

2009 MASTER PLAN REEXAMINATION REPORT

TOWN OF WESTFIELD Union County, New Jersey



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The original of this document was signed and sealed
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**TOWN OF WESTFIELD
2009 MASTER PLAN REEXAMINATION REPORT**

Introduction

The New Jersey Municipal Land Use Law (MLUL) (N.J.S.A. 40:55D-1 et seq) requires that a Planning Board conduct a general reexamination of its Master Plan and Development Regulations at least once every six years. The Reexamination Report is adopted by Planning Board resolution and must include the following components (N.J.S.A. 40:55D-89):

1. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
2. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
3. 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. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
5. 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 current Town of Westfield Master Plan was adopted by the Planning Board on October 7, 2002. The Board subsequently adopted amendments to the Housing Element of the Master Plan in November of 2004 and to the Land Use Element in October of 2005. The current document is comprehensive and includes the statutorily required components as well as a number of optional elements. The current Master Plan fully incorporates the recommendations of the last Master Plan Reexamination Report, completed in 1999.

The Westfield Land Use Ordinance contains all regulations pertinent to land development in the Town. It includes zoning regulations, site plan and subdivision ordinances, procedural and administrative requirements, as well as provisions governing historic preservation and soil removal. The Land Use Ordinance was substantially revised in 1998 in response to recommendations of the 1991 Master Plan. Since that time, a number of amendments have been

adopted to refine various provisions and to accomplish specific objectives as set forth by the Master Plan of 2002 and Master Plan Amendments of 2004 and 2005.

It is the intent of this Report to provide an assessment of the current Master Plan and Land Use Ordinance not only to fulfill statutory requirements, but to ensure their continued effectiveness as tools of local planning and development.

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1 Major Land Development Goals & Objectives in 2002

The major goals and objectives of the 2002 Master Plan draw upon the purposes of planning set forth in the MLUL, as applied to the Town of Westfield. The goals and objectives are broad-based policy statements that remain relevant in guiding the growth and development of the Town. Unchanged from Westfield's 1991 Master Plan goals and objectives, they include the following:

1. To provide adequate light, air and open space by establishing, administering and enforcing bulk, density, and design standards that are appropriate for the various zones and uses in the community.
2. To preserve and protect the suburban character of existing residential neighborhoods through:
 - a) zone designations based upon existing neighborhood development patterns and according to the environmental requirements for the respective residential uses; and
 - b) bulk, density and design standards that are appropriate for the various dwelling types in their respective zones;
 - c) discouraging through traffic in residential areas whenever possible; and
 - d) regulations to preserve and enhance visual appearance of residential neighborhoods.
3. To minimize the environmental impact resulting from development, particularly in areas of steep slope, wetlands and flood hazard areas through:
 - a) appropriate regulations that discourage disturbance of steep slopes and vegetation; and
 - b) appropriate regulations that discourage unnecessary development in wetlands and flood hazard areas.
4. To provide adequate municipal open space for a variety of active and passive recreational uses by:
 - a) maintaining the present amount of open space available to Town residents, and by providing at least eight (8) acres of municipal open space per 1,000 persons in the community as land becomes available; and
 - b) making improvements that encourage the use of and improve the access to passive open space areas.
5. To maintain and enhance the viability of the various business districts by:
 - a) encouraging an appropriate mix of land uses that will complement one another and meet the retail and service needs of the Town;

- b) promoting a desirable visual environment and preserving the small town atmosphere in the business districts;
 - c) providing or requiring the provision of sufficient numbers of parking and loading spaces in the appropriate locations to serve the needs of the general public as well as the needs of patrons and employees;
 - d) promoting a desirable pedestrian environment in the downtown business district; and
 - e) discouraging automobile-only oriented development in the central business district, including “strip malls.”
6. To minimize traffic congestion and provide for safe and convenient access to properties.
 7. To eliminate areas of conflict or incompatibility in land use or zoning between Westfield and adjacent municipalities by:
 - a) rezoning, where appropriate, those areas that conflict with the use or zoning of adjacent municipalities; and
 - b) encouraging the buffer/separation of incompatible uses and/or zones.
 8. To provide a wide range of housing types and densities in a manner that maintains and is compatible with the predominant existing single family detached dwelling development pattern through:
 - a) various zone districts that permit single-family detached, two-family and single-family attached, and multi-family dwellings where appropriate; and
 - b) density standards that reflect existing neighborhood conditions, where appropriate, as well as the needs of various housing types.
 9. To address the need for affordable housing for the local and regional population of low- and moderate-income persons by establishing various zone districts that encourage the provision of affordable housing, where appropriate.
 10. To address the need for senior citizen housing through:
 - a) zone districts that encourage the development of housing units that are designed to meet the particular needs of senior citizens.
 11. To promote the conservation of the various historical sites, structures and districts in Westfield by:
 - a) identifying the various historic sites, structures and districts that exist;
 - b) establishing the appropriate regulations for the preservation of historic sites and structures; and

- c) establishing appropriate regulations that encourage development and redevelopment in historic districts to be compatible with existing historic structures and sites in the district.
12. To promote the conservation of energy and the recycling of recyclable materials through:
- a) appropriate regulations that require recycling of recyclable materials; and
 - b) appropriate regulations to encourage energy-efficient design, minimized automobile travel and encourage alternate modes of transportation.

2 Land Development Problems & Objectives in 2002

In addition to its overriding goals and objectives, the Master Plan of 2002 identified a number of more specific concerns relating to Westfield land development as it was occurring at the time. To respond to these concerns, the Master Plan proposed certain new tasks and objectives, some intended for completion over the short term, others, over a longer, undefined period of time. In each case, the proposed tasks are responsive to and help to advance one or more of the Major Goals & Objectives of the Master Plan.

2.1 Land Use Plan

The 2005 Land Use Plan Amendment identified several inconsistencies and concerns regarding the limits of certain zoning district boundary lines. The Amendment noted that zoning district lines bifurcate certain lots, which creates confusion for owners and triggers the need for variance relief. In other cases, lots were significantly undersized for the district in which they were located and thus were nonconforming as to nearly every bulk requirement. To address such issues, the Plan recommended a series of changes to the Zoning Map to align more appropriately the boundaries of certain zone districts.

2.2 Housing Plan

The 2004 Housing Element addressed Westfield's 1st (1987-1993) and 2nd (1987-1999) round Affordable Housing obligations, as set forth by the New Jersey Council on Affordable Housing (COAH). The total obligation for the 1987-1999 period tallied to 281 units. Of these, 143 units constituted a rehabilitation obligation, while 138 units were required in the form of new construction. A summary of prior activity indicates that Westfield addressed its entire obligation through 1999, save for ten (10) units of required housing rehabilitation. This was accomplished through a combination of housing rehabilitation, new construction, rental bonus credits, Regional Contribution Agreements (RCA's), and inclusionary zoning. The Fair Share Housing Plan proposed continuation of the existing program with supplemental housing rehabilitation to occur through participation in the Union County rehabilitation program.

As anticipated by the 2004 Housing Element, COAH adopted new regulations applicable to the 3rd round, effective in December of 2004. In accordance with the provisions therein, Westfield's total prior round obligation (1987-1999) was reduced from the last calculation, to 108 units of new construction. Based on completed construction, completed RCA's and inclusionary zoning districts, Westfield would enter COAH's third-round period with surplus credits.

COAH's 3rd Round adopted regulations discussed further in Sections 3-5 of this document, has provided for a "growth share" obligation for each municipality, COAH's newest concept in affordable housing. The Growth Share is calculated based upon the summation of two components: the number of new residential housing units and the number of jobs resulting from new non-residential construction. As currently required by COAH, these are to be assessed for the period January 1, 2004 through January 1, 2018. For every four (4) new market-rate

residential units, one (1) affordable unit is required, while for every 16 jobs created (determined based on new construction square footage), one (1) affordable housing unit is required.

2.3 *Circulation Plan*

The 2002 Circulation Plan identified several issues of concern relating to pedestrian safety, on-street parking, traffic flow and congestion. It recommended that certain intersections be studied for possible safety enhancements, that specific on-street parking locations be reexamined, and that traffic calming measures be considered in applicable locations. The Plan recommended involvement by Town officials in the NJDOT planning and design process for the Plaza/South Avenue interchange and beautification of Plaza Park. It also emphasized the need for expanded public parking in the CBD and recommended that tiered parking be included in development of a parking management plan. Last, the Plan recommended that studies be undertaken to determine the feasibility of providing “Midtown Direct” rail service to/from the Westfield Station to Penn Station, New York; to identify potential locations for bicycle routes; and to evaluate the need for enhanced lighting of pedestrian-accessible areas.

2.4 *Community Facilities Plan*

The 2002 Community Facilities Plan covers schools, parks, historic sites, the municipal building and library, utilities and recycling. Along with broad recommendations for long-term care and maintenance of such facilities, the Plan notes the following specific problem areas:

- Insufficient parking availability and excess on-street parking at Westfield High School;
- Expiration of the current lease on Lincoln School and its future use/occupancy;
- Need for renovations to the municipal building;
- Need for additional open space and recreational opportunities;
- Need for improvement and beautification of Plaza Park;
- Need for upgrades to Mindowaskin Park, Brightwood Park, Gumbert Park, and the Memorial Pool Complex;
- Preservation of the historic Reeve house and potential for conversion to public use;
- Under-utilization of the north- and south-side railroad stations; and
- Need to expand the Town recycling program.

2.5 *Downtown Economic Development Plan*

The 2002 Downtown Economic Development Plan identified only two items in need of immediate attention: a) continued aesthetic enhancement of Westfield’s business districts via optimization of open spaces, planting of street trees and placement of planters; and b) improved pedestrian access between public parking areas and retail stores.

2.6 *Historic Preservation Plan*

The 2002 Historic Preservation Plan recommends official designation of ten (10) historic districts and over 100 historic sites in various locations in Westfield. As of 2002, a portion of only one district in the Dudley Park Historic District being the Kimball Avenue Historic

District, as well as 10 historic sites had been formally designated by Town Ordinance. The Stoneleigh Park Historic District and a handful of other historic sites were listed on the State and Federal Registers of Historic Places. In addition to seeking formal designation and protection of historic sites and districts, the Plan highlighted the need to preserve the ambiance of such areas by careful attention to streetscape improvements. Simple measures were suggested such as retaining blue stone sidewalks, prohibiting disturbance of sidewalks by driveway pavement, allowing certain streets to continue without curbing, naming streets in memory of deceased veterans, and retrofitting rather than replacing radial-wave street lights when the need arises.

2.7 Coordination with Other Planning Programs

The 2002 Master Plan does not raise significant problems with regard to Westfield's coordination with state, county, and/or other local planning programs. The Westfield Master Plan is consistent in nearly all respects with the State Development and Redevelopment Plan (SDRP) and with the Union County Master Plan. As to adjoining municipalities, the Plan finds that Westfield zoning and development patterns are compatible with neighboring land uses, with a few minor exceptions. The Plan recommends that extra attention be given to landscape buffering in these locations to soften the lines between areas of contrasting density and/or divergent land uses. In addition, the plan notes several redevelopment projects anticipated in neighboring Scotch Plains that require monitoring and possible Town input.

2.8 Future Planning Efforts

The 2002 Master Plan identified a number of areas for future study, continued monitoring and/or further attention. In summary form, these include:

- 1) Consideration of an additional professional office district in the Charles Street/Ferris Place area;
- 2) Evaluation of the Central Avenue neighborhood area for possible redevelopment and/or rehabilitation initiatives;
- 3) Potential for adoption of measures to encourage construction and retention of front porches in residential neighborhoods;
- 4) Study of residential development regulations to determine adequacy of restrictions on housing scale and size in relation to permitted lot areas;
- 5) Assessment of impacts relating to commercial development on North Avenue, upon surrounding residential areas;
- 6) Determination of whether senior citizen housing is needed near the CBD, and if so, appropriate locations for it;

- 7) Evaluation of need for more detailed roadway classification system, particularly in light of the State Highway Access Management Code, and requirements for compatibility with the NJ Residential Site Improvement Standards;
- 8) Need for updated traffic counts and analysis to determine new trends;
- 9) Completion of planned intersection improvements and review of others to assess needs;
- 10) Potential for establishment of a Cultural Arts Center in or near the CBD;
- 11) Continued attention to streetscape improvements in the CBD and surrounding areas; and
- 12) Possible adoption of ordinances to ensure architectural compatibility and appropriateness of development in Westfield Historic Districts.

3 *Extent of Success with 2002 Land Development Problems & Objectives*

The Town has addressed or begun to address most of the problems identified in the 2002 Master Plan, however certain items remain in need of attention.

3.1 *Land Use Plan*

The zoning district boundary line changes recommended in the 2005 Land Use Plan Amendment have not yet been implemented. While the proposed changes appear to remain valid, each will be reexamined as a component of this Report.

3.2 *Housing Plan*

The Board adopted its Housing Element in 2004 addressing the Town's first and second round obligation. In response to COAH's third-round housing regulations, Westfield adopted a "Growth Share" ordinance on June 6, 2006. The ordinance applies to all residential and nonresidential development in the municipality with certain exceptions. Developers are required to either construct the required affordable housing units or to make payment in lieu of such construction so that the Town may provide units by alternate means. Unit obligations are based on COAH's prior formula of one affordable unit for every eight (8) new market residential units and one affordable unit for every 25 new jobs generated by non-residential construction. Job generation figures relate to the net square footage of new nonresidential construction pursuant to COAH guidelines. There have been amendments to the COAH Regulations that should be reflected in the Town "Growth Share" ordinance. Therefore, the Town should amend its ordinance accordingly.

As follow-up to the Growth Share ordinance, a spending plan should be prepared in conformance with COAH regulations. To address the developer payment-in-lieu option, a Housing Trust Fund has been established and the Town Council has adopted a formula-based fee schedule.

The final remaining tasks involve development of a Housing Element and a Fair Share Plan consistent with COAH's third-round rules and regulations. The COAH projected Growth Share Obligation is added to the Rehabilitation 2000 Share and the Prior Round Obligation (1987-1999) to determine Westfield's total Fair Share Obligation. The Fair Share Plan must outline the program(s) through which the obligation will be satisfied.

3.3 *Circulation Plan*

Significant progress has been made with regard to intersection improvements and traffic calming. The Plaza/South Avenue interchange is complete, inclusive of appropriate signage, decorative lighting, paver block sidewalks, and beautification of Plaza Park. The North/Central Avenue intersection has been modified and traffic calming measures have been implemented in key locations on Rahway Avenue and in the area surrounding the Shop Rite store on North Avenue. Traffic signals at key intersections on Broad Street in the heart of downtown have been modified to include pedestrian signalization and to better coordinate timing. These

changes enhance pedestrian safety and provide for a smoother flow of traffic through the Elm Street, Central Avenue, and Mountain Avenue intersections. Study and review of the Lawrence/Dudley Avenue intersection as well as other problem areas, continues under the auspices of the Public Safety, Transportation & Parking Committee (PSTP) of the Town Council. The Committee was formed specifically to monitor traffic, parking, and pedestrian safety issues and to recommend enhancements as the need arises.

Streetscape improvements in the Central Business District (CBD) – both completed and ongoing – include new light fixtures that enhance aesthetics and upgrade pedestrian safety. Efforts continue regarding establishment of Midtown Direct train service as well as development of bicycle routes.

The Town has invested substantial time and effort maintaining and optimizing existing municipal parking lots and on-street parking in the CBD, however, debate continues about the need for greater capacity. Parking on North Avenue between Elm Street and Central Avenue was eliminated due to safety concerns, while that on Central Avenue continues to be monitored by the PSTP Committee. In addition, Town officials invested considerable time and effort on a redevelopment proposal that would have included a tiered parking garage, along with construction of retail and residential units. The South Avenue train station parking area (municipal Lot #3) and the public parking lots between Prospect and Elm Street (municipal Lots #1 and #8) were each designated “Areas in Need of Redevelopment” for this purpose. The proposal was ultimately defeated in a non-binding referendum, however, and the Town Council subsequently rescinded the applicable Redevelopment Ordinance.

3.4 *Community Facilities Plan*

Most of the problems discussed in the Community Facilities Plan have been satisfactorily addressed. Improvements to Town parks and public spaces have been particularly prolific over the last several years. Most notably, Plaza Park has been refurbished and landscaped and now serves as appropriate background to four new memorial statuary. In addition to the existing Plaza War Memorial, its gateway location to downtown and its lovely environs honor Dr. Martin Luther King, Jr., veterans of the Korean War and World War II, and Westfield citizens lost in the 9/11 terror attack on the World Trade Center in New York City.

The Recreation Commission has developed a master plan for the development and refurbishment of Memorial Pool Park. The plan proposes reconfiguration of the ball field, relocation of the tennis and basketball courts, and expansion and reconstruction of the pool complex. The Commission has also approved a plan proposed by the Westfield Baseball League to renovate and refurbish certain ball fields; one in Tamaques Park and another three in Gumbert Park. The pool reconstruction has been completed. In Mindowaskin Park, the overlook has been rebuilt and refurbishment of the bandstand has only recently been completed. In Brightwood Park, grant funding has enabled installation of an ADA-compliant trail network complete with benches and footbridges. In addition, an aeration system was installed. Due to the extensive wetlands in the panhandle portion of the park, this area will be left in its natural state. In Clark Park, a gazebo was recently constructed with an access walkway from Dudley Avenue. The gazebo was donated to Westfield by Overlook Hospital.

The matter of possible vacation of South Chestnut Street throughout its intersection with Gumbert Park has been settled in favor of retaining the roadway. The road is a needed connector between Broad Street and North Avenue, particularly important to serving a new residential development located on North Avenue in Garwood. The park will remain in its current configuration.

With regard to historic sites, the Reeve House was donated to the Town of Westfield through the last will and testament of its owner, Edgar Reeve. The Town has since entered into a lease arrangement with the Westfield Historical Society. Under the terms of the agreement the Society will, in return for raising sufficient funds to rehabilitate the structure, gain use of the building for its offices and storage needs. The Society has already begun to raise funds and restoration of the building is underway, with the ultimate aim of opening the structure to the public as a historic museum. As to the north- and south-side railroad stations, both are now fully utilized: the south side for NJ Transit ticket sales, the north, for the offices of the non-profit United Fund of Westfield.

The municipal building has seen only minor improvements over the last several years and is the subject of on-going maintenance activity. The building is over 50 years old and has reached a point where major renovations may be required. A substantial investment will be required in the short term to replace roofing and address HVAC and electrical problems. A complete building evaluation is needed to determine the full scope of work that will be necessary over the next 5-10 years to retain the integrity and functionality of the structure.

A review of the community recycling program indicates that it is operating successfully, with satisfactory rates of participation. A variety of co-mingled (household) recyclable items and cardboard are picked up at the curb on a bi-weekly basis, while residents may bring vegetative and yard waste to the conservation center on Lamberts Mill Road. As to provision of additional recycling containers, the proposals last suggested have been found unworkable.

As to the public schools, a \$9.4M bond referendum approved in January 2007, will provide for improvements at several facilities. Most significant, the Lincoln School will be converted into an early childhood learning center for kindergarten and special needs pre-kindergarten students. The Board of Education opened the facility in September of 2008. In addition, funding will be used for renovations to the Roosevelt Intermediate School and expansion of its cafeteria and library, as well as window replacements at the Edison Intermediate School. Other recent bond issues have provided for the following additional school facilities improvements:

- 1) Various Schools – 1998 referendum for \$11.73M to provide new classrooms, provide cable to classrooms and libraries, upgrade lavatories to comply with the Americans with Disabilities Act (ADA), replace floors, and expand Wilson School library.
- 2) Westfield High School – 2000 referendum for \$21M to construct a 55,000 square-foot addition to the science wing and renovate the Girls' Athletic Complex at Kehler Stadium.
- 3) Kehler Stadium – 2004 referendum for \$1.38M to install artificial turf and a new running track.

The only community facilities problem discussed in the 2002 Master Plan that remains outstanding is the continued insufficiency of student parking at the Westfield High School. The high school parking problem is under review by the Public Safety, Transportation & Parking Committee, with no easy solutions in sight. Attempts to lease space from the National Guard Armory across the street from the High School are under consideration. The Board of Education has also considered whether reconfiguration of the athletic fields might allow space for construction of additional surface parking, on-site.

3.5 Downtown Economic Development Plan

Each of the problem areas identified in the 2002 Economic Development Plan has been addressed to some extent through streetscape improvement initiatives spearheaded by the Downtown Westfield Corporation. Extensive areas of the CBD have been upgraded not merely with plantings, but with decorative streetlights, bicycle racks and benches, newly line-stripped and imprinted pedestrian crosswalks, and pedestrian-oriented crossing signals. Efforts to provide additional pedestrian access points between public parking lots and retail stores, and to make such locations safe, convenient, and handicap-accessible, continue.

3.6 Historic Preservation Plan

Since the time of the 2002 Plan, the Reeve House has been added to the State Register of Historic Places and as mentioned earlier, the site now owned by the Town of Westfield is expected to be used by the Westfield Historical Society for offices and a museum. The United Fund of Westfield has located its offices in the North Avenue train station, as recommended. In addition, the Historic Preservation Commission has applied for State and National Historic Register listing of the Old Presbyterian Burial Ground at the Presbyterian Church of Westfield. The burial ground has also been added to the list of sites officially designated by ordinance. The Commission continues its ongoing efforts to formally designate more of the historic districts and sites recommended in the 2002 Historic Preservation Plan.

As to historic streetscape ambiance, the Plan recommendations have been implemented and remain in effect. An application has not yet been made for Certified Local Government Status through the Office of New Jersey Heritage, however, the recommendation remains valid and will be investigated further.

3.7 Coordination with Other Planning Programs

Recommendations pertinent to landscape buffering between Westfield projects and adjoining municipalities have been implemented and continue to be a part of development approvals. The referenced redevelopment projects in Scotch Plains have received approvals and are in varying stages of completion. No significant negative impacts on Westfield planning objectives are anticipated.

As to state-level planning coordination, the State Planning Commission initiated its third-round cross-acceptance process in 2004 with release of the "Preliminary State Development and Redevelopment Plan" and the "Preliminary State Plan Policy Map." The cross-acceptance

process is a statewide planning effort involving every municipality, that will lead to adoption of an updated SDRP. The Town provided documentary input to the current State Cross-Acceptance III process, by submission of its October 2002 Master Plan and Land Development Ordinances to the Union County Planning Board. As the coordinating and negotiating entity for its constituent municipalities, the Union County Planning Board submitted a comprehensive report to the State Planning Commission on each locality and the County as a whole, in the form of its adopted *2005 Union County Final Cross Acceptance Report*. With regard to Westfield, the report closely mirrors the current Town Master Plan, with notation that “a higher degree of consistency [with the SDRP] could be achieved by incorporating capacity analysis, citizen-based planning, redevelopment, and infrastructure needs and initiatives into the Town’s overall planning efforts and by engaging in regional efforts with neighboring municipalities and the county” (p. 130).

Recent Town planning initiatives have included several of these aspects, notably citizen-based planning, redevelopment planning, and infrastructure needs assessment. Citizen-based planning efforts for example, have recently resulted in: a) adoption of special protections and ordinance exceptions for front porches; b) establishment of a Land Use Task Force Committee to assess and make recommendations concerning “McMansions” and over-development in Westfield which have been reviewed by the Master Plan Subcommittee and are included in Section 6; and c) concerted efforts to protect more of the historic districts and sites identified by the Master Plan through the formal designation process and ordinance adoption. Infrastructure needs assessment and redevelopment planning were each operational in the Town’s recent effort to provide expanded parking in the CBD. Though the most recent redevelopment effort was not successful, the need remains to be addressed and will most certainly be the subject of future planning efforts. The cross-acceptance process itself along with other initiatives, such as a recent Union County Transit Oriented Development study, offer continued opportunities for regional planning cooperation, of which Westfield will take every advantage.

3.8 *Future Planning Efforts*

The following listing provides the status of each of the areas identified under Future Planning Efforts in the 2002 Master Plan:

- 1) The need for a new professional office district in the Charles Street/Ferris Place area no longer appears to exist. What appeared to be a trend in development applications at the time of the 2002 Master Plan, has dissipated.
- 2) The Central Avenue neighborhood area (between South Avenue and Grove Street) has not been fully evaluated, however it remains an issue of concern that requires further review.
- 3) As noted previously, regulations have been adopted to the zoning code providing certain exceptions for construction of front porches.
- 4) As also noted previously, a Land Use Task Force was assembled to review and make recommendations concerning the size and scale of residential housing in Westfield neighborhoods. The Task Force completed its work and provided

recommendations in the early part of 2008 which have been included in Section 5 of this report.

- 5) The impact of North Avenue commercial development upon residential properties is no longer an issue. Concerns have been addressed by incorporation of ordinances requiring adequate landscape buffering, light-shielding, and ample setback requirements for parking areas, driveways, and buildings.
- 6) As to Senior Citizen housing in or near the CBD, the issue has not been fully investigated as of yet. With apparent on-going interest in furthering such development, the matter is ripe for evaluation.
- 7) The need for a more detailed roadway classification system is no longer deemed of great import. More significantly, the Land Use Ordinance has been updated to reflect that RSIS provisions take precedence over local standards and have essentially replaced antiquated provisions.
- 8) The need for updated traffic counts continues, with efforts to remain current, ongoing.
- 9) As noted in discussion of the Circulation Plan, a number of intersection improvements have been completed, with other areas, such as the Central Avenue corridor, under continuing review and study.
- 10) The establishment of a Cultural Arts Center in or near the CBD was extensively reviewed and pursued by an ad hoc, Cultural Arts Committee. The Committee, comprised of representatives of various Town boards, commissions, the Downtown Westfield Corporation, and other organizations, ultimately found the Cultural Arts Center concept to be unworkable.
- 11) As noted previously, streetscape improvements are on-going in the CBD and will continue in partnership with the Downtown Westfield Corporation.
- 12) The option of adopting architectural regulations by ordinance for Westfield Historic Districts has not been fully explored and remains under consideration.

4 Significant Changes in Assumptions, Policies, Objectives

Since the time of the last Reexamination Report, significant changes have taken place in State law and policy that have direct influence on local planning activities. As previously noted, the New Jersey Council on Affordable Housing (COAH) has completely overhauled its regulatory requirements pertaining to Fair Share Housing and calculation of the municipal housing obligation. In addition, the New Jersey Department of Environmental Protection (NJDEP) has adopted sweeping new Stormwater Management regulations; various changes have been made to the Municipal Land Use Law, including the addition of mandatory education requirements for Land Use Board members; and a massive regional planning effort is underway to protect resources and control development in the New Jersey Highlands Area. The State Cross Acceptance III Process, while currently incomplete, proposes a strengthened role for state planning, enhanced coordination with COAH, and a heavy focus on “smart growth.” Most recently signed into law, is the New Jersey Global Warming Response Act, which will complement the pending New Jersey Energy Master Plan with a commitment toward achieving significant statewide reductions in greenhouse gas emissions.

At the County level, the Union County Division of Planning and Community Development has recently completed a “Transit Oriented Development/Transit Village Study” of the NJ Transit Raritan Valley Line corridor, of which Westfield is a part. The Division is also developing a County Bicycle Master Plan seeking to provide links between county and municipal parks and bicycle trail systems. The Town is also affected in certain ways by growth and development taking place in neighboring Union County communities.

A number of important issues have also arisen at the local level in the demographic, land use, and housing characteristics of the Town of Westfield. The municipality’s population increased for the first time since the 1970s along with its median age. The age increase was significantly less than in prior decades however, and as discussed previously, the municipality experienced a substantial increase in the number (and percentage) of school-age children. In parallel, the steady decrease in median household size in Westfield – continuing since 1960 – appears to have leveled off. While median income increased by nearly 50%, family households in poverty in Westfield increased, with the bulk of those affected being headed by single females. The majority of new housing construction constituted multi-family units, while at the same time, demolitions of single-family detached units increased sharply. Many new homes are substantially larger than in prior years, raising concerns in the community about over-development. The number of teardowns and loss of potentially historic homes amongst them has also heightened awareness of the value and importance of the Town’s historic resources and the need to enhance efforts in preservation and protection.

A robust economy had supported a variety of business expansions and façade improvements and the Town continues its streetscape improvement efforts in and around the Central Business District. Despite various improvements to public parking lots, providing sufficient parking remains as an issue and as such expanding pedestrian and/or bicycle opportunities as an alternative to driving cars is under study. Lastly, portions of both the North Avenue and Central Avenue business corridors have seen little improvement over the years and have begun to attract the attention of Town officials as areas in need of revitalization.

4.1 New Jersey Council on Affordable Housing Regulations

Following legal challenges to COAH's third-round affordable housing regulations, the Appellate Division of the State Superior Court ruled on January 25, 2007, that portions of the new Substantive Rules (N.J.A.C. 5:94-1 et seq) were invalid. The Court allowed COAH a six-month period in which to amend its Rules, a period later extended, and stayed all pending municipal petitions for Substantive Certification as well as any filing of builder-remedy actions against affected municipalities. Among other things, the decision left the growth share methodology and the payment-in-lieu of construction option in a state of uncertainty. The decision also indicated that COAH underestimated in recalculating municipal prior round obligations, suggesting that the revised Rules would increase the number of affordable housing units "owed" from prior rounds by each municipality.

COAH began the process of revising the regulations, and filed a notice of petition for certification with the New Jersey Supreme Court to review, in part, the Appellate Division decision, "specifically the portion of the decision that may be read to require the provision of compensating benefits by a municipality as a condition for enactment of an inclusionary zoning ordinance with a mandatory set-aside" (COAH Website <http://www.nj.gov/dca/coah>). Simultaneously, COAH requested a stay of the Appellate Court's decision regarding such financial incentives in an effort to preserve the validity of the many growth share ordinances already adopted by New Jersey municipalities. The stay was approved, allowing the Town of Westfield to continue its growth share program.

By the end of 2007, COAH proposed a significantly revised set of 3rd Round regulations, which were published in the New Jersey Register on January 25, 2008. The revisions extend the 3rd Round period to 2018 and increase the estimated need for affordable housing units statewide, from 52,000 to 115,000. Accordingly, the rules also contain a number of new provisions that would substantially increase municipal obligations. Most important among them:

- 1) The growth share methodology increases municipal obligations to 1 affordable unit for every 4 (instead of 8) new market units, and 1 affordable unit for every 16 (instead of 25) new jobs (determined on the basis of square feet of new non-residential space).
- 2) In determining the number of new market rate housing units in the municipality, the regulations require reliance solely upon the number of Certificates of Occupancy issued since 2004. Demolitions may no longer be subtracted from that number to determine the *net* increase in housing units. Neither will demolition reduce the calculation on new nonresidential floor area.
- 3) Municipalities are required to plan for projected affordable housing need, even if it exceeds the growth share obligation generated by actual development activity.
- 4) The minimum payment for a Regional Contribution Agreement increases from \$35,000 per unit to between \$67,000 and \$80,000 per unit (by COAH region). For Westfield, located in COAH Housing Region 2, the required payment increased to \$67,000.

- 5) Zoning for inclusionary development requires that municipalities provide developer incentives.
- 6) Collection of payments in lieu of construction will be permitted only if the zoning of the site in question would allow and provide for at least one (1) affordable unit.
- 7) Vacant Land Adjustments granted in COAH's 1st Round remain valid if the municipality continues to satisfy any conditions attached at the time.
- 8) To receive any bonuses toward the growth share obligation, units must have been built on or after June 6, 1999.
- 9) The cap on applying age-restricted housing units toward the municipal obligation decreases from a maximum 50% of the obligation, to 25%.
- 10) Housing trust fund dollars must be expended within four (4) years of COAH's approval of a spending plan.
- 11) Obtaining initial plan endorsement from the State Planning Commission is no longer required.

The substantive rules were adopted on June 2, 2008. On June 16, 2008 Assembly Bill A500 was passed by the Assembly and a companion bill was passed in the Senate making amendments to the substantive rules. On July 17, 2008 the Governor signed a comprehensive affordable housing reform bill into law which included the amendments.

Major components of the law include the following:

- Establishment of a statewide 2.5% non-residential development fee (see below)
- Establishment of a new \$20M fund for Workforce Housing (household income equal to or less than 120% of regional median income)
- Elimination of Regional Contribution Agreements
- Provision for planning for affordable housing opportunities based on infrastructure and transportation within 5 regions regulated by planning entities (Highlands, Meadowlands, Pineland, Fort Monmouth and Atlantic County)
- Requirement for 13% of a municipal fair share obligation, and 13% of all units funded by Balanced Housing and the statewide Affordable Housing Trust Fund, to be restricted to very-low income households (30% or less of median income)
- Establishment of a State Housing Commission

The "Statewide Non-Residential Development Fee Act" imposes a 2.5% development fee on all non-residential new construction and additions. The fee takes effect on certificates of occupancy issued on and after July 18, 2008. Municipalities that have an affordable housing trust fund approved by COAH or a court of competent jurisdiction may retain these funds. Every municipality shall impose the statewide non-residential fee in the amount of 2.5% and no certificate of occupancy can be issued without the fee being paid to the Department of

Community Affairs. The League of Municipalities has sued the state regarding several of the above provisions, and, as of the writing of this report, the matter is still pending, without resolution, in court.

On September 22, 2008 the Council on Affordable Housing voted to adopt rule amendments that were proposed on June 16, 2008 pending review by the Office of Administrative Law. They became effective October 20, 2008.

Major amendments to N.J.A.C. 5:97 affecting Westfield are as follows:

- Municipal level household and employment growth projections have been updated to reflect new DEP Water Quality Management rules, municipal zoning data for municipalities in the Highlands region, and actual growth through 2006 for each municipality.
- COAH's vacant land analysis was revised to incorporate new DEP spatial data to expand the definition of C-1 streams, remove environmentally sensitive lands from current sewer service areas and recompute the development capacity of lands supported by septic systems pursuant to the pending DEP Water Quality Management Act Rule (WQMR), and use recently released Highlands spatial and other data to recompute the development capacity of lands in the Highlands Planning Area. With these revisions, the report results in a revised estimate of 1,012,692 acres of unconstrained and undeveloped vacant land in the State, and that this land has a residential development capacity of 711,670 dwelling units and non-residential capacity space of 1,090.6 billion square feet.
- To promote development in smart growth and redevelopment areas, municipalities that include affordable housing units in smart growth areas near transit or those that include affordable housing units in redevelopment areas will receive a one-third bonus for every affordable unit approved subject to an overall cap on bonuses.
- COAH has established presumptive densities and affordable housing set-asides for inclusionary developments based on the State Development and Redevelopment Plan. Higher density standards are established in Planning Area 1, 2 and Centers and lower densities outside of these growth areas.
- Municipalities may subtract demolitions of occupied non-residential buildings from the calculation of net growth in the municipality.
- More flexibility has been added to the provision allowing credit for affordable housing in redevelopment areas.
- Replacement square footage of hospitals and nursing homes relocating within the same COAH region will be exempt from a growth share obligation.

- The number of jobs generated by warehouse construction was reduced from 1.5 to 1 job per 1,000 square feet.

Based upon the above it is evident that the whole matter concerning the adopted substantive rules is unsettled and subject to possible further revision. However, the Town is considering the best approach in addressing the housing issue.

4.2 New Jersey Stormwater Management Regulations

The New Jersey Department of Environmental Protection (NJDEP) adopted new rules and regulations governing Stormwater Management in February of 2004 (N.J.A.C. 7:8). These regulations followed on the heels of substantive changes mandated at the federal level, to the National Pollution Discharge Elimination System (NPDES) program. The federal regulations required that NJDEP amend provisions of the New Jersey Pollutant Discharge Elimination System (NJPDES) regulations regarding Municipal Separate Storm Sewer Systems (MS4's). The amendments (N.J.A.C 7:14A-25) require that stormwater discharge permits be obtained for: all construction sites disturbing more than one acre, projects creating one quarter acre or more of new impervious surfaces, industrial site stormwater discharges, and all MS4's. Permitted MS4's are also required to establish Stormwater Management Programs (SWMP), along with supporting ordinances to address stormwater quality.

The deadline to apply for an MS4 permit occurred in March of 2004. Westfield made application under its assignment as a "Tier A" municipality, or one located within a more densely populated (PA1) region of the state. The municipality now operates under a Tier A Municipal Stormwater General Permit and has adopted the required Stormwater Management Plan, Stormwater Pollution Prevention Plan, and Stormwater Control Ordinance. The Town must adopt additional ordinances concerning improper disposal of waste; must undertake a program of public education and outreach; and must update all affected land use ordinances to incorporate (at least by reference) the new standards and requirements.

With regard to new development, the Stormwater Control Ordinance requires that covered projects be designed to control peak stormwater runoff, groundwater recharge, and stormwater quality. The standards are consistent with stormwater runoff limitations mandated by the Residential Site Improvement Standards (RSIS), N.J.A.C. 5:21. Peak post-development runoff rates from the 2-, 10-, and 100-year storm event may not exceed 50, 75, and 80 percent of the predevelopment peak runoff rates, respectively. Stormwater best management practices (BMPs) must be designed to remove 80% of the total suspended solids (TSS) load on an annual basis and to maintain predevelopment groundwater recharge to the maximum extent practicable. The ordinance requires incorporation of maintenance plans for stormwater management systems and to the maximum extent feasible, requires that stormwater management strategies be of a non-structural character.

4.3 New Jersey Highlands Act

The New Jersey Highlands is a 1,250 square mile area in the northwest part of the state extending from Phillipsburg in the southwest to Ringwood in the northeast. The Region takes

up portions of seven counties (Hunterdon, Somerset, Sussex, Warren, Morris, Passaic, and Bergen) and includes 88 municipalities. The Highlands Water Protection and Planning Act, signed in August of 2004, seeks to preserve the natural resources, aesthetic qualities, and prime agricultural lands of the Highlands Region by limiting further growth and development through regional master planning and land use regulation. The Highlands Council has adopted a regional master plan.

Although Westfield is not located within the Highlands Region, it may be affected indirectly by adoption of the Highlands Act in terms of increased development pressure. With a significant portion of northwest New Jersey essentially placed off-limits to developers, builders have intensified the search for vacant properties and/or redevelopment opportunities in existing cities and suburbs elsewhere in the State. On a positive note, this shift will encourage redevelopment of brownfield sites, removal of dilapidated or abandoned structures, and reconstruction or adaptive re-use of existing under-utilized or vacant buildings.

4.4 New Jersey Global Warming Response Act

The New Jersey Global Warming Response Act was signed into law in July of 2007. The legislation seeks reductions in greenhouse gas emissions, statewide. It calls for an emissions reduction of 20% by 2020 and a more ambitious 80% reduction by 2050. At the same time, the State has begun developing an Energy Master Plan geared toward achieving greater energy efficiency and expanded use of alternative energy resources in meeting the need for electrical power. While no immediate regulatory impact is anticipated from this legislation, it is likely that new opportunities will become available to municipalities interested in “Going Green.” A number of new initiatives have already surfaced through State agencies such as the Board of Public Utilities (BPU) to assist municipalities in such efforts.

4.5 Mandatory Training: Planning/Zoning Board Members

In July of 2005, the State legislature enacted a Mandatory Training Law for members of Planning Boards and Zoning Boards of Adjustment. Members must successfully complete a training course designed around a specified curriculum in planning and land use, within 18 months of joining a board. Seated board members must complete the course within 18 months of the date on which the course was first offered. The Commissioner of the Department of Community Affairs is responsible to prepare and provide for the mandatory training course for board members. All newly appointed and re-appointed members (regardless of length of service) of planning boards and zoning boards – unless specifically exempt by law – must take the training to participate as a board member. Exempt individuals include the Mayor (or his/her designee) and Class III member of a Planning Board, professional planners, and anyone who “has completed a more extensive course in land use law and planning than that required” within 12 months of the otherwise effective date (on which the end of the 18th month would fall).

4.6 Amendments to New Jersey Municipal Land Use Law

In addition to the mandatory training requirement, the legislature has adopted various other amendments to the MLUL, not all of which have been incorporated into the Land Use

Ordinance (LUO). The LUO must be reviewed for consistency with these changes and updated as applicable.

4.7 Union County Bicycle Master Plan

The Union County Division of Planning and Community Development is working toward adoption of a Bicycle Master Plan that would provide links between County parks and trails and existing or proposed municipal bicycle trails. The timing of this initiative is in sync with recent efforts in Westfield to enhance and possibly expand existing bike paths within the municipality.

4.8 Union County Trans-Line Transit Village Study

The Union County Division of Planning and Community Development has recently completed a “Transit Oriented Development/Transit Village Study” of the Raritan Valley Line corridor of the NJ Transit System. The study provides design guidelines and offers various recommendations for use by municipalities within the corridor, for incorporation of transit-oriented design and development projects in future planning. The study was funded by the State Office of Smart Growth in furtherance of certain of the key goals and objectives of the New Jersey State Development and Redevelopment Plan. This effort is also meaningful in the context of the aforementioned NJ Global Warming Response Act.

4.9 Demographics

4.9.1 Population Growth

In accordance with the 2000 U.S. Census the Town's population saw a modest increase in the 1990's, from 28,870 (1990) to 29,644 by the year 2000. The change marked the first increase in Westfield's population since the early 1970s. Throughout the remainder of the 1970s and 1980s the population had declined. The trend mirrored that of Union County and northeast and central New Jersey, in general, due largely to outward migration of residents to outlying parts of the state and other US states.

The most recent Census Bureau estimates provide figures through 2006, for which Westfield's resident population was 29,944. Population forecasts by the North Jersey Transportation Authority (NJTPA) suggest that the increase will continue gradually for the foreseeable future. Population figures appear in Table 1, inclusive of NJTPA forecasts for the years 2010, 2020, and 2030.

Year	Population	Numerical Change	Percent Change
1930	15,801		
1940	18,458	2,657	16.82
1950	21,243	2,785	15.09
1960	31,447	10,204	48.03
1970	33,720	2,273	7.23
1980	30,447	-3,273	-9.71
1990	28,870	-1,577	-5.18
2000	29,644	774	2.68
2010	30,150	506	1.71
2020	31,770	1,620	5.37
2030	33,580	1,810	5.70

Source: 2000 US Census, NJTPA

4.9.2 Age of Population

While the median age of Westfield residents increased between 1990 (37.6 years) and 2000 (38.6 years), the increase was significantly less than that of each of the prior decades. At the same time, the number and percentage of youth in the population is on the rise. As opposed to the steady declines in the under-age-18 population since 1960, the 1990-2000 decade saw a 5% increase. The school-age population (ages 5-19) increased from 5,520 in 1990 to 6,424 in 2000, an increase of over 16%. These figures coincide with recent efforts undertaken by the Board of Education (BOE) to relieve overcrowding in the Town's elementary and intermediate schools (including the bond initiative discussed at Section 3.4, above). The BOE cites steadily increasing elementary and intermediate school enrollment since 1996, with its current kindergarten enrollment being the highest in 36 years. The Board projects that school

enrollment figures will continue to increase through at least 2010. Sex by age data for the Town of Westfield appear in Table 2, below.

	Male		Female		Total	
	Number	Percent	Number	Percent	Number	Percent
Under 5 years	1,191	8.4	1,178	7.6	2,369	8.0
5 to 19 years	3,314	23.3	3,110	20.1	6,424	21.7
20 to 29 years	942	6.6	1,030	6.7	1,972	6.7
30 to 39 years	2,340	16.5	2,563	16.6	4,903	16.5
40 to 49 years	2,494	17.6	2,680	17.4	5,174	17.5
50 to 59 years	1,813	12.8	1,907	12.4	3,720	12.5
60 to 69 years	993	12.8	1,907	12.4	2,070	7.0
70 to 79 years	756	5.3	1,110	5.0	1,875	6.3
80 years and over	366	2.6	771	5.0	1,137	3.8
Total	14,209	100.0	15,435	100.0	29,644	100.0

Source: 2000 US Census

4.9.3 Racial Make-Up

The 2000 Census reported the racial make-up of residents of Westfield, Union County, and the State as provided in Table 3, below. Just as for the County and the State, the overwhelming majority of individuals in the Town reported themselves as being of one race, only.

	Westfield		Union Co.	New Jersey
	Number	Percent	Percent	Percent
One race	29,249	98.7	96.8	97.5
White	26,675	90.0	65.5	72.6
Black or African American	1,151	3.9	20.8	13.6
American Indian and Alaska Native	27	0.1	0.2	0.2
Asian	1,208	4.1	3.8	5.7
Native Hawaiian and Other Pacific Islander	3	0	0	0
Some other race	185	0.6	6.4	5.4
Two or more races	395	1.3	3.2	2.5
Two races including Some other race	96	0.3	2.3	1.5
Two races excluding Some other race, and three or more races	299	1.0	1.0	1.0
Total	29,644	100.0	100.0	100.0

Source: 2000 US Census

4.9.4 Household Size

Average household size in Westfield declined only by a fraction between 1990 and 2000 (Table 4). The proportion of one- and two-person households remained steady, at 50%. The declines of prior decades attributed to aging of the population, lower fertility rates, later marriages, and increasing divorce rates appear to have come to an end.

Year	Total Population	In Group Quarters	In Households	Total Households	Persons per Household
1960	31,447				3.55
1970	33,720				3.42
1980	30,447	114	30,300	10,271	2.95
1990	28,870	240	28,630	10,289	2.78
2000	29,644	267	29,377	10,622	2.77

Source: 2000 US Census

4.9.5 Household Income

Median household income in 1999 was \$98,390 compared to \$66,760 in 1989. The data indicates that family households (2 or more related individuals) had a median income of \$112,145, while that for non-family households (including singles and/or groups of unrelated individuals) was \$41,395. Per capita income was \$47,187. Westfield's median household income was significantly higher than that for either Union County or the State of New Jersey, as indicated in Table 5, below.

Income	Number	Percent
Less than \$10,000	305	2.9
\$10,000 to \$14,999	212	2.0
\$15,000 to \$24,999	653	6.1
\$25,000 to \$34,999	580	5.5
\$35,000 to \$49,999	815	7.7
\$50,000 to \$74,999	1,472	13.8
\$75,000 to \$99,999	1,350	12.7
\$100,000 to \$149,999	2,324	21.8
\$150,000 to \$199,999	1,143	10.7
\$200,000 or more	1,785	16.8
Total	10,639	100.0
Median Household Income, 1999		
Westfield	Union County	New Jersey
\$98,390	\$55,339	\$55,146

Source: 2000 US Census

As to households below the poverty level, the overall number increased from 251 (2.5% of total) in 1989, to 289 (2.7% of total) in 1999. Of these, 136 were family households while 153 were non-family households. The biggest changes occurred amongst family households. Within that category, “married couple” families in poverty decreased significantly (from 82 to 38), while the “female householder, no husband present” category increased sharply from 14 such households in 1989, to 84 in 1999. The affected women in the latter group were predominantly in the 25-44 year old age range.

4.10 Housing

4.10.1 Housing Units

The 2000 Census reports a total of 10,819 housing units in the Town, an increase of 231 units, or 2.2%, over 1990 levels (Table 6). The figures include 8,401 detached single-family residential units, comprising nearly 78% of total housing stock. Of the overall increase, 90 units (or 39%) were one-family detached homes. The bulk of the increase (141 units, or 61%) consisted of multi-family units, including two-family homes. At the time of the 2000 Census, 10,622 units (98%) were occupied while the remaining 197 housing units (1.8%) were vacant. Amongst occupied housing units, 8,674 (82%) were owner-occupied and 1,948 (18%) were rentals.

Table 6. Units in Structure Town of Westfield		
Units in Structure	Number	Percent
Single Family		
1 Unit, Detached	8,401	77.65
1 Unit, Attached*	214	1.98
Multi-Family		
2 Units	840	7.76
3-4 Units	443	4.09
5-9 Units	239	2.21
10-19 Units	87	0.80
20-49 Units	177	1.64
50 or More Units	410	3.79
Other		
Mobile Home	8	0.07
Boat, RV, Van, etc.	0	0.00
Total	10,819	100.00

Source: 2000 US Census

* Note: The Census defines a 1-Unit Attached Structure as one having one or more walls extending from ground to roof separating it from adjoining structures. This includes row houses, townhouses, double houses and houses attached to nonresidential structures, if the dividing or common wall goes from ground to roof.

The age of Westfield residential structures continues to reflect the early settlement of the community, the massive housing expansion of the post-WWII years, the “baby boom” era and the continued growth that occurred throughout the 1960s. The 2000 Census indicates that nearly 42% of Westfield’s housing was constructed prior to 1940, while another 47% was built between 1940 and 1969. At the time of the Census just 12% of all Westfield housing units were less than 30 years old (see Table 7, below).

Table 7. Age of Housing Units Town of Westfield		
Year Built	Number	Percent
Built 1999 to March 2000	43	0.4%
Built 1995 to 1998	178	1.6%
Built 1990 to 1994	85	0.8%
Built 1980 to 1989	406	3.8%
Built 1970 to 1979	540	5.0%
Built 1960 to 1969	1,218	11.3%
Built 1950 to 1959	2,710	25.0%
Built 1940 to 1949	1,111	10.3%
Built 1939 or earlier	4,528	41.9%
Total	10,819	100.0%

Source: 2000 US Census

Data concerning new residential housing units in Westfield since the time of the 2000 Census is derived from certificate of occupancy summaries. In conjunction with housing unit demolition statistics, the data provide an estimate of the total number of housing units currently in the municipality. Based on data from the New Jersey Department of Community Affairs for the year 2000 through the month of September 2008 (see Table 8), the number of units increased by 92, for an estimated total of 10,911 housing units.

Table 8. Certificates of Occupancy/Demolitions Town of Westfield			
Year	CO's	Demolitions	Net Increase
2000	37	8	29
2001	19	8	11
2002	77	13	64
2003	36	38	-2
2004	54	54	0
2005	48	73	-25
2006	56	80	-24
2007	72	36	36
thru Sept. 2008	3	0	3
Total	402	310	92

Source: New Jersey Department of Community Affairs

4.10.2 *Housing Sizes, Demolitions*

In recent years the Land Use Boards and Town Council have received complaints concerning the size of a number of the new homes in Westfield, particularly those built on smaller lots, in older neighborhoods. The phenomenon is not unique to Westfield, but appears to reflect a trend in housing in New Jersey and in the US, generally. In communities across the State of New Jersey, developers have been demolishing older homes and building much larger ones in their place. Data from the U.S. Census Bureau indicates that the median size of a single-family home has increased by nearly 50% since the early 1970s. The current median size is over 2,300 square feet, as compared with just 1,560 square feet in 1974.

In many cases, the new homes are permitted as of right yet appear grossly over-sized in relation to the neighborhood. This is because, unlike the older homes, the new ones are often built to the maximum limits of the zoning. Adding to the problem, homeowners in a number of recent instances have eliminated one- or two-car garages in order to stay within building coverage allowances when adding habitable area to existing homes. The absence of a garage leads to problems with outdoor storage and parking of motor vehicles, and often results in the owners or future owners making application for variance relief at some later date, to permit construction of a new garage or storage shed.

The Planning Board will be reviewing amendments to the Town Land Use Ordinance to tighten existing regulations on residential housing to require garages and to ensure that new dwellings are kept in scale with the surrounding environment. These proposed amendments emanate from the recent report from the Mayor’s Land Use Task Force. These new provisions were carefully considered so as not to create vast areas of nonconformity among existing structures. The recent report from the Mayor’s Land Use Task Force includes a number of pertinent recommendations that will contribute to this effort.

4.10.3 *Housing Values*

The 2000 Census reports a median specified owner-occupied housing unit value of \$346,000 up 34% from 1990. “Specified” housing units include only 1-family homes on lots of less than 10 acres. Values appear in the Table 9, below.

Table 9. Specified Owner-Occupied Housing Units Town of Westfield		
Value	Number	Percent
Less than \$100,000	75	0.9
\$100,000 to \$249,999	1,922	24.0
\$250,000 to \$499,999	4,311	53.9
\$500,000 to \$749,999	1,298	16.2
\$750,000 to \$999,999	254	3.2
\$1,000,000 or more	144	1.8
Total	8,004	100.0
Median Housing Values		
Westfield	Union County	New Jersey
\$346,000	\$188,800	\$170,800

Source: 2000 US Census

Median contract rent (i.e., excluding utilities) for renter-occupied housing units in the Town in 2000 was \$981. That figure represents an increase of 30% over 1990 levels. Values appear in Table 10, below.

Table 10. Specified Renter-Occupied Housing Units Town of Westfield		
Gross Rent	Number	Percent
Less than \$100	6	0.3
\$100 to \$249	59	3.0
\$250 to \$499	82	4.2
\$500 to \$749	411	21.1
\$750 to \$999	421	21.6
\$1,000 to \$1,249	556	28.5
\$1,250 to \$1,499	198	10.1
\$1,500 to \$1,999	118	6.0
\$2,000 or more	33	1.7
No Cash Rent	68	3.5
Total	1952	100.0
Median Contract Rent		
Westfield	Union County	New Jersey
\$981	\$676	\$672

Source: 2000 US Census

4.11 Employment

4.11.1 Class of Worker

Westfield residents primarily work in the private sector, as Table 11 demonstrates. Proportionately, the breakdown on private v. government workers is quite similar to that at both the County and the State level.

Table 11. Class of Worker, Employed Persons 16 Years and Over Town of Westfield, Union County, New Jersey				
Class of Worker	Westfield Town		Union Co.	New Jersey
	Number	Percent	Percent	Percent
Private for-profit wage and salary	10,550	72.4	76.5	74.4
Private not-for-profit wage and salary	1,092	7.5	6.1	6.4
Local/County government	1,330	9.1	7.8	7.9
State government	427	2.9	3.1	3.8
Federal government	181	1.2	1.9	2.2
Self-employed (not incorporated)	942	6.5	4.5	5.0
Unpaid family	53	0.4	0.2	0.2
Total	14,575	100.0	100.0	100.0

Source: 2000 US Census

4.11.2 Employment by Occupation

Occupational characteristics of Westfield residents appear in Table 12. In comparison to both Union County and the state as a whole, Town residents are significantly more likely to work in management and professional occupations.

Occupation	Westfield Town		Union Co.	New Jersey
	Number	Percent	Percent	Percent
Management, business and finance	3,742	25.7	14.7	15.6
Professional and related	5,069	34.8	20.7	22.4
Service occupations	1,102	7.6	13.3	13.6
Sales and office	3,510	24.1	28.4	28.5
Farming, fishing, and forestry	8	0.1	0.1	0.2
Construction, extraction, and maintenance	484	3.3	7.6	7.8
Production, transportation, material moving	660	4.5	15.3	12.0
Total	14,575	100.0	100.0	100.0

Source: 2000 US Census

4.11.3 Employment by Industry

The 2000 Census data shows employment growth among Westfield residents in information, finance, insurance and real estate since 1990, with declines in the construction, manufacturing and wholesale and retail trade sectors (Table 13). The trend mirrors that at State and National levels as information and financial services sectors continue to expand.

Industry	Westfield Town		Union Co.	New Jersey
	Number	Percent	Percent	Percent
Agriculture, forestry, fisheries, mining	10	0.1	0.1	0.3
Construction	452	3.1	5.0	5.6
Manufacturing	1554	10.7	15.0	12.0
Wholesale trade	580	4.0	4.7	4.4
Retail trade	1032	7.1	10.2	11.3
Transportation & warehousing	505	3.5	6.8	5.1
Utilities	44	0.3	0.7	0.8
Information	801	5.5	4.5	4.4
Finance, insurance, and real estate	2184	15.0	9.6	8.9
Professional, scientific, management	2616	17.9	11.4	11.5
Educational, health, social services	3278	22.5	18.4	19.8
Arts, entertainment, recreation, food services	647	4.4	5.4	6.9
Other services	470	3.2	4.5	4.4
Public administration	402	2.8	3.8	4.5
Total	14575	100.0	100.0	100.0

Source: 2000 US Census

4.11.4 Place of Work and Travel Time

2000 Census data indicates that about 3.5% more residents are working out-of-state than at the time of the 1990 Census. The same percentage reduction applies to the number of residents working in Westfield (Table 14). Data on travel-time-to-work are consistent with these findings (Table 15). The percentage of commuters in the 60-minute or greater commute category increased from 13.4% to nearly 21%. Likewise, the percentage of commuters using public transportation to get to work (primarily rail) increased from 11.6% to 15%, while those driving or carpooling decreased from 85% to 82%. It is interesting to note that at the same time, the proportion of residents working at home (though small) increased from 3.5% to 4.9%.

Table 14. Place of Employment, Employed Persons 16 Years and Over Town of Westfield		
Place	Number	Percent
Westfield	2,593	18.0
Union County, Outside Westfield	4,160	29.0
State of New Jersey, Outside Union County	4,978	34.6
Outside of New Jersey	2,637	18.4
Total	14,368	100.0

Source: 2000 US Census

Table 15. Travel Time to Work, Employed Persons 16 Years and Over Town of Westfield		
Travel Time	Number	Percent
Less than 5 minutes	432	3.0
5 to 9 minutes	1,359	9.5
10 to 14 minutes	1,746	12.2
15 to 19 minutes	1,398	9.7
20 to 24 minutes	1,347	9.4
25 to 29 minutes	695	4.8
30 to 34 minutes	1,483	10.3
35 to 39 minutes	393	2.7
40 to 44 minutes	716	5.0
45 to 59 minutes	1,278	8.9
60 to 89 minutes	2,107	14.7
90 or more minutes	715	5.0
Worked at Home	699	4.9
Total	14,368	100.0

Source: 2000 US Census

4.11.5 Employment in Westfield

A snapshot overview of employment in the Town of Westfield is available for 2005 (most recent), from the US Census Bureau's "County Business Patterns" series. The data indicates a total of 8,190 employees working at 989 Westfield business establishments of varying size. The

vast majority of businesses are small, in the 1-4 employee category, while standout industry classifications include, retail, professional, health care, and other services.

Industry Code Description	1-4	5-9	10-19	20-49	50-99	100-249	250-499	Total
Utilities	0	0	0	0	1	0	0	1
Construction	55	12	7	1	0	0	1	76
Manufacturing	4	0	3	2	0	0	0	9
Wholesale trade	24	2	0	2	0	0	0	28
Retail trade	68	32	18	12	3	0	1	134
Transportation & warehousing	3	1	1	1	0	0	0	6
Information	8	2	0	1	0	0	0	11
Finance & insurance	36	18	8	4	0	0	0	66
Real estate & rental & leasing	30	6	2	0	0	0	0	38
Professional, scientific, technical	141	24	9	7	3	1	0	185
Management of companies	2	0	0	0	1	0	0	3
Waste mgt, remediation services	40	8	3	2	0	1	0	54
Educational services	8	4	3	0	0	0	0	15
Health care and social assistance	85	44	30	11	2	3	0	175
Arts, entertainment & recreation	15	4	2	1	1	0	1	24
Accommodation & food services	26	16	10	5	1	0	0	58
Other services (except pub admin)	64	17	9	10	3	0	0	103
Unclassified establishments	3	0	0	0	0	0	0	3
Totals (no.)	612	190	105	59	15	5	3	989
Totals (%)	61.9%	19.2%	10.6%	6.0%	1.5%	0.5%	0.3%	100%

Source: US Census, 2005 County Business Patterns, Industry Code Summary

The North Jersey Transportation Planning Authority forecasts a gradual increase in employment in Westfield through 2030, as indicated in Table 18.

Table 18. Employment Forecast, 2005-2030 Town of Westfield			
Year	Payroll Employment	Numerical Change	Percent Change
2000	8,440		
2005	8,540	100	1.2
2010	8,610	70	0.8
2015	8,890	280	3.3
2020	9,200	310	3.5
2025	9,560	360	3.9
2030	9,870	310	3.2

Source: North Jersey Transportation Planning Authority

5 Specific Recommended Changes to the Master Plan

The Planning Board affirms the general principles underlying the current Master Plan and does not find it necessary to prepare an altogether new document at this time. A number of changes are proposed, however, to bring the Master Plan into line with the changes discussed in the preceding sections. A new Housing Element and Fair Share Plan should be adopted. Modifications involve goals and objectives, land use plans, development densities, and various updates/corrections to each of the remaining plan elements. (References in this section are to the contents of the Master Plan of the Town of Westfield adopted October 7, 2002).

5.1 Policies, Goals & Objectives

5.1.1 Goal 2, Preserve and Protect Character of Residential Neighborhoods

Subsection 2b should be expanded to state that bulk, density and design standards must also ensure that development is not overly intensive in relation to the lot(s) on which it is situated.

5.1.2 Goal 3, Minimize Environmental Impact from Development

The goal statement should be amended to address a wider scope by elimination of the words, “particularly in areas of steep slope, wetlands and flood hazard areas.” The existing subsections appropriately encompass these areas of concern. A new subsection “a” should be inserted that seeks appropriate regulations to encourage “green” building design in all new construction. A fourth subsection should seek appropriate regulations to implement best practices in stormwater management. A fifth subsection should seek appropriate regulations to ensure implementation of current soil conservation and erosion control measures (whether affected lots contain steep slopes, or not). A sixth subsection should seek appropriate regulations to protect and/or replace trees/woodlands impacted by development projects.

5.1.3 *Goal 4, Provide Adequate Open Space for Recreation*

An additional subsection should be added referring to provision of adequate active recreational facilities in keeping with the needs of the community, including such amenities as ball fields, tennis courts, tot lots and playgrounds.

5.1.4 *Goal 8, Provide a Wide Range of Housing Types and Densities*

The Board believes that the addition of a limited component of high-density attached housing (allowing for mixed use or all residential units) would be an appropriate *land use* where proximate to both the CBD and the Westfield NJ Transit Railroad Station. A comprehensive review of the area within walking distance of the commuter rail station should be undertaken by the Board to determine (i) the appropriate locations, (ii) reasonable densities and (iii) zoning standards.

5.1.5 *Goal 9, Address the Need for Affordable Housing*

The Town is pursuing appropriate measures to provide for the Town's obligation so as to satisfy requirements of the Council on Affordable Housing. The establishment of zone districts for affordable housing should be removed from the goal statement and instead listed as one of the methods (objectives) through which the stated goal will be achieved. Other objectives should also be included, such as: encouraging construction of affordable units within all new market-rate residential development projects; allowing for construction of such units elsewhere in the community as an alternative; requiring payments in lieu of construction in the event that affordable units cannot be built in or built elsewhere in the community; entering into regional contribution agreements (if permitted by COAH regulations) with interested receiving communities; and investigating various other options available to the community to provide for affordable housing and pursuing those that are most appropriate, efficacious, and suitable to the Town.

5.1.6 *Goal 12, Promote Conservation of Energy and Recycling*

Subsection 12b should be augmented to also promote the use of renewable energy resources.

5.1.7 *Goal 13, Achieve Environmental Sustainability*

A new goal should be added in keeping with both the issues discussed in Section 4, and pending legislation that will amend the New Jersey Municipal Land Use Law to allow for a Master Plan Element on Environmental Sustainability. Objectives should cover a wide array of areas involving Town buildings, operations, and functions, as well as public and private schools, churches, public and semi-public buildings, business/commercial operations and physical plants, transportation, and even residential structures and activities.

Subsections should include objectives such as the following:

- a. Conserve and protect water resources.
- b. Minimize carbon emissions, waste, and pollutants of all kinds.
- c. Maximize energy efficiency.
- d. Maximize recycling.
- e. Cultivate markets that provide foods and other products from local sources.
- f. Plant trees; expand the urban forest.

5.2 *Land Use Plan Element*

(All references in this section to the Land Use Plan refer to that document as so entitled adopted by the Planning Board in October 2005, which amended the Land Use Plan contained in the Master Plan adopted on October 7, 2002.)

The Land Use Plan findings regarding the predominance of single family residences is still valid. That Plan also puts forth specific recommended changes that should occur to adjust changes to the zone districts' boundaries depicted on the Town Zoning Map. The status of these recommendations follows.

The 2005 Land Use Element identified various zone district changes to be made to the Town Zoning Map. These recommendations have been reviewed by the Board and in several instances changed from the 2005 recommendations.

The Board has determined that the following proposed zoning changes in the 2005 Land Use Element are no longer valid. The prior recommendations are as follows:

RS-6 to RS-12: This property is located on Coleman Place. This zone change would render this property nonconforming in every respect to the RS-12 zone, and therefore this change is not recommended.

RM-6 to GB-2: This recommendation involved the YMCA property which is a conditionally permitted use in the RM-6 Zone. The Board finds that the current zoning is appropriate for the property and should continue.

GB-2 to C: This change is no longer desired or appropriate for the properties in question. The Board finds that the uses permitted in the C Zone District (beyond those permitted in the GB-2 Zone) have little applicability in that vicinity (between North and South Avenues adjacent to the existing C Zone) and that the bulk standards of the GB-2 Zone are more appropriate for that location.

After due consideration and review, the following zone district changes are recommended. These recommended changes include those made in the 2005 Land Use Plan, with several exceptions identified later in this section of the report. The 2005 Land Use Plan states “that the identified changes are intended to recognize existing development patterns and to prevent subdivisions and other development that would not be consistent with such patterns.” The Board has continued to review land uses with that goal in mind and has made additional recommendations in this report. Upon adoption of the Re-examination Report, the Land Use Plan should be amended to reflect the zone changes that follow. These amendments are depicted on Exhibits A-1 and A-2 and described in further detail in Exhibits B.

5.2.1 Zoning Changes

(Exhibits A-1, A-2 and B annexed hereto contain maps reflecting the zone changes, a list of Tax Map Block and Lot references to the affected parcels and a list of street addresses of same.)

5.2.1.a Single-Family Residential – RS Zone District

Amend the RS-6 Zone District as follows:

- RS-6 to RS-8:
- Two lots fronting along the northeast side of Embree Crescent northeast of its intersection with Seneca Place. Rationale: These two lots exceed the lot and bulk standards of the RS-6 District and meet all the standards of the adjacent RS-8 District.
(See Exhibit A-1 #1A)
 - A single lot lying along the southwest side of Coleman Place between Edgewood Ave and Dudley Avenue West. Rationale: this property is adjacent to the RS-8 Zone and greatly exceeds the standards of the RS-6 District.
(See Exhibit A-1 #1B)
 - Six lots fronting along the northwest side of Hillcrest Avenue, north of Stanley Avenue and ten lots along the northwest side of Hillcrest Avenue south of Stanley Avenue, and 19 lots fronting along the southeast side of Hillcrest Avenue from its intersection with North Avenue East and extending northeast, excluding the two most easterly lots at the Hillcrest Avenue South Chestnut Street intersection. Rationale: All of these lots exceed the RS-6 standards and the majority meet the standards of the RS-8 District. This proposal encompasses a sufficient number of lots to warrant its own RS-8 District. It will be bordered on the northwest and southeast by the RS-10 District.
(See Exhibit A-1 #1C)
 - Eight lots, one at the northeast corner of Girard & Wallberg Avenues, and the adjacent lot fronting along Wallberg Avenue, and six lots

fronting along the following roads; three lots fronting on Wallberg Avenue north of Girard Avenue, one fronting on the north side of Girard Avenue, and two lots fronting on Grant Avenue north of Girard Avenue. Rationale: The majority of these eight lots exceed the standards of the RS-6 Zone and are to become a part of a new RS-8 District in combination with other adjacent lots currently zoned RS-10. (See the RS-10 proposed zone changes)
(See Exhibit A-1 #1D)

RS-6 to RS-12: - One lot fronting along the south side of Clark Street, just west of Dudley Avenue West to become a part of the existing RS-12 District adjacent to the east. Rationale: This lot will meet the RS-12 standards.
(See Exhibit A-1 #2)

Amend the RS-8 Zone District as follows:

RS-8 to RS-6: - Two lots located along the southeast corner of Clark Street and Edgewood Avenue fronting along Clark Street. Rationale: Based upon other proposed zone changes in this neighborhood (see RS-8 to RS-10) these two lots would become isolated and they will conform to RS-6 standards.
(See Exhibit A-1 #3A)

- Two lots fronting along the southeast side of Channing Avenue at the Town border with Scotch Plains Township. Rationale: These two lots are nonconforming to the RS-8 standards and will conform to the adjacent RS-6 standards.
(See Exhibit A-1 #3B).

- Two lots fronting along the southeast side of Whittier Avenue. Rationale: These two lots currently are nonconforming to the RS-8 standards and will conform to the adjacent RS-6 standards.
(See Exhibit A-1 #3C)

RS-8 to RS-10: - A total of 23 lots situated as follows: three lots fronting along the southwest side of Clark Street, west of Edgewood Avenue; one lot fronting along the southwest side of Prospect Street opposite Newton Street; four lots fronting along the northwest side of Lincoln Road (excluding the corner lot), ten lots fronting along the northeast side of Clark Street, northwest of Webster Place; four lots fronting along the northeast side of Clark Street south of Webster Place, and a one lot fronting along the northeast corner of Lincoln Road. Rationale: The lot characteristics of the above described area significantly exceed the RS-8 standards and better meet the RS-10 standards. This described area expands upon a recommendation put forth in the 2005 Land Use Plan.
(See Exhibit A-1 #4)

RS-8 to RS-12: - One lot at the easterly corner of Highland and Birch Avenues. This lot meets the standards of the adjacent RS-12 Zone.
(See Exhibit A-1 #5A).

- Three lots fronting along the northwest side of Dudley Avenue East, west of its intersection with Highland Avenue, and one lot fronting along the northeast side of Highland Avenue just west of Dudley Avenue East. Rationale: The above lots meet the standards of the RS-12 Zone, which is adjacent to these properties.
(See Exhibit A-1 #5B)

Amend the RS-10 Zone District as follows:

RS-10 to RS-8: - Five lots lying along the southeast side of Hillcrest Avenue southwest of Cornwall Drive, which properties are partially located in the RS-10 District to the rear. Rationale: These lots are currently split between the RS-6 Zone with the rear portion being within the RS-10 Zone. This recommendation is consistent with the previous recommendation to rezone lands from RS-6 to RS-8, thereby establishing an RS-8 Zone for this neighborhood.
(See Exhibit A-1 #6A)

- Numerous lots further described as follows: two lots fronting along the southwest side of Putnam Avenue, three lots fronting along the southwest side of Girard Avenue, at its intersection with Franklin Avenue; all lots within the block bounded by Grant, Garfield and Wallberg Avenues (excepting five lots at the south end of the block fronting Grant, Girard and Wallberg Avenues); all lots within the block bordered by Wallberg Avenue to the northwest, Garfield Avenue to the north and Topping Hill Road to the east, Kimball Turn and Putnam, Franklin and Girard Avenues to the south; all six lots fronting along the northeast side of Garfield Avenue; four lots fronting along the east side of Topping Hill Road between its intersections with Kimball Turn and Garfield Avenue. Rationale: Nearly all of these properties are nonconforming to the RS-10 Zone standards but would conform to the RS-8 Zone established for this neighborhood.
(See Exhibit A-1 #6B)

Amend the RS-12 Zone District as follows:

RS-12 to RS-24: - One lot fronting along Dudley Avenue East, at the easterly corner of Dudley Avenue East and Lawrence Avenue. Rationale: This lot greatly exceeds the RS-12 standards and is more consistent with the lots on Dudley Avenue to the west. Therefore it is proposed to relocate the zone boundary in order to include this lot within the adjacent RS-24 Zone.
(See Exhibit A-1 #7)

5.2.1.b Single & Two-Family Residential - RM and RA Districts

Amend the RM-6 Zone District as follows:

- RM-6 to GB-3: - One lot situated along the south side of South Avenue, west of the Drake Place and Palstead Avenue intersection. Rationale: This property is currently developed and utilized as a commercial business. The recommended change would make an existing business a permitted use in the GB-3 Zone, which zone is across South Avenue from the subject property.
(See Exhibit A-2 #8)

Amend the RA-3 Zone District as follows:

- RA-3 to RS-6: - One lot bordered by West Broad Street, Osborn Avenue and First Street and occupied by the Board of Education McKinley Elementary School. Rationale: This public school use will be made conforming by this zone change.
(See Exhibit A-2 #9)

5.2.1.c Retail Business – GB–Zones

Amend the GB-1 Zone District as follows:

- GB-1 to RA-3: - Two lots fronting along the southeast side of Cowperthwaite Place between Prospect and Elm Streets. Rationale: General business use is not appropriate at this location, which encroaches upon a residential street.
(See Exhibit A-1 #10)

5.2.1.d Offices – O Zones

Amend the O-3 Zone District as follows:

- O-3 to C: - Three lots lying southwest of Rahway Avenue south of the Lehigh Valley Railroad row and one-half of the railroad r.o.w located at the Town border with the Township of Clark. Rationale: The Conrail Lehigh Valley Railroad separates the lots from adjoining properties in Westfield and the land is used primarily for public utility purposes by PSE&G. The land is adjacent to industrial/manufacturing uses in Clark Township and most appropriately zoned for Service and Industry uses, as permitted under Westfield's C Zone District. The public utility use is a conditionally permitted use in the C Zone.
(See Exhibit A-2 #11)

5.2.1.e Historic Preservation – HP Overlay Zone District

This Report affirms the recent adoption of the Historic Preservation (HP) Overlay Zone District, which incorporates all properties designated as historic sites and/or districts in the Town of Westfield. These are now shown on the Town Zoning Map, which was re-adopted with the HP Overlay Zone indicated. Regulation of all such properties as to land use, density, and bulk requirements will be as provided by the underlying zone district. By virtue of designation as historic sites/districts, however, said properties will in addition fall under the jurisdiction and requirements of the Historic Preservation Ordinance.

5.2.1.f Land Use Plan Map and Amended Zoning Map

The Land Use Plan Map and Proposed Zoning Map must both be updated to reflect all of the changes described herein and to incorporate revised base map information, which should include all lot line changes recorded since the time of the last base map.

5.2.2 Zone Ordinance Amendments

The 2005 Land Use Plan provides a summary of recommended bulk standards for each zone. This title is a misnomer and should be changed to state Existing Bulk Standards.

Furthermore, the Town Land Use Ordinance has been amended since the adoption of the 2005 Land Use Plan establishing standards regarding minimum corner lot area, minimum corner lot width, and minimum street side yard within all RS zones.

The 2005 Land Use Plan summary of bulk standards should be updated in the following manner.

5.2.2.a Single Family Residential – RS Zone Districts

As to the minimum required side yard setback for the RS-12 zone currently the 15-foot minimum setback requirement leaves a conforming 75-foot wide lot with a building envelope having less width (45 feet) than that provided in the RS-10 zone (50 feet). This Report and the Land Use Task Force Report recommends that the RS-12 side yard setback requirement be reduced to 12.5 feet.

This Report recommends that the allowance for cluster development in the RS-40 district be eliminated. The Planning Board finds that conventional residential development is more appropriate and in keeping with the character of Westfield.

Mayor's Land Use Task Force

The Mayor's Land Use Task Force also prepared a report with six recommendations concerning the RS Zones. These recommendations have been incorporated into this report by

the Board, and it is recommended the Town Land Use Ordinance be amended to incorporate the following recommendations.

Maximum Building Height:

The height and bulk of many of the newest homes in Westfield exceed that of the majority of older homes. It appears that until the late 1990’s, builders did not take advantage of the full height and bulk allowances permitted by the Land Use Ordinance. Such newer homes often appear obtrusive and inappropriate, particularly when constructed in neighborhoods characterized by predominantly narrow lots (i.e., 50-60 feet) and having minimal (10-15 foot) side yard setbacks.

To address this issue, reduce the maximum building height from the 35-foot across-the-board maximum, to the graduated allowances listed in the chart below.

Zone District	Minimum Side Yard (Feet)	Maximum Building Height (Feet)
RS-40	20	35
RS-24, RS-16	15	33.5
RS-12	12.5	32.75
RS-10, RS-8, RS-6	10	32

Maximum Eave Height:

As a means of controlling building height and mass, the introduction of a maximum eave height of 22 feet for all residential zones is recommended. Eaves will be defined as:

Building Eave Height: The vertical distance from the grade plane to the lowest point of the roof for gable, hip, gambrel, mansard, and flat roof types. The grade plane representing the average of finished ground level adjoining the building at all exterior walls.

Building Mass at Zoning Side Yard:

As a means of reducing the visual impact of wall structures located adjacent to a side yard property line, the following is recommended:

Maximum Continuous Wall Length at Zoning Side Yard: The maximum continuous length for walls located adjacent to a side yard property line shall be limited to twenty-five (25) feet. For the purpose of administering this provision, any exterior wall that is offset in plane for a depth of two (2) feet or greater shall be construed as a separate wall. In addition, a minimum of five (5) percent of the total square footage of each sidewall is to be made up of windows.

Maximum Number of Stories:

As a mechanism to limit building mass and bulk, the permitted number of stories in all residential zones should be reduced from 3 to 2½ stories.

The following definitions be amended/added:

Half-Story: That portion of any building or structure located under a pitched roof at the top of a building having a story height of seven (7) feet, zero inches or greater and having a floor area that is less than or equal to one third of the gross floor area of the floor below. For the topmost story, story height shall be measured from the top of the finished floor to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

Basement: An interior space, or portion thereof, having a floor level below the average outside elevation of ground at the foundation wall of the building or structure in which it is contained, and having a floor to ceiling height of not less than six and one-half (6.5) feet. A basement shall be considered as a story where the finished surface of the floor above the basement is:

More than four (4) feet above the average grade elevation

More than four (4) feet above the finished grade for 50% or more of the total building perimeter; or

More than ten (10) feet above the finished ground level at any point.

Story: That portion of a building or structure included between the surface of any one (1) floor and the surface of the next floor above it or, if there is no floor above such floor, then “story” shall be that portion of the building or structure included between the surface of any floor and the ceiling next above it. A basement shall be considered as a story where the finished surface of the floor above the basement is:

More than four (4) feet above the average grade elevation

More than four (4) feet above the finished grade for 50% or more of the total building perimeter; or

More than ten (10) feet above the finished ground level at any point.

Simplify Floor Area Ratio (FAR):

The calculation of FAR should be changed by amending the definition of the term. The changes would eliminate the various existing exemptions, require measurement from exterior walls of structures, and include the full horizontal area of each story whether or not its floor area extends completely throughout. Related changes should provide for attached garage spaces (unheated) of up to 450 square feet and, finished attic area of up to one-third (1/3) of the area of the floor below.

Floor Area Ratio:

FAR is defined as the total Habitable Floor Area of all of the buildings on site compared to the total area of the site.

Habitable Floor Area:

The area of that portion of a building or structure designed, intended, heated, and furnished for year round human occupancy, measured on each floor from the building's exterior walls and including the full horizontal area of each floor of the building, regardless of whether or not an actual floor extends throughout it. Habitable Floor Area shall not include that portion of a finished attic equal to not more than one-third ($\frac{1}{3}$) the area of the floor below. Habitable Floor Area shall not include that portion of an attached unheated garage floor area as follows:

RS-6, RS-8 and RS10 Zones: Up to but not exceeding 250 square feet;

RS-12, RS-16, RS-24, and RS-40 Zones: Up to but not exceeding 450 square feet.

Based on numerous FAR re-calculations using the revised definition, it appears that to permit the same floor areas currently permitted under the Land Use Ordinance, FAR allowances for each of the lot size ranges would require an increase of 2%. A 2% increase is appropriate for the RS-6 and RS-8 zone districts, only.

Garages:

Garages should be made a requirement in all residential zones, with minimum 1-car garages in the RS-6, RS-8, and RS-10 zones, and 2-car garages in all other zones. A minimum 2-foot offset behind the main facade would be required in the case of attached, front-facing garages.

5.2.2.b Multi-Family Residential – RA Zone Districts

The Board finds that the permitted uses in the RA zones are generally appropriate and compatible with one another, with one exception. An incompatibility occurs in the RA-3 Zone District, wherein garden apartments and townhouses are permitted at a very high density (25 units per acre) alongside one- and two-family homes (at 7 to 10 units per acre). The ordinance is appropriately framed to require substantially different lot sizes and bulk requirements for each development type, however in certain cases, applicants have succeeded in gaining approvals for high-density, multi-family development projects on lots suited only to construction of a one- or two-family dwelling. The result is that adjacent conforming one- and two-family dwellings are hemmed in by massive multi-family structures, built without adequate setbacks or buffering, which would otherwise provide for appropriate blending of the different residential development types. This Report discourages this practice and seeks to protect existing one- and two-family homes from encroachment by higher density multi-family housing.

To begin to address this issue, this Report recommends that the density allowance for the RA-3 Zone District be reduced from 25 dwelling units per acre, to a maximum of 18 dwelling units per acre. This reduction should be accompanied by a reduction in the permitted number of bedrooms per acre from 50 to 36. These changes are in keeping with the predominant development density currently existing for multi-family units in the RA-3 zones (i.e., condominiums and apartments on Cowperthwaite Place, Prospect Avenue and Cacciola Place).

The Board submits that the building height recommendations of the Mayor's Task Force regarding the RS Zones should also be applied to the RA and RM Zones.

5.2.2.c Offices – P and O Zone Districts

The 2005 Land Use Plan provides a list of various types of offices intended to be permitted in the P-1 and P-2 Professional Office Zone Districts (page 15), however these have not been incorporated into the Land Use Ordinance (LUO). This report proposes adjustments to the Land Use Plan recommendations to include the following additional uses: offices of medical doctors, dentists, acupuncturists, chiropractors, physical therapists; other design consultants (in addition to professional engineers, licensed land surveyors, professional planners as currently permitted uses); accountants, insurance agents, brokers and services, title agencies, business professional labor civic social and political associations, and other membership associations.

5.2.2.d Retail Business – Permitted Uses in CBD and GB Zone Districts

The Board supports the continued retail viability of the CBD Zone, and the uses currently permitted. Closer review of the permitted uses is warranted to provide support to the retail business community without distracting from its sidewalk appeal. Further consideration should be given to the allowance of certain retail services as permitted uses in the CBD and GB Zone Districts. The Board further believes that education services are appropriate uses for the GB Zones and are appropriate uses for the second floor of buildings in the CBD District. These additional uses are compatible to the existing permitted uses within the GB and CBD Zones. The definitions section of the Land Use Ordinance should be amended to provide a definition of educational services.

The Board finds that mobile storage structures are no longer an appropriate accessory use/structure in the GB-3 Zone District. This classification (contained in LUO §11.28B.5) should be eliminated from the GB-3 Zone.

The Board finds that public parks and playgrounds should be included among the permitted uses of the GB-3 Zone District – just as in the CBD, GB-1 and GB-2 zones. Their exclusion from the GB-3 appears to be an oversight, as the district is intended for the least intensive development of any of the business/commercial districts and seeks to maintain and foster a more residential character.

5.3 Housing Element & Fair Share Plan

As discussed previously, the Housing Plan is being prepared to address the revised substantive rules and regulations of the New Jersey Council on Affordable Housing (COAH). Much of the base information required for the Housing Element (pursuant to N.J.S. 52:27D-310) has been provided through Section 4 of this Report, including Housing Inventory information, demographics review, employment overview, and broad-based projections on future population and employment levels in the Town. Until pending litigation brought by the League of

Municipalities is resolved and COAH's final regulations are set, the Town will not have all of the information necessary to determine with certainty, the municipal fair share obligation of the Town or the mechanisms by which it may be satisfied. These components are key to development of the Fair Share Plan.

This Report acknowledges the uncertainties surrounding COAH regulations, yet recognizes the need to continue efforts to satisfy the affordable housing obligation of the Town of Westfield based upon applicable law.

5.3.1 Existing Plan Components

This Report affirms all existing Housing Plan components and recommends their continuation.

5.3.2 Ongoing & Future Plan Components

The Town has prepared a new Housing Element and Fair Share Plan addressing its 1987-1999 Prior Round obligation and the projected 2004-2018 Growth Share. It is anticipated that this new Housing Element of the Town's Master Plan will be scheduled for public hearing and adoption in the spring of 2009. Upon adoption by the Planning Board, it is anticipated that the Town Council will prepare and adopt a resolution endorsing the Housing Element and Fair Share Plan.

5.3.3 Affordable Housing Plan Map

The Affordable Housing Plan Map must be updated to incorporate revised base map information, which should include all lot line changes recorded since the time of the last base map.

5.4 Circulation Plan Element

The Circulation Plan and accompanying Map must be updated to reflect the findings of Section 3 of this report regarding the completion of studies and installation of physical enhancements at the previously targeted intersections. This Report affirms the remaining goals of the Circulation Plan concerning provision of adequate parking capacity in the Central Business District; continued review/monitoring and improvements to the Town on-street parking program to facilitate residential neighborhood parking and avoid encroachment by commuters and retail employees; continued review and installation of traffic calming measures, where and as needed; continued enhancements to streetscapes and improved pedestrian access; and continued efforts to locate and provide bicycle trails and routes, particularly with an eye toward linking such routes to those proposed by the Union County Bicycle Master Plan.

5.4.1 New Recommendations

This Report recommends the following specific additional actions:

- a. Investigation into the feasibility of constructing a single-tiered parking structure to expand the parking capacity of Municipal Lot 5, located between Central Avenue and Elmer Street. This proposal advances only the recommendation for additional parking and specifically excludes from consideration the addition of retail, residential, or commercial space of any kind. In addition, this recommendation calls for an architecturally pleasing structure designed to shield parking from view of surrounding properties and to blend architecturally with the neighborhood.
- b. Investigation into the requirements and desirability of attaining Transit Village designation through the NJDOT Transit Village Initiative. This program may be of assistance to the Town in terms of grant funding toward providing various transit-oriented pedestrian (i.e., streetscape) improvements. This initiative is in keeping with recommendations at Section 5.2.5, above, concerning further study as to zoning for higher-density housing as a conditional use in the GB-1 Zone where proximate to the NJ Transit Station.

5.5 Downtown Economic Development Plan Element

The Downtown Economic Development Plan should be updated to incorporate the information below, including the policy objectives and recommendations provided by the Downtown Westfield Corporation (DWC). In addition, this Report recommends that a new map exhibit be added to the Downtown Economic Development Plan to illustrate the outlines of the Special Improvement District, as created and adopted by the Town Council pursuant to N.J.S. 40:56-65 et seq (General Ordinance No. 1675, 1996).

The DWC is the management entity of the Special Improvement District, which incorporates the entirety of the CBD Zone District plus much of the GB-1 Zone and portions of both the GB-2 and GB-3 Zones surrounding the CBD. The mission of the DWC is to promote downtown Westfield as a preferred destination, to reinforce it as a center of community life, to support existing businesses and encourage the opening of new enterprises within it, to support and sponsor cultural and recreational activities that attract people to it, to make it cleaner, safer and more attractive, to provide it with adequate public parking, and to preserve its rich historical and architectural legacy.

The following DWC policy objectives and recommendations are intended to promote and enhance the economic vitality of Downtown Westfield:

- a. Continue to implement the 1999 Downtown Westfield Improvement Plan, which provides new street trees, improved street lighting, renewed sidewalks, planters and benches and enhances open spaces in the business district.
- b. Continued programs of restoration and improvement of downtown buildings partnering with tenants and property owners, the Town Planner, Architectural review Board, Planning Board, Historic Preservation Commission, Board of Adjustment and other organizations or authorities as prescribed.

- c. Development of a managerial plan to address parking deficiencies including consideration of tiered parking – for shoppers, offices, retailers and commuters.
- d. Continue to review the opportunities to expand and revitalize the South Avenue section of the business district with the objectives of making it a more full and integral part of the downtown.
- e. Study the appropriateness of extending the boundaries of the Special Improvement District.
- f. Investigate the feasibility, applicability and financing sources for establishing bicycle routes within Westfield.
- g. Study the appropriateness of obtaining Transit Village designation for the Town.
- h. Support measures to provide “Mid Town Direct” service for the railroad and pursue implementation.
- i. Apply for grant funds from the NJ Office of Smart Growth for a consultant study of the revitalization of the South Avenue corridor areas (i.e., Westfield Ave./W. Broad).
- j. Investigate designations “Certified Local Government”, “Town Center”, and “Tree City” to assist Westfield in planning resources and grant opportunities.

5.6 Community Facilities Plan Element

The Community Facilities Plan should be updated to reflect the findings at Section 3, above, which indicate that numerous of the goals and objectives of the 2002 Plan have been addressed and/or undertaken and completed since that time.

5.6.1 New Recommendations

This Report recommends the following specific additional actions:

- a. Completion of a facilities audit of all Town-owned buildings and properties to ascertain uses, conditions, and both need and potential for optimization of use of existing facilities.
- b. Completion of an energy audit of all Town-owned buildings to determine existing energy usage and need for potential to achieve greater energy efficiency.
- c. Analysis of water consumption and opportunities for conservation and recycling for all municipal facilities (i.e., Town Hall, Public Works Center, Fire Stations, Library).
- d. Assessment of opportunities for “green” purchasing for all goods and materials needs of Town government, including vehicles such as hybrids.

- e. Assessment of opportunities for use of alternative fuels in Town DPW rigs, vehicles, fire trucks, and equipment.
- f. Minimization of chemical use (pesticides, herbicides, fertilizers) in parks and other Town-owned lawns and open spaces.
- g. Preparation of a long-term facilities plan to address and properly provide for the space and functional needs of all Town Departments (including parking) and to provide “green” building enhancements.
- h. Coordination with the Westfield Board of Education toward completing energy-audits of all public school buildings and planning for greater efficiencies and enhancements via other “green building” technologies.

5.6.2 Community Facilities Plan Map

The Community Facilities Plan Map must be updated to incorporate revised base map information, which should include all lot line changes recorded since the time of the last base map.

5.7 Historic Preservation Plan Element

This Report acknowledges the action of the Town in amending the Historic Preservation Ordinance in order to: a) achieve greater consistency with the MLUL; b) provide clarity as to procedural application and submission requirements; c) update provisions as to Historic Preservation Commission membership, procedures, obligations and decision-making criteria; and d) the amendment of various provisions in order to enhance the effectiveness of the ordinance in achieving the goal of preserving and protecting Town historic resources.

5.7.1 New Recommendations

This Report recommends the following specific additional updates and additions to the Historic Preservation Plan Element:

- a. Review and update the inventory of Town Historic Sites and Districts to remove sites/districts no longer appropriately listed and/or already demolished; add any new sites/districts that may qualify for historic designation; and make any other corrections to the sites/districts listing, as needed.
- b. Incorporate the Kimball Avenue Historic District in the Historic Preservation Plan Map by specific denotation.
- c. After adoption of the referenced Historic Preservation Ordinance, add notation by appropriate superscripts, to indicate that the Old Presbyterian Burial Ground at 125 Mountain Avenue has been designated historic at local (L), state (S), and federal (F) levels.

- d. After adoption of the referenced Historic Preservation Ordinance, add information and superscript to indicate that the Well House located at 200 Woodland Avenue has been designated historic at the local (L) level.
- e. Add notation by appropriate superscript, that the Reeve House at 314 Mountain Avenue has been designated historic at the state (S) level.

5.7.2 Historic Preservation Plan Map

The Historic Preservation Plan Map must be updated to reflect all of the changes described herein and to incorporate revised base map information, which should include all lot line changes recorded since the time of the last base map.

5.8 Coordination with Other Planning Programs

This Report recommends an update concerning the relationships between Westfield's Master Plan and the planning programs of the State, County and applicable Municipal entities with particular consideration to the ongoing changes at the State level (including gradual progress on the State Development and Redevelopment Plan), recent planning studies and various efforts undertaken by Union County, and the ever changing landscape of municipal master planning and zoning.

5.8.1 Union County

Union County adopted a revised Master Plan in June 1998 with adoption of an Open Space and Recreation Plan Element in July 1999. The County completed a South Avenue/Route 28 Corridor Management Plan in 2002, a Transit Oriented Development study in 2007, and is currently working to complete a Union County Bicycle Master Plan.

5.8.2 Contiguous Municipalities

Clark Township adopted a Master Plan Update in December 2003, a Housing Element and Fair Share Plan in October 2006, and a Master Plan Reexamination Report in February 2004. The Township of Springfield adopted its Master Plan in November 1997, with a Reexamination Report completed in October 2005. The Borough of Mountainside adopted a Master Plan Update in January 2001, while the Township of Scotch Plains adopted a revised Master Plan in June 2001. Additional information is needed as to Reexamination Reports for both Mountainside and Scotch Plains, which should have been adopted in 2007. Further information is also needed as to Garwood Borough and Cranford Township, which each should have completed at least two Reexaminations since their last Reports (Garwood's in 1994, Cranford's in 1995).

5.9 Recycling & Utilities Plan Element

This Report recommends adoption of a new Plan Element to the Master Plan, to be entitled the Recycling & Utilities Plan.

This section should incorporate the existing language of the Recycling Section, currently noted in the Community Facilities Plan Element along with State of New Jersey Recycling Plan goals, including provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance.

This element should specifically adopt the Town of Westfield Stormwater Management Plan as a component of the Master Plan, as required at N.J.S. 40:55D-94.

This element could also include information on potable water supply and distribution, wastewater management planning, and solid waste management if desired.

5.10 Conservation & Sustainable Community Plan Element

This Report recommends adoption of a new Plan Element to the Master Plan, to be entitled the Conservation and Sustainable Community Plan.

This element should provide detailed information on Town environmental resources and the actions needed to protect, preserve and optimize their use/presence within the community. In addition, it should provide the community action plan toward achieving environmental sustainability. This plan must be comprehensive and will of necessity reach into nearly all aspects of life and activity within the Town. It could involve shared-services agreements or green purchasing initiatives that join many entities in a shared effort, including the Town, the Board of Education, non-profit organizations, private interests, and even individuals. Achieving environmental sustainability will require the participation and assistance of every citizen, business, and other entity that calls Westfield home.

This Plan Element should cover specific issues, including but not limited to the following:

- 1) Minimization of energy and water consumption.
- 2) Promotion of use of alternative fuels and hybrid vehicles.
- 3) Promotion of non-automobile means of transportation, such as transit, walking, and bicycling by designating bike ways/routes, paths/trails, and providing bike racks and/or lockers in convenient locations.
- 4) Minimization or elimination of chemical use in lawn and garden care, and in household cleaning.
- 5) Effective placement and use of trees and shrubs for energy savings, buffering, shade, and screening.

- 6) Application of green building standards to new construction.
- 7) Promotion of appropriate waste disposal and recycling practices for such items as vegetative waste, street sweepings, automotive oils, degreasers, etc., and household hazardous wastes.

5.11 Appendices

All exhibits must be updated to reflect revised base mapping. Existing Development exhibits should be updated to indicate the current state of “existing development,” both Town-wide and in the CBD and surrounding commercial areas.

6 Specific Recommended Changes to Development Regulations

As a follow-up to the various Master Plan updates proposed in this Reexamination Report, a number of specific changes are recommended to the Town Land Use Ordinance.

6.1 Consistency Update

The Land Use Ordinance (LUO) must be thoroughly reviewed, updated, and corrected to ensure consistency and clarity throughout all its provisions.

6.2 NJ Municipal Land Use Law (MLUL) Amendments

The LUO must be amended to coincide with all applicable amendments to the MLUL since the time of the last revision.

6.3 General Amendments

The LUO should be reviewed and amended as needed to address all issues and Master Plan amendments discussed in Sections 4 and 5 above and in consideration of issues raised by the Zoning Board of Adjustment, as set forth in its Annual Reports.

6.4 Organization of Boards (Article 3)

The provisions concerning the Architectural Review Board (which is advisory to the Planning Board and Zoning Board of Adjustment) should be amended to remove any authority to adopt “rules and regulations” (§3.15E).

6.5 Appeals (Article 7)

Procedures should be added regarding applications seeking certification of nonconforming use.

6.6 Site Plan & Subdivision Review (Article 8)

Article 8 should be reviewed to ensure consistency with the MLUL and with New Jersey case law decisions.

Provisions should also be added to Article 8 to allow for amendments to prior site plan approvals. These should be defined to differentiate between amendments and applications that should be categorized as new site plan applications. Amendments would be appropriate, at a lower fee and escrow rate, for such changes as updated signage, lighting, and parking lot line striping/layout.

In keeping with the recommendations at Section 5.2.1 of this Report, Section 8.12 of the LUO regarding cluster development should be deleted.

6.7 Submission Requirements (Article 9)

Provisions should be added to require submission of photographs depicting the subject site, improvements, roadway access, and yard areas. In addition, a proposed street lighting plan should be added to the submission requirements for major subdivisions.

6.8 Zone District Regulations (Article 11)

As discussed in Section 5 of this report, the LUO should be amended to include the six recommendations from the Land Use Task Force Report concerning the RS Zones, and building height recommendations in the RA and RM Zones.

6.8.1 Zone Districts (§11.01 et seq)

Section 11.01 must be updated to incorporate the recommendations above, including elimination of the O-3 Zone District.

Section 11.02A should be updated as to the Zoning Map. A revised Map must reflect all new zone districts and all new zoning district boundary line changes as discussed previously. The text should indicate that the revised Zoning Map is one prepared and maintained by the Town Surveyor and should reflect the most recent revisions.

Section 11.02C should be updated as to the Schedule of Requirements table. Both the date and name of original author should be deleted so that the table may be amended in the future without need to amend Section 11.02 of the LUO with every change/update to the requirements. The chart itself should be corrected to properly reflect the maximum permitted FAR for each of the P Zones.

6.8.2 RS Single Family Residence Districts (§11.03 et seq)

Bulk regulations for the RS Single Family Residence Districts must be carefully reviewed and revised as needed, to permit and encourage appropriate development intensities while avoiding overly intensive development in relation to permitted lot sizes. These changes may require amendments to ordinance definitions (i.e., for Floor Area Ratio), tightened yard and area requirements, more rigorous building dimensional (including height) and design requirements (such as maximum eave heights and minimum offset requirements for front-facing garages and continuous side-facing building walls), and greater scrutiny with regard to requirements for on-site parking and residential garages. RS-12 side yard setback requirements must also be updated as noted previously. This Report specifically recommends that the lot width allowance for the RS-40 Zone be increased to 175 feet, with that for corner lots in the RS-40 Zone increased to 185 feet. In addition, Section 11.03F of the LUO, pertinent to cluster development, should be deleted.

6.8.3 RA Multi-Family Zone Districts (§11.14 et seq)

Section 11.16E should be amended to reduce the maximum density permitted in the RA-3 Zone District to eighteen (18) dwelling units per acre.

Section 11.18A should be amended to eliminate restrictions on ownership, as these do not fall within the jurisdiction of the municipal zoning code.

6.8.4 P Professional Office & O Office Zone Districts (§11.20 et seq)

As noted in Section 5, above, the broadened array of professional office types should be incorporated into the permitted principal uses of the P-1 and P-2 Zone Districts. In terms of actual use (operations, number of practitioners, extent of client visitation, facility and parking needs, etc.), which the Zoning Ordinance is authorized to regulate, the additional office types are in sync with the uses of the specific licensed practitioners listed in the current ordinance.

In the O1 District subsection A.3 should be amended to remove reference to residences on third floor as the zone restricts building height to two habitable floors.

As also noted in Section 5, the O-3 Office Zone Regulations should be eliminated from the LUO.

6.8.5 CBD & GB Zone Districts (§11.25 et seq)

As discussed in Section 5.2.2d above, the permitted uses in the CBD and all GB Zone Districts should include educational services in the GB Zones, and on the second floor in the CBD. A definition should be included in the LUO at §2.07.

Mobile storage structures should be eliminated from the accessory uses permitted in the GB-3 Zone District.

Public Parks & Playgrounds should be added to the permitted uses in the GB-3 Zone District.

In the GB-3 Zone Chart, the Land Use Plan identifies the maximum density for the 10,000 square foot lot to be 13 units per area (UPA) and the Zoning Ordinance states 12UPA. This should be corrected to 12 UPA.

6.9 General Provisions (Article 12)

Section 12.03D should be amended with regard to requirements for established front yards. This Report recommends that the established front yard provision be applied only in the instance of infill development or total reconstruction projects, wherein a predominant front yard is well established for many lots in the vicinity that either exceeds or is less than the minimum front yard setback for the zone district. In any other case, the minimum zone district setback should apply.

Retaining wall requirements should be amended to require a minimum property line setback such as one equal to at least the height of the wall. In addition, fencing requirements should be considered in instances where slopes exceed a certain threshold (perhaps 3:1) on the upper side of a retaining wall. These provisions should relate to and cross-reference with Chapter 22, Soil Removal and Replacement regulations (Appendix IV), which may also require changes to address this issue.

Fencing requirements should be amended to permit open-style fencing of swimming pools in instances where fences lie between a principal dwelling and a pool, in order to allow full view of the pool from the home.

6.10 Accessory Uses & Structures (Article 13)

The provisions of Article 13 (§13.02H1) should be amended to remove from the list of structures prohibited in front, street side and side yards, trellises, grape arbors, bird feeders and birdhouses. These accessories are appropriate in any yard of any home, particularly in Colonial Westfield, where such de minimus accessory features are in keeping with its historic ambience.

6.11 Sign Regulations (Article 16)

Sign regulations for commercial uses in the business zones should be reviewed for consistency and compatibility with permitted uses, with façade window area requirements, with needs for safety and visibility, and with design standards and intentions of the Downtown Westfield Corporation.

A requirement should also be added for submission of a comprehensive sign plan at the time of site plan review to ensure that sufficient sign space is designated for all users of multi-tenant and/or multi-user buildings/sites. In such instances, the ordinance should require an integrated, unified sign theme.

6.12 Parking Requirements (Article 17)

Parking requirements should be reviewed to ensure that space requirements are in keeping with the needs generated by each use classification. In addition, consideration should be given to providing applicants the option of making a payment-in-lieu of parking where they are unable to meet the minimum on-site requirement in the CBD. The Town could apply the money to a parking trust fund, dedicated to expanding public parking opportunities throughout the affected areas.

Driveway width requirements should be amended to regulate maximum curb cut allowances, as well as on-site width. Standards should also be added to this article governing parking decks, which would constitute a customary and incidental accessory structure to commercial/business uses. Lastly, Section 17.03B5 should be amended to allow below-grade parking to exceed yard setbacks generally, rather than solely in the case of the referenced conditional use in the CBD.

6.13 Conditional Uses (Article 18)

Conditional use provisions must be amended to delete provisions for Residential Cluster Development in their entirety.

6.14 Non-Conforming Buildings, Uses, and Structures (Article 19)

Section 19.01 of Article 19 creates need for use variance relief in the case of applications for uses permitted in a zone district that do not conform to lot size and/or bulk requirements. Because this result was never intended, this Report recommends that section 19.01A be deleted in its entirety.

6.15 Growth share Ordinance (Article 22)

The Growth Share Ordinance must be amended in accordance with the final revised rules and regulations of the New Jersey Council on Affordable Housing (COAH).

6.16 Stormwater Control Ordinance (Appendix II)

The Stormwater Control Ordinance has been amended in keeping with updated NJDEP requirements as discussed at Section 4.2 above. This Report endorses the changes made to update the ordinance in accordance with current requirements.

7 Changes Recommended for Incorporation of Redevelopment Plans

At this time, the Town of Westfield has no adopted Redevelopment Plans in need of incorporation into the Land Use Element of the Master Plan. As such, the Planning Board has no recommendations concerning incorporation of a Redevelopment Plan into the Master Plan or regarding changes to the Land Use Ordinance necessary to effectuate such a Plan.