

Amending the land use ordinances for canopy

Comment on the 2026 Master Plan Reexamination Report — proposed amendments to Chapters 281, 301 and 42 governing tree requirements, planting standards, and spacing on site plans, subdivisions, and redevelopment plans

To: Janice Talley, Director of Community Development and Planning, and members of the Montclair Planning Board and Zoning Board of Adjustment

From: Anna Grossman, Sustainable Montclair · sustainablemontclair@gmail.com

Date: September 2026

IN PLAIN TERMS

What this comment asks. That the Reexamination Report direct seven specific amendments to the ordinances that govern trees on development applications — Chapter 281, Site Plan Review, and Chapter 301, Subdivision of Land. Each amendment is identified below by the section it would change. Together they would set how many trees a plan must provide, how far apart they stand, how much soil each one gets, and how large a species must be chosen.

Why it is needed. Montclair has committed to a canopy target. The rules that decide what actually gets planted were written in 1980 and 2011, before that commitment existed, and they now pull against it. Large street trees must be spaced 40 feet apart — wider than New York, Portland or Charlotte require. The standard planting strip is about five feet, at the bottom of the range published guidance considers adequate for a large tree. The two chapters give conflicting rules for the same trees, and one of them lets the Board require no street trees at all. Nothing ties the number of trees to the open ground a plan leaves, and nothing specifies how much rootable soil a tree receives.

Why here. These are ordinance changes, which the Council adopts. The Reexamination Report is the document that directs them, and no later document can supply that direction retroactively.

I submit this comment as an environmental advocate. Sustainable Montclair is an independent grassroots volunteer organization and does not speak for the Township.

Montclair regulates trees on land use applications. The standards sit in Chapter 281, Site Plan Review, adopted in 2011, and Chapter 301, Subdivision of Land, adopted in 1980. Because they exist, what follows asks for amendments rather than a standard built from nothing. Section 1 sets out what the ordinances require today, by subsection. Section 2 proposes the changes, each one naming the section it would amend. The supporting evidence is in the two analyses that follow as Appendices A and B.

1. What the ordinances require today

PROVISION	WHAT IT REQUIRES NOW
§ 281-8.2C(2)(a)	Street tree planting intervals by mature height: large trees (45 ft +) at 40 ft, medium (30–45 ft) at 30 ft, small (under 30 ft) at 20 ft

§ 281-8.2C(2)(b)	Trees may be planted closer together in order to avoid interference with utilities, roadways, sidewalks, sight easements and streetlights; canopy closure is not among the reasons listed
§ 281-8.2C(1)	Street trees on both sides of all streets unless off tract, spaced evenly, between the curb or edge of cartway and the sidewalk or bikeway
§ 281-8.2A(1)(d)	Where only a subdivision is applied for, the minimum standards apply only to street trees and to common open space or land dedicated to the public
§ 281-8.2B(2)	“Every possible consideration” toward retaining standing live trees, emphasis on those over 6 in DBH — placed in a subsection introduced as design guidelines
§ 281-8.2E(1)	Minimum caliper at planting: 3 in large, 2 1/2 in medium, 2 in small
§ 281-9G, 9H	Parking setbacks landscaped; lots of 50 or more cars provide landscaped areas equal to 5% of the paved area — no trees required within them
§ 301-20A	Shade trees of such type, size and intervals as the Planning Board approves, located on the property line
§ 301-20C	Shade trees not required at all where the Board finds existing trees give sufficient foliage; shrubs may be substituted
§ 301-18	Street cross-sections: on a 50 ft street, 5 ft grass strip at the curb, 4 ft sidewalk, 2 ft grass strip behind. The curbside strip is 5 to 5.5 ft at every street width in the table
§ 301-24	Six inches of topsoil stabilized in open areas; no topsoil removed from site
§ 301-37C(4)	Plats show existing trees over 8 in diameter, waivable for undisturbed groups
§ 42-1	At least 70% of trees used in public places to be native — a Township procurement rule, reaching newly procured stock
Chapter 347	No tree or canopy standard. Landscaping appears only as screening and buffer requirements for particular uses

Nothing in any of these ties a required number of trees to the area of ground a plan leaves open, and nothing specifies rootable soil volume.

2. Proposed amendments

A. Spacing — amend § 281-8.2C(2)

Montclair requires large street trees at 40-foot intervals. That ties the widest figure in the set below, and it is the only one of them from which no canopy-based reduction is available. The others space large trees closer than their mature spread on purpose, because the goal is a canopy that closes overhead and shades the ground.

STANDARD	LARGE TREES	NOTE
Montclair § 281-8.2C(2)(a)	40 ft	no reduction permitted for canopy reasons
New York City Parks	20 – 30 ft	closer spacing and grouped plantings encouraged
Portland, OR	18 – 30 ft	by planting strip width
Charlotte, NC — UDO Art. 20	40 ft, reducible to 30 ft	reduction available
9/11 Memorial plaza	about 20 ft	measured by me from published design plans; within rows, rows about 30 ft apart

Proposed: set the interval for large trees at 20 to 30 feet on center; state canopy closure as the design goal; and amend subsection (2)(b) so that closer spacing is permitted not only to avoid utility and sight conflicts but also for grouped plantings and to achieve canopy closure. As written, the flexibility the spacing provision allows runs toward infrastructure conflicts and never toward shade.

B. The two chapters conflict — conform § 301-20 to § 281-8.2, and repeal § 301-20C

On a subdivision, § 301-20A places shade trees on the property line at intervals the Board approves, while § 281-8.2C places street trees between the curb and the sidewalk at fixed intervals. Those are different locations and different rules for the same trees, and an applicant may cite whichever is more favorable. § 301-20C goes further and permits the Board to require no shade trees at all where existing foliage is found sufficient, with shrubs as a substitute.

Proposed: conform § 301-20 to the Chapter 281 standards by cross-reference, and repeal § 301-20C. Retaining existing trees is the better outcome and should be credited as such, but credit for retention belongs in a replacement schedule, not in a provision that substitutes shrubs for the canopy layer.

C. Planting-strip width — amend the § 301-18 cross-sections

Published guidance on how wide a planting strip must be does not speak with one voice. Iowa State Extension holds that a rooting area under four feet should not be planted with any tree, that four to ten feet supports small-stature trees, and that large shade trees need at least ten feet. Charlotte requires an eight-foot minimum planting area. Minneapolis treats five feet as the threshold for a large tree and four to five feet for a small one. Portland will not permit a right-of-way planting site under three feet at all.

Montclair's curbside strip of 5 to 5.5 feet therefore sits at the bottom of that range — adequate for a large tree only on the most permissive standard cited, and short of it on the rest. The strip behind the sidewalk, 2 feet on a 50-foot street, is below every one of them, including Portland's three-foot floor.

The table governs streets built through subdivision rather than the existing right-of-way, so it reaches new streets and any reconstruction designed to it. That is a narrower reach than the rest of this comment, and it is also the only place where Montclair has written down a planting-strip dimension at all.

Proposed: amend the table to set minimum planting-strip width by the mature size of the tree the strip is intended to carry, with ten feet where a large-canopy species is required, and direct the Township Engineer to prepare a standard right-of-way cross-section conforming to it. Width is a design choice among sidewalk width, cartway width and curb extensions — not a condition the Township inherits.

D. Rootable soil volume — add to § 281-8.2

A tree reaches the crown its soil allows. Chapter 281 specifies caliper at planting but sets no soil volume for the ground the tree goes into; § 301-24's six inches of topsoil is a depth for open areas, not a rooting volume for a tree pit.

STANDARD IN FORCE ELSEWHERE	REQUIREMENT
Phoenix Zoning Ordinance § 1309	soil volume set by spacing — 1,000 cu ft at 30 ft, 750 at 25 ft, 500 at 20 ft; no more than 20% of the requirement may be met with structural soil
Raleigh Street Design Manual § 6.18	600 cu ft per street tree

Proposed: a minimum rootable soil volume per tree, scaled to spacing or mature crown projection, with a cap on the share satisfied by structural soil. The word *rootable* carries the provision: structural soil is mostly stone by volume, so without a cap a plan can meet a soil-volume number on paper and deliver a fraction of the usable soil.

E. Count trees against pervious area — amend § 281-8.2C(1) and § 281-8.2A(1)(d)

The required number of trees is presently a function of street frontage: trees spaced evenly along the street at a fixed interval. That measure does not change when a plan pushes the building out, paves more of the rear yard, or leaves a large pervious area empty. And on a subdivision, § 281-8.2A(1)(d) limits the standards to street trees and dedicated land, so nothing requires a tree on the lots the subdivision creates.

Montclair already has the input. For residential uses § 347-20B caps impervious coverage — 55% under 10,000 sq ft, 35% over 25,000, and 55 divided by the square root of lot area between — and the zone districts carry their own impervious surface sections. Every plan therefore states a pervious area on its face, and under § 347-20B the guaranteed pervious share rises with lot size.

ON THE MEDIAN R-1 LOT'S GUARANTEED-PERVIOUS 4,390 SQ FT	GROUND EACH	SPACING
4 trees	about 1,100 sq ft	about 33 ft apart
8 trees	about 550 sq ft	about 23 ft apart
16 trees	about 275 sq ft	about 17 ft apart

Median single-family R-1 lot 9,749 sq ft (2025 MOD-IV, 2,598 parcels). At the density I measured at the September 11 Memorial plaza — from published design plans rather than an as-built survey — that guaranteed pervious ground holds six to seven large trees, and eight to ten on an assumed typical build of about 37% impervious. This is area arithmetic on a legal minimum, not a claim about any particular lot.

Proposed: state the required tree count as a function of pervious area in addition to the street frontage interval, and extend the standards in § 281-8.2A(1)(d) to the lots created by a subdivision. Where grade, utilities, retained trees or drainage reduce what a site can hold, the existing fee in lieu under Chapter 324 resolves the case.

F. Species and mature size — amend § 281-8.2A(1)(g), and § 42-1

Crown area is the square of crown width: a tree maturing to a 60-foot crown covers about 2,800 square feet, a 30-foot tree about 700. A count that treats those as interchangeable lets a plan meet its number with the smallest permitted species and deliver a quarter of the shade. Chapter 281 uses mature size to set its spacing tiers and fixes caliper at planting, but nowhere requires that the larger-canopy species be the one chosen.

On nativity, § 42-1 requires 70% of trees used in public places to be native, but it operates on Township procurement. A developer installing street trees under § 281-8.2C plants on public ground without procuring through the Township, and “public places” is used in § 42-1 without being defined in § 42-2. Meanwhile § 281-8.2A(1)(g) only strongly encourages indigenous species, though it does bar invasives outright — so the Code already says what an applicant may not plant, but not what an applicant must.

Proposed: require species selected for the largest canopy the site will tolerate; carry the 70% native standard into § 281-8.2 as a requirement applicable to applicants; and define “public places” in § 42-2 to include the

right-of-way. Whether this is best done in Chapter 42 or Chapter 281 is a question for the Township Attorney; the substance is the same either way.

G. Retention and Inventory — amend § 281-8.2B(2), § 301-37C(4) and § 281-9H

Retention of live trees sits in § 281-8.2B, a subsection introduced as guidelines to be used when designing the landscape plan, although § 281-8 states that the design principles are minimum standards for approval. That ambiguity, and the phrase “every possible consideration,” leave the Board without a test it can apply or an applicant can fail. Its six-inch emphasis matches the threshold in the draft tree ordinance, while § 301-37C(4) requires plats to show existing trees only above eight inches — so the plan need not depict some of the trees the Board is asked to consider retaining. And § 281-9H asks large parking lots for landscaped area but never for a tree, which leaves the hottest surfaces on a site unshaded by right.

Proposed: move the retention provision from guidelines into the standards; align the plat inventory threshold in § 301-37C(4) with the retention threshold; and require canopy trees within the landscaped area § 281-9H already mandates, excluding vehicle overhang as § 281-9B already does.

3. Redevelopment plans

Redevelopment plans are drafted by the Township itself. Under the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-7(c), a redevelopment plan may supersede applicable provisions of the municipality’s development regulations or constitute an overlay zoning district within the redevelopment area. A redevelopment plan is therefore an instrument in which Montclair can write a canopy standard and have it apply directly, without amending Chapter 281 or 301 first. I leave the application to any particular plan to the Township Attorney, but the Report should direct that every future redevelopment plan carry the tree, spacing and soil standards above.

4. State standards are not a reason to decline

A distinction matters here. For the site improvements the RSIS covers — streets, sidewalks, parking, drainage — N.J.A.C. 5:21-1.5(b) states that the rules are the minimum required for public health and safety and the maximum that may be required in connection with residential development. Cartway and sidewalk dimensions for a developer-built residential street are accordingly State territory, and a municipality seeking to depart from them uses the exception, waiver or special area standard procedures in N.J.A.C. 5:21-3. Trees and landscaping are a different matter.

N.J.A.C. 5:21-1.5(d) provides that nothing in the Residential Site Improvement Standards limits a municipality’s power to establish and enforce requirements concerning the layout, arrangement and location of improvements, shade trees and landscaping under N.J.S.A. 40:55D-38, or the preservation of natural resources and landscaping under N.J.S.A. 40:55D-41. Shade trees are named expressly. The RSIS definition of right-of-way at N.J.A.C. 5:21-1.4 lists a shade tree among the uses a right-of-way exists to hold, and N.J.A.C. 5:21-4.8(c) ties right-of-way width to what the municipal master plan indicates — a further reason for this Report to speak to width.

5. Questions for the Board

- 1 When was § 281-8.2C(2)(a) last reviewed against current arboricultural guidance, and what supported the 40-foot interval for large trees?

- 2 How often has § 301-20C been used to excuse shade trees on a subdivision, and how is “sufficient foliage” determined?
- 3 When a subdivision creates new lots, what requires a tree on those lots?
- 4 Is rootable soil volume specified or checked at review, or only caliper and count?
- 5 Do the Township’s recent redevelopment plans contain any tree, canopy or soil standard?
- 6 Are required trees tracked after approval — planted, and alive at two and five years?
- 7 Has canopy been evaluated block by block? Ziter et al. (PNAS 2019) found the greatest cooling where canopy cover exceeded about 40%, and found the magnitude of daytime cooling greatest at the scale of a city block, so a township-wide average can rise while the hottest blocks do not improve.
- 8 Will the Report direct these amendments with a date certain for adoption?

I am glad to provide any of the underlying sources to the Board or to the Planning Department on request.

Respectfully submitted,

Anna Grossman
Sustainable Montclair
sustainablemontclair@gmail.com

Code provisions are summarized from the Township Code as published on eCode360, current through legislation of July 14, 2026. This is an advocacy organization's reading of the ordinances, not a legal opinion. Provisions of the New Jersey Administrative Code and the standards of Phoenix, Raleigh, Denver, Portland, Charlotte, Minneapolis and New York City are cited by section or document name and were checked against their published text in September 2026. **Appendix A:** “How Close Can Trees Be Planted?” — the 9/11 Memorial measurements and the municipal spacing standards. **Appendix B:** “Room to Replace” — Montclair lot data, spacing standards, and the replacement arithmetic. Full sources for every figure cited above are given in those two sheets.

How Close Can Trees Be Planted?

A built example — the National September 11 Memorial plaza — and what it means for Montclair subdivisions, site plans, and tree replacement.

When a large tree comes down in Montclair, the objection we hear is that replacement trees cannot physically fit — that they would be too close together, crowd each other, and compete for root space. A finished, public, heavily studied landscape answers that objection directly.

The case study

The memorial plaza in Lower Manhattan holds roughly 400 swamp white oaks — a species Montclair also plants — on about eight acres. Measured from the published site plans:

- Trees stand about 20 feet apart within each row, with rows about 30 feet apart.
- Each tree has roughly 620 to 730 square feet of ground.
- That is about 60 to 70 trees per acre.
- The grove covers about 4.6 to 5.4 acres; the two pools take 2.

And the hard part: none of it sits on natural ground. The museum is underneath. The American Society of Landscape Architects calls the plaza “a massive green roof — a fully constructed ecology.” Roughly 40,000 tons of soil were trucked in and placed, and the trees are kept alive by a cistern and about 30 miles of irrigation pipe. A Montclair front or back yard has deeper soil, natural drainage, and no building underneath. If 20-foot spacing works on a roof, the yard is the easier case — not the harder one.

The plaza was designed by architect Michael Arad with the landscape firm Peter Walker and Partners and opened on September 11, 2011. This is not a proposal or a rendering of an idea. It is fifteen years of growth on the ground.



Memorial block, curb to curb: 8.3 acres. Green = grove footprint as measured on this plan (4.6 ac). Blue = reflecting pools (2.0 ac).

What cities actually require between street trees

Standard	Required spacing	Applies to
Portland, OR — planting inspection guidelines	18 – 30 ft	18 ft in the narrowest strips; 30 ft in the widest
New York City Parks	20 – 30 ft	street trees, center to center
9/11 Memorial plaza (measured)	about 20 ft	within rows; rows ~30 ft apart
Charlotte, NC — UDO Article 20	40 ft, reducible to 30 ft	large maturing trees

Twenty feet sits at the tight end of this range — closer than Charlotte permits for street trees, and in line with New York and Portland. The point is not the exact number. It is that **every one of these standards spaces large trees closer together than they will eventually be wide.** That is deliberate. The goal is a canopy that closes overhead and shades the ground. Spacing trees at their full grown width is garden-center advice for a single showpiece tree on an open lawn. It is not how canopy is built, and no municipal code requires it.

What we should expect on a plan

- Large shade trees spaced 20 to 30 feet on center, with canopy closure named as the design goal.
- Rootable soil volume specified per tree, not structural fill. Phoenix caps structural soil at 20% of the requirement; Raleigh requires 600 cubic feet, Denver 750.
- Species selected for the **largest canopy the site will tolerate**, and native, consistent with the Township's 70/30 requirement.
- Tree counts justified against **pervious area**, in two dimensions — not against linear frontage.

Why four replacement trees is reasonable

The median Montclair R-1 lot is 9,749 sq ft. Because it is under 10,000 sq ft, § 347-20B caps impervious coverage at 55%, so at **least 4,390 sq ft stays pervious** even on a lot built to the legal maximum.

- At the memorial's density, that guaranteed pervious ground holds 6 to 7 large trees.
- At a typical build (about 37% impervious), it holds 8 to 10.
- The draft ordinance asks for four when an Extraordinary tree is removed.

Four fits with room to spare — in the worst case the law allows. The ratio is not aggressive. It is conservative against what is demonstrably plantable.

Method and sources. Spacing, grove area, and tree count were measured from two published site plans for the memorial (Peter Walker and Partners, pwpla.com). Scale was set from the reflecting pools, each described by the 9/11 Memorial as nearly an acre and set in the tower footprints (208 ft square). The two plans, drawn at different scales, independently gave median tree-to-tree spacing of 19.7 ft and 20.4 ft, and canopy area of 3.64 and 3.68 acres: 376 canopy symbols were detected against the published count of roughly 400. These are design drawings, not as-built surveys, and the canopy circles are a drafting convention rather than measured crowns — the spacing and the ground area per tree are the reliable figures and are what this sheet relies on. Plaza acreage, tree count, species, opening date, cistern and soil tonnage: National September 11 Memorial & Museum; green-roof description: American Society of Landscape Architects, quoted by the Memorial. Lot figures: 2025 New Jersey MOD-IV assessment data for 2,598 Montclair R-1 parcels; impervious cap from Montclair Code § 347-20B. Spacing standards: Portland Street Tree Planting Inspection Guidelines; NYC Parks; Charlotte UDO Article 20. Soil volume: Phoenix Zoning Ordinance § 1309; Raleigh Street Design Manual § 6.18; Denver Street Tree Plan Review Checklist.

Room to Replace

Whether a 1-to-4 replacement ratio fits on a residential lot

Anna Grossman, Sustainable Montclair • sustainablemontclair@gmail.com

9,749

sq ft, the median Montclair single-family lot
(2025 MOD-IV)

45%

of a lot must stay pervious by law, even at
max build-out

~17

ft apart, 16 trees on the median lot. Ordinary
forest density.

THE QUESTION

Is a 1-to-4 replacement ratio too many trees for a residential lot?

A concern raised about the draft ordinance is that replacing a large removed tree with several new ones asks for more trees than a normal lot can hold. This memo tests that against Montclair’s own parcel records and against the tree-spacing standards used by other cities. The short answer: the ratio fits on the median single-family lot even at maximum legal build-out, and where a specific lot truly cannot absorb it, the fee in lieu already resolves the case.

THE LOT

What a Montclair lot actually holds

Using the State’s 2025 MOD-IV parcel records for Montclair — the official tax assessment data, not an estimate — the median single-family (R-1) lot is 9,749 square feet.

MONTCLAIR R-1 LOTS (2025 MOD-IV, 2,598 PARCELS)	LOT SIZE
25th percentile	7,571 sq ft
Median	9,749 sq ft
75th percentile	13,572 sq ft

Montclair’s zoning caps how much of a lot can be paved or built. For a lot under 10,000 square feet the impervious-coverage limit is about 55 percent — meaning the law guarantees that at least **45 percent of the lot stays pervious**, no matter how large the house. On the median R-1 lot that is roughly 4,400 square feet of open ground, and that is the floor, not the typical case: a normally built home leaves considerably more.

SOURCES Lot sizes: NJ MOD-IV property tax records for Montclair Township, 2025, filtered to residential parcels in the R-1 zone with valid recorded acreage (2,598 parcels). Impervious cap: Montclair Code § 347-20B. These are the Township’s and State’s own figures.

THE SPACING

How close large trees are actually planted

The worry that several trees can’t share a lot rests on a misunderstanding — that trees must be spaced as far apart as their mature crowns are wide. That is nursery advice for a single specimen on an open lawn. Cities that plant for canopy do the opposite: they space large trees closer than their mature width, on purpose, to build continuous canopy.

“Grouped plantings are encouraged due to the benefits of trees in close proximity: increased shading, less evapotranspiration, less soil compaction, and greater shared soil volume.”

New York City Parks. Street Tree Planting Standards, 2026

CITY	STANDARD FOR LARGE TREES, CENTER-TO-CENTER
New York City (Parks, 2026)	20–30 ft
Portland	18–30 ft, by planting strip
Oakland	25–35 ft for 40–50 ft canopies

Charlotte (UDO Art. 20)

40 ft, reducible to 30 ft

Dublin, Ohio (§ 153.134)

40 ft

Every one of these spaces large trees tighter than their mature spread. New York City's standard explicitly notes that smaller trees, and groups of trees planted together, may be spaced more closely still — and endorses grouped plantings for more shade, more shared soil volume, and less heat.

"Roots need their own space" is a construction rule, not a spacing rule

The critical root zone — the figure sometimes cited to argue trees can't be planted near each other — is defined by ISA and ANSI A300 as a radius of one foot per inch of trunk diameter. It governs what may be dug, driven, or stored near a tree *during construction*. It is not a claim that roots need exclusive territory. The same standards define a separate feeder-root zone twice as wide, and roots routinely extend past the canopy and interweave with neighbors'. If root zones had to stay separate, no forest could exist.

Large trees thrive close together — all over Montclair



Across Montclair, mature single-trunk shade trees grow feet apart in full health. Close spacing and touching canopies are how a street or a woodland builds continuous shade — not a sign of overcrowding.

SOURCES Spacing standards: NYC Parks Street Tree Planting Standards (2026); Portland, Oakland, Charlotte UDO Article 20, Dublin OH § 153.134 municipal specifications. Critical root zone: ISA Best Management Practices and ANSI A300 (Part 5), Construction Management — 1 ft radius per inch DBH.

A CLOSER LOOK

Planted close, grown magnificent



Ten to fifteen feet is far tighter than a pin oak's mature spread, and tighter even than the municipal street-tree standards above. It is done deliberately, because the goal of an allée is exactly what Montclair wants from its canopy: a continuous, closed cover of shade. Large trees planted close do not fail — they knit together. A formal allée is simply the most manicured version of what happens naturally in a woodland.

“Hard to see the trees now, but in time they will all look very handsome.”

Martha Stewart, on her newly planted pin-oak allée — 104 trees, 10 to 15 feet apart, 2019

SOURCE Martha Stewart, "Planting An Allée of Pin Oaks," The Martha Stewart Blog, October 30, 2019 — spacing, species, mature size, and tree count are from her own account. <https://www.themartha.com/2019/10/planting-an-allee-of-pin-oaks.html>

THE MATH

Why the ratio is four, and why four fit

The 4-to-1 ratio for the largest trees is area arithmetic, not ideology. A 36-inch oak with a 60-foot crown shades about 2,800 square feet. Four young trees each maturing to a 30-foot spread cover about 700 square feet apiece — roughly the same 2,800 square feet together. The ratio is simply what it takes to eventually replace the canopy area a mature tree provides.

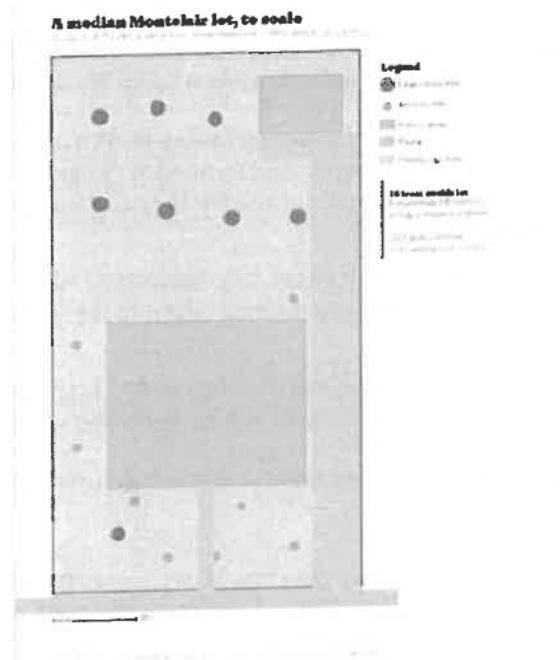
one mature oak, 60-ft crown ~2,800 sq ft of canopy
four trees at 30 ft spread ~700 sq ft each = ~2,800 sq ft
the 4:1 falls out of the area, not the ecology

Do four — or even sixteen — fit on the median lot?

Take the strongest version of the objection: four Extraordinary oaks removed from one lot, requiring sixteen replacement trees. On the median R-1 lot, even built to the maximum impervious coverage the law allows:

TREES ON THE GUARANTEED-PERVIOUS ~4,400 SQ FT	AREA EACH	SPACING
4 trees	~1,100 sq ft	~33 ft apart
8 trees	~550 sq ft	~23 ft apart
16 trees	~275 sq ft	~17 ft apart

Sixteen trees at about 17 feet apart is ordinary forest density, and that is the worst case — the required-pervious minimum on a fully built-out lot. A normally built home leaves more room, putting the spacing closer to 20 feet with ground to spare.



A median 75x130 ft lot with a typical build. Sixteen replacement trees — eight large canopy, eight mid-story — placed through the rear, side, and front yards at roughly 20-foot spacing.

The objection pictures sixteen sixty-foot oaks. That is not the requirement. It is a mix — a few canopy trees plus smaller understory trees, the way a woodland is layered — and on that basis the numbers fit on a median lot with room left over.

THE RELEASE VALVE

And if a lot genuinely can't — or doesn't want to

No owner is forced to plant where trees don't belong, or where they simply don't want them. The fee in lieu — part of Montclair's tree ordinance since 2012, not a new imposition — lets an owner who truly cannot fit the replacements pay into the Tree Fund instead, and the Township plants the trees where the canopy is needed most. This is the mechanism that makes a strong ratio workable on every lot, of every size, in every zone. New York City's street-tree rule works the same way: plant to standard, or pay in lieu.

THE HONEST PART

Four young trees are not one old tree — yet

Four saplings do not equal a mature tree the day they are planted. A large tree does far more per square foot of canopy, and the replacements take years to catch up. This is not a flaw in the 4-to-1 ratio; it is the reason the ratio must exceed one-for-one. Replacing a large tree with a single sapling guarantees decades of net canopy loss. The ratio is a down payment on the canopy Montclair has committed to reach — 41.8 percent by 2040 — a goal no one-for-one rule can deliver.

SOURCES & REFERENCES

Every figure, and where it comes from

Montclair data

- **Lot sizes** — New Jersey MOD-IV property tax records, Township of Montclair, 2025. Residential parcels in the R-1 zone with a valid recorded acreage (n=2,598). Median 9,749 sq ft; 25th percentile 7,571; 75th percentile 13,572.
- **Impervious-coverage cap** — Township of Montclair Code § 347-20B (maximum impervious coverage; ~55% for lots under 10,000 sq ft, guaranteeing ~45% pervious).
- **Fee in lieu / Tree Fund** — Township of Montclair Code Chapter 324 (tree ordinance; fee-in-lieu provision in force since 2012). Replacement ratio: draft Ordinance O-26-XXX.
- **Canopy goal** — Montclair Master Plan, Sustainability & Resilience Amendment (10% canopy increase by 2040, i.e. ~41.8%).

Tree-spacing standards

- **New York City** — NYC Parks, Tree Planting Standards (2026): large trees 20–30 ft on center; closer for smaller or grouped trees; grouped plantings explicitly encouraged. Street-tree compliance is tied to the Certificate of Occupancy, with a payment-in-lieu option.
- **Portland, Oregon** — Portland City Code / Urban Forestry street-tree spacing: 18–30 ft by planting-strip width.
- **Oakland, California** — Oakland street-tree specifications: 25–35 ft for 40–50 ft canopies.
- **Charlotte, North Carolina** — Unified Development Ordinance, Article 20: 40 ft, reducible to 30 ft.
- **Dublin, Ohio** — Code of Ordinances § 153.134: 40 ft.

New York City, Portland and Charlotte each pair their street-tree requirement with a payment-in-lieu — the same mechanism as Montclair's fee in lieu, used where a lot genuinely cannot fit the required trees.

Arboricultural standards

- **Critical root zone** — International Society of Arboriculture (ISA) Best Management Practices and ANSI A300 (Part 5), Construction Management: CRZ = 1 ft radius per inch of trunk diameter (a construction-protection standard, not a spacing rule). Feeder-root zone defined separately at ~2 ft per inch DBH.
- **Crown-area figures** — computed geometrically as circle area (πr^2) from crown diameter: a 60-ft mature crown = 2,827 sq ft; a 30-ft crown = 707 sq ft.

Example

- **Pin-oak allée** — Martha Stewart, "Planting An Allée of Pin Oaks," The Martha Stewart Blog, October 30, 2019. Species (*Quercus pelustris*), mature size (50–70 ft), count (104 trees, 52 per side) and spacing (10–15 ft apart) are from her own account. themartha.com/2019/10/planting-an-allee-of-pin-oaks.html

Photographs

- Streetscapes and the pin-oak allée: original photographs, Montclair and vicinity, September 2026. Each shows a single-trunk mature tree at close spacing.

Companion to *Growing Montclair's Tree Canopy* and *Running the Tree Ordinance*. Lot data from NJ MOD-IV (2025); spacing standards from NYC, Portland, Oakland, Charlotte and Dublin OH; root-zone standard from ISA / ANSI A300.

Objection to the direction and public process of the Master Plan reexamination

From [REDACTED]

Date Sat 9/12/2026 1:31 PM

To Stephen D. Marks <smarks@montclairnjusa.org>; Janice Talley <jtalley@montclairnjusa.org>; Councilor Erik D'Amato <edamato@montclairnjusa.org>

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

Dear Director Talley and Members of the Planning Board,

I write as a homeowner [REDACTED] and a Montclair resident of twenty years. I am deeply dissatisfied with the direction presented in the Master Plan reexamination materials and with the planning process that has brought us here.

I have spent my career studying architecture, cities, and infrastructure. I hold a Ph.D. from Cornell in architectural history and urbanism and taught for twenty-five years at schools of architecture, including Columbia University's Graduate School of Architecture, Planning and Preservation, an appointment that brought me to Montclair, as well as MIT, Penn, USC, SCI-Arc, and the University of Limerick, where I was a founding faculty member. I directed the Network Architecture Lab at Columbia and edited **The Infrastructural City**, a book about infrastructure and planning that made the front page of the **Los Angeles Times** culture section. I also served as president of the Los Angeles Forum for Architecture and Urban Design and on the national board of DOCOMOMO-US. I am president of the Native Plant Society of New Jersey. I write in my personal capacity, informed by that experience and by two decades of living here. I have also spoken for the Montclair Historical Society about modernism in Montclair, in a lecture recorded on YouTube. Montclair produced genuinely good residential architecture during that period, with an intelligence and care that are sorely lacking in much of what is being built here today.

First, it is ludicrous to expect the public to work through hundreds of pages scattered across plans, amendments, studies, recommendations, and submissions to determine what the township actually proposes. Even for someone with my background, this is an unreasonable burden. The presentation seems almost designed not to be read. The township has provided an overview, public meetings, and extensive background material, but it has not published a single proposed reexamination report or maps showing which properties would be affected by the contemplated changes. Residents should not have to reconstruct the proposal themselves from a fragmented record. We need a consolidated statement of proposed changes, clear maps showing their geographic scope, and enough time to respond after that information is available.

Second, I do not believe the major redevelopment strategy pursued during my years here has worked for the existing community. Large developments have changed Montclair profoundly, while the township has not demonstrated that their public benefits justify their cumulative costs. Its own housing plan reports that renter cost burden rose from 41.9 percent in 2010 to 47.5 percent in 2023. It also acknowledges that rising housing costs are displacing lower-income residents and contributing to the

decline of Montclair's historic Black population. Those are outcomes that demand an accounting, not assurances that further development will solve the problem.

We have had precious little in exchange for these developments. I regard Wellmont Arts Plaza as a modest public amenity, principally serving the theater, rather than a substantial benefit to the town as a whole. Projects have provided income-restricted apartments, but many more low-income individuals have been displaced. These gains do not establish that the redevelopment strategy, as delivered, has a net benefit commensurate with its scale, concessions, and effects on existing residents. Where is the independent, project-by-project accounting of affordable homes gained and lost, public expenditure and tax concessions, infrastructure and service costs, household displacement, and enduring public improvements? Gross unit counts and projected revenue cannot answer these questions.

The omission of the Historic Preservation Commission's 2019 **Study of Redevelopment Zones and Their Potential Impacts to Identified Historic Districts in the Township of Montclair** is particularly troubling. That study directly reviews the successes and failures of ten Montclair redevelopment plans, including demolitions, incompatible construction, gentrification concerns, and lessons for future redevelopment. Yet it is neither cited nor incorporated into the current reexamination materials. A responsible process should begin by confronting that record and explaining how the present recommendations respond to it.

As an architectural professional, the architectural results are equally troubling. In my professional judgment, much of this construction is generic and ugly, replacing Montclair's distinctiveness and character (be it mock Tudor or modernist) with buildings devoid of qualities that could be anywhere in suburbia. The Siena, together with the Valley and Bloom/MC Hotel catastrophe, are conspicuous examples. When I posted photographs of the MC Hotel on social media to audiences of architects, curators, critics, and other experts, they have been met with widespread guffaws. This is hardly the architectural distinction Montclair should aspire to.

The familiar formula of "breaking up the mass"—arbitrary projections, setbacks, changes of material, and competing façade treatments—does not make a large building sensitive to its setting. It usually produces visual clutter while leaving the underlying bulk untouched. The Vestry on Bloomfield Avenue offers a rare counterexample: its more coherent brick façade and regular industrial-style windows make a considerably more convincing building. Montclair can accommodate apartment buildings without accepting the architectural incoherence of the Siena and Valley and Bloom.

Manhattan continues to produce new residential buildings with coherent façades, convincing proportions, and architectural ambition. Why should Montclair accept less? Our choice is not between imitation historicism and the generic jumble of boxes and cladding that has become the default here. We should expect contemporary architecture that adds something of lasting value to the town.

Design standards should reward coherent proportions, well-resolved façades, durable materials, useful public space, and a convincing relationship to the street and landscape. The township should assess completed projects honestly before extending the formula that produced them.

I am particularly concerned about the Housing Commission's recommendation to allow forms including five- to twelve-unit multiplexes in R-O neighborhoods. I understand that this recommendation is not itself an adopted zoning amendment. That makes this the appropriate moment to demand an explanation of its implications. Broad new development permissions will increase the speculative value of land, encourage property assembly and demolition, destroy the character of existing neighborhoods, and put existing residents and landscapes under new pressure. A higher sale price for a redevelopment site is

not the same thing as a healthier community.

On the mountainside, these questions include steep slopes, drainage, excavation, tree canopy, habitat, and the cumulative consequences of additional impervious surface. The township must explain what would be permitted, what protections would remain, and how cumulative impacts would be assessed and funded. A generalized appeal to housing supply is no substitute for that work.

The proposed expansion of multifamily development is disconnected from an adequate cumulative ecological analysis. The township's own overview acknowledges that it has not prepared a new Natural Resource Inventory, improved enforcement and transparency under the Tree Preservation Ordinance, conducted the recommended build-out analysis of the point at which growth's environmental costs become excessive, or evaluated the effect of development on parks and open space. It has also failed to prepare the previously recommended Parks and Recreation and Utilities Plan elements. It is irresponsible to contemplate substantial additional density before this work is completed and its findings are incorporated into decisions about where, and at what scale, further development can be supported.

Native plants and biodiversity receive rhetorical support in the existing plans, but that support has not been translated into clear, enforceable development standards. The Sustainability and Resilience Amendment calls for a native landscaping program, while the Environmental Commission has recommended incorporating native-plant requirements into landscape-plan review. Any expansion of development rights should require predominantly locally native plantings, prohibit invasive species, preserve existing native vegetation and mature trees, minimize turf grass, and replace lost habitat according to ecological value rather than a nominal plant count. These requirements must apply to redevelopment and multifamily projects and include enforceable long-term maintenance obligations.

Other communities facing intense development pressure have adopted much stronger ecological requirements. East Hampton requires restoration plans using approved native species and conducts follow-up inspections to ensure that the plantings survive. Southampton protects native habitat and topography, limits the clearing of natural vegetation, directs construction toward previously disturbed land, and requires native revegetation in environmentally sensitive areas. Montclair's vague proposal for a native landscaping program falls far short of these enforceable standards. Montclair should require native-plant and habitat-restoration plans for substantial development, establish measurable limits on vegetation disturbance, and inspect completed projects for long-term compliance.

Above all, I fear that this approach will accelerate the departure of Black families whose presence and history are fundamental to Montclair. A responsible plan must make it possible for existing households to remain. As the former owner of a lower income multifamily building in Chicago, I understand firsthand that government is a most effective force at driving out responsible landlords. Montclair needs funded preservation of affordable rental buildings, assistance that helps lower-income homeowners maintain their homes, protection against displacement, and permanently affordable and community-controlled housing. These commitments should accompany any expansion of development rights, with budgets, implementation dates, and public reporting. The measure of success must include who stays, not just body counts.

Before moving forward, please publish an independent assessment of the development already completed; a resident-retention and affordable-housing-preservation program; revised design standards grounded in the actual quality of completed buildings; and clear maps and proposed zoning language showing how recommendations would affect each neighborhood. Publish the infrastructure and environmental analysis on which those proposals depend. Reopen the comment period once residents

have a coherent proposal they can reasonably evaluate, and publish substantive responses explaining how public comments changed it.

Montclair's architecture, landscape, and social diversity deserve more than a process that asks residents to absorb an unwieldy record while accepting the benefits of development on faith. After twenty years here, I want a plan that demonstrates how it will sustain this community and the people who already live in it.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

Master Plan

From [REDACTED]
Date Fri 9/11/2026 2:57 PM
To Janice Talley <jtalley@montclairnusa.org>

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

My family has been in Montclair since the 1930s and I have lived here since 1982. Stop the overdevelopment, gentrification and the ruining of Montclair. Make the master plan protect what is left of the Montclair we know and love.

Re: Master Plan Reexamination – Housing Affordability & Transit Centers

From [REDACTED]
Date Fri 9/11/2026 4:06 PM
To Janice Talley <jtalley@montclairjusa.org>

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Janice,

Thank you for confirming you'll share my earlier comments. I went through the Master Plan Reexamination materials online since my last note and wanted to flag a few specific points while there's still time to provide comments.

- Affordable Mandate Percentage: The Housing Commission's recommendation to raise the affordable set-aside from 20% to 30% needs careful scrutiny. Across New Jersey, inclusionary percentages generally cap at 15–20% because that is the threshold where projects remain feasible. As far as I can tell, I see no examples of any construction built anywhere in northern NJ with 30% or greater inclusionary percentages without significant state subsidies. Counterintuitive as it sounds, lowering to a 15% mandate will produce far more actual affordable units than 30%.

- Zoning Near Glenridge Avenue: If I understand correctly, the recent downzoning to C-3 west of Grove Street was driven by concerns that the proposed intensity didn't fit the neighborhood, and the Township is now considering similar changes east of Grove Street. I understand that concern, and I don't think it's unreasonable. But I don't think preserving the streetscape can be the deciding factor when the affordability problem in this town is this large. If we are serious about increasing affordable housing availability in Montclair, it makes more sense to have C-1 zoning retained and C-2 height limits increased by a story or two here than see this corridor scaled back further.

- Upper Train Stations: I noticed "evaluate areas adjacent to business districts and train stations for missing middle housing" listed as a next step. A concrete way to realize this would be to designate specific sections within a 5- to 10-minute walk of the Walnut Street, Watchung Avenue, and Upper Montclair stations where modest 4- to 6-story developments are permitted.

If it's possible to include these points, it would be greatly appreciated. Thanks again for all your work on this.

[REDACTED]

On Fri, Sep 11, 2026 at 9:36 AM Janice Talley <jtalley@montclairjusa.org> wrote:

Good morning, [REDACTED] Thank you for your comments which I will share with the Planning Board. Your comments will also be posted on the Master Plan Reexamination Report webpage with all personal information redacted.

Best,
Janice

From: [REDACTED]

Sent: Thursday, September 10, 2026 9:16 PM

To: Janice Talley <jtalley@montclairnjusa.org>

Subject: Master Plan Reexamination – Housing Affordability & Transit Centers

You don't often get email from [REDACTED] [on why this is important](#)

Hi Janice,

I want to thank you for all the work that you, the Planning Board, and township staff do for our community, and all the time you're putting into the master plan reexamination.

My name is [REDACTED] and I live at [REDACTED]. I am writing today because, like so many of my neighbors and members of our local government, I share the deep concern about rising costs in Montclair, and the pricing out and displacement of long-time families. Preventing displacement and keeping our community accessible must be a central priority as we plan for Montclair's future.

However, all of the evidence I've seen suggests that the best way to achieve this is to promote, rather than restrict, new development in our town. It is entirely understandable why new construction makes people uneasy. Over the past decade, residents have watched luxury apartments go up while rents continued to climb and neighbors moved away. Naturally, many on our boards and in our town view upzoning as a driver of displacement and rising prices.

I don't ask you to take my word for it, nor do I expect a single email from a resident to change minds on its own. What I ask is that the Planning Board take seriously the growing body of empirical research from urban economists and policy institutes (for instance, studies by [Mast at the Upjohn Institute](#), [Pennington](#), or research summarized by the [Urban Institute](#) and NYU's [Furman Center](#)). One of the most striking findings: when researchers tracked the actual address histories of tens of thousands of people moving into new apartment buildings, they found that building 100 new market-rate units frees up roughly 70 units in lower-income neighborhoods within five years, simply because households move up and vacate existing stock. A separate study found that new construction lowered nearby rents and cut renters' odds of being displaced to a poorer neighborhood by 17%. The research consistently shows that new buildings appear where demand is already surging, and restricting supply actually accelerates displacement by forcing affluent buyers to compete for a fixed stock of homes.

If Montclair had built nothing over the last decade, research suggests our displacement pressure today would be either the same or, more likely, worse. On the other hand, adding supply gives us one tangible guarantee: it allows us to expand our stock of affordable housing.

From what I understand, under Fourth Round housing obligations, Montclair has a prospective need of zero affordable units, meaning no external body will mandate new affordable construction here. If we want new affordable units for current residents, our own local zoning has to generate them.

I've been watching planning board meetings on and off for several years now, and it often feels like Montclair already permits modest development on paper, but in practice projects stall or never materialize. My sense is that height limits, high affordability percentages, and parking minimums often make the math difficult for developers, so builders never propose anything viable in the first place. Within a short walk of me, on a stretch of Bloomfield Avenue that is a central area of restaurants, shops, a train station (and a future grocery store), there are 3 car repair shops, 2 gas stations, and at least 2 empty lots. These strike me as exactly the kind of sites that should hold housing, including affordable units. But if our rules are too restrictive for a project to materialize, we don't get a better building instead. We get nothing: no new units, and no new affordable ones either.

We don't need Lackawanna-scale developments across town to fix this. The simplest path forward, one the board has already discussed, is encouraging more housing around our transit centers.

Ideally that would mean all of them, including the west side of Bloomfield from Maple Ave to Elm Street. But Walnut, Watchung, and Upper Montclair have seen virtually no new development in the past decade, while Bay Street and Bloomfield have absorbed most of it. I know some committee members are frustrated by that imbalance. These upper stations strike me as the easiest place to find broad agreement.

Encouraging modest growth here makes sense for Montclair for three main reasons:

1. **Actually Getting Affordable Units Built:** This is really the core of my argument. I'm not thrilled about developers turning a profit off our town either, and I don't think it's unreasonable that people want to keep that in check. But because dedicated affordable-only projects

are rare and exceptionally difficult to finance, the vast majority of our affordable units come as a share of new market-rate development. Permitting something on paper isn't enough; a project also has to be viable for someone to actually build it. Station-adjacent sites draw the highest level of interest from builders, which means they're the places where proposals are actually likely to be submitted, approved, and completed.

2. Unlocking State Funding (P.L. 2026, c. 78): Under Assembly Bill 3877 (P.L. 2026, c. 78), signed just last month, it is my understanding that municipalities using a formal reexamination of their master plan to adopt strategies like transit-oriented density or reduced parking minimums near stations gain preferential status for competitive DCA state grants, Transportation Trust Fund allocations, and up to a 10% increase in state funding shares for local school facilities projects. That's exactly the kind of reexamination we're doing right now. This bill hasn't come up in any of the meetings I've watched, but given our local school system's financial situation, if I am understanding these details correctly, it seems directly relevant to what we're deciding (for reference: [TAPinto Montville Housing Law Update](#)).

3. Mitigating Traffic: Residents living near train stations own fewer cars and make fewer daily driving trips, allowing us to add housing without adding proportional traffic. While this won't eliminate traffic concerns completely, it should ease them, and any added congestion seems like a reasonable trade-off given what's at stake for our town.

The gentrification pressure our town faces doesn't originate in Montclair, and none of it is going away. New Jersey has been underbuilding housing for years, and the state's own housing agency puts the current statewide shortfall at roughly 150,000 units. Demand for walkable communities with direct NYC transit access will remain high regardless of what we put in our master plan. We only get to decide who absorbs this pressure: new residents in new buildings near a train station, or the neighbors we already have, quietly and slowly getting outbid for the homes that are already here.

Upzoning near our stations doesn't solve this cleanly, and I know it isn't the popular position with many on the township council and planning board. But of the paths actually available to us, it's the one that works with these economic forces instead of pretending we can hold them off. It's not a perfect solution. It's just, as far as I can tell, our best path forward.

Thank you for considering these points and for your hard work on this process.

Best regards,



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 Township of Montclair Seal

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My Master Plan Feedback for Planning Board

From [REDACTED]
Date Fri 9/11/2026 9:22 AM
To Janice Talley <jtalley@montclairnjusa.org>
Cc Keith Brodock <kbrodock@montclairnj.gov>

Thank you for continuing to take Master Plan feedback! I think today is the last day for comments? Here is my letter for the Planning Board.

Dear Planning Board Members,

Please update the Unified Land Use + Circulation Element with guidance on how to truly maintain socioeconomic diversity, one of Montclair's most defining and cherished traits. When the Unified Land Use + Circulation Element's opening paragraph lays down its intention to maintain current zoning, the words on the following pages that point to our threatened diversity, have no meaning. We cannot both preserve restrictive zoning and preserve socioeconomic diversity. The opening page to the Unified Land Use + Circulation Element should clearly state the goal of preserving socioeconomic diversity.

The Master Plan recognizes Montclair's decreasing racial and economic diversity that are a result of the housing crisis. It points out that this cherished diversity and community character that has defined our town is directly threatened, and that the demographic changes will continue if the status quo is maintained and if no policy changes are made. But its recommendations do not go far enough to address them. In fact, the first paragraph of the Unified Land Use + Circulation Element states:

They [the zoning modifications] are not intended to change the regulations with the RO-Mountainside, RO(a)-One Family, R1- One Family, R2-Two Family, R3-Garden Group and R4-Three Story Apartment zone districts (the Township's residential zones). This document does not specify any changes to the land uses, bulk requirements or density of the RO, RO(a), R1, R2, R3 or R4 zone districts

These zones represent the majority of Montclair. If the Master Plan doesn't make changes to their guidelines, we can't address the affordability challenges facing Montclair.

Housing Crisis Homeownership and affordable rent has long been out of reach for low-income families in most US metro areas. This has expanded to include most of the middle-class, according to a new

[National Housing Convention report](#) [1]. The New York metro area remains one of the most expensive housing areas in the state and in the nation.

Limiting Housing Supply Raises Housing Costs for Everyone. The 2020 census count for Montclair was 40,921 residents. In 1950, it was 43,927. We have not added more residents even though NJ itself continued to grow in population and Montclair has remained a high-demand town to live in. NJ increased in population by 92% from 1950 to 2020. What does this indicate? It shows that while the population in our state has increased, Montclair has remained stagnant, failing to create the number of homes needed to avoid becoming an exclusive, wealthy town forcing out many of our low and middle income residents. To do our part during a historic housing crisis and to nurture the diversity we love, we need to create mixed-income neighborhoods throughout Montclair.

Displacement of Black Residents The Montclair-specific data found in [the study](#) [2] by the Bloustein School at Rutgers indicates that Montclair has become a wealthier town since their last assessment in 2009, but that growth in household income was not evenly distributed. While Blacks have long earned less than whites in Montclair, white incomes grew faster from 2012-2022 than Black incomes, and the gap has grown wider. As Montclair developed housing along the Bloomfield Ave and Bay-St station, we've lost Black residents who lived in the third and fourth wards. From 2010 to 2024, we lost approximately 20% of our African American residents, a population that has always been an integral part of the community and Montclair's rich history. Montclair lacks about 1,259 rental units for low-income renter households (but no data on the missing middle). In addition, the severe shortage of vacant units in the homeownership market leaves few options for renters ready to buy, exasperating the problem.

As stated in its intro, The Unified Land Use + Circulation Element wishes to preserve residential neighborhoods by retaining existing zoning. "Quality of life in quiet residential neighborhoods is an amenity that defines the character of our Township."

When the plan states that this quality-of-life amenity is in need of protection, it is implicitly reserving that quality of life for the wealthy who can afford to live in single family zones. And, usually in our country because of inequalities in income and generational wealth, that disqualifies minority groups.

By clustering more affordable multi-family dwellings apart from single family homes, we continue the legacy of redlining and segregation throughout our town. In addition, we limit supply, increasing housing costs. When the Fourth Ward holds 75% of our affordable rental units and the First Ward only has 2 units (around 0.25 percent), something is very wrong. Please check out [this census data map](#) [3] which illustrates how our population of African American residents is concentrated mostly in the Fourth Ward.

It is time that Montclair supports the socio-economic diversity it claims to cherish by changing its zoning and land use policies. And the Master Plan can and should do a better job at guiding our governing bodies.

Among other updates, the master plan should include:

- Sufficient zoning changes to allow substantial, racially-integrated mixed-income neighborhoods to address both the ongoing segregation in Montclair and the housing crisis. These changes must be distributed fairly in all neighborhoods, especially areas of RO, RO(a) and R1. Single-family zoning not only perpetuates segregation locally but it increases poverty regionally [4]. As the Montclair Housing Commission recommended in 2024, the Township should allow for townhouses, cottage courts, duplexes, triplexes, fourplexes, multiplexes (5-12 units) and the conversion of one-family to multi-family dwellings as principal uses in R-O, R-O(a), R-1, and R-2 zones.
- Transit-oriented development should target all of our train stations. Why should the 4th Ward be responsible for the brunt of transit-oriented development along with the 75% of Montclair's affordable rental units while the First Ward has less than 1% of affordable units.
- Include a definition of neighborhood character that incorporates our town's values of inclusivity, our diversity and open-mindedness.

Thank you for your hard work and consideration.



[1] <https://nhc.org/priced-out-when-a-good-job-isnt-enough/>

[2] <https://www.montclairnjusa.org/files/sharedassets/public/v/1/government/departments/planning-and-community-development/documents/affordable-housing/affordable-housing-in-montclair-final-report.pdf>

[3]

https://data.census.gov/map/060XX00US3401347500_1400000US34013016100,34013016200,34013016300,34013016400,34013016500,34013016600,34013016700,34013016800,34013016900,34013017000_34013017100,34013017200/ACSDP5Y2022/DP05/DP05_0067PE?q=demographics&layer=VT_2022_140_00_PY_D1&palette=Greys&loc=40.8271,-74.1953,z12.5638

[4] https://evictionlab.org/how-exclusionary-zoning-worsens-poverty-across-city-limits/?fbclid=IwY2xjawT62TdwZG9mBWV4dG4DYWVtAjExAHNy_dGMGYXBwX2lkEDlYmJAzOTE3ODgyMDA4OTIAAR4vPMobdCGn4JGrXVy3wopNrmPZ60ruZ0CJZA26ObUu2AhSPIA5FZaMov9HoQ_aem_nVCX5PglhFMpbGpGvjcPrg



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Aminah Toler
4th Ward Councilor
(973)-768-5271
AToler@montclairnjusa.org

September 10, 2026

RE: Recommendations for Consideration & Implementation into the 2026 Master Plan Reexamination Report.

Dear Planning Board Commissioners, Zoning Board of Adjustment Commissioners, Historic Preservation Commissioners & Staff Planning Department Members:

A Master Plan serves as the Township's long-term roadmap for how the community should develop, invest, and protect the qualities valued by its residents. It allows municipal decisions to be guided by a comprehensive vision rather than reacting to development proposals individually.

A strong Master Plan should:

- Guide appropriate development and protect neighborhood character;
- Connect development to infrastructure capacity, including roads, sewers, drainage, utilities, schools, and parking;
- Address housing affordability, preservation, and displacement;
- Guide zoning, ordinances, and public investment;
- Protect trees, open space, natural resources, and environmental quality;
- Support transportation, mobility, and pedestrian safety;
- Protect historic resources; and
- Create clear and consistent policies for residents, boards, staff, developers, and elected officials.

The Master Plan should reflect the community's vision and lived experience. Residents are directly affected by decisions involving development, housing, traffic, infrastructure, parks, trees, historic preservation, affordability, and neighborhood character. The 2026 Reexamination should therefore provide meaningful opportunities for residents to participate and should clearly demonstrate how public input influenced the final recommendations.

The 2016 Master Plan should be the starting point for the 2026 Reexamination. The Reexamination should evaluate what happened after the 2016 Plan was adopted—not simply identify current planning topics. It should clearly identify:

- What recommendations were implemented;
- What recommendations were partially implemented;
- What recommendations were not implemented and why;
- Which recommendations remain relevant;

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Aminah Toler
4th Ward Councilor
(973)-768-5271
AToler@montclairnjusa.org

- Which policies need to be strengthened, revised, reduced, or eliminated; and
- What new conditions and challenges have emerged since 2016.

The central question should be:

Did the 2016 Master Plan achieve what it intended to achieve—and, if not, what specifically needs to change?

The 2026 Report should identify measurable goals and implementation strategies for the next planning period so that progress can be evaluated.

The Planning Board (PB), Zoning Board of Adjustment (ZBA), and Historic Preservation Commission (HPC) should have an ongoing role in identifying ordinances that are outdated, unclear, conflicting, or inconsistent with the Master Plan.

Many municipal regulations can be difficult to apply when standards are ambiguous or open to varying interpretations. The Township should prioritize clear, precise, and consistently applied ordinances that provide boards with the standards necessary to make informed, transparent, consistent, and legally defensible decisions.

The 2026 Reexamination should identify ordinances that require review, clarification, or amendment and recommend appropriate action.

Consideration should also be given to establishing a process that allows members of the PB, ZBA, and HPC to become familiar with the physical characteristics and surrounding context of properties that are the subject of applications, consistent with applicable law and procedural requirements.

Where appropriate, permitted site observations could help board members better understand existing conditions, neighborhood character, access, parking, landscaping, trees, historic features, topography, and the relationship to surrounding properties.

The purpose would not be to prejudge an application or replace the formal hearing process, but to ensure that board members understand the actual conditions of a site when applying the Township's ordinances, Master Plan policies, and design standards.

Any such process should include appropriate safeguards regarding notice, transparency, and the rights of applicants and the public.

The 2026 Master Plan Reexamination should be more than an update of planning topics. It should be an honest assessment of the 2016 Plan, identify what was accomplished and what was not, and establish clear priorities for the next decade.

The Reexamination should create a practical connection between:

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Aminah Toler
4th Ward Councilor
(973)-768-5271
AToler@montclairnjusa.org

Master Plan → Ordinances → Board Decisions → Public Investment → Community Outcomes.

Ultimately, the goal should be a clear and actionable roadmap for responsible development, infrastructure investment, housing affordability, environmental protection, historic preservation, and the preservation of Montclair's neighborhood character.

For these reasons, I respectfully submit these recommendations for consideration and inclusion in the 2026 Master Plan Reexamination Report.

Regards,

Aminah Toler

4th Ward Councilor

2016 Master Plan Reexamination Report Recommendations for 2026

Location	2016 Rexam Report	Current Status	Councilor Toler's Recommendations
Page 3 Item 2	<u>Land Use – General Recommendation</u> Analyze the capacity of our infrastructure to determine the level of development it can reasonably accommodate	Not Completed	The need to thoroughly analyze the capacity of our existing infrastructure is critical as we consider any additional development or increased density throughout the Township. The impacts of development cannot be considered in isolation. The continued loss of trees and green space contributes to heat-island effects, while climate change is increasing the risk of flooding and placing additional pressure on our stormwater infrastructure. At the same time, we must address the condition and maintenance of our existing catch basins, drainage systems, and sewer infrastructure to ensure they are properly monitored, maintained, and functioning at capacity. Before approving additional density, the Township should have a comprehensive Infrastructure Capacity and Climate Resiliency Action Plan that evaluates whether our existing systems can adequately support future development. This analysis should include sewer capacity, stormwater management, catch basins, utilities, roads, tree canopy, green space, and other critical infrastructure. Future development should also be strategically directed toward areas where existing sewer, water, and utility infrastructure has sufficient capacity to support it. Rather than selecting locations arbitrarily or “picking and choosing” where increased density should occur, the Township should use objective infrastructure data to identify appropriate areas for growth.

Page 4 Item 6	<u>Land Use – General Recommendation</u> Consider an ordinance permitting Bed & Breakfast establishment in certain zones		The 2026 Master Plan Reexamination provides an important opportunity to establish this framework. Infrastructure capacity should help determine where development occurs—not development determine where infrastructure must be expanded after the fact. Smart development requires us to plan ahead, protect our natural resources, and ensure that our infrastructure can safely and sustainably support the community we have today and the community we envision for tomorrow. The Township should evaluate whether the locations where Bed & Breakfast establishments and short-term rental uses are currently permitted remain appropriate based on current neighborhood character, parking availability, traffic, noise, stormwater impacts, infrastructure capacity, and proximity to residential properties and historic resources. This review should also consider whether Bed & Breakfast establishments and short-term rentals are an appropriate adaptive-reuse opportunity for existing historic or underutilized properties while maintaining the character and livability of surrounding neighborhoods. At the same time, we must consider the lost opportunity for actual housing when residential units are converted to short-term rentals such as Airbnb. In a community facing significant housing needs, we should carefully examine whether homes and apartments are being removed from the long-term rental market and made unavailable to families and residents who need stable housing with a lease. In my opinion, Montclair should establish a clear ordinance requiring that any property operating as a short-term rental or
		Council asked PB to consider amendment to permit on 12/6/11. Proposed ordinance was submitted on 3/15/12, Council did not adopt.	

Page 4 Item 2	Land Use – Master Plan Recommendation Prepare a Utility Service Plan Element analyzing the need for and showing the future location of water supply and distribution facilities, drainage and flood control facilities, sewerage & waste treatment, solid waste disposal and provision for other related utilities.	Not Completed	Airbnb be owner-occupied. This would help distinguish an owner-occupied home that occasionally provides short-term lodging from properties being operated primarily as commercial short-term rental businesses. An owner-occupancy requirement would provide greater accountability, help preserve long-term housing opportunities, and reduce the potential for residential properties to be converted into de facto commercial lodging establishments. As with other zoning amendments, the determination of where these uses are appropriate should be based on clearly established planning criteria rather than simply the underlying zoning designation. Note: EDC Committee are holding discussions on this topic. The Township should prepare a comprehensive Utility Service Plan Element evaluating the need, capacity, condition and future location of the Township's: • Water supply and distribution systems; • Sanitary sewerage and wastewater treatment; • Drainage, stormwater and flood-control facilities; • Solid waste and recycling services; and • Other essential utilities. The Plan should map existing and proposed infrastructure, identify capacity deficiencies and areas vulnerable to flooding or other infrastructure constraints, and evaluate the ability of existing systems to support projected development. Future development intensity and location should be coordinated with available infrastructure capacity, including consideration of
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Page 5 Item 3	<u>Land Use – Development Regulations Recommendation</u> Create an ordinance requiring developers to pay their fair share of off-tract infrastructure improvement that are necessary to accommodate their developments	Not implemented	the cumulative impacts of existing, approved and anticipated development. The Plan should also address sustainability, climate resilience and long-term infrastructure needs, ensuring that development does not exceed the Township's ability to provide essential services. This should be a priority. This can be structured under N.J.S.A. 40:55D-42, which expressly authorizes municipalities to require a developer to pay its pro-rata share of reasonable and necessary off-tract street, water, sewer, and drainage improvements that are necessitated by the development. The ordinance must establish fair and reasonable standards for calculating that share. This Ordinance can be intended to: 1. Protect existing Township taxpayers from bearing costs directly attributable to new development; 2. Ensure that development is supported by adequate infrastructure capacity; 3. Establish objective and transparent standards for determining a developer's pro-rata share; 4. Require infrastructure impacts to be identified before final development approval; 5. Promote responsible and sustainable development consistent with the Township Master Plan, circulation plan, utility planning, and applicable Township ordinances; and 6. Ensure that developers contribute only to those improvements for which a reasonable and legally
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			supportable nexus exists between the proposed development and the infrastructure improvement.
Page 6 Item 1	Housing – General Recommendation Continue the Township’s newly formed Housing Commission and long standing LTAC Board to study issues and make recommendations concerning housing policies and fair housing regulations	HC and LTAC to meet and advise the Township Council on housing policies	This must continue to remain in place for a host of important reasons. The Fourth Round Fair Share process required four amendments, resulting in more than \$50,000 in taxpayer-funded attorney fees. This experience demonstrates the importance of establishing clear, comprehensive policies from the outset and maintaining protections that serve the long-term interests of our community. We must also ensure that our planning policies continue to protect diversity, housing opportunities, and neighborhood stability. Development should not come at the expense of the residents and communities that have helped make Montclair what it is today. As we move forward with the 2026 Master Plan Reexamination, we need to be intentional about preventing displacement and ensuring that gentrification does not continue to erode the diversity and character of our neighborhoods. Our policies should promote responsible investment while protecting existing residents, creating opportunities for affordable housing, and maintaining a diverse and inclusive community. These protections are not barriers to development—they are necessary guardrails to ensure that development is equitable, sustainable, and beneficial to the entire Township. O-07-02= as amend Montclair’s zoning regulations concerning lot requirements for mixed-use multifamily buildings. The
Page 9 Item 13	Housing – General Recommendation Reexamine density and bulk requirement for resident development and adjust to	Following ordinance were adopted: O-07-02	

ensure that new construction is harmonious with existing development patterns	O-07-35 O-08-02 O-08-09 O-09-14	available zoning record shows that it amended §347-2/related zoning provisions on January 23, 2007. The current code shows that §347-83 has already been amended since O-07-02, including a 2022 amendment, I would recommend a modern amendment to §347-8, for example: The most important change would be to <i>not</i> make the ordinance simply say, "increase the minimum lot size from 10,000 to X." The current code already regulates lot size, height, setbacks and density separately. Instead, this amendment should create a second layer of review: Lot size → Development intensity → Site capacity → Neighborhood impacts → Appropriate design O-07-35= is an example of the Township using zoning regulations to establish where and how a particular form of residential development could occur. The larger policy question for 2026 is whether these zoning decisions are still consistent with current infrastructure capacity, neighborhood character, housing needs, historic preservation, tree canopy, stormwater management, and climate resilience. O-08-02 = Are the distinctions and development standards established through O-08-02 still appropriate given today's infrastructure capacity, stormwater concerns, tree-canopy loss,
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		climate impacts, historic preservation goals, housing requirements, and the need to sustain businesses throughout the Township? O-08-09 = should be specifically reviewed as part of the 2026 Master Plan Reexamination. The ordinance was adopted to regulate building bulk and maintain compatibility with existing development patterns. Given the increased pressure for density and redevelopment, the Township should evaluate whether the existing 65% maximum building-width standard continues to adequately protect neighborhood character, open space, tree canopy, stormwater absorption, and appropriate spacing between structures. Any consideration of increased density or changes to bulk standards should be evaluated together with infrastructure capacity, environmental impacts, and the character of the surrounding neighborhood. Density should not be considered independently of the physical capacity of the lot and the infrastructure serving it. O-09-14 (The list shows O-013-09 and then O-014-09, with O-014-09 adopted June 9, 2009 as a zoning amendment; there is no O-09-14 designation shown. seems to be a mix-up in the numbers and needs to be verified) Are the existing N-C zoning standards still appropriate for the neighborhoods in which they are located, and were the cumulative impacts of subsequent zoning amendments adequately evaluated in relation to infrastructure capacity, traffic, stormwater, tree canopy, neighborhood character, and the sustainability of existing local businesses? The Township should specifically determine whether the current maximum density, lot-size requirements, impervious-surface allowance, height and setback standards, permitted uses and
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Page 10 Item 2	<u>Historic Preservation – General Recommendation</u> Explore the possibility of establishing view corridors and buffer zones adjacent to the Town Center Historic District to protect the district from inappropriate adjacent development. Determine whether sites adjacent to TCHD and future HD should be referred by the Boards to the commission for advisory reviews. Determine whether every municipal project requires Commission review	Not implemented.	mixed-use requirements remain appropriate for each N-C area, rather than assuming that one set of standards is appropriate for all N-C locations. Most importantly, the Township should evaluate what the existing infrastructure can actually handle before determining what additional development the zoning should permit. The need to expedite the establishment of clearly defined historic preservation corridors and buffer zones is imperative to ensure that we are adequately protecting Montclair's historic areas, structures, and neighborhood character. Recently, we lost an important element of the character of 108 Pine Street, which was covered in stucco. This situation highlights the need for stronger guardrails governing exterior alterations, including painting, materials, architectural design, and other changes that can significantly impact the historic character of a property and its surrounding neighborhood. Historic preservation cannot be addressed after the character of a building or streetscape has already been altered. We need a proactive framework that clearly identifies our historic areas and establishes appropriate protections before changes occur. The 2026 Master Plan Reexamination should therefore prioritize the identification of historic corridors, transition areas, and buffer zones, with clear standards for development and exterior modifications within and adjacent to these areas. These protections should balance property owners' rights with our collective responsibility to preserve Montclair's architectural heritage and community character for future generations.
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			Additionally, the Township should clearly identify who has authority to review and approve changes within these areas, what standards apply, and how residents are notified and given an opportunity to participate in the process. Establishing these protections now will help prevent further irreversible changes to the historic character of our community.
Page 11 Item 6	Historic Preservation – General Recommendation Review the existing guidelines of the Commission and explore potential changes that would serve to clarify the guideline for applicants.	HD guideline Completed in 2015 & adopted by HPC March 2016.	The Township should establish clear design criteria and architectural standards as part of the development application process. These standards should provide applicants with clear expectations regarding building design, massing, scale, materials, landscaping, and the relationship of a proposed development to surrounding properties. Establishing objective design criteria would help reduce arbitrary or subjective claims during the review process, provide greater consistency for the Planning Board, and allow applicants to understand the Township's expectations before submitting an application. The Township should also encourage applicants to provide complete design materials at the time of application, including architectural drawings, elevations, site plans, and clear visual renderings. Renderings should depict the proposed development from approximately 5–6 feet above grade and from relevant public and neighboring vantage points, and should include adjacent properties and surrounding context. This would provide Planning Board members and the public with a more accurate understanding of the project's scale, massing, visual impact, and relationship to the existing neighborhood. The recommendation should be incorporated into Section 347-137 and 347-138, with consideration given to Section 281 and its

			existing guide designs as a foundation for developing clear, objective architectural and design standards.
			The goal should be to establish predictable, transparent design expectations before an application reaches the Planning Board, while preserving the Board's ability to evaluate the individual characteristics and context of each proposal.
Page 12 Item 1	<u>Transportation/Parking/Traffic</u> <u>Objective</u> Increase the economic viability of our commercial district by providing flexible parking options and employees and designing streets and intersections that safely accommodate drives, pedestrians and bicyclists	Still Valid	The Township should strengthen the economic viability and long-term sustainability of its commercial districts by providing flexible, convenient and appropriately managed parking options for residents, customers, employees and local businesses. Parking strategies should recognize that commercial districts are often located within or adjacent to residential neighborhoods. The Township should therefore ensure that efforts to support commercial activity do not shift parking demand into surrounding residential streets or negatively impact residents' ability to park near their homes.
Page 14 Item 13 & 15	<u>Transportation/Parking/Traffic</u> #13 = In light of continued concerns about safety at the Watchung Ave/Plaza Intersection, conduct a second warrant study to determine whether a traffic light is needed. #15 = Provide safe drop off areas at municipal recreation facilities & enforce no parking safety zone at intersections and driveways	Study performed Done at Mountainside Park	#13 = The Township should conduct a comprehensive transportation and safety study of the South End, including a focused assessment of the Orange Road corridor, similar to other transportation and safety studies conducted throughout the Township in partnership with the County. #15 = Safe drop off areas should be implemented at all of our Township parks/recreation facilities.
Page 16 Items 1	<u>Economic Development and the Arts -</u> <u>Objective</u>	Still Valid	The current process of using selective strategies to stimulate investment in specific locations appears to lack sufficient transparency and a clearly defined framework. We need to

	Encourage smart development. Use redevelopment statutes selectively to stimulate investment in appropriate location where infrastructure, mass transit and service are available. Take opportunities to include public open space and green space in commercial development sites.		understand who is making these determinations, what criteria are being used, and how specific locations are identified as “appropriate” for investment and development. I believe the 2026 Master Plan Reexamination should establish a clearly outlined plan that identifies what constitutes an “appropriate location” for development and investment. These designations should be supported by objective criteria, including existing infrastructure, sewer and utility capacity, transportation access, neighborhood character, environmental considerations, available services, and the potential impact on surrounding residents and businesses. Encouraging investment is important, but it must be strategic, equitable, and consistent with the Township’s long-term planning goals. Development should not be driven simply by which properties or areas are selected for investment incentives. There should be a transparent process that demonstrates why a particular location is appropriate and how the proposed development advances smart growth while protecting the character and sustainability of our community. The Master Plan should provide residents, property owners, and businesses with a clear roadmap for where and why development should occur, rather than relying on selective decisions without an established framework. The Township should consider developing and implementing a comprehensive Arts and Cultural Plan to strengthen and preserve Montclair’s identity as a community known for its arts and cultural heritage. The plan should support opportunities for local artists, cultural organizations, residents, and visitors to gather, create,
Page 16 Items 1, 2 &3	Economic Development and the Arts – Objective	Still Valid	

		collaborate, and network, while maintaining the unique charm and character that distinguishes the Township. The Township should also explore establishing dedicated funding for arts programming and creative opportunities for young people, ensuring that children and youth have meaningful opportunities to experience, learn, and participate in the arts. Investing in arts education and creative programming can help foster creativity, encourage community engagement, and support the next generation of artists and cultural leaders. The Arts and Cultural Plan should identify potential spaces, partnerships, funding sources, and programming opportunities that can make the arts accessible throughout the Township while supporting Montclair's established arts community and cultural identity. The Township should evaluate whether recent development has resulted in a net increase in meaningful, accessible green space for residents. The designation of landscaped plazas as a public benefit should not, by itself, satisfy the Township's objective of creating or preserving open and green space. The Township should distinguish between functional green space and predominantly landscaped areas and evaluate the latter for their shade, tree canopy, stormwater management, heat-island effects, usability, and overall environmental benefit. Where public benefits are claimed as part of a development approval, those benefits should be clearly defined, measurable, and enforceable. New development should seek opportunities to incorporate trees, landscaping, permeable surfaces, shade, and usable open space, rather than relying primarily on additional hardscape.
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Page 17 Item 4	<u>Economic Development and the Arts – General Recommendation</u> Assess the benefits of creating new BID's	Not implemented.	The need to ensure that this component is included in the 2026 Master Plan Reexamination is critical, particularly for businesses located outside the current Center BID. We must take a comprehensive approach to supporting our entire business community and ensure that businesses throughout Montclair—not just those within the BID—are positioned to survive, grow, and thrive. The 2026 Reexamination should recognize the importance of sustaining all of our local businesses and consider strategies, policies, and recommendations that support economic vitality across every commercial district in the Township. The Township should prioritize implementation of the recommended development regulations identified in the 2007 Conservation Element, which have not yet been fully implemented. Consistent with the 2006 Master Plan Reexamination Report, the Township should also prioritize avoiding development impacts that negatively affect the quality of life of Montclair residents, including impacts to trees, open space, neighborhood character, infrastructure, traffic, stormwater and environmental resources. Future development regulations should balance growth with the protection of Montclair's environmental resources, neighborhoods and quality of life. The Township should conduct a thorough review of its progress in preserving open space, protecting natural resources, and implementing the environmental objectives established in prior Master Plans. The review should evaluate whether adopted policies, ordinances, pledges, and recommendations have
Page 21 Item 1	<u>Environment - Objective</u> Encourage smart development by preserving what is important to use clean drinking water, clean air, green space, trees, stream while providing opportunities for reasonable growth. We should be mindful of the impacts of further development on our environment and establish appropriate guidelines to avoid negative impacts on our quality of life.	Not implemented	

		resulted in measurable outcomes or whether additional regulatory and enforcement measures are necessary. The 2016 Master Plan Reexamination relies substantially on previously adopted ordinances, policies, and commitments as evidence of the Township's progress toward its environmental objectives. However, the adoption of a policy or ordinance should not, by itself, be considered evidence that the underlying objective has been achieved. The Township should evaluate the actual implementation, enforcement, and measurable results of those commitments. For example, the 2006 Master Plan Reexamination identified Environmental Objective #2, which called for the preservation of open space and acquisition of additional open space. The 2016 Reexamination identified the adoption of the 2007 Conservation Element as an action addressing this objective. The Township should determine whether the Conservation Element resulted in measurable increases in protected open space or otherwise achieved the objective established in 2006. Similarly, Environmental Objective #6, which called for encouraging reduced automobile usage, was identified as being addressed through the Sustainable Land Use Pledge adopted by the Township Council in September 2009. The Township should evaluate whether that pledge produced measurable changes in transportation behavior, vehicle dependence, pedestrian and bicycle infrastructure, or land-use patterns. The current Master Plan Reexamination should therefore distinguish between adopting a policy and implementing a policy. Where previously identified environmental objectives have not been fully achieved, the Township should identify
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		specific, enforceable actions, responsible parties, timelines, and measurable benchmarks to ensure that those objectives are implemented. Future land-use decisions, including applications for variances and other zoning relief, should also be evaluated for their cumulative impact on open space, tree canopy, stormwater management, neighborhood character, and environmental sustainability. Development decisions should be consistent with the Township's stated environmental objectives rather than undermining them. The goal should be to move beyond aspirational policies and ensure that Montclair's environmental commitments result in measurable preservation, meaningful enforcement, and tangible improvements to the Township's natural resources and quality of life.
Page 27	Essex County Transportation Plan	The Township should review and update the April 2014 Comprehensive Transportation Plan to ensure that the South End of Montclair is adequately represented and considered in future transportation planning, including improvements to public transportation, pedestrian safety, walkability, and connectivity. The updated plan should evaluate existing transportation needs and identify opportunities to improve access, mobility, and pedestrian infrastructure in the South End, particularly in areas that may be underserved or experiencing increased development and traffic. The Township should also begin coordination with Essex County early in the planning process to establish alignment on priorities,

			identify available funding opportunities, and develop a coordinated strategy for implementation. Collaboration with County transportation officials will be essential to ensure that recommended improvements are incorporated into County planning and can move from recommendations to implementation. Consideration for Affordable Housing on Wildwood Ave and New Street should be implemented for Senior Housing. The Township should ensure that all business districts and commercial corridors are included and considered when developing policies, programs, improvements, and economic-development strategies. Planning and investment should not be focused solely on the Downtown district. Neighborhood business districts play an important role in providing local goods and services, supporting small businesses, creating walkable communities, and contributing to the character and vitality of Montclair. Each district should be evaluated based on its individual needs, opportunities, infrastructure, accessibility, and challenges. The Facilities & Infrastructure Committee is currently developing a Memorandum of Understanding (MOU) with all "Friends of" groups that perform work, provide services, or conduct activities on Township-owned properties. The MOU is intended to establish clear expectations, transparency, accountability, and coordination between the Township and these community organizations. It should address the scope and approval of work performed, communication and reporting requirements, liability and insurance considerations, maintenance responsibilities, and compliance with applicable Township ordinances, policies, and procedures.
Page 31	Housing Items 2 & 4		
Page 32	Economic Development	"The vacancies in the commercial/downtown areas needs to be addressed. Not only are these an eyesore, but they give the impression of a struggling community."	
Page 35	Parks & Recreation		

Page 36 Items 14 & 15		Establishing a consistent framework will help ensure that the valuable contributions of “Friends of” groups are supported while protecting Township property, reducing potential liability, and ensuring that work performed on public property is properly coordinated and authorized.
Utilities Create an ordinance that would require display lighting in storefronts at night Amend zoning ordinance to make community gardens a permitted use.		Lighting = The Township should consider adopting an ordinance or establishing design standards that support small-business storefront visibility through appropriately designed exterior lighting. Well-designed, pedestrian-scale storefront lighting can improve visibility, create a more welcoming commercial environment, increase pedestrian safety, and help small businesses remain visible during evening hours. The Township should encourage lighting that complements the character of each commercial district while avoiding excessive brightness, glare, light trespass, or impacts on adjacent residential properties. Community Gardens = The Township should consider adopting an ordinance that makes community gardens a permitted use in appropriate zoning districts throughout all Wards. Community gardens can provide residents with access to fresh fruits, vegetables, and other locally grown foods while creating opportunities for community engagement, education, and neighborhood stewardship. The need for community gardens has increased as residents have expressed a desire for greater access to fresh and affordable produce, particularly in areas where residents may have limited access to full-service grocery stores or other sources of healthy food.

Page 37 Item 5	Recommendation Redevelopment Plans	Concerning	The Township should identify suitable public and private properties where community gardens could be established, including vacant lots, underutilized municipal properties, and other appropriate open spaces. The ordinance should establish reasonable standards addressing maintenance, water access, accessibility, fencing, hours of operation, and neighborhood compatibility. Community gardens should be viewed as more than recreational amenities. They can support food security, environmental sustainability, education, neighborhood revitalization, and community resilience. The Township should ensure that opportunities for community gardens are available equitably throughout Montclair and that residents in every Ward have the opportunity to participate.
			The Township should ensure that the Deteriorated Housing Project (RDP), adopted in January 2007, is reviewed and updated to reflect current housing conditions and community needs. The Township should prioritize early intervention and work collaboratively with residents before a property reaches deteriorated status, providing resources and assistance to help preserve safe, well-maintained housing. Additionally, the Township should ensure that affordable housing properties are properly maintained and managed, with appropriate oversight to protect the quality of life, safety and living conditions of residents. Utilization of the Affordable Housing Trust Funds should be incorporated into a new plan to buy or rehab homes, as to date much of the funds has been utilized for paying vendors to prepare reports.

Page 1	MP Reexam Process YTD 2023 (12/13/23)	Planning Board May 22, 2023 Report Item#1(H)	NOTE: The Township should review and remove any language in Township documents that incorrectly identifies 53(a portion of 51) New Street and/or the Township-owned portion of 55 New Street as “deteriorated housing” where no building exists on the applicable Township-owned lot. The designation of a property as deteriorated housing should accurately reflect the existing physical conditions of the property. If the Township-owned lot contains no building or dwelling structure, it should not be characterized as deteriorated housing. The Township should conduct a thorough review of all Master Plan, Housing Element, affordable housing, property inventory, and other official documents to ensure that the address, block and lot, ownership, and physical condition of these properties are accurately represented.
			The Township should develop a comprehensive, Township-wide plan for development around all train stations, rather than concentrating transit-oriented development in a single ward or station area. The plan should evaluate each station and surrounding neighborhood based on infrastructure capacity, transportation needs, neighborhood character, housing affordability, and community priorities. Past planning that concentrated significant development around the Ward 4 station area has had a substantial ripple effect, contributing to concerns regarding displacement, rising housing costs, and gentrification in surrounding neighborhoods.

Page 2	MP Reexam Process (12/13/23)	YTD 2023		Future transit-oriented development should therefore be guided by an equitable framework that considers the potential impacts on existing residents before development occurs. The Township should establish appropriate safeguards to preserve housing affordability, protect existing residents and small businesses, and ensure that infrastructure and public services can support additional density. A coordinated approach across all Wards and train stations would promote more balanced growth, reduce the concentration of development impacts in one area, and ensure that the benefits of transit-oriented development are shared throughout the Township.
Page 2	MP Reexam Process (12/13/23)	YTD 2023	Planning Board May 22, 2023 Report Item #3	The Township should recognize and address the cumulative impact that overdevelopment, zoning variances, and land-use approvals have had on historically established neighborhoods, particularly in Ward 4. The cumulative effects of these decisions have contributed to concerns regarding displacement, loss of housing affordability, and changes in the demographic character of the community. Future decisions by the Zoning Board of Adjustment and Planning Board should consider not only the individual merits of an application, but also its cumulative impact on the surrounding neighborhood and on the Township's longstanding communities. Montclair should take deliberate steps to preserve the diversity and cultural heritage of the African American community, whose residents have contributed to the Township's civic, cultural, economic, and social development from the early 1800s to the present.

		The Township should incorporate equity and anti-displacement considerations into future land-use, zoning, housing, and development policies, with particular attention to historically significant African American neighborhoods and communities. Development should strengthen Montclair without displacing the residents and communities that helped build and shape the Township. The Master Plan should identify specific strategies to preserve existing housing, support long-term residents, protect historically significant neighborhoods and properties, and ensure that future development provides equitable benefits across all Wards. Per the Census database <table> <tr> <th>Census year</th><th>Black/African population</th><th>American Share of Montclair</th></tr> <tr> <td>2000</td><td>12,497</td><td>~32%</td></tr> <tr> <td>2010</td><td>10,230</td><td>27.2%</td></tr> <tr> <td>2020</td><td>9,326</td><td>22.8%</td></tr> </table> The Township should conduct a thorough review and analysis of all public comments and meeting notes received during the Master Plan Reexamination process and give meaningful consideration to that feedback before finalizing the Master Plan. Public input should not simply be documented as part of the process; recurring concerns, recommendations, and priorities identified by residents should be evaluated and, where appropriate, incorporated into the final plan.	Census year	Black/African population	American Share of Montclair	2000	12,497	~32%	2010	10,230	27.2%	2020	9,326	22.8%
Census year	Black/African population	American Share of Montclair												
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	Master Plan Reexamination Report Community Meeting Notes Ward 1 = July 15, 2026 Ward 2 = July 22, 2026 Ward 3 = July 15, 2026 Ward 4 = July 29, 2026													

		The Township should also provide transparency regarding how public comments influenced the final recommendations, including identifying issues that were incorporated, modified, or not adopted and the rationale for those decisions. This will help ensure that the final Master Plan reflects the experiences, concerns, and priorities expressed by residents throughout the public engagement process.
	Reexamination Period Public Hearings Request	The Township should establish a formal and transparent timeline for public engagement as part of every Master Plan Reexamination. This timeline should provide sufficient opportunity for public advertisement and notification, community education, Ward-based meetings, public hearings, written and electronic comments, and meaningful review of resident feedback before the Plan is finalized. The public engagement process should begin at least two years before the ten-year milestone, rather than waiting until the statutory deadline is approaching. Beginning the process earlier would allow adequate time to evaluate demographic and development trends, review existing recommendations, identify emerging issues, and engage residents in shaping the Township's long-term vision. The 2026 reexamination process occurred on an accelerated timeline, with community outreach taking place relatively late in the process. This approach limited the amount of time available for residents to become informed, participate, and provide meaningful feedback. During the four Ward meetings, approximately 72 residents participated, with approximately 31 residents providing comments or serving as speakers. Given the size of the Township, the level of participation should be

		considered in evaluating whether the outreach process provided sufficient opportunity for broad community engagement. Additionally, the presentation utilized during the Ward meetings was dated April 2026. Future public engagement materials should be current and reflect the most recent available demographic data, development activity, infrastructure conditions, studies, and policy recommendations so that residents and decision-makers are evaluating the Township based on current conditions. As part of the reexamination, the Township should also conduct a comprehensive review of the issues and recommendations identified in the previous Master Plan, including an assessment of whether each condition has improved, worsened, remained unchanged, or been adequately addressed since 2016. The review should identify recommendations that were implemented, those that remain outstanding, and whether the underlying conditions have changed. (as required by State Statute NJSA 40-55D-89.) This evaluation should be supported by current data, measurable outcomes, and community input. The purpose should be to ensure that the new Master Plan is not simply a restatement of previous recommendations, but provides a clear assessment of what has changed since 2016, what has not changed, what remains unresolved, and what additional actions are necessary. Given the limited level of community engagement during the current reexamination, the Township should, following the November submission deadline and consistent with applicable State requirements, initiate a supplemental community engagement process. The November deadline should not be
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		viewed as the end of the Township's responsibility to engage residents in its long-term planning. The supplemental process should include adequate public notice, community meetings in all Wards, opportunities for written and electronic comments, and a transparent method for documenting, reviewing, and responding to resident recommendations. The Township should clearly communicate how public input is being considered and, where appropriate, incorporated into future amendments, policies, and implementation strategies. (as required by the Open Public Meetings Act), The goal should be to ensure that the Master Plan reflects meaningful community input, current conditions, and the evolving needs of Montclair residents, rather than allowing a compressed timeline to limit public participation. A continued engagement process will provide an opportunity to address concerns and recommendations that could not be fully considered during the current reexamination period and will strengthen public confidence in the Township's long-term planning process.
	Transit Village	The final Master Plan should use the term "gentle density" when describing anticipated development around new or expanded transit villages. During the Township's discussion of the Fourth Round Affordable Housing requirements, the Planner publicly described the approach to development around new transit villages as "gentle density." This terminology was emphasized as a means of accommodating additional housing while remaining sensitive to existing neighborhood character, scale, infrastructure, and quality of life.

		The current Rutgers Master Plan material, however, appears to use the term “high density” in place of “gentle density.” To my knowledge, and based on my review of Planning Board meeting discussions, there was no substantive public discussion or Planning Board consideration of this change in terminology. This distinction is significant. “Gentle density” and “high density” do not convey the same level or intensity of development, and the language used in the Master Plan will establish an important framework for future land-use decisions. Accordingly, the final Master Plan should be consistent with the terminology and intent presented to the public during the Fourth Round Affordable Housing process and should use “gentle density” rather than “high density” when referring to development around transit villages. Any proposed change in development intensity or terminology from what was previously presented to the public should be clearly identified, publicly discussed, and subject to appropriate Planning Board and community review before being incorporated into the final Master Plan. I would recommend that the Master Plan require any transit-village proposal to evaluate at least: • Infrastructure capacity • Sewer and stormwater capacity • Parking and traffic • Pedestrian safety • Tree canopy and green space • Neighborhood scale and historic character • Affordable housing
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			• Potential displacement of existing residents • Impact on existing businesses • School and municipal-service capacity • Cumulative development impacts • Whether benefits and burdens are distributed equitably among all Wards
	Ordinance Review Requirement		It is recommended that the Planning Board (PB), Zoning Board of Adjustment (ZBA), and Historic Preservation Commission (HPC) regularly identify and recommend to the Township Council those ordinances that require review, clarification, or revision to ensure that these boards have clear and effective regulations to guide their deliberations and decisions. Many of the Township's existing ordinances are not sufficiently clear and may be subject to varying interpretations. Ambiguity in municipal regulations can make it difficult for boards, applicants, residents, staff, and the public to understand what standards are intended to apply. Words like should v. shall need to be tightened up to ensure transparency and alignment. Additionally, these Boards should be allowed to visit the sites in question before making any decisions to assess the area and if the applicant site fits within our <u>guidelines/policies</u>.

Master Plan Reexamination – Housing Affordability & Transit Centers

From [REDACTED]
Date Thu 9/10/2026 9:17 PM
To Janice Talley <jtalley@montclairnjusa.org>

You don't often get email from [REDACTED]

[Learn why this is important](#)

Hi Janice,

I want to thank you for all the work that you, the Planning Board, and township staff do for our community, and all the time you're putting into the master plan reexamination.

My name is [REDACTED]. I am writing today because, like so many of my neighbors and members of our local government, I share the deep concern about rising costs in Montclair, and the pricing out and displacement of long-time families. Preventing displacement and keeping our community accessible must be a central priority as we plan for Montclair's future.

However, all of the evidence I've seen suggests that the best way to achieve this is to promote, rather than restrict, new development in our town. It is entirely understandable why new construction makes people uneasy. Over the past decade, residents have watched luxury apartments go up while rents continued to climb and neighbors moved away. Naturally, many on our boards and in our town view upzoning as a driver of displacement and rising prices.

I don't ask you to take my word for it, nor do I expect a single email from a resident to change minds on its own. What I ask is that the Planning Board take seriously the growing body of empirical research from urban economists and policy institutes (for instance, studies by Matt at the Urban Institute, Pennington, or research summarized by the Urban Institute and NYU's Furman Center). One of the most striking findings: when researchers tracked the actual address histories of tens of thousands of people moving into new apartment buildings, they found that building 100 new market-rate units frees up roughly 70 units in lower-income neighborhoods within five years, simply because households move up and vacate existing stock. A separate study found that new construction lowered nearby rents and cut renters' odds of being displaced to a poorer neighborhood by 17%. The research consistently shows that new buildings appear where demand is already surging, and restricting supply actually accelerates displacement by forcing affluent buyers to compete for a fixed stock of homes.

If Montclair had built nothing over the last decade, research suggests our displacement pressure today would be either the same or, more likely, worse. On the other hand, adding supply gives us one tangible guarantee: it allows us to expand our stock of affordable housing.

From what I understand, under Fourth Round housing obligations, Montclair has a prospective need of zero affordable units, meaning no external body will mandate new affordable construction here. If we want new affordable units for current residents, our own local zoning has to generate them.

I've been watching planning board meetings on and off for several years now, and it often feels like Montclair already permits modest development on paper, but in practice projects stall or never materialize. My sense is that height limits, high affordability percentages, and parking minimums often make the math difficult for developers, so builders never propose anything viable in the first place. Within a short walk of me, on a stretch of Bloomfield Avenue that is a central area of restaurants, shops, a train station (and a future grocery store), there are 3 car repair shops, 2 gas stations, and at least 2 empty lots. These strike me as exactly the kind of sites that should hold housing, including affordable units. But if our rules are too restrictive for a project to materialize, we don't get a better building instead. We get nothing: no new units, and no new affordable ones either.

We don't need Lackawanna-scale developments across town to fix this. The simplest path forward, one the board has already discussed, is encouraging more housing around our transit centers.

Ideally that would mean all of them, including the west side of Bloomfield from Maple Ave to Elm Street. But Walnut, Watchung, and Upper Montclair have seen virtually no new development in the past decade, while Bay Street and Bloomfield have absorbed most of it. I know some committee members are frustrated by that imbalance. These upper stations strike me as the easiest place to find broad agreement.

Encouraging modest growth here makes sense for Montclair for three main reasons:

1. **Actually Getting Affordable Units Built:** This is really the core of my argument. I'm not thrilled about developers turning a profit off our town either, and I don't think it's unreasonable that people want to keep that in check. But because dedicated affordable-only projects are rare and exceptionally difficult to finance, the vast majority of our affordable units come as a share of new market-rate development. Permitting

something on paper isn't enough; a project also has to be viable for someone to actually build it. Station-adjacent sites draw the highest level of interest from builders, which means they're the places where proposals are actually likely to be submitted, approved, and completed.

2. Unlocking State Funding (P.L. 2026, c. 78): Under Assembly Bill 3877 (P.L. 2026, c. 78), signed just last month, it is my understanding that municipalities using a formal reexamination of their master plan to adopt strategies like transit-oriented density or reduced parking minimums near stations gain preferential status for competitive DCA state grants, Transportation Trust Fund allocations, and up to a 10% increase in state funding shares for local school facilities projects. That's exactly the kind of reexamination we're doing right now. This bill hasn't come up in any of the meetings I've watched, but given our local school system's financial situation, if I am understanding these details correctly, it seems directly relevant to what we're deciding (for reference: [TAPinto Montville Housing Law Update](#)).

3. Mitigating Traffic: Residents living near train stations own fewer cars and make fewer daily driving trips, allowing us to add housing without adding proportional traffic. While this won't eliminate traffic concerns completely, it should ease them, and any added congestion seems like a reasonable trade-off given what's at stake for our town.

The gentrification pressure our town faces doesn't originate in Montclair, and none of it is going away. New Jersey has been underbuilding housing for years, and the state's own housing agency puts the current statewide shortfall at roughly 150,000 units. Demand for walkable communities with direct NYC transit access will remain high regardless of what we put in our master plan. We only get to decide who absorbs this pressure: new residents in new buildings near a train station, or the neighbors we already have, quietly and slowly getting outbid for the homes that are already here.

Upzoning near our stations doesn't solve this cleanly, and I know it isn't the popular position with many on the township council and planning board. But of the paths actually available to us, it's the one that works with these economic forces instead of pretending we can hold them off. It's not a perfect solution. It's just, as far as I can tell, our best path forward.

Thank you for considering these points and for your hard work on this process.

Best regards,



2026 Master Plan

From [REDACTED]
Date Thu 9/10/2026 4:43 PM
To Janice Talley <jtalley@montclairnj.gov>
Cc Aminah Toler <atoler@montclairnjusa.org>

I cannot say it better regarding the angst we feel than this account by Ilmar Vanderer in the article attached. Planner Talley and good afternoon.

I don't know which exceeds the other: a dread that our Town Planner does not listen to residents about OUR town and consider and act accordingly OR the extraordinarily devastating generational legacy your actions continue to leave in their wake. Your name is on this.

The goals of the 2006 and 2016 Master Plan have not been implemented or met. Sarah Avery has written extensively on this. How callous to present a new 10-year plan for 2026 which flaunts and omits HUMAN NEEDS and already-established goals and to hide behind the fact that it "can always be amended."

In your own words, "...if this Board does recommend we do a whole new Master Plan, I think that is an excellent recommendation."
Aug 31, 2026 Planning Board Meeting

Perhaps indeed we DO need a new Master Plan upon which we can live in dignity and transparency and equity and equality for the next ten years.

Perhaps you should please stay up nights now at the 11th hour as you've jammed public input into summer schedules with your own deadline — this document was prepared months in advance before the public had a chance for input — now unfortunately for you, respectfully, we need to fix this.

Generations of displaced and on-the-cusp-of-displacement Montclair residents, particularly those Black families in the 4th and parts of the 3d Ward — those who due to the greenlighting of developers anointed by you as Planner have lost sleep as they lose their homes, businesses, their adult children who cannot afford to live and work here — some have managed to remain as the "Master" Plan is one of displacement and as density grows, as we wreck our environment, schools, open spaces,

streets, safety, build build build for the wealthy, and put profits above people, more than the 3000 Black families will be lost. These are our doctors, nurses, lawyers, firefighters, small business owners, students, teachers, grandparents, mons, dads, and BELOVED CHILDREN.

I implore you, without being disingenuous, do stay up tonight, tomorrow night, and get it right. According to you, you have a few more hours to submit, Planner Talley.

Respectfully, we are not here to do your bidding. You work for us. Your role is critical. We need a responsive Town Planner. Please do your job re what the residents in all wards, but particularly the 4th as most impacted historically and now moving forward, deserve and require as a human right.

Speak Up or Else: Montclair Planner's Eleventh-Hour Master Plan Comment Cutoff Spurs Scrutiny
<https://www.tapinto.net/towns/montclair/sections/development/articles/speak-up-or-else-montclair-planner-s-eleventh-hour-master-plan-comment-cutoff-spurs-scrutiny>

The document



RODDY FOR MONTCLAIR

Date: Wednesday, September 9, 2026

To: Janice Talley, PP, AICP — Director of Planning and Community Development

From: [REDACTED]

Subject: Recommendations for the 2026 Master Plan Reexamination

cc: Township Council

Director Talley,

I am writing to submit my recommended amendments to the Master Plan along with a recommendation for Township Council as a part of the 2026 Master Plan Reexamination. Most submissions the Planning Board will read during this process ask for specific outcomes, and many viable comments have been provided by the community. However, my submission's focus is largely on the machinery that enables outcomes.

I. The Asks

Six recommendations for the Master Plan and one recommended amendment to the Zoning Code

They rest on two, key themes:

1. Under state law, incremental density granted alongside an affordable housing requirement is a form of *compensation*. Montclair grants that compensation first and prices the deal later. By the time a tax exemption is negotiated, the leverage the density represented is already spent, and residents pay a second time for the same affordable units.
2. Where the Master Plan should supply a standard, it too often supplies an adjective; *appropriate*. *Appropriate* infrastructure, *appropriate* public

benefits, *appropriate* transitional zones... Unlike a standard, an approval-gating adjective provides no published measure against which anyone can be held.

Together, these produce the below problems that drive the recommendations that follow. They are centered on three, primary goals: **publish key metrics before the vote that locks in density, replace undefined adjectives with measurable standards, and put more accountability for development decisions on the record with our elected, legislative body.**

II. The Problems

1. Density is compensation, and it is granted before anyone prices it.

Under the Fair Housing Act, when a municipality requires affordable housing it must compensate the developer for the associated loss in income and value. The statute says how:

"Whenever affordable housing units are proposed to be provided through an inclusionary development, a municipality **shall provide**, through its zoning powers, **incentives to the developer**, which shall include **increased densities and reduced costs.**" — N.J.S.A. 52:27D-311(h)

The statute's companion provision¹ allows *"for densities necessary to assure the economic viability of any inclusionary developments, either through mandatory set-asides or density bonuses, as may be necessary to meet all or part of the municipality's fair share in accordance with the provisions of subsection h. of this section"*.

The Legislature intentionally wired the viability standard to density-as-compensation in this subsection. Meaning, the statute contemplates compensatory density that is necessary for economic viability; not simply the density requested by the applicant. "Necessary" is a quantifiable threshold. None of this depends on Montclair having a remaining fair-share obligation: subsection (h) attaches *"whenever affordable housing units are proposed to be provided through an inclusionary development"* (no fair-share condition).

The Master Plan takes this position, as well. The Unified Land Use and Circulation Element states:

"Increases in density suggested by this Unified Plan could be considered as a compensatory benefit sufficient to support the required affordable housing set aside."²

The Lackawanna Plaza Redevelopment Plan reproduces that sentence where it references the Master Plan's recommendations, and Township Council recited it again in the resolution setting forth its reasons for adopting that plan.

"Sufficient to support", like "necessary" for "economic viability", is a quantifiable position. Whether the density was actually sufficient can be answered, but doing so requires the question to be asked before the density is granted. The Township's normal-course sequence puts that question after.

2. The sequence is the mechanism.

The reason this persists is the order of operations.

Density is adopted at the redevelopment plan stage by Township Council ordinance, and at that moment the Township typically holds no financial

information about the project at all. The PILOT agreement, which is where we've historically received financial disclosure, comes several stages (sometimes years) later.

By then, the compensation from the incremental density has already been granted. Whatever leverage the density represented is gone. The Township arrives at the PILOT agreement negotiating table holding nothing.

This asymmetry exists because only one party (i.e. the developer) has the underlying data. No developer proposes a unit count, a building height, and a unit mix without modeling the economics first. **The pro forma always exists. It just isn't disclosed.** By the time it is, the decision it could have informed has already been made.

3. Because the pricing comes last, the Township pays twice.

This is the consequence residents feel the most.

As previously stated, a density bonus is a form of compensation for an affordable housing obligation. But because nothing connects the incremental density to the compensation when the density is granted, the obligation is still sitting there unpriced when the applicant returns at the PILOT agreement stage where it's argued that the affordable units require tax relief for economic viability.

Residents give up density value **and** tax revenue with the second payment being justified by the same affordable units the first payment was supposed to have covered (at least in part), because the value of the incremental density isn't offset against the loss in income it was meant to compensate. By the tax exemption stage there is nothing left to negotiate with.

4. Where the plan owes a standard, it supplies an adjective.

The same defect appears across at least eight, different Plan documents.

Three examples:

- density traded for **"appropriate public benefits"** in the Unified Land Use and Circulation Element³;
- density directed to areas with **"appropriate infrastructure"** in the Sustainability and Resilience Amendment⁴;
- Residential neighborhoods to have **"appropriate transitional zones"** with adjacent commercial zones in the 2026 Overview's Initial Recommendations⁵, showing that the pattern is currently being written into the reexamination.

None of the three is defined anywhere in the Master Plan or in the Zoning Code. The cost is not abstract. A board member asked to weigh whether infrastructure is "appropriate" is being asked for a discretionary opinion. While, a board member asked whether, for example, verified sewer capacity exists is being asked a question with a definitive answer. The first invites the legal risk that we're so often warned about. The second resists it. The Unified Land Use and Circulation Element also makes this argument, in its recommendation to create a stronger design review process:

"Discretionary design review... is problematic because it leaves the Township vulnerable to legal challenges that decisions are arbitrary, capricious or vague. Clearly stated administrative requirements avoid this problem."⁶

Standards are what make decisions concretely supportable.

III. The Recommendations

Recommendation 1 — Disclosure at the density stage

Any application or plan seeking residential density, height, or floor area above the applicable base standard, or carrying an affordable housing requirement, should file a financial disclosure package: the unit count and mix, the rent or sales schedule by unit type and affordability tier, operating expenses, net operating income, total project cost split between hard and soft costs, the developer fee, the assumed capitalization rate, and the projected stabilized return. The level of line-item detail should at least match what has historically been provided at the PILOT agreement stage. Just earlier...

Why the trigger has to be the density request and not the exemption.

The disclosure package that we typically see at the PILOT agreement stage is triggered by an application for a long-term tax exemption⁷; an event whose timing the applicant controls. An applicant who expects the numbers to show that the project works without tax relief has every reason not to file for that relief until after the density is granted and the moment for analysis has passed. Tying disclosure to the exemption therefore rewards deferral.

A developer would forgo a tax exemption when the density alone makes the project viable, which is the Fair Housing Act's design working exactly as intended and precisely the finding this recommendation seeks to produce. A project that takes the incremental density and then returns for the exemption is making a different claim: the compensation already granted was insufficient. **That claim is checkable, and it should be checked before the density is granted.** The disclosure should therefore attach to the affordable-housing requirement and the density request.

Recommendation 2 — The Fiscal Analysis: Four Numbers Before the Vote

Before Township Council adopts any redevelopment plan or zoning amendment permitting density, height, or floor area above the underlying standard, the Township should publish an independent analysis funded by the applicant answering four questions.

THE QUESTIONS

1. **What is required to be delivered?** The affordable obligation actually applicable to the site in question and anything the Township *chooses* to require beyond it, identified as a choice.
2. **What does delivering it cost?** The value the affordable requirement removes from the project.
3. **What is the density worth?** The value created by the **public act** of granting the incremental density, which is the difference between the project's value with the incremental density and its value without it. This question seeks to answer "What value was created that didn't exist before?".
4. **What, if anything, is still owed?** Number 2 minus Number 3, floored at zero and offset against any exemption, abatement, or other concession subsequently granted.

The Township has commissioned economic studies in the past. However, their focus has typically been the marginal, municipal cost of serving the project (i.e. police, fire, and schools) against the revenue it will produce. That is a fair municipal budget question. However, it does not value the affordable obligation, and it does not value the density granted to compensate for it. Numbers 2 and 3 above are absent.

What this applies to and when it is due.

This recommendation suggests that the requirement apply to **any ordinance adopting a redevelopment plan or zoning amendment that would permit density, height, or floor area above the base standard.** The analysis must be **published before the first reading of the ordinance.** And it should be a **precondition to adoption.** An ordinance should not be adopted without it.

Publication of the fiscal analysis at introduction gives the public the interval between the two readings to voice their concerns. This recommendation does not lengthen the statutory time frame between introduction and final passage. It simply asks that one more document be in the public's hands when the interval begins.

One objection is worth proactively addressing. The statute that sets that timetable⁸ closes with: *"No other notice or procedure with respect to the introduction or passage of any ordinance shall be required."* Read broadly, that sentence could bar any additional step of any kind. However, this subsection governs notice and its publication. What is recommended here is not a change in notice at all. It is a change in Master Plan policy, which is the focus of the reexamination.

In the event that density, height, or floor area is increased after introduction, or the set-aside reduced, the analysis should be updated and re-published. Otherwise the figures the public reviewed are different than those being adopted.

A separate objection to this is already on the record. In adopting the Lackawanna Plaza Redevelopment Plan, the Township Council stated that questions of economic impact are *"largely beyond the purview of the Planning Board."* The same position was stated at a recent Master Plan reexamination session in response to a resident's question about how the process accounts for financial sustainability: *"land use plans do not*

evaluate the financial aspects of property value... It really doesn't focus on values." Three points should be made here.

The argument does not survive its own logic. If the economic consequences of a redevelopment plan lie beyond the Board's purview, then so does the grant of compensatory density that produces them. A body cannot be qualified to award the benefit and not qualified to know its price. They are one transaction.

The Master Plan does not agree. It already recommends that *"Larger development projects should be required to submit an economic impact analysis so that the impacts of development can be evaluated as conditions change."*⁹ What is asked here is simply the Township's own recommendation with more robust context.

The statute doesn't agree either. Municipal Land Use Law states, as a purpose of the act¹⁰, *"To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies."* Land use and public money are joined in the Municipal Land Use Law's own account of what the law is for.

Finally, to be clear about what is being asked of the Planning Board: **this recommendation does not ask the Planning Board to perform an economic assessment.** It is asked to note whether the analysis this recommendation adds to the Master Plan was prepared and published. That is a question of consistency with the Master Plan.

Where the analysis confirms that the density is necessary for economic viability, an informed decision can be made on that basis. This is the point of doing the analysis upfront. Where it supports less, the remaining capacity is leverage the Township currently gives away for free. Either way, the elected, legislative body (not an unelected, quasi-judicial body) decides with complete information in public. This implements the Fair Housing Act in spirit.

This recommendation leaves two issues to resolve. First, the methodology has to be standardized. Market rents, capitalization rates, and stabilized-return assumptions are exactly where a contested number is manufactured, and a requirement that leaves them to the preparer invites a dispute. *Second, the requirement has to anticipate avoidance.* The trigger has to be drafted so that the same density grant can't arrive by another route without the analysis.

Recommendation 3 — Calibrate base density and height so the bonus has somewhere to go

The Unified Land Use and Circulation Element records the problem, in its discussion of Montclair Center (p. 109):

"...there is only one building on Bloomfield Avenue, outside of recent redevelopment areas, that is six stories tall. Montclair Center is defined by a mix of buildings that generally range in height from one to four stories."

Base zoning already sits above the built context. So when the Fair Housing Act's density compensation is added on top of it, the result is a building height well beyond what the corridor contains, and every project needs an exception to get there.

Set the base at the contextual level, and reserve the increment above it for the compensation the statute requires. This is an arrangement under which the affordable obligation can be paid for in density without producing an outsized structure or imposing undue fiscal burden on residents via PILOT agreements. It is also an arrangement under which the Township stops giving away its bonus capacity before the obligation is even priced.

Recommendation 4 — Define "appropriate infrastructure," and measure it

The Sustainability and Resilience Amendment ("SRA") directs the Township to *"continue to promote higher density, compact, mixed-use development in areas with **appropriate infrastructure** to reduce automobile dependency and reduce carbon footprint while limiting future development in areas that are environmentally constrained."*⁴

"Appropriate infrastructure" isn't defined anywhere. Not in the SRA... Not in the Zoning Code... Accordingly, it is open to interpretation. And the capacity it refers to has never been measured. The element assesses hazard **exposure** in depth, including a critical-facilities inventory, floodplain mapping, and impervious surfaces. However, those answer *what is exposed*. They do not answer if we can carry the growth that we're promoting. **To answer this, the Township needs to perform an infrastructure build-out analysis.**

The law requires this. The statute says that the vulnerability assessment *shall* "include a build-out analysis of future residential, commercial, industrial, and other development in the municipality," together with an assessment of the identified climate threats and vulnerabilities "related to that development."¹¹

Despite this legal mandate, the SRA says...

"The Township's 2023 CCRHVA *opted not to conduct a build-out analysis*, noting the limited availability of vacant, developable lands. In accordance with the Municipal Land Use Law (MLUL), a build-out analysis is important to understand the remaining development potential within Montclair and the associated impacts on infrastructure, community character, and climate resilience."¹²

We can't opt out of a statutory "shall". Furthermore, the statute says future *development*¹¹, not future *vacant-land* development, and the SRA records a projection of "approximately 600 new housing units by 2035"¹³. The growth is anticipated. Yet, the analysis of the supporting infrastructure capacity has not been performed. The SRA simply states that the township is almost "fully built-out", which cannot objectively be considered a good-faith analysis.

"Appropriate infrastructure" should be defined to require three things, all of them measurable:

1. **Verified surplus capacity:** Sanitary sewer, stormwater, water supply, and roadway documented by the Township Engineer in consultation with the responsible utilities.
2. **A measured locational test:** A ten-minute walk to a NJ Transit rail station, measured along the pedestrian street network, together with location in a designated redevelopment area, commercial corridor, or center identified in the land use plan element. Leaving "appropriate infrastructure" undefined could be interpreted to mean simply the presence of a sewer line and a paved street, which describes every block in town.
3. **Quantified environmental performance** that is materially better than building code, including stated numeric thresholds that must be met and verified during inspection (e.g. envelope performance expressed in terms of air-tightness and assembly insulation values, stormwater retention, impervious surface reduction, etc.).

The trade this recommendation proposes is explicit. Where the Township grants density above the base standard, it is granting something of measurable value. In exchange, the public receives a materially and measurably more efficient building and a genuinely transit-served location in line with the smart growth principles the SRA claims, both of which

quantifiably reduce climate vulnerability. Both sides of the trade should be stated as numbers.

The density-as-sustainability premise should be retired from the element. The element promotes higher density "to reduce automobile dependency and reduce carbon footprint"⁴. Density is being offered as a climate strategy in and of itself. It is not. Where it delivers measurable environmental benefit, the benefit should be measured. Where it does not, the element should not imply otherwise.

What form a density policy should take.

While the climate change-related hazard vulnerability assessment is a component of the land use plan element, the statute details what it is for:¹⁴

1. analyze current and future threats to, and vulnerabilities of, the municipality from climate-related natural hazards;
2. **include a build-out analysis** of future residential, commercial, industrial and other development, and the threats to that development;
3. identify critical facilities, utilities, roadways and other infrastructure needed for evacuation and for sustaining quality of life during a disaster;
4. analyze the impact of natural hazards on components of the master plan;
5. **provide strategies and design standards** that may be implemented to reduce or avoid risks;
6. state how the assessment integrates with hazard mitigation, floodplain, emergency management, recovery and capital improvement planning; and
7. rely on the most recent hazard projections and best available science from the Department of Environmental Protection.

All seven of these are diagnostic or risk-reducing. None of them authorizes a development ideology.

Municipal Land Use Law requires that density appear in the master plan as *"a statement of the standards of population density and development intensity recommended for the municipality."*¹⁵ The operative word is **standards**.

The Unified Land Use and Circulation Element's section titled *Land Use Standards* provides a good example of this, stating zone-by-zone a very specific set of standards. Each is a number fixed to a place that can be applied to a parcel before an application is decided and checked against afterward.

"Continue to promote higher density" is not a standard of that kind and appears as one nowhere in any element. It states a direction without a number, threshold, or boundary. Nothing in it can be applied to a particular application, and nothing in it can be measured afterward to determine whether it was followed. This invites more of the same legal risk that we're repeatedly warned about.

The remedy is a scope provision. The Sustainability and Resilience Amendment should be amended to state that it does not, by itself, authorize any increase in permitted density, height, or floor area and does not substitute for the standards of the land use plan element. If the Planning Board intends transit-oriented density, then the definition recommended above supplies the criteria. The intended density must then take the form the statute requires: *"a statement of the **standards** of population density and development intensity."* That is the practical effect of the firewall: a hazard assessment may say where growth is appropriate on hazard grounds, but the moment the Township wants to say **how much** or what kind of growth, the statute makes it write a number. This

recommendation prevents a hazard assessment from operating as a second, parallel source of zoning authority.

Recommendation 5 — State the affordable housing floor in the Housing Element.

The Housing Element and Fair Share Plan, one of the two elements a zoning ordinance must be "*substantially consistent with*"¹⁶, should state as adopted municipal policy that the minimum set-aside established by Zoning Code¹⁷ applies within areas in need of redevelopment or rehabilitation, and that any redevelopment plan providing less is inconsistent with the Master Plan.

What the Master Plan says today, and why it is not enough.

The Unified Land Use and Circulation Element already endorses the standard. It says that the Township's "existing affordable housing policy requires that 20 percent of all dwelling units in projects creating five or more new units must be affordable." It also notes that the policy has been endorsed by the Housing Commission and the Senior Citizen Advisory Committee and calls it "still a valid goal."¹⁸ But a goal is what it remains today; not policy. The Element asks the Township to "investigate zoning and/or other compensatory benefits that make the 20% set aside achievable"¹⁸, which is an instruction to pursue the standard; not a statement that the Master Plan requires it. **That distinction is the whole problem.** A redevelopment plan providing less than the minimum is not inconsistent with a goal, because a goal states no benchmark to depart from. Stated as adopted policy in the Housing Element, the same number becomes a benchmark, and a departure from it becomes something Township Council must vote on and explain.

What it fixes and why this rather than an ordinance.

The Township's inclusionary standard is displaced in redevelopment areas today. The displacement is authorized by the Zoning Code¹⁹, whose authorizing subsection closes as follows:

"This article may be superseded in areas in need of redevelopment or rehabilitation by a redevelopment plan duly adopted pursuant to N.J.S.A. 40A:12A-1 et seq."

The instinctive repair is just to strike that sentence. **That repair is weaker than it looks.**

The Local Redevelopment and Housing Law provides that a redevelopment plan "shall supersede applicable provisions of the development regulations of the municipality" ²⁰. The Municipal Land Use Law defines "development regulation" to include a zoning ordinance, which the inclusionary ordinance is. This definition reaches "*a zoning ordinance, subdivision ordinance, site plan ordinance, official map ordinance or other municipal regulation of the use and development of land.*"²¹ **The Master Plan is not among them.** The statute defines a master plan separately as "*a composite of one or more written or graphic proposals for the development of the municipality.*"²² By the state's own definition, the Master Plan (i.e. a proposal) is not a regulation. That difference is the reason the ordinance route is exposed and the Master Plan route is not.

A floor stated in the Housing Element does what an ordinance cannot reliably do. **It makes a deviating plan inconsistent with the Master Plan.** State law allows Township Council to still adopt a redevelopment plan despite an inconsistency²³, but only "by affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan".

This does not guarantee any percentage of Affordable Housing.

However, it does guarantee the transparency provided by a recorded vote, a stated reason, and a reviewable record. This is the machinery that was used when Township Council adopted the Lackawanna Plaza redevelopment plan despite the Planning Board's inconsistency findings. Regardless of how one feels about this particular decision, that is the statute operating exactly as written.

This recommendation attempts to set a benchmark against which a departure must be measured and explained by our elected officials on the record. Every part of that is within the Planning Board's authority over the Master Plan.

Recommendation 6 — Strike the supersession clause, as a transparency measure.

Referred to Township Council.

The reexamination report may also recommend changes to the development regulations. I ask that it recommend striking the supersession sentence from § 347-153(B).

This would not make displacement impossible, as the statute²⁰ permits a redevelopment plan to supersede development regulations whatever the Zoning Code says. However, striking the sentence removes the Township's own **standing advance consent**. Today the Code pre-authorizes displacement of the inclusionary standard permanently for every future plan. Strike this sentence, and displacement becomes an express act that has to be debated and defended by Township Council in each plan that takes it. The statute's permission survives. The Township's blanket pre-approval does not.

Recommendation 7 — Reexamine the Master Plan every five years.

The reexamination report should recommend, and the Master Plan should state as policy, that the Township conduct a reexamination of its Master Plan and development regulations every five years.

The statute sets a floor; not a schedule. The Municipal Land Use Law requires the Master Plan to be reexamined *"at least every 10 years"*²⁴. Nothing in the section discourages a municipality from doing better. The 2026 Master Plan Reexamination Report Overview describes the statute as requiring reexamination "every ten years"²⁵ but omits the statute's words *"at least"*. **Ten years is too long between reexaminations.**

Comparable municipalities already do this. Morristown, for example, reexamined its Master Plan in 2018 and again in 2022; four years apart.

Under the statute, directing that the reexamination occur is Township Council's role.²⁴ However, recommending the cadence and stating it as Master Plan policy is squarely within the Planning Board's reexamination report.

IV. Closing

These recommendations ask the Master Plan Reexamination to untie the Planning Board's hands, bring more accountability to our elected officials, and increase transparency behind the decisions that have contributed to adverse financial impacts to the residents of Montclair; particularly since the last reexamination. The tools exist. The authority exists. My hope is that the political will exists to effect these changes on residents' behalf.

Every gap described here was a deliberate choice, from granting density without pricing it to injecting "appropriate" ambiguity that drives legal-risk-based decision making instead of standards-based decision making.

Choices can be made differently, and the reexamination provides this opportunity.

Respectfully submitted,

[Redacted signature]

[Redacted footer]

Citations

NO.	CITATION	SECTION
1	N.J.S.A. 52:27D-31(a)(1)	Fair Housing Act: Provision of fair share by municipality
2	Unified Land Use and Circulation Element, p. 47	§ 2.4 Flexible, Affordable Lifestyles
3	Unified Land Use and Circulation Element, p. 120	§ 3.1 Montclair Center + Bay Street Station, Land Use Standards
4	Sustainability and Resilience Amendment, p. 66	Recommendations, Land Use + Development, item 24
5	2026 Master Plan Reexamination Report Overview, p. 52	Next Steps, Initial Recommendations, item 4
6	Unified Land Use and Circulation Element, p. 43	§ 2.3 Neighborhood Character
7	N.J.S.A. 40A:20-8	Long Term Tax Exemption Law: Application; form and contents
8	N.J.S.A. 40:49-2	Municipal Ordinances: Procedure for passage
9	Unified Land Use and Circulation Element, p. 55	§ 2.5 Economic Development + the Arts
10	N.J.S.A. 40:55D-2(f)	Municipal Land Use Law: Purpose of the act
11	N.J.S.A. 40:55D-28(b)(2)(h)(ii)	Municipal Land Use Law: Master plan contents, build-out analysis

NO.	CITATION	SECTION
12	Sustainability and Resilience Amendment, p. 32	Land Use and Future Development
13	Sustainability and Resilience Amendment, p. 33	Land Use and Future Development
14	N.J.S.A. 40:55D-28(b)(2)(h)	Municipal Land Use Law: Master plan contents, climate change-related hazard vulnerability assessment
15	N.J.S.A. 40:55D-28(b)(2)(d)	Municipal Land Use Law: Master plan contents, statement of density standards
16	N.J.S.A. 40:55D-62(a)	Municipal Land Use Law: Power to zone
17	Township Code § 347-156(A)	Applicability: Affordable Housing article
18	Unified Land Use and Circulation Element, pp. 46-47	§ 2.4 Flexible, Affordable Lifestyles
19	Township Code § 347-153(B), as amended by Ord. No. O-25-55 (adopted 12-16-2025)	Scope: Affordable Housing article
20	N.J.S.A. 40A:12A-7(c)	Local Redevelopment and Housing Law: Adoption of redevelopment plan, supersession of development regulations
21	N.J.S.A. 40:55D-4	Municipal Land Use Law: Definitions, "development regulation"
22	N.J.S.A. 40:55D-5	Municipal Land Use Law: Definitions, "master plan"
23	N.J.S.A. 40A:12A-7(d)	Local Redevelopment and Housing Law: Adoption of redevelopment plan, consistency with the master plan

NO.	CITATION	SECTION
24	N.J.S.A. 40:55D-89	Municipal Land Use Law: Periodic reexamination
25	2026 Master Plan Reexamination Report Overview, p. 21	Report Overview: What is a Master Plan Reexamination Report?



Comment on Master Plan

From [REDACTED]

Date Fri 9/4/2026 3:10 PM

To Janice Talley <jtalley@montclairnjusa.org>
[REDACTED]

Dear Janice,

I was not aware that you were collecting comments on update to the Master Plan, so the board can discussed. Although I have written to you twice about the issues of transit villages. let me give you a specific comment that can be shared.

With the 4th round affordable housing report, the planner discussed in public that there would be gentle density around any new transit villages. I assume that is what went into the report. Gentle density was stressed.

Rutgers, in their report for the master plan, changed that to high density. To my knowledge, and the review of planning board videos, there was no public discussion regarding this change, by the planning board.

I would like the wording in the final report to be gentle density. That is the most people will be willing to tolerate, in my opinion, and the only density that the 4th round affordable housing report discusses.

Regards,
[REDACTED]

2026 Master Plan Findings and Proposed Sign Ordinance Amendments

From [REDACTED]
Date Fri 9/4/2026 10:54 AM
To Janice Talley <jtalley@montclairnjusa.org>
Cc [REDACTED] Ainaab Kazmi <zkazmi@montclairnjusa.org>

 1 attachment (7 MB)

Revision to Montclair Commercial Signage Ordinance 347.pdf

2026 Master Plan Findings and Proposed Sign Ordinance Amendments

Ms. Talley,

Please find below proposed language for a Planning Board Master Plan findings statement for the 2026 Master Plan, together with suggested amendments to **Article XVIII, §§ 347-105 through 347-110.5**, particularly **§ 347-108 (Prohibited Signs)** and **§ 347-109.3 (Temporary Signs)**.

FYI:

Montclair regulates signs principally through **Chapter 347, Article XVIII — Signs**, with an additional separate ordinance governing signs placed **inside the public street lines/right-of-way**. The provision most directly addressing temporary signage is **Montclair Code § 347-109.3**.

Proposed Master Plan Finding: Temporary Signs

I believe the Planning Board should consider making the following recommendation as part of the 2026 Master Plan:

Residential property should not function as temporary commercial advertising inventory.

The Montclair Planning Board finds that the proliferation of temporary commercial advertising signs associated with construction, landscaping, home improvement, real estate services and other commercial activities creates visual clutter in residential neighborhoods; introduces commercial advertising into areas whose predominant character is residential; detracts from streetscape continuity, landscape character and architectural quality; diminishes the visual integrity of the public realm; and is inconsistent with the Township's legitimate objectives of protecting neighborhood character, historic character, aesthetics, resident quality of life and preservation of property values.

I would then add the following clarification:

These regulations are intended to regulate the physical use of land and the visual effects of signage and not to suppress any viewpoint or idea.

Basis of Action: Revision of § 347-109.3

I would also strengthen § 347-105 at the same time.

Temporary freestanding signs shall not be permitted in residential districts except as expressly authorized by this section. No premises in a residential district shall be used for the display of advertising identifying a contractor, subcontractor, architect, landscape contractor, painter, roofer, home-improvement provider, supplier or other commercial service provider performing or having performed work upon the premises.

It is equally important that the ordinance clearly identify the categories of **permitted signage**, together with appropriate limitations. These could include:

Real Estate For Sale Signs, with strict limitations on size and duration;

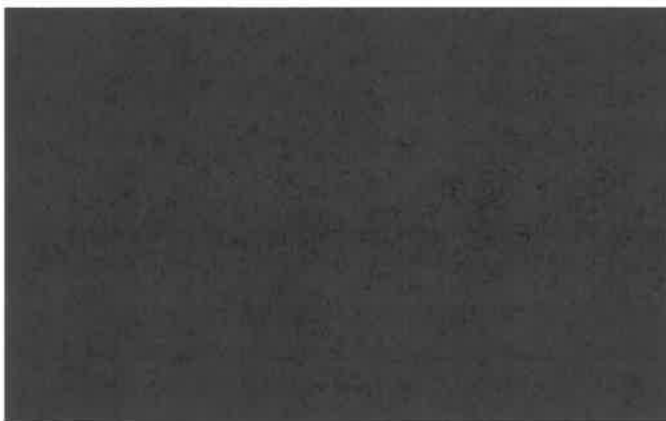
Political Signs, permitted during a defined period prior to elections and subject to a clear removal timeline; and

Congratulatory Signs for Graduates.

The objective would be to establish a clear, logical and administratively enforceable standard that protects the residential character and visual quality of Montclair while identifying those limited categories of temporary signage that the Township determines should remain permissible.

For ease of reference and precedent, included are the Ordinances of Glen Ridge, Essex Fells and North Caldwell which prohibit commercial signage from residential areas both on private property and the public right of way.

Best,



Confidentiality Notice & Legal Liability Waiver

authorised third party recipients only.
use the information contained herein.
ed not made on behalf of David



Revision to Montclair Commercial Signage Ordinance §347-109.3

“Public Realm Visual Quality and Sign Enforcement” program

Background: Residential Public Realm Sign Standard

Chapter 347, Article XVIII — Signs.

Montclair regulates signs principally through **Chapter 347, Article XVIII — Signs**, with an additional separate ordinance governing signs placed **inside the public street lines/right-of-way**.

The provision most directly addressing the examples you gave is **Montclair Code § 347-109.3 — Temporary Signs**.

Residential property should not function as temporary commercial advertising inventory.

Basis of Action: Revision of §347-109.3

The legislative findings are essential

I would strengthen §347-105 at the same time.

The Township should make a factual legislative finding along these lines:

The Township Council finds that the proliferation of temporary commercial advertising signs associated with construction, landscaping, home improvement, real estate services and other commercial activities creates visual clutter in residential neighborhoods; introduces commercial advertising into areas whose predominant character is residential; detracts from streetscape continuity, landscape character and architectural quality; diminishes the visual integrity of the public realm; and is inconsistent with the Township's legitimate objectives of protecting neighborhood character, historic character, aesthetics and property values.

Then add something important:

These regulations are intended to regulate the physical use of land and the visual effects of signage and not to suppress any viewpoint or idea.

Temporary freestanding signs shall not be permitted in residential districts except as expressly authorized by this section.

Then allow only narrow categories necessary to the residential use and constitutionally protected communication, with size/number/duration rules.

Separately:

No premises in a residential district shall be used for the display of advertising identifying a contractor, subcontractor, architect, landscape contractor, painter, roofer, home-improvement provider, supplier or other commercial service provider performing or having performed work upon the premises.

Rather than presenting the ordinance politically as a “ban on contractor signs,” I would frame it as a **Residential Public Realm Sign Standard**.

The policy objective becomes:

Residential property should not function as temporary commercial advertising inventory.

That is a far stronger urban-design principle.

A homeowner is receiving a residential land-use entitlement. The contractor already has abundant alternative channels for advertising:

- website
- Google search
- vehicles
- direct mail
- social media
- commercial premises
- business directories
- referrals
- digital advertising

The homeowner’s lawn does not need to become a billboard merely because work is occurring there.

That fact also helps support the proportionality of the restriction.

Montclair can likely eliminate **contractor and similar commercial advertising signs from residential private property altogether**, but it should do so carefully. The strongest legal route is **not to declare that “commercial messages are aesthetically undesirable.”** It is to amend the sign ordinance so that Montclair regulates the **type, location and physical presence of temporary advertising signs**, supported by explicit findings concerning public-realm quality, visual clutter, neighborhood character and property values.

Montclair already has unusually useful legislative findings in §347-105: the sign ordinance is intended to control publicly visible signage, improve “quality and order,” preserve attractiveness and historic character, protect property values, and ensure compatibility with buildings and neighborhoods. New Jersey courts have expressly recognized aesthetics and visual appearance as substantial governmental interests supporting sign regulation.

The particularly important New Jersey precedent is *State v. Miller*, 83 N.J. 402 (1980). The New Jersey Supreme Court specifically observed that, although “for sale” signs occupy a different constitutional position, commercial signs of contractors working on homes may be excluded from residential neighborhoods. That gives Montclair a substantially stronger legal basis for eliminating contractor advertising than for simply eliminating every temporary sign.

I would restructure §347-109.3 rather than merely reduce the allowable size

Montclair presently defines a **construction sign** as a temporary sign identifying architects, builders or contractors working on the premises and then affirmatively permits such signs subject to size, height, duration and setback requirements.

The cleanest change is to delete the provision permitting construction signs in residential zones.

In effect:

Current rule

Contractor signs are allowed if they satisfy dimensional requirements.

Proposed rule

Contractor/business advertising signs associated with construction, alteration, repair, landscaping or other services are not permitted in residential districts.

That is much cleaner than trying to create a 1-square-foot limit or a 25-foot setback designed to accomplish an indirect prohibition.

But I would distinguish three categories

This is important legally.

Category	Recommended Montclair treatment
Contractor / architect / landscaper / roofer / painter advertising	Prohibit in residential districts
General off-premises commercial advertising	Prohibit

Category	Recommended Montclair treatment
For Sale / For Rent signs	Retain but tightly regulate
Noncommercial temporary signs	Regulate through content-neutral size/number/duration rules
Required construction permits, safety notices, house numbers, governmental notices	Expressly exempt/authorized

The reason I would not include “For Sale” signs in a 100% commercial-sign prohibition is constitutional precedent. The Supreme Court has given residential real-estate signs special protection, and the New Jersey Supreme Court itself distinguished them from contractor signs in *Miller*.

So Montclair can pursue your actual public-realm objective without unnecessarily putting the entire ordinance at risk.

The strongest ordinance would focus on residential property

There is an important difference between saying:

“ABC Roofing may never advertise anywhere in Montclair.”

and:

“Temporary business advertising signs are not permitted as accessory signage on residentially zoned property.”

The second is substantially easier to defend.

Commercial districts obviously need permanent identification signage for businesses. Montclair’s existing ordinance already separately regulates wall signs, window signs, freestanding signs and sidewalk signs in nonresidential districts.

So I would create a deliberate distinction:

Residential districts: no contractor/service-provider advertising signs

Commercial districts: business identification signage remains allowed subject to Montclair’s architectural/sign controls.

Public right-of-way: no private commercial advertising signs whatsoever.

That creates a coherent land-use rationale rather than appearing to suppress businesses’ speech.

The legislative findings are essential

I would strengthen §347-105 at the same time.

The Township should make a factual legislative finding along these lines:

The Township Council finds that the proliferation of temporary commercial advertising signs associated with construction, landscaping, home improvement, real estate services and other commercial activities creates visual clutter in residential neighborhoods; introduces commercial advertising into areas whose predominant character is residential; detracts from streetscape continuity, landscape character and architectural quality; diminishes the visual integrity of the public realm; and is inconsistent with the Township's legitimate objectives of protecting neighborhood character, historic character, aesthetics and property values.

Then add something important:

These regulations are intended to regulate the physical use of land and the visual effects of signage and not to suppress any viewpoint or idea.

That legislative record matters. The New Jersey Supreme Court has said municipalities need to demonstrate that sign restrictions actually relate to the governmental interest asserted rather than relying on a bare invocation of aesthetics.

I would therefore have Planning staff prepare a **small evidentiary record** before adoption: photographs of contractor-sign proliferation, examples from representative Montclair streets, existing Master Plan language concerning neighborhood character, and perhaps examples from comparable municipalities.

That costs almost nothing but greatly improves defensibility.

A significant First Amendment drafting issue

Montclair should avoid writing an ordinance that requires an enforcement officer to read every sign and determine its subject matter unless there is a sound legal reason for that distinction.

In **Reed v. Town of Gilbert**, the Supreme Court held that sign categories defined by what the sign says can constitute content-based regulation. The New Jersey Supreme Court has likewise warned against sign regulations whose permissibility depends on the message or purpose of the display.

Commercial speech does receive less protection than noncommercial speech, so a carefully constructed commercial-sign provision can still be valid. New Jersey courts apply the *Central Hudson* commercial-speech framework and recognize aesthetics and traffic safety as substantial governmental interests.

But there is an even safer drafting technique.

Regulate the physical sign first

For example, Montclair could provide:

Temporary freestanding signs shall not be permitted in residential districts except as expressly authorized by this section.

Then allow only narrow categories necessary to the residential use and constitutionally protected communication, with size/number/duration rules.

Separately:

No premises in a residential district shall be used for the display of advertising identifying a contractor, subcontractor, architect, landscape contractor, painter, roofer, home-improvement provider, supplier or other commercial service provider performing or having performed work upon the premises.

The Township Attorney should refine that language against current First Amendment law, but conceptually this is the structure I would recommend.

There is an even stronger public-realm approach

Rather than presenting the ordinance politically as a “ban on contractor signs,” I would frame it as a **Residential Public Realm Sign Standard**.

The policy objective becomes:

Residential property should not function as temporary commercial advertising inventory.

That is a far stronger urban-design principle.

A homeowner is receiving a residential land-use entitlement. The contractor already has abundant alternative channels for advertising:

- website
- Google search
- vehicles
- direct mail
- social media
- commercial premises
- business directories

referrals
digital advertising

The homeowner's lawn does not need to become a billboard merely because work is occurring there.

That fact also helps support the proportionality of the restriction.

What I would do with contractor vehicles

Be careful here.

Do **not** try to prohibit ordinary commercial lettering on a contractor's truck simply because it is parked legally while work is underway. That raises a separate set of vehicle, commercial-speech and enforcement issues.

Instead distinguish:

Ordinary commercial vehicle present because workers are actually performing work: permitted subject to parking law.

Vehicle/trailer deliberately parked or positioned primarily as an advertising display: subject to sign regulation if Montclair can formulate an objective definition.

That closes an obvious loophole without creating unnecessary litigation.

What I would do with fencing and construction barriers

Another loophole should be addressed explicitly.

Prohibit:

- banners attached to construction fences;
- contractor logos on temporary plywood barriers;
- promotional wraps;
- QR-code advertising;
- subcontractor placards;
- supplier advertisements.

But allow required:

- building permit information;
- OSHA/safety notices;
- emergency contact information;

- legally required contractor-license information.

The ordinance should permit only the minimum information legally required for the construction activity.

Enforcement should be almost automatic

For private residential property:

First notice: owner/contractor directed to remove within perhaps 24–48 hours.

Failure: summons and escalating daily penalties.

For public property/right-of-way:

Immediate removal without notice, under the Chapter 277 amendment.

So Montclair potentially can cite **the contractor or builder whose sign is illegally installed**, rather than being limited to pursuing the homeowner.

Penalties

For a Chapter 347 zoning/sign violation, §347-6.4 allows a fine of up to \$1,000 for each violation for each day it continues, and potentially imprisonment of up to 90 days. More importantly for routine enforcement, the ordinance specifically makes a continuing violation a separate offense for every day.

For signs governed by Chapter 277 within public street lines, §277-3 provides for a fine of up to \$2,000, up to 90 days' imprisonment or community service, and again treats each day as a separate violation.

Removal authority is a little more nuanced

Chapter 277 expressly says the **Township Engineer may remove, without notice, signs within the street lines when they become dilapidated or unsafe.**

The Township should expressly permit enforcement against **both the property owner and the commercial entity identified on the sign**, because otherwise contractors will simply distribute signs and leave homeowners responsible.

Montclair's present zoning enforcement framework already reaches architects, builders, contractors and others who participate in violations. That is a useful foundation.

Recommended Montclair model

I would aim for this very simple regulatory outcome:

Residential neighborhoods are commercial-sign-free environments.

Permanent and temporary commercial advertising signage is prohibited on residential premises except where specifically required by law.

Residential real-estate signs remain permitted subject to strict size, number, placement and duration limits.

Noncommercial expression remains governed by uniform content-neutral dimensional standards.

Commercial signs are categorically prohibited from public rights-of-way and Township property.

Commercial districts retain appropriately designed business-identification signage under Article XVIII.

That would get Montclair very close to the 100% elimination you are seeking, while avoiding the much greater constitutional risk of literally prohibiting every sign containing a commercial message everywhere in the Township.

Most importantly, there is unusually favorable New Jersey authority for this exact proposition: the New Jersey Supreme Court has already stated that contractor signs associated with work on residences may be excluded from residential neighborhoods.

If Montclair wants this to withstand a serious legal challenge, I would treat *State v. Miller* as the cornerstone of the ordinance amendment and build the legislative findings and regulatory architecture around it.

PRECEDENTS: North Caldwell, Essex Fells & Glen Ridge

The controlling provisions in Montclair are in **Township Code Chapter 347 (Zoning), Article XVIII – Signs.**

North Caldwell, Essex Fells and Glen Ridge all have Ordinances that effectively prohibit the commercialization and visual pollution of streetscapes and neighborhoods. Each township has a sensible, enforceable and legally defensible restriction of commercial signage in their communities. **Absolutely, so should Montclair.**

Please see examples of ordinances of neighboring towns for your convenient reference.

Township Code Chapter 347 (Zoning), Article XVIII should be revised to be consistent in spirit and effect as those referenced below:

GLEN RIDGE

For residential districts (R-1, R-2, R-3 and R-4), the ordinance permits only:

The operative Glen Ridge ordinance is **§ 17.20.040 – Signs** (now codified in Title 17, Zoning). The key language is:

"No sign, including but not limited to a billboard or a signboard, may be erected and maintained except as hereinafter permitted."

A. Signs in R-1, R-2, R-3 and R-4 Zones

1. Church Signs

and

2. Sales or Rental Signs

"One sign announcing that the premises on which it is located is available for sale or rental is permitted..." followed by size and placement restrictions.

The ordinance contains **no provision permitting contractor advertising signs**, such as:

- Roofing contractor signs
- Landscaper signs
- Painter signs
- Remodeling contractor signs
- Masonry contractor signs
- HVAC contractor signs

Because the ordinance begins with "No sign ... except as hereinafter permitted," and contractor lawn signs are not among the listed permitted signs in residential zones, they are prohibited.

The only construction-related exception is:

"A temporary sign not exceeding fifty square feet in area announcing a new development ... or the construction of a building ... will be permitted provided that the design, wording, location and illumination are first approved by the board of adjustment."

That exception requires Board of Adjustment approval and is intended for development/construction projects, not routine contractor advertising after completing work on a residence.

Citation for a letter or complaint

Borough of Glen Ridge Zoning Ordinance, § 17.20.040(A) – Signs

"No sign ... may be erected and maintained except as hereinafter permitted."

Residential districts permit only:

1. Church signs; and
2. Real estate sales/rental signs.

Contractor advertising signs are not listed as a permitted sign use and therefore are prohibited in residential zones.

You can view the full current ordinance here:

[Glen Ridge Zoning Ordinance §17.20.040 – Signs](#)

NORTH CALDWELL

North Caldwell's ordinance is actually much more explicit than Glen Ridge's. In 2017, the Borough amended its sign ordinance to specifically prohibit contractor advertising signs on residential properties.

North Caldwell Code § 107-31(D)(9) – Signs in Residential Zones

"Signs advertising and/or identifying commercial activities or enterprises, including but not limited to architects, internet or telephone providers, engineers, contractors, painters, landscapers and similar tradesman engaged in the construction, improvement, repair, refurbishing or landscaping of residential dwellings or properties, are prohibited, except for real estate signs on the residential property being sold."

This provision was adopted by Ordinance No. 6-2017 and applies in residential zones throughout the Borough.

Related Residential Sign Regulations

North Caldwell also requires that in residential zones:

- No sign may be within 10 feet of a property line or within a street right-of-way.
- No sign may exceed 9 square feet.
- No sign may exceed 4 feet in height.
- Signs may not be illuminated.
- No more than two signs may be displayed on a lot.

Construction Sign Exception

The ordinance contains a limited exception for temporary signs associated with active construction:

Temporary signs used as an accessory to new construction or alteration are permitted only after a building permit has been issued, may not exceed 16 square feet, and must be removed before issuance of a certificate of occupancy.

Citation for a Letter or Complaint

Borough of North Caldwell, Code § 107-31(D)(9):

"Signs advertising and/or identifying commercial activities or enterprises, including but not limited to ... contractors, painters, landscapers ... engaged in the construction, improvement, repair, refurbishing or landscaping of residential dwellings or properties, are prohibited...."

This language directly prohibits the typical lawn signs left behind by roofing contractors, landscapers, painters, remodeling contractors, and similar trades on residential properties in North Caldwell. Unlike Glen Ridge, where the prohibition is largely implied because such signs are not among the permitted categories, North Caldwell expressly bans them by name.

ESSEX FELLS

For **Essex Fells**, the ordinance is even more direct than Glen Ridge's.

Under **Borough Code § 170-85(A)(15) – Prohibited Signs**, the Borough expressly prohibits:

"Temporary signs identifying architects, engineers, contractors, builders, painters and similar contractors, and tradesmen engaged in construction, improvement, repair and refurbishing of residential dwelling structures."

This provision appears in **Article XII – Signs**, under the section titled **"Prohibited signs; penalty."** The ordinance further states that violation of this section carries a monetary penalty.

In addition, Essex Fells limits signs in residential districts to a narrow list of permitted categories, including:

- Name and address signs for single-family homes
- Institutional signs (churches, schools, etc.)
- Certain parking and directional signs
- Limited professional office identification signs where otherwise permitted.

The Borough also permits temporary **for-sale** and **for-rent** signs subject to size and setback restrictions.

Practical Effect

A lawn sign reading:

- "ABC Roofing"
- "XYZ Landscapers"
- "Remodel by Acme Builders"
- "Painting by Smith & Sons"

placed on a residential property in Essex Fells is expressly prohibited by § 170-85(A)(15), regardless of whether the contractor is currently working at the property or recently completed work.

Formal Citation

Borough of Essex Fells Code, Chapter 170 (Land Use), Article XII (Signs), § 170-85(A)(15):

"Temporary signs identifying architects, engineers, contractors, builders, painters and similar contractors, and tradesmen engaged in construction, improvement, repair and refurbishing of residential dwelling structures."

Status: Prohibited sign.

SUMMARY

Municipality	Contractor Signs on Residential Lawns
Glen Ridge	Prohibited because they are not among the signs expressly permitted in residential zones.
North Caldwell	Expressly prohibited by ordinance naming contractors, landscapers, painters, etc.
Essex Fells	Expressly prohibited by § 170-85(A)(15), specifically identifying contractors, builders, painters, architects, engineers, and similar trades.

NOTE: Essex Fells has one of the clearest ordinances in New Jersey on this issue because it specifically names the exact categories of contractor signs that are prohibited.

Recommendation for Master Plan 2026: Implementation of "Montclair Design Guidelines and Application Requirements."

From [REDACTED]
Date Fri 9/4/2026 2:02 PM
To Janice Talley <jtalley@montclairnjusa.org>; Zainab Kazmi <zkazmi@montclairnjusa.org>
[REDACTED]

 1 attachment (304 KB)
Montclair Design Guidelines & Application Requirements 9.3.26..pdf;

Ms. Talley,

Master Plan 2026 Recommendations

Implementation of "Montclair Design Guidelines and Application Requirements."

By adopting the process outlined in the Montclair Design Guidelines and Application Requirements, the Township will establish a **common intellectual framework, vocabulary, evidentiary standard, and set of expectations** shared by applicants, architects, professionals, planning staff, reviewing boards, elected officials, and the public from the very beginning of the design process.

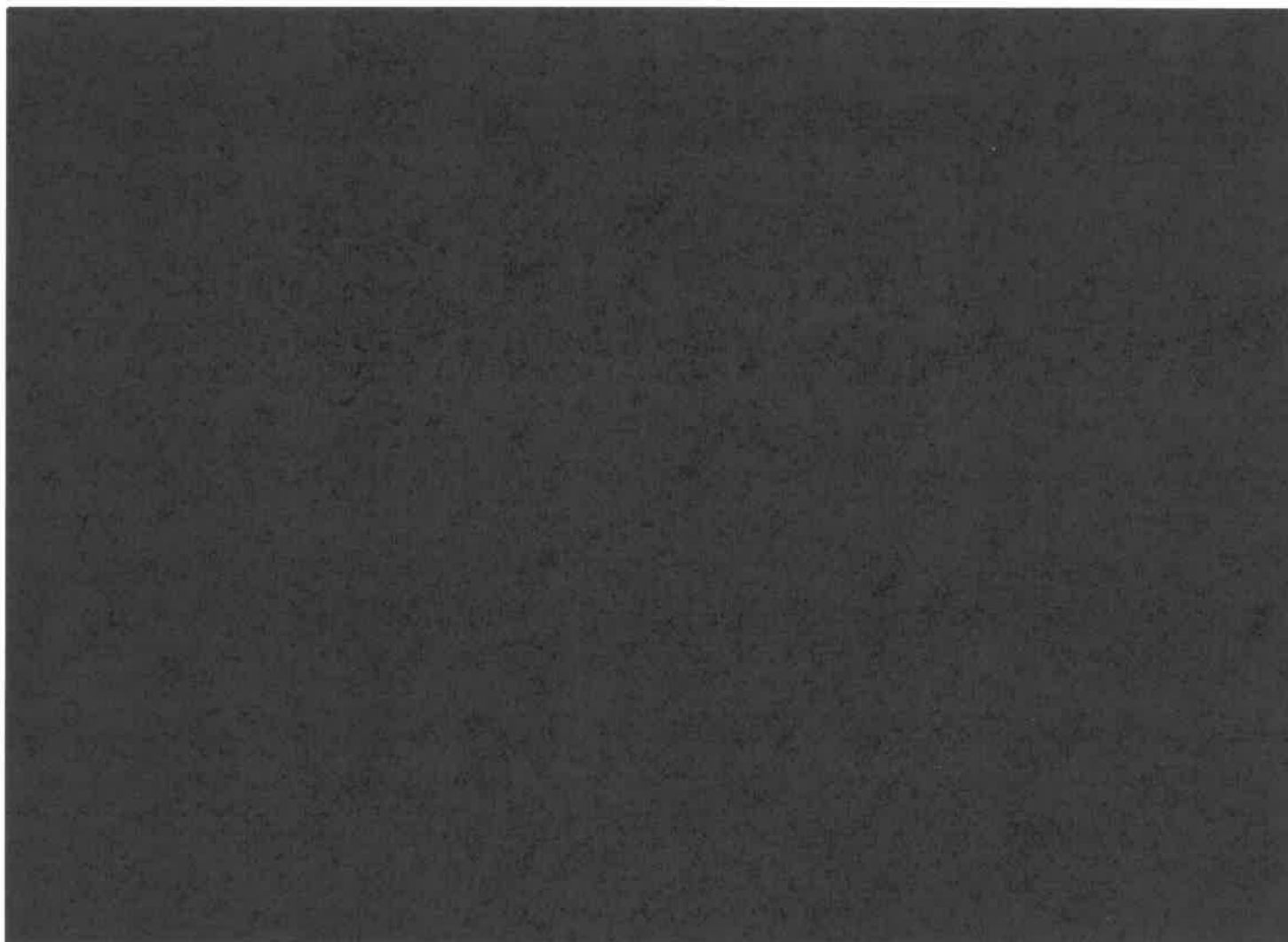
Present Design Guidelines rely insufficiently upon the words "Harmonious" and "Compatible," a standard that is legally indefensible based on case law, and lacking the prescriptive architectural principles to best measure and evaluate the quality and suitability of architecture and development in our community.

Specific Implementation Proposed:

Amend Montclair Ordinances 281 and 347 to institute Montclair Design Guidelines and Application Requirements as a basis of common objective criteria for application submission and review process for Site Plan Submissions including but not limited to Areas of Redevelopment, HPC Review for Certification of Appropriateness and advisory recommendations to the Planning Board, BOA and Township Council and any other land use application in and outside Montclair's historic districts.

Please find attached proposed "Montclair Design Guidelines and Application Requirements" for submission and inclusion to the Master Plan 2026 Evaluation Report.

Respectfully,



Montclair Design Guidelines and Application Requirements

Summary

By adopting the process outlined in the Montclair Design Guidelines and Application Requirements, the Township will establish a **common intellectual framework, vocabulary, evidentiary standard, and set of expectations** shared by applicants, architects, professionals, planning staff, reviewing boards, elected officials, and the public from the very beginning of the design process.

Rather than allowing an application to arrive as a largely subjective architectural proposition that must then be interpreted, debated, and repeatedly revised during hearings, applicants will know in advance that their proposals must affirmatively demonstrate such principles as **coherence, correspondence, contextual precedent, massing, proportional relationships, pedestrian experience, materiality, and contribution to the public realm**, supported by prescribed accurate drawings, comparisons, narratives, and accurately scaled visual evidence.

The requirement that applicants explicitly explain the compositional logic of the proposal and demonstrate how its constituent elements relate both to one another and to the whole further shifts review from subjective preference toward reasoned architectural analysis. In effect, the Application Submission and Design Review process become an **intelligent sieve or filter**: fundamental issues of contextual appropriateness, design logic, architectural correspondence, scale, and presentation accuracy are identified and resolved before weak or inadequately considered proposals advance deeply into the approval process.

The required precedent comparisons, for example, convert generalized claims of contextual sensitivity into demonstrable relationships between an existing Montclair condition, the architectural principle derived from it, and the applicant's corresponding design response. This shared methodology should substantially reduce ambiguity, repetitive testimony, subjective disagreement, redesign cycles, and time spent discovering fundamental problems late in the process; more importantly, it encourages applicants to **think through the architecture more rigorously before presenting it**, while giving reviewers a consistent basis upon which to evaluate it.

The result is not simply a more efficient approval procedure, but a more intelligent and predictable design culture in which expectations are understood in advance, review becomes more focused and objective, institutional knowledge is preserved from application to application, and the probability of achieving substantially better architectural and urban outcomes is greatly enhanced.

Purpose:

An architectural and Architectural Design Framework for Montclair, to promote thoughtful intelligence, and sensibility to the responsible evolution Montclair's Build Environment. By instituting (1) Objective Design Guidelines, (2) Architectural Review Standards and (3) Application and Presentation Requirements and by integrating them into our Master Plan, appropriate Township Ordinances and Planning Department application procedures, Montclair will establish an effective, means to provide greater clarity, objective standards and promote better outcomes for the benefit of property owners, developers, Montclair's three land use commissions, Town Council and the greater Montclair community.

Statement:

The most important point is that the Township is not anti-development or anti-modern architecture. It supports appropriate increased density and contemporary design but requires new development to be demonstrably rooted in Montclair's existing scale, rhythm, materials, pedestrian environment, and historic architectural character.

1. Montclair's existing architectural character is the starting point—not a stylistic suggestion.

New development is expected to study the actual physical characteristics of Montclair's Town Center and use them as the basis for design. The report explicitly rejects generic "Anywhere, USA" architecture and superficial faux traditionalism.

Importantly, however, this does not mean copying historic buildings. The guidelines and requirements discourage simplistic historic imitation and encourages architecture that understands historic principles—scale, proportion, massing, materials, rhythm and detail—and reinterprets them intelligently with full consideration for coherence and correspondence with the adjacent buildings and streetscape

2. The pedestrian experience is one of the overriding design criteria.

The plan repeatedly prioritizes a walkable, human-scaled Main Street. Buildings should define streets and public spaces, create active storefronts, provide visual interest at pedestrian level, and reinforce the sense of enclosure and sunlit circulation associated with successful traditional downtowns.

3. Low Rise and only strategically placed Mid-rise density is supported.

This is significant. low-rise buildings as the "building block" of the revitalized New Main Street, allowing density while preserving light, air and pedestrian scale.

The examples provided demonstrate that even relatively large buildings can work without excessive step backs if their proportions, fenestration, materials, façade rhythm and detailing successfully reduce perceived scale. The six-story Claridge is specifically cited as accomplishing this.

4. The Township strongly opposes is the "megastructure."

Montclair specifically rejects the appearance of a block-sized building rendered as one uniform architectural object. A "megastructure" is defined in terms of uniform materiality, color and detailing applied to a monolithic street frontage. Buildings should be limited in uninterrupted uniform height relative to adjacent and neighborhood buildings, with vertical breaks in material or massing required to reduce perceived scale.

In other words: **Density and building height are acceptable; monolithic architectural expression is not.**

5. The Township strongly opposes "Anywhere USA" Style of architecture:

Valuing the Unique Character of Place

Memorable town centers, like Montclair's Central Business District and residential neighborhoods have a unique physical identity, - "Anywhere, USA" architecture, a generic faux-traditional style created in the last few years, is not adequate to produce an authentic, appropriate design for a pre-existing historic residential community and town center. Understanding and drawing inspiration from the historic character and culture of a community forms the basis for authentic appropriate design.

6. New buildings must respond differently to different surroundings.

The Guidelines therefore expect a large development to respond differently on different frontages rather than applying one architectural treatment everywhere.

7. Correspondence: The architectural precedent hierarchy is unusually important.

New buildings are directed to look first to:

1. directly adjacent structures dating from Montclair's defined 1802–1937 Period of Significance;
2. nearby/facing structures within the defined surrounding area; and
3. appropriate Montclair low- and mid-rise buildings from 1885 onward.

The applicant shall clearly demonstrate why the precedents it selects are relevant and architecturally appropriate.

The goal is to create a powerful review standard: an architect cannot simply claim a design is "contextual"; the contextual relationship must be **demonstrated** through demonstrating **COHERENCE** and **CORRESPONDENCE**.

8. Four architectural approaches are contemplated—not just traditional architecture.

The report identifies Historicist, Traditional, Interpretive Modern and Modern compositional approaches.

Modern architecture therefore appears entirely permissible. But it still needs to engage Montclair's historic orders, rhythm, proportions, storefront culture, materials and urban structure. The examples expressly endorse modern architecture when it accomplishes that contextual dialogue.

9. Dimensional Articulation and Shadow: Façades must be genuinely articulated—not decorated superficially.

The building are to have a legible relationship among **base, middle and top**, together with bay rhythm, depth, fenestration and material differentiation. Windows and opening are to be recessed and create distinguishable shadow line reveals. Building façades shall demonstrate sufficient dimensional relief through projections, recesses, reveals, cornices, surrounds, moldings, changes in plane, and related architectural elements to establish a clear hierarchy of base, body, openings, bays, floor levels, and termination. Such elements shall possess adequate physical depth to produce perceptible light and shadow under normal daylight conditions and shall not rely primarily upon applied color, material changes, scoring, or superficial ornament to simulate architectural articulation.

Actual dimensional articulation versus graphic simulation of articulation—is particularly valuable in architectural review.

At street level, the base must receive greater architectural articulation; middle floors should be distinguished through depth/material/fenestration/detail; and the building top needs a deliberate architectural termination.

This means simply applying brick, cornices, corbelling or other "historic looking" details to a large flat façade would **not appear sufficient** under the Township's design philosophy.

10. Ground-floor retail must be highly transparent and pedestrian-oriented.

Retail/commercial building bases require at least 70% fully transparent glass. Blank or minimally glazed ground-floor walls are considered inappropriate. Commercial frontage bays should generally be 20–45 feet wide, with 12–15-foot commercial floor-to-floor heights and at least 45 feet of viable commercial depth.

Above the first floor, windows facing the public realm should respond to the proportions of neighboring buildings; broad curtain-wall treatments are largely pushed toward upper stepped-back or plaza-facing portions.

11. Any public plaza is to be treated as a central civic component—not leftover open space.

Any plaza must receive equal priority with the buildings in concept, materiality, design development and construction. It is to be conceived as a public gathering space that Montclair residents and visitors are drawn to congregate and socialize. A minimum of 15% should be permeable landscaping, with grass, defined beds with plantings of indigenous shrubs and trees.

Such areas shall contain large gathering areas plus smaller intimate spaces, maintain ADA accessibility, support events, incorporate seating/landscape elements/electrical service, and combine hardscape with natural landscaping to maximize programming flexibility.

12. Parking must be subordinated to the urban environment.

Parking structures cannot front or be directly accessed from the principal Avenue. They should generally be screened by active uses such as retail and lobbies.

Where parking faces the plaza or street, the requirements become much more ambitious: screens, green walls, art installations, light/video displays and permanent public art are required, effectively transforming parking infrastructure into a civic/architectural feature.

13. Materials are tightly controlled.

Preferred façade materials include brick, stone, precast masonry, stucco, glass and metal, generally limited to three principal materials per façade. Faux materials, CMU, certain glazing treatments, and extensive lower-level EIFS/fiber-cement treatments are prohibited. All materials must be presented and be certified to have a useful, minimal maintenance life that exceeds 60 years. Metal and resin paneled systems, EIFS, synthetic stucco or thin-coat stucco, are not material treatments that are acceptable.

Durability is expressly identified as being of **"utmost concern."**

Design Guidelines | Architectural Review Standards

Objective Compliance Matrix

The objective is to require this information to be provided to any applicant in advance of their application and for the Township officials and Representatives to **evaluate any application against this Objective Compliance Matrix** as a required standard of review.

For every proposed building/elevation, evaluate:

Test	Question to ask
Historic precedent	What specific Montclair buildings are cited as precedents?
Massing	How does the building actually reduce its perceived scale?
Megastructure	Does it read as one enormous building despite nominal step backs?
Anywhere USA	Does the building present as appropriate and authentic, not faux generic
Streetwall Continuity	Is there street wall continuity? Are existing building rhythms preserved?
Façade length	Does any uniform-height frontage exceed the Kahn Building reference?
Vertical articulation	Are breaks substantive or merely cosmetic?
Base/middle/top	Is the organization clearly legible from street level?
Bay rhythm	Does the façade reproduce the scale/rhythm of traditional storefront development?
Materials	Material relationships. Are they authentic, durable and contextually appropriate?
Fenestration	Solid-to-Void Rhythm: Do upper-floor openings respond to neighboring proportions?
Storefronts	Is the required 70% ground-floor fully transparent glazing achieved?
Roof Form	
Corners	Are important corners architecturally emphasized?
Residential transition	Does massing actually step down toward residential areas?
Adjacent relationship	Does the architecture strengthen rather than diminish these historic landmarks?
Plaza	Is it being treated as a primary civic space rather than residual space?
Parking	Is it hidden/integrated and architecturally screened?
Public realm	Does the development materially improve walkability?
Architecture "in the round"	Are secondary façades treated to a comparable architectural standard of quality of composition and materiality?

Project Statement

The application specifically requires a project brief explaining **how the project adds value to Montclair stylistically and contextually**, identifying its architectural language and illustrating its stylistic intent.

This document and any assertion in it or made at the time of application must be evaluated against the actual drawings/renderings to reflect fidelity to stated design intent.

In the application's Project Statement, and subsequent Application hearings and presentation, the applicant shall submit and present a clear articulation of the Project's:

Architectural Coherence

The applicant shall demonstrate how the proposed design achieves coherence as an integrated architectural and urban composition, such that each element is intentionally related to and reinforces the whole.

The submission should explain how the building's massing, proportions, hierarchy, rhythm, symmetry or balance, fenestration, materials, architectural details, landscape, and relationship to the public realm operate as interdependent parts of a unified design rather than as isolated features.

Attention should be given to the principle of reciprocal composition: how individual elements derive their character, scale, placement, and meaning from their relationship to adjoining elements and, in turn, contribute to the order and legibility of the larger composition.

A successful design should therefore demonstrate:

- Hierarchy — a clear distinction between primary, secondary, and subordinate elements.
- Proportional relationship — dimensions and intervals that establish visual harmony between parts and whole.
- Rhythm and continuity — an intelligible pattern of solids, voids, openings, structural bays, and architectural elements.
- Balance — whether symmetrical or asymmetrical, the composition should achieve visual equilibrium.
- Reciprocity — each significant element should both respond to and reinforce surrounding elements.
- Unity with differentiation — sufficient variety to create richness and identity without compromising the coherence of the overall composition.
- Contextual integration — the building, landscape, streetscape, and public realm should together form a comprehensible urban composition.

The applicant shall specifically identify the compositional principles governing the proposal and demonstrate, through drawings and written analysis, how the parts relate to one another and to the whole in a coherent, balanced, and mutually reinforcing architectural composition.

Architectural Correspondence

The applicant shall demonstrate how the proposed building establishes a meaningful architectural correspondence with adjacent and nearby properties. This correspondence should be evident in the selection and articulation of materials, façade composition, scale, proportion, rhythm, fenestration, massing, datum lines, and architectural detailing. The design need not imitate neighboring buildings but should respond to and reinforce the established visual and spatial character of its context, creating a compatible and reciprocal relationship between the proposed architecture and the surrounding streetscape. The applicant should explain how these contextual relationships contribute to a coherent, continuous, and harmonious architectural environment.

Require explicit precedent comparisons

Rather than accepting statements such as "the project takes inspiration from historic Montclair," require side-by-side comparisons:

Historic precedent → architectural characteristic → proposed design response.

For example:

Kahn Building → bay width/rhythm → proposed bay spacing

Claridge → six-story mass management → proposed massing strategy

Bloomfield storefronts → vertical proportions → proposed fenestration

Wellmont/Kahn → material/depth/detail → plaza-facing architecture

This makes the design and application's compliance much easier to evaluate objectively.

Elimination of Distortion: Test the building at pedestrian eye level

A recurring principle in the report is **perceived scale from the public right-of-way**, not simply what a building looks like in an aerial rendering.

Street-level perspectives from multiple locations. Aerial views can make setbacks appear much more consequential than they actually appear to pedestrians.

Pay particular attention to the "megastructure" and "Anywhere USA" prohibition

I would make this a separate analytical test.

The question isn't simply:

"Does the building have setbacks?"

It is:

"Despite its setbacks, does the development still read from the public realm as a single monolithic building with repetitive materials, color, fenestration and architectural language?"

That distinction appears central to Design Guideline's Intent.

Separate mandatory requirements from discretionary guidance

The document uses materially different language: "shall," "must," "should," "encouraged," "permissible," etc.

That matters considerably if this is being used in a Planning Board, redevelopment, preservation, or legal context.

The document also says deviations can be considered through a **design-waiver process**, rather than necessarily being treated like conventional variances.

So, the next analytical step should be to classify every relevant provision into:

Mandatory standard → discretionary guideline → encouraged design approach → prohibited condition → waiver/modification available.

Design Review Application and Presentation Requirements

The Applicant shall Prepare and Submit Statements and Provide Visual Demonstration integral to their testimony with Visual Accuracy and Full Presentation of all Adjacent Properties and Complete Neighborhood Context

Coherence Strategy (Partie): The applicant shall explain the building's order, scale, massing and fenestration strategy in conjunction with presentation and rationale for material selection to insure a coherent composition and thoughtful building logic.

Correspondence Strategy: The applicant shall explain conceptually and demonstrate visually in a written narrative and live demonstration subject to Q&A with illustration the strategy to create an appropriate, enhancing coherence with the surrounding properties and the neighborhood context. The applicant shall present a design strategy of specific correspondence to all buildings within 50' or any other building it is informed by within direct sightlines. This includes dado lines, floor heights, window heights, placement and proportions.

Specified Architectural Scale: All architectural elevations, contextual streetscape elevations and building sections submitted for development review shall be prepared at a minimum scale of 1/8 inch = 1 foot, unless the reviewing agency expressly authorizes a different scale because of the size of the project. Comparable existing and proposed conditions shall be illustrated at identical scales. Orthographic drawings: fixed architectural scale @ 1/8" = 1'-0".

Site plans shall ordinarily be submitted at 1 inch = 20 feet, or at the largest conventional engineering scale practicable on the required sheet size.

Pedestrian Perspective and Accuracy of Representation: To avoid distortion and what may be "technically accurate but visually misleading" presentations, the applicant shall accurately present the building facades in actual verifiable scale viewed from the Pedestrian Perspective of a 5'6" viewer standing on finished sidewalk grade from 25' feet in distance, 50' feet in distance and from any corner within 200' away with sight line of building. The adjudicating body may, at its discretion request further perspective drawings/renderings from any actual major public vantage points as they deem appropriate. Said elevation drawings or renderings shall be sufficient in scope and detail to represent the view a pedestrian or driver will "accurately see" from that specific direction." Any distortion willfully submitted/presented or determined otherwise will result in the application being denied.

Any rendering or elevation drawing should accurately identify the viewing distance between observer and principal façade.

Existing street and site grades need to be accurate and identified

6. Context

Adjacent buildings cannot be deleted, distorted, faded or disproportionately represented.

Human Figures and Vehicles

People and Vehicles should be accurately scaled.

The geometry used in the rendering should correspond to the actual architectural submission.

It also requires site sections showing relationships to adjoining buildings and a 3-D massing model showing the proposed development in the context of surrounding buildings

A color rendering depicting the proposed improvements within the surrounding context from eye-level perspective or an aerial oblique perspective...”

The submitted elevation and rendering must show the actual visual environment, including things such as:

- landscaping;
- fencing;
- berms;
- pavement;
- canopies;
- signage;
- lighting;
- mechanical equipment;
- accessory structures;
- foreground elements;
- adjacent conditions; and
- immediate background.

Importantly, landscaping shown in the rendering must correspond to the landscaping plan in actual size, maturity and location. This is to prevent another common rendering distortion:

hiding a large building behind mature-looking trees that will actually be six-foot saplings when the project is constructed.

Human-Scale Visual Representation Standard.

All perspective drawings, architectural renderings, photomontages, photo simulations and other three-dimensional visual representations submitted in connection with an application for development shall accurately depict the proposed development from the perspective and scale at which it would ordinarily be experienced by a person within the public realm.

Then make the objective requirements explicit:

A. Required viewpoint

Every project requiring architectural review should provide perspective renderings from:

1. each public street frontage;

2. each principal pedestrian approach;
3. each publicly accessible location from which the proposed development would have a material visual presence; and
4. such additional locations identified by the Planning Board, Historic Preservation Commission, Design Review Committee or reviewing professional.

B. Eye level

The virtual camera should be:

5 feet 6 inches above existing or proposed sidewalk grade, unless another elevation corresponds to an actual public viewing location.

C. Viewpoint map

To avoid ambiguity, every rendering should contain a small keyed site plan identifying:

camera location → viewing direction → distance to building.

D. Perspective Integrity

And this is the provision I think could make Montclair's regulation particularly sophisticated:

No fisheye, exaggerated wide-angle, compressed telephoto, nonrectilinear projection or other optical or digital manipulation shall be employed where its effect would materially diminish, exaggerate or otherwise misrepresent the apparent height, width, mass, proportion, setback or relationship of the proposed development to its surroundings.

Most important addition: require a standard lens

For particularly consequential applications a **standard equivalent focal length** must be established.

For example:

Required pedestrian perspective renderings shall employ a rectilinear projection corresponding approximately to normal human visual perception, using a **35mm-equivalent focal length between 40mm and 55mm**, unless the reviewing Board determines another focal length is necessary to reproduce the actual field of view at the specified observation point.

Quality of Life Contribution The applicant shall explain conceptually and demonstrate visually consistency with character, values of the streetscape and wider community in terms of circulation, pedestrian and vehicular impact.

Impact on Natural Light: The applicant shall provide a certified 4 season Shadow study for any building or structure that exceeds 3 stories and demonstrate zero to minimal obstruction of sun rays on pedestrian sidewalks and roads and zero to minimal casting of shadows that will darken the public realm.

Fidelity to Plan – Accurately Built as Presented.: The applicant shall accurately adhere to any final verbal, drawn or rendered representation with financial damages and loss of C of O for any material deviation. All details, measurements, proportions and scale shall not deviate.

Guarantee of Performance: Any amenity or concession must be fulfilled and completed within 1 year of project commencement. Any non-fulfillment or non-compliance is finable up to double the value of the amenity promised after 1 year and doubling each year henceforth.

Façade and Construction Materiality: Materials used shall have been independently tested and certified for durable performance of a minimum of 60+ years. All Materials in Historic Districts must be approved by the HPC for durability, consistency and appropriate character.

The Township shall make the visualization requirements part of the application submission/checklist system. New Jersey completeness law places substantial importance on information identified on a checklist adopted by ordinance; that makes an objective checklist requirement considerably stronger administratively than asking applicants for additional graphics informally during hearings.

Second, I would deliberately separate “accuracy of representation” from “quality of design.” This is important defensively. The ordinance is not saying *the Board may reject architecture because it dislikes how it looks*. It is saying *the Board is entitled to truthful, standardized evidence with which to apply whatever substantive standards already exist*. That distinction should reduce vagueness concerns.

Third, I would keep the 5'-6" viewing height, but I would have Montclair's planner/architect and counsel examine whether to codify 40–55 mm as a mandatory range or make 50 mm the default with a permitted documented exception. The latter may be even cleaner:

50mm full-frame equivalent unless the municipal reviewing professional determines that another focal length more accurately represents the actual field of view from the designated public observation point.

That creates a common baseline while avoiding an argument that a particular constrained streetscape physically cannot be represented by a 50mm lens.

Montclair already uses detailed, objective plan-submission requirements elsewhere—for example, Chapter 294 specifies plan scale, professional preparation and the exact information necessary for a complete steep-slope application—so this type of measurable submission standard is not foreign to the Township's regulatory structure.

FW: Montclair Master Plan Reexamination

From Keith Brodock <kbrodock@montclairnj.gov>
Date Mon 8/31/2026 7:36 AM
To Janice Talley <jtalley@montclairnj.gov>

 1 attachment (31 KB)

Township Planner Performance Evaluation-Manager copy.xlsx

See below for Master Plan Reexamination comments.

Keith Brodock, PE, PP
Planning Board Chair
c. 716.534.8421
kbrodock@montclairnj.gov

From [REDACTED]

Sent: Sunday, August 30, 2026 9:15 PM

Games <games@montclairnj.gov>
Subject: Montclair Master Plan Reexamination

You don't often get email from [REDACTED]

Good evening,

The Township Planner recently held community meetings to present her 2026 reexamination of the Master Plan, that skimps on the role community plays. The increased density that was pushed by former Mayor Jackson and the planning board came with tradeoffs. The residents agreed to the density because we were promised lower taxes. The problems and increased costs that increased density would create were easily predictable.

Safeguards were promised to protect the residents against the environmental degradation, security risks created by increased traffic volume, stormwater infrastructure, and the cost of supporting affordable housing over and above the state's requirement, to name a few.

Safeguards in the form of 217 objectives, goals and recommendations were built-in (154 were included in the 2006 reexamination and an additional 63 in the 2016 reexamination). But here we are decades later and none of the safeguards have been implemented. And according to NJ.com, Montclair has the highest taxes in the state.

The planner's 2026 reexamination presentation openly admits it. Of the 45 selective recommendations listed, limited action has been taken on less than half, and none are the safeguards residents were promised.

If only the council acted like our elected representatives instead of rubber stamps for the developers.

The developers got their density, but the residents didn't get the protections and lower taxes they were promised.

The planner's job is - to make sure everything happens the way it was planned.

Said Janice Talley, "Ultimately the planner helps set the policy, working with all the other players, helping coordinate so all the players in the process are brought together and then... once we have our policy in place, there's always the implementation, making sure it actually happens as it's planned." (Montclair Times 9/9/2010, *Planning for the new planner*)

Implementation of the Master Plan has not worked out the way it was planned. There are 204 objectives and recommendations that have not been met.

There must be accountability. Otherwise, the residents have been disenfranchised.

See Planning for Failure - a 10-part series <https://montclairprogressiveorcorrupt.com/planning-for-failure/>

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Montclair is an affirmative action/equal opportunity employer.

2016 Reexamination Report Status				2026 Reexamination Presentation	
Reexamination Report Recommendations	2006	2016	Total	Status	Reference
Land Use					
Land Use Objectives	4		4		
1. Land use policies should seek to preserve racial, income and age mix				Not accomplished	Demographic data
2. Development does not harm quality of life of surrounding neighborhoods and new construction is similar scale and style to existing				Not accomplished	Valley & Bloom, Approved Litchawanna Plaza Plan
3. Require developers to contribute to off-tract improvements directly related to their projects				Not accomplished	Alister, Valley & Bloom, 2 So. Willow, The Clair
4. New development should preserve and increase open space				Not accomplished	Valley & Bloom, The Clair
Land Use General Recommendations					
1. Prevent new construction that is out of character with existing built environment				Not accomplished	Ordinances adopted but not enforced: Valley & Bloom, The Clair, Alister, New, Washington and Wheeler Streets
2. Determine capacity of infrastructure to determine level of development that can be accommodated				Not accomplished	
3. Transfer of development rights was not included in the Unified Land Use and Circulation Plan recommendations				Dismissed	
4. Consider impacts of private and public school expansion plans to ensure visual compatibility and minimal parking and traffic impacts				Not accomplished	Woodman Field disaster
5. Ensure adequate review of design requirements				Not accomplished	HPC input undermined
6. Consider ordinance for B&B's				Dismissed	
7. Consider telecommunications infrastructure ordinance amendments				Dismissed	
Land Use Master Plan Recommendations					
1. Prepare Unified Land Use and Circulation Plan Element of the Master Plan	3		3		
2. Prepare a Utility Service Plan				Not accomplished	
3. Support ordinance to require developer contributions to off-tract improvements				Not accomplished	
Land Use Development Regulations Recommendations					
1. Establish maximum impervious surface and building coverage requirements	3		3		Mission, New, Washington and Wheeler Streets
2. Update zoning for multi-family zones and townhouse requirements					
3. Require developers to contribute to off-tract improvements directly related to their projects				Not accomplished	
Land Use Recommendations added by 2016 reexamination					
	2		2		

Reexamination Report Recommendations		2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner	2026 Reexamination Presentation, per Planner
1. Amend land use plan for streets near Bloomfield Avenue corridor where proposed intensity of development is inappropriate					Not accomplished		30	Page 24 of presentation - Created new C-3 zone for areas west of Grove Street, no changes for areas east of Grove Street
2. Create opportunities for open space in the Central Business District through increased setbacks and parklets					Not accomplished		30	Page 29 of presentation - Included open space requirements in Seymour Street and LP redevelopment plans
Housing		17	2	19				
Housing Objectives		4		4				
1. Design zoning regulations which permit a range of housing types at appropriate densities					Not accomplished		5	Still valid
2. Increase affordable housing opportunities					Not accomplished		5	Still valid
3. Maintain condition of older housing stock					Not accomplished		5	Still valid
4. Preserve unique character of residential districts					Not accomplished		6	Still valid
Housing General Recommendations		13		13				
1. Support Housing Commission and Landlord Tenant Advisory Board					Not accomplished		6	The Housing Commission and Landlord Tenant Advisory Board continue to meet
2. Apply for State and Federal grant programs to rehabilitate substantial housing					Not accomplished	Township allowed the deed restrictions to expire	6	Homework rehabilitated 10 units funded by \$330K of AHTF
3. Collect developer fees for affordable housing						AHTF transactions have never been reported	6	AHTF collected \$1.2 million since 2007
4. Comply with 3rd round COAH regulations					Expired		6	Township submitted 3rd round HERSP
5. Rehabilitate abandoned and deteriorated properties					Not accomplished		7	In July 2015 the ordinance was amended to enable the Township to rehabilitate: 53-55 New Street, 22 Pleasant Avenue and 249 Orange Road
6. Require affordable component in all housing developments in designated redevelopment areas						A net of 28 units for low- and moderate-income families were added over the 17 year 3rd round	7	Between 2008 - 2016 70 affordable housing units were built through redevelopment
7. Provide housing for disabled persons					Not accomplished		7	Construction code requires all units be handicapped accessible.
8. Identify sites for assisted living facilities					Dismissed		8	
9. Host universal design seminar to promote accessible design for disabled residents					Dismissed		8	Not Implemented
10. Hire Housing Specialist and establish rent monitoring and arbitration board					Not accomplished		8	Established Housing Commission

Reexamination Report Recommendations		2006	2016	Total	Status	Reference	Page # of 2006 Reexamination Report Status	2026 Reexamination Presentation, per Planner
11. Enter into Regional Contribution Agreement					Expired		8	NA
12. Identify illegal apartments, establish policies on tax assessments, affordability controls, building code compliance.					Not accomplished		8	No action
13. Ensure new construction is harmonious with existing development patterns.					Not accomplished	Adopted Ordinances are regularly violated by variances	9	List of Ordinances 2007 - 2009
Housing Master Plan Recommendations		1		1				
1. Prepare third round HEFSP					Expired		9	NA
Housing Development Regulations Recommendations		5		5				
1. Implement inclusionary zoning ordinance as required by law						Excludes redevelopment	9	O-09-54 required 20% affordable units in all developments
2. Implement townhouse standards							9	O-07-35 established townhouse standards in R-3 and R-4 zones
3. Amend subdivision and site plan ordinances to reference NHRIS					Not accomplished		9	Not implemented
4. Establish maximum building coverages in R-1 and R-2 zones					Not accomplished	Adopted Ordinances are regularly violated by variances	9	Adopted Ordinances
5. Move maximum story limits in R-1 and R-2 zones out of maximum height section					Not accomplished		9	Not implemented
Housing Recommendations added by 2016 reexamination:		10		10				
1. Implementation of final court-ordered action with respect to 2008 HEFSP						This is required by NJ Fair Housing Act	31	Page 23 of presentation - Adopted 2025 HEFSP
2. Protective strategies need to be developed for adequate housing for seniors					Not accomplished		31	Page 25 of presentation - Rent control, ADU ordinance included in 2025 HEFSP
3. Rehabilitate older housing to meet affordable housing goals					Not accomplished	Challenge to HEFSP	31	Page 25 of presentation - created local Home Improvement Program
4. Consider affordable or senior housing development on Municipal properties 53-55 New Street and Wildwood Avenue					Not accomplished	Housing Commission Notes	31	Page 25 of presentation - included in 2025 HEFSP
5. Determine changes to ordinance needed to provide affordable housing preference to Montclair residents					Not accomplished		31	Page 25 of presentation - has been in place since 2018
6. Identify sites for assisted living facilities for elderly					Not accomplished		31	Page 25 of presentation - considering DeCamp site
7. Consider universal design requirement for all new housing					Not accomplished		31	Page 25 of presentation - accomplished through building code requirements
8. Continue to support Housing Commission and LTAC					Not accomplished	Current actions by Planner taken to sabotage the Housing Commission	31	OMITTED FROM PRESENTATION
9. Maintain developers' fees for affordable housing						This is required by NJ Fair Housing Act	31	Page 25 of presentation - Done

Reexamination Report Recommendations				2016 Reexamination Report Status			
16. Use Abandoned Properties Act to designate abandoned properties as areas in need of redevelopment	2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner	2026 Reexamination Presentation, per Planner Page 25 of presentation - cost prohibitive
Historic Preservation	23	10	33				
Historic Preservation Objectives	3		3				
1. Preserve the rich architectural heritage of the Township				Not accomplished		10	Still valid
2. Recognize the value of Montclair's built environment				Not accomplished		10	Still valid
3. Educate the public on the importance of historic preservation				Not accomplished		10	Still valid
Historic Preservation General Recommendations	6		6				
1. Establish residential historic districts				Not accomplished		10	Under evaluation
2. Protect Town Center Historic district from inappropriate adjacent development				Not accomplished		10	Not implemented
3. Explore individual designation of historic properties				Not accomplished		10	Completed for some properties
4. Create design guidelines for commercial districts				Not accomplished		11	Historic Design Guidelines completed 2015
5. Identify town center historic district with signage				Not accomplished		11	GIS interactive map of historic districts and landmarks released 2015
6. Clarify design guidelines				Not accomplished		11	Historic Design Guidelines completed 2015
Historic Preservation Master Plan Recommendations	1		1				
1. Analyze impact of Master Plan on the preservation of historic sites and districts				Not accomplished		11	In process
Historic Preservation Development Regulations Recommendations	2		2				
1. Require applicants to appear before the Commission						12	Ordinance O-12-58
2. Review need for ordinance to preserve bluestone sidewalks				Not accomplished	Acres of bluestone sidewalks have been demolished	12	Not implemented
Historic Preservation Recommendations added by 2016 reexamination	12	0	0				
Transportation/Traffic/Parking Objectives	5		5				
Transportation/Traffic/Parking Objectives	5		5				
1. Provide flexible parking options and design safe streets				Not accomplished		12	Still valid
2. Increase use of non-automobile transportation				Not accomplished		12	Still valid
3. Encourage the use of mass transit				Not accomplished		12	Still valid
4. Provide safe parking areas at schools and municipal facilities				Not accomplished		12	Proposed
5. Make Montclair a safe place to drive walk and cycle				Not accomplished		12	Still valid
Transportation/Traffic/Parking General Recommendations	21		21				

Summary of 2006 - 2016 Master Plan Recommendations and Status

Reexamination Report Recommendations				2016 Reexamination Report Status		
	2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner
1. Encourage shared off-street parking				Not accomplished		13
2. Reserve on-street curbside parking for short term use				Not accomplished		13
3. Create more parking for disabled				Not accomplished		13
4. Install bicycle racks at all public buildings, public transit facilities and commercial districts				Not accomplished		13
5. Update Comprehensive Access Plan (April 2003)				Not accomplished		13
6. Provide long-term parking options for employees in commercial districts				Not accomplished		13
7. Evaluate Bicycle and Pedestrian Action Plan and implement changes				Not accomplished		13
8. Determine that loading zones in commercial districts are properly located and utilized				Not accomplished		14
9. Make parking regulations clear				Not accomplished		14
10. Complete way-finding study to identify location of municipal parking and major facilities				Not accomplished		14
11. Employ traffic calming devices to slow speeds				Not accomplished		14
12. Prohibit all day commuter parking near off-street and deck parking				Not accomplished		14
13. Conduct warrant study to determine if traffic light needed at Watchung Plaza				Not accomplished		14
14. Evaluate configuration of rail adjacent parking				Not accomplished		14
15. Provide safe drop-off areas at municipal recreation facilities and enforce no parking safety zones				Not accomplished		14
16. Create long-term non-permit parking spaces for occasional day commuters				Not accomplished		14
17. Evaluate senior citizen bus routes				Not accomplished	Essex County provides the service	14
18. Evaluate commuter shuttle bus route				Not accomplished	Commuter shuttle bus does not exist	15
19. Create parking fund for parking improvements				Not accomplished		15
20. Investigate zip car program				Not accomplished		15
21. Codify guidelines for neighborhood traffic calming requests				Not accomplished		15
1. Require statutory developers' contribution to off-tract street improvements				Not accomplished		15
1. Require payment for each required parking space that cannot be provided on site to be used for Township parking improvements				Not accomplished		15

Reexamination Report Recommendations		2006	2016	Total	Status	Reference	2016 Reexamination Report Status	Page # of 2006 Recommendations Per Planner	2026 Reexamination Presentation, per Planner
2. Add bicycle rack and locker design requirement to site plan ordinance					Not accomplished		15	Not implemented	
3. Define permitted and prohibited loading zone uses and effective hours					Not accomplished		15	Discussed	
4. Enact loading zone ordinances as needed							15	Done	
5. Implement Comprehensive Access Plan and Bike and Pedestrian Study recommendations					Not accomplished		16	Not applicable	
Transportation/Traffic/Parking added by 2016 reexamination - changed section title to: Traffic/Parking/Circulation		6	6						
1. Preserve existing residential neighborhood character: define Resident Permit Parking zones					Not accomplished		34		OMITTED FROM PRESENTATION
2. Reject five use-based "shared parking" concept					Not accomplished		34		OMITTED FROM PRESENTATION
3. Require on-site parking for large additions in C-1 zone					Not accomplished		34		OMITTED FROM PRESENTATION
4. Create parking fund to collect parking deficiency variances					Not accomplished		35		Page 28 of presentation - not implemented
5. Evaluate alternatives to shuttle bus					Not accomplished		35		Page 28 of presentation - being evaluated
6. Install traffic calming devices		32	6	38	Not accomplished		35		Page 28 of presentation - part of Complete Streets initiative
Economic Development and the Arts		3		3					
Economic Development and the Arts Objectives		3		3					
1. Encourage smart development, include public open space and green space in commercial redevelopment sites					Not accomplished	Valley & Bloom, 2 So. Willow, The Clair	16	Still valid	Page 29 of presentation - Included in Seymour Street and LP redevelopment plans
2. Promote Montclair as an arts community							16	Still valid	
3. Make Montclair a convenient place to shop with a variety of retail, dining and personal services to meet the needs of residents and workers.					Not accomplished		16	Still valid	
Economic Development and the Arts General Recommendations		21		21					
1. Revise zoning ordinances to reflect appropriate mix of uses and scale of buildings					Not accomplished		16	Completed in part: Glenridge Avenue and Church Street	
2. Require semi-permanent barriers around public sidewalk dining areas					Not accomplished		16	Adopted sidewalk café ordinance	
3. Apply for Transit Village designation for Walnut and Glenridge commercial districts						Transit Village Evaluation	17	Rejected	
4. Create new Business Improvement Districts							17	Not implemented	
5. Create public center on South Park Street and better circulation at Glenridge/Fulton/Bloomfield/Church							17	Streetscape improvement project for South Park completed	

Reexamination Report Recommendations		2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner	2026 Reexamination Presentation, per Planner
6. Install traffic calming devices in all commercial districts					Not accomplished		17	Bump outs and enhanced crosswalks installed along Bloomfield Avenue
7. Determine optimum capacity of municipal parking lots							17	Performed Comprehensive Parking Study
8. Begin shuttle bus route between MSU and all commercial districts							17	MSU will not support shuttle bus service that competes with theirs
9. Sponsor visioning forum							17	Held redevelopment visioning workshops associated with Corridor Complete Streets Implementation Plan
10. Improve traffic and pedestrian circulation with way-finding signage							18	Implemented in 2011
11. Enhance economic vitality of the South End Business District					Not accomplished		18	Has been completed in part
12. Strengthen economic capacity for the Bay Street redevelopment area					Not accomplished	Bay Street Station is a designated Transit Village	18	Not completed
13. Develop public open space in the central business district					Not accomplished	Seymour Plaza is township owned property with access controlled by developer	18	Open space is major component of Seymour Street and Lackawanna Plaza redevelopment plans
14. Develop new regulations for trash dumpsters							18	Basic requirements added to ordinance in 2006
15. Enlarge center area of C1 zone to increase pedestrian activity					NA		18	Completed prior to adoption of 2006 reexamination report
16. Create subzone of center area of C1 zone with stricter limits on permitted uses and design standards							18	Completed through adoption of redevelopment plans and new C-3 zone district
17. Advance concepts of the 2001 Montclair Arts Plan					NA		18	The Montclair Arts Council was disbanded
18. Use Montclair logo in all marketing efforts of arts programs and events					NA		18	The Montclair Arts Council was disbanded
19. Identify useable performance venues							19	Addressed by Seymour Street Redevelopment Plan
20. Identify arts programming for underserved constituents							19	The Montclair Arts Council was disbanded
21. Create arts assessment for every new commercial development					Not accomplished		19	Part of some redevelopment plans
Economic Development and the Arts Master Plan Recommendations		1		1				
1. Prepare Economic Plan Element					Not accomplished	Planner's comments on financial viability of redevelopment plans	19	Not implemented
Economic Development and the Arts Development Regulations Recommendation		13		13				
1. Change zone designation for commercial district on Walnut Street between Forest and Grove							19	Not implemented

Reexamination Report Recommendations		2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner	2016 Reexamination Presentation, per Planner
2. Include auto repair as conditional use in C2 zone							19	O-06-43
3. Require semi-permanent barriers around public sidewalk dining areas	Duplicative of Gen'l Rec #2						19	Adopted sidewalk cafe ordinance
4. Permit wall signs for 2nd floor business							19	Amended Signage ordinance
5. Permit projecting signs in commercial districts							19	Adopted
6. Eliminate auto sales and rentals, drive through banks and fast food as conditional use, reduce parking requirements for sites proximate to public transit							20	Eliminated auto sales and rentals, drive through banks and fast food. Reduced parking requirements near transit NOT IMPLEMENTED
7. Increase maximum density (units per acre) in C1 zone							20	Increased density in redevelopment plans
8. Require display lighting in storefronts at night							20	Not implemented
9. Create arts assessment for every new commercial development	Duplicative of Gen'l Rec #21						20	Included in some redevelopment plans/agreements
10. Prohibitions and eliminations in NC Neighborhood Commercial Zones							20	Ordinance amended in 2006
11. Delete conditions for business and professional offices in OR Zones							20	Implemented in 2006
12. Change definition of medical office							20	Amended
13. Remove 29 Park Street from C1 Central Business Zone to OR3							21	Not implemented
Economic Development and the Arts added by 2016 reexamination		15	15					
1. Address vacancies in commercial downtown areas							32	Page 27 of presentation - amended ordinance
2. Improve Wayfinding System							33	Page 27 of presentation - not accomplished
3. Implement a computerized wayfinding system that directs vehicles to parking lots with available spaces							33	Page 27 of presentation - not accomplished
4. Conduct ongoing redevelopment workshops to get the community involved							33	Page 27 of presentation - not accomplished
5. Impose stricter limits on permitted uses and design standards in the C-1 district							33	Page 27 of presentation - created C-3 zone
6. Developer contributions to Public Art should be made mandatory	Duplicative of #14						33	Page 27 of presentation - not accomplished
7. Make Montclair feel more like a college town							33	OMITTED FROM PRESENTATION
8. Support "pop-up Trial Space" program to eliminate vacant commercial spaces in Montclair Center							33	OMITTED FROM PRESENTATION
9. Vary parking fees by time of day							33	OMITTED FROM PRESENTATION
10. Make Bloomfield Avenue corridor more pedestrian friendly							33	OMITTED FROM PRESENTATION

Reexamination Report Recommendations	2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner	2016 Reexamination Report Status of 2006 Recommendations Per Planner	2016 Reexamination Presentation, per Planner
11. Create business development strategy for Bay Street station area				Not accomplished	Transit Village	33		OMITTED FROM PRESENTATION
12. Ensure a meaningful amount of affordable arts space as part of Seymour Street Redevelopment				Not accomplished		33		OMITTED FROM PRESENTATION
13. Explore opportunities to link available parking with walkways and Shuttle Bus system				Not accomplished		33		OMITTED FROM PRESENTATION
14. Support public arts initiatives such as required 1% developer contribution					Duplicative of #6	33		OMITTED FROM PRESENTATION
15. Support creation of business improvement districts				Not accomplished		34		Page 27 of presentation - currently evaluating
Environment changed to Conservation in 2016 recommendations	38	15	53					
Environment Objectives	7		7					
1. Encourage smart development; preserve clean drinking water, air, green space, trees and streams						21	Not implemented	
2. Preserve open space and acquire additional open space				Not accomplished		21	Adopted Conservation element in 2007	
3. Protect stream corridor						21	Ordinance 06-18 Chapter 295 Stormwater Control	
4. Increase amount of recycling				Not accomplished		21	Ordinance 15-28 Chapter 292 added drop-off center	
5. Preserve the Township's trees				Not accomplished		21	Ordinance 12-44 Chapter 324 protects shade trees	
6. Encourage reduced automobile usage				Duplicative of Transportation/Parking		22	Council adopted Sustainable Land Use Pledge September 2009	
7. Become a Sustainable Community through careful planning and decision-making				Not accomplished		22	Bronze certified community - 2013	
Environment General Recommendations	18		18					
1. Preserve the First Mountain ridge line				Not accomplished		22	Not implemented	
2. Reduce excessive noise caused by mechanical devices				Not accomplished	Increased use of heavy landscaping equipment is ubiquitous throughout the Township	22	Ordinance 00-02 Leaf blower regulation	
3. Reduce exterior light pollution						22	Ordinance 11-53 Sign Plan lighting plan requirement	
4. Adopt principles of sustainability				Not accomplished		22	Bronze certified community - 2013	
5. Require public open space component in all nonresidential redevelopment plans as required by State Statute				Not accomplished	Alister, Valley & Bloom, MC Hotel, 2 So. Willow	23	Included in all redevelopment plans	Page 29 of presentation - included in Seymour Street and L.P. redevelopment plans
6. Expand recycling to schools, etc				Not accomplished		23	Not implemented	
7. Reduce excessive noise caused by train traffic						23	Quiet Zone resolution 2011 not enforced	
8. Identify properties for use as community gardens and open space				Not accomplished		23	2007 Conservation Plan Element adopted	

Reexamination Report Recommendations	2006	2016	Total	Status	Reference	Page #	2016 Reexamination Report Status of 2006 Recommendations Per Planner	2026 Reexamination Presentation, per Planner
9. Evaluate municipality owned property for potential as preserved open space before selling for private development				Not accomplished		23	2007 Conservation Plan Element adopted	
10. Identify other properties to increase open space inventory				Not accomplished		23	Not Implemented	
11. Implement recommendations from the Forestry Plan to be prepared in 2006.				Not accomplished		23	Montclair Community Forestry Mgmt Plan 2015-2019 adopted 2014	
12. Evaluate well-head protection ordinance				Not accomplished		23	Not Implemented	
13. Examine critical slope ordinance				Not accomplished		23	Not Implemented	
14. Examine leaf blower ordinance						24	Not Implemented	
15. Examine noise ordinance						24	Not Implemented	
16. Investigate stream buffer						24	Not Implemented	
17. Conduct build-out analysis for tipping point at which environmental costs of growth become too high				Not accomplished		24	Not Implemented	
18. Consider a conservation easement along the 1st Mountain Ridge/line				Not accomplished		24	Not Implemented	
Environment Master Plan Recommendations	2		2			24	2007 Conservation Plan Element adopted	
1. Prepare Conservation Plan Element that at a minimum examines stream corridor buffers						24		
2. Prepare Recycling Plan Element incorporating State Recycling Plan goals				Not accomplished		24	Not Implemented	
Environment Development Regulations Recommendations	5		5			24	Not Implemented	Page 29 of presentation - Not accomplished
1. Incorporate creation of public open space within private nonresidential development				Not accomplished		24	Not Implemented	
2. Amend site plan ordinance to add specifications on trash and recycling storage areas						24	Ordinance 11-53	
3. Prepare tree preservation ordinances controlling number of trees removed, preserving valuable trees and requiring replacement of trees removed				Not accomplished		25	Ordinance 12-44	
4. Add specification for exterior lighting to site plan ordinance						25	Ordinance 11-53	
5. Establish impervious surface coverage requirements				Not accomplished		25	Not Implemented	
Environment added by 2016 reexamination								None - Planner changed description to Conservation and eliminated all recommendations from 2006 reexamination that were not implemented
Conservation	32	0	32					
Conservation Recommendations added by 2016 reexamination	9		9					

2016 Reexamination Report Status				2016 Reexamination Report Status	
Reexamination Report Recommendations	2006	2016	Total	Status	Reference
1. Natural Resource Inventory should be prepared, under guidance of Environmental Commission					
2. Provide Tree Preservation enforcement reports to Environmental Commission					
3. Increase eVehicle usage by municipality as per recommendations of Environmental Commission					
4. Pursue Sustainable Jersey certification on tri-annual basis					
5. Environmental Commission to seek update on feasibility of well-head protection ordinance					
6. Environmental commission to evaluate noise ordinance					
7. Environmental commission to conduct build-out analysis to determine at what point does growth cause unsustainable					
8. Explore conservation easement along First Mountain ridge/line as part of Natural Resources inventory prepared by the Environmental Commission					
9. Establish requirements for construction of "green" buildings					
Parks and Recreation					
Parks and Recreation Recommendations added by 2016 reexamination	1	1			
1. Prepare Parks and Recreation element of the Master Plan that evaluates the impact of development on parks and open space. Require a public open space component in all redevelopment plans				Not accomplished	35
Utilities					
Utilities Recommendations added by 2016 reexamination	1	1			
1. Prepare Utilities Plan element of the Master Plan that evaluates the capacity of water and sewer infrastructure and Town's ability to move towards a resilient infrastructure system				Not accomplished	36
Development Regulations-renamed "Zoning" in 2026 Reexamination					
Zoning Recommendations added by 2016 reexamination	19	19			
1. Revise zoning to eliminate progressive zoning structure and implement Unified Land Use and Circulation Plan recommendations					36

Reexamination Report Recommendations	2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner	2016 Reexamination Report Status of 2006 Recommendations Per Planner	2026 Reexamination Presentation, per Planner
2. Implement ordinance to protect stream corridors, flood hazard areas, well-head protection and ridgelines					Stream corridor protection duplicative of Environment Objective #1, #3, General recommendation #16, Master Plan recommendation #1; Well-head protection duplicative of Environment General recommendation #7; 2. Conservation #5, Ridgeline protection duplicative of Environment General recommendations #1, #18, Conservation #8	36	OMITTED FROM PRESENTATION	
3. Evaluate lighting ordinance to minimize light pollution and noise with Environmental Commission					Lighting ordinance duplicative of Environment General recommendation #3, Development regulation recommendation #4; Noise ordinance duplicative of Environment General recommendation #15; Conservation #6	36	Page 31 of presentation - not accomplished	
4. Require large developers to provide electric car charging stations					Required by State Statutes	36	Page 31 of presentation - established by State regulations	
5. Consider amendments to telecommunications infrastructure required by new technology					Duplicative of Land Use General recommendation #7	36	Page 31 of presentation - adopted small cell ordinance	
6. Implement ordinances that provide additional design requirements					Duplicative of Land Use General recommendation #5, Housing Objective #1 and Housing 2016 recommendation #7; Historic Preservation General recommendations #4, #6; Economic Development 2016 recommendation #5	36	Page 31 of presentation - not accomplished	
7. Amend subdivision and site plan ordinances to reference NUIS						36	OMITTED FROM PRESENTATION	
8. Move the maximum story limit in the R1 and R2 zones out of the maximum height section					Duplicative of Housing Development Regulation Recommendation #5	36	OMITTED FROM PRESENTATION	
9. Create ordinance requiring developers to pay for off-tract infrastructure improvements necessitated by their developments					Duplicative of Land Use Objective #3, Master Plan recommendation #3, Development regulation recommendation #3; Transportation/Traffic/Parking Master Plan recommendation #1	36	OMITTED FROM PRESENTATION	

Reexamination Report Recommendations		2006	2016	Total	Status	Reference	Page # of 2006 Recommendations Per Planner	2016 Reexamination Report Status of 2006 Recommendations Per Planner	2026 Reexamination Presentation, per Planner
10. Review need for ordinance requiring preservation of bluestone sidewalks					Not accomplished	Duplicative of Historic Preservation, Development Regulation recommendation #2	35	OMITTED FROM PRESENTATION	
11. Add bicycle rack and locker design requirements to ordinance						Duplicative of Transportation/Traffic/Parking General recommendation #4, Development regulation recommendation #2	36	Page 31 of presentation - not accomplished	
12. Revise zoning ordinances to reflect appropriate mix of uses and scale of buildings on Bloomfield Avenue						Duplicative of Land Use 2016 recommendation #1	36	OMITTED FROM PRESENTATION	
13. Develop new regulations for trash dumpsters						Duplicative of Economic Development General recommendation #14; Environment Development Regulation #12	36	Page 31 of presentation - not accomplished	
14. Create ordinance requiring lit storefronts at night						Duplicative of Economic Development, Development regulation recommendation #5	36	OMITTED FROM PRESENTATION	
15. Create ordinance for 1% set aside to fund arts program by new commercial development						Duplicative of Economic Development General recommendation #21, Development Regulation recommendation #9, 2016 Master Plan recommendation #14	36	OMITTED FROM PRESENTATION	
16. Amend zoning ordinance to permit community gardens						Duplicative of Environment General recommendation #8	36	OMITTED FROM PRESENTATION	
17. Establish maximum impervious coverage requirements						Duplicative of Land Use Development Regulation recommendation #1; Environment Development Regulation recommendation #5	36	Page 31 of presentation - adopted	
18. Explore possibility of establishing buffer zones adjacent to historic districts						Duplicative of Historic Preservation, General recommendation #2	36	OMITTED FROM PRESENTATION	
19. Determine which municipal projects require Historic Preservation Commission review						Duplicative of Land Use General Recommendation #5	36	OMITTED FROM PRESENTATION	
Totals		154	63	217					

master plan

From [REDACTED]

Date Tue 8/18/2026 11:23 AM

To Janice Talley <jtalley@montclairnjusa.org>; Aminah Toler <atoler@montclairnjusa.org>

Ms Talley

I was not able due to work schedule to attend any of the meetings this summer. I do have some ??? I would like answered.

No1 the so called POCKET PARK, where is it? After all of the disturbances of sleep I see nothing but grass which has turned into another crappy area for dogs to do their business. It is not even fenced anymore? You made a big deal about the timing and the design, where is the design, where are they trees if you meant green area grass does not designate green area.

2...Install additional crosswalks at each of the intersections along the length of Orange Road. □ Consider metered parking or pay for parking. □ Identify handicapped parking in the Orange Road West lot THIS IS ALREADY DONE on most of the area it is already metered and the problem is for handicapped parking there are not enough spaces and people who work in the area use the spots as their personal parking. You cannot stop and use the spaces because there are only 2 and one of the workers is there all day. The spaces in the lot do not have space to exit or enter car if someone is parked next you your handicap spot. The spots need the diagonal lines for entry and exit.

Reconfigure the intersection of Orange Road West and Cedar Avenue to eliminate the channelized right turns to allow vehicles to turn without stopping. Can you explain what you are doing here? There are way too many times that people don't realize there is a stop light on that corner therefore allowing folks to turn without stopping will cause more accidents. Please provide a detailed view of the site and what you are talking about doing?

Also where is the lighted crosswalk on Pleasant ave for the kids to cross the street that was promised? Eventually a child will be hit trying to cross as cars come around that corner full speed and speeding. Many mornings I watch and afternoons when the bus stops people try to go around the bus even though it has it's lights flashing. Why start constant renovations when it is time for school to start IE the park, the pocket park

Where are the cameras for Hilltop place and the promised lighting over 2 years ago now??? Is there somewhere that we can see finished plans and not just sentences of what you are proposing see below from your re-examination plan

Note

The Plan should evaluate why Montclair has become more affluent - because residents are earning more or because lower income residents are being priced-out and displaced? If it's the latter, the Plan should address gentrification. 3. The Township should pursue the use of vacant Township-owned land

for affordable housing. The following properties have been identified as potential sites for affordable housing and should be evaluated in an updated Plan.: Block Lot(s) Size (Sq.Ft.) Location 803 17 7,800 Upper Mountain Avenue 2209 1 6,800 61 Valley Road 3111 61 & 62 10,000 53 - 55 New Street 3802 91 13,627 Riverview Drive 3904 57 5,940 **399 Orange Road** 4601 80 & 82 114,563 Wildwood Avenue 4. The Township currently has \$2.3 million in the Housing Trust Fund.

I see you are proposing to put affordable housing now on the contaminated Pocket park, may I ask why and what you propose to build as it cannot break our R1 zoning???? How can you place lives on contaminated soil???

I have further ??? but I must leave...when is the next meeting and where are designs that we can see. Proudly in closing the 4th ward had the most attendance throughout Montclair I noticed.

Change the name of the plan, as it only has applied to the MASTERS...that would be a step in the right direction Ms Talley. I also suggest that since you don't live here. Please stop allowing developers to walk away with waivers that allow them to neglect properties at will. IE 400 orange Road.

regards



Master Plan

From [REDACTED]

Date Wed 8/12/2026 11:08 AM

To Janice Talley <jtalley@montclairnjusa.org>

Cc Stephen D. Marks <smarks@montclairnjusa.org>, [REDACTED] Carole Willis
[REDACTED] sgains@montclairnjusa.org <sgains@montclairnjusa.org>; Mayor Baskerville
<mayorbaskerville@montclairnjusa.org>

Dear Janice,

I did not attend the ward one Master Plan meeting because I strongly believe that you do not listen, and you just do what you want to do. I find it hard to believe that you do not understand that people in this town do not want more development, or a plan for more development.

Of course, when something is sold in a commercial zone, it will developed, which is something that I understand, even given my reservations that the boards in town are unfortunately, somewhat easily influenced by land attorneys, developers, developer paid consultants such as planners, engineers, and parking consultants.

I don't understand the looking for development in areas that it is not wanted. An example of this, which I have written to you before, are transit villages. This has been a thing for at least 10 years, we have not built any in ward two and ward one, and the demand is not there. We have one sole transportation link, being the trains, that don't run all that freak outside of rush hour, and no weekend service. What the planning department and planning board is trying to do is to create the demand.

One year ago you talked about "gentle" density around train stations, without defining that. I have no idea what that means. Then we have Rutgers do a plan for the Master Plan, and all of a sudden it is "high" density. That part of the report was accepted into the MP by the planning board with zero public discussion. Zero. I watched the meeting. I had sent you a comment of exactly what I am saying here now, and you did not initiate any discussion about this. This is exactly what people are frustrated about. They are not listened to. They are ignored.

High density is not wanted by the majority of people in these wards and in the town, in general. There is nothing wrong with having a more urban and then a suburban part of town. We have a vocal minority in town, but that is what they are, a minority. There is also this absurd thinking that people that would live in these buildings (I have no idea where they would go) will not have cars, and somehow will live their lives out within the confines of Upper Montclair Village or Watchung Plaza.

How they will get to appointments, big box stores, to see family and friends is contained in this no car fantasy. Public transport? They will build in the hours and hours needed to plan and wait for public transport? They will ride their bikes to Best Buy or Costco, without the ability to get their purchases home? Who are we kidding with this thinking? This is NJ. I know you no longer live here, but people want their cars. This planning department and the boards have been living this fantasy, without

thinking about the nuts and bolts about this, for at least ten years, but here we are still are still thinking that this is somehow reality.

I am tired of the opinion of the people in this town being ignored. Why do you think the outcry about the swim school had been what it is. People truly believe that parking variance should not be given, but there is also a whole lot of frustration coming out because they are not heard. They feel they express themselves, usually they aren't even thanked for it, and then honestly, you just ahead with what you have already planned and ut is a done deal.

So that is what I have to say.

Middle Housing and Starter Homes in Montclair

From [REDACTED]

Date Mon 8/10/2026 12:56 PM

To Janice Talley <jtalley@montclairnjusa.org>

Cc Mayor Baskerville <mayorbaskerville@montclairnjusa.org>; Councilor Erik D'Amato <EDAmato@montclairnjusa.org>; Eileen Birmingham <EBirmingham@montclairnjusa.org>; Councilor Rahum Williams <RWilliams@montclairnjusa.org>; Aminah Toler <AToler@montclairnjusa.org>; Susan Shin Andersen <SAndersen@montclairnjusa.org>; William F. Harrison <WHarrison@montclairnjusa.org>; Stephen D. Marks <smarks@montclairnjusa.org>

You don't often get email from [REDACTED]

[Learn why this is important](#)

Dear Mrs. Talley,

I wanted to follow up on your comments mentioned in the TAP article about the decline of "middle housing" and allowing more two- and three-family homes alongside single-family homes to provide opportunities for younger families to remain in or move to Montclair.

After looking more closely at the Census and property-tax data, I agree that Montclair has lost some smaller multifamily housing, but at the same time, we have gained a substantial number of multifamily units in larger buildings. In addition, I am not convinced that allowing more two- and three-family homes in single-family neighborhoods will necessarily create starter homes for young families—or that we have established that a shortage of starter homes is preventing families from moving here.

I think there are three important questions.

1. What problem are we trying to solve?

- **Montclair's multifamily housing supply has increased overall.** Between 2013 and 2024, the town gained a net 822 units in buildings with 10 or more units, including 666 additional units in buildings with 50+ units. (U.S. Census Bureau, ACS B25024.)
- **Montclair still has substantial middle housing.** Over the same period, the number of units in 2–4-unit buildings declined from 3,598 to 3,158, a loss of about 440 units. Despite that decline, about 1 in 5 Montclair homes is still in a 2–4-unit building, and nearly half (47%) of all homes are in multifamily buildings with two or more units. (U.S. Census Bureau, 2024 ACS 5-Year Estimates, B25024.)
- **The number of Montclair households with children has remained remarkably stable.** There were 5,289 households with children in 2013 and 5,277 in 2024. Virtually no change over 11 years. (U.S. Census Bureau, ACS B11005.)
- **Montclair also continues to attract children.** Every ACS migration estimate since 2021 has shown more children moving into Montclair than out, including a net gain of 237 children in the 2024 estimate. (ACS B07001 and B07401.)

This raises the fundamental question: what evidence shows that the decline in 2–4-unit housing has created a shortage that is preventing young families from moving to or remaining in Montclair?

2. Would more 2–3-family housing actually create homeownership opportunities for young families?

- **2–4-family properties are not necessarily a lower-cost entry point into Montclair.** Based on 61 usable sales in 2025, the median sale price of a 2–4-family property in Montclair was \$960,000. (NJ Division of Taxation, 2025 SR1A Sales File and MOD-IV Property Assessment Records; Montclair 2–4-family properties.)
- **Creating two or three dwelling units does not necessarily create two or three homes that families can purchase separately.** Of the 68 sales involving 2–4-family properties or separately deeded units within small 2–4-unit properties

identified in the 2025 sales data, 61 (90%) were sales of the entire property, while only 7 (10%) appear to have been sales of individual units. This suggests that the predominant ownership model remains the purchase of the entire multifamily property rather than individual units within it. (NJ Division of Taxation, 2025 SR1A Sales File and MOD-IV Property Assessment Records.)

- **Even if those units were sold separately, they would not necessarily be the preferred option for young families.** For illustration, simply dividing the median \$960,000 sale price of a 2–4-family property between two units would equal roughly \$480,000 per unit, before considering conversion costs or differences in unit size and market value. At that price point, a young family may also have the option of purchasing a single-family home in nearby Bloomfield or Verona. This raises the question of whether these new Montclair units would actually provide the type of home young families are looking to buy.
- **Existing 2–4-family housing is predominantly rental housing.** In 2024, 72% of occupied units in 2–4-unit buildings were renter-occupied, compared with only 28% owner-occupied. This suggests that, in practice, this type of housing currently functions primarily as rental housing in Montclair rather than as an ownership pathway for individual households. (U.S. Census Bureau, 2024 ACS 5-Year Estimates, B25032.)
- **Existing 2–4-family housing is also predominantly occupied by smaller households.** In 2024, 77% of households living in these units consisted of only one or two people, while only 23% had three or more people. This raises the question of whether additional units of this type would primarily serve families with children. (U.S. Census Bureau, 2024 ACS 5-Year Estimates, B25124.)
- **Would the additional housing actually help younger Montclair residents remain in town?** In 2024, at least 64% of people moving to a new Montclair residence came from outside Essex County. (ACS B07001.) While this does not tell us who would occupy newly created units, if the objective is specifically to help younger Montclair residents remain in town, it is worth asking who the additional housing is expected to serve.

Taken together, the available data do not establish that creating more 2–3-family units would translate into more attainable homeownership opportunities for young Montclair families.

3. What is the impact on families who already live here?

- **Property taxes are not based on the number of households or residents living on a property.** In New Jersey, assessments are based on property value. Converting a single-family home into multiple units may increase the property's assessed value and total tax contribution, but the increase depends on the resulting property value—not automatically on the number of additional households or residents. (State of New Jersey Assessor's Handbook 804.06.)
- **The current tax contribution is substantially lower for 2–4-family properties, both per property and per dwelling.** In 2024, single-family properties paid an average of approximately \$22,689 in property taxes, compared with approximately \$15,840 for 2–4-family properties. Because a 2–4-family property contains multiple dwellings, its average tax contribution falls to approximately \$6,209 per dwelling—about 73% less per dwelling than a single-family property. (NJ MOD-IV, 2024.)
- **More households can increase demand for—and the cost—of public services.** Additional households increase demand for municipal services such as public safety, code enforcement, sanitation, infrastructure, and health services. In 2026, the municipal tax levy averaged approximately \$5,551 per property, illustrating the significant local cost already supported through property taxes. (Township of Montclair User-Friendly Budget, 2026.)
- **School costs are particularly relevant if the objective is to attract more young families.** While every household is served by municipal services, not every household uses the public school system. Operating a school system involves both fixed costs (such as buildings and administration) and variable costs (such as teachers and transportation). Montclair Public Schools' 2026–27 User-Friendly Budget shows approximately \$23,000 in local school tax levy per enrolled student. Unlike districts that receive substantial state equalization aid, most of Montclair's school funding burden falls on local taxpayers. If the policy succeeds in increasing the number of families with children, the resulting school costs should be part of its fiscal analysis.

The key fiscal question is therefore whether the additional tax revenue generated by these conversions has been modeled against the additional school, municipal, and infrastructure costs associated with additional households. If population and public costs grow faster than the tax base supporting them, the difference ultimately has to be shared across taxpayers. And that itself is an affordability issue. Higher property taxes can make it harder for young families to purchase a home and for existing residents to afford to remain in Montclair.

Before expanding two- and three-family housing in single-family neighborhoods, I would therefore like to better understand the evidence that this policy would achieve its stated objective, as well as the analysis of its fiscal and infrastructure impacts on

existing residents. Affordability is also about ensuring that the families and other residents who already live here—including those who have been paying property taxes for decades—can afford to remain.

Many thanks for reading, and best wishes,

Source of the article: <https://www.tapinto.net/towns/montclair/sections/government/articles/montclair-s-master-plan-sparks-skepticism-scrutiny-at-fourth-ward-meeting>



2016 Montclair Master Plan Update Proposal

Background:

1. The 2016 Montclair Master Plan, Section 2.5 Economic Development + the Arts, page 52, rightly states: "The growth in arts/entertainment services and accommodations/food services is not surprising, as the arts have always been a driving economic force in Montclair." Indeed, Montclair's arts and cultural sector, including culinary arts, continues to be a 'profit center'. According to numerous Americans for the Arts Economic Prosperity reports (one included Newark and Essex County), visitors to Montclair spend twice as much as residents and we know that our restaurants and arts and cultural venues attract significant out-of-town visitors.
2. The 2016 Montclair Master Plan, Section 2.5 Economic Development + the Arts, page 54, refers to "5. Develop a variety of funding mechanisms to support ongoing public arts projects."
3. The 2016 Master Plan Reexamination Report refers to:
 - a. Page 18, #17, "Through the Montclair Arts Council, advance the concepts of the 2001 Montclair Arts Plan, including marketing facilities, education, public support and technology, subject to financial feasibility." "Current status": "The Montclair Arts Council was disbanded in 2010. Public arts initiatives have been supported through redevelopment plans that include a 1% funding requirement for public art. The primary purpose of the Seymour Street Redevelopment Plan is to support the arts in Montclair."
 - b. Page 18, #18, "Use the Montclair Logo and Township Website in all marketing efforts and announcement of arts programs and events; develop an email database for distribution of arts information; develop an artists' registry for all disciplines." "Current Status": "The mechanism to manage and coordinate public arts initiatives was discontinued when the Montclair Arts Council was disbanded in 2010."
 - c. Page 19, #20: "With significant community involvement, identify and facilitate arts programming for underserved constituencies." "Current status": "No longer implemented with the elimination of the Montclair Arts Council."
 - d. Page 19, #21: "Explore a voluntary or mandatory 1% for the arts program whereby art is included in every new commercial development." "Current status": "Part of some redevelopment plans."
 - e. Page 20, #9: "Create an ordinance for a 1% set aside for the arts program for new commercial developments." "Current status": "Included in some redevelopment plans and/or redevelopment agreements."

Proposal:

1. Implement one or more "funding mechanisms" to support the arts and cultural community.
2. At a minimum, include the following areas of support: a. Public Art; b. Marketing; c. Grants to arts and cultural organizations; and, d. Arts spaces.
3. Implement a mandatory 1% for arts set-aside for new commercial development.
4. The NJ State Arts Council is funded via the law which created the state's hotel/motel tax. Duplicate this model for one of the funding mechanisms to allocate all or a portion of Montclair's 3% local hotel/motel tax.
5. Expand the definition of "public art" to include, but not limited to, programming and space.

Fwd: Master Plan Reexamination

[REDACTED]

Date Sun 8/9/2026 4:06 PM
To jtalley@montclairnjusa.org <jtalley@montclairnjusa.org>
Cc Aminah Toler <AToler@montclairnjusa.org>

You don't often get email from mjkumahor@gmail.com. [Learn why this is important](#)

Re-sending - as the original message bounced back to me.

----- Forwarded message -----
From [REDACTED]
Date: Sun, Aug 9, 2026 at 4:02 PM
Subject: Master Plan Reexamination
To: <jtalley@montclairnjusa.gov>
Cc: Aminah Toler <AToler@montclairnjusa.org>

Good afternoon!

I hope all's well.

Proud long-time (26-years) 4th Ward homeowner here, taking a moment to share my thoughts. Thanks to Council Member Toler, I received a much-needed reminder to make sure I don't let this opportunity pass me by.

My Wish List for the Master Plan that may or may not already be on your radar:

1. recycling bins - mixed stream - designed like the awesome trash bins that are stationed around town; ideally located next to every trash bin
2. protection of current green spaces/parks and designation of land for 1 additional green/space park in every ward
3. institution of "no-car Sundays" in all the business districts across the Township once/month to encourage walking (sparing the air) and patronizing local businesses
4. put in place whatever policies are necessary to prevent the town from being overrun by tall buildings and following in the concrete jungle footsteps of places like Manhattan; I don't have the language or expertise to articulate exactly what I'm asking, but hopefully this gives a sense
5. design and erect a series of placards around the town chronicling the rich history of the area - centering the Lenape - and the unique events and leaders that we're known for; as an example of what this could look like, I'm thinking of the [Scarlet and Black Project](#) at Rutgers University which I've found extremely powerful, educational and eye opening from the placards to the virtual tour online. With the Friends of the Howe House, Montclair History Center and other organizations already in place doing this work, Montclair could pull this off. And we already are home to 3 sites on the NJ Black Heritage

Trail. I'm envisioning a series that encompasses a comprehensive historical narrative of the township that doesn't skip over the Lenape and other indigenous folks who preceded all subsequent settlers - free and enslaved.

6. transform portions of all the NJT train stations to include community gardens/green spaces

One last wish:

- I figure the in person hearings are mandated methods of gathering feedback. However, it's 2026 and if only 51 people out of 40,000 residents have weighed in on this plan, that's not a sign of apathy, it's a sign that we need more effective, creative, accessible, convenient, 21st century methods of gathering feedback. If these methods already exist, please loop me in so I can share with my neighbors. If they don't, please consider a QR code that can be shared via the various social media and online channels that the Township and residents utilize. Better yet, I've noticed in this town that if participation is "game-ified" in some way, that really inspires people to weigh in.

Thanks for all you do for our fabulous town. And big thanks to Councilor Toler for her extraordinary leadership, engagement and advocacy on behalf of 4th Ward residents and all Montclair folks.

Take it easy,



"There are no new ideas, just new ways of giving those ideas we cherish breath and power in our own living." - Audre Lorde

Master Plan Public Comment — Modernization and Adaptive Reuse

[REDACTED]
Date Sat 8/8/2026 3:01 PM

To Janice Talley <jtalley@montclairnjusa.org>; Zainab Kazmi <ZKazmi@montclairnjusa.org>

[REDACTED]; Councilor Erik D'Amato <EDAmato@montclairnjusa.org>

Thank you to the Planning Board and everyone involved in the Master Plan process for the considerable time and thought you devote to Montclair's future. In the course of researching Montclair architect Arthur E. Ramhurst, I was delighted to discover what appears to have been a sustained civic commitment to modernization and reinvestment in Montclair's existing buildings spanning at least the 1930s and 1940s. It involved an extraordinary cross-section of the community—the Planning Board, Architects' Emergency Committee for the Region of New York, Montclair Art Museum, Better Housing Campaign, Chamber of Commerce, Montclair National Bank, Development Board, Committee on Architectural Improvements, and local architects, developers, and property owners. Through exhibitions, lectures, demonstration projects, architectural awards, master planning, and initiatives such as "A Better Bloomfield Avenue," modernization was repeatedly promoted as a way to improve Montclair while reinvesting in what was already here. My research only touches two decades of this history, and there may well be much more. There also appears to have been an intervening period, before the establishment of the Historic Preservation Commission, when a number of important commercial buildings were lost. That history makes the continuity between these earlier modernization efforts and Montclair's later commitment to preservation particularly interesting. I recognize how difficult the task before you is—balancing the needs of many different stakeholders while addressing growth, density, affordability, preservation, and the character of the town we all value. Perhaps Montclair's own history offers some common ground. As the new Master Plan takes shape, I hope we can continue that tradition of prioritizing modernization over demolition wherever feasible—using adaptive reuse, additions, and thoughtful upward expansion to meet new needs while retaining the buildings and streetscapes that give Montclair its character and beauty. Building on our history rather than erasing it. Thank you for the opportunity to comment. [REDACTED]

[REDACTED]

Inputs for Montclair's Next Master Plan

Suggested priorities from [REDACTED]

Summary

This document was prepared to share data and observations that I believe may be useful in developing Montclair's next Master Plan. While reviewing housing, property-tax, Census, and municipal data, several patterns stood out to me, particularly around housing diversity, neighborhood needs, fiscal impacts, public services, and the quality of new development. I also prepared a series of maps to help illustrate how some of these patterns vary across Montclair.

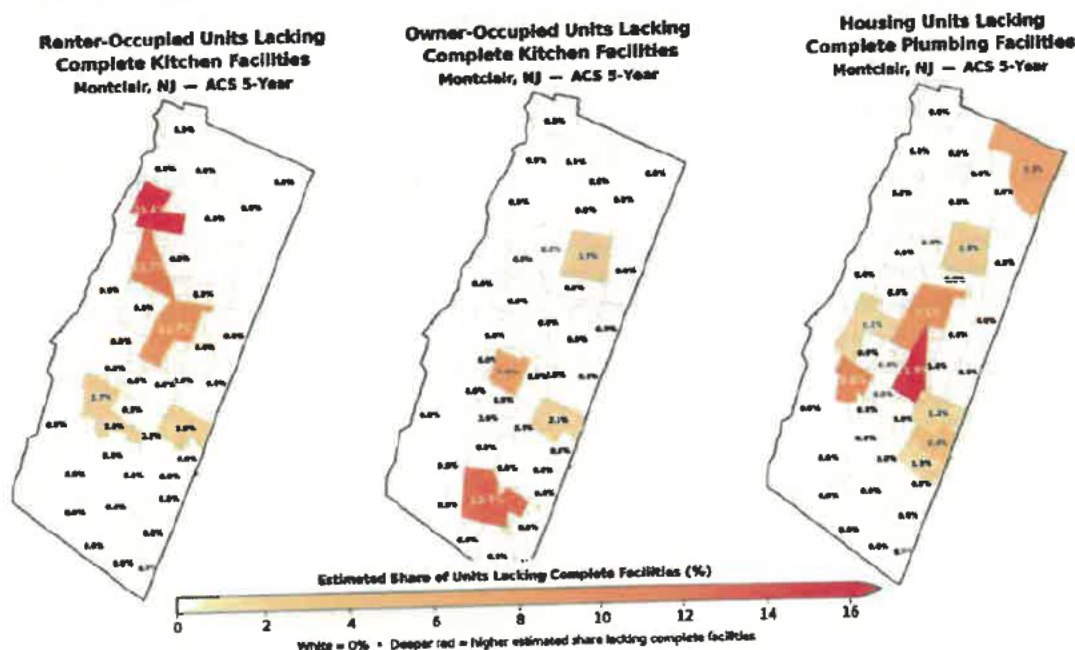
Based on this information, I believe the Master Plan should focus on improving existing housing in need of rehabilitation, investing in neighborhoods where needs are greatest, supporting a sustainable commercial tax base, considering the fiscal and service impacts of development, improving the public realm, and ensuring that new development is well designed and contributes positively to Montclair.

1. Improve Existing Housing and Target Rehabilitation

Objective: Improve the condition of Montclair's existing housing by identifying rehabilitation needs and targeting assistance and enforcement where they can have the greatest impact.

ACS estimates suggest that identified deficiencies are more geographically widespread among renter-occupied housing. Owner-occupied housing also shows localized areas of significant need.

The State identified **132 homes in need of rehabilitation**, but this measure relies on limited indicators such as inadequate plumbing or kitchen facilities, overcrowding, and housing age. Rehabilitation needs can be much broader, particularly given Montclair's older housing stock, and may include structural repairs, roofing, electrical and mechanical systems, accessibility, energy efficiency, and other improvements.



Rehabilitation efforts should be informed by **housing conditions and neighborhood characteristics**. The table below compares areas with identified school-age poverty with the share of multifamily housing and renter occupancy. The area with the largest number of families in poverty with children ages 5–17, **171 BG1**, has **92% multifamily dwelling units, of which 83.9% of occupied multifamily units are renter-occupied**. Other areas show different patterns, demonstrating that housing type or tenure alone does not explain poverty.

Census Block group	Number of poor families with kids 5–17	% Multi Family units in block group	% Multi Family renter
171 BG1	111	92.0%	83.9%
167 BG1	46	63.2%	97.1%
170 BG2	46	40.7%	91.5%
172 BG3	22	31.7%	86.7%
169 BG2	16	27.4%	76.1%
165 BG2	14	8.2%	0.0%
164 BG4	12	24.7%	15.5%
169 BG3	11	64.9%	95.8%

The data do not suggest that multifamily or rental housing causes poverty. Rather, **poverty, housing condition, tenure, affordability, and building characteristics should be examined together** to identify where rehabilitation efforts may have the greatest impact.

The Township could:

- **Identify rehabilitation needs beyond those captured by State requirements** using code-enforcement information, housing-condition data, poverty, renter concentration, housing-cost burden, and other relevant indicators.
- **Create incentives for improvements to rental housing.** Rental property owners may have less incentive to undertake costly improvements when the financial benefit is limited, even when those improvements could significantly improve tenants' living conditions.
 - **Low-interest loans** for major repairs, energy efficiency, accessibility, lead remediation, plumbing, electrical, heating/cooling, or structural improvements.
 - **Targeted grants**, particularly for **smaller 2–4-unit rental properties in priority areas**.
 - **Permit-fee reductions** for projects that improve housing quality, safety, accessibility, or energy performance.
 - **Property-tax abatements** for qualifying rehabilitation, where permitted under New Jersey law, to avoid improvements immediately resulting in a higher tax burden.

Conditions for success:

- **Prioritize assistance for owners with financial need.** Public funding should target owners who demonstrate limited ability to finance necessary repairs or improvements themselves.
- **Require affordability and tenant protections** when substantial public assistance is provided to improve privately owned rental properties.
- **Strengthen property-condition assessments and code enforcement**, particularly where deterioration is identified.

2. Target Township Investment to Improve Residents' Quality of Life in Areas of Greatest Need

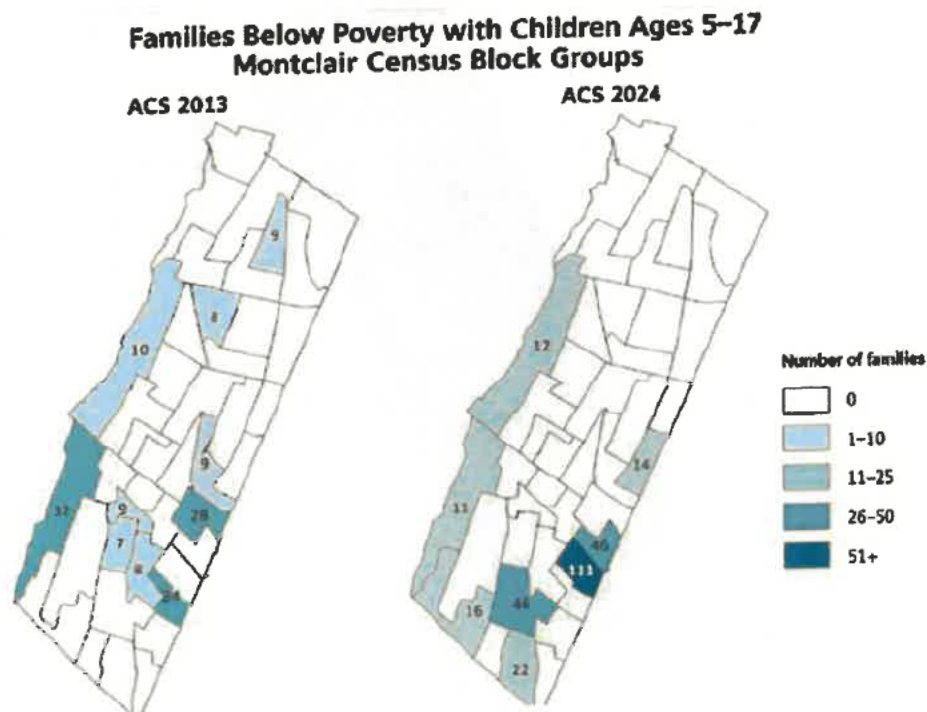
Objective: Direct public investment toward areas with the greatest identified needs to improve residents' quality of life.

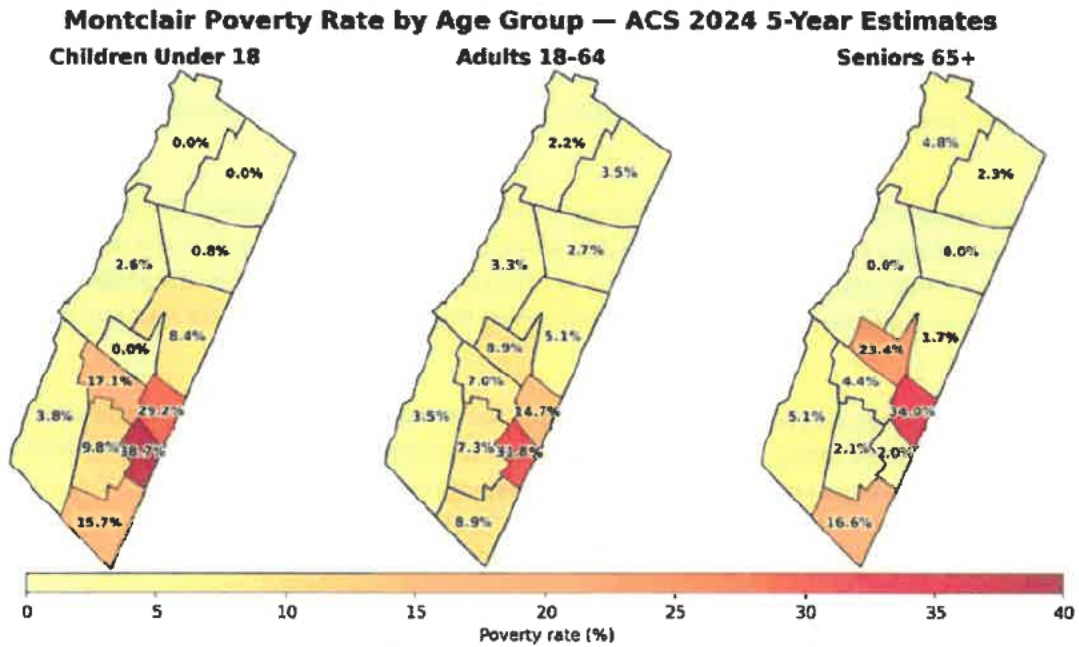
Montclair is generally affluent, but town-wide averages conceal significant differences among neighborhoods. ACS estimates indicate a substantial increase in the estimated number of families below the poverty line with children ages 5–17, from approximately 154 in 2013 to 278 in 2024—about 80% higher. The geographic distribution has also become more concentrated, with nearly three-quarters of the 2024 estimate located in just three block groups.

Poverty is not limited to families with school-age children. Some of the same areas also show elevated poverty among other age groups, including adults and seniors. These patterns can help identify neighborhoods where targeted investment and improvements could have the greatest impact.

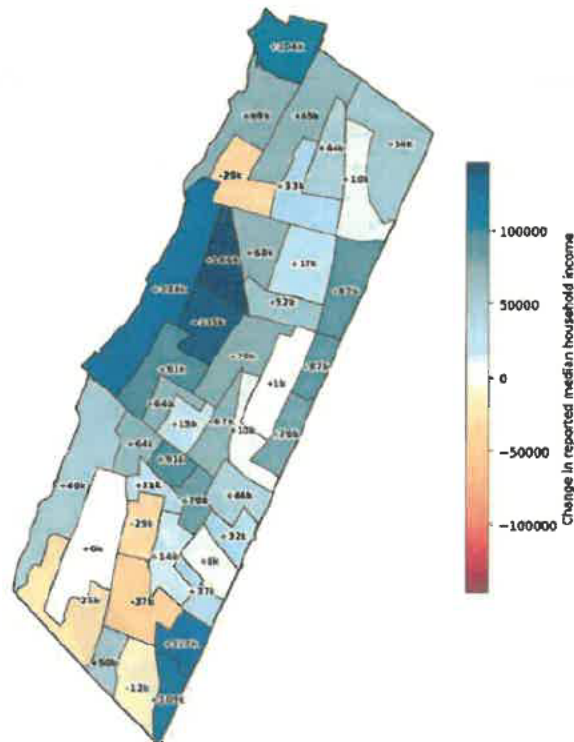
The Township could:

- **Identify priority areas by combining poverty and demographic data** with actual neighborhood and infrastructure conditions.
- **Assess local needs**, including sidewalks, roads, drainage, pedestrian safety, trees and shade, parks, public spaces, amenities, and services.
- **Tailor investment** to each neighborhood, based on its population, housing, infrastructure, and existing amenities.





**Change in Median Household Income
Montclair Census Block Groups, 2013-2024**



All 42 Census block groups shows. Change = 2024 reported value - 2013 reported value.
For Census entries reported as 250,000+, 250,000 is used as the published threshold. Source: U.S. Census Bureau.

3. Recognize Montclair's Existing Housing Diversity and Consider the Cost of Further Multifamily Expansion

Objective: Preserve a diverse housing mix while ensuring that major residential development decisions consider fiscal impacts, public-service demands, infrastructure needs, and demonstrated community benefits.

Montclair already provides a substantial range of housing types. Based on the property data analyzed, approximately 5,851 dwelling units are located in multifamily properties, including 3,370 units in two- to four-family homes and 2,481 units in apartment buildings with five or more units, compared with 8,136 single-family homes. Among the dwelling units captured in these categories, multifamily housing accounts for approximately 42% of the total¹.

Consider the fiscal impact

Property type	Count of dwelling units	Total property tax	Tax per dwelling
Single-family	8,136	\$185.27M	\$22,772
2-family	2,172	\$16.27M	\$7,491
3-family	894	\$5.26M	\$5,884
4-family	304	\$1.60M	\$5,263
Apartments 5+	2,481	\$11.18M	\$4,506

These figures alone do not establish that one housing type is fiscally beneficial or costly, because public-service demand differs among households and developments. They do demonstrate why the fiscal consequences of materially changing Montclair's housing mix should be analyzed rather than assumed.

According to the 2026-2027 user friendly budget, the local school tax levy is approximately \$142 million, supporting 6,186 students served, or approximately \$22,956 in local tax levy per student. This is not the marginal cost of adding one student, but it illustrates the scale of school expenditures supported by local taxpayers and why expected school enrollment should be considered alongside property-tax revenue when evaluating major residential development.

Fiscal and planning analysis should consider unit size, bedroom count, anticipated household composition, tax revenue, school enrollment, municipal services, infrastructure, traffic, parking, environmental impacts, and capital needs—not simply the number of units.

The Township could:

- **Evaluate the broader impacts of major multifamily development**, including traffic, parking, environmental impacts, infrastructure capacity, public services, school enrollment, and long-term fiscal health.
- **Prioritize development with clear community benefits**, such as revitalizing underused sites, providing new services to the community, strengthening commercial areas, or generating economic and fiscal benefits.
- **Preserve existing residential zoning**. Avoid upzoning established residential areas to increase housing capacity unless a demonstrated community need and clear public benefit justify the change.
- **Protect affordability for existing residents** by considering whether development creates recurring costs or infrastructure needs that could place additional pressure on the existing tax base.

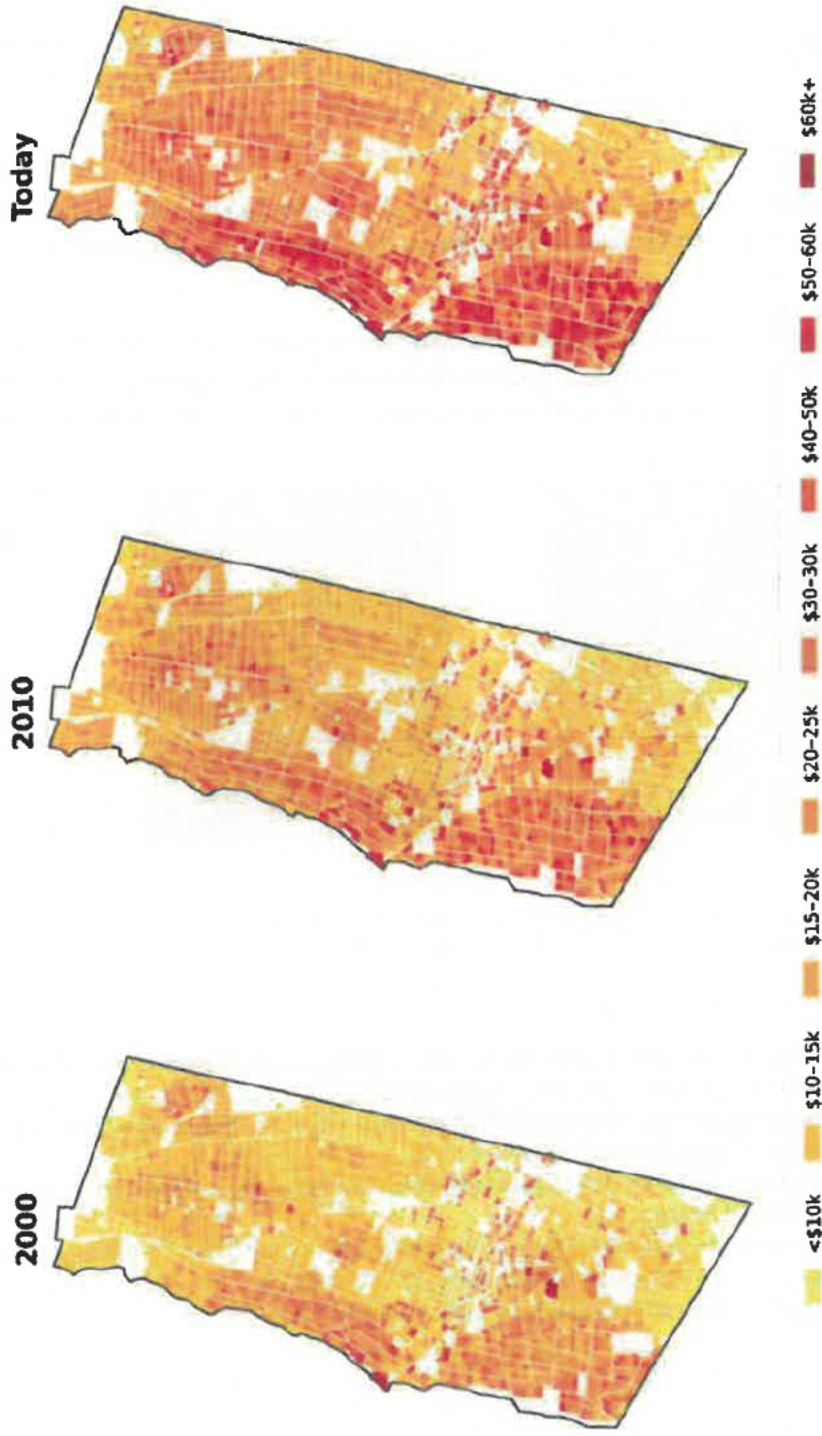
¹ Properties subject to PILOT agreements or other tax arrangements may not be fully reflected in these figures or in the property-tax comparisons below.

Montclair, NJ — Property Tax per Dwelling Unit 2-4 Family Homes



Parcel annual property tax + number of dwelling units (2, 3, or 4)

Montclair Property Tax by Parcel — 2000, 2010 & Today



4. Improve Walkability, Shade, and the Public Realm

Objective: Create safer, more comfortable, and more attractive pedestrian environments through adequate sidewalks, shade, trees, and development that contributes positively to the public realm.

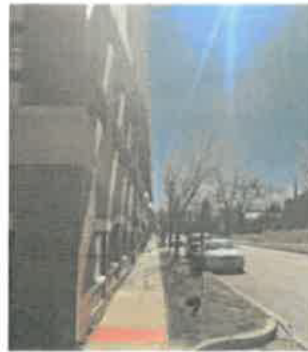
Expand shaded pedestrian routes. Identify streets and walking routes with limited summer shade and prioritize tree planting and other shade strategies, particularly along routes to schools, parks, commercial districts, transit, and other frequently used destinations. The goal should be to create continuous shaded walking routes where possible, improving quality of life and reducing heat-island effects.

Study opportunities to underground overhead utilities along key corridors and in selected commercial or highly visible areas, considering feasibility, cost, reliability, and potential improvements to streetscape appearance.

Ensure adequate sidewalk space. Establish and enforce a minimum unobstructed sidewalk width that must be maintained at all times. New development should not be approved where it creates or preserves inadequate pedestrian space and should be required, where appropriate, to improve existing pedestrian conditions.



Clair, 37 Orange Rd (good walkability)



Newly built parking deck, 41 Orange Rd (walkability)

The Township could:

- **Create a connected network of shaded walking routes**, prioritizing routes to schools, parks, commercial districts, transit, and other frequently used destinations.
- **Identify gaps in tree canopy and pedestrian infrastructure** to prioritize tree planting, sidewalk improvements, and capital investment.
- **Establish minimum unobstructed sidewalk-width standards for all new development** to ensure adequate pedestrian space.
- **Require major new development to improve pedestrian conditions**, including sidewalks, street trees, shade, crossings, and connections to surrounding destinations.
- **Complete a cost and feasibility study to bury cables underground.**

5. Improve Architectural Quality

Objective: Ensure that major development contributes positively to Montclair's character through high-quality architecture, durable materials, appropriate scale, and thoughtful integration with surrounding streets and buildings.

Major developments should meet stronger architectural and design standards, including building scale, materials, landscaping, street frontage, and integration with surrounding buildings. Materials should be attractive, durable, and designed to age well.

Local developments such as Willow and Vestry can provide examples of features that work well, while Valley & Bloom and Sienna can help identify areas for improvement.

If strong design standards are not adopted, an **independent community design review** should provide input on major projects before designs are finalized. Proposals should also include realistic street-level renderings showing buildings within their actual surroundings.



Willow (Example of preferred design features)



Valley and Bloom (Example illustrating opportunities for improved design)

The Township could:

- **Adopt stronger design standards for major development**, addressing massing, materials, façades, landscaping, street frontage, and compatibility with surrounding buildings.
- **Require durable, high-quality exterior materials** designed to maintain their appearance and quality over time.
- **Require approval of a final design before construction.** Major developments should receive approval for a specific design, including exterior materials, façades, landscaping, and other significant design elements, rather than multiple alternatives that may be selected after approval.
- **Establish an independent community design-review process for major projects**, with review occurring early enough to meaningfully influence the design before final approval.
- **Use lessons from existing Montclair developments** to identify design features that have worked well and areas that should be improved in future projects.

6. Strengthen existing affordable housing and promote socioeconomic integration

Objective: Preserve and improve Montclair's existing affordable housing while ensuring that future affordable units promote socioeconomic integration, housing quality, and long-term sustainability.

Existing Affordable Housing

Preserving affordable housing should mean preserving its quality as well as its affordability. The Township should take a more proactive role in identifying rehabilitation needs and ensuring that owners and management companies maintain affordable units, buildings, and common areas.

- **Assess rehabilitation needs.** Work with the Township's enforcement and housing teams to identify maintenance, rehabilitation, and capital needs within existing affordable developments.
- **Establish a clear enforcement process.** Develop or clarify a standard operating procedure for cases where owners or management companies fail to adequately maintain affordable units, buildings, or common areas, including inspections, correction timelines, escalation procedures, and accountability measures.
- **Identify funding for rehabilitation.** Identify available grants and determine when the Affordable Housing Trust Fund or other eligible funding sources could support rehabilitation and preservation. Public funding should complement—not replace—owners' responsibility to properly maintain their properties.

Future Affordable Housing

Montclair already has a significant inventory of units in fully affordable developments. The developments identified here account for approximately 515 units, including about 302 senior or congregate units and approximately 213 units in two family-oriented developments.

- **Prioritize mixed-income development.** Future affordable units should generally be incorporated into mixed-income developments and distributed across neighborhoods rather than creating additional concentrations of households by income.
- **Promote socioeconomic integration.** Consider the existing distribution of affordable housing, neighborhood income patterns, and populations served when determining where and how additional affordable units should be created.
- **Plan for long-term maintenance.** Require credible plans for ongoing maintenance, capital replacement, adequate reserves, inspections, and owner accountability so that affordable units remain in good condition throughout the affordability period.

7. Prioritize Commercial Development That Provides Public Benefit

Objective: Prioritize commercial and mixed-use development that provides a demonstrated fiscal, economic, or community benefit.

A recommendation to increase commercial development should be more specific. Not every commercial property produces substantial tax revenue: the median annual tax for a Class 4A commercial property is approximately \$27,772, compared with \$21,772 for a single-family property. Increasing commercial development alone does not necessarily strengthen the tax base.

- **Prioritize meaningful tax revenue.** Focus on commercial development that provides a substantial fiscal contribution relative to the size, intensity, and impacts of the development.
- **Support needed services and economic activity.** Encourage businesses and uses that meet community needs, support employment, attract economic activity, and strengthen Montclair's commercial districts.
- **Evaluate the overall public benefit.** Consider tax revenue alongside services provided, economic activity, employment, use of infrastructure, and other community benefits when evaluating development proposals.
- **Minimize avoidable demands on public services.** New development should be designed and managed to limit preventable demands on municipal services. Fire Department call data from 2022 illustrate this concern: Siena and the MC Hotel generated a combined 51 calls, including 38 false alarms—approximately 75% of their combined calls.

Tax assessor data analysis

Measure	Single-family housing	Commercial 4A
Number of properties	8,139	601
Total assessed value	\$5.459B	\$699.4M
Total annual property tax	\$185.27M	\$24.02M
Median annual tax	\$21,772	\$27,772
Median year built	1924	1922

Top Regular Property-Tax Contributors

Rank	Property	Annual property tax	Assessed value	Property characteristics
1	693 Bloomfield Ave / 7 Bell St	\$376,998	\$11.08M	70 residential units, mainly 1BR with some 2BR, plus retail; 7 public-school students reported.
2	39-51 Church Street	\$344,615	\$10.13M	Large mixed-use apartment property with ground-floor commercial space.

High-value mixed-use development can produce substantial conventional property-tax revenue. 693 Bloomfield is particularly notable: 70 housing units plus retail generate about \$377,000 in annual property taxes, while reported public-school enrollment is 7 students.

Top PILOT Contributors

PILOT payments are separate from conventional property taxation; the school district does not receive its normal school-tax share.

Rank	Project	Annual PILOT payment	Taxes if billed in full	Difference
1	CentroVerde	\$1,580,965.98	\$1,331,361.53	+\$249,604.45
2	BSREP II Wellmont	\$1,030,936.48	\$1,503,652.56	-\$472,716.08
3	2013 Urban Renewal, LLC	\$901,435.78	\$771,456.11	+\$129,979.67
	Combined	\$3,513,338.24	\$3,606,470.20	-\$93,131.96

The current PILOT data illustrate why the terms of these agreements matter. Some projects are currently paying more under their PILOT than they would under conventional property taxation, while others pay substantially less. BSREP II Wellmont, for example, pays about \$1.03 million under its PILOT compared with approximately \$1.50 million if fully taxed, a difference of roughly \$473,000 in a single year. At the same time, the development provides a significant community benefit through a successful concert venue.

This illustrates why long-term agreements, particularly those lasting 30 to 50 years, should be evaluated carefully based on their **overall public benefit**. Fiscal incentives should be weighed against what a project provides to the community and the costs or impacts it may create.

For example, development involving a large supermarket or other high-traffic use should consider not only the service provided, but also traffic and truck activity, infrastructure needs, public-safety demands, and the long-term viability of the proposed use. Commitments made through long-term agreements should be based on realistic assumptions about how a development will function over time.

Sources:

- U.S. Census Bureau American Community Survey 5-Year Estimates (2024);
- Montclair Township Tax Assessor data (2024);
- Montclair Township PILOT data (2026);
- Montclair Fire Department call data (2022);
- Montclair Public Schools enrollment and budget data (2026-2027).



SUSTAINABLE
MONTCLAIR
DESIGN AND PLANNING

A SUSTAINABLE MONTCLAIR COMMENT · JULY 2026

Comments on the 2026 *Master Plan Reexamination*

Montclair has already told itself what to do about its tree canopy, its noise, its night sky, and its housing. Five of the eleven recommendations below address items the Township's own 2026 reexamination marks *not accomplished*.

Prepared by Sustainable Montclair.

Janice E. Talley
Director of Planning and Community Development
Township of Montclair
jtalley@montclairnjusa.org

July 20, 2026

Dear Director Talley,

I am writing to submit comments on the 2026 Master Plan Reexamination Report. In summary, I ask the Planning Board to:

- **Set enforceable tree-ordinance benchmarks.** "Improve enforcement and transparency in implementation of the Tree Preservation Ordinance" was recommended in 2016 and is marked *not accomplished* in 2026. It should not be restated a third time without a baseline, a target, and a reporting cadence.
- **Establish a sidewalk and street tree fund** so that sidewalk damage caused by public trees is repaired with public funds rather than by the abutting property owner — removing the cost pressure that biases street tree planting toward small species and caps the public canopy.

- **Strengthen Chapter 324 to protect canopy on private land** through a no-net-loss/net-gain standard, a 24-month aggregation rule to stop serial single-tree clearing, heightened protection for large and mature trees, and tree protections that attach before demolition and site clearing.
- **Establish an equity-directed Tree Fund** so canopy investment flows to canopy-thin, lower-income neighborhoods rather than only to where removals happen to occur.
- **Complete the Natural Resource Inventory and build-out analysis** — both marked *not accomplished* — as the analytical foundation for any credible canopy goal.
- **Adopt an updated, enforceable noise ordinance**, marked *not accomplished* and outstanding since the 2007 Conservation Plan Element.
- **Adopt a light-pollution / dark-skies ordinance**, marked *not accomplished*, and prohibit athletic-field lighting at fields in or contiguous to residential zones.
- **Treat urban heat-island mitigation as a measurable goal**, consolidating the canopy, turf-field, and paved-surface threads the report currently addresses separately.
- **Require green infrastructure in redevelopment and infill projects**, and remove the code barriers that discourage it, paired with a durable maintenance funding mechanism.
- **Align the housing element with the Township's stated affordability, diversity, and climate-resilience goals**, which a development pattern producing mainly high-end units cannot meet.
- **Prioritize sustainable materials in public construction and renovation**, deprioritizing petrochemical-derived products where durable alternatives exist — following the model of an environmentally preferable purchasing ordinance already adopted in Hopewell Township, NJ.

My comments concern the conservation, sustainability, and resilience dimensions of the reexamination, and they ask the Planning Board to convert several long-standing aspirations into measurable goals with accountability mechanisms. Each recommendation below is anchored to a finding, recommendation, or aspiration that already appears in the Township's own planning record.

The evidentiary foundation for the canopy recommendations is six years of tree-removal permit data obtained through OPRA requests to the Township. That dataset documents both the pace of canopy loss on privately owned land and the pattern of incremental, lot-by-lot removals that the current ordinance does not capture. I would welcome the opportunity to share the underlying data with the Planning Board and the Environmental Commission, and I reference its principal findings throughout the comments that follow. [1]

RECOMMENDATION ONE

Hold the reexamination to the 2016 tree-enforcement finding

The 2016 Master Plan Reexamination Report recommended that the Township “improve enforcement and transparency in implementation of the Tree Preservation Ordinance.” The 2026 reexamination overview records the status of that recommendation as *not accomplished*. This is a documented, self-reported failure on the precise issue this comment addresses. A recommendation identified a decade ago, carried forward, and again

left unmet should not simply be restated a third time; the 2026 reexamination should specify *how* enforcement and transparency will be achieved, with concrete code changes and measurable benchmarks rather than a renewed aspiration. [2, 3]

The OPRA permit data make the cost of continued inaction concrete: canopy is being lost faster than it is being replaced, and the losses concentrate where the ordinance's enforcement gaps are widest. I therefore ask that the reexamination treat tree-ordinance enforcement as a measurable objective with a baseline, a target, and a reporting cadence — not as a narrative recommendation.

RECOMMENDATION TWO

Establish a sidewalk and street tree fund for public trees

The recommendations above concern trees on private land. Montclair's public canopy — the street trees in the right-of-way — faces a separate and structural problem that the reexamination does not address: the cost of sidewalk repair where roots and pavement conflict.

Where the abutting property owner bears that cost, every large-canopy street tree becomes a potential future liability attached to a particular household. The predictable consequences follow. Owners object to large species being planted in front of their homes. Repair is deferred until the sidewalk becomes a hazard. Removal is often cheaper for the owner than repair, so mature trees come out. And the Township, seeking to avoid the complaint entirely, plants small ornamental species that will never generate a conflict — or a canopy.

That last effect is the most consequential and the least visible. A street tree program can report steady planting numbers while structurally guaranteeing low canopy volume, because the species being planted are selected to stay small. Canopy is a function of mature crown size, not of stems planted. A cost structure that penalizes large species is therefore a cost structure that caps the public canopy, no matter how many trees go in the ground.

I ask that the Master Plan direct the establishment of a dedicated sidewalk and street tree fund, under which sidewalk damage caused by public trees is repaired with public funds rather than at the expense of the abutting property owner. Three points support this:

- **The tree is public property serving a public purpose.** Street trees in the right-of-way are Township assets delivering stormwater interception, heat mitigation, air quality, and property-value benefits to the community as a whole. Where a public asset damages public infrastructure, the repair is properly a public cost. Assigning it to whichever household happens to abut the tree is arbitrary in its incidence.
- **It makes the cost budgetable rather than contentious.** A dedicated fund converts an unpredictable, individually litigated expense into a planned line item the Township can forecast, phase, and manage against its canopy goals. That is a benefit to the Township's budgeting, not only to residents.
- **It removes the structural bias toward small trees.** Once the sidewalk cost no longer falls on the abutting owner, the Township can specify large-canopy species where growing conditions permit, and pair them with the engineering solutions — structural soil, root paths, expanded tree pits, flexible or rerouted walkway sections — that let large trees and intact sidewalks coexist.

WHY THIS BELONGS IN THE MASTER PLAN

Sidewalk cost allocation reads as a public-works detail, but it functions as canopy policy. It determines which species the Township is willing to plant, and therefore how much public canopy Montclair can have in thirty years. The Sustainability and Resiliency Amendment treats canopy as a resilience asset; a resilience asset should not be limited by an incidental question of who pays for a slab of concrete. The sidewalk and street tree fund, the no-net-loss standard, and the equity-directed Tree Fund are three parts of a single canopy strategy — private land, public land, and the money that maintains both.

RECOMMENDATION THREE

Strengthen protection of the urban forest on private land

The large majority of Montclair's tree canopy grows on privately owned land, and the 2025 Sustainability and Resiliency Amendment recognizes that protecting and expanding that canopy is a critical tool for community health and resilience, not merely beautification. Chapter 324, however, was written principally to address the active removal of protected trees by a single owner at a single moment. It does not adequately address two patterns that the permit data show are now the dominant drivers of canopy loss. I ask that the Master Plan and Chapter 324 be amended to add: [4, 5]

1. **A no-net-loss / net-gain canopy standard.** Establish a townshipwide canopy goal of no net loss, with a net-gain target over a defined horizon, so that removals are measured against replacement at the level of the canopy as a whole rather than tree by tree.
2. **A 24-month aggregation rule.** Removals on a single property should be aggregated over a rolling 24-month period for the purpose of triggering review and replacement obligations. Without aggregation, a property owner or developer can clear a lot through a series of individually permitted single-tree removals, none of which triggers the protections that a single larger removal would. The permit data show this serial-removal pattern is common and is precisely what the current structure fails to capture.
3. **Heightened protection for large and mature trees.** Large-diameter trees deliver disproportionate canopy, stormwater, and cooling benefits and are effectively irreplaceable on any near-term horizon. They warrant a higher threshold for removal and a higher replacement ratio than small trees.
4. **Pre-clearing, developer-phase provisions.** Tree protections should attach at the earliest development phase — before demolition and site clearing — rather than at the point of construction permitting, when canopy has often already been lost. This is the stage at which the report's own housing and redevelopment activity (542 new dwelling units built, approved, or proposed, and the active redevelopment pipeline) most directly intersects with canopy loss, yet the reexamination does not address that interaction.

A COMPLEMENTARY SUBMISSION

These provisions complement the comments submitted by Noemie Maxwell Vassilakis regarding negligent and passive canopy loss from invasive-weed infestation. Her comments address loss through neglect; these address loss through active and incremental removal, particularly in the development context. Together they cover the principal vectors of private-land canopy loss.

RECOMMENDATION FOUR

Establish an equity-directed Tree Fund

Canopy is not distributed evenly across Montclair, and the areas with the thinnest canopy are disproportionately lower-income and correspond to the demographic shifts the reexamination itself documents. I ask that the Master Plan direct replacement-tree funds and canopy investment to canopy-thin neighborhoods through an equity-directed Tree Fund, so that fees collected in lieu of on-site replacement are spent where the canopy deficit and the associated heat and health burdens are greatest.

This aligns with an equity framework the Township has already adopted across the reexamination — in the affordable-housing local preference, in the attention to the declining historic African American population, and in the concentration of development in the Fourth Ward. Directing canopy investment by need rather than by where removals happen to occur applies that same principle to the urban forest. It also follows federal practice: the U.S. EPA's *City Green* documents green-infrastructure investments deliberately sited in neighborhoods with few natural areas — among them the Queens Botanical Garden, in a lower-income Flushing neighborhood EPA describes as having relatively few natural areas, and the Kensington Creative and Performing Arts High School in a working-class industrial neighborhood of Philadelphia — precisely to redress that deficit. [6]

RECOMMENDATION FIVE

Complete the studies the Township has twice deferred

The 2026 overview records two further conservation recommendations as *not accomplished*: preparing a new Natural Resource Inventory (NRI), and conducting a build-out analysis to determine the point at which growth's environmental costs become too high. These are not optional refinements; they are the analytical foundation without which the canopy goals above cannot be credibly set or monitored. [3]

- The NRI should include a current tree-canopy inventory and assessment, giving the Township the baseline it needs to measure no-net-loss performance over time.
- The build-out analysis provides the framework for understanding cumulative development impact on canopy, stormwater, and heat — the cumulative effect that the 24-month aggregation rule is designed to address at the parcel level.

The Township cannot credibly commit to expanding its canopy while deferring the two studies that would measure whether it is succeeding. I ask that the reexamination commit to both, with a timeline.

RECOMMENDATION SIX

Adopt an updated noise ordinance

The 2026 overview lists “Establish noise ordinances” among the conservation and zoning recommendations marked *not accomplished*, and the 2007 Conservation Plan Element already called for the Township to evaluate its noise ordinance. An updated, enforceable noise ordinance is overdue. I ask that the reexamination set this as a specific action item rather than carrying it forward unmet for another cycle, and that any update be written with clear standards and a workable enforcement mechanism. [3, 7]

RECOMMENDATION SEVEN

Adopt a light-pollution / dark-skies ordinance

“Minimize light pollution” appears in the zoning recommendations as *not accomplished*. Light pollution carries documented ecological and human-health costs and is straightforward to address through standards for shielding, color temperature, and curfews on non-essential lighting. I ask that the reexamination direct the preparation of a light-pollution / dark-skies ordinance establishing such standards for new development and, where feasible, for the retrofit of existing fixtures. [3]

ATHLETIC-FIELD LIGHTING

Nearly all of Montclair’s athletic fields sit in R-1 or R-2 residential zones (per Sustainable Montclair’s analysis), where high-intensity field lighting is fundamentally incompatible with both residential character and dark-skies goals. I ask that the ordinance prohibit athletic-field lighting — both permanent installations and temporary or generator-powered lighting — at fields located in or contiguous to residential zones. New Jersey precedent supports addressing this conflict directly: the Cougar Field litigation (Madison, 2008) confronted precisely the incompatibility between field lighting and adjacent residential use. [8, 9]

RECOMMENDATION EIGHT

Pursue more aggressive mitigation of urban heat islands

Heat-island mitigation runs through the reexamination but is never consolidated into a coherent objective. The Sustainability and Resiliency Amendment frames canopy as a heat-resilience tool; the report’s own proposed edits regarding athletic fields acknowledge that certain synthetic-turf surfaces register higher temperatures than surrounding areas and natural grass, and recommend prioritizing non-heat-intensive alternatives. The cooling value of mature trees is measurable: EPA’s *City Green* records that a courtyard with preserved mature shade trees at the Waltham Watch Factory redevelopment was 13°F cooler in summer than an adjacent courtyard without them. I ask that the reexamination treat heat-island mitigation as an explicit, measurable goal that ties these threads together, including: [6]

- canopy expansion targets in the hottest, lowest-canopy neighborhoods, coordinated with the equity-directed Tree Fund;
- a preference for non-heat-intensive surfaces — natural grass and non-rubber infill — when athletic fields are installed or replaced, consistent with the report’s own recommended edits;

- cool-surface and shade standards for large paved areas such as parking lots; and
- integration of heat-island metrics into the build-out analysis recommended above.

RECOMMENDATION NINE

Require green infrastructure in redevelopment and infill

Because Montclair is, in the report's own words, a fully developed community with limited vacant land, essentially all future growth will come through redevelopment and infill. That is precisely the context the U.S. EPA addresses in *City Green: Innovative Green Infrastructure Solutions for Downtowns and Infill Locations*, which compiles twelve case studies demonstrating that green stormwater infrastructure — permeable pavement, bioswales, rain gardens, green roofs, tree trenches, and structural tree planters — works even on constrained, previously developed, and contaminated sites. I ask that the Master Plan and the development ordinances require green infrastructure in redevelopment and infill projects, rather than leaving it optional, and that the Township remove regulatory obstacles that discourage it. [3, 6]

- **Multiple benefits from a single investment.** EPA documents that green infrastructure simultaneously improves water quality, recharges groundwater, mitigates flooding, reduces air temperatures in developed areas, and increases property values — connecting the stormwater, heat-island, and canopy goals raised above into one coordinated approach. This complements the Stormwater Management Plan Element already in the Master Plan.
- **It is an economic asset, not only a cost.** The concern that green infrastructure burdens developers is answered by EPA's own case data: in Normal, Illinois, a green-infrastructure-centered redevelopment preceded a 16 percent rise in property values and a 46 percent rise in retail sales; at the Menomonee Valley Industrial Center in Milwaukee, site property values rose roughly 1,400 percent over seven years.
- **Municipalities lead by removing barriers.** EPA finds that a single successful, popular project is often enough to change municipal policy, and that codes written before green infrastructure was common frequently need updating to permit it. Montclair's reexamination is the appropriate vehicle for that update.

Consistent with the report's findings, I ask that the Township pair any green-infrastructure requirement with a durable maintenance mechanism — EPA's case studies repeatedly identify a dedicated funding source, such as a stormwater utility fee, as the key to long-term success — so that these investments are maintained rather than allowed to fall into disrepair.

RECOMMENDATION TEN

Ensure new housing serves affordability, diversity, and resilience

The reexamination candidly documents an affordability crisis: it reports that as of June 2024 New Jersey home prices had risen 10.8 percent year over year to a statewide median of \$550,400 while average salaries in the state grew only 4.3 percent, and it records enormous affordable-housing waitlists — 29,955 households for rental units, of which 1,877 live or work in Montclair, and 16,647 for sales units, of which 1,071 live or work in

Montclair. It ties the decline of Montclair's historic Black/African American population (down 26.7 percent since 2010, the lowest number since 1950) to affordability pressure, which is what prompted the local-preference amendment to the Affordable Housing Ordinance. Yet the new housing actually being produced in Montclair, including much of the multifamily development, skews toward the high end of the market. High-end and luxury units — even luxury apartments — do not meet the need the reexamination itself identifies. [3]

This is not only a housing-equity problem; it is a climate-resilience problem, and the Master Plan should treat it as both. As climate change intensifies, communities like Montclair — inland, elevated, transit-served, and outside the most acute coastal-flood and extreme-heat zones — will increasingly be destinations for people displaced by climate impacts elsewhere. A housing stock priced only for the top of the market cannot accommodate climate-displaced households, and it steadily erodes the racial, economic, and generational diversity that the reexamination elsewhere says it wants to retain. A town that prices out its own teachers, its seniors on fixed incomes, and its historic Black community will be in no position to welcome anyone displaced by climate change either.

1. **Set measurable affordability targets, not aspirations.** The report's "missing middle" discussion and its own waitlist data should be converted into concrete goals for deed-restricted and genuinely middle-income units, with reporting on the share of new production that is actually affordable rather than luxury.
2. **Name climate resilience as an explicit housing objective.** The Master Plan should recognize Montclair's likely role as a climate-receiving community and direct that a meaningful share of new housing be affordable to the range of households — including displaced households — that resilience and diversity require.
3. **Address the luxury skew directly.** Evaluate zoning, redevelopment agreements, and incentives to determine why new production concentrates at the high end, and adjust the tools — affordability set-asides, missing-middle allowances at the edges of commercial districts, protections against the conversion of long-term units to short-term rentals — to rebalance it. The report's own figure of short-term rentals rising from 112 to 200 units shows long-term housing already being pulled off the market.

The affordability, diversity, and resilience goals stated across the reexamination cannot be met by a development pattern that produces mainly high-end units. I ask the Planning Board to align the housing element with the goals the Township has already declared.

RECOMMENDATION ELEVEN

Prioritize sustainable materials in public construction and renovation

The reexamination sets sustainability goals for how Montclair uses energy and land, but it is largely silent on what the Township builds with. Materials carry embodied carbon, off-gas volatile organic compounds, shed microplastics, and determine what can be repaired or recycled at end of life. On open space and municipal property in particular — parks, playgrounds, fields, streetscapes, and public buildings — those choices are made directly by the Township and its contractors, which makes them among the most straightforward sustainability decisions the Township controls.

I ask that the Master Plan direct the adoption of a materials standard under which the sustainability of materials is an explicit evaluation criterion in the renovation and construction of open spaces, municipal properties, and Township-funded redevelopment projects, and under which petrochemical-derived products are deprioritized where a durable, functional alternative exists.

AN ADOPTED NEW JERSEY MODEL

Montclair need not draft this from nothing. On June 2, 2025, Hopewell Township, Mercer County, adopted Ordinance No. 25-1846, establishing Chapter 26, an Environmentally Preferable Purchasing Policy. It requires products that minimize environmental impacts and toxics to the greatest extent practicable; specifies lowest-VOC, low- or no-formaldehyde products for building maintenance; directs the use of recycled, reusable, or reground materials in asphalt, aggregate base, and Portland Cement Concrete for road construction; encourages bio-based construction products made from plant-based content; and gives preference to FSC-certified sustainably harvested wood. [10]

Two features of the Hopewell ordinance are worth adopting directly. First, it requires that buyers selecting a product that does not meet the environmentally preferable criteria be able to provide justification for that choice — an accountability mechanism of the same kind this letter asks for elsewhere. Second, it protects against overreach: nothing in the policy requires procuring products that fail to perform adequately, exclude adequate competition, or are unavailable at reasonable price, and worker and public safety take precedence over all other provisions. A Montclair standard should carry both provisions.

Montclair should go further than Hopewell in one respect. The Hopewell ordinance encourages bio-based alternatives but does not address petrochemical-derived materials as a category. Given the Township's stated commitment to phasing down fossil fuel dependence, and given what the reexamination itself acknowledges about synthetic turf surfaces registering higher temperatures than natural grass, a Montclair standard should name petrochemical-derived products — synthetic turf and rubber infill, plastic lumber, petroleum-based sealants and coatings, and similar materials — as disfavored where a durable natural or bio-based alternative will perform. Specifically, I ask that the standard:

- **Apply at specification, not at purchase.** Materials are effectively chosen when a project is designed. The standard should govern design specifications and bid documents for Township projects, not only the procurement of off-the-shelf goods.
- **Require a written justification for disfavored materials.** Following Hopewell, where a petrochemical-derived product is selected over an available alternative, the reason should be documented and public — no prohibition, but no silent default either.
- **Weigh whole-life cost and end of life.** Evaluation should account for durability, repairability, maintenance burden, and disposal, so that a cheaper installed price does not obscure a higher lifetime cost — the same logic the sidewalk and street tree fund applies to canopy.
- **Coordinate with the green infrastructure and heat-island recommendations above.** Permeable and vegetated surfaces, natural grass, and shade are themselves material choices, and the standard should be written to reinforce rather than duplicate those provisions.

A neighboring New Jersey municipality has already demonstrated that such a policy can be adopted and administered without disrupting procurement. Montclair, which holds Sustainable Jersey certification and has adopted an organic land care standard for its own property, is well positioned to adopt one that reaches further.

THE BOTTOM LINE

Aspirations the Township has already endorsed

Each of these recommendations asks the Planning Board to do the same thing: replace an aspiration the Township has already endorsed — in several cases one it has marked *not accomplished* — with a measurable goal, a defined mechanism, and a means of accountability. The canopy recommendations rest on six years of the Township's own tree-removal permit data, which I am glad to provide in full; the green-infrastructure and housing recommendations rest on the Township's own reexamination findings and on federal guidance from the U.S. EPA.

Thank you for your consideration.

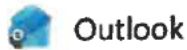
Respectfully,

Anna Grossman
Sustainable Montclair

CC: Township Council

REFERENCES

- [1] Sustainable Montclair, analysis of Montclair tree-removal permit records, 2019–2025 (obtained via Open Public Records Act requests to the Township of Montclair). Full dataset available to the Planning Board and Environmental Commission on request.
- [2] Township of Montclair Planning Board, *2016 Master Plan Reexamination Report*, adopted November 21, 2016.
- [3] Township of Montclair Department of Planning & Community Development, *Master Plan Reexamination Report Overview*, April 13, 2026.
- [4] Township of Montclair, *Master Plan Sustainability + Resilience Amendment*, adopted December 15, 2025.
- [5] Township of Montclair Municipal Code, Chapter 324 (Trees) and Chapter 100 (Brush, Grass, and Other Weeds).
- [6] U.S. Environmental Protection Agency, *City Green: Innovative Green Infrastructure Solutions for Downtowns and Infill Locations*, EPA 230-R-16-001 (Office of Sustainable Communities & Office of Water, May 2016). www.epa.gov/smartgrowth.
- [7] Township of Montclair, *Conservation Plan Element of the Master Plan*, 2007.
- [8] Sustainable Montclair, analysis of the zoning classification of Montclair municipal athletic fields.
- [9] Cougar Field litigation, Madison, New Jersey, 2008 (conflict between athletic-field lighting and adjacent residential use).
- [10] Township of Hopewell, Mercer County, New Jersey, Ordinance No. 25-1846, establishing Chapter 26, "Environmentally Preferable Purchasing Policy," introduced May 19, 2025, adopted June 2, 2025. ecode360.com/HO4061.



Fw: MP Reexamination Report suggestions

From Zainab Kazmi <ZKazmi@montclairnj.gov>

Date Thu 7/9/2026 2:57 PM

To Janice Talley <jtalley@montclairnj.gov>

Hi Janice,

d some ideas for consideration in the Master Plan Reexamination Report. Please see

Thank you,
Zainab


Zainab,

Here are some topics I think should be considered in writing the report:

1. Establishing pervious coverage stratum in support of sustainability & conservation goals
2. Increasing protections of public RoWs from improvements by private property owners
3. Evaluating the utility of an Aggregate Maximum Lot Coverage standard of all buildings (other structures?) on a residential lot
4. Assess the impact of 'as a regional destination' strategies in light of reduced storefront retail & office demand, train ridership and parking deck utilization
5. Economic impact of increasing residential use as a % of all uses
6. Evaluate change in principal dwelling structure's height maximum from up to 2½ to 2¾ by allowing the rear roof dormer width to be the full width of the building.
7. Define neighborhood in each Element
8. Address whether the Focus Areas and their boundaries are in need of revision

Regards,



Janice E. Talley
Montclair Director of Planning and Community Development
jtalley@montclairnjusa.org

June 30, 2026

Dear Director Talley,

I am submitting two comments for Montclair's Master Plan Re-examination to request the inclusion of requirements to:

- 1.) Enhance protections for Montclair's urban forest on privately-owned land;
- 2.) Add specific goals and accountability measures to the Master Plan Re-examination's aspiration of *electric heating, cooling and cooking systems for new buildings in Montclair*

1. Enhance protections for Montclair's urban forest on privately-owned land: Amend Master Plan and Municipal Code Chapters 100 and 324

Please amend Montclair's updated Master Plan and Municipal Code to meaningfully improve protection of Montclair's urban forest on privately-owned land.

Montclair's 2025 Sustainability and Resiliency Amendment to its Master Plan, acknowledges that "as climate change intensifies heatwaves, protecting and expanding Montclair's tree canopy is not just a beautification effort - it's a critical tool for community health and resilience."

Yet Montclair is losing a significant percentage of its shade trees, many of them to invasive weeds on privately owned land - where the large majority of our urban forest grows. Without effective action, this trend will likely continue.

Chapter 324 of the Municipal Code prohibits owners from active removal of protected trees. But it fails to prohibit negligent removal of those same trees. Such removal-by-negligence should qualify as a prohibited act in Chapter 324.



Tree and public safety hazard caused by invasive ivy. Photo by author 6/26/27 near Glenfield Park

One way to establish a fair standard of what constitutes negligence would be to develop an expert standard that code enforcers can use to evaluate when an invasive weed infestation threatens the survival of a tree or safety of the public.

Chapter 100, Brush, Grass, and other Weeds can also be amended to allow and even assist owners with invasive weed removal and tree protection to in lieu of fines under that section. In cases where owners' physical or other limitations reduce their ability to protect green infrastructure on their land, free assistance – from paid or volunteer work crews – as well as educational guidance can be options. These policies can be connected with the Township's social equity as well as sustainability and public health goals.

Trees and other green infrastructure affected by invasive weeds, including English ivy, are at significantly higher risk of insect and fungal infestation and have reduced access to sunlight and rainwater. They can carry hundreds of pounds of excess weight, especially during snow and ice events, making them vulnerable to toppling. They are less drought-resistant and intercept reduced volumes of rainwater. The impacts of their ill health don't stay put but spread to surrounding public and private properties including through invasive plant seeds and runners, unwanted insects, plant diseases, and more.

2.) Electric energy systems in new buildings to support the phase-out of consumption of fracked gas from SW Pennsylvania's Marcellus shale formation

The Master Plan Re-examination overview contains this aspirational fragment: "By 2030 residents and businesses complete energy audits and retrofits and that *new heating, cooling and cooking systems are electric.*"

Please include measurable goals and requirements for accountability, requiring at least an exploration of the feasibility of mandating electric energy systems in all or most new construction in Montclair.

Residential and commercial heating, cooling, and cooking systems account for a high percentage of energy use in Montclair and statewide. About half of this energy comes from fracked natural gas from the Marcellus Shale formation in Southwest Pennsylvania.

Mandating that new buildings in Montclair have electrical rather than natural gas energy infrastructure would:

- Reduce consumption and speed the state-wide phase-out of fuel sourced from the Marcellus Shale formation in SW Pennsylvania, which inflicts profoundly destructive environmental, social, and moral harms;
- Increase energy affordability, improve indoor air quality, and provide other benefits for Montclair residents;
- Support the goal in Governor Murphy's Executive Order 314 (<https://nj.gov/infobank/eo/056murphy/pdf/EO-315.pdf>) to derive 100 percent of the electricity sold in the NJ "from clean sources of electricity by January 1, 2035."

Because local municipalities, not the state, shape local zoning and land use policies, this vitally important state goal is likely impossible to achieve without the active participation of Montclair and other cities and towns.

Today, fracked natural gas from the Marcellus Shale formation in SW Pennsylvania provides approximately half the fuel used in our homes and businesses. This energy source is not only environmentally devastating. It also harms people living near these facilities, including children, who are the most vulnerable members of our communities due to their size and developmental stages – and who have zero ability to move elsewhere.

Research shows that those living near hydraulic fracturing wells and processing facilities in SW Pennsylvania face higher risks of lymphoma, severe asthma impacts, low birth weights – and other harms. Some of the recent research includes:

- Buchanich, Jeanine, et al (2025). Severe Asthma Exacerbations Associated with Unconventional Natural Gas Development Activity in Area of Concentrated Development. The Journal of asthma : official journal of the Association for the Care of Asthma. 62. 1-22. 10.1080/02770903.2025.2483000
- Fracturing Epidemiology Research Studies: Childhood Cancer Case-Control Study Prepared by: University of Pittsburgh School of Public Health University of Pittsburgh & PA Department of Health Studies (August 2023): Commissioned by the state, this landmark research confirmed major health impacts linked to unconventional natural gas development. It found that children living within a mile of a well face a higher risk of lymphoma, alongside strong correlations with severe asthma and low birth weights in these communities... related to environmental exposures from UNGD hydraulic fracturing in Southwestern Pennsylvania.
https://paenv.pitt.edu/assets/Report_Cancer_outcomes_2023_August.pdf
- Final Report for Pennsylvania Department of Health, Bureau of Epidemiology Hydraulic Fracturing Epidemiology Research Studies: Asthma Outcomes Prepared by: University of Pittsburgh School of Public Health Contract number: 4400018535 July 31, 2023 Studied the severity of asthma exacerbations among patients with asthma near production In the production phase, there were statistically significantly elevated odds ratios for severity of asthma, including emergency department visits and hospitalization, of 3 to 5 for all buffer distances, some of which increased with increasing intensity of exposure.
https://paenv.pitt.edu/assets/Report_Asthma_outcomes_revised_2023_July.pdf

Thank you for your consideration,



CC: Montclair Environmental Commission: mtcenv@gmail.com
Montclair Councilmember Aminah Toler: AToler@montclairnjusa.org
Montclair Environmental Commission: mtcenv@gmail.com
Township Director of Sustainability: ljohnson@montclairnjusa.org

Janice Talley

From: Aminah Toler
Sent: Monday, April 20, 2026 8:21 AM
To: Stephen D. Marks; Janice Talley
Cc: Mayor Baskerville; Brian P. Scantlebury
Subject: April 13th PB Public Hearing - Update of Discussion

Follow Up Flag: Follow up
Flag Status: Flagged

[BOE-Agenda-2026-041526 Amended 1.pdf](#) [Master Plan Numbers 2.pptx](#) [Master Plan Numbers 1.pptx](#)

Good Day Stephen/Janice, the information below is in regards to my last email to you (& others) on April 14, 2026.

Janice, during our discussion at our last EDC meeting, I mentioned willing to work with you regarding the language used during the 4/13/26 PB Hearing on demographics. Here is what I suggest for inclusion, consideration and a plan of action.

The African American community is a vibrant component of our Township's diversity and has played a significant role in shaping the history of Montclair since its inception; however, the African American community continues to suffer a steady decline. African Americans have represented approximately 30% of our Township's population since at least 1970, with nearly 12,000 African American residents. Currently, that number has decreased to just over 7,500, reflecting a decline of about 40% of African Americans within the Township's overall population.

More importantly, the highest number of missing families seems to have occurred in the last 20 years, since the year 2000 when there were over 12k African American residents.

While "other" racial groups (Indian, Hispanic, Mixed, etc.) have experienced a slight increase in our population since around 2010, these individuals do not belong to the African diaspora.

It is crucial for our Master Plan to recognize and incorporate these statistics while also safeguarding and preserving a demographic that has made significant contributions to our

community. We must ensure that our housing needs are adequately met, enforce deed restrictions, and consider various decisions made by our Development Review Committee, Zoning, and Planning Boards when granting approval to applicants, all while understanding how these approvals might continue to affect a specific neighborhood and demographic as well as the creation of a ripple effect. Addressing this issue directly is vital when development matters are being considered.

The number of African American families in our Township has dramatically decreased, a loss of over 782 individuals in the one decade between 1970 and 1980 to over 1823 individuals in just four years between 2020 and 2024. This is an increase of over 5 times the number of individuals who disappeared in the previous decade (2010 to 2020) from Montclair. This represents more than 40% of a specific demographic that has departed over the past 40 years.

A search of Montclair Times articles reveals constant coverage of this issue over the same time period, yet the policies implemented by the Township and the Planning Department have done nothing to prevent or curtail the gentrification of the low- and moderate-income census tracts that are the foundation of Montclair's privileged status as an Urban Aid Municipality.

The question arises: how has Montclair's privileged position as an Urban Aid Municipality significantly contributed to the decline of African American residents in the area?

Refer to page 19 of the BOE meeting agenda/presentation from April 15, 2026, titled "District Racial Composition 2025" (dated October 15, 2025). A review of the Urban Aid status is essential.

A recommendation to consider is a new ordinance stopping gentrification that dovetails closely with our Zoning and Planning Board laws should be considered for implementation. This will allow growth in other areas of town while protecting the underserved families. Creation of a set of guiding principles should be created by our Zoning and Planning Boards with Community input to ensure Montclair is treating development in all wards in a fair and equitable manner without affecting underserved areas which would cause a further decline of the African American community.

Right now, a lot of Montclair's growth, density, and affordable housing is concentrated in one part of town. The 4th Ward has carried more than its fair share for years. At the same time, we're seeing rising costs and real concerns about displacement for longtime residents.

I would be delighted to form an Ad-Hoc committee and collaborate with the Zoning Board and Planning Board at any level to ensure our Master Plan achieves the following goals:

- **Accuracy:** Integrate factual data on demographics.
- **Common Ground:** Reach a consensus on fair and equitable development within our town.
- **New Ordinance:** Aid in crafting a new ordinance that our Township can adopt to protect and preserve diversity in certain neighborhoods.

Guiding Principles: Work to create a set of principles that can be incorporated into the Master Plan that reflects our core values, diversity, arts, education & culture as the leader of how we develop going forward in our Township.

This isn't about stopping development. We know Montclair had legal obligations under the Mount Laurel doctrine, and we need more housing. But how and where we build matters.

I look forward to hearing back from you regarding your thoughts and next steps. Additionally, please ensure the accurate data regarding demographics is included in the Master Plan.

The attached chart was created using data from Census Bureau data and information you presented at the Planning Board hearing.

*bcc Additional Councilors - OPMA- as an FYI

Thank you,
Aminah Toler
Fourth Ward Councilor

Montclair Township
(973) 768-5271

Montclair Demographics Change (1970 → 2024)

Group	1970	2024	Change	% Difference*
Total Population	44,043	40,341	-3,702	8.8% ↓
White	31,792	23,636	-8,156	29.4% ↓
Black	11,932	7,503	-4,429	45.6% ↓
Other	319	1,299	+980	120.9% ↑

Black Population



White Population



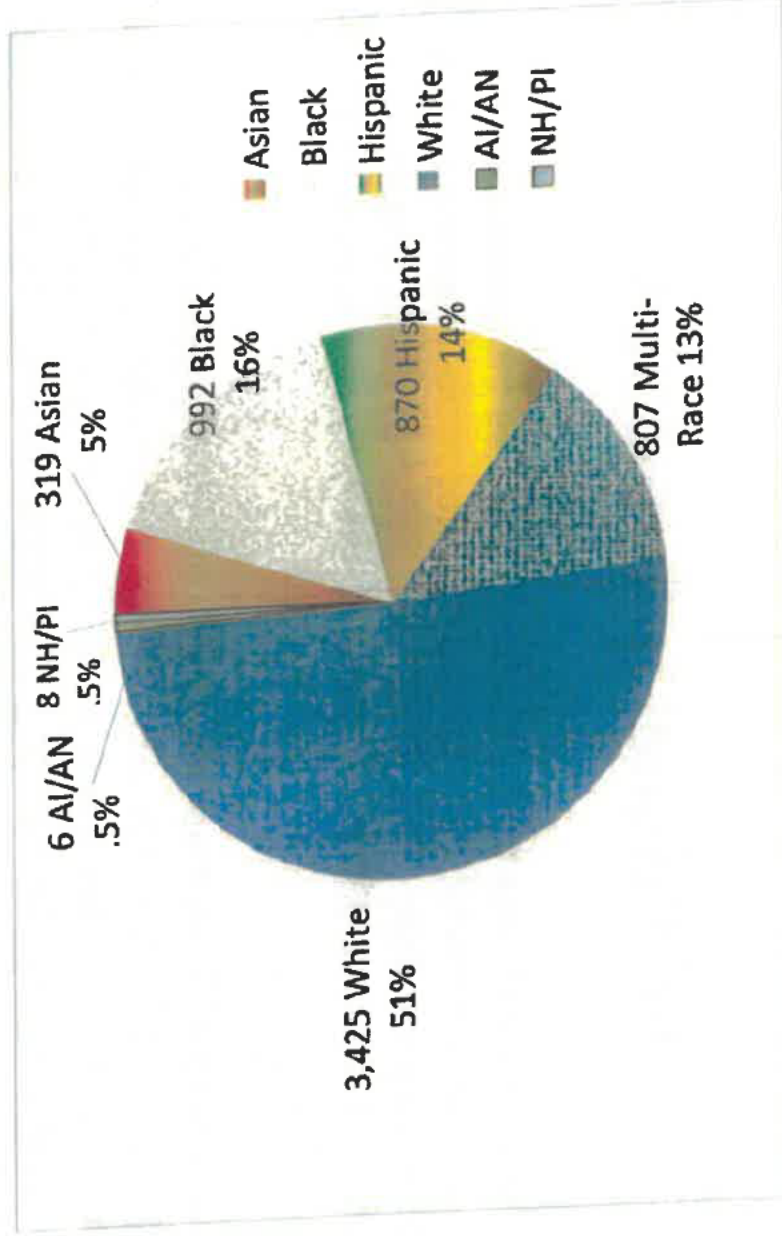
Total Population



Key takeaway

- The Black population saw the largest proportional decline (~45.6%)
- The overall population only dropped modestly (~8.8%)
- Meanwhile, smaller categories ("Other," multiracial, etc.) grew significantly, indicating a shift in racial composition rather than just population loss

District Racial Composition 2025 (10/15/25)





Additional Information

- The State mandated desegregation plan identifies the categories of minority and non-minority, as a comparison for racial integration. They do not specify race/ethnicity. The State plan also has as its criteria, a ± 15 % variance of the total district enrollment, minority and non-minority, by school.
- While we meet the State mandate under the desegregation plan, with 100% compliance for minority and non-minority balance, we will continue to monitor our district goal to ensure for diversity by race/ethnic and gender categories, established at ± 5 % variance and ± 10 % variance, respectively.