

2017 MASTER PLAN REEXAMINATION REPORT  
BOROUGH OF EMERSON

The original document was appropriately signed and sealed on October 2, 2017 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

  
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## SECTION I

### **Historical Overview**

The 2017 Borough of Emerson Master Plan Reexamination Report is part of a continuing comprehensive planning tradition initiated by the Borough over 50 years ago. The Planning Board adopted its first Master Plan Document in 1957 and has adopted a number of Master Plan documents since then.

The Borough Planning Board adopted its most recent Master Plan Reexamination Report in 2007. In addition, the Borough also adopted a Central Business District (CBD) Master Plan in 2003. The CBD Plan was designed to revitalize the commercial core of the community by enhancing the local shopping experience, improve vehicular and pedestrian circulation, increase parking and improve the aesthetic character of the area. In order to implement the CBD plan, several "Area in Need Investigations" were completed over the last several years. As a result, several planning approaches are recommended to achieve the goals and objectives of the original CBD plan. These new approaches and plans are detailed in a comprehensive manner in this document.

### **Introduction**

Over the last several years there have been a number of planning issues that warrant review and analysis from a Master Plan perspective. The adoption of comprehensive land use plan elements, master plan amendments and master plan reexamination reports are necessary to ensure that the municipality's planning policies, goals and resultant zoning ordinances are up to date and relevant to the land use issues that the Borough is dealing with on a daily basis.

This document contains a full Reexamination of the last Master Plan document that was prepared by the Municipality in 2007. All municipalities are required to complete this reexamination report every 10 years as required by the Municipal Land use Law. It provides the obligatory background data required by statute and also addresses the various issues noted in Section 40:55D-89 of the New Jersey Municipal Land Use Law. This document is comprised of two principal sections, as follows:

1. The first section addresses the community's planning and zoning issues within the framework of the statutory requirements of the MLUL and its master plan reexamination provisions. The MLUL requires municipalities to periodically reexamine their master plan and development regulations. The statute mandates that the report must include, at a minimum, five key elements, which identify 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 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 maser plan or development regulations as last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural featur, 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; and
  - e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law", into the land use plan element of the municipal master plan and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

2. The Second section contains an enumeration of the preliminary goals and objectives upon which the master plan recommendations will be based. Following a review of this initial document, a subsequent report may set forth the specific plan recommendations pertaining to the community's planning and zoning issues.

### **The Legal Requirements for Planning**

The MLUL establishes the legal requirements and criteria for the preparation of a master plan and reexamination report. The Municipal Land Use Board is responsible for the preparation of these documents. The Board is required to prepare a review of the plan at least once every ten years.

The MLUL identifies the required contents of a master plan and the master plan reexamination report. The statute requires that a master plan include statements of goals, objectives and policies upon which the proposals for the physical economic and social development of the municipality are based. The plan must include a land use element which takes into account physical features, identify the existing and proposed location, extent and intensity of development for residential and non-residential purposes and state the relationship of the plan to any proposed zone plan and zoning ordinance. The MLUL also requires municipalities to prepare a housing plan and recycling plan and additionally identifies a number of other plan elements that may be prepared and incorporated into a comprehensive master plan document.

The master plan gives the municipality the legal basis to regulate development. This is accomplished through the adoption of development ordinances, which are designed to implement the plan's recommendations.

In addition, this document details several planning areas that require attention. These areas focus on the downtown redevelopment and supplemental zoning regulations and affordable housing.

## PERIODIC REEXAMINATION REPORT

### I THE MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF THE ADOPTION OF THE LAST MASTER PLAN/REEXAMINATION REPORT.

The MLUL initially requires a reexamination report to identify the major land use problems and planning objectives that were enumerated in the most recently adopted master plan/reexamination report. The Borough of Emerson 2007 Reexamination Report identified the following four problems and objectives relating to land development at the time of its adoption.

#### General Planning Goals

- A. Goal 1: To enhance the existing character of the community by encouraging the proper relationship between existing land uses and by promoting a proper distribution of those land uses. In particular, to preserve and protect the residential character and prevailing density of the community by restricting incompatible land uses from being developed in established residential areas and limiting the intensity of use to the levels and locations prescribed in the accompanying land use plan update.
- B. Goals 2: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as means of providing growth management on a state-wide basis while retaining the principles of home rule. The Borough maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, represents a reasonable approach to growth management. The Borough recognizes that the SDRP's specific planning area designations for Emerson PA-1 and PA-5 represent reasonable methods for growth management and environmental preservation.
- C. Goal 3: To encourage the construction of appropriate landscaped buffers between dissimilar land use. The Borough recognizes the need to reinforce the delineation of boundaries separating residential and non-residential sections of the community. Appropriate buffer/screening devices are to be encouraged to separate incompatible land uses in order to minimize adverse impacts on residential properties.

#### Planning Goals for Residential Development

- A. Goal 1: To preserve the existing character of all residential neighborhoods to be consistent and compatible with the densities and development patterns and limiting the scale of development to the level and locations prescribed herein.

The Borough encourages all new development and redevelopment to be consistent and compatible with the density and scale of existing neighborhoods and seeks to reinforce this level of development through amended zoning regulations which are based on the existing conditions of each residential neighborhood. And most importantly, the Borough seeks to reinforce the bulk requirements for single-family residential development.

- B. Goal 2: To reinforce the area requirements for single-family residential developments that are consistent with the land use plan. The Plan recognizes the residential development patterns of the Borough, the different residential neighborhoods and their associated scales of development. As a result, the plan has identified appropriate levels of development for each of these areas and the Borough looks to enforce these levels of development by enforcing their associated area and bulk regulations.
- C. Goal 3: It is a goal of the Borough to create a housing element and fair share plan in order to fulfill the housing obligation set forth in COAH's Second and Third Round regulations.

## Planning Goals for Commercial Development

- A. Goal 1: To uphold the comprehensive long-range plan set forth by the Central Business District Plan (CBDP). The general goals of the CBDP encourage redevelopment as well as renovations and rehabilitation of selected existing buildings and storefronts and the general improvements of buildings, parking lots, storefronts, sidewalks and other public areas. Application of the CBDP ought to provide stimulus to the area, improve the physical appearance of the district and promote pedestrian activity and vitality in a district with active ground floor uses and upper level residential units. In addition, the CBDP updates and maintains modern codes and ordinances to ensure adequate development controls
- B. Goal 2: To encourage the coordination of all building renovations and the construction of all new buildings in the commercial districts through the utilization of complimentary building materials, colors and streetscape elements.
- C. Goal 3: To establish a strong distinct image for the commercial area through unified signage and streetscape design elements. The Borough seeks to encourage a unified design character through a system of streetscape improvements. These improvements include design elements for buildings, lighting, sidewalk paving, banners, way-finding signage landscaping and street furniture.
- D. Goal 4: To promote increased pedestrian safety and enhanced aesthetics in the commercial districts, the Borough encourages landscaping and streetscape elements that should be dispersed throughout parking areas and along pedestrian walkways. The Borough recognizes that the integration of landscaping into a site design not only increases the aesthetics of the development by can also attribute to pedestrian safety.
- E. Goal 5: To preserve the aesthetic enhancements of the commercial areas of the municipality by encouraging the general maintenance of all buildings, parking areas, storefronts, sidewalks and other public areas. The Borough seeks to encourage the ongoing maintenance of all commercial properties and seeks to enforce the building maintenance regulations set forth in the Borough Code.

## II THE EXTENT TO WHICH SUCH PROBLEMS HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO THE LAST REEXAMINATION REPORT

### 2007 General Planning Goals

- A. Goal 1: To enhance the existing character of the community by encouraging the proper relationship between existing land uses and by promoting a proper distribution of those land uses. In particular, to preserve and protect the residential character and prevailing density of the community by restricting incompatible land uses from being developed in established residential areas and limiting the intensity of use to the levels and locations prescribed in the accompanying land use plan update.

*2017 Comment: This goal is still relevant to the planning of the Borough today. The Borough seeks to continue to promote the proper land use distributions throughout the municipality. And in furtherance of this goal there are a number of recommendations regarding the permitted land uses in certain areas of the municipality that are set forth in this document.*

- B. Goals 2: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP)) as means of providing growth management on a statewide basis while retaining the principles of home rule. The Borough maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, represents a reasonable approach to growth management. The Borough recognizes that the SDRP's specific planning area designations for Emerson PA-1 and PA-5 represent reasonable methods for growth management and environmental preservation.

*2017 Comment: The New Jersey State Plan designations for the Borough remain as PA-1 and PA-5. The Borough's goal to support the overall philosophy of this plan remains the same. However, given the significant amount of environmental constraints adjacent to the reservoir, the designation of PA-5 in this area is particularly important to the Borough and the preservation of this land is one of the major planning objectives of the municipality. It is a policy of the Borough to focus development in the Central Business District Area near mass transit while preserving these sensitive lands.*

- C. Goal 3: To encourage the construction of appropriate landscaped buffers between dissimilar land uses. The Borough recognizes the need to reinforce the delineation of boundaries separating residential and non-residential sections of the community. Appropriate buffer/screening devices are to be encouraged to separate incompatible land uses in order to minimize adverse impacts on residential properties.

*2017 Comment: The Borough continues to encourage appropriate landscape buffers between dissimilar uses. In furtherance of this goal, it is recommended that the Borough adopt regulations that provide specific landscaping, screening and buffering requirements.*

## 2007 Planning Goals for Residential Development

- A. Goal 1: To preserve the existing character of all residential neighborhoods to be consistent and compatible with the densities and development patterns and limiting the scale of development to the level and locations prescribed herein.

The Borough encourages all new development and redevelopment to be consistent and compatible with the density and scale of existing neighborhoods and seeks to reinforce this level of development through amended zoning regulations which are based on the existing conditions of each residential neighborhood. And most importantly, the Borough seeks to reinforce the bulk requirements for single-family residential development.

*2017 Comment: The preservation of the existing character of all residential neighborhoods to be consistent and the surrounding development pattern remains an important goal of the Borough. Over the last several years there have been a number of minor subdivisions proposed with lots that do not meet the minimum lot size requirement. The applicants were able to prove that the newly created undersized lots were compatible with the lot sizes in the surrounding area. It is recommended that the Borough consider undertaking an analysis of the residential lots to determine what the most appropriate zoning regulations are for each neighborhood.*

- B. Goal 2: To reinforce the area requirements for single-family residential developments that are consistent with the land use plan. The Plan recognizes the residential development patterns of the Borough, the different residential neighborhoods and their associated scales of development. As a result, the Master Plan has identified appropriate levels of development for each of these areas and the borough looks to enforce these levels of development by enforcing their associated area and bulk regulations.

*This goal remains relevant and as noted above, it is recommended that a Borough wide study be conducted to ensure that this goal is accomplished.*

- C. Goal 3: It is a goal of the Borough to create a housing element and fair share plan in order to fulfill the housing obligation set forth in COAH's Second and Third Round regulations.

*2017 Comment: The Borough of Emerson submitted a Housing Plan in compliance with the original Third Round Regulations in 2008. Subsequently, COAH deemed the submission complete on March 6, 2009. There were official objectors to the filing. The plan identified an unmet need of 74 units. The Borough requested that COAH review its vacant land map to determine the most appropriate means to address its unmet need. This resulted in an overlay zone, which requires any new multifamily development in the Borough to provide a 20% set aside for affordable housing.*

*The Plan addressed 25 units to be fulfilled for the Third Round: five (5) units would be provided by the approved RCA with Ridgefield (2003), five (5) units and five (5) rental bonus credits would be fulfilled by a Group Home and an Overlay Zone on Verizon Property would provide the remaining 10 units.*

*COAH's Second Round Rules expired in 1999, and the New Jersey Appellate courts have rejected COAH's iteration of Third Round Rules. Despite numerous extensions by the Court for acceptable Third Round Rules, COAH has failed to act. The Courts have taken over the oversight of constitutional compliance with fair housing needs in the absence of COAH.*

*Emerson has taken the opportunity to undergo judicial review for compliance with fair housing legislation using previously approved First and Second Round Rules. The Borough is looking to modify the 2008 Housing Plan, and request a Vacant Land Adjustment for the Third Round. Currently the Borough is looking into several of the existing group homes in the Borough for potential affordable housing credits. Further, the new Housing Plan will include the fact that the Downtown Redevelopment Plan has been amended to allow for the construction of 147 dwelling units on Block 419 with a 20% set-aside for affordable housing. The Borough is also currently looking into the possibility of providing a senior housing complex, near the downtown area, which would also include an affordable component. This document provides recommendations for the location of this senior housing complex and its associated rezoning.*

## 2007 Planning Goals for Commercial Development

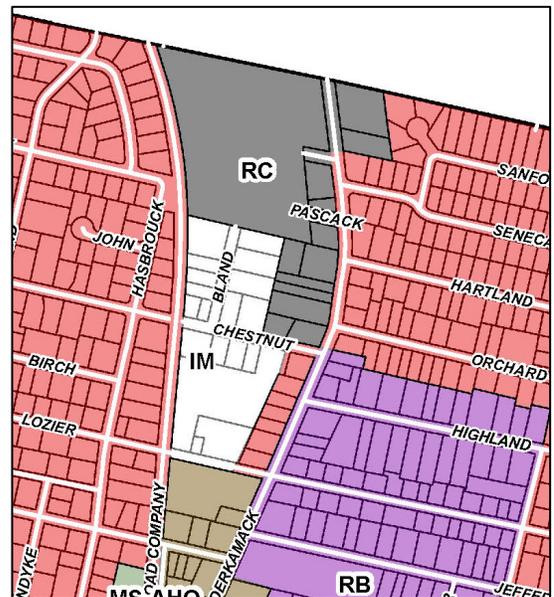
- F. Goal 1: To uphold the comprehensive long-range plan set forth by the Central Business District Plan. The general goals of the plan encourage redevelopment as well as renovations and rehabilitation of selected existing buildings and storefronts and the general improvements of buildings, parking lots, storefronts, sidewalks and other public areas. Application of the plan ought to provide stimulus to the area, improve the physical appearance of the district and promote pedestrian activity and vitality in a district with active ground floor uses and upper level residential units. In addition, the plan updates and maintains modern codes and ordinances to ensure adequate development controls.

*2017 Comment: The Borough has spent the last 14 years working towards improving the Central Business District. However it has only been in recent years that the Borough has made great strides with the improvements of the downtown area. The Redevelopment Plan was recently amended to pave way for a new project located on Block 419. This project is to include affordable housing family units, which will assist the Borough in meeting its affordable housing obligation. It will further provide for brand new retail space, a new parking structure and revitalize the entire block, which is one of the most prominent blocks in the center of the downtown. Most recently the road widening and re-alignment has been completed. This includes new curbing, sidewalks with pavers, and decorative lights.*

*It is recommended that the Borough continue to work towards the revitalization of the entire downtown area so that the blocks surrounding Block 419 compliments the new redevelopment project. In furtherance of this recommendation, the following two re-zonings are suggested:*

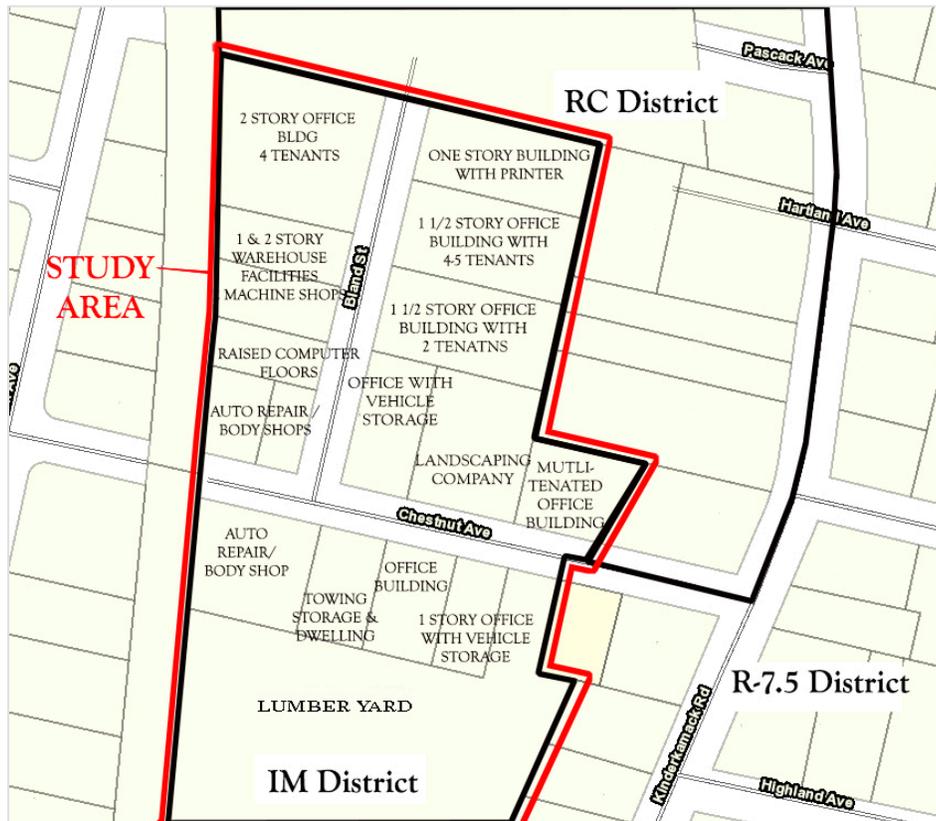
1. IM district Study: *The map below illustrates in white the current IM district at the northern section of the Borough. This Industrial/Manufacturing zone currently permits Woodworking, Furniture repair, Upholstery, Printing and Publishing, Electrical, Plumbing and Building Services and Sales, Wholesale Sales, except lumber, brick, food, beer, soft drinks and solid, liquid or gaseous fuel distributors and Industrial and manufacturing uses meeting the performance standards set forth in Article IX.*

*Since the conditions of this district have remained stagnant over the last several years, the Land Use Board has determined that further review of the permitted uses in this area was warranted in order to promote economic development and redevelopment of this area. This area may also be appropriate to accommodate the Affordable Housing overlay that was designated for the Verizon Property, particularly since any traffic impacts associated with higher density will be north of the Central Business District.*



Based on the Land Use Board's recommendation, the Borough's Governing Body requested a study of the IM Industrial Manufacturing district to determine if the current zoning was appropriate for the area given the current uses. The findings of this study were summarized in a report to the Land Use Board dated June 15, 2017 and are reiterated below.

The original study area is outlined in red on the map below:



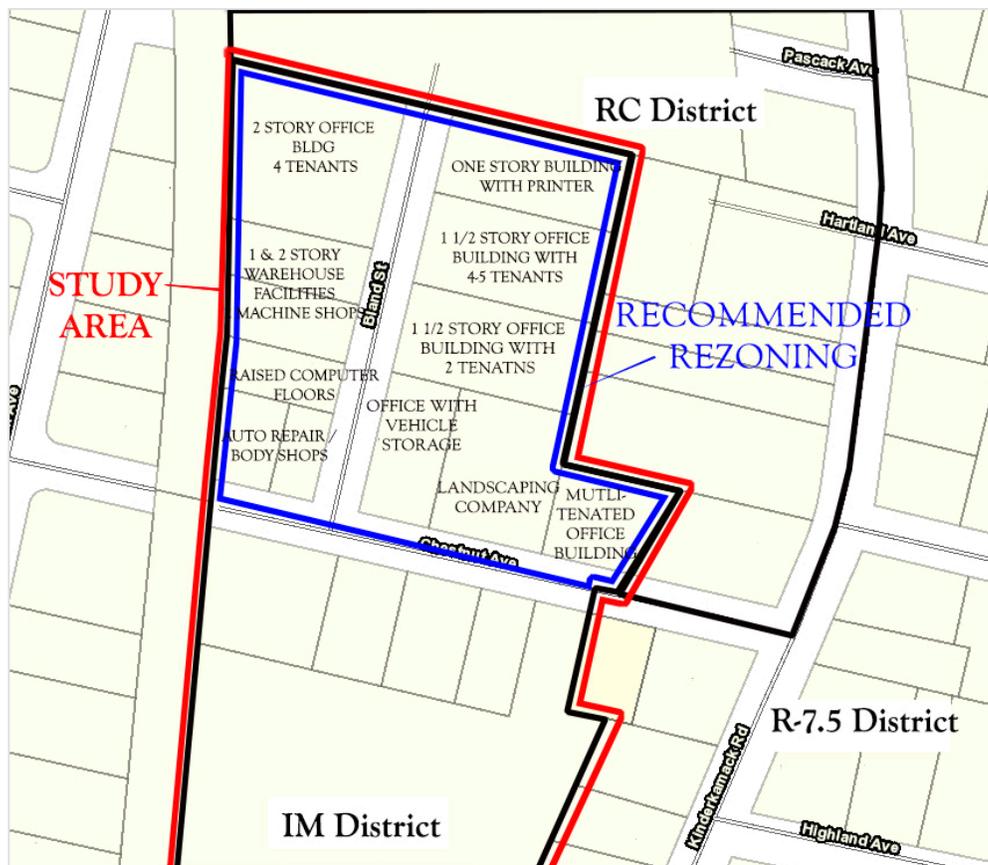
A majority of the study area, south of Chestnut Avenue has been renovated for the extension of Kuiken Brothers Lumber Yard. And the remaining lots on the south side of Chestnut Avenue are not large enough to support any substantial development. Therefore it is recommended that the rezoning of this area be focused on the north side of Chestnut Avenue. In order to determine the most appropriate uses for the area, a review of the current zoning code was conducted in comparison to the existing uses. The current IM District Permitted uses are as follows:

A. Principal Permitted Uses:

- 1) Woodworking
- 2) Furniture repair
- 3) Upholstery
- 4) Printing and publishing
- 5) Electrical, plumbing and building services and sales
- 6) Wholesale sales, except lumber brick, food, beer, soft drinks, and solid, liquid or gaseous fuel distributors.
- 7) Industrial and manufacturing uses meeting the performance standards set forth in Article IX
- 8) Essential Services

- B. Permitted Accessory Uses: none
- C. Conditional Uses: None

Despite the permitted uses in this district, a majority of the study area includes automotive related uses, office space, and vehicle storage. These uses are not permitted under the current zoning. The map below details the existing uses.



It was recommended that the entire area remain in the IM district but the permitted uses be amended to permit what currently exists. In addition it is recommended that mixed-use buildings be permitted as a conditional use on larger lots. It could permit multi-family residential and/or office uses above certain types of commercial uses such as:

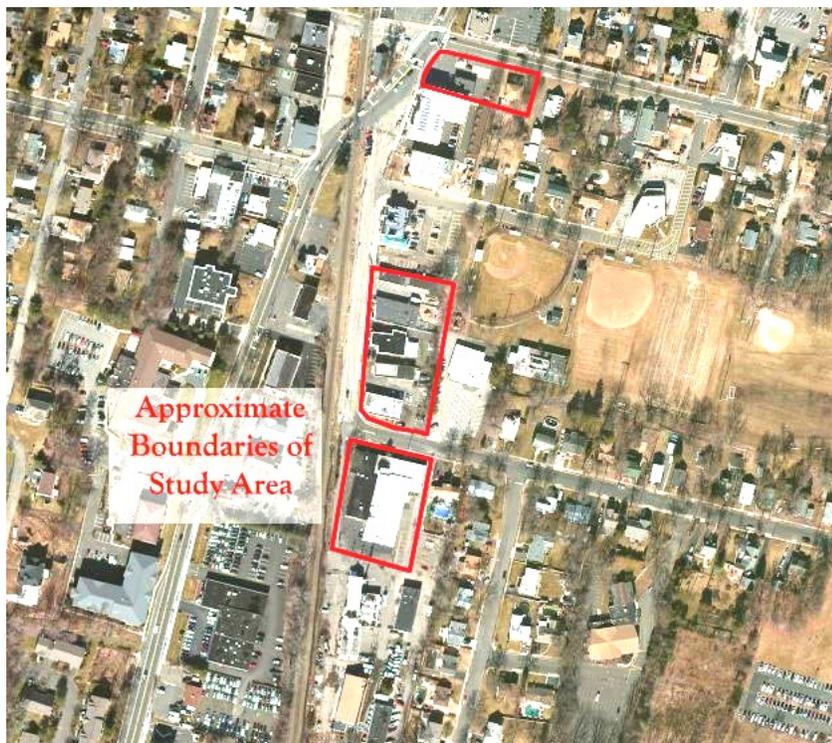
- 1) Retail
- 2) Service commercial
- 3) Educational Studios
- 4) Wholesale
- 5) Warehousing
- 6) Light manufacturing which is characterized by less capital-intensive and more labor-intensive operations. Products made by a light industrial facility tend to be targeted toward end consumers rather than other businesses.
- 7) Assembly and distribution
- 8) Storage facilities

Any new zoning ordinance would have to include provisions to address outdoor storage and commercial vehicle storage and potential shared parking arrangements.

## 2. South End of the CBD District

The Borough Mayor and Council adopted a Resolution No. 221-16 on August 16, 2016 to authorize the Professional Planner to undertake a preliminary investigation to determine whether the properties in question are in need of redevelopment. A portion of this area was previously designated as an Area in Need of Redevelopment in 2004. This report entitled, “Determination of Area in Need of Redevelopment” dated June 9, 2017 was prepared to update and reaffirm the fact that this area still meets the criteria set forth in the Local Redevelopment and Housing Law and updated through recent case law and to determine what other properties should be included.

The following analysis reviews eight (8) properties within two (2) blocks located along the central portion of the Borough. The plan area totals approximately three (3) acres not including rights-of-way. The properties in question are generally along the Emerson Plaza East between the municipal boundary with Oradell and Linwood Avenue.



This preliminary investigation dated June 9, 2017 revealed several key findings that indicate that the area may not be appropriate for designation of a redevelopment area. While some of the properties do meet the statutory criteria found in N.J.S.A.40A:12A-5 of the Local Redevelopment Law, a majority of the buildings and properties have been well maintained. Those properties that do meet the criteria meet Criteria “d” and “e” as follows:

A portion of the Study Area exhibits faulty arrangement that is characteristic of meeting Criteria “d”. The faulty arrangement is due to the size and location of the buildings, lack of parking and improper circulation aisles. This creates a site with an inefficient layout with no opportunities to improve. However, a majority of the sites, which exhibit faulty arrangement, have buildings on them that have been renovated and improved over the years.

Additionally, of the entire study area, only 1 of the 8 properties has an improvement to land value ratio of 2:1 or greater. That is only 12.5 percent of the entire study area that meets the standard. This is compared to the fact that the remaining commercial properties within the Borough have a ratio of 2.11.

However, despite these facts the buildings are well maintained and do not necessarily exhibit signs of deterioration that are typically characteristic of an designated Area in Need of Redevelopment.

Based on the findings of this investigation, the recommendation to the Borough Governing Body is to consider rezoning this area to permit the existing uses but also allow for a higher density development that may encourage redevelopment from the private sector without the need for a redevelopment designation. The rezoning should permit mixed-use development and require at a minimum a 20% set as side for affordable housing.

Similar to the IM district study, it is recommended that the rezoning allow for the existing uses to continue. Therefore, it is recommended that the permitted uses be amended to reflect exiting conditions. Further mixed-use development could be permitted as a conditional use similar to the recommendation for the IM district. Block 616 Lots 1 & 2 would be appropriate for providing affordable housing consistent with the redevelopment of Block 419.

These two areas bookend the Borough's Central Business District and their rezoning will serve to compliment the CBD, the roadway improvements and the redevelopment that is underway.

- G. Goal 2: To encourage the coordination of all building renovations and the construction of all new buildings in the commercial districts through the utilization of complimentary building materials, colors and streetscape elements.

***2017 Comment:** In furtherance of the recommendation noted above, modifications to the Borough's zoning regulations to encourage/require the implementation of streetscape elements with every development application should be implemented.*

- H. Goal 3: To establish a strong distinct image for the commercial area through unified signage and streetscape design elements. The Borough seeks to encourage a unified design character through a system of streetscape improvements. These improvements include design elements for buildings, lighting, sidewalk paving, banners, way-finding signage, landscaping and street furniture.

***2017 Comment:** This goal not only remains relevant in 2017 but also is important to encourage these improvements to finalize the revitalization of the Central Business District. It is recommended that the Borough create and adopt a unified signage system, which includes way finding signage for the entire Borough.*

- I. Goal 4: To promote increase pedestrian safety and enhanced aesthetics in the commercial districts, the Borough encourages landscaping and streetscape elements that should be dispersed throughout parking areas and along pedestrian walkways. The Borough recognizes that the integration of landscaping into a site design not only increases the aesthetics of the development by can also contribute to pedestrian safety.

***2017 Comment:** This goal is still appropriate and relevant to the Borough and should be continued.*

- J. Goal 5: To preserve the aesthetic enhancements of the commercial areas of the municipality by encouraging the general maintenance of all buildings, parking areas, storefronts, sidewalks and other public areas. The Borough seeks to encourage the ongoing maintenance of all commercial properties and seeks to enforce the building maintenance regulations set forth in the Borough Code.

***2017 Comment:*** *This goal is still appropriate and relevant to the Borough and should be continued.*

**III. 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 USE, HOUSING CONDITIONS, CIRCULATION, CONSERVATION OF NATURAL FEATURES ENERGY CONSERVATION, COLLECTION, DISPOSITION AND RECYCLING OF DESIGNATED RECYCLABLE MATERIALS AND CHANGES IN STATE, COUNTY AND MUNICIPAL POLICIES AND OBJECTIVES;**

Since 2007, the changes to assumptions, policies and objectives mainly relate to the downtown redevelopment and affordable housing. As noted above, the affordable housing requirements are no longer under the jurisdiction of the Council on Affordable Housing and now reside with the Court system.

In order to ensure that the Borough remains immune to builder's remedy lawsuits, the Borough is actively engaged in mediation and is moving forward towards a settlement agreement. The mediation and agreement depend on a number of planning items, which are all noted above.

Since 2007, the objectives for the downtown redevelopment have changed. Previously all the plans revolved around the entire downtown being redevelopment in accordance with the plans set forth by the Borough. Most recently, the Borough has modified its thought process and is focused on the redevelopment of Block 419 and modified zoning to compliment the redevelopment. This was based on the finding that a number of lots no longer meet the required criteria in order to be designated as an Area In Need of Redevelopment.

**IV. 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; AND**

All the goals and objectives remain relevant as detailed above. And some of these goals are even more important today in 2017 as the Borough goes through all these major changes with the downtown revitalization and the obligation to provide for affordable housing.

**V. THE RECOMMENDATIONS OF THE PLANNING BOARD CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS ADOPTED PURSUANT TO THE "LOCAL REDEVELOPMENT AND HOUSING LAW" INTO THE LAND USE PLAN ELEMENT OF THE MUNICIPAL MASTER PLAN AND RECOMMENDED CHANGES, IF ANY, IN THE LOCAL DEVELOPMENT REGULATIONS NECESSARY TO EFFECTUATE THE REDEVELOPMENT PLANS OF THE MUNICIPALITY.**

Over the past 15 years plus, the Borough has grappled with the concept of redevelopment versus revitalization. Most recently it was determined that a majority of other area that was previously deemed as an Area in Need of Redevelopment no longer meets the criteria for an Area in Need of Redevelopment and therefore has been undesignated. The Borough now needs to development regulations to ensure that the northern and southern areas adjacent to the Central Business District develop into the downtown that was envisioned in the Master Plan documents.

## SECTION II

### Goals, Objectives and Policy Statements

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l. To encourage senior citizen community housing construction;

- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. To promote utilization of renewable energy resources; and
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

### **General Planning Goals**

- A. Goal 1: To enhance the existing character of the community by encouraging the proper relationship between existing land uses and by promoting a proper distribution of those land uses. In particular, to preserve and protect the residential character and prevailing density of the community by restrict incompatible land uses from being developed in established residential areas and limiting the intensity of use to the levels and locations prescribed in the accompanying land use plan update.
- B. Goals 2: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as means of providing growth management on a state-wide basis while retaining the principles of home rule. The Borough maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, represents a reasonable approach to growth management. The Borough recognizes that the SDRP's specific planning area designations for Emerson PA-1 and PA-5 represent reasonable methods for growth management and environmental preservation. Given the significant amount of environmental constraints adjacent to the reservoir, the designation of PA-5 in this area is particularly important to the Borough and the preservation of this land is one of the major planning objectives.
- C. Goal 3: To encourage the construction of appropriate landscaped buffers between dissimilar land uses. The Borough recognizes the need to reinforce the delineation of boundaries separating residential and non-residential sections of the community. Appropriate buffer/screening devices are to been encouraged to separate incompatible land uses in order to minimizes adverse impacts on residential properties.
- D. Goal 4: To look at other opportunities to plan for uses and developments that compliments the Central Business District Redevelopment and roadway improvements. These opportunities should allow for reasonable development without significant negative impact to the surrounding single-family neighborhoods. Within this context, any future development in the Central Business District should recognize the need for parking and create a design to maximum the amount of parking, create efficient use of land for parking and potentially looked at shared parking opportunities.
- E. Goal 5: To review the Borough's existing open space and recreation facilities to determine the most appropriate means to enhance, upgrade and enlarge these facilities.
- F. Goal 6: To encourage awareness and protection of Emerson's cultural, social and historic heritage in order to provide a link to the past as well as enhance the character and visual image of the municipality. In order to achieve this goal, the Borough looks to recognize the historically significant structures and landmarks as an important asset. And to further ensure that future development is sensitive to the historic elements of the municipality and future structures, enhance the historic character of the area through proper site planning and architectural design. In order to achieve this goal, the preparation of a Historic Preservation Element is recommended.

## Planning Goals for Residential Development

- A. Goal 1: To preserve the existing character of all residential neighborhoods to be consistent and compatible with the densities and development patterns and limiting the scale of development to the level and locations prescribed herein.

The Borough encourages all new development and redevelopment to be consistent and compatible with the density and scale of existing neighborhoods and seeks to reinforce this level of development through amended zoning regulations which are based on the existing conditions of each residential neighborhood. And most importantly, the Borough seeks to reinforce the bulk requirements for single-family residential development.

- B. Goal 2: To reinforce the area requirements for single-family residential developments that are consistent with the existing development pattern. The Plan recognizes the residential development patterns of the Borough, the different residential neighborhoods and their associated scales of development. As a result, the Plan has identified appropriate levels of development for each of these areas and the borough looks to enforce these levels of development by enforcing the appropriate area and bulk regulations.
- C. Goal 3: It is a goal of the Borough to create a housing element and fair share plan in order to fulfill the housing obligation, as set forth through mediation and the settlement agreement which is currently being negotiated.

## Planning Goals for Commercial Development

- A. Goal 1: To uphold the comprehensive long-range plan set forth by the Central Business District Plan. The general goals of the plan encourage redevelopment as well as renovations and rehabilitation of selected existing buildings and storefronts and the general improvements of buildings, parking lots, storefronts, sidewalks and other public areas. Application of the plan ought to provide stimulus to the area, improve the physical appearance of the district and promote pedestrian activity and vitality in a district with active ground floor uses and upper level residential units.
- B. Goal 2: To encourage the coordination of all building renovations and the construction of all new buildings in the commercial districts through the utilization of complimentary building materials, colors and streetscape elements.
- C. Goal 3: To establish a strong distinct image for the commercial area through unified signage and streetscape design elements. The Borough seeks to encourage a unified design character through a system of streetscape improvements. These improvements include design elements for buildings, lighting, sidewalk paving, banners, way-finding signage landscaping and street furniture.
- D. Goal 4: To promote increased pedestrian safety and enhanced aesthetics in the commercial districts, the borough encourages landscaping and streetscape elements that should be dispersed throughout parking areas and along pedestrian walkways. The Borough recognizes that the integration of landscaping into a site design not only increases the aesthetics of the development by can also attribute to pedestrian safety.

- E. Goal 5: To preserve the aesthetic enhancements of the commercial areas of the municipality by encouraging the general maintenance of all buildings, parking areas, storefronts, sidewalks and other public areas. The Borough seeks to encourage the ongoing maintenance of all commercial properties and seeks to enforce the building maintenance regulations set forth in the borough code.
  
- F. Goal 6: To update the sign, parking and lighting regulations to reflect current trends in the retail environment.