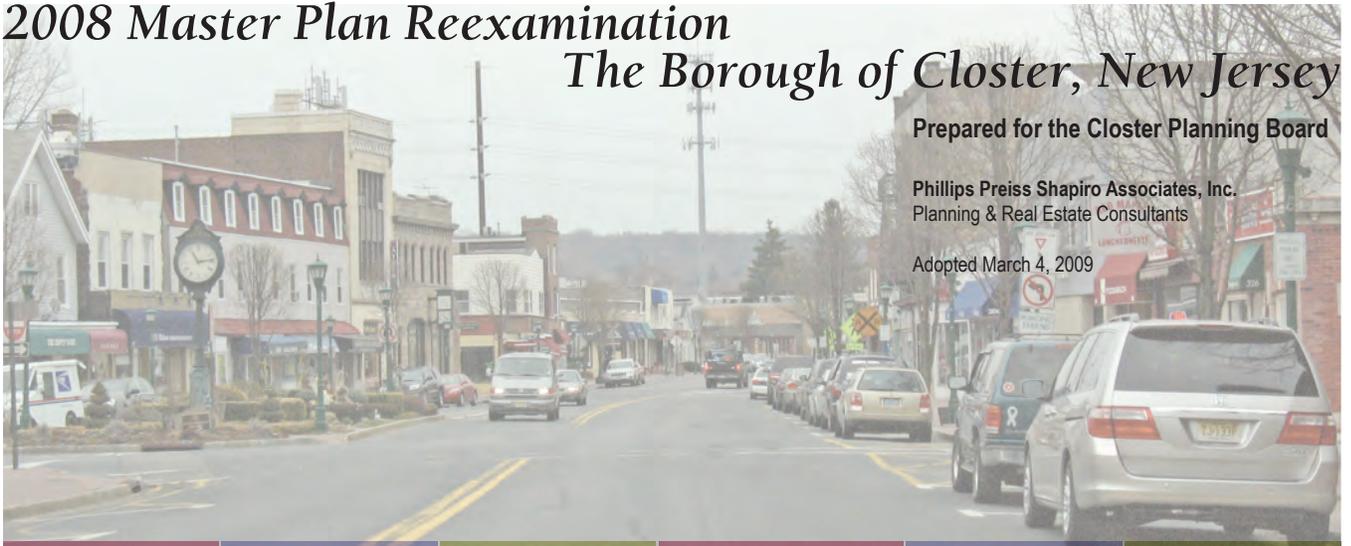


2008 Master Plan Reexamination The Borough of Closter, New Jersey

Prepared for the Closter Planning Board

Phillips Preiss Shapiro Associates, Inc.
Planning & Real Estate Consultants

Adopted March 4, 2009



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THE BOROUGH OF CLOSTER, NEW JERSEY

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I. INTRODUCTION

Under the Municipal Land Use Law (NJSA 40:55-89), a general reexamination of a municipality's master plan and development regulations by the Planning Board is required every six years. The reexamination report is required to address the following:

- a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

As noted below in a synopsis of the History of the Master Plans in the Borough, the last full Master Plan was adopted in 1981, and Master Plan Reexamination Reports were subsequently adopted in 1996 and 2002. Additional studies and Master Plan elements have been completed by the Borough to supplement the Master Plan.

This Master Plan Reexamination Report constitutes a reexamination of the 2002 Reexamination Report.

Synopsis of the History of Master Plans in the Borough of Closter

January 1958	Closter Master Plan was prepared and adopted in 1958. It contained four chapters: land use, population, traffic and a summary report.
1981	Closter Land Use Plan is a comprehensive document incorporating a number of different elements including the following: introduction, regional location, existing land use by zoning district, environmental analysis, population characteristics, economic base evaluation, utilities, traffic and circulation system, land use regulations, and Closter land use plan goals.
February 1985	District No. 3 Business Area Zone Study. The purpose of this document was to evaluate the planning and zoning ramifications of

the proposed Pathmark Supermarket redevelopment at the eastern end of the Business Zone.

- July 1987 **Master Plan, 1987: Traffic, Community Facilities.** The overall conclusion in this report was that the “Closter Road system is limited in capacity due to the radial network, the number of travel lanes and a high incidence of irregular intersections” (p. 8). The plan made recommendations relating to amendments in development density, to road patterns, and with respect to off-street parking.
- September 1987 **The Housing Plan Element** was prepared and adopted by the Borough Planning Board in response to the first round of affordable obligations under New Jersey’s Fair Housing Act. It was adopted in September 1987 by the Borough Planning Board.
- October 4, 1989 **The Recycling Plan Element** was prepared and adopted by the Borough Planning Board. It recommended recycling of recyclable materials and recommended amending the subdivision and site plan ordinance to incorporate necessary recycling provisions to ensure consistency with the Borough Recycling Ordinance.
- September 26, 1996 **The Master Plan Reexamination** provided an update of the 1981 plan, and its whole major policy focus and objectives were to protect the environment, to preserve the suburban character of the Borough, and to revitalize downtown and to provide for reasonable uses.
- 1998 and 2001 **The Housing Plan Element and Fair Share Plan** was adopted by the Borough in 1998 in response to the second round of affordable housing obligations. It was revised in 2001 following a review by the Council on Affordable Housing (COAH). Substantive Certification was granted in February 2003.
- August 29, 2002 **The 2002 Master Plan Reexamination** reviews the land use plan goals, State development and redevelopment plan, and Housing Plan elements of the 1996 Master Plan reexamination.
- May 26, 2005 Adoption of **The Closter Stormwater Management Plan** (dated March 2005).
- September 12, 2006 Adoption of **The Revised Closter Stormwater Management Plan** (dated July 2006)
- December 27, 2006 **The 2006 Housing Element and Fair Share Plan** addressed the original third-round affordable housing obligation. It was adopted and forwarded to COAH with a petition for Substantive Certification on December 27, 2006.

- October 29, 2008 The **Housing Element and Fair Share Plan** (the 2008 Revised Third-Round Plan), prepared by Hakim Associates in association with the Turner Miller Group, was adopted by the Planning Board.¹
- October 30, 2008 The **Closter Green Plan** (also referred to as the Closter Sustainability Initiative) was adopted as a revision to the Closter Master Plan Reexamination of 2002.²

The remainder of this report is comprised of 3 chapters. Chapter 2 sets forth the major problems and objectives of the 2002 Reexamination Report. Chapter 3 describes the extent to which these problems and objectives have been reduced or increased. Chapter 4 provides recommendations for specific changes as well as changes to underlying objectives, policies and assumptions.

¹ See Chapter IV, Section 9 for a summary.

² A summary of the initiatives from this plan is provided in Chapter IV at Section 5.

II. MAJOR PROBLEMS AND OBJECTIVES OF THE 2002 REEXAMINATION REPORT

The following chapter sets forth the major problems and objectives relating to land development set forth in the 2002 Reexamination Report. The 2002 Reexamination Report undertook its reexamination by highlighting goals and objectives of the Land Use Plan, the 1981 Master Plan, and the Downtown Concepts Plan on a document-by-document basis. This chapter summarizes those problems and objectives set forth in the 2002 Reexamination Report. While a number of previous problems and objectives have been resolved and/or fulfilled in the years leading up to the 2002 Reexamination, the Reexamination Report revealed that some of these problems and objectives had either remained relatively static or had actually increased over time. Other objectives were judged to no longer be consistent with the goals of the Borough of Closter at that time.

The Borough's major problems and objectives from the 2002 Reexamination Report are provided below:

Land Development Ordinance

- A New Conservation Zone should be established which will include Oradell Reservoir and reservoir watershed land, the Nature Center and contiguous wetlands and wetland buffer areas, regional greenbelt land and the McBain Farm. It should promote and protect environmentally sensitive lands, streams, and reservoirs.
- The Planning Board and Zoning Board of Adjustment should regularly review variance requests, especially those addressing coverage issues. A recommendation to study the ordinance and make amendments to it was made, so as to reduce the need for so many variances.
- Provide senior housing in Borough in an appropriate location, consisting of assisted living, age-restricted, congregate care or other forms of housing aimed at addressing local needs
- Increase the minimum size of residential lots in appropriate locations.
- Modify subdivision ordinance to preclude creation of stub-type cul-de-sac streets which are contrary to the traditional development pattern in Closter.
- Parking standards for all principal permitted uses in the Borough should be made explicit in the Borough Zoning Ordinance. For other uses, the review boards could be guided by findings contained in "Parking Generation," a standard reference in the industry, published by the Institute of Transportation Engineers. Occupancy loads as established by the Building Officials and Code Administrators ("BOCA") was also recommended as a guide.

- Review principal permitted uses in the Commercial and Industrial zone districts to determine which uses remain appropriate to these districts and Borough in light of safety and traffic issues.
- Promote the efficient expansion of governmental, recreational, educational and other community facilities in appropriate locations.

Downtown Recommendations

- Promote Closter downtown by establishing a Special Improvement District (SID). A SID has the ability, with Borough concurrence, to assess downtown properties and use these resources to enhance the downtown as a desirable place to shop and work. Physical improvements, such as continuing streetscape improvements, as well as marketing the downtown to area residents, were recommended. A recommendation was made for the SID to prepare an improvement plan for the downtown, and to prepare design guidelines for the upgrading of individual commercial buildings and building facades.
- Improvements to the rear facades were indicated as being important aesthetic enhancements to the downtown.
- In addition to facades and design guidelines, other critical issues cited in this study were parking and pedestrian/bicycle circulation. Recommendations to provide pedestrian linkages between parking lots and Old Closter Dock Road were made.

Circulation Recommendations

- Circulation Improvement goals included:
 1. Provide sidewalks on major collectors, county roads, and arterials
 2. Install traffic signals at key intersections such as Ruckman Road and Piermont Road.
 3. Establish bike paths, pedestrian walkways to connect downtown, the Nature Center and parks. A bike path should be installed on Old Blanch Avenue.
 4. Complete the downtown south parking lot improvements.
 5. Study the need for a third parking lot in the downtown.
 6. Work with NJ Transit to secure the extension of commuter rail passenger service to Closter (from Hoboken/New York City)
 7. Improve traffic patterns on Herbert Avenue.
- Traffic signals are needed at the following intersections:
 1. Oakland Road/Homans Avenue;
 2. Ruckman Road /Piermont Road; and
 3. Durie Road/Herbert Avenue/Closter Dock Road.

Historic Preservation Recommendations

- Recognize the historic nature and importance of rural lanes in the borough, in particular, West Street, Old Blanch Avenue, and Hickory Lane.

Property Maintenance Recommendations

- The adoption of the National Property Maintenance Code was recommended so as to promote improvements and property upkeep in the Borough.

Paper Streets Recommendations

- A recommendation was made to establish a committee whose purpose would be to study and make recommendations on vacation of paper streets.

III. EXTENT TO WHICH PROBLEMS AND OBJECTIVES FROM THE LAST MASTER PLAN REEXAMINATION HAVE BEEN REDUCED OR INCREASED

The problems and objectives of the 2002 Reexamination Report and additional studies and amendments to the Closter Master Plan listed above in section II have been reviewed to determine the extent to which they have been reduced or increased. Responses to each of the problems and objectives are provided below, and have been categorized under more generalized topical groupings in order to best indicate the Borough's responses to many of the previously identified issues.

2002 OBJECTIVES/GOALS	2008 RESPONSE
<p><i>Land Development Ordinance</i> <i>Environmental: Parks, Recreation, Open Space, Conservation</i></p>	
<p>A new Conservation Zone should include:</p> <ul style="list-style-type: none"> • Oradell Reservoir Lands in watershed. • Farms • Recreation Areas 	<p>The Borough retained an environmental planning consultant, TRC Solutions, to create a "Green Plan" for Closter. This includes an inventory of Open Space in Closter, including Conservation zones, and Undeveloped Borough-Owned Open Space. The Green Plan also provides recommendations for preserving open space and for conserving and protecting water resources. The Green Plan was adopted on October 30, 2008.³</p>
<p><i>Land Development Ordinance</i> <i>Land Use</i></p>	
<p>Study the ordinance regarding coverage issues, and amend as necessary so as to reduce the need for so many variances. (The Borough's LDO had reduced building coverage from 25 percent to 20 percent and the impervious coverage from 40 percent to 30 percent in Residential A and B zones in 2002).</p>	<p>This is still an issue for the Borough. The amended zoning regulations, which further restrict coverage, have made many existing properties non-conforming and a substantial number of properties have sought variances from these regulations.</p>
<p>Provide senior housing in Borough in an appropriate location, consisting of either assisted living, age-restricted, congregate care or other form of housing aimed at addressing local needs</p>	<p>A senior housing development has been approved on the Village School property. Units will be available for purchase, and will be the first high-density housing built in the Borough.</p>
<p>Increase the minimum required size of residential lots in appropriate locations.</p>	<p>Closter has adopted such regulations. Properties must be a minimum of 1 acre to be subdivided. No single lots are zoned for more than 1/3-acre.</p>

³ Additional information relating to the Green Plan can be found in Chapter IV of this Reexamination Report.

Modify subdivision ordinance to preclude creation of stub-type, cul-de-sac streets, which are contrary to the traditional development patterns of Closter.	No amendment to the ordinance has been made on this issue.
There should be amendments to the existing parking standards in the ordinance for all principal permitted uses in the borough. For other uses the boards can be guided by findings contained in Parking Generation published by the Institute of Transportation Engineers. Occupancy loads as established by the Building Officials and Code Administrators (“BCOA”) can also be used as a guide.	No amendment to the ordinance has been made on this issue.
Review principal permitted uses in Commercial and Industrial zone districts to determine which uses remain appropriate to these districts.	No comprehensive study has been conducted to review appropriate uses of commercial and industrial zones, nor have ordinance changes been made.
Promote the efficient expansion of governmental, recreational, educational and other community facilities in appropriate locations.	The following initiatives have been undertaken: <ul style="list-style-type: none"> • A \$2.1 million addition to the library in the form of both capital improvements and program improvements serving all needs—from toddlers to senior programs. • Many recreational field improvements, including Ruckman Field, with additional grants awarded and applied for. • Improvements to the municipal website.
<i>Downtown</i>	
Establish a Downtown Improvement Committee to promote physical improvements and to better market the downtown Commercial Center to be further studied to improve the physical qualities of the downtown.	The Closter Improvement Commission has been established and has made recommendations for downtown improvements. The establishment of a Special Improvement District (SID) is still a goal. The Borough has made an application for a state grant to fund a design guideline study.
Concurrent with parking lot improvements, rear facades of stores should be renovated to present an attractive and inviting entrance to patrons.	No major improvements have been undertaken in this regard. However, the Closter Improvement Commission initiated a drive to improve rear facades, including a video presentation.
Provide pedestrian linkages between parking lots and Old Closter Dock Road	This has been implemented at north parking lot only.

Circulation/Parking	
Provide sidewalks on major collectors, county roads, and arterials. ⁴	A \$125,000 grant from the capital improvement fund and a sidewalk trust fund have been expended on improvements, and further improvements are planned.
Traffic signals are needed at: Oakland Road/Homans Avenue; Ruckman Road/Piermont Road; and Durie Road/Herbert Road/Closter Dock Road.	Traffic signals have been installed with the cooperation of the County DOT at the following locations: Homans Road/Oakland Road and Ruckman Road/Piermont Road.
Establish bike paths, pedestrian walkways to connect downtown, nature center and parks. The bike path should be installed on Old Blanch Avenue.	The Cross Closter trail has been established but not all of the recommendations have been implemented.
Complete Downtown south parking lot.	This recommendation was implemented and is complete.
Work with NJ Transit to secure extension of rail passenger service to Closter.	To date, this has not been achieved.
Improve traffic patterns on Herbert Avenue.	This has not been undertaken.
All Public and Private parking lots should be integrated and renovated. Adjacent individual private parking lots should be unified and improved with new pavement if needed, as well as landscaping, lighting and striping.	The downtown north parking lot was renovated. The entrance to the south parking lot was also improved. The Borough engineer prepared a plan for the integration and improvement of all parking lots to the north side of the business district. Developers are required to implement the improvements on their properties in accordance with the Engineer's plan at the time of site plan approval. One developer on Herbert Avenue prepared plans for improvements to their lot, but has not gone forward with proposed development.
Revise parking standards for all principal permitted uses in Borough.	This has not been undertaken.

Historic Preservation	
Promote the recognition and preservation of historic sites, and recognize the historic nature of streets such as West Street, Old Blanch Avenue, and Hickory Lane.	An Historic Preservation Commission was formed in 1998 and the Historic Preservation Ordinance, Section 35-50 et seq. was adopted in 2001. To date, a total of 12 sites have been designated as historic sites, including a property on Hickory Lane, and an historic district is being proposed for portions of West Street and Harrington Avenue. Blanche Avenue has

⁴ There are no sidewalks throughout the streets in the Borough, aside from downtown.

	been recognized as an historic street with a descriptive sign sponsored by the Bergen County Open Space Municipal Trust and the Borough of Norwood, New Jersey.
Property Maintenance	
Analyze whether it is appropriate for Borough to adopt the National Property Maintenance Code.	This has not been implemented.
Paper Streets	
Paper streets need to be eliminated. Establish a committee to study and make recommendations on vacation of paper streets.	The northern portion of Cleveland Avenue was vacated as a paper street. No committee on paper streets has been established.
Utilities/Facilities	
Promote the efficient expansion of governmental, recreational, educational and other community facilities in appropriate locations.	Larger numbers of youth have been participating in recreation programs and a fine arts director was retained. Improvements and an expansion of the Cross Closter trail have been implemented. Ruckman Park's tennis courts have been completely rebuilt, and the capacity of the parking area has been expanded. In addition, double bocci courts are being built, a children's playground with a large canopied area is under construction, and soccer fields have been improved.
Community Facilities should include an improved Department of Public Works building as well as a senior center.	The public works building and facility and the senior citizen center have been updated. The Borough Hall has been undergoing renovations.
Records for Recreation Areas and Publicly Owned Lands should be maintained by Borough.	The Open Space Inventory has been completed and an open space tax adopted in 1998 can be utilized by the Borough for historic preservation, recreation, and acquisition and maintenance of open spaces and farmland protection.
A tree management program needs to be developed to maintain the Shade Tree Commission's plans.	The Shade Tree Commission has program plans in effect. Developers are required to replace trees removed during construction upon completion of new construction projects.

IV. SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN INCLUDING UNDERLYING OBJECTIVES, POLICIES AND ASSUMPTIONS

A. Reaffirmation of Closter's Land Use Plan Goals and Objectives

Closter's goals and objectives have only been amended slightly over the past 25 years, but have not changed substantially. Looking back over this period of time, as well as looking forward into the next decade, it is apparent that these goals and objectives should be retained and affirmed, with one exception: goal 10 was to reduce the amount of industrially-zoned land in Closter, which is to be changed to "improve the condition and compatibility of industrially-zoned land in the community." To this list, a number of additional goals have been added.

The goals and objectives of the prior master plan reexamination which are affirmed are as follows:

1. Promote and protect environmentally sensitive land, streams and reservoirs.
2. Encourage desirable visual environment.
3. Encourage the compatibility of different land uses, to lessen cost of development and encourage the efficient expenditure of public funds.
4. Encourage best possible design for new developments.
5. Promote continued maintenance and rehabilitation of the Borough's housing stock and community facilities and utilities.
6. Protect watershed land in the Borough.
7. Encourage development of new recreation facilities in appropriate locations to serve the entire community.
8. Promote the recognition and preservation of historic sites and uses, consistent with Smart Growth principles as articulated in the State Development and Redevelopment Plan.
9. Provide limited commercial uses to serve the professional and personal service needs of the community.
10. Improve the condition and compatibility of industrially zoned land in the community.

11. Improve existing transportation routes and the construction of new roads in a safe and efficient manner.
12. Promote the efficient expansion of education and other community facilities.
13. Provide buffer zones between residential and non-residential areas.

The following goals should be added to the list:

14. Encourage the revitalization of retail uses both in the downtown and in the Closter Plaza area.
15. Prepare and adopt a plan for promoting sustainable growth and revitalization in Closter.
16. Comply with the mandates of the Fair Housing Act with respect to the provision of affordable housing, including housing for seniors.
17. Continue to improve sidewalks and promote walkability throughout the community.

1. Downtown Revitalization of Closter Plaza/Closter Commons

Discussion

Past master plans, master plan examinations and downtown improvement studies point out the very same set of weaknesses and deficiencies that persist to this day, evidence that past strategies, or the implementation of past strategies for improvement, have either failed or have not been implemented. The tired image and presence of somewhat marginal retailers in the downtown and the underutilization of Closter Plaza and Closter Commons and some of the adjoining retail areas remain unchanged. This calls for the establishment of a vision for the downtown and for Closter Plaza/Closter Commons, as well as an action plan for implementation because virtually all of the improvements called for by previous studies—such as pedestrian traffic circulation improvements, façade and streetscape improvements and historical preservation—remain valid.

The vision for the downtown must necessarily extend to Closter Plaza and the adjoining retail areas, because the success of the revitalization effort is dependent upon significant changes to both. When speaking of the downtown, what is being referred to is the stretch of retail stores on Closter Dock Road, where that road connects with Harrington Avenue to the west and VerValen Street to the east. It is characterized by a traditional “main street” retail environment, with a predominantly continuous wall of ground floor retail stores along the street-line, with zero front and rear-yard setback, and with on-street parking. Convenience and spe-

cialty retail stores predominate, with a cluster of stores oriented to a Korean-speaking clientele at the western end, and a broader clientele in the center and eastern end.

This traditional downtown has charm, and few vacancies, yet it appears tired and some of the tenants are somewhat marginal. It lacks vibrancy and appears a little run down. One strategy is to continue the strategy of the past; to undertake “traffic-calming” and “place-making” improvements as funding becomes available to improve parking, façades and the streetscape. Incremental improvements will over the course of many years help to make the downtown more attractive and more pedestrian-friendly.

A second strategy, which has been suggested before, but rejected or which has failed to be implemented, is the creation of a Special Improvement District or S.I.D. The SID is the designation of a prescribed area in which an additional levy is assessed on all property owners, which is then pooled and utilized for making improvements which are for the benefit of the common good. Rather than continue to muddle through by slowly implementing physical improvements that have been called for over the past 20 years, this additional source of revenue can be used for injecting much needed funding to address the downtown’s image, its streetscape, and helps to market and promote the downtown. Typically, a professional or outside consultant with expertise in downtown revitalization, image-making and promotion can be hired to focus on this effort, and to jump-start the types of improvements that would begin to truly transform the downtown into the regional attraction that it aspires to be.

One very important factor must be considered; the SID should be as large as possible, incorporating adjacent non-residential areas (offices for example), as well as the retail areas outside of the traditional downtown. The objective of Closter to revitalize its traditional “main street” and to rehabilitate the adjoining retail areas (such as Closter Plaza and Closter Commons), are largely dependent upon one another, and is therefore to their mutual benefit. Monies which are spent in one area will benefit the whole. A stronger retail sector will increase the value and market for office users, and vice versa.

The second part of the vision for revitalizing downtown Closter, is to truly capitalize upon the opportunity for Closter Plaza to become a strong regional attraction and anchor.⁵ The current K-Mart and supermarket and collection of smaller retail stores and strip centers does attract shoppers from outside of the community, but the attraction is weak. Its outdated physical form, the lack of reinvestment in the stores provides a tired and somewhat depressing visual image. It is indicative of the fact that Closter Plaza’s penetration of its trade area is weak (the percentage of persons who live within driving distance of the Closter Plaza and who actually shop at its stores is small). Clearly a complete revamping—either by wholesale demolition or through substantial renovation and reconfiguration—is needed. A developer has prepared plans for revitalizing/rehabilitating and re-tenanting Closter Plaza, and has shared concept

⁵ See Appendix B, which sets forth retail opportunity gaps which Closter could use to capitalize upon in the downtown.

plans for this development with the Borough. In this effort, the community can be a help or a hindrance. Some in the community have expressed their opposition to allowing a full scale modern supermarket or big box retailer from being established at the Plaza, perhaps out of fear of providing too strong a competition for existing stores in the downtown, or a fear of the overly “generic” retail image that would be established, and a loss of vernacular character in Closter. Strategies, such as limiting the size of an anchor, such as a supermarket, has been suggested as a method to prevent this, since most modern supermarkets will only build new stores that are substantially larger than those built 10 or 20 years ago. The problem with such a strategy is that it may interfere with the natural market forces which are needed to drive this development. Furthermore, the strategy of limiting the size of an individual store is no guarantee that a high-end retailer would be attracted to the Plaza. A smaller low-end big box store may result. Worse yet, such a limitation could stymie development altogether, leaving Closter Plaza to drag along in its current weak and somewhat obsolescent state.

The strategy that should be adopted, therefore, is to work with the current owners, or with prospective developers, in encouraging latent market forces to develop the type of retail center that would work best at this location—which in this case is probably a community shopping center—most likely anchored by a modern supermarket with a group of satellite stores, most of which would be national or regional chains. The introduction of this type of revitalization can be “managed” in a way which minimizes its impact on the retailers in the downtown, and confines itself to the types of stores which help to bring new visitors to Closter, who then shops in both the new Closter Plaza and in the downtown. Similar strategies have been employed elsewhere in the US (such as in the negotiation between Wal-Mart and the State of Vermont) which allow such developments in a form and of a type that most benefits the local community, rather than hurting it. Typically the retailers which fill out the rest of such shopping centers are the types of national and regional chains that would not go into a main street setting; such tenants would be unlikely to compete with downtown retailers. There are many communities in Bergen County and throughout New Jersey where downtowns have remained strong and successful alongside or close to such community centers anchored by large supermarkets (Montclair, Ridgewood, Englewood, Woodcliff Lake). With regard to concerns related to visual image, the supermarket chains and shopping center developers have with pressure and cooperation, molded their architecture to respect local, vernacular and historic architecture, so that the image is not generic, but tailored to the community in which it is located. (An example is the A&P Supermarket in Midland Park.)

The revitalization of Closter Plaza will provide a strong anchor and a huge draw to shoppers outside of Closter, increasing the vibrancy and attractiveness of both Closter Plaza and the downtown, and provide the impetus for improvements which currently don't appear to be economically justifiable or feasible.

Returning to the downtown, there are in addition to the implementation of the SID and undertaking physical and marketing improvements, a number of other strategies that can be em-

ployed. One is to celebrate the presence of the Korean-oriented cluster within the downtown. The second strategy is to capitalize upon the “sports” orientation in the downtown. The presence of the golf driving range, the sports academy and two large gyms in the downtown could be used to attract other commercial recreational tenants, or leisure-oriented users to the downtown. This would help to reinvent Closter’s image and bring new customers into the downtown.

Without a vision and an action plan, change to the downtown and to Closter Plaza will be slow and incremental. Retailing reinvents itself every 5 to 10 years; without a community’s willingness to allow retail market forces to express themselves, the retail potential in Closter will remain untapped. Potential dollars will continue to be spent elsewhere, most likely outside of the community. Harnessing and controlling these market forces to serve the needs of the community will allow the type of downtown and retail sector that the community has long desired.

In carrying out the improvements to the downtown, recommendations from prior master plan reexaminations and from prior downtown studies should continue to be pursued. The recommendations which continue to be still valid, and which should be carried out, include the following:

- Complete the improvements to the South Street parking lot, and without substantial cost—such as repainting, enclosing waste receptacles, adding lighting, and simplifying signage—improve the rear facades which face parking lots.
- Enforce prohibition of unnecessary truck traffic in the downtown, except along designated truck routes.
- Implement traffic-calming measures on Closter Dock Road, such as providing neck-downs at intersections, raised or differentiated pedestrian crossings, and allowing on-street diagonal parking where space permits.
- Encourage shared access and new parking lots between adjacent private properties to yield more parking spaces and to limit curb cuts.
- Allow for residential apartments above ground floor retail as an inducement to improve and re-tenant ground-floor retail stores.
- Encourage downtown property owners to maintain the integrity of their historic buildings by utilizing the historic Design Guidelines when renovating or expanding their properties.
- Provide technical, and if available, financial assistance to downtown business for streetscape and façade improvements.
- Market and promote the strengths and attractions of downtown retail stores.
- Encourage outdoor dining.

Recommendations

1. **Capitalize upon and strengthen the inherent qualities of Closter’s downtown by continuing to implement recommendations and improvements from prior master plans and downtown studies.**
2. **Continue to work with the developers of Closter Plaza and Closter Commons in establishing a market-driven plan for its revitalization, focusing on the quality of design and its economic and visual compatibility, and its functional integration with the downtown. Allow the market to determine the tenancy and size of the anchor and satellite stores.**
3. **Adopt an SID covering the downtown, Closter Plaza and Closter Commons, and all of the adjacent retail and office areas, so as to create a sufficient resource to accelerate physical improvements in the downtown related to “place-making” and “traffic-calming,” and to jointly promote and market downtown Closter.**

2. Industrial/Residential Compatibility

Discussion

A myriad of issues present themselves in Closter when considering the present condition of Closter’s industrial areas, and their relationship with the adjoining residential areas. This is particularly true of the John Street, West Street and Railroad Avenue area. The lack of buffers or transitional areas separating active industrial activities from abutting residential areas, the parking of trucks and commercial vehicles on residential properties or on industrially- or business-zoned properties where they are currently prohibited, the lack of an on-site parking for landscapers’ vehicles overnight, and the seeming lack of enforcement of current zoning regulations in these areas are all topics which are the subject of heated debate. What should be done? Should the zoning remain and be strictly enforced? Should the landscapers remain? Should the zoning be adjusted to allow for better industrial operation, but added measures to protect residential uses? Should plans be put in place to transform the area for either higher-intensity residential or non-residential uses, which would be to necessary to incentivize revitalization?

There are no easy answers, and further, a more detailed study is required to secure a longer-term solution. Such a long-term plan must include a strategy for (1) strengthening the feasibility of the industrial uses, to the extent that the overall strategy is to retain them; (2) providing incentives for these sites to be improved to function in a more orderly manner and in keeping with state-of-the-art practices; and (3) protecting the adjoining residents from the impacts of these operations.

In the shorter and perhaps intermediate terms, a number of measures can be adopted, but all will face hurdles unless the property owners on both sides—the industrial operators on the

one side and the residents on the other—are brought to the table for negotiation. A strategy which provides benefits to both sides must be employed if it is to work. First, the Borough must take a strong stand, that without compromise and cooperation from the industrial operators, that it will enforce all legal statutes—zoning, noise, environmental and parking. For example, state statutes regarding noise require that daytime noise levels at residential property lines do not exceed 65 DbA (decibels), and that nighttime noise does not exceed 50 DbA. Violators are subject to fines which could be considerable. The illegal parking of vehicles can be enforced through parking tickets. Overnight on-site parking where it is prohibited can be enforced through citation for zoning violations. It should be explained that the Borough's intentions are to help the industrial operators remain in business, but in a manner which is more compatible with the adjacent residents. The key is to provide incentives for the industrial operators to provide improvements on their property which are beneficial to them, but at the same time protective of the residents. For example, landscapers could be permitted to park vehicles overnight on their industrial or business properties (but not on residentially-zoned properties), but only as part of an approved site plan. During the site plan process, on-site improvements—traffic access, on-site circulation, screening and buffering, drainage improvements, etc.—can be suggested to make these uses more visually and operationally compatible and attractive to adjacent residential areas. Closter is a community that accommodates many small businesses—landscapers and construction-related contractors, and does not wish to drive them out of the community. The key is compromise; allowing their presence, but with improvements to their sites and yards through the site plan approval process.

Aside from working with the operators and individual property owners, the Borough should attempt to improve off-site conditions and relax zoning restrictions—better roads and truck routing, better street lighting, relaxation of overnight parking restrictions for landscapers and small contractors in industrial and business zones, better security, better stormwater runoff measures, relaxation of outdoor storage regulations, and the provision of trees and vegetation to buffer residential areas—which would help to improve the current situation.

Recommendations

- 1. Convene a subcommittee of residents and industrial/business owners to negotiate a fair and reasonable way of instituting improvements that will benefit both sides.**
- 2. Allow on-site overnight parking of commercial vehicles in industrial and business zones, but require all property owners who wish to park such vehicles on such properties to obtain site plan approval, which would include improvements in on-site circulation and buffering, as well as other operational improvements.**
- 3. Continue to prohibit (and strictly enforce) the overnight parking or storage of commercial vehicles on residential properties.**

4. **Enforce parking, zoning and other performance and environmental codes (e.g., noise, stormwater, lighting, etc.) on industrial and business properties that present a nuisance or disturbance to adjacent residential properties.**
 5. **Utilize available Borough funds and outside funding sources to institute improvements to industrial areas.**
3. **Historic Preservation**

Discussion

Closter has previously adopted an Historic Preservation Ordinance, appointed an Historic Preservation Commission and has designated 12 properties as historic sites within Closter. (See Zoning Chapter 200(c) for a list of the designated properties, as well as Appendix C of this report.) The Commission is currently in the process of proposing the West Street/Harrington Avenue residential neighborhood as an Historic District. Other neighborhoods, including areas of High Street, Demarest Avenue and Old Closter Dock Road may be considered for designation in the future. Along the south side of Old Closter Dock Road, between Railroad Avenue and Harrington Avenue in the commercial area, there is another possible District to be considered for future designation. This area has received an opinion of eligibility from the State Historic Preservation Office—see SHPO Opinion: 3/24/1998 Old Closter Dock Road Historic District (ID#356) SR: 10/3/1980 NR: 1/9/1983 (NR Reference #: 83001476).

Since 2002, the Historic Commission has had a District Survey report compiled (2004) for a proposed District of approximately 250 properties (which encompassed both the West Street/Harrington Avenue district now being proposed as well as the entire downtown area up to the Borough Hall), and that we also had Design Guidelines for historic properties written in 2006, both of which were funded by CLG grants administered by the State Historic Preservation Office. Designation of the very large district was not pursued after one hearing, because of several factors, including the unwieldy size of this proposed district and the inherent difficulties associated with communicating with such a large number of property owners and absentee owners in the commercial district, but also because of negative commentary from many property owners, particularly in the downtown commercial area.

Despite the fact that this district never came to pass, Closter is fortunate to have the compilation of all of the historic and architectural information contained in the District Survey written by McCabe and Associates, and this information has been helpful in many Planning Board and Zoning Board reviews. The public can access this information, since there is a copy kept at the Closter Public Library. There is also a copy kept in the Land Use office at Closter Borough Hall. The Design Guidelines were designed as an online document and are available at www.closterhistoricpreservation.org.

The Commission is also discussing the individual designation of the Closter Borough Hall and of the Naugle/Auryansen Cemetery off Hickory Lane, and has discussed designating the railroad depot building (now a private residence), located at 1 Station Court, as well as two Victorian-era houses on Durie Avenue.

Unsuccessful attempts at designation between 2002 and now include the individual designation of Closter's sole remaining Lustron house, and the Durie Avenue Historic District.

Incentives could be provided—façade improvement loans or grants and technical assistance grants—for property owners to comply with the requirements of the historic preservation ordinance. To the extent that a Special Improvement District (SID) is created, joint efforts on the part of those who qualify could receive priority for façade improvement funding. Education is also a key; studies have shown that downtown historic designation makes good economic sense, and that it is consistent with Smart Growth principles as articulated in the State Development and Redevelopment Plan. The more a downtown maintains its historic distinctiveness, the more successful it is when competing against new shopping centers.

Recommendations

- 1. Continue to promote the preservation of historic resources in a manner consistent with Smart Growth principles as articulated in the State Development and Redevelopment Plan.**
- 2. Continue education programs of historic sites and districts.**
- 3. Continue to pursue designation of historic sites and districts.**

4. CONSERVATION ZONE

Discussion

The adoption of a Conservation Zone in Closter, to include all those properties which are both in private and public ownership, which because of their environmental constraints are incapable of being developed, has long been a goal of Closter, repeated in all master plans and re-examinations going back for 20 or more years. The inclusion of some privately or quasi-publicly owned properties—the Demaree property and the Watkins property or portions of the United Water Resources-owned land—which are not so constrained—appear to have inhibited the adoption of a Conservation zone. Some have agreed that the inclusion of the latter could end up in legal challenges, undermining the entire effort.

In the first instance, the adoption of the Conservation Zone for those properties which are Borough- or publicly-owned, and which are either restricted for passive recreation or preservation, should be so designated. Having the properties in a residential or non-residential zone makes little sense. (For example, the Nature Center is presently within an Industrial zone.) Their designation within a Conservation zone is a clear means of identifying them and assuring all those who are concerned about their future. Designating public or quasi-public property that is similarly constrained—i.e., within wetland and wetland transition areas—within the Conservation zone, is also recommended. This would include the watershed lands of the Oradell Reservoir and other properties designated as wetlands. Regulations—uses and standards—which pertain to conservation rather than development should also be adopted. For that property which is privately or quasi-publicly owned and not entirely restricted—designation for conservation will probably have to wait. Rezoning of property to Conservation (say with an underlying residential density of 1 unit per 5 acres), in the absence of real environmental constraints could be subject to legal challenge. A more measured approach is needed. The designation of some form of alternative zoning—perhaps one which permits development at a lower density—but with incentives to cluster and preserve portions of the property as open space—may be appropriate.

The Demaree property certainly presents its challenges, and no one in Closter would be opposed to seeing this tract remain as active farmland well into the future, if not permanently. Simply rezoning this parcel to “Conservation” or putting it in a “Farmland Preservation” zone, may not be legally sustainable. Alternatives do exist. Outright fee-simple purchase is one option, but given its underlying value, such a cost may be prohibitive. The purchase of development rights under the State’s farmland preservation program may be the most feasible alternative. With the dwindling presence of active farmland in Bergen County, and the disproportionate funding of farmland preservation in western and central New Jersey, a strong case for funding could be made for the Demaree property. The Mayor recently wrote a letter to the County soliciting their help in funding the preservation of this property as farmland. Although no commitment has been forthcoming, Bergen County should be a strong supporter in these

efforts; elsewhere in the County in similar circumstances, such proposals have received support, and indications that funding for such purposes may well be available.

Two programs are offered at the State level (and administered through the County). Appraisals of the property are prepared. The current market value of the property, as zoned, is first determined. The residual value of the land, restricted to agricultural use only, is then determined. The difference between the current value and the residual value with the development rights removed is the value of the development rights, which is then paid to the property owner in exchange for deed restrictions which allow the property only to be used for farming. One program purchases such rights only for a period of 8 years; the other permanently. Obviously, the latter program would be most desirable. Closter should work with officials from the County and the State, along with the property owner, to determine if this action would be feasible.

Closter has been successful in the past in obtaining funding for the purchase of restricted-use properties for open space purposes. It should continue to identify and purchase such parcels as such funding allows, and in such cases add them to the inventory of properties in the Conservation zone. This should include the 5½-acre Watkins-Blanche Avenue property, which the Borough has attempted to purchase in the past. In addition, funding for improvements such as trail improvements, bridges, etc. should also continue to be pursued.

Recommendations

- 1. Designate all public-owned property which is intended for conservation and passive recreation within a Conservation zone (e.g., Nature Center).**
- 2. Include within the Conservation zone all public, quasi-public and privately-owned properties that are so environmentally-constrained as to be undevelopable (e.g., areas of surface water, undeveloped mandated riparian buffers, wetlands and wetland buffer areas).**
- 3. Pursue funding which would permit the purchase of development rights of the Demaree property and limit its future use to agricultural purposes.**
- 4. Pursue the outright purchase of the Watkins-Blanche Avenue property, or portions thereof, for open space.**
- 5. In the absence of success in 4 and 5 above, reevaluate the zoning of such properties, to determine if other techniques—such as clustering—would allow for partial preservation.**

5. Closter Green Plan

Discussion

The Borough of Closter, through a grant from ANJEC, prepared and adopted the Sustainable Closter Initiative, or a “Green Plan,” as a separate element of its Master Plan.⁶ As such, the Green Plan, as an added element to the Closter Master Plan, will be the basis upon which implementation of its recommendations and actions will be based. The Green Plan is incorporated by reference into this Reexamination Report, and a synopsis of its key goals and initiatives is provided below.

The Sustainable Closter Initiative is a guide for promoting sustainable growth, development, and redevelopment to support a sustainable community fostering economic, environmental, and social health, and focuses on the following priority areas:

- Sustainable Building and Development
- Creating a Walkable Community
- Water Conservation and Protection
- Energy Conservation
- Open Space Preservation.

Sustainable Building and Development

- Establish a green building checklist specific to Closter using the LEED system or other green building standards as design and measurement tools.
- Develop an ordinance requiring sustainable building for Borough development.
- Create incentive programs for commercial and residential construction and development projects through an expedited permit review process and a permit fee reduction program.
- Develop green building resources for private owner, including:
 - “How to” guidance documents
 - A list of “green” building materials suppliers
 - A list of LEED or “green” certified designers, engineers and contractors with experience in Closter.

Creating a Walkable Community

- Identify areas in Closter where the use of traffic calming measures can improve safety and encourage pedestrian traffic.

⁶ The Green Plan was adopted as an amendment to the 2002 Master Plan Reexamination.

- Establish truck routes by restricting access to residential or walkable downtown areas
- Improve signage around schools, parks and downtown
- Add traffic circles and islands where thru-traffic cannot be diverted
- Upgrade sidewalks as well as raise crosswalks and add build-outs at busy intersections.
- Identify and establish bicycle routes between schools, parks, the Nature Center, retail stores and restaurants
- Provide public transportation options in-town, such as busing between the downtown area, shopping centers, recreational areas and residential developments
- Leverage NJDOT Bike/Pedestrian Action Plan, which serves to assist communities in creating a strategy for improving bike and pedestrian activity.

Water Conservation and Protection

- Leverage resources such as Clean Water NJ to educate residents on stormwater management
- Offer water conservation aids. Closter's supplier, United Water of NJ, along with Niagara Conservation, provides these kits at discounted costs ranging from \$5 to \$15.
- Encourage use of rain gardens and rain barrels by offering educational materials or workshops
- Require stormwater Best Management Practices (BMPs) for all construction and development projects through implementation and enforcement of the Borough Stormwater Management Plan and Ordinance
- Reduce use of toxic pesticides and fertilizer on municipal and school properties through integrated pest management and alternative plant management techniques.

Energy Conservation

- Install LED traffic lights and high-efficiency lighting on street lamps
- Install photovoltaic (solar electric) roof panels for municipal buildings and schools
- Update municipal buildings for energy and water efficiency
- Enroll in NJ Clean Energy Program's CleanPower Community Partners program to receive incentives and rebates for energy improvements and to increase public awareness in energy efficiency.

Open Space Preservation

- Continue to support relationship between Nature Center and schools
- Sponsor and support community forestry and tree planting projects, such as Closter's current Arbor Day activities.

Recommendations

Implement all of the Action Items cited above, to the extent practical and economically feasible.

6. Piermont Road, between High Street and Homan's

Discussion

Piermont Road south of Homans Avenue and east of Piermont Road has and continues to be residentially zoned. Despite this, over a period of time, many of the properties which front on this stretch of busy road have become decidedly non-residential in character, including a number which are retail in nature. As a result, this area has become one of mixed use, with no consistent visual or land use character, and with many properties becoming nonconforming. The question to be answered at this point in time is whether the zoning should be changed to reflect this, or whether the zone should actually encourage this transformation, or whether it should be strengthened to prevent further “retail creep,” as some in the community have characterized it.

The recommended courses of action have to be considered within a wider context, one that takes the community's goals and objectives for the retail sector into account. First, it must be recognized that a major driving force behind the transformation is that (1) properties which front on this busy road may not enjoy the peace and quiet that is valued by other properties zoned or used for single-family development, thus giving the owners the impetus for seeking alternative uses of the property; and (2) the busy traffic on Piermont Road creates the visibility and accessibility that makes certain non-residential uses more feasible on the property, small office development and even retail development, the latter which may be characterized as this area's “highest and best” use. However, even though retail may be the most optimal use from a real estate point of view, it may not be the most appropriate use from a community development or land use viewpoint.

First, based upon the condition of retail uses throughout Closter, it is evident that Closter may have an imbalance between residentially zoned land and land zoned for retail uses, with too much land zoned for retail use.⁷ Certainly, the poor state of many existing developments, and the existence of marginal or underutilized and vacant retail stores is an indication that there is too much retail space to serve the population that shops in Closter (i.e., both Closter residents and outside visitors). Rezoning Piermont to allow further transformation of residential and/or office space for retail use would only add to the inventory and further weaken the market. Additionally, standalone retail development on small lots often leads to inefficient land use patterns—duplicative driveways, small parking lots, small buildings and low yield of space and jobs for the area. Additionally, incompatibilities are certainly a potential—for example, trying

⁷ See Appendix B.

to squeeze in as much on-site parking as possible in a side or rear yard adjoining an existing residential use. As a result, retail is really not an appropriate alternative.

If single-family residential is unsuitable and retail inappropriate, what uses are appropriate? In similar circumstances elsewhere in New Jersey, in transitional areas between downtowns or highway commercial corridors and residential neighborhoods, a mixed residential/office zoning, of fairly low intensity and oriented to smaller users, has worked very well. Allowing outright office use, e.g., a single-family home to be transformed into a lawyer's office or a home professional office, where the professional practitioner lives in the residential portion (the predominant use) but conducts his practice in the office portion (the subservient use), exclusively with an office on the ground floor and an apartment or two apartments on the second floor, is both feasible and appropriate in these circumstances. Such office uses close to the downtown, but in a smaller, standalone residential structures, are often sought after by smaller office users. Provided there are standards and controls in place to ensure that the utilization of the residential portion for apartments are built to code and well designed so that there can be maintained in good condition, such a residential presence could be a benefit, not a burden, on the community.

Recommendations

- 1. Rezone the area of Piermont Road between High Street and Homans Avenue for Professional Office/Residential, allowing single-family residential use, home professional office, professional office, or a mixed-use, with ground-floor office and apartments above the ground floor.**
- 7. Shade Tree Planting/Replacement and Sidewalks**

Discussion

The Borough of Closter has adopted provisions in the zoning code calling for the replacement of trees lost as a result of development. This tree replacement requirement is a prudent and reasonable way of ensuring that the vegetative green cover in the Borough is maintained and replenished.

However, the Borough also needs to preserve green strips within the public right-of-way and provide for the planting and replenishment of shade trees on Borough streets wherever possible. The Borough favors the replacement of shade trees lost or the addition of shade trees where they are missing, to be placed on private properties in the front yard, rather than within the right-of-way, where the responsibility for maintaining such areas falls on the Borough. A number of actions are therefore recommended. First, the standards relating to the treatment of right-of-way shoulders should be strengthened to ensure: (1) that shade trees are planted at standard distances apart (typically 50 feet on center) on private property in the front yard as

close to the right-of-way as possible, along all Borough streets; and (2) a grass strip, of at least 3 feet in width, should be maintained between the curb of the cartway and the sidewalk within the right-of-way. Second, wherever and whenever applicants for development are made (subdivisions, building permits for single-family homes, and site plans for multi-family or non-residential development), such applicants should be required to replace or add grass strips along all existing Borough streets, where they are missing, diseased or in poor condition, and to plant shade trees on their property in the manner prescribed above.

Third, in the absence of such development, where shade trees are lacking, the following should be done: (1) the owner of the property which fronts on such streets should be encouraged to plant trees on their property, in the front yard and close to the street right-of-way (per a list of acceptable shade trees maintained by the Borough, and in accordance with the planting standards), with or without the Borough's assistance (both monetary and technical assistance); (2) to the extent that variances are granted to allow an applicant to plant fewer replacement trees on their property than required, a fee equivalent to such a cost could be assessed and the money set aside in a tree replacement fund, to be used in such cases where the owner cannot or is unwilling to pay for the tree planting themselves; or (3) a shade tree planting program should be initiated utilizing available governmental funding/programs, and/or soliciting businesses or individuals to donate money, time or materials for such purposes.

Like many other communities facing the challenges of meeting the needs of the community in the age of climate change, with increasing energy and fuel costs, lowering greenhouse gas emissions, and the deteriorating fitness and lack of exercise of its population—particular amongst schoolchildren and seniors—adding sidewalks to facilitate as well as encourage walking, is recommended. Specific recommendations for implementing such a program are beyond the scope of this report, but a subcommittee of the Planning Board, with the assistance of the Borough Engineer, should be convened to study this issue and to recommend the following: (1) identify those streets on which currently, sidewalks are missing and should be added; and (2) make recommendations as to how and what funds can be used so that such sidewalks can be added. (The Borough allocated and spent \$125,000 for sidewalk improvements in the recent past.) A combination of requiring sidewalks to be built where appropriate where new development or redevelopment occurs as part of an off-site improvement, and the building of sidewalks with public funds in other cases, should be considered. Additional funding for such purposes may be available from the State to municipalities in the future. The Borough should monitor such state programs, and make application for funding, whenever it becomes available.

Recommendations

- 1. Encourage or mandate the replacement or addition of grass strips along the curb line of all Borough streets, and the addition or replacement of shade trees every**

50 feet along Borough streets, but planted within the front yard as close to the right-of-way as possible, on private property.

- 2. Where such improvements are mandated but cannot be met, require a fee-in-lieu of planting, and utilize such funds to plant shade trees elsewhere in the Borough where they are needed.**
- 3. Prepare a sidewalk replacement/improvement plan for the Borough, and apply for funding whenever such funds become available.**

8. Undersized Lots

Discussion

Closter has struggled to deal with a series of undersized lots which exist throughout the Borough. In most cases, such lots are not only smaller than the minimum sized lot mandated in the zone in which it is located, but are also narrower. In some cases, such lots are so narrow—25 feet wide or narrower—that the development of a building (a single-family residence) in most cases is infeasible without the granting of substantial variances for side yard setback, and other requirements in the zone (maximum lot coverage, for example). Where such buildings are built, they are typically out-of-scale and out of character with development to either side on conforming lots and create peculiar and inconsistent streetscape due to their narrowness, and their close proximity to uses on either side. Moreover, such close proximity has the potential to impact privacy and the quiet use and enjoyment of neighbors' properties. At the same time, to the extent that variances are not reasonably granted, there is a potential that the owner could file suit against the Borough claiming that enforcement of the zoning has deprived them of a reasonable use of the property (i.e., confiscation), which if successful, could result in either the denial being overturned or the awarding of compensation to the owner on the basis that the Borough through zoning, has "taken" the property.

There is no ready and consistent zoning remedy or other formula that can be implemented to resolve this problem, because each undersized lot presents its own set of unique circumstances; where one set of regulations may be reasonable in one case, it may be onerous in another seemingly identical case, such as in the case where you have 2 lots of the same size, but where the lots are located in different zones, the lots differ in width, or where the proximity to adjacent development is different. As such, the following is recommended.

Some of the lots may be owned by the Borough, and cannot feasibly be used for Borough purposes (e.g., public open space, community facilities, etc.). The Borough may be tempted to sell such properties. Under such circumstance, the following should be undertaken. The Borough should restrict such sales only to one of the adjoining landowners (or subdivide it in two parts and sell half to each of the adjoining owners). As part of the sale, a deed restriction

should be included, which would allow it to only be added and consolidated with the existing lot, and with the provision that no application would be made for a new principal structure on the undersized lot. The owners could use it for open space, to expand the existing homes' overall size, to build into the expanded side yard created by such consolidation, or for adding an accessory structure to the lot.

In the case of privately-owned undersized lots, the Borough should encourage their sale to adjoining property owners for the same purposes as those articulated above. However, to the extent that such owners do make application for building on such undersized lots, each will have to be dealt with on a case-by-case basis, by the Zoning Board of Adjustment, and be guided by case law, by the policy described in this Master Plan Reexamination (which discourages such development), and the zoning regulations in effect in the zone in which it is situated. To this end, this Reexamination strongly discourages the building of new homes or buildings on substantially undersized lots, while at the same time recognizing that a real hardship may warrant variances, to the extent that the requirement of the Municipal Land Use Law relating to the grant of variances, both the affirmative proofs and negative criteria, can be satisfied.

Recommendations

- 1. Encourage the sale of undersized lots in residential areas to adjacent property owners for consolidation and enlargement of existing lots, rather than permitting such lots to be utilized for accommodating new single-family homes.**
- 2. Deal with applications for building new principal structures on undersized lots on a case-by-case basis.**

9. Affordable Housing

Discussion

The Borough of Closter was granted Substantive Certification by the Council on Affordable Housing for its second-round fair share obligation in February of 2003. Closter also prepared, adopted and submitted a Housing Element and Fair Share Plan to address the third-round obligation in December 2006, based upon rules which COAH adopted in December 2004. However, the Supreme Court struck down COAH's third-round rules in January 2007, requiring COAH to adopt new rules.

Since that time COAH has amended its third-round rules on two occasions—the most recent being on September 22, 2008—while concomitantly the legislature has amended the Fair Housing Act. Those regulations are yet to be incorporated into COAH's rules. Nevertheless, COAH is requiring that new Housing Element and Fair Share Plans based upon these latest

rules must be submitted prior to December 31, 2008. Per the new third-round rules, COAH has projected that 150 additional housing units and 106 new jobs will be added to the Borough by 2018, requiring 37 affordable housing units to be built in town. The Borough engaged the firm of Hakim Associates to prepare a plan to address the new third-round obligation. Such a Plan was adopted on October 30, 2008. This Housing Element and Fair Share Plan, although adopted separately from this Master Plan Reexamination, is endorsed by this Reexamination Report. This Reexamination Report recommends that the rehabilitation of standard residential units occupied by low- and moderate-income residents which are located in the downtown be given highest priority in an effort to assist with the overall downtown revitalization efforts of the Borough.

Recommendations

Pursue Substantive Certification in Round Three and implement the recommendations of the Fair Housing Plan.

10. Other Recommendations

Below are a series of recommendations that persist from prior master plan efforts, or which were brought to light in interviews and at the community meeting on this master plan reexamination.⁸

- a. Prior recommendations that should continue to be pursued.
 - (1) Enforcement of zoning and property maintenance codes, including sign codes.
 - (2) Establish bike paths to connect neighborhoods to the downtown, as well as to parks, the nature center, and if implemented, to the Closter greenway or trailway system.
 - (3) While restoration of commuter rail service with a station in downtown Closter is unlikely in the short or intermediate term, continue to work with other communities on the line to lobby NJ Transit and the State for its implementation.
 - (4) Implement many of the previously recommended traffic improvements, such as: prohibiting cul-de-sacs to allow for a more free flow of traffic; decide what to do with paper streets—improve them or vacate them.
 - (5) Review principal permitted uses in the Commercial and Industrial zones to determine which uses are appropriate.

⁸ See Appendix "A" for a summary of the results of the Community Meeting.

b. New recommendations

- (1) Enforcement of maintaining properties in accordance with approved plans need to be strengthened. For example, to the extent that properties are found not to be maintained and improved in accordance with a previously-approved site plans, owners should be required to remediate deficiencies, including such items as: (i) planting or replanting dead trees or missing landscaping; (ii) repairing or replacing missing or deteriorated paving, curbing, sidewalks, lighting, traffic signs; (iii) removing structures or improvements or signage which did not receive site plan or building permit approval.
- (2) In complying with the mandates of the Fair Housing Act and the provision of additional senior housing (especially affordable senior housing), provide for services in support of seniors, such as a jitney transportation service.
- (3) Engage traffic consultants to study and recommend (i) an additional crossing of the rail line to ease congestion in the downtown; (ii) a safe-route to school plan, so that pedestrian improvements can be made to increase the safety of schoolchildren that walk to school; (iii) designated bike routes and additional bike paths in Closter linking residential areas to the downtown and to parking and open space; (iv) rerouting the bus routes through Closter, including having the bus which travels on Route 9W through Alpine to New York being diverted to make a stop in Closter; and (v) provision of a commuter parking lot or jitney service to bring residents to mass transit stops (bus and/or rail) as an alternative to driving.
- (4) Set forth regulations and procedures for the simultaneous and integrated review of development when it requires demolition, tree removal and soil movement.

Appendix A

**Results of Breakout Group Discussion at April 7 2008
Closter Planning Board Meeting
In Connection with the Master Plan Reexamination Report**

A. What Improvements would you most like to see in Downtown Closter?

Group 1	Group 2	Group 3	Group 4
<ul style="list-style-type: none"> • Better cleaning behind Buildings • maintenance/code enforcement • diverse retail • pedestrian attractions • improve rear parking • sidewalk cafes • more restaurants • green market • redevelop Closter Plaza 	<ul style="list-style-type: none"> • Parking lots publicly owned • angled parking downtown • downtown facades • ingress/egress to south parking lot • “rebuild the town” • Closter Plaza parking lot, by landscaping islands • free enterprise • downtown maintenance • rear entrances to shops • decrease business turnover • more restaurants/shops 	<ul style="list-style-type: none"> • [We agree with group 1] • Streamlined approval process for new business • code enforcement in downtown • limit number of similar businesses • BID in downtown 	<ul style="list-style-type: none"> • attract owners, especially for anchor stores • diverse retail • Closter Plaza • angle parking • façade cohesion

Summary: All four groups unanimously noted Closter Plaza among the list of necessary downtown improvements. Additionally, façade improvement in the downtown and attraction of restaurants, parking, and diversity of retail were noted as issues to address. Lastly, the need for code enforcement was noted as a method to alleviate problems.

B. What aspects of Closter’s Industrial Areas are most troublesome to you, and how do you think they can be improved?

Group 1	Group 2	Group 3	Group 4
<ul style="list-style-type: none"> • large trucks • definition of uses • diminishment of green space • odor control • space for landscaping storage • underground leaking storage/contaminants • code and zoning enforcement 	<ul style="list-style-type: none"> • noise/odor to neighbors (i.e., on Railroad Ave) • improvement to maintain industry • Herbert Ave should be changed to include heavy trucking • truck traffic patterns • railroad opening from Homans – grade crossing • landscaping truck storage 	<ul style="list-style-type: none"> • zoning enforcement • creation of buffer zones between industrial/other 	<ul style="list-style-type: none"> • parking for landscapers • truck traffic • recognition of industrial zone benefit (tax base) • Specific changes, such as Ruckman to be used for accessory transportation uses such as carwash, oil change, garages, etc.

Summary: While each of the groups identifies a variety of troublesome issues that other group members agreed with, the issues of landscaping truck parking locations and large truck traffic patterns were each brought up by three of the groups. Environmental impact, residential buffer and quality of life were addressed, and Group 4 made some specific suggestions regarding ways to acknowledge the benefits of industrial uses while making them more compatible with the Borough’s goals.

C. What are the three best things about living in Closter?

Group 1	Group 2	Group 3	Group 4
<ul style="list-style-type: none"> • Schools • green space, including parks and recreation • architectural “gems” • presence of shopping/ retail in downtown • convenient proximity to New York • good place for children 	<ul style="list-style-type: none"> • The people • Nature Center • large shopping area • active working farms in community (McBain Farm) • Library • Presence of commerce 	<ul style="list-style-type: none"> • Location • low crime rate • small-town feel • cultural assets • away from major highways • schools • quality of life 	<ul style="list-style-type: none"> • schools • parks and recreation, and general greens • diversity of zoning and land uses

Summary: All of the groups acknowledged Closter's strong community facilities – schools, library and green areas. The small-town suburban feel came as a strength, reflected by participants in a high quality of life, good place for children, and with good people in town.

D. What are the three worst things about living in Closter?

Group 1	Group 2	Group 3	Group 4
<ul style="list-style-type: none"> • Taxes • auto-dependency (including): <ul style="list-style-type: none"> ○ traffic ○ no commuter rail ○ non-pedestrian friendly crosswalks • lack of traffic enforcement • signage pollution • downtown has lost its identity • tree replacement needed • lack of sign and zoning law enforcement 	<ul style="list-style-type: none"> • building department enforces (zoning laws) arbitrarily • taxes • lack of communication with absentee landlords • inability to maintain preexisting uses (such as two-family housing) 	<ul style="list-style-type: none"> • lack of public Transportation • overregulation by local government • traffic patterns 	<ul style="list-style-type: none"> • limited (zoning) schedules in industrial • too many nail salons • traffic • taxes

Summary: Borough residents find taxes to be one of the worst things about living in Closter. Secondly, the need for traffic relief was noted by three of the four groups, and general auto dependency combined with the lack of public transportation was identified as a third drawback to Closter.

E. How would you rate Closter's Community Facilities and Services, and how do you think they can be improved?

Group 1	Group 2	Group 3	Group 4
<ul style="list-style-type: none"> • DPW is excellent, especially recycling, though snowplowing needs improvement (do not plow onto driveways) • There needs to be affordable living space for local service professionals 	<ul style="list-style-type: none"> • DPW is great • Parks could be improved to reflect community needs (i.e., skateboard park, tennis courts) • Closter should explore 	<ul style="list-style-type: none"> • Things that are great include: DPW, Library, Schools, open space • Five recommendations: <ol style="list-style-type: none"> 1. Police to be more involved with population 2. Fire and ambulance need 	<ul style="list-style-type: none"> • library and Belskie museum best • Needed: shuttle service for seniors • concern over whether Borough Hall and

<ul style="list-style-type: none"> • Assisted living/senior housing is missing • There is a lack of school buses • The Nature Center is an underutilized resource • Closter has excellent cultural venues but no Historical section 	<p>sharing facilities with other communities.</p>	<p>more volunteers</p> <ol style="list-style-type: none"> 3. Recreation options are needed for other than elementary school-age children 4. Senior citizen center needed (beyond club) 5. a community center (a gym) 	<p>municipal buildings should renovate, expand, or relocate</p>
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Summary: Three of the four groups noted the excellent work done by the Department of Public Works, and recommendations ranged from concerns over senior citizens to best utilizing green space.

F. What other town-wide concerns and issues should be brought to the attention of the Planning Board?

Group 1	Group 2	Group 3	Group 4
<ul style="list-style-type: none"> • tree canopy loss • attention to green belt on east hill • light pollution • “babysitting” problem at library • tear-down of older homes • loss of streetscape • lack of historic element • energy use/carbon footprint/air quality • sustainable community • shared services • incentives to build green or preserve historic homes 	<ul style="list-style-type: none"> • facilitate business opening • deregulate • get rid of mini site plan review • lower taxes 	<ul style="list-style-type: none"> • Update zoning code • Water run-off issues, specifically flooding in downtown • Preservation of buildings and historic sites • Bag leaves in fall to protect water supply • Sidewalks on collector streets • More business-friendly for start-ups • Apartments over stores • Code enforcement • Address water quality issues (drinking water) 	<ul style="list-style-type: none"> • environmental protection of streams and reservoir • maintenance of sidewalks and curbs • enable pedestrian traffic downtown

Summary: Many ideas surfaced that residents feel need to be brought to the attention of the Planning Board, among them the need for the Borough to better facilitate the process for new business owners to enter Closter. Sustainability and environmental issues also arose as a common theme among concerned residents.

G. Of all the strengths, weaknesses, problems and issues, which do you believe are the highest priority?

Group 1	Group 2	Group 3	Group 4
<ol style="list-style-type: none"> 1. Enforcement (zoning code, signage, property maintenance and code in general) 2. Sustainability (environmental; green building; open space) 3. Signage 	<ul style="list-style-type: none"> • diminish arbitrary zoning enforcement (building department, PB and ZBA) • Farms to be brought into proper tax/zone category • Better rapport between government and local business owners 	<ul style="list-style-type: none"> • simplify ordinances • spur economic development • shared services with neighboring municipalities • attract people within town to use the downtown 	<ol style="list-style-type: none"> 1. Downtown revitalization with shopping and restaurants 2. Traffic 3. taxes

Questions/comments at end of meeting:

Q: Clarify maintenance (from group 1):

Response: trash pick-up; lack of tree replacement; affecting retail and industrial. Residential as well

Q: whose job is it to maintain?

Response: buildings dept/police, cooperative effort. Difficulty in targeting individuals

Q: property assessment in Borough? Are taxes fair?

Talking points (Joe B):

Most densely populated in abutting towns

Closter is multi-zoned, unlike many surrounding towns.

Smaller residential lot requirements.

Broad array of land uses. From industrial properties to historic homes (and everything in between)

Nature Center is still zoned industrial.

Homans/Oakland/Herbert has multiple zones, Piermont Rd b/w Homans and High St – needs to be rezoned. Many existing land uses need to be reviewed.

APPENDIX “B”

Downtown Closter: Retail Opportunity Gaps

Downtown Closter offers local residents and visitors a broad variety of commercial shops within a compact Main Street-style layout. The recently streetscaped Closter Dock Road features a clock tower welcoming those entering the downtown, and the scale, sidewalks, and plantings create a very approachable pedestrian environment. With most parking located in the rear of the buildings as well as parallel on-street spaces, street crossing and circulation are issues the Borough has made efforts to improve. A better understanding of the needs of the surrounding towns and regional retail needs helps frame the discussion of Closter’s downtown moving forward.

Using data from Claritas, retail gaps were analyzed for a variety of trade areas based around Closter’s downtown. The first comparative area is the one-mile radius, which essentially provides a snapshot of the broad array of retail located in the downtown. Second, a 2.5-mile radius was analyzed. This distance was chosen because surrounding town centers, such as Norwood and Westwood, are approximately 5 miles from Closter’s downtown, so this radius presents those retail gaps underserved by what can be considered a still-captive market. Finally, a trade area consisting of 14 municipalities in northeastern Bergen County⁹ is analyzed. These municipalities were chosen to provide a broad view of about a 20 to 25 minute ride, which may be considered acceptable for those consumers wishing to purchase certain goods for which there are few alternative providers. New York City, however, was omitted from this radius as a trip across the Hudson River, and often up to New York State, is not an everyday journey and would not likely fill the needs of Closter and its neighboring towns’ residents.

Interestingly, of those retailers for which there is regional demand, Closter (or, the 1-mile radius from Closter’s downtown) often has a large supply. While, this may imply Closter as a regional supplier for many retail needs, it may also reflect the supply provided by the industrial and plant nursery uses. The table below summarizes all retail demands and their various status at sub-regional (2.5-mile radius) and local (1-mile radius) distances.

The data shows that while there is demand among some markets, such as Building Material, Garden Equipment Stores, Food and Beverage Stores, Foodservice and Drinking Places, and Gasoline Stations, there is actually an oversupply of these services within the one-mile radius from Closter Center. This is indicative of a saturated market for many goods. Overall, however, there is still approximate local market demand for over \$2 million in retail per year to be captured by Closter, and beyond that, within the 14 surrounding towns there are nearly \$1 billion of unmet market demand. There is still significant opportunity within the Closter area market.

⁹ The 14 municipalities are: Alpine, Closter, Cresskill, Demarest, Dumont, Emerson, Harrington Park, Haworth, Northvale, Norwood, Old Tappan, Oradell, Rockleigh, and Westwood.

2007 Retail Opportunity Gap (in dollars)

Industry	14-municipality region	2.5-mile radius from Closter	1-mile radius from Closter
Motor Vehicle Dealers	168,594,001	144,240,085	24,569,486
Furniture and Home Furnishings Stores	50,494,881	22,754,118	2,341,291
Electronics and Appliance Stores	13,061,260 ¹⁰	9,038,682	1,199,855
Building Material, Garden Equipment Stores	259,167,963	63,956,266	(4,543,321)
Food and Beverage Stores	52,405,555 ¹¹	19,395,957	(34,668,381)
Gasoline Stations	124,607,210	57,648,366	(8,643,446)
Clothing and Clothing Accessories Stores	59,540,737	36,078,396	9,316,278
Sporting Goods, Hobby, Books, Music Stores	21,161,469	8,546,380	1,303,976
General Merchandise	229,188,587	104,104,614	8,339,123
Miscellaneous Store Retailers ¹²	38,487,189	20,211,159	1,732,820
Non-Store Retailers	76,977,638	46,436,535	5,019,683
Foodservice and Drinking Places ¹³	36,510,808	33,213,470	(505,867)
GAFO – General Merchandise, Apparel, Furniture and Other	389,152,193	188,247,699	10,582,171
Overall	994,618,769	567,094,409	2,424,576

The natural follow-up question to what retail is needed regards the consumers who demand this retail. PRIZM classifications provide “consumer segmentation” descriptions on a zip code basis for the country. The table below reflects the classifications for Closter, as provided by Claritas.

¹⁰ Excluding Camera and Photographic equipment stores

¹¹ This represents opportunity in grocery stores and supermarkets; but not convenience stores, specialty food stores, and liquor stores, of which there is a regional surplus.

¹² Excluding florists, which there is a regional surplus of over \$750,000

¹³ There is a large surplus (over \$30 Million) of “special foodservices” within this category.

APPENDIX “C”

**List of Historic Places
(Source: 2002 Master Plan Reexamination)**

and

**Designated Historic Landmarks
(Source: Chapter 200c of Closter Zoning Ordinance)**

HISTORIC PLACES

INDIVIDUALS

Site

- D2-12 323 Durie Avenue, The Wray House, Bungalow/Arts & Crafts, 1928. In the Durie-Knickerbocker Historic District. Block 607, Lot 15.
- 18 421 Durie Avenue, Hess House, Lustron Pre-Fab, Steel, 1950. Block 1003, Lot 21.
- 21 203 Hickory Lane, McBain Farmhouse, c. 1920, vernacular sandstone. Block 2102, Lot 7.
- 13 North side of Hickory Lane, Closter Burial Ground/Naugle/Auryansenn Cemetery $\frac{3}{4}$ of an acre, south side of Susan Drive, Block 2102, Lot 8.
- D1-11 275 High Street, Tenakill Grammar School; Tenakill Middle School, 1929, Renaissance Revival. Block 903, Lot 4. In the Closter City Historic District.
- 22 290 Knickerbocker Road, Second Empire Style Residence, c. 1870s. Block 520, Lot 6.
- D1-11 295 Old Closter Dock Road, Closter Borough Hall, 1938. In the Closter City Historic District. WPA/Moderne.
- D1-11 395 Old Closter Dock Road, The Closter Garage, Browne, McQuaid, Probst Garage & Dodge Dealership, Paragon, c. 1910. Vernacular/Commercial. Block 1705, Lot 5. In the Closter City Historic District.

ARCHAEOLOGICAL SITES

- 35 203 Hickory Lane, McBain Farm Prehistoric Site, surface finds.
- 36 639 Piermont Road, Colonial period to 20th century.
- 37 Northwest boundary of Closter, Harrington Park and Norwood, reservoir and private properties.

CULTURAL AND HISTORIC SCENIC VISTAS

- 38 Old Blanche Avenue: extending from the Closter Swim Club to 102 Blanche Ave. Passes through portions of the Borough of Norwood. 18th century county road.
- 39 Hickory Lane: between Anderson Avenue and Piermont Road. 18th century road.
- 40 West Street: between Blanche Avenue and Old Closter Dock Road. Colonial roadway.

ZONING

Designation of Historic Landmarks¹⁴

1. The John Naugle House, 75 Harvard Street, Block 2001, Lot 9, is and shall be designated as an historic landmark.
2. Isaac Naugle House, 80 Hickory Lane, Block 2103, Lot 7, is and shall be designated as an historic landmark.
3. Daniel DeClark House, 145 Piermont Road, Block 2004, Lot 9, is and shall be designated as an historic landmark.
4. Auryansen House, 377 Piermont Road, Block 1903, Lot 10, is and shall be designated as an historic landmark.
5. Walter Parsells House, 639 Piermont Road, Block 1703, Lot 2.02, is and shall be designated as an historic landmark.
6. David and Cornelius VanHorn House, 11 Cedar Lane, Block 403, Lot 36, is and shall be designated as an historic landmark.
7. Durie Ternure House, 25 Schraalenburgh Road [Main House], Block 402, Lot 1, is and shall be designated as an historic landmark.
8. Abram and David Demaree House, 110 Schraalenburgh Road [Main House], Block 402, Lot 1, is and shall be designated as an historic landmark.
9. David D. Doremus House, 269 Piermont Road, Block 1905, Lot 3, is and shall be designated as an historic landmark.
10. Matthew Bogert House, 1 County Road, Block 1712, Lot 1, is and shall be designated as an historic landmark.
11. J. Jordan House, 20 Piermont Road, Block 1806, Lot 12.01, is and shall be designated as an historic landmark.
12. John Ferdon House, 102 Blanche Avenue, Block 1402, Lot 24, is and shall be designated as an historic landmark.

¹⁴ See also Chapter 35, Land Use Procedures, Art. VI, Historic Preservation Commission.