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MASTER PLAN

SECTION I - INTRODUCTION

THE MASTER PLAN

Under State law, every community in New Jersey must have a Master Plan to establish an orderly guide to the use of lands in the community to “protect public health and safety and promote the general welfare”. The Master Plan forms the basis upon which the community’s land use ordinance and zoning regulations are built. It serves as a guide to the growth, development, preservation and revitalization of the community and its quality of life, and is periodically reexamined for its continuing applicability to the present and foreseen needs of the community.

The Plan is prepared by the community’s Planning Board, with public input and with the assistance of professionals. Livingston’s first comprehensive Master Plan was adopted in 1946. It was succeeded by new Plans in 1960, 1977 and 1985, and supplemented by a full review in 1992. The Plan was amended in 1997 by adoption of a new Housing Element and Fair Share Plan, was further amended in 2003 by adoption of a new Conservation, Historic Preservation and Recreation Element, and in June of 2005 when the Housing Element and Fair Share Plan was amended. In July of 2005, reexamination of the Plan led to adoption of the “July 2005 Master Plan Amendment” that included a new “Statement of Goals, Objectives, Principles, Assumptions, Policies and Standards”, and new “Land Use”, “Community Facilities” and “Economic” plans. An Interim Stormwater Management Plan was added in August of 2005.

This new Master Plan is the result of a six-year re-examination process that began in 2000 and led to the conclusion that a full revision and replacement of the prior plan and its amendments is appropriate.

The review process entailed work by numerous subcommittees of the Planning Board and periodic review of their recommendations by the full Board. Community advisory committees, and studies and recommendations by the Township’s Environmental Commission, Open Space Trust Fund Committee, Morris Land Conservancy and the transportation consulting firm Orth-Rodgers Associates, Inc. were of great assistance.

This Master Plan reflects the well-established primarily residential character of the community, and the fact that the Township is almost fully developed with a continued focus on community recreation and potential protection of the remaining open space. Over time, the industrial uses in

1 the Township have diminished, and many properties which were industrial have been converted
2 to professional, academic or retail uses which are in support of the residential character of the
3 community. The largest construction project in the Township is a formal redevelopment
4 program currently underway that is fully consistent with the 1985 Plan's recommendations for
5 the site and that implements a redevelopment ordinance establishing housing and mutually
6 supportive "town center" small-scale shopping and restaurant facilities.

7
8 A Master Plan contains a "Statement of Goals, Objectives, Principles, Assumptions, Policies and
9 Standards", followed by a number of implementing Elements.

10
11 This Master Plan will serve as guidance for the Township Council, the Planning Board, the
12 Zoning Board of Adjustment, and all other Township governmental and quasi-governmental
13 bodies.

14
15 For instance:

- 16
17 State law requires that the provisions of every local zoning ordinance, or amendment or
18 revision thereto, be substantially consistent with, or designed to effectuate, the Master Plan's
19 Land Use and Housing Plan Elements.
- 20
21 Whenever the Township Council or any other Township public agency, or any State or
22 County agency or other public body, proposes taking action necessitating the spending of
23 public funds incidental to the location, character or extent of a public capital project in the
24 Township, that project must be referred to the Planning Board for review and
25 recommendation in conjunction with the Master Plan.
- 26
27 The Township Council may take action inconsistent with the Master Plan or the Planning
28 Board's recommendation only by the vote of a majority of the full Council and with the
29 explanation for that action fully stated in a resolution and in the Council's minutes in
30 accordance with N.J.S.A. 40:55D-62.

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32
33 **SIGNIFICANT CHANGES IN LIVINGSTON SINCE THE 1992 MASTER PLAN**
34 **RE-EXAMINATION REPORT**

- 35
36 • Population increased from a 1990 census figure of 26,609 to a 2000 census figure of
37 27,391, and to a January 2005 estimate of 29,296.
- 38
39 • Potentially developable undeveloped land decreased and the Township is now almost
40 fully-developed, with only approximately 83.68 acres of potentially developable vacant
41 land.
- 42
43 • Volumes of local and regional motor vehicle traffic have increased without any new or
44 expanded state or federal highways.
- 45
46 • The State has established Residential Site Improvement Standards and Stormwater
47 Management requirements that have superseded local standards.

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- The higher density residential developments authorized in settlement of COAH “Mt. Laurel” litigation have been completed or are under construction and have contributed to growth in school populations.
- COAH established “Third Round” and “Growth Share” rules affecting the Township’s affordable housing obligation. Those rules would have resulted in the developments already built in the Township under the Mt. Laurel litigation settlement themselves generating affordable housing obligations. For other reasons, the new rules were invalidated by a court decision that is now on appeal. The result is uncertainty and a lack of guidance as to whether the Township will have additional affordable housing obligations, and as to how they would be established and met. Therefore, the adoption of a new Housing and Fair Share Element of the Master Plan is not possible at this time
- Interest in and demand for community sports facilities have increased.
- An Open Space Trust Fund, financed by an increase in the real estate tax adopted as a result of a town-wide referendum, will provide for preservation of natural and historic properties.
- A Trees Ordinance applicable to all commercial properties and to residential properties in excess of one (1) acre was enacted.
- 13 acres at Livingston Center was found to be “an area in need of redevelopment” in 2003, and is being developed as a mixed-use new “downtown”.
- Rezoning of a portion of the industrial area in the northwest quadrant of the Township North of Route 10 to a new CI-Industrial Commercial District has resulted in conversion of properties to establish a college, a private high school, a luxury hotel, a new shopping complex and other non-industrial uses.
- A special improvement district known as the Livingston Community Partnership, managed by the Livingston Community Partnership Management Corporation (“the BID”) was established in 1998.
- An ordinance establishing design standards for non-residential building facades was enacted on 2003.
- An ordinance permitting, and establishing design standards for, outdoor dining in the principal business districts was enacted in 2005.
- The BID has begun a program of streetscape improvements.
- Wireless telecommunications facilities, as defined, were made subject to a conditional use zoning ordinance.

LIVINGSTON COMMUNITY CONCERNS

1
2 Key factors in the preparation of this Master Plan were a written survey of resident concerns
3 conducted by the Planning Board, followed by the comments and suggestions of residents at
4 public forums and hearings held by the Board. A wide range of concerns were and have been
5 addressed. Highlights of those concerns follow.

6
7 **Land Use**

8
9 Recognizing the essentially residential character of Livingston, residents and local
10 businesspeople expressed concern about potential over-development of commercial uses,
11 the tendency of developers to build “strip malls”, the need for improvement in the general
12 appearance of the business districts (particularly what was the Livingston Center/Plaza
13 Place area), the need for housing alternatives for older residents and “empty nesters”,
14 infringement of business district parking areas upon residential districts, the need to avoid
15 construction of telecommunications structures which would alter the appearance of the
16 community, and the need for pedestrian-friendly downtown areas.

17
18 **Circulation**

19
20 Residents felt that there was too much traffic in general, and along Livingston Avenue
21 and Mt. Pleasant Avenue (State Route 10) in particular. The volumes of traffic on main
22 roads were felt to present problems for motorists entering or leaving side streets and
23 parking lot driveways. Concerns were expressed regarding general congestion, traffic
24 signals, and pedestrian and bicycle safety. Reduction of speed limits and stronger
25 enforcement of traffic laws were recommended by many.

26
27 Some residents expressed need for commuter “park and ride” facilities, a bus to a
28 commuter train station, additional parking at public facilities, shared parking lots and
29 reduced numbers of driveways at business establishments.

30
31 **Parks, Recreation and Open Space.**

32
33 It was recommended that the Township provide mini-parks, quiet parks for passive
34 enjoyment, areas for exercise of dogs, a bikeway system, walking paths, more
35 playgrounds and athletic fields, and upgrade of existing recreational facilities.

36
37 **Community Facilities.**

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39 Members of the public recognized the need for construction of a senior citizen center and
40 for improvement or replacement of existing community facilities such as Town Hall, the
41 Police Headquarters, and the Library. However, a majority were opposed to relocation, to
42 other sites in the Township, of library facilities in the municipal complex near and around
43 The Oval. The preference was for improvements to that facility. There was very strong
44 support for maintaining the aesthetics of the municipal complex, its architecture and open
45 feeling. It is an icon for Livingston in many minds.
46

1 There was strong sentiment for construction of the senior citizen center at a former
2 hospital site on Hillside Avenue, and the relocation of limited Township departments
3 from Town Hall to that site. That has since been accomplished.
4

5
6 **Streets and Sidewalks.**
7

8 Many residents complained about the condition of sidewalks throughout the Township,
9 and the absence of sidewalks on some streets. There were calls for better enforcement of
10 ordinances on sidewalk maintenance and on keeping sidewalks free of snow and cleared
11 of overhanging tree or shrub branches.
12

13 Members of the public expressed discontent over the condition of certain roadways and
14 with the type of surfacing utilized for repairs.
15

16
17 **ZONING BOARD OF ADJUSTMENT.**
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19 The Zoning Board of Adjustment issues an annual report of its activities. It includes an account
20 of the types and numbers of variances that it has granted, and, that Board's recommendations as
21 to changes in land use ordinances and regulations it thinks appropriate. The recommendations by
22 the Zoning Board have been of great help to the Planning Board in drafting this Master Plan.
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