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PERIODIC REEXAMINATION REPORT OF THE MASTER PLAN

**BOROUGH OF WESTWOOD
BERGEN COUNTY, NEW JERSEY**

PREPARED FOR:

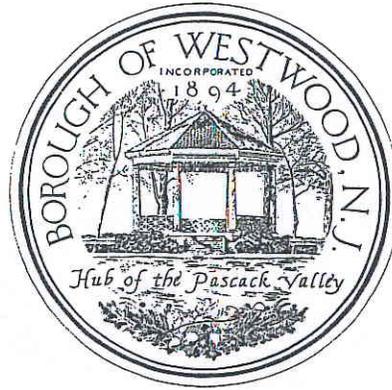
BOROUGH OF WESTWOOD PLANNING BOARD

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I. Introduction

1. Overview

The Borough of Westwood Reexamination of the Master Plan is a continuing comprehensive planning tradition by the borough, initiated by the Borough in 1975 when the borough adopted its first master plan. Since then the borough has adopted a number of master plan reports and documents since then, the most recent being a comprehensive 1993 master plan and 2005 Master Plan Reexamination Report. All of these master plan documents were designed to guide the future development of the community.

In continuation of this effort, on behalf of the borough this reexamination report has been compiled to review the planning policies and land use goals and objectives so that they remain current and up-to-date. This document does not radically depart from the policies set forth in the previous master plan, although it continues to provide a more detailed and definitive set of goals and policy statements regarding the borough's future growth and development than previous studies. Modifications to the borough land use plan and zoning ordinance are also offered where conditions warrant it. This document also provides a number of demographic statistics and related background information on the community as an evaluation of the emerging development and fiscal issues that are evolving within the community.

As noted in previous studies, this report recognizes that the municipality is a fully developed community. The character of this development pattern necessitates a planning response which should focus on reaffirming the community's established character and identifying those areas warranting refinement to ensure the community's planning properly identifies and addresses its needs.

2. The Legal Requirements of Planning

The MLUL establishes the legal requirement and criteria for the preparation of a Master Plan and Reexamination Report. The Planning Board is responsible for the preparation of the master plan and its reexamination. These documents may be adopted or amended by the Board only after a public hearing. The Board is required to prepare a review of the plan at least once every six years.

Per the MLUL, the statute mandates that the report must include, at a minimum, five key elements, which identify:

- 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 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;
- 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 regulation should be prepared;
- e. The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," into the land use plan element of the municipal Master Plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The MLUL identifies the required contents of a Master Plan and Reexamination Report, which have been outlined in this section. Master Plans must include a statement 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. Municipalities are also required to prepare a housing plan and recycling plan. Other optional elements that may be incorporated into a comprehensive Master Plan include, but are not limited to, circulation, recreation, community facilities, historic preservation and similar elements.

The Master Plan gives the community the legal basis to control development in the municipality. This is accomplished through the adoption of development ordinances designed to implement the Master Plan recommendations.

3. Previous Master Plan Efforts undertaken by the Borough

As previously noted, the borough adopted its most recent comprehensive master plan in 1993 and it's most recent reexamination report on December 1, 2005. The 1993 master plan goals provide the basis for the land use plan recommendations, which are intended to guide the borough's future development. The 2005 reexamination report refined and updated the community's goals and objectives and provided a number of recommendations to refine the zoning for the borough.



II. Major problems and objectives relating to development at the time of adoption of the last master plan re-examination report

1. Major problems identified in the last reexamination report

1. Need to reinforce uniform development pattern

2005 Master Plan

This land use objective was reaffirmed due to increasing development pressures and the need to protect uniform land use arrangements within the community and to preserve the current boundaries of the business district's. In addition, the borough has strived to mitigate potential impacts on residential zones through buffer and setback requirements in order to maintain their uniform arrangement and protection of health, safety and welfare.

2. Need to protect environmentally sensitive land

2005 Master Plan

This issue continued to be a major issue as development pressure increased to develop the remaining vacant land within the borough. Additional protection was recommended to provide for tree preservation and stream riparian corridors. State regulations were enacted establishing C-1 Critical Resource Waterways in the borough, for the Pascack and Musquapsink Brooks and their tributaries. These regulations were noted to substantially affect the development potential of properties in close proximity to these areas.

3. Central Business District

2005 Master Plan

The central business district (CBD), of Westwood represented a significant community asset that requires periodic review to ensure that the district continues to serve the community's needs and improve its market share. The analysis of the CBD noted that the CBD is facing greater and stiffer competition from other nearby retailers, business district's and the internet. Such continued competition, if ignored, diminishes the desirability of the commercial area fostering stagnation and less reinvestment. Evidence of this is the recent shift in property valuations whereby commercial properties saw a significantly slower increase in value as compared to residential properties within Westwood. This shift was seen as transferring the tax burden onto residential property owners, undermining one of the basic arguments for a strong commercial district. In order to enhance the district's economic vitality and improve the district's competitiveness, the planning board contemplated land use strategies including residential and commercial mixed use developments in the southerly area of the CBD. Following an assessment of the implications of providing this added mixed use, it was noted that the Planning Board supported this use as a means to address the issues facing the district, but the formal recommendation were not made at the time for this zone.



Traffic circulation is critical to the safe and efficient movement of motor vehicles through the business district. The borough had been actively pursuing comprehensive traffic improvements at several intersections surrounding the district in order to improve traffic delays. These improvements were needed in order to respond to changes in traffic patterns and to improve circulation and safety for vehicles and pedestrians throughout the district. The 2005 re-examination report recommended improvements to and creation of additional parking areas within the district should be an ongoing effort in order to insure the sufficient parking will be available to meet future demands.

Further to improve the visual context of the district the 2005 re-examination report recommended that a design guideline handbook for facade and building improvements be adopted.

4. Development of balanced housing

2005 Master Plan

The statistical data of the 2005 re-examination indicated that the mixture of owner to renter occupied housing has remained relatively consistent with the 1990 Census with a 1.8% increase in rental housing as a result of the near completion of the Highlands apartment complex on Old Hook Road at the time of the 2000 Census. The borough had approved a minimal amount of subdivisions for new single family residences since the prior reexamination due to the relatively built out of condition of the borough. This reinforced that the borough has maintained a diverse housing supply as noted in the past re-examination reports.

The borough received substantive certification from the New Jersey Council on Affordable Housing (COAH), on April 7, 2004 for their second round obligation affirming that the borough had addressed its low and moderate income housing obligation. The certification was effective until 2010 and concludes that the borough has a new construction surplus of 189 units and rehabilitation need of 4 units. The third round COAH methodology for computing low and moderate income housing obligation was noted as requiring low and moderate income housing need based upon growth share of housing units as well as jobs rather than fair share for the region. Therefore the borough had to be cognizant of affordable housing needs during the review of future development applications in order to maintain this current balance of housing.

5. Protection of local housing supply

2005 Master Plan

The borough had continued to enact policies and regulations to protect the local housing supply including modifications to zoning requirements for single family homes to accommodate modernization of the existing housing stock. As a result of the economic conditions and the low interest rates of home improvement loans at the time of the prior re-examination report, single family residential homes experienced a dramatic increase in renovations and new additions since the prior re-examinations. This created a positive improvement and upgrade to the value of housing stock in the borough, but there was an increased pressure to overbuild existing properties out of context with their neighborhoods. A balance was sought between the



upgrading and modernization of the housing stock and the impacts that variances requested would have on the scale and architectural quality of single family neighborhoods in the borough.

The housing plan for the borough incorporated the continued participation in the Bergen County Home Improvement Program for loans to upgrade qualifying homes in the borough. This effort was reaffirmed in the prior re-examination to help upgrade the existing housing stock for all neighborhoods of the community.

6. Two-family homes

2005 Master Plan

The borough reaffirmed that the single-family zones should be safeguarded from the conversion or proliferation of additional 2 family homes within predominantly single family zones, which are inconsistent with the established zone plan. The land use plan had established appropriate areas for multifamily family homes in the community in close proximity to goods, services and the availability of mass transit.

7. Business areas

2005 Master Plan

Some of the business areas noted in the prior re-examination experienced minor upgrades and adaptive reuse. The LM zone adjacent to Old Hook Road remains as a limited manufacturing, industrial and warehouse zone, which continues to serve a mixed diversity of land uses. The permitted uses within this zone were noted to require further evaluation to determine if they represent uses that could revitalize existing properties as well as to encourage uses, which can serve the needs of the community.

8. Residential Lot Over Building or “Mc Mansions”

2005 Master Plan

There was a concern about the size and scale of single-family residential development in relationship to the established size and character of the borough’s neighborhoods. The overbuilding of residential lots, so called “McMansions”, are the result of expansions or tear downs and replacements with much larger dwellings that are visually out of character with the surrounding neighborhood. Development controls were recommended to address this issue and strike a balance between neighborhood character and a property owner’s ability to improve their residence.



9. Historic Preservation Plan

2005 Master Plan

It was identified in the prior re-examination report that the prevailing economic climate and housing improvement trend resulted in significant pressure to expand the older housing stock within the borough. While home improvement represents a positive effort to modernize the borough's housing stock this activity needs to be undertaken with an effort towards preservation of the borough's historic properties and places. The haphazard improvement can represent not only the degradation of the visual amenities of the community but also the loss of the many of the boroughs historic treasures. A renewed effort was undertaken by the borough to identify, analyze and update the Bergen County Office of Cultural and Historic Affairs Historic Sites Survey.

10. Steep Slopes

2005 Master Plan

Other issues related to residential development at the time of the prior re-examination report included concern of steep slope disturbances that require extensive grading and retaining walls. The continued diligence in enforcement of the steep slope regulations was needed in order to avoid excessive lot disturbance and the long term detrimental effect to the environment of Westwood.

11. Senior Population

2005 Master Plan

As indicated in the demographic analysis in the re-examination report identified that the population changes between 1990 and 2000 within Westwood presented some insightful information. The Borough was noted as getting slightly younger with an increase in the under 14 age cohort and an overall decline in the senior population taking place between 1990 and 2000. These demographic trends indicated there are a number of young families migrating to Westwood. There was also a corresponding increase in the size of the under 18 population which had important ramifications to public facilities. The population of seniors between 65 to 74 experienced a reduction from 899 people in 1990 to 808 people in 2000. This 10 percent reduction for this age cohort was the largest among the senior populations. The largest increase in population within the Borough's senior population took place among residents 85 years of age and older.

Compared to Bergen County, Westwood still has a senior population as a percentage of total population that is higher than the County's average. This indicates that there is an increasing likely hood that the need for senior or age-restricted housing will increase and that this use may be appropriate in limited locations of the borough. This is noted in order to appropriately serve senior residents of the borough through enhanced housing opportunities and to maintain their contribution to the borough's economics.

12.



Stormwater management rules

2005 Master Plan

It was noted that the borough would be required to update its ordinances to address the new regulations concerning stormwater management rules adopted by the State.

13. LM, LB and RW zones

2005 Master Plan

The continued adaptation of pre-existing buildings in zones such as the LM, LB and RW zones, was to be encouraged in order to re-use these structures. A review of permitted uses within these zones was recommended to be undertaken in order to insure they represent contemporary trends and offer additional opportunities to re-use existing structures. The re-use of a structure were recommended on balance with the ability of the properties to adapt and adequately serve the proposed use.

14. “O” Zone District

2005 Master Plan

The mixed use provision of the “O” zone had been applied to a recently constructed mixed use facility along Jefferson Avenue. In review of the functional operations of such a facility it has become apparent that the range of mixed uses that are contemplated represent a greater demand for land area than what the zone prescribes at 1 ½ acres. This condition was recommended to be increased to allow greater area for circulation and parking to accommodate the proposed mixture of uses.

15. Cross-Acceptance

2005 Master Plan

The borough had participated in the Cross-Acceptance process to determine how the Master Plan and zoning ordinance is consistent with the State Plan. While Westwood had received second round housing plan certification the borough was to address the third round methodology adopted by the Council on Affordable Housing. The third round methodology is based on “growth share” which will require that additional affordable units be constructed as a result of residential and non-residential job growth.

16. Mass- transit

2005 Master Plan

In consideration of the increasing cost of gasoline and diesel fuel, the borough was recommended to consider accommodating and encouraging alternative modes of transportation in the land use policies it fostered. Accommodations for bicycles and pedestrian are specifically



applicable to Westwood. The neighborhoods are interconnected by a grid network of streets and the points of access to mass transit are conducive to bicycle and pedestrian connections. A comprehensive study of bicycle and pedestrian routes should be undertaken to establish a network of roadways and pathways to form linkages between neighborhoods and points of mass transit and points of employment. The routes established are recommended to be integrated into a circulation element of the master plan thereby creating a guideline document for phased improvements to achieve this objective. The following was a preliminary list of key locations of the borough which when linked provide a network of bikeways and pedestrian routes:

- 1) Central Business District
- 2) Train Station
- 3) Bus Stops
- 4) Municipal Building
- 5) Westwood Plaza Shopping Center
- 6) Arterial Roadways (ie; Kinderkamack Road, Broadway, Westwood Avenue and Washington Avenue).

2. Major land use issues currently facing the municipality

1. Hackensack University Medical Center at Pascack Valley

Since the closure of Pascack Valley Hospital in 2007, the opening of a full service hospital is critical to the continued land use purpose of the H-Hospital and HSO Health-Service-Office zones. It is apparent that the operation of a full service hospital facility for over 50 years at this location was a principal economic driver and stimulus for development for the properties in HSO zone and has had far reaching impacts throughout the borough and the region. The neighboring properties were developed to service or contribute to the health care business environment associated with the hospital. While some of these facilities may have become vacant due to the closure of a full service hospital, it remains relevant that a significant amount of medical offices and related services continue to occupy this area. The existing medical uses and building infrastructure continue to provide considerable resources to the current and future operations of the hospital. In addition, the HSO zone is the location of the Care One at Valley Nursing Home containing 120 beds. This facility was developed in close proximity to the hospital for access to immediate and specialized medical care provided by the former hospital and remains in need of such a facility.

The aging of the population projected for the Borough of Westwood and the region will continue into the foreseeable future due to the aging of the generation known as “Baby Boomers”. This increase in age and the projected increase in the population of the borough and the region will augment the need for a full service hospital facility and the subsequent expansion of supplemental medical offices and rehabilitation services. To establish the framework by which the borough can shape the continued evolution of the H and HSO zone, it is recommended that the master plan include a vision statement for the future of this area as a medical, health care, research and technology center. A vision statement would underscore the continued support for an acute care medical services purpose of the hospital and the supportive medical and rehabilitative uses in the HSO zone. In addition, the adjacent zones of the LM and RW are recommended for consideration (should an acute care hospital be reopened), whereby



complimentary uses could be permitted such as medical research and development and licensed rehabilitation facilities.

An important consideration contributing to the ongoing improvements to the hospital district is the access provided by Old Hook Road (Bergen County Route 502). Old Hook Road provides an East to West primary collector roadway with direct connections to the North-South county roadways of Kinderkamack Road to the West and Schraalenburg and Knickerbocker Road to the East. These direct connections to the regional road network further support and advance the above vision for these districts.

It is also noted that the former hospital contained the following services which should continue to be permitted at this location:

- Emergency room services
- Ambulatory and non-ambulatory care
- Maternity care center
- Cardiac services and rehabilitation
- Rehabilitation department
- Skin care and laser center
- Diabetes center
- Sleep disorders center
- Pain management center
- FAA emergency helipad

2. **Sustainable Design and Related Land Use Issues**

In 2008, the MLUL was amended to authorize municipalities to establish an additional optional Sustainability Element of the comprehensive master plan. The purpose of this element is to *“provide for, encourage and promote the efficient use of natural resources and the installation and usage of renewable energy systems; consider the impact of buildings on the local, regional and global environment; allow ecosystems to function naturally; conserve and reuse water; treat storm water on-site; and optimize climatic conditions through site orientation and design.”* The intent of such an element is to also establish guidelines for future improvements and policy decisions to establish a balance between the needs of the community and the desire to achieve sustainability. At this time, in lieu of preparing a Sustainability Element for the Borough’s Master Plan, it is recommended this report include recommendations to establish similar goals and objectives to promote a more sustainable environment in the borough.

3. **Floodplain and Stream Flooding**

The floodplains of Westwood are of significant importance to the health and well being of the Borough. During the numerous peak rainfall events experienced in the region, substantial impacts have occurred to a number of properties within the borough and the region, therefore it is vital to control and thoroughly review development applications to reduce impacts to floodplains. A review of methods to improve the floodplain condition and the management of stream flow by regional agencies and United Water has been undertaken by the Borough. The solutions to improve conditions, while they may not be easily accomplished, are needed to be



considered in order to make improvements to what appear to be a worsening trend in storm events.

4. Economic Recession and Impacts to Land Use Viability.

The economic recession currently impacting by the nation has had all too obvious impacts on the economy of the borough. Economic vitality of the business districts in the borough is an increasingly important consideration to insure the districts provide the needs of the community. In addition, the continuation of the CBD districts as a strong center of commerce for the region is essential. Enhancements to the districts properties should be encouraged, where appropriate, so that they represent a positive ratable to offset property tax impacts on the borough's residential properties.

III. Extent to which such problems and objectives have been reduced or increased subsequent to the last re-examination report

1. Need to reinforce uniform development pattern

***2005 Master Plan:** This land use objective was reaffirmed due to increasing development pressures and the need to protect uniform land use arrangements within the community and to preserve the current boundaries of the business districts. In addition, the borough has strived to mitigate potential impacts on residential zones through buffer and setback requirements in order to maintain their uniform arrangement and protection of health, safety and welfare.*

Re-examination update: Since the 2005 Master Plan Re-examination this remains a continued objective and is reaffirmed in this re-examination.

2. Need to protect environmentally sensitive land

***2005 Master Plan:** This issue continued to be a major issue as development pressure increased to develop the remaining vacant land within the borough. Additional protection should be provided for tree preservation and stream riparian corridors. State regulations have been enacted establishing C-1 Critical Resource Waterways in the borough, for the Pascack and Musquapsink Brooks and their tributaries. These regulations will substantially affect the development potential of properties in close proximity to these areas.*

The borough had enacted steep slope regulations for slopes over 15% wherein the level of disturbance is reduced to protect the public health safety and welfare. Development trends at the time have led to greater pressure to develop these areas of the borough. Regulations were enacted to reduce the impacts of erosion, excessive cut and fill, existing vegetation removal and extensive wall construction required when these slopes are disturbed.

Re-examination update: Since the last Master Plan Re-examination report the need to protect these critical environmental resources is an issue that continues and will continue to be an important consideration in review of future development applications.



3. Central Business District

***2005 Master Plan:** The central business district of Westwood represents a significant community asset that requires periodic review to ensure that the district continues to serve the community's needs and improve its market share. The analysis of the CBD has noted that the CBD is facing greater and stiffer competition from other nearby retailers, business district's and the internet. Such continued competition, if ignored, diminishes the desirability of the commercial area fostering stagnation and less reinvestment. Evidence of this is the recent shift in property valuations whereby commercial properties have seen a significantly slower increase in value as compared to residential properties within Westwood. This shift is transferring the tax burden onto residential property owners, undermining one of the basic arguments for a strong commercial district. In order to enhance the district's economic vitality and improve the district's competitiveness, the planning board contemplated land use strategies including residential and commercial mixed use developments in the southerly area of the CBD. Following an assessment of the implications of providing this added mixed use, it is noted that the Planning Board supports this use as a means to address the issues facing the district, but the formal recommendation was not made at the time of the prior report.*

Re-examination update: Economic vitality of the business districts in the borough is an increasingly important consideration to insure the districts provide the needs of the community. In addition, the continuation of the CBD districts as a strong center of commerce for the region is essential. Enhancements to the districts properties should be encouraged, where appropriate, so that they represent a positive ratable to offset property tax impacts on the borough's residential properties.

While some traffic improvements have been implemented at various critical intersections, future improvements continue to be a focus for the borough to insure improvements to the efficiency and safety of vehicular traffic and continued economic vitality of the borough is achieved. The safety of pedestrian traffic is also a critical objective, particularly for pedestrian routes to schools, recreation centers and the various business areas of the community.

Improvements to parking accommodations are an on going effort in the CBD of the borough. The accessibility of public parking via signage and the improvements to these areas are needed to insure these areas serve the needs of the adjacent properties. The review of future applications for development should be vigilant to insure that the proposed development does not place an undue burden on the availability of public parking for patrons.

The borough prepared a Central Business District Study and Plan in 2005 to provide the recommended design guidelines for the district. The document provides recommendations for roadway, streetscape, parking and architectural elements. The continued awareness of the suggestions in this document should be promoted in the borough to guide future improvements.

Since the time of the last re-examination, the permission of mixed use developments in the CBD have not been pursued while a few properties in the CBD and adjacent O zone were completed. Mixed use is recommended in select limited areas of the CBD zone in this re-examination report to further support the economic health of the business districts and expand the range of housing choices of the borough but only in scale with the established character of the community. Recommendations are offered in the section V of this report.



4. Development of balanced housing

2005 Master Plan: *The borough has maintained a diverse housing supply as noted in the prior re-examination.*

The borough received substantive certification from the New Jersey Council on Affordable Housing (COAH), on April 7, 2004 for their second round obligation affirming that the borough has addressed its low and moderate income housing obligation. The certification will be effective until 2010 and concludes that the borough has a new construction surplus of 189 units and a rehabilitation requirement for an additional 4 units. The new third round COAH methodology for computing low and moderate income housing obligation requires need based upon growth share of housing units as well as jobs rather than fair share for the region. Therefore the borough has to be cognizant of affordable housing needs during the review of future development applications in order to maintain this current balance of housing.

Re-examination update: The borough has prepared a third round Housing Element and Fair Share Plan and submitted the plan to COAH for certification. Subsequently the State of New Jersey State Superior Court Appellate Division invalidated substantive portions of the third round regulations. Concurrently to this action by the Court, COAH was abolished by the governor's office transferring oversight of affordable housing issues and the preparation of new rules to the Department of Community Affairs (DCA). In consideration of these changes, the borough will continue to rely on and enforce the second round housing plan that was certified by the state. Future developments of the fair housing regulations as they relate to the boroughs plan for affordable housing will need to be monitored to insure the Borough's plan is affirmatively addressed.

5. Protection of local housing supply

2005 Master Plan: *The borough had continued to enact policies and regulations to protect the local housing supply including modifications to zoning requirements for single family homes to accommodate modernization of the existing housing stock. As a result of the economic conditions and the low interest rates of home improvement loans, single family residential homes have experienced a dramatic increase in renovations and new additions since the prior re-examination. This created a positive improvement and upgrade to the value of housing stock in the borough, but there was increased pressure to overbuild existing properties. A balance should be sought between the upgrading and modernization of the housing stock and the impacts that variances requested will have on the scale and architectural quality of single family neighborhoods in the borough.*

The housing plan for the borough incorporates the continued participation in the Bergen County Home Improvement Program for loans to upgrade qualifying homes in the borough. This effort is reaffirmed in this re-examination to help upgrade the existing housing stock for all neighborhoods of the community.

Re-examination update: Since the last Master Plan Re-examination report the Planning Board evaluated the over-building issue and the borough has enacted regulations to address this issue including the requirement of second floor area restrictions. Furthermore, the Borough has continued to participate in the Bergen County Home Improvement program to rehabilitate residential properties in the borough. This re-examination report of the Borough recommends support of this effort by the continued participation in this program.



6. **Two-family homes**

2005 Master Plan: *The borough had reaffirmed that the single-family zones should be safeguarded from the conversion or proliferation of additional 2 family homes within predominantly single family zones, which are inconsistent with the established zone plan. The land use plan had established appropriate areas for multifamily homes in the community in close proximity to goods, services and the availability of mass transit.*

Re-examination update: The two family conversion issues remains a continued concern and the policy is reaffirmed in this Master Plan Re-examination report.

7. **Business areas**

2005 Master Plan: *Some of the business areas noted in the prior re-examination experienced minor upgrades and adaptive reuse. The LM zone adjacent to Old Hook Road remains as a limited manufacturing, industrial and warehouse zone, which continues to serve a mixed diversity of land uses. The permitted uses within this zone were noted to require further evaluation to determine if they represent uses that could revitalize existing properties as well as to encourage uses, which can serve the needs of the community. As previously noted the amendments in this area identified in the prior Master Plan sought to improve this condition. Some existing buildings experienced renovations and adaptive re-use over time in the LB-1 and LB-2 zone, although several properties in both zones remain in need of reuse or renovation. The LB-2 zone is a unique neighborhood condition in the borough that requires further analysis to identify the strengths and weaknesses of the area to arrive at recommendations to improve the opportunities in this district.*

Re-examination update: Generally speaking the assets of the LB-2 zone are derived from the frontage and access to Broadway and the proximity to numerous trade areas. In addition, the location on the fringe of the Central Business District (CBD) and the Shopping Center (SC) districts establishes that this zone supports these zones with service uses.

Furthermore, Broadway is a major north to south collector roadway interconnecting Westwood to the adjacent downtown of Hillsdale, Woodcliff Lake and eventually Park Ridge. The roadway is highly traveled by commuter as well as commerce traffic providing significant trade exposure to this area of the Borough. This traffic also presents some complications to circulation for the LB districts due to the number of individual lots and driveways in this area. The number of driveways also reduces the availability of on-street parking to service the properties in this district. A study of the potential to increase on street parking should be considered for the LB-1 and LB-2 area, in addition, while sidewalks are evident the streetscape is not developed in accordance with an established standard that would give this area a unified district theme.

The existing lot and building configurations are shallow on a number of the properties in the LB-2 zone. Ideally, consolidation of adjacent lots could provide a greater opportunity for redevelopment of these areas. In addition, further complicating their future potential is the rear of all of the lots back up to single family lots in the R-1 or 7,500 square feet. This necessitates the need for adequate buffering on these properties to safeguard the integrity of the adjacent single family uses which limits the area for building and lot development. Recommendations are offered in Section V for further consideration.



8. Residential Lot Over Building or “Mc Mansions”

***2005 Master Plan:** There was a concern about the size and scale of single-family residential development in relationship to the established size and character of the borough’s neighborhoods. The overbuilding of residential lots, so called “McMansions”, are the result of expansions or tear downs and replacements with much larger dwellings that are visually out of character with the surrounding neighborhood. Development controls were recommended to address this issue and strike a balance between neighborhood character and a property owner’s ability to improve their residence.*

Re-examination update: This recommendation has been enacted since the prior re-examination report by the adoption of a second floor area maximum.

9. Historic Preservation Plan

***2005 Master Plan:** It was identified in the prior re-examination report that the prevailing economic climate and housing improvement trend resulted in significant pressure to expand the older housing stock within the borough. While home improvement represents a positive effort to modernize the borough’s housing stock this activity needs to be undertaken with an effort towards preservation of the borough’s historic properties and places. The haphazard improvement can represent not only the degradation of the visual amenities of the community but also the loss of the many of the boroughs historic treasures. A renewed effort was undertaken by the borough to identify, analyze and update the Bergen County Office of Cultural and Historic Affairs Historic Sites Survey.*

Re-examination update: The updated list of properties or districts of historic significance was utilized as the framework for the formulation of a historic element to the Master Plan. A Historic Master Plan Element was adopted in 2007 setting for the framework for a Historic Preservation Ordinance in 2008. The borough also created a Historic Advisory Commission to advise the borough as to recommendations for historic preservation and review of applications relating to specific impacts to historic features of the borough.

10. Steep Slopes

***2005 Master Plan:** Other issues related to residential development at the time of the prior re-examination report included concern of steep slope disturbances that require extensive grading and retaining walls. The continued diligence in enforcement of the steep slope regulations was recommended in order to avoid excessive lot disturbance and the long term detrimental effect to the environment of Westwood.*

Re-examination update: The issues concerning steep slopes remains a continued concern and the recommendations are reaffirmed in this Master Plan Re-examination report

11. Senior Population

***2005 Master Plan:** As indicated in the demographic analysis in the re-examination report it was identified that the population changes between 1990 and 2000 within Westwood presented some insightful information. The Borough was noted as getting slightly younger with an increase in the under 14 age cohort and an overall decline in the senior population taking place between 1990 and 2000. These demographic trends indicated there are a number of young families migrating to Westwood. There was also a corresponding increase in the size of the under 18 population which had important ramifications to public facilities. The population of seniors between 65 to 74 experienced a reduction from 899 people in 1990 to 808 people in 2000. This 10 percent reduction for*



this age cohort was the largest among the senior populations. The largest increase in population within the Borough's senior population took place among residents 85 years of age and older.

Compared to Bergen County, Westwood still has a senior population as a percentage of total population that is higher than the County's average. This indicates that there is an increasing likely hood that the need for senior or age-restricted housing will increase and that this use may be appropriate in limited locations of the borough. This is noted in order to appropriately serve senior residents of the borough through enhanced housing opportunities and to maintain their contribution to the borough's economics.

Re-examination update: The demographic trends outlined in the 2005 report has continued from 2000 to the Census in 2010. The Borough has continued the trend with a slight increase of the under 14 age cohort although there was not the same decline in the senior population in 2010. The demographic trends has changed to note that number of young families migrating to Westwood has stabilized while the amount of senior population has also stabilized. However, it is noted that the average age of the population has increased to 41 years of age in 2010 compared to 38.6 in 2000 indicating that the population is aging in place from the year 2000. The largest increase in population within the Borough's population took place among residents 45 to 54 years of age.

12. **Stormwater management rules**

2005 Master Plan: It was noted that the borough would be required to update its ordinances to address the new regulations concerning stormwater management rules adopted by the State.

Re-examination update: The borough amended its stormwater management rules in 2007 in conformance with the state required standards.

13. **LM, LB and RW zones**

2005 Master Plan: The continued adaptation of pre-existing buildings in zones such as the LM, LB and RW zones, was to be encouraged in order to re-use these structures. A review of permitted uses within these zones was recommended to be undertaken in order to insure they represent contemporary trends and offer additional opportunities to re-use existing structures. The re-use of a structure were recommended on balance with the ability of the properties to adapt and adequately serve the proposed use.

Re-examination update: Since the last Master Plan Re-examination the LB zone was amended and separated into the LB-1, LB-2 and LB-3 zones. This change provided flexibility in the uses permitted in response to their respective locations in the borough. While this approach has been beneficial, the economic recession has again promulgated the need to reassess the uses permitted in these zones to make sure they represent the greatest potential to serve the needs of the community. At the end of 2010 the Planning Board formulated several recommendations to update the LB-3 and subsequently the LB-1 zones to expand and refine the list of permitted uses to encourage reuse of several vacant properties along the Kinderkamack Road corridor. The recommendations to the LB-1 district were adopted by the governing body, although due to concerns regarding the clarity of the new uses recommended for the LB-3 zone, these recommendation were tabled pending further review. Recommendations are offered in Section V of this report.



14. “O” Zone District

2005 Master Plan: The mixed use provision of the “O” zone had been applied to a recently constructed mixed use facility along Jefferson Avenue. In review of the functional operations of such a facility it has become apparent that the range of mixed uses that are contemplated represent a greater demand for land area than what the zone prescribes at 1 ½ acres. This condition was recommended to be increased to allow greater area for circulation and parking to accommodate the proposed mixture of uses.

Re-examination update: Since the last Master Plan Re-examination the “O” zone was amended in 2006 to require a minimum lot area requirement of 2 ½ acres in accordance with this recommendation, therefore this issue has been addressed and is no longer needed

15. Mass- transit

2005 Master Plan: In consideration of the increasing cost of gasoline and diesel fuel, the borough was recommended to consider accommodating and encouraging alternative modes of transportation in the land use policies it fostered. Accommodations for bicycles and pedestrian are specifically applicable to Westwood. The neighborhoods are interconnected by a grid network of streets and the points of access to mass transit are conducive to bicycle and pedestrian connections. A comprehensive study of bicycle and pedestrian routes should be undertaken to establish a network of roadways and pathways to form linkages between neighborhoods and points of mass transit and points of employment. The routes established are recommended to be integrated into a circulation element of the master plan thereby creating a guideline document for phased improvements to achieve this objective. The following was a preliminary list of key locations of the borough which when linked provide a network of bikeways and pedestrian routes:

- 1) Central Business District
- 2) Train Station
- 3) Bus Stops
- 4) Municipal Building
- 5) Westwood Plaza Shopping Center
- 6) Arterial Roadways (ie; Kinderkamack Road, Broadway, Westwood Avenue Washington Avenue, ect..)

Re-examination update: Since the last Master Plan Re-examination NJ Transit began offering bi-directional service at off-peak times to the Secaucus Transfer Station on the Pascack Valley Line. This service has increased the ridership of the rail line and enhances the importance of linkages as outlined in 2005. These linkages are recommended to be continued in this report.



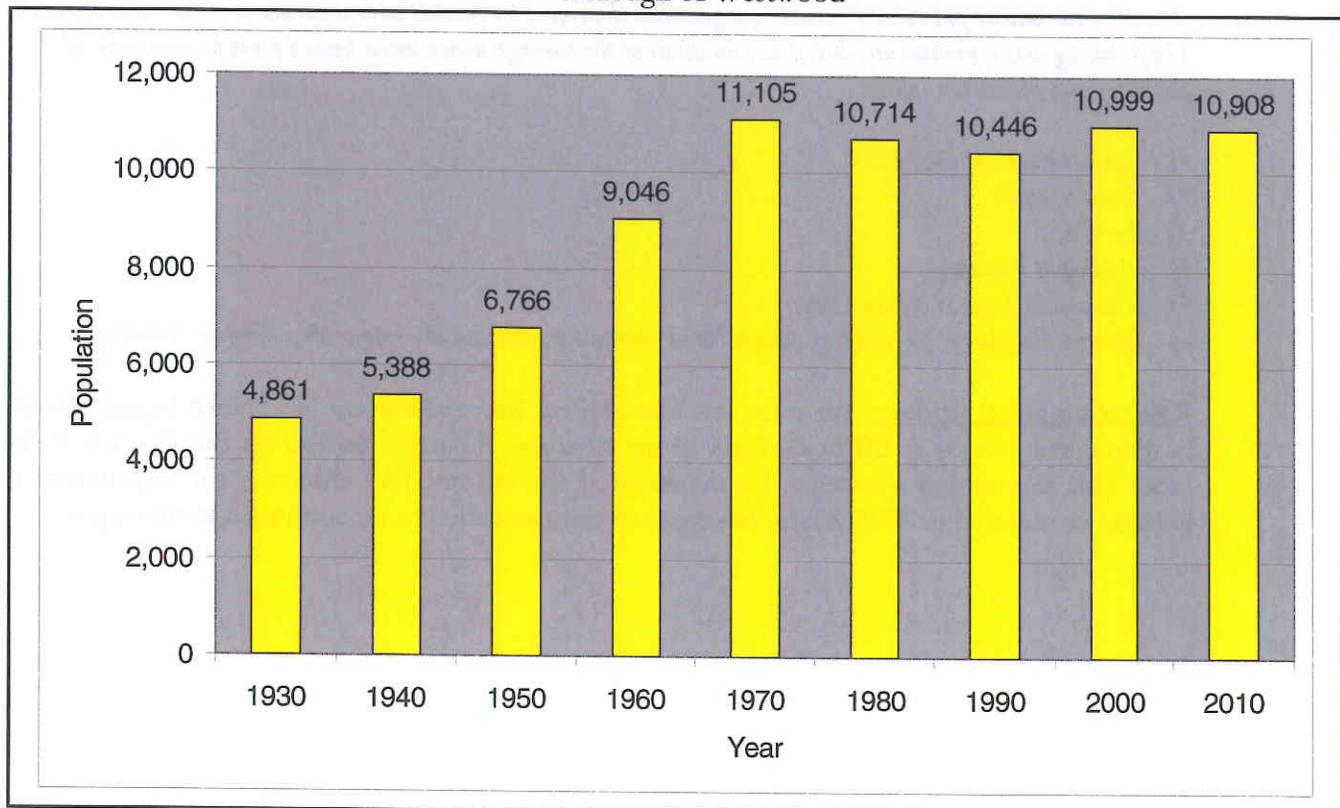
IV. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or developmental regulations as last revised with particular regard to specific planning issues and governmental policy.

Since the 2005 Reexamination Report, there have been substantive changes at the state and local level that should be considered in the basis for the master plan re-examination for the borough. Since that time, the Borough has experienced modest changes resulting from growth and development which are noteworthy. The following is offered for consideration from the information available from the 2010 Census and other information sources available at the time of this report:

1. Changes at the local level

1. Population: The 2010 Census determined the Borough has a population of 10,908 residents. Westwood has a population density of approximately 4,743 persons per square mile throughout its 2.3 square miles of land area. The following chart illustrates the population trend since 1930 from various sources available:

Chart 1: Historic Population Trends (1930-2010)
Borough of Westwood



Source: U.S. Census Bureau and Bergen County Data Book 2003

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From this data, it is interesting to note that the Borough experienced a slight decline in population since the year 2000. The resulting loss of 91 residents represents a 0.8 percent of the year 2000 population occurred during a time in which the borough experienced significant improvements to its housing stock. This rehabilitation of the housing stock can lead to an increase in the population. This actual reduction in the population may be attributable to the aging of the population and also homes with children may have reached adulthood resulting in less residents.

2. **Age Characteristics:** Table 1 provides Census data and mid-decade projections regarding the age distribution of the Borough’s population over the last 20 years. According to 2010 census, the Borough’s population continues to get older, with the median age increasing to 41.8 years of age. In 2000, the Borough’s median population age was 38.6 years of age while in 1990 it was 37.6 years of age.

Table 1: Age Distribution (1990, 2000 and 2010)

Age Group	1990		2000		2010	
	Pop	%	Pop	%	Pop	%
under 5	634	6.1	762	6.9	691	6.3
5-14	1,078	10.4	1,285	11.6	1,288	11.8
15-24	1,224	11.7	934	8.5	1,061	9.7
25-34	1,869	17.8	1,719	15.6	1,308	12.0
35-44	1,630	15.6	1,972	17.9	1,693	15.5
45-54	1,173	11.3	1,528	13.9	1,706	15.6
55-64	1,089	10.4	1,047	9.5	1,351	12.4
65-74	899	8.6	808	7.5	857	7.9
75-84	617	5.9	624	5.7	630	5.8
85+	233	2.2	320	2.9	323	3.0
Total	10,446	100	10,999	100	10,908	100
	<i>1990 Median Age: 37.6</i>		<i>2000 Median Age: 38.6</i>		<i>2010 Median Age: 41.8</i>	

Source: U.S. Census Bureau(www.census.gov)

3. **Average Household Size:** Prior census data identified that over the last two decades, the Borough’s average household size has declined from 2.55 in 1990 to 2.45 in 2000. This trend has continued while not dramatically (as noted in Table 2 below), the 2010 census indicates the average household size to be 2.44. The borough’s trend is somewhat atypical in comparison to the Bergen County average wherein the household size has remained constant over the decades except with a slight decrease 2010 at 2.66.

Table 2: Average Household Size (1990 to 2010)
Borough of Westwood

Year	Population	Number of occupied (Owner & Renter) Housing Units	Household size	
			Westwood	Bergen County
1990	10,446	4,091	2.55	2.67
2000	10,999	4,485	2.45	2.67
2010	10,908	4,636	2.44	2.66

Source: U.S. Census Bureau(www.census.gov)

*American Community Survey demographic 5 yr estimates 2005-2009

4. **Housing Characteristics:** This section provides an overview of the borough’s housing stock characteristics based upon latest available census and building data reporting. Per the 2010 census, there was a 0.56 percent (26 units), increase in the number of housing units in the Borough, from 4,610 units in 2000 to 4636 units in 2010. This is illustrated in Table 3 below.

Table 3: Housing Characteristics
Dwelling Units: 1950-2010
Borough of Westwood

Year	Dwellings	Numerical Change	Percentage Change
1950	2,076	--	--
1960	2,814	738	35.5
1970	3,468	654	23.2
1980	3,859	391	11.3
1990	4,260	401	10.4
2000	4,610	350	8.21
2010	4,636	26	0.56

Source: 1990, 2000 & 2010 U.S. Census

In comparison based upon New Jersey Construction Reporter Building Permit Data, from 2000 through 2009, 64 total housing units were constructed. During this same period, 32 units received demolition permits. Therefore, based on documented permit information, we can estimate from this data the Borough experienced an increase of 32 housing units between the years 2000 to 2009 or 0.69 percent from the 2000 census total or 3.5units/year.

A general overview of the status of owner, rental and vacant characteristics of the borough, as of the 2010 Census (see Table 4 and chart 2 below), reveals ownership percentage in 2010 reduced slightly at 59.2 percent from 60.3 percent in 2000 and rental occupation decreased as well to 36.5 percent in 2010 from 37 percent in 2000. The amount of vacant dwellings also correspondingly increased to 4.3 percent in 2010 from 2.7 in 2000. This increase may be

largely due to the economic recession and resulting housing vacancies. Further refinement of the general census data to allocate the ownership of vacant units by type reveals that total ownership is approximately 2,897 units (62.5%) and rental accounts for 1,739 units (37.5%) in 2010. The aforementioned analysis incorporates the cohort identified as seasonal, recreational and occasional use as ownership units.

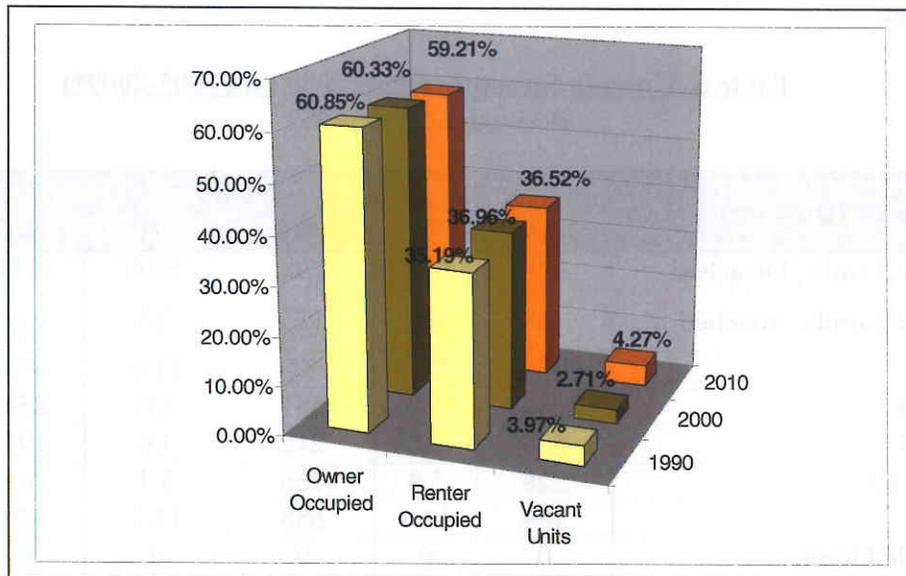
**Table 4: Housing Ownership
Tenure and Occupancy Status: 1990-2010***
Borough of Westwood

Category	1990		2000		2010	
	Number of Units	Percent	Number of Units	Percent	Number of Units	Percent
Owner Occupied	2,592	60.8	2,781	60.3	2,745	59.2
Renter Occupied	1,499	35.2	1,704	37.0	1,693	36.5
Vacant Units	169	4.0	125	2.7	198	4.3
Total	4,260	100.0	4,610	100.0	4,636	100.0

Source: U.S. Census Bureau(www.census.gov)

* This is a general overview without allocating vacant units by type of ownership.

Chart 2: Housing Units by Tenure and Occupancy Status*
(1990, 2000 & 2010)
Borough of Westwood



Source: U.S. Census Bureau(www.census.gov)

* This is a general overview without allocating vacant units by type of ownership.

The table below indicates the relative age of the Borough's housing stock, revealing that most of the units were constructed before 1939.

Table 5: Year Structure Built (2000)
Borough of Westwood

Year Structure Built	Number	Percent
Built in 1939 or earlier	1,322	28.6
1940 to 1949	547	11.9
1950 to 1959	853	18.5
1960 to 1969	661	14.3
1970 to 1979	414	9.0
1980 to 1989	542	11.8
1990 to 1994	114	2.5
1995 to 1998	48	1.0
1999 to March 2000	109	2.4
Total	4,610	100

Source: U.S. Census Bureau(www.census.gov)

Single-family detached dwellings are the predominant housing type in the Borough as reported by the American Community Survey in the table below. There are 2,511 single-family detached dwellings, 54.6 percent of all housing units in Westwood. This percentage is a slight decrease from 2000, when single-family dwellings accounted for 58.6 percent. The data also reveals that there are a substantial number of units within multi-family developments, mostly located in large garden apartment buildings as reflected in the table below.

Table 6: Units in Structure (1990, 2000 and 2005-2009*)
Borough of Westwood

Units in Structure	1990		2000		2005-2009*	
	No.	%	No.	%	No.	%
Single Family, Detached	2602	61.0	2706	58.6	2511	54.8
Single Family, Attached	20	0.5	123	2.6	146	3.2
2	464	11.0	505	11.0	473	10.3
3 or 4	258	6.0	351	7.6	254	5.5
5 to 9	136	3.2	212	4.6	194	4.2
10 to 19	228	5.4	155	3.4	284	6.2
20+	484	11.4	558	12.2	720	15.7
Mobile Home	0	0	0	0	0	0
Other	68	1.5	0	0	0	0

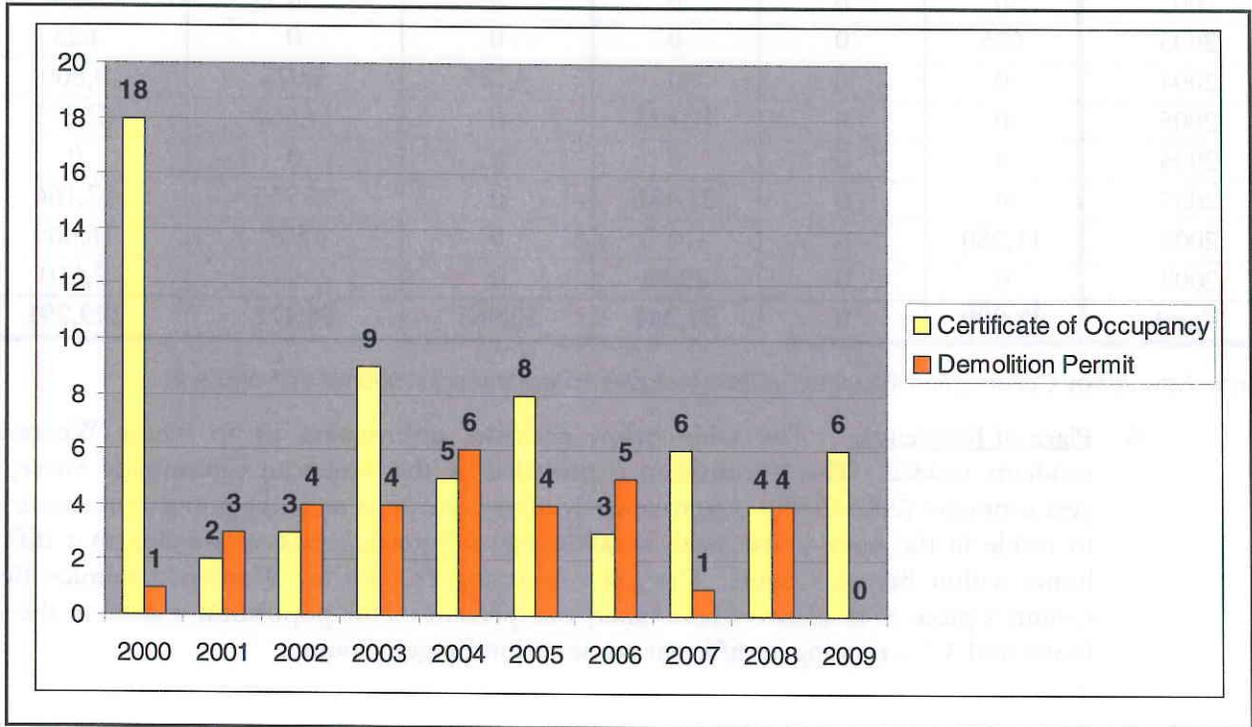
Source: U.S. Census Bureau(www.census.gov)

* American Community Survey demographic 5 yr estimates 2005-2009

- Development Activity:** The following chart provides data on the amount and type of residential development which has occurred in the Borough over the past five years as

reported by the New Jersey Construction Reporter. As previously noted the data reveals that a total of 64 building permits were issued between 2000 and 2009 while a half of that, 32 demolition permits were issued. This is shown in the following Chart 4.

Chart 3: Number of Residential Building and Demolition Permits Issued (2000-2009)
Borough of Westwood



Source: New Jersey Construction Reporter

Data concerning non-residential development was also obtained from the New Jersey Construction Reporter. This data is provided in the table below in square feet and is listed per use. Per this table, 37,264 square feet of office space was authorized between 2000 and 2009 to be built in the Borough. During that same time period, a total of 129,291 square feet of all non-residential space was approved by the Borough. It is unclear from the data reported as to how much of this square footage is new additional square footage in the borough or inversely how much was rehabilitation.

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**Table 7: Non Residential Development in square feet
(2005-2009)
Borough of Westwood**

Year	Retail	Industrial	Office	Storage	Other*	Total
2000	0	0	0	6,180	0	6,180
2001	19,015	0	400	0	0	19,415
2002	0	0	0	0	0	0
2003	625	0	0	0	0	625
2004	0	0	0	4,785	5,075	9,860
2005	0	0	12,823	0	14,552	27,375
2006	0	0	0	0	0	0
2007	0	0	21,431	0	25,735	47,166
2008	11,250	0	0	0	4,810	16,060
2009	0	0	2,610	0	0	2,610
Total	30,890	0	37,264	10,965	50,172	129,291

Source: New Jersey Construction Reporter; * (Other includes categories educational, A-3 and A-2)

6. Place of Residence: The table below provides information as to where Westwood’s residents resided. This information is provided by the American Community Survey five year estimates (2005-2009). Approximately ninety one percent of the population is estimated to reside in the same house, with an additional 6 (approx.) percent residing in a different home within Bergen County. The place of residence data for Westwood mimics Bergen County’s place of residence where ninety one percent of the population resided in the same house and 4.7% residing in different home within Bergen County.

**Table 8: Place of Residence (Residence 1 year ago)
(2005-2009 est.*)
Borough of Westwood**

		Number	Percentage
Same House		9,538	90.6
Different House within U.S.	Bergen County	603	5.8
	New Jersey State(different County)	87	0.9
	Different State	242	2.3
Outside U.S.		57	0.6
Total Population 1 year and Over		10, 527	100

Source: * U.S. Census American Community Survey 5 yr estimates (2005-2009)

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7. Income Characteristics: While this information was not available from the 2010 Census at the time of this report, the American Community Survey 5 year estimate notes that the median income for Westwood’s households increased from \$46,866 in 1989 to \$76,891 in 2005-2009 est. This represents a 64 percent increase. The Borough’s median income nearly doubled from 1989 to 2005-2009 est. Nevertheless, despite these large increases Westwood’s median income is slightly less than the 2005-2009 estimates Bergen County median income of \$81,350. Incomes in Westwood from the categories \$100,000 and up registered the largest increase between 1989 to 2005-2009 est.

Table 9: Household Income 1989, 1999 and 2005-2009 est.*
Borough of Westwood

Income Category	1989		1999		2005-2009	
	Number	%	Number	%	Number	%
less than \$10,000	267	6.6	261	5.9	146	3.3
\$10,000 to \$14,999	239	5.9	143	3.1	173	4.0
\$15,000 to \$24,999	487	12.0	382	8.6	197	4.5
\$25,000 to \$ 34,999	550	13.5	424	9.5	367	8.4
\$35,000 to \$ \$49,999	690	16.9	673	15.0	532	12.1
\$50,000 to \$74,999	963	23.6	872	19.4	714	16.2
\$75,000 to \$99,999	513	12.6	628	14.0	561	12.9
\$100,000 to \$149,999	290	7.1	733	16.3	915	21
\$150,000 plus	74	1.8	372	8.2	768	17.6
Total	4,073	100	4,488	100	4,373	100
Median Income (Household)	\$46,866		\$59,868		\$76,891	

Source: U.S. Census

* American Community Survey 5 yr estimates 2005-2009

8. Resident Employment Characteristics: The next three tables below describe the employment characteristics and occupations patterns for Westwood residents as reported in the 2005-2009 estimate survey. Seventy-five percent of the population’s employment is concentrated in two occupational categories. These are managerial and professional occupations (46.1%) and sales and office occupation (29%). The service occupation category was the third highest with 12.2 percent. These figures are comparable to the 2000 figures wherein seventy-one percent of the population’s employment was concentrated in the managerial and sales and office occupation.

A dramatic increase is seen in employed residents in the retail trade industry. The 2000 census showed only 4.7% of Westwood residents employed in this industry while the 2005-2009 estimate is 11.3% to be employed in this industry. The 2005-2009 estimates indicates that approximately sixty -nine percent of the borough’s population 16 years of age and over is in the labor force. An increase is noted in the number of unemployed from 1.4 % in 2000 to 4.8% in 2005-2009 estimates.



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Table 10: Employed residents Age 16 and Over, By Occupation
 2005-2009 est.*
 Borough of Westwood

Occupation	Numbers	Percent
Management, Professional and related Occupation	2,610	46.1
Service Occupation	689	12.2
Sales and Office occupation	1,641	29.0
Farm, fishing and forestry occupations	0	0
Construction, extraction, maintenance and repair occupations	483	8.5
Production, transportation and material moving occupations	244	4.2
Total	5,667	100

Source: U.S. Census American Community Survey 5 yr estimates 2005-2009

Table 11: Employed residents Age 16 and Over, By Industry
 2005-2009 est.*
 Borough of Westwood

Industry	Numbers	Percent
Agriculture, forestry, hunting, fishing and mining	18	0.3
Construction	424	7.5
Manufacturing	562	9.9
Wholesale Trade	160	2.8
Retail Trade	632	11.3
Transportation, warehousing and utilities	183	3.2
Information	312	5.5
Finance and insurance and real estate and rental leasing	472	8.3
Professional, scientific and management and administrative and waste management services	858	15.1
Educational services, and health care and social assistance	1,054	18.6
Arts, entertainment and recreation and accommodation and food services	710	12.5
other services and public administration	136	2.4
Public Administration	146	2.6
Total	5,667	100

Source: U.S. Census, * American Community Survey 5 yr estimates 2005-2009

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**Table 12: Employment Status for Population 16 years and Over
2000 & 2005-2009 est.*
Borough of Westwood**

	2000		2005-2009	
	Number	Percentage	Number	Percentage
Total Population 16 years and over	8,856	100	8,767	100
In Labor Force	5,874	66.3	6,091	69.4
Civilian Labor Force	5,874	66.3	6,091	69.4
Employed	5,750	64.9	5,667	64.6
Unemployed	124	1.4	424	4.8
Armed Forces	0	0	0	0
Not in Labor Force	2,982	33.7	2,676	30.6

Source: U.S. Census, * American Community Survey 5 yr estimates 2005-2009

9. Means of Transportation to work: The table below indicates the means of transportation to work of employed residents in Westwood. A higher number of Westwood residents commuted to work alone by car (73.5%) than in Bergen County as a whole (71.1%). It is also interesting to note that between 2000 and 2005-2009 estimates the number of Westwood residents who drove to work alone decreased by approximately 4%. In addition, the number of residents taking public transportation and number of residents who worked at home increased.

**Table 13: Means of Transportation to work
2000 & 2005-2009 est.*
Borough of Westwood**

Means of Transportation to work	Westwood				Bergen County	
	2000		2005-2009		2005-2009	
	Number	Percent	Number	Percent	Number	Percent
Drove Alone	4,381	77.6	4,063	73.5	309,471	71.1
Carpooled	276	4.9	254	4.6	33,587	7.7
Public Transportation (except taxi)	499	8.8	569	10.3	55,577	12.8
Walked	261	4.6	266	4.8	13,263	3.0
Other means	64	1.2	67	1.2	6,129	1.5
Worked at home	164	2.9	307	5.6	17,114	3.9
<i>Mean travel time to work (minutes)</i>			29.1		29.2	

Source: U.S. Census, * American Community Survey 5 yr estimates 2005-2009



The following table compares commuter public transit usage among the municipalities with station stops along New Jersey Transit’s Pascack Valley Line. Although the main reason to look at this data is to get an indication of railroad utilization among these towns, the utilization of bus transit is displayed as well. Compared to surrounding municipalities along the Pascack Valley Line, Westwood had the third highest percentage of railroad utilization among commuters with the highest percentage being Oradell. Per the 2007 report Pascack Valley Line was improved to all bi-directional and weekend service to expand travel options for commuters. Westwood does have a substantial percentage of ridership although the amount of commuters by mass transit should be an on going improvement effort of the borough to reduce the vehicular traffic in the community and the reliance on fossil fuels.

Table 14: Commuter Public Transit Usage
 2005-2009 est.*
 Borough of Westwood

Municipality	Bus	Railroad
Montvale	2.75%	2.13%
Park Ridge	5.10%	3.05%
Woodcliff Lake	3.49%	3.18%
Hillsdale	3.72%	3.19%
Westwood	5.59%	3.24%
Emerson	6.96%	2.05%
Oradell	5.69%	8.26%
River edge	7.72%	3.93%

Source: U.S. Census, * American Community Survey 5 yr estimates 2005-2009

2. **Changes at State Level**

Section 40:55d-28(d) of the New Jersey Municipal Land Use Law requires that a re-examination of the master plan include a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan, to the master plans to any pertinent County and State plans. A description of these plans, and how this report is consistent with each, is set forth below.

1. **State Development and Redevelopment Plan (SDRP).**

The current Draft State Plan was released January 13, 2010. However, the plan has yet to be adopted because the document is considered to be “overly complex, leaves unresolved conflicts between various State rules/regulations and fails to prioritize and support sustainable economic growth” according to the State Planning Commission (SPC). The State is working to resolve the outstanding issues and work towards adoption of a State Plan. The process calls for a report, including final assessment and implementation, to be provided to the Governor. The recently released State Strategic Plan identifies the following goals:

- Identify high value growth sectors and trends

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- Evaluate costs of existing planning framework
- Identify smart growth areas
- Correlate budget realities

The SPC defines Cross-acceptance as a bottom-up approach to planning, designed to encourage consistency between municipal, county, regional, and state plans to create a meaningful, up-to-date and viable State Plan (N.J.S.A. 52:18A-202.b.). This process ensures that all New Jersey residents and levels of government have the opportunity to participate and shape the goals, strategies and policies of the State Plan. Eventually there will be another cross acceptance round.

The current State Plan map identifies the majority of the Westwood as Metropolitan Planning Area. This designation pertains to areas with access to public water and sewer and is intended to recognize developed areas. The goal of the designation is to protect the character of stable communities and promote infill growth.

Portions of the borough may also be designated as environmentally sensitive areas because they exhibit one or more of the following features:

- trout production waters and trout maintenance waters and their watersheds;
- pristine non-tidal Category I waters and their watersheds upstream of the lowest Category I stream segment;
- watersheds of existing or planned potable water supply sources;
- prime aquifer recharge areas of potable water supply sources and carbonate formations associated with recharge areas or aquifers;
- habitats of populations of endangered or threatened plant or animal species;
- contiguous freshwater wetlands systems;
- significant natural features or landscapes such as beaches, coastal spits, barrier islands, critical slope areas, ridge lines, gorges and ravines, and important geological features (including those associated with karst topography) or unique ecosystems;
- prime forested areas, including mature stands of native species;

The intent of this designation is to protect environmental resources.

2. Water Quality Management Planning Rule (WQMP). These rules became effective in July 2008 and establish County planning offices as the water management planning coordinating agencies throughout the State. Municipalities are required to submit information for wastewater management and sewer service area planning for 20 year planning efforts. The Appellate Division has upheld the statutory authority of NJDEP and the WQMP process. The Court ruled that NJDEP balanced property owners interest in land development and the State's interest in protecting habitat and water quality. Bergen County has completed preliminary mapping.
3. 2011 State Draft Energy Master Plan. The plan is a method of guiding the production, distribution and use of energy. It emphasizes renewable resources of energy and economic



growth. It supports the development of alternative energy sources such as wind and solar energy. The Board of Public Utilities is the lead agency charged with implementing the plan. The legislature will work towards modifying regulations to foster the goals contained in the plan. The current 2011 Draft Energy Master Plan is a follow up to the 2008 EMP. It is a tool for the state to coordinate government investment, planning and regulation for Statewide objectives. Among the goals of the State plan are the following:

- Drive down the cost of energy
- Promote new, clean in-state energy generation
- Reward efficiency and conservation and peak demand
- Promote innovative technology for transportation and power
- Generate renewable energy for 22.5% of all needs from renewable sources by 2021

The State also contemplates generating 70% of all State related energy needs from clean, carbon free sources by 2050. The plan encourages evaluation of biomass methods of power generation utilizing agriculture and forest, municipal and industrial waste and other underutilized resources.

4. Municipal Land Use Law Amendments. The Municipal Land Use Law (MLUL) was amended to define an inherently beneficial use as one that is “universally considered of value to the community” because it “fundamentally serves the public good and promotes the general welfare.” The amendment lists wind, solar or photovoltaic energy facilities as inherently beneficial uses, as well as hospitals, schools, child care centers and group homes. However, the list is not all inclusive.
5. New Jersey Council on Affordable Housing (COAH). The New Jersey Appellate Division on October 8, 2010 issued a decision that invalidated substantive portions of the 3rd Round methodologies based upon “growth share” as applied by COAH as unconstitutional. The Court remanded the regulations to COAH to develop new criteria. Westwood has affirmatively addressed their affordable housing requirements in the preparation of their current certified Housing Element and Fair Share Plan which are based upon COAH’s most recent regulations. The borough will continue to use this Element as a guideline until the applicable regulations are amended as required by the Courts and/or the State of New Jersey and necessitate such a change to the plan. All powers and duties of COAH have also been transferred to the State Department of Community Affairs.
6. Moratorium on Non-Residential Development Fees. The non-residential development fee was enacted as part of the Fair Housing Act to provide a funding source for affordable housing. A moratorium was initially placed on the imposition of fees until July 1, 2010. With the passage of new legislation, the moratorium has been extended to July 1, 2013. This moratorium applies retroactively to projects approved as of July 2010. In addition to a moratorium on approvals prior to July 1, 2013, it applies if a building permit is issued prior to December 31, 2015. Developers previously paying the fee can get a refund.



7. Smart Growth Principles for Development. Smart growth in New Jersey became a funded program in 1999 when the Smart Growth Planning Grant Program was established to fund smart growth initiatives for eligible projects. In 2002, the Office of State Planning was renamed the Office of Smart Growth. This action was designed to promote well planned, well managed growth to provide new development while preserving open space and environmental resources. Principles of smart growth include mixed use development, walkable downtowns, transit access and sustainable development that protects the environment.

8. Residential Site Improvement Standards (RSIS). RSIS establishes statewide technical standards for streets and parking, water supply, sanitary sewers and stormwater management relating to residential development. The standards are the minimum requirements for site improvements that must be adhered to by all applicants for residential subdivision and site plans before planning boards and zoning boards of adjustment. They also represent the maximum that such boards can require of an applicant. These adopted standards supersede any local standards established for these systems.

Since they went into effect in 1997, there have been several amendments and clarifications to the RSIS standards. The changes that most significantly affect planning issues and current developments in the borough are as follows:

June 15, 2009 Amendments:

- New amendments to the materials and techniques for the construction of improvements

May 16, 2011 Amendments:

- Adjustments were made to street and sidewalks, sanitary sewers and stormwater systems,
- Changes were made to specific reference standards.

The borough should continue to implement the adopted RSIS as required by statute. It should also be noted that these standards govern residential development only. Borough requirements governing non-residential development are not affected by RSIS.



V. 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.

The review of the 1993 master plan revealed that its goals, objectives, and policy statements continue to represent, with modifications, a sound basis for the overall planning of the community. The following are the Goals and Policies of the 1993 master plan as modified in the 2005 Re-examination Report and are reaffirmed in this report and a new goal and policy is included below regarding the continued operation of the HUMC North at Pascack Valley Hospital:

V.1. Goals and Policies:

The goals and policy statements were refined in the 2005 re-examination and are refined or reaffirmed as follows:

Goal #1: To maintain and enhance existing areas of stability in the community and encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and moderate density of the community by restricting incompatible land uses from established residential areas, and limiting intensities of use to the level, and locations, prescribed herein.

Policy Statement: The Borough of Westwood recognizes that one of its most significant attributes is its uniform land use arrangement, with limited intrusions of non-residential development in residential neighborhoods. The plan's land use recommendations are designed to protect and reinforce the prevailing detached single family residential development patterns in the community, encourage attached residential development only in those areas specified in the plan, preclude any introduction of incompatible non-residential use in areas designated for residential use, and reinforce the intensities-of-use recommended in this plan.

Goal #2: To ensure that any prospective development and/or redevelopment is responsive to Westwood's environmental features and can be accommodated within the community's infrastructure development.

Policy Statement: The borough seeks to encourage development which is sensitive to the community's particular physical characteristics, and preserves the borough's sensitive environmental elements. In particular, the borough encourages development which preserves steeply sloped areas (defined to include any slope of minimally fifteen percent grade), protects wetlands and flood plains, and retains vegetation (particularly trees of a caliper of minimally eight inches, and clusters of trees). The borough expressly recognizes that one of its attributes is the extensive treed character of so many of its building lots, and consequently it is recommended that a planned program of tree preservation, through appropriate ordinance regulation, be imposed to ensure the retention of this natural feature. Additionally, the borough takes cognizance of the fact that there are numerous sites in the municipality that are typified by extensive environmentally sensitive features and therefore may not be able to accommodate their full zoned development potential.



Goal #3: To encourage and provide buffer zones to separate incompatible land uses.

Policy Statement: 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. This should be accomplished primarily within the framework of appropriate open space buffer strips containing suitable planting elements (including such elements as multiple rows of plant material, planting clusters, etc), in an effort to protect residential areas and to retain and reaffirm the community's overall landscape amenity.

Goal #4: To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the borough and region.

Policy Statement: The borough contains a broad and varied housing stock consisting of detached dwellings, townhouses and multi-family units. The borough's policy is to continue to accommodate this broad array of housing, and to encourage the provision of some additional townhouse and multi-family residential development, in accordance with the specific delineations depicted on the land use plan map but not encourage any additional attached residential development beyond that which is depicted on the Land Use Plan Map. The borough's housing policy recognizes that the State has specifically refined the housing issues to direct attention to the specific need for lower income housing. Within this framework Westwood has adopted a housing element which has been subsequently certified by COAH to address the borough's lower income housing need.

Goal #5: To promote the continued maintenance and rehabilitation of the borough's housing stock.

Policy Statement: The borough seeks to encourage improvements in the existing housing stock. The borough seeks to fulfill this goal through participation in the county housing improvement program. Notice of the availability of these funds should be published in the local newspapers and posted on the boroughs web site in order to bring the benefits program to the attention of residents of the borough.

Goal #6. To discourage the proliferation of two family and multi-family dwellings.

Policy Statement: The borough recognizes and acknowledges the existence of two-family and multi-family dwellings in the community. However, it has been determined that additional two-family dwellings and multi-family units, exclusive of those planned sites set forth in this plan, represent an intrusive element which erodes the established character of the community and represent a drain on facilities. The borough's land use policy is designed to prevent the construction or expansion of two-family and multi-family units except as provided herein. It is the express policy of the borough to discourage any other additional such development in Westwood.

Goal #7: To preserve and enhance the borough's commercial areas by: defining their functional role in the community, enhancing the quality of life within the commercial center through an appropriate mixture of activities; encouraging the assemblage of small properties to foster an efficient and attractive design; encouraging the use of the design elements identified in the Land Use Plan; and, encouraging the consolidation and expansion of off-street parking to provide greater convenience for shoppers.



Policy Statement: The borough seeks to encourage the continued development of the community's business district for retail and service commercial uses serving the daily needs of the resident population. The borough's broad land use policy is to reaffirm a central business district with its own integrity, uniformity of purpose, and integration of building, landscaping, signage, design and parking elements as set forth in the Land Use and Central Business District Plans, and also encourage the establishment of a definitive developmental character for the other commercial and business categories delineated herein.

Goal #8: To preserve the historic features of the borough as an integral part of the community's unique character.

Policy Statement: The borough seeks to protect historically significant structures as identified in this plan through the adoption of regulations, consistent with the land use act's intention to preserve historic properties. The counties list of historically significant properties or district's serves as a basis for which a refined list of properties and district's are to be formulated into a historic preservation element.

Goal #9: To discourage the creation of flag lots in the borough.

Policy Statement: The borough maintains that flag lots represent an improper land use arrangement which results in a lot arrangement which is inconsistent with the community's established development pattern, and represents a development pattern which hinders emergency service access to such lots.

Goal #10: To ensure that child-care centers are located on suitably sized lots which provides sufficient outdoor play area, appropriate buffers to separate and screen on-site activity from adjoining residents, and sufficient parking to accommodate the parking needs, including employee parking, visitor parking, and pick-up/drop-off areas, of the facility.

Policy Statement: The borough recognizes that the use of lots in residential areas for child-care centers can impact the quality of life for adjoining residents. This impact encompasses a variety of factors. While a few children playing in a yard may be acceptable, a large number of children, playing throughout the course of a day, can be intrusive to adjoining residents. Appropriate screening for parking and drop-off activity is also needed. Consequently, the borough should mandate the provision of a suitably large lot for his type of use, thereby ensuring the provision of suitable physical buffer/separation features which will serve to minimize the impact of this use on adjoining residents.

Goal#11: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a state-wide basis while retaining the principals of home-rule.

Policy Statement: The borough maintains that the general intent of the SDRP, to manage growth within the framework of an assessment of needs and infrastructure capabilities, and the SDRP's specific Metropolitan Planning Area designation for Westwood, represents a reasonable approach to growth management.



The following land use goal and policy statements are added in this re-examination report:

Goal#12: To promote the comprehensive health care services and continued economic development of the districts of the H-Hospital Zone, containing the existing HUMC North at Pascack Valley Hospital facility and the HSO Health Service Office Zone in the borough.

Policy Statement: It is the borough's policy to continue to support and promote the health care and wellness needs of the borough and the northeast region of Bergen County by affirming the health care districts of the H-Hospital Zone and HSO-Health Service Office Zone. These districts have developed over the last fifty years in the borough as a location for a broad range of health care services including an acute care hospital and related medical and rehabilitative services. The re-opening of the hospital is paramount to the needs and objectives of the zone plan for this area and the borough. The continued improvements to properties in these zones are supported and encouraged as zoned to insure they represent opportunities to provide supportive services to the health care needs of the region. **It is recognized that the pre-existing building configurations in the H zone may need to be reconfigured or replaced in the future to improve efficiencies and/or provisions of acute or comprehensive medical care to the community so long as the expansion occurs within the H district as designated.** This policy is intended to foster the continued economic development of the area balanced with the need to maintain a desirable visual environment and mitigate impacts to adjacent properties.

Goal #13: The Borough includes the following goals and objectives, as contained in the MLUL, in this re-examination report to support and encourage sustainable planning practices. The borough promotes the issues of sustainability to establish the regulatory framework needed to prepare and adopt related ordinances and standards.

Policy Statement: The following objectives promote sustainability and provide guidelines for Westwood to implement municipal wide programs that promote sustainable practices and initiatives:

1. To become a certified community under the Sustainable Jersey certification program including maintaining a "Green Team" committee to promote municipal sustainability programs.
2. To adopt and enforce land use policies that reduce sprawl, preserve open space, improve transportation options and create compact walkable, developments wherever possible.
3. To encourage sustainable development policies, which seek to protect and preserve the Borough's environmentally sensitive features by utilizing energy efficient heating and cooling methods, minimizing waste and incorporating resource-efficient and recycled materials.
4. To ensure that prospective development is responsive to the Borough's environmental features and can be accommodated while preserving these physical characteristics. In particular, the Borough seeks to limit development to that which preserves vegetated steeply sloped topography, wetlands and floodplains, and retains such natural features as existing vegetation and habitat for endangered, threatened or rare species.
5. To make energy efficiency a high priority for the Borough through building improvements and retrofitting Borough facilities with energy efficient lighting and water conservation technologies.



6. To encourage new development and redevelopment projects to be compatible with the principles of the U.S. Green Building Council (USGBC). The USGBC, is a non-profit trade organization that promotes green buildings. The USGBC designed the LEED ND (Leadership in Energy and Environmental Design for Neighborhood Development) program for sustainable development. Since the LEED certification program is a voluntary non-profit organization, compliance, while encouraged, is not mandatory.
7. To promote environmental quality through site design, landscaping and irrigation and maintenance methods sensitive to the ecosystems of the region.
8. To engage in community education and outreach programs to consistently promote an understanding of sustainable programs in the Borough and in the home or businesses.
9. To preserve and protect the public aquifer and water resources in the community.
10. To make energy efficiency a high priority for the Borough through building improvements and retrofitting Borough facilities with energy efficient lighting and water conservation technologies.

V.2. Recommended Amendments to Development Regulations and Zone Plan:

A re-examination of Borough's development regulations and land use plan suggests the need to modify the ordinances and plan so they remain current and reflect the Borough's overall land use policies. The recommended changes set forth herein include some substantive recommendations. Most changes are primarily administrative and organizational in nature, or result from practical problems and issues that have been experienced by the Planning, Zoning Board and the Zoning Official in the application of the ordinance. The following is noted:

Single Family and Multifamily Residential Zone Districts

2005 Re-examination Recommendations:

- A. *Section 195-42 Impervious Coverage Definition.* It is recommended that the term "impervious coverage" be amended to "total surface" coverage to further define the various types of coverage that lead to runoff from a property. A definition that has been used in other municipalities that could serve as a model is as follows:

'TOTAL SURFACE - The percentage of lot area covered by the aggregate of building coverage and all surfaced areas, including tennis courts, swimming pools or any other recreational structures, whether or not any of the foregoing have an impervious surface. For purposes of determining "total surface coverage," parking areas, patios, decks and driveways, whether or not paved by way of macadam, concrete, bricks or other types of paving stones or blocks or surfaced with stones or gravel or left in a natural state, shall be included in such computation'.

Re-examination update: The definition of impervious coverage remains unchanged to date. The recommendation for the replacement of the total impervious coverage term by the regulation of total surface coverage is continued in this re-examination report.

- B. *Section 195-77 "F":* This section of the ordinance should be revised to include the following additions (*in italics*):



*“Front yards shall be free of ~~uses~~ **principal or accessory** structures, storage, impervious areas or parking except for lawful driveway, walkways, patios, steps and parking areas as specifically permitted herein, (see section 195-162B.10 ref. driveways).”*

These suggestions are offered to clarify the intent and permitted activities that would normally be permitted in the front yard area.

Re-examination update: This recommendation while enacted to date, remains a continued recommendation.

- C. *Section 195-77 “G”:* Further refinement is needed for the ordinance provision in section 195-77“G” which states:

“No new lot shall be created where the building envelope shall obstruct the line of sight to any other lot’s building envelope fronting on the same street from any portion of said proposed lots street frontage.”

This requirement may create a conflict with a typical conforming subdivision and therefore should be removed from the development standards. Furthermore, in order to improve the lot development requirements, Section 195-112“D” should be further revised as follows:

A lot shall not be created or subdivided within the front yard area between the entire front facade of a residential building and the common street lot line on which the properties front as determined herein. This provision shall not apply wherein a pre-existing building will be removed as a result of the proposed subdivision.

Re-examination update: This recommendation has not been enacted to date and remains a continued recommendation to clarify this ordinance.

- D. *Section 195-130A.* The criteria for sheds and accessory structures maximum square footage at a 5 foot rear and side yard setback should be increased to 450 square feet from 400 square feet in order to allow an appropriate size for an accessory garage on a lot. This would equate to a 20 by 22 ½ foot building.

Re-examination update: This recommendation has not been enacted to date. This recommendation should be further refined to clarify that sheds and other accessory structures permitted at 5 feet from a property line should remain capped at 200 square feet. An accessory garage at 5 feet from a property line should be permitted up to 450 square feet to allow an incremental increase for this use. A garage that is larger shall be 10 feet minimum from a side or rear property line. **The number of sheds and/or garages is limited to a total of 2 on a residential property.**

- E. *Section 195-130G:* Due to building code requirements wherein no permits are needed for a retaining wall unless it is load bearing, it is recommended that all retaining walls over 2 feet in height shall require review and approval of the Borough Engineer only and not the construction official.

Re-examination update: This recommendation has not been enacted to date and is revised as follows:



Due to building code requirements wherein no permits are needed for a retaining wall unless it is load bearing, it is recommended that all retaining walls over 4 feet in height shall require review and approval of the Borough Engineer. Any retaining wall over 18 inches high shall require a zoning permit.

- F. *Section 195-130G.* The parking requirements should be changed for the number of garage spaces required. It is recommended that a 1 car garage should be required for a single family home with up to 3 bedrooms and a 2 car garage for single family homes with more than 3 bedrooms in order to balance the requirements to the size of the home.

Re-examination update: This recommendation has not been enacted to date and is continued as a recommendation for consideration.

- G. *Application Forms.* The official Planning or Zoning Board application forms should include a separate application form tailored to single-family residential applications for "C" variances in order to simplify the application process. The regular "C" variance application can be confusing for the homeowner who is applying for a minor variance. The form should also provide a space in which the applicant's reasons for the variance are provided to help set the framework for their application.

Re-examination update: This recommendation has not been enacted to date and remains a recommendation for consideration.

Recommendations for the R-1, R-2 and R-3 Zone Districts:

- A. **Permission of open porches and entrance ways in required setbacks:** The addition of an open porch in the single family residential zones of the R-1 and R-2 would benefit from some relief of the setback requirements for open porches and entryways. These features, at a reasonable size and subject to bulk controls, do not present a consequential loss of light air and open space and improve aesthetics for the residential community. Often these entranceways are a necessary functional component of a residential structure. Therefore the following is offered for consideration:

In the R-1 and R-2 zones, a roofed open porch or entranceway, not higher than the first story of the building, may project into one required side yard on a lot, provided that it is at least 6 feet from said side lot line. An open porch or an entranceway, not higher than the first story of the building, may project into a required front yard a distance of not more than eight feet. No entranceway or stairway constructed under the provisions of this section shall have a width into the required building setback greater than three times the distance of its projection into the required setback. Such a building feature is a component of the principal building therefore is included in the calculation of building coverage.

- B. **Building Height:** The building height definition should be further refined to allow an exemption for measurement of building height for garages attached to the principal residential structure that are below the grade plane of the first story in the R-1 and R-2 zones. Such exemption should not extend for more than the width of the garage or 22 feet. In addition, stairways to access a below the grade plane basement or cellar not greater than 5 feet wide shall also be exempt from the lowest grade measured for building height to allow an access staircase to be constructed.



- C. Residential single family temporary handicapped accessibility ramps: It has been requested for the Borough to consider providing an exemption to permit temporary handicapped accessibility ramps for residences in the front or side yard setbacks in the R-1 and R-2 single family residential zones. It is recognized that accessible ramp regulations often require such a ramp to extend a considerable distance from a structure and it presents a hardship for the property owner. The following is recommended for the R-1 and R-2 zone districts:

A open (unroofed) ramp demonstrated as necessary by a certification by a physician, podiatrist, or chiropractor, be permitted to project into a side or rear yard, provided the setback is reduced to no less than 5 feet to the adjacent side or rear lot line.

Central Business CBD/SPE and CBD Zone Districts

A. Recommendations for the CBD/SPE Zone District:

1. The Planning Board's review relative to this issue concluded with the recommendation that the number of seats for Gourmet and Specialty Food Stores should be increased to 16 as previously recommended in the 2005 re-examination. The definition of Gourmet and Specialty Food Stores is also recommended to be amended to note:

“should an eating establishment exceed the maximum seating limitation (chair and stool seating), of said use then the use is defined as a restaurant.”

This will further define the limits of this activity to reduce the overburden on the primary retail focus of the CBD/SPE district.

2. Nutritional and Health Food stores is a continued recommendation as a principal permitted use in the CBD/SPE zone district.

B. Recommendations for the CBD Zone District:

1. In consideration of the commercial development that exists on a few lots on the southerly side of Bergen Street between Center and Fairview Avenues, it is recommended that the following lots be rezoned from CO Central Office Zone to the CBD zone:

Block 909, Lots 3, 4 and 5

Lots 4 and 5 contain the existing commercial development while lot 3 is a residential use. This reconfiguration to include all three lots, is recommended to provide a appropriate configuration of this zone line for uniformity of the zone plan. See the attached Mixed Use Overlay and CBD Zone Line Map Adjustment Illustration in the appendix of this report for the proposed adjustment.

2. The Borough 2005 master plan re-examination report supported a mixed use concept in the southerly area of the CBD as a means to assist the vitality of the district, but formal recommendation was not included nor was it enacted by the Governing Body.



This re-examination report continues this recommendation in specific areas of the CBD and with special considerations. A sample mixed use commercial and multifamily residential development regulation is offered in the appendix of this report.

3. Health Care Services. The 2005 re-examination recommended the development definitions should include a definition for a health care support services as well as specific zones wherein they would be permitted such as in the CBD, CO and O zones. This recommendation is reaffirmed and the services included under this use would include a wellness center, nutritionist, physical therapy, holistic healing and dietitian. The parking standards should also include a recommended standard for this use of 1 space per 200 square feet.

C. Recommendations for the CBD/SPE and CBD Zone Districts:

1. It is recommended that underground parking be permitted in CBD, CBD/SPE, zone with reference to the future redevelopment of the Valley Ford site. Review of this issue by the board noted that a single level underground garage may be appropriate in certain locations in the CBD, CBD/SPE zones, subject to appropriate safety considerations such as access and pedestrian safety and only as a part of a conditional use requirement.
2. It is noted due to the descriptive nature of the uses permitted in each zone, banks are not permitted to have a drive thru in the CBD/SPE district since it is not specifically listed. This is further supported in §195-111 A. Prohibited Uses which states “All uses not expressly permitted in each zone district are prohibited”. Although, since drive thru’s are becoming more common place, to avoid interpretations that such uses are customary and incidental to a permitted use, this prohibition should be specifically listed for clarity. Therefore it is recommended that any type of drive thru facilities not be permitted in the CBD and CBD/SPE Zones due to the intent to promote the pedestrian focus of these zones.
3. Sign regulations recommendations:
 - i. Per §195-157 B (1) of the Westwood Ordinance a sign filled with neon gas filled tube or lighting design to create a visual effect similar to neon is not permitted. It is recommended that an exception be placed in the sign regulations wherein a non-flashing neon or LED sign or sign creating the visual effect similar to neon is only permitted internally in a building and must be placed a minimum of 10 feet from a window to the outside of the premise containing such sign. Each shall be not be larger than 3 square feet and contain no more than 3 colors. There shall be a maximum of 3 such signs at any one premise.
 - ii. While the 2005 re-examination report recommended the 12 inch maximum letter height within the CBD/SPE zone and consequently the CBD, CO, LB, LM, and RW zones may be too restrictive within the maximum 2 foot sign panel when a sign is to be lettered in lower case letters. This is due to the fact that certain font types have letters which extend below the common justifying line for the lettering such as the



letters “p” ”g” or “y ”. It is therefore re affirmed and recommended that the related sections of the sign ordinance be amended to permit an allowance of 6 inches additional height for ascending or descending lower case letters.

- iii. The board has been requested to consider the permission of larger lettering height (currently 12 inch maximum height), permitted on wall signs wherein a primary business wall sign, is over a 100 feet from the closest public right of way. This is the case for some businesses in the CBD fronting on the municipal parking lot such as along the westerly side of Center Avenue. In consideration of this request, it is recognized that the 12 inch maximum lettering height currently permitted in the CBD district may be difficult to read depending upon the location and would serve public safety if the lettering was slightly increased to 18 inches if certain conditions are met. Therefore it is recommended that the sign regulations be amended to allow an exemption if a primary business wall sign is 100 feet or more from the closest public right of way, than the maximum height of the lettering permitted on the wall sign be permitted to be 18 inches. Such sign shall be within 10 feet of a businesses main entrance at any point.
- iv. To improve the identification of businesses along the roadways of the CBD/SPE district in consideration of the narrow visual corridor of this district, it is recommended that the Borough consider permitting small hanging signs perpendicular to building frontages in addition to wall signs. A small stylized hanging sign represent a means by which the branding of a business can be placed to identify the businesses along Westwood Avenue to assist patrons to visually identify their intended destination without permitting excessive signage. In recognition of the fact that the majority of buildings in this district extend to the edge of the right of way (ROW), the borough has historically permitted the extension of awnings four feet from a building. Being that this extension is over the sidewalk and adjacent ROW, the borough could continue to permit hanging signs perpendicular to a building facade. The standards for hanging signs are provided in the appendix of this report for consideration
4. The 2005 Re-examination Report recommended a criterion for maximum length of a building in the CBD zone (Section 195-119), should be reviewed to manage the potential consolidation of several contiguous lots in a redevelopment project resulting in an undesirable new building length. It is reaffirmed that further study should be undertaken to establish a maximum building length that would be relative to the established character while allowing for some modest consolidation of properties. In addition, the analysis should consider the incorporation of a maximum lot size in order to limit the land area encompassed within one development.
5. Regulations governing outdoor dining are recommended to be amended, specifically the yearly permit requirements, the limitation of the number of seats and chairs and the permission of food service windows or doorways (dutch doors like Conrads) . This request has been brought about by the need by the Governing Body to seasonally approve areas where outdoor dining is permitted to occur, in some cases where outdoor dining has been permitted to exceed the regulation limits. The following is offered for consideration:



- i. § 195-168. Regulations. The requirement for a permit to be updated yearly should be amended to permit a one-time approval of the outdoor café use with the continued use subject to compliance with the related regulations. Violations of these requirements will be subject to administrative action that would thereby revoke the active permit instead of the yearly renewal procedure.
- ii. An exception be added to the limitation of the number of tables and chairs wherein the number can be increased to a maximum of 10 tables and 20 chairs should a specific business have an acceptable length to their businesses facade. This would remain subject to all other related limiting criteria.
- iii. It is recommended that outdoor dining permits should also be expanded to allow the provision of one food service window or doorway for dispensing of ice cream or similar confectionary products in the CBD and CBD/SPE zone, in accordance with the requirements of the outdoor dining development regulations. Such food service window or doorway service shall comply with all other applicable health and development regulations. The patron waiting area or line for said food service window shall be provided on a plan to indicate there will be a minimum of 4 feet clearance unobstructed paved walkway available for pedestrian movement around or through such patron waiting area. The permitting of such a window or doorway shall be in accordance with the permitted uses of the zone where located and shall not imply the permission of a specific use in a zone.

Limited Business LB 1 thru 3 Zone Districts

2005 Re-examination Recommendations:

The following are the prior recommendations regarding the LB-3 zone along with the adjustments to those recommendations to address the prior concerns raised and additional board input, shown in **bold**:

- A. Amend Section 195-42 Terms defined recommend adding in proper alphabetical order the following terms to define specific land use types:

ADULT SENIOR DAY CARE- A non-residential facility providing care for the elderly and/or functionally impaired adults in a protective environment. Operators shall be licensed as required by the state of New Jersey as applicable to operate and offer services such as providing meals, social services, recreational outings and trips, physical therapy, general supervision and support. Nursing services may or may not be provided to clients.

HEALTH CLUBS- An establishment that provides facilities for aerobic exercises, running and jogging, weight training and strength conditioning, game courts, swimming facilities, exercise equipment, saunas, showers and lockers for members and guests. Health clubs may include pro shops, as well as instructional programs for members and guests.



Recommendations for the LB 1 thru 3 Zone Districts:

- A. Amend Section 195-122 D Conditional permitted uses allowed in the LB-1 District to add Pharmacy –Drug Store with drive thru subject to specific conditional use standards to be developed.
- B. Amend Section 195-124 B. by replacing the existing paragraph B with the following (deleted sections are noted by ~~strikethroughs~~, new sections are *italicized*).

The principal permitted uses allowed in the LB-3 District include the following:

1. Retail sale of appliances, furniture, office equipment or similar bulky, durable items;
 2. *Medical equipment sales, rental and service;*
 3. *Instructional dance or martial arts studios;*
 4. *Music studios and music instruction studios;*
 5. *Retail custom packaging and mail services;*
 6. *Passenger car rental uses;*
 7. *Personal care services such as hair and beauty salons;*
 8. ***Individualized instructional sports training facility (excluding health clubs), shall not exceed a maximum floor area 5,000sf;***
 9. ***Neighborhood hardware store (maximum floor area 5,000sf);***
 10. *Farmers market;*
 11. Restaurants (***excluding drive thru's***);
 12. Banks, including drive-thru banks;
 13. Business, professional and medical (*including veterinary*) offices;
 14. Child care centers subject to §195-129B;
 15. Antique shops;
 16. *Animal grooming and animal day-care services.*
 17. ***Dry cleaners(retail distribution only)***
- C. Amend Section 195-124 D Conditional permitted uses allowed in the LB-3 District to add the following conditional use include the following:
- Adult Senior Day Care facilities subject to the following conditions:*
(See appendix for recommended zoning criteria)
- Mixed Use Office and Multifamily Residential Development subject to the following requirements:*
(See appendix for recommended zoning criteria)
- D. Amend Section 195-162 D to include Adult Senior Day Care Centers. Adult Senior Day Care Centers shall provide one and a half parking stalls for each on-site employee.
- E. Amend Section 195-123 to permit Commercial and Multifamily Residential Development as a conditional use in the LB-2 district subject to the specific use requirements. **(See appendix for recommended regulations for mixed use development)**
- F. Amend regulations to require a unified streetscape design for the pedestrian sidewalk improvements be provided along all properties in the LB-1, LB-2 and LB-3 districts.



Shopping Center SC Zone District

- A. **Recommendations for the SC Zone District:** The SC zone permits a fairly broad list of retail oriented uses. In addition, zone applies to only one lot which is fully developed for the use. What is apparent is the extensive open parking area on site which is largely underutilized by the stores operating on site. Although what may not be apparent is the extent of environmental restrictions (floodplains, wetlands and C-1 riparian buffers) that overlay this site creating substantial restrictions to additional utilization of these visually under utilized parking areas. It is recommended should future redevelopment be contemplated in this zone that greater pedestrian access from Broadway and the Westwood House development to the south is encouraged. Currently pedestrians must circumnavigate the expansive parking areas to access the buildings

Health Service Office HSO Zone District

- A. **Recommendations for the HSO Zone District:** The HSO zone permits medical and professional offices. Medical care has evolved to allow outpatient care to occur outside the hospital setting. It is recommended the Borough consider limiting what are termed outpatient ambulatory care or ambulatory surgical centers under the definition of these uses. While there are specific state regulatory requirements for such a facility, they do represent an issue for the future integrity of an acute care hospital facility in the H-Hospital zone district. It is recommended that consideration be given to limiting the size of such a facility in the HSO or related zones to minimize impact to the integrity of the adjacent H-Hospital zone.

Hospital H Zone District

Recommendations for the H Zone District:

- A. The existing Hospital zone encompasses the primary hospital buildings identified as Lot 16 of Block 2001. It has been noted that the existing Center for Women's health located on the adjacent Lot 65, is also owned and operated by HUMC and is located in the HSO Zone. It is recommended that this lot be re-zoned to the Hospital Zone. This recommendation would allow flexibility for the use of this building. In addition, the rezoning of this lot to the hospital district would reflect the current developed condition wherein the existing building orientation and vehicle access is provided by a common drive to the hospital lot.
- B. Section 195-128 L. regulates parking garages in the H zone. It is recommended that subsurface parking garages be specifically permitted as an accessory use.

Limited Business LM and RW Zone Districts

Recommendations for the LM Zone District:

- A. The purpose of the LM district is to permit light manufacturing, warehousing, office and research uses. This zone includes a number of uses although; uses such as contractor yards and security businesses are not currently permitted. The purpose of this zone is not largely dissimilar



from these uses so they could be permitted without the need to expand the purpose of the zone. The following uses and related requirements are recommended to be added in the LM zone districts principal permitted uses:

1. Instructional dance or martial arts studios;
2. Glass, window or mirror stores;
3. Individualized instructional sports training facility (excluding health clubs), shall not exceed a maximum floor area 5,000sf;
4. Automotive and Automotive body repair shops. Outdoor storage associated with such facilities shall conform with the outdoor storage requirements noted in the accessory uses in this zone;
5. Car leasing and rental facilities. Outdoor storage associated with such facilities shall conform with the outdoor storage requirements noted in the accessory uses in this zone;
6. Fabrication businesses;
7. Garden Centers and Nursery (landscape contractors a conditional use).
8. Contractor facilities (permitting tradesman such as; painters, plumbers, carpenters, electricians, roofers and excavators). Outdoor storage associated with such facilities shall conform with the outdoor storage requirements noted in the accessory uses in this zone;
9. Security businesses;
10. Printing facilities
11. Medical supplies;
12. Medical products research and development facilities

Recommendations for the RW Zone District:

- A. The Westwood Swim Club located on Tillman Street is located in the RW zone district on the current zone map. This designation is contrary to the designation as noted in the prior codified development ordinances wherein it was in the R-1 zone. In addition this use is specifically a permitted conditional use in the R-1 zone and not the RW zone. It is recommended that the properties making up the swim club be rezoned to the R-1 zone to address this inconsistency.
- B. The purpose identified in the RW Retail-Wholesale District, acknowledges the established outlet and wholesale establishments. Recommendations are noted below to include automotive repair, car rental, light fabrication or manufacturing, contractor yards, warehousing and self storage and therefore would be expanding the purpose of this zone. If the Borough chose to permit these uses, this inconsistency would require the identification of the intent to expand the purpose of this zone. Recognizing that this zone has not been developed to the extent of the stated purpose for this district due to numerous probable market factors, we recommend this district purpose be expanded as noted to permit the evolution of the uses as amended by the Borough.

The following uses are recommended for addition only in the RW zone districts principal permitted uses:

1. The permitted uses of the LM zone;
2. Office equipment and supply stores;
3. Retail Sales of durable products, such as furniture manufactured, stored or assembled for sale on site, with a minimum retail area of 25% of the total building area;



4. Self storage facilities (no electrical receptacles other than lighting shall be available for individual storage units).

Recommendations for both the LM and RW Zone District:

- A. It is further recommended that subject to the HUMC North at Pascack Valley being reopened as a full service hospital (H Hospital Zone), the LM and RW zone may become appropriate locations to permit certain uses permitted in the HSO zone with specific conditions. This would further and expand the Goal and objective to foster a medical, research and technology area of the borough serving the northeast region of Bergen County.

The following use and related requirements are recommended to be added in the LM and RW zone districts as an accessory permitted use.

1. Outdoor storage areas conforming with the following:
 - a. Storage must be within an area defined and completely screened in accordance with approval of a site plan;
 - b. Screened with a minimum buffer in accordance with the buffer requirements of §195-133 from a residential zoned or developed property;
 - c. The area shall be calculated in the total impervious coverage of the site;
 - d. Shall be setback at least 10 feet from a side or rear lot line and not permitted in a front yard;
 - e. The storage areas shall not occupy or obstruct the parking space requirements required by code;
 - f. The storage areas shall be no higher than 15 feet high;
 - g. The storage areas shall be at least 15 feet from a principal structure;
 - h. A storage area is not permitted on a lot wherein there is not a principal building or structure
 - i. The storage area material must be only for the business activities of the tenant or owner of the principal structure on the lot in question.
 - j. The storage of registered or unregistered motor vehicles or trailers on site for more than 14 consecutive days shall be deemed outdoor storage.
 - k. The storage of waste as outdoor storage is not permitted except in accordance with applicable solid waste and health code requirements.

Cemetery CEM Zone District

- A. **Recommendations for the CEM Zone District:** It is was identified during the review of the permitted uses for all zones that the Westwood Cemetery on Kinderkamack and Old Hook Roads is located in the CEM Cemetery Zone but the land use code does not have any standards for this zone. The following is recommended for the Land Use Code:

1. Add the CEM Cemetery to the list of zone districts in Article XIV. The following are the recommended standards for consideration:.



CEM Cemetery District:

- i. Within any CEM Zone, no building, structure or area or lot or land shall be used in whole or in part for other than one or more of the permitted uses expressly set forth herein.
- ii. Principal permitted uses shall be as follows:
 1. Graves for the interment of the dead and related activities associated with interment, excluding a crematorium.
 2. Mausoleum: 1 multifamily mausoleum of up to 200 internments per 10 acre site area.
 3. Family mausoleum: unlimited in number permitted.
- iii. Accessory uses:
 1. House of worship or office space strictly related to said cemetery use, not to exceed a height of thirty (30) feet.
 2. Placement of tombstones and monuments on a burial plot not to exceed a height of 15 feet.
 3. Maintenance building relating to the operation of the cemetery only, not to exceed a height of 20 feet.
- iv. Maximum building height.
 1. The maximum height of a mausoleum in the C Zone shall not be greater than thirty (30) feet.
- v. Minimum tract area: thirty (30) acres.
- vi. Yard and setback requirements.
 1. Minimum front yard setback.
 - (a.) Graves and family mausoleums: minimum thirty (30) feet from any front lot line, five (5) feet from any side or rear property line.
 - (b.) Mausoleums for multiple families: minimum of one hundred (100) feet from a front lot line and thirty (30) feet from a side or rear lot line.
 - (c.) Permitted accessory buildings: one hundred fifty (150) feet from any front lot line, ten (10) feet from a side or rear lot line up to 20 feet in height, thirty (30) feet from a side or rear lot line for accessory structures higher than twenty (20) feet.
 - (d.) Access roads. Access roads may be permitted every two hundred (200) feet, with a maximum of two (2) access roads on any one (1) public street. Any intersections of an access road with a public street shall be at least one hundred fifty (150) feet from any existing or proposed street intersection.
 - (e.) Signs. A maximum of one (1) identification signs may be permitted along any one (1) public street. Said signs shall be no larger than twelve (60) square feet in area and shall be at least ten (10) feet from any street line. The identification sign shall be no higher than eight (8) feet. Directional and safety signs erected on the premises shall each be limited to two (2) square feet in area and shall be erected at least twenty (20) feet from any street line.



Sustainability in Development Regulations

- A. Permeable/Pervious Pavements and other sustainable development regulation initiatives. The Borough should evaluate permeable materials that permit stormwater infiltration as an alternative to typical impervious paving materials during site plan and subdivision review.
- B. It is recommended that the Borough code include exemptions that seek to promote the use of sustainable construction methodologies. For all building in the borough, the measurement of floor area ratio (FAR), and setbacks in residential areas are measured from the outer limits of a building. Some methods to improve a structures insulation value is to add insulation to the outside of a structure or to increase the wall width of the exterior walls of a new or existing structure. While this additional thickness is generally nominal, it can inadvertently deter the inclusion of this practice when the added thickness of the exterior wall will violate building setbacks or reduce the floor area permitted.

It is recommended that exemptions be formulated such that these energy saving techniques are not unduly penalized in comparison to conventional construction. Such a recommendation is to measure the floor area ratio from the interior edge of the exterior wall of the building. A second recommendation is to exempt an increase in the extension of the thickness of an existing exterior wall into a setback requirement up to 12 inches to permit the application of exterior insulation systems.

- C. Municipalities throughout New Jersey have enacted zoning regulations that promote the safe and effective use of renewable energy systems. In 2010, New Jersey enacted several laws related to renewable energy systems. Specifically, Governor Christie signed into law a bill that exempts the surface area of solar panels from being calculated as impervious surfaces. In addition, municipalities can no longer adopt regulations that place unreasonable limits or hinder the performance of small wind energy systems. Possible “unreasonable restrictions” include:
- prohibitions of small wind energy systems in all zoning districts;
 - generic height restrictions that fail to address the allowable height of a tower;
 - property setback requirements greater than 150% of the system height;
 - imposing maximum noise limits lower than 55 decibels at the property line or not allowing higher levels during short-term events;
 - setting structural or design states that exceed the State Uniform Construction Code

There are several model ordinances available online that can be reviewed at the NJDEP – Office of Planning and Sustainable Communities website as well as the Association of New Jersey Environmental Commissions (ANJEC) website. Additionally, other municipalities have adopted “Sustainable Development Practices” checklists that establish green standards for an applicant to voluntarily address. It is also noted that the MLUL has been revised to include wind and solar or photovoltaic energy facilities or structures as inherently beneficial uses. Given the State’s recent legislative actions promoting alternative energy resources, the Borough is recommended to consider adopting bulk and area regulations that limit adverse impacts and provide for the protection of Borough residents while still promoting and encouraging their development.



- D. Attached in the appendix of this report are considerations as initial recommendations offered to regulate renewable energy systems on balance with the states sustainable energy objective:

VI. Relationship to master plans of adjacent municipalities.

Section 40:55d-28(d) of the New Jersey Municipal Land Use Law requires that: “ The master plan shall include a specific policy statement indicating the relationship of the proposed development of the municipality as developed in the master plan to the master plans of contiguous municipalities. As required, this master plan includes a review of the master plans of the surrounding municipalities.

The Borough of Westwood is located in the north-central portion of the county. The Borough shares its municipal border with four other municipalities including Borough of Hillsdale to the northwest, Township of River Vale to the northeast, Borough of Emerson to the south, Township of Washington to the west.

A. Borough of Hillsdale

The Borough of Hillsdale abuts the northerly border of Westwood partially coincident with the Pascack Brook. The primary roadways of Broadway and Kinderkamack Road connect the two municipalities. Properties in Hillsdale along this border are zoned R-4 and R-3 Single Family Residential zones and the C Commercial zone. The R-4 and R-3 zone in Hillsdale is adjacent primarily to the R-1 single family residential zone although the north east shared border is adjacent to the O-Office zone although the Pascack Brook separates the two zones. The C Commercial zone in Hillsdale is located on Broadway which is coincident with the SC and LB-1 zone in Westwood. These zones are largely compatible with each other although future improvements should be reviewed for their potential impacts to each other. The Borough’s 2003 Master Plan recommends maintaining these land uses thereby maintaining consistency noted.

B. Borough of Emerson

Emerson borders the southerly and easterly boundary of the Borough. Kinderkamack Road and Old Hook Road are the primary roadway connections. The zoning in Emerson that are coincident with Westwood are the Single Family zones of R-7.5 and R22.5, and the RC Retail Commercial Zone. The residential zones are adjacent to (from west to east), the R-1 Single Family zone, the CME Cemetery Zone and the LM Light Manufacturing zone. The LM and CME non-residential zones represent a specific area where future land use improvements need to be prepared with consideration of the adjacent single family residential uses that exist in the Borough of Emerson. The Retail Commercial zones are located largely adjacent to existing commercial zones in Westwood. There is a neighborhood in the southeasterly corner of Westwood that is zoned and developed as R-1 single Family residential, this area is adjacent to the RC district in Emerson. There are some issues of compatibility that can occur due to the close proximity of these two zones.

C. Township of Washington

The zone plan recommends single family residential development for the portions adjoining Westwood. This section of Washington Township is characterized by low to medium density residential development and is compatible with the neighboring single-family residential uses located in Westwood.



D. **Township of River Vale**

The Township of River Vale borders the northeasterly boundary of the Borough of Westwood along the Pascack Brook Border. The Township of River Vale adopted its master plan and periodic reexamination report in July 2005. While most of land River Vale along the border is designated as Watershed/Conservation use, some of it is designated for low density single family use and single family affordable, compatible with the development plan in Westwood. The majority of the land uses in Westwood consist of Westvale Park.

VII. **Recommendations concerning the incorporation of redevelopment plans into the land use plan element and recommended changes in the local development regulations necessary to effectuate the redevelopment plans of the municipality.**

In 1992, the Local Redevelopment and Housing Law (LRHL) was enacted into law. The LRHL replaced a number of former redevelopment statutes, including the Redevelopment Agencies Law, Local Housing and Redevelopment Corporation Law, Blighted Area Act, and Local Housing Authorities Law, with a single comprehensive statute. At the same time, the MLUL was also amended to require, as part of a master plan reexamination, that the issues raised in the LRHL be addressed.

The LRHL provides the statutory authority for municipalities to designate areas in need or “redevelopment”, prepare and adopt redevelopment plans, and implement redevelopment projects. Specifically, the governing body has the power to initially cause a preliminary investigation to determine if an area is in need of redevelopment, determine that an area is in fact in need of redevelopment, adopt a redevelopment plan, and/or determine that an area is in need of rehabilitation.

A planning board has the power to conduct, when authorized by the governing body, a preliminary investigation and hearing and make a recommendation as to whether an area is in need of redevelopment. The planning board is also authorized to make recommendations concerning a redevelopment plan, and prepare a plan as determined to be appropriate. The board may also make recommendations concerning a determination if an area is in need of rehabilitation.

The statute provides that “a delineated area may be determined to be in need of redevelopment if” after investigation, notice and hearing... the governing body of the municipality by resolution concludes that within the delineated area “any of the following conditions are found”:

- A. The generality of buildings are substandard, unsafe, unsanitary, dilapidated or obsolescent, or posses any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions;
- B. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable;
- C. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of



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ten years prior to adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography or nature of the soil, is not likely to be developed through the instrumentality of private capital;

- D. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community;
- E. A growing lack or total lack of proper utilization of areas caused by the condition of the title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare;
- F. Areas in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- G. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," P.L. 19833, c.303 (C.52:27H-60 et seq.) the execution of the actions prescribed in that act for the adoption by the municipality and approved by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L.1992,c79 (C.40A:12A-5 and 40A:12A-6).
- H. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

The statute defines redevelopment to include "clearance, replanning, development, and redevelopment; the conservation and rehabilitation of any structure or improvement, the construction and provision for construction of residential, commercial, industrial, public or other structure and the grant or dedication of spaces as may be appropriate or necessary in the interest of general welfare for streets, parks, playgrounds, or other public purposes, including recreation and other facilities incidental or appurtenant thereto, in accordance with a redevelopment plan." It is noteworthy that the statute specifically states that a redevelopment area may include lands which of themselves are not detrimental to the public health, safety or welfare, but the inclusion of which is necessary for the effective redevelopment of an area.

The review of the master plan and associated planning and zoning documents and land use pattern in the community indicates that it is not necessary at this time to utilize the Local Redevelopment and Housing Law to facilitate redevelopment in the community.



Appendix



Appendix A

(Sample Regulation)

Adult Senior Day Care facilities subject to the following conditions:

a. Area and bulk regulations: (the following are conditional use standards where not listed the general LB-3 zoning requirements shall apply)

<u>Regulation</u>	<u>Requirement</u>
Minimum lot area (sq. ft.)	10,000
Minimum lot width (ft.)	100
Minimum lot depth (ft.)	100
Minimum front yard (ft.)	25
Minimum side yards (ft.)	25
Minimum rear yard (ft.)	50
Maximum building coverage (%)	40
Maximum impervious coverage (%)	70
Maximum building height (sty. / ft.)	2/30

b. Parking areas, driveways and drop-off/pick-up areas shall be appropriately screened and buffered from adjoining properties which are either used or zoned for residential purposes.



Appendix B

(Sample Regulation)

Mixed Use Office and Multifamily Residential Development subject to the following requirements:

a. Area and Bulk Standards

<u>Regulation</u>	<u>Requirement</u>
Minimum Front Yard Setback	as per zone req.*
Minimum Buffer Rear and Side Yard	10 feet**
Maximum Residential Density	9 dwelling units per acre
Maximum Units per Building	4
Minimum floor area per residential unit	650 square feet
Maximum Building Height	2 stories/30feet, 35 feet to ridgeline
Maximum Building Length	60 feet

*A one story entry feature shall be permitted to extend a maximum of 5 feet into the front yard setback, for a maximum width of 20 feet and contain a gable roof.

** If contiguous to an R-1 single-family residential zone a buffer shall be required in accordance with Section d. below.

- b. The first floor shall be limited to Professional and/or Medical Offices only, Veterinarian uses are not permitted.
- c. Residential uses shall be permitted on the second floor only.
- d. Buffer Areas. Buffers from adjacent residential and commercial properties shall comply with the following standards:
 - 1. Landscaped berms shall be incorporated to accentuate the screening qualities of the proposed landscaping. Berms shall be a minimum of two feet in height. The width should vary with side slopes of 1 to 5 to 1 to 2, without adversely affecting natural drainage or slope retention;
 - 2. Berms shall be overlapping where drainage swales are required to pass through them. The final design must be reflected upon the grading and drainage plan;
 - 3. The landscaping shall be designed to complement the berms and shall be designed to provide a screen along the majority of the buffer area. Planting shall be installed at a variety of sizes which conform to the following minimum sizes:

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Shade Trees	3 inch caliper
Evergreen Trees	min range from 8-12 feet
Shrubs	2-3 feet

4. The landscaping within the buffer area shall include a predominance of evergreens to provide buffering during the dormant seasons. Evergreen trees shall be spaced to provide an acceptable screen subject to the approval of the board.
- e. Non-residential use building entrances shall not front on a public right of way adjacent to an R-1 single-family residential zone line.
- f. All garage entrances, if proposed, shall face the side or rear yard only.



Appendix C

(Sample Regulation)

Mixed Use Commercial and Multifamily Residential Development subject to the following requirements:

Recommendation Add the following use to the current list of permitted conditional uses in the CBD Zone (see attached Proposed Mixed Use Overlay Map Adjustment Illustration for limits):

a. Permitted Conditional Use Standards Mixed Use Development:

i. Area and Bulk Standards

Minimum Lot Area	40,000 sf
Minimum Lot Frontage	100 feet*
Minimum Lot Depth	150 feet
Minimum Front Yard Setback	15 feet**
Maximum Front Yard Setback to building	25 feet
Minimum Side Yard	10 feet
Minimum Rear Yard	35 feet
Minimum Building-to-Building Setbacks	35 feet
Minimum Buffer Rear and Side Yard	10 feet
Maximum Building Coverage	40%
Maximum Lot Coverage	75%
Maximum Residential Density	12 dwelling units per acre
Maximum Units per Building	8
Minimum floor area per residential unit	650 square feet
Maximum Building Height	2 stories/30feet, 35 feet to ridgeline
Minimum Parking Spaces	Per RSIS requirements
Maximum Building Length	80 feet

*Corner lots shall have frontage of 150 feet on at least one street, with the remaining street frontages of at least 150 feet. ** If public right of way is contiguous to an R-1 single-family residential zone then the front yard setback shall be a minimum of 25 feet. A one story entry feature shall be permitted to extend a maximum of 5 feet into the front yard setback, for a maximum width of 20 feet and contain a gable roof.

- ii. Non-residential uses shall be permitted on the first floor only. Mixed uses shall be in the same building.
- iii. Non-residential use building entrances shall not front on a public right of way adjacent to the R-1 single family residential zone.
- iv. All garage entrances shall face the side or rear yard only.



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- v. Single level underground garage spaces are permitted subject to the review of safety of street access and the interface with the pedestrian environment.
- vi. All parking areas shall be so configured to be adapted to permit the extension of the parking access isles to adjacent parcels for providing shared access to an adjacent mixed-use development. The easements to provide for the shared access ways shall be a requirement of a mixed-use development as deemed appropriate by the reviewing board.
- vii. Restaurant with bar and on site-dry cleaning establishments shall not be permitted where there are residential units on floors above.
- viii. A minimum of 10 percent of all residential units shall meet the requirements of the New Jersey Council on Affordable Housing (COAH) for affordable units, subject to the latest COAH regulations in effect upon the time of application to the borough.
- ix. Architectural detailing. All proposed building facades shall have a coordinated architectural design and style. The architectural detailing of the buildings shall be contextually compatible and true to the architectural style or theme selected for the development. The architectural elevations shall provide some differentiation from unit to unit to create variety and interest, but shall not be so dissimilar as to detract from the overall architectural composition of the development.
- x. Architectural design features shall be used to create interest and variety and shall include staggered unit setbacks, changing rooflines and roof designs, and alterations in building height. Decorative elements such as shutters, porches, balconies, cornice features, columns and capitals and other design elements shall be incorporated into the design of all of the facades of the building to maintain a consistent look to a building.
- xi. No flat roof structures are permitted. An exception to this requirement would be to accommodate roof mounted mechanical equipment wherein screening is provided by sloped roof elements and other related architectural features of the proposed building.
- xii. No more than 30 feet of building wall may be proposed without providing a front wall break in the facade of not less than one (1) foot unless some other acceptable method of façade articulation is provided.
- xiii. Building colors shall have a complementary color palate that contains no more than four complementary colors.
- xiv. Building materials shall be consistent with the architectural theme of the development.
- xv. All exterior mechanical equipment shall be roof mounted and screened by a wall, roof element or by other means, and such screening shall be in keeping with the architectural motif of the building. Said mechanical equipment and screening shall be



permitted to exceed the permitted height of the principal building by a maximum six feet, and shall not occupy more than 15 percent of the roof area.

- xvi. Residential units must be provided with a direct access to the properties street frontage to encourage pedestrian access.
- xvii. Buffer Areas. Buffers from adjacent residential and commercial properties shall comply with the following standards:
 - 1. Landscaped berms shall be incorporated to accentuate the screening qualities of the proposed landscaping. Berms shall be a minimum of two feet in height. The width should vary with side slopes of 1 to 5 to 1 to 2, without adversely affecting natural drainage or slope retention;
 - 2. Berms shall be overlapping where drainage swales are required to pass through them. The final design must be reflected upon the grading and drainage plan;
 - 3. The landscaping shall be designed to complement the berms and shall be designed to provide a screen along the majority of the buffer area. Planting shall be installed at a variety of sizes which conform to the following minimum sizes:

Shade Trees	3 inch caliper
Evergreen Trees	vary from 7-8 feet to 10-12 feet
Shrubs	18-24 inches
 - 4. The landscaping within the buffer area shall include a predominance of evergreens to provide buffering during the dormant seasons. Evergreen trees shall be spaced to provide an acceptable screen subject to the approval of the board.
- xviii. Landscape Plantings. A minimum of 30 percent of the plantings proposed shall be indigenous to the region.
- xix. Foundation Plantings. The landscape plan shall include foundation plantings that provide an attractive visual setting for the development. These plantings shall include species that provide seasonal interest at varying heights to complement and provide pedestrian scale to the proposed architectural design of the buildings. The foundation planting shall incorporate evergreen shrubs and groupings of small trees in order to provide human scale to building facades and winter interest.
- xx. Streetscape. The development shall include a cohesive thematic streetscape design that includes such items as sidewalk pavement design, stylized street lighting and thematic street tree planting. The streetscape shall include the following elements:

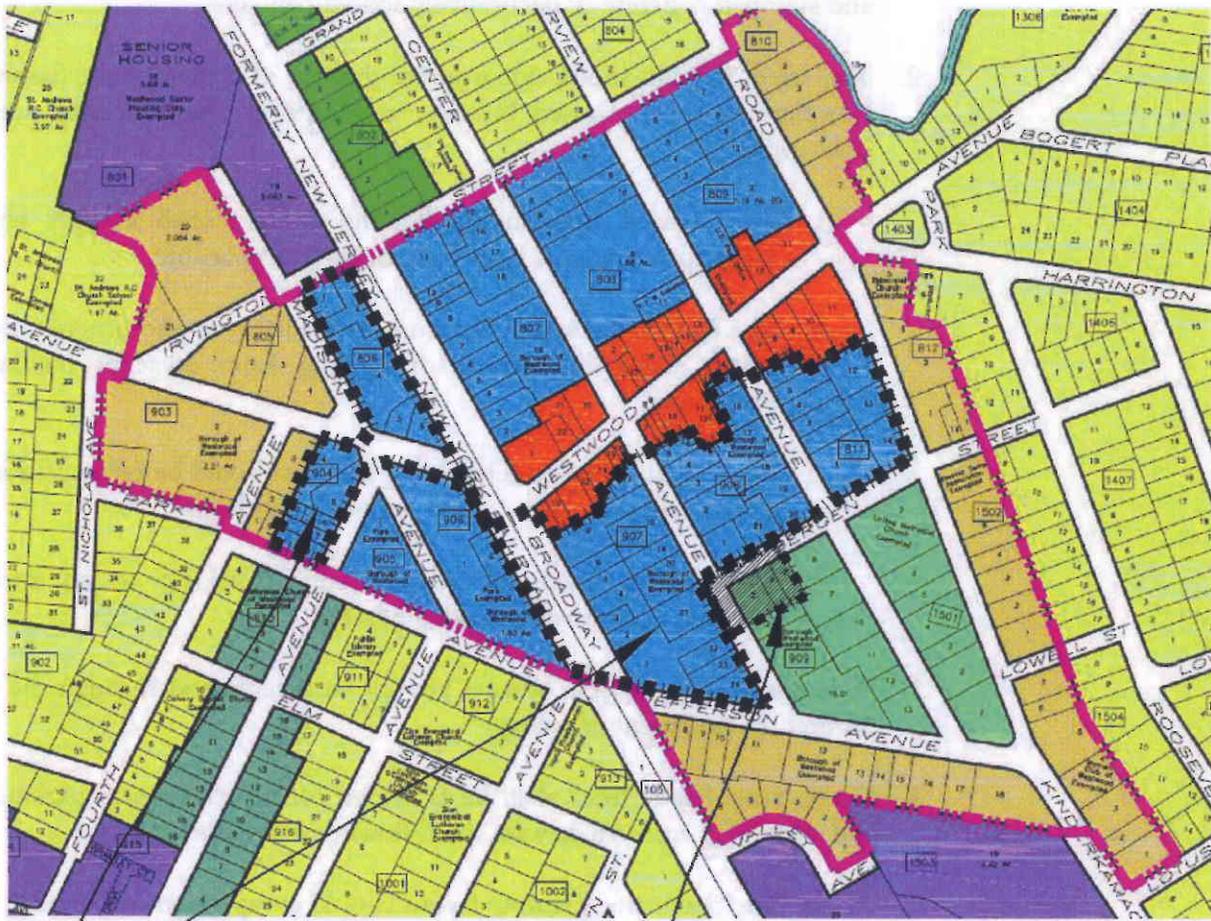


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1. Sidewalk areas within the development as well as along the public right of way should include creative use of stylized brick or concrete pavers, colored and stamped concrete or decoratively scored concrete;
2. The street lighting should incorporate the use of stylized light fixtures that complement the proposed building architecture. The following standards shall apply:
 - a. The stylized freestanding lighting fixtures shall comply with the municipal standards light fixtures where applicable;
 - b. The light fixtures should incorporate sufficient photometric controls, which shield the source of lighting from adjacent buildings or properties;
 - c. The height of the street lighting fixtures should be residential in scale and should not exceed a 12-foot mounting height;
 - d. The lighting levels proposed should conform to all applicable ordinance standards provided herein.
3. Pedestrian crossings of roadways should be accentuated through the use of differential pavement crossings;
4. Shade trees. Shade trees shall be provided for all streets and parking areas and shall be in accordance with the following standards:
 - a. The shade tree planting layout should complement the overall theme for the development as a whole;
 - b. Spacing between trees shall be determined based upon species and the desired theme. The spacing should range between 30 to 40 feet on center. There shall be a minimum of one shade tree per ten parking spaces within all parking lots;
 - c. There should be several species of shade trees incorporated into the design of the overall project to avoid problems associated with a monoculture;
 - d. The choice of tree species should be based on form and on site conditions and shall be subject to the approval of the Shade Tree Committee;
 - e. Shade trees shall be a minimum of 3 inches in caliper.



Proposed Mixed Use Overlay and CBD Zone Line Map Adjustment Illustration



PROPOSED MIXED USE OVERLAY LIMIT

PROPOSED CBD ZONE EXPANSION

LEGEND

	R-1 RESIDENTIAL		C.B.D. CENTRAL BUSINESS DISTRICT
	R-2 MODERATE DENSITY/PROFESSIONAL OFFICES		C.B.D./SPE CENTRAL BUSINESS DIST./SPECIAL PEDESTRIAN ENVIRONMENT
	R-3 MEDIUM DENSITY RESIDENTIAL		R.W. RETAIL/WHOLESALE
	C.O.-CENTRAL OFFICE		L.M. LIGHT MANUFACTURING
	LB-1 LIMITED BUSINESS DISTRICT 1		HSD HEALTH SERVICES-OFFICE
	LB-2 LIMITED BUSINESS DISTRICT 2		H-HOSPITAL DISTRICT
	LB-3 LIMITED BUSINESS DISTRICT 3		SC-SHOPPING CENTER
	O-OFFICE		CEMETERY

APPROVED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF WESTWOOD BY ORDINANCE # _____ ON _____

JOHN BIRKNER, JR.
MAYOR

KAREN HUGHES
CLERK

Map obtained from PDF file of Zoning Map prepared by Boswell Mc Clave Engineering dated October 21, 2008

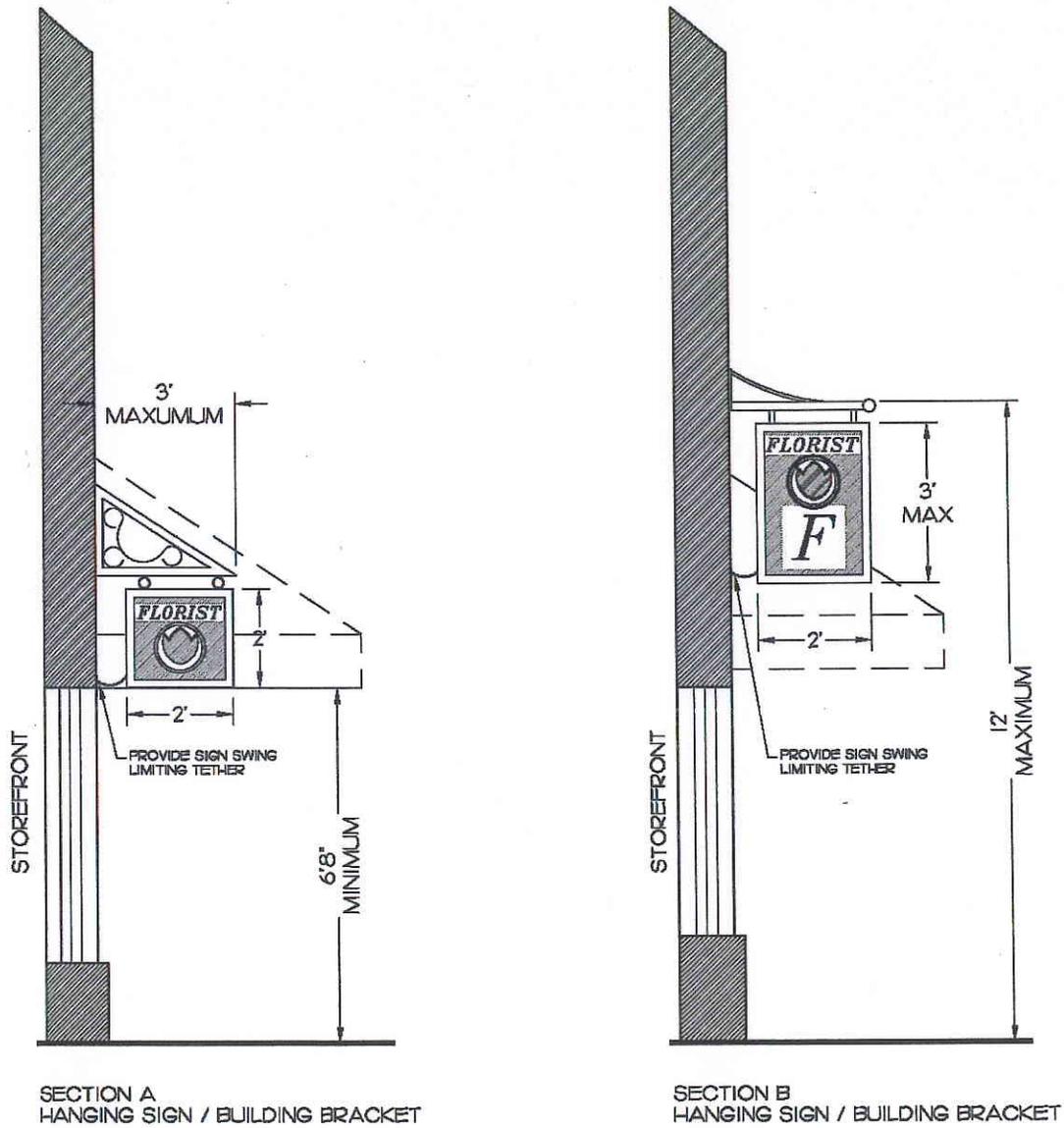
Appendix D

(Sample Regulation)

Hanging perpendicular signs to a building facade. (See attached illustration)

1. Hanging perpendicular signs are permitted in the CBD/SPE District subject to the area and dimension requirements listed herein.
2. Hanging perpendicular signs shall compliment the historic styling of the CBD/SPE district signs and shall be designed and constructed as either painted signs on metal or wood, incised or carved lettering on a wood or simulated wood background, or individual letters arranged on painted wood, metal or simulated wood backgrounds.
3. Perpendicular hanging signs permitted herein shall not be illuminated, oscillating, moving, neon or have a similar effect.
4. One hanging perpendicular sign shall be permitted for each first floor business or commercial use along the facade containing such use and shall contain advertisement of the use contained in the building as notes in the definition of a sign.
5. Hanging perpendicular signs may project into the front, side yard setbacks, but only 3 feet from a building facade. The sign shall be no lower than 6 feet 8 inches and no higher than 12 feet to the adjacent grade plane. See the attached Illustration.
6. The maximum area for a hanging sign shall be six square feet.
7. The hanging perpendicular sign face shall be no higher than 3 feet.
8. The sign shall have the same message on the front and back of such sign.
9. Hanging signs attached to the building facade may not be located below an awning or awning sign.
10. Hanging signs are permitted above awnings or awning signs as shown in attached Illustration.
11. Hanging perpendicular signs may not be internally illuminated.
12. A hanging perpendicular sign may not extend beyond the front edge of any awning or awning sign.
13. The lettering on hanging signs shall be no more than six inches in height.
14. Hanging signs shall be tethered to safely limit the sway of the sign.





 HANGING SIGNAGE ILLUSTRATION
BOROUGH OF WESTWOOD

NOT TO SCALE

Appendix E

(Sample Regulation)

Sustainable Energy Regulations:

The following zoning considerations as initial recommendations are offered to regulate renewable energy systems on balance with the states sustainable energy objective:

Solar Energy Systems:

A. Rooftop solar energy panels

1. Rooftop solar energy panels should be considered as a permitted accessory use in all zone districts.
2. The following is recommended as the maximum height for solar energy equipment including supportive structures for zones of the borough:
 - 1.) R-1, R-2 and R-3 zones: 12 inch maximum height from roof surface.
 - 2.) All other zones: Up to 36 inches from roof surface
 - 3.) Height of solar energy equipment is exempt from building height measurement.
3. The preferred location of such panels should be towards the rear of the structure if possible.
4. The maximum size and permitted location of supportive equipment should be provided in the regulations.
5. Where possible, materials, wiring, colors, textures, screening should blend with the architectural design of a building where the panels are being placed and into the natural setting and existing environment.
6. All installations shall conform to applicable building regulations and all structural appurtenances should be designed by a licensed structural engineer.
7. The installation of any solar energy system should not infer rights to a solar easement on an adjacent property or require the municipality to require such easements.
8. Ground mounted solar energy panels
 - a. A minimum lot size and zones should be established whereby ground mounted solar energy panels are permitted as a conditional use with standards,
 - b. A minimum setback requirement similar to common accessory structure requirements should be established,
 - c. A maximum height should be established in consideration of a carport style installation,
 - d. A landscape screen should be required to minimize the impact of a ground mounted structure,
 - e. A re-vegetation requirement when use is terminated.
9. Building wall mounted solar panels. Building wall mounted solar panels are permitted only in SC, RW, LB-1 thru 3, LM, HSO and H zone districts.



B. Wind Energy Systems:

1. As previously noted, wind energy systems cannot be prohibited in all zone districts so the borough will need to establish appropriate zones where they will be permitted. It is recommended they be permitted in only certain non-residential zone districts with limited locations in residential districts due to their potential visual and existing performance zoning regulations,
2. A reasonable maximum height should be established above the maximum permitted height in a zone. A consideration would be to permit an additional 5 or 10 feet above the permitted height of a building in a zone,
3. The setback of an installation should be considered at 150 percent of the maximum height of the structure,
4. All appurtenances associated with wind energy system should comply with the accessory structure requirements of the zone,
 - a. Specify the maximum noise levels as permitted by regulation of 55 decibels at the property line,
 - b. Consideration should be given to limiting the size of such a turbine in specific zones and consideration of use of the definition of small wind turbines regulated by the maximum power generation. The ordinance should consider the limitation of wind energy systems to only vertical axis wind turbines in residential zones and both vertical axis and horizontal axis turbines propeller style in exclusively non-residential zones.
 - c. All installations shall conform to applicable building regulations and all structural appurtenances should be designed by a licensed structural engineer.
 - d. The installation of any wind energy system should not infer rights to an easement on an adjacent property or require the municipality to require such easements.

