



**Periodic Reexamination Report
of the Master Plan
Borough of Tenafly
Bergen County, New Jersey**

Prepared for the Borough of Tenafly Planning Board

Date: January 25, 2012



Burgis Associates, Inc.
Community Planning & Development Consultants

PERIODIC REEXAMINATION OF THE MASTER PLAN

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

PREPARED FOR:

**BOROUGH OF TENAFLY PLANNING BOARD
BA #2453.06**

The original document was appropriately signed and sealed on January 5, 2012 in accordance with Chapter 41 of Title 13 of the State Board of Professional Planners.

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INTRODUCTION

Overview

The 2012 Borough of Tenafly Master Plan Reexamination Report is part of a continuing comprehensive planning process initiated by the Borough over 70 years ago, when it was the first community in Bergen County to adopt a Master Plan. Since then, the Master Plan has been updated on a regular basis to address on-going development pressures, an evolving development pattern, and various judicial, legislative and administrative actions affecting the Borough's land use arrangement. The Planning Board adopted the current Master Plan in 1992. In 1999 and again in 2005, the Planning Board adopted a Master Plan Reexamination Report. Each of these reports was designed to guide the future development of the community.

This Reexamination Report represents a continuing effort to ensure that the Borough's planning policies and land use goals and objectives remain current and up-to-date. This document does not radically depart from the policies and land use goals set forth in the previous studies, although it does update the goals, objectives and policy statements regarding the Borough's future growth and development, and recommends modifications to the Borough's land use plan and zoning ordinance where conditions warrant. It also provides updated demographic and related background information on the Borough.

This Reexamination Report recognizes that Tenafly is essentially a developed community, having grown considerably from its beginnings at the time of the American Revolution when it consisted of four homes, a militia headquarters and a schoolhouse surrounded by forests and hills. Today, the 4.4 square mile Borough boasts a population of over 14,000 residents, an attractive central business district, well-planned open space and recreation amenities, and a renowned public school system, all of which add to the community's reputation as a very desirable place to live. The fully developed character of the Borough necessitates a planning response that focuses on maintaining the established character of the community, and identifying those areas warranting an upgraded planning and zoning approach to development.

The report addresses the community's planning and zoning issues within the framework of the statutory requirements of the New Jersey Municipal Land Use Law (MLUL) and its master plan reexamination provisions. The MLUL requires municipalities to periodically reexamine their master plan and development regulations, and the statute mandates that the report must include, at a minimum, (1) information about the major problems and objectives relating to land development that affected the community at the time of the adoption of the last Reexamination Report and the extent to which these issues have subsequently been addressed; (2) an identification of major changes in the planning assumptions that formed the basis for the last master plan including changes at the state, county and local level; (3) a statement as to whether any areas of the community may benefit from the imposition of a redevelopment designation pursuant to the New Jersey Local Redevelopment and Housing Law; (4) and, any specific recommendations to amend the master plan or development regulations or its underlying objectives, policies and standards.

Within this context, this 2012 document examines and updates the land use goals, objectives and policy statements of the previous reexamination report and offers recommendations and modifications to the land use and zoning regulations of the Borough. In addition, this report provides updated demographic and socio-economic background information, and data pertaining to community facilities and historic preservation efforts in the Borough.

Legal Requirements for Master Plan

The Municipal Land Use Law establishes the legal requirement and criteria for the preparation of a master plan and its subsequent reexamination reports. The Planning Board is responsible for the preparation of these documents, which may be adopted and/or amended by the board subject to a public hearing. The MLUL was recently amended to require the board to prepare a review of the master plan at least once every ten years. Prior to May of 2011, the Planning Board was required to prepare such a review, minimally, once every six years.

The MLUL identifies the required contents of a master plan and its reexamination reports. The statute requires that the master plan include the following:

1. A statement of goals, objectives and polices upon which the proposals for the physical, economic and social development of the municipality are based.
2. A land use element that takes into account physical features; identifies the existing and proposed locations, extent and intensity of development for residential and non-residential purposes; and states the relationship of the plan to any proposed zone plan and zoning ordinance.
3. The preparation of a housing plan and recycling plan by the municipality.

In addition, the MLUL identifies a number of other plan elements that may be incorporated into a comprehensive master plan document, such as: circulation, open space, recreation, community facilities, and historic plan elements. These are not obligatory elements.

The master plan gives the community the legal basis to control development in the municipality. This is accomplished through the adoption of development ordinances that are designed to implement the plan's recommendations.

Legal Requirements for Master Plan Reexamination Report

Section 40:55D-89 of the MLUL enumerates the statutory master plan periodic reexamination provisions. The statute mandates that the report must identify, at a minimum, the following:

1. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
2. The extent to which such problems and objectives have been reduced or have increased subsequent to the last reexamination.

3. The extent to which there has been significant changes in the assumptions, policies and objectives forming the basis for the Master Plan or developmental regulations as last revised, with particular regard to the density and distribution of population and land use, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, County and municipal policies and objectives.
4. The specific changes recommended for the Master Plan or development regulations, if any, including underlying objectives, policies and standards, and whether a new plan or regulations should be prepared.
5. The recommendations of the Planning Board concerning the incorporation of redevelopment plans pursuant to the “Local Redevelopment and Housing Law” into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development of regulations necessary to effectuate the redevelopment plans of the municipality.

Previous Master Plan Efforts Undertaken by the Borough

The Borough of Tenafly formed its Planning Board in 1931 and shortly thereafter became the first community in Bergen County to adopt a Master Plan. A new Master Plan was adopted in 1971, which was updated in 1978 to meet the requirements of the State’s new Municipal Land Use Law legislation that was adopted by the State in 1975 superseding its predecessor 1954 legislation. In 1984, the Planning Board adopted a Reexamination Report as required by the MLUL. A new comprehensive Master Plan was adopted by the Borough on April 17, 1992. This current plan includes elements for land use, housing, circulation, community facilities, historic preservation and recycling.

The Borough has adopted a number of master plan amendments and two reexaminations of the master plan since 1999. These include the following:

1. The Planning Board adopted the Magnolia Avenue Historic District on September 12, 2000. Twenty-one properties were recommended by the Borough Historic Preservation Commission to be included as part of this historic district.
2. An update to the Borough’s Housing Element and Fair Share Plan was adopted August 12, 2002, and amended on April 9, 2003. Tenafly received a judgment of repose on July 2, 2003 regarding its affordable housing obligation. A new Housing Element and Fair Share Plan was adopted by the Planning Board in November 2008 and filed with the New Jersey Council on Affordable Housing the following month. The Borough is still awaiting its certification of this new plan.
3. The Tenafly Environmental Commission prepared an Environmental Resource Inventory (ERI), in a report dated June 20, 2002. The report details the Borough’s environmental features, including physical features such as topography, soils, vegetation and wildlife,

among other features. It also provides information on public services, historical sites and computer mapping information with the idea of expanding the ERI into a full-blown Geographical Information System (GIS) at some point in the future. A new ERI was prepared for the Borough in August 2011, and included additional information regarding critical habitats, wetlands, aquifers, watersheds, and contamination.

4. On June 23, 2004, the Planning Board amended the Historic Preservation Element to include the Herbert Coppell estate, known as “Cotswold.” This designation is based on a report prepared in 2002 by the Tenafly Historic Preservation Commission describing the history of the property and its significance to the Borough. Most recently, the Lyman-Browning Estate Cottage at 170 Thatcher Road was designated as a historic landmark. An updated Historic Preservation Element of the Master Plan has been prepared and is scheduled for a planning board public hearing in January, 2012.
5. Two reexamination reports were adopted, in 1999 and 2005, subsequent to the adoption of the last comprehensive Master Plan in 1992, pursuant to the requirements of the MLUL.

MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF THE ADOPTION OF THE LAST REEXAMINATION REPORT

The Municipal Land Use Law requires, as part of the overall reexamination analysis, an identification of the major land use problems and objectives that were outlined in the most recently adopted master plan or reexamination report. The following problems and objectives were identified in the 2005 reexamination report:

Summary of Major Problems Identified in the 2005 Reexamination Report

1. Development Potential of Larger Tracts. It was recognized that there remained in the Borough a number of lots that were much larger than their zoning required, and that these lots served to provide an enhanced aesthetic and visual impression which helped define the community's appeal by virtue of their open space character and treed environment. The 2005 Report expressed concern about the potential for these lots to be redeveloped in a manner that would detract from that community aesthetic. Additionally, their redevelopment potential based upon current zoning was perceived to possibly have an adverse impact on the municipality's community facilities including schools, recreation amenities and infrastructure. The impact of the traffic generating potential of these sites based on current zoning was an additional area of concern that was expressed in the 2005 document.
2. Character of Residential Development. An area of concern was the number of "teardowns" of existing smaller dwellings in a neighborhood of similar sized dwellings, and their replacement with much larger houses that, while they may have met the ordinance's requirements, clearly appeared oversized and out of character with the neighborhood's established development pattern and character. The resulting image of over-sized single family dwellings that appeared to crowd their lots, appear excessive in relation to the site's street frontage and lot width, along with its apparent incompatibility with the established neighborhood aesthetic, was perceived as an aspect of their development arrangement that conflicted with the overall charm of the Tenafly community.
3. Traffic and Circulation Issue. The 2005 reexamination report identified street circulation, traffic, and parking as ongoing concerns of the Borough. Three particular issues were highlighted. One regarded the availability of parking within the central business district. A second pertained to the number of traffic signals not yet approved by Bergen County and NJDOT. The third related to the potential of the extension of light rail to Tenafly, with the Borough expressing concern over the impact that such an extension would have on neighboring residential districts, along with its potential impacts on public safety and the functionality of its emergency services.
4. Central Business District Development. The Borough expressed concerns about the mix of uses in the central business district, the issue being whether the zoning ordinance encouraged the type and scale of commercial uses that were appropriate to the Tenafly central business district.

5. Community Facilities. The 2005 report noted that the Borough had been experiencing increased demands on its community facilities, particularly parks and open space, as well as schools, due to increases in the number of students enrolled in the school system.
6. Historic Preservation. The Borough has dedicated significant resources to preserve its historic structures and neighborhoods, and through its site inventories and master plan updates has been able to develop a list of properties with historical significance. The reexamination report cited the need to continue these preservation efforts to ensure that historic and architecturally significant sites are not compromised or destroyed.
7. Council on Affordable Housing (COAH). COAH adopted their third round methodology and rules in December 2004. The 2005 Reexamination Report recognized that while the Borough's substantive certification did not expire until 2009, it would have to undertake a new review of its housing element and fair share plan to address its new third round affordable housing obligation.
8. Plan Endorsement. At the time of the 2005 Reexamination Report, the Borough was involved in the State's cross acceptance process, whereby it was reviewing its goals, policies and objectives with Bergen County to determine local consistency with the State Plan's planning objectives. This was an on-going process at that time, and there was concern about the extent to which the Borough had to adhere to all of the state Plan policies.
9. Stormwater Management. A stormwater management plan was being completed by the Borough at the time of the last reexamination. In addition, the Environmental Commission had also drafted two reports related to the Tenakill Brook and offered recommendations on the preservation of this resource.

Major Goals and Objectives Set Forth in the 2005 Reexamination Report

The 2005 Reexamination Report included fourteen goals and objectives, as well as associated policy statements intended to implement these goals. The Borough's specific goals are as follows:

1. To maintain and enhance the existing areas of stability in the community; to encourage a land use pattern that establishes areas which have their own unique development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community, and reinforce the Borough's commercial and business areas, by restricting incompatible land uses from established neighborhoods, and limiting intensities of use to the levels prescribed herein.
2. To ensure that any prospective development and/or redevelopment is responsive to Tenafly's environmental features.
3. To ensure that any future development of the Borough's infrastructure be limited to

accommodate the Borough's present level of intensity of use as identified in this Plan.

4. To encourage and provide buffer zones to separate incompatible land uses.
5. To encourage residential zone bulk requirements, such as setbacks and coverage, as well as regulations regarding lighting, noise etc., to permit development consistent with the established community character.
6. To consider environmentally sensitive features and extensive woodland vegetation as a means of preserving steep slopes, wetlands, wooded areas, scenic qualities, historic facilities, retaining open space and reducing infrastructure costs.
7. Age-restricted housing development should be encouraged in areas where such uses are permitted to address a growing need that would not adversely impact the Borough school system.
8. To preserve and enhance the Borough's community facilities, ensuring that the Borough address the public safety, recreational, and other needs.
9. To preserve and enhance the Borough's Central Business District by defining its functional role in the community and enhancing the quality of life within the commercial center through an appropriate mixture of activities; permit a reasonable level of development in the business district; and to encourage the use of off-street parking facilities to provide greater convenience for shoppers and reduce conflicting traffic movements in the Central Business District.
10. To encourage New Jersey Transit and other officials to develop any future rail system that is friendly to adjacent residential uses and minimizes the number of transfers required by commuters.
11. To address the Borough's affordable housing obligation in a manner consistent with other goals and objectives set forth herein.
12. To promote a safe and efficient traffic circulation system that serves the Borough while retaining Tenafly's community character.
13. To preserve the historic features of the Borough as an integral part of Tenafly's unique character.
14. To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a statewide basis while retaining the principles of home-rule.

**EXTENT TO WHICH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED
SUBSEQUENT TO THE LAST REEXAMINATION**

The following section examines the extent to which the Borough's problems and objectives have been addressed. While some of the Borough's goals and objectives – along with the planning problems highlighted in the 2005 reexamination report – have been addressed, others remain static, with many representing long-term areas of concern that will need constant vigilance. A discussion on the status of these issues and goals follows:

Major Planning Issues:

1. Issue: The development potential of larger tracts and the potential negative effects of development on the Borough's character, visual aesthetics, traffic, infrastructure, and community facilities.

Comment: The issue of the development potential of the remaining larger tracts of land in the town, and the associated development impacts, is an on-going concern. An Open Space and Recreation Plan was prepared by the Planning Board and Environmental Commission in an effort to encourage the acquisition of these large tracts to maintain the Borough's open space amenities. The Planning Board has prepared a proposed ordinance which was sent to Mayor and Council in 2008; however, it has yet to be adopted.

2. Issue: The character of established residential neighborhoods has been negatively impacted by the "teardown" of existing smaller dwellings and their replacement with significantly larger single family dwellings which appear out-of-character with the neighborhood.

Comment: Although the recent economic recession has slowed the "teardown" phenomenon, the Borough recognizes that once the economy eventually recovers, "teardown" pressures will likely commence again. The Planning Board has had its engineer prepare recommendations to alter how the Borough measures 'building height' in an effort to reduce the scale of new buildings in town, and also recommended modifications to the manner in which the Borough regulates 'side yard' setback requirements, also in an effort to minimize the size and bulk of new building construction. Ordinance 11-08, which was adopted on July 13, 2011 by Mayor and Council, addresses several of these recommendations, including: amending Chapter 35 Section 201 of the Land Development Regulations relating to floor area ratio (FAR); amending Chapter 35 Section 804.4 A of the Land Development Regulations regulating the construction of below grade garages; and amending Schedule B relating to maximum impervious coverage. A letter dated June 13, 2011 from the Borough Engineer will be sent to the Planning Board and Council with proposed revisions on building heights and combined side yards.

A related issue that had been touched upon is the construction of two-family dwellings in the Borough and its impact on the sense of over-crowding of building lots. Similar to the comments above regarding the slowdown in teardowns due to the economy, development

of two-family dwellings has been scaled back recently, although an improved economy may likely generate renewed interest in such development. Neither the Master Plan nor zoning ordinance has been amended to address this issue.

3. Issue: Transportation, parking and circulation issues.

Comment: Some of the transportation issues have been addressed while others remain unresolved. In November 2010 a non-binding referendum was held in which Borough residents voted by a 2:1 margin to reject the idea of light rail service extending to Tenafly. In February 2011 the Municipal Council approved #R11-84, which outlines the Borough's strong opposition to any construction of the Northern Branch light rail line within the Borough's corporate limits.

The issues pertaining to traffic lights and associated circulation patterns have not been addressed.

With respect to parking in the central business district, the Borough has been able to add additional parking spaces adjacent to the downtown through agreements with local business owners. The Planning Board and Borough officials have noted fewer complaints regarding parking availability, indicating the issue may have been at least partially addressed, although there is still resident concern over the proximity of parking spaces to desired shopping locations. It is also recognized that the downturn in the economy may play a role in the reduction in the number of complaints about the number of spaces in the downtown.

4. Issue: Developing the Central Business District to encourage locally oriented retail and service uses.

Comment: In 2010, a Business Improvement District (BID) Committee was established to promote the development of the Borough's downtown. Composed of local merchants, a Borough liaison and a hired outside professional, the Committee is in the early stages of developing recommendations for the Borough's Central Business District, and has conducted a survey and analysis of the B-1 zone which encompasses the district. Issues considered by the BID include: the physical isolation and limitations of the district; the current mix of business uses; the need for a more specific "vision" for the BID effort; and, BID organizational needs. The BID Committee intends to provide more detailed long-term goals for the central business district by the fall of 2011.

5. Issue: The maintenance and upgrading of community facilities to meet changing population needs.

Comment: Few community facilities have been improved since the 2005 reexamination report due to budgetary constraints. However, improvements have occurred in the following areas:

- a. In 2005, the Borough constructed a skate park open to Tenafly and Alpine

residents. The Recreation Department also purchased a previously leased trailer for the storage of uniforms and equipment. In addition, plans have been approved to add a restroom, snack bar and storage building to the municipal field.

- b. The Tenafly Public Library has met several of its needs identified in 2005. The Library has installed new lighting that is both brighter and more energy efficient, and in 2010 contracted to upgrade and modernize its HVAC system. Due to rising usage, the Library states there is still a need for the expansion of its media room along with additional space for a meeting room and storing various materials and equipment.
- c. Several improvements were added to Huyler Park, including landscaping, the installation of lighting, walkways, and benches, and the replacement of the park's bandstand and gazebo.
- d. Lighting was installed at Davis Johnson Park for the gazebo and rose garden.
- e. Playground equipment and a handicap accessible pathway were installed at Walnut Park Playground.
- f. ADA aquatic chair lifts were added at the Borough Swim Clubs to provide handicapped access.
- g. The Police Department has indicated that its future headquarters, currently under construction, will be adequate to fulfill the department's needs assuming its size does not fluctuate.
- h. ADA paths were added to the Nature Center.

A report from the Borough Fire Department outlined several issues that needed addressing, including upgrading of its the communications system. While money was provided in 2009 for such improvements, no new frequencies were available at that time. Frequencies are now currently available, but have not yet been purchased.

There has also been discussion of the need for a community center, although nothing has been done to date to establish one in the Borough.

- 6. Issue: Continuing historic preservation efforts to ensure that historic and architecturally significant sites are not denigrated or destroyed.

Comment: Additional parcels were added in recognition of their historical significance to the Tenafly Historic Preservation Element on August 13, 2008: the Jellison House on 330 Engle Street, the Anthony residence on 177 Hudson Avenue, and the Amend House on 60 Elm Street.

The Demarest-Lyle House on 91 West Clinton Avenue was also added to the New Jersey

Historical Registry on October 30, 1980 and to the National Register of Historic Places on January 10, 1983.

Two efforts to designate historic districts in the Borough have occurred since the 2005 reexamination report. The HPC reviewed the Hillside Avenue District for historic preservation, and after consideration decided not to proceed further with a recommendation for such designation. Park Street was designated a Historic Avenue District by the Mayor and Council in 2008, but the designation was thereafter revoked due to a protest from residents. A requirement for any permit or application coming before the Building Department for properties identified in the Master Plan on Table 13 should be sent to the Historic Preservation Commission for a review meeting and that requirement would improve this goal.

Several historically significant structures throughout the Borough received upgrades. The Historic Preservation Commission (HPC) received grants permitting the cleanup and restoration of the Theodore Roosevelt Monument at the Roosevelt Common. In addition, the Tenafly Railroad Station was leased by a New York City restaurant entrepreneur and with grants received was restored to near its original structure.

7. Issue: Meeting COAH's third round regulations.

Comment: The Borough filed its third round Housing Element and Fair Share Plan with COAH in a timely manner and is awaiting COAH's certification of the plan. However, while that filing took place at the end of 2008, a number of things have occurred which alters or at the very least modifies the affordable housing landscape. In October of 2010 the Appellate Court ruled that COAH's third round methodology used to determine housing-need was unconstitutional. The New Jersey Supreme Court subsequently agreed to take that case on appeal. At the same time, the state Legislature moved a number of bills in an effort to abolish COAH and establish a new methodology to determine housing need. One was moved onto the Governor's desk, but he vetoed this bill, although in June of this year he signed an Executive Order resulting in the abolition of COAH. Their powers and responsibilities are to be transferred to the Department of Community Affairs (DCA). The Borough's Special Attorney on affordable housing issues and its planner have been charged with keeping the Borough informed on anticipated changes to the affordable housing process and any resulting changes in the Borough's housing obligations.

8. Issue: Plan Endorsement.

Comment: It is expected that the state is going to undertake a new approach to its State Plan efforts, but nothing is required of the municipality at present.

9. Issue: Developing the Borough's stormwater management infrastructure.

Comment: A Stormwater Management Plan was adopted by the Planning Board as an

element of the Master Plan on December 12, 2007.

Goals and Objectives:

In addition to the major planning issues, it is necessary to identify the manner and extent in which the Borough's goals and objectives have been addressed since the time of the 2005 reexamination.

1. Goal: To maintain and enhance the existing areas of stability in the community; to encourage a land use pattern that establishes areas which have their own unique development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community, and reinforce the borough's commercial and business areas, by restricting incompatible land uses from established neighborhoods, and limiting intensities of use to the levels prescribed herein.

Comment: This remains as an ongoing issue for the Borough, which recognizes the need to stay vigilant in its planning strategies to ensure that any and all development within the Borough complements its established land use patterns.

2. Goal: To ensure that any prospective development and/or redevelopment is responsive to Tenafly's environmental features.

Comment: In 2009, the Planning Board and Environmental Commission both adopted an Open Space and Recreation Plan that aims to preserve small and large open spaces, improve existing public lands and facilities, continue efforts to preserve and protect parkland, and develop new open space areas wherever possible. In addition, a Stormwater Management Plan was adopted by the Planning Board as an element of the Master Plan on December 12, 2007.

3. Goal: To ensure that any future development of the Borough's infrastructure be limited to accommodate the Borough's present level of intensity as identified in this Plan.

Comment: The issues pertaining to this item remain unchanged.

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

Comment: The Borough has not adopted any changes to its zoning ordinance regarding additional buffer zone provisions, determining the current provisions are adequate.

5. Goal: To encourage residential zone bulk requirements, such as setbacks and coverage, as well as regulations regarding lighting, noise, etc., to permit development consistent with the established community character.

Comment: As noted above, the Planning Board has had its engineer prepare zoning provisions altering the manner in which 'building height' and 'side yard setbacks' are regulated, although neither provision has been adopted to-date.

6. Goal: To consider environmentally sensitive features and extensive woodland vegetation as a means of preserving steep slopes, wetlands, wooded areas, scenic qualities, historic facilities, retaining open space and reducing infrastructure costs.

Comment: In 2009, 425 Hudson Avenue was purchased by the Borough for the purpose of preserving open space. One acre of the property has been added to the nearly 400 acres already protected by the Tenafly Nature Center. The purchase of the property was financed entirely with grants received.

7. Goal: Age-restricted housing should be encouraged in areas where such uses are permitted to address a growing need that would not adversely impact the Borough school system.

Comment: Age-restricted housing currently exists on Tenafly Road. No new age-restricted units have been constructed since the 2005 Reexamination Plan.

Comment: Given the ongoing demographic changes in the Borough and the current status of COAH, the Borough will only consider age-restricted housing as a goal if such development will help meet its affordable housing obligations.

8. Goal: To preserve and enhance the Borough's community facilities, ensuring that the Borough address the public safety, recreational, and other needs.

Comment: This issue is addressed in the previous section under Issue #5. Please see pages 9 -10 for details.

9. Goal: To preserve and enhance the Borough's Central Business District by defining its functional role in the community and enhancing the quality of life within the commercial center through an appropriate mixture of activities; permit a reasonable level of development in the business district; and to encourage the use of off-street parking facilities to provide greater convenience for shoppers and reduce conflicting traffic movements in the Central Business District.

Comment: This represents an ongoing planning issue that must be continually examined to ensure that the Central Business District remains an attractive and functioning part of the community. As noted in the previous section under Issue #4, the Business Improvement District Committee was formed in 2010 to promote the Central Business District.

Through the Planning Board's efforts, additional parking spaces have been put into place to increase the number of parking spaces serving the district. In addition, a new parking lot was developed creating an additional eleven spaces for downtown shoppers. All site plan and site plan waivers currently address parking requirements and, as a result, nearly all commercial applications have conditions regarding parking and improvements to parking lots.

10. Goal: To encourage New Jersey Transit and other officials to develop any future rail system that is friendly to adjacent residential uses and minimizes the number of transfers required by commuters.

Comment: In February 2011, the Borough residents voted in a non-binding referendum to reject NJ Transit light rail service. The Borough has indicated it is opposed to the establishment of light rail services and consequently no longer considers it a goal.

11. Goal: To address the Borough's affordable housing obligation in a manner that is consistent with other goals and objectives set forth herein.

Comment: The Borough has filed its housing plan on time and is currently in compliance with COAH's third round regulations.

As noted in the previous section, it is recognized that the Governor has signed an executive order resulting in the abolition of COAH. The powers and responsibilities of the former state agency have been transferred to the Department of Community Affairs (DCA).

This is an obviously fluid matter due to the Governor's Executive Order, an Appellate Court decision rejecting COAH's housing methodology, and the action by the Supreme Court agreeing to hear the appeal of the Appellate Court decision. The Borough's Special Attorney on affordable housing issues and its planner have been charged with keeping the Borough informed on anticipated changes to the affordable housing process and any resulting changes in the Borough's housing obligations.

12. Goal: To promote a safe and efficient traffic circulation that serves the Borough while retaining Tenafly's community character.

Comment: The issues pertaining to this item remain unchanged.

13. Goal: To preserve the historic features of the Borough as an integral part of Tenafly's unique character.

Comment: The HPC has successfully obtained grants and funding for the maintenance of several historical structures. Plans have also been enacted to designate 170 Thatcher Road as an historic site. In addition, a new Historic Preservation Element of the Master Plan has been prepared concurrently with the 2012 Reexamination Report.

14. Goal: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a statewide basis while retaining the principles of home rule.

Comment: This is an ongoing planning issue that requires constant review and consideration as the state modifies its SDRP requirements.

EXTENT TO WHICH THERE HAS BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES AND OBJECTIVES FORMING THE BASIS FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS AS LAST REVISED, WITH PARTICULAR REGARD TO SPECIFIC PLANNING ISSUES AND GOVERNMENT POLICY

The MLUL requires, as part of the overall reexamination analysis, an assessment of the changes that have taken place in the community since the adoption of the last Master Plan. There are a number of substantive changes at the state and local level since the adoption of the 2005 reexamination report that requires the Borough's attention. In addition, the Borough has experienced changes resulting from growth and development.

Changes at the Local Level

1. Borough Population Growth

As outlined in Table 1 and Figure 1, Tenafly experienced consistent growth from 1930 to 1970, an era in which the population increased from 5,669 to 14,827. From 1970 to 1990 this trend reversed itself, and the Borough's population declined to 13,326 residents by 1990. However, this trend again was reversed by 2000 when the Borough's population increased 3.6 percent to 13,806.

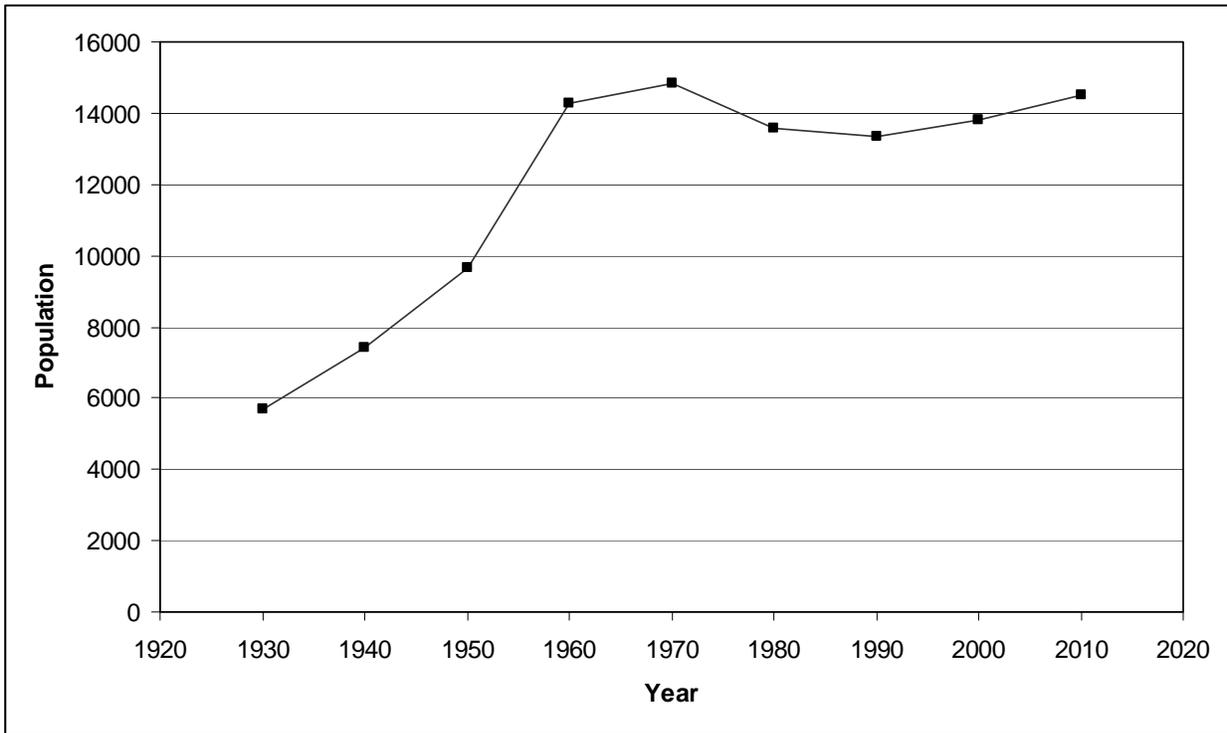
The 2010 US Census indicates a continuation of this growth, as the Borough's population increased to 14,488 residents. With a growth rate of 4.9 percent, Tenafly's growth was approximately double that of Bergen County as a whole, which grew at a rate of 2.4 percent during the 2000s. The Borough's growth rate also exceeded New Jersey's as a whole, which grew at approximately 4.5 percent. Among its immediate neighbors, only the Borough of Cresskill had a larger growth rate.

Table 1: Population Growth - Tenafly, New Jersey

Year	Population	Population Change	Percent Change
1930	5,669	--	--
1940	7,413	1,744	30.8
1950	9,651	2,238	30.2
1960	14,264	4,613	47.8
1970	14,827	563	3.9
1980	13,552	-1275	- 8.6
1990	13,326	-226	- 1.7
2000	13,806	480	3.6
2010	14,488	682	4.9

Source: U.S. Census Data

Figure 1: Population Growth – Tenafly, New Jersey



Source: U.S. Census Data

2. Average Household Size

The Borough's average household size declined from 3.38 persons per household in 1960 to a low of 2.79 persons per household in 1990. This downward trend mirrored trends at the county, state and national levels

The Borough did experience a slight increase in the average household size in 2000. This increase has carried over to the 2010 US Census, as the Borough's average household size has increased to 3.02 persons per household. Tenafly's average household size is above the Bergen County average of 2.66 persons per household.

Table 2: Average Household Size (1980-2010) - Tenafly, New Jersey

Year	Borough Population	Household Total Population*	Total Households	Average Household Size
1980	13,552	13,425	4,677	2.87
1990	13,326	13,176	4,724	2.79
2000	13,806	13,650	4,774	2.86
2010	14,488	14,293**	4,766	3.02

Source: 2003 Bergen County Data Book, U.S. Census

* - Does not include residents living in group quarters.

**Estimated figure per census data.

3. Age and Sex Characteristics

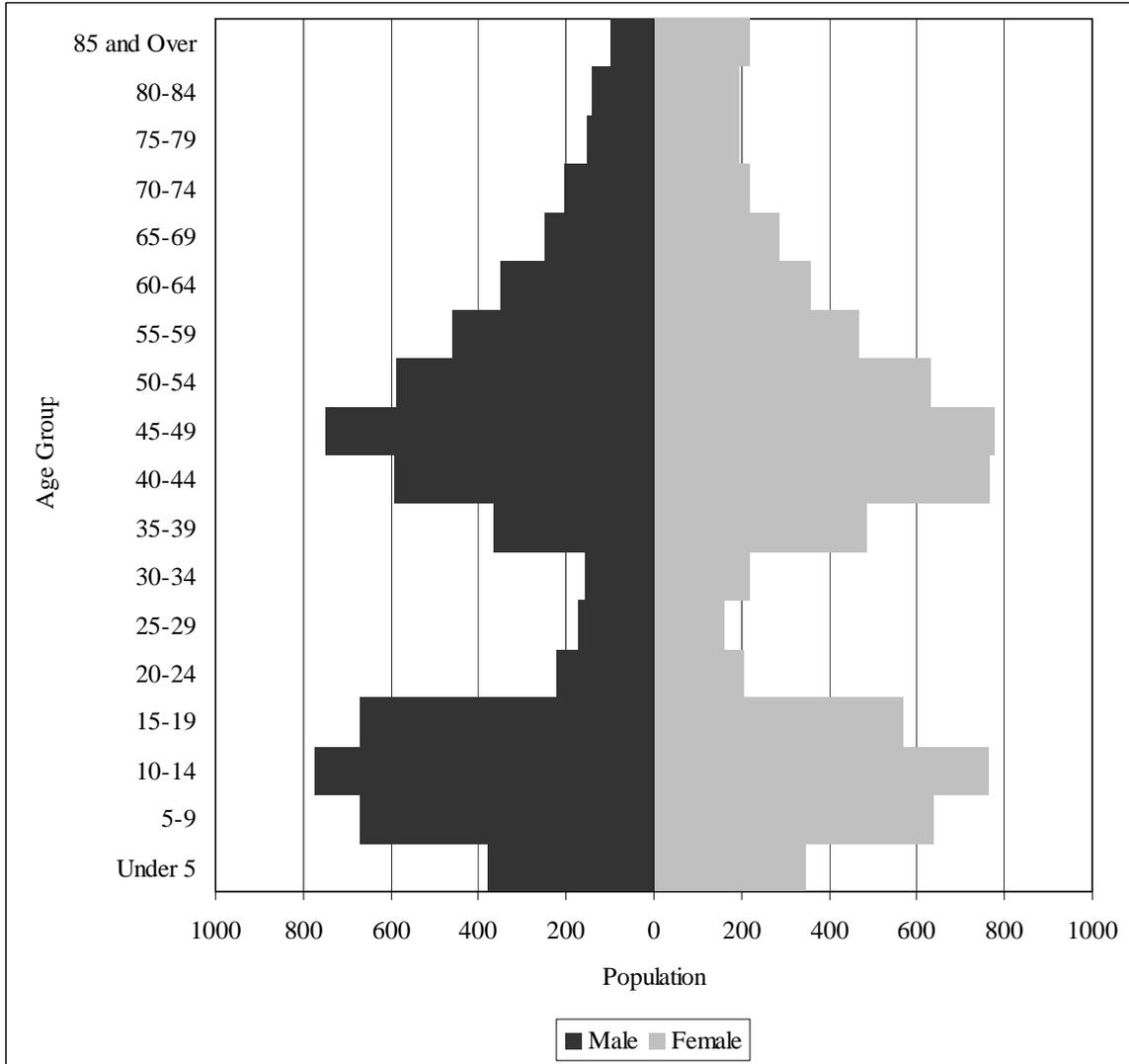
The accompanying Table 3 and Figure 2 both offer a breakdown of the Borough's population by age and sex.

Table 3: Age and Sex Characteristics (2010) - Tenafly, New Jersey

Age Group	Male	Female	Total	% Total
Under 5	381	347	728	5.0
5-9	671	637	1,308	9.0
10-14	775	762	1,537	10.6
15-19	671	570	1,241	8.6
20-24	221	203	424	2.9
25-29	172	162	334	2.3
30-34	157	220	377	2.6
35-39	365	485	850	5.9
40-44	593	766	1,359	9.4
45-49	748	777	1,525	10.5
50-54	586	632	1,218	8.4
55-59	461	467	928	6.4
60-64	349	357	706	4.9
65-69	250	283	533	3.7
70-74	206	220	426	2.9
75-79	152	192	344	2.4
80-84	141	193	334	2.3
85 and older	97	219	316	2.2
Total Population	6,996	7,492	14,488	100.0
Percentage	48.3	51.7	100.0	
Median Age	40.8	42.5	41.8	

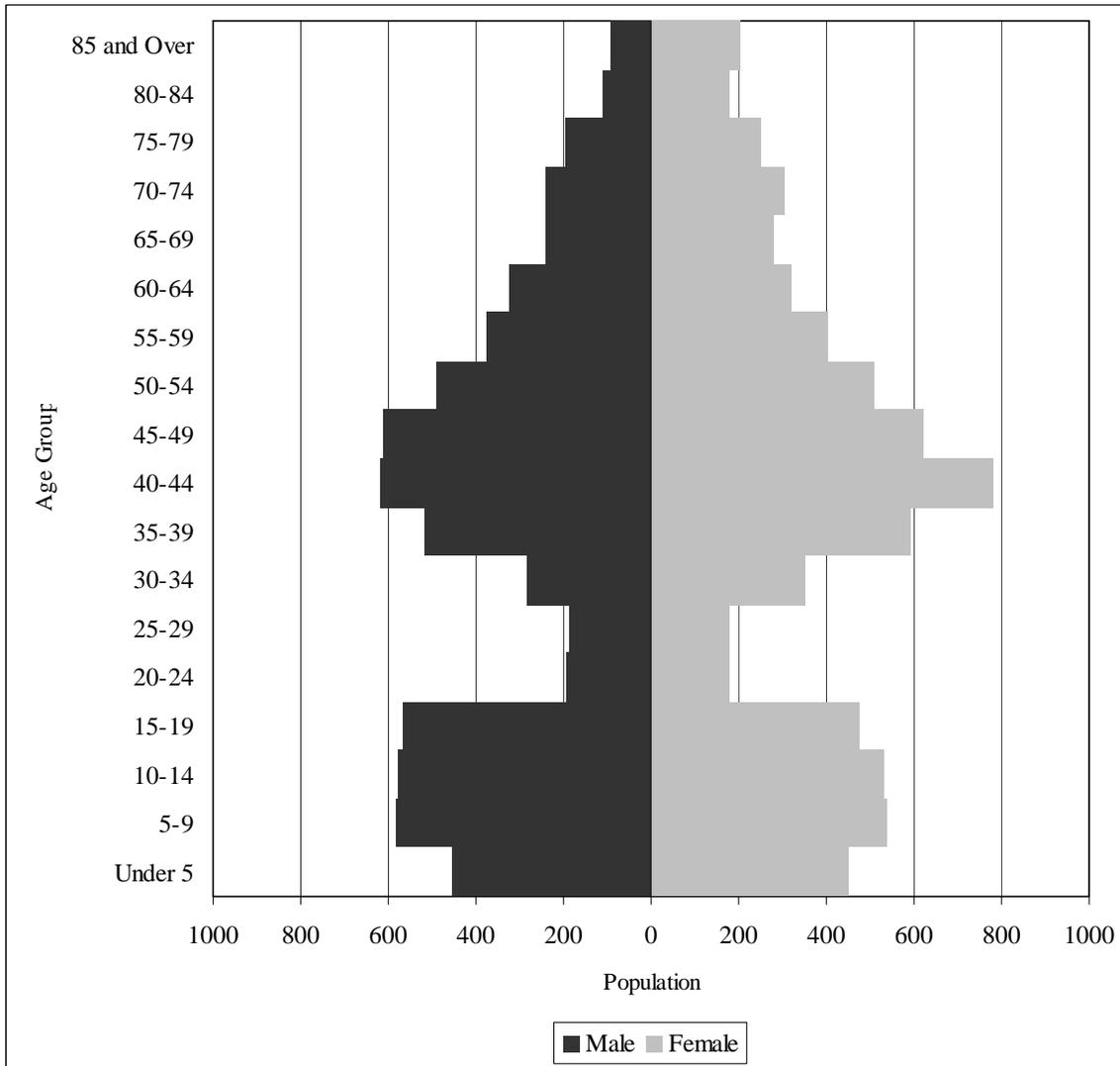
Source: 2010 U.S. Census data

Figure 2: Age and Sex Pyramid (2010) – Tenafly, NJ



Source: 2010 U.S. Census data

Figure 3: Age and Sex Pyramid (2000) – Tenafly, NJ



Source: 2000 U.S. Census data

During the 2000s, the Borough’s median age increased from 40.5 years in 2000 to 41.8 years in 2010. The median age for males substantially increased from 35.8 years in 2000 to 40.8 years in 2010. The median age for females also experienced an increase. Bergen County has a slightly lower median age of 41.1 years, while the state’s median age is 39.0 years.

Both the number and percentage of residents age 65 and older declined from 2,092 (15.2 percent) in 2,000 to 1,953 (13.5%) in 2010. This contrasts with an increase of residents 18 years of age and under, which is estimated to have grown from 28.3 percent in 2000 to 32.1 percent in 2010. This represents nearly two decades of growth within this age category. The Borough’s public school population has reflected this growth. During the 2009-2010 school year, its public and private enrollments were 3,500 and 490 respectively, representing an increase from the 2004 school year public and private student populations of approximately 3,000 and 200 respectively.

4. Racial and Ethnic Diversity

The Borough experienced significant increases in its Asian and Hispanic populations, which grew at a rate of 44.0 percent and 20.8 percent respectively during the 2000s. The non-Hispanic White population declined from 73.7 percent in 2000 to 69.3 percent in 2010. Table 4 illustrates the racial composition of the Borough's population, and Table 5 displays a breakdown of the Borough's residents of Hispanic origins.

Table 4: Racial Data (2000-2010) - Tenafly, New Jersey

	2000	Percent of Population	2010	Percent of Population
White (Non-Hispanic)	10,176	73.7	10,041	69.3
Black / African-American	122	0.1	128	0.9
Asian / Pacific Islander	2,632	19.0	3,799	26.2
Other race / 2 or more races	234	1.6	520	2
Hispanic origin	642	4.6	NA*	NA*
Total	13,806	100.0	14,488	100.0

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

* - Unavailable for this table due to US Census reclassifications

Table 5: Residents of Hispanic Origin (2010) - Tenafly, New Jersey

	2010	Percent of Hispanic Population
Mexican	69	9.0
Puerto Rican	143	18.5
Cuban	102	13.2
Other Hispanic or Latino	462	59.3
Total	776	100.0

Source: U.S. Census Data

5. Place of Birth and Residence in 2009

Estimates provided by the US Census’s American Community Survey (ACS) offer perspective on the significant changes in population movement that have occurred in the Borough over the past decade. Table 6 provides information on where Borough residents were born. An estimated one-quarter of Tenafly residents were born in New Jersey, while approximately 39.3 percent were born in another state. An estimated 33.8 percent of the population is foreign born, higher than Bergen County’s estimated 29 percent.

Table 6: Place of Birth – Tenafly, New Jersey (2009)

		Number	Percent
Native Born	Born in New Jersey	3,650	25.5
	Born in different state	5,623	39.3
	Born outside the U.S.	204	1.4
Foreign born		4,847	33.8
Total		14,324	100.0

Source: 2009 U.S. American Community Survey estimates

The ACS estimates that over 86 percent of Tenafly residents resided in the same residence as in 2008, reflecting the relative stability of the Borough’s population.

Table 7: Place of Residence in 2008 (Population 1 year and over)– Tenafly, New Jersey (2009)

		Number	Percent
Same house in 2008		12,330	86.9
Different house in U.S. 1995	Same county	974	11.7
	Different county (same state)	680	4.8
	Different State	391	2.8
Abroad		198	2.8
Total		12,934	100.0

Source: 2009 U.S. American Community Survey Estimates

6. Income Characteristics

Table 8 provides data for household income distributions as estimated by the 2009 ACS. Over the last decade, median household income has increased an estimated 28 percent, from \$90,931 in 1999 to \$116,359 in 2009.

Table 8: Household Income Distribution (1999 and 2009) - Tenafly, New Jersey

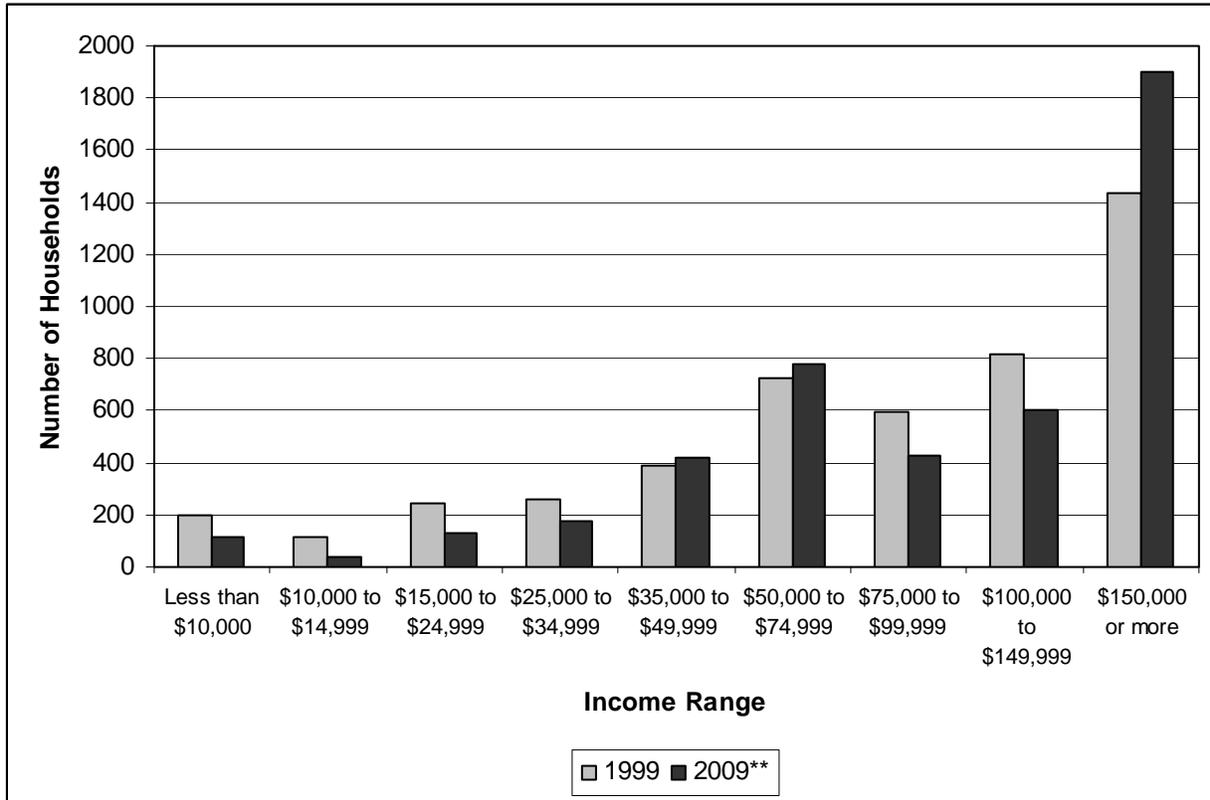
Income Category	Number 1999	Percentage 1999	Number 2009**	Percentage 2009**
Less than \$10,000	198	4.1	111	2.4
\$10,000 to \$14,999	116	2.4	36	.8
\$15,000 to \$24,999	244	5.1	129	2.8
\$25,000 to \$34,999	258	5.4	173	3.8
\$35,000 to \$49,999	392	8.2	421	9.2
\$50,000 to \$74,999	722	15.1	782	17.0
\$75,000 to \$99,999	599	12.5	431	9.4
\$100,000 to \$149,999	815	17.1	604	13.2
\$150,000 or more	1,437	30.1	1,898	41.4
Total households	4,781	100.0	4,585	100.0
Median household income	\$ 90,931	--	\$116,359	--

Source: U.S. Census data, U.S. American Community Survey and 2003 Bergen County Data Book

** - Estimate

The number of households making over \$100,000 per year is estimated to have increased in both number and household share from 1999 to 2009. In 1999, 47.2 percent of the Borough's households earned over \$100,000. That number is estimated to have increased to approximately 54 percent.

Figure 4: Household Income Distribution (1999 and 2009) - Tenafly, New Jersey



Source: U.S. Census data, U.S. American Community Survey and 2003 Bergen County Data Book
 ** - Estimate

7. Housing Characteristics

Residential development is estimated to have increased during the 2000s, with a net gain of 87 units or 1.8 percent. This stands in contrast to the 1990s, which saw flat development and a net loss of one unit. Bergen County is estimated to have experienced a 3.7 percent increase in its number of dwelling units.

Table 9: Dwelling Units (1950-2010) - Tenafly, New Jersey

Year	Total Dwelling Units	Numerical Change	Percentage Change
1950	2,843	--	--
1960	4,284	1,441	33.6
1970	4,619	335	7.8
1980	4,753	134	2.9
1990	4,898	145	3.1
2000	4,897	- 1	0.0
2010	4,980	87	1.8

Source: 2009 U.S. American Community Survey Estimates

Table 10 provides data on owner-occupied and renter-occupied units in the Borough, as well as units vacant at the time of the 2010 US Census. Approximately 75 percent of the housing units in the Borough are listed as owner-occupied, while 21 percent are listed as renter-occupied. Vacant units comprised of 4.3 percent of total units in 2010. Of these units, 54 were for rent, 55 were for sale, 21 were rented or sold, and 40 were vacant for other reasons. The vacant unit percentage for Bergen County was 4.7 percent in 2010.

Table 10: Year Round Housing Units by Tenure and Occupancy Status (2010) – Tenafly, New Jersey

Characteristics	Number of Units	Percent
Owner-occupied	3,748	75.3
Renter-occupied	1,018	20.4
Vacant units	214	4.3
Total	4,980	100.0

Source: 2010 U.S. Census and 2003 Bergen County Data Book

While Tenafly remains a community primarily developed with single-family detached units, its housing makeup does show evidence of some change. The number of single-family detached units is estimated to have decreased during the 2000s, from 81.5 percent in 2000 to 76.1 percent in 2009. The number of multi-family structures is estimated to have grown at a rate of 26.7 percent, increasing from 774 in 2000 to 981 in 2009. Table 11 compares the changes in units in residential structures from 2000 to 2009.

Table 11: Units in Structure (2000 and 2009) - Tenafly, New Jersey

Units in Structure	Number 2000	Percentage 2000	Number 2009**	Percentage 2009**
Single Family, detached	3,966	81.5	3,683	76.1
Single Family, attached	140	2.9	173	3.6
2	332	6.4	507	10.5
3 or 4	88	1.8	152	3.1
5 or more	354	7.0	322	6.7
Other	17	.4	0	0.0
Total	4,897	100.0	4,897	100.0

Source: U.S. Census data and U.S. American Community Survey

** - Estimate

Table 12 provides ACS data on the estimated ages of housing units in the Borough. Approximately half of the Borough's dwelling units were built within the early 1950s or later, similar to that of Bergen County as a whole. Slightly over 5 percent of the existing housing stock has been developed since 2000.

Table 12: Year Structure Built - Tenafly, New Jersey

Year Units Built	Number of Units	Percent
Built 2005 or later	127	2.6
2000 to 2004	137	2.8
1990 to 1999	68	1.4
1989 to 1989	313	6.5
1970 to 1979	108	2.2
1960 to 1969	523	10.8
1950 to 1959	1,274	26.3
1940 to 1949	634	13.1
Built 1939 or earlier	1,653	34.2
Total	4,837	100.0

Source: U.S. American Community Survey estimates

8. Value of Housing Units

Housing rental costs are estimated to have experienced a significant increase during the 2000s, continuing a trend seen since the 1990s. As outlined in Table 13, the median gross rent in the Borough is estimated to have increased almost 49 percent from \$1,186 in 2000 to \$1,766 in 2009.

Table 13: Gross Rent of Specified Renter-Occupied Housing Units (2000 and 2009) - Tenafly, New Jersey

Rent	2000 Units	2009 Units**
Less than \$200	13	0
\$200 to \$299	21	11
\$300 to \$499	18	0
\$500 to \$749	122	0
\$750 to \$999	125	0
\$1,000 to \$1,499	248	341
\$1,500 or more	304	770
No cash rent	75	53
Total	926	1,122
Median Gross Rent	\$1,186	\$ 1,766

Source: U.S. Census data and U.S. American Community Survey

** - Estimated

Table 14 outlines the median value of owner-occupied non-condominium housing in Tenafly. As with rents, the values of homes are estimated to have increased greatly since 2000. The 2009 median value of housing units is expected to increase 78 percent from the 2000 median value.

Table 14: Value of Specified Owner-Occupied Non-Condominium Housing Units (2000 and 2010) - Tenafly, New Jersey

Value Range – 2000	Number of Units	Value Range - 2009	Number of
Less than \$100,000	35	Less than \$100,000	20
\$100,000 to \$149,999	17	\$100,000 to \$149,999	28
\$150,000 to \$199,999	145	\$150,000 to \$199,999	0
\$200,000 to \$299,999	769	\$200,000 to \$299,999	66
\$300,000 to \$499,999	1,352	\$300,000 to \$499,000	562
\$500,000 to \$999,999	938	\$500,000 to \$999,999	1,992
\$1,000,000 or more	283	\$1,000,000 or more	742
TOTAL	3,539	TOTAL	3,410
2000 Median Value	\$ 403,600	2009 Median Value	\$ 719,300

Source: U.S. Census, U.S. American Community Survey

** - Estimated

9. Employment Characteristics

Tables 15 and 16 describe the employment characteristics and occupational patterns of Tenafly residents as reported by the 2009 ACS. Table 15 identifies resident employment by work. Approximately 82 percent of Borough resident workers are projected to be employed in two occupational categories - managerial, professional and related occupations; and sales and office occupations – representing a slight decrease from almost 85 percent in 2000.

Table 15: Employed Residents Age 16 and Over, By Occupation (2009) - Tenafly, New Jersey

Occupation	Number**	Percent**
Managerial, Professional, and Related Occupations	3,728	57.0
Service Occupations	520	7.9
Sales and Office Occupations	1,657	25.3
Farming, Fishing, and Forestry Occupations	27	0.4
Construction, Extraction, and Maintenance Occupations	253	3.9
Production, Transportation, and Material Moving Occupations	359	5.5
Total	6,544	100.0

Source: U.S. American Community Survey

** - Estimate

Table 16 demonstrates that three fields – educational, health and social services; professional, scientific, management, administrative, and waste management services; and finance, insurance, real estate, and rental and leasing – are estimated to comprise nearly 43 percent of all jobs. The percentage of educational, health and services jobs dropped from over one-quarter of all employed Borough residents in 2000 to an estimated 22.9 percent in 2009, while the percentage of finance, insurance, real estate, and rental and leasing jobs rose from 11.2 percent in 2000 to an estimated 13.6 percent in 2009.

Table 16: Employed Residents Age 16 and Over, By Industry (2009) - Tenafly, New Jersey

Industry	Number**	Percent**
Agriculture, Forestry, Fishing and Hunting, and Mining	20	0.3
Construction	231	3.5
Manufacturing	636	9.7
Wholesale Trade	451	6.9
Retail Trade	451	6.9
Transportation and Warehousing, and Utilities	163	2.5
Information	316	4.8
Finance, Insurance, Real Estate, and Rental and Leasing	892	13.6
Professional, Scientific, Management, Administrative, And Waste Management Services	1,071	16.4
Educational, Health and Social Services	1,496	22.9
Arts, Entertainment, Recreation, Accommodation and Food Services	330	5.0
Other Services (except Public Administration)	482	7.4
Public Administration	74	1.1
Total	6,544	100.0

Source: 2009 U.S. American Community Survey

** - Estimate

Table 17 outlines the “journey to work” statistics for Tenafly and its neighboring communities, as well as Bergen County and New Jersey. Although an estimated 64 percent of Tenafly residents drive alone to work, this percentage is lower than the estimated values for Bergen County and New Jersey as a whole. Among its neighbors, only Englewood Cliffs had an estimated lower percentage of its workforce driving to work alone. When the carpool numbers are included, approximately three-quarters of Tenafly residents use a car to get to work. The percentage of Tenafly residents working at home also exceeds most of its neighbors, Bergen County and New Jersey as a whole.

Mass transit uses make up an estimated 13.1 percent of commuters, similar to Bergen County commuters and higher than that for New Jersey as a whole.

Table 17: Journey to Work Data (2000) – Modes of Commuter Transportation

Municipalities	Car (Drive Alone)	Carpool	Public Transit	Walked	Other Trans.	Work at Home
Tenafly	64.2	11.0	13.1	2.6	.7	8.4
Englewood	66.0	9.0	13.4	6.8	1.8	3.0
Englewood Cliffs	62.9	24.5	8.8	0.4	1.6	1.8
Bergenfield	70.1	10.7	13.5	2.2	1.5	2.0
Cresskill	74.0	5.0	12.5	2.3	0.5	5.7
Alpine	74.3	10.0	3.5	2.5	1.1	8.6
BERGEN COUNTY	71.1	7.7	12.8	3.0	1.4	3.9
NEW JERSEY	71.8	9.1	10.4	3.3	1.9	3.4

Source: 2010 U.S. American Community Survey estimates

10. Construction Activity

From 1993 through summer 2010, 495 residential building permits were issued by the Borough. As outlined on the accompanying Table 18 and Figure 5, 332 permits were issued for single-family dwelling units, consisting of over two-thirds of the total number of permits issued since 1993.

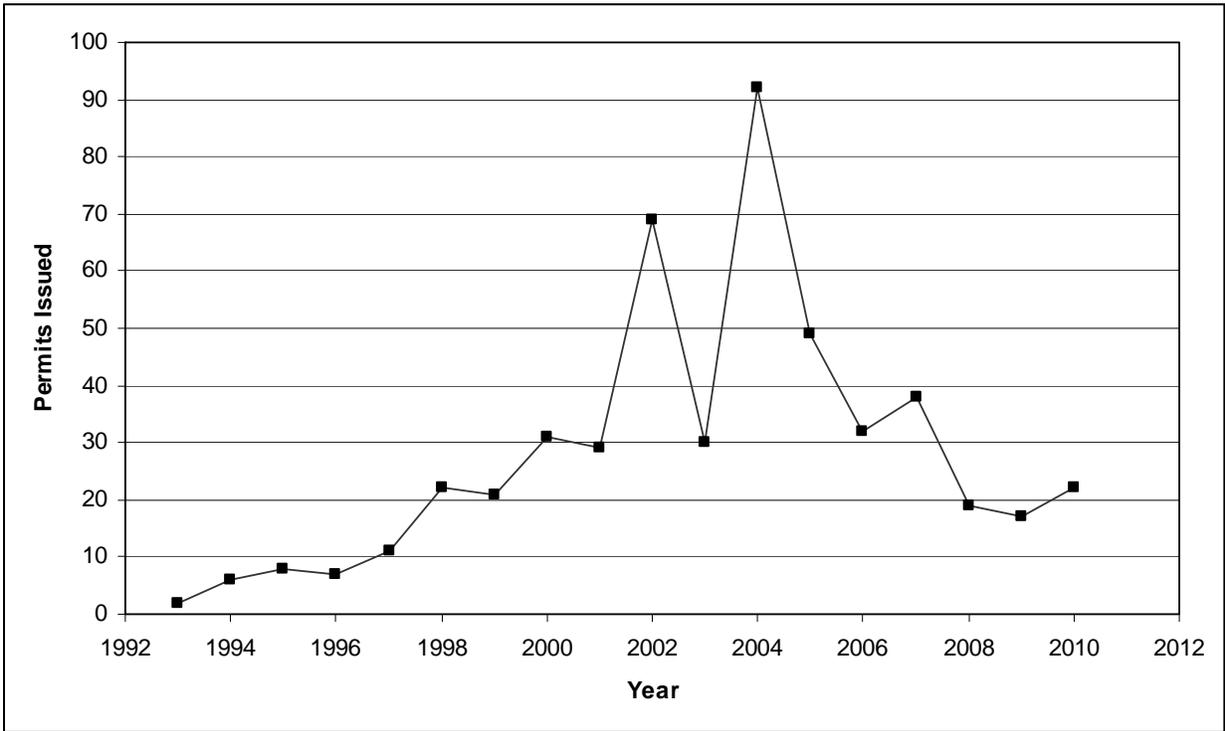
From 2002 to 2007, 300 residential building permits were issued, including 64 for developments with five units or greater. Since 2008, only 58 residential building permits were issued. This is reflective of the current economic recession and its effects on construction trends in the county, state and national level.

Table 18: Number of Residential Building Permits Issued (1993-2010) - Tenafly, New Jersey

Year	Single-Family	Two-To-Four	Multi	Total
1993	2	0	0	2
1994	6	0	0	6
1995	6	2	0	8
1996	7	0	0	7
1997	11	0	0	11
1998	20	2	0	22
1999	15	6	0	21
2000	25	6	0	31
2001	23	6	0	29
2002	31	18	20	69
2003	19	6	5	30
2004	25	42	25	92
2005	35	2	2	49
2006	29	0	3	32
2007	27	2	9	38
2008	16	3	0	19
2009	14	1	2	17
2010	21	1	0	22
Total	332	97	66	495

Source: New Jersey Residential Building Permits, N.J. Department of Labor and Workforce Development, 1993-2004 and Borough of Tenafly building department.

Figure 5: Number of Total Residential Building Permits Issued (1993-2010) - Tenafly, New Jersey



Source: New Jersey Residential Building Permits, N.J. Department of Labor and Workforce Development, 1993-2004 and Borough of Tenafly building department.

11. Zoning Amendments: Tenaflly has adopted sixteen zoning amendments since the adoption of the previous Reexamination Report on September 14, 2005. Each amendment is identified below:

- **Ordinance 06-28 (adopted 10/24/06)**
Amends LDR to increase development fees.
- **Ordinance 06-29 (adopted 9/26/06)**
Amends LDR to allow the zoning officer to issue permits for the placement of temporary storage containers.
- **Ordinance 06-39 (adopted 12/12/06)**
Rescinds Ordinance 06-24 (adopted 9/26/06) which designated Park Street as an Historic District.
- **Ordinance 07-09 (Adopted 5/08/07)**
Amends LDR to address subdivision lot widths regulations.
- **Ordinance 07-14 (Adopted 7/10/07)**
Adopts the zoning map for the Borough.
- **Ordinance 07-28 (Adopted 12/11/07)**
Amends LDR to establish soil movement regulations.
- **Ordinance 07-29 (Adopted 12/11/07)**
Amends LDR to address fees and Escrows for Planning Board applications and technical review procedures.
- **Ordinance 08-02 (Defeated)**
Amends LDR to clarify the definition of a “drive up bank.”
- **Ordinance 08-16 (Adopted 07/08/08)**
Amends LDR to establish a parking trust fund.
- **Ordinance 08-20 (Defeated)**
Amends LDR to establish an R-7.5A one- and two-family residential zone.
- **Ordinance 08-24 (Adopted 10/14/08)**
Amends LDR to correct Section 802.3 relating to existing platted lots.
- **Ordinance 08-28 (Adopted 12/09/08)**
Amends zoning map and LDR to designate certain properties within the Borough “Historic” as set forth in the Historic Preservation Plan of the Master Plan.
- **Ordinance 08-29 (Adopted 12/09/08)**
Amends LDR for “Developer’s Fees for Affordable Housing” to conform with COAH’s

Third Round regulations.

- **Ordinance 09-06 (Adopted 04/14/09)**
Amends LDR to address Escrows for Planning Board applications and technical review procedures.
- **Ordinance 09-10 (Adopted 05/12/09)**
Acquires one acre property of 425 Hudson Avenue for purposes of open space.
- **Ordinance 10-02 (Adopted 02/09/10)**
Correction to zoning map.
- **Ordinance 10-14 (Adopted 02/09/10)**
Rescinds order 08-16 to establish a Parking Trust Fund.
- **Ordinance 10-15 (Adopted 06/22/10)**
Amends LDR to include “medical offices” as a permitted use in the AHO/C2 Zone District.
- **Ordinance 11-08 (Adopted 07/13/11)**
Amends LDR to address FAR, maximum impervious coverage, and the construction of below grade garages.

Changes at the State Level

1. Council on Affordable Housing

As noted above, this issue has had dramatic alteration since 2005. On October 8, 2010, the Appellate Division released its opinion regarding COAH and its affordable housing regulations. The 72 page decision addresses many aspects of the COAH regulations, but the major point is the invalidation of the “growth share” methodology that serves as the foundation of the Third Round regulations and COAH’s prospective-need projections. Subsequently, the State Legislature adopted their Bill No. S-1, which would have served to significantly alter the affordable housing landscape. However, this bill was conditionally vetoed by the Governor in January of 2011. The Governor then, in June of 2011, signed an Executive Order abolishing COAH and placing its powers and responsibilities in the hands of the Department of Community Affairs. COAH was officially dissolved by the Christie Administration on September 15, 2011. While all of this was taking place, the New Jersey Supreme Court decided to hear an appeal of the Appellate Court decision.

We note the following points in the Appellate decision that are most pertinent to Tenafly and which may influence the Borough’s decisions going forward with its request for substantive certification of the Borough Housing Plan:

1. The Court invalidated the growth share methodology as the baseline for allocating prospective need projections. One of the grounds on which the Court invalidated growth share was that COAH did not provide sufficient data to prove there was enough vacant land in the State to meet the statewide housing need identified by COAH. The Court also claimed that the growth share concept as specifically implemented by COAH lacked a definitive ‘numbers’ approach, since their methodology permitted municipalities to avoid a significant portion of their affordable housing obligation by adopting land use policies that discouraged growth.
2. The Court directed COAH to use the “fair share” methodology to determine Third Round obligations. The Court pointedly noted that they gave COAH the opportunity to correct the flaws in the growth share methodology in 2007 and COAH did not do so. The Court also noted that more than a decade has elapsed since the Second Round of housing obligations expired and the State still lacks a set of valid Third Round rules. The Court concluded COAH must go back to a methodology that was previously approved by the Court, and thus directed COAH to use the Fair Share methodology to determine prospective need.
3. The Court requires that new prospective need numbers be promulgated based upon the Fair Share Methodology. The Fair Share Housing Center (FSHC) had argued before the Court that the State should be entitled to continue to rely on COAH’s determination of the statewide housing need, which was 116,000 low and moderate income housing units. The Court rejected FSHC’s argument, questioning the basis for COAH’s numbers.
4. The Court ruled that 100 percent municipally sponsored sites cannot be considered as

part of a certified plan if the plan does not identify the site, the developer and the time frame for the development of the property. All too often housing plans were simply indicating the municipality's intention to develop an unnamed site sometime during the first or second three- year period of a certification, depending on the extent of actual growth in the community. The Court ruled this was improper. The Court reasoned that, since COAH's justification for approving such general plans was a function of their contention that the growth share obligation only is imposed when growth actually occurs, and since the growth share concept was invalidated, this approach by COAH must be invalidated.

5. COAH must provide appropriate density incentives. The Court pointed out that often, municipalities with existing densities that exceeded COAH's minimum presumptive densities for affordable housing would simply impose an affordable housing setaside without increasing the density allowed on-site. The Court ruled this did not provide the necessary economic incentive to encourage the development of affordable housing.
6. The Court affirmed the propriety of a 20 percent set-aside for affordable housing while criticizing COAH's provisions allowing a 25 percent set-aside. The Court ruled COAH lacked sufficient justification to support a 25 percent set-aside. The Court also pointed to current economic conditions to suggest that a 25 percent set-aside did not create a realistic opportunity for the development of affordable housing.

This is significant in light of one of the reasons the Governor highlighted in his conditional veto of S-1. He expressly noted concern with a 20 percent setaside, suggesting it deterred investment at a time of economic downturn, and suggested a 10 percent setaside may be more appropriate.

7. Municipalities can no longer receive density credits for unbuilt rental units. The Court noted that too often housing plans were receiving density credits for projects approved more than 10 years ago that were never built.
8. The Court sustained the use of rental bonus credits in transit-oriented developments and in redevelopment areas. It reasoned that this served to complement state policy initiatives.
9. Prior Round housing-need numbers were upheld. Tenafly has addressed this in its plan.
10. The Court rejected the challenge that the Third Round rules impermissibly required expenditure of municipal revenues to address their affordable housing obligations. The Court found that the types of costs associated with affordable housing were 'incidental impacts' akin to costs associated with other development including market-rate housing.
11. The Court declined to issue a stay of proceedings before COAH or the court pending COAH's preparation of the new rules. However, any municipality or interested party may apply for a stay to COAH or the Court. The Appellate Division's only direction in assessing the request for a stay was to say "any such application should be decided in light of the status of the individual municipality's compliance with its affordable housing

obligations and all other relevant circumstances.”

In summary, it is difficult to determine conclusively what the new prospective need numbers that COAH is required to prepare will be. However, if they rely upon historic development trends, which would include the last few years when the Borough and the state as a whole experienced very little development, the housing need numbers should be lower than COAH had previously projected. The one caveat to the change in numbers regards a Court comment about urban affordable housing need which may serve to increase the number of affordable units distributed to suburban towns from urban municipalities.

Meanwhile, the State is awaiting both the Supreme Court ruling on affordable housing, as well as DCA’s promulgation of rules and regulations governing the affordable housing issue.

2. Residential Site Improvement Standards

Since its adoption in 1997, the RSIS has established technical and uniform standards for streets and parking, water supply, sanitary sewers and stormwater management relating to residential development throughout the state. The standards are the minimum requirements for site improvements that must be adhered to by all applicants for residential subdivision and site plans before planning boards and zoning boards of adjustment. They also represent the maximum that such boards can require of an applicant. These adopted standards supersede any local standards established for these systems.

Since the last reexamination report, there have been several amendments to the RSIS. The changes that most significantly affect planning issues and current developments in the Borough include regulations governing the structural value per-inch of thickness of various paving materials, new regulations for piping materials and for areas of excessive ground water or unstable soils.

SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES AND STANDARDS, OR WHETHER A NEW PLAN OR REGULATION SHOULD BE PREPARED

This Reexamination Report notes several key factors influencing the planning process and its implementation in the Borough of Tenafly. It is appropriate for the Borough to modify its Goals and Objectives to reflect those actions that have been addressed and ongoing issues that require attention. Other planning recommendations for the Borough are included in this section.

Amended Goals and Objectives

1. Goal: To maintain and enhance the existing areas of stability in the community; to encourage a land use pattern that establishes areas which have their own unique development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community, and reinforce the Borough's commercial and business areas, by restricting incompatible land uses from established neighborhoods, and limiting intensities of use to the levels prescribed herein.

Policy Statement: The Borough recognizes that one of its most significant attributes is its unique land use arrangement, one that is characterized by attractive, detached single-family residential neighborhoods with a distinctive suburban flavor. This Plan's land use recommendations are designed to protect and reinforce this prevailing pattern. It recognizes the established densities existent within the Borough's residential neighborhoods and precludes the introduction of incompatible, non-residential use or intensity into these communities.

2. Goal: To ensure that any prospective development and/or redevelopment is responsive to Tenafly's environmental features.

Policy Statement: The Borough seeks to limit development to that which is sensitive to the community's particular characteristics and preserves its sensitive environmental elements. In particular, the Borough seeks to limit development to that which retains existing vegetation and preserves steeply sloped areas, wetlands and floodplains. Numerous sites exist throughout the Borough which contain extensive environmentally sensitive features, and therefore may not be able to accommodate their full-zoned development potential.

3. Goal: To ensure that any future development of the Borough's infrastructure be limited to accommodate the Borough's present level of intensity as identified in this Plan.

Policy Statement: The Borough seeks to encourage a limited level of infrastructure improvement to accommodate local needs. The addition of new facilities that may be utilized to support higher levels of development than considered in this Plan is discouraged. The Borough's land use policy is explicitly designed to discourage infrastructure improvement projects that would encourage a significant increase in the carrying capacity of the land and consequently result in increased pressures for higher

levels of development.

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

Policy Statement: The Borough recognizes the need to reinforce the delineation of boundaries separating residential and non-residential uses, as well as those separating residential uses of significantly differing intensities. This Plan encourages the use of buffer and screening devices utilizing suitable planting elements (incorporating such elements as multiple rows of plant material, planting clusters, etc.) with supplemental aesthetically pleasing fencing where appropriate. This should be accomplished primarily within the framework of appropriate open space buffers. In addition to the physical elements noted above, it is appropriate to provide suitable distances between on-site activity on non-residential lots and adjoining residential lots in instances where it can be provided.

5. Goal: To encourage residential zone bulk requirements, such as setbacks and coverage, as well as regulations regarding lighting, noise, etc., to permit development consistent with the established community character.

Policy Statement: The Borough seeks to encourage single-family detached housing that permits more creative designs while minimizing any impacts that would detract from the preexisting neighborhood character currently present in Tenafly.

6. Goal: To consider environmentally sensitive features and extensive woodland vegetation as a means of preserving steep slopes, wetlands, wooded areas, scenic qualities, historic facilities, retaining open space and reducing infrastructure costs.

Policy Statement: The Borough seeks to encourage single-family detached housing that preserves and protects environmentally sensitive features, wooded acreage and open space.

7. Goal: To preserve and enhance the Borough's community facilities, ensuring that the Borough address the public safety, recreational, and other needs.

Policy Statement: The Borough seeks to enhance its existing community facilities while pursuing additional facilities where possible. Any major residential and non-residential development projects should address how their proposals would affect the provision of community services and what additional burdens, if any, would be placed on the Borough.

8. Goal: To preserve and enhance the Borough's Central Business District by defining its functional role in the community and enhancing the quality of life within the commercial center through an appropriate mixture of activities; permit a reasonable level of development in the business district; and to encourage the use of off-street parking facilities to provide greater convenience for shoppers and reduce conflicting traffic movements in the Central Business District.

Policy Statement: The Borough seeks to encourage the continuing development of its Central Business District for retail and commercial uses serving the daily needs of the area's resident population. The Borough's broad land use policy is to limit commercial development to the areas depicted on the Land Use Plan map. In addition, this Plan encourages a building design that is oriented toward the street corridor, to the extent possible. Consideration should be given to design features that encourage the integration of building, parking, signage and landscaping elements (including tree wells in parking lots) into a comprehensive and unified framework.

9. Goal: To address the Borough's affordable housing obligation in a manner that is consistent with other goals and objectives set forth herein.

Comment: The Borough recognizes that the State is currently undergoing significant changes in its treatment of affordable housing, and it is therefore difficult to conclusively determine what its new prospective need numbers will be. If the state relies upon historic development trends, which would include the past few years when the Borough and the State as a whole experienced fairly little development, the housing need numbers should likely be lower than COAH had previously projected.

10. Goal: To promote a safe and efficient traffic circulation that serves the Borough while retaining Tenafly's community character.

Policy Statement: The Borough seeks to continue improving its circulation issues, and in particular those regarding roads in the Central Business District. The Borough seeks to implement improved traffic signage and signalization and improve roadway alignments and the effectiveness and safety of certain intersections, as is necessary. Future residential and non-residential development should review the proposed impact of activity on the Borough's street network and minimize, if not eliminate, any potential adverse impacts.

11. Goal: To preserve the historic features of the Borough as an integral part of Tenafly's unique character.

Policy Statement: As is consistent with the Land Use act's intention to preserve historic properties, the Borough seeks to continue its policy of protecting historically significant structures as identified within the Historic Preservation Element through the adoption of regulations. The community should give consideration to the provisions provided by the RSIS that allow for exceptions in construction and design criteria for historic areas.

12. Goal: To support the overall philosophy of the State Development and Redevelopment Plan (SDRP) as a means of providing growth management on a statewide basis while retaining the principles of home rule.

Policy Statement: The Borough acknowledges that the general intent of the SDRP – to manage growth within the framework of a municipality's needs, infrastructural capabilities and environmental constraints – and the SDRP's specific tier designation

represent a reasonable approach to growth management.

13. Goal: To limit the new development of two-family dwellings in the R7.5 zone.

Policy Statement: The Borough seeks to adopt an ordinance to curtail the construction of two-family dwellings, which are largely out-of-character with the overall neighborhood pattern of development and have contributed to a general sense of over-crowding on building lots. Two-family dwellings should be removed as a permitted principal use in the R7.5 Zone, and in its place such units should be limited to the areas indicated on the accompanying map (Appendix A).

14. Goal: To preserve the Borough's large open tracts.

Policy Statement: The Borough recognizes that its larger, undeveloped lots provide an enhanced aesthetic and visual impression and define the community's appeal by virtue of its open space character and treed environment. The development and redevelopment of such tracts would not only have adverse impacts on the capabilities of the municipality's infrastructure, traffic, and community facilities, but would also detract from the Borough's existing open space assets.

Master Plan Update Recommendations

1. The Borough recognizes that the permitted list of uses outlined in its zoning ordinance are antiquated and no longer adequately reflect the current character and needs of the Borough. This Plan recommends an update to the Borough zoning ordinance and, in particular, the permitted uses listed in Schedule A.
2. The Borough recognizes substantial changes in both development and character along the northern border of Tenafly and the adjacent Borough of Cresskill. In particular, new multi-family residential developments have become more prevalent in an area once defined by commercial and industrial activities. This Plan recognizes the growing difficulties of the current Master Plan in addressing these evolving changes, and recommends the Borough begin the development of a new Master Plan.

RECOMMENDATIONS CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS INTO THE LAND USE PLAN ELEMENT AND RECOMMENDED CHANGES IN THE LOCAL DEVELOPMENT REGULATIONS NECESSARY TO EFFECTUATE THE REDEVELOPMENT PLANS OF THE MUNICIPALITY

The Borough has not designated any parcels as “an area in need of redevelopment,” nor has it undertaken any investigations to determine if any parcels may be declared as “an area in need of redevelopment” since the adoption of the last Reexamination Report.



Legend

- Parcels
- R-7.5
- R-7.5A

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Note 1: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authorized.

Note 2: This map was developed based off recommendations and drawings created by the Borough Engineer. Please refer to the Engineer's documents for the most accurate information.

Source: Borough Engineer

Dwg. Title
Appendix A: Recommended Zoning Changes

Project No.
2453.06

Dwg. Date
01/30/2012

Drawn By
DN



Project Title
2012 Reexamination Report of the Master Plan
Borough of Tenafly
Bergen County, New Jersey

Dwg. Scale
N.T.S.

Sheet No.
1 of 1

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