Neglia Group

34 Park Avenue
Lyndhurst, NJ 07071

Township of Lyndhurst

ADOPTED
May 29__ , 2024

Planning Board

2024 Master Plan Reexamination Report

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Commissioner Richard Jarvis Sr.
Commissioner John J. Montillo, Jr.
Commissioner Louis DeMarco

Lyndhurst Planning Board
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INTRODUCTION



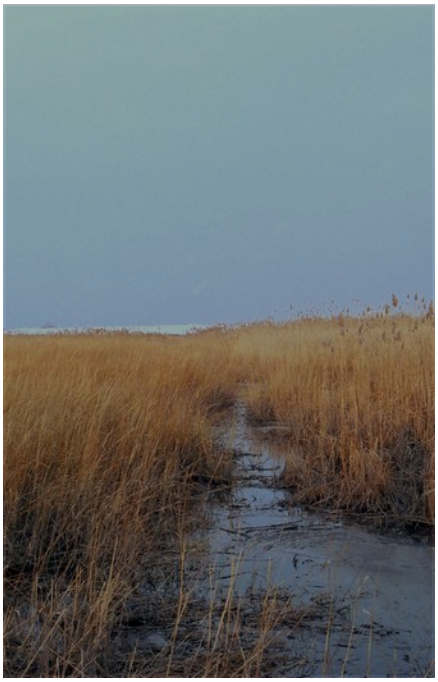


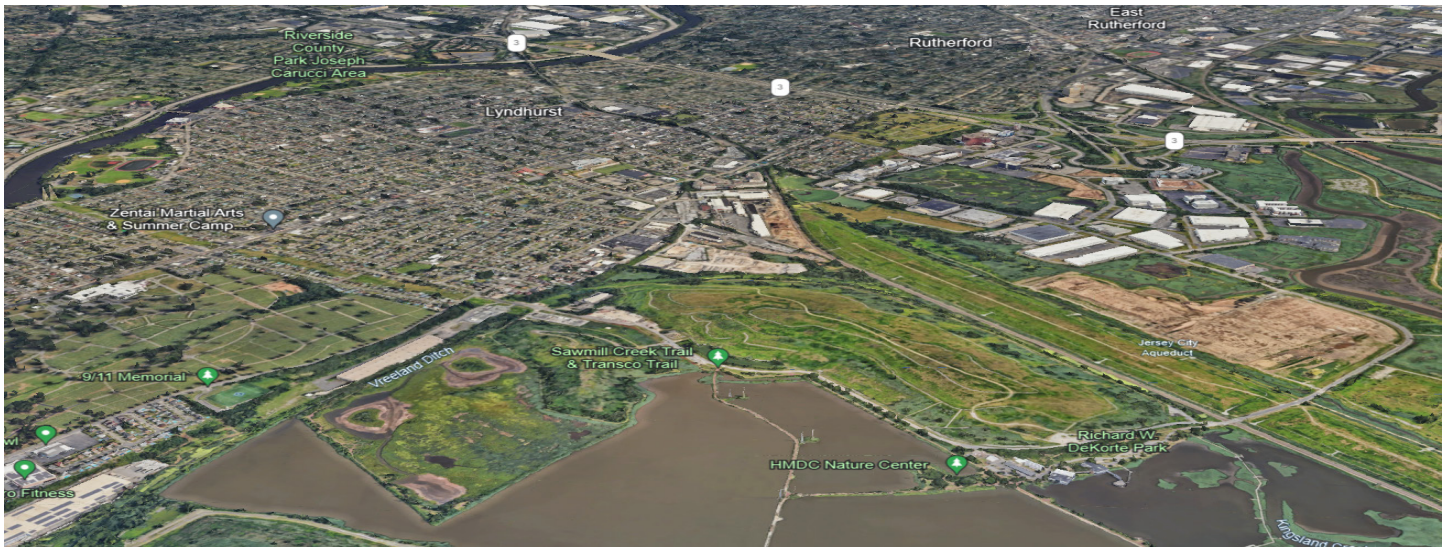



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Introduction:

The New Jersey Municipal Land Use Law ("MLUL"), grants substantial power to local planning boards to regulate land use and development. The foundation of this power is the ability to adopt a Master Plan.

A Master Plan is a broad, long-range plan intended to guide growth and development in a community over a period of years. A Master Plan provides the basis for zoning and planning decisions in a community. The plan oversees specific changes in land use, community facilities, parks, circulation, and many other local issues. The Master Plan documents the current conditions of the municipality and addresses those issues that may have an impact on the community.

The Township of Lyndhurst is preparing a Master Plan Reexamination based on the statutory requirements found in the MLUL, N.J.S.A. 40:55D-89, requiring a reexamination of the Master Plan every ten years. This ensures a periodic review of the pertinent data such as income and housing values, and a review of land use objectives.

The Township of Lyndhurst last adopted a Master Plan Reexamination in June 2014. The Township's Master Plan was prepared in 1961 and filed in 1963. Records indicate a reexamination was prepared in 1978. In addition, a Master Plan Update and Reexamination Report was prepared in December 1989 and revised in June 2001. In August 2001, amendments to the plan were prepared to incorporate certain redevelopment plans. These prior efforts form the basis for this Master Plan Reexamination.

This plan will address the issues and challenges currently facing the Township as well as significant redevelopment efforts presently being undertaken, and guides the growth and development of the Township over the course of the next six (6) to ten (10) years.

Legal Requirements for Planning:

The Municipal Land Use Law established the legal requirements and criteria for the preparation of a master plan, which may be adopted or amended by the Planning Board only after a public hearing. The plan must be reviewed or reexamined by the Planning Board at least once every ten (10) years. The MLUL identifies the required contents of a master plan and master plan reexamination. The Statute requires that the master plan reexmaination include the following.

1. Identify the major problems and objectives relating to land development in the municipality occuring since the last master plan reexamination.

2. The extent to which problems and objectives have been reduced or have increased since the last reexamination.

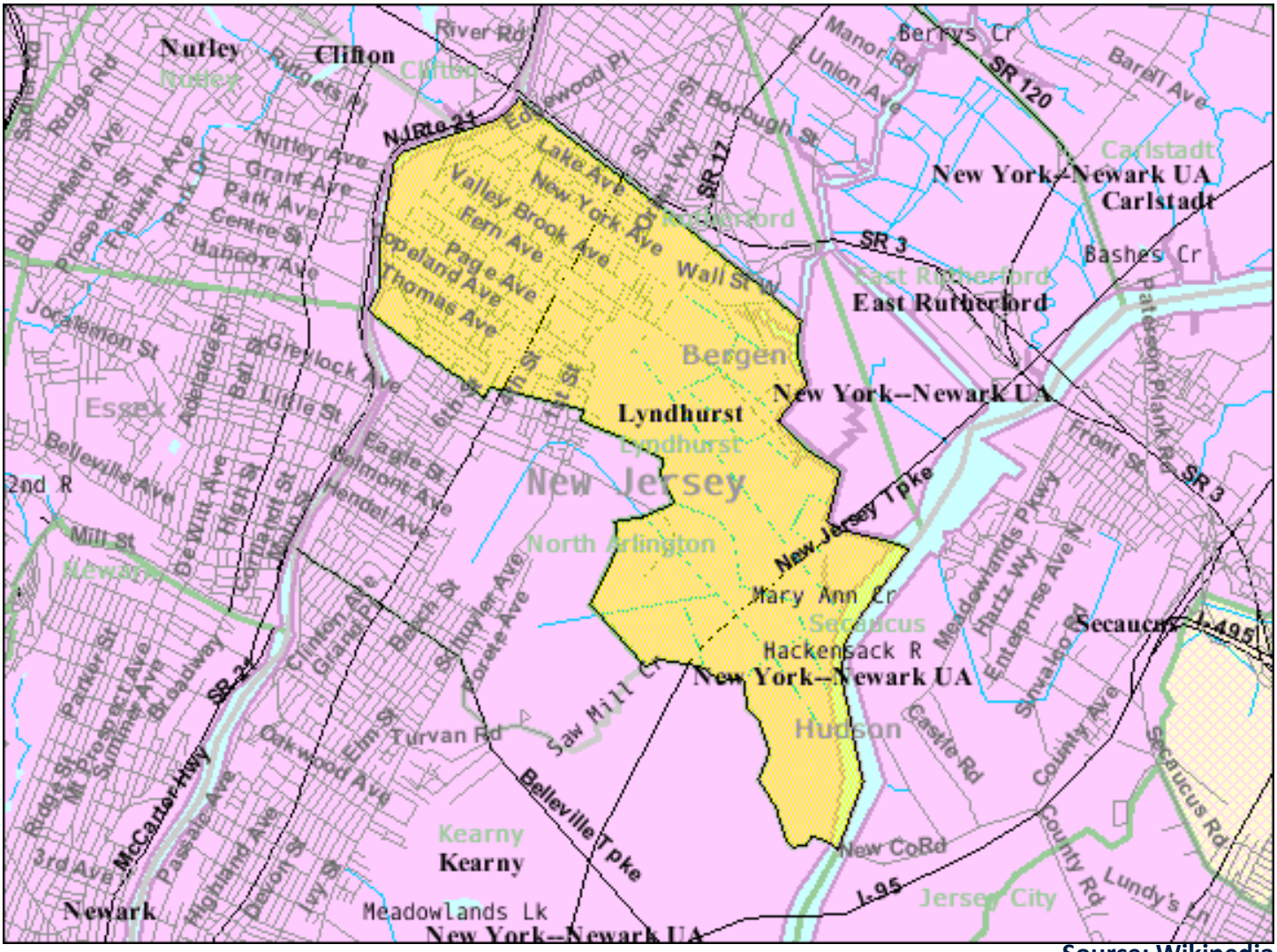
3. The extent to which there have been significant changes in assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.

4. The specific changes recommended for the master plan or development regulations including underlying objective policies and standards, or whether a new plan or regulation should be prepared.

5. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L.1992, c. 79 (C.40A:12A-1 et seq.) 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.

6. Re-examination report required every ten (10) years.

Map 1
Area Map



Source: Wikipedia

02

LOCATION & ZONING



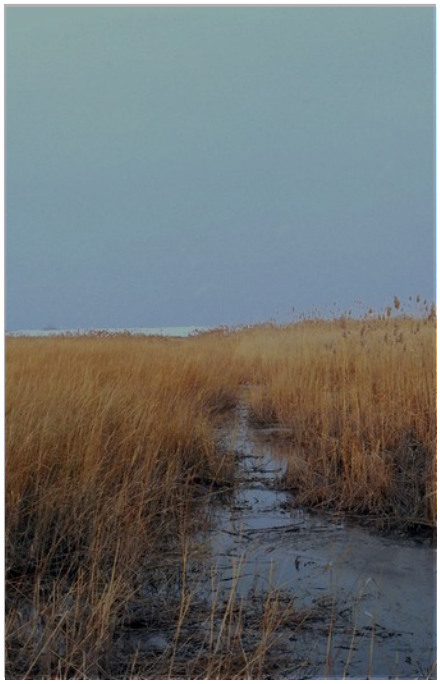





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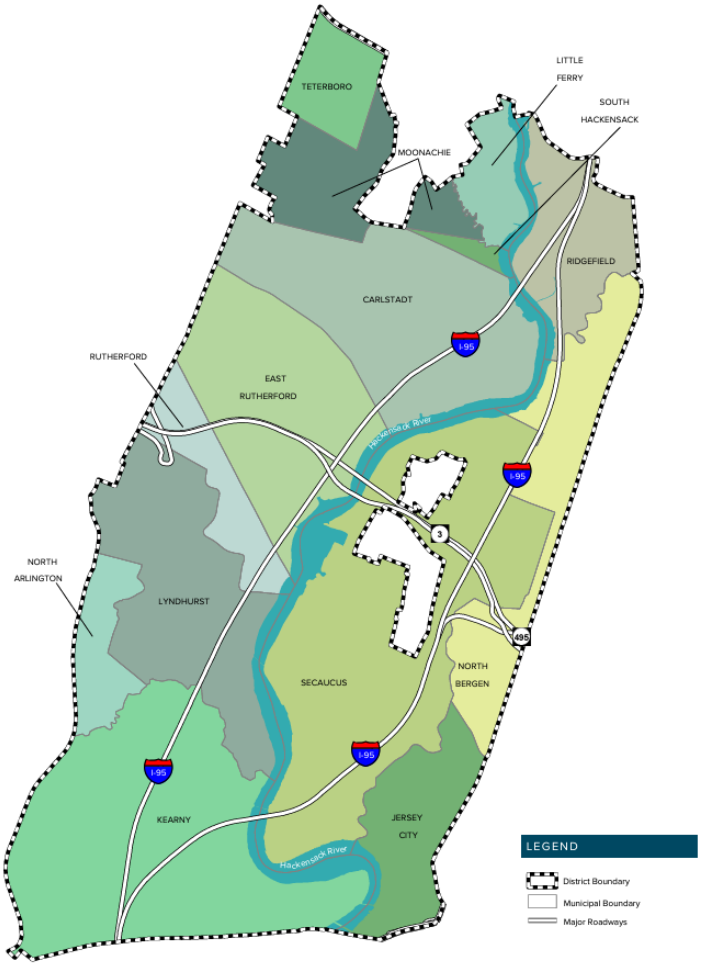




Township Overview:
Situated in southern Bergen County, the Township of Lyndhurst is bordered by the City of Clifton, the Township of Nutley, the Township of North Arlington, the Town of Kearny, and the Town of Secaucus. The Township consists of a total area of 4.96 square miles, 4.58 square miles of land and 0.38 square miles of water.

The Passaic River creates the municipal and county border at the west. The eastern portion of the municipality is part of the uninhabited wetlands in the New Jersey Meadowlands. Map 2 illustrates the location of Lyndhurst within the Meadowlands DIstrict.

Map 2
NJSEA Jurisdiction Map



Source: NJSEA Master Plan

History:
In 1852, Union Township was formed. This included present day Rutherford, East Rutherford, Lyndhurst, Kingsland (the area east of Ridge Road to Fern Avenue then to Riverside), and North Arlington. On March 27, 1917, the residents of a portion of Union Township passed a referendum to change the name to Lyndhurst Township, which became effective as of May 15, 1917.

Kingsland is a former post village within the township. The Kingsland family possessed a large tract of land in the area known as Kingsland Manor. In 1872, the Delaware, Lackawanna and Western Railroad established a railway through the township, and erected a depot in the area named “Kingsland” in honor of the family.

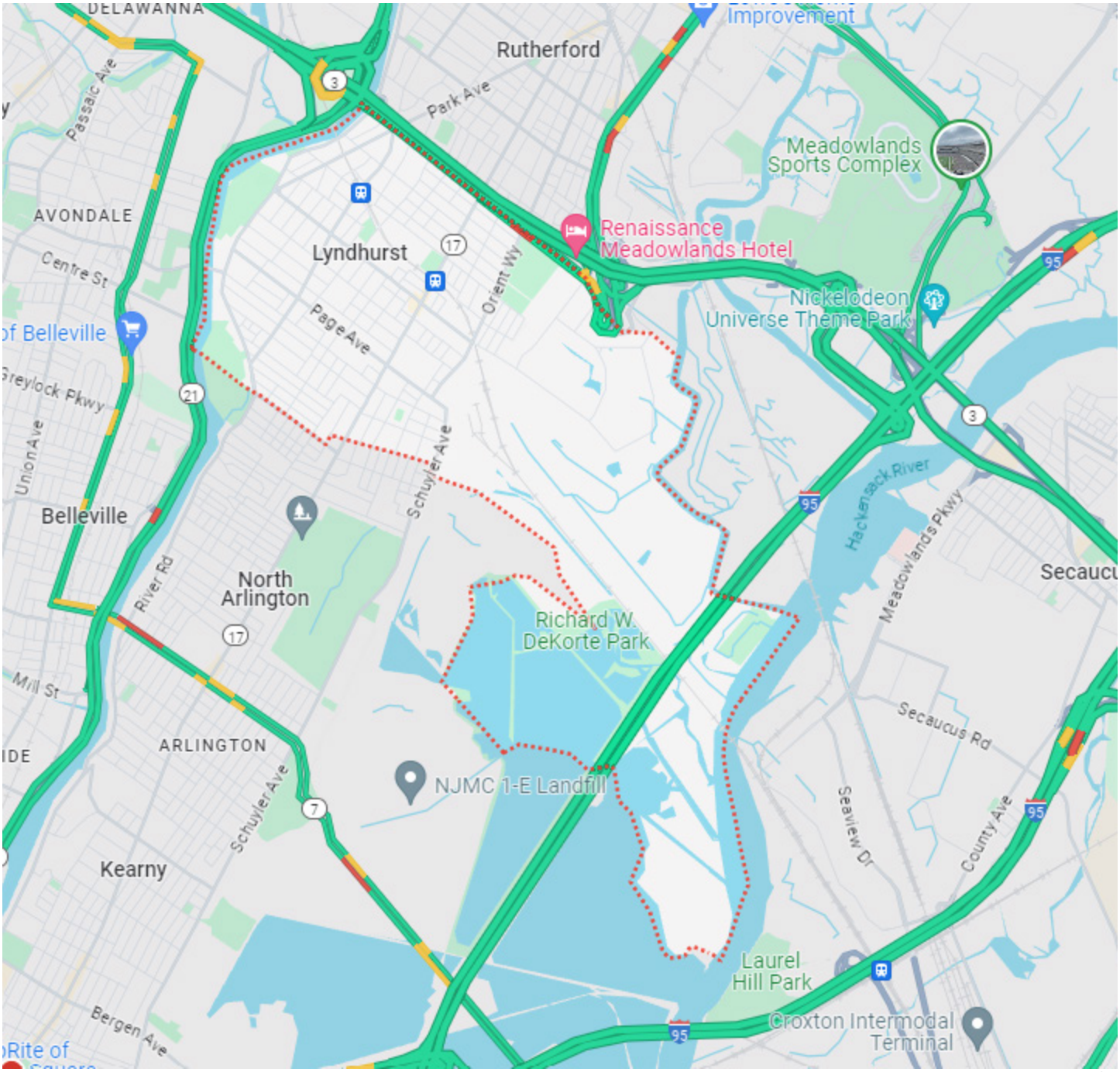
On January 11, 1917, a fire started at the Canadian Car and Foundry Company. The plant was producing munitions for sale to the United Kingdom and the Russian Empire during World War I. In the 1920’s the Township of Lyndhurst experienced the growth of big industry and creating the commuter town that Lyndhurst is today.

During the depression in the 1930’s the Township was able to utilize the soil and develop community gardens in the area where Stop and Shop exists today.

The 1940’s and 50’s experienced a population boom due in part to the returning of many veterans. The Township of Lyndhurst offered the returning veterans a place to settle down with their families. In addition, the opening of Route 3 (See Map 3) made the Township more accessible.

The development of the Meadowlands started in the late 1960’s and early 1970’s. Approximately 60.8% (1,935 square feet) of the Township is located within the Meadowlands District.

Map 3
Local Roadway System



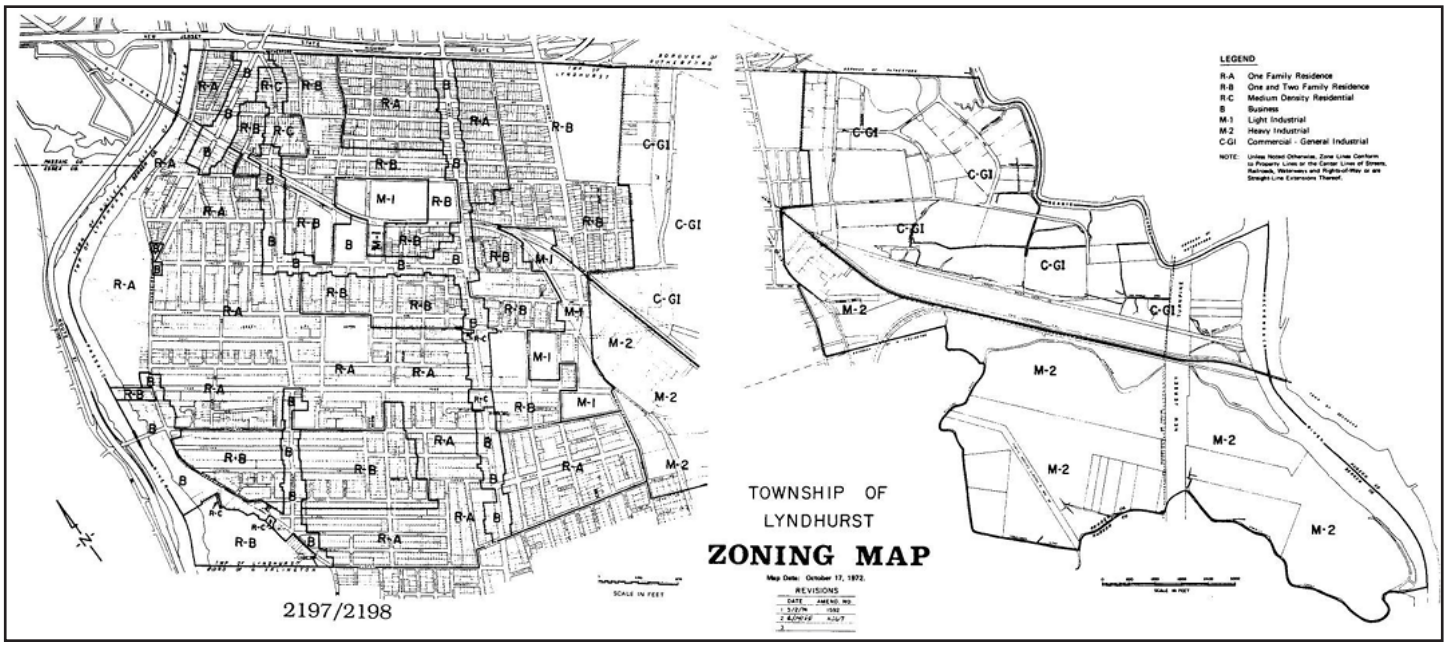
Source: Google

Zoning:
The Township of Lyndhurst has several distinct zoning districts within its boundaries. Ths districts include the following:

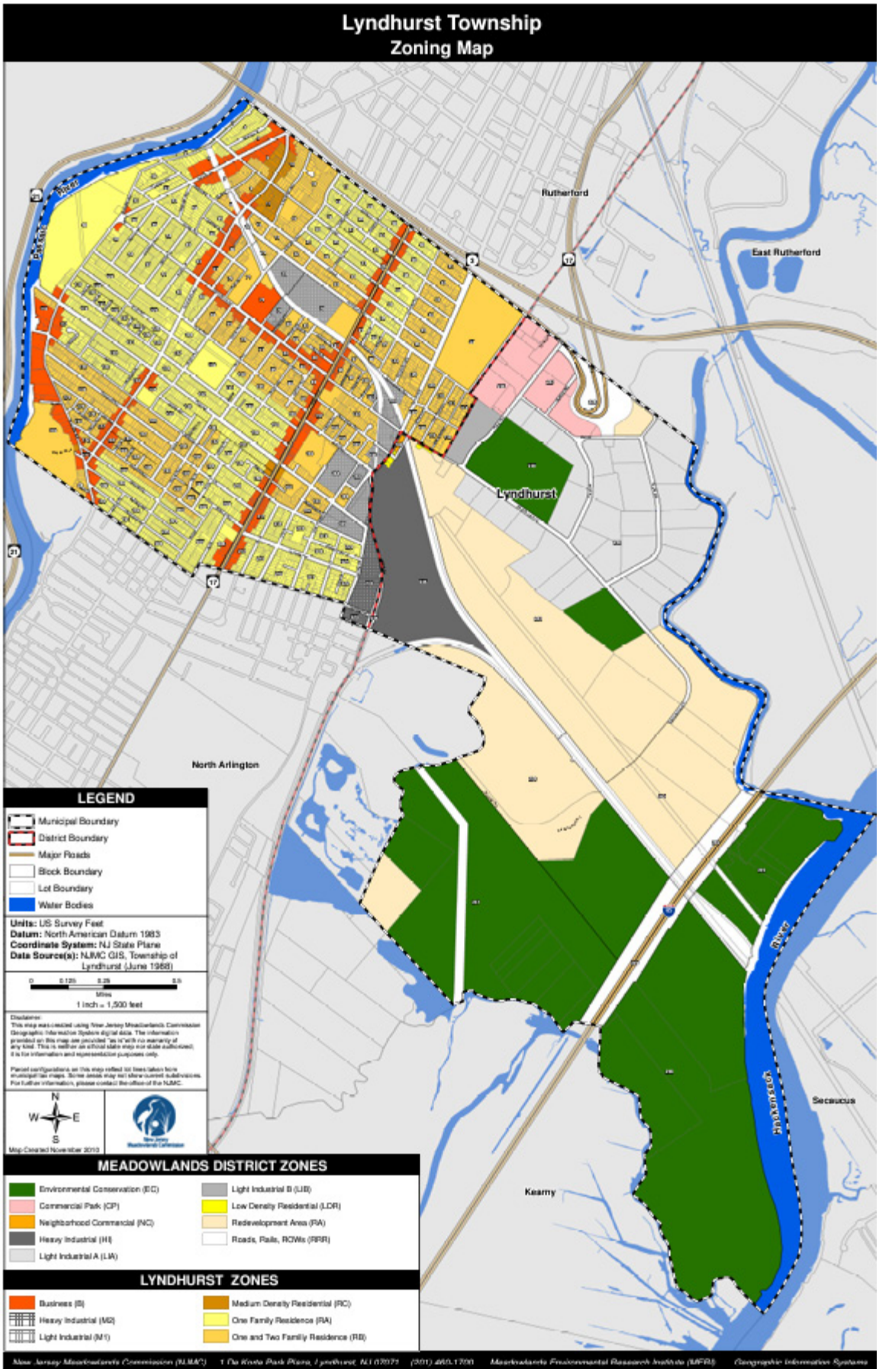
R-A	One Family Residence
R-B	One and Two Family Residence
R-C	Multi-Family Residential
B	Business
M-1	Light Industrial
M-2	Heavy Industrial
C-GI	Commercial - General Industrial
SHRC	Senior Housing and Residential Commerical
BR	Business Restaurant Overlay Zone

The districts are bounded and defined as shown on the map entitled “Zoning Map of the Township of Lyndhurst, N.J.”, revised July 12, 1988, located below. The map illustrates over 60% of the land area of the Township of Lyndhurst is located within the New Jersey Meadowlands District (NJMD). The area located within the NJMD is controlled by the New Jersey Sports and Exposition Authority (NJSEA) and is responsible for zoning and general development of properties within the boundaries.

Map 4
Zoning Map



Map 5
NJSEA Zoning Map



Demographics:
In the year 2020 the Township had a population of 22,519, according to the United States Census Bureau. The estimated 2022 population is 22,286. The population density of Lyndhurst is 4,540 people per square mile. The United States Postal Service delivers mail to one zip code in Lyndhurst, 07071.

Chart 1
United States Census Bureau Population Data
Lyndhurst, Bergen County, New Jersey

Census	Population	% +/-
1860	957	-
1870	2,057	114.9%
1880	3,164	53.8%
1890	1,560	-50.7%
1900	4,590	1.9%
1910	4,076	156.4%
1920	9,515	133.4%
1930	17,362	82.5%
1940	17,454	0.5%
1950	19,980	14.5%
1960	21,867	9.4%
1970	22,729	3.9%
1980	20,326	-10.6%
1990	18,262	-10.2%
2000	19,383	6.1%
2010	20,554	6.0%
2020	22,519	9.5%

Chart 2
United States Census Bureau Population By Age and Sex
Lyndhurst, Bergen County, New Jersey

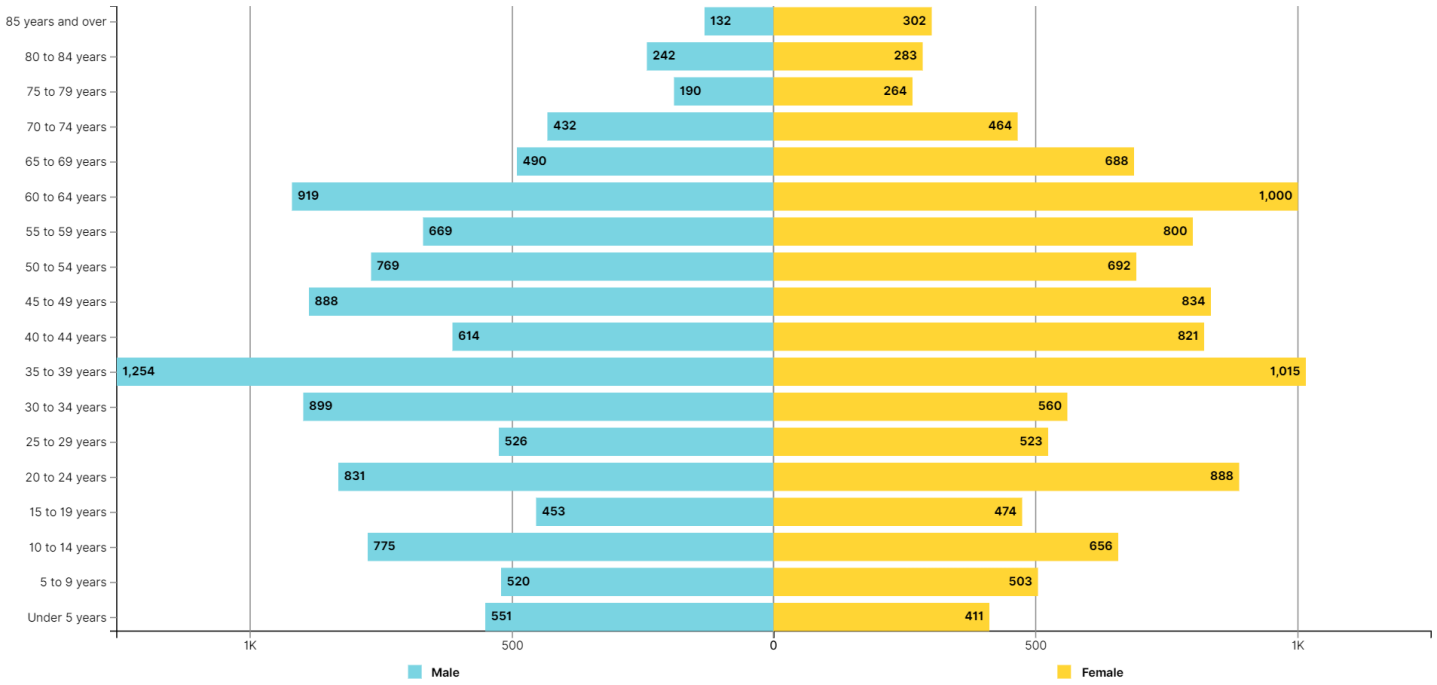


Chart 3
American Community Survey, School Enrollment (2022)
Lyndhurst, Bergen County, New Jersey

3 Years and Over Enrolled in School	4,417
Nursery School/Pre-school	291
Kindergarten	163
Grades 1 to 4	838
Grades 5 to 8	1,029
High School (Grades 9-12)	1,124
College, Undergrad-uate	707
Graduate/Profes-sional School	265

Chart 4
United States Census Bureau Income Data
Lyndhurst, Bergen County, New Jersey

Median Household Income	
Lyndhurst	$104,338
New Jersey	$96,346
U.S.	$105,555
Per Capita Income	
Lyndhurst	$49,048
New Jersey	$51,272
U.S.	$41,804

Chart 5
United States Census Bureau Housing Unit Data
Lyndhurst, Bergen County, New Jersey

Occupied housing units	9,055
UNITS IN STRUCTURE	
1, detached	3,939
1, attached	251
2 apartments	2,880
3 or 4 apartments	500
5 to 9 apartments	174
10 or more apartments	1,282
Mobile home or other type of housing	29
YEAR STRUCTURE BUILT	
2020 or later	0
2010 to 2019	490
2000 to 2009	619
1980 to 1999	770
1960 to 1979	1,529
1940 to 1959	2,732
1939 or earlier	2,915
BEDROOMS	
No bedroom	192
1 bedroom	1,662
2 or 3 bedrooms	6,004
4 or more bedrooms	1,197

Chart 6
American Community Survey, Median Income By Families
Lyndhurst, Bergen County, New Jersey

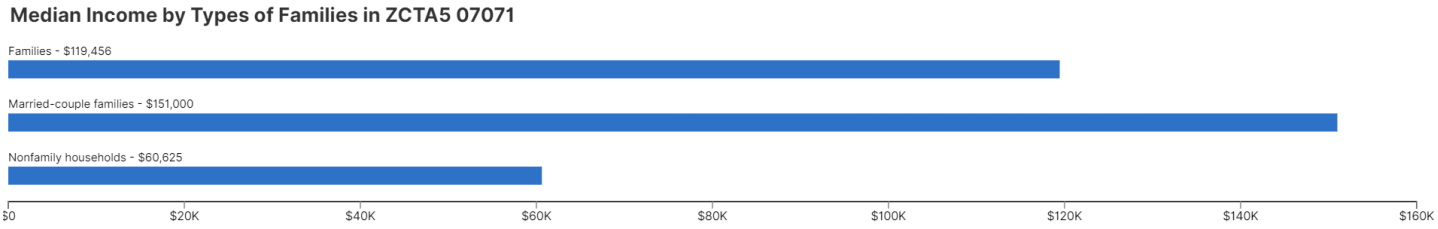
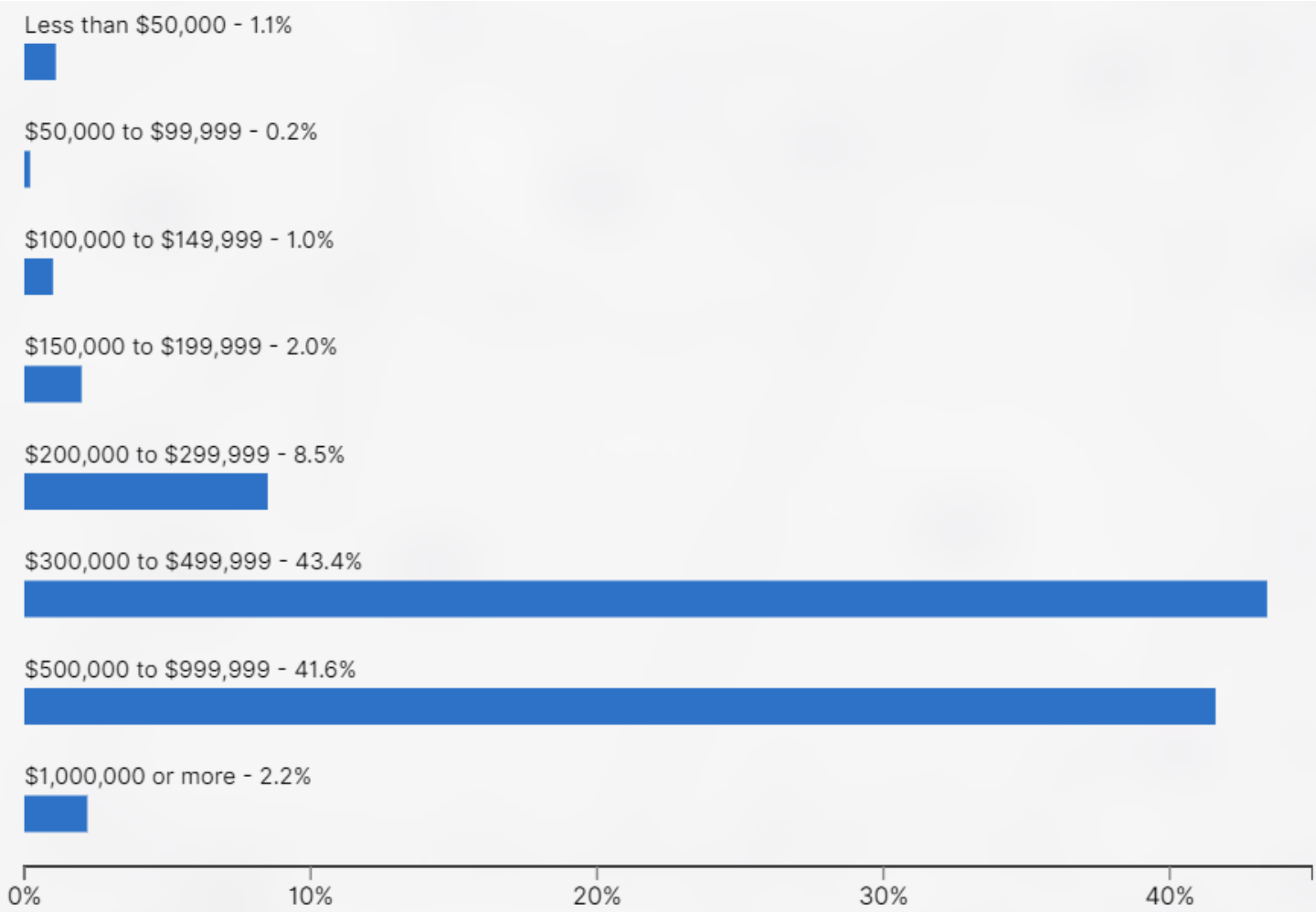


Chart 7
American Community Survey, Housing Value
Lyndhurst, Bergen County, New Jersey



03

MAJOR PROBLEMS AND OBJECTIVES

The following section identifies the major problems and objetives relating to the Township's land use development at the time of its prior master planning documents, and how those problems and objectives have changed in the ensuing years.



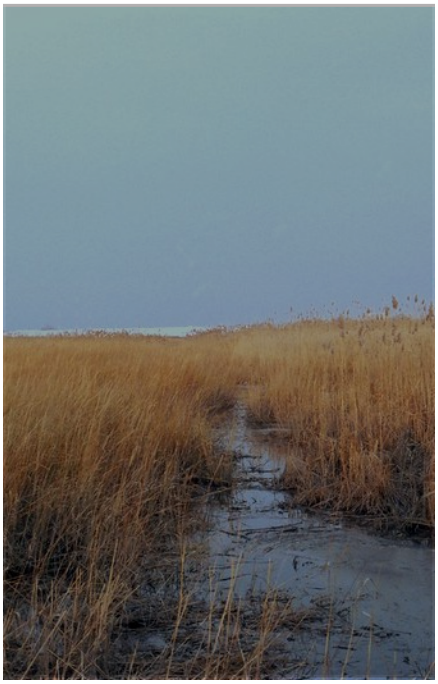





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The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report;
NJSA 40:55D-89.a

The extent to which such problems and objectives have been reduced or have increased subsequent to such date;
NJSA 40:55D-89.b

As part of the reexamination analysis, the MLUL requires an identification of the major land use problems and objectives that were outlined in the most recently adopted master plan or reexamination report.

The MLUL also requires municipalties to track the extent to which those problems have been reduced or increased.

This section outlines the goals and objectives of the 2013 Land Use Plan Element of the Master Plan and Periodic Reexamination Report of the Master Plan and provides updates regarding them.

A. Major Problems and Objectives Relating to Land Development in Lyndhurst at the time of the Last Master Plan

The last Master Plan for the Township of Lyndhurst was adopted in January 1969. Re-examinations were prepared in 1978, 1982, 1989, 2001, 2008 and the last Reexamination in 2014. The Master Plan described Lyndhurst as consisting of two communities. The two communities described in the Master Plan are as follows:

1. The westerly portion of the Township is almost completely developed with few vacant parcels remaining.
2. The easterly portion, which consists of the Meadowlands area, is being rapidly developed.

These two areas are distinctly different and are subject to seperate zoning ordinances and jurisdiction.

Westerly Portion:

The western portion of the Township is an area that is typical of many older suburbs, characterized by mostly single-family homes on small lots, as well as a mix of two-family homes. There are a few multi-family housing developments in this area. However, a majority of the housing stock is one- and two-family dwellings.

At the time of the last Reexamination it was noted that there was an increasing pressure for multi-family development, resulting in greater traffic impacts and higher densities.

Easterly Portion:

The eastern portion of the Township is governed by the New Jersey Sports and Exposition Authority (NJSEA). The NJSEA adopted a new Master Plan in February 2020. The 2014 Reexamination expressed concerns over the decision making within the NJSEA and advised the Township to disband of the District, specifically as it related to the control of land use.

In addition, the previous Reexamination suggested the seperation of the Eastern and Western portions of the Township as illogical. Until the Township has complete control and decision making power of the entire Township, examing the two areas seperately is the best planning practice.

The problems and objectives identified in the 2014 Reexamination Report:

1. The Township should call for the disbanding of the New Jersey Meadowlands District.The previous Reexamination Reports addressed the NJMD as a seperate and distinct area from the municipality. However, the 2014 Reexmaintion Report stated this was illogical and the Township of Lyndhurst should seek to control land uses within the Township.

2. Suppressed rental property values. The previous Reexamination detailed stagnation of Lyndhurst property values and the fact that a large portion of the housing stock in Lyndhurst are “for rent” properties.

3. Decline of the Lyndhurst tax base. In addition, the general decline of property values. The 2014 Reexamination Report’s goal is to increase the aggregate property value through higher quality schools.

The problems and objectives identified in the 2008, Reexamination Report include:

1. Continued pressure for multi-family development in the Western portion of the Township. These pressures were due in part to costs of land increasing and costs of redevelopment need greater returns.

2. Continued revitalization of the central business area. Specificially, increase public parking, improve physical appearance of the area, and change certain land uses.

3. The 2001 and 2008 Reexamination Reports expressed concerns over residential zoning in the areas controled by the NJSEA.

B. Extent to Which Such Problems and Objectives Have Been Reduced or Have Increased Since 2014

Problem/Objective #1

The previous Reexamination Reports addressed the NJMD as a seperate and distinct area from the municipality. However, the 2014 Reexmination Report stated this was illogical and the Township of Lyndhurst should seek to control land uses within the Township.

2024 Comments

The NJSEA continues to control the Easterly Portion of the Township. It would make most sense to continue to look at the Township as the "East" and "West" portions. Until the Township is in full control of the land in the Easterly portion, the focus on development should be placed on the land the Township has jurisdiction over.

If the Township continues to seek to exert more control over land use decisions in this area, the Mayor and Commissioners in conjunction with the Planning Board, and the Redevelopment Authority could work with the NJSEA to have the Township retain and/or participate in the the review of all zoning applications for portions of the Township within the NJSEA's jurisdiction.

Problem/Objective #2

The 2001 and 2008 Reexamination Reports expressed concerns over residential zoning in the areas controlled by the NJSEA.

2024 Comments

The NJSEA released a new Master Plan in February 2020. The Land Use Map illustrates much of the land in Lyndhurst has Sustainable Uplands Reserve, Preserve and Industrial/Logistics Center. There is a small piece of land that is designated as "Neighborhood". However, much of this new map illustrates uses that compliment the uses in the Lyndhurst zoning map.

Problem/Objective #3

Decline of the Lyndhurst tax base. In addition, the general decline of property values. The 2014 Reexamination Report's goal is to increase the aggregate property value through higher quality schools.

2024 Comments

The Township of Lyndhurst has experienced a major increase in property values since the 2014 Reexamination Report. The 2014 Reexamination Report stated the average home value to be $395,000 and the American Community Survey (ACS) reports the average home value in 2020 to be $583,000. In 2014, 45% of properties were rented whereas in 2020 the ACS reports 42.3% of properties were not owner occupied aka "for rent". Representing a slight decrease in renters. Additionally, the Township built a new middle school in 2020, the first new school to be built in the Township in 85 years.



Aerial image of the new Middle School, photographed by Neglia via drone.

04

SIGNIFICANT CHANGES



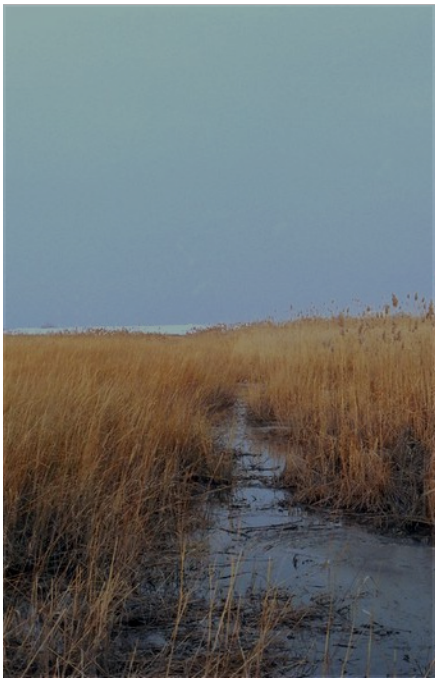





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The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population 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;
NJSA 40:55D-89.c

The MLUL requires that municipalities acknowledge change. One of the required components of a reexamination report is to "identify the extent to which there have been significant changes in the assumptions, policies, and objectives which form the basis of their master plans and development regulations".

Since the Township adopted its 2014 Reexamination Report, there have been significant changes across the local, county, and state levels. These changes could potentially shape the landscape of Lyndhurst.

The following section discusses those changes.

C. Extent to Which There Have Been Significant Changes in the Assumptions, Policies, and Objectives Forming the Basis of the Master Plan

The last Master Plan Reexamination in 2014 identified a number of changes in the underlying assumptions which affect the policies and objectives of the Master Plan. While some of these still remain valid, additional changes have occurred that affect Lyndhurst. These changes since that time that affect Lyndhurst are as follows:

1. United States Decennial Census
The U.S. Bureau of the Census has published updated housing, demographic, and economic data since the 2014 Reexamination. These changes should be reflected in the Township's Master Plan Reexamination. Data after 2020 is also available, efforts should be made to incorporate any data available since the 2020 Census.

2. American Community Survey (ACS)
The American Community Survey is a nationwide ongoing survey conducted by the U.S. Census Bureau. It relies on random sampling to provide ongoing, monthly data collection.

3. 2023 Bergen County Master Plan
As of April 2023, Bergen County is in the process of preparing a new County Master Plan. Any changes within the Master Plan that pertain to the Township should be incorporated into all future development.

4. Affordable Housing
In 2008, the Council on Affordable Housing (COAH) adopted revised Third Round or "Growth Share" regulations which were published and became effective on June 2, 2008. COAH proposed amendments to the rules they had just adopted which went into effect in October 2008. These 2008 rules and regulations were subsequently challenged. The Appellate Division invalidated the Growth Share methodology utilized in Rounds One and Two.

Six years later in 2014, COAH became deadlocked with a 3-3 vote and failed to adopt its newly revised Third Round regulations. The Fair Share Housing Center (FSHC), a nonprofit affordable housing advocacy group who was a party in the 2008, 2010, and 2013 cases, responded by filing a motion in aid of litigants' rights with the New Jersey Supreme Court. The Court heard the motion in January 2015 and issued its ruling on March 20, 2015. The ruling stated COAH was effectively dysfunctional and consequently returned jurisdiction of affordable housing issues back to the trial courts where it had been originally been prior to the creation of COAH in 1985, This is commonly identified as the Mt. Laurel IV decision.

Subsequently, the New Jersey Supreme Court issued an additional decision on January 17, 2017 regarding the "gap period". The Supreme Court found that the "gap period" (1999-2015), generated an affordable housing obligation which must be addressed under the Present Need Obligation. The municipal affordable housing obligation was now comprised of four parts including Present Need (rehabilitation), Prior Round (1987-1999), Gap Present Need (1999-2015), and Prospective Round (2015-2025).

Legislature designed to address New Jersey's Fourth Round affordable housing cycle made its way through the Legislature and was passed in the Assembly on February 12, 2024. On March 20, 2024, Governor Phil Murphy signed into law Bill A4/S50 which passed the Legislature as well as other pieces of affordable housing legislation. The new legislation substantially revises the Fair Housing Act governing housing for low-income and moderate-income families in New Jersey. The new law is intended to streamline compliance and reduce the delays for the construction of new affordable housing, and to provide municipalities and developers with more certainty to enable smarter planning for the location of affordable housing. In addition, the new legislation provides aggressive deadlines which each municipality must comply with to obtain immunity. Most importantly, each municipality must adopt a new Housing Element by June 2025.

5. Cannabis/ CREAMM
The State passed the Cannabis Regulatory Enforcement Assistance, and Marketplace Modernization (CREAMM) Act in 2021. This allows for the legal sales and use of cannabis and cannabis products for residents over the age of twenty-one. The CREAMM Act further establishes six different classes of cannabis licenses. The Act permits municipalities to enact and amend ordinances or regulations to prohibit operation of any one or more class of cannabis licenses within the jurisdiction.

The Township opted out of legislation with Ordinance 3073-21

6. Local Redevelopment and Housing Law (LRHL)
The LRHL was amended in 2019 to adjust the eligibility criteria by including certain shopping malls, office parks, and other similar commercial properties. Specifically, the amendment expanded criterion (b) to include the discontinuance and/or abandonment of buildings uses for retail, shopping malls, and office parks and buildings with significant vacancies for at least two consecuetive years.

7. Electric Vehicles/Make Ready Spaces
The State adopted legislation in 2021 requiring most new developments throughout New Jersey to incorporate Electric Vehicle Supply/Service Equipment (EVSE) and Make-Ready parking spaces. The LRHL was also amended to require redevelopment plans to identify proposed locations for zero-emission vehicle fueling and chargin infrastructure within the project area. Residenital Site Improvement Standards (RSIS) were also updated to relect these changes.

8. NJSEA Policy and Zoning Changes
The NJSEA has adopted a new Master Plan in February of 2020. These changes should be reflected in both the Master Plan and Zoning Ordinance for the Township.

05

SPECIFIC CHANGES

The following sections offers specific changes recommended for the Township's master plan and land use regulations



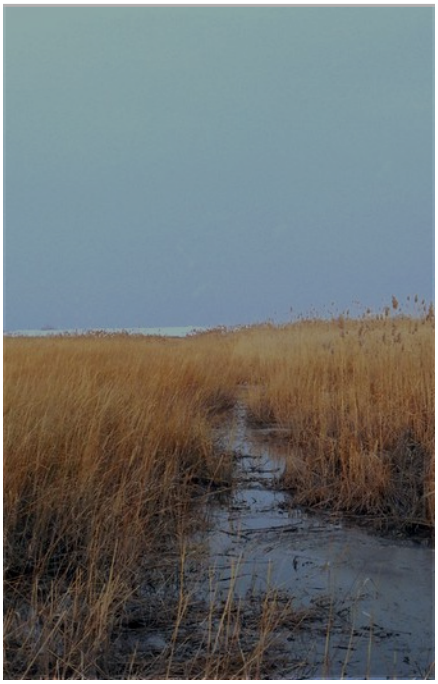







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The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared. NJSA 40:55D-89.D

The previous sections of this report identified major planning issues which were discussed in prior Reexamination Reports and the significant changes that took place on the local, county, and state levels.

Utilizing the prior sections, this section will offer recommendations and changes to the Township's master plan and zoning ordinances.

D. The Specific Changes Recommended For the Master Plan or Development Regulations, if Any, Including Underlying Objectives, Policies and Standards or Whether a New Plan or Regulations Should Be Prepared;

1. Revisit the prohibition for mixed-use along the Ridge Road area.

2. A minor increase in the residential unit density in certain residential districts.

3. Increase the permitted heights along Ridge Road in the B and R-C Zones. Consideration should be placed on allowing an additional 10 feet to allow for more modern design standards.

4. Consider allowing parking requirements to be adjusted within 1,000 feet of the train station. Developments located within a certain distance of the train station would be less relient on personal vehicle and the Township should consider 1.5 parking space for unit requirement for development meeting this standard.

5. Allow for restaurants in certain areas to not have a parking requirement.

6. Redevelopment areas along Ridge Road, Stuyvesant Avenue, and Valley Brook Avenue. A redevelopment plan specifically for this area could create specific zoning, and design and streetscape guidelines. These guidelines could create a uniform and modern design along Ridge Road and a streetscape "face lift". The Township should work with the recently re-esstablished Redevelopment Authority to ensure proper development takes place in desired areas.

7. Encourage the development of "Third Places". Third Places are described as a place outside the home and work where one can relax and hang out. Typically, a Third Place is a town square, community space, or park.

8. The State of New Jersey is in the process of adopting legistlature to permit accessory dwelling units (ADUs). The Township should consider revising the zoning ordinance to permit ADUs and develop requirements for such uses.

9. Investigate locations for the future location of a municipal parking facility.

10. All recommendations within this report should be discussed and reviewed by the Lyndhurst Redevelopment Authority as well as the Mayor and Commissioners.

06

REDEVELOPMENT

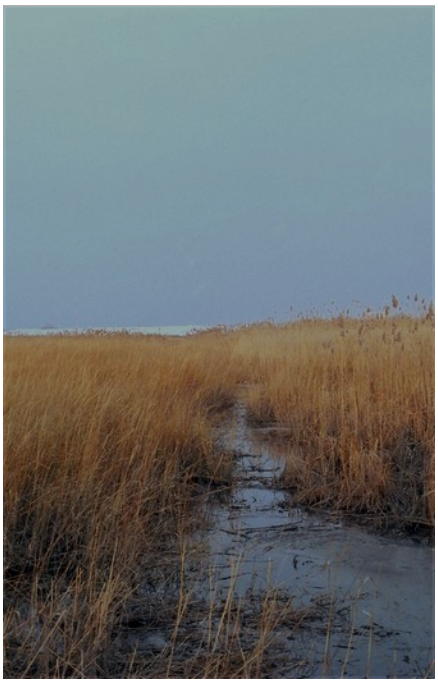









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Recommendations concerning the incorporation of redevelopment plans into the Land Use Plan Element and recommended changes in the local development regulations necessary to effectuate the redevelopment plans of the municipality.
NJSA 40:55D-89.E

Identification of redevelopment opportunities apparent since the last Master Plan Reexamination. An important step to the objective to increase land values in the Township of Lyndhurst is through redevelopment.

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 redevelopment process includes certain well-defined steps which must be followed so that the designation is well thought out and can be used "legally" to turnaround property conditions. These steps are found in the Local Redevelopment and Housing Law (LRHL) N.J.S.A. 40A:12A-1 et seq.

With the redevelopment designation in place, a municipality can move forward with the redevelopment plan and redevelopment plan ordinance.

The Township undertook redevelopment initiatives in 2001 which resulted in a different 2001 Master Plan Update and Reexamination Report. This plan designated Block 74 Lot 1 aka the "Edwards Site" as an area in need of redevelopment. That same year NJ Transit proposed the 2001 Lyndhurst Station Consolidation Plan which also took place on Block 74 Lot 1.

The Town Center Redevelopment Plan was prepared in 2003. By 2004, the commissioners adopted ordinance number 2522 creating the Town Center Redevelopment Area and a Transit Village Overlay District. In 2005, ordinance number 2522 was repealed.

In November of 2009, the Board of Commissioners adopted a resolution directing the Planning Board to investigate eleven properties along Ridge Road and the vacant train station to determine if they met the criteria for an Area in Need of Redevelopment. In February 2010, the Lyndhurst Board of Commissioners declared eleven parcels met the criteria and were designated as an Area in Need of Redevelopment. This project was identified as "Project Tomorrow", this initiative attempted to redevelop the traditional town center, the intersection of Ridge Road and Valley Brook Avenue, with focus on Lincoln School.

Lincoln School served as a quasi-middle school as students from Columbus School (grades 7 & 8) and Franklin School (grade 8) went to Lincoln School. As early as the 1961 Master Plan, the building has been considered outdated and located in an undesirable area for a school. The Project Tomorrow identified the Matera Field as the most appropriate location for a new school.

In August of 2013, the board of commissioners adopted a resolution directing the planning board to investigate 39 lots in the immediate vicinity of the two train stations, along Freeman Street between Ridge Road and Chase Avenue, and at the intersection of Valley Brooke Avenue and Ridge Road. The focus was on the consolidation of the rai stations and relocation of the offices and DPW/Parks department facilities to the NJSEA. The intention was to allow for more upscale residential redevelopment with the potential for mixed use redevelopment.

A joint public meeting of the planning board and Lyndhurst Board of Commissioners was held on July 1, 2013. The meeting was so address redevelopment and updating the Master Plan. At this time, the intention of the redevelopment and Master Plan update was to increase the value of the township's assets, especially on private properties and neighborhoods.

A Redevelopment Plan was never adopted for the most recent Area in Need of Redevelopment Study. The Township should revisit this project and prepare an updated invesitigation study to determine if these lots along Ridge Road meet the criteria to be designated as an Area in Need of redevelopment. A new study should be drafted to ensure the new criteria and any other updates to the LRHL are incorporated.

Future and New Facilities

The Train Station has been undergoing modifications since the previous report. These upgrades include the addition of elevators to the Lyndhurst Station to accommodate ADA accessibility. Parking along Court Street to be reconfigured to allow for angled parking. Additional site improvements include pedestrian improvements along Court Street and Stuyvesant Avenue. NJ Transit reached out to the Township regarding the artwork for the train station. The artwork that was chosen specifically to acknowledge the rich history of Lyndhurst.

The Township of Lyndhurst has advocated vociferously for the reconstruction of the Kingsland Avenue-DeJessa Bridge. Typical westbound bridge crossing times are 25 minutes plus to cross the Passaic River. Bergen County is the design lead for the new bridge. Construction of a new fixed 5-lane is anticipated in the next 5 years as the federal design process is concluded and the new bridge proceeds to construction. The daily delays to cross the Passaic River are the bane residents and commuters.

Bergen County has recently finished the construction the Bergen County Rowing Center at Riverside Park South that host several successful high-school, college and masters teams and provides world class rowing to the Township and area residents.

07

APPENDIX

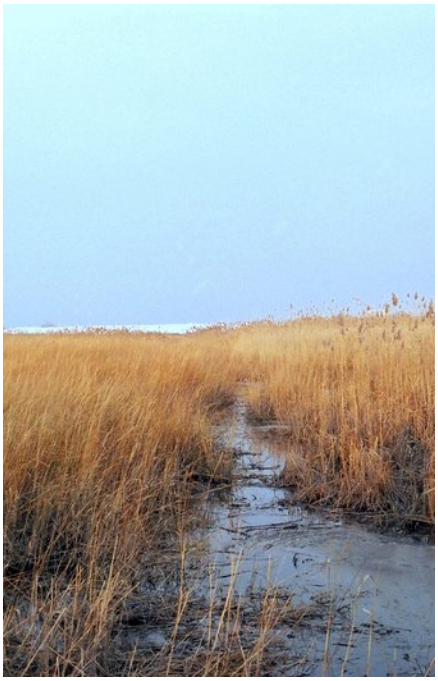









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Township of Lyndhurst

Law Department
253 Stuyvesant Avenue
Lyndhurst, NJ 07071
(201) 939-0002
(201) 939-0114

Richard J. DiLascio, Esq., Township Attorney *e-mail: RJDiLascio@aol.com*

June 2, 2014

VIA HAND DELIVERY
Bergen County Planning Board
One Bergen Plaza
Hackensack, NJ 07601

RECEIVED
JUN - 2 2014

RE: Township of Lyndhurst
Master Plan Re-examination

To Whom It May Concern:

Enclosed please find a copy of the Master Plan re-examination for the Township of Lyndhurst. The Lyndhurst Planning Board is convening a public meeting, Wednesday, June 11, 2016 at 7PM, Township Meeting Room, Town Hall, Lyndhurst, NJ 07071.

Should you have any questions, please contact Richard J. DiLascio at 201- 939-0002 or via e-mail: RJDiLascio@aol.com.

Respectfully submitted,

Richard J. DiLascio

RJD/kd
cc:file

THE TOWNSHIP OF LYNDHURST

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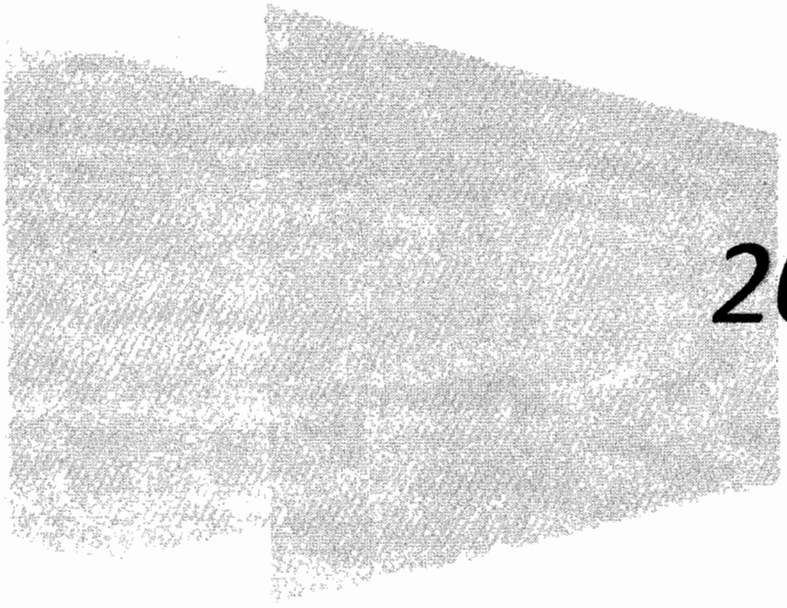
JUN - 2 2014

The 2014 Master Plan Reexamination

RECEIVED

JUN - 2 2014

Benecke Economics



2014

The Lyndhurst Board of Commissioners

Mayor Robert Giangeruso
Thomas DiMaggio
Theodore Dudek
John Montillo
Matthew Ruzzo

The Lyndhurst Planning Board

Don Spagnuolo- Chairman
Commissioner Montillo
Commissioner Ruzzo
John Beirne
Art Woolis
John Campion
Jack Raguseo
Sal Trippi
Bob McCarthy

Richard DiLascio, Esq., Township Attorney
Priscilla Triolo, Esq. Planning Board Attorney
Don Spaguolo, Jr., Land Use Administrator

June 10, 2014

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Exhibit 1	The 2008 Master Plan Reexamination.
Exhibit 2	The 2012 Zoning Map.
Exhibit 3	The 2009 NJMC Zoning Map.
Exhibit 4	The 2012 Census Update-Income Figures.

Section 1. Introduction.

The legal basis for the Master Plan Reexamination. The Township of Lyndhurst, Bergen County, New Jersey is promulgating a Master Plan Reexamination. The statutory requirements for a Master Plan Reexamination are found in the New Jersey Municipal Land Use Law ("MLUL"), N.J.S.A. 40:55D-89, prior to 2011 requiring a reexamination of the municipal master plan at least once every six years; now a reexamination is required at least every ten years. This ensures a periodic review of pertinent data, such as income and housing values, and a review of land use objectives.

The Township of Lyndhurst last adopted a Master Plan Reexamination in February, 2008-attached as Exhibit 1. The actual previous Lyndhurst Master Plan was purportedly implemented in January 1979 and prepared in December 1978. However, in reviewing the township's records we found that the December 1978 document is actually a master plan "updating" (reexamination). This 1978 document does make brief mention of the prior master plan which was prepared in 1961 and filed in 1963.

Accordingly, the 1961 Master Plan, which was prepared prior to enactment of the MLUL should be viewed as the start of the township's official zoning efforts. The actual master plan is not referred to in later planning efforts, however, it provides some very useful guidance.

In addition to the foregoing, a "Master Plan Update and Reexamination Report" was prepared in December 1998 and revised in June 2001. Then, in August 2001, an "Amendment to the Master Plan Update and Re-Examination Report" was prepared so as to incorporate certain redevelopment initiatives in the master plan.

These prior planning efforts, especially the 2008 Master Plan Reexamination, form the basis for this Master Plan Reexamination. Depending upon the context, this document uses the terms: Reexamination, update, analysis and report to describe the work included in this "2014 Master Plan Reexamination". A public hearing on a master plan reexamination is not required, however, the planning board must adopt by resolution the findings in the master plan reexamination. We do encourage public input, especially earnest input which provides feedback as to the appropriate use of properties or circulation of pedestrians and vehicular traffic within the zoning districts of Lyndhurst.

The following sections are required by the Municipal Land Use Law (MLUL) to be included in the Master Plan Reexamination:

a. Identify the major problems and objectives relating to land development in the municipality occurring since the last master plan reexamination.

b. the extent to which problems and objectives have been reduced or have increased since the last reexamination, February, 2008, a copy of which is attached as Appendix A.

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....[1].

d. the specific changes recommended for the master plan or development regulations, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.

e. the recommendation(s) of the Planning Board concerning the incorporation of redevelopment plans pursuant to N.J.S.A. 40A:12A-1 et seq.

While this Master Plan Reexamination focuses on these legally required issues we also focus on the broader demographics of Lyndhurst and the sustainability of the land use patterns and tax base in the future. One issue we focus on is the look and feel of the township and the aggregate value of the community.

An underemphasized issue in Lyndhurst is the role and guidance of the State Development and Redevelopment Plan (SDRP) in local land use decisions. This 2001 document provides policy guidance for all municipalities and counties in New Jersey. Lyndhurst was designated a Town Center in the 2001 SDRP. Every effort should be made to continue this designation. By definition a center has a high investment in public facilities and services as well as several neighborhoods with a diverse housing stock and retail and office facilities. Towns are New Jersey's traditional centers of commerce and government.

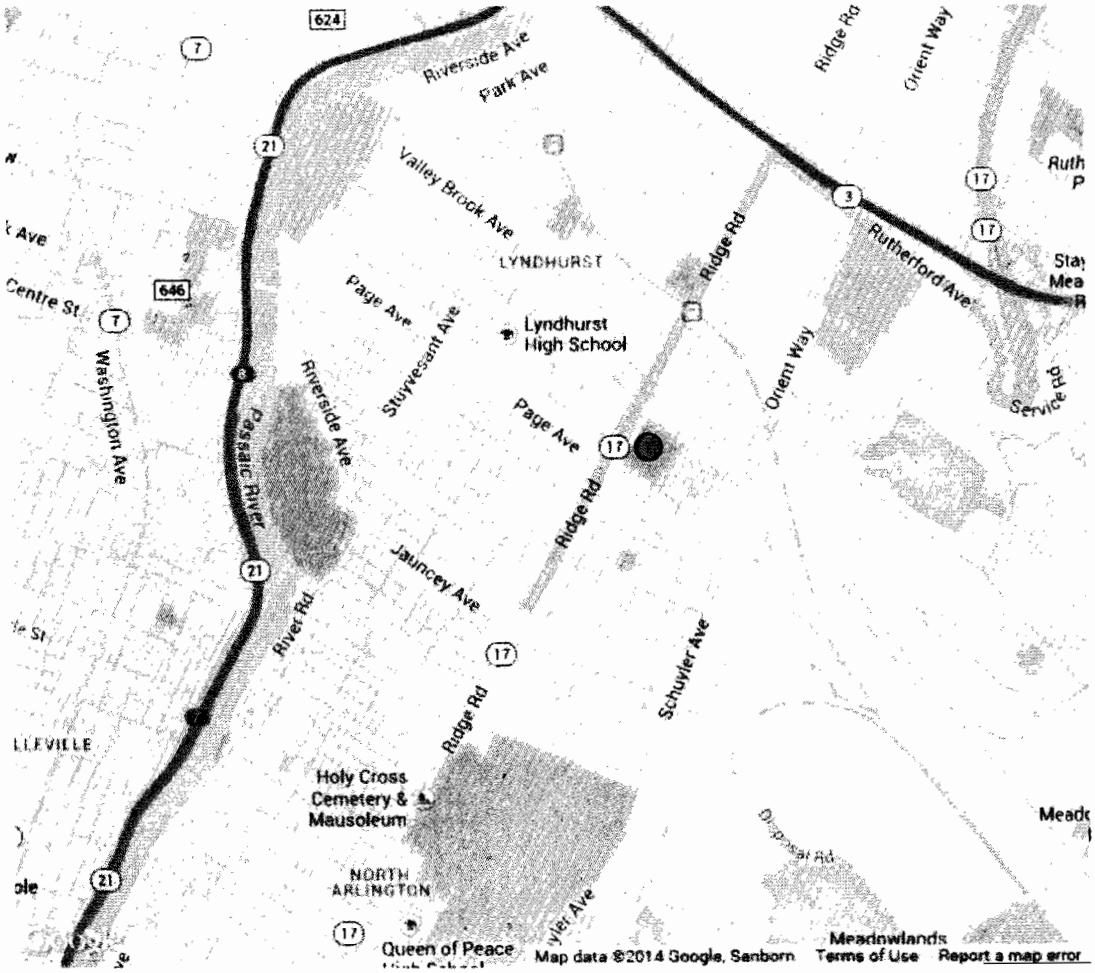
Section 2. Location and Zoning Districts.

A. Location. Situated in southern Bergen County, the Township of Lyndhurst is bordered by the City of Clifton, the Township of Nutley, the Township of North Arlington, the Town of Kearny, and the Town of Secaucus. The following map indicates the geographical location and roadway system of Lyndhurst.

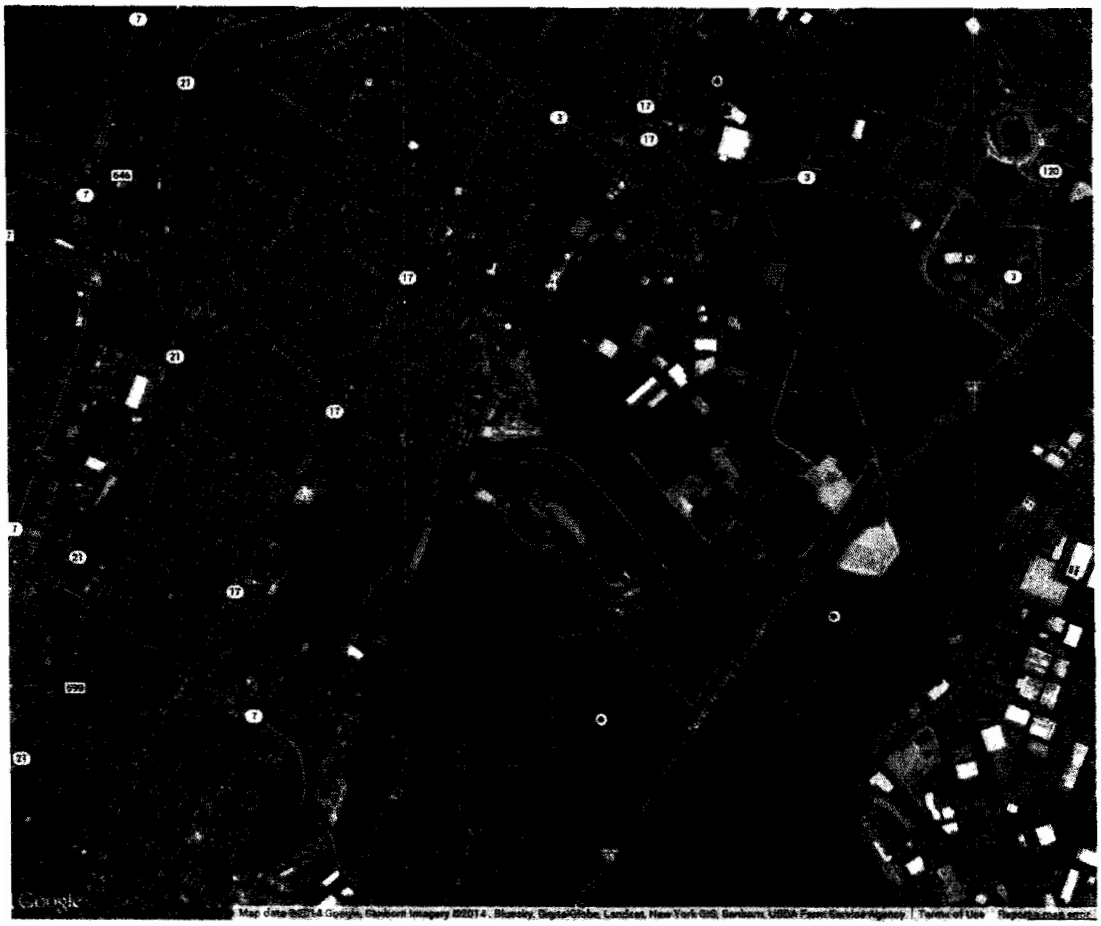
[1] Please see Section 8 of this report.

[2] Nonlinear Effects of School Quality on House Prices, Federal Reserve Bank of St. Louis *Review*, May/June 2010, *92*(3), pp. 185-204. Abbigail J. Chiodo, Rubén Hernández-Murillo, and Michael T. Owyang.

Map 1.
Local roadway system.



An aerial view of Lyndhurst.



B. The Township of Lyndhurst has several discreet zoning districts within its boundaries, as follows:

R-A	One Family Residence
R-B	One and Two Family Residence
R-C	Multi-Family Residential
B	Business
M-1	Light Industrial
M-2	Heavy Industrial
C-GI	Commercial - General Industrial
SHRC	Senior Housing and Residential - Commercial

The specific boundaries of the districts are depicted on the April 2012 Township of Lyndhurst Zoning Map, attached as Exhibit 2.

We later discuss the New Jersey Meadowlands District (NJMD) which includes just over 50% of the land area of the Township of Lyndhurst. Attached as Exhibit 3 is the NJMD Zoning Map of 2009. The New Jersey Meadowlands Commission (NJMC) controls and is responsible for zoning and general development of properties located within the NJMD boundaries.

Section 3. Lyndhurst demographics and public school information. The Township of Lyndhurst was established in 1917 and is located in southern Bergen County, New Jersey. The township has an area of 4.894 square miles of which .336 square miles is water, making the net land area 4.558 square miles.

The following analysis and the referenced exhibits is a complete US Census Data Profile for Lyndhurst. This data set uses the 2010 Census data; we include and will update the data set upon publication of the 2012 census data as soon as the data is published.

A. Demographics. In the year 2010 the Township had a population of 20,554, according to the United States Census Bureau. The estimated 2012 population is 21,223. The population density of Lyndhurst is 4,509 people per square mile. The United States Postal Service delivers mail to one Lyndhurst zip code: 07071.

Chart 1.

United States Census Bureau Population Data
Lyndhurst, Bergen County, New Jersey

Census	Pop.	%±
1860	957	—
1870	2,057	114.9%
1880	3,164	53.8%
1890	1,560	−50.7%
1900	1,590	1.9%
1910	4,076	156.4%
1920	9,515	133.4%
1930	17,362	82.5%
1940	17,454	0.5%
1950	19,980	14.5%

1960	21,867	9.4%
1970	22,729	3.9%
1980	20,326	−10.6%
1990	18,262	−10.2%
2000	19,383	6.1%
2010	20,554	6.0%
Est. 2012	21,223	3.3%

Note: Despite some fluctuations, the township's population has remained steady since 1950; although recently a moderate increase has been experienced.

Chart 2.
The Township of Lyndhurst
Income Data (2010 Census)
{See Exhibit 4 for the complete data set.}

Median Household Income
Lyndhurst $71,069
New Jersey $71,627
U.S. $53,046

Per Capita Income
Lyndhurst $33,950
New Jersey $35,928
U.S. $28,051

Charts 3A and 3B.

The Township of Lyndhurst
Housing Unit Data
2010 Census

Note: The following chart depicts the Township of Lyndhurst's housing characteristics. In 2012, 8,852 housing units existed in Lyndhurst, of which 853-9.6%-where vacant. We believe this is high and may be due to the number of units under construction.

Chart 3A.

Occupied housing units	7,999
UNITS IN STRUCTURE	
1, detached	42.8%
1, attached	2.4%
2 apartments	32.0%
3 or 4 apartments	8.4%
5 to 9 apartments	1.2%
10 or more apartments	13.0%
Mobile home or other type of housing	0.2%
YEAR STRUCTURE BUILT	
2010 or later	0.0%
2000 to 2009	8.4%
1980 to 1999	5.3%
1960 to 1979	18.5%
1940 to 1959	35.9%
1939 or earlier	31.9%
ROOMS	
1 room	0.2%
2 or 3 rooms	10.6%
4 or 5 rooms	40.8%
6 or 7 rooms	35.7%
8 or more rooms	12.7%
BEDROOMS	
No bedroom	0.3%
1 bedroom	18.3%
2 or 3 bedrooms	70.2%
4 or more bedrooms	11.1%
COMPLETE FACILITIES	
With complete plumbing facilities	98.1%
With complete kitchen facilities	97.6%
VEHICLES AVAILABLE	
No vehicle available	9.4%
1 vehicle available	41.1%
2 vehicles available	34.5%
3 or more vehicles available	14.9%
TELEPHONE SERVICE AVAILABLE	
With telephone service	96.7%
HOUSE HEATING FUEL	
Utility gas	79.9%

Bottled, tank, or LP gas	1.4%
Electricity	7.4%

Chart 3B.

HOUSING OCCUPANCY-2010 Census	2010		2000
Total housing units	8,787	100.0	8,103
Occupied housing units	8,337	94.9	7,877
Vacant housing units	450	5.1	
For rent	206	2.3	
Rented, not occupied	14	0.2	
For sale only	63	0.7	
Sold, not occupied	25	0.3	
For seasonal, recreational, or occasional use	26	0.3	
All other vacant	116	1.3	
Homeowner vacancy rate (percent)	1.3	(X)	
Rental vacancy rate (percent)	5.2	(X)	
HOUSING TENURE			
Occupied housing units	8,337	100.0	
Owner-occupied housing units	4,590	55.1	4,714
Population in owner-occupied housing units	12,497	(X)	
Average household size of owner-occupied units	2.72	(X)	2.69
Renter-occupied housing units	3,747	44.9	3,163
Population in renter-occupied housing units	8,042	(X)	
Average household size of renter-occupied units	2.15	(X)	2.10

It must be noted that 55% of the occupied residential units are homeowner occupied. 45% are rented. This is significantly below the homeownership rate of 66.2% in New Jersey and 65.5% in the U.S. (based on U.S. Census numbers). The homeowner occupied vacancy rate is estimated at 1.8% whereas 9.1% is the rental vacancy rate.

Chart 4.
The Township of Lyndhurst
Housing Value Data
2010 Census

HOUSING VALUE				
Owner-occupied units	4,486	+/-331	4,486	(X)
Less than $50,000	53	+/-41	1.2%	+/-0.9
$50,000 to $99,999	0	+/-23	0.0%	+/-0.8
$100,000 to $149,999	11	+/-17	0.2%	+/-0.4
$150,000 to $199,999	13	+/-23	0.3%	+/-0.5
$200,000 to $299,999	607	+/-194	13.5%	+/-4.2
$300,000 to $499,999	2,870	+/-319	64.0%	+/-5.6
$500,000 to $999,999	863	+/-205	19.2%	+/-4.2
$1,000,000 or more	69	+/-83	1.5%	+/-1.8
Median (dollars)	394,800	+/-15,105	(X)	(X)
MORTGAGE STATUS				
Owner-occupied units	4,486	+/-331	4,486	(X)
Housing units with a mortgage	2,838	+/-267	63.3%	+/-4.0
Housing units without a mortgage	1,648	+/-222	36.7%	+/-4.0
SELECTED MONTHLY OWNER COSTS (SMOC)				
Housing units with a mortgage	2,838	+/-267	2,838	(X)
Less than $300	0	+/-23	0.0%	+/-1.2
$300 to $499	33	+/-30	1.2%	+/-1.0
$500 to $699	0	+/-23	0.0%	+/-1.2
$700 to $999	36	+/-35	1.3%	+/-1.2
$1,000 to $1,499	204	+/-99	7.2%	+/-3.5
$1,500 to $1,999	580	+/-165	20.4%	+/-5.6
$2,000 or more	1,985	+/-274	69.9%	+/-6.2
Median (dollars)	2,459	+/-141	(X)	(X)
Housing units without a mortgage	1,648	+/-222	1,648	(X)
Less than $100	0	+/-23	0.0%	+/-2.1
$100 to $199	0	+/-23	0.0%	+/-2.1
$200 to $299	31	+/-37	1.9%	+/-2.3
$300 to $399	24	+/-24	1.5%	+/-1.5
$400 or more	1,593	+/-227	96.7%	+/-2.8
Median (dollars)	929	+/-53	(X)	(X)
SELECTED MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME (SMOCAPI)				
Housing units with a mortgage (excluding units where SMOCAPI cannot be computed)	2,824	+/-267	2,824	(X)
Less than 20.0 percent	741	+/-172	26.2%	+/-5.7
20.0 to 24.9 percent	401	+/-127	14.2%	+/-4.5
25.0 to 29.9 percent	240	+/-86	8.5%	+/-3.0
30.0 to 34.9 percent	334	+/-126	11.8%	+/-4.4

35.0 percent or more	1,108	+/-241	39.2%	+/-6.5
Not computed	14	+/-21	(X)	(X)
Housing unit without a mortgage (excluding units where SMOCAPI cannot be computed)	1,638	+/-222	1,638	(X)
Less than 10.0 percent	224	+/-86	13.7%	+/-5.3
10.0 to 14.9 percent	324	+/-125	19.8%	+/-7.4
15.0 to 19.9 percent	204	+/-98	12.5%	+/-5.8
20.0 to 24.9 percent	104	+/-70	6.3%	+/-4.1
25.0 to 29.9 percent	198	+/-114	12.1%	+/-6.4
30.0 to 34.9 percent	130	+/-61	7.9%	+/-3.6
35.0 percent or more	454	+/-149	27.7%	+/-7.9
Not computed	10	+/-16	(X)	(X)
GROSS RENT				
Occupied units paying rent	3,354	+/-392	3,354	(X)
Less than $200	21	+/-24	0.6%	+/-0.7
$200 to $299	23	+/-26	0.7%	+/-0.8
$300 to $499	123	+/-103	3.7%	+/-3.0
$500 to $749	182	+/-113	5.4%	+/-3.2
$750 to $999	561	+/-189	16.7%	+/-5.2
$1,000 to $1,499	1,510	+/-281	45.0%	+/-7.1
$1,500 or more	934	+/-227	27.8%	+/-6.3
Median (dollars)	1,236	+/-70	(X)	(X)
No rent paid	159	+/-95	(X)	(X)
GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME (GRAPI)				
Occupied units paying rent (excluding units where GRAPI cannot be computed)	3,291	+/-401	3,291	(X)
Less than 15.0 percent	600	+/-193	18.2%	+/-5.9
15.0 to 19.9 percent	438	+/-150	13.3%	+/-4.5
20.0 to 24.9 percent	360	+/-146	10.9%	+/-4.3
25.0 to 29.9 percent	495	+/-179	15.0%	+/-4.9
30.0 to 34.9 percent	275	+/-128	8.4%	+/-3.8
35.0 percent or more	1,123	+/-306	34.1%	+/-7.7

Chart 5.

The following data is abstracted from separate 2007 Economic Census Industry Series, Geographic Area Series, and Summary Series data files, as well as data files from the 2007 Economic Census of Island Areas and the 2007 Non-employer Statistics. These files are released on a "flow" basis from March 2009 through mid-2011. The data is subject to change; it will be replaced and updated from the Geographic Area Series and Summary Series of 2010 and 2011.

Lyndhurst, Most Recent Business Activity Data.

2007 NAICS code	Meaning of 2007 NAICS code	Meaning of Type of operation or tax status code	No. of establishments	Employer value of sales, shipments, receipts, revenue, or business done ($1,000)	Annual payroll ($1,000)
31-33	Manufacturing	Total	36	475,528	63,228
42	Wholesale trade	Merchant wholesalers, except manufacturers' sales branches and offices	65	1,159,702	107,865
44-45	Retail trade	Total	61	245,480	24,253
51	Information	Total	9		D
53	Real estate and rental and leasing	Total	18	12,925	4,405
54	Professional, scientific, and technical services	All establishments	76	222,276	185,443
54	Professional, scientific, and technical services	Establishments subject to federal income tax	76	222,276	185,443
56	Administrative and support and waste management and remediation services	Total	52	107,140	40,499
61	Educational services	All establishments	4	1,081	183
61	Educational services	Establishments subject to federal income tax	4	1,081	183
62	Health care and social assistance	All establishments	57	46,573	17,997
62	Health care and social assistance	Establishments subject to federal income tax	54	D	D
62	Health care and social assistance	Establishments exempt from federal income tax	3	D	D
71	Arts, entertainment, and recreation	All establishments	8	D	D

Note: To be clear Lyndhurst has $245,480,000 in retail activity.

Based on the foregoing income data the aggregate household income in Lyndhurst is $720,520,850. Using a household spending factor of 30%, a retail sales number of $216,156,255 results. This is a good number inasmuch as it indicates the Lyndhurst resident is shopping in Lyndhurst; however, new retail space is not financially viable because no discretionary ("shopping") income is available to support additional retail space.

Chart 6.
The Township of Lyndhurst
Tax Base Data (2014)

Class of Property	# of Parcels	Total Value ($1,000's)
Vacant Land	105	44,981
Residential	5,111	1,564,704
Farm	0	0
Commercial	326	402,980
Industrial	92	548,476
Apartment	55	98,707
Totals	5,689	2,659,848

Source: Lyndhurst Office of the Tax Assessor

B. Public School Information. The following school data is taken from the Lyndhurst school district overview. Our focus is on the facilities and the impact, especially of the Lincoln School on land use patterns in the redevelopment area of the township.

Chart 7.

The Lyndhurst public school district is an urban school district in Bergen County New Jersey.

2013-SCHOOL FACILITIES - BUILDING INFORMATION (District-wide)

Elementary	
Columbus: Grades 1-3	
Square Feet	10,500
Capacity (students)	126.90
Enrollment	207.00 (A)
Franklin-Grades 1-3:	
Square Feet	18,400
Capacity (students)	205.20
Enrollment	303.00 (B)
Jefferson: Grades Pre-K, K, Disabled K:	
Square Feet	32,060
Capacity (students)	260.10
Enrollment	259.00
Lincoln Grades 4-8	
Square Feet	24,300
Capacity (students)	283.50
Enrollment	238.00
Roosevelt: Grades 4-8	
Square Ft.	21,600
Capacity (students)	431.10
Enrollment	402.00
Washington: Grades: K-3	
Square Feet	19,500
Capacity (students)	273.70
Enrollment	211.00
Lyndhurst High School Grades 9-12	
Square Feet	112,300
Capacity (students)	906.95
Enrollment	672.00
District Totals:	
Square Feet	238,660
Capacity (students)	2,487.
Enrollment	2,292.

(A) - Includes Jefferson Community School Students
(B) - Includes Franklin Community School-Provost Building Students

It must be pointed out that the third grade has 210 students going into the 2014-2015 school year. If this student population where to be projected over the K-12 (thirteen) grades, then over 2,700 students would be in the district making the facilities too crowded for effective education.

Lyndhurst High School was the 162nd-ranked public high school in New Jersey out of 328 schools statewide as published New Jersey Monthly magazine's September 2012 cover story on the state's "Top Public High Schools", after being ranked 178th in 2010 out of 322 schools listed. Lyndhurst High School ranked 182nd in 2008 out of 316 schools. The school was ranked 179th in September 2006 which also included 316 high schools across the state. Schooldigger.com ranked the school 188th out of 381 public high schools statewide in its 2011 rankings which were based on the combined percentage of students classified as proficient or above proficient on the two components of the High School Proficiency Assessment (HSPA), mathematics (80.3%) and language arts literacy (91.7%).

It has long been established that the quality of education has an impact on house prices. In the 2010 Chiodo study the authors note that "(t)raditional empirical models of the capitalization of education quality on house prices have established that the quality of primary school education is positively correlated with house prices."[2] Further in the Dhar study it was found that the housing prices are impacted by least a 25% by the quality of local schools. Moreover, when incorporating the impact higher quality schools have on neighborhoods, it is possible that the quality of education can impact housing prices by up to 40%.

To help solve the Lyndhurst school system's stagnation (mediocrity) issues we propose consolidating the fragmented and obsolete schools. This includes combining grades 6, 7 and 8 into a new middle school.

Section 4. The New Jersey Meadowlands District ("NJMD") and the New Jersey Meadowlands Commission ("NJMC"). The New Jersey Meadowlands Commission controls the zoning and development of slightly greater than 50% of the area of Lyndhurst, in the eastern portion of the township. So as to avoid a misunderstanding the following section of controlling state law is provided to show the authority of the NJMC regarding zoning and development of land located in the NJMD. The following is abstracted from the New Jersey Statutes relating to the zoning and development of properties located in the NJMD-we ask the reader to carefully read in full:

[2] Nonlinear Effects of School Quality on House Prices, Federal Reserve Bank of St. Louis *Review*, May/June 2010, *92*(3), pp. 185-204. Abbigail J. Chiodo, Rubén Hernández-Murillo, and Michael T. Owyang.
Also, "Isolating the Effect of School Quality on Property Values", *The Connecticut Economy*, Fall 2011. Paramita Dhar.

13:17-1. Declaration of purpose

It is hereby declared that there are approximately 21,000 acres of salt water swamps, meadows and marshes which are commonly known as meadowlands, in the lower Hackensack river basin; that extensive portions of this area have so far resisted comprehensive development because of their low elevation, exposure to tidal waters, unfavorable soil composition, and, in some instances, their distribution among many municipalities; that this land acreage is a land resource of incalculable opportunity for new jobs, homes and recreational sites, which may be lost to the State through piecemeal reclamation and unplanned development; that much of this acreage may be subject to redevelopment under section 3, Article VIII, of the State Constitution; that the orderly, comprehensive development of these areas, due to their strategic location in the heart of a vast metropolitan area with urgent needs for more space for industrial, commercial, residential, and public recreational and other uses, can no longer be deferred; that insofar as meadowlands are State-owned lands they are an asset of the fund for the support of free public schools whose integrity may not be impaired; that while the State, in the name of the people, has an obligation to assert its interests in meadowlands that are clearly State-owned, it has an equal obligation to establish a framework within which private owners may assert their interests and take title to meadowlands that are privately-owned; that these areas need special protection from air and water pollution and special arrangements for the provision of facilities for the disposal of solid waste; that the necessity to consider the ecological factors constituting the environment of the meadowlands and the need to preserve the delicate balance of nature must be recognized to avoid any artificially imposed development that would adversely affect not only this area but the entire State; that it is the purpose of this act to meet the aforementioned needs and accomplish the aforementioned objectives by providing for a commission transcending municipal boundaries and a committee representing municipal interests which will act in concert to reclaim, plan, develop and redevelop the Hackensack meadowlands; and to safeguard fully the interests of the fund for the support of free public schools, all to the extent and manner provided herein.

13:17-2. Short title

Sections 1 through 84, inclusive, of this act shall be known and may be cited as the "Hackensack Meadowlands Reclamation and Development Act."

13:17-13. Subdivisions and land development; review and regulation by commission; standards

The commission shall review and regulate subdivisions and land development within the district, in accordance with procedures and engineering and planning standards adopted by resolution, which shall require that:

(a) All subdivisions, site plans, buildings and other development be in accordance with the master plan and any applicable redevelopment plan;

(b) Adequate drainage facilities and easements be provided;

(c) Road improvements be provided for subdivisions or sites where necessary to protect the safety and convenience of the traveling public, such improvements to include, but not be limited to, additional rights-of-way or pavement widths, marginal access streets, reverse frontage and highway and traffic design features necessitated by increased traffic, potential safety hazards or traffic flow impediments caused by the subdivision or development;

(d) Public water and sewer systems be provided where necessary to protect public health and to insure an adequate supply of water;

(e) Performance guarantees, maintenance bonds and agreements be provided specifying minimum standards of construction for required improvements by the commission and not to exceed the full cost of the facility and installation thereof or the developer's

proportionate share thereof. Any bonds, moneys or guarantees received by the commission under this paragraph shall not duplicate bonds, moneys or guarantees required by municipalities for municipal purposes.

13:17-14. Application for subdivision, site plan or building permit; review and approval

(a) Each application for a subdivision, site plan or building permit shall be submitted to the commission for review and, where required, approval prior to approval by the local constituent municipal approving authority. Commission approval of any subdivision application shall be limited by and based upon the rules, regulations and standards established by and duly set forth in a resolution adopted by the commission. The constituent municipal approval authority shall defer taking final action on a subdivision application until receipt of the commission report thereon. The commission shall report to the municipal authority within 45 days from the date of receipt of the application. If the commission fails to report to the municipal approving authority within the 45-day period, said subdivision application shall be deemed to have been approved by the commission unless, by mutual agreement between the commission and municipal approving authority, with approval of the applicant, the 45-day period shall be extended for an additional 45-day period, and any such extension shall so extend the time within which a municipal approving authority shall be required by law to act thereon.

(b) The commission shall review each subdivision plan and building permit application and withhold approval if said application does not meet the approval standards previously adopted by the commission, in accordance with this section. In the event of the withholding of approval, or the disapproval of, any such application, the reasons for such action shall be set forth in writing and a copy thereof shall be transmitted to the applicant.

13:17-14.1 Development application

Whenever the commission receives an application for the development, improvement or redevelopment of, or for the construction or reconstruction of buildings or structures on, land in the district, the commission shall notify within seven days, in writing by certified mail, the governing body of the municipality or municipalities in which the land is located and any municipality immediately adjacent thereto. Before approving an application, the commission shall consult with the notified governing body or bodies of the municipality or municipalities in which the land is located. If the commission approves an application which the governing body or bodies of the municipality or municipalities in which the land is located oppose in any manner, the commission shall inform the governing body or bodies, in writing by certified mail, of the reasons for approval within seven days of that approval. {L.1988, c.136,s.2; amended 1992, c.54,s.2.}

13:17-16. Notice of hearing by constituent municipality or affected county; contents; commission as party in interest

(a) Whenever a hearing upon notice is required in any constituent municipality or affected county with respect to the adoption or amendment of a master plan, official map, zoning or subdivision regulations, or to the granting of variances or special exceptions, involving property within the district or within 200 feet of its borders, the person required to give such notice shall also, at least 45 days prior to the hearing, give written notice of the hearing to the commission by registered or certified mail. Said notice of hearing shall contain a brief description of the property involved, its location, a concise statement of the matters to be heard, and a copy of any plan, code, regulations or standards to be approved.[3]

[3] Accordingly, this master plan reexamination must be sent to the NJMC.

(b) The commission shall be considered a party in interest at such hearing, and no action involving a municipal master plan, zoning ordinance, subdivision, building, or site plan approval, the official map, or the grant or variance or special exception shall be taken by a public body of a constituent municipality, or affected county which shall be inconsistent with the master plan.

13:17-20. Declaration of district as renewal area; necessary findings; investigation; notice and hearing; review by court; acquisition of land; development

(a) Pursuant to the procedure hereinafter provided, the commission shall have the exclusive power to declare the district or any portion thereof to be a renewal area; provided, that the commission shall find prior to such declaration that there exist in the district or portion thereof the conditions of "blight" as said conditions are defined in section 3 of chapter 306 of laws of 1949 (P.L.1949, c. 306). It is hereby determined by the Legislature that such conditions contained in section 3 of chapter 306 of laws of 1949 (P.L.1949, c. 306) are a social and economic liability to the district.

(b) Prior to declaring any portion of the district a renewal area the commission by resolution shall provide for a preliminary investigation. Upon the adoption of such a resolution, the commission shall prepare a map showing the boundaries of the area to be investigated and the location of the various parcels of property located therein, and shall append thereto a statement setting forth the reasons for the investigation.

(c) The commission shall thereupon cause a hearing to be held at an appointed time and place for the purpose of hearing persons interested in, or who would be affected by, a determination that the area is a renewal area as defined in this act and who are in favor of or are opposed to such determination.

Pursuant to N.J.S.A. 40:55D-89a. and c. the identification of important changes in land use objectives, the change of objectives in the NJMC is apparent as evidenced by the recent development of residential rental units in the NJMD. These residential projects are:

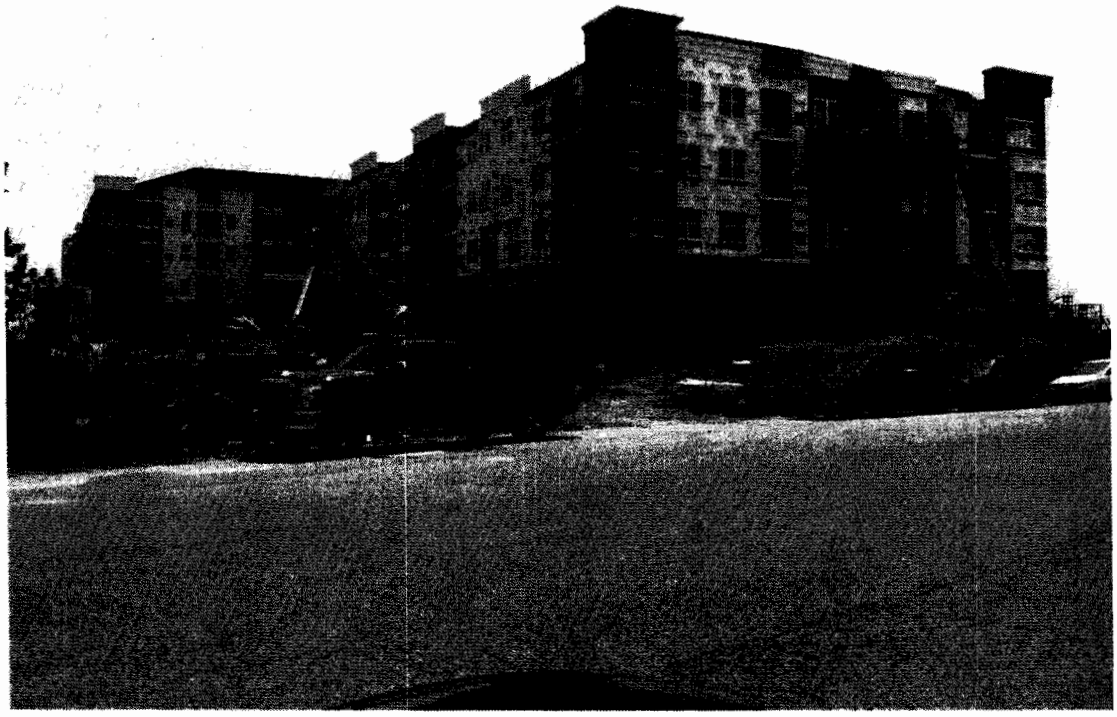
1-Avalon Bay-326 units (Block 228, Lot 3).
2-Petrucci/Iron Hill-192 units (Block 240, Lot 5).
3-Russo/Vermellia-296 units (Block 235, Lot 1).
This totals 814 units when completed and approximately 1,400 people. [4]

The zoning and development applications are the responsibility of the NJMC. However, feedback is elicited from the township. It is recommended that every new application for any further residential development in the NJMD be opposed by the township without a significant cash contribution toward the Lyndhurst town center. Such contribution would be used for way finding signs, parking improvements and similar efforts and expenses in the town center.

[4] Of the 814 units a maximum of 82 school aged children can be expected to live in these developments. Currently, two school aged children live in Avalon Bay and 21 live in Russo with 6 entering kindergarten in September 2014.

Also, there is a plan for the "DaeWoo" building (Block 240, Lot 5) to be sold by the owner to Bergen County as a further expansion of the Bergen County Community College (BCCC). This should be a non-starter and be firmly opposed by the board of commissioners.

The Petrucci-Iron Hill-Residential Project; Under Construction.



The newly constructed residential units are referred to as "luxury" in quality. However, based upon interviews with the police department some questionable activity may be taking place in the area. We recommend that the Township of Lyndhurst express concerns about this, if still true, to the NJMC.

5. The failed EnCap project. (N.J.S.A. 40:55D-89a.) The most significant problem since the time of the last master plan reexamination relating to land use was the disastrous failure by the New Jersey Meadowlands Commissioners (NJMC) in their redevelopment project management and fiduciary capacities regarding the EnCap redevelopment project.[5] Located

[5] This project was in the process of collapsing during the time the 2008 master plan reexamination was being updated.

in the NJMD, this collapsed, bankrupt project greatly injured, almost irreversibly so, the Township of Lyndhurst. In short, notwithstanding the foregoing recited statute, the NJMC fell far short of fulfilling its obligations to the Lyndhurst taxpayer.[6]

This is a strong statement, but when the facts are reviewed it is uncontroverted that this failed Meadowlands project caused an initial artificial increase in the Lyndhurst tax base as development began in the early 2000's (on paper and then through the initial stages of environmental remediation) and tax revenues began to be collected.

The tax revenues promised and collected from the EnCap-(read: NJMC) properties, to be developed, were placed into the budgets of the school district and county, as well as the township-and spent. In 2012 the Board of Commissioners were required to refund 100% of the taxes collected because the EnCap property reverted back to the NJMC as though the project never happened, making the property zoned by the NJMC tax exempt. The powers to be at the NJMC did not help Lyndhurst, even though they directly caused this catastrophe. The following is a recap of this failed zoning/land use endeavor.

First, the township lost $121,000,000 in assessed property value (tax base). This is $2,252,415 annually (in 2012 tax dollars). Second, Lyndhurst was forced to refund prior years taxes paid to property lien holders, and, more importantly, the township did not receive tax payments from the NJMC, when the NJMC took over the EnCap property.

All of this adds up to the following obligations, without interest being incurred by the township.

Chart 8.

The Financial Impact of EnCap

EnCap :	
Total Original Direct EnCap Debt-refund of taxes.	$16,971,779
2010 Tax Appeal Refunding Ordinance-NJMC area.	$3,750,000
TOTAL-Township Obligation without Interest	$20,721,779
Amount to be paid in 2014	$1,817,357

Note: The total obligation is in excess of 50% of the Township's budget.

As a result of the township taking positive financing actions, a settlement of all litigation was achieved in three separate but related Civil Actions (lawsuits) involving the Township of Lyndhurst and the NJMC as well as other parties.

[6] To be fair: Only 80%-90% of the EnCap catastrophe was caused by the NJMC. The remaining fault lies with the board of commissioners and their cohorts during the period of 1999-2004.

These Civil Actions, including the pertinent tax appeal(s), are:

1- A tax appeal action entitled New Jersey Meadowlands Commission v. Township of Lyndhurst, Tax Court of New Jersey, Docket No. 011269-2011, and a separate tax appeal action entitled New Jersey Meadowlands Commission v. Township of Lyndhurst, Tax Court of New Jersey, relating to the year 2012.

2-A consolidated civil action entitled American Home Assurance Company v. EnCap Golf Holdings, LLC, et al. / New Jersey Meadowlands Commission v. EnCap Golf Holdings, LLC, et al., Superior Court of New Jersey, Chancery Division, Bergen County, Docket No. F-35353-07, involving a quiet title action.

3-A civil action entitled American Home Assurance Company v. Township of Lyndhurst, et al., Superior Court of New Jersey, Bergen County, Law Division, Docket No. BER-L-5363-08, involving a tax lien action.

The above actions cover thirteen properties, 311 acres, and six (6) exhausting tax years---the litigation and financing structure took an additional three years—yes, nine years 2004-2013. Only in March, 2012 did the above series of legal actions, including those regarding the complex third party lien holder actions (original "taxpayers"), become settled. This was accomplished, in large measure, due to the approval, by a State agency, of the issuance of Lyndhurst refunding bonds to pay the taxes to be refunded to third parties, thereby paying off the tax liens. This resolution cleared the way {and was a condition precedent} for the settlement of the remaining legal disputes.

As further background: On approximately January 1, 2008 EnCap's senior lender commenced a foreclosure action. In May, 2008 the NJMC and AHA (the surety guaranteeing the property environmental clean-up) filed to intervene in the foreclosure proceedings. EnCap then filed for bankruptcy, which was ultimately dismissed by the Court in early 2009. As part of the NJMC pleadings the agency invoked a reverter clause as a result of EnCap's failure to perform under the NJMC redevelopment plan (and related redevelopment agreements). This left the Township of Lyndhurst holding the bag on the aforementioned $20 million in obligations. In January, 2011 the EnCap property reverter clause was upheld by the court, thereby extinguishing the claims of the EnCap lenders. The effective date of the "new" ownership of the EnCap properties, by the NJMC, was retroactive to May, 2008. The NJMC, in their pleadings, sought quiet title to the properties in question; meaning Lyndhurst was on its own.

For the NJMC to gain quiet title the township was required to extinguish the tax title liens-meaning refund the aforementioned taxes collected, including those liens held by the municipality on these properties- for taxes levied for the six (6) years in question. This means all the taxes needed to be paid back; which is what the township did.

Returning to N.J.S.A. 40:55D-89a, and the changes in land use problems and objections, we note that over 50% of the Township of Lyndhurst land use patterns in the 2008 Master Plan Reexamination and the previous reexaminations were addressed in total as follows:

> "The easterly portion of the Township is governed by the New Jersey Meadowlands Commission or NJMC (formerly the Hackensack Meadowlands Development Commission of NMDC). The last 2001 Re-exam re-expressed concerns *over* the proposal for residential use in this area of the Township as it is isolated from Township services, as identified in both the 1982 and 1989 Re-examinations. Since the time of the last Master Plan Re-examination in 2001, the NJMC has adopted a new NJMC Master Plan in January 2004, and new zoning regulations, in effect as of February 17, 2004."

To suggest that the NJMD area of Lyndhurst is virtually a separate and distinct area from the municipality based on the delivery of local services is illogical.[7] We can point to many North Jersey towns that have disjointed communities and each section of town are part of the municipal service fabric. Examples include West Milford, Mahwah, and Teaneck. We advocate for the township to exert greater control over the NJMC—through diligent oversight as to their often ill-conceived decision making, and if possible, the Township of Lyndhurst should call for the disbanding of the District, especially as it relates to the control of land use.[8]

Section 6. Loss of Tax Base—Land Value Reduction. Continuing with our analysis, as required under N.J.S.A. 40:55D-89a, the second significant problem occurring since the 2008 master plan reexamination relating is the decline of the Lyndhurst tax base. We already mentioned the $121,000,000 loss in land values directly caused by the failed NJMC-EnCap project. In addition, general property value declines accounted for an additional loss of $746,000,000 in property values. The following chart illustrates this.

Chart 9.
Lyndhurst Taxable Property Values 2009-2014

2009	$3,531,361,970
2010	$3,503,307,716
2011	$3,473,783,983
2012	$2,655,344,411
2013	$2,655,374,909
2014	$2,663,640,614

[7] Prior master plan reexaminations speak of an eastern section (the NJMD) and western section, we do not.

[8] It is interesting to note that the 2008 Master Plan Reexamination indicates that EnCap was a prior year variance approval.

Accordingly, based on the forgoing, and incorporating the added analysis contained hereinafter, the primary land use objective going forward is to increase the aggregate property value of Lyndhurst. However, this can only be fully accomplished by having a higher quality school district. Plans for a new middle school should be renewed, replacing aged facilities and re-focusing a fragmented school district.

The consolidation of students being prepared for high school, and in state of the art facilities, will help with instruction and in attracting quality students to the district (township).[9]

Section 7. Land Use Plan Objectives.

A. N.J.S.A. 40:55D-89b. requires an analysis of the extent such land use problems and objectives relating to land development have been reduced or have increased since the last reexamination (September, 2008). The following section is an analysis of the conditions found in the 2008 Reexamination and what we have found during our research.

But first, some additional background: We now introduce the reader to the zoning ordinance(s) of the Township of Lyndhurst, found in Chapter XXI-Zoning of the Revised General Ordinances of the Township of Lyndhurst Code. The purposes of the Township of Lyndhurst zoning regulations are found in §21-1.2, these purposes provide for the basis of the township's zoning objectives.

The stated zoning purposes of the Township of Lyndhurst are as follows:

"A comprehensive zoning plan for the township which is set forth in the text, maps and schedule that constitute this chapter is adopted for the purposes set forth in Section N.J.S.A. 40:55D-2 and more particularly for the protection and promotion of the public health, safety and welfare in the following manner.

a. *Guiding the future growth and development of the township in accordance with a comprehensive plan of land use as set forth in the master plan of the township which represents the most beneficial, economically productive, and socially satisfactory relationships among the residential, commercial and industrial areas within the township, having regard to their suitability for the various uses appropriate to each of them and their potentiality for such uses, as indicated by existing conditions and trends in population, in building development, and in economic activity, considering such conditions and trends both within the township and with respect to its relation to adjacent areas.*

b. *Protecting and conserving the value of land throughout the township and the value of buildings appropriate to the various districts established by this chapter.*

[9] In our research for this report some individuals suggested a new high school be constructed. A new high school costs at least 50% more than a middle school, and no space exists for adjacent athletic fields, parking, etc. This makes a high school a non-starter.

c. *Assuring a harmonious relationship among the various districts established by this chapter minimizing such conflicts among uses in connection with the orderly development or redevelopment of various use districts.*

d. *To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging locations of such facilities and routes which result in congestion or blight.*

e. *Aiding in providing a guide for public policy and action in the efficient provision of public facilities and services, and for private enterprise in building development, investment and other economic activity relating to the uses of land and buildings throughout the township.*

f. *Bringing about the gradual conformity of the uses of land and buildings throughout the township to the comprehensive zoning plan as set forth in this chapter."*

Reading from the previous codified zoning ordinance, the purpose of Lyndhurst's land use criteria is noted in paragraph a; "guiding the future growth and development of the township...which represents the most beneficial, economically productive, and socially satisfactory relationships...as indicated by existing conditions and trends in population, in building development, and in economic activity...." This statement of zoning purpose is the premise for the Township of Lyndhurst 2014 Master Plan Reexamination objectives.

B. Significant Additional Land Use Problem-suppressed rental property values. The purpose of the previously provided charts and data is to show the general stagnation of Lyndhurst property values (especially considering we continue to recover from the great recession) and the fact that a large portion of the housing stock in Lyndhurst are "for rent" properties; 45% (Chart 3B). This in and of itself is not necessarily a negative issue.

However, the average monthly rent is only $1,240 (+/-); (Chart 4). At a capitalization rate of 8% the average residential rental unit located in Lyndhurst is valued at $186,000 (+/-).[10] This value compares unfavorably to an average homeowner occupied residence of approximately $395,000 (not rented). Hence, the Township of Lyndhurst must ensure that conversions of single to two family homes does not take place and, where allowable by law, homeownership be encouraged, or high-end finished apartment products be required at a minimum.

[10] The capitalization rate is the expected rate of return on investment a developer or property owner requires so as to make the investment.

Aging properties (buildings) will deteriorate without continual investment, or significant reconstruction, to upgrade their condition. While most neighborhoods in Lyndhurst are reasonably well maintained, there appears to be signs of distress especially in those areas designated or to be designated as an area in need of redevelopment ("ANR").

The clear theme of this Master Plan Reexamination and the efforts, or objective(s), of both the Lyndhurst Planning Board and Lyndhurst Board of Commissioners is to increase the value of the land located within the Township of Lyndhurst.

C. As previously noted N.J.S.A. 40:55D-89b. is the pertinent section of the Municipal Land Use Law regarding master plan reexaminations and changes in land use problems and objectives, specifically requires an analysis of the problems and objectives and if they have been reduced or increased.

Given the deleterious nature of the land use problems noted in Section 5, Section 6, and Section 7B of this report it is clear that land use conditions have worsened and must improve for Lyndhurst to be a sustainable, attractive community.

According to Page 3 of the 2008 Master Plan Reexamination; "the continued revitalization of the central business area was identified as a major objective". With one caveat, we have not found any evidence that the revitalization of the "central business district" ever started. The one caveat is the "Town Center" retail area (Shop-Rite and T.J. Maxx); but only if this retail area is considered part of that revitalization, then we agree it has started. Moreover, with the municipal park and potential relocation of the consolidated train station to this town center area, it should become the focus of future redevelopment (a.k.a. revitalization efforts).

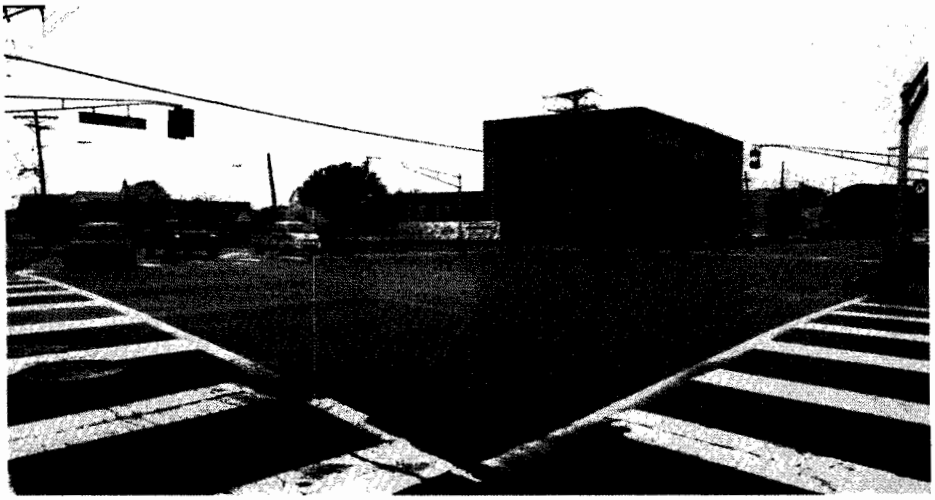
This analysis gives rise to another significant problem which has worsened since 2008: The clear continued decline of the properties situated along Ridge Road, Valley Brook Avenue and to a lesser extent Stuyvesant Avenue.

The properties located here have disparate lot sizes, different types of uses (marginal retail, small office, some residential, etc.), and disparate store fronts and facades. This leads to a "hodge-podge" look and feel to the central business district.

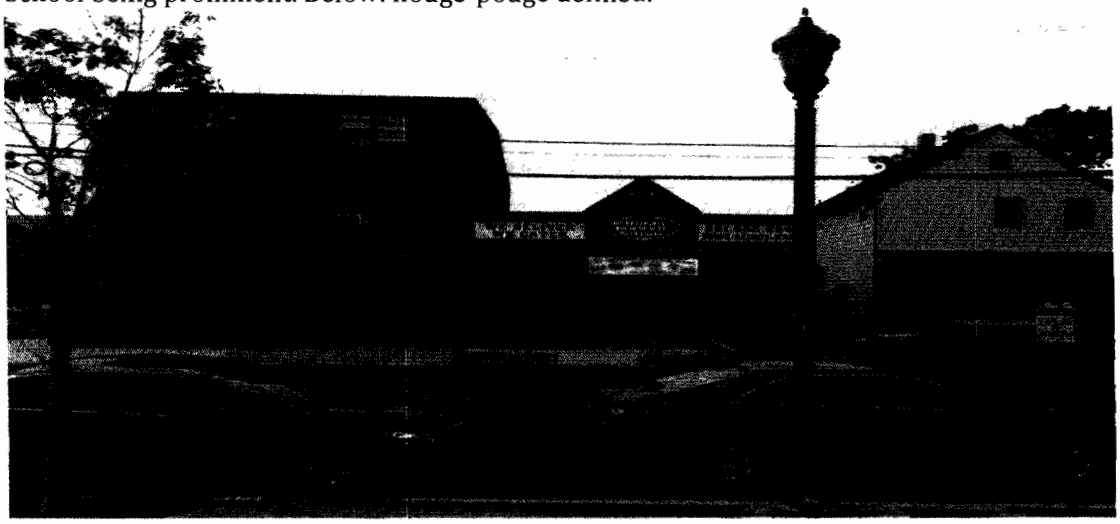
The properties along Ridge Road, with a few notable exceptions, lack the capital investment by property owners to make it an attractive part of the business district.[11] The 2009-2010 redevelopment efforts by the Township of Lyndhurst failed to produce concrete

[11] The Chase Bank on the southwest corner of Ridge Road and Valley Brook Avenue is a notable exception.

results as property owners appear satisfied to keep their deteriorating properties spiraling downward.[12]



Above: The intersection of Ridge Road and Valley Brook Avenue, with the Lincoln School being prominent. Below: hodge-podge defined.



Section 8. N.J.S.A. 40:55D-89c. of the Municipal Land Use Law requires an analysis of the extent there have been significant changes in the assumptions, policies, and objectives forming the basis of the master plan.

The 2008 Master Plan Reexamination notes that the 2000 Census and affordable housing (COAH) requirements as significant land use changes. The 2008 reexamination also notes a "greater demand" for two and three family as well as multi-family units. Perhaps this last change (or shift in observable land use patterns) has led to the residential rental

[12] We welcome Ridge Road property owners to come forward and prove us wrong.

situation previously analyzed; in and of itself the residential rental situation is a significant change.

We specifically incorporate herein the analysis and findings in the previous sections of this report, including:

1-the 2010 Census data,
2-the findings as to the NJMC, including but not limited to, the three recently residential rental developments.
3-the EnCap findings,
4-the findings as to the residential rental situation,
5-the findings as to the reduction in property values,
6-school performance issues,
7-deteriorating Ridge Road property conditions.

With regard to N.J.S.A. 40:55D-89c. 1-6, the following conditions were found in our research:

1-density and distribution of population and land uses-the township's population is moderately increasing; 3.3% increase from 2010-2013 (estimated). This is primarily a result of the aforementioned residential developments in the NJMD.

2-housing conditions-residences continue to age and generally deteriorate. Less than 14% of the township's housing stock is newer than 35 years of age. Importantly, over 30% of the housing stock is either approaching 75 years of age or has surpassed the 75 year of age mark.

3-circulation-one significant improvement in Lyndhurst has been the Lyndhurst Avenue traffic improvements, creating a local bypass of Route 3.

The new access to Route 3 eastbound provides an easy access for local residents. Also, the signalization of Rutherford Avenue at Delafield provides for improved access to the retail town center and the new municipal park from Delafield.[13]

4-conservation of natural resources-here we can point to another positive improvement with the significant upgrade to the water and sewer systems of the township. Over $13 million has been invested since 2008 mostly from low cost funds provided to the township through the New Jersey Environmental Infrastructure Trust fund (NJEIT). The largest portion of the use of these funds was for the water distribution system (approximately 75%). With the sewer improvements focused on pumping stations.

5-energy conservation-in October 2012 the township engaged Class Green to provide a series of recommendations regarding energy savings. This entails upgrades to the HVAC system at the municipal building, new windows to be installed in the municipal building, etc. The DPW and recreation offices are outdated. Energy efficiency can be achieved by establishing new facilities for these departments.

6-collection and disposal of recyclable materials- the amount of money collected from recycled material declined sharply from 2012 to 2013; $138,342 to $76,015 respectively. This is a 50% reduction, as markets for comingled recyclables has fallen off.

[13] These roadway improvements are in concert with the Route 3 improvements traversing the Passaic River.

7-changes in (pertinent) state, county, and municipal policies and objectives. We previously detailed the problems the NJMC bestowed on Lyndhurst. The New Jersey Department of Community Affairs ("DCA") should have stepped up and advocated on behalf of the township. They did not. Next up: affordable housing. New Supreme Court mandated rules and regulations have been proposed to be implemented effective November 17, 2014. The Council on Affordable Housing ("COAH") will be reinvigorated, we include a very preliminary analysis of COAH in the next section of this report.

Section 9. Affordable Housing. On December 17, 2008 the Lyndhurst Planning Board adopted the Housing Element and Fair Share Plan required under the third round COAH rules and regulations; N.J.A.C 5:97. These COAH rules became effective January 1, 2004 as revised by COAH and due to a series of legal actions the implementation was delayed until December 2007.

Separately, the adoption of a housing element of the master plan is required by law, N.J.S.A. 40:55D-28b (3) and is required under the COAH rules and the New Jersey Fair Housing Act, N.J.S.A. 52-27D-301. As of the writing of this report the new "Third Round Substantive Rules" have not been officially released. We are working off a courtesy copy which will be published June 2, 2014 in the New Jersey Register. Before going into the new rules some background is in order.[14]

The third round COAH rules were designed to increase the production of affordable housing in New Jersey through both direct development requirements (a "set aside" of new residential units built) and monetary contributions by developers to an affordable housing trust fund.[15]

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[14] The realistic opportunity for affordable housing was determined to be a constitutional obligation by the NJ Supreme Court in 1975, in the case of Southern Burlington County NAACP v. Township of Mt. Laurel (Mt. Laurel I). In its 1983 Mt. Laurel II decision, the Supreme Court reaffirmed and expanded the Mt. Laurel doctrine and stated that all municipalities share in the obligation. The Supreme Court also provided guidance in determining a municipality's fair share and approved use of the builder's remedy for municipalities that do not voluntarily meet their constitutional obligation. On July 2, 1985 the Fair Housing Act (FHA) was enacted as the legislative response to the Supreme Court rulings. The Act created COAH as the voluntary administrative alternative to the Courts. The Act also stipulated that while COAH is a voluntary process, not participating leaves municipalities at risk of a builder's remedy lawsuit. In this type of lawsuit, a builder sues a municipality on the basis that it has not provided its fair share of affordable housing, and then the court can dictate where and how much affordable housing the municipality provides and at what density.

15 In 1986, COAH released the First Round rules (1987-1993), which required 10,849 low- and moderate-income homes per year statewide. In 1994, COAH released the Second Round rules (1993-1999), which required 6,465 low- and moderate-income homes per year statewide. The First and Second Round rules were generally upheld by courts against several legal challenges from municipalities and some from builders and public interest advocates. Advocates succeeded in 1993 in overturning one area of the rules, which allowed for a residency preference to limit the ability of people from outside of a town to move into "Mount Laurel" housing. The 2008 COAH calculated state-wide affordable housing obligation was 115,666 new affordable units to be built through 2018. This now changes with the new 2014 rules.

The contributions are to be made into an affordable housing trust fund to be used for affordable housing purposes. Often lost in the regulations and media reports is the requirement that municipalities must take positive steps to incorporate a wide-range of housing options in its zoning patterns; in other words various size building lots and multi-family zones must be included in the table of zoning districts implemented in each municipality. This is often referred to as inclusionary zoning.

The continued compliance with both the federal and state Fair Housing Acts is critical to virtually every municipality in New Jersey, including Lyndhurst. The Council on Affordable Housing was created in 1985 through state legislation to devise a method for municipalities to comply with the Fair Housing Act(s). The state Fair Housing Act was itself an outcome of the Mount Laurel group of cases, now referred to a Mount Laurel II.

If municipalities choose to grow, (with a target or emphasis on suburban towns—in the PA-1 and PA-2 categories of the SDRP), then affordable housing was needed, so the story goes, to accommodate or supplement this growth.[16] In November 2012 the Supreme Court heard arguments to eliminate the growth share obligation which was invalidated by the lower courts (the Appellate Division, October 8, 2010). The court then remanded the regulations to COAH, to develop rules using the Round 1 and Round 2 methodologies. In the meantime, the Governor "abolished" COAH, and moved to confiscate the COAH trust funds held by municipalities as of July 17, 2012.

The theory behind the trust fund taking is that the 2008 Round 3 Rules, much of which has been gutted by the court, required funds to be expended within four (4) years of the implementation of the Round 3 Rules (July 15, 2008).

Finally, before we get into Lyndhurst COAH issues, we note that on January 25, 2007, the Appellate Division sent COAH back to the drawing board, agreeing that the regulations "defied comprehension". In their decision, the three-judge panel found that the regulations violated the constitutional mandate of the Mount Laurel doctrine and the statutory requirements of the Fair Housing Act. The court required a check on municipal discretion, writing that "If municipalities with substantial amounts of vacant land and access to infrastructure can decide for themselves whether and how much to grow, it is

16 The State of New Jersey Development and Redevelopment Plan (SDRP) establishes the areas where development is preferred in the State. Briefly, development is encouraged in metropolitan and urban areas where existing infrastructure exists, this includes Lyndhurst.

highly likely that housing opportunity will fall far short of identified housing need".[17] This court decision jolted COAH, but further delayed affordable housing regulations as COAH missed the July 25, 2007 deadline to adopt revised regulations set for it by the Appellate Division. COAH requested successive extensions along the way proposing regulations that were plainly unconstitutional. After two more proposals, COAH's complete Third Round regulations were finally adopted in October 20, 2008, with a July 2008 effective date.

But with COAH disbanded, growth share invalidated, and the great recession wreaking havoc on real estate markets nothing was implemented until after a new series of court challenges causing the New Jersey Supreme Court to step in and order the Governor, to adopt new meaningful rules by November 17, 2014 through a reincarnated COAH, or all municipal affordable housing and Fair Housing Act protections would be lost. This would make each municipality in New Jersey stand on its own to ensure compliance with the Fair Housing Act. Accordingly, we now have the proposed 2014 rules.

Despite protests that COAH is a mess, close to 300 municipalities prepared fair share plans under the third round rules, many received COAH certification or were in the process of certification in 2009/2010 when COAH was placed into purgatory.

Returning to Lyndhurst; the township filed for third round certification and all documents were properly filed and received by COAH. However, two objections were filed with COAH challenging the township's petition. These are Russo, and Denholtz. Russo, 340 Orient Way, previously indicated in Section 4 of this report received approval for their residential project and withdrew their objections. Denholtz, 1099 Wall Street, had baseless assertions in their filing.[18] With COAH in a state of flux, the third round certification process was suspended and will now be renewed, under the aforementioned revised rules.

One significant Lyndhurst Board of Adjustment decision, rendered since the 2008 Master Plan Reexamination, was the DOMUS project and the denial by the board of this important affordable housing project.

Turning to the new rules and regulations: The general requirement is for new residential projects to have a 10% "set-aside" for affordable units.[19] Lyndhurst is

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[17] We note, editorially, that such municipalities virtually do NOT exist in northern New Jersey. The Highlands Act, Pinelands Act, open space allocations, and environmental restrictions on development have restricted development activities in areas with large amounts of vacant land.

18 In November 2009 the township engaged this firm to respond to the third round objections. Reference our November 18, 2009 letter to COAH.

[19] The NJMC operates under a MOU with DCA as to affordable housing obligations.

preliminarily to be shown to have a housing rehabilitation share (obligation) of 197 units. The obligation for new affordable units has yet to be determined.

Section 10. Redevelopment. N.J.S.A. 40:55D-89d. requires an identification of redevelopment opportunities apparent since the last master plan reexamination. The principal method to accomplish the objective of increasing the value of Lyndhurst and thereby making it a sustainable and attractive place is through judicious but robust redevelopment; especially the area located to the north of Valley Brook Avenue, west of Ridge Road—with the existing shopping centers, municipal complex, park, and rail station as the center.

The redevelopment process includes certain well defined steps which must be followed so that the designation is well thought out and can be used "legally" to turnaround property conditions. These steps are found in the Local Redevelopment and Housing Law (LRHL), N.J.S.A. 40A:12A-1 et seq.

With the redevelopment designation in place, the municipality can then move forward with the redevelopment plan and redevelopment plan ordinance, such as the prospective town center redevelopment plan and ordinance which would include the land uses and zoning specifications designed to accomplish the objectives of the local redevelopment program. With the redevelopment plan process concluded the process of assembling land and attracting investors may begin.

A well-crafted RFP/RFQ/SOI (solicitation of interest) will be prepared setting forth the expectations of the municipality so as to attract the best possible development or redevelopment scenario. Of course, the pre-existing property owner(s) are involved in the entire process.

The township undertook redevelopment initiatives in 2001 which resulted in a different 2001 Master Plan Update and Reexamination report dated August 2001. Separately, on June 12, 2001 the board of commissioners declared Block 170, Lot 1, the former "Edwards site" as an area in need of redevelopment ("ANR"). With this effort in hand NJ Transit proposed the 2001 Lyndhurst Station Consolidation plan. This is now the subject of much discussion. According to the August 8, 2001 municipal redevelopment initiative report the consolidated train station is to be located at Block 74, Lot 1. This parcel was subsequently determined to be an ANR.

Then on November 10, 2003 a Town Center Redevelopment Plan was prepared covering the following properties:

Chart 10.

2003 ANR Parcels

Block, Lot	Size (Acres)	Use/Owner
12, 1	.32	Township
12, 2 and 3	2.13	Township
12, 4	.16	NJ Transit
71, 1	6.08	Municipal Complex
73, 1,2,4	12 +/-	NJT
74, 1.01	6.6	Old Shop-Rite Center
74, 1.02	0.7	Basketball Courts-Twsp.
78, 1.01	1.92	Senior Condominiums
79, 1	12.31	New Shop Rite
80, 1	.97	Township
96	1	NJT-Kingsland Parking
103, 9.01	3.90	NJT Kingsland Station

Note: the total acreage is approximately 44.4 acres.

In September 2004 the board of commissioners adopted ordinance number 2522 which created a Town Center Redevelopment Area and a Transit Village Overlay District. To say the least this ordinance leaves one confused. No mention or specifications of the Town Center are made in the ordinance. Further, some sort of Transit Village Overlay was enacted, without specificity as to area or zones to be effected by the overlay.

The focus was apparently on the on the B and B-R district with allowances for "townhouses". A backdoor attempt perhaps of having townhouse projects scattered in the business zones?

The zoning map was not changed by the ordinance {perhaps because no one could identify what areas of Lyndhurst where being effected} and we can only assume that proper notice was given to the impacted areas. In an almost equally confusing move, the board of commissioners voted on August 9, 2005 to adopt ordinance number 2534, repealing ordinance number 2522. This was done without explanation in any document, including in the ordinance itself.

We assume the requisite notice was <u>not</u> given with regard to the pendency and consideration of this zoning ordinance. This would mean that the first ordinance (number 2522) would continue to be in effect. However, since the first ordinance was so lacking in

specificity the whole issue is probably moot, except for the fact that the properties included in Chart 10 continue to be located in an ANR.

The 2008 Master Plan reexamination indicated that no redevelopment opportunities existed in Lyndhurst. This is wholly false as evidenced by the November 10, 2003 Town Center Redevelopment Plan and the August 2001 Amendment to the Master Plan Report.

We now turn to the January 3, 2010 redevelopment study, which started an earnest effort to begin to tackle the deteriorating Ridge Road area. On November 11, 2009 the board of commissioners adopted a resolution directing the Lyndhurst Planning Board to investigate whether eleven properties along Ridge Road and the vacant train station ("Trax") located at Second Avenue and Stuyvesant Avenue qualify as an ANR. This redevelopment effort was limited in scope and the planning board did find that ten of the properties qualified as an ANR. On January 13, 2010 the Lyndhurst Planning Board designated eleven properties as an area in need of redevelopment.

Chart 11.
2010 ANR Parcels

Property Block/Lot
Block 12 Lot 1
Block 12 Lot 2 and Lot 3
Block 13 Lot 1
Block 13 Lot 10 and Lot 12
Block 13 Lot 11
Block 89 Lot 9
Block 89 Lot 10
Block 160 Lot 3.01
Block 160 Lot 22

Note: Block 12, Lots 1, 2 and 3 are technically a re-designation from 2003.

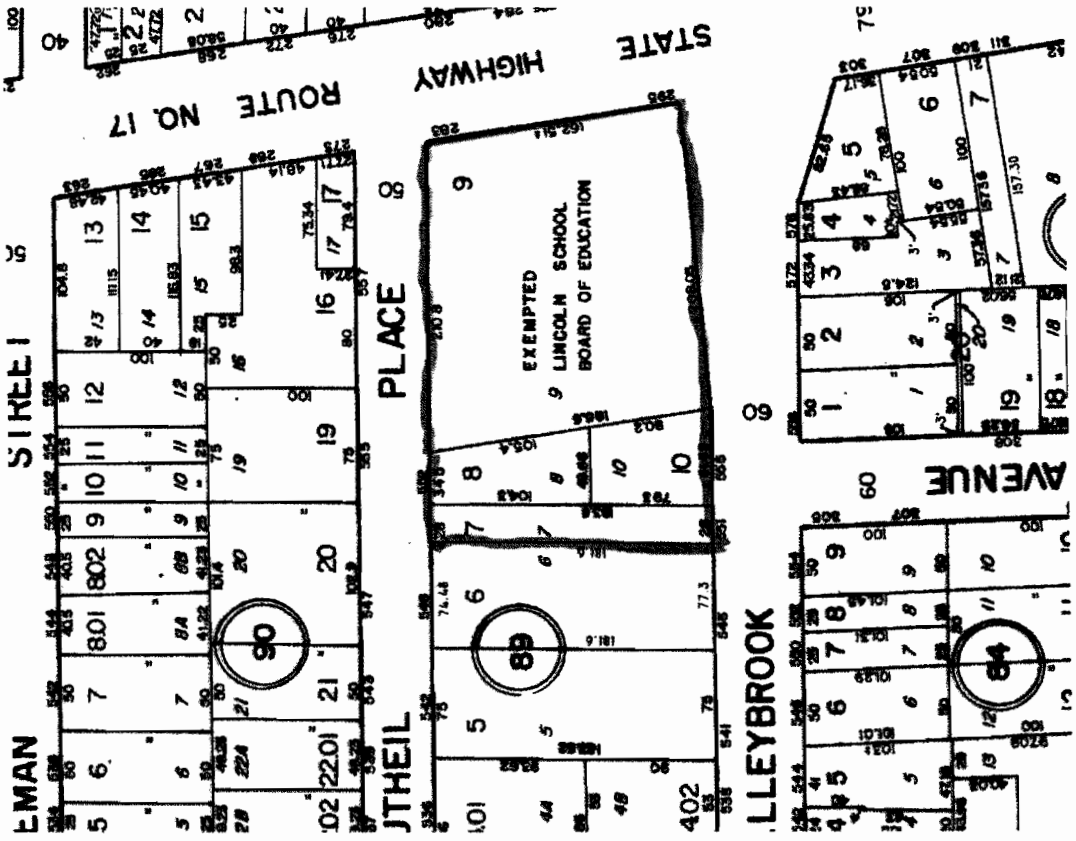
On February 9, 2010 the Lyndhurst Board of Commissioners declared the above parcels to be an area in need of redevelopment.

Identified as "Project Tomorrow" this redevelopment initiative attempted to redevelop the traditional center of town; the intersection of Ridge Road and Valley Brook Avenue, with the focus on Lincoln School.

The following map was presented to the Lyndhurst Planning Board indicating the focus of the 2010 redevelopment study.

Map 2

The Block 89 Parcels-Four Lots Under Study (Lots 7, 8, 9, 10)
From the 2010 Redevelopment Study.



We now turn to the Lincoln School. After World War II and for a significant time period thereafter Lincoln School actually served as a quasi-middle school as students from the Columbus School (grades 7,8) and Franklin School (grade 8) went to Lincoln School.

Written in 1961 and edited over the next few years thereafter the 1961-1963 Master Plan states:

"(t)he Lincoln School, located at the intersection of Valley Brook Avenue and Ridge Road should eventually be abandoned. The location of this school is poor in relation to its environment and the building itself is old".

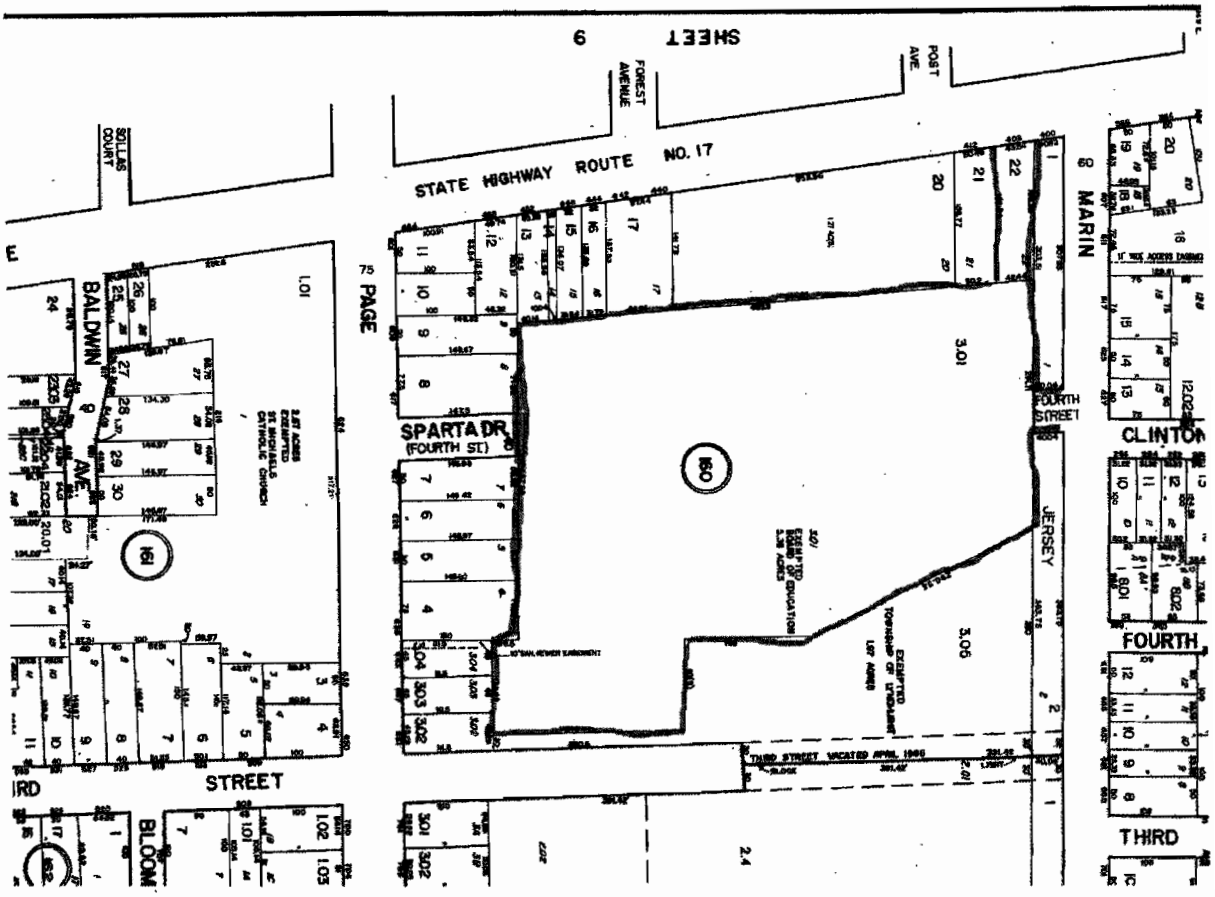
It has taken us over fifty years to get to this point. Enough is enough, cement the redevelopment designation of the school and surrounding properties by placing the properties into a coherent redevelopment plan and develop a quality and consistent "up-scale" residential or mixed use project.[20]

The township, when discussing Project Tomorrow in 2010, identified the Matera Field, located at Block 160, Lot 3.01 (281 Ridge Road) as the most appropriate location for a new school. This property is a 5.4 acre parcel which could handle the relocation of the Lincoln School as a middle school housing grades 6, 7, and 8. The proceeds from the sale of the Lincoln School together with proceeds from the sale of any or all related properties in the town center redevelopment area could be used to help construct the school.

In turn, the construction of a new school, preferably a middle school, will solve the fragmentation and class-size issues facing the Lyndhurst school district.

[20] Should the board of education be reluctant to fully support this program the board of commissioners should seriously consider condemning this property using the powers of eminent domain to eradicate this blighting influence from the Lyndhurst landscape.

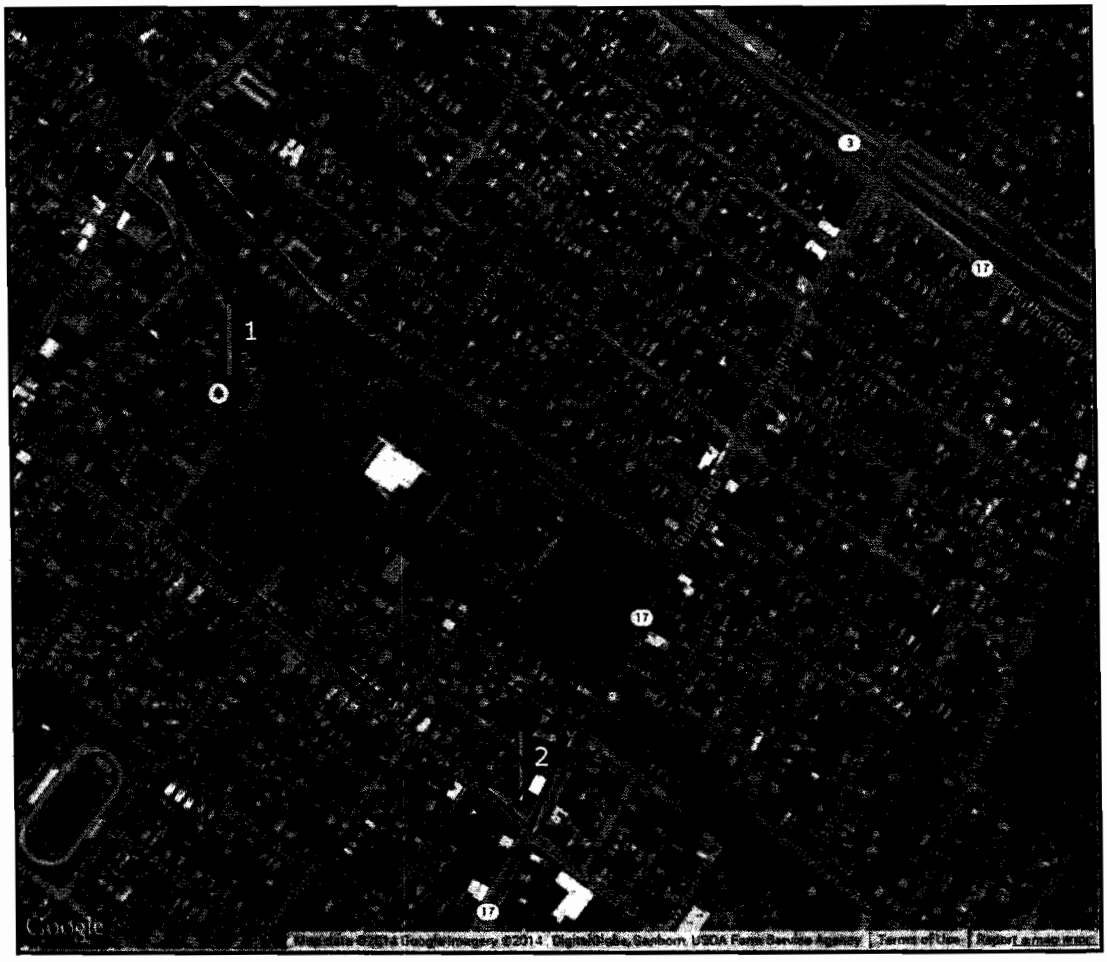
Map 3
Matera Field Map
(A part of the Lyndhurst-Project Tomorrow-Redevelopment Area)



A comprehensive and coordinated approach is required to achieve this outcome and must be part of the redevelopment planning process. Under such an approach, the properties within the study area can be redeveloped in a coordinated and planned manner to implement the comprehensive plans of the Township of Lyndhurst while effectively contributing to the general health and welfare of the township's residents.

Map 4.

The Proposed Town Center Redevelopment Area



The focus is on #1-the consolidated train station, and #2 the Lincoln School.

The heart of this town center is the Shop-Rite and TJ Maxx retail centers. They should be connected via a pedestrian bridge(s). The gravity of Lyndhurst has shifted from Ridge Road to these shopping centers and the municipal park. This is good for traffic circulation and presents a much fresher look and feel than the disruptive nature of the disparate Ridge Road storefronts and properties.

However, having the Lincoln School redeveloped for a useful purpose and the Chase Bank across from the school on Valley Brook Avenue could be a catalyst for some further capital investment. But, maybe not.

On August 27, 2013 the board of commissioners adopted a resolution directing the planning board to investigate and include the following properties in the ANR.

Chart 13.
2013-2014 ANR

Property Block/Lot
Block 96 Lots 1, 2
Block 97 Lots 1, 2, 3, 4
Block 89 Lots 7, 8
Block 90 Lots 13, 14, 15, 16, 17
Block 98 Lots, 1, 2, 3, 4, and Lots 16 through 24 inclusive.
Block 91 Lots 11, 12.01, 12.02
Block 12 Lot 5
Block 66 Lots 1, 2, 3, 23, 5 and 6
Block 66 Lots 9, 10, 8,7

The board of commissioners also requested the planning board:

"thoroughly investigate the areas; 1-in the immediate vicinity of the two train stations, 2-the properties along Freeman Street between Ridge Road and Chase Avenue, and 3-at the intersection of Valley Book Avenue and Ridge Road (each of the four corners). The planning board shall make recommendations, if the board believes it warranted, to include additional properties which may not be identified herein as properties to be included in an ANR."

A focus here is to consolidate the rail stations and relocate the offices and DPW/Parks department facilities to the NJMD. This will allow for more upscale residential redevelopment with the potential for mixed use redevelopment, with new economic opportunities being provided through redevelopment projects.

The Current Lyndhurst Public Works Facility.



With this objective in mind, a joint public meeting of the planning board and Lyndhurst Board of Commissioners was held on July 1, 2013 regarding redevelopment and updating the master plan where the principal topics of the meeting. The objective is to **redevelop the Township of Lyndhurst so as to increase the value of the township's assets,** especially private properties and neighborhoods.

The following photograph depicts the general location of the consolidated rail station. Directly to the north of the municipal park.



Section 11. A Review of the Previous Master Plan Objectives. The 2008 Master Plan Reexamination stated the MLUL objectives of the Township of Lyndhurst, as follows:

"The 2001 Lyndhurst Master Plan Reexamination recognized the validity of the goals and objectives as noted in the 1989 Reexamination and the 1979 Master Plan "updating".[21] These stated objectives included the following:

1 The established residential neighborhoods should be preserved and the intrusion of non-residential uses should be discouraged.

2 The quality of the housing supply and neighborhood amenities should be maintained.

3 Wherever possible, through traffic should be rooted {*sic*} away from residential neighborhoods.

4 Arterial streets should be designed to accommodate through traffic which they must handle in addition to serving abutting uses.

5 Existing business areas should be maintained and upgraded where necessary. New business uses should provide adequate off-street parking.

6 Zoning and subdivision regulations should provide for adequate buffering of residential areas from nearby non-residential uses.

7 The best possible type of development should be encouraged in the meadowlands portion of the community.

8 Applications for future development should be reviewed to ensure adequate off street parking, safe and convenient access and egress and safe integration with the street system.

9 Applications for non-residential development should meet all government requirements with respect to air quality, water quality, noise, safety features, storage of volatile substances and other environmental concerns.

[21] It is important to remember that the 1978 "master plan" was some sort of "updating".

10 Community facilities, such as parks, schools, and public buildings, should continue to be available and improved where necessary.

The 2004 Reexamination identified further goals contained within the 1989 Reexamination. A total of nine additional goals were recommended to address changes in state planning policy, changing township needs, mandated Fair Share Housing Act and the mandated Statewide Resource Separation and Recycling Act, as well as the cross-acceptance process of the State Development and Redevelopment Plan (SDRP). The additional goals were included in the 2008 Master Plan Reexamination as follows:

11 The conservation of energy should be promoted through the use of planning practices designed to reduce energy consumption and to provide for maximum utilization of renewable energy sources.

12 When funds become available from the New Jersey Department of Environmental Protection, the township should formulate a storm water management plan and implementing ordinance to reduce flood damages, to minimize the increase of runoff from new land development, to assure safety of bridges and culverts, to induce water recharge into the ground, to lessen non-point pollution and to maintain the integrity of stream channels.

13 Investigate the feasibility of up-grading the joint sewage treatment plant.

14 Continue to provide adequate community services for Lyndhurst's residents, businesses, and industry in terms of police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreational programs, and senior citizens services.

15 Conduct the Township's planning program within the framework of a regional setting and fully cognizant of the needs and rights of Lyndhurst's neighboring communities and Bergen County.

16 Encourage active participation in planning process by Lyndhurst's citizens.

17 To provide access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing.

18 To promote the maximum practicable recovery and recycling to recyclable materials from municipal solid waste through the use of planning practices designated to incorporate the State Recycling Plan goals.

19 To participate in the cross-acceptance process necessary to finalize the Preliminary Development and Redevelopment Plan for the State of New Jersey."

We agree with each one of these pertinent objectives, although some are more important than others; we disagree with number 15 which makes no sense in the State of New Jersey and number 19 which became moot in 2002.

The following additional objectives are necessary and recommended to keep Lyndhurst a viable and sustainability community in an urban (PA-1) region of New Jersey:

20 Increase the value of properties throughout the township by implementing redevelopment and development in and around the identified town center area. This concept will generate capital investment necessary to sustain municipal infrastructure and public service expenditures. This area is generally outlined in Map 4.

21 Follow through with the proposed consolidated train station as part of the town center redevelopment area.

22 Rethink how the township is viewed as a place to live and shop by creating a brand theme to encourage people to visit local businesses. A "Gateway to Southern Bergen County" theme or similar theme should be encouraged.

23 Promote single family ownership through the use of townhouse and condominium apartments. If the market indicates that rental units are advisable, then upscale units must be insisted upon in the redevelopment plan.

24 Standardize signage regulations, and incorporate way finding signs—to direct traffic. Traffic would be directed to the new town center.

25 Town center oriented communities depend upon a pedestrian environment and a lesser parking requirement would encourage prospective business owners to invest and stay active in the township. This is consistent with town center designation policies established by the State of New Jersey.

26 Statement of Special Objective re: <u>The New Jersey Meadowlands District.</u> Demand the NJMC assess how their development plan(s) affects municipal services. Given the uncontroverted deleterious impact that failed NJMC, EnCap project had on the Township of Lyndhurst, any redevelopment plan or project located in the NJMD and contemplated by the NJMC must be opposed by the Township of Lyndhurst unless a clear economic (cash) benefit is received by Lyndhurst.

Land Use recommendations:

1- Any development project located in the NJMC, especially in the Kingsland Redevelopment Plan Area[22], in which said project includes lands in Lyndhurst, together with any other adjoining municipality, must be opposed by Lyndhurst unless a clear economic (cash) benefit is received by Lyndhurst, and that no reverter clause shall be negotiated by the NJMC, and any loss of funds (especially tax or PILOT revenues) experienced by the township must be guaranteed to be made up by the NJMC.

2-Definitions in the zoning ordinance need updating. A revised and more detailed definition listing would greatly assist the township staff and consultants to adequately interpret zoning regulations to be applied to development and zoning permit applications.

[22] Reference: the "Kingsland Redevelopment Plan" amendment, NJMC Resolution 11-02 on January 26, 2011. This NJMC redevelopment plan includes 21 properties located in Lyndhurst as well as properties in Rutherford, North Arlington and one property in Kearny.

This should include the clarification and definition of "family" in residential zones to help ameliorate overcrowded residences. §21-4.2 of the revised general ordinances and related sections should include a definition of immediate family; being defined as parents (including two adults in a domestic partnership), children, and the children's natural grandparents. Aunts, uncles, and cousins and all others should be specifically excluded. A residence shall be maintained as a permanent overnight sleeping quarters and living arrangement for these family members only.

3- The Township of Lyndhurst should seriously consider the overall benefits of adopting an ordinance, subject to voter referendum, granting the board of adjustment powers to the planning board under MLUL 40:55D-25(c) (2). Also, combining the boards into a land use board will facilitate consistent decision making as it relates to use and bulk area variances being considered. Further, it is recommended that appeals from the board of adjustment should not be made to the board of commissioners, as is currently the case, but directly to the superior court.

The township hasn't received in several years the required annual report from the board of adjustment under MLUL 40:55D-70.1. That report must be annually prepared explaining its findings on zoning applications which were the subject of variance requests and the board's recommendations for zoning ordinance changes. These findings are critical to consistency in how decisions are determined based on the facts of the requested relief from the zoning ordinance.

4-A more equitable system of how NJMD funds are returned to Lyndhurst should be explored, or the disbanding of the NJMD altogether, as it especially related to land use and zoning should be accomplished. Lyndhurst will pay $737,250 to the NJMC in 2014.[23] This is almost three tax points, which when abolished could help pay for the school facility improvements specified in this report. Also, it is noted that the new NJMD "tax sharing formula" continues to be arbitrary.

5- Any residential development in the town center should allow for appropriate high density land use (up to 30 dwelling units/acre depending upon building height) and in close proximity to the new or existing train station and directly accessible to the adjoining retail stores.

6- Implement strategies to ameliorate disparate property sizes and develop design standards to improve the visual appearance of building facades along the struggling Ridge Road business corridor. This streetscape provides the opportunity to establish a more viable business corridor adorned with attractive façade canopies, hanging signs and street furniture which attracts the prospective patron to shop and spend some time in the area.

7-Request New Jersey Transit to convey both rail stations, Kingsland and Stuyvesant, to Lyndhurst to be converted into adaptive reuses such as "up-scale" housing and a business/visitor information center. In addition, request NJ Transit to extend bus service from Ridge Road to the new consolidated train center. Incorporate into the new train station the inclusion of some service retail to provide quick purchase of food and dry goods for passengers entering /exiting the rail station.

8- The Township of Lyndhurst review and determine how the new (2014) COAH Third Round Substantive Rules would benefit the Township. Furthermore, the future growth of residential units should embrace the need to sustain a majority of such units being homeowner occupied in the form of townhouses and condo apartments.

[23] This amount should be refunded from the NJMC annually until the net deficiency from the failed NJMC EnCap redevelopment project, carried in Lyndhurst's budget, is paid off.

9-The fragmented and aging school facilities should be reorganized and a new school facility, preferable a middle school, built to replace the obsolete Lincoln School.

The overall intent of this 2014 Master Plan Reexamination is to have a plan in place to sustain and improve the quality of life for all Lyndhurst residents and to retain and expand businesses opportunities in Lyndhurst. Measured redevelopment and development especially in the identified town center area will help achieve a balanced local economy. Having the NJMC disbanded and the statute changed stripping the NJMC of their local land use authority will also help Lyndhurst's economic sustainability—the Township of Lyndhurst cannot survive another EnCap. Finally, eliminating the fragmented and deteriorating school facilities will help improve local public education and increase the aggregate value of Lyndhurst. The board of commissioners and board of education will play critical roles in achieving the desired results.

EXHIBIT 1.

Exhibit 4.
The 2012 Census Update
Income Details.

INCOME AND BENEFITS (IN 2012 INFLATION-ADJUSTED DOLLARS)	
Total households	7,999
Less than $10,000	425
$10,000 to $14,999	197
$15,000 to $24,999	616
$25,000 to $34,999	602
$35,000 to $49,999	925
$50,000 to $74,999	1,553
$75,000 to $99,999	1,090
$100,000 to $149,999	1,414
$150,000 to $199,999	756
$200,000 or more	421
Median household income (dollars)	71,069
Mean household income (dollars)	86,122
With earnings	6,231
Mean earnings (dollars)	90,646
With Social Security	2,738
Mean Social Security income (dollars)	18,958
With retirement income	1,334
Mean retirement income (dollars)	25,272
With Supplemental Security Income	308
Mean Supplemental Security Income (dollars)	12,400
With cash public assistance income	85
Mean cash public assistance income (dollars)	2,764
With Food Stamp/SNAP benefits in the past 12 months	445
Families	5,502
Less than $10,000	175
$10,000 to $14,999	36
$15,000 to $24,999	214
$25,000 to $34,999	365
$35,000 to $49,999	497
$50,000 to $74,999	1,254
$75,000 to $99,999	821
$100,000 to $149,999	1,067
$150,000 to $199,999	652
$200,000 or more	421
Median family income (dollars)	80,307
Mean family income (dollars)	100,486
Per capita income (dollars)	33,950
Nonfamily households	2,497
Median nonfamily income (dollars)	38,970
Mean nonfamily income (dollars)	49,991
Median earnings for workers (dollars)	47,837
Median earnings for male full-time, year-round workers (dollars)	62,674
Median earnings for female full-time, year-round workers (dollars)	49,154
PERCENTAGE OF FAMILIES AND PEOPLE WHOSE INCOME IN THE PAST 12 MONTHS IS BELOW	

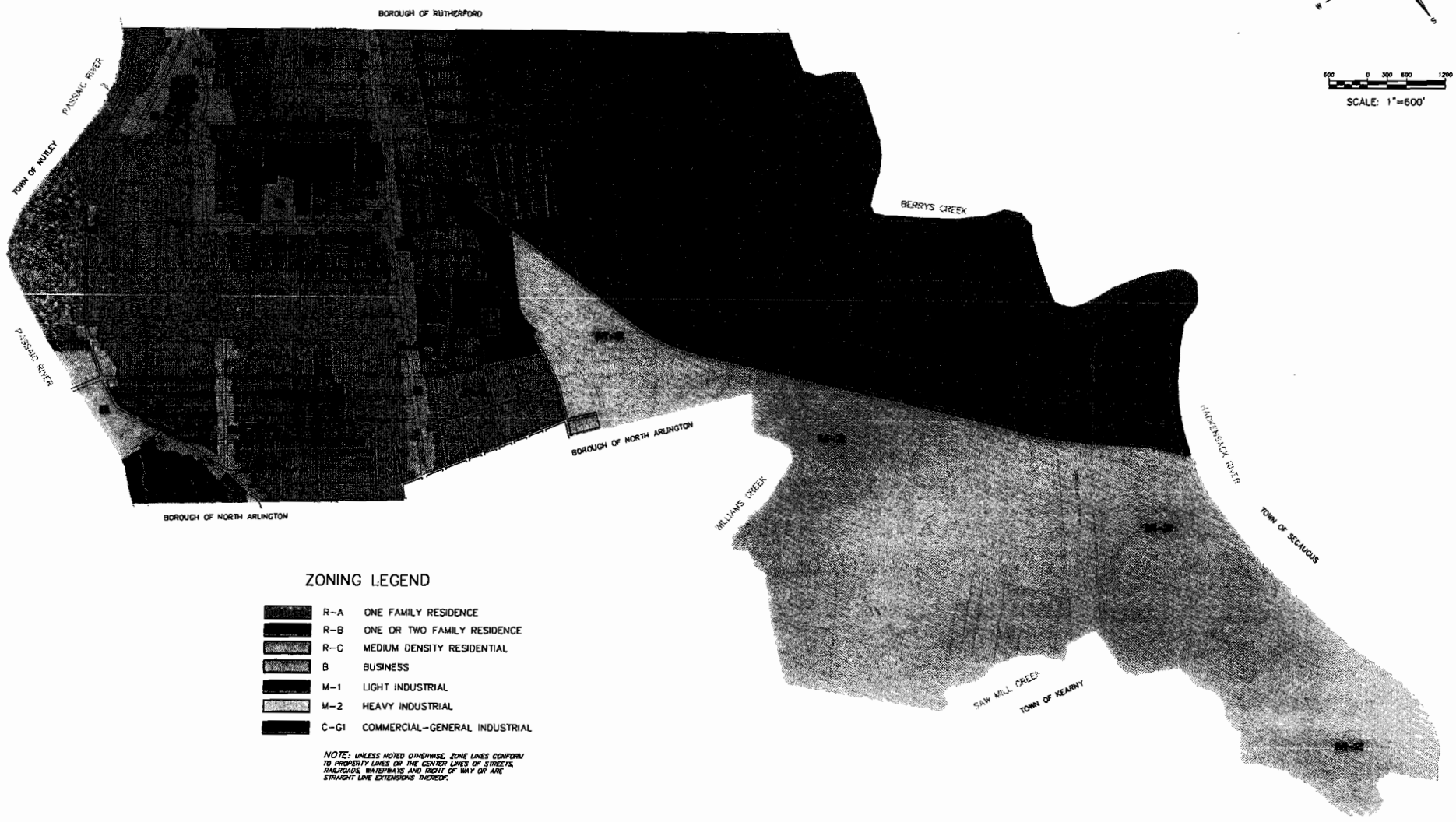
THE POVERTY LEVEL	
All families	5.1%
With related children under 18 years	8.0%
With related children under 5 years only	8.9%
Married couple families	2.3%
With related children under 18 years	4.1%
With related children under 5 years only	0.0%
Families with female householder, no husband present	13.8%
With related children under 18 years	16.7%
With related children under 5 years only	29.7%
All people	6.6%
Under 18 years	7.7%
Related children under 18 years	7.7%
Related children under 5 years	4.8%
Related children 5 to 17 years	9.2%
18 years and over	6.4%
18 to 64 years	6.5%
65 years and over	5.9%
People in families	4.8%
Unrelated individuals 15 years and over	16.4%

Source: U.S. Census Bureau, 2008-2012 American Community Survey

TOWNSHIP OF LYNDHURST

ZONING MAP

APRIL 2012



ZONING LEGEND

	R-A	ONE FAMILY RESIDENCE
	R-B	ONE OR TWO FAMILY RESIDENCE
	R-C	MEDIUM DENSITY RESIDENTIAL
	B	BUSINESS
	M-1	LIGHT INDUSTRIAL
	M-2	HEAVY INDUSTRIAL
	C-G1	COMMERCIAL-GENERAL INDUSTRIAL

NOTE: UNLESS NOTED OTHERWISE, ZONE LINES CONFORM TO PROPERTY LINES OR THE CENTER LINES OF STREETS, RAILROADS, WATERWAYS AND RIGHT OF WAY OR ARE STRAIGHT LINE EXTENSIONS THEREOF.

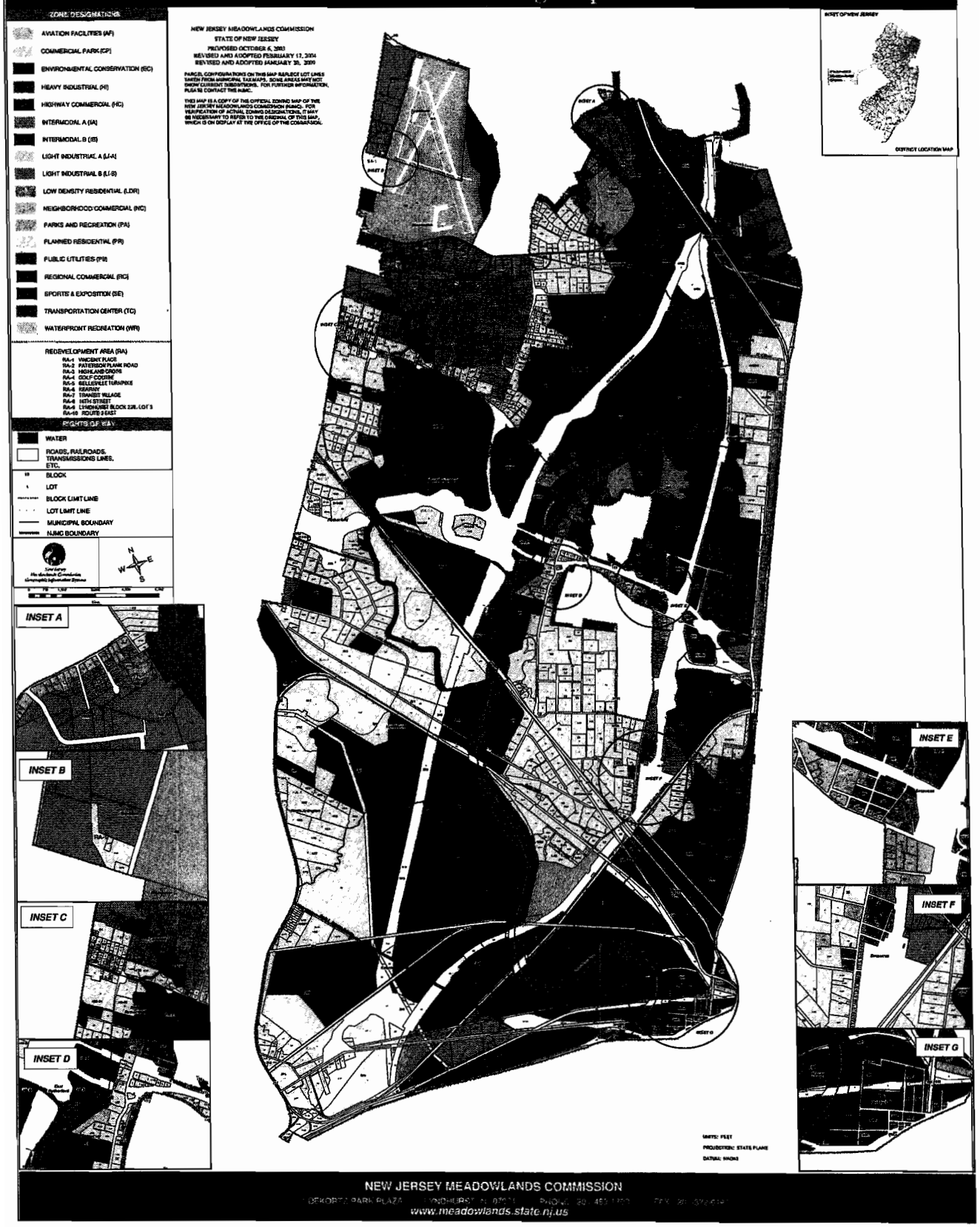
SCALE: 1"=600'

PREPARED BY

NEGLIA ENGINEERING ASSOCIATES

34 PARK AVENUE LYNDHURST NEW JERSEY

Hackensack Meadowlands District
Official Zoning Map



NEW JERSEY MEADOWLANDS COMMISSION
DEKORTE PARK PLAZA LYNDHURST, NJ 07071 PHONE: 201-460-1700 FAX: 201-460-8181
www.meadowlands.state.nj.us

GREGORY ASSOCIATES

Specializing in Planning & Development Consulting

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2008 Master Plan Reexamination
Lyndhurst, New Jersey

Gregory Associates, LLC ◊ 96 Linwood Plaza #350, Fort Lee, NJ 07024 ◊ 201.336.0028 P ◊ 201.336.0384 F

2008 Master Plan Reexamination
Lyndhurst, New Jersey

ADOPTED
_____, 2008

PLANNING BOARD

MASTER PLAN REEXAMINATION STAFF

Township of Lyndhurst
Planning Board Secretary:
Planning Board Attorney: Priscilla Tirillo, Esq.
Township Engineer: Michael Neglia, P.E.

Gregory Associates, LLC
Principal: Kathryn M. Gregory, AICP, PP

This copy conforms to the original copy of this report which is stamped and signed by Kathryn M. Gregory, Professional Planner's License No. 5571; in accordance with *N.J.S.A.* 45:14A regulating the practice of Professional Planning in the State of New Jersey.

_____
Kathryn M. Gregory

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INTRODUCTION

The New Jersey *Municipal Land Use Law* (*M.L.U.L.*) grants substantial power to local planning boards to regulate land use and development. The foundation of this power is the ability to adopt a master plan, as is stated at *N.J.S.A.* 40:55D-28:

> *The planning board may prepare and, after public hearing, adopt or amend a master plan, or component parts thereof, to guide the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare.*

The master plan documents the current conditions of the municipality and addresses those issues that may have an impact on the community. According to the *M.L.U.L.*, the plan must include "a statement of objectives, principles, assumptions, policies and standards upon which the constituent proposals for the physical, economic and social development of the municipality are based."

A master plan also must include land use and housing plan elements and may include a number of other plan elements addressing topics such as circulation and community facilities. These elements may be divided into subplan elements and may be prepared and adopted in sequences. Other required components of a master plan are policy statements indicating the master plan's relationship to the master plans of contiguous municipalities, to the county master plan, to the *State Development and Redevelopment Plan* and to the county's district solid waste management plan.

The *M.L.U.L.* requires a master plan be revised periodically. *N.J.S.A.* § 40:55D-89 states that at least once every six years a general Reexamination of a municipality's master plan and development regulations shall be prepared by the planning board. Lyndhurst's most recent Master Plan was adopted in 1979, with its most recent Master Plan Revision in 1994, and Housing Element Amendment in 1998. The 2001 Lyndhurst Master Plan Reexamination Report updates these documents and includes the following five sections in accordance with *N.J.S.A.* § 40:55D-89 a through e:

a. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last Reexamination report.
b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
c. The extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in the state, county, and municipal policies and objectives.
d. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives and standards or whether a new plan or regulations 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," P.L.1992, c. 79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, is any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The remainder of this report is comprised of these five elements. Additionally, there is a section describing certain changes that have occurred in the Township during the past few years.

A. MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN LYNDHURST AT THE TIME OF THE LAST MASTER PLAN

The last Lyndhurst Master Plan was adopted in January 1979. Re-examinations were prepared in 1982, 1989, and the last Update and Reexamination in 2001. The Master Plan described Lyndhurst as consisting of two communities. The two communities described in the Master Plan are as follows:

1. The westerly portion of the Township is almost completely developed with few vacant parcels remaining.
2. The easterly portion of the Township, which consists of the Meadowlands area, is being rapidly developed.

These two areas are distinctly different, also being subject to separate zoning ordinances guiding development in each. The last Master Plan Reexamination included descriptions of each of the areas.

Western Portion

The western portion of the Township is an area that is typical of many older suburbs, characterized by mostly single-family homes on small lots, as well as two-family homes. Multi-family homes have been increasing in number but single- and two-family homes remain the dominant housing type.

It was noted at the time of the last Reexamination that there was increasing pressure for multi-family developments which was resulting in greater traffic impacts and higher densities, even though there is limited land available for development. The majority of this development is taking place in the form of redevelopment – knock downs and rebuilding.

The problems identified in 2001, which were originally identified in 1984, for this area were:

1. Traffic circulation is a serious problem with lack of off street parking a contributing factor.
2. Existing residential neighborhoods must be protected to maintain the quality of housing and neighborhood character.
3. The need to improve the viability of the business areas is an ongoing concern.

The issues identified as far back as 1989 include the following:

1. Protecting established residential neighborhoods from non-residential uses.
2. Maintaining the quality of the housing supply through control of illegal conversions and other zoning violations and securing compliance with the property maintenance code.
3. Providing for better traffic circulation and off-street parking.
4. Replacing obsolete community facilities and infrastructure where needed.
5. Improving the viability of the business area. Recognition was made in both the 1982 and 1989 reports of the need to improve the viability of the business areas along Stuyvesant Avenue, Valley Brook Avenue, and Ridge Road.

Eastern Portion

The easterly portion of the Township is governed by the New Jersey Meadowlands Commission or NJMC (formerly the Hackensack Meadowlands Development Commission of NMDC). The last 2001 Re-exam re-expressed concerns over the proposal for residential use in this area of the Township as it is isolated from Township services, as identified in both the 1982 and 1989 Re-examinations.

Since the time of the last Master Plan Re-examination in 2001, the NJMC has adopted a new NJMC Master Plan in January 2004, and new zoning regulations, in effect as of February 17, 2004.

B. EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SINCE 1994

Western Portion

The land development pressures in the westerly portion of the Township remain the same as identified in the 1989 and the 2001 Re-examinations. Pressure for multi-family development is prevalent as costs of land increase and costs of redevelopment need greater returns.

The continued revitalization of the central business area was identified as a major objective, and remains a major objective of the Township. The 1994 Plan identified the following problems through a survey of business operators in the area: insufficient parking, poor overall appearance, lack of merchandise and service variety, loitering and vandalism, heavy traffic, and little or no coordination among tenants. The recommendation made at the time of the last Reexam were as follows:

1. Increase public parking through various alternative approaches (i.e. municipal parking lot; increased off street parking requirement; etc.) undertaken individually or in combination.
2. Improve the physical appearance of the area, including facades, streetscape, and traffic circulation.

3. Change certain land uses including modification of existing business types, modification of land use types, action by the Township on public uses and amendments to the zoning ordinance to further define compatible uses.

Several of these recommendations have been implemented, including various types of street improvements; however, the Central Business Districts continue to need revitalization.

Through the NJMC, Downtown Revitalization District monies are available as a result of the approved Xanadu project at the Meadowlands for all the municipalities located in the NJMC District. The Township should take advantage of these monies available to implement the recommendations made in the prior Master Plan Reexamination.

Eastern Portion

The 2001 Re-exam expressed concerns over the NJMC's (or HMDC at the time of the 2001 Re-exam) residential zoning for the property. Since that time, the NJMC has adopted a new master plan and a new zoning ordinance. A total of 1,901 acres or 59.1% of Lyndhurst's land falls under the jurisdiction of the NJMC. A majority of the land within the jurisdiction of the NJMC is subject to a Redevelopment Plan that was adopted in February 2001, with plan amendments adopted in September 2001, July 2002, and February 2003. The following Block and lots are subject to the Meadowlands Golf Course Redevelopment Plan:

- Block 231, Lots 9-14;
- Block 233- Lots 1,4,5,6.01, 6.02, portion of Lot 9, 10, 11, 12, 13, 14, 15, 16.01, 16.02, 17, 18, and 19;
- Block 236 - Lots 1.01 and 1.02;
- Block 237 - Lot 9

The Meadowlands Golf Course Redevelopment Plan (MGCRP) calls for the primary use to be golf and associates facilities, with a coordinated development to include housing, office space, commercial recreation, limited retail, hotels, and a marina.

The lands that falls in Lyndhurst are specifically zoned for the following:

1) Redevelopment Area
2) CP Commercial Park
3) LI-A Light Industrial
4) LI-B Light Industrial
5) HI Heavy Industrial
6) EC Environmental Conservation

The last Lyndhurst Zoning Map does not coincide with the above-noted zones. The Zoning Map lists M-1 Light Industrial, M-2 Light Industrial, and C-GI Commercial - General Industrial for the areas found in the NJMC jurisdiction.

C. EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES AND OBJECTIVES FORMING THE BASIS OF THE MASTER PLAN

The last Master Plan Reexamination in 2001 identified a number of changes in the underlying assumptions which affect the policies and objectives of the Master Plan. While some of these still remain valid, additional changes have occurred that affect Lyndhurst. These changes since that time that affect Lyndhurst are as follows:

1. 2000 Census

The U.S. Bureau of the Census has published updated housing, demographic, and economic data since the 2001 Reexamination Report. These changes should be reflected in the Township's Master Plan. Data after 2000 is also available at the state level. Every effort should be made to include any data available since Census 2000.

2. Affordable Housing

The last Master Plan Reexamination identified the affordable housing requirements outlined by COAH (Council on Affordable Housing) since the prior 1989 Master Plan Reexamination. At that time, "Round 2" policies were in effect. Lyndhurst's obligation at that time was 188 affordable housing units.

Since the 2001 Reexamination, COAH has instituted a new Round of requirements, or "Round 3." Under these Third Round provisions, every municipality's affordable housing obligation is based on a "growth share" formula. However, on January 25, 2007, the New Jersey Appellate Court issued a decision on an appeal filed by the New Jersey Builders Association, Fair Share Housing Center, ISP Management Co. Inc., and the Coalition for Affordable Housing and the Environment, regarding COAH's third round rules. The Court affirmed many aspects of the rules, invalidated other parts, and remanded certain issues to COAH for rulemaking, to be completed within six months.

The Court stayed the grant of substantive certification pending the process of amending COAH's regulations, during which time municipalities whose applications are affected by the decision will not be subject to builder's remedy lawsuits.

On May 8, 2007, COAH filed a motion for extension of the six-month deadline for completion of revised third round rules in order to permit COAH and its consultants sufficient time to undertake the technical, legal and procedural work necessary for completion of the rule-making process. The extension request outlines that all data compilation will be completed by August 2007, rule revisions will be completed by October 2007, and rules could be proposed in November 2007 and adopted in February 2008 in accordance rule-making timelines set forth by the Office of Administrative Law. As such, COAH requested an extension until February 2008. On June 19, 2007, the Appellate Division ordered that COAH be granted an extension to adopt and publish in the New Jersey Register revised third round rules no later than December 31, 2007.

COAH released its proposed new Third Round Rules on December 17, 2008, set for adoption in early 2008. Therefore, the Township will have to revise its Fair Share Housing Plan in 2008 after the adoption of the revised Third Round Rules. Depending on the County, the Township will have 4 to 7 months to revise their Fair Share Housing Plan.

3. Township Changes

The last Reexamination also identified changes that occurred in the Township since the time of the prior 1989 Reexamination. At that time, the 2001 Plan identified a greater demand for 2 and 3 family as well as multi-family units. One of the major issues regarding these types of housing was the sufficiency of parking.

Zoning Changes

The 2001 Plan also identified specific zone changes that took place between 1989 and 2001. This included expanding the permitted uses in the M-1 and M-2 Industrial Zones and changing the R-C Zone to the R-B Zone.

A number of ordinances have been passed since the time of the 2001 Reexamination as follows:

Ordinance No. 2546
This ordinance establishes special regulations for wireless telecommunications facilities where no prior regulations existed.

Ordinance No. 2588
This ordinance amends the regulations regarding Ordinance No. 2546 for wireless telecommunications facilities.

Ordinance No. 2567
This ordinance amends Chapter XIX (Land Use Procedures), Chapter XX (Land Subdivision) and Chapter XXI (Zoning).

The ordinance revises procedures for filing and appeals and applications (specifically related to special meetings for Planning Boards and Zoning Boards of Adjustment) under Chapter XIX.

The ordinance revises design standards for lots for 1- and 2-family homes under Chapter XX.

The ordinance revises district regulations for uses permitted in the Business District; accessory uses permitted in the residential districts; fences; front and side yards and use of concrete and macadam; design standards for residential structures; the schedule of regulations regarding residential districts; off-street parking and loading; signs in the Business District and M-1 and M-2 Districts; and Definitions.

Ordinance No. 2594
This ordinance revised design standards for residential structures regarding roof pitch, yard dimensions, and lot coverage.

Ordinance No. 2612
This ordinance revised the design standards for main entrances to residential structures, as well as lot coverage.

Ordinance No. 2618
This ordinance revises the uses permitted in the business district, specifically related to permanent cosmetics.

Ordinance No. 2621
This ordinance establishes new regulations for illegal dwelling units.

Ordinance No. 2622
This ordinance revises the regulations regarding roof pitches for residential zones and habitable stories.

Variance Approvals

The 2001 Reexamination included a development summary of approvals from 1986 to 2000 for both the Planning Board and the Zoning Board of Adjustment. The following approvals have been granted from the years 2001 to 2006.*

*Review of resolutions of approval obtained from Planning Board and Zoning Board secretary.

Zoning Board of Adjustment Approvals
2002-2006

Use Variances			2001	2002	2003	2004	2005	2006
Type	Zone	Description						
d(2)	R-A	2 family		4	4		1	1
d(2)	B	expand residential unit in mixed use bldg		1				
d(1)	B	used car dealer		1				
d(1)	B	transmission repair shop		1				
d(1)	R-A	bank (split lot; half in B zone)		1				
d(1)	B	day care center		1				
d(1)	?	warehouse		1				
d(2)	B	2 family addition		1	1		2	7
d(2)	B	demolish and rebuild garage			1			
d(3)	R-C	lot coverage for 16 townhouses			1			
d(2)	R-A	expansion to tavern for a kitchen			1			
d(1)	B	4 townhouses				1		
d(1)	B	convert commerical space to residential unit				1		
d(1)	R-A	park commerical vehicle in driveway				1		
d(1)	?	parking lot					1	
d(1)	R-B	3 family					1	
d(1)	TOZ	multi-family building in Transit Overlay Zone					1	
d(1)	B	2nd floor addition of residential above comm					2	1
d(2)	R-a	2nd story addition to detached garage						1
Subdivisions			**2001**	**2002**	**2003**	**2004**	**2005**	**2006**
Type	Zone	Description						
bulk	?	minor					1	
Bulk Variances			**2001**	**2002**	**2003**	**2004**	**2005**	**2006**
Type	Zone	Description						
bulk	R-A	addition above garage		1				
parking	B	day care center		1				
bulk	R-B	addition to 2 family		1	1	1		1
bulk	R-A	driveway setback		1			1	
bulk	B	expand restaurant		1				
bulk	R-A	addition			1		1	3
bulk	R-B	church expansion			1			
bulk	R-B	rebuild one family				1		
bulk	B	2 story addition				1		
bulk	R-A	2nd floor addition and deck (undersized lot)				1		
bulk	B	awning setback				1		
bulk	B	addition					1	
bulk	M-1	addition					1	
bulk	R-A	deck					2	
bulk	R-A	new single family					1	2
bulk	R-A	new garage					1	
bulk & pkg	R-B	convert one family to a two family						1
bulk & pkg	B	new building						1

Planning Board Approvals
2001-2006

Subdivisions			2001	2002	2003	2004	2005	2006
Type	Zone	Description						
	R-B	2 lot						1
	R-A	Elite Development						1
	R-A	Carey					1	
	R-A	Calugo					1	
	R-A	Johnson				1		
	R-B	Adams				1		
	NJMC	ENCAP				1		
Site Plans (no variances)			2001	2002	2003	2004	2005	2006
Type	Zone	Description						
	B	Three County Volkswagen						1
	B	Freda - new commerical structure					1	
	B	expand bathrooms for handicap access					1	
	B	Lyndhurst Residential Communities			1			
	M-1	doctor's office and child day care center		1				
Bulk Variances			2001	2002	2003	2004	2005	2006
Type	Zone	Description						
parking	M-1	Railroad Junction Associates - expansion						1
bulk	M-1	SMSA Verizon Wireless						1
bulk	B	PRB Associates						1
bulk	R-A	Elite Development						1
bulk	R-A	Carey					1	
bulk	R-A	Calugo					1	
bulk	R-B	Adams				1		
bulk	TCRZ	Washington Mutual Bank			1			
bulk	B	Doren		1				

4. NJMC Policy and Zoning Changes

As indicated in the prior section, the NJMC has revised its zoning regulations for the land contained within the NJMC District, as well as has adopted 2 Redevelopment Plans for land within the NJMC located in Lyndhurst. These changes should be reflected in both the Master Plan and Zoning Ordinance for the Township.

5. Goals and Objectives

The 2001 Lyndhurst Master Plan Reexamination recognized the validity of the goals and objectives as noted in the 1989 Reexamination and the 1979 Master Plan. These included the following:

1. The established residential neighborhoods should be preserved and the intrusion of non-residential uses should be discouraged.
2. The quality of the housing supply and neighborhood amenities should be maintained.
3. Wherever possible, through traffic should be rooted away from residential neighborhoods.
4. Arterial streets should be designed to accommodate through traffic which they must handle in addition to serving abutting uses.
5. Existing business areas should be maintained and upgraded where necessary. New business uses should provide adequate off-street parking.
6. Zoning and subdivision regulations should provide for adequate buffering of

residential areas from nearby non-residential uses.

7. The best possible type of development should be encouraged in the Meadowlands portion of the community.
8. Applications for future development should be reviewed to ensure adequate off-street parking, safe and convenient access and egress and safe integration with the street system.
9. Applications for non-residential development should meet all federal, state, and local requirements with respect to air quality, water quality, noise, safety features, storage of volatile substances and other environmental concerns.
10. Community facilities, such as parks, schools, and public buildings, should continue to be available and improved where necessary.

The 2004 Reexamination identified further goals contained within the 1989 Reexamination. A total of nine additional goals were recommended to address changes in State planning policy, changing Township needs, mandated Fair Share Housing Act and the mandated Statewide Resource separation and Recycling Act, as well as the cross-acceptance process of the State Development and Redevelopment Plan (SDRP). The additional goals were as follows:

11. The conservation of energy should be promoted through the use of panning practices designed to reduce energy consumption and to provide for maximum utilization of renewable energy sources.
12. When funds become available from the New Jersey Department of Environmental Protection, the Township should formulate a storm water management plan and implementing ordinance to reduce flood damages, to minimize the increase of runoff from new land development, to assure safety of bridges and culverts, to induce water recharge into the ground, to lessen non-point pollution and to maintain the integrity of stream channels.
13. Investigate the feasibility of up-grading the joint sewage treatment plant.
14. Continue to provide adequate community services for Lyndhurst's residents, businesses, and industry in terms of police and fire protection, street cleaning, snow removal, garbage disposal, health services, recreational programs, and senior citizens services.
15. Conduct the Township's planning program within the framework of a regional setting and fully cognizant of the needs and rights of Lyndhurst's neighboring communities and Bergen County.
16. Encourage active participation in planning process by Lyndhurst's citizens.
17. To provide access to affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing.
18. To promote the maximum practicable recovery and recycling to recyclable materials from municipal solid waste through the use of planning practices designated to incorporate the State Recycling Plan goals.
19. To participate in the cross-acceptance process necessary to finalize the Preliminary Development and Redevelopment Plan for the State of New Jersey.
20.

D. SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES, OR STANDARDS, OR WHETEHR A NEW PLAN OR REGULATIONS SHOULD BE PREPARED.

Based on the substantial amount of changes in planning and zoning policy affecting Lyndhurst, including revisions to the NJMC Master Plan and Development Regulations, and changes in State Policy regarding affordable housing, as well as the substantial amount of use variances and expansion of non-conforming uses (particularly with regard to 2-family homes in the single-family district), and ..... It is recommended that the Township of Lyndhurst prepare a new Comprehensive Master Plan and revise their zoning ordinance and map based on the recommendations contained within the NJMC Redevelopment Plan and the new Master Plan for the Township.

E. RECOMMENDATIONS CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS INTO THE MASTER PLAN AND DEVELOPMENT REGULATIONS

The *Local Redevelopment and Housing Law* was enacted in 1992 to provide municipalities with a mechanism to designate redevelopment areas, prepare and adopt redevelopment plans, and implement redevelopment projects.

It is our opinion that there are no areas of the Township that should be designated as a redevelopment area at this time. It is possible that some of the industrial and/or commercial areas of Lyndhurst should be considered for redevelopment designation if there are significant continued changes to these areas.

Figure 01
Wetlands Overview

Legend

- DECIDUOUS SCRUB/SHRUB WETLANDS
- DECIDUOUS WOODED WETLANDS
- DISTURBED WETLANDS (MODIFIED)
- HERBACEOUS WETLANDS
- MANAGED WETLAND IN BUILT-UP MAINTAINED REC AREA
- MIXED SCRUB/SHRUB WETLANDS (DECIDUOUS DOM.)
- SALINE MARSH (HIGH MARSH)
- SALINE MARSH (LOW MARSH)
- PHRAGMITES DOMINATE COASTAL WETLANDS
- PHRAGMITES DOMINATE INTERIOR WETLANDS
- PHRAGMITES DOMINATE URBAN AREA

Sources: 2020 NJDEP Land Use/Land Cover Dataset

Figure 02
Community Facilities

Legend

- EMS Building
- Fire Department
- Police Department
- Municipal Facility
- Railroad Station
- Schools
- Parks

Sources: Township of Lyndhurst

Rutherford Borough
Bergen County

Clifton City
Passaic County

Nutley Township
Essex County

North Arlington Borough
Bergen County

Rutherford Ave
6th Ave
5th Ave
Lake Ave
3rd Ave
2nd Ave
New York Ave
Court Ave
Tontine Ave
Valley Brook Ave
New Jersey Ave
Marin Ave
Post Ave
Forest Ave
Page Ave
Kingsland Ave
Copeland Ave
Sanford Ave
Thomas Ave
Roosevelt Ave
Jauncey Ave
Fern Ave
Wall St W
Ten Eyck Ave
Union Ave

Riverside Ave
Park Ave
Stuyvesant Ave
Livingston Ave
Delafield Ave
Ridge Rd
Summit Ave
Orient Way
Polito Ave
Clay Ave
Chubb Ave
Lyndhurst Ave
Grant Ave
Cleveland Ave
Chase Ave
Green Ave
Weart Ave
Lewandowski St
10th St
8th St
7th St
6th St
5th St
4th St
3rd St
1st St
Schuyler Ave
River Rd

Passaic River
Third River
Berrys Creek
Berrys Creek tributary
Kingsland Creek

Jefferson Elementary School
Columbus Elementary School
Memorial Campus
Lyndhurst Station
American Legion
Landell's Field
Lyndhurst Municipal Park
Senior Citizen Center
Public Works
EMS Building
Fire Department
Police Department
Library
Municipal Building
Playground
Lincoln Elementary School
Thomas J. Allbino Memorial Park
Lyndhurst Community School
Recreation Building
Lyndhurst Recreation Complex
Bergen Community College
St. Peters University
Campus Buildings
Sacred Heart Elementary School
Franklin Elementary School
Lyndhurst High School/ Community Pool
Lyndhurst Middle School
Roosevelt Elementary School
Lighthouse Campus
Washington Elementary School
Lewandowski Park
Riverside County Park
Carucci Area
Riverside County Park
South Area

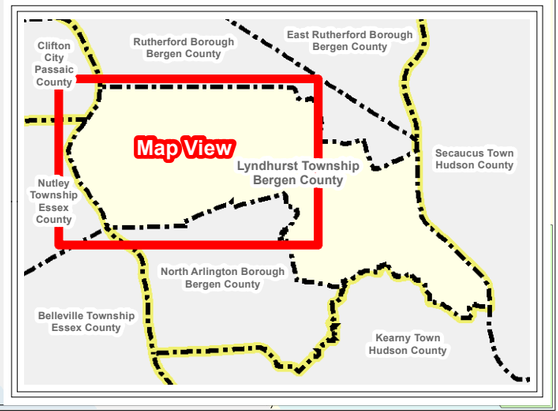


Figure 02
Community Facilities

Legend

- EMS Building
- Fire Department
- Police Department
- Municipal Facility
- Railroad Station

Sources: Township of Lyndhurst

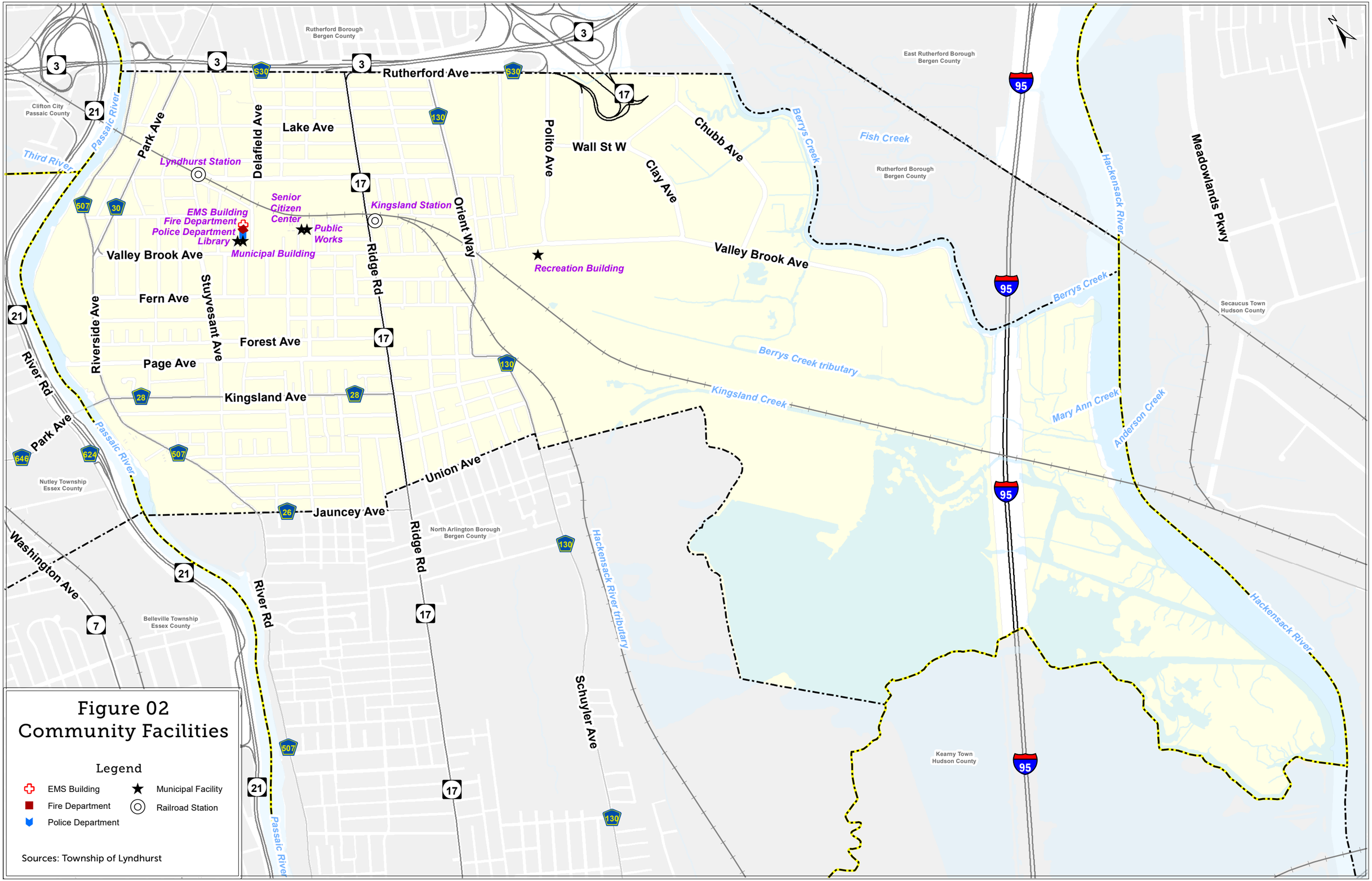


Figure 03
Land Use/Land Cover
Level 1 Classification

Legend

- Barren Land
- Forest
- Urban
- Water
- Wetlands

Sources: 2020 NJDEP Land Use/Land Cover Dataset

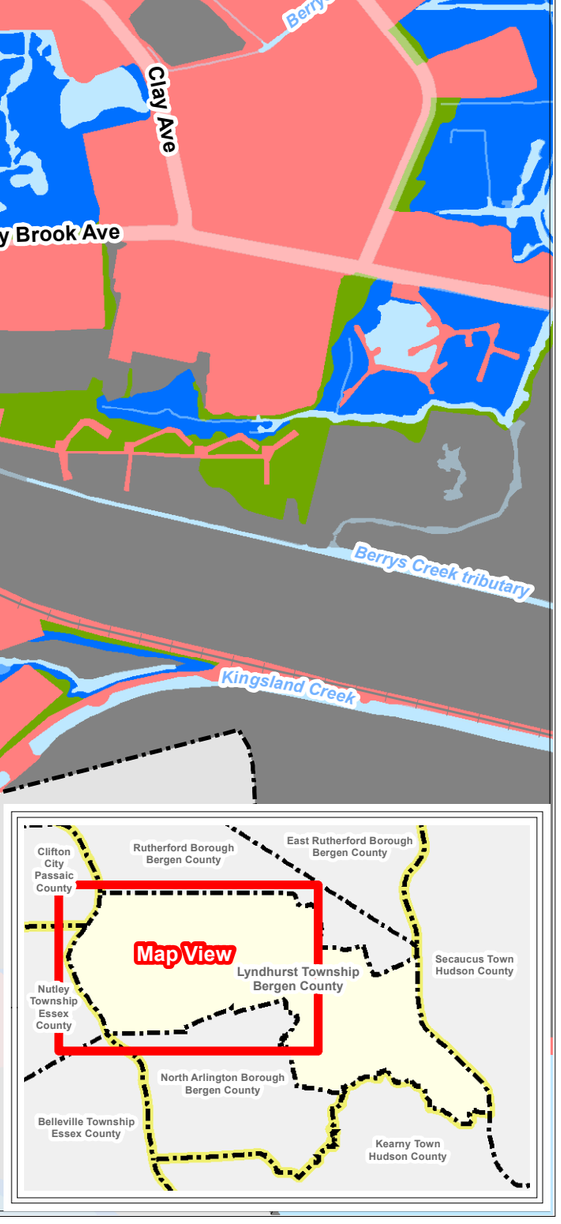


Figure 03 A
Land Use/Land Cover
Level 1 Classification

Legend

- Barren Land
- Forest
- Urban
- Water
- Wetlands

Sources: 2020 NJDEP Land Use/Land Cover Dataset

Figure 04
Land Use/Land Cover Level 3 Classification

- Barren Land
- Forest
- Utilities and Transport Services
- Recreational Fields
- Mixed Urban
- Commercial Services and Industrial
- Railroad or Right-of-Way
- Residential - High Density, Multiple Dwelling
- Residential - Medium Density, Single Unit
- Stormwater Basin Areas
- Water
- Wetlands

Sources: 2020 NJDEP Land Use/Land Cover Dataset

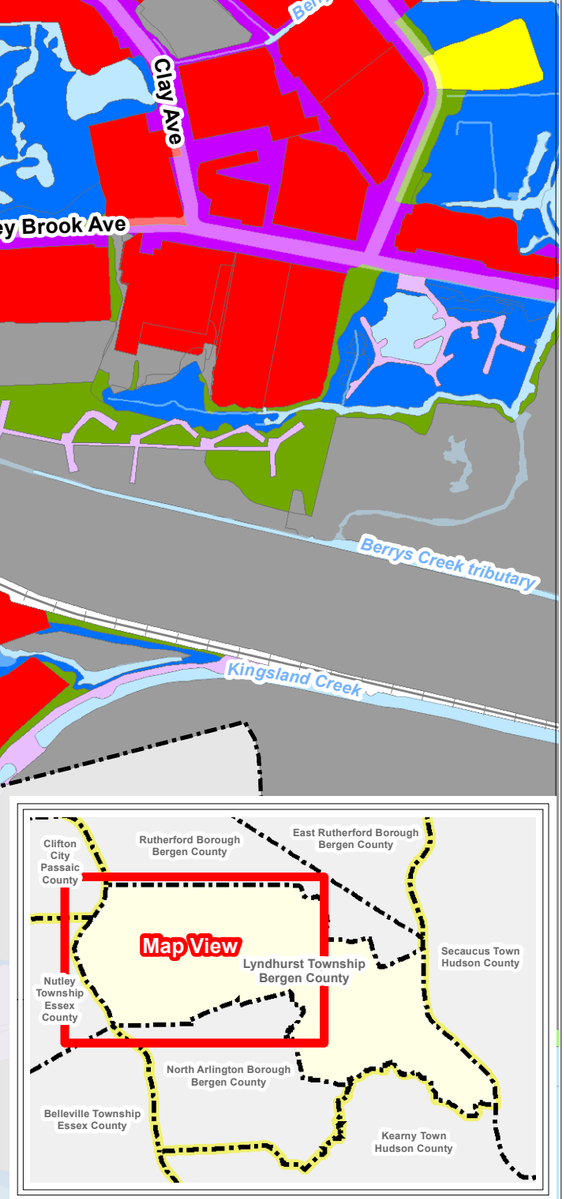


Figure 04 A
Land Use/Land Cover
Level 3 Classification

Legend

- Barren Land
- Forest
- Utilities and Transport Services
- Recreational Fields
- Mixed Urban
- Commercial Services and Industrial
- Railroad or Right-of-Way
- Residential - High Density, Multiple Dwelling
- Residential - Medium Density, Single Unit
- Stormwater Basin Areas
- Water
- Wetlands

Sources: 2020 NJDEP Land Use/Land Cover Dataset

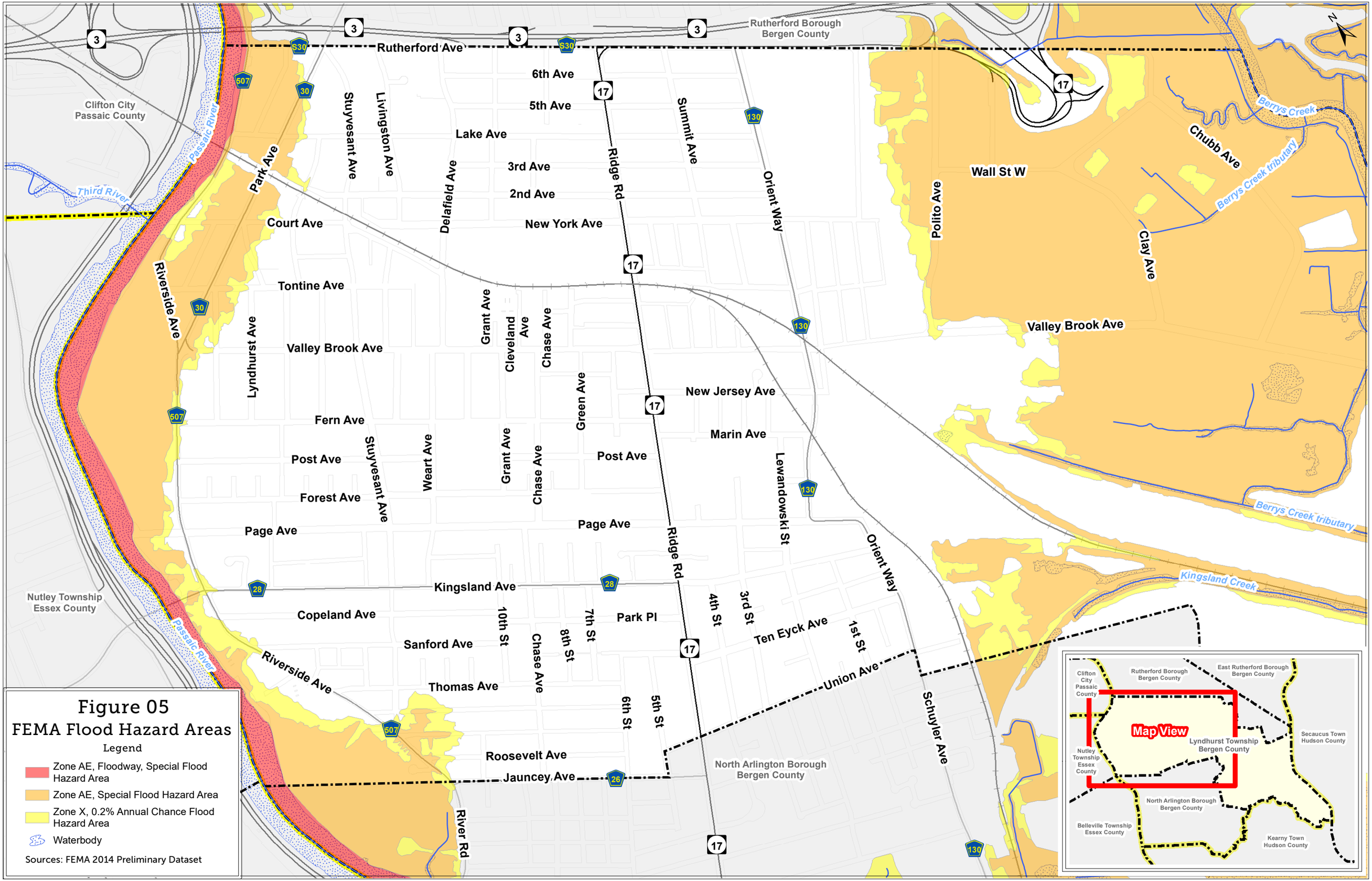


Figure 05
FEMA Flood Hazard Areas

Legend

- Zone AE, Floodway, Special Flood Hazard Area
- Zone AE, Special Flood Hazard Area
- Zone X, 0.2% Annual Chance Flood Hazard Area
- Waterbody

Sources: FEMA 2014 Preliminary Dataset