

RE-EXAMINATION REPORT ON
THE MASTER PLAN FOR THE
BOROUGH OF HARRINGTON PARK, N.J.

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INTRODUCTION

As required by the Municipal Land Use Law, N.J.S.A. 40:55D-89, a municipality must periodically review and revise, if necessary, its master plan and development regulations. This report consists of (a) a review of the Borough of Harrington Park's land development objectives as stated in the last re-examination report, (b) the extent to which such objectives and problems have been decreased or increased, (c) any significant changes in the objectives since the adoption of the master plan and last re-examination report, (d) any recommended changes to the master plan or development regulations based on this review and (e) any recommendations concerning the incorporation of redevelopment plans into the land use element of the master plan and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans.

The Borough of Harrington Park last adopted a full master plan in September 1991. This Plan was entitled "Harrington Park Master Plan: Land Use Plan and Housing Plan.", prepared by Kasler Barovick & Associates. In November 2003, the Borough adopted the "Master Plan Re-Examination Report, Borough of Harrington Park, New Jersey." prepared by Phillips Preiss Shapiro Associates, Inc. This report is a re-examination of the last full Master Plan and the most recently adopted Re-examination Report (2003).

MAJOR PROBLEMS & OBJECTIVES OF THE 2003 RE-EXAMINATION REPORT

Harrington Park's last Master Plan Re-examination Report (2003) was reviewed and the major land development problems and objectives are listed below. That report indicated that while many of the problems and objectives from the full master plan and the prior 1997 Re-examination Report had been addressed, some problems still remained and some objectives had not been met.

The Borough's major objectives and problems, as set forth in the 2003 Re-examination Report can be summarized as follows:

1. Re-subdivision and Illegal Uses of Residences

While the population of Harrington Park has not increased significantly in recent years, nor is expected to increase much in the future, two unwelcome sources of growth needed to be curtailed. The first was the subdivision of larger residential properties into two or more lots, sometimes creating poorly configured lots and potential sources of neighborhood disruption, and the second was the accommodation of a second household within a single-family home that is not really part of the family which occupies it.

With respect to the re-subdivision, the enforcement of minimum lot area, width and yard requirements and the prohibition of flag lots would go a long way to reduce inappropriate subdivisions. Where lots can be

subdivided in conformance with current standards, problems-such as being at odds with neighborhood patterns of development or overcrowding are unlikely. Confining the use of single-family homes to one household is a somewhat more difficult proposition based upon case law regarding what constitutes a “family” and petitions for those who wish to accommodate both blood-related and non-related individuals in a single housekeeping unit. This would involve re-examining many definitions in the current code. Such as those pertaining to “family” and “household” and providing better or new definitions for “accessory apartment”, “two-family homes” and the like.

2. Expansion of Borough Community Facilities

While the Borough had no immediate need to expand its current facilities, the expansion of the Library and Borough Hall were in the exploratory stages of the review. Amongst the list of items to be reviewed was the adequacy of space to accommodate all staff and functions as well as American with Disabilities Act (ADA) compliance. In addition, possible improvements to Highland Field should be re-examined to determine whether greater utilization of its facilities and more attractive amenities can be introduced. The adequacy of recreation and support facilities for the Borough’s growing senior population should be evaluated.

3. Bridge Replacement and Reconstruction

The Bergen County Department of Transportation had been evaluating replacing or reconstructing the Harriot Avenue Bridge. Since the bridge

had unique aesthetic and engineering qualities (public works project prior to World War II), concerns had been expressed that widening would denigrate its visual qualities with such additions as metal guardrails. The Borough reaffirmed its policy that the aesthetic qualities should be retained if the replacement/reconstruction occurs.

4. Commuter Parking

Commuter parking spaces had been made available in the Borough's Business District to both residents and non-residents who wish to park their vehicles in the Borough so they may board the bus for New York City and other destinations. Many spaces that were assigned to non-residents have become available due to fee increases. The Borough needed to determine whether an adjustment in fees was necessary to allow greater usage of such spaces by non-residents.

5. Recycling

While the Borough's regulations and programs for recycling were formed in compliance with State and County mandated regulations and guidelines, the Borough needed to re-evaluate its current arrangements to determine whether recycling could be improved. One of the issues recommended for consideration was the institution of curbside pickup.

6. Maintenance and Development of United Water Resources (UWR)

Land

The Borough had found the stewardship of UWR land to be generally poor. Proper and regular maintenance which included cleanup of dumping and garbage (especially in drainage channels), and better woodland management (e.g. clearing of debris, drainage swales, etc.) needed to be undertaken for health, aesthetic and environmental reasons.

The zoning designation of watershed lands in the Borough, both privately, publicly or quasi-publicly owned, needed to be reevaluated in light of the potential for their development and the environmental concerns that stem from such a potential. The appropriate zoning designation and design and environmental standards should be examined to determine how such land should be utilized and maintained in an environmentally appropriate manner in accordance to the SWAN Agreement and State regulations for protection of watershed property. Consideration should also be given to determining which lands should be preserved in their entirety.

7. Size and Bulk of Residences

The possibility of adopting additional bulk and design controls, including floor area ratio, to control the size and design of single-family home expansions or redevelopment, should be examined. The intent would be to allow for reasonable expansions, but at a scale and design that are in keeping with the existing character of neighborhood development.

8. Tree Preservation

The Tree Preservation Ordinance should be considered for amendment so as to include subdivisions of land (or re-subdivisions) involving less than three lots.

9. Historic Preservation

The subject of Historic Preservation needs to be examined. An array of alternative methods of instituting such preservation regulations needs to be evaluated to determine which ones would be suitable and appropriate for Harrington Park. To the extent that the Borough decides to go forward with these regulations, an Historic Preservation Element would have to be added to the Master Plan, and ordinance regulations would have to be drafted.

10. School Parking

The Board of Education should be encouraged to review and address parking problems at the school.

11. Industrial Zone

Ways in which the Borough's Industrial Zone can be improved to bring its operational, environmental and visual characteristics up to modern standards should be examined.

12. Sidewalk Bank

The need for sidewalk improvements/additions on busy streets should be ascertained, and the possible creation of a sidewalk “bank” should be evaluated.

13. Paper Streets

The Borough should examine whether there are any actions it can take to deal with street vacation and paper streets that do not meet RSIS standards.

14. Zoning Ordinance Amendments

Various portions of the Borough’s Zoning Ordinance need to be reviewed and amended to provide clarification or to deal with issues which the ordinance currently does not address.

EXTENT TO WHICH OBJECTIVES HAVE BEEN MET

The land development objectives and problems discussed in the previous section were reviewed and compared with the actions of the Borough to meet those objectives over the last six years. How those objectives and problems have been met is discussed below.

1. Re-subdivision and Illegal Uses of Residences

The recently adopted Housing Element and Fair Share Plan includes standards for accessory apartments. The Mayor and Council have adopted Ordinance No. 541, which contains those standards. Additionally, documentation submitted along with the Plan contained a proposed overlay zone which included several existing, non conforming multi family properties which, if developed for low or moderate income housing, would become conforming.

2. Expansion of Borough Community Facilities

Plans for an expansion of Borough Hall to accommodate State-mandated requirements for the storage of sensitive documents and for court facilities have been prepared. Discussions have been ongoing regarding the feasibility of improvements to the existing building rather than the original expansion plan.

The Borough has constructed a walking/jogging path and made other improvements to Highland Field. The Borough has developed plans and applied for funding to construct a soccer and lacrosse field and make other improvements at Pondside Park.

Donald Horsey Park, located on Harriot Avenue, has been dedicated and improved with a gazebo, new plantings and lighting.

3. Bridge Replacement and Reconstruction

The Harriot Avenue Bridge replacement and reconstruction has been completed as per the submitted plans. In addition the contractors incorporated the use of the original stone work in the arches over the Hackensack River. The widening of the bridge has allowed for better vehicular visibility as well as adequate room for pedestrians and bike riders.

4. Commuter Parking

At the current time, commuter parking has been addressed through roadway improvements along Elm Street, Semmens Road and Ward Way. Future plans currently include additional roadway improvements for parking and drainage for the “Nutshell” area. Parking is permitted free for Harrington Park residents and for a fee for non-residents; this is enforced through the use of decals.

5. Recycling

Curbside pick-up of recycling materials started in February of 2009. The schedule includes pick up of paper, newspaper and cardboard on the first and third Thursday of the month. The Second and Fourth Thursday's are scheduled for co-mingled cans, glass and plastic. Regular garbage pick-up is still provided on Wednesday and Saturday with grass and yard clippings reduced to just Monday pick up only.

6. Maintenance and Development of United Water Resources (UWR) Land

A negotiated easement agreement has been adopted by United Water Resources (UWR) and the New Jersey Department of Environmental Protection to allow for the construction of a cellular communications tower on the UWR property at 200 Old Hook Road. UWR directly addressed the problem of motorbike and RV jumps and ramps that had been built in Beechwood Park. These have been demolished as requested by concerned citizens, with the support of the Environmental Commission. Police patrol of these properties is still under discussion.

7. Size and Bulk of Residences

Ordinances No. 602 and 624 have been adopted by the Mayor and Council to clarify the calculation of final building height and to determine the allowable number of stories for residences.

8. Tree Preservation

The Tree Preservation Ordinance, No. 597 has been adopted. The Ordinance limits the ability to clear cut small residential developments and subdivisions. During its review of the Ordinance, the Planning Board determined it would be unfair to impose these controls on individual home owners and, on the Board's recommendation, those controls were not included in the final Ordinance. Discussions by the Environmental Commission during its review of recent subdivision applications have focused on having tree replacement plans provide for the planting of fewer trees that are larger in size and more mature (but have less trees) rather than replacing trees with a larger number of smaller saplings. Planning Board members have stressed the use of proper screening and root protection for all existing vegetation during demolition and construction.

9. Historic Preservation

The Historical Society has held discussions with the Mayor and Council regarding the possibility of having the Borough purchase the Blauvelt House on Lafayette Road. Current budgetary constraints and the limited availability of grant money has caused this project to be tabled at the present time. The need for a place to store Harrington Park's abundance of historic papers, drawings, maps and photographs is apparent, but maintenance and upkeep needs additional discussion among the various stakeholders.

10. School Parking

Parking at the Harrington Park School has currently been addressed through a grant from the NJDOT Safe Streets to School program. This project included the construction of wider and longer sidewalks in the front of the school on Harriot Avenue, as well as the provision of additional sidewalks and drop off areas on Lynn Street and Hackensack Avenue. Any additional funding left from this project will be used to make improvements to Glen Avenue East, which is greatly utilized by parents and children during the school year.

11. Industrial Zone

During its review of the Borough Zoning Map, the Planning Board determined that no changes would be made to the existing Industrial and Business zone locations and regulations.

12. Sidewalk Bank

The Planning Board has in the past asked applicants to make off site sidewalk improvements in areas that are in greater need of sidewalks or provide the Borough with monetary contributions rather than require the construction of unneeded sidewalks to serve a small subdivision. The legal framework for the creation of a Sidewalk Bank has been the subject of ongoing review by the Planning Board and its attorney.

13. Paper Streets

Ordinance No 586 set up procedures for vacation of paper streets. At this time, almost all paper streets within the Borough have been vacated. The parcels have been sold, cleaned up and have seamlessly become part of the purchasers properties. In many cases creating a conforming lot in cases where the lots were undersized.

14. Zoning Ordinance Amendments

Currently, the codification process of the Borough's Land Use and Zoning Ordinances is almost complete. This project will provide Borough officials, employees, residents and other professionals the ability to review regulations in an orderly fashion (paper or CD) as well as on-line. Additionally, among other "smaller" revisions, height definitions have been revised, property maintenance, accessory apartment, soil removal and Stormwater Control Ordinances have been adopted.

SIGNIFICANT CHANGES IN OBJECTIVES

While there have been no significant changes in local objectives since the last *Re-examination Report on the Master Plan*, there have been several State level changes as follows:

1. In December of 2004, the Council on Affordable Housing (COAH) proposed and adopted new Third Round rules for the provision of affordable housing. The Third Round rules were challenged by number of municipalities and other interested parties and in January 2007, the Appellate Division of the State Superior Court suspended the rules and directed that COAH review and amend the existing rules and procedures. Following the suspension, COAH prepared new rules which were finally adopted in October 2008.

In accordance with the revised rules, a Housing Element and Fair Share Plan was prepared by Hakim Associates, the Board Planners. The Plan indicated that the Borough had a rehabilitation obligation of 4 units and a growth share obligation of 41 units. In conjunction with the Planning Board, the consultants provided a plan to address both obligations, through the development of new and rehabilitated housing. The Housing Element and Fair Share Plan was adopted by the Planning Board on November 11, 2008 and submitted to COAH in advance of the December 31, 2008 deadline. Ordinance No. 634 (Development Fees) and Ordinance No. 635 (Affordable Housing Overlay Zones) were adopted by the Mayor and Council in support of the Plan.

2. As required by the Municipal Stormwater Regulations (N.J.A.C. 7:14A-25), the Borough of Harrington Park adopted a Municipal Stormwater Management Plan (MSWMP), prepared by Neglia Engineering Associates, in October 2006 to outline their approach to addressing the impacts resulting from stormwater related issues associated with future development and land use changes. The intent of the MSWMP is to address groundwater recharge, stormwater quantity, and stormwater quality impacts through the incorporation of stormwater design and performance standards for new development and redevelopment projects that disturb one or more acres of land or increase impervious surface by more than 0.25 acres. The design and performance standards will minimize negative or adverse impacts of stormwater runoff such as decreased water quality, increased water quantity and reduction of groundwater recharge that provides base flow to receiving bodies of water. In addition to minimizing these impacts, the Borough's MSWMP will provide for long-term operation and maintenance measures for existing and proposed stormwater management facilities. The Stormwater Management Plan was adopted as an element of the Borough's Master Plan.

RECOMMENDED CHANGES IN OBJECTIVES

As noted in this and the previous re-examination report, despite the progress made by the Borough in meeting its problems and objectives, there are still development concerns remaining.

1. The last full Master Plan for the Borough was prepared in 1991. While newer elements of the plan, such as the Housing Element and Fair Share Plan and the Municipal Stormwater Management Plan have been recently adopted, the Borough should consider a review and possible update of its Land Use Plan and /or the consideration of the addition of an Historic Preservation Plan.
2. The Zoning Ordinance and other codes have been reviewed by the Construction Code Official and have been updated accordingly for the current codification process to be completed by November 2009. At the suggestion of both Board of Adjustment and Planning Board the creation of Floor Area Ratio standards should be utilized to control the size of new residential construction as well as proposed additions to existing dwellings.
3. The Borough should continue to explore cost effective solutions for improvements to Borough Hall, which currently does not accommodate the functions required by the State or meet the needs of the various municipal departments.

4. The second floor community room in the Borough Library is not handicapped accessible and is insufficient to meet the needs of the community. The Borough should continue to explore opportunities for Federal and State funding to improve the community room.

5. The pond at Pondsides Park has been studied for cleanup and dredging as the water quality has declined over recent years. The banks of the pond have broken down and that has created a “crater” effect around what is in essence the drainage basin for the development located to the rear of the property. The required improvements are cost prohibitive and the Recreation Commission has looked into various funding sources for the work. The Borough should also continue to seek out Federal, State and County sources of funding for new and improved recreational open space facilities.

6. Parking conditions at the Harrington Park Elementary School have improved with the recent sidewalk and driveway widening project, however the problem of vehicles idling while waiting to pick up students has continued and should be addressed.

7. The effectiveness of the recently instituted curbside recycling program should be reviewed, including the need for modification of the hours at the Borough's Recycling Center. Additionally, the Recycling Center should be evaluated in an effort to improve the functionality and aesthetics of the facility, especially in its relationship to the new and improved retail and office uses in the vicinity.

8. Several of the Borough's heavily traveled streets do not have sidewalks, which creates hazardous conditions for pedestrians and motor vehicles. The installation of sidewalks to accommodate pedestrian use should be explored for these busy streets, especially the routes that lead to the Borough's recreational facilities such as Highland Field, the Swim Club and Pondsides Park. The Borough should continue to explore the use of a sidewalk bank to fund these improvements.

9. Property management regulations regarding abandoned vehicles and miscellaneous materials have been enforced on a continuing basis. This should be continued to keep the Borough's neighborhoods visually appealing.

10. The Borough should consider expanding the requirements of the Tree Preservation Ordinance to include single lots with new residential construction. This should not include additions that do not include the tearing down of the entire structure.