

REPORT OF REEXAMINATION
OF THE
MASTER PLAN AND DEVELOPMENT REGULATIONS
OF THE
BOROUGH OF HAWTHORNE
PASSAIC COUNTY
NEW JERSEY

Prepared by the Hawthorne Planning Board
August 3, 1982

INTRODUCTION

The first Master Plan of the Borough was adopted in 1968 with the guidance and assistance of Candeb Fleissig and Associates, Planning Consultants, and included a General Plan, as well as an Implementation Report. Subsequent to the adoption of the Master Plan, the Board of Commissioners undertook a complete revision of the Zoning Ordinance, and in 1970 adopted Ordinance 1175, known as the "Zoning Ordinance, Revision of 1970." That ordinance constituted the first substantial change in the zoning regulations of the Borough in more than thirty years, and provided for a balance in the commercial, industrial, and residential uses so that each area would blend more harmoniously with existing adjacent areas having diverse uses. During the years immediately following the adoption of Ordinance 1175, there appeared on several occasions to be a need for modification of the zone boundaries of certain areas because private development was not adequately stimulated in the direction originally desired. With some compromise, however, the continuing growth of the Borough was accommodated, without substantial departure from the basic intention of the original plan, and without adverse effect on neighboring zone districts.

On August 1, 1976 the Municipal Land Use Law (Ch. 291, L. 1975) N.J.S. 40:55D-1 et seq. became effective, and provided in Sec. 62 thereof that the power to zone depended upon the adoption by the Planning Board of a "land use element" of a master plan, and required the zoning ordinance to be either "substantially

consistent" with such land use plan element, or designed to effectuate the same. The statute further described the master plan as being comprised of eight specific elements, plus appendices and separate reports. Our review at that time revealed that the Master Plan of the Borough did not conform concisely with the specified elements, and to the extent that the effectiveness of the zoning ordinance might have come into question, we reviewed the entire Master Plan, and prepared and adopted a revision which included as Part 1, a "Statement of Objectives, Assumptions, Policies and Standards", and Part 2, a "Land Use Plan." The Zoning Ordinance was also reviewed, and further revised, and on January 17, 1979, Ordinance 1322, "Zoning Ordinance of the Borough of Hawthorne" was adopted. The effort expended at that time, and the scope of the review of the Master Plan and Zoning Ordinance was, in effect, a "general reexamination" of the type contemplated by the Legislature in its adoption of N.J.S. 40:55D-89, and to some extent this report is an update, or "reexamination" of that effort. The categories of review that follow are defined in accordance with the provisions of the statute.

REPORT

- A. THE MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN HAWTHORNE AT THE TIME OF LAST REVISION AND REEXAMINATION.

The Master Plan falling into two parts, the first being the 1968 Plan, and the second being the 1978 revision, the review of this area should consolidate both periods. This is not as difficult as it might seem, as the passing of 14 years has not seen such substantial changes in land use patterns, development, character and quality of buildings, public facilities, etc., as may have been experienced in other nearby communities. The Borough was substantially developed in 1968, with less than 20% of the land area vacant and undeveloped. By 1978, only an additional 10% had been developed, and that development had followed the previous development patterns to the extent that the balance between commercial, industrial and residential uses remained fairly constant. Also, the nature of residential uses had tended only slightly toward an increase in multi-family units, in proportion to the overall housing stock, so that the residential character of the Borough had not changed during that period (1968-78).

The 1968 Master Plan enumerated several "problems" and "considerations", which remained in 1978 as the principal concern of this Board. Generally, the problems emanated from the age and nature of the Borough's initial development, which occurred during the 1920's and 30's without the benefit of strict land use regulation or planning review. The industrial uses were concentrated along the railroad, and the Passaic River, creating linear or "strip" zones which gave rise to extended perimeters abutting adjacent zone districts of both residential and commercial character. Similarly, the commercial zone followed

the now archaic "Main Street" pattern, also creating a "strip" zone with extensive perimeters. The risk of deterioration of the character and quality of adjacent zones created the need for encouragement of continued upkeep and maintenance of the existing uses, and alertness to the need to modify the restrictions in any area tending to deteriorate, in a manner to promote speedy and effective private rehabilitation. The threat of deterioration was due to both functional obsolescence, as well as simple aging, and applied to all types of uses, as well as the public facilities such as water and sewer systems. Hawthorne, very simply, was beginning to feel its age.

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

At the time of the last reexamination of the Master Plan, in 1978, it was noted that the revisions embodied in Ordinance 1175 (1970) had created a noticeable affect in promoting the rehabilitation, and renewal, of several areas where the standards had been modified, most notably in the conversion of two-and three-story frame residences on Lafayette Avenue to office uses or B-1 Neighborhood Business uses. The general area had begun to suffer deterioration of the older buildings, and the increase of traffic, and attendant noise, bright lights, etc., seemed to be creating an undesirable atmosphere for continued residential use. The conversions which have occurred have, in almost every instance, retained the general external appearance of the

existing structure, and utilized facades and other structural modifications which remain compatible with the residential appearance of the area. The structures are well maintained and have promoted increased care and maintenance of other buildings, throughout the area.

In the industrial area along the railroad (between Grand and Royal Avenues), the vacant parcels which existed prior to the Zoning Ordinance revisions were rezoned for multifamily use, in recognition of the severe reduction in railroad schedules, and consequent lack of inducement for new industry to locate in the area. Further, the "strip" nature of the zone was intended to be somewhat neutralized by the interspersal of multifamily units. These properties have now been substantially developed in accordance with that intention, and to the extent possible, the desired result has been advanced.

The upgrading of an obsolete industrial site on Rock Road was accomplished by rezoning the same for R-3 Garden Apartments, to conform to the adjacent property, and promote the removal of unsightly industrial buildings and facilities.

Many older residential buildings have been rehabilitated or improved by utilization of an amendment to the zoning ordinance, which liberalize the right to make improvements to nonconforming uses.

The problem of development of the mountainous area in the westerly portion of the Borough had been addressed by the creation of a P.U.D. zone. Although no application for development of that area had been received at the time of the

last reexamination, there existed sufficient confidence that the terms and requirements of the P.U.D. restrictions were fair and adequate for efficient development, and such zone designation was continued in effect. There has been an application for development of a substantial portion of this area, which will include over 200 dwelling units, in various modes, and which will not only provide additional housing of various types, but will provide adequate utility service such as drainage, water, and sewer, without undue burden on the existing systems.

In general, the residential and commercial zones in the Borough have enjoyed moderate development as well as strong maintenance, indicating the reduction of the problem of structural deterioration and obsolescence. The industrial uses continue to present problems in isolated instances, although most of the existing zone districts remain appropriate for such designation. No vacant land is presently suitable, either by size or location, for rezoning for industrial purposes, and no changes are recommended. Consideration must be given to the possibility of rezoning to eliminate industrial use in some areas (by natural attrition due to nonconformity as well as by the economic inducement from profitability of other uses). This approach must be cautiously examined, however, as industrial uses provide the balance and stability in the real property tax structure, which is so important to the continued residential character of most of the Borough.

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

The Borough of Hawthorne has been able to retain its parochial, residential character through conscious and specific efforts, such as avoidance of regional shopping centers, high density uses such as multi-story office or apartment buildings, while at the same time providing recreational and community services that promote loyalty, stability, and "community" feeling. There has been no significant or substantial change in the character or nature of Hawthorne, in either its residents, its structural appearance or its public facilities, and it is felt very strongly that the same objectives, policies, and assumptions which have been responsible for this "maintenance" of both nature and quality, be continued.

D. SPECIFIC CHANGES RECOMMENDED FOR THE PLAN AND REGULATIONS

At the present time this Board has no specific recommendations for revision of the Zoning Ordinance or the Zoning Map, however, two considerations in that area warrant continuing review:

- (1) The zoning districts continue to appear in some areas as irregular or "contorted", and to the extent possible, any redevelopment of such areas, or adjacent zones, ought to be preceded by reexamination of

possible rezoning to establish appropriate "enclaves" or districts with proper integrity of uses.

(2) The standards of development applicable in the P.U.D. zone are presently being utilized for the first time, and careful review of these provisions should continue, both during such development, and afterwards, to evaluate the efficiency, balance, and appropriateness of such standards.

The Master Plan, as adopted in 1968, continues to represent the spirit of the community, and the objectives and goals for the future of the Borough. Nevertheless, the Plan does not, in the strict sense, conform to the elements described in NJSA 40:55D-28. To that end this Board had commenced a review of the entire Plan in 1978, with a view to revising the same to conform to such description of distinct elements, and to date has received preliminary reports upon which it intends to prepare a Housing Plan Element, Circulation Plan Element, Utility Service Plan Element and Community Facilities Plan Element. These Plan Elements are expected to be completed within the next 120 days, and will be considered for approval, after public hearings, as provided in N.J.S. 40:55D-28a. The preparation of the remaining plan elements will continue thereafter.

Dated: August 3, 1982

Respectfully submitted,
HAWTHORNE PLANNING BOARD

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