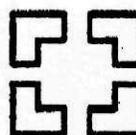


**2008 MASTER PLAN
REEXAMINATION REPORT
LITTLE FALLS, NEW JERSEY**

**December 12, 2008
Revised December 22, 2008**

**Prepared for:
The Township of Little Falls Planning Board**

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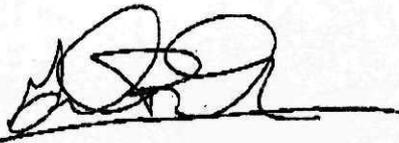
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This copy conforms to the original copy of this report which is stamped and signed by Gabriel A. Bailer, Professional Planner's License Number 5990; in accordance with N.J.S.A. 45:14A regulating the practice of Professional Planning in the State of New Jersey.

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Gabriel A. Bailer

INTRODUCTION

The New Jersey *Municipal Land Use Law (M.L.U.L.)* grants substantial power to local planning boards to regulate land use and development. The foundation of this power is the ability to adopt a master plan, as is stated at *N.J.S.A. 40:55D-28*:

The planning board may prepare and, after public hearing, adopt or amend a master plan, or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare.

The master plan documents the current conditions of the municipality and addresses those issues that may have an impact on the community. According to the *M.L.U.L.*, the plan must include "a statement of objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based."

A master plan also must include land use and housing plan elements and may include a number of other plan elements addressing topics such as circulation and community facilities. These elements may be divided into sub-plan elements and may be prepared and adopted in sequences. Other required components of a master plan are policy statements indicating the master plan's relationship to the master plans of contiguous municipalities, to the county master plan, to the *State Development and Redevelopment Plan* and to the county's district solid waste management plan.

The *M.L.U.L.* requires a master plan be revised periodically. *N.J.S.A. § 40:55D-89* states that at least once every six years a general reexamination of a municipality's master plan and development regulations shall be prepared by the planning board. The Township of Little Falls most recent Master Plan was adopted on June 6, 2002. The 2008 Little Falls Master Plan Reexamination Report is in response to the requirements of the *M.L.U.L.* and includes the following five sections in accordance with *N.J.S.A. § 40:55D-89 a through e*:

- A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- C. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in the state, county, and municipal policies and objectives.
- D. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives and standards or whether a new plan or regulations should be prepared.
- E. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The remainder of this report is comprised of these five elements.

A. MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN LITTLE FALLS AT THE TIME OF THE LAST MASTER PLAN

Little Falls 2002 Master Plan Major Planning Issues

The following are the major planning issues identified in Little Falls 2002 Master Plan:

1. Residential Developments Granted By Variance

Although Little Falls is predominantly a developed community, several new residential developments have been built in the last few years, the majority of which were granted by use variance.

2. Impact of Mount Laurel Litigation and Loss of Quarry Site

The most recent Mt. Laurel litigation and loss of the quarry site as a potential site for affordable housing has dramatically altered Little Falls Housing Plan. The loss of the quarry site is significant, as the majority of Little Falls affordable housing obligation was designated to this site.

3. Maintaining Central Business District Vitality

Little Falls has a modest central business district centered on the intersection of Paterson Avenue and Main Street. It encompasses an area along Main Street from Center Avenue on the west to Lower Notch Road to the east. The district is in good condition with a decent mix of retail businesses and offices. In addition, one of the primary goals of the *New Jersey State Development and Redevelopment Plan* is to focus development in existing centers such as this district. *The biggest issue in the CBD is the lack of parking.*

4. Lack of Recreational Areas

The Township contains several parks and recreation areas located throughout the Township. However, the Township does not contain an adequate amount of recreational areas to serve its

residents based on the national standard of 10 acres of parkland for every 1,000 residents. This will need to be addressed prior to the addition of new residential development to the Township.

5. NJDOT Plans for Route 46

The New Jersey Department of Transportation (NJDOT) has designed improvements for the Route 46 corridor. These improvements affect Little Falls in the following manner. Several commercial ratables are going to be eliminated through acquisition by the NJDOT to provide a service road along Route 46. Additionally, Oak Hill Road is proposed to be realigned and direct access from Route 46 to Oak Hill Road will be eliminated.

One alternate of the Oak Hill Road plan is the NJDOT will acquire all the Oak Hill Road properties. The impact the Oak Hill Road realignment has on Little Falls is on fire emergency access. Currently, the Office Building located off of Clove Road has emergency access from both the west (Clove Road), and the east (Oak Hill Road). Under the NJDOT improvements to Oak Hill Road, emergency access will be eliminated from the east. The Township is currently discussing options to provide continued dual access to the office building parcel.

Little Falls 2002 Master Plan Goals

The following are the goals and objectives set forth in Township's 2002 Master Plan:

GOAL – To provide the optimum living environment for the residents of Little Falls, utilize resources wisely, protect the environment and preserve natural features.

OBJECTIVES

1. To ensure that new development does not exceed the capacity of public facilities and services.
2. To encourage more intensive development in areas that is adequately served by transportation facilities.
3. To encourage commercial and industrial development in locations adequately served by public infrastructure so as to increase the employment base of Little Falls.

4. To protect steep slopes and wetlands from development.
5. To protect the quality of surface and ground water.
6. To reduce noise pollution.
7. To permit development that is consistent with the ability of the site to support it.

The following are the land use goals and objectives set forth in Township's 2002 Master Plan:

GOAL – To achieve a proper balance and appropriate location of land uses.

OBJECTIVES

1. To encourage the proper maintenance of developed areas that is functionally sound.
2. To ensure, through the review process, that new development does not have a negative impact on other land uses.
3. To retain open space through land acquisition or other appropriate means.
4. To plan for efficient and proper redevelopment for areas of transition.

The goals of the 2002 Little Falls Master Plan remain the same today; however some of the problems existing today were not specified in the 2002 Master Plan. It is the purpose of this reexamination to attempt to address these problems as well as maintain the existing goals of the Township.

B. THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR INCREASED SUBSEQUENT TO THE LAST MASTER PLAN IN 2002

Since the development of the 2002 Little Falls Master Plan the previously discussed planning issues in Little Falls have been reduced or increased as follows:

1. Residential Developments Granted By Variance

As the Township is a predominantly built community the opportunities for residential development within zoned residential lands are limited. Applicants have begun investigating other zoned lands for possible residential development. As a result, since the 2002 Master Plan there have been numerous applications that have received use variances necessary to develop residential units. Some of the applications that have received use variances are as follows.

■ **Centex Properties, 139 Center Avenue, Block 96, Lots 8, 9 and 10**

The subject property was a former industrial site with several buildings on the properties. The buildings were subsequently demolished. The application received a use variance necessary to construct 50 townhouses. The property underwent an extensive environmental review because of the former industrial use. The applicant is proposing to build his Council on Affordable Housing (COAH) on the subject property.

■ **Ward Trucking, 35 Clove Road (Block 237, Lots 38.02 & 43)**

The Ward Trucking subject property is an approximate 17.8 acre site consisting of two tax lots. The subject property was utilized for a trucking company, focusing in on transportation logistics. The owner of the property ceased trucking operations. A use variance was granted to the subject property to construct a residential development. A conceptual plan was submitted, proposing a mixed residential development of 298 units, consisting of townhouses and condominium style apartments. Any prospective developer for the subject property would be required to build the affordable housing obligation generated by the development on site.

The granting of use variances for residential development was initially viewed as a problem in the Township's 2002 Master Plan. Presently, due to the lack of available residential zoned lands, developers have focused on underutilized industrial sites for potential redevelopment. This could create opportunities for the Township to expand its residential base. Another factor is for the Township to provide for its affordable housing obligation, instituted by COAH. These non-residential zoned properties could support on-site construction of affordable housing income units. Instead of granting use variances, the Township could identify potential sites suitable for residential development and rezone these properties.

2. Impact of Mount Laurel Litigation and Loss of Quarry Site

COAH revised its current regulations and adopted them on June 2, 2008. The revision was a result of a New Jersey State Supreme Court order decision to modify the current calculations to determine the required affordable housing obligation based on actual growth within a municipality. The revised regulations require one (1) affordable housing unit for every five (5) market rate units constructed, and for every sixteen (16) jobs created within a municipality. A municipality is supplied a projected affordable housing obligation by COAH, but they do not have to construct any affordable units unless the projected growth actually occurs.

The revised regulations have impacted the Township, as they have been identifying possible lands other than the Quarry Site to construct their actual, and projected affordable housing obligation. The Quarry Site is identified as Block 237, Lot 38. In February of 2001, Montclair State University purchased the subject property to construct student residences. The Township will submit a Housing Element and Fair Share Plan to COAH before the deadline date of December 31, 2008. Within the Housing Element and Fair Share Plan, the Township identified numerous properties that could provide for their affordable housing obligation. These properties include but are not limited to the following:

- Centex Properties - 139 Center Avenue, Block 96, Lots 8, 9 and 10
- Ward Trucking - 35 Clove Road (Block 237, Lots 38.02 & 43)
- Lackawanna Avenue Rezoning - 634-636 Lackawanna Avenue, Block 185, Lot 5

3. Maintaining Central Business District Vitality

The Township Central Business District (CBD), centered on the intersection of Paterson Avenue and Main Street, has remained in good conditioned, with levels of vitality. A Business Improvement District was established named "Alliance for a Better Community (ABC)", that is dedicated to improving, beautifying, and providing amenities along the CBD corridor.

In 2007, a transit corridor circulation plan was completed by our office, investigating various traffic patterns within the CBD corridor. They included but are not limited to:

- The utilization of the New Jersey Transit Little Falls Train Station.
- Parking patterns within the CBD.
- Available public amenities.
- Existing infrastructure analysis, including sidewalk conditions, and pedestrian intersection conditions.
- Analysis of pedestrian safety.

The report concluded that further studies, including a visioning session should be considered to involve all stakeholders a voice in the vision of the Township's CBD. The Township recently applied for a visioning grant with the State's Department of Community Affairs (DCA), but was ultimately not awarded the grant. There has been no further progress at this present time

4. Lack of Recreational Areas

Along Wilmore Road there is a possibility of a newly created recreational area. The possible recreational area is under consideration by Passaic County.

5. NJDOT Plans for Route 46

Improvements to Route 46 have been completed. Such improvements included creating safer intersections and re-pavement of Route 46. New Jersey Department of Transportation is proposing roadway improvements for the Route 46, Route 3 merge. The proposed roadway improvements could affect many Township businesses that are located within this portion of the roadway improvements.

C. THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES AND OBJECTIVES FORMING THE BASIS OF THE MASTER PLAN

There have been a number of significant changes that affect the assumptions, policies and objectives of the 2002 Master Plan. These changes are as follows:

1. COAH revised regulations

As a result of COAH's revised regulations, the affordable housing obligation for the Township has increased. Below are the Township's obligations as documented in COAH's 5:97 substantive regulations, adopted June 2, 2008.

- Rehabilitation share – 15 units
- Prior Round Obligation – 101 units
 - The Township received a vacant land adjustment on 91 units for their Prior Round Obligation.
- Projected Growth Share – 129 units
 - The Township has applied for a downward adjustment of its projected growth share obligation.
 - The Township will only have to supply its low and moderate obligation based on actual growth.

The Township received substantive certification in the previous rounds of COAH. In addition, prior round unmet need has been addressed through the previous rounds of certification. It should be noted that the Revised Third Round Growth Share Obligation is only a projection made by COAH. The Township will be responsible for preparing and adopting a Revised Third Round Housing Element and Fair Share Plan that will calculate the Growth Share Obligation that the Township will be responsible for. The Township must prepare and adopt its Revised Third Round Housing Element and Fair Share Plan by December 31, 2008.

2. Redevelopment opportunities

The Township is currently involved in several developments that are replacing older industrial buildings and uses. These developments are enabling the Township to expand its residential base, and provide for its COAH obligation. There are other possible redevelopment opportunities within the Township. The impacts of these possible redevelopments have not been determined at this time.

3. Montclair State University Developments

Montclair State University is located on the eastern border of the Township. As the University and the student base have been growing, an increase in need for student housing has arisen. Recently the University has constructed the "Village at Little Falls", an 850 student residential hall. The property where the student residences were constructed was previously owned by the Township. The University obtained the land from the Township. In the future, the University may further expand. The Township should develop a working relationship with University to plan and coordinate any future developments to ensure there will be no detrimental impacts on the Township.

4. Route 46 completion

Route 46 is located on the northern border of the Township. Recently there have been major improvements to the Route 46 corridor. Many commercial properties located within the Township are along the Route 46 corridor. In the past there has been an increase in traffic on Township local roads when traffic occurs on Route 46. These impacts the Township's CBD as access is deterred, and parking becomes an issue. Also it affects the ability to walk within the CBD. The impacts of the Route 46 corridor has been a long standing issue with the Township.

The proposed roadway improvement for the Route 3, Route 46 interchange could affect many Township businesses located within this corridor.

5. Zoning ordinance revised and updated

The Township has recently reviewed its current zoning ordinance, and has removed and revised several sections. The ordinance is now under consideration by the Township's Council. The goal of this project was to create a more efficient ordinance, and to update certain sections that did not address specific uses.

D. SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES AND STANDARDS, OR WHETHER A NEW PLAN OR REGULATIONS SHOULD BE PREPARED

In order to address the major planning issues of the 2002 Master Plan and the significant changes to the assumptions, policies and objectives of the Township since the adoption of the aforementioned plan, specific changes need to be recommended for the Master Plan and Development Regulations of the Township, which are as follows:

1. COAH Obligation

The Township is abiding with the constitutional obligation of the State by creating affordable housing opportunities in accordance with COAH regulations. The Township will submit a Housing Element, a component of the Master Plan to COAH before the December 31, 2008 deadline, and ultimately seek substantive certification.

2. Further Redevelopment Opportunities

An analysis of future redevelopment opportunities should be determined. Such properties should be identified to create a working relationship with possible developers on the type of redevelopment that could occur.

3. Rezoning

Currently the Township is reviewing the consideration of rezoning 634-636 Lackawanna Avenue, Block 185, Lot 5. The proposed rezoning is for a Medium Density Residential (MDR) zone, from a Business (B-2) zone. The intention is to create a residential development that is

more suitable to the surrounding uses, and will have the incurred affordable housing obligation built on site. Future rezoning of properties should be considered and be coordinated with the land use plan of the 2002 Master Plan.

4. Main Street Corridor

It is recommended for the Township to investigate opportunities within the CBD, necessary to expand the economic vitality, create a more pedestrian friendly environment, discuss parking solutions, and to link the existing New Jersey Little Falls Transit Station to its Main Street. The Township should continue to pursue grant opportunities to fund possible improvements within this corridor.

5. Montclair State University

It is recommended for the Township to seek opportunities necessary to expand its relationship with the University, and to coordinate the land use objectives for both the Township and the University.

6. Former Township Hall and Police Station

Recommendations should be made on possible future uses for the former Township Hall and Police Station.

7. Grant Opportunities

Further investigation should be considered to seek more grant opportunities to fund future infrastructure improvements, planning studies, community development, and business improvement.

8. Route 46 / Route 3 Corridor

The Route 46 and Route 3 corridor should be examined to determine if there could be more commercial opportunities, the impacts of traffic safety, and how the current traffic conditions on Route 46 and Route 3 affects the Township.

9. Assisted Living Facilities

The increase of the senior population within the Township and the surrounding municipalities has resulted in the need for assisted living developments. Within Cedar Grove, on the southern border of the Township, there is a large scale assisted living complex. It is not known how many Little Falls residents have relocated to this complex, or if the facility could support any future population increases. Future assisted living complexes may be developed to further support the growing senior population.

10. Green Technology

Research on prospects of developing "green technology" initiatives should be considered. Such examples include but are not limited to solar panel heating, Leadership in Energy and Environmental Design (LEED) certification for new and existing buildings. Also other energy initiatives should be examined to reduce operating costs, conserve energy and water, and to create a healthier environment.

11. Local Road Safety

An analysis of vehicular or pedestrian accidents within local Township Roads should be examined to determine dangerous intersections. Any identified dangerous intersections should be further investigated with possible implementation of safety measures. Such suggestions for intersections that could be investigated are as follows but not limited to:

- Intersection of Browertown Road and Main Street
- Intersection of Main Street and Union Boulevard
- Intersection of Main Street and Stevens Avenue
- Intersection of Wilmore Road and Lindsley Road
- Intersection of Cedar Grove Road and Lindsley Road
- Intersection of Route 23 and Main Street
- Intersection of Montclair Avenue and Main Street

12. Infrastructure

The current infrastructure should be preserved. Any current or future developments must be determined if they can support the current infrastructure.

13. Open Space

A determination should be made if there could be further opportunities for open space within the Township.

E. RECOMMENDATIONS CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS INTO THE LAND USE PLAN ELEMENT AND RECOMMENDED CHANGES IN THE LOCAL DEVELOPMENT REGULATIONS NECESSARY TO EFFECTUATE THE REDEVELOPMENT PLANS OF THE MUNICIPALITY

The Township has not designated any areas "in need of redevelopment" pursuant to the Local Land Redevelopment and Housing Law, P.L. 1992, c. 79 (C:40A:12 A-1 et al.) at this present time. There are possibilities for future redevelopment, and a determination of redevelopment plans should be considered for such identified properties.