



# **MASTER PLAN**

## **BOROUGH OF BUTLER**

**MORRIS COUNTY, NEW JERSEY**



**Robert Catlin and Associates**  
City Planning Consultants

**AUGUST, 2004**

# **BOROUGH OF BUTLER MASTER PLAN**

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**Adopted  
August 19, 2004**



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*Preface by Former Mayor Ron Assante*

Historical Perspective

In 2001, the Borough of Butler celebrated its first centennial as a municipal corporation. Chartered as a Borough, in both form and type, the municipality in 1901 was named in honor of its chief benefactor, Richard Butler, a very wealthy "rubber baron". He donated large parcels of property to the Borough, and was the most influential employer for many of the borough residents.

Some highlights of that first year of the twentieth century was: Queen Victoria died, thus ending the Victorian Era, President McKinley was assassinated and Theodore Roosevelt became President, Marconi transmitted radio waves across the English Channel and the North Sea, the Wright brothers experimented with wooden model aircraft in a wind tunnel, Giuseppe Verdi died, Walt Disney was born, and the very first Iranian oil rig was erected in Persia, while here in Butler, natural raw materials such as rubber, lumber, cotton and wood were acquired and manufactured into useful products in the rubber factories and knitting mills which established the Borough as an industrial force.

Indeed, throughout the first half of the twentieth century, Butler's mills and factories supplied much of the military merchandize that was required by the Federal Government during two world wars. It was industry that brought renown to this municipality, and it gained its reputation as a "Blue Collar Borough."

Back then, very few people had even seen a horseless carriage, much less being able to afford to buy one. The prevailing factory wage averaged around three cents per hour. So you might say now, that the outstanding circulation element, at that time, was human foot-power. Most people walked whenever and to wherever they were welcomed. There were horses, of course, and there is humorous irony in the fact that more people in 1901 were able to purchase a horse, rather than an automobile; and today more people are able to up keep an automobile easier than a horse. And if you buy a horse today you cannot keep it in the Borough of Butler anymore.

For longer distances, there was the railroad that figured so prominently in the success of Butler's industry. Imports and exports were transported principally by rail; the only alternative was by horse-carriage. Moreover, the steam engine locomotive was the virtual equivalent of hundreds of horses, energy wise.

Sadly, enough, and it's still true to this day, no public transportation has been available to carry Butler residents to their courthouse in their county seat of Morristown, nor to their statehouse in their capital of Trenton.

Dirt roads literally evolved from the cow paths of the subsistence farms that were predominant throughout the surrounding landscape during the nineteenth century when the entire region was once called the Pequannock River Valley Basin.

Much to the credit of the Borough's forefathers and to their noteworthy interest in infrastructure, a municipal electrical power and light utility, a potable water utility and centralized wastewater and stormwater collection system were established.

By the time half of the twentieth century had passed, the nuclear age was well on its way, and the federal government initiated an extensive interstate highway project primarily for the evacuation of cities in the event of a nuclear exchange between superpowers. Instantly however, this encouraged the construction of shopping malls and subsequently led to the demise of many downtown neighborhood stores.

Furthermore, the onset of the petro-chemical industry introduced synthetic materials that quickly replaced natural products e.g. neoprene vs. raw rubber, polyester textiles vs. animal hides. Thus, after five generations, the rubber factory and the knitting mills were no more.

Today, the Borough has over 300 entrepreneurial entities within it's 1.9 square miles of which, most are in retail shops, dining establishments, and service providers. The PQ Corporation recently sold its manufacturing facility to the Borough, and the planning board gave final site plan approval to the Borough's Redevelopment Zone project. As a result an industrial Brownfield shall be converted to a residential/commercial venture.



For the first quarter-century of its existence the Borough, under House Rule, initiated its own regulations without the benefit of statutory zoning laws; which were legislatively enacted approximately when the Borough celebrated its Silver Anniversary.

By the time of its Golden Jubilee at mid-century, Municipal Land Use Laws were promulgated; so, Butler did its best to do its own planning for over fifty years.

Around the time of its Diamond Jubilee, statutory uniform construction codes became the law of the land. Therefore, much of the non-conforming, grandfathered, housing that is still existing, is a result of the relatively unrestricted freedom to build as one thought best.

During the current Administration, over a 14-year period, thirty-three grants totaling some six million (\$6,000,000), have been awarded to the Borough to up grade its infrastructure. Funding sources have included the State Transportation Fund (TTF), the Federal Transportation Enhancement Act (TEA-21), and the HUD Community Development Block Grants (CDBG) administrated by Morris County.

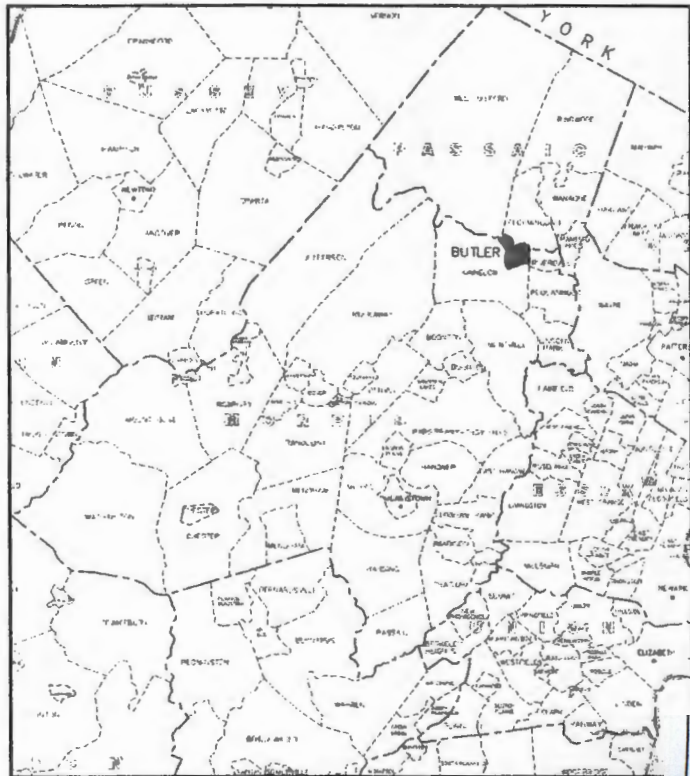
\* \* \* \* \*

## **INTRODUCTION**

The Borough of Butler is a hilly municipality of approximately 1.9 square miles lying along the easterly end of the northerly border of Morris County where it adjoins Passaic County. Butler was incorporated on March 13, 1901, by an act of the State Legislature. Previous to that date the Borough was part of Pequannock Township which in pre-Revolutionary war days was composed of the Pompton Plains-Bloomingdale area, settled largely by the Dutch. The early settlement of the Borough was known as West Bloomingdale. It was principally a farm community although mining was carried on for some time due to a demand for iron created by the Revolutionary War.

The entrance of industrial development into the area resulted in the development of what is now the Borough of Butler. One of the early industries to come to the area was the Newbrough Hard Rubber Company, now known as the American Hard Rubber Company. In 1887 the company built houses on Gifford Street and these were sold to employees of the factory on reasonable terms. In 1886 Bertholdi, Hasbrouck and Belleview Avenues, Mabey Lane, Pearl Place and other nearby streets were laid out by Richard Butler, for whom the Borough was named. Upper High Street, Central Avenue and George, John and William Streets were laid out in 1904, and in 1914 South Gifford, Elm, Cedar and Poplar Streets, and Terrace and Belleview Avenues were platted. In 1925, what is now known as Lake Edenwold was constructed below the Borough's reservoir dam on Kakeout Brook and the surrounding streets laid out. The final step in forming what is principally the Borough today took place in 1949 when Butler Heights area was plotted including Belleview, Morse, Struble, Sanders and Cleary Avenues. Only a few new streets have been added since that time, including those within the Terrace Lake neighborhood.

Like the vast majority of municipalities, Butler has graduated from its early industrial foundation to a suburban community where most residents make their livelihood out-of-town primarily as a result of vast improvements in regional transportation systems. Locally, the primary artery serving Butler is State Highway Route 23, a basically north/south artery extending from Port Jervis, New York to Verona in Essex County. Nearby in Riverdale Route 23 is crossed by Interstate 287. The relatively recent completion of this highway has substantially improved Butler's accessibility to the northeast New Jersey Region and beyond. Butler is also served by an active rail line, the N.Y.S.&W Railroad. Efforts





continue to restore passenger service along that line, thus presenting additional opportunities for future growth and redevelopment, particularly within the central business district.

Despite its location in Morris County, Butler has always has a strong orientation to parts of Passaic County. The Borough, along with Riverdale, Pequannock and Lincoln Park are closely associated with Passaic communities, such as Bloomingdale, Pompton Lakes and Wayne, located along the Route 23 and Pequannock River corridors. In reality, Butler is located in a bi-county sub-region.

Butler is among the smallest of Morris County's 39 municipalities. Along with Riverdale, Victory Gardens and Rockaway Borough, it is fourth smallest in size. In contrast however, it is sixteenth in smallest population, which was 7,420 persons in 2000. Most of the Borough's population resides in single family homes which in 2000 represented over 48 percent of the housing stock. The Borough also has a substantial number of 2-, 3- , 4-family homes, garden apartments and townhouses, as well as a 90-unit senior housing building.

Commercial development in Butler is concentrated in two locations. Older business and industrial uses are found in the central business area along Main Street and in the vicinity of the Boonton Avenue - Kiel Avenue intersection. The latter and Main Street development are separated at grade by the railroad. Although there are some remnants of industrial activities, most of the development consists of retail stores and shops, many containing living units above the first floor.

The other commercial area is the Route 23 corridor where a variety of highway and locally-oriented businesses have strung out along its 2.3 mile length in the Borough. The heaviest concentration of commercial activity is in the Kiel Avenue-Kinnelon Road vicinity. Mostly located in the Borough of Kinnelon in this area is the Meadtown Mall.

Butler might be classified as a full-service community. It has a public water system and is part of a regional sewerage authority serving most of its development. It operates a K-12 school system and is served by parochial elementary facilities as well. There is substantial in-town employment and daily shopping and personal service needs are all met within its boundaries.

Like all communities, Butler has experienced changing conditions and impacts of regional development forces and activities with each passing decade. The Borough has attempted to remain abreast of these forces and activities and to take advantage of the impacts in a positive way through an active planning program. Municipal planning has a long and active history in the Borough and the importance of this function of local government has long been recognized. Butler's first master plan was completed in 1958 and this was followed by adoption of a comprehensive set of zoning and land development regulations. In 1977, the Master Plan was completely revised and updated and again, in 1987, a new land use plan element of the Master Plan was adopted. The latter was amended in 1994.

Butler's Master Plan has, on occasion, been supplemented. A recycling plan element was adopted in 1988 and a housing element was adopted in 1989 with a major revision in 1998. In addition, the Planning Board has periodically performed a reexamination of the Master Plan and development regulations as required by the Municipal Land Use Law. A comprehensive revision to the Borough's Land Use Ordinance was adopted by the governing body in 1991.

The purpose of these actions are first and foremost to promote the most desirable direction for the future development of Butler, recognizing its established character and protecting the natural environment to the greatest practical degree. Secondly, the actions of the Planning Board were intended to meet the requirements of the Municipal Land Use Law (Chapter 291, Laws of New Jersey, 1975). This statute established the legal framework for municipal planning, land development and zoning functions throughout the State and provides that local zoning regulations be consistent with an adopted land use plan element.

The 1987 Master Plan along with 1994 amendments to the Land Use Plan Element, the 1987 Recycling Plan Element and the 1998 Housing Element constitute Butler's current Master Plan. A brief synopsis of the proposals in these documents is presented below as a framework for developing a new Master Plan.



## *Land Use Plan*

Thirteen categories of land use are established by the 1987 Plan and subsequent amendments. These include the following:

Low Density Residential. This is a single-family classification involving land south of Route 23 on either side of Boonton Avenue, land north of Maple Lake Road and land along either side of Kakeout Brook north of Route 23. It corresponds to the R-1 Residence District with a minimum lot size of 17,500 sq.ft.

Moderate Density Residential. Areas in this category are zoned R-2 and R-3 and involve single-family use with respective minimum lot sizes of 12,500 sq.ft. and 10,250 sq.ft. The classification extends through the entire center of the Borough from Riverdale to Bloomingdale near Maple Lake Road. It also includes the Lake Edenwood Area.

High Density Residential. Established, small lot development of one- and two-family homes zoned R-4 and R-5 are included in this category which is concentrated in the northeasterly part of the Borough and along Bertholdi Avenue.

Garden Apartments. This category recognizes the Butler Ridge Development on Route 23.

Townhouse/Light Industry. This designation corresponds to the R-7 District and applies to the Argonne Road area on the southerly side of Route 23 east of Boonton Avenue. It is intended for either townhouse or light industrial use and is involved in the Borough's affordable housing plan discussed below under Housing Element and Fair Share Plan.

Senior Housing. The Butler Senior Housing facility on Ace Road and Witteck Street is included in this designation.

Central Business District. This category applies to the Borough's retail area along most of Main Street and in the vicinity of the Boonton Avenue-Kiel Avenue intersection. It corresponds to the CBD Zone.

Highway Commercial. The HC-1 and HC-2 Zones are represented by this classification which applies to various properties along either side of Route 23.

Restricted Commercial. Corresponding to the RC Zone, less intensive use is intended along the easterly side of Route 23 between Kiel and Hillcrest Avenues.

Light Industry. Properties along the Paterson-Hamburg Turnpike, the westerly side of Main Street north of Manning Avenue and land between the railroad and the Pequannock River at Riverdale are included in this classification which, as its title implies, is intended for limited industrial uses.

Research Office. Two areas on Route 23 are designated for research and office uses. One area is the Terrace Lake Property and the other involves land on the northerly side of Route 23 south of Morse Avenue. The latter is zoned RO while the former is zoned RO/R-6 which involves a garden apartment option, also associated with the Borough's affordable housing plan.

Light Industry/Central Business District. For the most part, this classification applies to the Butler Center Complex (former American Hard Rubber Co.) It provides for a mix of business and commercial uses and corresponds to the LI/CBD District.

Garden Apartment Option. This is an overlay category superimposed over the Terrace Lake area discussed above.

The Land Use Plan also includes discussion of various community facilities and services along with some limited recommendations. The specific facilities and services addressed are the following:

1. Improvement to the Water Treatment Facility and Delivery System.
2. Police and Fire Facility Improvements.
3. Acquisition of Open Space.
4. Library Facility.
5. Senior Citizen Housing.
6. Municipal Building.
7. Sewer System.
8. School Facilities.

### *Recycling Plan Element*

The New Jersey Mandatory Statewide Source Separation and Recycling Act of 1987 requires the establishment of a recycling component to municipal master plans. This legislation recognizes that the disposition of solid waste has become an increasing problem and one of the most serious problems facing each municipality in the State. The Act outlines a recycling program which has been described as the most comprehensive in the nation and stipulates, among other provisions, the following municipal obligations:

1. Designate a recycling coordinator;
2. Provide for a collection system of recyclable materials;
3. Adopt a municipal recycling ordinance;
4. Revise the municipal Master Plan which shall include provisions for the collection, disposition and recycling of recyclable materials;
5. Revise the Land Use Ordinance requiring site plans and subdivisions to conform with the recycling ordinance.

All of these obligations have been fulfilled in Butler and they are further addressed in the Recycling Plan Element adopted in 1987.

### *Housing Element and Fair Share Plan*

Butler's most recent Housing Element and Fair Share Plan intended to address the Borough's responsibilities related to affordable housing under the New Jersey Fair Housing Act was adopted by the Planning Board on June 18, 1998. Under New Jersey Council on Affordable Housing (COAH) rules, Butler's affordable housing obligation is 66 low and moderate income units which, through various credits for housing already constructed or otherwise provided, is reduced to 33 units. This is an indigenous obligation involving existing substandard housing units occupied by low and moderate income households. In order to satisfy this obligation, the Plan recommended that developers of the Terrace Lake and Argonne Road areas make contributions to an affordable housing trust fund intended primarily to finance the cost of rehabilitation of the indigenous units.



## *Summary*

It is appropriate that Butler take another comprehensive look at where it has been and what is in store for it in the future. As with previous plans, this Master Plan does not represent the final picture of the Borough's ultimate development but rather, it is just a step toward achieving desirable and carefully managed future growth. The Plan can be amended and periodic revisions will be necessary if Butler is to take the fullest advantage of planning techniques and opportunities that will produce the greatest benefit for the entire community.

The format of this report is specifically designed and intended to facilitate future amendments as may be needed. Its loose leaf form will accommodate convenient additions and deletions so as to help extend its useful life and maintain it as a continuing expression of current planning goals and objectives.

Finally, and as required by the Municipal Land Use Law, the revised Master Plan was developed with due consideration to the Master Plans of contiguous municipalities, to current plans and policies of Morris County, to the State Development and Redevelopment Plan and the district solid waste management plan required pursuant to the Solid Waste Management Act. These planning activities and plans are addressed at length in the Regional Evaluation section and in the Recycling Plan.

## **VISION PLAN OF THE BOROUGH OF BUTLER**

Butler will continue as a residential community. Small pockets of land exist that will be developed for residential use, and some will be retained as open space. Commercial areas will remain also but will change to business in keeping with the needs of its residents. Transportation requirements will increase the need to address the State Route 23 corridor. That issue will have an impact on the properties adjacent to it in terms of businesses and road widening. Other modes of transportation will be developed and the land needs for those alternatives must be addressed. Butler will continue to provide the educational, services and utility elements required by its residents.

Butler in 1900 looked very different than it does currently. It will look different 100 years from now, but it will be a community of residents.

Joseph Heywang  
Mayor

## GOALS AND OBJECTIVES 2.0



## STATEMENT OF GOALS AND OBJECTIVES

### INTRODUCTION

The New Jersey Municipal Land Use Law requires that all municipal master plans contain a statement of objectives, principles, assumptions, policies and standards upon which the Master Plan is to be based. The various individual Master Plan elements are a means of implementing the goals and objectives. These goals and objectives provide a guide to the development of the Borough in terms of physical development as well as for protection of the environment.

1. To provide adequate light, air and open space by establishing appropriate bulk, density and design standards for the various zones and uses found in the Borough.
2. To preserve and protect the suburban character of existing residential neighborhoods by:
  - a. Establishing zone designations according to existing neighborhood development patterns and according to the environmental limitations for the respective residential uses;
  - b. Establishing bulk, density and design standards which are appropriate for the various dwelling types in their respective zones;
  - c. Establishing regulations to preserve and enhance the visual appearance of residential neighborhoods.
3. To address the need of affordable housing for the local and regional population of low and moderate income persons by establishing various zones which encourage the provisions for affordable housing, where appropriate.
4. To address the need for senior citizen housing by establishing zones which are designed to meet the particular needs of senior citizens.

5. To minimize the environmental impact resulting from future development pressure, particularly in areas of steep slopes, freshwater wetlands and flood hazard areas by:
  - a. Establishing appropriate regulations which discourage disturbance of steep slopes and vegetation;
  - b. Establish appropriate regulations which discourage unnecessary development within flood hazard areas and in the vicinity of freshwater wetlands.
  
6. To maintain and expand upon the level of community facilities and services for the present and future residents of the Borough by:
  - a. Planning to accommodate anticipated future population growth in terms of the number of persons and their respective ages.
  - b. Coordination of construction and installation as part of the Borough's capital improvement program to insure that community facilities and infrastructure are available when needed;
  - c. Encourage efficient design of future residential and commercial development so as to minimize public service expenditures.
  - d. To actively continue the pursuit of public grants acquisition which are made available for infrastructure up-grades by the County, State and Federal governments.
  
7. To provide adequate municipal open space for a variety of active and passive recreational uses by:
  - a. Maintaining the present amount of open space available to Borough residents, and by providing a minimum of 8 acres of municipal open space per 1,000 persons in the community as land becomes available;
  - b. By providing improvements which encourage the use of and improve the access to passive open space areas;
  - c. To provide for a continuous network of linked open space greenways along rivers, streams and steep slopes;
  - d. Encourage the preservation of existing vegetation, especially in areas of large wooded tracts.

8. To maintain and enhance the viability of the various commercial districts by:
  - a. Encouraging an appropriate mix of land uses which will complement each other and meet the retail and service needs of the Borough and surrounding areas;
  - b. Promoting a desirable visual environment and preserving the small town characteristics of the central business district;
  - c. Develop design guidelines to promote the desired character of the various commercial district corridor;
  - d. Provide sufficient numbers of parking and loading spaces in the appropriate locations to serve the needs of the general public as well as the needs of business patrons and employees;
  - e. By discouraging an automobile-only oriented pattern of development within the central business district;
  - f. Promote a desirable pedestrian environment within the central business district corridor.
  
9. To minimize traffic congestion and provide for safe and efficient access through-out the Borough.
  
10. To eliminate areas of conflict or incompatibility in land uses or zoning between the Borough of Butler and adjacent municipalities by:
  - a. Rezoning, where appropriate, those areas that conflict with the use or zoning of adjacent municipalities;
  - b. By encouraging appropriate buffers and separation of incompatible uses and/or zones.
  
11. To promote the conservation of energy and the recycling of recyclable materials by:
  - a. Establishing appropriate regulations which require recycling of recyclable materials;
  - b. By establishing appropriate regulations which encourage energy-efficient design.



## **MUNICIPAL LAND USE LAW**

In addition to the Borough's goals and objectives previously discussed, the purposes of the Municipal Land Use Law (MLUL) represent the overall Borough planning objectives. These "purposes of planning" guide development within the Borough, as well as the State as a whole, and serve to shape the overall development patterns found within the Borough.

1. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals and general welfare;
2. To secure safety from fire, flood, panic and other natural and manmade disasters;
3. To provide adequate light, air and open space;
4. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
5. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
6. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
7. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
8. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;

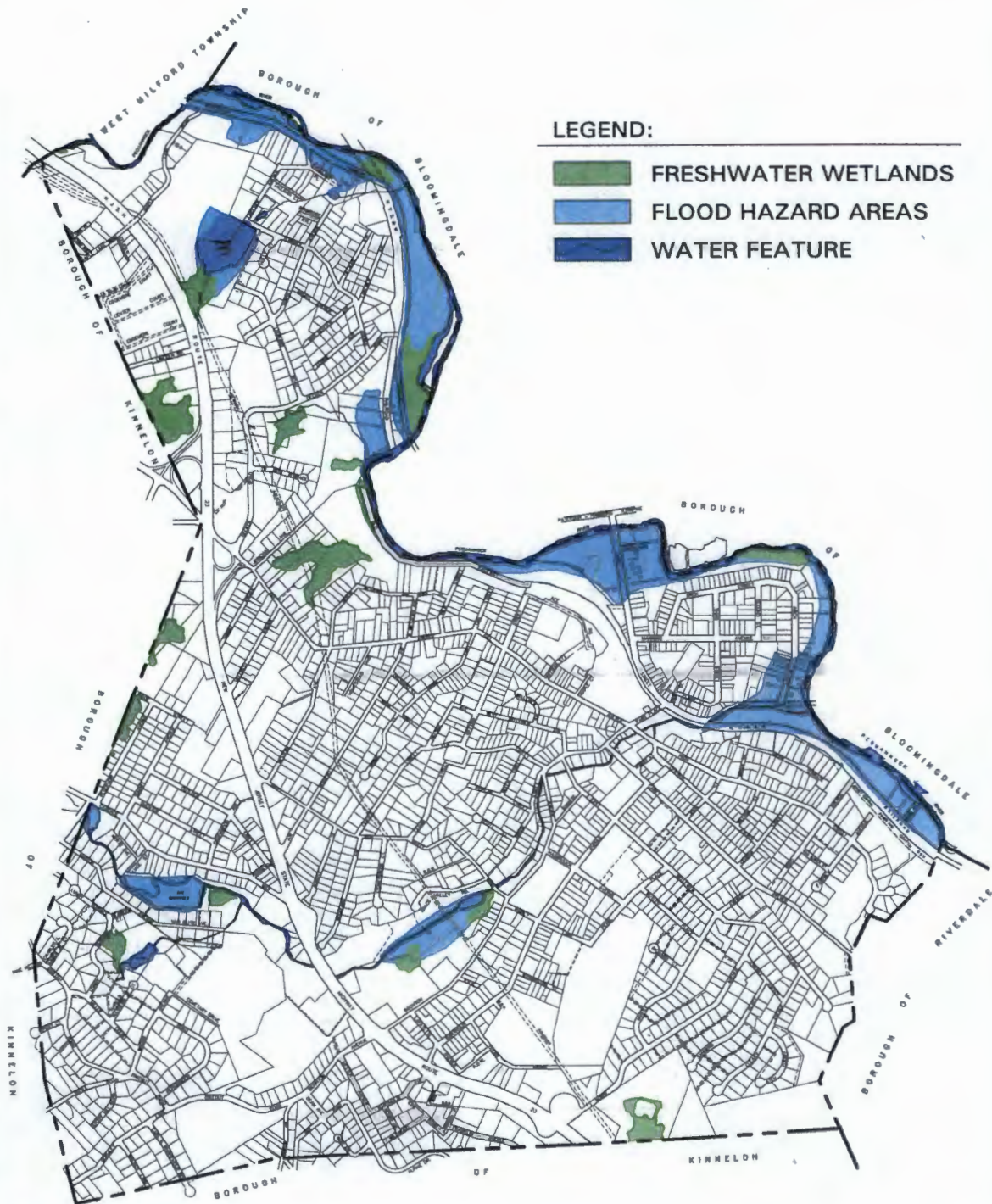
9. To promote a desirable visual environment through creative development techniques and good civic design and arrangements;
10. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
11. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development of the particular site;
12. To encourage senior citizen community housing construction;
13. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
14. To promote utilization of renewable energy sources; and
15. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to compliment municipal recycling programs.

# PHYSICAL AND ENVIRONMENTAL CHARACTERISTICS 3.0

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2004 MASTER PLAN  
Borough of Butler





**LEGEND:**

- FRESHWATER WETLANDS
- FLOOD HAZARD AREAS
- WATER FEATURE

SOURCE: NJDEP FRESHWATER WETLAND MAPPING & FEMA  
 NOTE: LOCATIONS OF FRESHWATER WETLANDS AND FLOOD HAZARD AREAS  
 ARE FOR ILLUSTRATIVE PURPOSES ONLY. ON-SITE SURVEYS  
 WOULD BE REQUIRED FOR ACCURATE FEATURE LOCATION.

UNIMPROVED RIGHT-OF-WAY (PAPER STREET)



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
 CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY

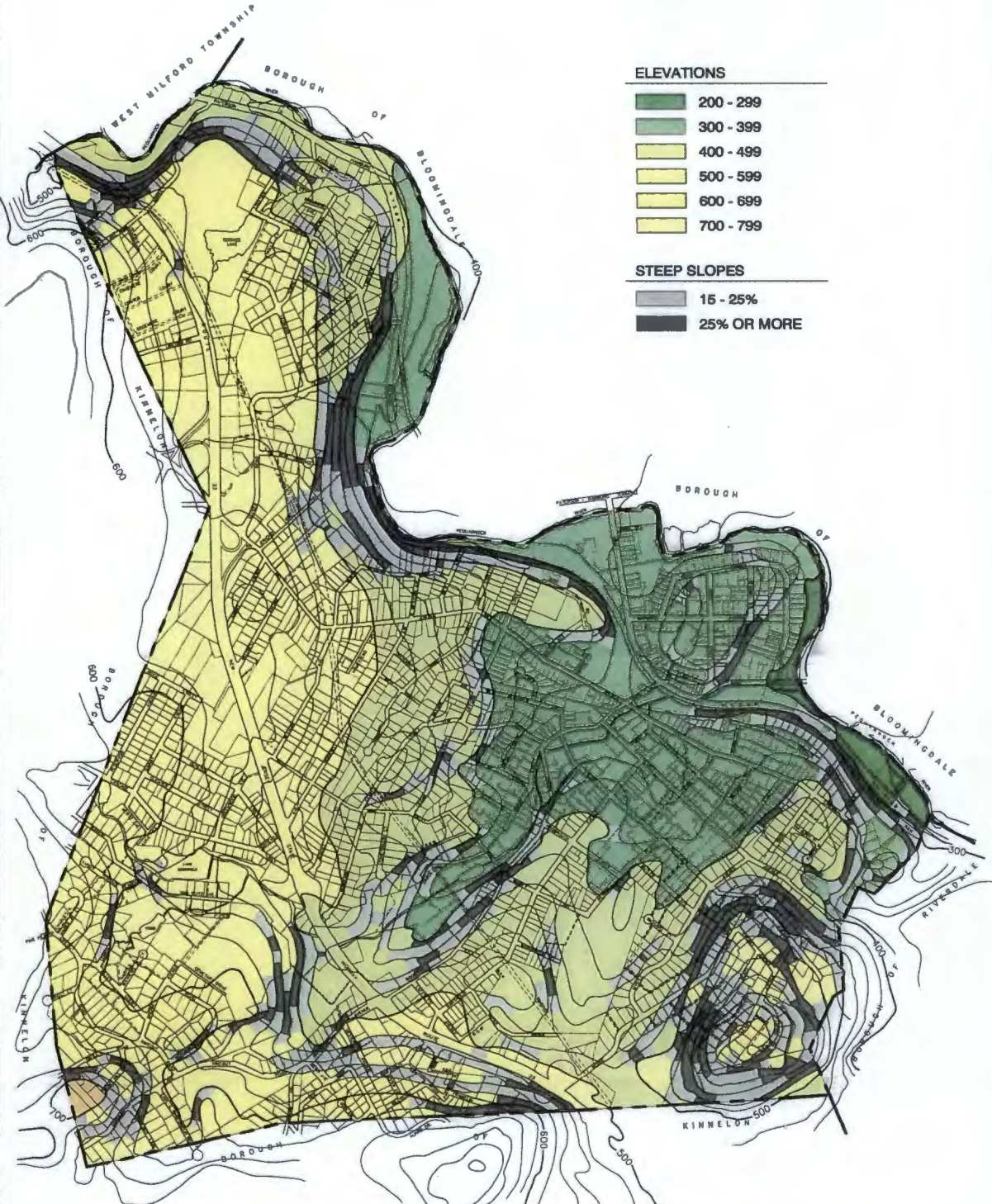
BASE MAP REVISED PER TAX MAP, MARCH, 2000

# FRESHWATER WETLANDS & FLOOD HAZARD AREAS

BOROUGH OF  
**BUTLER**  
 MORRIS COUNTY, NEW JERSEY

AUGUST, 2004





**ELEVATIONS**

200 - 299
300 - 399
400 - 499
500 - 599
600 - 699
700 - 799

**STEEP SLOPES**

15 - 25%
25% OR MORE

SOURCE: USGS QUADRANGLE  
 ELEVATIONS SHOWN ARE FOR GENERAL REFERENCE ONLY



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
 CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY  
BASE MAP REVISED PER TAX MAP, MARCH, 2000

# TOPOGRAPHY & STEEP SLOPES

BOROUGH OF  
**BUTLER**  
 MORRIS COUNTY, NEW JERSEY

AUGUST, 2004



KEY TO SOIL SYMBOLS

GROUP 1 SOILS THAT NEARLY ALWAYS DISPLAY CONSISTENT HYDRIC CONDITIONS	
SYMBOL	MAPPING UNIT
Ad	Adrian muck
Ae	Alluvial land
Cm	Carlisle muck
Wm	Whitman very stony loam

GROUP 2 SOILS DISPLAYING CONSISTENT HYDRIC CONDITIONS IN MOST PLACES, BUT ADDITIONAL VERIFICATION IS NEEDED	
SYMBOL	MAPPING UNIT
RgA	Ridgebury very stony loam, 0 - 3% slopes
RIB	Ridgebury Extremely stony loam, 3 - 10% slopes

NON-HYDRIC SOILS	
SYMBOL	MAPPING UNIT
HbC	Hibernia stony loam, 3 - 15% slopes
Pa	Pta, Sand & Gravel
RoB	Rockaway gravelly sandy loam, 3 - 8% slopes
RoC	Rockaway gravelly sandy loam, 8 - 15% slopes
RpC	Rockaway very stony sandy loam, 3 - 15% slopes
RrD	Rockaway extremely stony sandy loam, 15 - 25% slopes
RaC	Rockaway Rock outcrop complex, 3 - 15% slopes
RaD	Rockaway Rock outcrop complex, 15 - 25% slopes
RaE	Rockaway Rock outcrop complex, 25 - 45% slopes
RvF	Rock Outcrop - Rockaway Complex - Steep
Ua	Urban Land
Urc	Urban Land-Rockaway Complex - gently sloping and sloping
Urd	Urban Land-Rockaway Complex - moderately steep



UNIMPROVED RIGHT-OF-WAY (PAPER STREET)



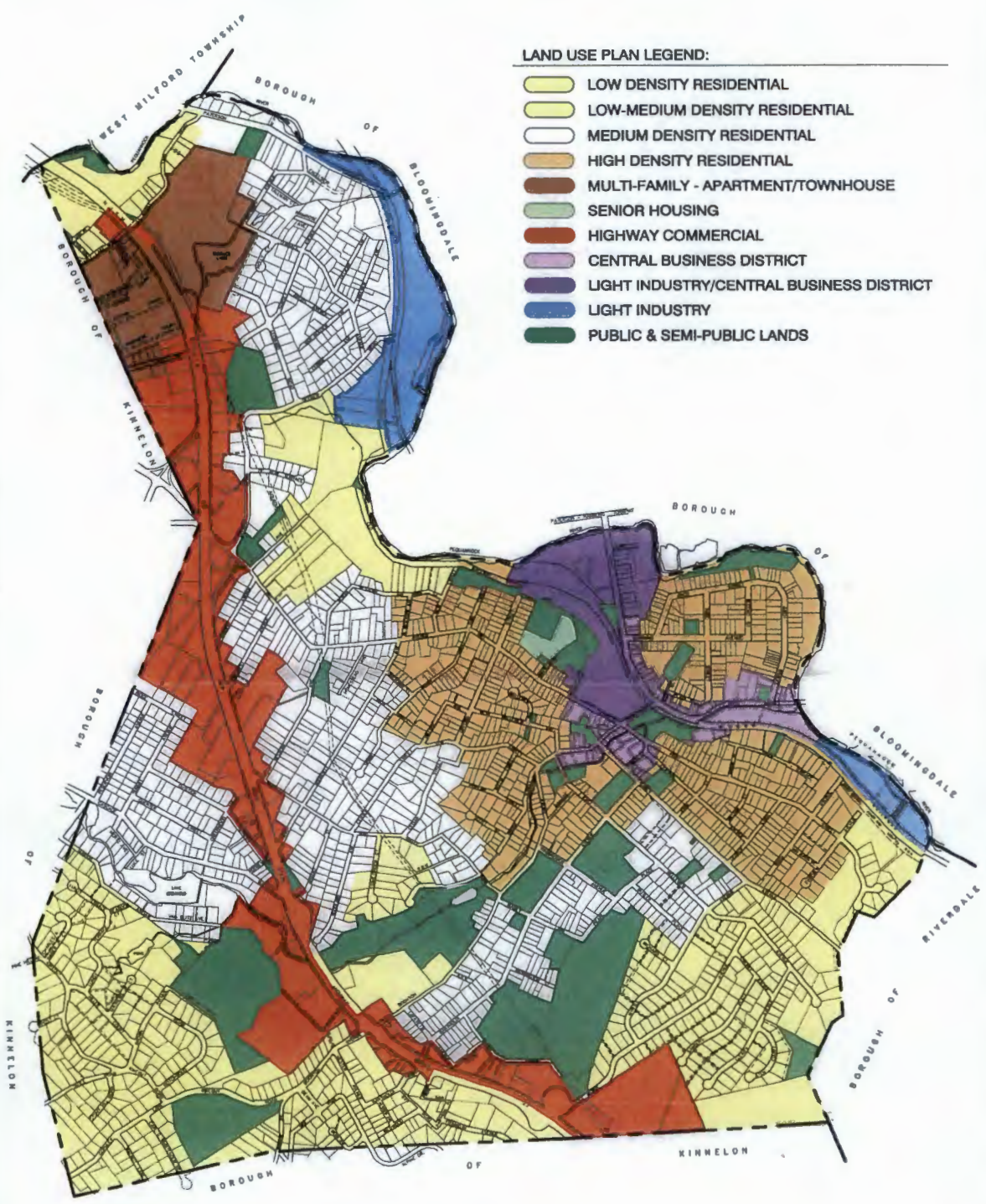
PREPARED BY ROBERT CATLIN AND ASSOCIATES  
CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY

# HYDRIC SOILS

BOROUGH OF  
**BUTLER**  
MORRIS COUNTY, NEW JERSEY

AUGUST, 2004





**LAND USE PLAN LEGEND:**

- LOW DENSITY RESIDENTIAL
- LOW-MEDIUM DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL
- HIGH DENSITY RESIDENTIAL
- MULTI-FAMILY - APARTMENT/TOWNHOUSE
- SENIOR HOUSING
- HIGHWAY COMMERCIAL
- CENTRAL BUSINESS DISTRICT
- LIGHT INDUSTRY/CENTRAL BUSINESS DISTRICT
- LIGHT INDUSTRY
- PUBLIC & SEMI-PUBLIC LANDS



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY

BASE MAP REVISED PER TAX MAP: MARCH, 2000

# LAND USE PLAN

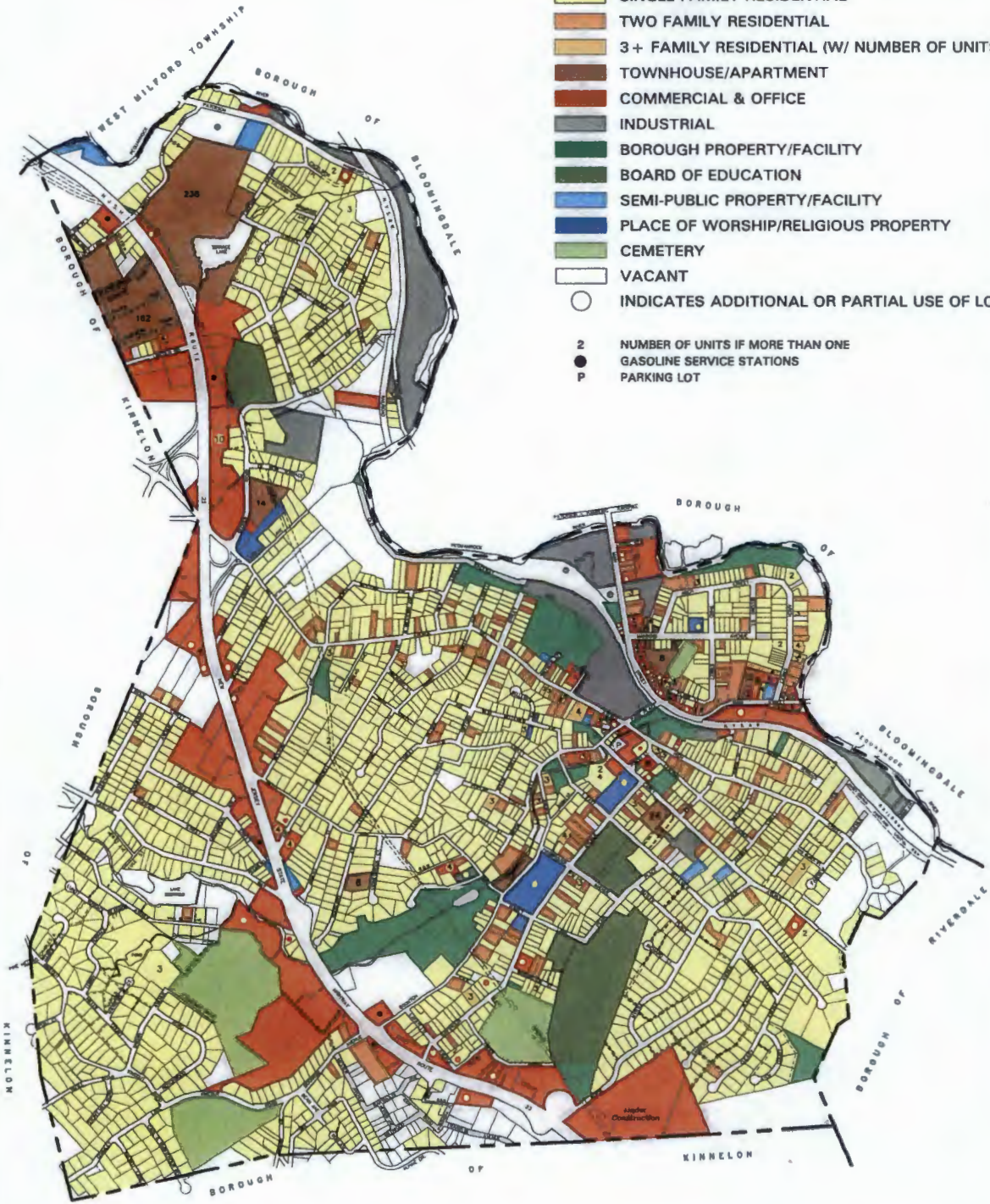
BOROUGH OF  
**BUTLER**  
MORRIS COUNTY, NEW JERSEY

AUGUST, 2004



**LAND USE KEY:**

- SINGLE FAMILY RESIDENTIAL
- TWO FAMILY RESIDENTIAL
- 3+ FAMILY RESIDENTIAL (W/ NUMBER OF UNITS)
- TOWNHOUSE/APARTMENT
- COMMERCIAL & OFFICE
- INDUSTRIAL
- BOROUGH PROPERTY/FACILITY
- BOARD OF EDUCATION
- SEMI-PUBLIC PROPERTY/FACILITY
- PLACE OF WORSHIP/RELIGIOUS PROPERTY
- CEMETERY
- VACANT
- INDICATES ADDITIONAL OR PARTIAL USE OF LOT
- 2 NUMBER OF UNITS IF MORE THAN ONE
- GASOLINE SERVICE STATIONS
- P PARKING LOT



UNIMPROVED RIGHT-OF-WAY (PAPER STREET)  
 BASE MAP REVISED PER TAX MAP- MARCH, 2000



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
 CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY

# EXISTING DEVELOPMENT

BOROUGH OF  
**BUTLER**  
 MORRIS COUNTY, NEW JERSEY

AUGUST, 2004

## **PHYSICAL AND ENVIRONMENTAL CONSTRAINTS**

As part of the comprehensive Master Plan process, a review of the various physical and environmental features found in the Borough of Butler were examined. These features, namely topography, steep slopes, soils, hydric soils, freshwater wetlands and flood hazard areas are significant considerations for the development of long range planning policies. An assessment of natural environment features are related to the future land use and intensity of land use recommendations. Although the Borough has been predominantly developed, increased development pressure will focus on the existing pattern of development and the remaining marginal vacant lands.

### **Topography**

Elevations in the Borough range from a low of 280 feet (above MSL – mean sea level) along the Pequannock River in the southeastern portion of the Borough to a high of approximately 700 feet in the southwestern section of the Borough near the terminus of Stony Hill Road. The majority of the Borough is located within the 300-600 foot range. The predominant grading decreases west to east from the Borough of Kinnelon to the Pequannock River, adjacent to Bloomingdale.

There are three distinct topographic features found in the Borough of Butler. The first is the ridgeline extending west from Route 23 in the area of Boonton Avenue and Kakeout Road. Elevations range from 460 feet to a high just over 700 feet. The second area is the steep hill area in the southeastern portion of the Borough, east of Route 23 and along Morse Avenue and Aten Court. This steeply sloped area ranges between 420 feet to over 640 feet in elevation. The third main topographic feature is the ridgeline found in the mid to eastern sections of the Borough which slope towards the Pequannock River extending the entire north-south axis of the Borough. General topography is illustrated on the Topography Map.



## **Steep Slopes**

Areas of slopes ranging between 15%-25% and 25% or more are also indicated on the Topography Map. Slopes within these ranges are typical of slopes which present moderate to significant limitations to development and construction and increases the potential for erosion and sediment loss. The slopes indicated are based on the U.S.G.S. topographic maps and are based on 20 foot contour intervals, which result in generalized slope identification.

As shown on the map, moderate to steep slopes are found along the Pequannock River in the eastern portions of the Borough, along the ridgeline west of Route 23 near Boonton Avenue, in the southeastern areas adjacent to Morse Avenue and along Kakeout Brook, which ultimately flows into the Pequannock River. As reasonably expected, the remaining vacant land found in the Borough are typically located in these steeply sloped areas.

## **Soils**

The Morris County Soil Survey (U.S.D.A., Soil Conservation Service) provides abundant information relating to soil types and characteristics and the limitations they impose on land development. Based on the accompany map entitle "Hydric Soils", the predominant soil type found in the Borough is UrC, or Urban land-Rockaway Complex. These soils are characterized by gently sloping and sloping topography and are essentially a result of the intensity of development found in the Borough. The Urban-Rockaway complex of soils are well drained and found mainly in the upland areas with intensive residential and commercial development. This complex represents approximately 50% of disturbance to the native soils which, due to the development, can no longer be profiled.

## **Hydric Soils**

Hydric soils are soils which are typically associated with wetlands. These soils are grouped according to the degree or extent of hydric conditions or moisture content. The Fish and Wildlife Service identifies three general groups of hydric soils, based on the U.S.D.A., Soil Conservation Service mapping, as follows:

- Group I - Soils that nearly always display consistent hydric conditions.
- Group II - Soils displaying consistent hydric conditions in most places, but additional verification is needed.
- Group III - Soils displaying consistent hydric conditions in few places and additional verification is needed.

Hydric soil groups I and II are found within the Borough and are indicated in the "Hydric Soils" map. Comparison to the "Freshwater Wetlands" map reveals substantial consistency.

## **Freshwater Wetlands**

On July 1, 1987, the Freshwater Wetlands Protection Act (N.J.S.A. 13:9B) was signed by Gov. Kean and it became effective on July 1, 1988. This legislation is intended to preserve the purity and integrity of wetlands from random, unnecessary or undesirable alterations or disturbances. Freshwater wetlands perform many biological and physical functions and, in doing so, provide many benefits to the citizens of our state.

The Act has had a dramatic impact on development activities in freshwater wetland areas and adjacent transition areas. Until adoption of the Act, dredging and filling activities in wetlands were regulated by the U.S. Army Corps of Engineers whose inspection and enforcement capabilities were limited. The State law places wetland enforcement responsibilities under the jurisdiction of the Department of Environmental Protection and expands the types of activities that are regulated as well as increasing fines and penalties for violators. Enforcement of wetlands regulations places heavy reliance on municipalities to be the watchdog of development activities and development applications and to make sure that applicants for development seek and obtain necessary approvals from the D.E.P.

The New Jersey Department of Environmental Protection (NJDEP) has prepared the mapping of freshwater wetlands throughout the State. This information provides the general location, extent, and classification of wetland areas. This information for the Borough of Butler is reflected on the map entitled "Freshwater Wetlands and Flood Hazard Areas" contained herein. Although this data is not as specific as an on-site survey, this inventory provides reliable information for planning purposes and is more detailed (in terms of location and type) than the previously available National Wetlands Inventory maps. As indicated on the map, wetlands in the Borough are scattered throughout the municipality and are generally found along the Pequannock River, Kakeout Brook and other low lying or depressed areas.

### **Flood Hazard Areas**

Flood plains represent significant constraints for existing and proposed development. The flood hazard areas, or the 100-year flood plains have been mapped by the Federal Emergency Management Agency (FEMA). As shown on the Wetland and Flood Hazard Area map, the flood hazard areas are limited to two main areas, along the Pequannock River and to a lesser extend, Kakeout Brook.



LAND USE PLAN 4.0

## **LAND USE PLAN ELEMENT**

Although a Master Plan is a composite of several elements which must function in a comprehensive and coordinate manner, the land use proposals form the basic framework of the Plan. Essentially, these proposals are concerned with the location, extent and intensity of future development for residential, commercial and recreational purposes. This development pattern defines the intended direction for future growth and the basic, desired character of the community. The land use element of the Master Plan is further intended to serve as a guide to the community for developing more detailed proposals and regulations, such as the zoning and land subdivision codes. It takes into consideration the various types of development including the relationship of these to community services, transportation and the like.

A land use plan is a required element of a Master Plan. Its significance is emphasized by the statutory requirement that local zoning regulations be substantially consistent with that element. The Municipal Land Use Law further requires that a land use plan element take into account other master plan elements. This requirement has been satisfied through the following specific measures:

1. The Land Use Plan has been coordinated with the Circulation and the Community Facilities Elements of the Master Plan.
2. The Land Use Plan recognizes the Borough's obligations and efforts in terms of affordable housing issues.
3. The Land Use Plan is designed with flexibility to accommodate other Master Plan elements.

The Land Use Plan Element for the Borough of Butler has also been developed after careful assessment of existing land use and development patterns and a comparison of this information to the existing zoning pattern. The primary basis for the Plan is found in the various background studies and the studies relating to existing development.

## **EXISTING DEVELOPMENT**

### **General Description**

The EXISTING DEVELOPMENT map indicates land use types for properties located in the Borough. Separate maps indicating a more detailed study of the existing land uses for the CBD (Main Street) and Highway Commercial (Route 23) areas are found in their respective study sections. The existing development study is based upon review of the Borough's tax records and additional field surveys. To the extent possible, multiple uses on individual lots has been shown, however, the predominant land use found on the lot has been indicated. Additionally, due to generalized methods of land use determination, the existence of certain lands uses should not be construed to support the legality of any use or structures that may not conform to the specific zoning regulations.

Existing development by acreage in the Borough for 1975, 1982, 1993 and 2000 are summarized in Table 1. In terms of total acreage, residential land uses (52.4% of Borough) represented the largest land use category in 2000, of which, single family dwellings were the predominant use. This figure represents a 6.3% increase over that indicated in 1993. Worth noting is that while there was a 3.7% increase in single family residential, the largest change occurred in the multi-family residential category which more than doubled as a result of the Cambridge Heights/Terrace Lake development. Based on the 2000 analysis, two-family and three-four family residential land categories have decreased since 1993.

As also shown in the 2000 figures, commercial land uses decreased by almost 20% between the 1993 and 2000 period. While this change is significant, the majority of this loss can be attributed to the change from commercial to multi-family residential land classification due to the Cambridge Heights/Terrace Lake development. Industrial land uses remained the same and between 1993 and 2000. Little change occurred in the remaining land use categories during this same period. Public and semi-public lands, which represent approximately 10% of the Borough decreased only slightly by 0.2%. Street and highway rights-of-way represented 13.8% of the Borough in 2000, or an increase of 2.7% since 1993. Railroad and utilities remained unchanged during the same period.

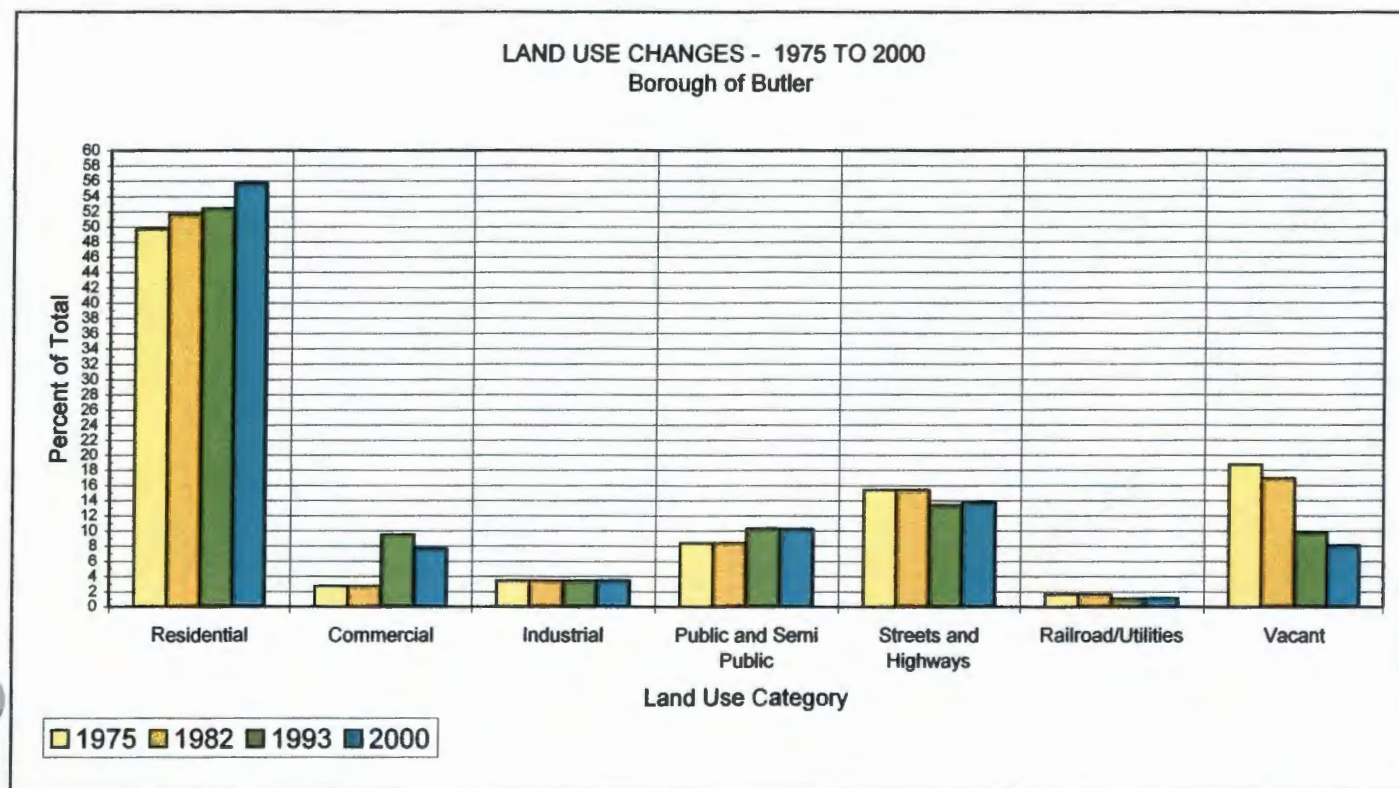


Table 1

### LAND USE SUMMARY Borough of Butler

Land Use Category	2000 Acres	Percent of Total	1993 Acres	Percent of Total	Change - 1993 to 2000		1982 Percent of Total	1975 Percent of Total
					Acres	Percent		
Residential	746.0	55.7	701.8	52.4	44.2	6.3	51.6	49.7
One Family	638.5	47.7	615.6	46.0	22.8	3.7		
Two Family	47.1	3.5	49.2	3.7	-2.1	-4.3		
Three-Four Family	6.2	0.5	10.7	0.8	-4.5	-42.1		
Multi-Family	54.2	4.0	26.3	2.0	27.9	106.1		
Commercial	102.5	7.7	127.9	9.5	-25.4	-19.9	2.7	2.7
Industrial	46.1	3.4	46.1	3.4	0.0	0.0	3.4	3.4
Public and Semi Public	137.4	10.3	137.6	10.3	-0.3	-0.2	8.4	8.4
Borough	41.8	3.1	41.9	3.1	-0.1	-0.4		
Board of Eductaion	34.7	2.6	33.7	2.5	1.0	3.0		
Other Public	2.0	0.1	2.0	0.1	0.0	0.0		
Semi-Public	18.9	1.4	20.0	1.5	-1.1	-5.5		
Cemetery	40.0	3.0	40.0	3.0	0.0	0.0		
Streets and Highways	184.3	13.8	179.5	13.4	4.8	2.7	15.4	15.4
Railroad/Utilities	15.1	1.1	15.1	1.1	0.0	0.0	1.6	1.6
Vacant	108.3	8.1	131.6	9.8	-23.3	-17.7	16.9	18.8
<b>TOTAL:</b>	<b>1339.6</b>	<b>100.0</b>	<b>1339.6</b>	<b>100.0</b>	<b>0.0</b>	<b>0.0</b>	<b>100.0</b>	<b>100.0</b>

Source: Consultant's Survey, Borough Tax Records and Previous Master Plan



In examining the findings, several facts stand out:

- 1) The Borough is almost fully developed;
- 2) The dominant land use is residential, primarily single-family detached structures;
- 3) There are two centralized areas of commercial development, each however, different in nature (highway versus local); and
- 4) Several small areas or "pockets" of two-family and multi-family residential (3 or more units within a structure) as well as non-residential development are found scattered throughout the Borough. Within this broad pattern of development, there is much diversity in the type and character of development found in the community.

## **Future Development Projections**

### *Infill Development*

Most of Butler's future development will be of three types: 1) "Infill" development of vacant lots, and 2) subdivision of the few remaining larger, marginally developable lots (as limited by existing environmental and physical constraints), and 3) conversions. In most areas, the neighborhood land use pattern is stable and unlikely to change significantly in the future. In a few areas, however, there will be development pressures that could change the existing pattern of development (i.e. multi-family development versus single-family and residential versus commercial). In some cases, this may be desirable, particularly in commercial fringe areas. Overall however, the zoning regulations should be maintained and enforced to preserve the existing land use patterns.

### *Subdivision of Large Lots*

In addition to the vacant lots that exist in Butler, there are several large vacant, and/or underdeveloped lots that could possibly be subdivided and further developed for residential uses. The zoning and subdivision regulations should be designed to ensure that future subdivisions and residential home construction will maintain the existing character of the surrounding residential neighborhoods.

## *Conversions*

Due to the developed nature of the Borough, additional development in the form of building conversions can be anticipated. Such conversions may either be from residential to non-residential, non-residential to residential or a combination thereof.

## **EXISTING ZONING**

The Borough of Butler is currently divided into sixteen (16) zone districts as shown on the "Zoning Map". The following is a description of each zone.

**R-1 Residence District** – This zone is found in three (3) separate areas in the Borough, and represents approximately 15% of the Borough zoning. The largest area is located adjacent to the Borough of Kinnelon west of Route 23. The remaining two areas are found adjacent to Route 23/Boonton Avenue/Valley Road and adjacent to West Milford Township in the northern most section of the Borough. This single family residential zone has a minimum lot size of 17,250 square feet and represents the largest minimum residential lot size. Except for the R-1 areas found northwest of Maple Lake Road and several large lots found in the remaining portions of the zone, the R-1 district is essentially fully developed.

**R-2 Residence District** – The majority of R-2 zoned properties, with minimum lot area requirements of 12,500 sq.ft. are located east of Route 23 in the south easterly portion of the Borough. Two small areas are also located along the southerly boundary with Kinnelon along Boonton Avenue and Alpine Road. This zone district represents approximately 9% of the Borough. Existing development consists of single family dwellings. Over 54 acres, or 45% of the zone is private vacant land, however, these lands are topographically constrained which will effectively reduce the total lot yield which could have been reasonably expected.

**R-3 Residence District** - This district, the largest in the Borough with approximately 429 acres of land, or 32.2 percent of the Borough, contains a variety of residential uses on a minimum lot size of 10,250 square feet. The majority of this district is located east of Route 23, however a single area of R-3 zoning is located adjacent to Kinnelon in the west-central section of the Borough. This district as a whole contains the majority of the remaining vacant lands in the Borough.



**R-4 Residence District** - This district (12.2% of the Borough) is located in three different neighborhood areas in the central and south east sections of the Borough; the first, and also the largest in area is found in the vicinity of Kiel Avenue; the second, found west of the railroad tracks with major access from High Street and Carey Avenue; and the third, located adjacent to Bloomingdale along the Pequannock River. Permitted in the district are single family residences on lots of 6,250 square feet. Other than those lots with significant environmental constraints, this zone is essentially fully developed.

**R-5 Residence District** - This district is somewhat centrally located with major access from Boonton Avenue to the south and Kiel Avenue to the north. This district, approximately 60 acres or 4.5% of the Borough, permits both single and two family residential uses on lots of 6,250 and 9,375 square feet respectively. This zone is also essentially developed with little remaining land available.

**R-6 Garden Apartment District** - Found in the northern portion of the Borough, with access from Route 23, Maple Lake and Lincoln Road, this 21 acre zone is predominately developed with apartment buildings, however, two pockets of residential and commercial uses along Lincoln Road are found within this zone. Due to the lack of available land, no further development, other than redevelopment and/or conversions are possible.

**R-7 Townhouse/Light Industrial District** - This district, approximately 27 acres (2% of Borough) in area, is located adjacent to Route 23 in the southern portion of the Borough and provides the necessary provisions to assist the Borough on satisfying it's obligation for affordable housing. Principal uses permitted include single family residential, townhouse and light industrial uses. The majority of this district remains undeveloped due to existing topographical and access constraints found in this area of the Borough.

**SC Senior Citizen Housing District** - This 3 acre district is located along Ace Road and Whitteck Street and was created to facilitate a portion of the Borough's affordable housing obligation. Currently this site contains the Butler Senior Center and Residence.

**CBD Central Business District** - This district, a total of 36 acres (2.7% of Borough) in size, is found in the easterly portion of the Borough predominately along Main Street and Boonton Avenue. This district represents the traditional downtown commercial uses with permitted principal uses of retail stores and services as well as municipal services and facilities. With no private vacant land available, future development in the form of redevelopment and conversions are anticipated.

**LI/CBD Light Industrial/Central Business District** – This district, located between the LI and CBD districts, constitute the remaining portion of the downtown area, and is 36 acres (2.7% of Borough) in size. This district also permits the traditional downtown commercial uses but recognize the previous development efforts of the older industrial uses to more conventional retail and commercial uses. With no private vacant land available, future development in the form of redevelopment and conversions can be anticipated.

**HC-1 Highway Commercial District** – This district, a total of 48 acres (3.6% of Borough) in size, is found along the west side of Route 23 between Kiel Avenue to the north, and just before Boonton Avenue in the south. This district, along with the HC-2 district represents the traditional highway commercial uses. Permitted principal uses in the HC-1 district include retail sales and services, including automobile sales, garden centers and fast-food restaurants. With little unconstrained private vacant land available, future development in the form of redevelopment and expansions are anticipated.

**HC-2 Highway Commercial District** – This district, which comprises a total of 82 acres (6.2% of Borough) in area, is found in three locations along Route 23 (both sides); north of Kiel Avenue to the jug handle, centrally between Hillcrest and Woodland Avenues, and Boonton Avenue south to the municipal boundary with Kinnelon Borough. Permitted principal uses in the HC-2 district are identical to that of the HC-1 district, however automobile sales, garden centers and fast-food restaurants are not permitted. As with the HC-1 district, little unconstrained private vacant land available so that future development will be in the form of redevelopment and expansions.

**RC Restricted Commercial District** – This 8 acres district is located along Route 23 north between Hillcrest and Kiel Avenues. This commercial district permits



principal uses such as retail sales, services and professional offices. No private vacant land is available so any future development will be in the form of redevelopment and conversions.

**LI Light Industrial District** – This district, a total of 41 acres (3.1% of Borough) in size, is found in the easterly portions of the Borough along the railroad tracks and the Pequannock River. This district permits the typical industrial uses such as manufacturing and material fabrications as well traditional professional offices. With little vacant land available, future development in the form of redevelopment and conversions could be anticipated.

**RO/R-6 Research Office/Apartment District** - Found in the northern portion of the Borough, with frontage along Route 23 and Maple Lake Road, this 31 acre zone is fully developed by the 238 unit Cambridge Heights/Terrace Lake townhouse and condominium development. Existing zoning permits either the townhouse or research laboratory uses. No further development within this zone district is anticipated.

## **LAND USE PLAN**

As outlined in previous sections, Butler is an almost fully developed community. The land use patterns in most areas of the Borough are stable and well established. For this reason, the Land Use Plan does not anticipate large scale substantial new development, but rather limited development and redevelopment. The plan seeks to preserve and strengthen the positive aspects of Butler's residential neighborhoods and business districts, and to reduce or minimize any negative features such as improper setbacks and ineffective buffering between residential and non-residential land uses. Based upon the analysis of the pattern of existing land uses, development trends experienced since the adoption of the previous Borough Master Plan, and the goals and objectives of this Plan, specific recommendations and changes relating to the following land use categories are proposed, and are shown on the LAND USE PLAN map. The map shows, in broad categories, the intended land use for Butler.

The land use categories and various zoning districts on these maps are described in the following sections.

### **1. RESIDENTIAL LAND USES**

#### **A. Low density Residential**

- Corresponds to existing R-1 District (17,250 sq.ft. lot size)
- No change in bulk standards
- New R-1 Area Proposed east of the Decker Road Area. Area currently zoned R-3 (10,250 sq.ft. lots). This area constitutes the largest remaining contiguous vacant land remaining in the Borough. However, this area is constrained by steep slopes and freshwater wetlands.

#### **B. Low-Medium Density Residential**

- Corresponds to existing R-2 District (12,500 sq.ft. lot size)
- No change in bulk standards
- Adjust R-2 District to include two residential lots found along Boonton Avenue currently within the HC-2 zone to preserve the residential



character of the street and the existing pattern of commercial development along Route 23.

### **C. Medium Density Residential**

- Corresponds to existing R-3 District (10,250 sq.ft. lot size)
- No change in bulk standards
- Rezone portion of existing R-4 to R-3 north of Kiel Avenue in the North Western Avenue area as this section of the Borough is more characteristic of the R-3 zoning than the current, more dense R-4 (6,250 sq.ft.)

### **D. High Density Residential**

- Corresponds to the existing R-4 and R-5 Districts (6,250 sq.ft. lot size)
- No change in bulk standards or existing zone boundaries, however, two-family residential uses as permitted in the R-5 district should not encroach into the adjoining R-3 and R-4 districts.

### **E. Multi-Family Residential – Apartment/Townhouse**

- Corresponds to the existing R-6 and RO/R-6 Districts
- No change in bulk standards
- Remove RO/R-6 zone designation and rename to recognize existing multi-family development.

### **F. Senior Citizen**

- Corresponds to the existing SC District and existing senior citizen center/housing
- No changes proposed.

## **2. COMMERCIAL LAND USES**

### **A. Central Business District**

- Corresponds to the existing CBD District

- No changes to bulk standards. CBD core uses to remain the same.
- See Special Study Area – CBD for specific recommendations

### **B. Highway Commercial**

- Corresponds to the existing HC-1, HC-2 and RC Districts found along Route 23.
- Eliminate RC district and rezone to HC-2.
- Expand HC-2 within Lot 9, Block 51 so as to eliminate split-lot zoning of property as well as provide for expanded commercial development.
- Due to the valuable existing highway frontage, rezone the properties near Maple Lake Road overpass from RO/R-6 Residential to HC-2 (northbound side) and R-1 to HC-2 (southbound side) as these properties contain existing and viable commercial uses.
- Recommend ordinance revisions addressing principal permitted uses, site access, buffering, location requirements for parking facilities and signage. *See Special Study Areas – Highway Commercial for specific recommendations.*

## **3. INDUSTRIAL LAND USES**

### **A. Light Industrial**

- Corresponds to the existing LI District
- No changes to use or bulk standards
- Rezone existing properties adjacent to railroad and Paterson-Hamburg Turnpike. Future redevelopment of these lots for permitted light industrial uses would be in keeping with the existing pattern of development

### **B. Light Industrial/Central Business District**

- Corresponds to the existing LI/CBD District
- Expand existing LI/CBD district to include the LI portion found along Main Street, adjacent to the Pequannock River. This recommendation incorporates the North Main Street Redevelopment Area.
- Consideration for higher intensity of CBD uses should be explored. Maintain local retail, professional offices and services uses. Higher



buildings permitted (3-4 story) when additional parking facilities (deck, lot) are provided.

#### **4. ADDITIONAL GENERAL LAND USE CONSIDERATIONS**

- Develop ordinance provisions for the location and operation of wireless telecommunications uses.
- Include provisions for parking (number of spaces & locations) to the zoning section. Currently they are design exceptions which require less in the way of legal proofs to grant. Parking design and locations for non-residential uses can represent a significant impact to site aesthetics and impacts to adjacent residential neighborhoods.
- Review and revise where necessary the buffering requirements between commercial and industrial zones/uses when adjacent to a residential zone.
- Add ordinance provisions for Home Based Occupations, with specific requirements and limitations.

#### **Summary**

The foregoing land use recommendations represent what is considered to be a rational and viable plan of development for the Borough; one that preserves the basic character of the community and respects the natural carrying capacity of the land dictated by physical and environmental features. At the same time, the Plan offers reasonable opportunity for future development and provides for a variety of land uses and residential dwelling types while recognizing the limitations imposed by available road and utility infrastructure, especially sewage treatment capacity.



- LEGEND:**
- R-1 SINGLE FAMILY RESIDENTIAL (17,250 SQ.FT.)
  - R-2 SINGLE FAMILY RESIDENTIAL (12,500 SQ.FT.)
  - R-3 SINGLE FAMILY RESIDENTIAL (10,250 SQ.FT.)
  - R-4 SINGLE FAMILY RESIDENTIAL (8,250 SQ.FT.)
  - R-5 SINGLE/TWO FAMILY RESIDENTIAL (8,250/9,375 SQ.FT.)
  - R-6 GARDEN APARTMENT
  - R-7 TOWNHOUSE/LIGHT INDUSTRIAL
  - SC SENIOR CITIZEN HOUSING
  - CBD CENTRAL BUSINESS
  - HC-1 HIGHWAY COMMERCIAL
  - HC-2 HIGHWAY COMMERCIAL
  - LI LIGHT INDUSTRIAL
  - RC RESTRICTED COMMERCIAL
  - LI/CBD LIGHT INDUSTRIAL/CENTRAL BUSINESS
  - RO/R-6 RESEARCH OFFICE/APARTMENT
  - REDEVELOPMENT AREA OVERLAY ZONE



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
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BASE MAP REVISED FOR TAX MAP: MARCH, 2000

# ZONING MAP

BOROUGH OF  
**BUTLER**  
MORRIS COUNTY, NEW JERSEY

AUGUST, 2004



**HOUSING PLAN 5.0**



INTRODUCTION 1.0



**EXISTING ZONING (AS OF FEBRUARY, 2004)**

R-1	SINGLE FAMILY RESIDENTIAL (17,250 SQ.FT.)
R-2	SINGLE FAMILY RESIDENTIAL (12,500 SQ.FT.)
R-3	SINGLE FAMILY RESIDENTIAL (10,250 SQ.FT.)
R-4	SINGLE FAMILY RESIDENTIAL (8,250 SQ.FT.)
R-5	SINGLE/TWO FAMILY RESIDENTIAL (8,250/9,375 SQ.FT.)
R-6	GARDEN APARTMENT
R-7	TOWNHOUSE/LIGHT INDUSTRIAL
SC	SENIOR CITIZEN HOUSING
CBD	CENTRAL BUSINESS
HC-1	HIGHWAY COMMERCIAL
HC-2	HIGHWAY COMMERCIAL
LI	LIGHT INDUSTRIAL
RC	RESTRICTED COMMERCIAL
LI/CBD	LIGHT INDUSTRIAL/CENTRAL BUSINESS
RO/R-6	RESEARCH OFFICE/APARTMENT
[Shaded Box]	REDEVELOPMENT AREA OVERLAY ZONE

[Shaded Box] VACANT LOTS

NOT ON TAX ROLL  
PART OF RT. 23 R-O-W

UNIMPROVED RIGHT-OF-WAY (PAPER STREET)  
BASE MAP REVISED PER TAX MAP, MARCH, 2000



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# VACANT LAND ANALYSIS

BOROUGH OF  
**BUTLER**  
MORRIS COUNTY, NEW JERSEY

AUGUST, 2004



## **HOUSING ELEMENT and FAIR SHARE PLAN**

### **Introduction**

In January, 1985, the New Jersey Legislature adopted the Fair Housing Act. This act represents the Legislature's response to the New Jersey Supreme Court's Mount Laurel II ruling, which places responsibilities on municipalities to provide realistic opportunities for the development of low and moderate income housing.

The Fair Housing Act established a Council of Affordable Housing (COAH) and assigns that Council the task of monitoring affordable housing activities throughout the State. Among COAH's responsibilities are the establishment of housing regions, the determination of statewide and regional low and moderate income housing needs and the promulgation of guidelines and criteria for determination of municipal fair share of regional housing needs. The Law further provides that if a municipality is to have a valid zoning ordinance, it must prepare and adopt a housing plan element of a Master Plan and zoning regulations must be substantially consistent with that housing element. The purpose of a housing element is to assess local housing needs and obligations, along with the municipality's ability to support such housing, and establish a program for development of low and moderate income housing.

### **1989 Plan**

Under the initial substantive rules adopted by COAH, Butler had a pre-credited housing need of 48 units for the 1987 - 1993 period. In April, 1989 the Planning Board adopted a Housing Element and Fair Share Plan which sought to address that housing need. The basic proposals in that plan to satisfy the precredited need are as follows:

1. A credit of 12 units that were rehabilitated through government funded programs and involving substandard housing units occupied by low and moderate income households.



2. A credit of 9 units in the Butler Senior Housing project. Although 91 units in the project were proposed, COAH rules allowed only 25 percent of the precredited number, as adjusted by #1, to be age restricted.
3. Zoning of a site on the southerly side of Route 23 for inclusionary development providing 13 low and moderate income units.
4. Proposed rehabilitation of 14 indigenous housing units through loans and grants from the Morris County Department of Community Development.

### **1994 Plan**

Subsequently, in January, 1994, the Housing Plan element of the Master Plan was amended to include an alternate site to the one identified in #3 above for inclusionary development. The alternate site is the so-called Terrace Lake property. The amended plan provided that whichever of the two-sites to be developed first shall include provision for the 13 low and moderate income units.

In May, 1994, COAH adopted revised substantive rules establishing conditions under which municipalities are required to address their fair share needs for affordable housing. Additionally at that time, COAH promulgated revised low and moderate income housing need estimates (affordable housing numbers) for municipalities throughout the State covering the 1993 - 1999 period. Under the revised numbers, Butler's affordable, precredited housing need has been increased from 48 to 66 units.

### **1995 Plan**

Responding to COAH's revised rules and municipal housing obligations, the Planning Board, in September, 1995, adopted a new Housing Element and Fair Share Plan (HE & FSP). This plan proposed that the Borough's precredited need of 66 units be met in the following manner:

1. Establish a set-aside of 6.5 percent applicable to the Terrace Lake Site based on a density of approximately 10.7 units per acre. This will result in the

construction of 285 units of which 19 ( $285 \times 6.5\%$ ) would be low and moderate income. It is proposed that this development be a rental project.

2. Continue the present R-7 Zone, but modify the provisions, including the inclusionary provisions, of that zone as follows:
  - a. Increase the permitted density from a maximum of 6 units per acre to 10 units per acre.
  - b. Allow market units to be apartment as well as townhouses.
  - c. Require a minimum set-aside for low and moderate income households of 12.5 percent, producing 18 such units.
  - d. Eliminate the provision that permits eliminating the set-aside provisions if 13 units of low and moderate income units are provided elsewhere.
3. A rental bonus of 4 units to be credited for development of the Terrace Lake property based on 25 percent of the precredited need less the rehabilitation component ( $66 - 50 \times .25$ ).
4. A credit of 17 units for the Butler Senior Citizen Housing facility. As noted above, 25 percent of the precredited number of 66 may be age restricted to senior citizens.
5. A total of 9 units rehabilitated since 4/1/90 at an average cost of at least \$8,000.

### **1998 Plan**

In 1998, the Borough had the opportunity to reassess its housing obligation and reconsider the measures that would be most appropriate in satisfying its affordable housing obligation. As a result, a revised HE & FSP was developed and subsequently adopted by the Planning Board on June 18, 1998. Based on the precredited need of 66 units, the Plan determined that the obligation could be reduced to 33 units based on the following credits and assumptions.

1. Units rehabilitated through the Morris County Department of Community Development and averaging at least \$8,000 per unit in cost: - 9 units.
2. Credit of up to 25 percent of the pre-credited need for units located in the Butler Senior Housing development: - 17 units.
3. Credit for an existing, 4-bedroom alternate living arrangement facility.
4. A rental bonus applicable to the above senior housing: - 1 unit.
5. Assumed credit for a conventional rental component which must be included in the fair share plan: - 2 units.
6. Butler's entire remaining pre-credited need of 33 units are considered to be indigenous which, if possible, should be satisfied through rehabilitation.

## **PROPOSED HOUSING PLAN**

The affordable housing plan for the Borough of Butler is essentially in place, and consists of continuing the policies and programs that have been adopted and followed since the adoption of the 1998 Plan. The foregoing components of a Housing Element and Fair Share Plan as they apply to Butler are addressed below.



## HOUSING INVENTORY

A major part of a housing element is an inventory of existing housing in the municipality. Primary sources of information relating to the housing stock include tax assessment data, municipal land use surveys and the U.S. Census. The estimated housing supply in Butler based on 2000 Census data is shown in Table 1 which indicates a total of 2,923 housing units as of April 1 of that year. The majority (1,946 units or 66.6%) of the housing units were one-family detached units. There were 39 attached, one-family units and 364 units in two-family structures. The remaining 574 units or 19.6% were predominantly multi-family.

Type of Unit	Number	%
1 - Family Detached	1,946	66.6%
1 - Family Attached	39	1.3%
2 - Family	364	12.5%
3 & 4 Family	189	6.5%
5 - 9 Family	75	2.6%
10 - 19 Family	119	4.1%
20 or More Family	185	6.3%
Mobile Home	6	0.2%
Others	0	0.0%
<b>Total</b>	<b>2,923</b>	<b>100.0%</b>

Source: 2000 U.S. Census

	Number	Percent
<b>Total Housing Units</b>	<b>2,923</b>	
Occupied	2,868	98.1%
Vacant	55	1.9%
<b>Occupied Units</b>	<b>2,868</b>	
Owner Occupied	1,905	66.4%
Renter Occupied	963	33.6%
<b>Vacant Units</b>	<b>55</b>	
For Sale	4	7.3%
For Rent	36	65.5%
Occasional Use	2	3.6%
Other	13	23.6%

Units Lacking Complete Plumbing: 8  
 Median Value-Owner Occupied Units: \$187,500  
 Median Gross Rent-Renter Occupied Units: \$796

Source: 2000 U.S. Census Profiles

Selected housing characteristics as reported by the 2000 Census are reflected in Tables 2 and 2.1 which indicate a dominance of owner-occupied housing, generally consistent with a single-family home community. With the exception of 8 units, all had complete plumbing and the median value of owner-occupied housing was \$187,500. This compares to \$257,400 for Morris County. Median gross rent was \$796, compared to \$883 for the County.

Family and household size has declined in recent years and only 262 units or about 9.2% contain more than 4 persons. The mean number of persons per unit was 2.6, or slightly less than that of 2.7 in Morris County.

There was extremely little overcrowding in Butler. Only 25 of the 1,905 owner-occupied units, or 1.3% of the units contained an average of more than one (1) person per room. This compares to 50 units, or 5.2% of the renter-occupied units. Borough-wide, this represents only 2.6% of occupied units where one (1) or more persons per room exist.

**Table 2.1  
SELECTED HOUSING CHARACTERISTICS - 2000  
Borough of Butler**

	Number	Percent
<b>Persons Per Unit</b>		
1 Person	691	24.1%
2 Persons	910	31.7%
3 Persons	550	19.2%
4 Persons	455	15.9%
5 Persons	194	6.8%
6 or more Persons	68	2.4%
<b>Total:</b>	2,868	100.0%
Persons Per Unit: 2.6		
<b>Persons Per Room - Owner Occupied</b>		
1.00 or less	1,880	98.7%
1.01 to 1.50	25	1.3%
1.51 or more	0	0.0%
<b>Total:</b>	1,905	100.0%
<b>Persons Per Room - Renter Occupied</b>		
1.00 or less	913	94.8%
1.01 to 1.50	23	2.4%
1.51 or more	27	2.8%
<b>Total:</b>	963	100.0%

Source: 2000 U.S. Census Profiles

Table 3 provides a very broad description of housing characteristics. In general, it reflects a condition of sound quality, high value, owner-occupied housing. Significant features of the table can be summarized as follows:

1. The majority (66.9%) of units were one-family detached units.
2. Butler is a community of relatively young housing age. Approximately 33.7%, or one-third of all housing was built prior to 1940 while 57.1% of all housing was built between 1940 and 1980. Since 1980, new homes in the Borough represent 9.1% of the housing stock. The median year built for owner occupied units was 1953.

3. Approximately 60% of all units contained three or more bedrooms. Units containing no bedrooms or only one bedroom totaled 18% (predominately rental units).

**Table 3**  
**DETAILED HOUSING CHARACTERISTICS**  
**Borough of Butler**

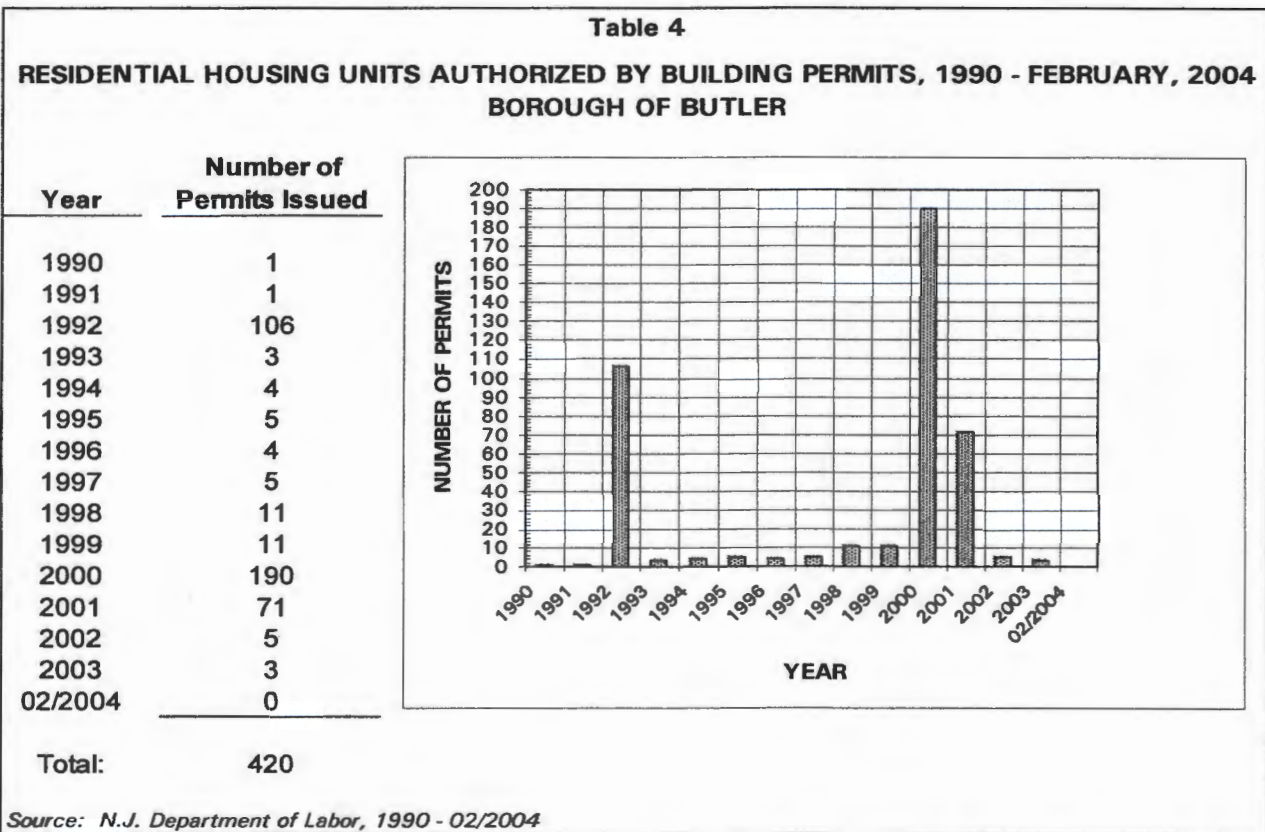
	TOTAL		Owner Occupied		Renter Occupied	
	Number	Percent	Number	Percent	Number	Percent
<b>Housing Units</b>						
Single Detached	1,919	66.9%	1,811	95.1%	108	11.2%
Single Attached	39	1.4%	27	1.4%	12	1.2%
Two Family	358	12.5%	61	3.2%	297	30.8%
3 & 4 Family	167	5.8%	0	0.0%	167	17.3%
5 or More Family	379	13.2%	0	0.0%	379	39.4%
Mobile Home	6	0.2%	6	0.3%	0	0.0%
Other	0	0.0%	0	0.0%	0	0.0%
Total:	2,868	100.0%	1,905	100.0%	963	100.0%
<b>Bedrooms</b>						
None	49	1.7%	0	0.0%	49	5.1%
1	469	16.4%	15	0.8%	454	47.1%
2	639	22.3%	323	17.0%	316	32.8%
3	1,229	42.9%	1,091	57.3%	138	14.3%
4	444	15.5%	438	23.0%	6	0.6%
5 or more	38	1.3%	38	2.0%	0	0.0%
Total:	2,868	100.0%	1,905	100.0%	963	100.0%
<b>Year Built</b>						
1999 - 2000	12	0.4%	12	0.6%	0	0.0%
1995 - 1998	27	0.9%	27	1.4%	0	0.0%
1990 - 1994	116	4.0%	14	0.7%	102	10.6%
1980 - 1989	110	3.8%	78	4.1%	32	3.3%
1970 - 1979	452	15.8%	260	13.6%	192	19.9%
1960 - 1969	428	14.9%	336	17.6%	92	9.6%
1950 - 1959	415	14.5%	307	16.1%	108	11.2%
1940 - 1949	342	11.9%	193	10.1%	149	15.5%
Before 1940	966	33.7%	678	35.6%	288	29.9%
Total:	2,868	100.0%	1,905	100.0%	963	100.0%
<b>Median Year Built:</b>			1953		1954	

*Source: 2000 U.S. Census Profiles*



## HOUSING STOCK PROJECTION

Building activity is usually indicative of future growth. According to the New Jersey Department of Labor, residential building permits for a total of 420 residential housing units were issued between 1990 and February, 2004, and are indicated on Table 4. While this number appears high, the figures include the 91 units in the Butler Senior Housing building (1992) and the Cambridge Heights/Terrace Lake development (2000 & 2001). When these developments are removed from the figures, a slow rate of growth of less than 7 units per year is indicated. Studies relating to land use address the amount of vacant land in the Borough and the future housing development potential under current zoning.



### *Future Population Projections*

The many variable and unknown factors and influences make a projection of future growth difficult and complicated. At best, a "guesstimate" of future population can be offered based on recent trends and available vacant land. Such an estimate is subject to modification depending upon potential changes in future land use policy. As to future growth, the County Planning Board has estimated that the Borough's population will reach 7,663 in the year 2010. This estimate represents a very modest growth and appears to acknowledge Butler's limited development capacity. We point out however, that based on the development and occupation of the Cambridge Heights/Terrace Lake development, as well as the continued limited residential growth observed in the 1990's, the anticipated population by 2010 could be expected to be approximately 8,000 to 8,100 persons.

## **DEMOGRAPHIC CHARACTERISTICS**

### **Population/Demographics**

Any revision or up-dating of a Master Plan must take into consideration population growth and other demographic characteristics. A municipality is a community of people, not just a physical entity. Local planning requirements are directly related to the number of persons residing and working in the municipality and the characteristics of those people. As those numbers and characteristics change, so do community requirements. Thus, plans must be altered or adjusted to meet these changing needs. Detailed information relating to population characteristics was most recently recorded in the 2000 U.S. Census.

### *Regional Growth*

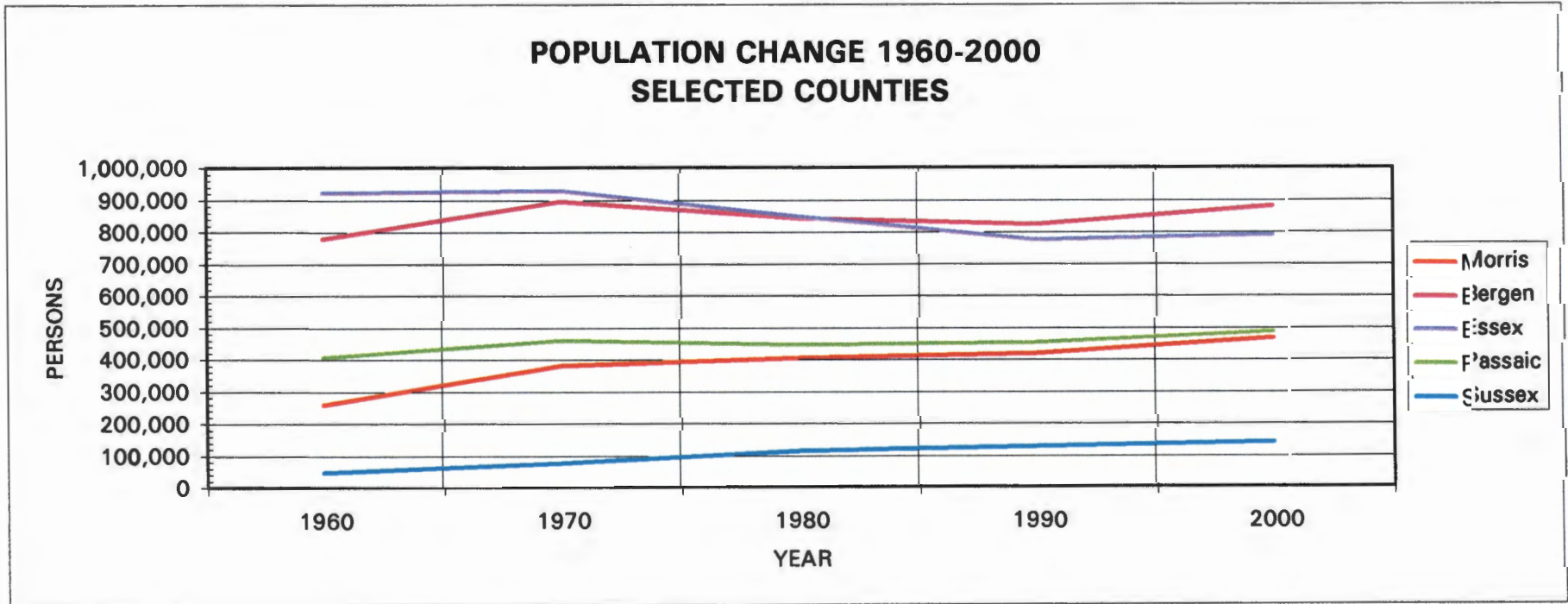
Significant changes have been taking place in terms of regional population trends. Since all communities are regionally oriented and, in a sense, owe their existence to regional influences, a review of related population considerations in the region is the initial step in determining potential future conditions locally.

The outward development pressures in the northern New Jersey area can best be demonstrated by a review of population growth trends in recent decades. Table 5

**Table 5  
REGIONAL POPULATION COMPARISONS  
SELECTED COUNTIES  
1960 - 2000**

County	1960	1970	Change, 1960-70		1980	Change, 1970-80		1990	Change, 1980-90		2000	Change, 1990-00	
	Persons	Persons	Number	Percent	Persons	Number	Percent	Persons	Number	Percent	Persons	Number	Percent
Morris	261,620	383,454	121,834	46.6	407,630	24,176	6.3	421,353	13,723	3.4	470,212	48,859	11.6
Bergen	780,255	898,012	117,757	15.1	845,385	-52,627	-5.9	825,380	-20,005	-2.4	884,118	58,738	7.1
Essex	923,545	929,986	6,441	0.7	850,451	-79,535	-8.6	778,206	-72,245	-8.5	793,633	15,427	2.0
Passaic	406,616	460,782	54,166	13.3	447,585	-13,197	-2.9	453,060	5,475	1.2	489,049	35,989	7.9
Sussex	49,255	77,528	28,273	57.4	116,119	38,591	49.8	130,943	14,824	12.8	144,166	13,223	10.1

Source: U.S. Census of Population, 1960-2000





indicates growth trends since 1950 in Morris and selected northern New Jersey counties. The figures in this table reflect a somewhat dramatic increase in county populations in 2000, where in the previous decades, county populations either decreased or only experienced low population growth, particularly in the built-up counties closer to New York City, the core of the Region, such as Bergen and Essex. As shown by the data, Morris County experienced the largest growth between 1990 and 2000, where a population increase of 11.6% occurred. In comparison, Sussex County experienced an increase of over 10% while Bergen and Passaic Counties experienced a 7.1 and 7.9% increase respectively. Essex County experienced only a moderate increase of 2%, however, this represents a shift from moderate population losses between 1970 and 1990.

Morris County experienced substantial growth between the 1950 and 1970 period, but the rate of growth declined to 6.3% during the 1970's. Its growth rate continued to decline in the 1980's, but picked up substantially through the 1990's. The 2000 population of Morris County was 470,212 persons, which represented an increase of 48,859 persons or 11.6%.

#### *Growth in Butler*

Growth in Butler and surrounding municipalities has slowed since the 1950's. In fact, between 1970 and 1990, several municipalities adjacent to the Borough declined in population (see Table 6). Following an increase from 7,051 persons in 1970 to 7,616 persons in 1980, the Borough population in 1990 dropped to 7,392. Between 1990 and 2000, the population of Butler increased by only 28 persons, or 0.4%. Although all the adjacent municipalities experienced an increase in population between the 1990 and 2000 period, the Borough of Kinnelon continued to experience the largest population growth of the adjacent municipal as a result of the available developable land.

#### *Population Density*

The pattern of population density is also indicated by Table 6. Total population density for a community is influenced by many factors, including the amount of developable land, the amount of land devoted to housing development, the type and density of housing developments, etc. For these reasons, comparisons

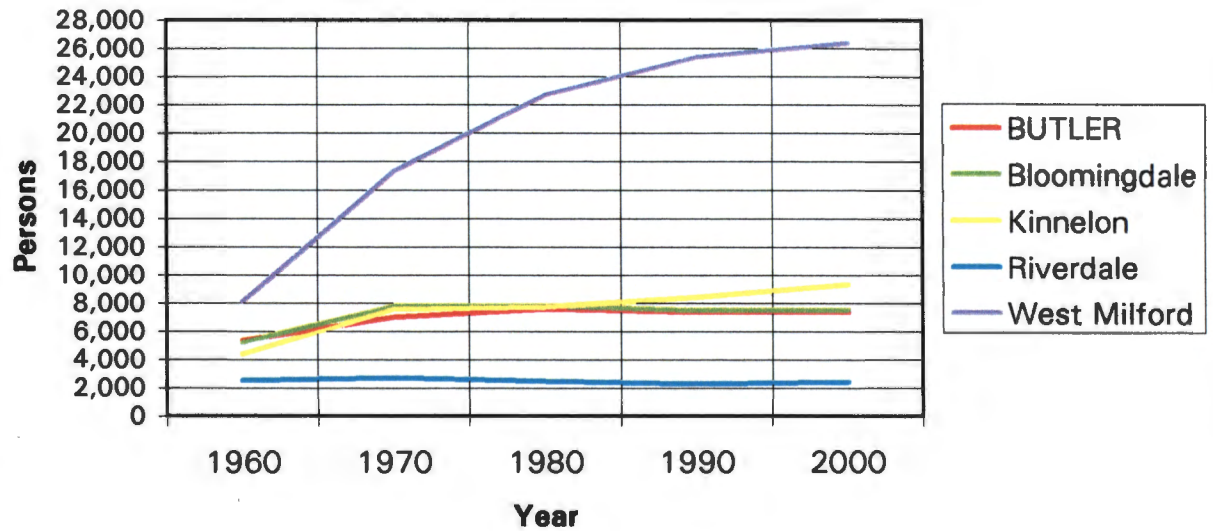
**Table 6  
POPULATION CHANGE, 1960 - 2000  
BOROUGH OF BUTLER AND ADJACENT MUNICIPALITIES**

Municipality	1960	1970	Change, 1960-70		1980	Change, 1970-80		1990	Change, 1980-90		2000	Change, 1990-00	
	Persons	Persons	Number	Percent	Persons	Number	Percent	Persons	Number	Percent	Persons	Number	Percent
<b>BUTLER</b>	5,414	7,051	1,637	30.2	7,616	565	8.0	7,392	-224	-2.9	7,420	28	0.4
Bloomingdale	5,293	7,797	2,504	47.3	7,867	70	0.9	7,530	-337	-4.3	7,610	80	1.1
Kinnelon	4,431	7,600	3,169	71.5	7,770	170	2.2	8,470	700	9.0	9,365	895	10.6
Riverdale	2,596	2,759	163	6.3	2,530	-229	-8.3	2,370	-160	-6.3	2,498	128	5.4
West Milford	8,157	17,304	9,147	112.1	22,750	5,446	31.5	25,430	2,680	11.8	26,410	980	3.9

**POPULATION DENSITIES**

Municipality	Area Sq. Miles	2000 Population Per Sq. Mile
<b>BUTLER</b>	2.08	3,567
Bloomingdale	8.74	871
Kinnelon	18.37	510
Riverdale	2.08	1,201
West Milford	78.30	337
<b>Morris County</b>	<b>468.98</b>	<b>1,003</b>

**POPULATION CHANGE, 1960 - 2000  
Borough of Butler & Adjacent Municipalities**



between communities are not fair in a strict sense. However, density figures are useful in a broad sense to indicate the level of development in a community. It is interesting to note that Butler's population density is substantially higher to the adjacent municipalities and Morris County as a whole. This suggests that Butler is for all practical matters, a fully developed residential community.

### *Age Composition*

Basic to any discussion of population are the changes which occur within the various age groups. Analysis of age group characteristics will provide insight into the actual changes in population composition, which, in turn, may be helpful when assessing what impacts they may have on community facilities and services. For example, increases or decreases in the school age population in a given area invariably prompts a reevaluation of school expansion programs and educational facilities. Similarly, increasing life expectancy and improved medical techniques have resulted in an increasing number of elderly citizens, bringing along with it an increased community awareness for their specific needs in the area of health care, housing and transportation.

Population by age groups in the Borough for 1980, 1990 and 2000 are shown in Table 7, and indicate interesting changes over the past 20 year period. For example, between the 1980 and 1990 period the under 5 age group increased, where the other younger age groups (5-24) declined both numerically and as a percentage of the population. In 1980, these groups represented 34.8% of the population versus 26.0% in 1990. In contrast, the 2000 population reveals that the under 5 age group decreased by 52 persons, or a 10% change from 1990 and that the 5-9 age group increased by 24 persons, or 5.6%. This increase can be partially attributed to the aging of the under 5 age group from 1990. The younger age groups (5-24) however, continued to have a net decrease of 249 persons. The 25-34 age group experienced a 11.4% decline while the 35-54 age group increased over 29%. A minor population loss occurred for persons aged 55-74 (3.4% total loss) while persons aged 75 and over increased significantly by 215 persons, or 82.4% from the 1990 census.

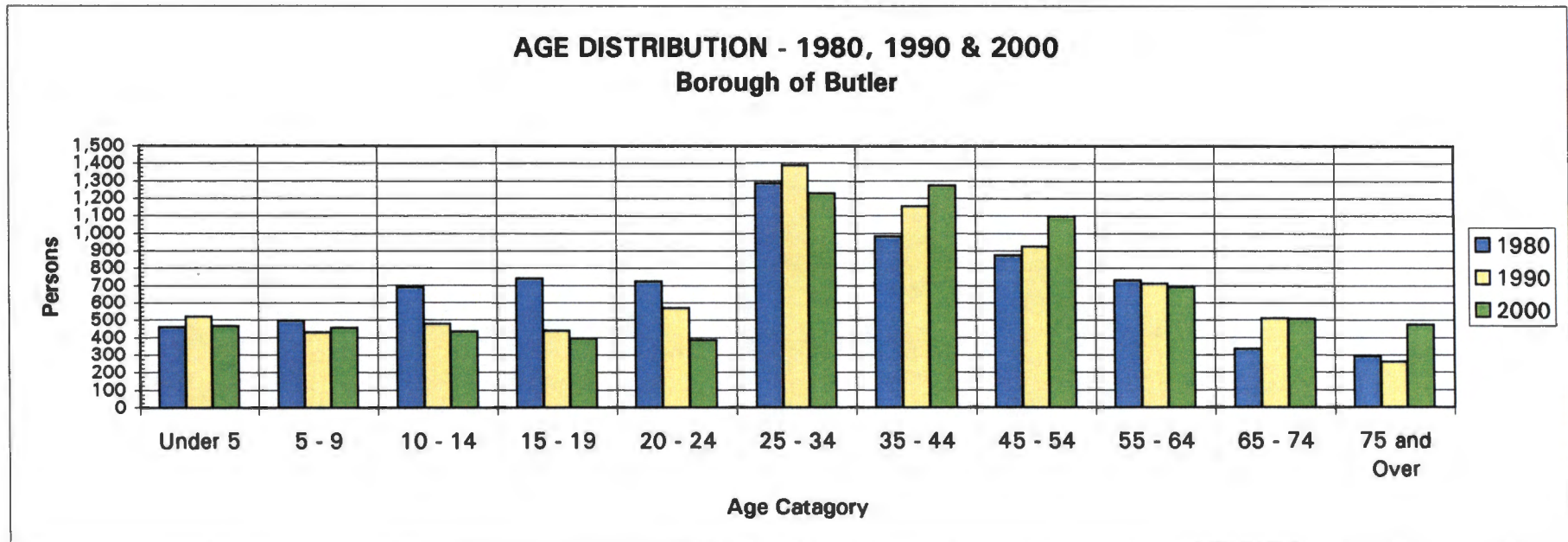


**AGE DISTRIBUTION, 1980, 1990 & 2000**  
 Borough of Butler

Table 7

	1980	Percent of	1990	Percent of	Change, 1980 - 1990		2000	Percent of	Change, 1990 - 2000	
	Population	Total	Population	Total	Number	Percent	Population	Total	Number	Percent
Under 5	461	6.1	519	7.0	58	12.6	467	6.3	-52	-10.0
5 - 9	497	6.5	431	5.8	-66	-13.3	455	6.1	24	5.6
10 - 14	690	9.1	478	6.5	-212	-30.7	435	5.9	-43	-9.0
15 - 19	742	9.7	441	6.0	-301	-40.6	397	5.4	-44	-10.0
20 - 24	724	9.5	572	7.7	-152	-21.0	386	5.2	-186	-32.5
25 - 34	1,286	16.9	1,388	18.8	102	7.9	1,230	16.6	-158	-11.4
35 - 44	984	12.9	1,155	15.6	171	17.4	1,275	17.2	120	10.4
45 - 54	873	11.5	924	12.5	51	5.8	1,098	14.8	174	18.8
55 - 64	731	9.6	711	9.6	-20	-2.7	694	9.4	-17	-2.4
65 - 74	335	4.4	512	6.9	177	52.8	507	6.8	-5	-1.0
75 and Over	293	3.8	261	3.5	-32	-10.9	476	6.4	215	82.4
<b>TOTAL</b>	<b>7,616</b>	<b>100.0</b>	<b>7,392</b>	<b>100.0</b>	<b>-224</b>	<b>-2.9</b>	<b>7,420</b>	<b>100.0</b>	<b>28</b>	<b>0.4</b>

Source: U.S. Census of Population, 1980, 1990 & 2000



Age group populations for the Borough and County in 2000 are compared in Table 8. The data here reveals some significant differences between the two jurisdictions. Although there were variations, the percentages in the various age groups were somewhat similar. For comparative purposes, the following table indicates the breakdown by age groupings for Butler and Morris County:

Age Group	Percent of 2000 Population	
	Borough	County
Non-School Aged Children (Under 5):	6.3	7.0
School Aged Children (5-19):	17.4	19.9
Young Adult (20-24):	5.2	4.4
Adult (25-54):	48.6	47.2
Senior Citizen (55 and Over):	22.6	21.6

#### *Household Size*

In Butler, the dominant household size continues to be the 2-person household. Almost one-third (31.7%) of the households in 2000 are in this category and is essentially similar to that to 31.8% for all of Morris County (see Table 9). The Borough had slightly lower percentages than the County in the 4-, -5 and 6-person households and slightly higher percentages in the 1- and 3-person households. These figures somewhat explain the smaller average household size in the Borough, as compared to the County as a whole. The differences, however, are not significant.

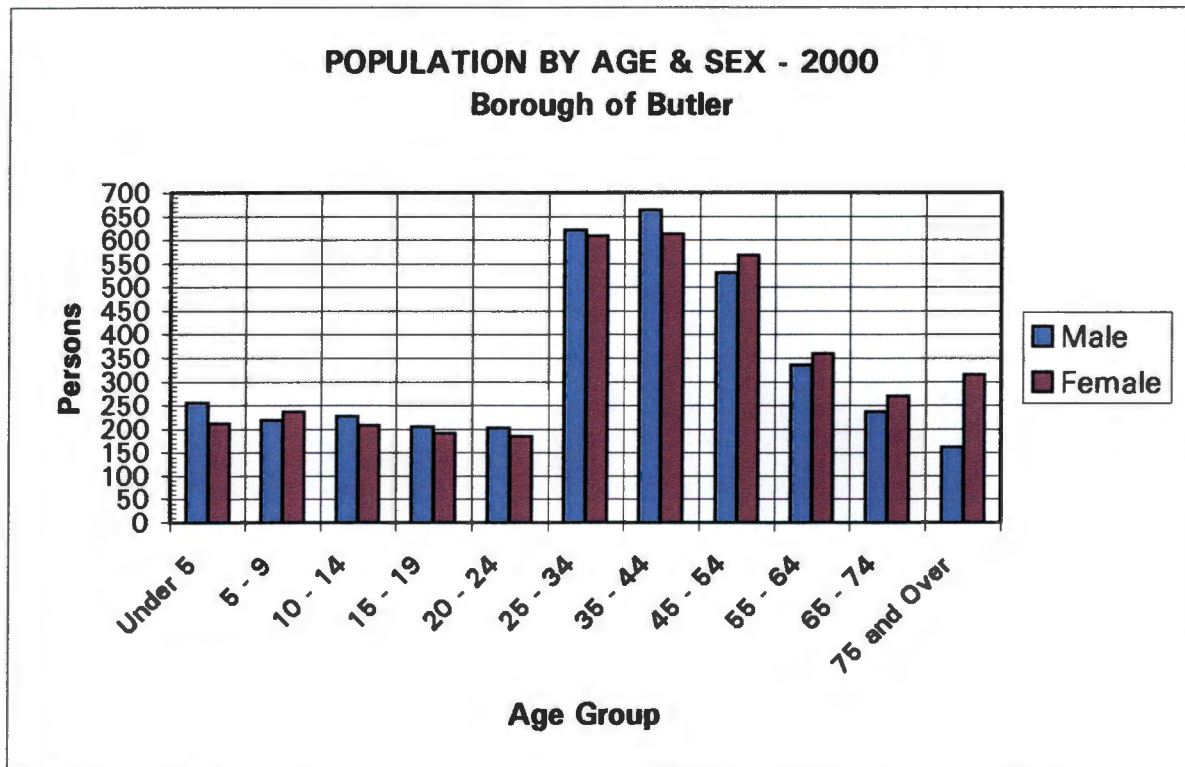
Household size data for 1980, 1990 and 2000 are also shown in Table 9. It is obvious from this data that, on the average, household sizes in both the Borough and the County have decreased over the twenty year period. For example, 1- and 2-person households in the Borough represented 55.8% of all households in 2000 compared to 50.3% in 1990, and 45.3% in 1980. A similar difference existed at the County level. The average household size in the Borough was 2.58 persons in 2000, a decrease from 2.80 persons in 1990. The County experienced a decrease during the same period, but not as much.

**POPULATION BY AGE - 2000**  
**Borough of Butler and Morris County**

**Table 8**

	Borough of Butler				Morris County	
	Male	Female	Total	Percent	Total	Percent
Under 5	255	212	467	6.3	32,906	7.0
5 - 9	219	236	455	6.1	34,234	7.3
10 - 14	227	208	435	5.9	32,425	6.9
15 - 19	205	192	397	5.4	26,598	5.7
20 - 24	202	184	386	5.2	20,571	4.4
25 - 34	621	609	1,230	16.6	63,689	13.5
35 - 44	663	612	1,275	17.2	86,465	18.4
45 - 54	530	568	1,098	14.8	71,867	15.3
55 - 64	335	359	694	9.4	46,927	10.0
65 - 74	237	270	507	6.8	29,391	6.3
75 and Over	161	315	476	6.4	25,139	5.3
<b>TOTAL</b>	<b>3,655</b>	<b>3,765</b>	<b>7,420</b>	<b>100.0</b>	<b>470,212</b>	<b>100.0</b>
<b>Median Age:</b>	<b>36.4</b>	<b>38.7</b>	<b>37.5</b>		<b>37.8</b>	

Source: U.S. Census of Population



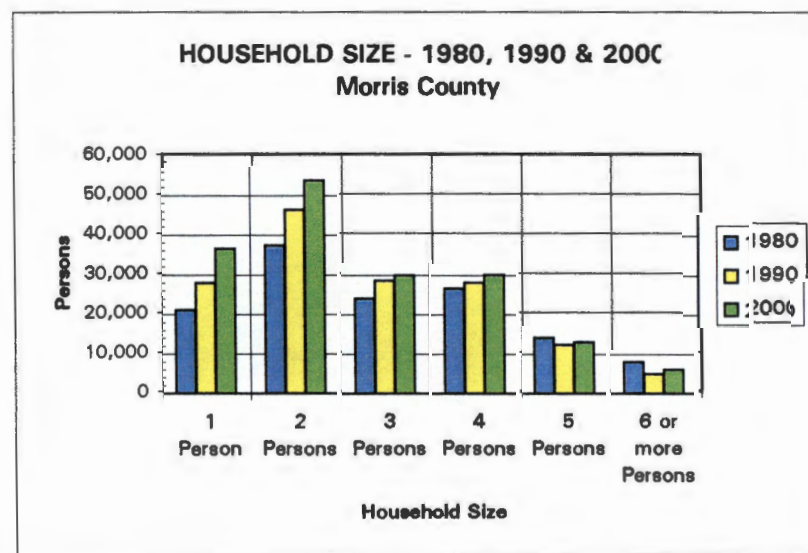
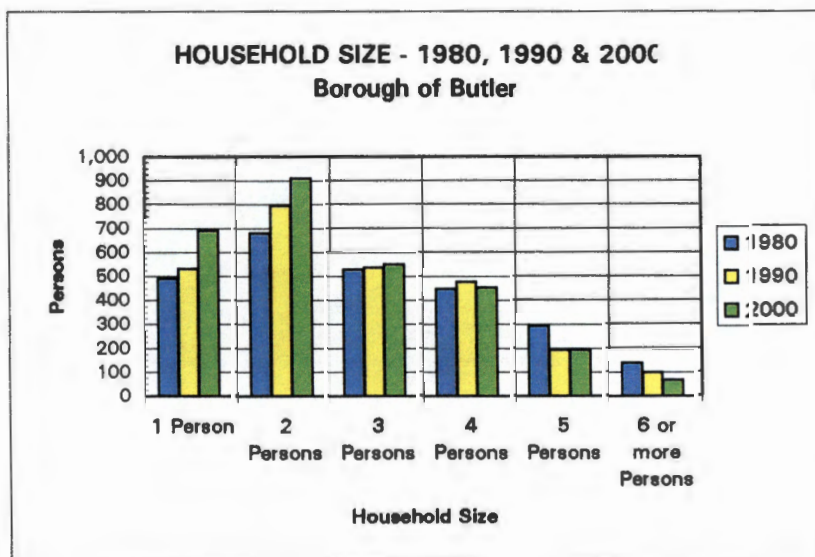


**HOUSEHOLD SIZE - 1980, 1990 & 2000**  
**Borough of Butler & Morris County**

**Table 9**

	Borough of Butler						Morris County					
	1980		1990		2000		1980		1990		2000	
	Number	%	Number	%	Number	%	Number	%	Number	%	Number	%
1 Person	492	19.0	531	20.1	691	24.1	21,250	16.1	27,965	18.8	36,555	21.5
2 Persons	681	26.3	796	30.2	910	31.7	37,435	28.4	46,410	31.2	53,911	31.8
3 Persons	529	20.5	537	20.4	550	19.2	24,091	18.3	28,706	19.3	29,923	17.6
4 Persons	448	17.3	479	18.2	455	15.9	26,750	20.3	28,105	18.9	30,012	17.7
5 Persons	295	11.4	193	7.3	194	6.8	14,240	10.8	12,414	8.4	13,173	7.8
6 or more Persons	140	5.4	100	3.8	68	2.4	8,011	6.1	5,027	3.4	6,137	3.6
<b>TOTAL:</b>	<b>2,585</b>	<b>100.0</b>	<b>2,636</b>	<b>100.0</b>	<b>2,868</b>	<b>100.0</b>	<b>131,777</b>	<b>100.0</b>	<b>148,627</b>	<b>100.0</b>	<b>169,711</b>	<b>100.0</b>
<b>Average Household Size:</b>	<b>2.96</b>		<b>2.80</b>		<b>2.58</b>		<b>3.02</b>		<b>2.78</b>		<b>2.72</b>	

Source: U.S. Census of Population, 1980, 1990 & 2000



*Income*

Household incomes in the community are a further reflection of the community character and the nature of its population. In Table 10, 1999 household incomes for Butler, Morris County and New Jersey are compared. Both the median and mean incomes of households in the Borough were lower than in the County. This is the result of the fact that the Borough generally has higher percentages of its households in income categories under \$75,000. For example, 81.2% of Borough households earned less than \$75,000 compared to only 67.8% of the County's households. Shown in Table 10.1 is a summary of family and individual incomes as related to the poverty level. By comparison, 5% of the households in the Borough vs. 3.9% in the County were below poverty level.

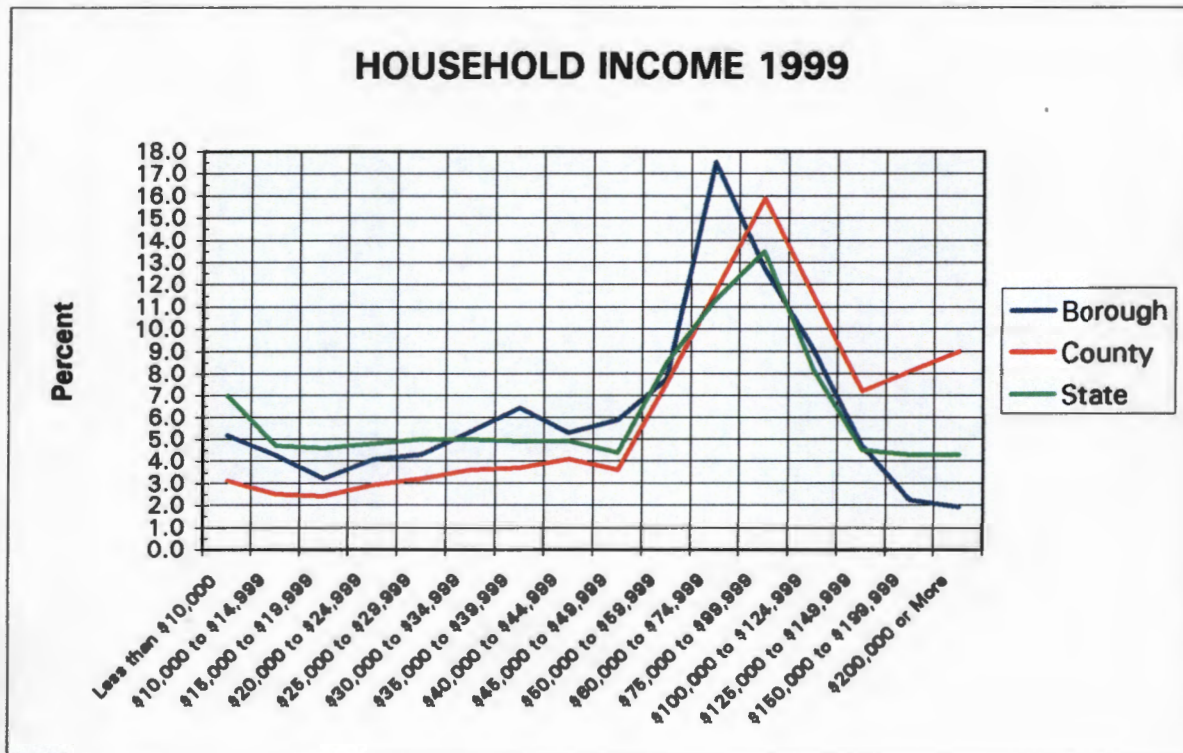
<b>INCOME DATA - 1999</b>		Table 10.1		
<b>Borough of Butler &amp; Morris County</b>				
	<u>Borough of Butler</u>		<u>Morris County</u>	
<b>POVERTY STATUS</b>	<u>Number</u>	<u>%</u>	<u>Number</u>	<u>%</u>
<u>Income Above Poverty Level</u>				
Ages 0 - 17	1,546	20.8	110,870	24.0
Ages 18 - 64	4,597	62.0	284,538	61.6
Ages 65 and over	905	12.2	48,852	10.6
<b>TOTAL:</b>	<b>7,048</b>	<b>95.0</b>	<b>444,260</b>	<b>96.1</b>
<u>Income Below Poverty Level</u>				
Ages 0 - 17	68	0.9	4,464	1.0
Ages 18 - 64	221	3.0	10,675	2.3
Ages 65 and over	83	1.1	2,733	0.6
<b>TOTAL:</b>	<b>372</b>	<b>5.0</b>	<b>17,872</b>	<b>3.9</b>
<u>Total</u>				
Ages 0 - 17	1,614	21.8	115,334	25.0
Ages 18 - 64	4,818	64.9	295,213	63.9
Ages 65 and over	988	13.3	51,585	11.2
<b>TOTAL:</b>	<b>7,420</b>	<b>100.0</b>	<b>462,132</b>	<b>100.0</b>
<i>Source: 2000 U.S. Census</i>				

**INCOME DATA - 1999**  
**Borough of Butler, Morris County & New Jersey**

Table 10

Household Income	Borough of Butler		Morris County	New Jersey
	Number	Percent	Percent	Percent
Less than \$10,000	148	5.2	3.1	7.0
\$10,000 to \$14,999	122	4.3	2.5	4.7
\$15,000 to \$19,999	91	3.2	2.4	4.6
\$20,000 to \$24,999	116	4.1	2.9	4.8
\$25,000 to \$29,999	123	4.3	3.2	5.0
\$30,000 to \$34,999	153	5.4	3.6	5.0
\$35,000 to \$39,999	184	6.4	3.7	4.9
\$40,000 to \$44,999	151	5.3	4.1	4.9
\$45,000 to \$49,999	168	5.9	3.6	4.4
\$50,000 to \$59,999	222	7.8	7.6	8.5
\$60,000 to \$74,999	501	17.5	11.7	11.3
\$75,000 to \$99,999	364	12.7	15.9	13.5
\$100,000 to \$124,999	260	9.1	11.5	8.2
\$125,000 to \$149,999	135	4.7	7.2	4.5
\$150,000 to \$199,999	64	2.2	8.1	4.3
\$200,000 or More	55	1.9	9.0	4.3
<b>TOTAL</b>	<b>2,857</b>	<b>100.0</b>	<b>100.0</b>	<b>100.0</b>
Median Income:	\$50,420			
Mean Income:	\$52,406			
Per Capita Income:	\$18,806			

Source: 2000 U.S. Census





## **EMPLOYMENT CHARACTERISTICS**

Among the more important demographic factors related to housing needs are employment characteristics. Various labor force and employment data for the Borough and the County are summarized in Table 11.

Occupational profiles for Butler and Morris County are also compared in Table 11. In general, the dominant portion of the Borough's labor force was employed in managerial/professional positions and sales/office compared to production and service occupations. These characteristics are consistent with the lower income levels in Butler however, they do represent a shift more towards more professional occupations than previously noted in prior plans.

For comparative purposes, the 2003 unemployment rate for the Borough of Butler was 4.9%, or slightly higher than the Morris County rate of 4.4%. It is not unusual however, for small, built-up communities to have higher unemployment rates than the County.

Perhaps more important in terms of a housing element than the employment characteristics of the municipality's labor force are local employment opportunities and growth in local employment. A customary source used in determining local employment characteristics and local employment trends is covered employment data reported by the New Jersey Department of Labor.

New Jersey unemployment covered jobs reported by the Department of Labor for Butler from 1980 through 1999 are listed in Table 12. The data presented here indicates that local employment in the Borough peaked in 1988. However, since 1991, employer units and covered jobs have generally increased each year. The latest available figures from 1999 indicate that this trend continues. Recent mid to large scale commercial development approvals within the Borough will serve to maintain, and most certainly increase the increase in local employment.

The data in Table 12 however, is not necessarily accurate as indicated by the following statement issued by the Department of Labor.

**LABOR FORCE & EMPLOYMENT DATA - 1999**  
**Borough of Butler and Morris County**

**Table 11**

	<u>Borough of Butler</u>		<u>Morris County</u>	
	<u>Total</u>	<u>Percent</u>	<u>Total</u>	<u>Percent</u>
Labor Force*				
Armed Forces	7	0.1%	189	0.1%
Civilian Labor Force				
Employed	4,033	67.2%	243,783	66.8%
Unemployed	123	2.0%	8,920	2.4%
Not in Labor Force	<u>1,840</u>	<u>30.7%</u>	<u>112,138</u>	<u>30.7%</u>
<b>TOTAL:</b>	<b>6,003</b>	<b>100.0</b>	<b>364,841</b>	<b>100.0</b>

<b>OCCUPATIONS</b>	<u>Borough of Butler</u>		<u>Morris County</u>	
	<u>Number</u>	<u>Percent</u>	<u>Number</u>	<u>Percent</u>
Managerial, Professional & Related Services	1,419	35.2%	116,282	47.7%
Sales and Office	518	12.8%	24,641	10.1%
Farming, Fishing & Forestry	1,233	30.6%	66,699	27.4%
Construction, Extraction & Maintenance	4	0.1%	226	0.1%
Production, Transportation & Material Moving	378	9.4%	16,150	6.6%
	<u>481</u>	<u>11.9%</u>	<u>19,785</u>	<u>8.1%</u>
	<b>4,033</b>	<b>100.0%</b>	<b>243,783</b>	<b>100.0%</b>

**INDUSTRY GROUP**

Agriculture, Forestry, Fishing & Mining	15	0.4%	591	0.2%
Construction	303	7.5%	12,799	5.3%
Manufacturing	524	13.0%	36,419	14.9%
Wholesale Trade	207	5.1%	10,365	4.3%
Retail Trade	495	12.3%	24,824	10.2%
Transportation, Warehousing & Utilities	251	6.2%	10,268	4.2%
Information	179	4.4%	13,227	5.4%
Finance, Insurance & Real Estate	293	7.3%	25,857	10.6%
Professional, Scientific, Management, Administrative & Waste Management	464	11.5%	36,116	14.8%
Education, Health & Social Services	650	16.1%	43,812	18.0%
Arts, Entertainment, Recreation, Accommodations & Food Services	289	7.2%	12,470	5.1%
Other Services	177	4.4%	9,686	4.0%
Public Administration	186	4.6%	7,349	3.0%
	<u>4,033</u>	<u>100.0%</u>	<u>243,783</u>	<u>100.0%</u>

\* Labor Force - Persons 16 years of age and older

**PRIVATE SECTOR COVERED JOBS**  
**Borough of Butler**

**Table 12**

<u>Year</u>	<u>Employer Units</u>	<u>Covered Jobs</u>	<u>Annual Change</u>	
			<u>Number</u>	<u>Percent</u>
1980	NA	1,676	---	---
1981	211	1,787	111	6.6
1982*	204	1,680	-107	-6.0
1983*	216	1,538	-142	-8.5
1984*	211	1,523	-15	-1.0
1985*	230	1,572	49	3.2
1986*	240	1,975	403	25.6
1987*	251	1,968	-7	-0.4
1988*	257	2,122	154	7.8
1989*	262	1,910	-212	-10.0
1990*	256	1,881	-29	-1.5
1991*	271	1,726	-155	-8.2
1992*	269	1,877	151	8.7
1993*	285	1,963	86	4.6
1994+	285	1,956	-7	-0.4
1995+	285	1,958	2	0.1
1996+	283	1,973	15	0.8
1997+	285	2,009	36	1.8
1998+	304	2,051	42	2.1
1999+	315	2,059	8	0.4

\* Third Quarter Only

+ Annual Average

Source: Division of Labor Market & Demographic Research, N.J. Dept. of Labor



- Users of municipality level employment estimates should be aware of its limitations. The reliability of these data are affected primarily by incomplete or erroneous data, and inherent difficulties in coding large firms with numerous New Jersey locations.
- Although every effort is made to assign correct codes to employer accounts, the assignment of municipality codes is particularly difficult. Employers may not be aware of the jurisdictional boundaries of municipalities or may incorrectly report a mailing address rather than an actual location address. In such instances, an erroneous location code may be assigned, due to misleading information.
- As with all the covered employment statistics, no adjustments are made to previously released data as a result of corrections to municipality codes. Therefore, statistics may be unreliable for trend analysis.

Despite the probable existence or error in the reported figures, they are believed to represent an accurate indication of trends in the Borough and in the County.

## FAIR SHARE HOUSING NEED

The precredited need for low and moderate income housing in the Borough established by COAH for the 1993 – 1999 period is sixty-six (66) units consisting of the following components:

Deteriorated units	54
Indigenous Need	54
Reallocated Need	<u>21</u>
Present Need 1993	76
Prospective Need 1993 – 1999	<u>4</u>
Total Need	80
Prior Cycle Prospective Need	8
Demolition	1
Filtering	-12
Conversion	-7
Spontaneous Rehabilitation	<u>-4</u>
Precredited Need	66

The precredited number of 66 can be separated into two individual parts for purposes of establishing measures for meeting the Borough's fair share. The two parts are the local indigenous portion, which, if possible, should be satisfied by rehabilitation of existing, physically deficient units, and the balance of the number which might be satisfied in any number of ways. The indigenous number assigned to Butler is 54 units, however, since the precredited number includes an estimated 4 units which can be expected to be provided through spontaneous rehabilitation, the indigenous number is reduced to 50. The balance of the precredited need, or the inclusionary portion is 16 units.

## VACANT LAND INVENTORY

COAH rules provide that a municipality seeking an adjustment in its housing obligation due to lack of available vacant land shall submit an inventory of vacant parcels. Butler is not seeking such an adjustment and, in fact, a previous vacant

land inventory revealed sufficient vacant land to satisfy its obligation by means of inclusionary development. Moreover, and as will be seen later, the Borough intends to satisfy its affordable housing obligations by other measures. Therefore, a vacant land inventory has been excluded from this report, however, vacant lands found within the Borough are indicated on the VACANT LAND map found at the end of this section.

## **COAH REGULATIONS – SATISFYING THE HOUSING NEED**

Prior to establishing proposed measures for meeting Butler's precredited housing need, a brief review of potential measures and COAH requirements is in order. The more significant considerations are as follows:

### Inclusionary Development

COAH regulation allow satisfying a municipality's precredited housing need by means of inclusionary development under which a specified percentage of all housing units in a development would be set-aside or designated for occupying by low and moderate income households. All of Butler's remaining housing need could be met in this manner if the Borough so chooses.

### Conversion of Existing Structures

There are no buildings, vacant or otherwise, known to be available for conversion to residential use. Although there exist in the Borough old buildings that might be appropriate for conversion, such conversion would be costly and would require housing sponsors to underwrite the cost.

### Municipal or Non-Profit Construction

A potential measure for satisfying the Borough's remaining fair share obligation is municipal construction or construction by a non-profit housing sponsor. Since Butler has no available land for such purposes, there is no particular benefit to the Borough in attempting to become involved in construction. In addition, there are no



potential housing sponsors who have expressed an interest in developing non-profit housing facilities.

### Alternate Living Arrangements

COAH regulations also allow crediting of alternate living arrangement facilities. COAH defines "Alternate living arrangement" as a structure in which households live in distinct bedrooms, yet share a kitchen, plumbing, heat and common areas. The term includes group homes for the developmentally disabled and mentally ill as licensed by the N.J. Department of Human Services. The unit of credit for an alternate living arrangement is the bedroom. There is one existing alternate living facility in the Borough which qualifies for credit. This is a 4-bedroom residence located on Belleview Avenue.

### Rehabilitation

The indigenous component of the fair share obligation may be satisfied by rehabilitation and, in fact, it is the preferred method for satisfying that component. COAH rules require that the funds expended on actual rehabilitation average at least \$8,000 per unit. A program of rehabilitation could be established in Butler assuming an available means of financing such a program.

### Regional Contribution Agreement (RCA)

Another optional consideration would be for the Borough to enter into an RCA with another municipality whereby the BOROUGH would financially support the construction or rehabilitation of housing for low and moderate income housing in another municipality. COAH Substantive Rules provide that a municipality may transfer up to 50 percent of its precredited need less the rehabilitation component. This rule would allow Butler to transfer only 8 units at a cost of at least \$20,000 per unit or a total of at least \$160,000. A source of funding would be needed.

### Development Fee Ordinance

COAH rules permit a municipality to adopt a development fee ordinance intended to generate revenues which will help the municipality defray the cost of affordable housing activities including, but not limited to, rehabilitation, new construction, regional contribution agreements, purchase of land for low and moderate income housing, improvement of land to be used for low and moderate housing, extensions and/or improvements of roads and infrastructure to low and moderate income housing sites, assistance designed to render units to be more affordable and administration of the implementation of the housing element. The rules allow the municipality to assess residential development up to one-half of one percent of equalized assessed value and non-residential development up to one percent of equalized assessed value. One-half the fee may be collected at the time of issuance of a building permit and the other half at the time of issuance of a certificate of occupancy. Depending upon the specific features of the housing plan, Butler may wish to consider adoption of a development fee ordinance.

### Rental Component

A housing and fair share plan must include a rental component. In Butler's case, the rental component must equal 25 percent of the precredited need less the rehabilitation component or 4 units. For each rental unit available to the general public, COAH allows two units of credit towards the fair share obligation. For senior citizen rental housing, the credit is one and one-third unit for each unit constructed.

### Senior Citizen Housing

The Butler Senior Citizen Housing facility on Ace Road was completed in 1993 and is fully occupied. The building contains 91 units for low and moderate income households offering an opportunity to satisfy part of Butler's precredited need. Council on Affordable Housing rules permit a municipality to age restrict up to 25% of its precredited need. In Butler's case, this would result in 17 units (66 x 25%). A rental bonus of one (1) unit would be allowed resulting in a total of 18 units which can be subtracted from the Borough's precredited need.

## **PROPOSED HOUSING PLAN**

As previously noted, Butler's precredited need is 66 units. Based on the discussions above, this obligation can be reduced to 33 units based on the following credits and assumptions.

1. Units rehabilitated through the Morris County Department of Community Development and averaging at least \$8,000 per unit in cost: - 9 units.
2. Credit of up to 25 percent of the precredited need for units located in the Butler Senior Housing development: - 17 units.
3. Credit for an existing, 4-bedroom alternate living arrangement facility.
4. A rental bonus applicable to the above senior housing: - 1 unit.
5. Assumed credit for a conventional rental component which must be included in the fair share plan: - 2 units.

Butler's entire remaining precredited need of 33 units can be considered to be indigenous which, if possible, should be satisfied through rehabilitation.

Under current zoning regulations, development of the Terrace Lake property (RO/R-6 Zone) would involve construction of 13 units of low and moderate income units. The adopted HE & FSP calls for construction of 19 units of such housing on the property. Similarly, a site on the south side of Route 23 in the Argonne Road area is located in the R-7 Zone with an inclusionary provision for 13 low and moderate income units. The adopted HE & FSP in this case calls for 18 units, bringing the total number of affordable housing in inclusionary sites to 37 units or Butler's remaining precredited need.

Since, it is desirable that the Borough's remaining obligation, which is indigenous, be satisfied by means of rehabilitation of existing substandard units occupied by low and moderate income households, an ideal solution to the housing need presents itself. It is proposed that Butler's remaining fair share housing obligation



be satisfied by rehabilitation of 33 existing substandard units. Said rehabilitation would be funded by contributions from developers of the two existing inclusionary sites, with the contributions to be deposited in a special escrow or trust fund established for that purpose. The total contribution, based on COAH's minimum standard of \$10,000 per unit, would be \$330,000; however, under a regional contribution scenario, the per unit cost would be \$20,000. In addition, the conventional, minimum set-aside, assuming an inclusionary development, would be 20 percent or as many as 64 units under current zoning. Therefore, it is considered reasonable, and it is proposed, that a contribution of \$20,000 per unit based on 33 units, or a total of \$660,000 be required as a condition of approval. The additional funds created by the \$20,000 per unit assessment will compensate for potential increase in rehabilitation costs and permit more extensive improvement of substandard units. The distribution of affordable units between the two sites should be the same as provided in the present HE & FSP, namely, 17 units in the Terrace Lake site (RO/R-6 Zone) and 16 units in the Argonne Road site (R-7 Zone).

The trust fund should have the necessary flexibility to allow use of funds for other affordable housing purposes such as write-down / buy-down of previously owned units, gut rehabilitation and other eligible measures. At least two of the units to be funded should be rental units in order to satisfy the remaining obligation in connection with the rental component.

## **FAIR SHARE PLAN**

COAH defines the "Fair Share Plan" as that plan or proposal, which is in a form that may readily be converted to an ordinance, by which the municipality proposes to satisfy its obligation to create a realistic opportunity to meet its fair share of low and moderate income housing needs of its region. The Fair Share Plan should detail the affirmative measures the municipality proposed to undertake to achieve its housing needs, should address the development regulations needed to implement the housing element, and should address, where appropriate, the provisions of N.J.A.C 5:93-7 through 11.

The proposed Housing Plan as outlined in the Housing Element establishes Butler's precredited need at 66 units which is proposed to be satisfied in the following manner:

1. Credit for low and moderate income units in the Butler Senior Citizen Housing project – 17 units.
2. Credit for an alternate living facility – 4 units.
3. Rental bonus applicable to existing senior housing – 1 unit.
4. Assumed credit for a conventional rental component which must be included in the fair share plan – 2 units.
5. Credit for units rehabilitated since April 1, 1990, at an average cost of at least \$8,000 – 9 units.
6. Contribution to an affordable housing trust fund by the developers properties in the RO/R-6 and R-7 Zones in the amount of \$20,000 per unit – 33 units.

#### **DEVELOPMENT FEES**

COAH rules allow municipalities to adopt ordinances providing for the assessment of fees for new development for purposes of financing affordable housing activities. Such activities include, but are not limited to rehabilitation, new construction, regional contribution agreements, purchase of land for low and moderate income housing, improvement of land to be used for low and moderate income housing, extensions and/or improvement of roads and infrastructure to low and moderate income housing sites, assistance designed to render units to be more affordable and administration of the implementation of the housing element.

The adoption of a development fee ordinance in Butler has been considered; however, since the implementation of the housing plan primarily involves private funding of rehabilitation, the need for collecting development fees is uncertain and is not included in the Fair Share Plan at this time.

## **REHABILITATION PROGRAM**

The major feature of the fair share plan is the rehabilitation of 33 substandard housing units occupied by low and moderate income households. Funding of this rehabilitation is to be provided by developer contribution in lieu of inclusionary set-aside construction. It is proposed that the rehabilitation program be administered and conducted by the Morris County Department of Community Development. This agency has previously provided funding for and has administered rehabilitation in the Borough and it has the staff and capability to oversee future rehabilitation in Butler. The Borough would provide any necessary coordination assistance and cooperation with the County Department as well as funneling rehabilitation funds through the Department as needed and as may be appropriate. The Borough will also work with the County by helping to inform the local citizenry of the availability of rehabilitation grants and otherwise affirmatively marketing the program. Among the measures which will be taken in conjunction with the County are the following:

1. Development of a rehabilitation brochure and/or other educational literature.
2. Placement of documents and brochures in the municipal building, local library and other public buildings.
3. Advertisement in local newspapers.
4. Inclusion of information with local tax bills or utility bills.

The rehabilitation program should involve at least two (2) rental units in order to satisfy the remainder of the required rental component.

In order to implement the proposed HE & FSP, the Borough's zoning regulations should be amended to delete the inclusionary provisions applicable to the RO/R-6 and R-7 Zones and to replace same with provisions for rehabilitation funding.



## Housing Element/Fair Share Plan – Third Round Methodology

According to the proposed affordable housing rule changes, which were introduced in the second half of 2003, the Council on Affordable Housing (COAH) has proposed to amend not only the method for calculating the number of affordable housing units that must be addressed by each municipality, but also the required contents of the municipal housing element and fair share plan. ***However, until such rules are formally adopted, actual planning and recommendations cannot be accomplished until such final regulations are adopted***

For comparison, under the old rules, COAH calculated the need for affordable housing and allocated that need to the various municipalities in the State, updating the allocation every six years. Under the new rules, COAH has devised a “pay as you go” program, whereby municipalities will play a greater role in determining their affordable housing obligation. The affordable housing obligation for each municipality will be a combination of its existing obligation (previously calculated by COAH) plus a share of its future residential and non-residential development, using various formulas found in the new rules.

The municipal housing element and fair share plan must project how much new residential and non-residential development will occur in the municipality for the ten-year period following adoption of the housing element and fair share plan. Based upon this projection, the number of affordable housing units that must be addressed by the plan are determined (a ratio of one affordable housing unit for every nine market-rate housing units built, plus one affordable housing unit for every thirty new jobs resulting from non-residential development). This is added to the municipality’s existing obligation to arrive at the total obligation.

- COAH figures indicate that the Borough’s total obligation from the prior two (2) rounds (period between 1987 to 1999) was 10 units. Based on credits, reductions and adjustments for the prior housing activity, 22 units were provided, therefore the remaining 1987-1999 obligation is -12 units. In simplistic terms, based on the proposed rules, 108 new units could be constructed before the surplus is eliminated.

*Source: Proposed Substantive Rules, COAH, 08/25/03.*

- Based on the average rate of dwelling units authorized by building permits, approximately 70 new dwelling units could be constructed over the next 10-year period. This figure however, appears optimistic due to the relatively low availability of developable land in the Borough.
- The current 12 unit surplus however, will most likely be eliminated much sooner, but not based on new dwelling units, but rather than the employment growth anticipated due to recent approvals of large scale commercial development along Route 23 (Lowes, Wendy's and Applebee's), as well as the construction of the recently approved River Place development, which includes 70 dwelling units and almost 20,000 sq.ft. of commercial development.
- As proposed, for every 30 new jobs created, one (1) affordable residential unit shall be provided. Examples of the employment/housing unit factors proposed by COAH include:

<u>General Use Description</u>	<u>Jobs Created per 1,000 sq.ft.</u>
Offices, banks, automobile sales	3
Retail Sales & Services	1
Manufacturing	2
Warehouse Storage, Parking Garage & Lumber Yards	0.50
Movie Theaters	2
Restaurants	3
Schools (K-12)	1
Nursing Homes/Assisted Living	2
Hotels	0.80

Churches are exempt.

*Source: COAH - Appendix E*

The housing element and fair share plan must then demonstrate how this affordable housing obligation will be addressed, including such options as inclusionary zoning ('builder's remedy'), municipally sponsored construction/reconstruction of affordable housing, regional contribution agreements, accessory apartments, assisted living residences, affordable housing

development fees and other available methods. The plan must also include economic/financial estimates sufficient to demonstrate that the plan provides a realistic opportunity to provide for the affordable housing need, plus draft ordinances and other documents that are required to implement the plan.

It should also be noted that since the future growth that determines the affordable housing need is only a projection, the new rules provide for a review by COAH of actual development in the municipality every three, six and nine years following a petition for certification of the housing plan. If the actual development varies from the projected development in the housing plan, the municipality is required to adjust the plan accordingly.

The amended COAH regulations were originally scheduled to be adopted in January, 2004, however, due to the extensive comments received by both municipalities and private entities, further amendments appear to be forthcoming. The new scheduled adoption date has not yet been released but is anticipated shortly. While revisions are anticipated as a result of the public comment period, major changes and assumptions in the new rules are not anticipated.



## SPECIAL PLANNING CONSIDERATIONS 6.0

## **SPECIAL PLANNING CONSIDERATIONS**

This sub-element has been prepared to supplement the recommendations found within the Land Use Plan portion of the Master Plan. As the name implies, the following "special planning considerations" are intended to address the further development/redevelopment within the Borough, and/or involve circumstances of special planning concern. These areas represent a large portion of existing development and future redevelopment in the Borough and, thus, warrant special planning attention. In addition, there are other planning issues and concerns which may have a significant impact on the character and quality of existing and future development. The areas and/or issues to be addressed are as follows:

### **Route 23 Highway Commercial Study Area**

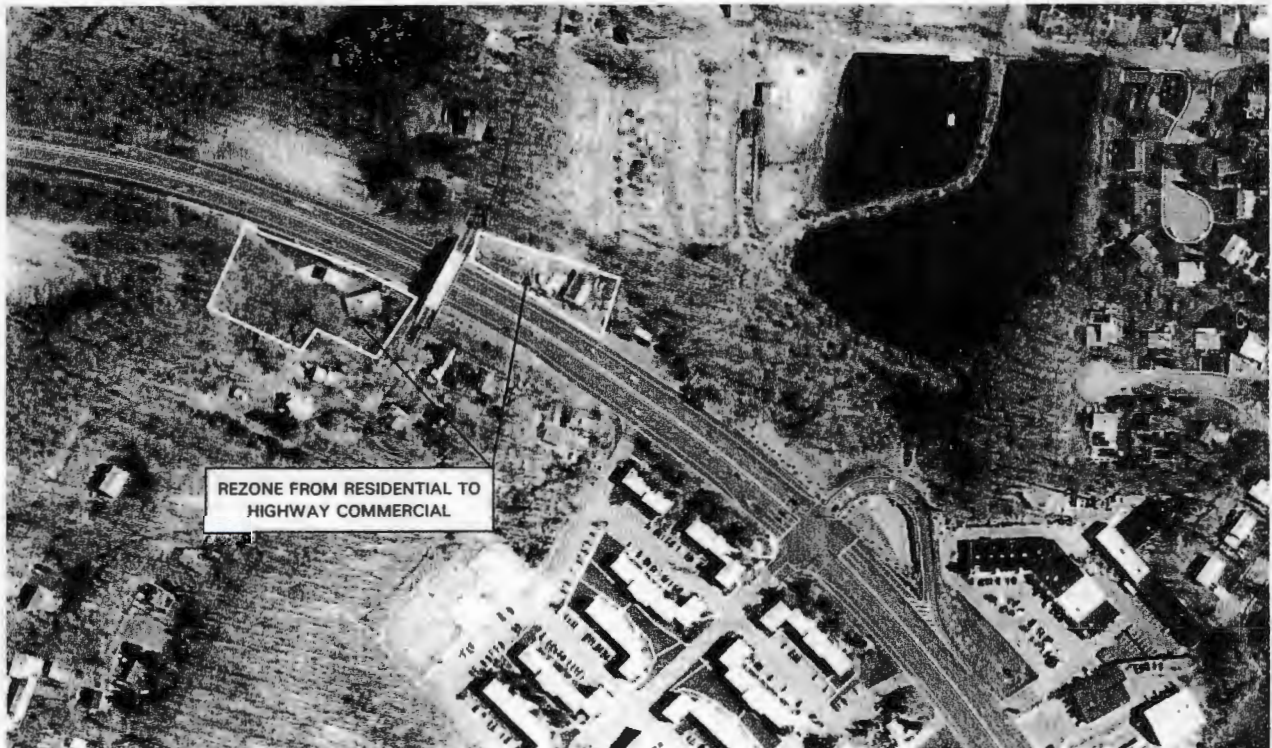
The Route 23 highway commercial corridor represents a significant portion of Butler's non-residential tax ratables. Except in limited areas, properties fronting on Route 23 are zoned highway commercial and are substantially developed. Within the Borough, these properties offer excellent site visibility and accessibility for regional and local shopping from both the Route 23 north and southbound travel lanes.

Butler should take advantage of this siting to attract consumers by creating an aesthetically pleasing "face" to the highway and create design standards to provide attractive and inviting shopping. Uses and site aesthetics found along Route 23 provide the first impressions of the Borough and to the general traveling public.

The Route 23 corridor has been separated into several sections, Terrace Lake to Kiel Avenue, Kiel Avenue to Cascade Way, Cascade Way to Boonton Avenue, and Boonton Avenue to the Borough border. A more detailed land use study for each section was conducted. The findings are indicated on the "ROUTE 23 EXISTING DEVELOPMENT" maps found at the end of this section.

*Route 23 (Maple Lake Road Area)*

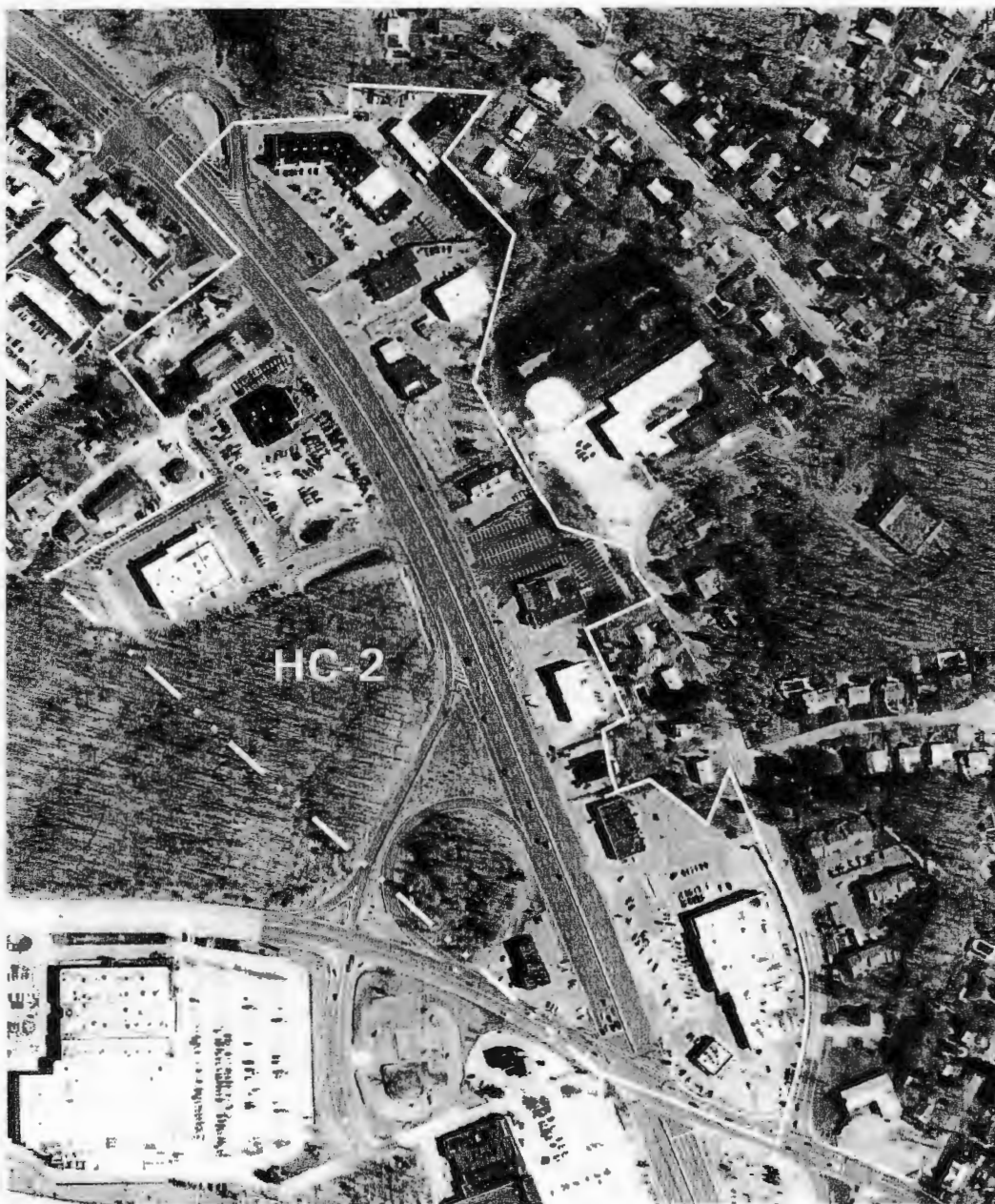
This area, located in front of the Terrace Lake/Cambridge Height multi-family development and on either side of the Maple Lake Road overpass is currently zone RO/R-6 (east side) and R-1 (west side). It is recommended that these existing commercial properties be rezoned to Highway Commercial (HC-2 to better bring these properties into conformance in terms of use.





*Terrace Lake to Kiel Avenue*

The predominant development type found along this portion of Route 23 are the exiting automobile sales and service establishments found along the southbound lanes of Route 23. Land uses found along the northbound lanes include a mix of strip mall style development.





*Kiel Avenue to Cascade Way*

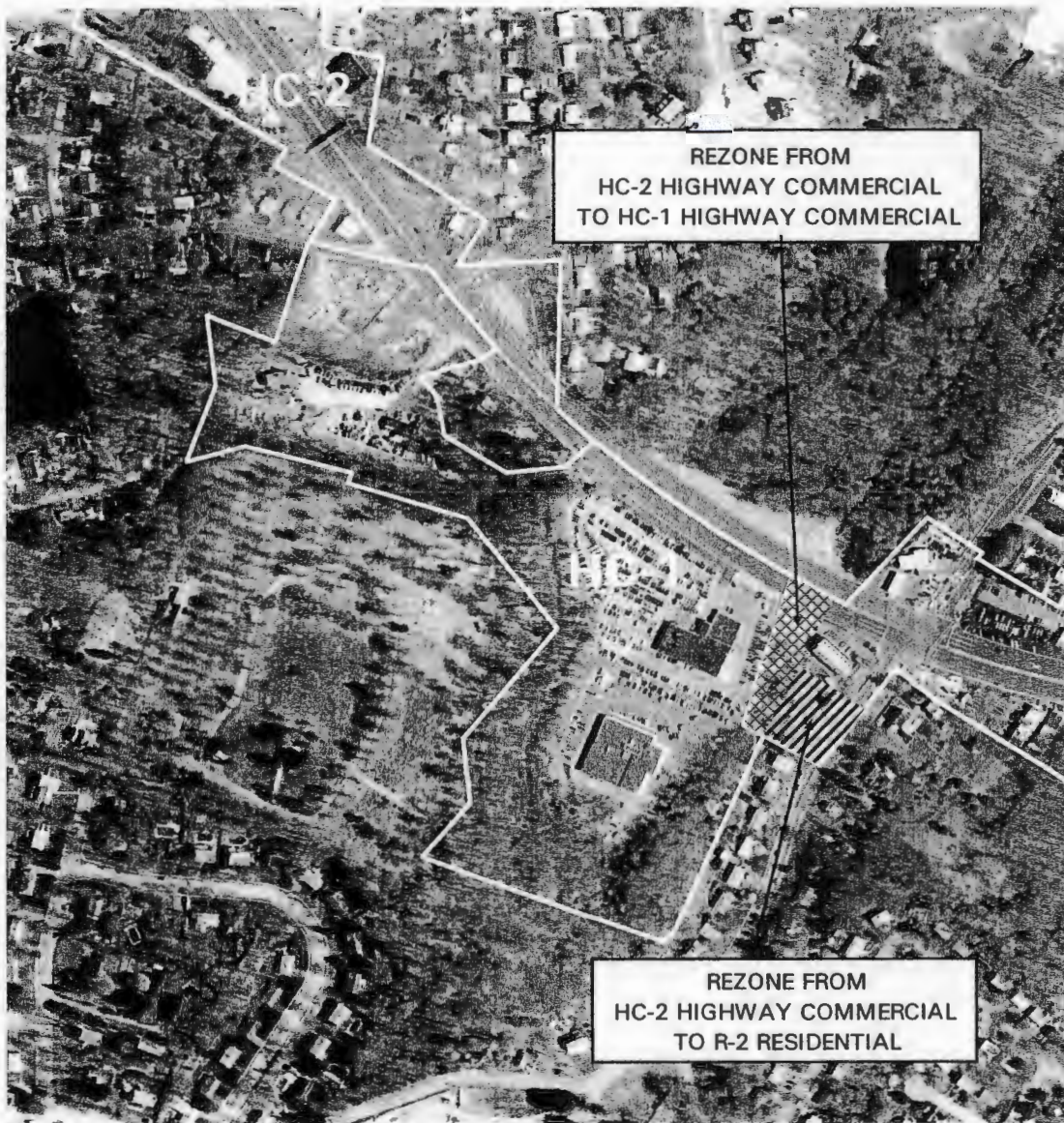
This portion of Route 23 is characterized by a general mix of retail sales and services, restaurant, financial and professional office uses. Principal retail uses found include Butler Bowl and Max Is Back along the southbound lanes, while the northbound lanes are more reflective of the strip-style retail sales and services establishments. Located between these facilities, are separate financial institutions and professional offices.





*Cascade Way to Boonton Avenue*

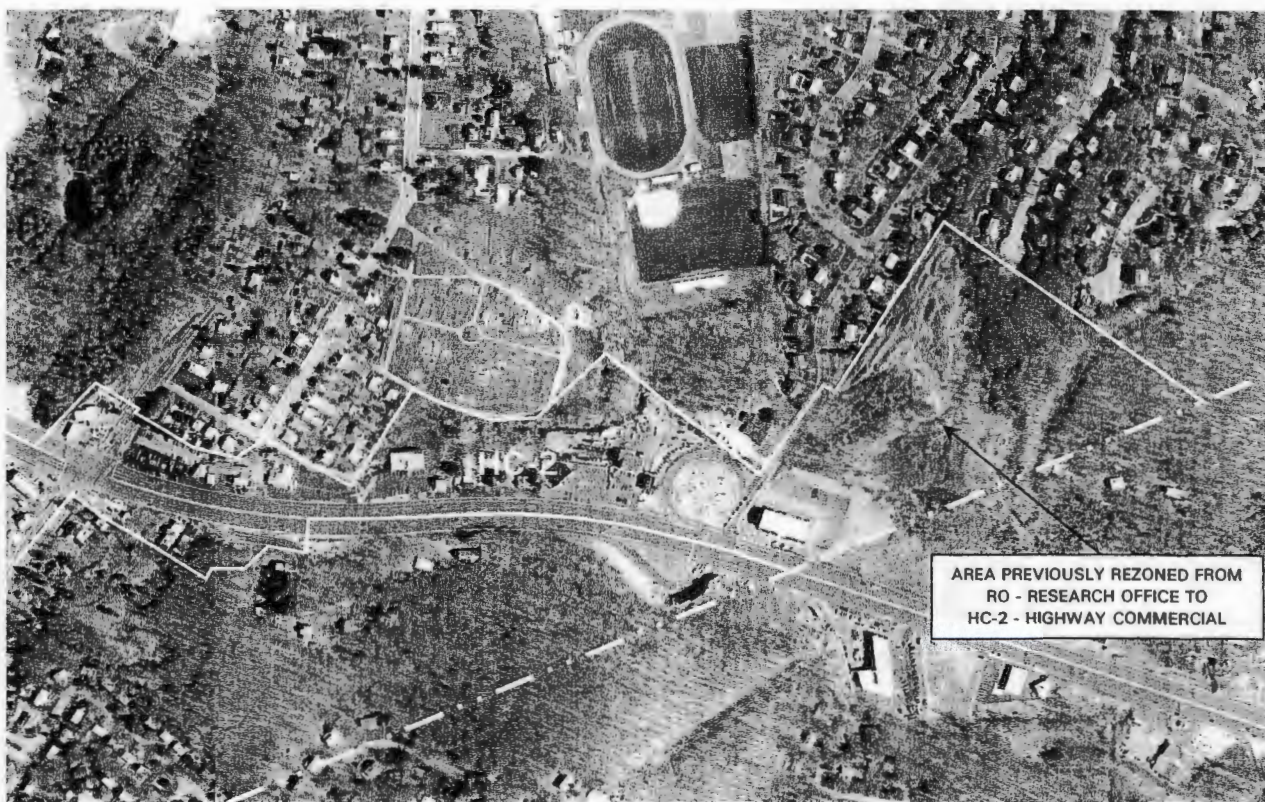
The dominant land use found along this section of Route 23 in the Borough are the automobile sales and services. Located along the southbound lanes is the Butler AutoMall, as well as the recently approved Butler Chrysler-Jeep sales/service establishment, which will be located at the intersection with Cascade Way. Additional uses found along the southbound side include the various retail sales and services found within the Birchwell Shopping Center. Northbound uses include a vacant service station, vacant lands and a professional office located adjacent to the Cascade Way jug-handle.





### *Boonton Avenue to Municipal Boundary*

Commercial land uses found along the southbound lanes from Boonton Avenue south are limited to a service station, restaurant (diner) and a retail store. The remaining lands are residentially zoned, as well as significantly constrained by steep topography (rock-cut). Northbound lanes include wide mix of uses ranging from automobile sales and service, restaurant, professional offices and a mix of retail sales and services. Lands located between the municipal boundary and the intersection of Morse Avenue currently include a professional office and vacant lands (former landfill), however, the Borough recently approved several new uses including two restaurants and a large scale retail home center. The original professional office building has since been demolished and construction has started.



## **Highway Commercial Recommendations**

Current standards applicable to the highway commercial HC-1 and HC-2 districts were carefully reviewed. Based on the existing pattern of development, and the potential for redevelopment, the following comments and proposed standards are recommended as they pertain to the highway commercial corridor:

1. Eliminate the RC Restricted Commercial District. As a result of the NJDOT Route 23 widening and improvement project, the remaining properties are of the same character (lot area and bulk) of the HC-2 district found north and south of the RC zone.
2. Encourage development/redevelopment in a larger scale (combined lots) where possible.
3. Encourage multi-use and multi-story development retail and service uses to maximize the development potential.
4. Land Use: Principal and conditionally permitted uses should be clearly identified and defined within the Land Development Ordinance. Particular attention should be given to motor vehicle related and fast-food restaurant uses.
5. Strict adherence to required landscape buffering should be provided. Additional parking lot landscaping (buffering) should also be provided to both the lot frontage along Route 23 and to adjoining residential districts.
6. Lighting Standards
  - a. Recommend a unified light fixture and light source type within district.
  - b. Limits of site lighting, including provisions for timer battery backup.
  - c. Limit foot-candle at property line to 1.0 foot-candle where adjacent to a non-residential use or zone, and 0.5 foot-candles to a residential use or zone.

## 7. Signage

- a. Encourage name and address signage only.
- b. Due to highway vehicle speeds, and the current multitude of uses (and signage) which can be located within a shopping center or multi-use site, directory signs should be prohibited along the property frontage of Route 23. Such signage is more appropriately located to interior areas.
- c. Area and number of signs: Sign standards should be reviewed as it pertains to area, number and location of all freestanding, wall and awning signs.

### **Central Business District**

The Central Business District (CBD) found along Main Street and portions of Kiel Avenue, Boonton Avenue, Arch Street and High Street have historically functioned as both the local and regional center for the Borough and surrounding municipalities. With the decline of commercial and industrial uses within the community, together with the expansion of regional shopping malls and retail development along the highways, the central business district has suffered. This trend is typical for many municipalities with similar "downtown" areas.

As shown on the EXISTING CBD DEVELOPMENT MAP, the existing central business district contains a wide mix of both non-residential and residential uses. As indicated by the map, there does not appear to be any one dominant land use category which overwhelms the district. In terms of desired principal uses, retail sales and service are typically the most desired use in terms of stability, however, professional offices and apartments also serve as supportive uses.

The following comments and recommendations are put forth in support of maintaining and enhancing the current central business district.

#### **A. Parking:**

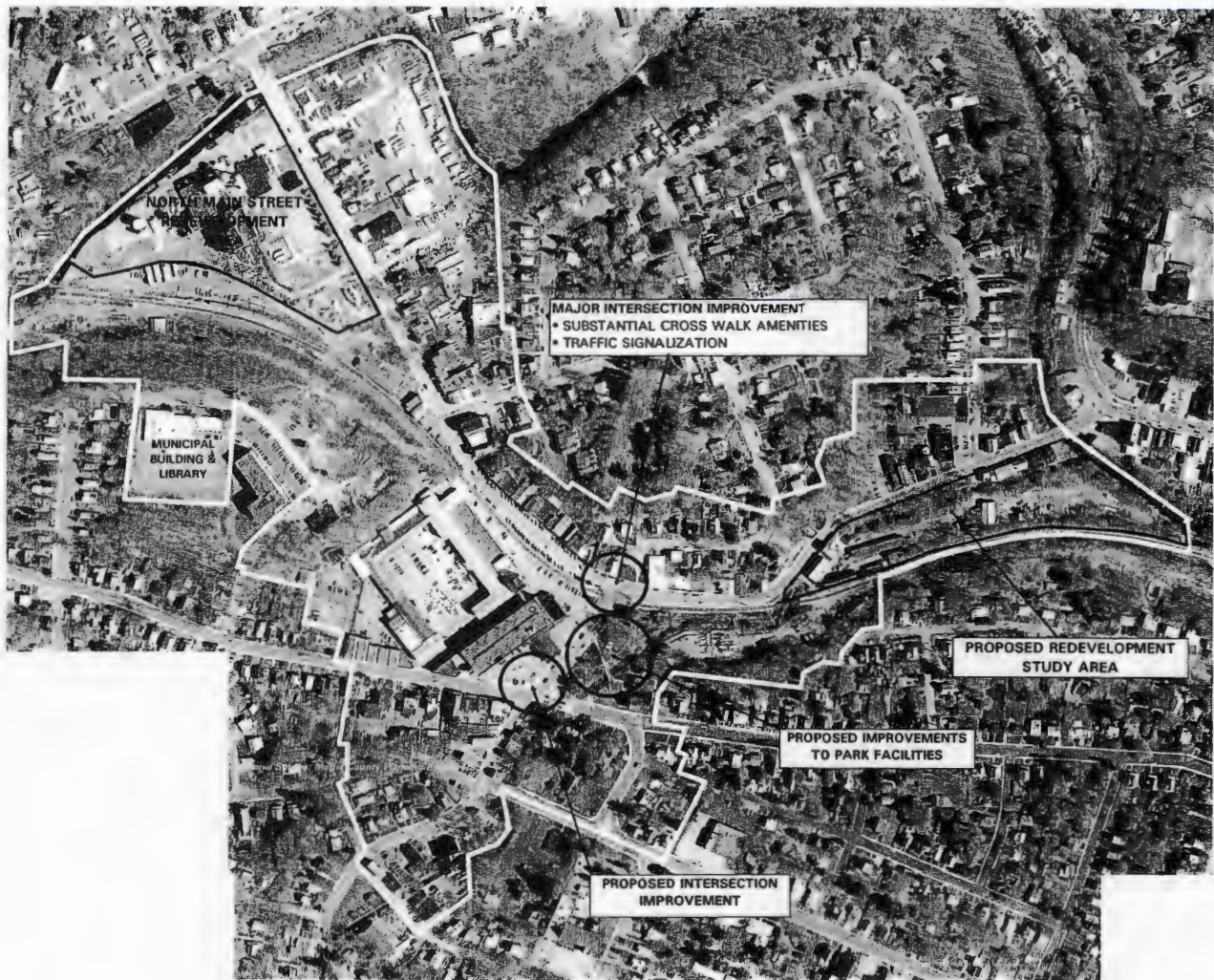
1. Actively pursue both public and private parking facilities as properties become available.



2. Provide for additional on-street parking within the North Main Street area.
  3. Uses which require large consumption of long-term parking should be precluded from the downtown business area unless adequate off-street parking is provided for such use.
- B. Improve vehicular circulation by providing adequate parking and intersection improvements:
1. Install traffic signal at intersection of Park Place and Main Street.
  2. Provide signalization at the intersection of Kiel Avenue, High Street, Park Place and Boonton Avenue three-way intersection.
- C. Encourage pedestrian circulation:
1. Repair/replace and construct new sidewalks where necessary.
  2. Explore alternative sidewalk materials such as brick pavers for crosswalks and/or areas of public congregation.
  3. Provide for a prominent cross-walk feature at the intersection of Park Place/Main Street, and Kiel Avenue/Boonton Avenue/High Street to create a link to the park and surrounding CBD uses. Continue the pursuit of T-21 funding consistent with previous Borough efforts.
- D. Streetscape Amenities, Design and Uses: Streetscape incorporates the image which the CBD exhibits. Components include street, walkways/sidewalks, lighting, landscaping, pedestrian amenities, signage and structure. A positive visual image of a commercial district implies, and in turn increases the economic vitality, safety, real estate value along with local pride. To this end, the following improvements should be considered:
1. Provide for street trees along Main Street, Park Place and portions of Kiel and Boonton Avenues. Trees can be placed in planters and/or constructed landscape areas and sidewalk inserts.

2. Establish a uniform lighting theme for both street (public) and building lighting.
3. Provide for public amenities such as benches and trash bins.
4. Well designed signage is vital to an aesthetically pleasing streetscape. The size, number, type and design can either provide for an attractive informational view or a cluttered negative view. Key elements of attractive signage includes simplicity, lettering and coloring.
5. Encourage professional office and multi-family on floors above the first/ground level. In order to keep the vitality of the downtown commercial district, retail sales, services, restaurants and financial institutions should be located on the first floor.
6. Appropriate scaling to building façade with no one use or building dominating the streetscape
7. Continue the pursuit of such uses as mass transit (passenger train and bus park and ride) within the CBD area.





## Redevelopment Areas

An additional planning tool available to municipalities include studies pertaining to the designation of "areas in need of redevelopment". The Local Redevelopment and Housing Law sets forth the procedures for preparation and adoption of a redevelopment plan.

This law was enacted in the early 1990's to clarify the rules and procedures that must be followed before a local government can utilize the authority to declare a location to be in need of redevelopment and/or rehabilitation. Butler has



successfully used this statute and just recently adopted a redevelopment plan for the North Main Street portion of the Borough. Although the law is complicated and places many burdens in front of a community, it can serve to assist a municipality in accomplishing its planning goals if the municipality endeavors to complete the process. This law is certainly not to be used lightly or without due consideration of its numerous and complicated provisions.

Aside from the required legal process and procedures, in order to declare a property(s) as an "area in need of redevelopment", one or more of the following conditions must exist:

- a. The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.
- b. The discontinuance of the use of buildings previously used for commercial, manufacturing, or industrial purposes; the abandonment of such buildings; or the same being allowed to fall into so great a state of disrepair as to be untenable.
- c. Land that is owned by the municipality, the county, a local housing authority, redevelopment agency or redevelopment entity, or unimproved vacant land that has remained so for a period of ten years prior to the adoption of the resolution, and that by reason of its location, remoteness, lack of means of access to developed sections or portions of the municipality, or topography, or nature of the soil, is not likely to be developed through the instrumentality of private capital.
- d. Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

- e. A growing lack or total lack of proper utilization of areas caused by the condition of title, diverse ownership of the real property therein or other conditions, resulting in a stagnant or not fully productive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare.
- f. Areas, in excess of five contiguous acres, whereon buildings or improvements have been destroyed, consumed by fire, demolished or altered by the action of storm, fire, cyclone, tornado, earthquake or other casualty in such a way that the aggregate assessed value of the area has been materially depreciated.
- g. In any municipality in which an enterprise zone has been designated pursuant to the "New Jersey Urban Enterprise Zones Act," the execution of the actions prescribed in that act for the adoption by the municipality and approval by the New Jersey Urban Enterprise Zone Authority of the zone development plan for the area of the enterprise zone shall be considered sufficient for the determination that the area is in need of redevelopment pursuant to sections 5 and 6 of P.L. 1992, c.79 (C.40A:12A-1 et seq.) for the purposes of granting tax exemptions within the enterprise zone district pursuant to the provisions of P.L. 1991, c.431 (C.40A:20-1 et seq.) or the adoption of a tax abatement and exemption ordinance pursuant to the provisions of P.L. 1991, c. 441 (C.40A:21-1 et seq.). The municipality shall not utilize any other redevelopment powers within the urban enterprise zone unless the municipal governing body and planning board have also taken the actions and fulfilled the requirements prescribed in P.L. 1992, c.79 (C.40A:12A-1 et seq.) for determining that the area is in need of redevelopment or an area in need of rehabilitation and the municipal governing body has adopted a redevelopment plan ordinance including the area of the enterprise zone.
- h. The designation of the delineated area is consistent with smart growth planning principles adopted pursuant to law or regulation.

Once an area has been determined to be in need of redevelopment or rehabilitation, the governing body may prepare a redevelopment plan, or it may authorize the

Planning Board to prepare the plan. All provisions of a redevelopment plan must be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan, the same as with zoning regulations.

The redevelopment plan must include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

- a. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
- b. Proposed land uses and building requirements in the project area.
- c. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- d. An identification of any property within the redevelopment area which is proposed to be acquired in accordance with the redevelopment plan.
- e. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.).
- f. The plan's relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area.



Upon the adoption of a redevelopment plan the governing body or a redevelopment entity designated by the governing body may proceed with the clearance, re-planning, development and redevelopment of the area designated in that plan.

In addition to the existing North Main Street Redevelopment Area, which received preliminary approval in February, 2004 for the construction of commercial and multi-family development, several additional areas within Butler may at some future point in time be the subject of this law in declaring an area to be in the need of redevelopment. At the present time however, it is most likely premature to initiate the authority and power contained within this statute.

The areas which are currently characteristic of the redevelopment area and rehabilitation conditions include the following, and are indicated on the POTENTIAL REDEVELOPMENT AREAS Map found at the end of the section.

- A. Remaining portions of Main Street
- B. Route 23 – Rosern Liquor Store and motel property
- C. Laurel Street – Industrial properties located behind Main Street

Initial investigation of these areas indicates that they would at least meet the criteria of underutilized, with some properties also meeting the dilapidated, or obsolescent criteria. At some future time, if the issues involved with these properties do not work themselves out, there may be a perception by the Borough to move forward under the redevelopment statute. At that time, a detailed analysis will need to be performed to make a threshold determination if the local redevelopment law can be part of the solution. The fact that there are multiple individual property owners involved is a significant reason the redevelopment law may be the preferred method for instituting change.

### **Wireless Telecommunications**

The Borough of Butler is currently well served by wireless telecommunications. Serving the northern portions of the Borough, the existing 150' high monopole located off of Route 23 behind the Bromart Shopping Plaza provides service for four (4) telecommunications carriers. Other areas of the Borough are covered by

smaller facilities, such as roof-top antennas as found along Boonton Avenue near Route 23 and Kiel Avenue within the CBD.

Appropriate standards by which additional wireless telecommunications are located within the Borough should be based upon the following goals:

- To protect residential areas and land uses from potentially adverse impacts of wireless telecommunication towers and antennas; To minimize the total number of towers throughout the community;
- To strongly encourage the siting of wireless telecommunication facilities on existing buildings, structures; the use of micro-sites; and the co-location of new facilities on existing tower sites, rather than the construction of additional single-use towers;
- To encourage users of wireless telecommunication sites to construct and configure them in a way that minimizes the adverse visual impact of the support structures and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques;
- To avoid potential damage to adjacent properties from antenna support structure failure through engineering safe-guards and the careful siting of these structures; and
- To provide additional antenna sites for the Borough of Butler operational and emergency services.

In 2002, the Borough adopted zoning regulations addressing wireless facility location, type and bulk limits. The zoning ordinance is consistent with the aforementioned wireless communication goals.

## **New Jersey Stormwater Regulations**

At the time of this writing, the New Jersey Stormwater Management Regulations were adopted on January 4, 2004, and took effect of February 2, 2004. These new regulations will have a substantial impact upon municipalities in terms of both additional development regulations as well as financial costs to the municipality. In general, the new rules will require:

- a. Non-structural stormwater management strategies to the extent possible (i.e. not based on detention basins, etc.);
- b. 100% average groundwater recharge of two-year storms;
- c. 300' buffers to top of bank of designated Category One streams and tributaries; and
- d. Maintenance plans for stormwater management structures.

Each municipality will have to apply to the DEP for a New Jersey Pollutant Discharge Elimination System (NJPDES) permit for stormwater management. The NJPDES permit will mandate that each municipality must develop a stormwater management plan and subsequent ordinance incorporating the requirements of these rules. All municipalities must also adopt a stormwater management plan as part of their master plan.

1. The Borough of Butler must apply for the NJPDES permit by March 3, 2004. As part of the application, the Borough is to designate a "Stormwater Program Coordinator". This person will coordinate all programs and certify the Borough program compliance. Additionally, this person will receive all State information and provide coordination/certification for the program, namely:
  - Ordinances and public education;
  - DPW training and facilities maintenance; and
  - Engineering mapping and facilities documentation.

From the date when NJDEP issues the permit, the Borough has one (1) year to:

- a. Complete a Stormwater Pollution Prevention Plan (SPPP);
- b. Complete a Municipal Stormwater Plan (MSP);



- c. Install new inlet heads only on roads where new pavement installation is constructed;
- d. Develop and begin implementation of a "Local Public Education Program";
- e. Develop program for labeling existing Borough inlets;
- f. Develop and implement street sweeping of commercial streets;
- g. Develop and implement stormwater facilities maintenance program involving the inspection and clean-out of inlets once a year and maintain a record of such activity;
- h. Develop systems for DPW de-icing materials.

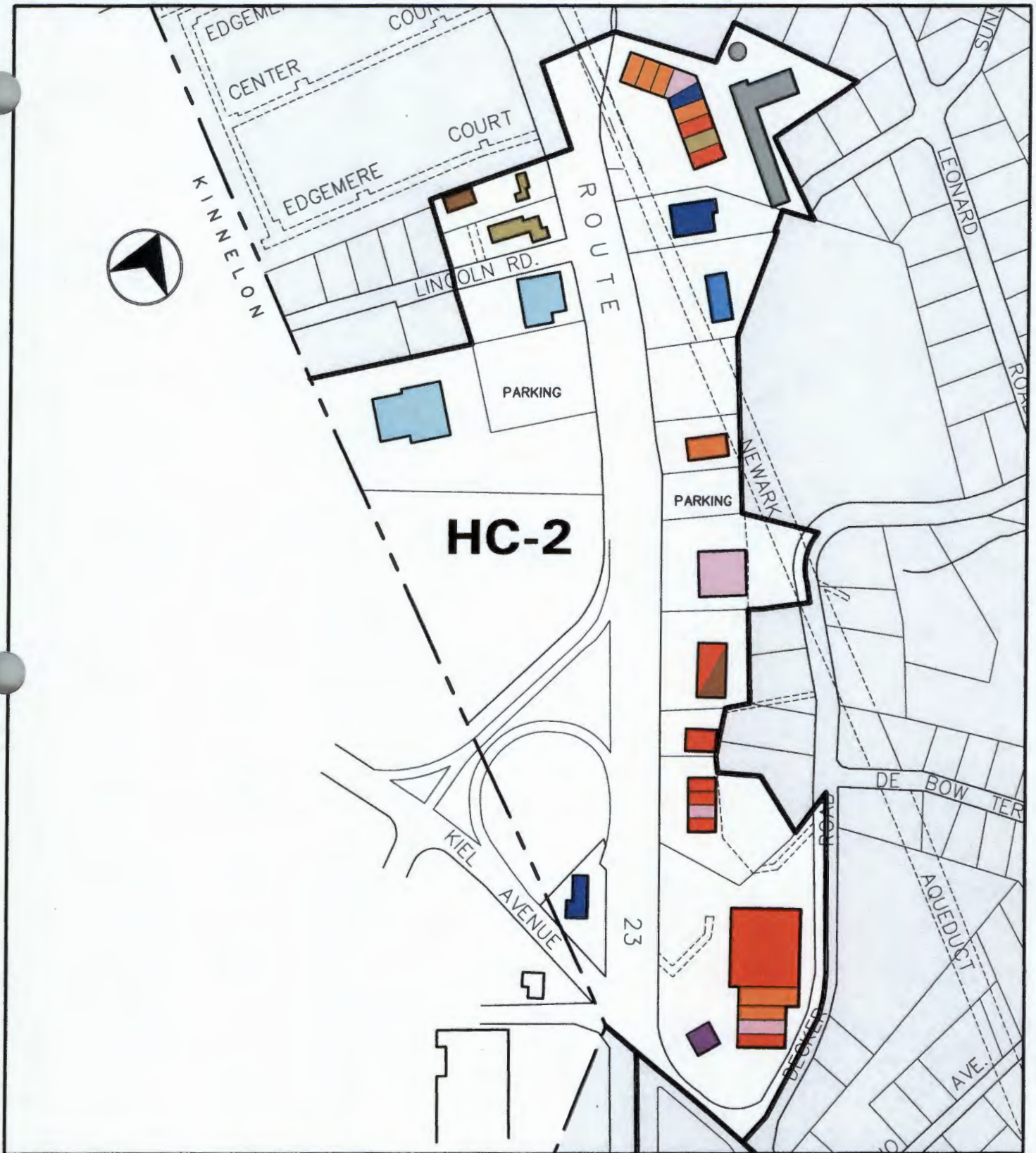
Assuming the Borough receives its permit in mid 2004, the deadline for compliance with the above would be in the summer of 2005.

2. Within eighteen (18) months of the NJPDES permit issuance, numerous local ordinances addressing pet waste, litter, wildlife feeding, and yard waste must be adopted. Additionally, programs addressing roadside erosion control maintenance and detection of illicit pipe connections must be developed.

The Borough should review existing ordinances to determine if additional and/or amended local ordinances are required. The anticipated deadline for these ordinances would be in late 2005.

3. Within twenty-four (24) months of the NJPDES permit, the Borough must adopt a stormwater control ordinance and commence the enforcement of the aforementioned ordinance.
4. Within thirty-six (36) months of the NJPDES permit, the Borough must:
  - a. Have in place an acceptable indoor storage area for DPW de-icing materials;
  - b. Labeling of at least 50% of Borough stormwater inlets;
  - c. Mapping of at least 50% of the Borough inlet/outlet structures.

5. Within sixty (60) months of the NJPDES permit, the Borough must:
  - a. Labeling of remaining Borough stormwater inlets;
  - c. Mapping of remaining Borough inlet/outlet structures.
  
6. Submission of annual reports, compilation of required records and certifications of compliance are required.



**LAND USE KEY:**

- RESIDENTIAL (ONE & TWO FAMILY)
- MULTI-FAMILY RESIDENTIAL/APARTMENTS
- RETAIL SALES
- RETAIL SERVICE
- FINANCIAL SERVICES
- PROFESSIONAL OFFICE
- RESTAURANT
- RESTAURANT - FAST FOOD

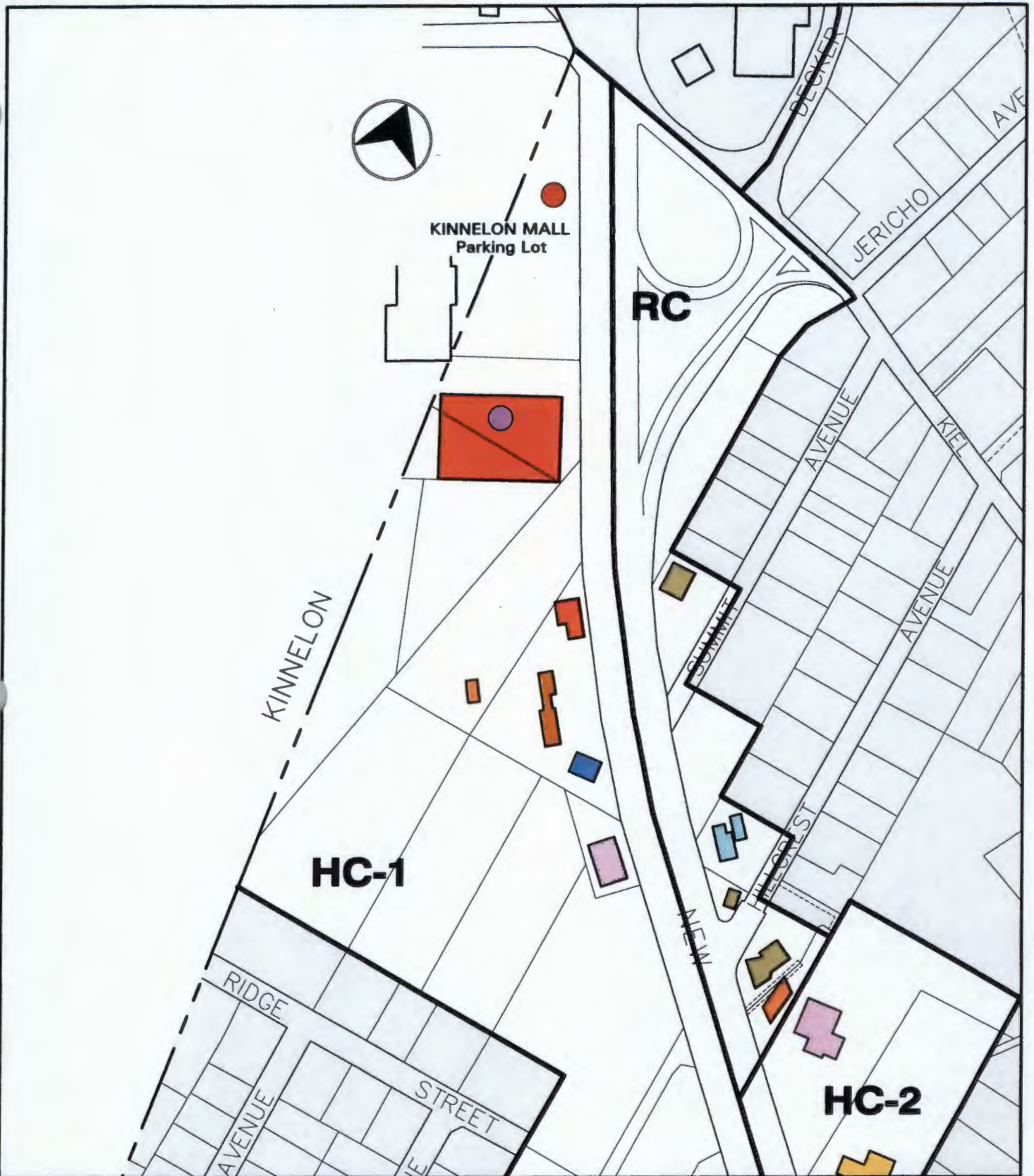
- AUTOMOBILE SALES AND SERVICE
- AUTOMOBILE FUEL/SERVICE
- AUTOMOBILE SERVICE AND REPAIR
- LIGHT INDUSTRIAL/MANUFACTURING
- PUBLIC
- SEMI-PUBLIC
- VACANT

- BUILDINGS (Typical)
- AREAS OUTSIDE OF STUDY

AUGUST, 2004

**EXISTING DEVELOPMENT**  
 ROUTE 23 HIGHWAY COMMERCIAL STUDY  
 TERRACE LAKE TO KIEL AVENUE





AUGUST, 2004

**LAND USE KEY:**

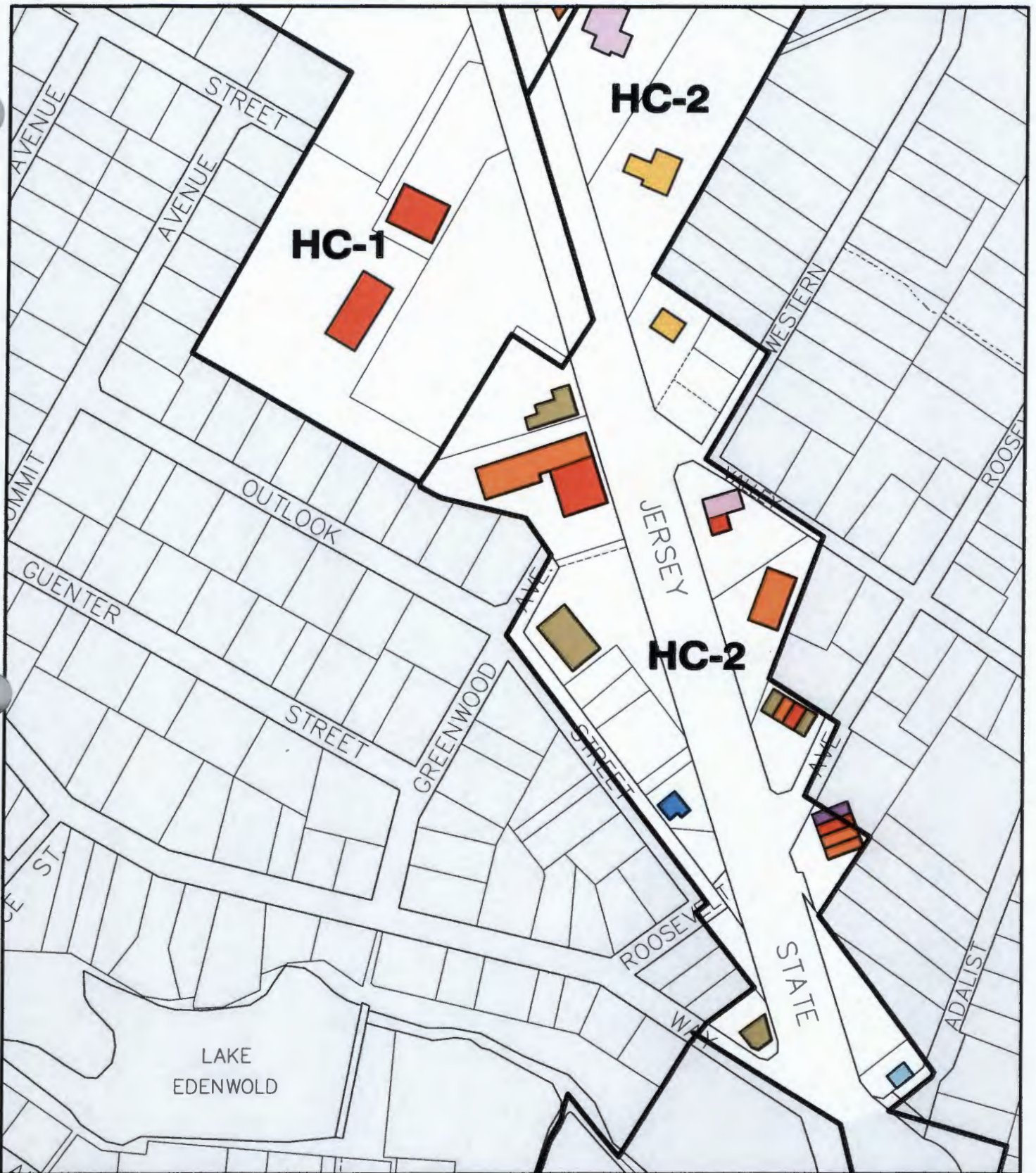
- RESIDENTIAL (ONE & TWO FAMILY)
- MULTI-FAMILY RESIDENTIAL/APARTMENTS
- RETAIL SALES
- RETAIL SERVICE
- FINANCIAL SERVICES
- PROFESSIONAL OFFICE
- RESTAURANT
- RESTAURANT - FAST FOOD

- AUTOMOBILE SALES AND SERVICE
- AUTOMOBILE FUEL/SERVICE
- AUTOMOBILE SERVICE AND REPAIR
- LIGHT INDUSTRIAL/MANUFACTURING
- PUBLIC
- SEMI-PUBLIC
- VACANT

- BUILDINGS (Typical)
- AREAS OUTSIDE OF STUDY









**EXISTING DEVELOPMENT**  
 ROUTE 23 HIGHWAY COMMERCIAL STUDY  
 KIEL AVENUE TO CASCADE WAY (1 of 2)














AUGUST, 2004

**LAND USE KEY:**

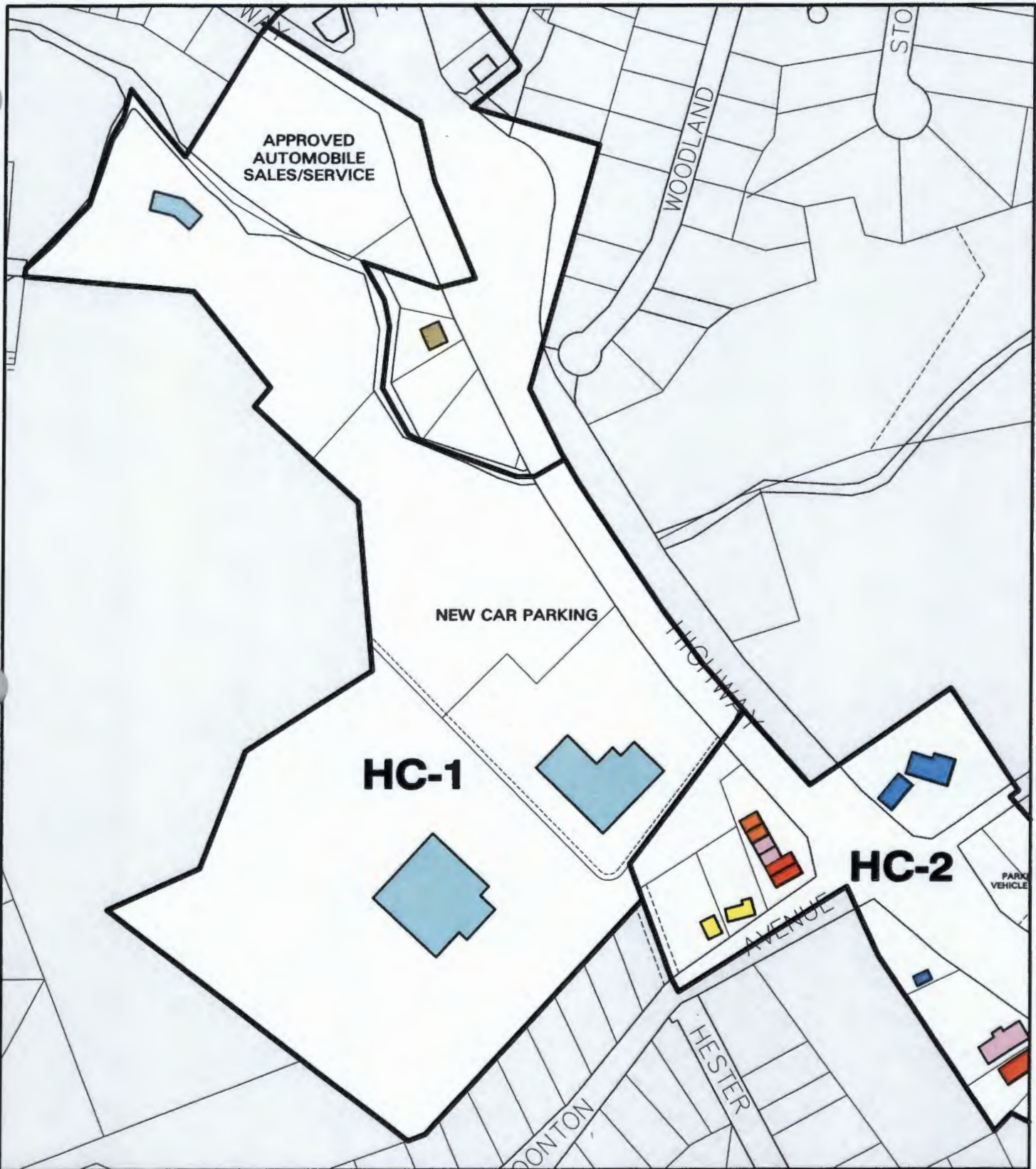
-  RESIDENTIAL (ONE & TWO FAMILY)
-  MULTI-FAMILY RESIDENTIAL/APARTMENTS
-  RETAIL SALES
-  RETAIL SERVICE
-  FINANCIAL SERVICES
-  PROFESSIONAL OFFICE
-  RESTAURANT
-  RESTAURANT - FAST FOOD

-  AUTOMOBILE SALES AND SERVICE
-  AUTOMOBILE FUEL/SERVICE
-  AUTOMOBILE SERVICE AND REPAIR
-  LIGHT INDUSTRIAL/MANUFACTURING
-  PUBLIC
-  SEMI-PUBLIC
-  VACANT

-  BUILDINGS (Typical)
-  AREAS OUTSIDE OF STUDY

**EXISTING DEVELOPMENT**  
 ROUTE 23 HIGHWAY COMMERCIAL STUDY  
 KIEL AVENUE TO CASCADE WAY (2 of 2)





**LAND USE KEY:**

- RESIDENTIAL (ONE & TWO FAMILY)
- MULTI-FAMILY RESIDENTIAL/APARTMENTS
- RETAIL SALES
- RETAIL SERVICE
- FINANCIAL SERVICES
- PROFESSIONAL OFFICE
- RESTAURANT
- RESTAURANT - FAST FOOD

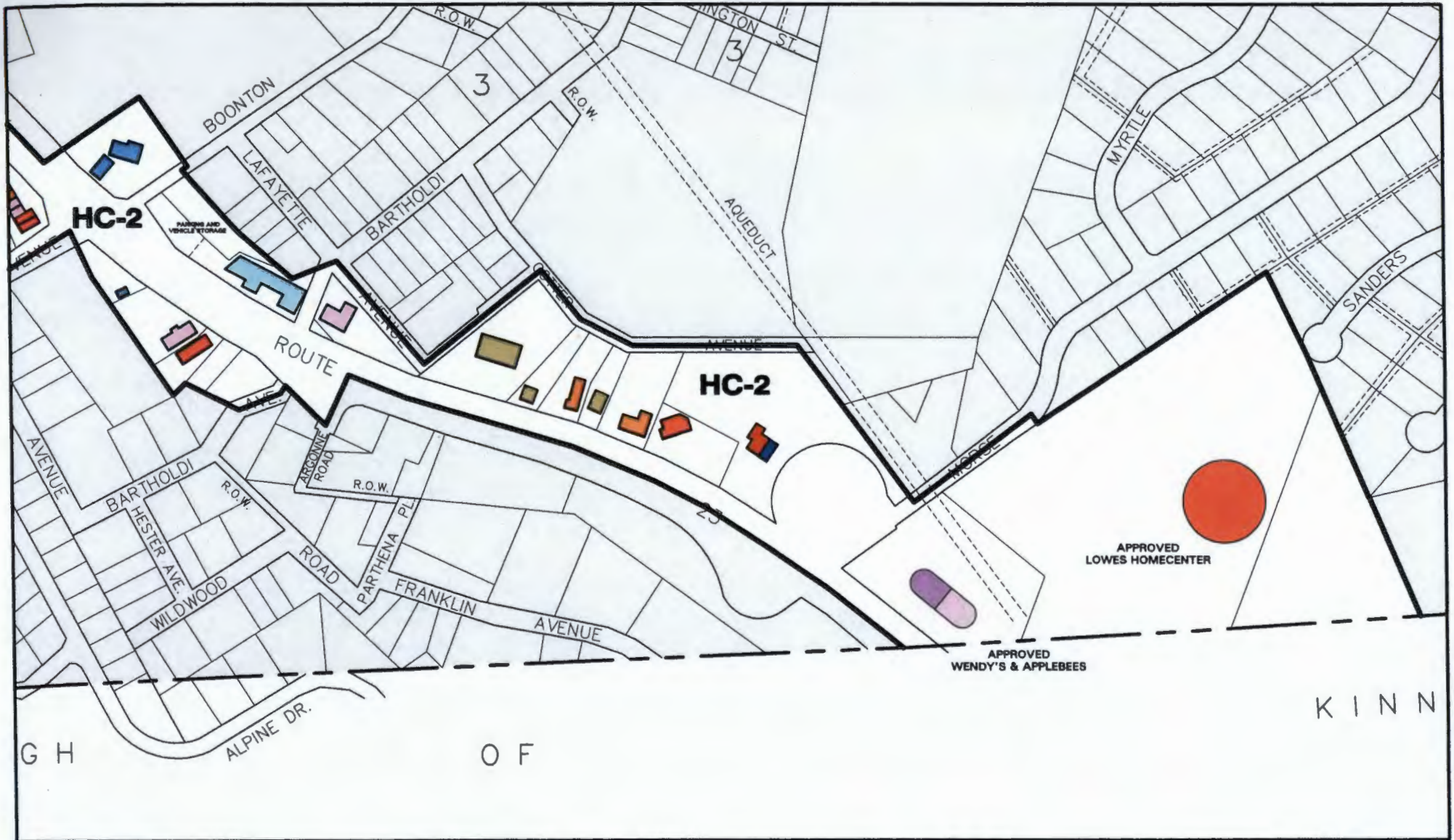
- AUTOMOBILE SALES AND SERVICE
- AUTOMOBILE FUEL/SERVICE
- AUTOMOBILE SERVICE AND REPAIR
- LIGHT INDUSTRIAL/MANUFACTURING
- PUBLIC
- SEMI-PUBLIC
- VACANT

- BUILDINGS (Typical)
- AREAS OUTSIDE OF STUDY

AUGUST, 2004

**EXISTING DEVELOPMENT**  
 ROUTE 23 HIGHWAY COMMERCIAL STUDY  
 CASCADE WAY TO BOONTON AVENUE





**LAND USE KEY:**

- |                                     |                                |
|-------------------------------------|--------------------------------|
| RESIDENTIAL (ONE & TWO FAMILY)      | AUTOMOBILE SALES AND SERVICE   |
| MULTI-FAMILY RESIDENTIAL/APARTMENTS | AUTOMOBILE FUEL/SERVICE        |
| RETAIL SALES                        | AUTOMOBILE SERVICE AND REPAIR  |
| RETAIL SERVICE                      | LIGHT INDUSTRIAL/MANUFACTURING |
| FINANCIAL SERVICES                  | PUBLIC                         |
| PROFESSIONAL OFFICE                 | SEMI-PUBLIC                    |
| RESTAURANT                          | VACANT                         |
| RESTAURANT - FAST FOOD              |                                |

- BUILDINGS (Typical)
- AREAS OUTSIDE OF STUDY

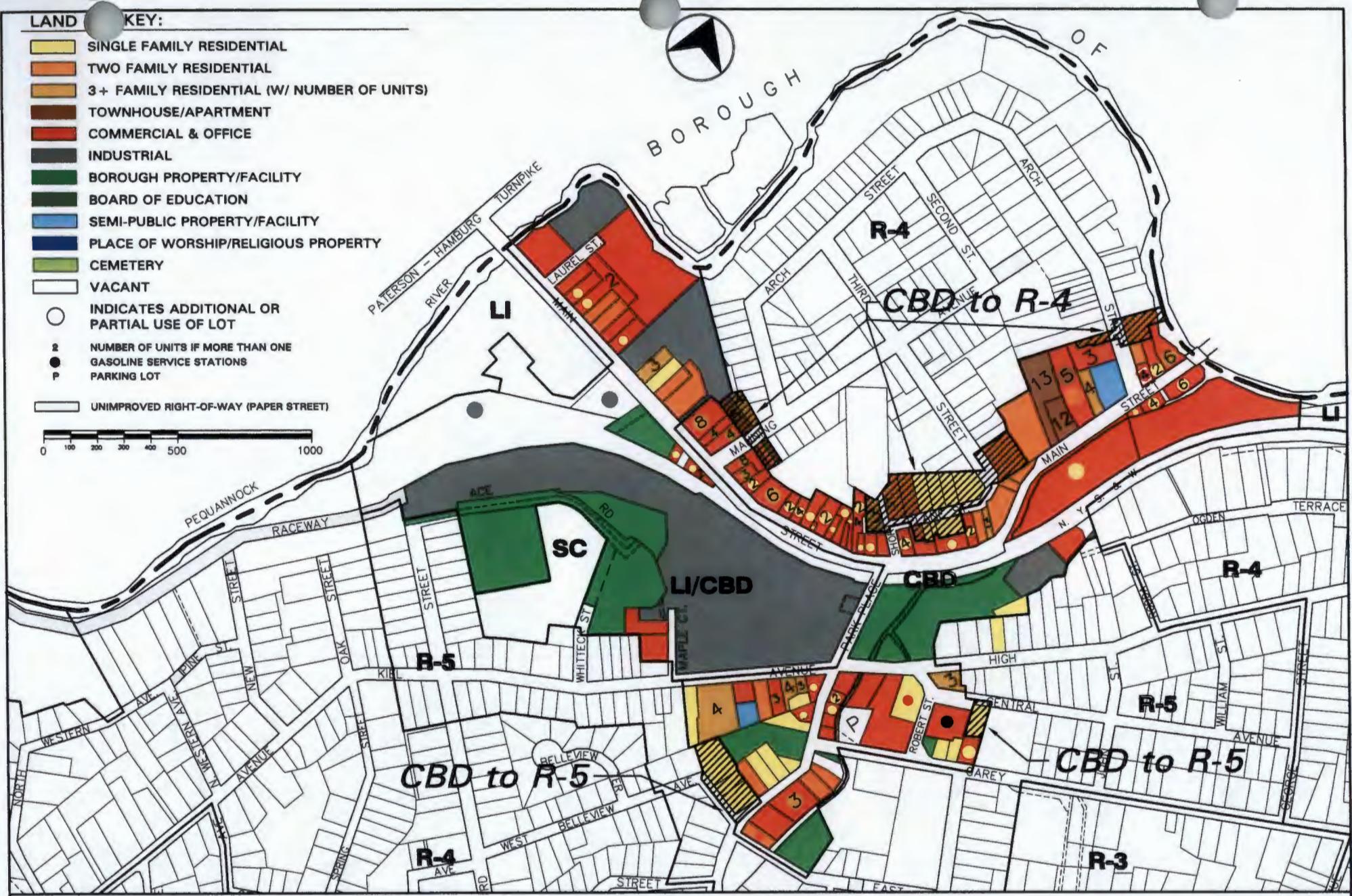
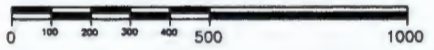
AUGUST, 2004

**EXISTING DEVELOPMENT**  
 ROUTE 23 HIGHWAY COMMERCIAL STUDY  
 BOONTON AVENUE TO BOROUGH LIMIT



**LAND KEY:**

- SINGLE FAMILY RESIDENTIAL
- TWO FAMILY RESIDENTIAL
- 3+ FAMILY RESIDENTIAL (W/ NUMBER OF UNITS)
- TOWNHOUSE/APARTMENT
- COMMERCIAL & OFFICE
- INDUSTRIAL
- BOROUGH PROPERTY/FACILITY
- BOARD OF EDUCATION
- SEMI-PUBLIC PROPERTY/FACILITY
- PLACE OF WORSHIP/RELIGIOUS PROPERTY
- CEMETERY
- VACANT
- INDICATES ADDITIONAL OR PARTIAL USE OF LOT
- 2 NUMBER OF UNITS IF MORE THAN ONE
- GASOLINE SERVICE STATIONS
- P PARKING LOT
- UNIMPROVED RIGHT-OF-WAY (PAPER STREET)



**CENTRAL BUSINESS DISTRICT STUDY AREA  
(CBD & LI/CBD Districts)**

AUGUST, 2004



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY

**BOROUGH OF BUTLER**  
MORRIS COUNTY, NEW JERSEY







## COORDINATION WITH OTHER PLANNING PROGRAMS 7.0

## **COORDINATION WITH OTHER PLANNING PROGRAMS**

### **Regional Evaluation**

Careful attention to regional trends and forces is essential to a meaningful analysis of the various physical, social and economic characteristics of a community. Although a municipality is a separate and distinct political entity, it is not isolated from a sphere of influence which extends far beyond the immediate local area. This reality is recognized by the Municipal Land Use Law which requires that the Master Plan include a specific policy statement indicating the relationship of the proposed development of the municipality as developed in the master plan to (1) the master plans of contiguous municipalities, (2) the master plan of the county in which the municipality is located (3) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act", P.L. 1985, c.398 (C.52:18A-196 et al.), and (4) the district solid waste management plan required pursuant to the provisions of the "Solid Waste Management Act", P.L. 1970, c.39 (C.13:1E-1 et seq.) of the County in which the municipality is located. For these reasons, regional considerations, as they apply to the Borough of Butler, have been given attention where appropriate in various sections of this report.

### **Identifying the Region**

Few, if any, municipalities are part of a single region that can be defined in precise terms. The mobility and communication of society today associates a given municipality with many regions of various sizes and overlapping influence. For municipal planning purposes, defining a precise region would probably have little value. For such purposes, the major concerns should be the activities in the more immediate area surrounding the municipality and the major state, metropolitan and County trends and activities which are likely to have a direct impact on the municipality and the more immediate area.



## **The Metropolitan Region**

The Borough of Butler lies within the extremely complex Tri-State Metropolitan Area consisting of parts of New York, New Jersey and Connecticut. The Borough is located in Morris County and situated at the County's northeasterly border adjoining part of Passaic County. Therefore, the Borough's more immediate sphere of influence is bi-county in nature, being oriented to northern portions of Passaic County and the northern municipalities found in Morris County. The feature most common to and characteristic of this area is a pattern of residential development created by the population growth pressures in the metropolitan area. Essentially, most of the municipalities involved are bedroom communities with a large population commuting to employment in the tri-county and tri-state urban areas.

### **Adjoining Municipalities - Surrounding Planning and Zoning**

From a practical planning standpoint, municipal boundary lines are often imaginary lines with no observable separation between communities unless by some physical feature, such as a river. Very often existing conditions in one community can have considerable impact on the bordering community, particularly near the common municipal boundary line. Therefore, it is important that planning and zoning policies in the surrounding municipalities be carefully studied before any planning proposals are formulated or any planning action taken.

Four municipalities adjoin the Borough of Butler. They are the Boroughs of Kinnelon and Riverdale in Morris County and the Borough of Bloomingdale and West Milford Township in Passaic County. Factors relating to planning, zoning and development of nearby areas in each of these municipalities are discussed below. Surrounding zoning and existing Borough zoning are indicated on the map titled SURROUNDING AND EXISTING ZONING found at the end of this chapter.

#### *Borough of Kinnelon*

The Borough of Kinnelon adjoins the Borough's western and southern boundaries and represents by far the largest common boundary. The predominant land use and zoning consists of low density residential, which is compatible to the higher density residential zoning found in Butler. Non-residential zoning consisting of limited

commercial and light industrial are found adjacent to the highway commercial and research office zones in Butler. In general, the commercial uses found along Keil Avenue in Kinnelon are compatible with the commercial uses found at the Keil Avenue/Route 23 intersection. The dominate land use in this area is the Meadetown Mall which consists of a supermarket, movie theaters and numerous other retail shops.

#### *Borough of Riverdale*

The remaining Morris County adjacent municipality is Riverdale Borough which is found in the southeastern portion of Butler. Existing land uses consisting of single family residential on 40,000 square foot lots are found adjacent to similar residential uses in Butler. An area zoned for 15,000 square foot residential lots is located adjacent to the rear most portions of the R-2 zone in Butler.

#### **Passaic County Municipalities**

Zoning in the two Passaic County municipalities (West Milford & Bloomingdale) remains compatible with the Borough. The Pequannock River forms the common boundary and also serves as a buffer between the various residential and non-residential use found in Butler and these adjacent municipalities.

#### *Borough of Bloomingdale*

Bloomingdale adjoins the majority of the northerly and easterly boundary along the Pequannock River. Existing land uses and zoning range from medium to high density single family, multi-family residential and commercial/light industrial uses. Although there are some areas in the Borough where residential uses are adjacent to non-residential uses/zones in Bloomingdale, the general development characteristics are compatible with those in the Borough. The use separation created by the Pequannock River and the lack of connecting roads between the two Boroughs provide the separation.



### *Township of West Milford*

The Township of West Milford represents the smallest common boundary and makes up the balance of the Borough's northern boundary. The Master Plan of West Milford designates the entire bordering area (east of Route 23) as very low density residential, with minimum lot sizes of 2 acres. A small area west of Route 23 is zoned for Office/Light Industrial uses. This area however represents only a small portion of a much larger light industrial tract found north of the Borough along Route 23. No land use revisions have been recommended by West Milford regarding this area.

### **Morris County Planning**

At the present time, there is no overall, comprehensive County Master Plan, it being the policy of the County to prepare and adopt individual plan elements as priorities dictate and funding permits. The Land Use Element of the County Master Plan was adopted in 1975 and probably has little validity today in specific terms.

The current Land Use Element is intended to serve as a general guide to the County and its 39 municipalities for sound and orderly future development throughout the County. It is built on two basic principles which anticipates broad policies of the State Plan:

1. That all future development proceed only after careful analysis of environmental considerations, and within any limitations imposed by such an analysis.
2. That future growth be clustered, in order to preserve open land, and to render utility services and public transportation feasible and economical.

The County Land Use Element goes on to state various goals and objectives based on these principles and recommends a population-employment center approach to development in order to achieve the desired purposes. Various traditional, growth, local and village type centers are identified generally as areas in and about which future development should be concentrated. The Morris County plan identifies Butler as a traditional center. To a lesser extent, other traditional center

designations in the vicinity of the Borough include Riverdale and Pompton Plains, both found south of the Borough along Route 23. The Land Use Element further stresses that high density housing should be concentrated in these centers, with increasingly less dense development radiating outward into adjoining areas. As it pertains to the Morris County Land Use Plan, the term "traditional center" is defined as those communities which have existing for decades and have historically maintained social and economic importance to the surrounding region.

Other County Master Plan Elements and their relevance to Butler Borough are as follows:

Open Space Element (adopted in 1988). The plan identifies existing parks and open space for each municipality. The plan indicates that the Borough has the third smallest amount of parks/open space within the County. Only Riverdale and Victory Gardens have less. As it relates to Butler, no specific recommendations are made, however, the Element indicates that the Borough has a deficit of approximately 55 acres of recommended open space (mix of federal, state, county and local). Additionally, general countywide acquisition methods and recommended ratios of open space to population are indicated.

The Morris County Open Space Element bases the minimum standards on a mix of open space acreage per population and is further based on standards indicated in the "Outdoor Recreation Plan for New Jersey". The open space need is comprised of a mix of federal, state, county and local lands. A breakdown of this distribution is as follows:

<b>Per Thousand Persons</b>	
<b>Federal:</b>	<b>16 acres</b>
<b>State:</b>	<b>24 acres</b>
<b>County:</b>	<b>12 acres</b>
<b>Municipal:</b>	<b>8 acres</b>

The federal and state open spaces include the largest land areas and are comprised of recreation and natural resource/wilderness areas. This open space component should be located within 30 to 45 minutes of the particular municipality. County open space should encompass larger tracts than would otherwise

be possible at the local level. The local municipalities primary responsibility is to provide for more intensive recreational uses such as ball fields, playgrounds, local parks, etc., which are normally situated on smaller tracts of land and usually within walking (or short drive) from the various neighborhoods they serve.



Circulation Element (adopted in 1992). The only specific proposals involve signage and striping improvements to Boonton Avenue and Keil Ave/Main Street and to provide for more efficient phasing and minor widening of Boonton Avenue at the Route 23 intersection. To date, these improvements have been constructed and are in place.

Water Supply Element (adopted in 1994). For the most part, this element recognizes the existing service to the Borough by the Butler Water Company. The plan notes that the Borough is the only municipality in the County that is solely dependent on surface water supply, namely the Kakeout Reservoir in Kinnelon.

Bicycle and Pedestrian Element (adopted in 1998). This element of the County Plan replaces the Bicycle Element adopted in 1977. The focus of the previous plan was the construction of integrated bikeways and sidewalks throughout the County. The latest plan addresses both bicycle and pedestrian routes and also takes into consideration the use of the existing network. The plan recommends additional sidewalk to provide interconnections to the existing network and recognizes that due to the level of automobile traffic and limited pavement widths, shared roadways for pedestrian and bicycle are not feasible at this time.

Natural Resource Management Guide (adopted in 2000). This document provides environmental information for Morris County as a whole. While descriptions and locations are generally shown, no specific information by municipality is indicated. Information found in this guide ranges from geology and groundwater to vegetation and wildlife.

## **State Planning**

Responding to the need for statewide regional planning, the State Legislature, in January, 1986, adopted legislation establishing a State Planning Commission and an Office of State Planning. A major feature of this legislation is that the State Planning Commission prepare and adopt a State Development and Redevelopment Plan. The law requires that the plan provide a coordinated, integrated and comprehensive plan for the growth, development, renewal and conservation of the

State and its regions and which shall identify areas for growth, agriculture, open space conservation and other appropriate designations.

The final draft of the State Development and Redevelopment Plan (SDRP) was adopted by the State Planning Commission on March 1, 2001. In meeting the mandates of the law, the State Plan establishes a system of planning policies translated into planning areas intended to guide the development of the State into a manageable system based on available and projected utility and highway infrastructure, at the same time recognizing and respecting environmentally sensitive conditions. Additionally, the intent of the Plan is to guide growth into centers where it can efficiently and economically be managed with the environs\* remaining open and undeveloped. The State Plan was adopted following a lengthy cross acceptance process in which the Borough actively participated.

*\* The term "environs" represents those areas outside the center area designations. The SDRP envisions that growth (population, housing, economic, etc.) be provided within center designations, or those areas where adequate capital facility services are provided.*

For purposes of fulfilling the State's long range planning goals and objectives, the SDRP creates a system or series of Planning Areas, with each planning area designed to accomplish specific objectives and certain development intensity. Only one of these planning areas apply to Butler and is described below.

#### *The Metropolitan Area.*

The existing developed nature of Butler represents the main characteristics of areas designated as a Metropolitan Planning Area. These communities form a part of the metropolitan mass where municipal boundaries tend to blur. The characteristics of this settlement pattern can undermine efforts to address a host of functional problems on a municipal basis. It is increasingly impractical, for instance, to manage traffic congestion, solid waste disposal and air and water pollution locally. These and other concerns spill over from one municipality to the next, often requiring a regional perspective on potential solutions.



Communities designated as a Metropolitan Planning Area have many things in common: mature settlement patterns resulting in a diminished supply of vacant land; infrastructure systems that generally are beyond their reasonable life expectancy; recognition that redevelopment is, or will be in the not-to-distant future, the predominant form of growth; and a growing realization of the need to regionalize an increasing number of services and systems in light of growing fiscal constraints.

### *Revised Plan/Cross Acceptance*

The State Planning Act requires periodic review of the SDRP and, to that end, the State Planning Commission has issued a preliminary, revised plan and, further, has initiated a new Cross-Acceptance process with the State's 21 counties and 566 municipalities. The County Planning Board is the designated negotiating agency responsible for the comparison of local master plans and policies with those of the State. The Borough of Butler has continued to participate in this process.

At the time of this writing, the next round of the cross acceptance was scheduled to begin by mid-2004. Proposed amendments to the SDRP include provisions for incorporating elements of the recently adopted stormwater management regulations and additional environmentally sensitive areas, as previously outlined within the now abandoned "Big Map", introduced in January, 2003.

It is recommended that the Borough of Butler take an active part in the third-round cross acceptance process. Upon it's completion, the Borough should seek "Plan Endorsement" by the State as this endorsement would provide for priority assistance and incentives that flow from such findings (i.e. funding, etc.).

For reference, the existing and proposed third round cross-acceptance SDRP mapping (quadrangles) pertaining to the Borough, and Morris County (existing SDRP only) are located at the end of this section.

## **New Jersey Highlands**

The State has identified the "Highlands" region of northern New Jersey as the last remaining large expanse of pristine mountain lakes and streams and unbroken forests. The region has long been recognized for its most significant natural resource, drinking water, which it supplies to more than half of the State's population. The Highlands region also contains the greatest diversity of natural resources of any region in the State: where 70% of its lands are environmentally sensitive; 370,000 acres of its lands are forested; and over 30 of the State's threatened or endangered species find suitable habitat there. The region also contains some of the State's most valuable historical and cultural sites, including sites from the Revolutionary War, New Jersey's early industrial age and Native American era. These rich resources provide an unsurpassed quality of life in the region. In recognition of its unique significance, the Highlands has been recognized as a special resource area by both the State and federal governments.

On September 19, 2003, Governor James E. McGreevey signed Executive Order No. 70 creating the Highlands Task Force and charging it with making recommendations to preserve the natural resources of, and enhance the quality of life in, the Highlands region. In particular, the Task Force was charged with examining the following topics:

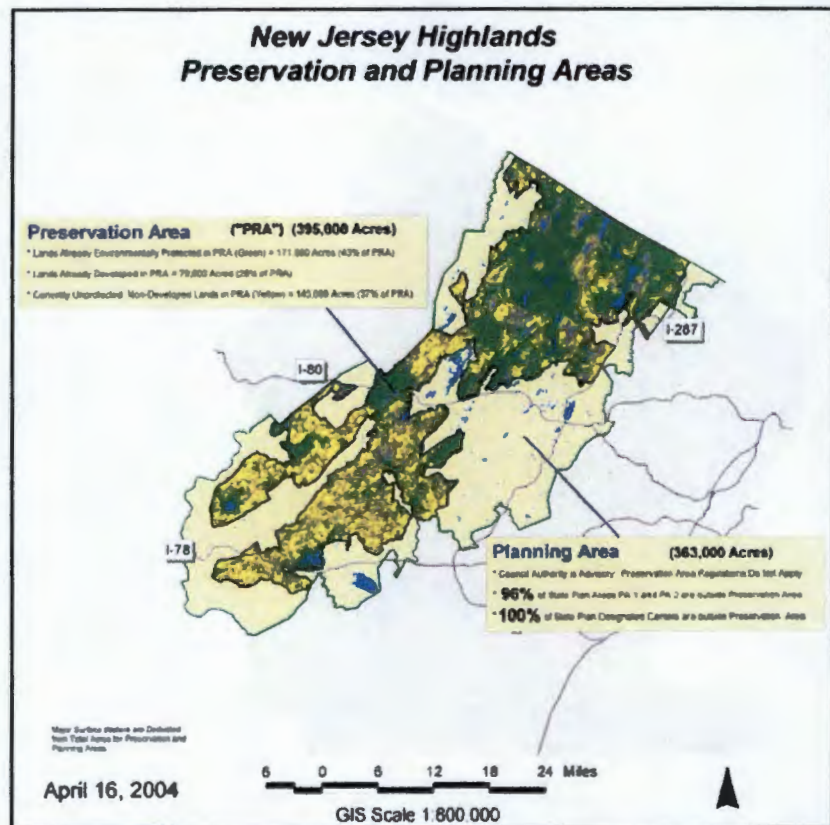
- Protection of water quality, drinking water supplies, wetlands, critical plant and wildlife habitat, vegetated stream corridors, and contiguous forests;
- Identification of methods to protect and preserve open space and natural resources of the Highlands region;
- Identification of methods to enhance farmland preservation and support the agriculture industry in the Highlands region;
- Identification of methods to promote historic, cultural, scenic and recreational resource opportunities that preserve the natural features of the Highlands region; and



- Provision of smart-growth opportunities, including economic development and redevelopment in the Highlands region through regional planning, including coordination of transportation infrastructure investments and administrative agency activities, consistent with the State Development and Redevelopment Plan.

The focus of the action plan is on identifying and providing protection for a Preservation Area within the overall Highlands Area. This Preservation Area should total between 350,000 and 390,000 acres (a little less than half of the approximately 800,000 acres that comprise the entire Highlands region). The Preservation Area should be protected through a variety of mechanisms, including, but not limited to: enhanced environmental regulations; a transfer of development rights program and regional planning; and the acquisition of land and development rights.

Proactive land use planning for the entire Highlands region should be achieved through a regional master plan established through the creation of a Highlands water protection and regional planning council. The council's authority would be mandatory in the Preservation Area and advisory outside of it. Outside the Preservation Area, there should be incentives to encourage municipalities to conform to the regional master plan and to encourage "smart-growth."



## **Borough of Butler**

As it pertains to the Borough of Butler, the municipality is located entirely within the planning area, but does however, directly adjoin the significantly more regulated preservation areas found in the municipalities of Kinnelon and West Milford. Based on the recommendations made in the Highlands Action Plan, released in March, 2004, areas outside of the preservation area are subject to the following recommendations:

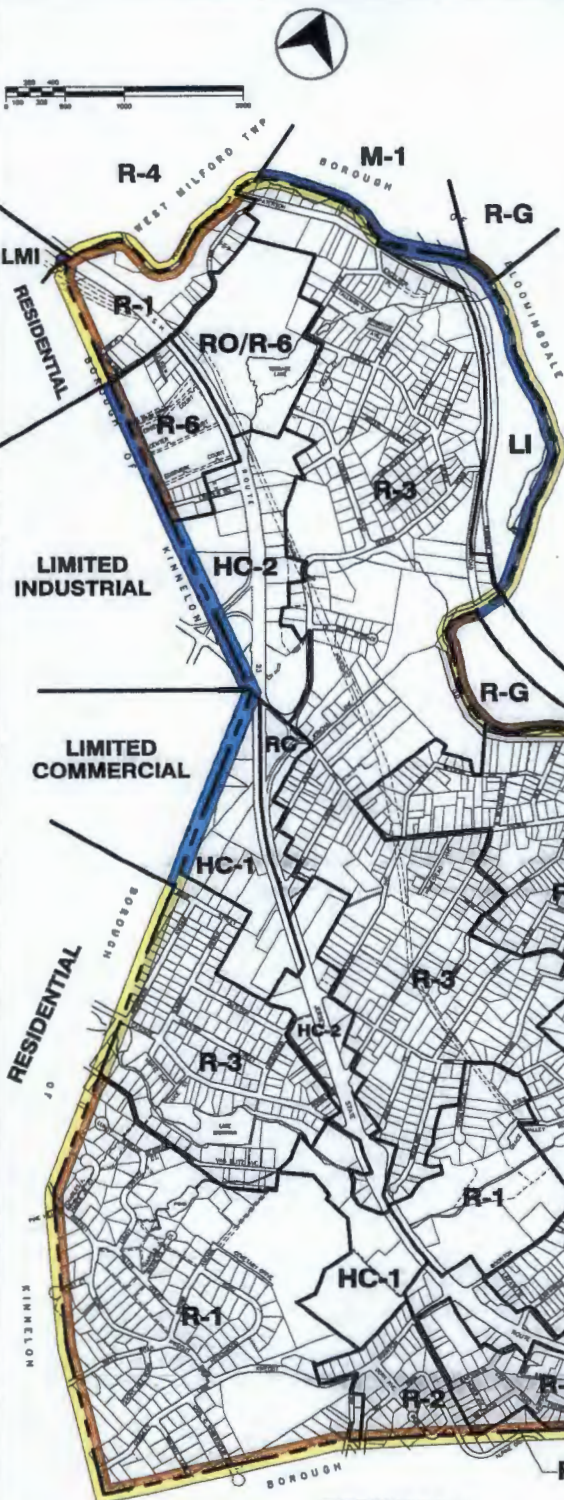
- The Regional Council's authority should be advisory in nature. The Council should not have the power to require municipalities to conform to the regional master plan. Towns should review all land-use applications and enforce planning and zoning decisions.
- There should be incentives to encourage municipalities to conform their local master plans to the Highlands regional master plan (i.e. "opt in"). Specifically, if a municipality comes into voluntary conformance, it should be eligible to receive the "benefits" which Preservation Area municipalities are entitled.
- The process for opting in should be as follows: The municipality would petition the Council; upon the Council's determination that the municipality's local master plan and development and land use ordinances are in conformance with the Highlands regional master plan, it would grant the petition. The duration of the opt-in shall be coextensive with the local master plan cycle. Because a town may reap substantial benefits from the State while it is opted in, there should be a cost if the town decides not to opt in again at the start of a new local master plan cycle. These provisions should be made clear to municipalities up front in the "opt-in" process.
- Benefits: Municipalities certified to be in compliance with the regional master plan should be entitled to the following benefits: (1) presumption of validity for zoning and land-use challenges where municipality is in conformance (provide via legislation that courts shall give great deference to municipalities that are certified to be in conformance with the Highlands regional master plan); (2) legal shield provided by the Attorney General; (3) planning



assistance (including to update a town's COAH plan in response to regional planning by the Council); (4) State aid, including, but not limited to, aid for "smart-growth" projects.

- Council's Role Outside the Preservation Area for municipalities which may choose to not "opt-in":
  - Land-use and zoning: The Council should be empowered to comment on land use applications, development and land use ordinances, permitting and enforcement issues;
  - Model Ordinances: The Council should create model ordinances as resource materials for municipalities outside the Preservation Area on a range of environmental issues and development practices (including, but not limited to, steep slopes, clustering and impervious surfaces); the Council should also work with those municipalities to adopt the ordinances;
  - Densities: The Council should also work with municipalities to enter into agreements for appropriate, capacity-based densities (this may include appropriate higher densities to support transit villages or in State Plan endorsed centers);
  - Special Critical Environmental Areas: Municipalities should be authorized to petition the Council to designate lands as special, critical environmental areas. The Council should work with municipalities to implement any such designations.

At the time of this writing, legislation has been introduced to realize the recommendations of the Highlands Action Plan recommendations. Depending on the final legislation adopted, the Borough may wish to investigate future opportunities provided by "opting-in", and/or designating the remaining vacant environmentally sensitive areas (areas of forested steep slopes) as special critical areas.



**ZONE LEGEND - BOROUGH OF BUTLER**

- R-1 SINGLE FAMILY RESIDENTIAL (17,250 SQ.FT.)
- R-2 SINGLE FAMILY RESIDENTIAL (12,500 SQ.FT.)
- R-3 SINGLE FAMILY RESIDENTIAL (10,250 SQ.FT.)
- R-4 SINGLE FAMILY RESIDENTIAL (6,250 SQ.FT.)
- R-5 SINGLE/TWO FAMILY RESIDENTIAL (8,250/9,375 SQ.FT.)
- R-6 GARDEN APARTMENT
- R-7 TOWNHOUSE/LIGHT INDUSTRIAL
- SC SENIOR CITIZEN HOUSING
- CBD CENTRAL BUSINESS
- HC-1 HIGHWAY COMMERCIAL
- HC-2 HIGHWAY COMMERCIAL
- LI LIGHT INDUSTRIAL
- RC RESTRICTED COMMERCIAL
- LI/CBD LIGHT INDUSTRIAL/CENTRAL BUSINESS
- RO/R-6 RESEARCH OFFICE/APARTMENT
- REDEVELOPMENT AREA OVERLAY ZONE

- SINGLE FAMILY RESIDENTIAL - LOW DENSITY (LOTS GREATER THAN 1 ACRE IN AREA)
- SINGLE FAMILY RESIDENTIAL - MEDIUM DENSITY (LOTS 1/2 TO 1 ACRE IN AREA)
- SINGLE FAMILY RESIDENTIAL - MED/HIGH DENSITY (LOTS 1/4 TO 1/2 ACRE IN AREA)
- SINGLE FAMILY RESIDENTIAL - HIGH DENSITY (LOTS LESS THAN 1/4 ACRE IN AREA)
- MULTI-FAMILY RESIDENTIAL
- COMMERCIAL
- LIGHT INDUSTRIAL/MANUFACTURING/OFFICE

**ZONING - BOROUGH OF BLOOMINGDALE**

- B-1 RETAIL-GENERAL COMMERCIAL
- M-1 LIGHT MANUFACTURING
- R-G GARDEN APARTMENT
- R-20 RESIDENTIAL (1/4 ACRE)

**ZONING - BOROUGH OF RIVERDALE**

- R-15 RESIDENTIAL (15,000SF)
- R-40 RESIDENTIAL (40,000SF)

**ZONING - WEST MILFORD TOWNSHIP**

- R-4 RESIDENTIAL (2 ACRE)
- LMI OFFICE/LIGHT INDUSTRIAL

# EXISTING AND SURROUNDING ZONING

BOROUGH OF  
**BUTLER**  
MORRIS COUNTY, NEW JERSEY

AUGUST, 2004



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY

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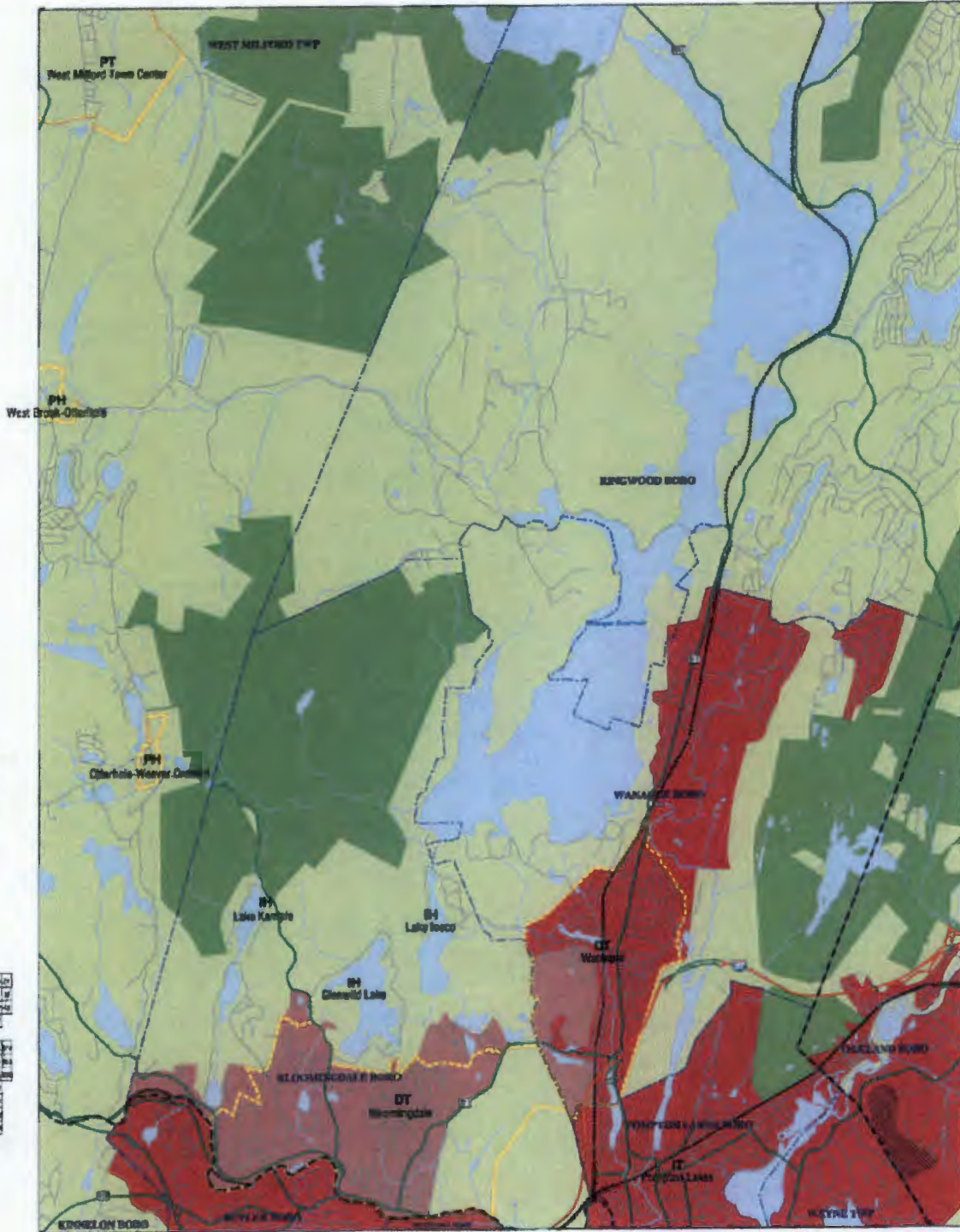


# POLICY MAP of the New Jersey State Development and Redevelopment Plan

**NEW JERSEY  
STATE PLANNING COMMISSION  
May 6, 2003**

The State Plan is not itself a regulation but a statement of State policy that has been adopted by the State Planning Commission pursuant to statute to guide State, regional and local agencies in the exercise of their statutory authority.

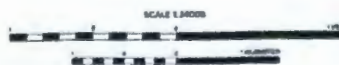
Map prepared by the New Jersey Office of State Planning. Map was developed in part using digital data from the New Jersey Department of Environmental Protection, New Jersey Department of Transportation and the New Jersey Planning Commission. New Jersey State Plane Coordinate System. North American Datum 1983 (NAD83). = Denotes NAD27



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| <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: red; border: 1px solid black; margin-right: 5px;"></span> Urban Complex</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: darkred; border: 1px solid black; margin-right: 5px;"></span> Metropolitan Planning Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightred; border: 1px solid black; margin-right: 5px;"></span> Suburban Planning Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: yellow; border: 1px solid black; margin-right: 5px;"></span> Fringe Planning Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: green; border: 1px solid black; margin-right: 5px;"></span> Rural Planning Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> Rural/Env. Sensitive Planning Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: limegreen; border: 1px solid black; margin-right: 5px;"></span> Env. Sensitive Planning Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #90EE90; border: 1px solid black; margin-right: 5px;"></span> Env. Sens./Barrier Is. Planning Area</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: darkgreen; border: 1px solid black; margin-right: 5px;"></span> Parks &amp; Natural Areas</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: mediumgreen; border: 1px solid black; margin-right: 5px;"></span> Military Installations</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightgreen; border: 1px solid black; margin-right: 5px;"></span> Hackensack Meadowlands</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: lightblue; border: 1px solid black; margin-right: 5px;"></span> Water</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #D3D3D3; border: 1px solid black; margin-right: 5px;"></span> Critical Environmental Site</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #FFFACD; border: 1px solid black; margin-right: 5px;"></span> Historic &amp; Cultural Site</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #F0F0F0; border: 1px solid black; margin-right: 5px;"></span> Needs</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #E0E0E0; border: 1px solid black; margin-right: 5px;"></span> Care</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px solid black; margin-right: 5px;"></span> Entered Plan</li> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px dashed black; margin-right: 5px;"></span> Corridor</li> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px dotted black; margin-right: 5px;"></span> Municipal Boundary</li> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px long-dashed black; margin-right: 5px;"></span> County Boundary</li> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px dashed black; margin-right: 5px;"></span> CARPA Boundary</li> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px solid black; margin-right: 5px;"></span> Interstate &amp; Toll Roads</li> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px solid black; margin-right: 5px;"></span> US &amp; State Roads</li> <li><span style="display: inline-block; width: 15px; height: 10px; border-bottom: 2px solid black; margin-right: 5px;"></span> Rail Lines &amp; Commuter Stations</li> </ul> | <ul style="list-style-type: none"> <li>U C - Urban Center</li> <li>DR - Designated Regional Center</li> <li>PR - Proposed Regional Center</li> <li>IR - Identified Regional Center</li> <li>DT - Designated Town</li> <li>PT - Proposed Town</li> <li>IT - Identified Town</li> <li>DV - Designated Village</li> <li>PV - Proposed Village</li> <li>IV - Identified Village</li> <li>DH - Designated Hamlet</li> <li>PH - Proposed Hamlet</li> <li>IH - Identified Hamlet</li> </ul> | <ul style="list-style-type: none"> <li><span style="display: inline-block; width: 15px; height: 10px; border: 1px solid black; margin-right: 5px;"></span> State Designated Pinelands Area - (12-00)</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #8B4513; border: 1px solid black; margin-right: 5px;"></span> Pinelands Regional Growth Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #A52A2A; border: 1px solid black; margin-right: 5px;"></span> Pinelands Town</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #C08080; border: 1px solid black; margin-right: 5px;"></span> Pinelands Village</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #E0C0C0; border: 1px solid black; margin-right: 5px;"></span> Pinelands Rural Development Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #F0D0D0; border: 1px solid black; margin-right: 5px;"></span> Pinelands Agricultural Production Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #F5DEB3; border: 1px solid black; margin-right: 5px;"></span> Pinelands Special Agricultural Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #D9EAD3; border: 1px solid black; margin-right: 5px;"></span> Pinelands Forest &amp; Preservation Area</li> <li><span style="display: inline-block; width: 15px; height: 10px; background-color: #C8E6C9; border: 1px solid black; margin-right: 5px;"></span> Pinelands Military &amp; Federal</li> </ul> |
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I certify that this quadrangle of the State Plan Policy Map was adopted and approved by the New Jersey State Planning Commission on March 1, 2004.

*Herbert Dimenna*  
Herbert Dimenna, Secretary



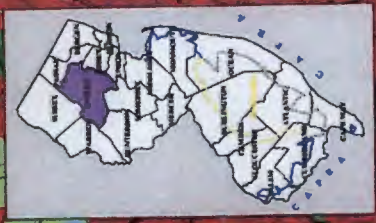
**WANAQUE, NJ**



# Policy Map of the New Jersey State Development And Redevelopment Plan MORRIS COUNTY

- Centers**
- UC - Urban Center
  - DR - Designated Regional Center
  - PR - Proposed Regional Center
  - DT - Designated Town
  - PT - Proposed Town
  - DV - Designated Village
  - PV - Proposed Village
  - DW - Designated Hamlet
  - PW - Proposed Hamlet
  - Urban Complex
  - Suburban Plan
  - Center Boundaries
  - Nodes
- Planning Areas**
- Metropolitan Planning Area
  - Suburban Planning Area
  - Edge Planning Area
  - Rural Planning Area
  - Rural/Em. Semirural Planning Area
  - Em. Semirural Planning Area
  - Em. Semirural Planning Area
  - Police and Natural Areas
  - Hackensack Meadowslands
  - Military Installations
  - Water
  - Critical Environmental Site
  - Historic & Cultural Site
- Presidents Management Areas**
- Prostate Boundary
  - Regional Growth Area
  - Seas
  - Village
  - Rural Development Area
  - Agricultural Production Area
  - Special Agricultural Area
  - Forest & Preservation Area
  - Military & Federal
- Boundaries**
- Municipal Boundary
  - County Boundary
  - Interstate & Toll Road
  - State & County Road
  - CARA Boundary
  - Commuter Rail & Stations

The State Plan is not itself a regulation but a statement of State policy that has been adopted by the State Planning Commission pursuant to statute to guide State, regional and local agencies in the exercise of their regulatory authority.



Way to grow.



CIRCULATION PLAN 8.0

## **CIRCULATION PLAN ELEMENT**

One of the basic concerns of communities within the metropolitan area is transportation, and particularly automotive traffic and circulation. In today's highly mobile society, an adequate circulation system is of vital importance since the modern economy and way of life is so dependent on the automobile for the efficient movement of goods and people. An adequate street system is likewise essential to the community in providing municipal services to its residents in an efficient and economical manner.

The importance of the circulation system had become even more dramatized in recent years as communities within the metropolitan areas continued their growth and development within a street framework which was already outmoded in terms of modern vehicular demands. Future population and employment growth within the Borough and regionally, along with anticipated increases in motor vehicle utilization, will serve to burden on existing street systems even further.

Since Butler is almost fully developed, its street network is well established. As a result, significant future expansion of the street system is unlikely. Although this situation simplifies the planning task somewhat, it also means that there are fewer options for solving existing traffic concerns. Alternative routes to ease congestion are limited, and street widening and other improvements are difficult to implement because of the disruption of existing development that would result.

The Circulation Plan Element is designed to provide safe and convenient mobility and access for the Borough's residents, employees and patrons, and also for motorists passing through Butler. The plan proposals are grouped into four main categories; Street Classification; Recommended Improvements; Public Transportation; and Pedestrian Circulation.



## **Street Classification**

Butler is situated along a major regional traffic artery, namely, Route 23. This highway provides connection from Interstate Route 287, which is located approximately 1.8 miles south of Butler, to the northern regions of Morris, Sussex and Passaic Counties. In addition, several county roads cross through the Borough. Due to the proximity of these roads, Butler experiences a large amount of through traffic traveling to and from these arterials. When this through traffic is added to the local traffic in Butler, the result is intersection congestion and the overburdening of local streets that were not designed to serve as arterial or collector roadways, particularly during the morning and afternoon rush hour periods.

Associated with the problems of traffic congestion and overburdening of the existing roadways are several instances where the width of the roads are not designed for the traffic volumes they carry. Additionally, County Arterial roads and the Primary Borough roads all pass through residential areas. Local roadways may also be impacted during the peak travel hours as they tend to serve as bypass routes from the major roadways by motorists seeking to avoid traffic congestion. All these factors contribute to traffic congestion within the Borough. Street improvements that would lessen congestion are difficult to implement however, as they would be highly disruptive of the existing residential neighborhoods.

The CIRCULATION PLAN – STREET CLASSIFICATION map found at the end of this section classifies all streets in Butler according to their function and are classified in accordance with the Uniform Functional Classification of roads established by the American Association of State Highway and Transportation Officials (AASHTO). Roadways have two general functions: to provide mobility and to provide access to property. The function of major highways is almost entirely to provide mobility while the function of local streets is primarily to provide access. Between these two classifications are the roads that combine these functions.

The Circulation Plan for Butler has five functional classifications: State Arterial, County Arterial, Primary Borough, Secondary Borough and local streets. The difference between State, County and Borough roads are partly a matter of

governmental jurisdiction over the design, improvement and maintenance of these roads; but also a matter of function. State arterials generally carry the highest volume of traffic and have the most access limitations. They also provide mobility for a larger geographic area than County arterials or Borough roads. County arterials typically carry less volume, and have more access points. They commonly serve as connecting routes between several communities. Primary Borough roads generally carry less volume (although not always), and have more access points. They connect locations within Butler to adjacent communities, or different parts of the community. Secondary Borough roads, which function as collector streets, as the name implies, collect traffic from the local or minor streets and provide access to various primary and arterial roadways. The volume of traffic on collector roads is less than that on arterial or primary streets. Local streets serve primarily to provide access to individual lots or to provide mobility for short distances and carry the least amount of traffic. The following sections describe the specific classifications for Butler's streets:

#### *State Arterials*

Route 23 is classified as a state arterial. This highway bisects the community north to south and provides access to all of the Borough's highway commercial district as well as functioning as a regional transportation corridor. As the name implies, improvements to these roads are under the jurisdiction of the State of New Jersey Department of Transportation (NJDOT). In addition, pursuant to the recently adopted State Highway Access Management Act, Butler's site plan and subdivision regulations must conform with the State highway access management code. The content of the code should be continually monitored as it is further developed and refined to ensure that development along the Route 23 corridor is not disrupted.

#### *County Arterials*

The following streets are classified as County arterials:

- Kiel Avenue County Route #618, from Route 23 southwest to Park Place
- Boonton Avenue (County Route #511) from the Kinnelon municipal line to Park Place
- Main Street (County Route #511) south to the municipal boundary.



Improvements to these roads are within the jurisdiction of Morris County. As with State highways, the new State Highway Access Management Act mandates that Butler's site plan and subdivision regulations must require conformity with the County access management code. The content of any access management code which may be formulated by the County should be closely monitored as it is developed, so that it is not disruptive of development or redevelopment along the Borough roads under county jurisdiction.

### *Primary Borough Roads*

The improvement standards for Primary Borough Roads should require a minimum pavement width of 36 ft. (to permit street parking) and a minimum right-of-way width of 60 ft. Although parking is normally discouraged on arterial and major streets, in most instances, limiting parking is not possible in Butler due to the existing development conditions, therefore, on-street parking should be allowed to continue. Primary Borough Roads should receive priority consideration for improvements over local streets due to the greater volume of traffic they carry.

The following streets are classified as Primary Borough Roads:

- Kikeout Road, west of Boonton Ave.
- Paterson-Hamburg Turnpike
- Roosevelt Avenue
- Bartholdi Avenue
- Belleview Avenue, between Bartholdi & Morse Avenues
- High Street, between Park Place and George Street
- Main Street, north of Park Place
- Cascade Avenue
- Decker Road
- Valley Road
- Morse Avenue
- Carey Avenue, between Boonton Ave & George Street
- Robert Street

### *Secondary Borough Roads*

The pavement width standard for Secondary Borough Roads, which function as collector streets should be 30 ft., and the right-of-way should be at least 50 ft. wide. As with the Primary Borough roadways, these streets should also receive priority consideration for improvements over the local street, however, it should be

emphasized that classification of a street does not necessarily imply that improvements will be made, or in what order they are funded.

The following streets are classified as Secondary Borough Roads:

- Maple Lake Road, east of Route 23
- Gifford Street
- Whitteck Street/Ace Road
- Mabey Lane, south of Bartholdi Avenue
- George Street
- High Street, between George Street & Fairview Avenue
- Western Avenue
- Center Street
- Pearl Place
- Bellview Avenue, between Morse & Cleary Avenues
- Central Avenue

#### *Local Streets*

All other streets in Butler are classified as local streets. They have a preferred width standard of 30 ft. for pavement and 50 ft. for the right-of-way, however, new street construction is subject to the design requirements of the Residential Site Improvement Standards (RSIS).

#### **Recommended Improvements/Studies**

##### *Intersection/Alignment Improvements*

All major road intersections in the Borough should be properly engineered for safe traffic movement with adequate sight distances, good geometrics of design, and appropriate lighting, signing, marking and signaling. The following intersections which warrant study or some degree of improvement are as follows, however, it should be understood that review and approval by County and/or State agencies will also be necessary for many of the proposed improvements.

1. The intersection of Maple Lake Road and Paterson-Hamburg Turnpike should be redesigned to provide improved grading and sight distance as traffic volume is anticipated to increase as a result of development within the Borough and in the adjoining municipality of Kinnelon.



2. Intersection of Decker Road, railroad tracks and Paterson-Hamburg Turnpike. This intersection is problematic as any future roadway improvements (regrading/realignment) are limited due to the existing elevation of the railroad track crossing found immediately adjacent to the street intersection. Since this roadway serves as a major connection from Kiel Avenue, it is recommended that future studies be provided to address alternative intersection designs.
3. Intersection alignment of Boonton Avenue and Kakeout Road. The existing alignment of this major roadway intersection appears awkward and potentially unsafe, particularly as local and regional traffic volumes increase. Studies should be undertaken as to the feasibility of providing for a more conventional (90°) intersection, rather than the ±45° intersection currently existing.
4. Intersection alignment of Boonton Avenue, Brook Street and Elm Street. The existing configuration of this intersection provides poor sight distance and geometry as three roads intersect in relatively close proximity. Since Brook Street is only one of two access points for over 45 residential dwellings, closure of the Brook Street intersection with Boonton Avenue would not be feasible. However, if the south end of Brook Street is eventually developed and extended to Valley Road, it is recommended that the exiting intersection with Boonton Avenue be eliminated.
5. Park Avenue intersections with Kiel Avenue and Main Street. These high traffic volume intersections are currently controlled by signage only. As these streets provide access to the central business district and adjacent residential neighborhoods, improvements both in terms of signalization and separate turning lanes where possible should be considered. It is noted however, that improvements at the Main Street intersection are further limited to the existing at-grade railroad crossing.

## **Other Improvement Recommendations**

In addition to the proposed improvements and studies outlined previously, various other street improvements are recommended to improve traffic circulation and increase safety. These include the following:

### *Roadway Improvements*

1. A comprehensive study for road improvements for Maple Lake Road between the Route 23 overpass and Paterson-Hamburg Turnpike should be initiated. The existing two-way road is narrow and contains poor horizontal and vertical geometry. Due to the anticipated increase in vehicular volume from development within the Borough and Kinnelon, roadway widening, improved road geometry and associated stormwater drainage should be considered.
2. An additional study addressing traffic volume, road improvements (widening), and commercial access are recommended for Morse Avenue and the Route 23 intersection. Due to recently approved and potential future commercial development along the highway commercial corridor, traffic volume and vehicular circulation concerns are becoming more apparent, particularly as they relate to potential impacts to the existing residential neighborhoods found east of the highway.

### *Cul-de-sac Turnarounds*

For purposes of safer and more efficient vehicular circulation and for improved stormwater drainage, it is recommended that cul-de-sac turnarounds be considered for the following streets:

- Carey Avenue
- Van Blitz Avenue
- New Street
- Sunset Avenue
- Poplar Street
- Oak Street
- Summit Avenue



Any future improvements to these streets should be consistent with the design guidelines found in the Residential Site Improvement Standards (RSIS).

### *Right-of-Way Vacations*

The following right-of-ways indicated on the CIRCULATION PLAN map are recommended to be vacated as any development of these lands appears unlikely due to environmental constraints such as steep slopes and that the existing and anticipated pattern of development renders these right-of-ways undevelopable.

- Stub across from Dean Avenue, along Siek Road
- Ward Avenue, north of High Street
- Fairview Avenue, north of High Street
- Carey Avenue, length of last lot along right-of-way
- Stub at end of Manning Road/intersection with Second Street
- Remaining portion of Wood Avenue between railroad and river

### *Public Parking*

In an effort to revitalize the commercial uses found along Main Street within the central business district, the expansion and enhancement of public parking for the retail business uses are recommended. Specific recommendations include:

1. Within the North Main Street Redevelopment Area, future development should include provisions for a public parking facility to serve the local businesses found within the CBD area of the Borough
2. Further study should be performed of the benefit vs. cost of a public parking facility located along South Main Street.

### *General Plan Recommendations*

In general, the circulation plan recommends that the existing roadways found within the Borough continue to be utilized. The Borough should continue the current practice of identifying those roads which require general upgrading and



# INFORMATIONAL LAYERS

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# NJ DEPARTMENT OF COMMUNITY AFFAIRS

## OFFICE OF SMART GROWTH

This prepared by the New Jersey Office of Smart Growth Map was developed in part using digital data from the NJ Department of Environmental Protection, NJ Department of Transportation, NJ Department of Agriculture, Council On Affordable Housing, and the Pinelands Commission, New Jersey State Plane Coordinate System, North American Datum 1983 (NAD83), GCS: NAD83 - 11

### Pinelands Management Areas - 7-03

- State Designated Pinelands Area
- Pinelands Regional Growth Area
- Pinelands Town
- Pinelands Village
- Pinelands Rural Development Area
- Pinelands Agricultural Production Area
- Pinelands Special Agricultural Area
- Pinelands Forest & Preservation Area
- Pinelands Military & Federal

### Civil Divisions, Roads, etc.

- Municipal Boundary
- County Boundary
- CAFRA Boundary
- Interstate & Toll Roads
- US & State Roads
- Rail Lines & Converter Stations

### State Plan Centers

- U - Urban Center
- R - Designated Regional Core
- T - Designated Town
- V - Designated Village
- H - Designated Hamlet

- Node
- Core
- Extended Plan
- Center

### Planning Areas

- Metropolitan and Suburban Planning Area
- Fringe and Rural Planning Area
- Rural/Env. Sensitive, Env. Sensitive and Env. Sensitive/Island Planning Area

### Farmland Preservation Priority/Classifications - DRAFT

- Preserved Farmland (NJ State Agriculture Development Committee)
- Priority 1 & 2 - Farmland Outside Sewer Service Area (Wastewater Management Plan)
- Priority 3 & 4 - Farmland Within Future Sewer Service Area (WMP)
- Priority 5 & 6 - Farmland Within Existing Sewer Service Area (WMP)

### NJDOT RTP & Capital Plans/Programs

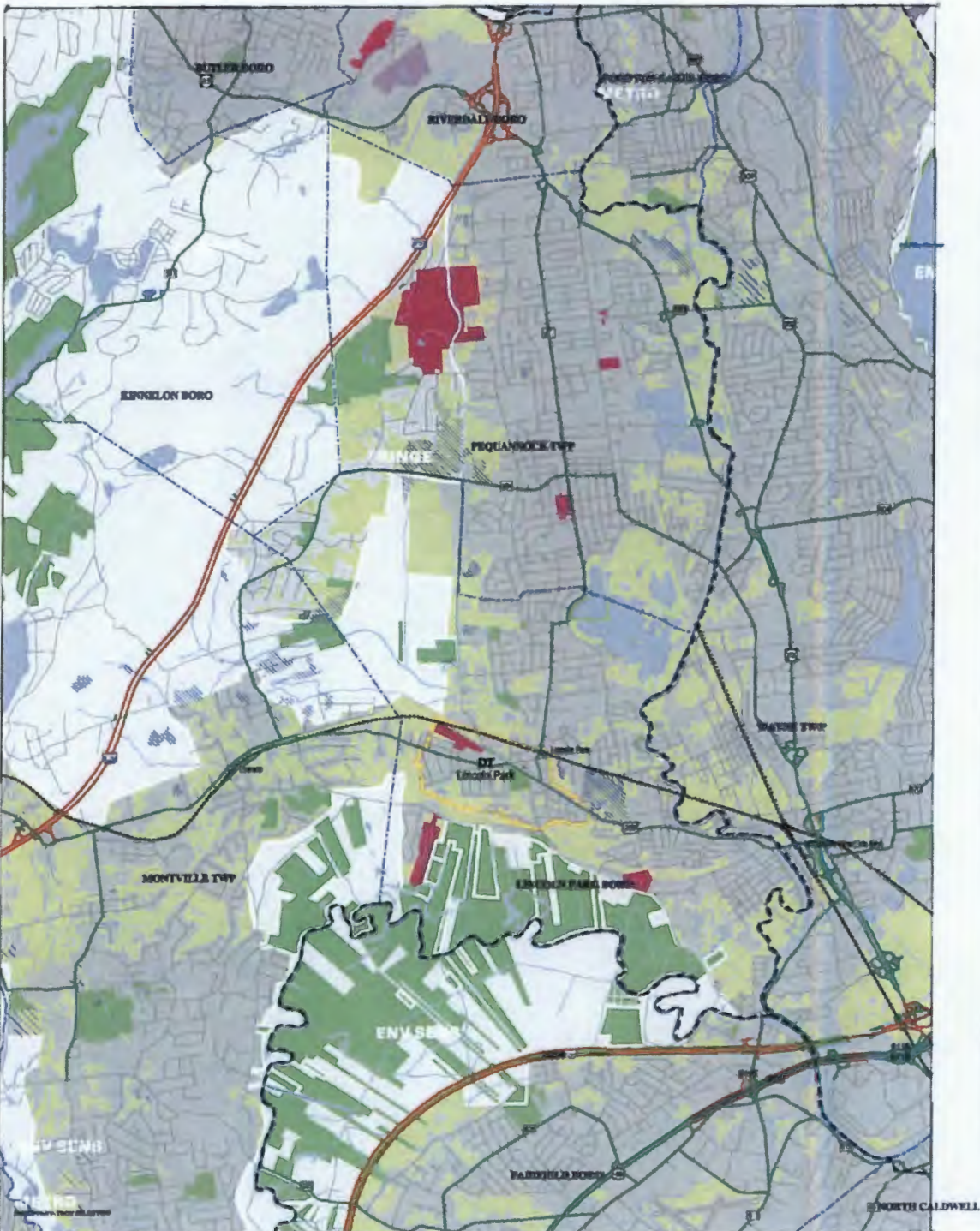
- System Expansion
- System Preservation
- Congestion Management
- Intermodal Program
- Environmental Program
- Bridge Projects/Preservation
- Project ID

### RUDEP Overlay

- Environmental Information
- Parks & Open Space

### COA Sites

- Built
- Zoned or Planned



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POMPTON PLAINS, NJ

SCALE 1:24,000



December 3, 2003

www.NJSmartGrowth.com



reconstruction. Circulation improvements will require careful evaluation so as to not compromise the existing residential character of the Borough.

Roadway improvements in general are functions of either local, county or state governments. Other than where new streets are created as a result of new subdivision and construction, the Borough should actively pursue Federal, State and County funds in order to undertake road improvements where deemed necessary. Various funding sources available include Intermodal Surface Transportation Efficiency Act (ISTEA) and Community Development Block Grants.

### **Public Transportation**

An important consideration relating to traffic and circulation is the availability of public transportation. General public transportation in Butler is limited to two New Jersey Transit bus routes. One of these routes is NJT #194, a local and New York City Midtown route, which extends along Route 23, Boonton Avenue and South Main Street. This route provides both weekday and weekend service.

The other New Jersey Transit bus route is NJT #75, and is a weekday only, local bus route. This route also follows the Route 23 and Boonton Avenue corridors. Two park and ride facilities are also provided by New Jersey Transit, the first is located within the Borough along Route 23 near the Cascade Way pedestrian overpass, while the second is located behind Butler Bowl off of Route 23, but is located in the Borough of Kinnelon.

Butler is also served by the Morris Area Paratransit System (MAPS). The Borough is located within the northeast service region of the county. This bus and van service provides transportation for Morris County residents who are over 60 years of age and/or are those with physical disabilities. Transportation is arranged by reservations at a reduced cost.



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- System Preservation
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- Intermodal Program
- Environmental Program
- Bridge Projects/Preservation
- 999 Project ID

### RUDEP Overlay

- Environmental Sensitive
- Parks & Open Space

### COAH Class

- Built
- Zoned or Planned



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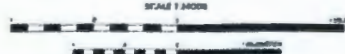
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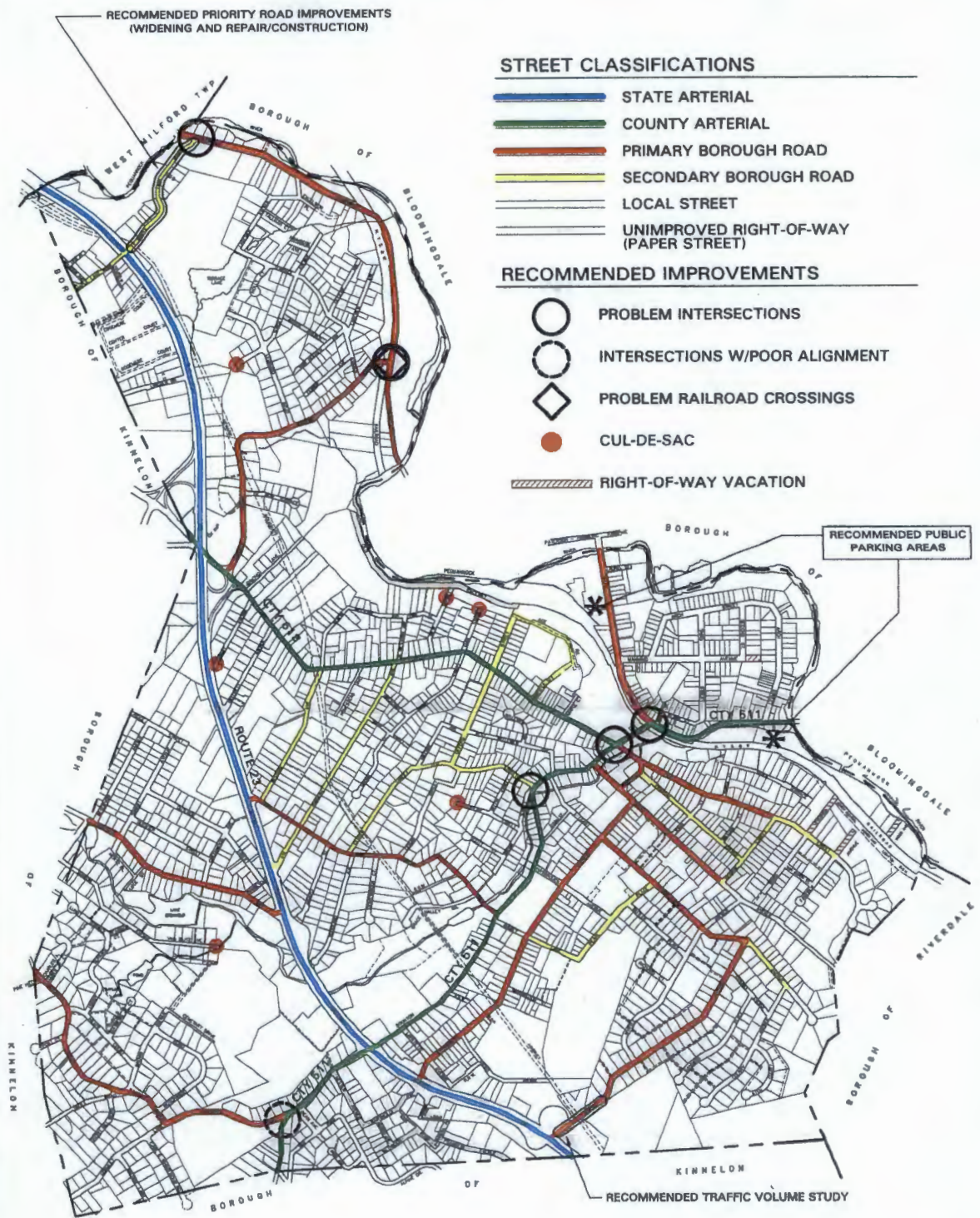




## **Pedestrian Circulation**

The CIRCULATION PLAN-PEDESTRIAN CIRCULATION map indicates the existing sidewalks found in the Borough, and the proposed areas which should be considered for future sidewalk expansion. For reference purposes, public and semi-public lands have also been indicated to reflect the network of sidewalks from the residential neighborhoods to schools, parks, church properties and similar facilities.

As shown, sidewalks are found in much of the residentially developed areas of the Borough. Future improvements and additions should be installed where necessary to provide safe and efficient pedestrian access between residential neighborhoods and the existing and future commercial developments and to public places. Where new residential development occurs, sidewalks in conformance with RSIS standards should be provided for.

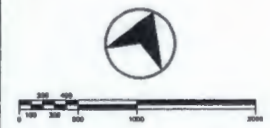


# CIRCULATION PLAN

## STREET CLASSIFICATION AND PROPOSED IMPROVEMENTS

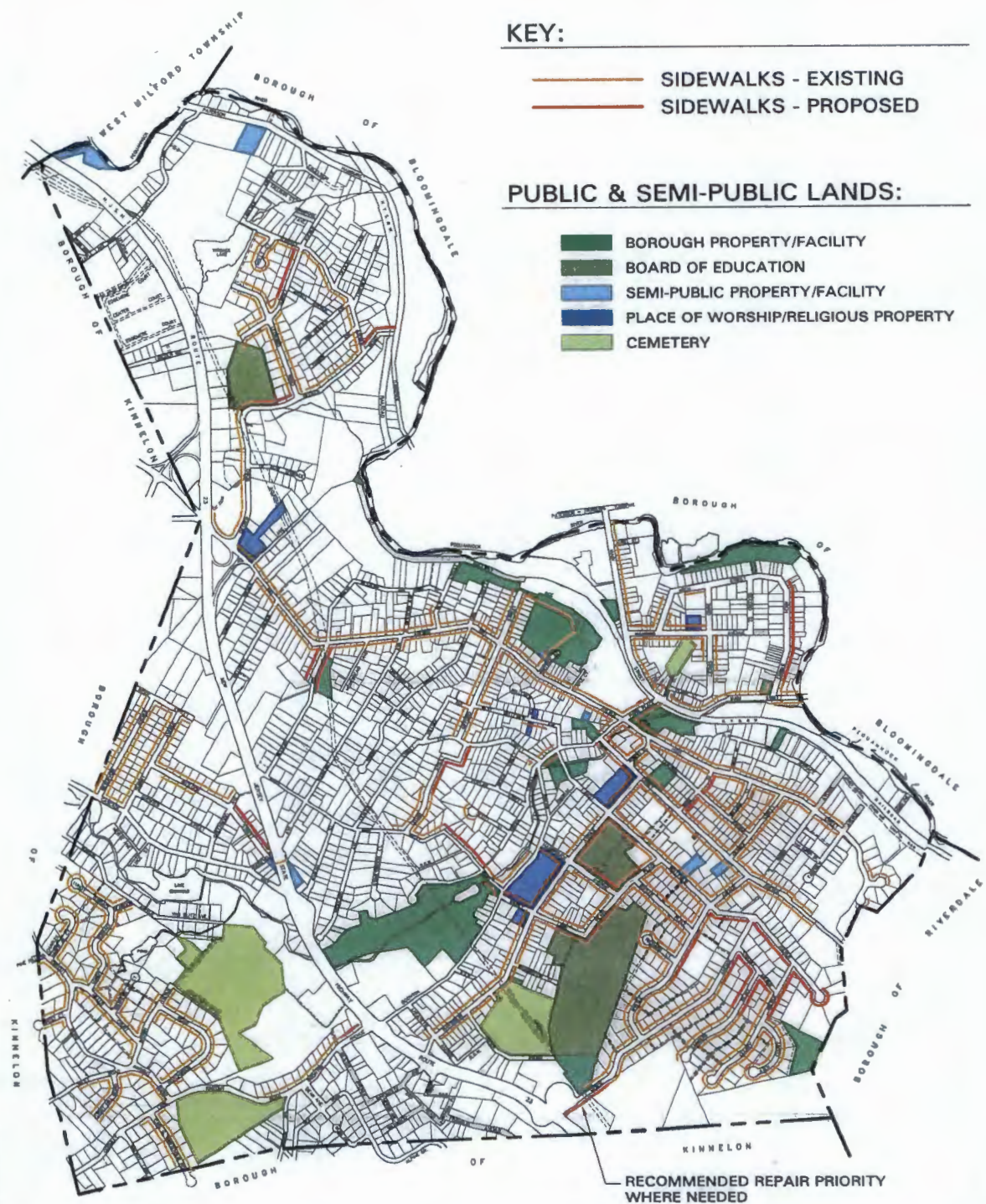
BOROUGH OF  
**BUTLER**  
 MORRIS COUNTY, NEW JERSEY

AUGUST, 2004



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
 CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY  
BASE MAP REVISED PER TAX MAP, MARCH, 2000










**KEY:**

-  SIDEWALKS - EXISTING
-  SIDEWALKS - PROPOSED

**PUBLIC & SEMI-PUBLIC LANDS:**

-  BOROUGH PROPERTY/FACILITY
-  BOARD OF EDUCATION
-  SEMI-PUBLIC PROPERTY/FACILITY
-  PLACE OF WORSHIP/RELIGIOUS PROPERTY
-  CEMETERY

RECOMMENDED REPAIR PRIORITY WHERE NEEDED

 UNIMPROVED RIGHT-OF-WAY (PAPER STREET)



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY  
BASE MAP REVISED PER TAX MAP, MARCH, 2000

# CIRCULATION PLAN PEDESTRIAN CIRCULATION

BOROUGH OF  
**BUTLER**  
MORRIS COUNTY, NEW JERSEY

AUGUST, 2004

COMMUNITY FACILITIES PLAN 9.0



## **COMMUNITY FACILITIES PLAN**

The Community Facilities Plan Element examines the existing public facilities in the Borough of Butler, as well as the future needs for public facilities. In addition to providing for future open space and recreation, current capital improvements include upgrading the existing library and the construction of a new recreation center. This Master Plan does not envision the need for additional major capital intensive improvements to Borough-owned facilities in the near future. This presumes and emphasizes the need for adequate maintenance of existing facilities.

The COMMUNITY FACILITIES PLAN map indicates the type and location of all public or semi-public lands in the Borough of Butler. Three categories of land are presented: Borough property (lands and facilities); Board of Education lands; and Semi-public properties and facilities.

Borough Owned Land and Facilities includes those lands improved for public use except for public schools. The municipal building, library, public works facility, fire houses and parking lots are all examples of this category. This category also includes all vacant lands owned by the Borough.

Board of Education Land includes all the public schools in Butler, as well as the school related athletic facilities.

Public and Semi-Public Lands are those properties which are used by a significant portion of the general public for purposes which compare with those often provided by governmental agencies, but which are not owned and/or maintained by governmental entities. Examples of this category include churches, private schools, philanthropic institutions, youth organizations, etc.

## **Existing Facilities**

### **Municipal Building**

The Borough municipal building is located at 1 Ace Road and houses the administrative offices. The departments that operate from the municipal building include administration, tax, construction, planning and zoning, municipal court, board of health, the municipal electric and water utility offices, and accounts payable/receivable.

The municipal building is a multi-purpose facility that serves not only municipal office and operating functions but provides a focal point for a wide variety of community programs. In addition to the administrative uses, the building also houses the Borough Public Library

At the time of this writing, the Municipal building is undergoing interior modifications to expand and improve the various administrative departments. It is anticipated that there will be adequate space available for municipal services as a result of the improvements for the near future.

### **Public Library**

The Borough library is located in the west end of the municipal building at 1 Ace Road. The library covers approximately 2500 sq. feet. Total circulation of all media for 2001 was approximately 51,000 items to about 42,000 patrons. The majority of the media on loan is from the existing stock of the library, with the remainder being brought through interlibrary loans from other Morris County Libraries.

Physical expansion of the library for the foreseeable future is not deemed necessary by the administration. The library is currently undergoing reconstruction to provide for a new air conditioning system. The entire library is also scheduled to be re-carpeted. Any additional expansion will be implemented through extended hours of operation, expanded programs, the use of technology, and computer hardware.



Additionally, the library management will be tying in with the local school libraries as well as offering research services to local businesses.

**Police Department:**

The Police Department moved to its current location at 10 High Street in 1998, following the refurbishment of the former Borough Hall, Courtroom, and Fire Department. Previous to the move, the department worked out of the original Electric Utility offices on East Bellevue Ave.

Proper planning and a design utilizing the input of the Police Department and engineering provided a modern, functional facility that will meet the needs of the Borough and Police Department for many years to come. Volunteers completed the majority of the renovation work.

The building contains two holding areas, a secure "sally port," a booking room, garages for idle patrol cars, a hard evidence vault, and a soft evidence cage. There are locker rooms for the male and female officers, an interrogation/interview room, computer room, an operations office, a communication center, squad room, a traffic division, and a training room that is also used for community affairs. In addition, there are offices for the various other functions of the Police Department, such as; a shift commander's office, an internal affairs room, detective bureau, and a lunch/conference room. Current staffing is at 16 officers, which is sufficient for our current needs. Based on the 2000 population of 7,420 persons, this represents a ratio of one officer per 465 persons.

**Fire Department:**

The Butler Fire Department is comprised of four (4) fire companies housed in two facilities. The Bartholdi Hose Company is located at 98 Bartholdi Avenue. This facility was built soon after St. Anthony's Church donated the property to the Borough in 1904. It houses one fire truck within a single bay, a meeting room, and a kitchen. A new radio room is anticipated to be installed in the near future.

The main facility is located at 26-28 Carey Avenue and was constructed in 1983. At that time the three fire companies moved from the building at 10 High Street. The Carey Avenue building houses the three (3) fire companies. They are Kiel Hook and Ladder, Kinney Hose Co., and Pequannock Hose Co. Each company has 25 firefighters assigned to it. Current staffing is at 96% of the 100 members authorized.

The facility contains five truck bays, offices, a radio room, a meeting/training room, a 120 seat dining room, and a full kitchen. The senior citizens' nutrition center is operated from the dining room.

#### **First Aid Squad:**

The Tri-Boro First Aid Squad is an independent and autonomous organization, incorporated in 1939, and is comprised of volunteer members that serve the communities of Butler, Bloomingdale, and Kinnelon. Operating and maintenance funding is through donations and fund drives.

The facility, located on Morse Ave., was built in 1970. The structure has 4 bays for rolling equipment, 3 ambulances and 1 rescue truck. It also has a meeting room and storage room.

There are currently 30 active members on the squad, half of which can respond most of the time when needed. The other half are not available during normal working hours. Optimum staffing would be 30 to 40 members that could respond whenever called upon.

The squad recently added three new vehicles (2 ambulances and a rescue truck), however, the squad would like to expand the building 10 - 15 feet to accommodate the new wider trucks. The new trucks will fit the bays when the mirrors are folded, but just barely.



## **Public Works**

### **Water and Sewer Departments**

The water treatment plant, along with the dam, has recently been upgraded to meet the needs of the customers and all government requirements of quality and safety. A two million gallon a day surplus capacity is available to serve future needs. The current infrastructure of pipes is in good repair, with exception of a minimal amount of small caliber pipes that need upgrading. Staffing for both departments is sufficient at this time.

The current capacity of the sewer system is adequate for our current needs. However, depending on the type of future development, the Borough's allotted capacity may become an issue. The Sewer Department is in the process of upgrading and repairing the Main Street line. The department is currently re-lining and re-grouting some lines to minimize storm water infiltration.

### **Electric Company**

The municipally owned Butler Electric Company serves approximately 14,000 customers in Butler, Bloomingdale, Kinnelon, and parts of West Milford and Riverdale.

During the '60's, a switching substation was added behind 10 High Street that was powered by a Jersey Central Sub Station. Butler Electric built its own sub station at 10 High Street in the '70's. An upgrade during the '80's saw the primary distribution voltage increased to 13,200 volts. During the '90's deregulation of wholesale power allowed Butler Electric to shop for power and sign up for lowest electric rates among state regulated utilities. In 2002, Butler started construction of a second sub station that will effectively double the utility's capacity. This construction has subsequently been completed and the utility now has the capacity for up to 30,000 customers. The increased capacity is planned to

meet the areas growth needs for the next 20 years. Additionally, the old police station has been reconverted back to the Electric, Power & Light Utility offices.

A listing of Borough lands and facilities are indicated within the table below.

**Town Owned Land and Facilities – 47.78 acres Total**

A.	Butler Municipal Bldg/Library	4.36 acres
B.	Butler Senior Housing	3.02 acres
C.	Department of Public Works	1.39 acres
D.	Butler Police Dept. & Park	1.81 acres
E.	Butler Fire Dept.	1.03 acres
F.	Bartholdi Hose Co. #2	0.17 acres
G.	Tri-Borough First Aid Squad	2.42 acres
H.	Butler Museum	0.34 acres
I.	Butler DPW Material Storage	2.05 acres
J.	Playground (Western Ave)	1.25 acres
K.	Parking Lot (Boonton Ave)	0.83 acres
L.	Borough (Habitat for Humanity)	0.27 acres
M.	Borough Vacant (Raceway)	0.25 acres
N.	Borough Vacant (Aten Ct.)	2.44 acres
O.	Borough Vacant (Carey Ave)	0.06 acres
P.	Borough Vacant (Arch St.)	3.43 acres
Q.	Stony Brook Park	20.85 acres
R.	Recreation Center	0.96 acres

**Board of Education**

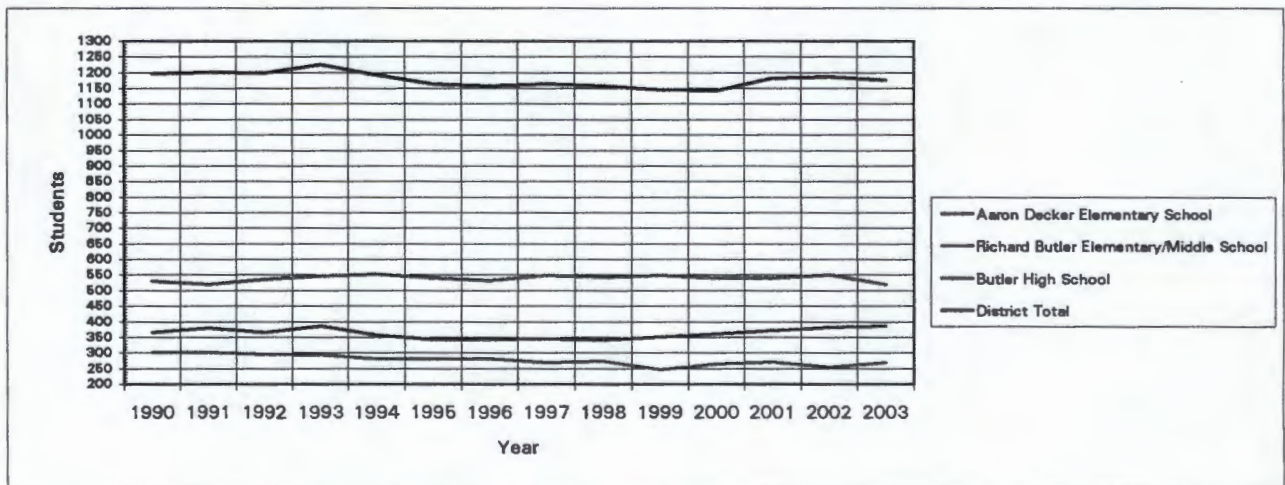
As shown on the following table, over the thirteen (13) year period since 1990, overall public school enrollment has remained somewhat static, with only a 21 (-1.75%) student decline since 1990. However, as shown by the enrollment figures by school, as through the 2003-2004 school year, pre-school to 4<sup>th</sup> grades at the Aaron Decker School have increased by 20 students, or 5.46%, where the Richard Butler School (grades 5-8) experienced a decline in enrollment of 32 students, or almost 11%. Butler High also experienced a slight decrease of 9 students during this same time period.



**ENROLLMENT BY SCHOOL & GRADE, 1990 - 2003**  
**Borough of Butler**

School Year	School				DISTRICT TOTAL (All Students)
	Aaron Decker Elementary School (Grades PSD - 4)	Richard Butler Elementary/Middle School (Grades 5 - 8)	Butler High School All Students (Grades 9 - 12)	Butler High School (Borough Students Only)	
<b>1990</b>	366	302	530	267	<b>1198</b>
<b>1991</b>	380	302	520	280	<b>1202</b>
Change, 1990-91	14	0	-10	13	4
Change (%)	3.83	0.00	-1.89	4.87	0.33
<b>1992</b>	366	297	537	305	<b>1200</b>
Change, 1991-92	-14	-5	17	25	-2
Change (%)	-3.68	-1.66	3.27	8.93	-0.17
<b>1993</b>	387	294	546	300	<b>1227</b>
Change, 1992-93	21	-3	9	-5	27
Change (%)	5.74	-1.01	1.68	-1.64	2.25
<b>1994</b>	357	283	554	303	<b>1194</b>
Change, 1993-94	-30	-11	8	3	-33
Change (%)	-7.75	-3.74	1.47	1.00	-2.69
<b>1995</b>	343	282	540	293	<b>1165</b>
Change, 1994-95	-14	-1	-14	-10	-29
Change (%)	-3.92	-0.35	-2.53	-3.30	-2.43
<b>1996</b>	344	282	532	279	<b>1158</b>
Change, 1995-96	1	0	-8	-14	-7
Change (%)	0.29	0.00	-1.48	-4.78	-0.60
<b>1997</b>	346	270	549	268	<b>1165</b>
Change, 1996-97	2	-12	17	-11	7
Change (%)	0.58	-4.26	3.20	-3.94	0.60
<b>1998</b>	341	274	543	272	<b>1158</b>
Change, 1997-98	-5	4	-6	4	-7
Change (%)	-1.45	1.48	-1.09	1.49	-0.60
<b>1999</b>	351	248	548	277	<b>1147</b>
Change, 1998-99	10	-26	5	5	-11
Change (%)	2.93	-9.49	0.92	1.84	-0.95
<b>2000</b>	363	266	541	265	<b>1170</b>
Change, 1999-00	12	18	-7	-12	23
Change (%)	3.42	7.26	-1.28	-4.33	2.01
<b>2001</b>	373	271	540	260	<b>1184</b>
Change, 2000-01	10	5	-1	-5	14
Change (%)	2.75	1.88	-0.18	-1.89	1.20
<b>2002</b>	383	255	550	271	<b>1188</b>
Change, 2001-02	10	-16	10	11	4
Change (%)	2.68	-5.90	1.85	4.23	0.34
<b>2003</b>	386	270	521	258	<b>1177</b>
Change, 2002-03	3	15	-29	-13	-11
Change (%)	0.78	5.88	-5.27	-4.80	-0.93
<b>Change, 1990-03</b>	<b>20</b>	<b>-32</b>	<b>-9</b>	<b>-9</b>	<b>-21</b>
<b>Change (%)</b>	<b>5.46%</b>	<b>-10.60%</b>	<b>-1.70%</b>	<b>-3.37%</b>	<b>-1.75%</b>

Source: Butler Public Schools



During the 1990 to 2003 period, the greatest district increase occurred during the 1993 school year, where district enrollment increased a modest 2.25%, where alternatively, the 1994 school year witnessed the greatest district loss of 2.69%.

While education is the primary mission of the public school system, the school facilities are also used for several other functions, including community recreation and cultural activities and meeting space for various community groups. The following comments are made concerning the school facilities:

1. Based on the existing and future pattern of development within the Borough, it is the Board of Education's responsibility to determine the best way to redraw district boundaries so as to better achieve more balanced enrollments at the elementary and secondary levels.
2. It is proposed to continue the practice of using school facilities for organized recreation activities, and to make the buildings available for community groups.

Within the Borough, the following properties are owned by the Board of Education:

**Board of Education Land – 33.78 acres Total**

A. Aaron Decker Elementary School	6.11 acres
B. Richard Butler Elementary School	20.52 acres
C. Butler High School	7.15 acres

**Other Semi-Public Lands**

The following table indicates the remaining semi-public lands found within the Borough.

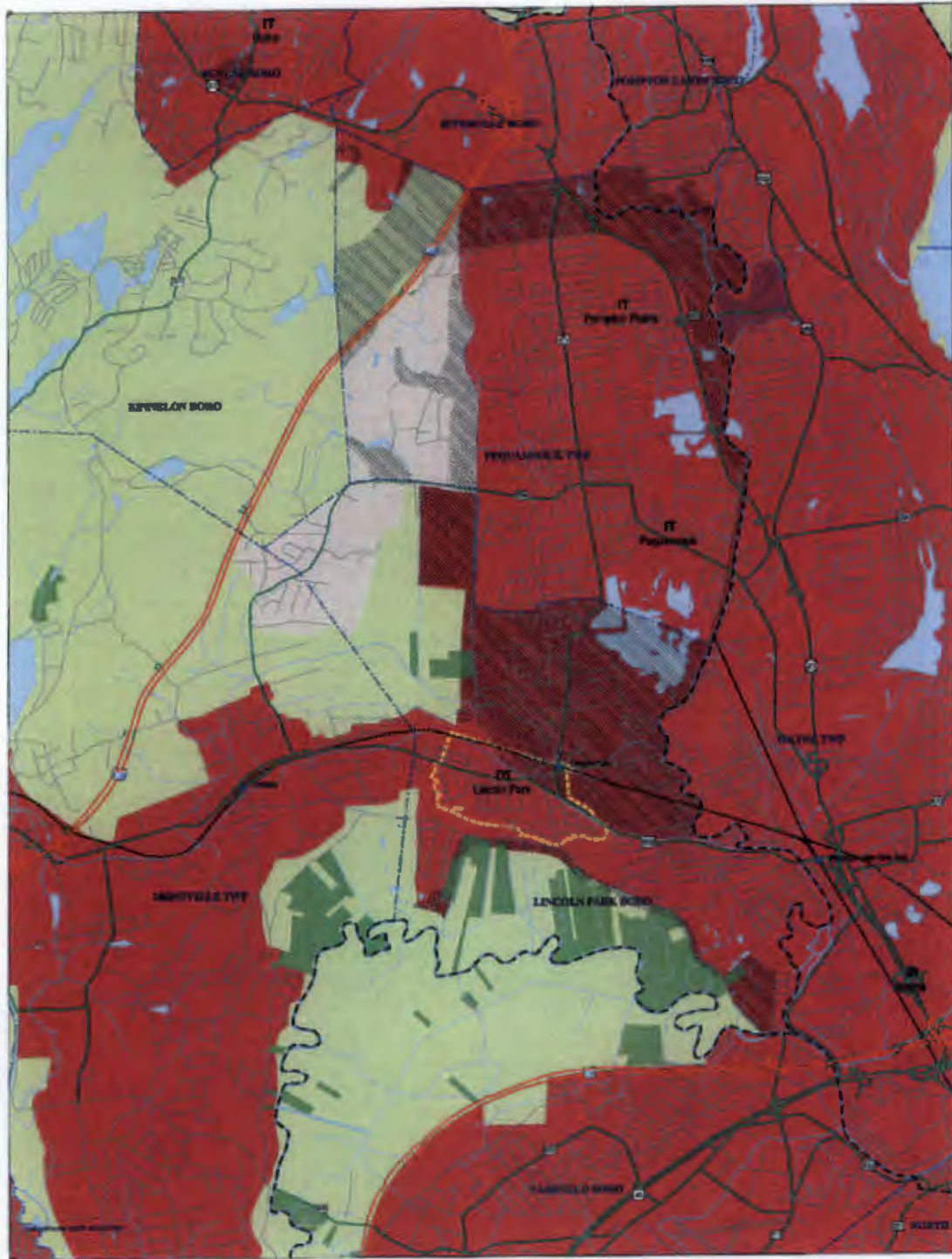


# POLICY MAP of the New Jersey State Development and Redevelopment Plan

The State Plan is not itself a regulation but a statement of State policy that has been adopted by the State Planning Commission pursuant to statute to guide State, regional and local agencies in the exercise of their statutory authority.

**NEW JERSEY  
STATE PLANNING COMMISSION  
May 12, 2003**

Map prepared by the New Jersey Office of State Planning. Map was developed in part using digital data from the New Jersey Department of Environmental Protection, New Jersey Department of Transportation and the New Jersey Pinelands Commission. New Jersey State Plane Coordinate System, North American Datum 1983 (NAD83). = Denotes NAD27



- |                                      |                             |                                |                                |   |
|--------------------------------------|-----------------------------|--------------------------------|--------------------------------|---|
| Urban Complex                        | Parks & Natural Areas       | Endorsed Plan                  | U - Urban Center               | State Designated Pinelands Area - (12-00) |
| Metropolitan Planning Area           | Military Installations      | Center                         | R - Designated Regional Center | Pinelands Regional Growth Area            |
| Suburban Planning Area               | Hackensack Meadowlands      | Municipal Boundary             | P - Proposed Regional Center   | Pinelands Town                            |
| Fringe Planning Area                 | Water                       | County Boundary                | I - Identified Regional Center | Pinelands Village                         |
| Rural Planning Area                  | Critical Environmental Site | CAPRA Boundary                 | T - Designated Town            | Pinelands Rural Development Area          |
| Rural/Env. Sensitive Planning Area   | Historic & Cultural Site    | Interstate & Toll Roads        | P - Proposed Town              | Pinelands Agricultural Production Area    |
| Env. Sensitive Planning Area         | Needs                       | US & State Roads               | I - Identified Town            | Pinelands Special Agricultural Area       |
| Env. Sens./Barrier Is. Planning Area | Care                        | Rail Lines & Commuter Stations | V - Designated Village         | Pinelands Forest & Preservation Area      |
|                                      |                             |                                | P - Proposed Village           | Pinelands Military & Federal              |
|                                      |                             |                                | I - Identified Village         |   |
|                                      |                             |                                | H - Designated Hamlet          |   |
|                                      |                             |                                | P - Proposed Hamlet            |   |
|                                      |                             |                                | I - Identified Hamlet          |   |

I certify that this quadrangle of the State Plan Policy Map was adopted and approved by the New Jersey State Planning Commission on May 15, 2002

*Carlos Rodriguez*  
Carlos Rodriguez, Acting Secretary



**POMPTON PLAINS, NJ**  
29

**Other Public and Semi-Public Land – 63.40 acres Total**

*Cemetery – 48.51 acres Total*

A.	Mount Rest Cemetery	10.00 acres
B.	Mount Holiness Memorial Park	26.06 acres
C.	Brown Cemetery	1.00 acres
D.	Mount Calvary Cemetery	10.12 acres
E.	Butler Cemetery (Manning Ave)	1.33 acres

*Places of Worship – 10.04 acres Total*

A.	Church of the Nazarene	2.13 acres
B.	Pompton Valley Christian Church	0.28 acres
C.	United Methodist Church	1.91 acres
D.	United Methodist Church	0.60 acres
E.	St. Anthony's Parish Center, Monastery, Church & School	4.60 acres
F.	First Assembly of God Church	0.52 acres

*Other – 4.85 acres Total*

A.	Knights of Columbus	1.42 acres
B.	City of Newark Water (Route 23)	1.65 acres
C.	VFW	0.46 acres
D.	Silentia Lodge (F&AM)	0.33 acres
E.	Community Outreach	0.26 acres
F.	State of New Jersey (Walkway)	0.58 acres
G.	American Legion	0.15 acres

**Other Needs:**

Although the Borough currently has approximately 49 acres of recreational and open space land, there is a need for additional recreation facilities that would serve to relieve the overuse of the existing fields. The Borough recently completed



construction of a new, two-million dollar recreation center located off of Mabey Lane.

Guidelines established by the National Recreation and Parks Association (NRPA) represent recommended minimum standards used to determine the recreational needs of a community. This standard, which is based on the overall community population ranges between 6.25 to 10.5 acres of developed (active) open space per 1,000 residents. The following table indicates the recommended minimum acreage for active (playgrounds, football/soccer/baseball fields, etc.) recreational facilities for the Borough, based on the 2000 Census population of 7,420 persons:

<u>Type of Park</u>	<u>Acres per 1,000 Population</u>	<u>NRPA Requirement</u>
Mini-Park	0.25 - 0.50	1.9 - 3.7 acres
Neighborhood Parks or Playgrounds	1.0 - 2.0	7.4 - 14.8 acres
Community Parks	5.0 - 8.0	37.1 - 59.4 acres
<b>TOTAL:</b>	<b>6.20 - 10.50</b>	<b>46.4 - 77.9 acres</b>

In addition to the active recreation/open space needs, passive open space, or undeveloped areas left in their natural state are also desired. The general planning guideline for passive open space is 15 acres per 1,000 residents, or in the case of the Borough of Butler, a minimum of approximately 111 acres would be desirable.

Based on the above recommended minimum areas, approximately 157 to 189 acres total of active and passive open space lands should be provided. Based on the developed nature of the Borough, and the limited amount of vacant land available, it is anticipated that this level of open space cannot be achieved. It is therefore the recommendation of this plan to where practical, the Borough should consider acquiring lands for providing additional open space, both passive, and where appropriate, active recreation. Included within this plan, is the recommendation for passive recreation (walking paths/open space) along the Pequannock River. Acquisition of lands, as they may become available is recommended. Open space easements on larger lots and/or parcels could also be provided.

## **Methods of Open Space Acquisition (Funding)**

A number of acquisition methods are available to Borough planners. These tools include:

**Purchase in Fee Simple** - The purchase of land at fair market value, where the purchaser (in this case the Borough, other Government agency or land trust) possesses all rights to the land, unencumbered by any restriction. Sale of property reduces the owner's tax base and reduces estate taxes.

**Conservation Easement** - The land remains in private ownership, but the government agency or land trust acquires certain appropriate rights, such as development rights. These are called easements. This preserves private ownership while promoting a public goal. A conservation easement is a legal document and is affixed to the deed such that the limits are placed on the property for all time in the future. The easement can be tailored specifically to the property.

### **Financial Tools**

There are a number of financial tools available to the Borough for the purchase of properties in fee simple, or for the purchase of conservation easements. These tools include:

**Donations** - Receiving donations of land or easements is more desirable than purchasing it outright. During subdivision and/or site plan review, local government can encourage applicants to donate land or conservation easements.

**Direct Purchase** - Tools that support the ability to purchase land or development rights are:

1. Issuance of a bond. The issuance of a bond by the Borough, specifically designated for the purchase of Open Space.
2. Grants from Morris County. The process starts each year with an application to the Morris County Open Space and Farmland Preservation Trust Fund Committee. The process takes about six months and awards are given based on the merit of the request.



3. Grants from New Jersey State. The Borough may request funding from the New Jersey Green Acres program for the funding of open space. In the past these Green Acres grants consisted of a grant of 25% of the requested amount and a 75% loan at a low percentage. At this time, there are no funds available and the state is identifying appropriate funding mechanisms for the future.



# COMMUNITY FACILITIES

## BOROUGH OF BUTLER

MORRIS COUNTY, NEW JERSEY

AUGUST, 2004



PREPARED BY ROBERT CATLIN AND ASSOCIATES  
CITY PLANNING CONSULTANTS, DENVER, NEW JERSEY  
BASE MAP REVISED PER TAX MAP, MARCH, 2000



UTILITY PLAN 10.0

## **UTILITY PLAN ELEMENT**

Adequate utility infrastructure is essential to the support of land use and development. Land use planning must take into consideration and be consistent with existing and proposed utility facilities. The two utility systems most frequently generating concern in developing a realistic land use plan are water supply and sewage disposal systems.

While maintenance, repair and general improvements are ongoing to these systems, no major extensions, expansions or improvements to the Borough utility systems are proposed by this Plan. Through a five-year capital improvement program, the Borough, in conjunction with the Borough Engineers office, identifies utility problems and prepares the appropriate repairs and expansions.



**RECYCLING PLAN 11.0**

## **RECYCLING PLAN ELEMENT**

On April 20, 1987, Governor Kean signed into Law the New Jersey Statewide Mandatory Source Separation and Recycling Act. This legislation recognizes that the disposition of solid waste has become an increasing problem and one of the most serious problems facing each municipality in the State. It outlines a recycling program which has been described as the most comprehensive in the nation. The statute stipulates, among other provisions, the following municipal obligations:

1. Designate a recycling coordinator;
2. Provide for a collection system of recyclable materials;
3. Adopt a municipal recycling ordinance;
4. Revise the municipal Master Plan which shall include provisions for the collection, disposition and recycling of recyclable materials; and
5. Revise the Land Use Ordinance requiring site plans and subdivisions to conform with the recycling ordinance.

Specifically, Chapter 102 of the Laws of 1987 provides that the governing body of each municipality shall conduct a review and make necessary revisions to the Master Plan and development regulations of the community following adoption of an ordinance requiring mandatory source separation within the municipality.

The legislation further provides that, "The revised Master Plan shall include provisions for the collection, disposition and recycling of recyclable materials designated in the municipal recycling ordinance adopted pursuant to subsection b. of this section, and for the collection, disposition and recycling of designated recyclable materials within any development proposal for the construction of 50 or more units of single-family residential housing or 25 or more units of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land."



The Borough of Butler is presently participating in the recycling of various portions of the solid waste generated within the Borough. In 1988, a Recycling Element of the Master Plan and ordinance amendment to the Land Development Ordinance was drafted and subsequently adopted by the Borough Council. Items being recycled include newspaper, glass, aluminum, cardboard and yard waste such as grass, brush and leaves. The Plan proposes that the Borough recycling programs be continued with continued emphasis on residential and limited commercial services.

The Recycling Plan for Butler includes the following basic features:

1. Residents are required to recycle newspaper, glass, aluminum and steel cans, plastic bottles, cardboard, mixed paper, and other yard waste (collectively termed recyclables) from all other solid waste and to segregate such for curbside pickup.
2. Non-residential commercial uses are required to separate corrugated cardboard, mixed paper, glass, newspaper, plastic bottles, aluminum and steel cans for recycling.
  - a. All institutional and commercial uses that are outside the Main Street/Central Business District shall be responsible for establishing their own recycling programs for the collection, transportation and marketing of designated recyclable materials.
  - b. In the case of multi-generator buildings, such as office buildings with more than one (1) tenant, the owner or manager of the property, as well as the generator, shall be responsible for compliance with the Borough's mandated recycling requirements.
3. Recycling Goals.

The Borough of Butler has accepted the State Policy directive of recycling rates of municipal solid waste, and shall maintain its recycling goals by:

- a. Providing a curbside program for pickup of specified residential-generated recyclables.
- b. Collecting yard waste and grass clippings during the season.
- c. Advising all sectors (residential, commercial and institutional) of their recycling responsibilities and enforcing the provisions of this Chapter as necessary.

This Plan proposes that the Borough recycling programs be continued, and where possible, be expanded to increase participation by residential, and the various commercial and institutional uses. Additional recommendations include that within the retail commercial portions of the Borough, particularly within the central business district area, public recycling containers would be useful as they relate to the continuing recycling efforts.

With the adoption of this Recycling Element, it can be stated that the Master Plan of the Borough of Butler is consistent with the district solid waste management plan pursuant to the provisions of the "Solid Waste Management Act," P.L. 1970, c.39 of Morris County.