

**BOROUGH OF FLORHAM PARK PLANNING BOARD
MORRIS COUNTY, NEW JERSEY**

**BOROUGH OF FLORHAM PARK
2015 MASTER PLAN
REEXAMINATION
AND MASTER PLAN UPDATE**

July 8, 2015

PREPARED BY:

A handwritten signature in black ink, appearing to read "Robert A. Michaels", is written over a horizontal line.

Robert A. Michaels, P.P., AICP

License No. 2585

The Original Document is Signed and Sealed pursuant to N.J.A.C. 13:41-1.3

BOROUGH OF FLORHAM PARK

PLANNING BOARD - 2015

Michael DeAngelis, Chair
Jane Margulies, Vice-Chair
Mark Taylor, Mayor
Carmen Cefolo-Pane, Council Liaison
Michael Cannilla
Gina DeLuca
Gary Feith
Joseph Guerin
Anne Maravic
John Buchholz, Alternate
Martin Valente, Alternate

John Inglesino, Esq., Board Attorney
John Wyciskala, Esq. Board Attorney
Michael Sgaramella, P.E., Borough Engineer
Robert A. Michaels, P.P., AICP, Borough Planner
Marlene Rawson, Board Secretary

BOROUGH COUNCIL -2015

Mark Taylor, Mayor
Charles Malone, Council President
Charles Germershausen
Carmen Cefolo-Pane
Scott Carpenter
Thomas Michalowski
William Zuckerman

MASTER PLAN SUBCOMMITTEE

Michael DeAngelis
Mark Taylor
Michael Cannilla
Jane Margulies
Gary Feith
Steve Jones, Construction Official
Robert A. Michaels, P.P., AICP
Marlene Rawson

BOROUGH OF FLORHAM PARK
2015 MASTER PLAN REEXAMINATION
AND MASTER PLAN UPDATE

Table of Contents

	<u>Page</u>
1.0 Introduction	2
2.0 Major Problems Relating to Land Development at the Last Reexamination	2
3.0 Increase or Decrease in Problems Relating to Land Development	5
4.0 Changes in Assumptions, Policies and Objectives	11
5.0 Recommended Master Plan Changes	13
6.0 Relationship to Other Plans	16
7.0 Areas in Need of Redevelopment	17

Tables

Table 1	Total Population, Florham Park and Morris County, 1990, 2000 and 2010	6
Table 2	Population by Age, Morris County and Florham Park, 2000 and 2010	6
Table 3	Borough of Florham Park, Residential Certificates of Occupancy, 2000 – 2013	7
Table 4	Housing Units 2000 and 2010, Borough of Florham Park and Morris County	8
Table 5	Borough of Florham Park, Residential Demolitions, 2000 – 2013	10

**BOROUGH OF FLORHAM PARK
MORRIS COUNTY, NEW JERSEY
2015 MASTER PLAN REEXAMINATION**

1.0 Introduction

The structure of the Master Plan Reexamination is prescribed in the Municipal Land Use Law in N.J.S.A. 40:55D-89. Generally, the Planning Board is required to reexamine its master plan and development regulations at least every ten (10) years, although the review may be conducted sooner. The previous Master Plan Reexamination conducted by the Borough's Planning Board was dated September 6, 2005. The statute requires that the Master Plan Reexamination report address the following concerns:

- 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, policies 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, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

This reexamination report analyzes each of the above areas in separate sections as follows.

2.0 Major Problems Relating to Land Development at the Last Reexamination

The 2005 Master Plan Reexamination included a discussion of recommended master plan changes that were reflective of the major problems relating to land

development in the Borough. They are as follows:

Fish Property

The Fish property located on Brooklake Road, (Block 3201, Lot 22), was noted as a significant property that had potential for development. A portion was acquired and preserved by the Borough, but a significant amount of acreage remained. This land was identified as one of the largest parcels in the Borough with development potential. The Master Plan Reexamination discussed the potential for employing a cluster option for the property as a means of preserving additional open space.

Residential / Commercial Compatibility

The reexamination noted problems relating to buffers between commercial and neighboring residential uses. There were no recommendations for increasing the buffer requirements, but to change the type of relief needed for varying those buffers, when requested.

Senior Citizen Housing

The report noted the changing demographics of the Borough and the request for additional areas for this type of housing. The reexamination's recommendation was to rezone one property and to forward future requests to the Planning Board and Borough Council for evaluation of compatibility with neighboring land uses and neighboring densities.

New Multi-family Developments

The 2005 Master Plan Reexamination noted that 35 percent of the housing provided in the Borough was in multi-family structures. The report reiterated the policy from the 2000 Master Plan that there should be no additional multi-family development within the Borough. The report also called for the definition of multi-family development to include attached and detached units occurring on the same lot.

Tear Downs and Residential Over-Building

Residential tear downs and large additions to existing dwellings on small lots were identified as consistent occurrences within the Borough. Recommendations were forwarded to manage and control this over building. Changes to the method of calculating building height and a graduated building coverage percentage were proposed as controls for potential over building.

Borough Center

Discussion of the Borough Center in the 2005 Master Plan Reexamination focused on what was identified as the Afton Restaurant property and the southwest corner

of Columbia Turnpike and Ridgedale Avenue. The Afton Restaurant property has since been redeveloped with a bank and an office building. Redevelopment of the shopping center on the southwest corner has been completed after a lengthy delay. Two other shopping centers in the center of the Borough have undergone upgrades and redevelopment since the last reexamination. Many of the design issues raised in the 2005 Reexamination report have been addressed by the Town Center Task Force that was established subsequent to 2005.

The Green at Florham Park

The Green at Florham Park is a planned development that has been the subject of discussion since the 2000 Master Plan through the 2005 Master Plan Reexamination. The planning for the site has evolved from a planned office development with a hotel to a mixed used plan that includes medical offices, general offices, the headquarters and training facility for the New York Jets, a hotel and senior citizen housing with an affordable housing component and open space dedicated to the Borough. Extensive off-site traffic improvements are part of the project and will be implemented in phases coordinated with the on-site improvements. The New York Jets facility is completed and operational and the primary access road has been constructed. The 300,000 square foot North American headquarters for BASF has been completed and occupied and 100,000 square foot medical office building is under construction. The zoning ordinance for the planned development has been amended to permit the addition of corporate suites as a use within the project. Amendments to the general development plan and a site plan application are anticipated.

Housing Element and Fair Share Plan

At the time of the preparation of the 2005 Master Plan Reexamination the Borough was preparing a Housing Element and Fair Share Plan pursuant to the first iteration of the third round rules. That Housing Plan was adopted by the Planning Board and filed with the Council on Affordable Housing (COAH) for substantive certification within the required deadline. Subsequently the Appellate Division threw out COAH's third round rules and ordered them to amend the rules pursuant to the Court's guidelines. The Borough prepared a new Housing Element and Fair Share Plan pursuant to the second iteration of the third round rules, which the Planning Board adopted and was subsequently filed with COAH for substantive certification by the December 31, 2008 deadline. Objections were filed to Florham Park's plan by two parties and mediation was initiated. The objections were settled in 2011. The Housing Plan was not reviewed or approved by COAH due to legal challenges to COAH's rules. These changes in the State's rules and regulations are discussed below.

Colleges and Universities

The 2000 Master Plan noted that Fairleigh Dickinson University and the College of Saint Elizabeth are both located in the R-44 Zone. Colleges and universities are not permitted uses in that zone. Any application for development regardless of the

magnitude requires “d” variance approval for an expansion of a nonconforming use. Those approvals have been routinely granted by the Zoning Board of Adjustment. It was noted in the previous Master Plan and Master Plan Reexamination that the ordinance should be amended to permit colleges and universities as a conditional use in the R-44 zone. The conditions should be established with consideration of neighboring residential uses and the potential for reasonable expansion of the higher education facilities.

3.0 Increase or Decrease in Problems Relating to Land Development

As part of the determination of whether there has been an increase or decrease of the problems relating to land development since the last master plan reexamination, a review of demographic information has been conducted. Some data from the 2010 Census is available on the municipal and county level and is reported below. The gross population and general housing numbers have been provided. This has been supplemented where possible with other data more recent than the 2000 Census, such as demolition and construction data.

Table 1 shows the 1990, 2000 and 2010 Census total population counts for Florham Park and Morris County. Florham Park saw over twenty (20%) percent population growth during the decade of the 1990’s and a 13.6 percent growth from 2000 to 2010. In contrast, Morris County grew only 4.7 percent between 2000 and 2010.

Table 2 illustrates the population by age for Florham Park and Morris County as reported by the Census Bureau for 2000 and 2010. The median age of residents of the Borough declined from 43.8 years to 38.1 years during the decade, while that of the County increased from 37.8 to 41.3. It should be noted that the Census data for the Borough for 2000 was corrected to reflect college students living within dormitories within the community. While this correction was reflected in the overall population figures, the Census Bureau did not correct the other tables for 2000 that reported the age distribution. Therefore a comparison between the 2000 and 2010 data is somewhat skewed.

The population of Florham Park is generally younger than that of the County, with a lower median age. Interestingly the percentage of residents 65 and older is higher in the Borough at 16.8 percent than the County at 13.8 percent. The significantly higher percent of residents aged 20 -24 years in the Borough at 10.7 percent than the County at 4.9 percent is likely due to the college students living in the community.

A review of residential certificates of occupancy (Table 3) shows a dramatic increase in the number of dwelling units, especially when compared to the growth in dwelling units between 1990 and 2000. There was an increase of 373 dwelling units during the 1990’s and from 2000 through 2013 certificates of occupancy were issued for 783 dwellings within the Borough. The bulk of those C.O.’s were issued at the beginning of the decade and are primarily attributed to the Avalon, Sun Valley and Riverbend projects.

**TABLE 1
TOTAL POPULATION
FLORHAM PARK BOROUGH AND MORRIS COUNTY
1990, 2000 and 2010**

	1990	2000	Change		2010	Change	
			Number	Percent		Number	Percent
Florham Park	8,521	10,294	1,773	20.8%	11,696	1,402	13.6%
Morris County	421,353	470,212	48,859	11.6%	492,276	22,064	4.7%

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

The number of new dwelling units built since 2004 has dropped dramatically. Many new dwellings are the result of tear-downs and rebuilds. The most significant new residential projects constructed since 2000 have been two senior citizen projects. Northgate, located on Vreeland Road and the project located on Brooklake Road adjacent to Route 24. Florham Park has been affected by the housing recession of the last few years with a decline in residential construction. The approved senior citizen housing projects have slowly reached full occupancy.

**TABLE 2
POPULATION BY AGE, MORRIS COUNTY AND FLORHAM PARK BOROUGH
2000 and 2010**

Age Group	Florham Park Borough				Morris County			
	2000		2010		2000		2010	
	Number	Percent	Number	Percent	Number	Percent	Number	Percent
Under 5	542	6.1	554	4.7	32,906	7.0	27,342	5.6
5 - 19	1,502	17.0	2,654	22.7	93,257	19.8	101,188	20.6
20 -24	325	3.7	1,246	10.7	20,571	4.4	23,994	4.9
25 - 34	865	9.8	1,000	8.5	63,689	13.5	51,794	10.5
35 - 44	1,368	15.4	1,423	12.2	86,465	18.4	72,187	14.7
45 - 54	1,356	15.3	1,515	13.0	71,867	15.3	85,379	17.3
55 - 64	1,093	12.3	1,337	11.4	46,927	10.0	62,237	12.6
65 and Over	1,806	20.4	1,967	16.8	54,530	11.6	68,155	13.8
Total	8,857	100	11,696	100	470,212	100	492,276	100
Median Age	43.8		38.1		37.8		41.3	

Source: U.S. Census 2000 and 2010

**TABLE 3
BOROUGH OF FLORHAM PARK
RESIDENTIAL CERTIFICATES OF OCCUPANCY 2000 -
2013**

Year	Number of Units
2000	100
2001	374
2002	194
2003	22
2004	7
2005	7
2006	21
2007	15
2008	12
2009	13
2010	18
2011	19
2012	15
2013	16
Total	833

Source: N.J. Construction Reporter

Table 4 shows the growth in the number of housing units in Florham Park and Morris County between 2000 and 2010 as reported in the U.S.Census. There was almost a 26 percent increase in the number of housing units in the Borough, compared to an almost nine (9) percent increase in the County. These housing unit increases outpaced the population growth. In the Borough this points to fewer persons per household, which is expected since most of the dwelling unit increase was due to multi-family projects.

**TABLE 4
HOUSING UNITS 2000 AND 2010
BOROUGH OF FLORHAM PARK AND MORRIS
COUNTY**

	2000	2010	Change 2000-2010	
			Number	Percent
Florham Park				
Total	3,342	4,201	859	25.7
Occupied	3,239	4,003	764	23.6
Vacant	103	198	95	92.2
Percent Vacant	3.1	4.7		
Morris County				
Total	174,379	189,842	15,463	8.9
Occupied	169,711	180,534	10,823	6.4
Vacant	4,668	9,308	4,640	99.4
Percent Vacant	2.7	4.9		
Source: 2000 and 2010 U.S. Census				

Fish Property

No development has occurred on the remainder of the Fish Property. Future use of this property remains an issue. Therefore this continues to be a potential problem for the Borough. The Borough should reconfirm the desired zoning for the property and its ultimate use. With the uncertainty of the future in regard to affordable housing requirements, the use of this property and the intensity of development are especially critical.

Residential / Commercial Compatibility

There has been no change in regard to the issues of residential / commercial compatibility. This is always an issue when development is proposed for commercial properties in the vicinity of residentially zoned or used land. The ordinance controls currently in place appear to be sufficient. Implementation of those controls should be consistent and evenly applied to the greatest extent possible. The PB-1 and PB-2 zones were established as a transition between the commercial zones and the nearby single-family residential districts. These continue to serve in that transitional capacity.

Senior Citizen Housing

Since the last Master Plan Reexamination there have been two changes in regard to senior citizen housing. First, a portion of general development plan (GDP) for The Green at Florham Park included residential development for 425 units of senior citizen

housing. This was also reflected in the zoning for the tract. No site plan application has been filed for that development as of the preparation of this report.

At the time of the preparation of the 2005 Master Plan Reexamination, the Zoning Board of Adjustment was hearing an application for age-restricted housing proposed by Pinch Brook Construction for a site on Brooklake Road. That was approved and subsequently amendment to reduce the age restriction from 62 years of age to 55 years of age. It should be noted that the recently constructed age-restricted housing projects in the Borough were initially slow to reach full or near-full occupancy.

As shown in Table 2, the number of Borough residents aged 55 and older has increased from the 2000 to the 2010 Census. Additionally, the percentage of residents 65 and older in the Borough is greater than the percentage in the entire County.

New Multi-family Developments

There have been new multi-family developments approved and some constructed since the time of the last Master Plan, although they have been exclusively for age restricted housing. Additionally, as noted above, there has been GDP approval of age restricted housing for The Green at Florham Park, although no site plan approval has been requested or approved.

An application for 116 units of multi-family housing was before the Planning Board for site plan approval as part of the existing Sun Valley development on Passaic Avenue. That application was eventually approved and constructed with 23 of the units provided as affordable for rent to low and moderate income families.

As was noted above, the previous Master Plan Reexamination reiterated the policy that there should be no new multi-family development within the Borough. That policy remains in place. The exceptions that have occurred are due to previously zoned properties, senior citizen projects and affordable housing requirements imposed on the Borough. With the uncertainty at this time of future State policy in regard to low and moderate income housing obligations, the policy of no new multi-family housing is addressed below in the Master Plan recommendations section.

Tear Downs and Residential Over-Building

As is seen in Table 5 the numbers of residential tear-downs were reduced in 2007 through 2012 from the highs in 2005 and 2006. They climbed again to 19 in 2013. The reduction before 2013 is likely due to the general economic downturn, especially in the housing market.

The ordinance amendments and development controls that have been adopted since the last reexamination were in order to regulate the overbuilding of lots. The intent was not to discourage investment in the community, but to control the size and scale of redevelopment so that it was in character with the existing neighborhoods. The controls

were also intended to protect neighbors' privacy and to avoid overwhelming neighboring properties to the greatest extent possible. Additional controls may be necessary and are discussed below.

TABLE 5 BOROUGH OF FLORHAM PARK RESIDENTIAL DEMOLITIONS 2000 - 2013	
Year	Residential Demolitions
2000	1
2001	5
2002	6
2003	7
2004	13
2005	24
2006	21
2007	16
2008	10
2009	13
2010	12
2011	12
2012	9
2013	19
Total	168
Source: N.J. Dept. of Community Affairs	

Borough Center

There has been progress in regard to the private redevelopment of the commercial center of the Borough. The redevelopment and expansion of Florham Village has been completed. An elevator was installed for easier access to the lower level. The Klein Shopping Center located on the northeast corner of Columbia Turnpike and James Street completed a major renovation and expansion. There was a resolution to the halted shopping center redevelopment at the southwest corner of Columbia Turnpike and Ridgedale Avenue. Therefore, many of the problems identified in the previous Master Plan Reexamination have lessened in the past ten (10) years.

The Green at Florham Park

As was noted above the development at the Green at Florham Park is continuing. Site plan approval has been granted to all of the nonresidential portions of the general

development plan. No application has been filed for the residential portion of the project as of the date of this report. The BASF North American Headquarters has been completed. The controlling ordinance has been adopted to expand the uses permitted in the POD-S zone to include the development of corporate suites. Additionally the ordinance has been amended to reduce the size of the hotel permitted and eliminate a health club as a permitted component of that use. Amendments to the General Development Plan have been adopted and site plan approval has been granted for a corporate suites development.

Housing Element and Fair Share Plan

The rules and statutory regulations regarding municipalities' affordable housing requirements in New Jersey have gained some clarity as a result of a New Jersey Supreme Court decision in March 2015. Since the Council on Affordable Housing (COAH) failed to adopt new rules by the deadline imposed by the Supreme Court, the Court established a procedure by which municipalities can receive the judicial equivalent of substantive certification. Florham Park having filed a Housing Element and Fair Share Plan with COAH falls into a category of municipalities that may be able to have their plans certified and retain protection from builder's remedy lawsuits. This procedure will likely require the Housing Plan to be amended before the end of 2015. The rules under which such an amended plan will have to be prepared have not been specifically identified. We know that the growth share methodology that was used in the preparation of the last plan has been discarded. The Supreme Court decision was unclear on the specific methodology to be used to calculate municipalities' obligation for low and moderate income households.

Colleges and Universities

There have been no amendments to the zoning ordinance to make colleges and universities a conditional use in the R-44 zone or otherwise rezone those properties. Therefore this still remains a problem and any application to expand those uses will require a "d" variance.

4.0 Changes in Assumptions, Policies and Objectives

Although the underlying policies, objectives and goals of the Borough have not significantly changed since the last Master Plan Reexamination, there have been significant developments that have occurred, which impact the Borough and warrant reconsideration of land use policies.

Residential Growth

Florham Park has struggled to maintain its single-family residential character while allowing some multi-family developments to offer a variety of housing types. The Borough has planned and provided for its fair share of low and moderate income housing, while trying to maintain housing balance. The Borough continues to maintain a policy to

limit the amount of new multi-family housing within its borders. This policy acknowledges the potential for future requirements for low and moderate income housing, which may be provided as multi-family units. Additionally, there currently are lands within the Borough that are currently zoned to allow multi-family development, some as senior housing developments. The policy here is to limit areas of multi-family housing to those locations already zoned and those that may be needed for future affordable housing requirements to be identified in the Housing Plan. This Master Plan Update will identify locations which are proposed to be zoned to permit multi-family housing.

Residential Overbuilding and Setbacks

The Borough has adopted a number of zoning provisions over previous years with the intent to control the construction of new dwellings that were too large for the properties on which they were located. Side and rear yard provisions as well as building coverage criteria were established. A maximum front yard setback standard was also adopted to help maintain privacy in neighboring rear yards. Some of these provisions may have had unintended impacts on homeowners' ability to upgrade their dwellings. A review of the Board of Adjustment's annual reports over recent years shows that while there may have been some requests for rear setback relief there is not a need to amend the provision. The intent of the ordinance change was to deter over-development of overly deep lots with the construction of cul-de-sacs that would change the character of neighborhoods and infringe on the privacy of neighbors' rear yards.

Changes in State and County Policies and Objectives

There have been significant changes in State policies in regard to the State Plan and housing issues. At the time of the last Master Plan Reexamination it was noted that the State had initiated a new round of cross acceptance of the State Plan, which was being updated from the adopted plan of 2001. The efforts to complete and adopt a new plan have stalled and the framework for planning on the state level has changed. The Office for Planning Advocacy (OPA) was formerly the Office of Smart Growth (OSG) and has moved from the Department of Community Affairs to the Department of State.

A significant change to the state planning effort is underway by the Christie Administration. This State Strategic Planning Process is a cabinet-level effort that will result in a set of recommendations that is intended to transform the existing statewide framework for land use planning into one that prioritizes and supports sustained economic growth. The reason for this effort is because it is felt that the current Draft State Plan prepared for re-adoption is considered to be overly complex, leaves unresolved conflicts between various State rules/regulations and fails to prioritize and support sustainable economic growth. It was also noted that the circumstances and conditions faced by New Jersey at the time the Draft State Plan was developed are very different from those faced today.

The goal of the State Strategic Planning Process is to work with internal and external stakeholders to understand the opportunities for responsible growth and redevelopment in New Jersey and create a strategic implementation plan that capitalizes on these opportunities by better coordination of capital improvement investments and regulatory regimes of state agencies. Their efforts will result in a report that will include a final assessment and implementation recommendations that will be presented to the Governor in late June 2011. At this time it is anticipated that legislative and regulatory remedies will be proposed in addition to recommendations that the Governor can act on swiftly.

As was noted above, the New Jersey Supreme Court recently handed down a decision concerning COAH and municipalities' housing plans. This has added some clarity to the Borough's housing issues, but there still remains uncertainty. The decision will likely result in the need for the Borough to amend and file with the court in order to maintain the Borough's protection from builder's remedies lawsuits. The Borough has in the past met its obligation to provide for the opportunity for the creation of low and moderate income housing.

5.0 Recommended Master Plan Changes

The last full land use plan was completed in 2000. The 2005 Master Plan Reexamination and Master Plan Update included some changes to the Land Use Plan, but no comprehensive amendment. This reexamination recommends changes only to specific areas of the Land Use Plan and not a complete revision. It is anticipated that the Housing Plan will have to be amended during 2015 due to the recent New Jersey Supreme Court decision as noted above.

Other elements of the Master Plan should be included in a limited fashion to address specific issues. A Circulation Plan should be included to address intersection improvements and pedestrian circulation. A Community Facilities Plan should address police, fire and emergency services primarily in regard to the Passaic Avenue neighborhoods and The Green at Florham Park. A Conservation Plan Element should address environmental and energy conservation. There has been interest noted to complete and adopt a Historic Preservation Element as part of the Master Plan. Other elements that have been prepared, such as the Open Space and Recreation Plan should be included as updated.

The following are the recommended changes to the Land Use Plan that should be implemented by amendments to the Borough's Zoning Ordinance:

University Zone

A new zoning district should be created from the existing R-44 zone west of Park Avenue consisting of lands owned by the College of Saint Elizabeth and Fairleigh Dickinson University. Permitted uses in that zone should include colleges and

universities including customarily accessory uses such as dormitories, athletic facilities, open space and the like. Bulk requirements for this zone should reflect the permitted uses and not residential uses of the R-44 zone. Building and impervious surface coverage maximums should be similar to the office campus like developments found in the neighboring C-4 and POD-S zones.

This change will avoid requests for improvements or additions to these campuses from seeking use variances from the Zoning Board of Adjustment. In the past the applicant's have demonstrated and the Board has found that colleges and universities are inherently beneficial uses and the use variances have been routinely granted. These applications will continue to be scrutinized by the Planning Board for site plan issues.

Professional and Business Zone Uses

The history of the Professional and Business (PB) zones in the Borough has been as a transitional zone between the neighboring residential districts and the Borough's arterials. Intensive commercial uses as found in the retail B-1 district have not been permitted in the PB zones. This update continues that intent of the land use plan.

The ordinance has been amended to clarify that medical and dental offices are permitted in the PB zones. Additionally, a greater parking requirement has been added to the ordinance for those uses.

Residential Overbuilding and Setbacks

Additional controls are needed to ensure that modifications to existing dwellings and rebuilds in the single-family residential zones are compatible with the existing neighborhoods and do not adversely impact neighboring properties. Adequate light, air and open space between structures are the primary goals of setback and bulk requirements in zoning codes. Therefore this Master Plan Reexamination recommends amendments to the Zoning Ordinance that will protect the character of existing neighborhoods while allowing reasonable expansion of dwellings without discouraging investment in the community.

In this regard, it is recommended that additional regulations are adopted that increase the side yard setbacks for new construction and additions. Such modifications to the schedule of requirements should require increased combined side yard setbacks as a percentage of lot width and increased setbacks for additions and any construction provided above the first floor. These measures will increase the privacy, light, air and open space between dwellings and lessen the impact of large additions and reconstructed dwellings on the neighborhood character.

Multi-family Housing Policy

As noted above there is a great deal of uncertainty at this time concerning the Borough's future obligation for low and moderate income housing. Florham Park has a

long history of providing for this housing and there are currently 293 affordable housing units in the Borough. The Housing Plan prepared by the Borough and submitted to the Council on Affordable Housing included multi-family housing projects with set-asides for units affordable to low and moderate income families and senior citizens. That plan will likely need to be revised based on the recent New Jersey Supreme Court decision noted above. Any new housing plan should provide innovative methods for providing for the Borough's fair share of low and moderate income housing. In the event that new parcels are proposed for multi-family housing, they must include a provision for a portion of the units to be affordable to low and moderate income households in accordance with the rules and regulations of the courts, the Council on Affordable Housing or any other department or agency that may be its successor. This Master Plan Reexamination and Update reiterates the policy that there should be no new multi-family housing unless necessitated by a future housing plan and then only employed to satisfy the Borough's affordable housing obligation.

Future Development in the C-2 Zone

A portion of the C-2 zone located north of Columbia Turnpike was identified in the last Housing Plan to be developed for multi-family housing that would include low and moderated income households. That property was previously approved for an office campus of approximately 750,000 square feet of floor area in both Florham Park and East Hanover. There may be modifications to those approvals that may include a greater portion of the floor area in Florham Park. Since the sole access is through Florham Park, the exchange of floor area will not result in altered impacts on the Borough's roads. As of this time the approvals for office development on that site remains current. Therefore, this plan does not recommend any change to the zoning of this property since office development is approved and anticipated.

Expansion of Permitted Uses in the C-1 Zone

The ordinance was recently amended to permit medical and dental offices in the C-1 zone. The parking requirements were also amended to include a greater parking requirement for those uses reflective of their demand. The ordinance was also recently amended to permit commercial recreation uses in the C-1 zone. This amendment has the benefit to provide an alternative use to underutilized office and industrial properties in a manner that will not adversely impact neighboring properties.

Sun Valley

A third phase of the Sun Valley residential development (Block 4201, Lots 32, 33 and 34) on Passaic Avenue has been proposed. The expansion of this development is endorsed by this Master Plan Reexamination and Update with certain provisos. Sun Valley III should require a twenty (20%) percent set-aside for low and moderate income households. The density of Phase III should be the same as the remainder of the project. All of the market rate units in Phase III should be restricted to only one-bedroom units.

The affordable units will have to conform to the bedroom mix requirements of the ordinance and COAH regulations.

The Green at Florham Park

The Planned Development of the Green at Florham Park has evolved to include additional uses that were not included in the original PUD. The overriding philosophy in the consideration of additional uses should be whether the peak hour traffic generated by the development substantially exceeds the limitations established in the controlling ordinance. The Planning Board should consider modifications to the ordinance and general development plan with consideration of traffic impacts and ensuring the future success of the planned development.

Beechcrest Neighborhood

The Beechcrest neighborhood is located in the R-15 zone and many of the lots in that neighborhood are only 7,000 square feet or less in area, significantly less than the 15,000 square feet required in the zone. Therefore, improvements and upgrades to the lots in that neighborhood often require setback and bulk variance relief from the Zoning Board of Adjustment. Therefore it is recommended that this area be rezoned to R-7 with a minimum lot size of approximately 7,000 square feet and commensurate setback and bulk requirements in order permit reasonable improvements to the majority of the properties without the burden of having to seek variance relief.

R-25D Zone

There have been numerous variance applications before the Zoning Board of Adjustment for setback and bulk relief in portions of the R-25 zone that were previously within the zone identified as R-25D. Those properties are located on Dellwood Drive, Puddingstone Way, Woodbine Road, Rustic Court and Timber Court. It also includes a few lots on East Madison Avenue. That zone was established over 30 years ago to permit cluster development that would preserve open space and allow reduced lot sizes from the standard R-25 zone. In reviewing the zoning table that was within the ordinance from 1989, the lot standards for the R-25D zone are the same as those for the R-15 zone. Therefore it is recommended that those lots that were formerly in the R-25D zone be rezoned to R-15 in order to unburden those property owners with the necessity to obtain variance relief for reasonable changes and upgrades to their dwellings. This will not affect the open space that was already created.

6.0 Relationship to Other Plans

Both the 2000 Master Plan and the 2005 Master Plan Reexamination and Update included a statement regarding those plans relationships with the plans of the State, County and adjacent municipalities. In regard to the plans and ordinances of neighboring communities, the proposals of this plan update primarily impact adjacent areas of only two communities. The proposed University zone is adjacent to the Borough of Madison

border where there is similar zoning and uses. Therefore the proposal to create a new zone in Florham Park is compatible with the land use designation and zoning in Madison.

The POD zone and continued development of the Green at Florham Park is adjacent to office and multi-family residential uses in Madison. There is also single-family residential development on the west side of Park Avenue in Madison. With the buffering and setbacks that are integral to the planned development, this development and zoning is compatible with the neighboring uses in Madison.

The C-2 zone as is noted above is adjacent to a similar zone in East Hanover. Continued use of those lands in Florham Park for office purposes would remain compatible with the land use designation in East Hanover. Should a portion of the C-2 zone be designated for multi-family housing with an affordable component in the future, that use would also be compatible with the zoning in East Hanover. Development of portion of the site for multi-family purposes would include substantial buffering and separate access. Residential and commercial access would be segregated in order to avoid adverse impact on the East Hanover portion of the tract.

As was noted above, the State Plan will be changing, therefore the relationship between the local plans and the State Plan is uncertain. It is the intent of the Borough that local planning be compatible with State planning policies to the greatest extent possible while maintaining local control over land use.

7.0 Areas in Need of Redevelopment

There are no portions of the Borough designated as areas in need of redevelopment under the definition in the Local Housing and Redevelopment Law. There are no plans to establish redevelopment areas or to prepare redevelopment plans within the Borough.