

**Borough of Rutherford**  
**Bergen County, New Jersey**

**2007 MASTER PLAN**

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Adopted December 20, 2007



## Rutherford Planning Board

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The original of this master plan was signed and sealed in  
accordance with N.J.S.A. 45:14A-12.

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December 20, 2007

**Borough of Rutherford  
2007 Master Plan**

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## I. INTRODUCTION

Rutherford last adopted a comprehensive master plan in 1977. Although several reexamination reports (the most recent in November 2003), a master plan update, a vision statement and a housing element have been prepared since then, the entire master plan has not been subject to a comprehensive review in 30 years. The 2007 master plan constitutes the new comprehensive plan for the Borough and satisfies all of the requirements prescribed in the Municipal Land Use Law for "guiding the use of lands within the municipality in a manner which protects public health and safety and promotes the general welfare."

The 2007 master plan provides a comprehensive and coordinated approach to achieving the community's vision. It will serve as a sound basis for the Borough's policy, regulatory and investment decisions, and as an alternative to an incremental, site-by-site decision making process. Decisions made by all municipal boards and agencies should be measured by their support of and consistency with the master plan.

The 2007 master plan contains the following elements:

- Vision Statement – Goals and Objectives,
- Land Use Element,
- Community Facilities Element,
- Open Space and Recreation Element,
- Economic Development,
- Historic Preservation Element,
- Circulation Element,
- Utilities Element, and
- Recycling Element.

In addition, the 2007 master plan incorporates by reference the previously adopted 2006 housing element. The stormwater management plan adopted in July 2006 and amended October 2006 has been incorporated into the utilities element of the master plan.

A comprehensive community profile was completed in January 2007 to provide updated background information for the master plan. The community profile is a detailed narrative and graphic description of existing demographic and land use conditions in the Borough. It has been published as a separate companion document and is available from the Borough. Excerpts from the community profile are provided in each of the elements.

## **Rutherford 2007 – An Overview**

Rutherford is home to approximately 18,000 people, which ranks the Borough second in total population among the 12 municipalities in the southwestern region of Bergen County, and fifteenth among the 70 municipalities in Bergen County. Over the last two decades, the rate of population growth in Rutherford generally lagged behind other southwest Bergen towns. At about 6,400 persons per square mile, Rutherford's residents live in a fairly dense environment, exceeding the overall density for Bergen County and the State as a whole. There are indications that the population in Rutherford is maturing. The Borough's 2000 median age of 38.8 represents a two year increase over 1990, which although lower than the county median, exceeded the statewide median of 36.7.

Rutherford's 2.9 square miles, although predominately residential, contain a fairly diverse mix of land uses ranging from single-family homes and apartments, to highway commercial and industrial. The Borough's downtown is focused on the train station and represents the heart of the Borough's transit village designation. Rutherford's housing stock is best characterized as single-family, owner-occupied, and "mature" with 85% of the total housing units built prior to 1960. Municipal parkland and preserved open space account for a total of 47 acres. Approximately one third of the Borough, generally east of Route 17, is located in the New Jersey Meadowlands.

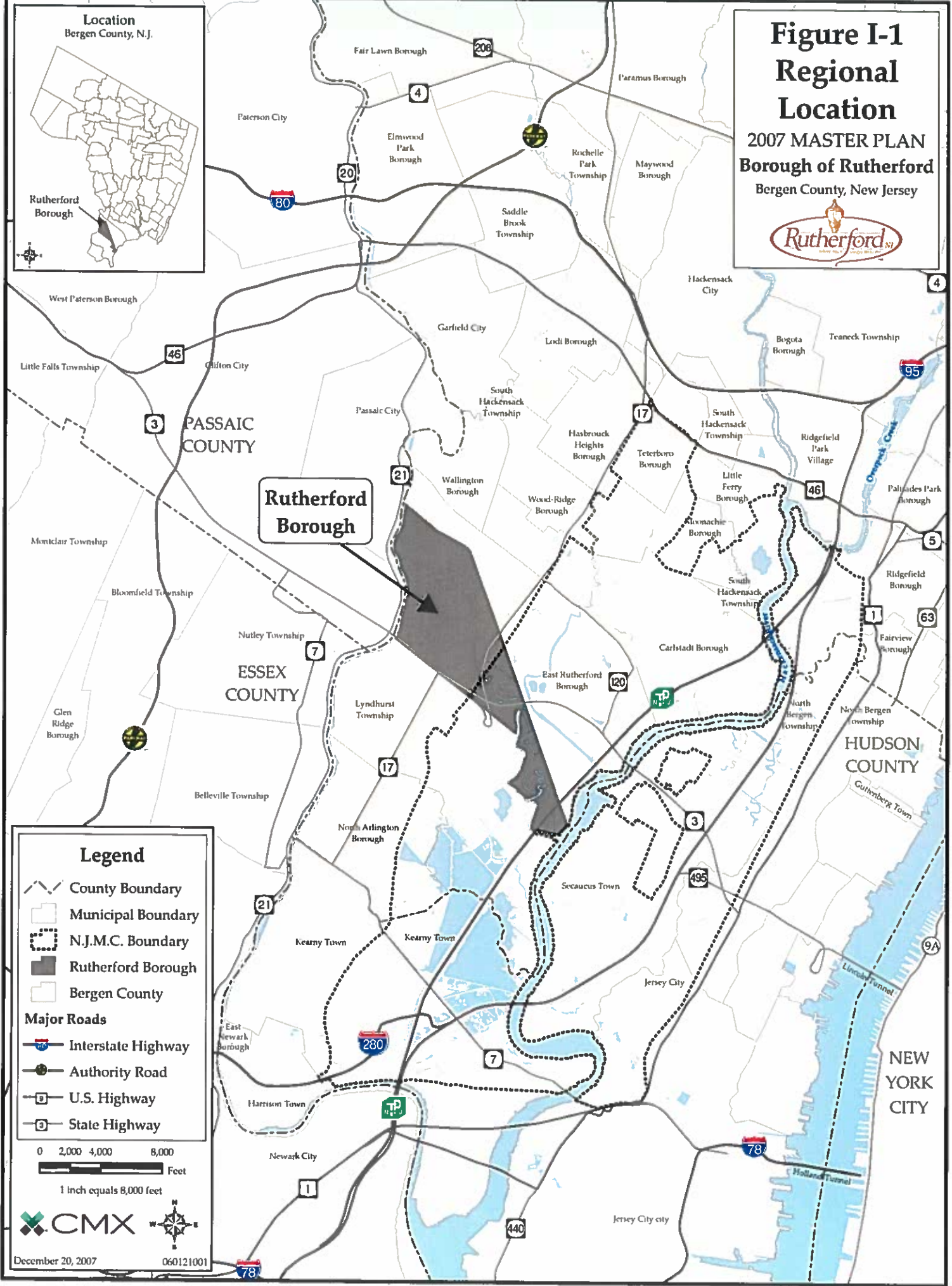
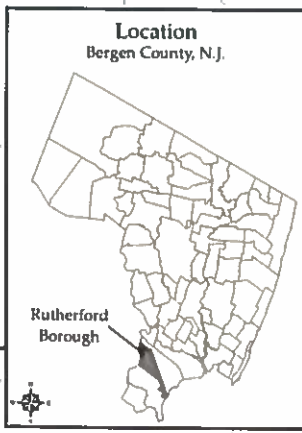
Rutherford's circulation system can be described as a tight grid of Borough, County, and State roads with a radial orientation to the train station. The primary east-west routes are NJ Route 3, Erie Avenue (County Road 32), and Union Avenue. The primary north-south routes are NJ Route 17, NJ Route 21 in Passaic, Park Avenue (County Road 30), Riverside/Jackson Avenue (County Road 507), Ridge Road, and Orient Way. Rail and bus connections allow for convenient access to New York City (only 7 miles away).

There are over 600 businesses located in Rutherford employing over 7,900 people with Professional, Scientific and Technical Services, and Finance and Insurance accounting for the top two industry groups. Most businesses in Rutherford are small, with 90% of all businesses in Rutherford employing less than 20 workers. Rutherford residents are almost equally split in terms of working inside or outside of Bergen County (about 47% in county and 53% out of county). A substantial portion of the workforce (21%) work outside of the State.

Rutherford long ago reached its full build-out potential outside of the Meadowlands. Only a few scattered acres of land remain vacant. As a result, new growth in the Borough will necessarily take the form of infill and redevelopment projects.

# Figure I-1 Regional Location

2007 MASTER PLAN  
Borough of Rutherford  
Bergen County, New Jersey


**Legend**

- County Boundary
- Municipal Boundary
- N.J.M.C. Boundary
- Rutherford Borough
- Bergen County

**Major Roads**

- Interstate Highway
- Authority Road
- U.S. Highway
- State Highway

0 2,000 4,000 8,000  
Feet  
1 inch equals 8,000 feet



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## II. GOALS AND OBJECTIVES

### VISION STATEMENT

In 2004, the Borough of Rutherford conducted a public visioning process to identify long-range goals for the Borough's physical, recreational, business, and community development. The process resulted in Vision Statement: 2025, a guide for the Borough's long-term policy and planning initiatives. That vision is incorporated here as the vision statement for the 2007 master plan.

*In the year 2025*, Rutherford is a great place to live, work, and visit. Rutherford's residential neighborhoods are lined with attractively maintained homes situated on quiet, pedestrian-friendly streets, whereas Rutherford's mixed-use neighborhoods are thriving as desirable and convenient places for numerous households that value the cultural diversity of the community, centered around the multiplicity of available goods, services, hospitality and entertainment. In the Meadowlands area of the borough, a former landfill area has been transformed into a first class golf course and resort facility which attracts visitors from around the greater tri-state region and hosts a variety of events.

Rutherford's "Borough of Trees" namesake remains intact. Neighborhood character throughout the Borough in terms of scale, architectural styles, and streetscape has been consistently preserved throughout. The overall preservation, maintenance and enhancement of Rutherford's character and physical attributes during the past 20 years are the envy of surrounding communities. Residents and visitors alike can feel a strong sense of place – Rutherford is an exceptional multigenerational community and its residents are proud of their Borough.

Although Rutherford is still primarily a bedroom community, the revitalized downtown has become a vibrant pedestrian friendly neighborhood. Rutherford offers a vibrant mix of quality commercial businesses and distinctive stores and restaurants that serve all economic and age groups and attract local as well as regional patrons.

The Williams Center for the Arts and Cinema has become the "heart and soul" of the downtown and draws people from the surrounding areas for performing arts and cinema. Stores and restaurants in the downtown stay open late and it is not uncommon for the streets to bustle at 11pm on a Saturday night, especially following an event at the Williams Center. Felician College has remained a cornerstone institution within the Borough, adding to the spirit of the Borough without overwhelming the residential neighborhood immediately surrounding the campus.

Specific attention given to the downtown, west end, gateway areas and isolated properties throughout the Borough has led to an emergence of new shopping, services

and employment options. Additional development on the east side of Route 17 has added to the tax base of the Borough.

Younger Rutherford residents are staying in Rutherford (or returning) to start their own households due in part to the attractiveness of neighborhoods, and a renowned public school system. In addition, long-time native residents are opting to spend their retirement years in Rutherford. New residents are drawn by the excitement generated by the downtown, Rutherford's family-friendly neighborhoods (one of few communities where children can walk to school) and quick access to employment centers via bus, train, and car.

Residents enjoy the numerous active and passive recreation opportunities including an extensive bikeway system. More local trips – to the library, schools, parks, recreation centers, and shopping – are being made by bicycle via the extensive interconnected bikeways. The Borough prides itself on a recreation system that is fully accessible to the special needs population. All facilities, old and new, are maintained on a regular basis and meet or exceed all recommended performance and safety standards. Waterfront access has been improved and waterfront activities are now commonplace on the banks of the Passaic River.

In 2025, the long-term viability of Rutherford is secure. The town has successfully built on its strengths by following the Vision Statement and its subsequent influence on local planning. Its residential neighborhoods, mixed-use centers and commercial areas are a source of pride and have helped to establish Rutherford as a model community for the region.

## GOALS AND OBJECTIVES

The Borough's vision is embodied in the following goals, which are further refined through specific objectives geared to five major categories. The goals are considered of equal importance and the order in which they are presented holds no significance. The master plan also incorporates the goals and objectives found in the housing plan, which is incorporated into the master plan by reference.

### Goals

1. Provide a healthy balance of land uses that preserves the residential character of the neighborhoods while providing convenient commercial and retail opportunities to acquire goods, services and employment.
2. Capitalize on the downtown's growing role as a transportation hub and provide for an attractive, vibrant and easily accessible downtown that will support quality mixed-use and business enterprises that contribute to the Borough's economic base and quality of life.



3. Maintain a balanced stock of quality housing that provides housing options for all generations, serving both existing and new residents.
4. Maintain the Borough's diversity.
5. Ensure that community facilities and services are maintained at levels that will support the current and future populations of the Borough.
6. Ensure that infrastructure systems are maintained at levels that will support the current and future populations of the Borough by basing growth and development decisions on the existing and planned capacity of both natural and built systems.
7. Maximize circulation and mobility options for local and regional trips while ensuring that regional transportation projects will improve the overall quality of life in the Borough.
8. Promote aesthetically pleasing human scale development that recognizes the character of traditional New Jersey towns.
9. Preserve historically and architecturally significant structures.
10. Preserve the Borough's natural resources to protect water quality, manage stormwater, reduce the potential for flood damage, protect endangered habitats, and provide open space.
11. Preserve the Borough's community forest resource to improve air and water quality, reduce energy costs, increase property values, increase economic stability, improve citizen health and beautify the Borough.
12. Encourage and support policies and actions to reduce the introduction of harmful green house gases by reducing sprawl and encouraging green buildings, promoting alternate means of transportation including walking, biking, and public transit, preserving open space and wetlands, and participating in the NJMC renewable energy district.
13. Preserve, maintain, and develop a comprehensive open space and recreation system that provides active and passive recreation opportunities for all age groups and ability levels while meeting or exceeding state and/or national safety standards.
14. Create land use districts and standards that are clear and concise and leave no doubt as to the intended location and intensity of the land use.
15. Ensure that all development regulations reflect and implement the goals and objectives of the master plan.

## Objectives

### *Land Use*

- Maintain existing residential neighborhoods as attractive, high quality areas and ensure that renovations and new construction are compatible with existing neighborhood character.
- Identify appropriate locations for multi-unit housing.
- Encourage traditional neighborhood elements such as sidewalks, alleys, front porches, public spaces, green spaces, and street trees.
- Encourage mixed uses in the downtown that support pedestrian activity, human interaction, public safety, mass transit, and easy access to goods and services.
- Strengthen the harmony and appearance of the downtown streetscape by encouraging restoration of classic buildings that have been inappropriately altered and ensure that all new construction and alterations fit harmoniously within the framework established by the historic and classic architectural character of the downtown.
- Encourage a mix of quality commercial uses, retail, entertainment, dining, and upper story residences in the downtown area to create vibrancy and to serve local and regional markets.
- Identify appropriate boundaries, land uses and standards for the B-1, B-2 and B-3 districts particularly for transitional areas separating the business districts from adjoining residential neighborhoods.
- Encourage commercial development and retrofitting that emphasizes quality architecture, shared access and parking, transit friendly facilities, pedestrian circulation, appropriate intensification of buildings, and extensive landscaping; and which avoids oversized parking areas, light pollution, and multiple and uncontrolled highway access points.

### *Circulation*

- Provide opportunities for residents, business owners, employees and shoppers to access multiple modes of transportation including public transportation, bikeways and pedestrian ways.
- Improve the function of problem intersections and roadway segments through the implementation of creative engineering, land use and design techniques.
- Utilize traffic calming measures in areas of high pedestrian activity.
- Create a multi-use trail system that links neighborhoods, community facilities, parks and open space.
- Create a "bicycle friendly" environment in Rutherford that provides a safe and viable alternative to driving.
- Manage traffic and pedestrian issues and ensure adequate parking in the downtown and in adjoining residential neighborhoods.

- Provide green buffers along major highways.

#### *Utilities*

- Ensure that all development and redevelopment projects contribute their pro-rata share of the cost of providing reasonable and necessary off-tract water, sewerage and drainage facilities.

#### *Community Facilities*

- Provide necessary renovations to public buildings to maintain compliance with government and industry standards.
- Expand active recreational opportunities in the Borough through the creation of new park facilities either at existing Borough parks, park/school sites or through the creation of new parks and facilities.
- Create a network of after-school and weekend educational, recreational and social opportunities for teens and young adults.
- Coordinate planning efforts with the Board of Education to ensure the most efficient placement and use of all Borough and Educational facilities.
- Develop gateways to the Borough at strategic locations to foster community identification and establish a visual sense of the community's character.
- Utilize the LEED Green Building Rating System for new and renovated public buildings.
- Incorporate the forestry management plan into the master plan.
- Provide art in public places.
- Provide better access to the Meadowlands area and to waterfront properties generally.

#### *Economic Development*

- Identify opportunities for land assembly and redevelopment projects.
- Identify and promote services and facilities that are necessary to support existing and future business enterprises.
- Provide transportation systems to efficiently move employees, customers and goods to and from business sites.
- Provide the necessary infrastructure to support business development in the downtown.
- Assess development and redevelopment potential of commercial and light industrial parcels on the eastern side of Route 17.
- Assess the redevelopment potential of the "west end" business district on Union Avenue.

***Historic Preservation***

- Encourage the continued use of historic resources and facilitate their appropriate reuse to stabilize and improve property values and discourage the unnecessary demolition of historic resources.
- Encourage an appropriate and harmonious setting for the historic and architecturally significant buildings, structures, sites, objects or districts within the Borough of Rutherford.
- Encourage private reinvestment in existing or new structures in a manner that preserves, restores, repairs or is compatible with the original architectural style or is compatible with the original architectural style characteristic of the designated historic districts in which the structure is located.

***Recycling***

- Maximize the amount of recycled materials collected from residential and non-residential properties.

### III. LAND USE

#### *Objectives*

- Maintain existing residential neighborhoods as attractive, high quality areas and ensure that renovations and new construction are compatible with existing neighborhood character.
- Identify appropriate locations for multi-unit housing.
- Encourage traditional neighborhood elements such as sidewalks, alleys, front porches, public spaces, green spaces, and street trees.
- Encourage mixed uses in the downtown that support pedestrian activity, human interaction, public safety, mass transit, and easy access to goods and services.
- Strengthen the harmony and appearance of the downtown streetscape by encouraging restoration of classic buildings that have been inappropriately altered and ensure that all new construction and alterations fit harmoniously within the framework established by the historic and classic architectural character of the downtown.
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- Encourage commercial development and retrofitting that emphasizes quality architecture, shared access and parking, transit friendly facilities, pedestrian circulation, appropriate intensification of buildings, and extensive landscaping; and which avoids oversized parking areas, light pollution, and multiple and uncontrolled highway access points.

*Land Use Plan Map* – The Land Use Plan is illustrated on Map 4 in Chapter XII.

#### **Existing Conditions**

##### *Land Use*

Rutherford is home to approximately 18,000 people, has a density of about 6,400 persons per square mile, and is the location of over 600 businesses employing over 7,900 people. Although predominately residential (over 80%), Rutherford's 2.9 square miles contain a fairly diverse mix of land uses ranging from single-family homes and apartments, to highway commercial and industrial. Municipal parkland and preserved open space account for approximately 47 acres. Vacant parcels outside of the Meadowlands are few and far between accounting for only eight acres, six of which cover an abandoned

railroad right-of-way that is slated for a recreation trail. (See Table III-1 below and Map 1 in Chapter XII)

The Borough's downtown is focused on the train station and represents the heart of the Borough's transit village designation. In 1999, the Borough received "transit village" designation for Station Square jointly from New Jersey Transit and the New Jersey Department of Transportation (NJDOT). As a transit village, the Borough is eligible for funding from the State to redevelop and revitalize the community within walking distance, typically a one-quarter to one-half mile radius, of Station Square with compact, transit-supportive, mixed-use development. Since its designation in 1999, Rutherford has received funding for enhanced streetscapes with new lighting fixtures, decorative trash receptacles, wide brick sidewalks and plantings, raised pedestrian islands with pavement markings for safe crossing near the train station, a community shuttle service that transports residents to the train station, and traffic calming measures for vehicular and pedestrian safety.

**Table III-1**  
**2007 EXISTING LAND USE**

Land Use Category	Parcel Acres*	% of Total Acres
<b>Non-Meadowlands</b>		
Single Family	575.18	64.85
Single Family Attached (Townhouse)	5.39	.60
Two Family Residential	85.10	9.59
Multi-Family	54.97	6.19
Mixed-Use Commercial/Residential	8.51	.95
Office/Financial	23.46	2.64
Retail/Service	32.12	3.62
Industrial	2.60	.29
Public & Quasi Public	28.60	3.22
School	15.47	1.74
Recreational Land	46.99	5.29
Vacant	8.42	.94
<b>TOTALS - Non-Meadowlands</b>	<b>886.89</b>	<b>100%</b>
<b>Meadowlands</b>		
Office/Financial	22.25	6.08
Retail/Service	1.26	.34
Hotel and Motel	7.27	1.98
Industrial	56.41	15.42
Communications & Utilities	39.35	10.76
Public & Quasi-Public	3.18	.86
Vacant Land	196.61	53.77
Altered Lands	39.23	10.73
<b>TOTALS - Meadowlands</b>	<b>365.59</b>	<b>100%</b>

Source: NJMC, Bergen County, Rutherford tax records and field adjustments

\* Streets and public rights-of-way are not included in these acreage figures.

**Zoning**

There are 15 zoning districts in Rutherford outside of the Meadowlands (see Table III-2). There are very few inconsistencies between the general zoning categories (e.g., residential, commercial) and the underlying land use. Notable exceptions include a new multi-family development on Meadow Road, which is currently zoned B-4; residential uses in B-1 zones along Kip Avenue and Ames Avenue; and townhouse developments in the R-1 zone along the Passaic River, on Park Avenue in the R-2 zone and on Union Avenue in the B-3 zone (see Map 2 in Chapter XII).

**Table III-2**  
**2007 ZONING DISTRICTS**  
**(Non-Meadowlands)**

<b>Zone</b>	<b>Acres</b>	<b>% of Total</b>
<b>Residential</b>		
<i>R-1</i>	582.5	65.1
<i>R-1A</i>	23.8	2.7
<i>R-1B</i>	21.9	2.5
<i>R-2: Two Family</i>	111.8	12.5
<i>R-3: Three Story Apartments</i>	43.3	4.8
<i>R-4: Five Story Apartments</i>	5.3	0.5
<i>U-R1A: University/Residential 1A</i>	14.9	1.7
<b>Business</b>		
<i>B-1: Three Story Office</i>	13.7	1.5
<i>B-2: Five story office</i>	7.7	0.87
<i>B-3: Three story office-retail</i>	24.1	2.7
<i>B-3/SH: Business 3/ Senior Housing</i>	3.9	0.44
<i>B-4: Business Light Industrial</i>	4.0	0.45
<i>HC: Highway Commercial Zone</i>	4.8	0.54
<i>PCD: Planned Commercial Zone</i>	6.1	0.68
<i>ORD: 10 Story Office Research &amp; Distribution</i>	26.1	2.9
<b>TOTAL</b>	<b>893.9</b>	<b>100</b>

**Environmental Features**

As illustrated on Map 3 in Chapter XII, floodplains and wetlands in Rutherford outside of the Meadowlands are primarily related to the Passaic River, which forms the western border of the Borough. Steep slopes (greater than 15%) form recognizable ridge lines in a north-south pattern throughout the Borough. Wetlands and floodplains combined cover 97.6 acres or 8.5% of the Borough. Steep slopes are widespread accounting for 263.8 acres or 22.9% of the Borough (see Table III-3).

**Table III-3  
 ENVIRONMENTALLY CONSTRAINED ACREAGE  
 (Non-Meadowlands)**

<b>Environmental Features</b>	<b>Acres</b>	<b>% of Borough</b>
Wetlands + 100-year Floodplain (accounts for overlap)	97.6	8.5%
Slopes greater than 15%	263.8	22.9%

*Sources: NJDEP and FEMA*

**New Jersey Meadowlands**

Approximately one third of Rutherford's land area, almost the entire area east of Veterans Boulevard, is located within the Meadowlands. As such, that portion of the Borough is under the jurisdiction of the New Jersey Meadowlands Commission (NJMC) in terms of land use policy and regulation. Therefore, neither the Rutherford Master Plan or land development ordinances are applicable to the Meadowlands portion of the Borough. A summary of the NJMC Master Plan is provided in Chapter XI. The NJMC land use districts are illustrated on the Rutherford land use map for information purposes only.



## Land Use Plan

As noted earlier, less than 1% of Rutherford's non-meadowlands acreage is vacant. At the same time, however, both the North Jersey Transportation Planning Authority (NJTPA) and the Borough's housing element project continued household and job growth in Rutherford (see Table III-4). Although the Meadowlands may account for a fair amount of that growth, future growth in the remainder of the Borough will necessarily take the form of redevelopment and infill projects.

As a result, there will be continued pressure on land that is already developed – to change existing uses to more intense or profitable uses, which may or may not be compatible with the fabric of existing neighborhoods or consistent with the Borough's overall vision. It is the Borough's intention, therefore, to provide for tightly managed growth that is consistent with the Borough's goals and objectives by clearly identifying the preferred location and intensity of future land uses. All development should be supportive of the immediate neighborhood and sensitive to its environmental context. All land use decisions should be mindful of a parcel's context and discourage inappropriate intrusions into established residential neighborhoods or environmentally sensitive areas.

**Table III-4  
GROWTH PROJECTIONS  
2004 TO 2014**

Source	Household Growth	Job Growth
NJTPA	230	380
Rutherford 2005 Housing Element	942	406

Subsection A, below, provides a general description of the major land use initiatives found in the land use plan. Detailed descriptions of each land use district are provided in Subsection B. Subsection C provides a list of general design guidelines for development in the Route 17 corridor. Following the adoption of the master plan, the Borough's zoning ordinance will need to be reviewed and revised to maintain consistency with the land use plan and to provide more detailed standards for implementing the various recommendations.

### **A. Major Initiatives**

#### **◇ Meadow Road at Route 17**

The 2001 Transit Friendly Communities report described this area as a "poorly arranged collection of fast food restaurants and marginal industrial uses." Recent development along Meadow Road has somewhat altered that description. A new 40 unit apartment building on the block bounded by Meadow Road, East Passaic Avenue and the railroad

has transformed that block from commercial/industrial to multi-family residential. A recently constructed 24,000 square foot floor covering business south of East Passaic Avenue represents a substantial commercial investment and full utilization of the subject property. To account for these new developments and continue the transition away from the “poorly arranged collection of fast food restaurants and marginal industrial uses,” the land use plan calls for the following changes to the 1997 land use districts:

*East Side of Meadow Road*

- Eliminate the business/light industrial district (currently zoned B-4).
- Designate the entire block bounded by Meadow Road, East Passaic Avenue and the railroad (the site of the new apartments) as a Multi-Family land use district.
- Designate the block bounded by Meadow Road, East Passaic Avenue, the railroad, and Route 17 as Highway Commercial - 1.
- Designate the area corresponding to the current B-2 zone on the east side of Route 17 as Highway Commercial – 2, which allows for the addition of the light industrial uses (formerly found in the business/light industrial district) to the current B-2 zone uses.

*West Side of Meadow Road*

- Designate the commercial strip on the west side of Meadow Road between Walls Field and the American Legion building as Parks and Open Space in anticipation of an extension of Walls Field.
- Create a new Townhouse District on the west side of Meadow Road from the American Legion Post to the intersection of Feronia Way. Traffic, stormwater and open space issues must be examined prior to establishing density, bulk and design requirements. This district would be limited to one and two-family dwellings and townhouses (i.e., single-family attached).

◆ **Former DPW Site/Agnew Place**

The vacation of the DPW site on Agnew Place created a unique opportunity to redevelop the triangular block bounded by Erie Avenue, Union Avenue and Agnew Place in a more comprehensive manner. The block is presently a random mix of residential, commercial and industrial buildings on oddly shaped lots, some in marginal condition. The intent is to provide an appropriate degree of flexibility in this district to encourage and enable lot consolidation and a planned development that is more in keeping with its strategic downtown location only one block from the train station. To that end the land use plan designates this area as Planned Commercial Development – 2, a smaller scale version of the current PCD zone on the Boiling Springs block, which would be relabeled PCD – 1.

◆ **Kip Avenue**

Kip Avenue, between Franklin Place and Ames Avenue, has been designated as Single and Two-Family residential. This designation allows for the extension of the existing R-2

zone on Chestnut Street eastward to Kip Avenue, replacing the current B-1 zone on this block.

◆ **Neighborhood Commercial vs. Downtown Commercial**

In an effort to ensure a better interface between business and residential areas and to better define the vision of the downtown as a transit village, the land use plan distinguishes between *neighborhood* commercial districts and the *downtown* commercial district. These districts, as applied to Union Avenue and Park Avenue, replace the mix of B-1 and B-3 zones with land use districts that are more reflective of the scale and intensity of the preferred business types and the surrounding neighborhood context.

◆ **Jackson Avenue**

The southeast corner of Jackson Avenue and Erie Avenue is a triangular parcel presently occupied by former retail uses in varying states of disrepair that are out of character with this gateway location or the surrounding residential neighborhoods. It is presently zoned B-1. The community facilities plan has earmarked this location as a potential site for a new West End Fire Station and it is therefore designated as a Public Building or Facility on the Land Use Map. If the new fire station does not materialize, the Borough ought to explore the possibility of acquiring the land for open space to complement Sunset Park, the new Erie Trail and Memorial Park. In lieu of a public use, the parcel should be redesignated to allow for townhouses or some other clustered housing type that would be able to effectively deal with the triangular shape of the property.

◆ **Mixed-Use Buildings**

The 1997 Master Plan Update and Reexamination recommended permitting apartments above certain types of businesses within the B-1, B-2, and B-3 zone districts particularly in the Park Avenue business district. The Rutherford Vision Statement: 2025 establishes specific goals for the downtown core. One of those goals is to “Continue to encourage a mix of quality commercial businesses, retail, entertainment, dining, and upper story residences in the downtown area to create vibrancy and to serve local and regional markets.”

While it is clear that the Borough’s intent has been to encourage residential-commercial mixed-use buildings downtown, the implementing ordinance has made it difficult to actually construct this type of use. The issue centers on the context within which mixed-use buildings are permitted – as an accessory use, as a second principal use, or as a distinct principal use. As currently drafted, the zoning ordinance takes the accessory use approach, thus requiring a determination that the use is “customarily associated with and is subordinate and incidental to” a commercial use. One could argue that there are very few cases where such a determination could reasonably be made; and none of the recent proposals for mixed-use buildings have conformed to that provision.

Residential uses in a mixed-use building are more appropriately considered as complementary rather than subordinate to the commercial use, carrying an equal weight in terms of achieving the Borough's goals for the downtown. Apartments over businesses need not be limited to apartments which are somehow related, financially or functionally, to a business use situated on the ground floor level.

To that end, the land use plan calls for the designation of residential-commercial mixed-use buildings as permitted principal uses in the Downtown Commercial district. An implementing ordinance should be drafted based on the following parameters:

1. Residential units must be located in a building with a ground floor that is primarily devoted to a permitted nonresidential use, which is defined as no less than 80% of the gross building area of the ground floor level of the building being devoted to a nonresidential use.
2. The primary public access point to the nonresidential use must be located on the front façade of the building or structure.
3. The horizontal width of the front façade of the ground floor nonresidential space must be no less than 80% of the gross outside width of the front façade of the building and contain traditional shop windows. If the building has more than one front façade, this requirement would be applied along each street frontage.
4. The entire building façade must conform to all applicable Downtown Façade Design Guidelines.
5. Principally permitted nonresidential uses need not be restricted to the ground floor level and may also be situated above the ground floor.
6. Residential units are prohibited on the ground floor or in the basement area of a mixed-use building.
7. Residential units are prohibited in buildings or structures that include an industrial or light industrial use or a dry cleaning operation.

## **B. Land Use Districts**

The following land use districts are illustrated on the Land Use Plan Map, Map 3 in Chapter XII.

- Single-Family Detached – Low Density
- Single Family Detached
- Single and Two-Family Detached
- Townhouse
- Multi-Family – Garden and Townhouse
- Multi-Family – Apartments
- Neighborhood Commercial
- Downtown Commercial
- Planned Commercial Development – 1
- Planned Commercial Development – 2
- Highway Commercial – 1
- Highway Commercial – 2
- Office, Research & Distribution
- Public Buildings and Facilities
- Parks and Open Space
- Maples Rehabilitation Area

### **Residential**

The first three residential land use districts, Single-Family Detached – Low Density, Single-Family Detached, and Single and Two-Family Detached, are meant to recognize and preserve the established character of the Borough's single and two-family residential neighborhoods. These three districts account for 77% of the Borough (non-meadowlands) and as such are reflective of the predominant land use in the Borough, which the land use plan intends to maintain. The land use plan does not contemplate any intrusion into these districts by either multi-family or attached housing, or by non-residential uses.

**Single-Family Detached – Low Density.** Encompasses the existing R-1A, R-1B and U-R1A zones and accounts for the lowest density and largest single-family residential lot sizes in the Borough. The district is limited to single-family detached dwellings at densities of 5.8 units per acre (7,500 square foot lot); with 6.7 units per acre (6,500 square foot lot) permitted along Ridge Road. The district also includes and accommodates the Felician College Campus.

**Single-Family Detached.** Corresponds to the existing R-1 zone and is limited to single-family detached dwellings at densities up to 8.7 units per acre (5,000 square foot lot). This is the largest of the residential districts.

**Single and Two-Family Detached.** Covers the existing R-2 zone and is limited to single and two family detached dwellings on 5,000 square foot lots at densities up to 17.4 units

per acre. This district also covers the west side of Kip Avenue between Franklin and Ames Avenues (excluding the corner properties).

**Townhouse.** Establishes a new Townhouse District on the west side of Meadow Road from the American Legion Post to the intersection of Feronia Way. Traffic, stormwater and open space issues must be examined prior to establishing density, bulk and design requirements. This district would be limited to one and two-family dwellings and townhouses (i.e., single-family attached).

**Multi-Family – Garden and Townhouse.** Corresponds to the existing R-3 zone and includes a mixture of residential uses including single and two-family dwellings, garden apartments up to 15 units per acre and three stories high, and townhouses up to 12 units per acre and two and one-half stories high. The district also includes the block bounded by Park, Woodland, Delafield and Van Ness Avenues, which is occupied by a townhouse development.

**Multi-Family – Apartments.** Corresponds to the existing R-4 zone and two additional areas: (1) the triangular block bounded by Meadow Road, East Passaic Avenue and the railroad, which is the site of a new 40 unit multi-family apartment building (currently zoned B-4); and (2) the current B-1 zone on the west side of Orient Way between East Passaic Avenue and Spring Dell Avenue, which extends and squares off an existing R-4 zone. This district includes the same mix of residential uses as the Multi-Family - Garden and Townhouse district with the addition of apartment buildings at 35 units per acre and five stories high. The district is generally located in close proximity to the downtown, where high-density residential units are consistent with the Borough's transit village designation.

### Commercial

The first two commercial land use districts, Neighborhood Commercial and Downtown Commercial, are similar in terms of permitted uses but different in terms of intensity and scale. Both of these districts combine the existing B-1 and B-3 zones in their respective areas and include a mixture of local and regional businesses which include retail sales, services, business and professional offices, restaurants, studios and civic uses. Both districts are geared to small and medium-sized establishments as opposed to big-box retailers or uses more suited to a highway location. Other common characteristics include:

- Buildings are set at the front property line to establish an interesting street wall. A minimal setback is acceptable if properly landscaped and used for pedestrian activities.
- Façade treatments, signage and streetscapes are generally consistent with or complement the prevailing architectural themes and/or established design guidelines.

- Parking is prohibited in the front yard. To the extent practical, parking is connected and shared by adjoining properties.
- Curbs and sidewalks are continuous and curb cuts are minimal.
- Neighboring residential properties are buffered from non-residential activities especially parking, loading and trash facility areas.

*It should be noted that neither of these land use districts impacts on the geographic boundary of the Borough's Special Improvement District, administered by the Rutherford Downtown Partnership, which is established by Borough Ordinance.*

**Neighborhood Commercial.** Covers the existing business districts along Union Avenue (between Jackson and Carmita Avenues) and Park Avenue (south of Highland Cross). This district is meant to recognize and accommodate the smaller scale business districts that are generally one lot deep along a main thoroughfare, have immediate contact with single-family neighborhoods, and are interspersed with residential uses. Commercial uses in this district are generally lower intensity in terms of the size of the building, parking and loading requirements, and hours of operation than one might find in the downtown district. They must be particularly sensitive to the surrounding residential neighborhoods in terms of noise, light, traffic, and buffering.

**Downtown Commercial.** Covers Park Avenue and surrounding streets from Station Square to Passaic Avenue and is meant to reflect the higher intensity of the transit village environment. Although the principal uses are similar to the Neighborhood Commercial district, this district is characterized by smaller lot sizes, higher lot coverage, and minimal setbacks. Parking is more likely to be shared or off-site in either public or private facilities. Buildings in this district would be eligible to participate in the municipal parking capital fund discussed in the circulation element.

This district also includes mixed-use buildings that incorporate residential apartments over ground floor commercial uses, reflecting the more pedestrian oriented environment of the downtown and its easy access to mass transit.

**Planned Commercial Development.** Includes two areas in the downtown. The first, "PCD-1," corresponds to the existing Planned Commercial Development zone bounded by Feronia Way, East Passaic Avenue, Orient Way, and Erie Avenue. This is the site of the Boiling Springs mixed-use project and is intended to continue under the standards currently in place for this block.

A new Planned Commercial Development district – "PCD-2," covers the triangular block roughly bounded by Erie Avenue, Union Avenue, and Chestnut Street with Agnew Place at the center. The purpose of this district is to capitalize on the vacant former DPW property on Agnew Place and encourage a more efficient and comprehensive approach to redeveloping this block while taking advantage of its proximity to the railroad station. Specific guidelines will need to be developed to ensure an appropriate mix of complimentary residential and commercial uses at intensities appropriate to the

downtown. Potential uses include multi-family housing with street-level shops and structured parking. This district should be considered an overlay, allowing the underlying Downtown Commercial district to govern until such time as a development entity can assemble appropriately-sized parcels.

**Highway Commercial – 1.** Covers the triangular block bounded by East Passaic Avenue, Meadow Road, and Route 17 (currently zoned HC and B-4). The land use plan calls for a continuation of highway oriented retail and service uses in this district with appropriate landscaping and streetscape improvements suitable to this gateway location. (See subsection C of this chapter for additional guidelines related to the Route 17 corridor.)

The west side of Meadow Road, between Walls Field and the American Legion building is currently zoned Highway Commercial but has been designated as Parks and Open Space by the land use plan as a possible extension of Walls Field. If the park extension proves infeasible, the parcel should be redesignated as HC-1A. Although similar to the HC-1 district in terms of retail and service uses, the HC-1A district would be distinguished by a townhouse option. This district fronts on Meadow Road as opposed to Route 17 and abuts residential and park properties. The townhouse option is meant to provide a more suitable transition between the residential neighborhood and the more intensive commercial uses on the east side of Meadow Road. Additionally, commercial building heights in the HC-1A district would be limited to three stories as opposed to five stories in the HC-1 district.

**Highway Commercial – 2.** Covers the east side of Route 17 north of Highland Cross and corresponds to the current B-2 zone. This district differs from the other Highway Commercial districts in that it includes larger tracts of land that are visually and physically separated from the residential and business core of the Borough and can support higher intensity uses. The district is presently dominated by an auto dealership.

The land use plan calls for highway oriented retail and service uses, regional offices, light industrial, and hotel and restaurant uses presently permitted in the B-2 and B-4 zones. (See subsection C of this chapter for additional guidelines related to the Route 17 corridor.)

### Office and Research

**Office, Research & Distribution.** Corresponds to the existing ORD zone on the east side of Route 17 and is geared towards higher intensity office (10 stories high), research and distribution facilities on relatively large tracts of land in addition to hotels and restaurants. (See section C of this chapter for additional guidelines related to the Route 17 corridor.) A small portion of the NJMC Highland Cross Redevelopment Area (see further discussion in Chapter XI) crosses over the NJMC boundary into the ORD district. Any future redevelopment of the Highland Cross Redevelopment Area should conform to the ORD district as described here.



### **Public**

**Public Buildings and Facilities.** Includes existing and proposed public buildings, facilities and schools. (See the community facilities plan for additional details.)

**Parks and Open Space.** Includes existing and proposed parks and preserved open space. (See the open space and recreation plan for additional details.)

### **Rehabilitation Area**

**Maples Rehabilitation Area.** The Maples Rehabilitation Area is located downtown with frontage on both Park Avenue and Chestnut Street. The Maples Redevelopment Plan, which was adopted by the Borough Council in 2005, is incorporated into this land use plan and permits the following uses:

- For properties fronting on Park Avenue – Local retail, office and service uses, banks and financial institutions (excluding drive-in facilities), business offices, professional offices, private clubs and lounges, community centers and non-profit organizations and public facilities.
- For properties fronting on Chestnut Street – Attached multi-family dwellings and residential apartments.

Outdoor surface-level parking spaces situated in the front yard area, and boarding or rooming houses are prohibited in the rehabilitation area.

### **C. General Guidelines for the Route 17 Corridor**

Historically, highways served as a means to convey people and goods from point “A” to point “B,” connecting neighborhoods and communities along the way. Over the years, highways throughout New Jersey have evolved into commercial corridors lined with single-use, unconnected retail, big-box, and office developments — the so-called “strip” pattern of development. These types of corridors are often lacking a sense of place or community and are often associated with congestion, inconvenience, inefficiency, and a less than desirable visual image. The Route 17 corridor suffers its share of these maladies. Route 17 is also distinguished by the fact that a significant portion of the corridor in Rutherford – the west side of the highway from Route 3 to Highland Cross – is populated by single-family homes, which makes for a heightened degree of friction and a greater need to manage the highway from both a functional and visual standpoint.

To that end, the following guidelines have been developed for non-residential properties located in the Route 17 corridor. These guidelines are meant to encourage quality architecture, shared access and parking, transit friendly facilities, pedestrian circulation, appropriate intensification of buildings, and extensive landscaped areas.

1. Plazas, courtyards and green areas should be considered an integral component of all development in the corridor and should be designed to provide a lively human scale environment. These features should also be designed to protect environmentally sensitive features, and provide appropriate visual and noise buffers especially between residential and non-residential areas.
2. Buildings should be designed to provide architectural interest and avoid a monolithic box-like appearance. Pitched roofs and architectural embellishments such as dormers are encouraged. Flat roofs should include appropriate ornamentation such as cornices or parapets. The front of each building should be oriented toward a sidewalk, courtyard or street. Sidewalks should facilitate pedestrian movement and create opportunities for outdoor eating and shopping areas, and providing space for bus waiting areas or shelters, street furniture, etc.
3. Ground floor commercial facades should have large, clear storefront glass areas to display the nature of the business and produce an interesting streetscape. A storefront should be separated from the roofline or a second floor by a horizontal architectural element such as a sash, cornice, frieze or molding. The design of awnings and canopies should be architecturally compatible with the style, materials, colors and details of buildings and should not conceal significant architectural features, such as cornices, columns, pilasters or other trim details.
4. Freestanding signs should be consolidated at strategic locations, complement the architectural style of the development, avoid a cluttered appearance, and be limited to the name and logo of a project or center. Tenant directory signs should be located away from the right-of-way. Façade signs should complement and not interfere with, be out of proportion with, or cover over a building's architectural details.
5. Mass transit opportunities should be enhanced through the incorporation of design features that accommodate bus and shuttle service such as shelters, street furniture, and pull-off lanes within reasonable proximity to major uses and destinations.
6. Oversized parking areas and multiple and uncontrolled access points should be reduced through the use of shared and connected parking facilities.
7. Parking lots should be located behind or next to buildings, so that the buildings can be closer to the roadway, be more visible, and be more accessible to pedestrians.
8. Surface parking lots should be extensively landscaped to provide visual relief from large expanses of parking, to guide circulation, and to minimize impervious coverage.

9. Structured parking should be designed to provide architectural interest and ameliorate the appearance of large concrete facades. Whenever possible, parking structures should be integrated into the principal structure in such a way as to be indistinguishable from surrounding buildings.
10. Landscaped areas should be provided along the highway edge and include provisions for walkways, bike paths, plantings, and shade trees.

#### **D. Recommended Zoning Changes**

The zoning ordinance will need to be revised to ensure conformity with the master plan. At a minimum, the zoning map should be revised to reflect the land use districts. Maps 5 and 5A in Chapter XII illustrate the relationship between the current zoning districts and the master plan land use districts and the potential for changes to the zoning districts. The zoning ordinance will also need to incorporate nomenclature changes as follows:

- Replace B-1 and B-3 with Neighborhood Commercial (NC) and Downtown Commercial (DC).
- Change HC to HC-1.
- Change B-2 to HC-2.
- Eliminate B-4.

The zoning ordinance should also incorporate use standards, bulk requirements, and design standards as necessary to implement the goals, objectives and policies of the master plan.

## IV. COMMUNITY FACILITIES

### *Objectives*

- Provide necessary renovations to public buildings to maintain compliance with government and industry standards.
- Coordinate planning efforts with the Board of Education to ensure the most efficient placement and use of all Borough and Educational facilities.
- Develop gateways to the Borough at strategic locations to foster community identification and establish a visual sense of the community's character.
- Utilize the LEED Green Building Rating System for new and renovated public buildings.
- Provide art in public places.

*Community Facilities Plan Map* - The Community Facilities Plan is illustrated on Map 5 in Chapter XII.

### **Municipal Buildings**

The community facilities plan calls for the continued maintenance and upgrading of all municipal facilities. In particular, all police, fire and emergency medical services should be maintained to meet all federal and state safety and security requirements. Municipal services are currently housed in nine facilities (see Table IV-1). Buildings range from the 105 year old Borough Hall to the four year old Public Works garage.

With the exception of the West End Firehouse, the Borough's municipal facilities are adequate to meet current and near-future needs. As noted in the 2004 Vision Plan, efforts should be made to promote interlocal agreements among Borough departments, local civic organizations and local institutions and encourage regionalized services with other municipalities when appropriate and cost effective.

**Table IV-1  
MUNICIPAL BUILDINGS**

<b>Services</b>	<b>Location</b>
Administrative	Borough Hall - Park Ave.
Public Works	Highland Cross
Police	Park Ave.
Fire	Ames, Mortimer, & Union Aves.
Emergency Medical	Ames Ave.
Library	Park Ave.
Senior Citizen	Kip Ave.

➤ ***Borough Hall***

A feasibility study should be conducted to determine the most efficient course of action for upgrading the 1902 Borough Hall while maintaining its historic integrity. There is no room on-site for any meaningful expansion and demolishing the existing building and replacing it with a modern structure does not seem warranted or desirable at this time. Relocating the administrative offices to a new or existing building on another site could have a negative impact on the downtown. If the municipal building were relocated, it should be to a location that is easily accessible by transit or on foot and preferably within or proximate to the downtown.

➤ ***West End Firehouse (#3)***

The existing firehouse on the corner of Union Avenue and Wells Place can no longer accommodate modern equipment and the site provides no opportunity for expansion. A potential location for construction of a new firehouse is the southeast corner of Jackson Avenue and Erie Avenue. Further studies should be conducted to determine the feasibility of such a move and a reuse option for the existing station.

➤ ***Library***

In April 2006, a team of graduate students at New York University conducted a comprehensive study entitled, *The Rutherford Public Library Community Needs Assessment: Understanding the emerging library needs of Rutherford Residents*, which is an analysis of the library through stakeholder interviews, community surveys, focus groups and a review of the programs and space utilization. 77% of survey participants agreed or strongly agreed with adding more parking spaces to the facility. Adding computers, a library café, outdoor seating, and study carrels were all improvements desired by library patrons. Survey respondents, interviewees, and residents in focus groups, all noted that the interior aesthetics are in need of an update. Recommendations from the study include painting, carpeting, decorating, and the addition of comfortable furniture.

## **Public Schools**

The Rutherford school system currently consists of one preschool, four elementary schools, and one high school (see Table IV-2). The school district has recently initiated a number of physical improvements and expansions in accordance with the district's 2005 Long Range Facilities Plan (LRFP). The Planning Board should coordinate its planning efforts with the Board of Education as the Board of Education updates the LRFP.

**Table IV-2  
PUBLIC SCHOOLS**

School Name/Type	Address	Grades
Sylvan / Early Childhood Center	109 Sylvan Street	Pre K - K
Lincoln / Elementary	414 Montross Avenue	K - 3
Washington / Elementary	89 Wood Street	K - 3
Pierrepoint / Middle	70 E. Pierrepoint Avenue	4 - 8
Union / Middle	359 Union Avenue	4 - 8
Rutherford / High	56 Elliott Place	9 - 12

## Green Buildings

The community facilities plan recommends that to the extent possible, all future public buildings and facilities be constructed in accordance with the LEED (Leadership in Energy & Environmental Design) Green Building Rating System. The LEED system is a voluntary national standard that defines high performance green buildings – which are healthier, more environmentally responsible, and more efficient structures. LEED was developed in 1998 by the U.S. Green Building Council, a national coalition of leaders from all segments of the building industry. Green buildings blend environmental, economic, and occupant-oriented performance features designed to:

- Enhance and protect ecosystems and biodiversity
- Improve air and water quality
- Reduce solid waste
- Conserve natural resources
- Minimize strain on local infrastructure
- Reduce energy and operating costs
- Optimize life-cycle economic performance
- Improve air, thermal and acoustic environments
- Improve employee productivity and satisfaction
- Enhance occupant comfort and health

Buildings constructed in accordance with the LEED rating system might optimize the use of natural daylight and ventilation, capture water runoff for internal use, utilize finishes and materials low in volatile organic compounds to improve indoor air quality, utilize recycled and renewable building materials, optimize climatic conditions for internal heating and cooling through site orientation and design, utilize energy efficient equipment and systems, and maximize the use of local materials to limit transportation costs.

In support of this recommendation, the Borough has expressed an interest in participating in the New Jersey Meadowlands Commission photovoltaic power system initiative and is open to the possibility of installing solar panels on public buildings. The

Borough should also review and adopt as appropriate, recommendations in the NJMC Renewable Energy Master Plan (which is scheduled for release in April 2007).

## Gateways

Rutherford's natural and man-made borders – the Passaic River, Routes 3 and 17 and the Railroad – create distinct entry points into the Borough. Although they are not considered community facilities in the traditional sense, attractive gateways help promote community character and identity.

The 2004 Vision Plan identified the following 10 gateways:

- Jackson Ave. and Erie Ave.
- Montross Ave. Bridge
- Station Square
- Hackensack Ave. and Erie Ave.
- Meadow Road at Route 17
- Orient Way at Route 3
- Ridge Road at Route 3
- Park Avenue at Route 3
- Riverside Ave. at Route 3
- Union Ave. Bridge

Depending on the space available, the gateways could consist of decorative walls, signage, and landscaping treatments that are clearly visible and recognizable to the traveler. They could all carry a common theme, e.g., graphic/logo and greeting, while allowing for customization based on the specific location. Where right-of-way or public land is not available, arrangements might be made with private property owners to utilize portions of existing landscape strips abutting the roadway. Corporate, business and civic sponsors should be solicited for the initial cost and/or maintenance of each gateway in a manner consistent with the Local Public Contracts Law. (See the land use plan for additional discussion of the Jackson Avenue, Meadow Road and Union Avenue.)

The 2001 NJ Transit report – Transit Friendly Communities for New Jersey, Rutherford: Creating a "New" Station Square, recommends establishing a signage and information system for the Station Square gateway reaching out to within one half mile of the station along key streets such as Union, Ames, Park, and Erie Avenues and Orient Way. The signs should include "welcome" and directional information related to:

- The location of the train station,
- Commuter parking,
- Drop off and pick up areas,
- Bicycle parking,

- Access to a dedicated bicycle lane on Orient Way, and
- General places of interest in the Station Square vicinity.

## Art in Public Places

Public art can make downtowns more attractive and create memorable experiences for its residents and visitors, improve the community's landscape and quality of life, and celebrate community identity and cultural diversity.

In 1978, the Public Building Arts Inclusion Act was signed into law to provide for up to 1.5% of construction costs on new or renovated state buildings to be allocated to fine artwork in the building. The goal of the Arts Inclusion program is to enhance the quality and aesthetic effect of state buildings by incorporating works of art into the architectural design. The program is administered by the NJ State Council on the Arts (NJSCA), a division of the New Jersey Department of State. Two glass tile mosaics at the Senator Lautenberg Transfer Station are a result of the Arts Inclusion program.

In addition to the arts inclusion program, there are a variety of methods that a municipality can use to integrate public art into the development of their community. They include advisory boards and coordination with private institutions, non-profit and community organizations. A municipal arts council is one such example. A Mayoral-appointed arts council was recently established in New Brunswick. The municipal arts council of the City of Newark in coordination with the NJSCA and NJ Transit incorporated public art at the new light rail stations. In 2004, Hudson County established the Hudson County Public Buildings, Grounds, and Parks, Arts Inclusion Order which created a permanent capital fund for public arts and established a Public Art Commission to plan and implement a public art plan for Hudson County. In partnership with the NJSCA, the New Brunswick Development Corporation (DEVCO), a non-profit development corporation, commissioned three art works and purchased hundreds of other paintings for the Heldrich Hotel and Conference Center. The Site Plan Review Advisory Board in Princeton, in addition to commenting on site plans, also reviews and comments on any proposed art work or outdoor sculpture.

The Borough ought to consider an appropriate local mechanism for encouraging and coordinating the placement of public art either as stand-alone projects or in concert with development proposals. The design of the gateways discussed above would be a likely place to start. The downtown, and public buildings and parks are also potential candidates for public art.

To assist in this effort, the Borough should solicit the assistance of the NJSCA. The NJSCA administers a comprehensive grant program and offers financial assistance to individual artists, non-profit organizations, and government entities to aid in operational costs of an organization, exhibitions, and festivals. The NJSCA annually conducts a two-



hour technical assistance workshop to better familiarize prospective grant applicants with the various organizational grant programs of the Council.

Additionally, the Borough should take advantage of any assistance available from the Meadowlands Arts Advisory Board, which was established to support municipal art programs and to develop alternative ways to bring art into the Meadowlands.

## V. OPEN SPACE AND RECREATION

### *Objectives*

- Expand active recreational opportunities in the Borough through the creation of new park facilities either at existing Borough parks, park/school sites or through the creation of new parks and facilities.
- Create a network of after-school and weekend educational, recreational and social opportunities for teens and young adults.
- Incorporate the forestry management plan into the master plan.
- Provide better access to the Meadowlands area and to waterfront properties generally.

*Open Space and Recreation Plan Map* - The Open Space and Recreation Plan Map is incorporated into the Community Facilities Plan Map, Map 5 in Chapter XII.

### **Existing Facilities**

As noted in the Community Profile Report, municipal parkland and preserved open space combined accounts for a total of approximately 47 acres. As outlined in Table V-1, active recreation facilities are found at four municipal parks – Memorial, Tamblyn, Wall, and Lincoln – as well as Rutherford High School. School gymnasiums are also available for recreation activities. The Borough Recreation Department offers numerous programs for children, adults, and seniors including senior olympics, summer day camp, yoga, dance, and adult softball leagues.

**Table V-1  
RECREATION FACILITIES**

Name (acres)	Location	Amenities	ROSI <sup>1</sup>
Rutherford Memorial Park (39.2)	Darwin and Washington Avenues	Two baseball diamonds, 6 softball diamonds, 1 little league baseball field, 5 tennis courts, 2 basketball courts, 2 shuffle board courts, 3 playgrounds, 2 horseshoe pits, a football stadium with bleachers, a six-lane all-weather track, a multi-purpose synthetic playing field, and leisure lane walking path around perimeter of the entire park	Yes
Sunset Park (.77)	Jackson Ave.	Undeveloped and wooded	Yes
Nereid Park (.73)	Riverside Ave.	Preserved open space	Yes
Lincoln Woods (1.61)	Pierrepoint Ave.	Preserved open space	Yes
Van Winkle Park (.66)	Riverside Ave.	Undeveloped and wooded	Yes
Riverfront Property (.63)	Riverside Ave.	Walkway	No
Riverfront Property (.15)	Riverside Ave.	Vacant	No
Tamblyn Field and Civic Center (7.12)	Woodland Ave.	Three tennis courts, Tim Finnerty Memorial basketball courts, 1 football/soccer field, 2 baseball/softball diamonds, 1 playground, picnic area	Yes
Park and Mortimer/Firefighters Memorial Park (.10)	Park and Mortimer Ave.	Plaza with fountain and benches, and monument	Yes
Lincoln Park (1.01)	Park Ave.	Bandshell, several monuments	Yes
Mountainside Park <sup>2</sup> (1.49)	The Terrace	Undeveloped	Yes
Walls Field (1.61)	Highland Cross	One basketball court, 1 baseball field, 1 soccer field, 1 playground	Yes
High School (1.2±)	54 Elliot Place	1 multi-purpose grass field	No

*Source: Department of Recreation, Rutherford Borough.*

1. "ROSI" refers to the Recreation and Open Space Inventory database maintained by the NJDEP Green Acres Program. Each government unit (local or county) is required to prepare a ROSI as a condition of applying for and receiving Green Acres funding.

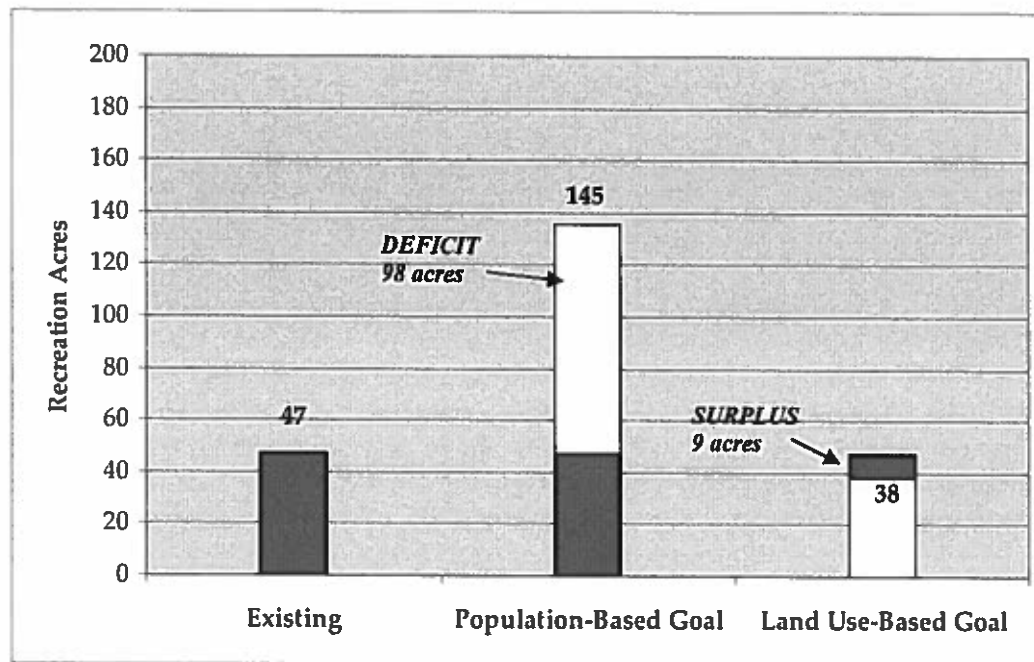
2. The Borough's ROSI erroneously lists Mountainside Park as Block 145, Lots 10-12. It should be listed as Block 145, Lot 15. Lots 10 -12 are a municipal parking lot.

## Needs Assessment

The Community Profile also includes a recreation land needs assessment utilizing both the population and balanced land use methodologies. (Each methodology is discussed in more detail in the Community Profile.) The recreation land needs derived from these two sets of standards represent the amount of land that ought to be dedicated as public open space with the ability to provide direct public recreation use. It should be noted that these standards are “universal” in that they are applied across the board to urban, suburban and rural municipalities alike.

As illustrated in Figure V-1, the population-based methodology yields a deficit of 98 acres while the land use methodology yields a surplus of nine acres. The land use methodology is considered more appropriate for Rutherford given its fully built-out landscape and modest growth projections (see the Community Profile for a discussion of population trends). The balanced land use approach is based on the amount of *developed* and *developable* land relative to the amount of *non-developable* land, of which there is very little in Rutherford outside of the Meadowlands. The State of New Jersey has established the balanced land use concept as the most appropriate method for calculating public recreation needs in the state. In contrast to the acres per population technique, the balanced land use approach defines land as a finite resource for which there are other legitimate competing uses. It takes into account the fact that the open space demand is generated by the development of land itself.

Figure V-1  
RECREATION LAND NEEDS ASSESSMENT SUMMARY



## Open Space and Recreation Plan

As noted in the land use element, there are only eight acres of vacant land remaining in Rutherford outside of the Meadowlands, leaving minimal if any opportunity for preserving additional open space or creating new recreation land. In a mature town such as Rutherford, the concept of open space sometimes needs to be redefined. The vision of large green spaces, although desirable, is not always practical. Open space, or the notion of greening a community and providing breaks in a densely developed landscape, can however, be woven into the fabric of the community through the use of street trees, pocket parks, small plazas and sitting areas, and the installation of public art in civic spaces. The Borough's efforts to create a linear park/trail along the former Erie rail bed is an example of an innovative approach to expanding open space and recreation opportunities and is supported by this plan.

The open space and recreation plan (OSRP) therefore recommends:

- The most efficient use of the Borough's existing parks and recreation facilities,
- Better coordination with school recreation facilities,
- Identifying opportunities for new open space, no matter how small, associated with development and redevelopment projects or surplus properties such as abandoned rail beds,
- Maintaining the urban forest, and
- Installing public art.

Additionally, Rutherford has access to two very unique open space and recreation opportunities – the Passaic River and the Meadowlands. These assets should also be considered important elements of the Borough's recreation inventory.

### ➤ Improvements to the Existing System

Walls Field has been identified as the park with the greatest need for renovation and or redesign. The OSRP recommends that a project-specific advisory group be formed to consider the opportunities and constraints related to the park's location, configuration, accessibility, unique onsite conditions, and funding options, and prepare a conceptual master plan for Wall Field. The extension of the park up the west side of Meadow Road to the American Legion building should also be considered.

Another high priority recreation need in the Borough is a new multi-functional community center. The Borough does not have an indoor facility that can accommodate a wide range of indoor recreation programs or provide meeting facilities for community groups. A study should be conducted to determine what elements should be incorporated into such a building, where the facility should be located, and how it might be funded.

➤ **School Facilities**

With the exception of the Sylvan School, each of the public schools has a gymnasium. The High School also has a pool (that is also used by the YMCA) and a large recreation field. A dialogue should be entered into with the Board of Education to ensure that the highest practical degree of public use of these facilities is achieved.

➤ **New Open Space**

The open space requirements in the Borough's development ordinances ought to be revisited to ensure that large scale residential and commercial projects provide quality open/civic space that meets the following criteria: (a) the space is strategically located to be attractive and easily accessible to either the tenants or the general public, as opposed to being placed on the "leftover" portion of the parcel; and (b) the space is of adequate dimension to provide amenities such as play equipment, sitting areas, or public art, as opposed to narrow or oddly shaped landscaped strips. In other words, the planning and design of the open space should be as integral to the project as the planning and design of the building. Future redevelopment plans should include requirements for public open/civic space that meet the same criteria.

Any surplus lands connected to public rights-of-way such as streets, highways, utilities, and railroads should be evaluated for potential use as open/civic space or pedestrian/bicycle trails. The Erie rail to trail project is a good example of this type of initiative. (See also the discussion of gateways in the community facilities element.)

Properties, especially those abutting existing open space, that are impacted by natural or other disasters, abandoned, or exhibit severe deterioration, should be evaluated for possible acquisition through fee simple purchase, easement, or donation.

➤ **Community Forestry Management Plan**

The Borough Council has adopted a community forestry management plan, which is incorporated by reference into the open space and recreation element of the master plan. A copy of the plan is available from the Borough Clerk. The community forestry management plan is enabled by the New Jersey Shade Tree and Community Forestry Assistance Act. In addition to establishing the Community Forestry Council, the act enables New Jersey's communities to reduce or eliminate their exposure to litigation due to the decline of the community tree resource. The basis for this protection is a properly planned local community forestry program implemented through a state approved management plan, as well as municipal participation in the state's Training Skills and Accreditation Program.

The community forestry management plan is an essential guide to successfully achieving a healthy and safe community forest. By developing and implementing a management plan for a town's shade trees, the Borough's tree program can become more proactive

and efficient resulting in a decrease in tree maintenance and removal costs, shortened response time to citizen requests for work and a decrease in hazardous tree situations. The community forestry management plan includes the following elements:

- Mission Statement
- Goals and Objectives
- Liability Statement
- Community Overview
- Community Forestry Program Administration
- Community Map
- Training Plan
- Public Education/Awareness/Outreach
- Statement of Tree Budget
- Statement of Plan Implementation 2007 to 2011

The goals of the community forestry management plan are as follows:

1. To promote general tree awareness and stewardship among residents of the municipality.
2. To improve the community forest resource in the Borough of Rutherford.
3. To improve the health and safety of the community forest.
4. To become a Tree City USA
5. Enhance the community's awareness of the value provided by the community forest.
6. Recruit members to serve on a shade tree committee early in the planning period.
7. Review and recommend an updated shade tree ordinance if deemed necessary by the shade tree committee.
8. Develop resources to create an active tree replacement program and provide alternate and innovative funding sources for tree planting and maintenance programs.
9. Provide training for urban and community forest care to 1-2 Borough employees and 1-2 volunteers from the community in order to maintain certification.
10. Address the importance of the community forest in the Borough's master plan and redevelopment plans.
11. Improve accessibility, aesthetic and recreational opportunities in the area surrounding the Passaic River through restoration and redevelopment programs.
12. Advocate cooperation between the Rutherford Board of Education, St. Mary School, Chamber of Commerce, Master Gardeners, civic groups (Elks Club, Women's Clubs), Rutherford Downtown Partnership, and the Department of Public Works.
13. Complete a comprehensive inventory of all street and park trees, which will be covered under the community forestry plan.

➤ **Public Art**

This topic is discussed in detail in the community facilities element. Also see the discussion of gateways in the community facilities element.

➤ **Passaic River Corridor**

The Bergen County 2004 Open Space and Recreation Plan identifies the Passaic River Corridor as an “open space acquisition and preservation opportunity.” Specifically, the County OSRP calls for the “addition of appropriate lands adjacent to or abutting existing state, county, or municipal parklands that further expand or enhance riverside conservation, preservation and recreation objectives.”

The Rutherford OSRP is consistent with the County OSRP in that it also recommends the creation of passive recreation opportunities along the river corridor, and further recommends the preservation of the floodway and floodplain of the Passaic River and its tributaries to control flood waters and protect residents against severe flooding events. Presently there are five municipal properties along the Passaic River – Memorial, Nereid, Van Winkle, and two unnamed parcels at the southern end of Riverside Avenue. The remainder of the riverfront is almost entirely developed with just a few scattered vacant parcels. As recommended earlier under the “new open space” heading, properties, especially those abutting existing open space, that are impacted by natural or other disasters, abandoned, or exhibit severe deterioration, should be evaluated for possible acquisition through fee simple purchase, easement, or donation. Public access to the river could also be enhanced by ensuring through the Borough’s development ordinances that any future large scale development and redevelopment along the river provide reasonable access to the river in concert with applicable NJDEP requirements for waterfront developments.

➤ **Meadowlands**

The Meadowlands, located in both Bergen and Hudson Counties, encompass 32 square miles. The Meadowlands is one of the largest wetland complexes remaining in the Hudson River Estuary ecosystem, and is one of the largest contiguous blocks of open space in the highly developed landscape of the New York City-metropolitan area. The approximately 8,400 acres of remaining wetlands and waterways are especially significant for concentrations of federal trust wildlife species.

A goal of the Meadowlands Commission is to preserve natural and open areas of the Meadowlands, to restore degraded wetlands, and to improve the water quality of the estuary. The Commission has acquired over 1,700 acres of wetlands for preservation and continues to pursue the acquisition of additional sites as they become available.

Parks developed by the Commission include Richard W. DeKorte Park, in Lyndhurst (a 110-acre site owned and managed by the Commission), Losen Slote Creek Park and the



Hackensack River Public Boat Launch. Current efforts are focused on the completion of Meadows Path, a 25.5-mile pedestrian trail spanning the length of the Meadowlands District.

## VI. ECONOMIC

### *Objectives*

- Identify opportunities for land assembly and redevelopment projects.
- Identify and promote services and facilities that are necessary to support existing and future business enterprises.
- Provide transportation systems to efficiently move employees, customers and goods to and from business sites.
- Provide the necessary infrastructure to support business development in the downtown.
- Assess development and redevelopment potential of commercial and light industrial parcels on the eastern side of Route 17.
- Assess the redevelopment potential of the “west end” business district on Union Ave.

### **Existing Conditions**

The US Census reported that in 2004, there were 647 businesses located in Rutherford employing 7,972 people. Professional, Scientific and Technical Services, Finance and Insurance, and Other Services (except public administration) were the top three industries accounting for 266 out of the 647 establishments (see Table VI-1). Examples of professional, scientific and technical services are legal advice and representation, architectural, engineering, and specialized design services, computer services, consulting services, research services, and advertising services. Other Services include general automotive repair, computer and office machine repair and maintenance, personal care services (beauty and nail salons), pet care, funeral services, religious organizations, and laundry services.

In 2004, more than half (62.6%) of the business establishments in Rutherford employed between one to four persons (see Table VI-2). Only a small percentage of the businesses (2%) employed 100 people or more. In the southwest region, Teterboro had the greatest number of businesses with 100 or more employees (8.8%).

**Table VI-1**  
**TYPES OF BUSINESSES, RUTHERFORD 2004**

Type of Industry	Number	Percent
Professional, scientific & technical services	104	16.1
Finance & insurance	87	13.4
Other services (except public administration)	75	11.6
Health care and social assistance	66	10.2
Retail trade	57	8.8
Wholesale trade	43	6.6
Construction	40	6.2
Accommodation & food services	39	6.0
Real estate & rental & leasing	36	5.6
Admin, support, waste mgt, remediation services	32	4.9
Transportation & warehousing	21	3.2
Information	11	1.7
Arts, entertainment & recreation	11	1.7
Manufacturing	10	1.5
Educational services	8	1.2
Management of companies & enterprises	5	0.8
Unclassified establishments	2	0.3
<b>Total</b>	<b>647</b>	<b>100</b>

Source: US Census, NAICS

**Table VI-2**  
**BUSINESSES BY EMPLOYMENT SIZE, 2004**  
*(Expressed as a % of total business establishments)*

Jurisdiction	Number of Employees								
	1-4	5-9	10-9	20-49	50-99	100-249	250-499	500-999	1000+
	Percent of Total Jobs								
Rutherford	62.6	18.2	9.9	5.1	2.3	1.1	0.5	0.2	0.2
Southwest Region	53.8	17.5	11.3	9.4	4.1	3.1	0.7	0.1	0.1
Bergen County	60.8	17.0	10.3	7.1	2.6	1.6	0.4	0.1	0.1
New Jersey	57.7	17.9	11.3	7.9	2.8	1.7	0.5	0.2	0.1

Source: US Census

## Employment Projections

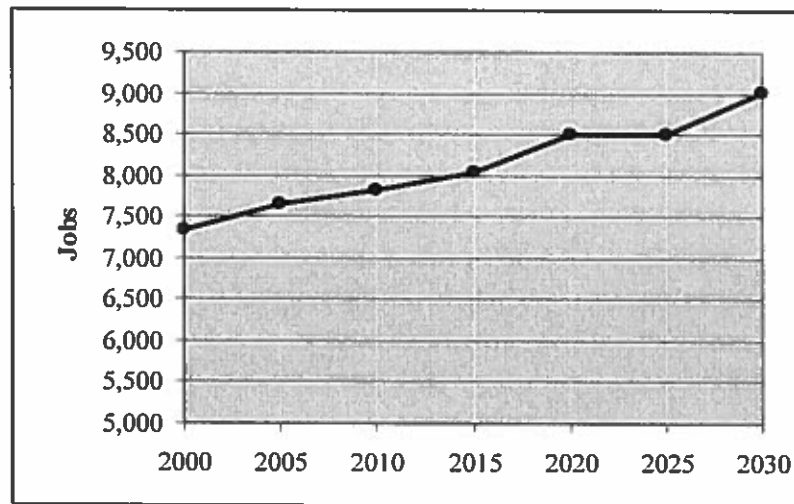
The North Jersey Transportation Planning Authority (NJTPA) forecasts continued job growth for the Borough, the region, and the County to the year 2030. Between 2000 and 2015, NJTPA forecasts a growth rate of 9.4% for the Borough, 15.1% for the region, and 6.6% for the County. Between 2015 and 2030, the forecasts are 12.3% for the Borough, 6.5% for the region, and 8.2% for the County. (See Table VI-3 and Figure VI-1.)

**Table VI-3**  
**NJTPA EMPLOYMENT PROJECTIONS**

	2000	2015	Δ 00-15	2030	Δ 15-30
Rutherford	7,340	8,030	9.4%	9,020	12.3%
Southwest Region	92,400	106,360	15.1%	113,300	6.5%
Bergen County	480,600	512,500	6.6%	554,300	8.2%

Source: Final NJTPA (March, 2005)

**Figure VI-1**  
**NJTPA EMPLOYMENT PROJECTIONS, RUTHERFORD**



Source: Final NJTPA (March 18, 2005)

## Economic Plan

Rutherford's economic base is, for the most part, typical of a traditional town. With the exception of the lands east of Route 17, Rutherford's local economy is focused on its downtown and the Union Avenue neighborhood commercial district. Smaller service oriented enterprises (1- 4 employees) dominate the business inventory. By way of contrast, close to 60% of the businesses in the Meadowlands district are involved in manufacturing, wholesale trade, and transportation and warehousing. While the health of the local economy is to a large extent determined by regional, national and global conditions, the Borough is very much responsible for providing an environment that will support economic development.

The economic plan draws upon the other elements of the master plan, particularly land use and circulation, to implement the economic objectives which are targeted at retaining and supporting the existing base while also providing opportunities for reasonable expansion and the introduction of new enterprises. There are two overall themes that the economic plan seeks to address –

*Direction and Clarity* – Provide “predictability” by clearly identifying areas that are appropriate for commercial concentrations and possible redevelopment and avoid conflicts with neighboring residential neighborhoods. (See land use element)

*Mobility and Access* – The ease in which employees and customers can access a business can greatly influence the success or failure of a business or its initial decision to set up shop in a particular location. The ability to expand the road system through either widening or the creation of new roads is no longer an option. As a result, meeting the goal of maximizing circulation will require a mix of capital improvements and the maximization of transit options. (See circulation element)

### ➤ Downtown

In 1999, the Borough received “transit village” designation for Station Square jointly by New Jersey Transit and the New Jersey Department of Transportation (NJDOT). As a transit village, the Borough is eligible for funding from the State to redevelop and revitalize the community within walking distance, typically a one-quarter to one-half mile radius, of Station Square with compact, transit-supportive, mixed-use development.

The Borough plans to reinforce the downtown as the recognizable center of town and the heart of the transit village through land use and circulation policies that include:

- Creation of a Downtown Commercial land use district that is reflective of and supports the intensity that is critical to the downtown's success.
- Creation of a second Planned Commercial district near the train station.
- Permitting mixed-use buildings as a principal use in the downtown.
- Improving pedestrian and bicycle circulation.

- Strategic management of parking supply and demand from both a capital and programmatic perspective.
- Continued support of the Downtown Special Improvement District.

➤ **Union Avenue (West End)**

It is the Borough's intention to manage the Union Avenue business district with policies that both support the business community while minimizing conflicts with the surrounding residential neighborhoods. To that end, the plan calls for the creation of a Neighborhood Commercial district (to replace the current mix of B-1 and B-3 zones), design standards patterned after the downtown design guidelines, and shared parking.

The community facilities plan recommends relocating the west end fire station to a new building and location. Plans for the reuse the old fire station should complement the business district and might include public or private uses.

The Borough might consider the creation of a Special Improvement District (SID) for Union Avenue similar to the Downtown Partnership. A SID is an organization, management and financing tool to provide specialized services to local businesses. Its services are designed to complement rather than replace municipal services and to enhance business retention and attraction. SIDs are created under state law, enacted by municipal ordinance and governed locally.

A SID empowers private business owners and municipalities to compete more effectively and efficiently with private retail/commercial markets, especially shopping malls. Enhanced services help the business community to professionally manage and market themselves in an organized and competitive way. A SID permits private business owners and municipalities to employ the advantage of commercial management techniques in partnership with the business community.

➤ **Meadow Road and Route 17**

Recent development along Meadow Road, which includes a new 40 unit apartment building and a recently constructed 24,000 square foot commercial building, has begun to change the face of this area. To account for these new developments and continue the transition away from a haphazard collection of fast food restaurants and marginal industrial uses, the land use plan calls for replacement of the light industrial district with a multi-family district, providing a townhouse option on the west side of Meadow Road, extending the Highway Commercial district to East Passaic Avenue, and providing design guidelines for future development in the Route 17 corridor.

➤ **General Strategies**

In addition to the strategies and actions discussed above, the Borough, in cooperation with the Downtown Partnership and Chamber of Commerce, should undertake a

comprehensive business inventory to identify any needs or issues specific to certain industry groups, to establish an appropriate business mix to avoid over-reliance on any one commercial group, and to identify gaps in available goods and services that could present additional business opportunities in the Borough.

The Borough should also capitalize on the NJMC plan to attract renewable energy industries – such as solar panel assembly – in conjunction with the NJMC solar power initiative.

### **Meadowlands Economic Growth Plan**

While the Borough concentrates on strategies to bolster its “local” economy, it must also be cognizant of the economic agenda in the larger region. To that end, the Borough should monitor and participate in as appropriate the New Jersey Meadowlands Commission 2007 Economic Growth Plan. The NJMC plan outlines the following five strategies to be implemented by the NJMC to best serve the region’s economic needs.

1. The NJMC should work to coordinate efforts and develop a coherent marketing message for the region’s economic growth efforts. To do this, it is recommended that the NJMC establish an Economic Growth Strategy Group, improve business access to state assistance, and develop procedures to effectively monitor and evaluate economic growth strategies in the Meadowlands region.
2. The NJMC should work to develop and prepare the workforce by establishing a Meadowlands Workforce Development Consortium.
3. The NJMC should work to maintain, develop and upgrade the infrastructure of the region by promoting responsible land use planning policies, improving the transportation system, implementing policies that reduce the impacts of flooding, initiating policies that increase the region’s independence from traditional energy sources while reducing the region’s greenhouse gas emission impacts, and researching alternative waste disposal methods.
4. The NJMC should foster future economic growth by targeting the business industries and sectors, cited in the Governor’s Economic Growth Strategy Report for economic growth efforts, establishing a Meadowlands Business Incubator to attract and assist current and future businesses, and supporting small, women-owned, minority-owned and local businesses consistent with Governor Corzine’s Executive Order Number 34.
5. The NJMC should work to increase government efficiency by increasing the sharing of municipal services, expanding the Municipal Equipment Pool, and assisting applicants in properly moving through permitting and application processes.

To implement these strategies, the NJMC has proposed the establishment of an Office of Economic Growth within its administrative offices. This Office will be charged with the execution, oversight, development, and communication of policies relating to economic growth at the NJMC.



## VII. HISTORIC PRESERVATION

### *Objectives*

- Encourage the continued use of historic resources and facilitate their appropriate reuse to stabilize and improve property values and discourage the unnecessary demolition of historic resources.
- Encourage an appropriate and harmonious setting for the historic and architecturally significant buildings, structures, sites, objects or districts within the Borough of Rutherford.
- Encourage private reinvestment in existing or new structures in a manner that preserves, restores, repairs or is compatible with the original architectural style or is compatible with the original architectural style characteristic of the designated historic districts in which the structure is located.

*Historic Preservation Map* - The Historic Preservation Plan is illustrated on Map 6 in Chapter XII.

Rutherford's historic preservation plan is organized to meet the requirements of the Municipal Land Use Law to indicate the location and significance of historic sites and historic districts, and identify the standards used to assess worthiness for historic site or district identification. To that end, the plan —

- Provides an overview of the historic trends in the Borough's development,
- Identifies the location of historically significant sites and districts on the State and National Register of Historic Places,
- Identifies those properties that may be eligible for the State and National Historic Registers,
- Identifies those sites and districts recognized by the Rutherford Historic Preservation Commission as having local historical significance,
- Describes the role of the Rutherford Historic Preservation Commission, and
- Describes the criteria for designating historic properties.

The designation of a property in the historic preservation plan and on the New Jersey and National Registers of Historic Places publicly acknowledges that property's historical or cultural significance, which may preserve and enhance the values of such properties. However, it is important to note that inclusion in the New Jersey and National Registers of Historic Places has little effect on actions that are privately funded by the property owner. It does, however, provide a measure of protection if public funds are utilized. Inclusion of a property in the historic preservation plan may serve as the basis for an advisory review of exterior alterations, demolitions, relocations, and development applications affecting historic landmarks and districts. This will provide:

- Greater local oversight over proposed alterations to a historic property;
- A reference document for Borough staff to follow before permits are issued;
- Advancement of the Borough's overall goals, plans, and initiatives to balance development with historic preservation;
- Increase communication between the local government, owners of historic properties, and the various organizations in the Borough who are interested in and are dedicated to historic preservation.

The information in this element regarding specific properties and districts is based on the 1981 Bergen County Historic Sites Survey as reevaluated in the Rutherford Historic Preservation Commission 2006 Resurvey, discussions with the Rutherford Historic Preservation Commission, and review of the sites identified on the National and State Register of Historic Places.

The following terms as used in this element are defined as follows:

**HISTORIC DISTRICT** - One or more historic sites and intervening surrounding property significantly affecting or affected by the quality and character of the historic site or sites which have been formally identified in the master plan.

**HISTORIC SITE** - Any real property, man-made structure, natural object or configuration, or any portion or group of the foregoing, which have been formally identified in the master plan as being of historical, archaeological, cultural, scenic or architectural significance.

**LANDMARK** - The official recognition of any site, building, structure or district that has been documented to have or contain architecturally, historically, archaeologically, culturally or scenically significant features or elements and that adheres to the criteria established by the Borough for such purposes.

## **Early History**

Prior to European settlement, the ridge above the New Jersey Meadowlands upon which Rutherford sits was settled by the Lenape Native Americans. In 1670, the land that is now Rutherford was included in land grants from Governor Philip Carteret, the first Royal Governor of East New Jersey, to Sir John Berry and William Sandford. In its early days of settlement, Rutherford was part of New Barbadoes Township, most likely named after Barbadoes W.I., an English colony where Berry and Sandford resided. In 1852, after many departures, secessions and deannexations over the centuries, the area that is today North Arlington, Lyndhurst, Rutherford and East Rutherford was known as Union Township, part of Bergen County.

During this time, much of the property in Rutherford was farmland, some of which was owned by John Rutherford, an American politician and land surveyor. Daniel Van Winkle, a descendent of Jacob Walling the first known settler, opened a real estate office at Depot Square (now Station Square) to sell off land owned by the Rutherford Park Association, and began to lay out the area's street grid. The main roads were Boiling Springs (Union Avenue), Newark (Meadow Road) and Riverside Avenue. Orient Way was conceived as a wide boulevard heading south-southwest from what is today Station Square, and Park Avenue, which headed west-southwest to bring traffic to the new Valley Brook Race Course in what is now Lyndhurst.

In the 1870s, the area came to be known as Rutherford. The spelling change is either a clerical error done by the U.S. Post Office or a result of name recognition of the Ohio politician Rutherford B. Hayes who was elected President in 1876. In 1881, the Borough of Rutherford was formed by formal vote of secession from Union Township. By then the community had about 1,000 residents.

Although the Borough's character has significantly changed from rural to predominantly residential; it continues to boast a high concentration of historically significant structures. Station Square remains as the focal point for the Borough's downtown, and although the Borough's circulation system has developed into a tight grid of Borough, County and State roads, Orient Way, Park, Erie and Union Avenues remain as important radial connectors for the Borough.

### **Properties Listed on State and National Historic Registers**

The National Register of Historic Places is the official list of the nation's historic resources worthy of preservation, and the New Jersey Register is the official list of New Jersey's historic resources of local, state and national interest. The New Jersey Register is maintained by the State Historic Preservation Office (SHPO) within the New Jersey Department of Environmental Protection. Both Registers have nearly the same eligibility criteria, nomination forms, and review process. As indicated in Table VII-1 and illustrated on the Community Facilities Map in Chapter XII, there are seven sites in Rutherford listed on the State and/or National Registers of Historic Places.

Inclusion in the National Register enables the owner of the property to take advantage of financial benefits, such as a 20 percent federal income tax credit for a substantial rehabilitation of an income-producing building. The rehabilitated building must be a certified historic structure that is subject to depreciation, and the rehabilitation must be certified as meeting standards established by the National Park Service. For properties listed on the State's Register of Historic Places, the New Jersey Historic Trust offers matching grants and low interest loans for rehabilitation and restoration to state, county and municipal agencies and non-profit organizations.

The New Jersey and National Registers provide a degree of review and protection from public encroachment. Section 106 of the National Historic Preservation Act of 1966, as amended, provides for review of any federally licensed, financed or assisted undertaking for properties listed in, or eligible for listing in, the National Register. The New Jersey Register law requires review of any state, county or municipal undertaking involving properties listed in the New Jersey Register. These reviews are designed to prevent destruction or damage of historic resources by public agencies.

**Table VII-1**  
**STATE AND NATIONAL REGISTER HISTORIC SITES**

Site	Location	Designation
Iviswold	Montross Avenue	NJ-6/18/04; US -11/4/04
Kip Homestead	12 Meadow Road	NJ-10/3/80; US -1/10/83
Rutherford Railroad Station	Station Square	NJ-3/17/84; US -6/22/84
William Carlos Williams House	9 Ridge Road	NJ-1/29/73; US -6/4/73
Yereance-Berry House	91 Crane Avenue	NJ-10/3/80; US -1/10/83
Yereance-Kettel House	245 Union Avenue	NJ-10/3/80
Ackerman House	245 Union Avenue	NJ-10/3/80

*Source: New Jersey and National Registers of Historic Places*

## Certifications of Eligibility and SHPO Opinions

Besides the properties listed on the State and National Register, there are four other eligible or "opinioned" assets in the Borough (see Table VII-2 below and the Community Facilities map in Chapter XII.). A Certification of Eligibility (COE) is issued by the New Jersey State Historic Preservation Officer. For properties not already listed on the New Jersey Register of Historic Places, a COE satisfies a prerequisite to apply for funds from the New Jersey Historic Trust, as well as several county preservation funding programs. A SHPO Opinion is an opinion of eligibility issued by the State Historic Preservation Officer (SHPO). The opinion is in response to a federally funded activity, such as a road project, that will have an effect on historic properties not listed on the National Register.

**Table VII-2**  
**CERTIFIED AND OPINIONED HISTORIC ASSETS**

Site	Location	Designation
NJ Route 3 Bridge	NJ Route 3 over Passaic River	Opinion-11/26/97
Rutherford WW I Monument	Intersection of Chestnut Street, Park and West Passaic Avenues	COE- 5/3/06
Rutherford Post Office	156 Park Avenue	Opinion-3/3/88
Downtown District	Erie to Pierrepont Avenues	Opinion-2/2/99

*Source: New Jersey and National Registers of Historic Places*

## **Potential Historic Districts, Streetscapes, and Sites**

In 2006, the Rutherford Historic Preservation Commission completed a Resurvey of the 1981 Bergen County Historic Sites Survey. The Commission identified 10 districts, 167 individual structures, and two streetscapes with local historical significance and worthy of preservation in the Borough. Besides the previously listed assets, many of these sites are not yet included on the State or National Registers at this time. These sites are not on either the State or National at this time. The Commission has recommended some of these sites for the registration process and will be seeking opinions of eligibility.

The Commission, in partnership with the Bergen County History and Preservation Division, is in the process of creating a full digital version of Rutherford's historic assets and historic districts. The estimated time of completion is May 2007. Once the map is completed, both the resurvey and the map should be considered by the Planning Board for inclusion in the master plan.

## **Historic Preservation Commission, Designation Criteria and Review Standards**

In 1998, the Borough Council adopted a resolution to establish a Historic Preservation Commission and provide for the designation and preservation of historic landmarks. The resolution also established criteria for the designation of those sites. The Mayor and Council may want to further define, formalize, and update the Historic Preservation Commission's authority, procedures, and practices pursuant to the Municipal Land Use Law.

The following sections regarding the Commission, designation criteria and review standards are excerpted from the 1998 resolution.

### **Powers and Duties of the Commission**

- A. Prepare a survey of historic sites of the Borough. (The survey should be updated on an annual basis.)
- B. Make recommendations to the Planning Board and Board of Adjustment on the historic preservation plan element of the master plan and on the implications for preservation of historic sites of any other master plan elements
- C. Reviewing all actions, including those involving building permit applications which affect the exterior of historic landmarks or improvements within a historic district and to advise the Planning Board and Board of Adjustment relating to those actions.

- D. Advising the Borough Council on the relative merits of proposals involving public lands to restore, preserve and protect historical buildings, places and structures, including the preparation of a long-range plan, thereby securing state, federal and other grants and aid to assist therein and monitoring such projects once underway.
- E. Cooperating with local, county, state or national historical societies, governmental bodies and organizations.
- F. Preparing and distributing an historic property and district guideline handbook to be utilized for application reviews and foster appropriate rehabilitation of historic properties and within the historic district.
- G. Undertake activities to educate the community regarding the historic resources of the Borough and their importance.
- H. To carry out such other advisory, educational and informational functions as will promote historic preservation in Rutherford.
- I. In cooperation with and subject to the direction of the Planning Board, make a comprehensive survey of the Streetscapes of Rutherford for the purpose of identifying significant Streetscapes which are worthy of protection and preservation.

**Criteria for Designation of a Landmark**

In considering an individual site, building or a structure or a district that is of particular historical, archaeological, scenic or architectural significance to the Borough of Rutherford, the County of Bergen, the State of New Jersey or to the nation and reflects or exemplifies the broad cultural, political, scenic, economic or social history of the nation, state or locality, the Commission should give consideration to the following criteria:

- (1) It is associated with events that have made a significant contribution to the broad patterns of our history; and/or
- (2) It is associated with the lives of persons significant in our past; and/or
- (3) It embodies the distinctive characteristics of a type, period, or method of construction, or that it represents the work of a master, or that it possesses high artistic values, or that it represents a significant and distinguishable entity whose components may lack individual distinction; and/or
- (4) It has yielded, or may be likely to yield, information important in pre- history or history.

Ordinarily, cemeteries, birthplaces or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved

from their original locations, reconstructed historic buildings, properties primarily commemorative in nature, and properties that have achieved significance within the past 50 years should not be considered eligible for designation as a landmark. However, such properties will qualify if they are integral parts of landmarks that do meet the criteria or if they fall within the following categories:

- (1) A religious property deriving primary significance from architectural or artistic distinction or historical importance; or
- (2) A building or structure removed from its original location but which is significant primarily for architectural value, or which is the surviving structure most importantly associates with a historic person or event; or
- (3) A birthplace or grave of an historical figure of outstanding importance if there is no other appropriate site or building associated with his productive life; or
- (4) A cemetery that derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events; or
- (5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived; or
- (6) Property primarily commemorative in intent if design, age, tradition, or symbolic value has invested it with its own historical significance; or
- (7) A property achieving significance within the past 50 years if it is of exceptional importance.

#### **Landmark Impact Review**

A landmark impact review by the Commission and issuance of a Landmark Impact Statement should be required before a permit is issued for any of the following, or, in the event no other type of permit is otherwise required, before any work can commence on any of the following activities on the property of any historic landmark:

- (1) Demolition of a landmark or of any improvement within any landmark district.
- (2) Relocation of any landmark or of any improvement within any landmark district.
- (3) Change in the exterior appearance of any existing landmark or any improvement within any landmark district by addition, alteration or replacement.

- (4) Any new construction, alteration, repair or remodeling of a principal or accessory structure or any landmark.
- (5) Site plans or subdivisions of any landmark within any landmark district.
- (6) Changes in or addition of new signs or exterior lighting, except that no Certificate of Appropriateness should be required for one unlit sign per premises if the surface area of such sign does not exceed one and one half square feet.
- (7) A Zoning Variance affecting an historic landmark or an improvement within an historic district.

Review by the Commission would not be required for changes to the interior of structures and in all cases should be based on objective criteria. Additionally, in the event that an applicant alleges that compliance with these review requirements would be an unreasonable hardship and that the nature of the application is such that the change sought neither justifies the time and expense of the review process nor will it impact negatively on the public good nor specifically on the historic qualities sought to be preserved, the Commission may grant such relief as it deems consistent with the purposes of this plan.

An applicant may also request that the review requirements be waived because the addition or alteration contemplated will not be visible from any place to which the public normally has access and that the said addition or alteration cannot adversely affect the public interest and cannot affect an architecturally significant elevation.

#### Visual Compatibility

In regard to an application to move a landmark or structure, or to construct a new structure or add to or alter an existing structure within a landmark district, or a landmark, the visual compatibility of the proposed structure with the structures and surroundings to which it would be visually related should be considered by the Commission. The following factors should be used in determining the visual compatibility of a building, structure or appurtenance thereof with the buildings and places to which they are visually related and should be known as "Visual Compatibility Factors."

- (1) Height. The height of the proposed building should be visually compatible with existing or adjacent buildings.
- (2) Proportion of the Building's Front Facade. The relationship of the width of the building to the height of the front elevation should be visually compatible with the buildings and places to which it is visually related.



- (3) Proportion of Openings within the Facility. The relationship of the width of the windows to the height of the windows in a building should be visually compatible with the buildings and places to which it is visually related.
- (4) Rhythm of Solids to Voids on Front Facade. The relationship of solids to voids in the front facade of a building should be visually compatible with the buildings and places to which it is visually related.
- (5) Rhythm of Spacing of Buildings on Streets. The relationship of the building to the open space between it and the adjoining buildings should be visually compatible with the buildings and places to which it is visually related.
- (6) Relationship of Entrance and/or Porch Projections. The relationship of the entrance or entrances and the porch projections to the street should be visually compatible with the buildings and places to which it is visually related.
- (7) Relationship of Materials, Texture and Color. The relationship of materials, texture and color of the facade and roof of a building should be visually compatible with the predominant materials used in the buildings to which it is visually related.
- (8) Roof Shapes. The roof shapes of a building should be visually compatible with the buildings to which it is visually related.
- (9) Walls of Continuity. Appurtenance of a building such as walls, open-type fencing, evergreen landscape masses, should form cohesive walls of enclosure along a street, to the extent necessary to maintain visual compatibility of the building with the buildings and places to which it is visually related.
- (10) Scale of Building. The size of a building, the mass of a building in relation to open spaces, and to the existing windows, door openings, porches and balconies should be visually compatible with the existing structure or structures and places to which it is visually related.
- (11) Directional Expression of Front Facade. A building should be visually compatible with buildings and places to which it is visually related in its directional character, whether this be vertical, horizontal or non-directional character.
- (12) Exterior Features. A structure's related exterior features such as lighting, fences, signs, sidewalks, driveways and parking areas should be compatible with the features of those structures to which it is visually related and should be appropriate for the historic period for which the structure is significant.

**Visual Relationship of New Buildings and Structures to Nearby  
Historic Landmarks and Districts**

The Commission should review each proposed site plan or subdivision located within 200 feet of an historic landmark or district or determined by the Commission to have a visual impact on the landmark or district in accordance with the following visual design standards.

- (1) Compatibility of buildings of different architectural styles by such means as screens, sight breaks and materials.
- (2) Attractive landscape transition to adjoining properties.
- (3) Harmony in texture, lines, scale, materials and masses, while monotony should be avoided.
- (4) Architectural style is not restricted. Evaluation of the appearance of a project should be based on the quality of its design and relationship to its surroundings.
- (5) Harmonious colors with the man-made or natural surroundings of the project and the relationship of those colors to the colors found on the landmark or within the historic district.
- (6) The height of proposed structures in light of the height of existing structures that have a visual relationship to the proposed structures.
- (7) Compatibility of building materials and components, such as windows, door and eaves, including proportions and relationships to one another and to the surrounding man-made and natural materials.
- (8) Compatibility in scale, height, site planning, and color with any officially designated federal, state or local historic site landmark or district.

## VIII. CIRCULATION

### *Objectives*

- Provide opportunities for residents, business owners, employees and shoppers to access multiple modes of transportation including public transportation, bikeways and pedestrian ways.
- Improve the function of problem intersections and roadway segments through the implementation of creative engineering, land use and design techniques.
- Utilize traffic calming measures in areas of high pedestrian activity.
- Create a multi-use trail system that links neighborhoods, community facilities, parks and open space.
- Create a “bicycle friendly” environment in Rutherford that provides a safe and viable alternative to driving.
- Manage traffic and pedestrian issues and ensure adequate parking in the downtown and in adjoining residential neighborhoods.
- Provide green buffers along major highways.

*Circulation Plan Map* - Map #7, Roadway Classifications, and Map #8, Transit Facilities, constitute the Circulation Plan and can be found in Chapter XII.

### **Roadway Classifications**

The natural barriers formed by the Passaic River and the Meadowlands coupled with the adjoining major highways and rail line play a large part in determining Rutherford’s circulation system, which can be described as a tight grid of Borough, County, and State roads with a radial orientation to the train station. The primary east-west routes are NJ Route 3, Erie Avenue, and Union Avenue (County Road 32). The primary north-south routes are NJ Route 17, NJ Route 21 in Passaic, Park Avenue (County Road 30), Riverside/Jackson Avenue (County Road 507), Ridge Road, and Orient Way.

The Borough’s roadways are classified in accordance with the Uniform Functional Classification of Streets established by the Federal Highway Administration, in conjunction with the New Jersey Department of Transportation. The circulation plan does not recommend any changes to the current functional classifications. (See Table VIII-1 below and Map 7 in Chapter XII).

**Table VIII-1  
FUNCTIONAL CLASSIFICATION OF ROADWAYS**

<b>Classification</b>	<b>Roadway</b>	<b>Jurisdiction</b>
<i>Interstate</i>	I-95 (NJ Turnpike)	NJDOT
<i>Freeway/Expressway</i>	New Jersey Route 3	NJDOT
<i>Principal Arterial</i>	New Jersey Route 17	NJDOT
	Jackson/Riverside Avenue (CR 507)	Bergen County
	Rutherford Avenue – Ridge Road to Orient Way	Rutherford
<i>Minor Arterial</i>	Park Avenue (CR 30)	Bergen County
	Erie Avenue – Jackson Avenue to Meadow Road	Bergen County
	Meadow Road	Rutherford
	Ridge Road	Rutherford
	Orient Way	Rutherford
	Union Avenue (CR 32)	Rutherford
	Rutherford Avenue – Riverside Avenue to Ridge Road	Bergen County
<i>Collector</i>	Van Riper Avenue - Orient Way to Ridge Road	Rutherford
	Pierrepoint Avenue	Rutherford
	Highland Cross - NJ Route 17 to Park Avenue	Rutherford
	Passaic Avenue	Rutherford
	Carmita Avenue	Rutherford
	Montross Avenue	Rutherford
	Marginal Road - Orient Way to Park Avenue	Rutherford
<i>Source: NJDOT</i>		

## Roadway Improvements

As noted earlier, physical constraints have for all intents and purposes established the limits of the road system. As such, the circulation plan does not recommend any major expansions of the current roadway system. Existing roads should, however, be improved and maintained through a regular maintenance program. Problematic intersections should be identified and upgraded with improved channelization, signage, or signalization.

The location of a development and its interface with the road system can have a major impact on the performance of surrounding roadways. To mitigate the impact, all major

developments should be designed to provide internal connected roadways and shared parking to provide opportunities for parallel movement along the public roadway. Vehicular access should be limited to a minimal number of well-defined access points such as signalized intersections and service roads when available.

### ***Transportation Improvement Program***

The North Jersey Transportation Planning Authority is responsible for the development and management of the Transportation Improvement Program (TIP), a four-year agenda of transportation improvement projects for the region. The current TIP includes two projects in Rutherford. The first involves improvements to the Route 3 corridor including the replacement of the Route 3 bridge over the Passaic River, and safety and operational improvements throughout the corridor including three travel lanes in each direction with the addition of shoulders, acceleration lanes and deceleration lanes. The construction phase is to begin in FY 2008, and the total cost of the project is \$212,360,000.

The second project will address various road improvements at Route 17 intersections from Highland Cross to Union Avenue. Improvements include dedicated left- and right-turning lanes, curb cut-backs, and optimizing their respective traffic signals. The construction phase is to begin in FY 2008, and the total cost of the project is \$13,950,000.

### **Mass Transit**

Rutherford is well served by mass transit. NJ Transit provides rail service along the Bergen County Line from Port Jervis (Suffern County, NY) to Hoboken with several stops in Bergen County including Rutherford at "Station Square." The Bergen County line also stops at Secaucus Junction where riders may transfer to get to NY-Penn Station. (See Map 8 in Chapter XII.) The Borough is serviced by three NJ Transit bus routes (Routes #76, #162/163, and #190) that provide access to Major employment destinations such as Hackensack, Newark, the Meadowlands, and New York City.

The Frank R. Lautenberg Station at Secaucus Junction became fully operational in December 2003. Ten of the eleven rail passenger systems in the NJ Transit network plus Amtrak can be accessed at the station providing Rutherford residents with access to more than 150 rail stations throughout NJ Transit's market. According to NJ Transit, average daily ridership at Rutherford Station has increased from 626 in 2004, to 823 in 2006, since the opening of Secaucus Junction.

Bergen County operates several transportation services coupled with various social and senior citizen services. Rutherford operates three transportation services within the Borough – the Downtowner Bus, the Jitney Bus in partnership with Meadowlink, and the Community Shuttle.

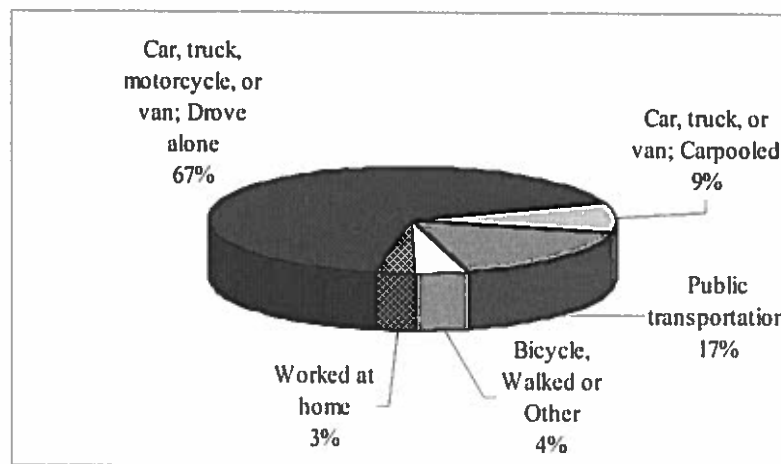
The availability of transit service is reflected in the number of Rutherford residents that use mass transit to commute to work. In 2000, 16.9% of Rutherford's commuters used public transportation. Rutherford had a higher percentage of workers using public transportation than the County and State, and ranked as the number one municipality in the southwest region for public transportation usage followed closely by East Rutherford at 16%. (See Table VIII-2 and Figure VIII-1). A 2005 NJ Transit survey found that 45% of the people boarding the train at Rutherford Station were Rutherford residents.

**Table VIII-2**  
**COMMUTE TO WORK, MODE OF TRAVEL, 2000**  
(Expressed as a % of workers 16+)

Jurisdiction	Drove Alone	Carpooled	Public Transportation	Walked	Worked at Home
Rutherford	67.1	8.7	16.9	4.3	3.0
Southwest Region	74.7	9.4	10.3	3.9	1.7
Bergen County	72.8	9.7	11.0	3.4	3.1
New Jersey	73.0	10.6	9.6	4.0	2.7

Source: US Census

**Figure VIII-1**  
**COMMUTE TO WORK, MODE OF TRAVEL, 2000**



Source: US Census

Although Rutherford's transit usage compares well on a countywide and statewide basis, it falls well short of the transit leader, Hudson County, which boasts a 34% ridership rate. In keeping with the Borough's transit village designation and the master plan goal of encouraging and supporting policies and actions to reduce the introduction of harmful green house gasses by among other things, promoting alternate means of transportation including walking, biking, and public transit, all reasonable steps should be taken to

ensure continued growth of transit usage in Rutherford. Opportunities should be provided for residents, shoppers, and employees to access mass transit through the incorporation of design features into commercial and office developments that accommodate bus and shuttle service such as shelters, street furniture, and pull-off lanes within reasonable proximity to major uses and destinations. (See also the discussions regarding bicycle and pedestrian circulation and parking.)

## **Pedestrian and Bicycle Circulation**

Pedestrian and bicycle facilities are an important but often overlooked component of the circulation system. In addition to providing alternatives to the automobile for short local trips, they provide the non-driving segments of the population (the young and old) with greater mobility and access to community facilities and services. Pedestrian and bicycle facilities also provide an inexpensive means of exercise and recreation for the entire population.

As demonstrated earlier in Table VIII-2, Rutherford residents already exceed the “norm” when it comes to commuting on foot. The percentage of residents walking to work in Rutherford (4.3%) exceeds the percentages in Bergen County (3.4%), the southwest Region (3.9%) and New Jersey (3.1%). A 2005 NJ Transit survey of people boarding the train at Rutherford Station found that 42% of the riders walked to the station.

The circulation plan recommends the following actions for enhancing pedestrian and bicycle circulation:

- Initiate a program to repair sidewalks.
- Continue to work with East Rutherford on the conversion of the Erie railroad bed to a multi-use trail.
- Use public art and streetscape improvements to create attractive and interesting walking environments.
- Use trees to provide shelter, shade and protection from cars along pedestrian routes.
- Provide secure and accessible bicycle racks or lockers at community facilities, transit stops, parks and schools, and large commercial buildings.
- Provide appropriate signage to direct walkers and bikers to destination points.
- Require safe and attractive pedestrian and bicycle circulation systems within all major residential or commercial developments with linkages to surrounding developments and neighborhoods.
- Utilize traffic calming techniques in areas of high pedestrian activity.
- Improve pedestrian access from the Kip Garage to the train station (see parking discussion).
- Encourage the intensification and appropriate mix of land use in the downtown district in accordance with the land use plan.

The 2001 NJ Transit report, Transit-Friendly Communities for New Jersey, evaluated bicycle access to the train station. The following discussion and recommendations are excerpted from that report and made a part of this element.

Currently there are no designated bicycle routes in the borough, no “share the road” signs nor designated, striped bike routes. However, biking on residential side streets is relatively easy until one reaches one or two blocks from Station Square, where bicycling becomes much more difficult.

Major approach routes for bicyclists to the train station were investigated (by Rutgers University’s Transportation Policy Institute (TPI) as part of the NJ Transit report) as to their suitability for designation as bicycle routes. The local roadway conditions were compared to the Bicycle Compatible Roadways and Bikeways, Planning and Design Guidelines published by the New Jersey Department of Transportation (NJDOT), April 1996. While TPI found that although Rutherford’s land use patterns and street network have a strong pedestrian and bicycle orientation, many of Rutherford’s major roadways do not meet NJDOT’s guidelines (see Table VIII-3). The TPI made the following recommendations to address problem areas related to the bicycle and pedestrian environment:

- Consider installing improved signage and other traffic control devices throughout Rutherford’s downtown. Safety conditions for both bicyclists and motorists could be improved by adequately signing and marking roads to alert bicyclists to potential conflicts and convey regulatory messages to both bicyclists and motorists, especially at intersections.
- Employ bicycle safety measures to ensure that bicyclists utilizing Rutherford’s roadways are visible to motorists, and to provide bicyclists with a safe area to operate. For instance, the Borough may wish to consider striping a bicycle lane through neighborhood street intersections to improve safety conditions.
- Given the configuration and design of the roundabout at Station Square and associated bicycle safety concerns (bikers should dismount and walk through the roundabout), consider directing bicycle traffic to selected points around the station area for bicycle storage in addition to at the station itself. In an attempt to encourage parking off the Station Square site, bicyclist-oriented amenities including benches, water fountains, and telephones, in addition to bicycle parking, should be installed away from the roundabout at the Boiling Springs Bank and the Kip Avenue Garage.
- Capitalize on the potential of Orient Way to provide safe and efficient bicycle access to the train station by installing signage to direct bicycle traffic from points within the community to a dedicated bicycle lane on Orient Way and then from Orient Way to bicycle parking in the vicinity of Boiling Springs Bank. In



addition, poor lighting on Orient Way should be corrected to improve safety conditions for nighttime bicycling.

**Table VIII-3**  
**BICYCLE COMPATIBILITY**  
*As compiled by Rutgers University's Transportation Policy Institute - 2001*

**Conditions**  
Good ① ② ③ ④ Poor

STREET	Pavement Width	Pavement Design	Drainage Facilities	Traffic Control Devices	Intersections & Driveways	Roadside Obstacles	TSM Improvements
Union Ave. (Riverside to Erie)	②	③	②	②	③	②	③
Orient Way (Pierrepoint to Erie)	④	②	④	②	③	②	②
Park Ave. (Hewell to Erie)	①	③	①	③	③	④	③
Erie Ave.	④	④	③	④	④	③	④
Chestnut St.	③	③	②	②	③	③	④
Ames Ave.	③	③	①	③	③	③	④
Passaic Ave.	②	②	①	②	③	②	④

*NOTE: Transportation System Management (TSM) improvements including intersection improvements, channelization, auxiliary lanes, turning lanes, and climbing lanes must consider the needs of bicycle traffic in their design.*

***NJ Mayors' Institute on Community Design***

Rutherford was one of seven case studies considered at the 2004 New Jersey Mayors' Institute on Community Design organized by the Regional Plan Association. The focus of the Institute was increasing pedestrian and bicycling opportunities. The following observations and recommendations from the Institute are incorporated into the circulation plan.

- Link Rutherford High School, Felician College and Saint Mary High School to the downtown.

- Create pedestrian access from the rear of the municipal garage on Kip Avenue and generally from the “dysfunctional mix of surface parking and rear service entrances” to Park Avenue.
- Utilize traffic calming devices such as curb extensions, and rumble strips to complement the roundabout.
- Move forward with the redesign of the Williams Center Plaza.

#### *Safe Routes to School*

Safe Routes to School (SRTS) is a federal, state and local effort to enable and encourage children, including those with disabilities, to walk and bicycle to school - and to make walking and bicycling to school safe and appealing. Local and regional government, schools and community non-profit organizations are eligible to apply for funding. A variety of improvements can be implemented to create safer walking and cycling environments including improving roads and sidewalks, enforcing speed limits, educating students and improving personal safety.

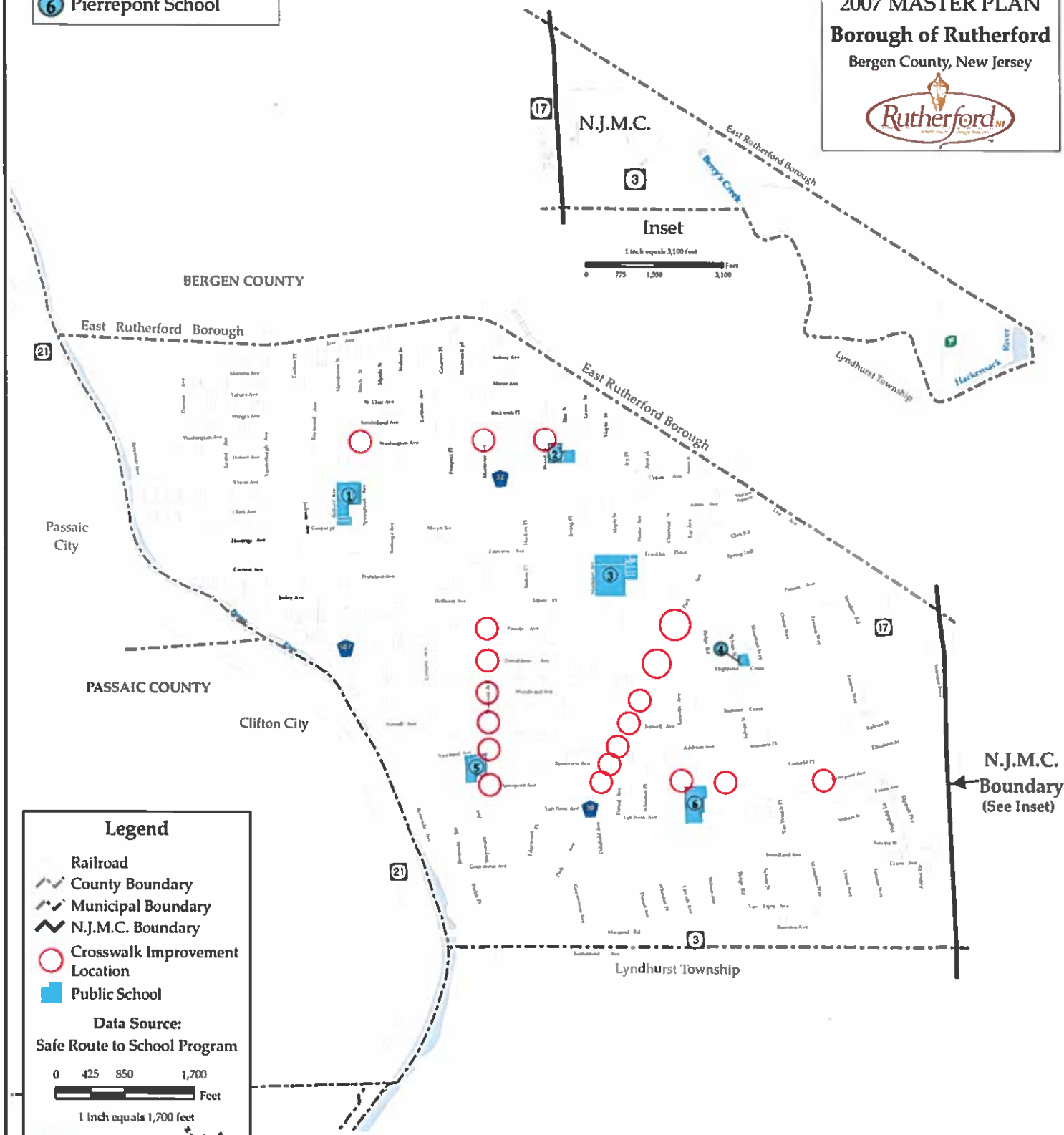
The Borough has identified 22 crosswalks that need improvement in the form of re-striping (with thermoplastic material instead of paint) and the addition of pole-mounted warning signs and portable crosswalk signs. As illustrated in Figure VIII-2, the crosswalks are in proximity to seven schools – Lincoln, Pierrepont, Union, Washington, Sylvan, St. Mary’s High School, and Rutherford High School.

# Figure VIII-2 Proposed Crosswalk Improvements

2007 MASTER PLAN  
Borough of Rutherford  
Bergen County, New Jersey



- Public School**
- ① Union School
  - ② Washington School
  - ③ Rutherford High School
  - ④ Sylvan School
  - ⑤ Lincoln School
  - ⑥ Pierrepont School



**Legend**

- Railroad
- County Boundary
- Municipal Boundary
- N.J.M.C. Boundary
- Crosswalk Improvement Location
- Public School

**Data Source:**  
Safe Route to School Program

0 425 850 1,700  
Feet

1 inch equals 1,700 feet

CMX

December 20, 2007 060121001

N.J.M.C.  
Boundary  
(See Inset)

## Parking

Providing adequate parking in the Borough's commercial districts serves two basic purposes – maintaining customer access to the shops, and preventing unwanted overflow into neighboring residential neighborhoods. There are two primary strategies for dealing with parking. One is to deal with the supply issue, that is, to ensure that there are enough parking spaces within easy reach of the stores (and train station) they are meant to serve. The other is to deal with the demand issue, that is, to reduce the demand for parking. It should be noted that reducing the demand for parking does not mean reducing the number of people that visit the commercial districts. It simply means reducing the number of cars that visit the districts.

### *Parking Supply*

The number of available parking spaces can be increased through capital projects – new parking lots and structures – or programmatic measures. Since vacant land is virtually nonexistent, the basic costs of constructing new public parking facilities will be compounded by the need to assemble and clear property. Any decision to construct new facilities should be preceded by the preparation of an up-to date inventory and map of all on-street and off-street parking, both public and private, that will identify strategic locations and preliminary cost estimates for new facilities based on documented supply and demand. At a minimum, the impact of the new Boiling Springs garage should be evaluated in terms of available capacity and actual usage.

Private properties are required to provide off-street parking in accordance with the zoning ordinance. Given the tightly-knit development pattern and relatively small lots found within the Borough's commercial districts, it is often difficult to provide the required number of spaces while maintaining good design, e.g., an uninterrupted street wall and adequate pedestrian and landscaped areas. One approach to this situation is to allow a developer/property owner to satisfy a portion or all of the non-residential parking deficiency by contributing to a "municipal parking capital fund" for the design, purchase, construction and maintenance of municipal parking facilities. Following is an example of how such a program might work. The cost per space used here is for demonstration purposes only. The appropriate contribution per space should be based on an analysis of what it would actually cost the Borough to provide a parking facility.

**Municipal Parking Capital Fund Example**

Parking Deficiency	Cost/Space	Contribution
1 – 5	\$500	<i>A hypothetical 22 space deficiency would require:            \$2,500 for spaces 1 – 5, plus            \$5,000 for spaces 6 – 10, plus            \$7,500 for spaces 11 – 15, plus            \$10,000 for spaces 16 – 20, plus            \$5,000 for spaces 21 – 22 for a total of            \$30,000.</i>
6 – 10	\$1,000	
11 – 15	\$1,500	
16 – 20	\$2,000	
21 and above	\$2,500	

The programmatic or non-capital approach to increasing the parking supply involves making the most efficient use of the existing supply. This can be accomplished by:

- Making excess parking at public and institutional buildings available to the general public especially when those facilities are closed.
- Leasing excess parking from private businesses to provide additional public parking.
- Encouraging shared parking and common access among adjoining properties.
- Providing a way finding system to direct parkers to parking facilities.
- Providing a safe and a pleasant environment both within the parking facility and along the connecting pedestrian routes.
- Ensuring that on-street parking in commercial districts is available for short-term parkers.
- Providing density/intensity bonuses to developments that provide public parking in addition to their required parking.

**Kip Avenue Garage**

The 2001 NJ Transit report, Transit-Friendly Communities for New Jersey, made several recommendations for improving access to and utilization of the Kip Avenue Garage. The recommendations revolved around improving public perceptions of the garage, and enhancing pedestrian access between the garage and the train station. The following recommendations are excerpted directly from the NJ Transit report and are hereby made a part of the circulation element. Concept plans illustrating the recommendations can be found in the original report.

To address perceptions of commuters that the Kip Avenue Garage is unattractive and potentially unsafe, the following improvements should be undertaken to enhance its image and establish greater visual and pedestrian connections to nearby shops along Park and Ames Avenues:

- Improve the outdoor spaces between the Kip Avenue garage and the walkway entrance by removing the existing vacant building, providing daily parking for

about 25 cars and creating a plaza with landscaping, seating and an active use, such as an outdoor café that will draw people to the space. The Borough should initiate discussions with the multiple property owners and users of the parking space in that area to get a sense of the types of uses that could be supported and issues of public-private property access.

- Improve lobby security of the garage fronting on Ames Avenue.
- Encourage stores along Park and Ames to reconsider the “back” of their buildings as another opportunity to reach out to customers with signage, awnings, and by opening up display windows.
- Improve the existing covered walkway to and from Park Avenue and the Kip Avenue Garage by creating additional store windows and entrances to adjacent stores, and upgrading the finishes, lighting, and overall appearances of the walkway.
- Upgrade the wall of the garage facing the plaza with plantings, a new brick face to match the Ames Avenue façade, or a painted mural.
- Promote the use of the garage to NJ Transit commuters as well as to people who are running daily errands through targeted advertising and special promotions. The Borough of Rutherford, the Rutherford Downtown Partnership and NJ Transit should work together to develop a strategy toward this end, which could include discounts, incentives, and targeted marketing efforts.
- Because pedestrians are already using the existing Summit/Fleet Bank parking lot as a short cut, initiate discussions with the bank to acquaint them with the plans for the area and work together to improve pedestrian access through Fleet’s property. Improvements could include:
  - Create a walkway through the parking lot by reconfiguring parking spaces more efficiently; the number of parking spaces would result in a gain of approximately two spaces (from the current 58 to 60).
  - Narrow the curb cuts on West Erie Avenue to increase sidewalk space along Erie Avenue and limit the flow of cars coming in and out of the parking lot.
  - Add additional landscaping and lighting.

### ***Parking Demand***

Reducing the number of cars that visit a district can be accomplished by providing as many opportunities as possible for both customers and employees to reach their

destination by foot, bicycle or transit. These topics are discussed in other sections of the circulation element. Reducing demand can also be accomplished through flexible parking requirements for new non-residential developments. By implementing certain management strategies, the demand for parking generated by a building's employee population can also be reduced.

The NJMC, in its Mobility 2030 report, outlined a number of incentives to encourage developers to reduce the demand for parking. These same incentives can be incorporated into the Borough's land development ordinances. Consideration may be given for a reduction in the amount of required parking in the downtown, Union Avenue, and Meadow Road/Route 17 business districts based on the developer presenting a comprehensive parking demand management plan that would include but not be limited to the following:

- *Shuttle-Bus systems* that fill gaps in the existing public transit network and allow employees, who would otherwise have relied upon the automobile to commute via public transit.
- *Corporate Ridesharing and Van Pooling* programs that are directly supported and encouraged by the employer.
- *Parking Cash-Out* programs where employees can trade their access to free parking for cash.
- *Telecommuting* programs wherein the employer encourages and supports initiatives that allow employees to work from their homes on either a part or fulltime basis.
- *Guaranteed Ride Home* programs that guarantee an employee a ride home whenever there is an emergency or the employee is required to work late, thus linking personal security and public transit.
- *Transit incentives and discounts* to employees which provide them with tangible incentives by directly subsidizing the cost of public transit. Employer participation in TransitChek, for instance, is such an incentive.
- *Carsharing* is designed to provide a car to the transit user – and the prospective transit user – who requires a vehicle for a special meeting, short trip, unanticipated emergency, or other purpose that cannot be satisfied by public transit. Cars are made available upon demand or on a regularly scheduled basis to the individual via computerized access cards as part of a corporate or organizational affiliation with the program provider.
- *Additional practices* may include preferred parking for carpoolers, lockers and showers for bikers, ridesharing services, compressed work schedules, and flex schedules.

## Meadowlands Mobility 2030

In 2004, the New Jersey Meadowlands Commission released *Meadowlands Mobility 2030*, a technical report complementing the NJMC Master Plan. The report analyzed present and future surface transportation needs in the Meadowlands District and discusses near and long-term solutions to improving mobility throughout the district. The report proposes or endorses numerous projects within and outside the district. The following projects are either located in Rutherford or will have a direct impact on Rutherford. The highway projects are also included in the TIP discussed earlier.

- Phase II Rail Service to the Meadowlands – A two track elevated rail spur from the Bergen Line looping through the Meadowlands and connecting to the Secaucus Junction Station would provide direct rail access into the Meadowlands Sports Complex from Rutherford Station. This project is in the conceptual stage of development.
- New Rail Station on the Bergen Line – EnCap Golf Holdings, LLC has proposed the construction of a new rail station as part the Rutherford/North Node EnCap Golf Course Redevelopment Project. Preliminary designs indicate that this station would have limited parking and would primarily serve the residents of the EnCap project. This station would not be easily accessible to the majority of Rutherford residents.
- Route 3 River Crossings and Corridor Improvements – Replace the following bridge structures: over the Passaic River, over NJ Transit, over Lower Pond, over River Road, over the Route 21 ramps, and the Park Avenue, Ridge Road and Orient Way crossings over Route 3. Also, add a 12 foot auxiliary lane east and west-bound and acceleration and deceleration lanes.
- Route 17 Grade Separations – The report calls for a study to determine the feasibility of grade separating intersections along Route 17 from Route 3 through Route 46.

While these projects have the potential to benefit Rutherford, certain cautions need to be raised regarding the Route 3 and Route 17 projects. Both highways abut residential neighborhoods and previous widening projects, particularly Route 17, have intruded into front yards with seemingly little regard for buffering existing residential properties from the impacts of these major highways. Any future widening or grade crossings must provide for proper buffering and transition areas. The replacement of the Park Avenue, Ridge Road and Orient Way crossings must be respectful of their function as gateways into the Borough. Grade separated intersections on Route 17 will need to respect surrounding residential land uses and ensure the continued viability of these neighborhoods. Additionally, any DOT lands that might become surplus as a result of these projects should be considered for conversion to open space in concert with the recommendations of the open space and recreation plan.



## IX. UTILITIES

### *Objective*

- Ensure that all development and redevelopment projects contribute their pro-rata share of the cost of providing reasonable and necessary off-tract water, sewerage and drainage facilities.

### **Potable Water**

Rutherford receives its potable water from United Water New Jersey, which provides water services to about 750,000 people primarily throughout Bergen and Hudson Counties. United Water receives 79.6% of its water from four reservoirs – Oradell, Woodcliff Lake and Lake Tappan reservoirs in Bergen County, and Lake DeForest Reservoir in Rockland County, New York. The remaining supply is drawn from wells, Wanaque South in Passaic County (11.3%), or is purchased from Jersey City Water Department and the Passaic Valley Water Commission. The water treatment plant is located in Haworth, NJ. There are no apparent distribution or capacity issues at this time; however, the local distribution system should be maintained and improved as needed to meet NJDEP mandates.

### **Wastewater Collection and Treatment**

Rutherford is fully served by a sanitary sewer system that is divided into two service areas. The eastern portion of the Borough flows to an existing pump station owned and operated by the Bergen County Utilities Authority (BCUA) with eventual treatment at the BCUA facilities in Little Ferry. The western portion of the Borough flows to the Passaic Valley Sewerage Commission (PVSC) treatment facility in Newark. The Borough's sewer system consists of approximately 42 miles of gravity sewers, ranging in size from 8" to 36" in diameter. The early phases of sanitary sewers were made of asbestos cement or transite pipe with rubber-ring gasket joints. The most recent sewer installations have been made with polyvinyl chloride (PVC) plastic pipe containing bell and spigot type rubber gasket joints.

A Sanitary Sewer Evaluation Infiltration/Inflow Study was prepared for the Borough in 2005. The study involved flow metering at key manholes, physical inspection and smoke testing of the sanitary sewer system, inflow investigation, and internal television inspection of the sanitary sewer lines. The study provided a comprehensive list and map of rehabilitation needs and cost estimates for such items as root control, areas in need of heavy cleaning, pipe repairs and replacements, joint sealing, manhole inserts and repairs, and illegal connections. The Borough needs to develop a strategic and fiscally prudent approach to addressing the report's recommendations.

## Stormwater Management

Rutherford adopted a municipal stormwater management plan (MSWMP) in July 2006, which was revised in October 2006. The Borough completed the required stormwater pollution prevention plan in December 2006. The Borough's code was amended in January 2007 to bring the stormwater regulations into compliance with the State's stormwater regulation program. The MSWMP is incorporated herein by reference as the stormwater management section of the utilities plan. The full MSWMP is available from the Borough Clerk. Following is an overview of the major points of the stormwater management plan.

The MSWMP documents the strategy for the Borough to address stormwater-related impacts. The creation of the MSWMP is required by N.J.A.C. 7:14A-25 Municipal Stormwater Regulations. The plan addresses groundwater recharge, stormwater quantity, and stormwater quality impacts by incorporating stormwater design and performance standards for new major development, defined as projects that disturb one or more acre of land. These standards are intended to minimize the adverse impact of stormwater runoff on water quality and water quantity and the loss of groundwater recharge that provides base flow in receiving water ways. The MSWMP also describes long-term operation and maintenance measures for existing and future stormwater facilities.

Overall, the MSWMP relies on the existing regulatory framework as the basis for the management of stormwater. These regulatory requirements and the technical guidance documents on which they are based have been incorporated into the MSWMP. The Borough of Rutherford stormwater ordinance further strengthens the reliance on these technical specifications and provides the means for insuring implementation and ongoing evaluation.

The MSWMP also addresses the review and update of existing ordinances, the Borough master plan, and other planning documents to allow for project designs that include low impact development techniques. The final component of the MSWMP is a mitigation strategy for when a variance or exemption of the design and performance standards is sought. As part of the mitigation section of the MSWMP, specific stormwater management measures are identified to lessen the impact of existing development.

The MSWMP is not applicable to the area under the land use and zoning jurisdiction of the New Jersey Meadowlands Commission.

The goals of the MSWMP are to:

- Reduce flood damage, including damage to life and property,
- Minimize, to the extent practical, any increase in stormwater runoff from any new development,

- Reduce soil erosion from any development, redevelopment or construction projects,
- Assure the adequacy of existing and proposed culverts and bridges, and other in-stream structures,
- Maintain groundwater recharge and base flow of streams during periods of drought,
- Prevent, to the greatest extent feasible, an increase in nonpoint pollution,
- Maintain the integrity of stream channels for their biological functions, as well as for drainage,
- Minimize pollutants in stormwater runoff from new and existing development to restore, enhance, and maintain the chemical, physical, and biological integrity of the waters of the state, to protect public health, to safeguard fish and aquatic life and scenic and ecological values, and to enhance the domestic, municipal, recreational, industrial, and other uses of water, and
- Protect public safety through the proper design and operation of stormwater basins and the use of Best Management Practices.

To achieve these goals, the Borough has in place specific stormwater design and performance standards and ordinances for new development. Additionally, the MSWMP proposes stormwater management controls to address impacts from existing development. Preventative and corrective maintenance strategies are included in the MSWMP to ensure long-term effectiveness of stormwater management facilities. The MSWMP also outlines safety standards for stormwater infrastructure to be implemented to protect public safety.

As a part of the MSWMP, the Borough requires that all developments adhere to Army Corps of Engineers, New Jersey Department of Environmental Protection (NJDEP) and Residential Site Improvement Standards (RSIS) requirements, including drainage and stormwater management.

To further achieve these goals, Chapters 37 & 107 of the Code of the Borough of Rutherford prohibit increase in stormwater runoff, prohibit impacts to streams or flood planes, require detention and subsurface recharge and prohibit/restrict uses which are dangerous to health, safety or property due to water or erosion or flood heights or velocities. These ordinances have been adopted in order to meet these goals and other purposes.

Chapter 37 of the Code, titled "Flood Damage Prevention", outlines the steps required to protect developments in the town from the possibility of flood damages. Chapter 107 of the Code, titled "Stormwater Management", outlines the stormwater management practices instituted for all developments.

The zoning and design requirements of the Borough Code were reviewed with regard to incorporating nonstructural stormwater management strategies. The MSWMP recommends the following changes:

**1. Buffers: Section 131-9.** Buffer areas are required along lot and street lines of all nonresidential lot where the property lines or the center line of the adjacent streets abut residential uses or residential zoning district lines. It is recommended that language be added that the buffer area is required to be planted and maintained with grass or ground cover, massed evergreens and deciduous trees & shrubs of such species and size that will produce within two growing seasons a four foot screen and of such density as will obscure all of the glare of automobile headlights. The existing code adequately addresses non-structural stormwater management strategies.

**2. Off-Street Parking: Section 131-14.** This Section requires that all structures and land uses shall have sufficient amount of off-street automobile parking to meet the needs of persons residing in, employed at or making use of such structures or land uses. It is recommended that this section be amended to allow pervious paving used in areas to provide overflow parking, vertical parking structures, smaller parking stalls and shared parking.

**3. Off-Street Loading: Section 131-14.** Paving required for off-street parking and loading zones shall be as follows: Off-street parking and loading zones shall be paved with a minimum pavement consisting of a four-inch penetration macadam base with a one and one-half-inch bituminous concrete surface. It is recommended that this section be amended to allow for flush curb with curb stop, or curbing with curb cuts to encourage developers to allow for the discharge of impervious areas into landscaped areas for stormwater management.

**4. Off Street Parking: Section 131-14A.** This Section requires the landscaping for parking areas and between off street parking areas and lot lines for non residential districts. Additionally, Section 131-14A requires the landscaping between off street parking areas and lot lines or street lines for residential zones. These Sections also includes the guidance on minimum number of parking spaces. It is recommended that these sections be amended to allow pervious paving to be used in areas to provide overflow parking, vertical parking structures and shared parking.

**5. Driveways: Section 131-14.** This Section requires that the total width of driveways in front yards on lots in residential districts shall not exceed 12 feet per building lot for properties with garage openings of one car width. It is recommended that language be added to encourage the use of pervious paving materials to minimize stormwater runoff and promote groundwater recharge.

**6. Sidewalks: Section 109-5.** This Section describes the requirements for construction of sidewalks. It is recommended that language be added to require developers to design

sidewalks to discharge stormwater to neighboring lawns where feasible to disconnect these impervious surfaces or use permeable paving materials where appropriate.

**7. Impervious Coverage.** The Borough has six residential zoning district classifications. The maximum total impervious coverage is controlled by summing the building coverage requirement and the impervious surface requirement. For example, in the R-1 zone, the maximum building coverage limit is 30% and the maximum impervious surface limit is 25% accounting for a sum total impervious coverage limitation of 55%. In summary, five of the six residential districts have maximum impervious coverage allocations ranging from 55% to 60% of the total lot area. One of the residential districts, the R-1B zone located along Ridge Road, does not have a regulation for maximum impervious surface (it only limits building coverage at a maximum of 30%).

There are also eight non-residential and/or mixed-use zoning districts. In seven of these districts, coverage is solely regulated in terms of building coverage, with no limitation on total impervious coverage. However, the bulk requirements for the Planned Commercial district includes a regulation that does not allow more than 90% of the lot to be covered by buildings, parking structures and driveways.

The Borough should evaluate appropriate maximum impervious coverage limitations for all zoning districts that currently do not include maximum impervious coverage limitations. The Borough may also evaluate the maximum allowable impervious surface regulations for all other zones to determine whether a reduction in the impervious cover requirement is appropriate. Additionally, if a developer is given a variance to exceed the maximum allowable percent impervious cover, the developer must mitigate the impact of the additional impervious surface allowed. The detailed descriptions of suitable mitigation areas in the Borough are discussed in Section 9 of the MSWMP.

## X. RECYCLING

### *Objective*

- Maximize the amount of recycled materials collected from residential and non-residential properties.

### **Background**

The New Jersey Source Separation and Recycling Act adopted in 1987 and last amended in 1992 (N.J.S.A. 13:1E-99.11 et seq.), requires and that municipal master plans include a recycling plan element pursuant to the Municipal Land Use Law. The MLUL stipulates that recycling elements include provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance, and for the collection, disposition and recycling of recyclable materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 units or more of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land.

Initially, the Recycling Act called for the recycling of 15% of the municipal solid waste stream in the first year of the program followed by the recycling of 25% of the municipal solid waste stream thereafter. That goal was more than doubled through legislation enacted in 1992 (P.L. 1992, c.167), amending the 1987 Recycling Act with a new challenge to recycle 50% of the municipal solid waste stream and 60% of the overall waste stream by the end of 1995. New Jersey failed to meet the municipal solid waste-recycling goal of 50% in 1995, but did meet the overall recycling goal in 1996 with a recycling rate of 61%. In 2004, New Jersey failed to meet both solid waste-recycling goals. Only 34% of the municipal solid waste was recycled and only 55% of the statewide solid waste was recycled.

### **Municipal Program**

In 1987, the Rutherford Borough Council adopted a recycling ordinance which established a recycling coordinator, and required that residents and non-residents who are owners, lessees or occupants of property in the Borough separate and bundle newspapers, magazines, aluminum, glass, metal, leaves (from September 1 to December 1), grass clippings (from April 1 to November 1), and corrugated material and high-grade office paper (used for commercial, industrial or governmental purposes) for pickup, collection and recycling. Retail establishments located and doing business in the Borough are required to use biodegradable packaging. The Borough also encourages residents to "Cut It and Leave It" when it comes to lawn maintenance, and to purchase items in bulk that do not use excessive packaging and materials.

Rutherford presently provides curbside pick-up of recycled materials including mixed paper, commingled materials (includes glass, aluminum cans, tin cans, plastic milk, juice bottles), and vegetation (includes brush, yard waste, grass) from residents and businesses. Materials such as tires, refrigerators and air conditioners, stumps/logs, and large quantities of heavy trash (furniture, toilet bowls, etc.) are collected by the DPW by appointment only. Household batteries may be dropped off at the Borough Hall. The Bergen County Utilities Authority (BCUA) manages a disposal program for Household Hazardous Wastes (paints, anti-freeze, motor oil and filters, pesticides, fluorescent lights, drain cleaners, propane cylinders, gasoline, etc.).

Section 50-11.S of the Borough's land development ordinance requires that, prior to the granting of final approval, indoor/outdoor recycling areas shall be established in multi-family housing developments containing three or more dwelling units that is of adequate size (as determined in consultation with the Recycling Coordinator and consistent with the district recycling plan), conveniently located for residents, well-lit, safely accessible by recycling personnel and vehicles, designed to withstand adverse environmental conditions, properly designated with signage, and landscaped in an aesthetically pleasing manner.

## **Recommendations**

The recycling plan recommends that the following steps be taken in support of the Borough's current recycling efforts:

- Update the Borough's recycling ordinance as amendments to the Recycling Act and Municipal Land Use Law occur.
- Extend the requirement for providing recycling areas in multi-family residential properties to commercial properties with multiple tenants.
- Continue to increase public awareness about recycling and reuse alternatives and provide information about schedules, recyclable materials and opportunities to donate unwanted goods through such forums as the Borough website, newsletters, school programs, and displays at community events and festivals.

## XI. RELATIONSHIP TO OTHER PLANS

The Municipal Land Use Law requires the master plan to include a specific policy statement indicating the relationship of the proposed development of the municipality, as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located and (3) the State Development and Redevelopment Plan. This chapter provides an analysis of the relationship of the Rutherford Master Plan to the plans listed in Table VIII-1. In some instances a current land use plan map was not available for a given town. In those cases the town's zoning map was used as an indicator of potential land uses.

**Table VIII-1  
PLANS REVIEWED**

Jurisdiction	Documents
East Rutherford	<ul style="list-style-type: none"> <li>▪ 1989 Land Use Plan &amp; 2006 Reexamination Report</li> </ul>
Lyndhurst	<ul style="list-style-type: none"> <li>▪ 1988 Zoning Map</li> </ul>
Clifton	<ul style="list-style-type: none"> <li>▪ 2003 Land Use Plan</li> </ul>
Passaic	<ul style="list-style-type: none"> <li>▪ 1995 Land Use Plan &amp; 2001 Reexamination Report</li> </ul>
Bergen County	<ul style="list-style-type: none"> <li>▪ Department of Planning and Economic Development Records</li> <li>▪ 2004 Open Space and Recreation Plan</li> </ul>
New Jersey	<ul style="list-style-type: none"> <li>▪ 2001 State Development and Redevelopment Plan</li> </ul>
NJ Meadowlands Commission	<ul style="list-style-type: none"> <li>▪ 2004 NJMC Master Plan</li> </ul>

### Plans of Contiguous Municipalities

#### *Summary*

Rutherford shares its municipal border with four other municipalities – East Rutherford to the north and east, Lyndhurst to the south, and Clifton and Passaic to the west. Rutherford technically shares a border with a fifth municipality – Secaucus – but that border is inconsequential as it is separated by the Meadowlands district from the Borough core and the border itself is only about 700 feet long.

There are several areas of inconsistency where non-residential districts in bordering towns abut residential districts in Rutherford. It should be noted, however, that Rutherford's border is for the most part formed by distinctive and substantial physical features – the NJ Transit Rail Line, the Meadowlands district, Route 3, and the Passaic River. As such, there are few situations where neighborhoods merge seamlessly from one town to another and very few connections of the street grid to neighboring towns. To



some degree, these factors buffer Rutherford from the adjacent land use districts described in this section.

#### *East Rutherford*

The former Erie, now NJ Transit right-of-way forms the border between Rutherford and East Rutherford. There are only four local roads that breach the railroad, one at grade and three at separated crossings. Route 17 also provides access to East Rutherford. The East Rutherford side of the border include a mixture of residential, commercial, and industrial districts. The non-residential districts are generally inconsistent with the Rutherford's bordering residential districts. These conflicts are mitigated to some extent by the railroad right-of-way, which forms a formidable visual and physical barrier between the two towns. The area with the greatest physical interface – Station Square – is consistent with both sides designated for business and residential uses.

#### *Lyndhurst*

Rutherford shares its southern boundary with Lyndhurst. For all intents and purposes, the towns are physically separated by Route 3 although Rutherford Avenue, on the south side of Route 3, is actually within Rutherford's boundaries. Local street connections are made via overpasses at Orient Way, Ridge Road, and Park Avenue and at grade at Riverside Avenue. The Lyndhurst zoning ordinance designates the land bordering Rutherford for residential and commercial uses. These designations are generally consistent with the bordering districts in Rutherford.

#### *Clifton*

Clifton, which is in Passaic County, borders Rutherford on the west and is separated from Rutherford by the Passaic River. There are no local street connections between the two towns. The only connection is the Route 3 Bridge. The Clifton land use designations in this area are primarily commercial and industrial, which is inconsistent with the bordering residential districts in Rutherford.

#### *Passaic*

The City of Passaic also borders Rutherford on the west, is located in Passaic County, and is separated from Rutherford by the Passaic River. Passaic has only one connection to Rutherford – the Union Avenue Bridge. The land use districts on the Passaic side of the River between Route 21 and the river are designated industrial, which is inconsistent with the residential and civic districts in Rutherford. Residential districts are found on the west side of the highway.

## **Bergen County**

Bergen County's last master plan was formally adopted on December 10, 1962 and amended March 14, 1966 (the oldest in the State of New Jersey). In 1968, Bergen County initiated the County Comprehensive Plan program, which studied and developed recommendations on the present and future needs for basic County facilities. Each report would study and review a particular element of the master plan and was published in the form of a County report. County records show that there have been 26 reports published from 1969 (Report 1, Physical Characteristics) to 1975 (Report 26, Open Space and Recreation Inventory). Since 1975, the only document prepared that is directly related to the county master plan was the 2004 Open Space & Recreation Plan (OSRP).

Due to the age of the county master plan, it is not suitable for comparison with the Borough's 2007 master plan. The County is in the process of preparing a new land use element of their comprehensive plan. Upon its completion, the Borough should review that document for any inconsistencies with its own master plan.

The County OSRP makes only indirect reference to Rutherford. The OSRP lists the Passaic River corridor among its open space acquisition and preservation opportunities. The County OSRP recommends that appropriate lands adjacent to or abutting existing parklands that further expand or enhance riverside conservation, preservation and recreation objectives be acquired. The Rutherford Open Space and Recreation Plan also identifies the Passaic River corridor as a unique recreation opportunity and recommends the creation of passive recreation opportunities along the river corridor.

## **New Jersey State Development and Redevelopment Plan**

The State Development and Redevelopment Plan places the non-meadowlands portion of Rutherford in the Metropolitan Planning Area (PA1). (The State Plan considers the Meadowlands a "Planning Region Established by Statute" and as such is generally outside the jurisdiction to the State Plan although there is some degree of cooperative planning.) The Rutherford Master Plan is consistent with the State Plan's intentions for Planning Area 1.

In the Metropolitan Planning Area, the State Plan's intention is to:

- Provide for much of the state's future redevelopment,
- Revitalize cities and towns, stabilize older suburbs and protect the character of existing stable communities,
- Promote growth in compact forms, and
- Redesign areas of sprawl.

The goals and objectives of the Rutherford Master Plan (see Chapter II) are in clear support of the State Plan. In short, it is the intention of the Rutherford Master Plan to provide a healthy balance of land uses to preserve the residential character of the neighborhoods while providing convenient commercial and retail opportunities to acquire goods, services and employment; capitalize on the downtown's growing role as a transit village and provide for an attractive, vibrant and easily accessible downtown; maintain a balanced stock of quality housing that provides housing options for all generations; ensure that community facilities and services are maintained at levels that will support the current and future populations of the Borough; maximize circulation and mobility options for local and regional trips; preserve natural resources and historically and architecturally significant structures; encourage and support policies and actions to reduce the introduction of harmful green house gasses; and preserve, maintain, and develop a comprehensive open space and recreation system.

During the preparation of this master plan and at the time of its adoption, the 2001 State Plan was itself progressing through cross-acceptance and was scheduled for reoption sometime in 2007. There were no substantive changes being recommended to the State Plan that would change the Rutherford Master Plan's consistency with the State Plan.

### **New Jersey Meadowlands Commission**

Approximately one third of Rutherford's land area, almost the entire area east of Veterans Boulevard, is located within the Meadowlands district. As such, that portion of the Borough is under the jurisdiction of the New Jersey Meadowlands Commission (NJMC) in terms of land use policy and regulation. Therefore, neither the Rutherford Master Plan or land development ordinances are applicable to the Meadowlands portion of the Borough. Following is an overview of the NJMC Master Plan as it applies to Rutherford.

The NJMC Master Plan, which was adopted in January 2004, assigns three land use categories to Rutherford (see Map 3 in Chapter XII).

- The NJMC Plan classifies the area between Route 17 and Berry's Creek as an *Employment Center*. Employment centers may include a mix of land use such as office, warehouse-distribution and industrial facilities.
- The lands adjacent to Berry's Creek are classified as *Berry's Creek Preserve*. Preserves permit uses that are consistent with the preservation of open space and habitat protection and enhancement. Wildlife management areas are encouraged.
- The balance of the district in Rutherford – from Berry's Creek to the Hackensack River – is classified as *Resort Recreation Community*. This designation is associated with the former Rutherford landfill. The purposes of the Resort Recreation Community are to convert landfills and adjacent areas to recreation uses, establish

upland and wetland habitat areas, properly close the landfill, and provide for economic development in concert with the recreation uses.

The NJMC Master Plan also delineates two redevelopment areas in the Rutherford meadowlands – *Highland Cross*, east of Veterans Boulevard; and *Meadowlands Golf Course*, consisting of 1,350 acres in Rutherford, Lyndhurst and North Arlington, and stretching from Berry’s Creek to the Hackensack River in Rutherford. The NJMC recommended uses for Highland Cross are mixed-use commercial including office, hotel, restaurant and accessory retail. The Rutherford portion of the Meadowlands Golf Course Redevelopment Plan (aka EnCap) is slated for 800 residential units and a new rail station on the Bergen Line.

Various NJMC policies and initiatives related to green buildings, public art, open space, economic development, and circulation are discussed and in some cases incorporated into the master plan elements.

## **XII. MAPS**

1. Existing Land Use
2. Existing Land Use and Zoning
3. Environmental Constraints
4. Land Use Plan
5. Potential Zone Changes Borough-wide
- 5A. Potential Zone Changes Downtown
6. Community Facilities Plan
7. State & National Historic Sites & Districts
8. Roadway Classifications
9. Mass Transit Service