy Commission on water conservation and reduction measures.

A large amount of West Orange’s land area is devoted to county parkland and private golf courses. These properties represent substantial opportunities. For example, while golf courses have can cause environmental problems, measures can also be taken to reduce environmental impacts, such as utilizing integrated pest management instead of pesticides and using recycled

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<sup>1</sup> United Nations World Commission on Environment and Development, 1987. Our Common Future. (Oxford: Oxford University Press)

water for irrigation. Golf courses can also help preserve wildlife habitats through measures such as joining the Audubon Cooperative Sanctuary Program for Golf Courses program.

In summary, the Township has undertaken many sustainability efforts to date which have resulted in tangible improvements. Yet there are still some obstacles to developing and implementing policies designed to create a more sustainable West Orange. For example, major components of the Township's transportation network are controlled by the state or county, and substantial areas are devoted to county parks, private golf courses, commercial development and institutional uses. It will be necessary to continue collaborating with these other entities in order to continue making progress. Recognizing these and other limitations due to the developed nature of the Township will help the municipality continue to enact goals and policies that are appropriate for West Orange.

### III. Goals, Principles and Actions

The West Orange Master Plan includes a series of objectives, which are listed in the Reexamination Report. The Sustainability Plan Element incorporates and endorses these objectives and includes the following goals that are more specific to sustainability planning. These goals should provide general guidance for decision making regarding sustainability efforts in West Orange. They are as follows:

1. Improve the environment
2. Reduce energy use
3. Promote healthy living habits
4. Encourage transportation choices
5. Support local employment, services and shopping
6. Improve overall quality of life

A series of more specific guiding principles of sustainability and related targeted actions are listed in the matrix at the end of this chapter. The matrix includes a listing of responsible parties and a time frame for implementation: short range (less than one year), medium range (one to five years), and long range (six years or more). These are broken out into a few general topic areas, each of which is briefly discussed below.

#### **A. Continuing Planning, Implementation and Monitoring**

Sustainability planning should be part of an ongoing process, not a one-time action. Just as the Municipal Land Use Law requires municipalities to periodically reexamine their master plans (every six years), the Sustainable Jersey program requires periodic renewal (every three years). It also will require certified communities to take additional steps beyond the initial application in order to renew their certification. Continuing planning will allow West Orange to keep up with changes in technology and planning methods, not to mention new funding sources. Periodic evaluation of practices will be useful, as it will inform future changes that will likely be necessary to ordinances and other documents.



The West Orange Energy Commission conducts educational events such as the Eco-Energy Fair.

#### **B. Education and Outreach**

The Energy Commission and other Township agencies have been successful at raising public awareness of conservation and other sustainability measures. These efforts should continue and be expanded. The Sustainability Plan itself should be a tool and a resource that is part of a broader offering of publications and



(All photographs in the Sustainability Plan courtesy of Mary Ellen Morrow Photography)

events. There should also be overlap between this document and other documents and programs. It is also imperative that there is interaction between various Township departments and between the Township and other agencies, such as the West Orange Public Schools, Essex County, New Jersey Department of Transportation and utility companies.

### **C. Energy Conservation and Planning**

Green buildings are a vital component of this plan, as evidenced by their inclusion in the formal name of the element. While green design of new buildings is important, there are many more existing buildings that could be made more energy efficient. There are also opportunities to add renewable energy sources on private property, as well as public lands. Therefore, encouraging — and in some cases mandating — action by private property owners will be necessary to effect larger scale improvements in the Township. The municipality can lead by example, but must also enable and promote improved site and building design for new development and redevelopment.

### **D. Reduction, Reuse and Recycling**

West Orange has made substantial progress in the area of recycling. Solid waste generation has been reduced as recycling has increased. The Township also has transformed its recycling center into an environmental center, which plays an active educational role in the community. It also allows recycling of items beyond traditional cans, bottles and papers, including electronics, light bulbs and scrap tires. Vegetative composting and wood product recycling are also offered. Promotion of recycled products can also be accomplished through purchasing decisions by the municipality, which helps increase the market for such goods. More broadly, West Orange can promote reuse of products. The Township should also encourage the concepts of reduction and reuse at a larger scale. Actions consistent with these concepts include redevelopment of existing properties, repurposing of existing buildings, reduction in the size of houses and rethinking the amount of paved area that is truly necessary for parking areas and other improvements.



West Orange has encouraged recycling through a variety of means, including non-traditional ones like the “Art of Recycling” event and student-decorated recycling bins.

### **E. Land Use/Economic Development**

Changing land use patterns involves a comprehensive, longer-term planning effort that is clearly part of the scope of the overall Master Plan update effort, and should be integrated into other plan elements beyond the Sustainability Plan. For example, development recommendations should also be included in the Land Use Plan Element in order to be properly implemented through amendments to zoning regulations. There are currently a number of areas with compact, walkable development patterns in the Township. While not every area or new development will — or should — be high-



density or mixed-use, certain concepts can be incorporated in new projects. These include pedestrian- and bicycle-friendly design, enhanced street connectivity and setting aside of open space. Cooperative efforts will be necessary with large non-municipal property owners — Essex County, golf courses and shopping centers, for example — as well as with owners of smaller-scale properties.

#### **F. Water Planning and Protection**

There are a number of lakes, rivers and streams in West Orange. While “point-source” pollution (such as direct dumping of waste) is now less of a threat to waterbodies, non-point-source pollution from runoff of oil and pesticides are still major problems. Water conservation and reuse of wastewater can help reduce water demand. The municipality can lead by example, but private property owners need to participate as well.

#### **G. Transportation and Circulation**

Transportation patterns and vehicle usage can have substantial impacts on air quality and greenhouse gas emissions, such as through improvements to vehicle efficiency as well as reduced driving. The Township is leading by example in this regard, such as through introducing more fuel-efficient and/or alternative fuel vehicles to its fleet. The West Orange Police Department also is placing extreme power units in its cars, which allow the engine to be shut down while car functions are still available. Promotion of walking, bicycling and transit usage will help improve air quality, while spurring economic development. West Orange does not have any railroad stations within its borders. However, the Township provides commuter shuttle service that connects residents of many of West Orange’s neighborhoods to nearby New Jersey Transit railroad station, and some of these stations are accessible to West Orange residents by bicycle or on foot. The Township is also very well served by commuter buses.

## ACTION PLAN

| SUMMARY OF GOALS, TARGETS AND RESPONSIBLE PARTIES<br>S = Short Range Strategy (less than one year)<br>M = Medium Range Strategy (one to five years)<br>L = Long Range Strategy (six or more years)                                                                                             | Municipality | Residents | Businesses/<br>Landlords | Schools | Partners/Civic<br>Organization | County/State<br>Government | Implementation<br>Time Frame |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-----------|--------------------------|---------|--------------------------------|----------------------------|------------------------------|
| <b>A. Continuing Planning, Implementation and Monitoring</b>                                                                                                                                                                                                                                   |              |           |                          |         |                                |                            |                              |
| <b>Guiding Principles</b>                                                                                                                                                                                                                                                                      |              |           |                          |         |                                |                            |                              |
| Principle A-1. Work to create an efficient internal organization to facilitate decisions on sustainability issues                                                                                                                                                                              | X            |           |                          |         |                                |                            | S                            |
| Principle A-2. Evaluate all current sustainability programs to understand their efficiency                                                                                                                                                                                                     | X            |           |                          |         |                                |                            | S                            |
| Principle A-3. Constantly pursue the newest and most current sustainability programs in the future to ensure West Orange programs are the most current and efficient                                                                                                                           | X            |           |                          |         |                                |                            | M                            |
| Principle A-4. The Planning Board shall advise Township Council on any issues they identify, when encountered, that directly prevent effectively implementing sustainability actions                                                                                                           | X            |           |                          |         |                                |                            | M                            |
| <b>Actions</b>                                                                                                                                                                                                                                                                                 |              |           |                          |         |                                |                            |                              |
| Action A-1. Work to complete certification through "Sustainable Jersey"                                                                                                                                                                                                                        | X            |           |                          |         |                                |                            | S                            |
| Action A-2. Assign responsibility (or create a committee) to provide annual updates to the Township Council on the status of Sustainable Jersey certification and future initiatives toward sustainability; quarterly status reports could be provided in tandem with Energy Commission events | X            |           |                          |         |                                |                            | S                            |
| Action A-3. Assign responsibility (or create a committee) to provide annual updates to the Township Council on the status of implementation of the recommendations within the Energy Efficiency and Conservation Strategies plan being developed by Rutgers                                    | X            |           |                          |         |                                |                            | M                            |
| Action A-4. Adopt strict green purchasing policies for internal procedures, including Energy Star-rated appliances, high-efficiency fixtures, non-toxic cleaners, high recycle content products, and hybrid vehicles where possible                                                            | X            |           |                          |         |                                |                            | S                            |

|                                                                                                                                                                                                                                                                                                                                          |   |   |   |   |   |  |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|--|---|
| Action A-5. Evaluate the potential of organizing a municipality-wide green purchasing program through which residents could realize cost savings on individual items because they would ordered as part of a larger bulk order                                                                                                           | X |   |   |   |   |  | M |
| Action A-6. Require municipally-funded buildings to design to LEED (Leadership in Energy and Environmental Design, a program of the United States Green Building Council) certification to the level of certified projects at a minimum                                                                                                  | X |   |   |   |   |  | S |
| Action A-7. Require municipally-funded site development projects (that do not include any buildings) to design to ASLA Sustainable Site Initiative standards                                                                                                                                                                             | X |   |   |   |   |  | S |
| Action A-8. Commission the preparation of an environmental resource inventory for the Township                                                                                                                                                                                                                                           | X |   |   |   |   |  | M |
| Action A-9. Add sustainability measures to environmental impact statement requirements                                                                                                                                                                                                                                                   | X |   |   |   |   |  | S |
| <b>B. Education and Outreach</b>                                                                                                                                                                                                                                                                                                         |   |   |   |   |   |  |   |
| <b>Guiding Principles</b>                                                                                                                                                                                                                                                                                                                |   |   |   |   |   |  |   |
| Principle B-1. Work to provide current, effective education to Township staff, business owners, and residents                                                                                                                                                                                                                            | X | X | X |   |   |  | S |
| Principle B-2. Constantly seek guidance from professional organizations, non-profit organizations, State and federal government agencies, consultants, or other knowledgeable bodies on issues of sustainability                                                                                                                         | X |   |   |   | X |  | M |
| Principle B-3. Constantly seek to reach out to business owners and residents to understand issues related to sustainability that may be impacting their businesses and lives                                                                                                                                                             | X |   |   |   |   |  | S |
| Principle B-4. Constantly seek to engage the West Orange Public Schools, including teachers, administrators, parents/caregivers, and students on issues of sustainability                                                                                                                                                                | X | X |   | X |   |  | S |
| <b>Actions</b>                                                                                                                                                                                                                                                                                                                           |   |   |   |   |   |  |   |
| Action B-1. Organize and hold a series of training sessions for relevant land use and construction official municipal staff, school district facilities management staff, and public works staff on green building technologies working with USGBC NJ or other appropriate organizations focused on sustainability and green development | X |   |   |   |   |  | S |

|                                                                                                                                                                                                                                                                                                  |   |   |   |   |  |   |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|--|---|---|
| Action B-2. Organize and hold a series of educational/informational sessions for Township residents and businesses on sustainability and green development led by either municipal staff, partner organizations, or vendors                                                                      | X | X | X |   |  |   | S |
| Action B-3. Promote interaction between newly trained municipal land use and construction official staff, school district facilities management staff, and public works staff with the local school district to provide sustainability and green development presentations to student population | X |   |   | X |  |   | S |
| Action B-4. Encourage interaction between the West Orange Energy Commission and the local school district to increase information sharing and potential educational opportunities                                                                                                                | X |   |   |   |  |   | S |
| Action B-5. Create a "Sustainable West Orange" section of the municipal website and post information and links to other sustainable organizations                                                                                                                                                | X |   |   |   |  |   | S |
| Action B-6. Work with adjacent municipalities to identify areas of coordination on sustainability issues like transportation planning, regional stormwater management/reuse planning, etc., and consider preparation of a joint sustainability plan                                              | X |   |   |   |  | X | M |
| <b>C. Energy Conservation and Planning</b>                                                                                                                                                                                                                                                       |   |   |   |   |  |   |   |
| <b>Guiding Principles</b>                                                                                                                                                                                                                                                                        |   |   |   |   |  |   |   |
| Principle C-1. Enact a green building policy for new municipal buildings                                                                                                                                                                                                                         | X |   |   |   |  |   | S |
| Principle C-2. Assess and improve energy efficiency of existing municipal buildings                                                                                                                                                                                                              | X |   |   |   |  |   | S |
| Principle C-3. Encourage improved energy efficiency in new commercial buildings                                                                                                                                                                                                                  | X |   | X |   |  |   | M |
| Principle C-4. Encourage improved energy efficiency in existing commercial buildings                                                                                                                                                                                                             | X |   | X |   |  |   | S |
| Principle C-5. Encourage improved energy efficiency in new residential buildings                                                                                                                                                                                                                 | X | X |   |   |  |   | M |
| Principle C-6. Encourage improved energy efficiency in existing residential buildings                                                                                                                                                                                                            | X | X |   |   |  |   | S |
| Principle C-7. Increase resident and business participation in the Board of Public Utilities' (BPU) Community Partners Initiative                                                                                                                                                                | X | X | X |   |  |   | M |
| Principle C-8. Target commercial property owners and residential landlords to improve energy efficiency of non-owner occupied units                                                                                                                                                              | X |   | X |   |  |   | M |

|                                                                                                                                                                                                                                       |   |   |   |   |   |   |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|---|---|
| Principle C-9. Promote use of renewable energy sources in existing and new development and government facilities                                                                                                                      | X | X | X | X | X | X | S |
| <b>Actions</b>                                                                                                                                                                                                                        |   |   |   |   |   |   |   |
| Action C-1. Complete energy audits on at least 20% of municipal building stock per year for the next five years, working with state-funded programs where possible                                                                    | X |   |   |   |   |   | M |
| Action C-2. Budget for and pursue additional funding to offset the cost of implementing recommendations within municipal building energy audits                                                                                       | X |   |   |   |   |   | M |
| Action C-3. Pursue creation of renewable energy generation systems through Power Purchase Agreements (PPAs) on municipally-owned properties                                                                                           | X |   |   |   |   |   | M |
| Action C-4. Work with large commercial users to enroll in the Pay-For-Performance New Jersey Clean Energy Program                                                                                                                     | X |   | X |   |   | X | M |
| Action C-5. Create ordinances and guidelines for incorporating solar, wind and other renewable energy technologies for residential and non-residential development                                                                    | X |   |   |   |   |   | M |
| Action C-6. Enroll in the New Jersey Clean Energy Program as a Community Partner                                                                                                                                                      | X |   |   |   |   | X | M |
| Action C-7. Transition an additional 20% of municipally-purchased power annually to renewable energy sources                                                                                                                          | X |   |   |   |   |   | M |
| Action C-8. Utilize the Township website and public educational opportunities to promote and educate West Orange residents about the benefits and funding mechanisms to assist with retrofitting homes with energy efficient measures | X | X |   |   |   |   | S |
| <b>D. Reduction, Reuse and Recycling</b>                                                                                                                                                                                              |   |   |   |   |   |   |   |
| <b>Guiding Principles</b>                                                                                                                                                                                                             |   |   |   |   |   |   |   |
| Principle D-1. Encourage increased participation in recycling programs among businesses located within the Township                                                                                                                   | X |   | X |   |   |   | S |
| Principle D-2. Encourage increased participation in recycling programs among residents within the Township                                                                                                                            | X | X |   |   |   |   | S |
| Principle D-3. Reduce costs associated with traditional waste hauling by increasing participation in recycling programs                                                                                                               | X | X | X | X | X |   | M |

|                                                                                                                                                                                                                                                                |   |   |   |   |   |  |   |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|--|---|
| Principle D-4. Reduce construction and demolition waste with reuse programs                                                                                                                                                                                    | X |   |   |   |   |  | M |
| Principle D-5. Educate residents and businesses on the environmental and cost savings associated with increased recycling rates                                                                                                                                | X | X | X |   |   |  | S |
| <b>Actions</b>                                                                                                                                                                                                                                                 |   |   |   |   |   |  |   |
| Action D-1. Evaluate availability of recycling containers within Township maintained spaces (buildings and streets) and make improvements where necessary                                                                                                      | X |   |   |   |   |  | M |
| Action D-2. Complete solid waste audits on at least 20% of municipal sources per year for the next five years, working with state-funded programs where possible                                                                                               | X |   |   |   |   |  | M |
| Action D-3. Increase the recycling rate for the municipality to 90% through education as well as enforcement                                                                                                                                                   | X | X | X | X | X |  | L |
| Action D-4. Continue homeowner education programs about the importance of recycling                                                                                                                                                                            | X | X |   |   |   |  | S |
| Action D-5. Increase the education programs offered by Township officials to businesses within West Orange regarding the importance of recycling                                                                                                               | X |   | X |   |   |  | S |
| Action D-6. Continue to pursue additional waste items that can be recycled within the Township (e.g., oil, electronics, food waste, compact fluorescent light bulbs)                                                                                           | X |   |   |   |   |  | L |
| Action D-7. Incorporate the purchase of high recycled-content items as part of the municipal purchasing policies                                                                                                                                               | X |   |   |   |   |  | S |
| Action D-8. Encourage the Environmental Commission to explore avenues of establishing internal municipal mechanisms to promote reusing items among homeowners, business owners, and the municipality (i.e. construction materials, fixtures, appliances, etc.) | X | X | X |   |   |  | M |
| Action D-9. Promote a culture of reuse, such as through swap and shops                                                                                                                                                                                         | X |   |   |   |   |  | M |

| E. Land Use/Economic Development                                                                                                                                                                                                                                   |   |  |  |  |   |  |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|--|--|---|--|---|
| Guiding Principles                                                                                                                                                                                                                                                 |   |  |  |  |   |  |   |
| Principle E-1. Regularly review ordinances, addressing those that prevent incorporating sustainable design components into designs being submitted for Township review and approval                                                                                | X |  |  |  |   |  | M |
| Principle E-2. Adopt and enforce land use planning policies and development standards that encourage mixed-use, walkable, bikable and disabled accessible neighborhoods                                                                                            | X |  |  |  |   |  | M |
| Principle E-3. Encourage the preservation of existing tree canopy and the incorporation of native, appropriate landscaping to address potentially impactful conditions                                                                                             | X |  |  |  |   |  | M |
| Principle E-4. Encourage development density in appropriate areas within the Township                                                                                                                                                                              | X |  |  |  |   |  | L |
| Principle E-5. Discourage development density in inappropriate areas within the Township                                                                                                                                                                           | X |  |  |  |   |  | L |
| Principle E-6. Work to preserve key environmentally sensitive areas within the Township                                                                                                                                                                            | X |  |  |  | X |  | L |
| Actions                                                                                                                                                                                                                                                            |   |  |  |  |   |  |   |
| Action E-1. Residential development should be encouraged at appropriate densities in areas with sufficient infrastructure to support it, but should be balanced by the inclusion of additional open space areas throughout the site or other areas of the Township | X |  |  |  |   |  | M |
| Action E-2. Existing and future open space areas should be evaluated for the best utilization by residents and potentially as habitat                                                                                                                              | X |  |  |  |   |  | M |
| Action E-3. Require inclusion of a sustainable design section into the municipal Environmental Impact Statement prepared and reviewed. Ask for testimony on these topics during municipal approval process based on a checklist                                    | X |  |  |  |   |  | M |
| Action E-4. Encourage the utilization of brownfields sites for redevelopment                                                                                                                                                                                       | X |  |  |  |   |  | M |
| Action E-5. Encourage sustainable development by private developers by offering to reduce application review fees for private projects registered for LEED certification through the United States Green Building Council                                          | X |  |  |  |   |  | S |

|                                                                                                                                                                                                                                                                                 |   |  |  |  |   |   |   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|--|--|---|---|---|
| Action E-6. Protect and restore floodplain functions or riparian areas                                                                                                                                                                                                          | X |  |  |  |   |   | M |
| Action E-7. Explore a potential location for a community gardens within the Township, or multiple locations that are within walking distance of a majority of residential neighborhoods, which can be done in partnership with neighborhood associations and other civic groups | X |  |  |  | X |   | S |
| Action E-8. Strengthen the Township's Tree Ordinance by making the connection between preservation and greenhouse gas reduction                                                                                                                                                 | X |  |  |  |   |   | M |
| Action E-9. Lobby Essex County to enroll the Francis Byrne Golf Course in the Audubon certification program and encourage nearby private golf courses to also enroll in the program                                                                                             | X |  |  |  | X | X | S |
| <b>F. Water Planning and Protection</b>                                                                                                                                                                                                                                         |   |  |  |  |   |   |   |
| <b>Guiding Principles</b>                                                                                                                                                                                                                                                       |   |  |  |  |   |   |   |
| Principle F-1. Protect streams and waterbodies from the impacts of degraded water quality                                                                                                                                                                                       | X |  |  |  |   |   | L |
| Principle F-2. Protect groundwater resources from contamination and other impacts such as overuse                                                                                                                                                                               | X |  |  |  |   |   | L |
| Principle F-3. Mitigate the impacts of stormwater runoff associated with development                                                                                                                                                                                            | X |  |  |  |   |   | L |
| Principle F-4. Reduce demands on potable water supplies, where possible                                                                                                                                                                                                         | X |  |  |  |   |   | L |
| Principle F-5. Increase water efficiency in new and existing municipal buildings                                                                                                                                                                                                | X |  |  |  |   |   | M |
| Principle F-6. Promote increased water efficiency in new and existing commercial buildings                                                                                                                                                                                      | X |  |  |  |   |   | M |
| Principle F-7. Promote increased water efficiency in new and existing residential buildings                                                                                                                                                                                     | X |  |  |  |   |   | M |
| <b>Actions</b>                                                                                                                                                                                                                                                                  |   |  |  |  |   |   |   |
| Action F-1. Require the use of progressive stormwater management measures, including stormwater reuse and non-structural management measures aimed at retaining the maximum amount of stormwater on-site as possible, for publicly-funded development projects                  | X |  |  |  |   |   | S |

|                                                                                                                                                                                                                                                                                    |   |   |   |   |   |   |   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|---|---|
| Action F-2. Encourage the use of progressive stormwater management measures, including stormwater reuse and non-structural management measures aimed at retaining the maximum amount of stormwater on-site as possible, for private residential or commercial development projects | X | X | X |   |   |   | S |
| Action F-3. Encourage the use of progressive wastewater treatment and disposal technologies (where appropriate), including wastewater reuse aimed at retaining the maximum amount of wastewater on-site as possible                                                                | X |   |   |   |   |   | S |
| Action F-4. Pursue funding for and complete a study of municipally-owned land for the potential to create regional stormwater management storage capacity to reduce the potential impacts of flooding                                                                              | X |   |   |   |   |   | L |
| Action F-5. Encourage or require the use of native, drought tolerant landscaping on municipal, commercial, and residential development projects to reduce/eliminate the need for irrigation water provided by the potable water supply                                             | X |   |   |   |   |   | M |
| Action F-6. Explore retrofitting existing municipally-owned buildings/properties to incorporate progressive stormwater management, including infiltration and reuse                                                                                                                | X |   |   |   |   |   | M |
| Action F-7. Explore retrofitting existing municipally-owned buildings/properties to incorporate high efficiency water fixtures to reduce potable water demand                                                                                                                      | X |   |   |   |   |   | M |
| Action F-8. Adopt a stream buffer ordinance                                                                                                                                                                                                                                        | X |   |   |   |   |   | S |
| Action F-9. Promote water reuse and capture as part of the Conservation Ordinance                                                                                                                                                                                                  | X |   |   |   |   |   | S |
| Action F-10. Provide rain barrels on municipal sites and encourage them on private property                                                                                                                                                                                        | X | X | X |   |   |   | S |
| <b>G. Transportation and Circulation</b>                                                                                                                                                                                                                                           |   |   |   |   |   |   |   |
| <b>Guiding Principles</b>                                                                                                                                                                                                                                                          |   |   |   |   |   |   |   |
| Principle G-1. Improve municipal and school district vehicle fleet efficiency with alternative fuel or high efficiency vehicles                                                                                                                                                    | X |   |   | X |   |   | M |
| Principle G-2. Increase public transit use                                                                                                                                                                                                                                         | X | X | X | X | X | X | M |
| Principle G-3. Promote alternative transportation use throughout the Township                                                                                                                                                                                                      | X | X | X |   |   |   | M |

|                                                                                                                                                                                                                                                                                                 |   |   |   |   |   |   |   |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---|---|---|---|---|---|
| Principle G-4. Promote walkability throughout the Township for residents, shoppers, business owners, and workers                                                                                                                                                                                | X | X | X |   |   |   | L |
| Principle G-5. Work to decrease the number of car trips and miles driven by residents, employees, employers, shoppers and others working and living within the Township                                                                                                                         | X | X | X | X | X |   | L |
| Principle G-6. Work to manage existing municipal parking capacity more efficiently                                                                                                                                                                                                              | X |   |   |   |   |   | M |
| <b>Actions</b>                                                                                                                                                                                                                                                                                  |   |   |   |   |   |   |   |
| Action G-1. Encourage the expansion on town-wide commuter shuttling services from neighborhoods to mass transit stations (train and bus), and from stations to large office and retail centers                                                                                                  | X |   | X |   |   |   | S |
| Action G-2. Promote transit-oriented development in the vicinity of Highland Avenue train station                                                                                                                                                                                               | X |   |   |   | X | X | S |
| Action G-3. Investigate the designation of specific downtown streets as dedicated one-way travel to increase efficiency of movement and decrease idling                                                                                                                                         | X |   |   |   |   |   | S |
| Action G-4. Encourage a pedestrian-oriented downtown area, including the potential to close a section to vehicular traffic and promote businesses to offer street seating or entertainment                                                                                                      | X |   |   |   |   |   | S |
| Action G-5. The Township, working with the business community, should identify locations throughout the Township (specifically downtown) where bicycle racks are needed to encourage their use                                                                                                  | X |   | X |   |   |   | M |
| Action G-6. Undertake streetscape evaluation and design programs to incorporate bicycle travel lanes, improved pedestrian access, commercial frontage design improvements, and other design measures that can be employed to improve the pedestrian-friendliness of the downtown district       | X |   |   |   |   | X | M |
| Action G-7. Promote provision of bicycle paths, lanes and/or routes throughout the Township                                                                                                                                                                                                     | X |   |   |   |   | X | M |
| Action G-8. Explore provision of parking for car sharing services (e.g., Zipcar), electric car parking/ charging stations, biodiesel stations and/or scooter parking on public properties, and encourage such facilities on large private properties (e.g., shopping centers, office buildings) | X |   | X | X | X | X | M |

|                                                                                                                                                                                            |   |  |   |  |  |   |   |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|--|---|--|--|---|---|
| Action G-9. Work to identify ways to re-purpose existing municipal parking stock by encouraging carpooling among downtown business owner/operators, increased use of mass transit shuttles | X |  | X |  |  |   | S |
| Action G-10. Work with County Parks Department Staff to identify additional access opportunities at South Mountain Reservation, encouraging access via bike and pedestrian paths           | X |  |   |  |  | X | M |
| Action G-11. Seek to restart the Township's former trip reduction program                                                                                                                  | X |  |   |  |  |   | S |
| Action G-12. Improve enforcement of Township's anti-idling ordinance                                                                                                                       | X |  |   |  |  |   | S |
| Action G-13. Eliminate "No Turn on Red" restrictions in locations where safe to do so to reduce idling                                                                                     | X |  |   |  |  | X | M |

#### **IV. Sustainability Resources in West Orange and Beyond**

This section of the plan includes information and links for organizations and other resources that relate to this plan, whether as implementing agencies or resources.

##### West Orange Energy Commission

Available through <http://www.westorange.org>

The West Orange Energy Commission provides leadership and education with regard to sustainability issues. Through quarterly events and special programs, the Commission has actively promoted conservation and other green topics since its formation.

##### West Orange Department of Planning and Development

Available through <http://www.westorange.org>

This department is responsible for a number of boards and commissions that address development issues in the Township. Its website includes links to various plans and other documents related to sustainability, as well as broader planning efforts.

##### Essex County Department of Parks, Recreation and Cultural Affairs

<http://www.essex-countynj.org/p/index.php>

The County's park system includes hundreds of acres of land in West Orange which serve as valuable resources for residents of the Township and beyond.

##### Sustainable Jersey

<http://www.sustainablejersey.com>

Sustainable Jersey is a certification and incentive program for New Jersey municipalities to encourage sustainability efforts. The program includes required and elective "actions" that municipalities can implement to receive the certification. These include, but are not limited to actions addressing issues such as global warming, pollution, biodiversity, buying locally, community outreach, green building, and sustainable agriculture. It also provides municipalities that enter the program with a comprehensive package of tools, guidance materials, training, and financial incentives, to support and reward progress. Sustainable Jersey has grown rapidly since it was started in February 2009. As of April 1, 2010, 266 of New Jersey's 566 municipalities had registered for the program, with 34 of these receiving certification.

##### State Energy Master Plan

<http://www.state.nj.us/emp/>

New Jersey's current State Energy Master Plan was prepared in October 2008. The plan's goals are as follows:

1. Maximize the State's energy conservation and energy efficiency to achieve reductions in energy consumption of at least 20% by 2020.
2. Reduce peak demand for electricity by 5,700 megawatts by 2020.

3. Strive to surpass the current RPS (Renewable Portfolio Standard) goals with a goal of achieving 30% of the State's electricity needs from renewable sources by 2020.
4. Develop a 21st century energy infrastructure that supports the goals and action items of the Energy Master Plan, ensures the reliability of the system, and makes available additional tools to consumers to manage their energy consumption.
5. Invest in innovative clean energy technologies and businesses to stimulate the industry's growth in New Jersey.

New Jersey's Clean Energy Program

<http://www.njcleanenergy.com/>

This statewide program offers financial incentives, programs and services for New Jersey residents, business owners and local governments to help them save energy, money and the environment.

Leadership in Energy and Environmental Design (LEED)

<http://www.usgbc.org>

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, commercial interiors, core and shell, schools, retail, health care, homes and neighborhood development. The LEED certification system offers four certifications for new construction: certified, silver, gold and platinum. A number of LEED certified projects have been or are currently being built in New Jersey.

Audubon Cooperative Sanctuary Program for Golf Courses

<http://acspgolf.auduboninternational.org/>

The Audubon Cooperative Sanctuary Program for Golf Courses is an education and certification program that helps golf courses protect the environment while preserving the natural heritage of the game of golf. The program is intended to help golf course operators enhance valuable natural areas and wildlife habitats, improve efficiency and minimize potentially harmful impacts of golf course operations. There are currently 27 courses in New Jersey in this program, but none of these is located in West Orange.

## PLAN ELEMENT AMENDMENTS

### I. Land Use

#### Introduction

The Township of West Orange is a 12-square mile municipality developed with a broad mix of land uses at varying levels of density and intensity. Its residential areas range from compact neighborhoods of one- and two-family homes on small lots to large-lot subdivisions, as well as a number of townhouse and apartment developments and mixed commercial/residential buildings. West Orange also features a downtown area that is comprised of a linear series of nodes, some neighborhood business areas and a few larger scale office and retail clusters. The diversity of neighborhoods and housing options as well as many amenities such as parks, open space, shopping and employment centers have helped West Orange attract and retain residents.

Growth that has occurred in the past few years has the Township approaching full buildout, as there are few remaining vacant, undeveloped properties. A number of large vacant tracts have been developed, including some major projects along the Second Watchung Ridge near the western edge of the Township. However, there have been many already developed properties redeveloped for new uses in built-up areas. This update to the Land Use Plan Element summarizes existing conditions and issues pertaining to land use, zoning and development within West Orange, and provides a series of recommendations pertaining to these topic areas.

#### Existing Conditions and Issues

A number of areas of concern were raised during the process of preparing this Master Plan Update, as well as by the Township's Zoning Board of Adjustment in its annual reports from the past few years. These include out-of-scale and out-of-character houses in single-family residential zones, deficiencies in the Township's Land Use Regulations Ordinance, the potential impacts of development on vacant, underutilized and redeveloped properties and interest in better and more sustainable design. These and other issues are discussed in the following section, along with recommendations for addressing them.

Map 1 shows existing land uses within West Orange, and existing zoning districts are illustrated on Map 2. It is noted that the amount of vacant land within the Township has been substantially reduced since 2004. Yet, there are still many vacant parcels scattered throughout the municipality. There are generally factors such as environmental constraints, small size and access limitations that have precluded their development. There are recommendations for rezoning some of these parcels listed below.

Existing development throughout the Township is generally consistent with zoning. However, there are limited deviations in some instances, and more substantial ones in others. There are also some properties that have been developed through variance approvals for uses that were

not contemplated in the zoning, and there are areas where uses that were once prevalent are no longer as viable from a market perspective. Other issues have been raised by representatives of some of the Township's boards, commissions and departments, many of which pertain to zoning and other development regulations. The recommendations of this plan element provide the policy basis for changes to municipal documents in order to further the overall objectives of the West Orange Master Plan as expressed in the Reexamination Report.

### **Recommendations**

#### **Land Use Regulations Ordinance**

A primary recommendation of this plan element is that a comprehensive review of the Land Use Regulations Ordinance should be undertaken, as a thorough revision of the ordinance has not been completed in over 30 years. There are a number of specific recommendations for changes to portions of the Land Use Regulations Ordinance listed below, which can be made whether or not a thorough overhaul of the ordinance is completed.

#### **Table of District Regulations**

The 2004 Reexamination report's recommendation to review and edit the Table of District Regulations in the Land Use Regulations Ordinance is still relevant. Certain districts, uses and bulk standards are recommended for revisions. Additional recommendations are made as to potential changes to bulk regulations for single-family residential districts to address concerns about bulky houses/McMansions. More specific recommendations are included below.

#### **Permitted Principal and Conditional Uses**

There is a broad range of uses that are permitted in one or more of the Township's zoning districts. Some of these uses are permitted as principal uses (listed as "Permitted Uses" in the Land Use Regulations Ordinance's Table of District Regulations) – that is, they are allowed in the particular zone without needing to meet any specific standards. Other uses are permitted as conditional uses, meaning that the use is allowed only if certain specific standards pertaining to the use are met. (The zoning district bulk or dimensional regulations still are applicable for both types of uses.)

Minimal changes may be warranted with regard to permitted principal uses in West Orange's zoning districts. However, through the process of preparing this document it was determined various improvements are needed to many permitted conditional uses and the standards pertaining to them. The primary recommended change is to ensure there are specific standards provided for each conditional use. In some instances there are no definitions and/or standards provided for particular uses, while in other cases there are conditional use standards for uses that are not listed as permitted in the Table of District Regulations. Many uses require more definitive, objective standards, which should be comparable to the standards developed for the same uses in zones where they are permitted uses.

All uses permitted as conditional uses in one or more of the Township's zone districts are listed below. Recommendations and comments for consideration in revising the Land Use Regulations Ordinance are listed following some of these uses.

#### *R-1 and Most Other Residential Districts*

- commercial recreation – *it may be useful to distinguish between indoor and outdoor recreation facilities, as there are different impacts for each type*
- public/private schools – *more specific standards should be provided, including regulations for accessory uses and structures (e.g., sports fields)*
- libraries – *it is not clear why this use is listed as a conditional use, as no additional standards are provided*
- museums – *it is not clear why this use is listed as a conditional use, as no additional standards are provided*
- parks or playgrounds – *this use may be more properly permitted as a principal use*
- public utility buildings or structures – *it is not clear why this use is listed as a conditional use, as no additional standards are provided*
- telephone exchanges – *it may be possible to fold this use into the “public utility buildings or structures” category*
- clubs, other than golf clubs – *only vague standards are provided, with the exception of not allowing vehicular entrances and exits within 75 feet of an intersection*
- farm produce stands (listed as accessory and conditional use) – *this use may be more properly permitted as an accessory use*
- churches/parish halls – *this use should be renamed to “house of worship” to match the name in the conditional use requirements section of the Land Use Regulations Ordinance (Section 25-24.2)*
- Sunday school buildings – *it may be possible to fold this use into the “church/house of worship” category*

#### *Certain Residential and Other Districts*

- townhouse residential clusters
- banquet and conference centers
- hotels and restaurants
- low-rise apartment development
- nursing homes
- long-term care residential healthcare facilities
- senior citizen housing
- assisted living
- congregate care

#### *Non-Residential Districts*

- gasoline filling stations – *listed as “motor fuel filling stations” in conditional use standards section; consideration should be given to renaming one or both terms to match one another, as well as to removing the distance requirements to other filling stations*
- theaters

- designed retail business – *this use is not defined; it is also not clear why this use is listed as a conditional use, as no additional standards are provided*
- video amusement arcade
- fast food – *this use should be renamed to “fast food restaurants” to match the name in the conditional use requirements section of the Land Use Regulations Ordinance (Section 25-24.2)*
- non-nuisance industry – *this broad use category could be better replaced with more specific use types*
- billiard parlors
- bowling alleys
- skating rinks – *it may be possible to fold this use into the “commercial recreation (indoor)” category*
- indoor tennis centers – *it may be possible to fold this use into the “commercial recreation (indoor)” category*
- municipal facility – *this use is not defined; it is only listed in the I-B District, with no standards provided for it*
- motor vehicle sales establishment

The following uses are listed in the conditional use requirements section (Section 25-24.2) but not listed as permitted conditional uses in any zone in the Table of District Regulations (zones where permitted as noted in Section 25-24.2 listed in parentheses):

- additional off-street parking (R-5, R-6, R-T, R-G, R-M)
- townhouse/low-rise residential cluster development (R-5)
- outdoor retail business (none listed)
- mixed uses (B-1, B-2, I-B)
- radio, TV, micro-wave towers and antennas (“any zoning district where permitted as a conditional use”)
- sexually oriented businesses (none listed)
- check cashing facility (OB-1)

The Table of District Regulations should be amended to list the above uses if the intention is for them to be in the noted zones, or else the conditional use standards should be deleted.

The use “commercial antennas” is listed as a permitted conditional use in a “business, commercial or industrial zone only” in Section 25-8.7 with standards provided in the same section, but is not listed as permitted conditional use in any zone in the Table of District Regulations.

Lastly, the following uses were others mentioned in stakeholder interviews as needing more regulations but are not currently listed as permitted conditional in the Land Use Regulations Ordinance:

- nightclubs – *the creation of a “cabaret license” should be considered in order to better regulate specific uses within bars and nightclubs*
- self-storage facilities
- vehicle storage

Consideration should be given to providing definitive regulations for these uses by listing them as permitted conditional uses in the zones where they are deemed to be appropriate, and providing specific conditional use standards for them.

#### Single-Family Residential Zone Regulations

Concerns have been raised regarding the construction of new or expanded houses that are out-of-scale and/or out-character with the neighborhoods in which they are located. Sometimes referred to as “McMansions” or “monster homes” (or more benignly as “bulky houses”), they have become a common problem in many suburban areas, particular in communities where land is scarce and older, more moderately sized homes are prevalent. There are two main components of such houses that are often viewed as disrupting the established character. The first is the size of the house, as measured in floor area, building height (in feet) and coverage. The second is the design of the house, including elements such as overall massing, the proportions and placement of windows and doorways, the design and proportions of roofs and eaves, the use of materials and colors and the use, placement and proportions of architectural details.



A weakness of traditional zoning bulk standards is that they generally do not directly address the problems of size, massing and design – that is, they allow the development of blank boxes, so long as they meet the height, coverage and setback requirements of the zoning ordinance. However, detailed architectural

standards are not permitted except in designated historic districts, special improvement districts and redevelopment areas in New Jersey. Thus, it is necessary to work within the confines of typical zoning regulations, with adjustments when possible.

A number of changes are recommended to single-family residential zoning regulations in order to improve protection of existing neighborhoods.

The existing West Orange Land Use Regulations Ordinance utilizes traditional zoning techniques to regulate development. These include specific standards for building height, building setbacks, building coverage and lot coverage. There are ways to modify these requirements to address the problems of house size and design in both new and existing neighborhoods, and new measures can be added. It is the intent of the Master Plan to set reasonable standards for building dimensions and coverage that will continue to allow the construction of reasonably sized homes (and additions to existing homes) while limiting the type

of out-of-scale homes that have compromised neighborhood character. A series of such potential changes to zoning regulations are outlined below.

#### *Building Height*

Within the traditional zoning framework, height regulations can be important in regulating the actual and apparent size of houses, particularly on sloping properties. It is important to recognize that there are several different aspects of height, which may be combined in a definition in municipal zoning:

- Height above grade—a very constraining definition that measures the maximum height from the lowest point on the site.
- Height above average grade—compared with height above grade, this measure adds to the building height on sloped sites.
- Height above natural grade—seeks to prevent the filling of sites by requiring that height be measured from the pre-existing grade before construction.
- Height to roof peak—measures the highest point on the building.
- Height to midpoint of pitched roof—attempts to regulate building volume by allowing a building with a pitched roof to be taller than one with a flat roof.
- Height to eave—also attempts to regulate building volume by discouraging undesirable roof types and encouraging dormers and other features that break up roof mass.

The application of maximum height requirements depends on how height is measured. The definitions of height of building, story, half story, first story, basement and cellar all factor in to how building height is calculated in West Orange. These definitions are adequate to deal with height considerations in most instances. However, some changes are recommended pertaining to height regulations.

The first is a potential change to the following definition, which would help address concerns about site grades being excessively modified to allow a taller house (language to be added in underline):

Height of building shall mean the measurement from its highest elevation to the lowest elevation of the land immediately adjacent to that building. The elevation of the land shall be determined by the topography that existed prior to construction, or the post-construction elevation, whichever is lower.

The existing definitions for basement and cellar seem to be sufficient to limit the possibility of overly tall houses that technically comply with height regulations being constructed – a problem that can be further mitigated through facade dimension requirements described below.

The current maximum building height in West Orange's single-family and two-family residential zones (R-1, R-2, R-3, R-3AH, R-4, R-5, R-6 and R-T) is 2 ½ stories and not exceeding 35

feet (except 3 stories not exceeding 37 feet, 8 inches is permitted for senior citizen housing in the R-2 Zone). Consideration should be given to reducing the maximum permitted height in some zones with smaller lots, e.g., R-T, R-6 and potentially R-5, from 35 feet to 32 feet. If a reduction in height is deemed to be too restrictive across the board, it may be possible to allow additional height up to the currently permitted 35 feet on lots that are a certain amount larger or wider than required and/or dependent on roof pitch – a type of sliding scale. The zoning districts that require larger lot areas (R-1, R-2 and R-3 in particular) also already mandate greater front and side setbacks, which help mitigate the impacts of building height, thus making it less necessary to vary height requirements in these zones.

#### *Coverage*

Building coverage determines how much of a site may be covered by buildings, while lot coverage regulates total impervious area. In West Orange, these terms are defined as follows:

Building ground coverage shall mean the horizontal area of the ground floor of the building, measured between exterior faces of foundation walls, but excluding the area of unroofed porches and terraces.

Lot coverage shall mean that portion of a lot which is covered by parking areas and any impervious surface including but not limited to structures, driveways, patios, sidewalks, etc.

These definitions are generally adequate, although it may be useful to clarify the building coverage definition to as to whether it includes both principal and accessory buildings (e.g., detached garages).

One problem with coverage requirements is that they fail to deal with the vertical dimension. However, they are useful in tandem with other bulk regulations. Another more substantial limitation is that coverage is typically expressed as a static percentage on all size lots in a zone. Therefore, oversized lots can be developed with oversized houses compared to what is permitted on a smaller lot in the same zone. To help address this issue, a sliding scale can be utilized – that is, larger lots are subject to more stringent coverage requirements. This can be expressed by set percentages above certain thresholds or percentages that relate directly to lot area above such thresholds.

#### *Floor Area Ratio*

A more complicated means of regulating building bulk is floor area ratio (FAR). In simple terms, FAR is calculated dividing the amount of interior floor space in a structure by the size of the lot. It allows some flexibility when used in the context of larger sites and/or non-residential developments. In single-family residential zones, there is less benefit derived from this flexibility given the generally smaller lot sizes and limits to building height. The implementation of FAR can also vary greatly depending on how it is defined and measured – for

example, if garages or attics are included, how to calculate space in stairwells and cathedral-ceilinged rooms or whether open porches are included, among other factors. It also requires more detailed calculations on the part of development applicants and the municipal reviewing staff. For these reasons, FAR may not be appropriate as a new bulk standard in single-family residential zones in West Orange at this time.

#### *Principal Building Setbacks*

The existing required building setback standards in West Orange vary by individual zone. These setbacks are generally appropriate and it is not recommended that required setbacks be increased. However, consideration should be given to increasing side setback standards for the second floor of dwellings in some or all residential zones, which can be accomplished through requirements that apply to any portion of a building over a certain height. Thus there could be a “base” standard that applies generally in a zone with a more restrictive requirement that mandates either the second floor or the entirety of a taller building be further setback. This requirement could be expressed as a combined side yard requirement in order to provide some flexibility to applicants while still reducing building mass and setting back taller buildings further from the side lot line.

Another similar measure is to consider greater setbacks for garages — or at least garage doors — beyond the minimum required for most building walls. Such requirements may not directly address oversized houses, but they tend to lead to larger building masses being broken up, thus reducing apparent size. One option would be to mandate that garage doors for an attached garage facing the street be setback a minimum distance (say, four feet) behind the front facade of the dwelling portion of the structure. An additional way to promote garages being located further back from the street or detached altogether is to set a maximum percentage of the front façade of the house that can be comprised of garage doors, which encourages detached and side-facing garage doors.

#### *Facade Dimensions*

One potential regulation that is not commonly utilized that can be considered is to set maximum requirements for façade height and/or length. In the absence of more detailed requirements such as floor area ratio, a façade limitation can help break up apparent building mass and prohibit excessively long or tall building components. This regulation could be expressed either as a set amount for each residential zone (or, for maximum width, as a percentage of lot width).

#### *Design Guidelines*

Some additional concepts for design of new and expanded single-family homes are included in the Appendix.

#### Cluster Housing Development

Low density cluster zoning should be permitted in some of the Township’s zoning districts, as it is a planning tool that offers the flexibility to allow residential development and encourage open

space and natural land features preservation. The following recommendations are offered for the cluster provisions in the Land Use Regulations Ordinance:

- Single-family detached cluster residential development should be permitted as a conditional use in the R-1, R-2, R-3, R-4 and R-5 Districts
- New cluster developments in these zones should only permit single-family detached dwellings, not townhouses or other multi-family residential.
- Varying minimum tract sizes should be required to allow cluster to be utilized – the potential requirements could be as follows:
  - o R-1 District: 100 acres
  - o R-2 District: 75 acres
  - o R-3 District: 50 acres
  - o R-4 and R-5 Districts: 25 acres
- Development yields should be limited to the amount of units that would be permitted under conventional zoning after accounting for development constraints (i.e., the number of conventional single-family lots that could be developed in accordance with underlying zoning after factoring in roads, wetlands, slopes, etc.).
- The minimum open space area required to be set aside should remain at 40 percent of the total tract area. Meaningful open space areas should be provided, not simply left over undevelopable portions of the tract.
- Buffer areas must be provided around the perimeter of the tract (possible widths: 75 feet for R-1, R-2 and R-3; 50 feet for R-4 and R-5)
- The minimum permitted lot areas for individual lots as part of a cluster development could be as follows:
  - o R-1 District: 30,000 square feet
  - o R-2 District: 15,000 square feet
  - o R-3 District: 10,000 square feet
  - o R-4 District: 7,500 square feet
  - o R-5 District: 5,000 square feet
- The regulations for the R-C Residential Cluster Development District should remain unchanged as this zoning is already implemented through developments that have been constructed.

#### Residential Landscape Buffer Strips

A number of recommendations are provided below to improve requirements for landscape buffer strips.

Landscape buffer strip requirements for all non-residential zoning districts (see Section 25-11.4 for existing requirements) should also apply to residential subdivisions and site plan applications for properties that are 10 acres or greater in area.

For wooded sites, existing trees should be saved within buffer strip zones to the maximum extent possible.

Where existing trees would be removed in buffer strips, replacement trees and landscaping must be provided to form a continuous natural landscape edge. Berming, evergreen trees and/or fencing should be required along the interior edge of the buffer (i.e., closest to new development on the site) when adequate natural buffering cannot be provided.

The current minimum width requirement is 75 feet (100 feet in the P-C Zone). This width is sufficient in most instances. For comparison, the PURD and R-C Districts require a 50-foot buffer adjacent to other residential zones. The cluster regulations for the R-3 District require a 75-foot wide buffer, while the cluster regulations for the R-5 District vary between 30 and 75 buffer widths depending on circumstances (see Section 25-24.2b1(m)).

Consideration should be given to allowing somewhat less stringent standards for smaller non-residential properties where variances might be necessary if the 75 foot wide standard is mandated. This would provide for some predictability as what is necessary on such lots. For example, a requirement could be 10 percent of lot width or depth, but not less than 20 feet, with additional standards for plantings and fencing within the buffer area to ensure a year-round screen.

The Land Use Regulations Ordinance should clarify which improvements, if any, are permitted in buffer areas. It is recommended that stormwater management facilities (i.e., detention and retention basins) not be permitted in buffer areas.

#### PURD District

It is recommended that the maximum density in the PURD Planned Unit Residential Development District be revised to four dwelling units per acre for townhouses, garden apartments and multi-family structures.

#### Transfer of Development Rights (TDR)

In the event a TDR program can be created within West Orange, the Township should encourage the use of Redevelopment Areas as “receiving areas” of development density. Consideration could also be given to allowing development density to be transferred to existing larger scale commercial areas such as the Essex Green and Whole Foods shopping centers.

#### Natural Features Ordinance

It is still recommended that the Natural Features Ordinance at Section 25-28 of the Land Use Regulations Ordinance be revised to provide maximum protection of steep slopes in accordance with permitted law. In particular, the ordinance should include more definitive standards that limit the amount of development on properties containing steep slopes or excessive steep slopes, protect the actual steep slope areas from disturbance and prohibit development altogether on excessive steep slopes. The definition of “steep slope” should be changed to 10 percent or

greater and the definition of “excessive steep slope” should be changed to 25 percent or greater. The selected definitions and thresholds for ordinance compliance in this ordinance and the Environmental Impact Statement requirements at Section 25-13 should match each other. Consideration should also be given to removing the exceptions in the ordinance for existing conforming single family lots and minor residential subdivisions existing or to be created with conforming lots. The Township is currently in the process of updating the Natural Features Ordinance consistent with these recommendations.

#### Tree Ordinance

The Township adopted a new Tree Ordinance in 2008 to replace a prior version of the ordinance that was invalidated by the Superior Court of New Jersey, Law Division in 2007. If a comprehensive update of the Land Use Regulations Ordinance and other development regulations is undertaken, the new tree ordinance should be reviewed to ensure it provides maximum protection of trees as permitted by law.

#### Design Element

The Township’s Development Regulations should be expanded to include a Design Element, which would provide detailed regulations for signs, streetscapes, building facades, layout of parking and other items that have a visual impact on development throughout the Township. It is noted there are already formal design guidelines for the downtown area in the Land Use Regulations Ordinance. However, these regulations could benefit from a reassessment and updating as necessary. The Master Plan recognizes there is a need to balance the desire to improve aesthetics by upgrading facades and signage with an interest in being business friendly, as well as not infringing on First Amendment rights regarding signage. A series of design guidelines are included in the Appendix of this Master Plan Update for residential zones. Some recommendations are also provided for business districts and shopping centers, including parking area design, and for sustainable design. Consideration should be given to incorporating these into the Township’s Development Regulations.

#### Sustainability

It is also recommended that the Township continue to look for ways to become a more sustainable community. The Sustainability Plan Element includes various recommendations that overlap with other elements of the Master Plan and implementing ordinances. It is the intent of the Master Plan that such recommendations are included in appropriate topical elements of the Master Plan and that development applicants incorporate such principles in project designs.

In addition, renewable energy should be encouraged in residential and non-residential development and governmental projects. There have been recent changes in State law that are intended to make it easier for property owners to install wind turbines, solar panels and other renewable energy facilities. Such facilities should generally be encouraged in West Orange, although it is recognized that there may be impacts on nearby properties from such installations. It is recommended that applicants for renewable energy facilities attempt to minimize negative

community impacts, such as through careful design and siting (for example, in rear yards when possible).

#### Other Potential Zoning Changes

The following recommendations for changes to portions of the Land Use Regulations Ordinance are offered to address issues raised in stakeholder interviews and/or the Zoning Board of Adjustment's annual reports:

- Certain yard encroachments (gutters, roof overhangs, bay and bow windows) greater than 2 feet should require a variance – revise Section 25-8.2c to read as follows: “Doorways, sills, lintels, wall ornaments, leaders, gutters, roof overhangs, bay windows and bow windows projecting not more than two (2) feet. A variance shall be required for any feature that projects more than two (2) feet into a required yard.”
- Some adjustments are recommended to the temporary advertising sign regulations for Main Street/Neighborhood Business Zones (OB-1, OB-2 and B-1 Zones) contained in Section 25-15.3c1(f):

“A single nonilluminated temporary sign advertising the prospective sale or rental of the premises upon which it is located shall not exceed twenty-five (25) square feet in area or fifteen (15%) percent of the facade of the building on which the sign is located, whichever is less, and shall not remain on the premises for more than one hundred eighty (180) days. One extension shall be permitted for an additional period of not more than one hundred eighty (180) days. No sign permitted in accordance with this subsection shall be permitted beyond three hundred sixty (360) days.”
- The requirements for environmental impact statements in Section 25-13 should be evaluated to determine whether certain aspects should be adjusted. For example, there are currently more stringent requirements for larger projects, which are defined as major subdivisions as well as major site plans for properties five acres or larger in area. This threshold could be changed to allow for a more focused environmental questionnaire for smaller projects, while maintaining a longer one for larger proposals. The requirements also should also match up with the Natural Features Ordinance at Section 25-28, which currently defines steep slopes differently.
- Sustainability measures should be added to the environmental impact statement requirements and/or development application checklist requirements.
- The Application Procedures at Section 25-51 of the Land Use Regulations Ordinance should be amended to make it clear that when an application is made that affects a previously approved project, all aspects of the development are subject to review.
- Consideration should be given to revising the Application Procedures section to allow for some minor variances for single-family residences to be approved administratively.

## Rezoning

### *Introduction*

A number of potential changes are recommended to the zoning of certain properties throughout the Township. These are shown on Map 3 and described below.

### *Public Lands*

A sizable portion of West Orange's land area is devoted to Essex County Parks as well as public facilities including a National Guard Armory and the City of Orange's former water supply reservoir. Most of these lands are currently located in the Township's R-1 zone. It is recommended that all Essex County properties and the National Guard Armory be placed in the R-1 zone as well. In particular, Francis Byrne Golf Course and a recent addition to the Mayapple Hill Extension of South Mountain Reservation adjacent to the former Kean Estate should be rezoned from R-2 to R-1; the Armory property should be rezoned from R-3 to R-1; and Mayapple Hill Extension from R-4 to R-1. These changes would rationalize the zone designations for all similar properties within the Township. In addition, a Conservation overlay should be applied to any of the above properties that do not already have such a designation. A narrow property located along Cedar Avenue to the south of Mayapple Hill Extension is also recommended to be rezoned from R-3 to R-1.



The National Guard Armory on Pleasant Valley Way and other public properties are recommended to be placed in the R-1 zoning district.

### *West Essex Highlands (Block 179, Lot 32)*

This roughly 120-acre property is the largest vacant parcel in West Orange, but it has substantial limitations. Notably, it is encumbered by environmentally sensitive features and is almost entirely surrounded by developed properties. Potential access to the site is limited to two possible locations, both of which require driving for some distance through developed residential areas to access a main road. Access from the south is only possible through the Highlands at West Essex townhouse development, which itself is located at the dead end of a private road (Oval Road) that provides the only means of access to and from Eagle Rock Avenue for a few hundred dwelling units. From the north, the only road access is via a circuitous route on a dead end loop that crosses over the border into the Borough of Verona and back into West Orange, cutting through an established single-family residential neighborhood on its way to Pleasant Valley Way.

The West Essex Highlands property is currently zoned R-2 at the east and west ends (approximately 58 acres) and R-3 in the middle (approximately 62 acres). However, the zoning was amended in accordance with the 2004 Reexamination to allow R-4 density for conventional single-family homes west of the property's ridgeline if the existing ridgeline, steep slopes, wetlands and similar natural features are permanently protected. Attached cluster housing such as multifamily or townhouse development is a specifically prohibited use on this property.



Preservation of the West Essex Highlands parcel in the northwest corner of the Township is a priority.

It is strongly recommended that this property remain undeveloped and be preserved as open space.

It is recommended that the existing zone map designations for this property remain unchanged. Attached cluster housing is still not recommended as an option for this site. Single-family detached dwellings should only be permitted in accordance with the bulk limitations of the zone districts for the property (i.e., lots designed in accordance with R-4 zone standards should not be permitted). The proposed density limits for this site are appropriate

in light of the environmental features and access deficiencies that limit the ability of the site to accommodate a large number of dwelling units. It is further recommended that the design of any development on this property promote connectivity – that there are multiple access points, a gridlike street network and limited dead end streets. Appropriate pedestrian circulation should also be planned for within the development.

Buffers should be provided in accordance with regulations for large-scale residential developments as recommended elsewhere in this plan element, and should be uniformly applied along property boundaries consistent with the regulations. Development design should promote permanent preservation and protection of the unique, visually prominent and environmentally significant ridgeline and associated east face of the Second Watchung Mountain on this property. Open space preservation areas on the site should optimally connect with adjacent preserved areas.

#### *Private Golf Courses*

There are five private golf courses in West Orange. Four of these (Crestmont Country Club, Essex County Country Club, Essex Fells Country Club and Montclair Golf Club) are currently located in the R-2 zone, while Rock Spring Country Club is located in the R-1 zone.

It is recommended that the Essex County Country Club and Montclair Golf Club properties be rezoned to R-1. These two properties are located adjacent to large areas currently in the R-1 zone (as is the case with Rock Spring Country Club, which is already in the R-1 zone) and the public Francis Byrne Golf Course to the west of Essex County Country Club is proposed to be placed in the R-1 zone. This rezoning proposal also supports preservation of



The Master Plan supports the continued operation of the five private golf courses in West Orange.

environmental constraints, including streams, wetlands and steep slopes.

The Master Plan strongly encourages that these properties continue to be operated as golf courses. In the event one or more of the golf clubs is no longer viable, the preferred action would be for the property to remain as open space, whether as a public golf course or as parkland, or to be utilized for public facilities. Any private development that occurs on the property should be in accordance with the single-family residential zoning that is recommended above. Development design should provide for open space preservation, protection of environmental features, incorporation of sustainability measures and connectivity for residents and visitors through appropriate circulation design. Attached cluster housing should not be permitted. Single-family detached cluster housing could be considered, consistent with the recommended cluster requirements discussed elsewhere in this plan element.

*Stagg Field and the Property Adjacent to Stagg Field (Block 168, Lots 22 and 25)*

It is recommended these properties be rezoned to R-2, as they are contiguous on two sides with R-2 zones.

*Northern End of Pleasant Valley Way*

There is a mix of land uses on the east side of Pleasant Valley Way between Woodland Avenue and the Township's border with Verona. These include a firehouse and a mixed commercial/office building in the O-R Office Research zone and an assisted living residence, a plant nursery, a senior housing complex and a vacant catering facility in the R-2 zone.

It is recommended that lots currently located in the O-R zone in this area be placed in the B-1 Retail Business zone. This zone is more appropriate for smaller properties, as there is no minimum lot area requirement in the B-1 zone, while it is five acres in the O-R zone. There is also already an existing B-1 zone a short distance to the south along Pleasant Valley Way. The properties currently located within the R-2 zone should remain within that district, with the exception of the Montclair Golf Club parcels, which are proposed to be placed in the R-1 zone as discussed elsewhere in this document.

*East Side of Prospect Avenue*

There is an existing B-2 General Business zone on the east side of Prospect Avenue to the north of its intersection with Mount Pleasant Avenue. Various commercial uses are located in this portion of the zone. Two additional commercial properties fronting on Prospect Avenue to the north of this B-2 zone are located in the PURD Planned Unit Residential Development zone despite their location across from a major shopping center (Essex Green).

It is recommended that these two lots currently located in the PURD zone be placed in the B-2 General Business zone. This zone is more appropriate for these properties given their size, location and current uses.

## Other

### *Crystal Lake*

This waterbody and adjacent lands have been cited as a valuable but underutilized resource. Access is currently provided from Prospect Avenue. The facility could be improved by including the bowling alley and/or other adjacent properties as part of an overall plan to improve the park and surrounding area. Improved vehicular access and parking for the lake could be benefits derived from jointly planning for these properties. It is uncertain whether there would be a need to amend the zoning for any properties included in such a plan to undertake these improvements.



Crystal Lake (above) is an underutilized resource that could benefit from better access and other improvements.

### *Valley Road Area Redevelopment Area*

This redevelopment area includes five lots located between Central Avenue and Mitchell Street along West Orange's border with the City of Orange, which are part of a larger property that includes additional land in Orange. The underlying zoning of these properties and for a number of nearby parcels is I Industrial. While this section of West Orange and

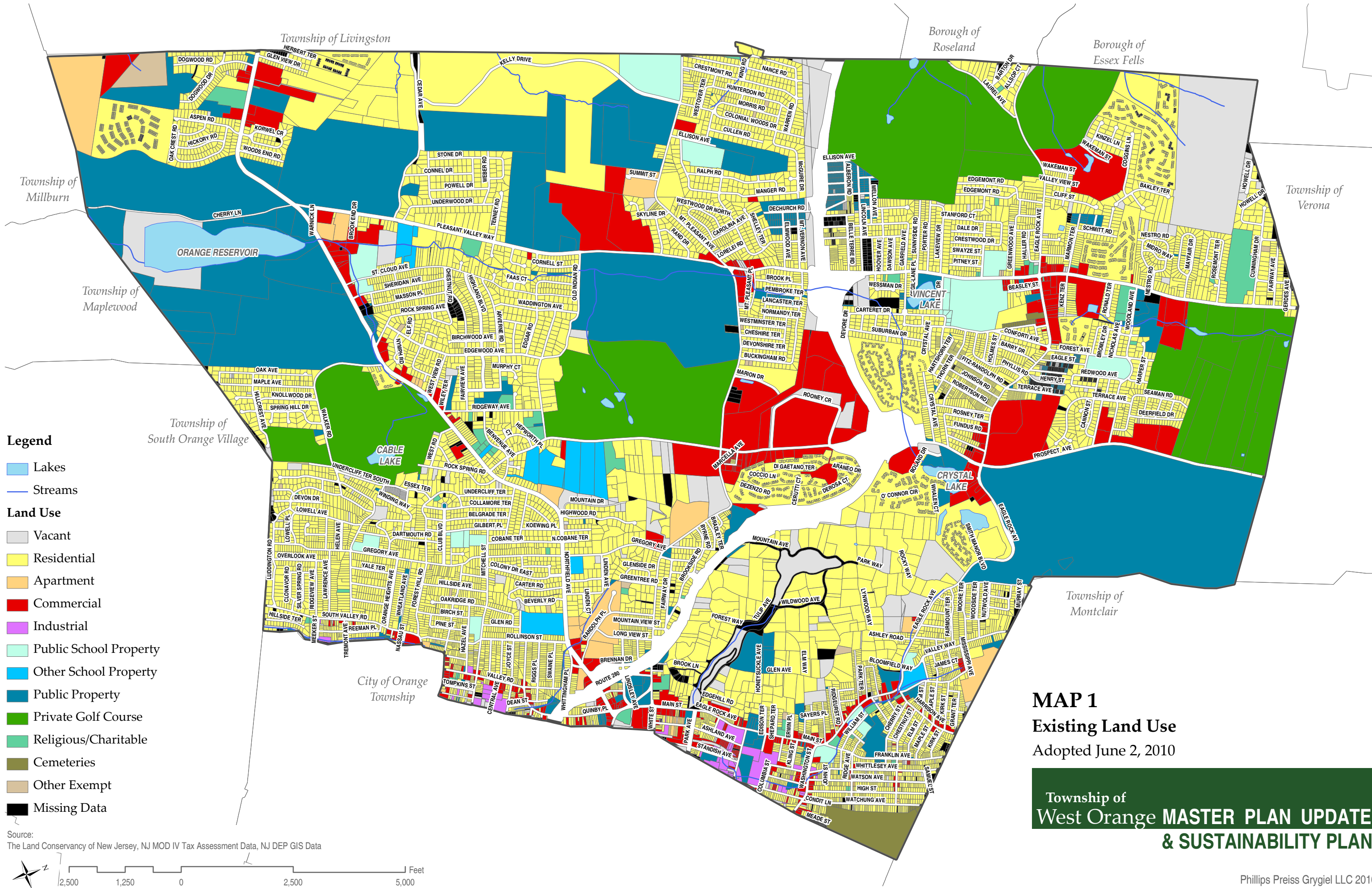


nearby areas in Orange have historically been used for industrial purposes, it is unlikely that there will be much demand for industry in this location for the foreseeable future. The Township should consider expanding this redevelopment area to include nearby properties in order to promote the comprehensive redevelopment for new uses that would contribute to West Orange's tax base, while taking advantage of proximity to the Highland Avenue railroad station.

### *Redevelopment Area Mapping*

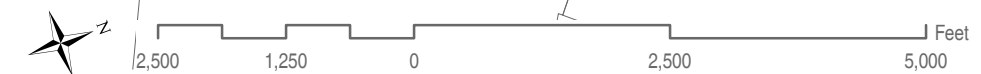
The Zoning Map should be updated to delineate all designated redevelopment areas as required by the New Jersey Local Redevelopment and Housing Law. The map does appear to reflect the zone designations set forth in the Downtown and Organon Redevelopment Plans, although it is not clear from the names that these are redevelopment areas and not standard zoning districts. It may be useful to delineate on the Zoning Map that these are redevelopment areas.

The Valley Road (Harvard Press) Redevelopment Area is still shown in the I Zone. Thus, if this plan has been adopted, the Zoning Map needs to be amended to show its new designation.



- Legend**
- Lakes
  - Streams
  - Land Use**
  - Vacant
  - Residential
  - Apartment
  - Commercial
  - Industrial
  - Public School Property
  - Other School Property
  - Public Property
  - Private Golf Course
  - Religious/Charitable
  - Cemeteries
  - Other Exempt
  - Missing Data

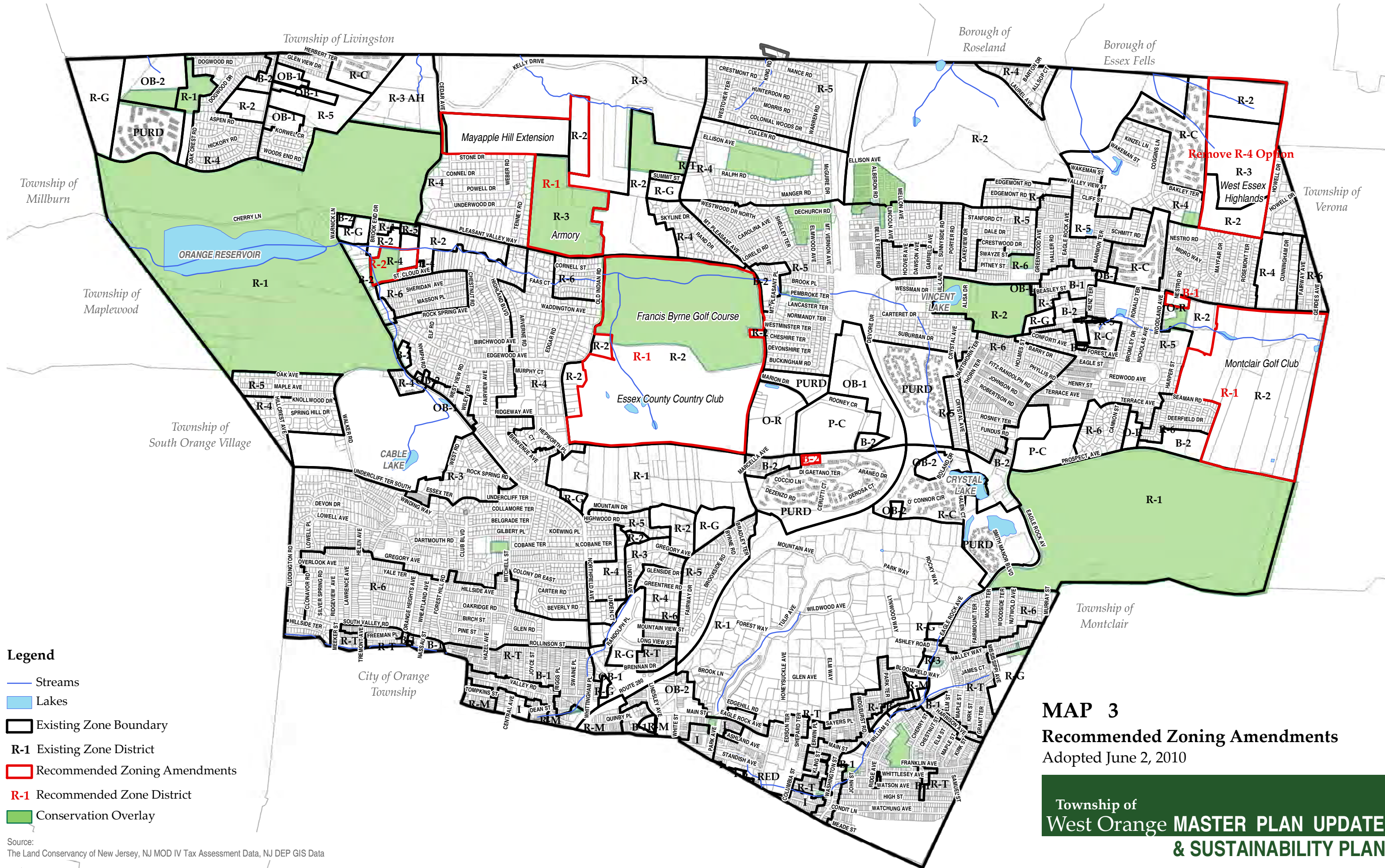
Source:  
The Land Conservancy of New Jersey, NJ MOD IV Tax Assessment Data, NJ DEP GIS Data



**MAP 1**  
**Existing Land Use**  
Adopted June 2, 2010

**Township of West Orange MASTER PLAN UPDATE & SUSTAINABILITY PLAN**





Source:  
The Land Conservancy of New Jersey, NJ MOD IV Tax Assessment Data, NJ DEP GIS Data



## II. Economic Development

### Introduction

West Orange is a large Township that is comprised of a number of distinctive neighborhoods and commercial centers. These include a multifaceted downtown, smaller nodes that primarily serve nearby residents and workers and two larger-scale agglomerations of office, retail and services that are centered on the interchange of Interstate Route 280 and Prospect Avenue. The 2004 Master Plan Reexamination identified these commercial nodes of various sizes and functions. This plan element reemphasizes some of the recommendations for these centers and provides additional ideas for general and specific improvements to the Township's economic climate.

The centers identified in the 2004 Reexamination Report are as follows:

#### Downtown (Main Street/Valley Road)

##### Neighborhood Commercial Centers

- St. Cloud
- Mount Pleasant Avenue/Pleasant Valley Way
- Pleasantdale
- South Valley Road

##### Regional Centers:

- Eagle Rock Avenue/Prospect Avenue
- Essex Green

Some minimal changes are proposed to these areas, as described below. This plan element update makes certain recommendations for improving these areas, and reemphasizes the Township's efforts to focus development in these existing centers.

### Recommendations

#### General

It is recommended that the Township continues to maintain a balance of land uses. For example, while open space preservation and provision of public facilities are important, so are vibrant commercial and office areas that contribute to the municipality's tax base. Similarly, continuing to provide for a range of appropriate housing types and sizes maintains West Orange's desirability for a spectrum of residents with varied public service needs who can also support local businesses.

The 2004 report noted that development that generates employment opportunities and beneficial commercial/retail activity should continue to be encouraged where it is compatible with adjacent land uses, and sensitive natural and environmental features, and should be balanced by the need

to maintain adequate public infrastructure and facilities, services and pedestrian and vehicular circulation patterns.

This objective remains important given the recent economic downturn which will likely have lingering impacts in coming years.

West Orange is a municipality comprised of distinctive neighborhoods as well as commercial areas as described in this plan element. The Township's sizable resident and employee populations should be able to provide a built-in market for businesses and be able to supply many employees in offices. Yet, West Orange is still considered only a "bedroom community" by some residents, who tend to go outside the community for shopping or entertainment. The Township should continue to counter this perception through promotion of its business districts and provision of additional shopping and services for local residents. Ongoing efforts in the downtown and improvements in the regional business districts are positive steps that should continue to be encouraged. Some changes to permitted uses and other zoning requirements are suggested in the Land Use Element update, which could promote new commercial development in appropriate locations.



Healthcare and related services represent an economic growth opportunity for West Orange.

Additional non-residential uses will also contribute to the municipality's tax base. Some land use categories should be encouraged due to their growth potential and positive fiscal impacts. One such category is medical services, including offices, laboratories and supporting services. This sector will likely see continued growth as the area's (and nation's) population continues to age. West Orange also can take advantage of its proximity to Saint Barnabas Medical Center in Livingston, which is one of the state's largest and busiest hospitals. The

administrative offices for the Saint Barnabas Health Care System are already located in West Orange, and there are opportunities for West Orange to accommodate additional growth in the health care sector. Hotels also should be promoted due to their somewhat limited supply in the immediate area and the substantial benefits, which include local lodging taxes that accrue directly to the municipality.

There is room for expansion and improvement of "traditional" land uses such as retail, restaurants and offices in various locations throughout West Orange. The downtown, neighborhood centers and regional nodes all could benefit from new development of such uses as permitted by zoning. More non-traditional uses may also fit in certain locations. These could include car washes which currently are only located in the easternmost section of the Township. Private indoor recreation facilities have growth potential as well due to increasing participation in youth and adult sports and the limited supply of public facilities to meet demand. This latter

use also provides a way to reuse former industrial or large-scale commercial structures that may no longer be desirable for their original function.

Lastly, consideration could be given to creating an office tasked with promoting economic development in the Township. There are many entities responsible for development of particular areas of the municipality. Providing a central location for these tasks may help improve West Orange's efforts.

#### Downtown

West Orange's downtown is actually linear collection of four nodes located along Main Street, Valley Road and certain adjoining streets. Its boundaries roughly coincide with those of the [Downtown West Orange Alliance](#), a Special Improvement District (SID) that is comprised of the Eagle Rock, Tory Corner, St. Mark's and the Valley subareas. The Downtown West Orange Alliance has successfully promoted downtown and its businesses through special events, promotions and other means. It should continue to play a significant role in this area, and should continue to work with other entities to improve downtown. These include Township boards and commissions, Essex County (which has jurisdiction over most of the main roads in the downtown), the City of Orange (which abuts a large part of downtown), non-profit organizations and community groups.

The future of the Main Street Redevelopment Area is a major issue. As noted in the Reexamination Report, the implementation of the adopted Redevelopment Plan for this area has not progressed as expected due in large part to economic conditions. The plan includes additional residential units, retail space and parking, which are consistent with the adopted vision for this section of the Township. However, in the event this project remains stalled it may be appropriate to revisit some aspects of the Redevelopment Plan, as well as potentially the Redevelopment Area boundaries. Particular components that could be adjusted include the land use mix, residential unit types and bulk standards. The eventual redevelopment of this portion of downtown should complement existing attractions and development in the area in order to make it more of a destination for Township residents as well as visitors from outside of West Orange.

There has also been some redevelopment activity in the Valley. Its role as part of the [Valley Arts District](#) will be enhanced by the opening of [Luna Stage Theater Company](#) at 555 Valley Road this fall. Yet there are still opportunities for improvements. The Central Avenue corridor is one such opportunity given the activity already taking place and the size and number of vacant buildings and properties. Coordination should continue with the City of Orange's efforts, given the fluidity of the border between the two communities and the fact that Highland Avenue railroad station is located in Orange. Development in the area closest to the station should be transit-oriented in nature to take advantage of this amenity (e.g., rental and/or ownership housing over stores and services with a walkable design). The provision of additional services for residents and visitors is recommended. Ideas for uses that would be beneficial that were suggested

during the process of preparing this plan include a coffee shop, tea shop, bagel store and/or bakery. It is also noted that the arts theme for this area has taken root and will likely continue to be an opportunity for West Orange.

Along Main Street as well as in the Valley, parking has been cited as a big issue. Provision of additional parking may be necessary to attract uses, yet parking on individual sites should not be so burdensome as to make redevelopment cost-prohibitive.

Another portion of downtown that has seen some investment in recent years but could still use some improvements is Harrison Avenue.

### Neighborhood Commercial Centers

#### *Saint Cloud*

This commercial area includes various properties along Northfield Avenue. There are opportunities for improvements to specific lots as well as the area in general. Appropriate



New development in the Saint Cloud commercial area should leverage Codey Arena and other Essex County facilities.

development should be promoted on this portion of Northfield Avenue that takes advantage of its proximity to the Essex County facilities on the eastern side of the street. [Turtle Back Zoo](#) is a regional attraction and the adjacent [Codey Arena](#) brings visitors to the area for events and sports practices. The County is planning to provide a miniature golf course and boathouse on property to the west of the Arena and Zoo.

There is a substantial opportunity for new uses in the vicinity that can keep patrons of the County facilities in the area longer, including family-friendly restaurants, sports-themed bars and restaurants, convenience retail and ancillary services. The pedestrian-unfriendly design of Northfield Avenue is a barrier that should be softened through design improvements that make it easier to cross the street and more inviting to walk alongside of it. These improvements go beyond the scope of individual properties. The Township should lobby Essex County to fund pedestrian amenities, streetscaping, plantings, traffic signal adjustments and other design features to mitigate the impacts of the intensification of its properties in the vicinity.

A site that is attractive for reuse is the former Ekko restaurant on Northfield Avenue. However, there are limits as to what can be appropriately built on this and other properties in this area due to proximity to residential uses located to the rear. The 2004 Reexamination Report recommended local historic designation for the Essex House property. As it has since been

determined this property is not historic, it should no longer be considered for designation. However, it should remain part of this neighborhood commercial center.

There are also some businesses and a major institution (JCC of Metrowest) that attracts visitors to the area. Physical improvements and enhanced connections between the “anchors” in the southwest corner of the Township (Zoo, Arena, South Mountain Reservation, JCC) may also strengthen the economic viability of this area.

#### *Mount Pleasant/Pleasant Valley Way*

There are no changes to the recommendations for this node. The vacant gas station and adjacent property located on the west side of Pleasant Valley Way north of Mount Pleasant Avenue remains an attractive development site.

#### *Pleasantdale*

The various issues for this area cited in the 2004 Reexamination generally remain. One change is that the new bank referenced in that document has been constructed. Parking and traffic are still concerns which will not be easily addressed. Improved design of the public realm as well as redeveloped private properties can enhance the appearance and vitality of this center.

#### *South Valley Road*

This node includes a somewhat recently rebuilt strip shopping center and some nearby commercial and mixed-use properties. A main issue in this area is parking. There is a vacant property at the corner of South Valley Road and Tremont Street that could be used for parking or other purposes. The addition of parking on and/or adjacent to this lot could benefit businesses and residents in the vicinity. Any improvements should be designed to minimize negative impacts on adjacent properties.

### Regional Centers

#### *Eagle Rock Avenue/Prospect Avenue*

This node is centered on an intersection that handles high volumes of traffic – albeit, with significant backups at peak hours. Its location a short distance from Interstate Route 280 on heavily trafficked County roadways makes it a desirable location for certain retail and office uses. There have been some improvements in this area. However, additional changes are likely due to the inefficient design of the Whole Foods shopping center and certain other properties. Improved site design — particularly of parking areas — should be emphasized in any redevelopment proposals.

#### *Essex Green*

On the south side of Route 280, the Essex Green node has a different character than the one at Eagle Rock Avenue a short distance to the north. The Essex Green shopping center is a focal point, as it includes movie theaters, a department store, a supermarket, restaurants and small to mid-size retailers. There are other complementary uses located in proximity, particularly office,

hotel and personal services. A key for this area is to maintain a balance of land uses, which will have benefits with regard to traffic as well as fiscal impacts.

For example, a hotel was constructed in the area in recent years and a new one is proposed. This type of use is encouraged as it provides a supporting service for businesses in the area as well as the Township in general. (As noted above, hotels also provide direct financial benefits to the municipality.) Other notable activity in the area has been the redevelopment of the former Organon property, which has been transformed into modern functional office space. No expansion is proposed to the retail zoning in this area, as there remains ample land zoned to allow for retail and service uses in this area. The existing distribution of office and supportive retail and service uses should be maintained in future planning for the area. There are also multi-family residential uses in the immediate surrounding area. No additional residential development is recommended at this time. An exception could be considered for mixed-use development as part of future redevelopment of the shopping center or another large property.

### III. Historic Preservation Plan Element

#### Introduction

The Historic Preservation Plan Element in the 2004 Reexamination Report outlined various issues and recommendations, most of which remain valid. There have been some changes of note to information included in the 2004 plan element, including the following:

- There are now seven locally designated historic sites in the Township.
- Local historic designation was recommended for the Essex House property. As it has since been determined this property is not historic, it should no longer be considered for designation.
- The Township has acquired half of the Recollect Augustinian Monastery on Ridgeway Avenue, which was discussed on page 30 of the 2004 report.

There was also a recommendation on page 29 of the 2004 plan element to investigate whether ordinance should be amended to prohibit the Historic Preservation Commission (HPC) from considering economic hardship when reviewing an application. This investigation still needs to be undertaken.

There are currently no local historic districts in West Orange, although there are some areas that could qualify. The HPC has been active in the past few years and is seeking to designate more properties as historic sites, including investigating the potential designation of two houses in Llewellyn Park. West Orange has a rich history that includes notable properties, districts, parks, figures and events. Information about the Township's heritage is included in the local history collection housed in the West Orange Public Library, which consists mainly of books, maps and photos documenting the Township's past.

#### Recommendations

A challenge in the coming years will be how to balance sustainability, development and historic preservation. The Historic Preservation Commission and others have been trying to educate the community about historic preservation and its benefits. For example, consideration should be given to the impacts due to demolition of older buildings. In many instances, reuse is a more sustainable approach. Improvements are also needed to the Township's Historic Preservation Ordinance. West Orange is in need of an updated survey of historic sites, which is necessary for the Township to become



The Llewellyn Park Historic District is one of West Orange's many historic resources.

a “Certified Local Government” for historic preservation purposes. The Township has a survey of historic sites, but it dates to 1992.

The Historic Preservation Commission has noted issues with regard to home demolitions. There are occasionally development applications that do not come to the HPC’s attention. Changes to the procedures for an application to the HPC being required should be considered to better protect the Township’s historic resources. One option would be to implement a demolition review law, such as exists in the Township of Montclair. A minimal threshold would at least allow the HPC to undertake initial investigation to determine if further action is warranted. At a minimum, procedures should be amended to that the HPC is informed of any action affecting properties listed in the Township’s 1992 Historic Preservation survey.

Other recommended actions are to promote more interaction between the Historic Preservation Commission and other Township boards and commissions. While communication between these entities is currently done primarily through written correspondence, other methods may be more effective and useful. For example, meeting dates could be coordinated, so for example the HPC has the ability to more easily weigh in on applications before the Planning Board or Board of Adjustment. The Township Council and/or Planning Board also could designate a liaison to the HPC. Other entities with which the HPC could have improved communication include the Township’s housing rehabilitation program and the Downtown West Orange Alliance would be useful.

## IV. Community Facilities, Utilities and Recycling Plan Element

### Introduction

This plan element addresses existing and potential future needs for community facilities in West Orange. In particular, it describes changes to the existing conditions information in the 2004 Reexamination for the Township's public schools; emergency services; public library; health department; water, sewer and other utilities; and municipal facilities and properties. It also includes information regarding recycling in West Orange. The information included in this plan element update is based in large part upon discussions with representatives of the various community facilities providers and review of existing documents and other relevant background information.

### Existing Conditions, Issues and Recommendations

#### Public Schools

The [West Orange Public Schools'](#) facilities are heavily utilized, including beyond school hours, but are generally adequate. According to the Superintendent of Schools, the district's most pressing facilities need is for a new elementary school, as there are 14 trailers currently being utilized throughout the district to serve overflow enrollment. The school district is in the process of selecting a site for this school. There are no issues projected with regard to West Orange High School or the middle schools.

Another major facilities issue for the school district is that its existing maintenance garage facility does not provide enough space for maintenance vehicles and buses. At a minimum, additional space is needed for school bus parking as the district provides busing service for 4,500 students. These buses — many of which are provided by contractors — have to be kept in the Township during the school day, which results in the need for storage space. Lack of parking is also a problem near many of the Township's schools, especially those originally built decades ago to



West Orange High School was recently upgraded and expanded.

serve students who walked from homes in the immediate surrounding area. One idea to help address this problem is to create a fund to buy land nearby schools that could be utilized for additional parking. Such facilities should be designed to be utilized by the surrounding community when not needed by the school district.

There are certain other issues facing the West Orange Public Schools. One is with regard to the state school funding formula, which bases aid allocation on the Township's relative wealth, which is overstated

compared to the actual student population. Many of the school district's students have substantial needs, including pupils living with grandparents or other relatives and large numbers of special education and non-English language speaking students. While the school district's and Township's diversity are generally strengths, it also creates some challenges.

#### Police

The [West Orange Police Department's](#) headquarters are located at 60 Main Street, adjacent to the Municipal Building. There are a few substations throughout the Township, including at Essex Green Shopping Center, at 96 Washington Street in Watchung Heights and at 555 Valley Road in the Valley. The latter two are more than just police stations – they serve as community centers as well. The Department's major facilities issue is that it has “long outgrown” its headquarters, according to police representatives, and it has had to be very efficient in using its existing available space.

The Police Department currently has no significant problems with coverage of the municipality. There have been some crime issues along the Township's borders. The addition of security cameras should help address issues where they are deployed. Other issues include a need to improve the visibility of stores, parks and streets, which is impacted by antiquated lighting in some areas.

The primary equipment need for the Police Department is that its communications system currently has some gaps in locations where new development has occurred. This issue is in the process of being addressed. Future development projects should be required to analyze whether such deficiencies would exist, and if so should be required to pay to address them. The Department also would like more full time four-wheel drive vehicles, as there are response problems in some areas during inclement weather due to the Township's topography.

#### Fire

The [West Orange Fire Department](#) provides service from four stations in different sections of the Township. Its headquarters is located on Valley Road in the southeastern portion of West Orange, and its other stations are located on Washington Street, Ridgeway Avenue and Pleasant Valley Way. According to a Department representative, most areas of West Orange are adequately served at present. The longest response times are in the new developments near the western edge of the Township (Kelly Drive and vicinity), which currently exceed the maximum recommended time – particularly at peak traffic times and during bad weather. The Department's heaviest response load is in the downtown area, but it is otherwise generally spread throughout the Township. There are no major



New development presents some challenges for emergency service providers.

issues with regard to water supply or pressure.

The Fire Department has increased its services during the past few years. It now provides backup emergency medical services to the West Orange First Aid Squad. The Fire Department also has added a confined space team, which was mandated by the Department of Labor in order to respond to emergencies at facilities such as wells and pumping stations. Other services provided by the Fire Department include smoke detector inspections, life hazard inspections and non-licensed building inspections, which total approximately 1,300 inspections per year. The Department's staffing has not changed in recent years but responses have increased. A large number of its fire and medical responses are due to Interstate Route 280, as the Department responds to accidents on this heavily traveled highway that bisects the Township.

There are some facilities needs according to representatives of the Fire Department. The first priority is replacement of the headquarters building, followed by Station 4 on Pleasant Valley Way and Station 3 on Ridgeway Avenue. In the interim, a new floor drain is needed at Station 4.



High volumes of traffic passing through West Orange on Interstate Route 280 result in an increased burden on the Township's emergency service providers.

There is vacant land available behind Station 3. In planning for the Department's future, consideration should be given to making the Fire Department more centralized within the Township. One possibility could be to locate a Fire Department facility at the First Aid Squad building, which was formerly was a fire station.

One suggestion made by Department representatives is to construct a fire training facility in West Orange. Each of the Department's firefighters devotes over 200 hours per year to training, for which they must go to Bergen, Middlesex or Morris Counties. Both cost and time savings could result over the long-term from providing training in West Orange. Such a

facility would likely need to be constructed and operated jointly with other municipalities and/or Essex County.

The Fire Department also has some equipment needs according to its representatives. A ladder truck is needed, as is a new engine at Station 2 to serve Main Street. By 2012, Engine 3 will need to be replaced. A new ambulance also will be necessary.

#### First Aid Squad

The [West Orange First Aid Squad](#) currently has approximately 60 volunteers who provide coverage 24 hours a day in three shifts (6 AM to 6 PM, 6 PM to 11 PM and 11 PM to 6 AM). According to representatives of the First Aid Squad, its call volume has tripled during the past six years. The First Aid Squad has a good working relationship with the West Orange Fire

Department, which has provided assistance to the First Aid Squad including emergency medical services. When additional coverage is needed, the First Aid Squad relies upon private ambulance services or mutual aid (reciprocal service provided by first aid squads from other municipalities).

The First Aid Squad is funded through two main sources. The first is the Township of West Orange, which provides fuel, assistance with vehicle repairs, the headquarters building, maintenance and insurance. The second is donations from residents and others. The Squad has no immediate equipment needs. In terms of facilities, its current headquarters are centrally located just off Mount Pleasant Avenue near Pleasant Valley Way, although a second facility could be useful in the downtown area. Such a facility could be included as part of the Downtown Redevelopment Plan. An issue cited by representatives of the First Aid Squad is a need to improve dispatch procedures so that resources are properly channeled. In particular, there should be improved education provided to nursing homes and similar institutions about not utilizing the First Aid Squad for patient transport, which interferes with the ability to respond to actual emergencies.

Like many volunteer organizations, the West Orange First Aid Squad has had some trouble attracting and retaining members. Also, the process of becoming a member takes some time because of training, background checks and other procedures. The First Aid Squad has been able to attract some new members through scholarships and other programs. It is also looking to partner with daycare facilities (which would allow stay-at-home parents to join), is working with unemployment centers and recruiting at colleges, among other efforts.

#### Library

The [West Orange Public Library](#) is located at 46 Mount Pleasant Avenue, adjacent to the Municipal Building. According to representatives of the Library, it has a collaborative and cooperative relationship with other organizations in the Township, such as the Energy Commission, Arts Alliance and the Downtown West Orange Alliance. The Library is open seven days a week for 65 hours per week, except in July and August. It features approximately 400 programs per year and provides space for approximately 40 community programs per year.

In 2008, the Library received 291,337 visits, had 396,912 items borrowed and answered 41,000 reference questions. There were 28,816 registered borrowers. The Library's inventory includes 154,000 books, 6,360 DVDs/videos, 3,714 audiobooks, 2,209 music compact discs, 219 periodical subscriptions and 50 computers for both the public and staff.

The Library has undergone a number of changes since 2004. There has been a decrease in staff but an increase in services. The Tory Corner Branch closed. The Library was slated to move to a new facility in the Main Street Redevelopment Area, but this change has not happened as the redevelopment project has stalled. There is a commitment on the Library's part to remaining in its current location or elsewhere in the downtown area, which benefits Main Street by attracting

people to the area. The Library also would like to continue to serve all aspects of West Orange's diverse community. Programs include services tailored to children and teens, collaboration with one-stop workforce centers and provision of home delivery. The Library has indicated it could undertake more outreach by having a bookmobile, which could serve more broadly as a "technology mobile."

According to representatives of the Library, its key challenges for the next few years are coping with an aged, outdated library building; maintenance costs; meeting additional needs of the public; providing expanded services/collections for an increasingly diverse community; and keeping up with technology trends. Many facilities needs have been identified. These range from upgrades or replacement of major building systems such as the roof, heating/ventilation/air conditioning, lighting, electric and phones to provision of additional seating and meeting room space to improvements to the building's interior and exterior.

#### Health Department

There have been growing demands on the Township's [Health Department](#) in recent years. This department is responsible for a variety of programs, ranging from Animal Control to Transportation. Other services provided by the Department include a Dental Clinic for Senior Citizens, Health Center, Residential Refuse Collection, Social Services and Vital Statistics. According to a representative of the department, major issues include dealing with more emergent communicable diseases and complying with tougher State requirements which mandate computerized filing of reports. Upgrades are needed to the Department's electrical system and phone lines in order to keep up with these requirements. There have also been challenges due to the Township's changing population and associated cultural and language barriers. The Health Department also has some facilities needs. More storage space is needed for equipment related to bio-terrorism and diseases. Office security should be improved in order to better safeguard vital statistics and other records. The Dental Clinic is "antiquated." There is also a need for indoor storage for senior citizen buses.

#### Recycling

Recycling has become part of everyday life in West Orange. The Township has an active [environmental center](#) located at 590 Mount Pleasant Avenue that provides a broad spectrum of services beyond traditional recycling functions. These include recycling of electronics, batteries, light bulbs, propane tanks and scrap tires. Vegetative composting and wood product recycling are also offered. The Township also utilizes a contractor to collect recycled materials (mixed paper, cardboard, glass, plastic and cans) from residential properties on a weekly basis. A number of recommended actions pertaining to recycling, reuse and reduction are included in the Sustainability Plan.

#### Water and Sewer

Water service in West Orange is provided by [New Jersey American Water Company](#). The Township of West Orange maintains over 200 miles of storm sewers and sanitary sewers and over 2,000 inlets and manholes. There are ten pump stations in West Orange, two of which may

need to be replaced. However, the Township is looking to eliminate pump stations when possible and replace them with gravity sewers. According to the Township's [Department of Public Works](#), there are no pressing issues relating to water and sewer capacity, which is considered adequate to service anticipated future growth in the Township. The biggest issue with regard to sewer is inflow and infiltration – dry weather flow is not a problem.

The Township adopted its most recent Storm Water Management Plan in 2005. This plan is scheduled to be updated in the next few years.

#### Other Utilities

Transmission and distribution of electricity and natural gas in West Orange is handled by [Public Service Electric and Gas Company](#) (PSE&G), which formerly was also the sole generator and supplier. New Jersey has allowed competition in the electricity and natural gas generation/supply markets since 1999, meaning that customers can choose PSE&G or a different supplier for gas and electric.

The communications landscape has significantly evolved in recent years. The infrastructure necessary to provide telephone and DSL broadband Internet service in West Orange is owned and operated by [Verizon](#). Originally part of the Bell system, Verizon is the largest local telephone service operator in the United States. The cable television/cable broadband Internet infrastructure in the Township is owned and operated by [Comcast](#), a company that provides cable service in many communities throughout New Jersey and other states. Verizon also offers fiber optic broadband Internet, television and telephone service. Other options for telephone service in the Township include VoIP (Voice over Internet Protocol) and cellular phone services.

#### Other Municipal Properties and Services

The Municipal Complex parking lot serves multiple uses that surround it: the Municipal Building, Police Department headquarters, the Public Library and a senior housing building. This lot is heavily utilized throughout the day and evening, with shortages of available parking at times. Representatives of various users of this lot mentioned its deficiencies. This lot presents an opportunity, as it could be reconfigured to better serve adjacent uses and improve existing conditions. Potential objectives for its redesign could include the following:

- Increase parking capacity
- Improve pedestrian safety and traffic circulation
- Decrease runoff
- Add one or more public amenities

An attractive option would be a parking deck, with open space and/or solar panels on its roof. While likely cost-prohibitive at present, such a facility could take advantage of topography to have some levels below grade, with the upper levels at the same elevation as the Library and senior housing building. Alternately, a redesigned surface parking lot could be configured in a

way to provide additional greenery and/or a plaza that could be used for parking during the week and available for special events on weekends.

Another municipal property that could potentially be reused is a vacant tract on Ridgeway Avenue. A host of ideas have been suggested for this property, including the following: municipal office space, a fire training facility, public/private partnership providing community recreation, community garden, wellness center and/or art gallery/exhibition space. The Township should balance the community's overall needs with potential impacts on the surrounding area when determining what should be located on this property.

West Orange should continue to promote shared services between the Township and other governmental entities, particularly the school district and nearby municipalities, and expand such arrangements when appropriate. Existing examples include West Orange providing animal control services to Roseland and Essex Fells, health officer/administrative services to Essex Fells and senior citizen dental services to various other municipalities through its Dental Clinic. The School District also provides space for Township recreation programs. Some possibilities for future shared service arrangements are described below.

The West Orange Fire Department could be a lead organization for shared services given its size and breadth of experience. The Department could provide training facilities for multiple municipalities, as there is no such facility in Essex County at present. A well-designed facility also could be used for multiple purposes (e.g., fire, police, EMS training).

There also could be combined school district/Township facilities. For example, the West Orange Public Schools' maintenance garage is not adequate, and the Township's Health Department is in need of storage space for senior citizen shuttle vehicles. A joint vehicle storage and maintenance garage facility for the Township and school district could allow for a better facility without duplicating functions. The Public Works and Engineering departments also will need to be relocated to a new facility when the Main Street Redevelopment Plan goes forward, and could be located in a combined facility.

## V. Circulation Plan Element

### Introduction

West Orange is conveniently situated within the northern New Jersey metropolitan area. Interstate Route 280, New Jersey Route 10 and a number of Essex County roads provide access to Newark, New York City and other destinations. Local and long-distance buses serving the Township connect its residents to New York City and other destinations, and provide transportation to workers in West Orange's many offices, shops, restaurants and institutions. While there are no railroad stations in West Orange, five [New Jersey Transit](#) stations are located a short distance from the Township's border. Two of these — Highland Avenue and Mountain Station — are within walking distance of some West Orange residents. The Township of West Orange also provides commuter shuttle service to and from Mountain, Orange and South Orange stations.

Due to the Township's size and topography, there are sections of West Orange that are accessible primarily by automobile, while certain areas are more pedestrian-friendly than others. Development patterns have resulted in some areas with limited street access that filter traffic to one or two roads, instead of dispersing it throughout a balanced network. Bicycling is difficult in some parts of the Township due to road configuration, topography or other factors. West Orange is also hampered by limitations in terms of bus service, which serves only certain locations within the municipality. This updated plan element recommends certain improvements to roads and other transportation infrastructure, particularly with regard to pedestrian circulation and bicycle facilities planning.

The 2004 Reexamination Report included six general objectives, which are listed below:

1. Pedestrian Access and Connections: Sidewalks and similar pedestrian pathways should be provided at all new or expanded developments and subdivisions in order to allow safe movement within and between properties.
2. Vehicular Access and Connections: Wherever possible, interconnected networked streets should be required in all new or expanded developments and subdivisions, as well as for public right-of-way improvements. Cul-de-sacs and dead end streets should be limited to applications where they are necessary due to inherent constraints of a given site, subdivision or tract of land, and/or where street connections with adjoining right-of-ways are not feasible.
3. Traffic Calming: Roadway improvements need to allow vehicular traffic to flow steadily at appropriate rates of speed for given functional classifications. For sub collector and local streets consideration should be given to the use of "traffic calming" measures that passively or actively limit the travel speed of vehicles.

4. Streetscapes and Roadway Corridors: In addition to the primary role of streets and roadways as transportation networks, they also play a significant role in defining the character of suburban communities such as West Orange. Our streets and roadways can in fact be considered linear places that extend and connect the primary public and private destinations in the Township. Therefore, it is recommended that the design and engineering of streets and roadways in West Orange give appropriate emphasis on creating quality streetscapes, access ways, visual corridors, buffers, and related physical improvements.

5. Flag Lots: The land use ordinance for West Orange currently requires that each lot must front upon an approved street and that lot widths conform to prescribed minimum dimensions. These requirements effectively preclude “flag lots” (lots with no, or non-conforming, street frontage access). Despite the site access and frontage requirements outlined in the land use ordinance, there seems to be an increase in subdivision applications seeking approvals that create flag lot conditions. This report recommends that flag lots not be permitted except in extraordinary hardship cases, where access would preclude large tracts of undeveloped land from reasonable use. The land use ordinance provisions precluding flag lots should be enforced and, if necessary, amended to further restrict the creation of restricted access lots.

6. Street Extensions: This master plan reexamination report strongly encourages the interconnectivity of neighborhoods, subdivisions and site developments within the Township. To further this objective, it is recommended that where feasible roadways between adjoining subdivisions be connected. Further, proposed subdivisions that are adjacent to large undeveloped tracts of land shall, where feasible, provide stub streets enabling future interconnection.

These objectives remain valid and should be relied upon for guidance in future transportation and land use decisionmaking.

Map 4 illustrates existing transportation resources in West Orange.

## **Recommendations**

### **Pedestrian/Bicycle**

The promotion of walking and bicycling can benefit public health and safety, as well as improve communities more generally by allowing residents of all ages to be able to walk to schools, parks, shops and other destinations. Sidewalks should be required in conjunction with new developments, even if there are no existing sidewalks. Additional measures should be taken to protect pedestrians in crosswalks. These could include pedestrian crossing signs in certain crosswalks, other signage, changes in pavement and bump-outs.

One area that is particularly pedestrian-unfriendly is Northfield Avenue in the Saint Cloud commercial area. Essex County should design and construct improvements in this area to make it easier to cross the street from the residences and businesses on the north side of the street to the County's various facilities, while also improving the area's appearance. Potential features could include lighting, planting, pavers and banners as well as improved crosswalks, signage and traffic signal adjustments.

Bicycle paths, lanes and routes also should be created where possible. There may be limitations on east-west connections due to topographical constraints. North-south connections may be more easily created, such as bike lanes along Pleasant Valley Way, Prospect Avenue and/or Gregory Avenue.

Improved bicycle storage should be provided at key locations including public buildings, shopping centers, large office buildings and transit stations. While simple bicycle racks would be a good start, covered and secured areas and individual bicycle lockers would be better. Consideration should be given to requiring bicycle storage facilities in new development over certain size thresholds.

A West Orange trail network should be created consistent with the recommendations of the Township's Open Space and Recreation Plan. This system could tie together Essex County trails, the Lenape trail, Township parks and school properties with new greenways.



Speed humps and other traffic calming measures can help increase safety for pedestrians and bicyclists.

#### Transit/Alternative Modes

West Orange currently provides four commuter shuttle routes that provide connections to nearby railroad stations from residential areas as well as parking lots in the downtown area. While these routes generally provide adequate coverage to many of West Orange's neighborhoods, expanded service times and/or locations may be beneficial. One potential opportunity for expansion could be a new route that serves the southern end of the Township and connects to the Millburn railroad station via Pleasant Valley Way/Cherry Lane. Another option is for residents in areas not served by shuttles to be able to park in Township parking lots that are served by the shuttle. There is one such facility in the downtown area already, and providing additional ones could bring additional business to local stores and services. New lots could also be provided in the Valley near Highland Avenue station, which could be utilized during the day by commuters, in the evening by diners and theatergoers and overnight by local residents.

The Township has a senior shuttle program that serves a large number of residents, primarily taking them to medical appointments within West Orange. This program could be better coordinated with the commuter shuttle routes in order to improve mobility for all Township residents throughout the day. For example, shuttles could provide transportation to downtown, the Public Library and other attractions.

Other alternative modes of transportation should also be promoted. These could include car sharing services, electric car charging stations, biodiesel stations and incentives for carpooling. The Township also once had a trip reduction program. The feasibility of restarting this program should be explored.

[New Jersey Transit](#), [Community Coach](#) and [DeCamp Bus Lines](#) provide bus service in West Orange to New York City, Newark and other destinations. The various bus routes provide service primarily along major roads like Eagle Rock Avenue, Mount Pleasant Avenue and Northfield Avenue, and there are two park-and-ride facilities (a garage adjacent to Codey Arena and the Harrison Avenue parking lot at Mississippi Avenue). The bus routes to New York City are a popular mode of transportation for commuters, but are limited in geography as well as the amount of spaces in parking facilities. Additional park-and-ride facilities are recommended, which could include lots shared with other uses that have different times of parking demand (e.g., restaurants, entertainment, parks).

In addition, the 2004 Reexamination Report requested that bus service be improved and expanded to serve several major employment centers that are not currently located on bus routes (e.g., the Organon site, Daughters of Israel Geriatrics Home, Kessler Institute) and that bus service be provided on Valley Road to better serve residents and businesses in the area. These recommendations remain valid.

#### Streets and Traffic

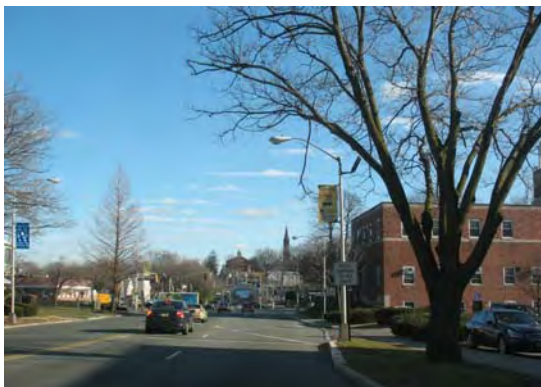
Connectivity should be promoted throughout the Township, particularly in new developments. New cul-de-sacs should be prohibited in most instances so that neighborhoods are linked to one another and traffic is not all funneled to a limited number of main roads. Requirements should be considered in the Township's Land Use Regulations Ordinance to limit the length and/or number of houses on a cul-de-sac.

There are traffic safety issues at some major intersections throughout the Township. However, nearly all of the major thoroughfares in West Orange are Essex County or State roads and thus the Township does not have the ability to make changes to them. The Township should work on an ongoing basis with the County to address major concerns. The Pleasant Valley Way/Mount Pleasant Avenue intersection has been the source of complaints due to recent changes that reduced two travel lanes to one in some locations in order to create dedicated left turn lanes. Other intersections about which concerns have been raised include Prospect Avenue/Eagle Rock Avenue and Pleasant Valley Way/Eagle Rock Avenue. The latter intersection is the only one

currently slated for improvements by Essex County. The intersection of Main Street and Washington Street was cited as problematic in the 2004 Reexamination due to left turns being prohibited from Washington Street onto Main Street, which has negative impacts on local businesses. It is still recommended that this left turn movement be permitted, perhaps with the help of a left turn arrow on the traffic signal.

In other locations, traffic signal retiming could help reduce backups. It is also recommended that “No Turn on Red” restrictions be lifted in certain locations where safe to do so, which could reduce unnecessary idling of vehicles waiting to turn.

Speeding is another problem cited by police department representatives. Speed tables have been added on some streets throughout the Township. While it is not clear how effective they are for reducing accidents, there have been some complaints about them from emergency service providers due to their impacts on response times. A possible solution to this issue is to design speed table to have openings that match the wheelbase of a fire truck.



The Township should continue to work with Essex County to address traffic issues on major roads in West Orange which are under the County's jurisdiction.

Traffic congestion is also an issue in certain areas of West Orange. The Main Street area has been cited in particular, with ideas for addressing it including removing some on-street parking and making it one-way. However, making Main Street one-way is likely not feasible – and would have undesirable negative side effects on its businesses by halving traffic that passes stores. There is a need to balance with visibility for merchants in the area and continued business district viability. Furthermore, slowing traffic can actually have positive side effects, such as improved pedestrian safety and crime reduction.

Converting some side streets from two-way to one-way traffic could make sense in some locations. In Watchung Heights, potential changes could be to make Kling Street one way eastbound, Columbia Street one way southbound and Liberty Street one way northbound. Similar changes could be enacted on certain streets in the Valley. A primary objective of these changes should be to ensure that emergency vehicles are able to safely maneuver through congested areas. Removal of on-street parking or even street widening may be necessary in some instances to improve safety.

### Parking

Parking is a major issue throughout the entire downtown area, including both Main Street and the Valley. There are problems specific to individual areas: for example, South Valley Road needs more short-term parking to support its businesses, while the more pressing concern on

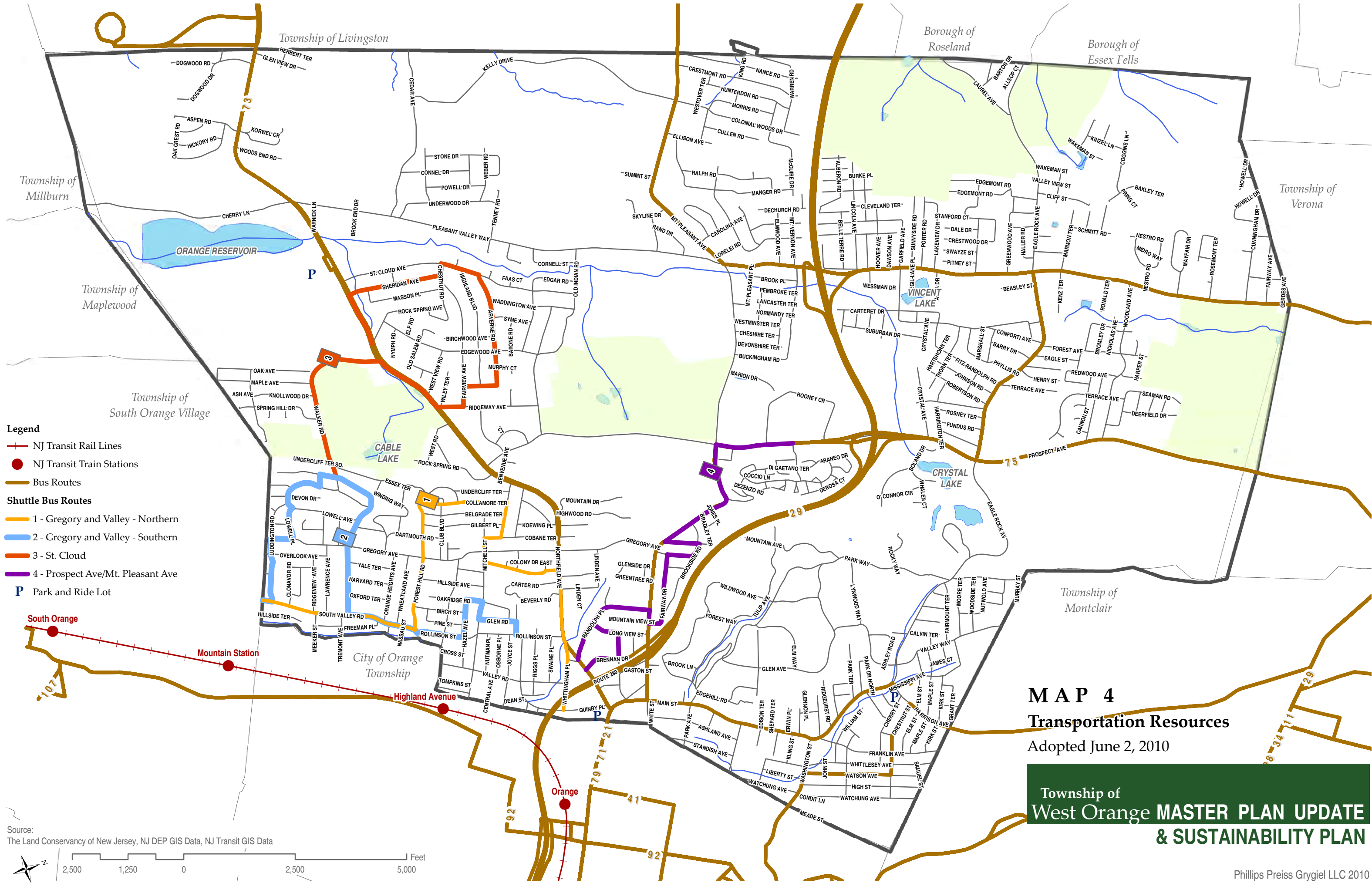
some other blocks is resident parking. The Valley is also becoming more of an evening destination with the addition of restaurants and entertainment, which creates friction between resident, shopper and visitor parking demands. Along portions of Main Street, there may be enough supply of parking, but improved wayfinding signage is necessary. Making public lots more visible, attractive and safe will likely improve their value to the Township and nearby businesses. The recently renovated parking lot on the east side of Valley Road just south of Main Street is a good example. New public parking areas should be centrally located to conveniently serve multiple uses and attractions.



Parking areas in larger shopping centers should be improved to address safety concerns as well as aesthetic considerations.

There are also parking issues in other areas of the Township. The Pleasantdale commercial center continues to have deficient parking. Opportunities for provision of new shared parking should be explored in this area. Certain schools and recreation facilities also have parking shortages. Solutions to be considered should include shared facilities, particularly when land needs to be acquired.

Larger shopping centers present their own challenges. According to the West Orange Police Department, the Essex Green and Whole Foods shopping centers are responsible for half of all pedestrian/auto accidents in the Township. Accidents in these developments are often due to drivers cutting across rows of empty parking lanes, which points to a solution involving changes in parking lot design. These could range from about stop signs and crosswalks in front of store entrances to addition of planted islands, narrowed aisles and speed humps in some locations. The Land Use Regulations Ordinance should include revisions to zoning for these areas, including mandating property owners make such changes as part of any future development application approvals.



Source:  
The Land Conservancy of New Jersey, NJ DEP GIS Data, NJ Transit GIS Data

## VI. Other Plan Elements

The Township of West Orange's Housing Element and Fair Share Plan was adopted by the West Orange Planning Board in November 2008 and subsequently endorsed by the Township Council. The plan was submitted to the New Jersey Council on Affordable Housing as part of the Township's petition for Substantive Certification, which was granted in December 2009. The Housing Element and Fair Share Plan provides detailed information regarding existing and proposed housing opportunities within West Orange and outlines the Township's proposed compliance measures for addressing its COAH obligation.

The process of preparing this Master Plan Update was coordinated with the preparation of an updated Open Space and Recreation Plan (OSRP) for the Township by the West Orange Open Space Committee. The full OSRP will be incorporated into the Master Plan.



West Orange's physical setting, varied development patterns and natural resources combine to create a suburban community with its own unique character.

## APPENDIX: RESIDENTIAL DESIGN GUIDELINES

### Introduction

The following design guidelines are provided to assist homeowners, development applicants and Township of West Orange board members and staff in the design and review of new homes and additions to existing dwellings. These guidelines, which are accompanied by photo illustrations of some key concepts (from actual homes in West Orange), supplement the applicable existing zoning regulations and recommended changes to such regulations as outlined in the Land Use Plan Element Update.

### Roofs

- Simple roofs should have a single roof type.
- Larger buildings should have more complex roofs with lower, secondary roof types; roof should read as cohesive in total and should be consistent with the architectural style of the building. (i.e., a main pitched roof could be combined with secondary roof types, but roof must read cohesively and relate to the architectural style of the structure.)
- Large roof expanses should incorporate dormers, turrets, skylights and other features to help reduce the scale of pitched roofs. The number and scale of dormers or other features should match the pitch of the main roof to maintain design consistency.
- The face of the dormer should be minimal in height and made up mostly of window area.
- The roof pitch of gable dormers should match the roof pitch of the main roof.
- Roof overhangs of 6 to 18 inches are encouraged when feasible at roof edges.
- The following roof materials are encouraged: asphalt shingles, slate, synthetic slate, and wood shingles.



Secondary roofs should be consistent with the style of the building

### Facades

- Design of main facades should reflect scale of nearby development through modulation of vertical and horizontal elements such as changes in predominant wall plane, use of projections, alignment of cornices, etc.
- Design treatment of sides and rear of proposed buildings should be substantially consistent in appearance and quality of materials to the treatment given



Match the pitch of gable dormers to the pitch of the main roof

to main street frontage.

- Building entries should be emphasized through use of well-designed awnings, porticos, porches and other architectural elements. Metal awnings are discouraged.
- Vertically proportioned window openings are preferred.
- Single casied and multiple-ganged windows are encouraged.
- Window style should be consistent across the entire exterior of a building, and should be consistent with the architectural style of the building.
- Window openings should achieve a general balance in terms of their placement on building facades.
- The use of materials having a historic context is encouraged: wood, clapboard, shiplap, board and batten, and shingle, brick and stone.
- Vinyl, asphalt and other synthetic siding materials are discouraged.
- Varied bands of siding materials and patterns are discouraged.



The proper use of front yard landscaping can help mediate public and private space

#### Site Layout and Orientation

- Front yard landscaping is encouraged as a way to mediate public/private space, an appropriate hedge height can be estimated at two to four feet, depending on scale of front yard and setback.
- One-story porches of any size are encouraged including entry porches, full front porches or wrap around porches.
- A raise in grade from street level to the first level floor of a house is encouraged in neighborhoods where such grade changes are currently predominant.
- Enclosure of front porches is discouraged.
- Driveways should be located at the rear of side of homes; exceptions to this may include a paved courtyard if the house is very close to the street.
- Houses should have one main entry area from street, even if homes contain multiple units.
- Minimize site disturbance when possible.



Front porches are encouraged

- Minimize disturbance of existing trees when possible.

#### Building Massing and Scale

The visual impact of larger-scale structures and additions to existing buildings should be reduced by the consideration of the following guidelines:

- Building footprints should be modulated to achieve varied building shape and mass. Varied footprint shapes create opportunities to provide more complex building shapes with the addition of small-scale wings or additions to the main building.
- Massing should be differentiated through the use of wall offsets and setbacks that articulate the horizontal and vertical planes of the building.
- To the extent possible, garage doors should not face towards the street.

#### Major Additions to Existing Homes

- When possible, additions should be placed to the rear of the existing structure so as to not interfere with the original facade of the house.
- Any additions to existing homes should maintain a roof design that is consistent with the architectural style of the buildings and should not look like “add-ons.”
- Generally, additions should be constructed as new wings to existing buildings rather than vastly altering the building form.
- Combining mansard roofs with any other roof form is strongly discouraged.
- Enclosed porches drastically change the integrity of a facade and are strongly discouraged.



Incorporate additions as new wings rather than “add-on” pieces, and utilize roof styles that are consistent to the original architectural style of the structure

#### Contextual Design

The following guidelines promote proper context through street proportion, building mass, building height, and through the design of building faces:

- Street Proportion is the relationship between the height of buildings on each side of the street and the width of space between those buildings. All new development should analyze the existing context of building massing and street proportion.
- The mass and shape of new buildings should step back and down to provide a transition on sites that are next to, or across the street from, existing buildings that are lower in scale.

- Overall building heights should reflect the prevailing context of neighboring structures, with a maximum height limit identified in the applicable zoning.
- Appropriate design treatment should be applied to all building faces to ensure compatibility with surrounding properties, this applies especially to homes on irregular lots.

#### Homes in Hillside Areas

Many West Orange neighborhoods are located in areas with steep topography. Homes in these neighborhoods should be designed carefully so as to preserve views and assure compatibility with the surrounding natural context. To accomplish this, the following design guidelines apply to homes in the hillside areas:

- The placement of new homes and additions to existing houses should adapt to the surrounding terrain and should be compatible with existing topography.
- Screening prominent development on hillsides is encouraged by taking advantage of existing site features for screening such as tree clusters, depressions in topography, existing vegetation and setbacks.
- Retaining walls should be minimized through the adaptation of building design to existing topography. However, when used, retaining walls should blend with the natural topography in terms of scale, materials and massing. Overall, minimal heights and massing for retaining walls are encouraged as well the use of high quality materials such as stone.
- Darker, earth toned paint colors and natural materials for house exteriors are encourage so as to help the structure blend in with the surrounding natural environment.
- Decks and porches should be integrated with the overall design of the house.
- Minimize any exposed concrete foundations and paint a dark color for screening purposes.
- Minimize the dominance of front driveways through garage placement and by adapting building structures to surrounding topography.



Blend design of the house into the natural topography