

The Athletic Director reports that there have been no recent improvements made to Township recreational facilities, aside from those previously mentioned. He also reports that there haven't been any new facilities that have recently come on line.

The Athletic Director also reports that he is unaware of any written document that spells out the future open space and/or recreation plans of the township. A new plan that addresses the land necessary for this effort is included as Chapter 11 of this Master Plan. If it is true that no facilities or programming plan exists, the Plan recommends that a more detailed facilities and programming plan be prepared that expands upon the recommendations contained herein. Parks, recreation, and open spaces are shown on Figure 7.

10. CONSERVATION PLAN ELEMENT

10.1 BACKGROUND

Because the format of this master plan is one that provides a comprehensive master plan with all its elements, yet also provides complete independent Elements that can stand alone for certain purposes if required, there will necessarily be some redundancy between this Conservation Plan Element and the Green Acres Open Space and Recreation Plan that is Chapter 11 of this Master Plan.

Over the course of the last two decades, River Vale's residents have come to appreciate the multi-dimensional values provided by their open spaces and natural resources. These benefits come in the form of quality of life, sustenance of natural systems, protection and stewardship of the region's water supply, peace of mind and tranquility, provision of passive recreational opportunities, and high quality community identity. Together these values enrich the lives of River Vale's residents and bring them closer to the natural environment of which they are a part.

Over the years, River Vale has taken several steps, prepared numerous documents, enacted relevant ordinances, and expended local funds, all of which demonstrates its resolve to direct land use within the Township in an environmentally sensitive manner, consistent with the objectives of N.J. State planning and environmental goals. These actions substantiate long-standing Township policies towards open space preservation. Many of these are enumerated below:

- River Vale's municipal Master Plan efforts since at least 1975 have strongly espoused the desirability of preserving open space and protecting natural resources within the township. Those 1975 objectives were reinforced, strengthened, and/or reaffirmed in 1978, 1982, 1988, 1994 and especially in 2000, and are in the process of being further strengthened for 2005. The 1975 Master Plan also recommended the establishment of an interconnected greenway along the Hackensack River, Pascack Brook, Holdrum Brook and Cherry Brook, for natural resource protection as well as passive recreation in the form of a pedestrian-accessible linear green belt. Each master plan generation thereafter adopted those same recommendations;
- The Township was one of the earliest communities to apply for and receive Green Acres funding in the early 1970's. These funds were used as partial payment for the purchase of an 8 acre environmentally sensitive tract in the northern portion of River Vale, now known as Beechcrest Park;
- River Vale has actively participated in the latest round of NJSDRP Cross Acceptance. The Township hopes this involvement will result in the designation of expanded lands west of the Lake Tappan Reservoir as lying within Planning Area #5, as well as specific smaller areas of significant

- environmental sensitivity for designation as Critical Environmental Sites (CEHS), by the N.J. State Planning Commission;
- River Vale was at the forefront of the open space preservation movement when the Township opted to be one of New Jersey's first communities to establish an officially sponsored Open Space Advisory Committee. This Committee has been continuously active since its inception;
 - River Vale also established a Shade Tree Advisory Committee that actively reviews all land use proposals and tree removal requests. Their review of tree removal plans is required by the Township Zoning Code;
 - River Vale voters have consistently supported N.J. Green Acres bond issues. In each of the previous two votes, River Vale voters approved the bond issues by overwhelming tallies of over 80% in favor each;
 - In 1997 the township enacted Ordinance No. 0-5-97 (R) entitled "An ordinance amending Chapter 175, Land Use Code of the Township of River Vale – Tree Preservation and Removal". The stated objective in this ordinance's "Purpose" introduction is to "...discourage indiscriminate and excessive removal, cutting, and destruction of trees, ...";
 - In 1998 the township enacted Ordinance No. 0-10-98(R) entitled "An ordinance adopting a new chapter of the Land Use Code of the Township of River Vale, entitled 'Chapter XLI – Environmental Impact Study Ordinance'. This ordinance requires in-depth evaluations and full disclosures of the impacts projected to be caused by major land development proposals;
 - The above two ordinances were challenged by the developer of former watershed properties that were sold by the (then) Hackensack Water Company for land development. The basis of their COAH lawsuit was that the ordinances would be cost generative, in violation of COAH regulations. Despite evidence supporting the lawsuit, River Vale invested in professionals to defend these two ordinances and their integrity rather than settling;
 - River Vale aggressively and successfully secured its second Green Acres funding, this time in the form of a Planning Incentive Grant in 2002. These funds were used to purchase 18.1 acres of non-regulated yet environmentally sensitive lands adjacent to the Lake Tappan Reservoir in 2003 that was the subject of an active land development proposal for multi-family housing. This property is about to be opened as the River Vale Wildlife Sanctuary;
 - In 1998 the voters of River Vale imposed an Open Space Preservation tax upon themselves, for the purpose of acquiring some of the remaining undeveloped lands within the Township. The tax was authorized to be collected at the rate of one cent per \$100 of assessed value per year, and is renewable in five-year increments. It was renewed in 2003 and is now authorized through 2008. This tax currently generates approximately \$99,000 per year for open space acquisition, historic preservation and recreation improvements. This figure should about double after the 2006 property re-evaluation. The Mayor and Council established a seven member citizens Open Space and Recreation Grant Committee, charged with the responsibility of advising the Township as to which properties would be of value to acquire for open space and recreation purposes. The Mayor and Council are authorized to decide how to expend these funds;
 - In 2004 the Township initiated a regional open space and recreation movement who's objective is to purchase the privately owned Bergen Hills Golf Club (then "River Vale Country Club"). The River Vale mayor solicited and received support from the Pascack Valley Mayors' Association. This support came in the form of a resolution in support of its acquisition by Bergen County and other public entities for use by Bergen County residents as a public facility;
 - The Township aggressively and actively supported NJDEP's 2004 Stormwater Regulations in general, and the highest anti-degradation C-1 classification for its surface waters more specifically. The Mayor spent numerous days in Trenton and in correspondence and communication with the Department to hasten this legislation;

- The Township enacted stormwater management regulations in 2004 for the purposes of protecting water quality, controlling flooding, and augmenting the State’s anti-degradation regulations at the local level; and
- Through these “growing greener” efforts of the Township, River Vale was also able to satisfy its affordable housing obligation and receive substantive certification for Rounds 1 and 2 from COAH. At the present time, and in concert with COAH, the Township is conceiving creative plans involving re-development to replace the previously approved affordable housing site that was lost to open space preservation.

A review of the environmental conditions, natural features and historic significance of River Vale’s undeveloped sites reveals several significant elements which should have profound effects on the potential for development of many of the remaining and available properties within the Township. The natural elements include steep slopes, mature native forest vegetation, sensitive soils with shallow depths to seasonally high water tables, freshwater wetlands, flood plains, and high quality NJDEP C-1 designated surface waters. Collectively, the quantity and quality of natural resources within River Vale are being stressed and challenged, and steps for their protection, preservation and enhancement are being pursued. For these reasons, among others, River Vale is considering undertaking the preparation of a community-wide natural resource inventory.

A listing of existing publicly owned undeveloped lands that are potential passive recreation resources can be found in Chapter 11 Green Acres Open Space and Recreation Plan of this Master Plan. They are also graphically shown on Figure 7. One important and unfortunate observation is that the majority of River Vale’s open space is Water Company owned watershed and reservoir property that is securely fenced and inaccessible to the public. None of these lands have been opened to the public for passive use of any kind. That notwithstanding, the Township of River Vale serves as a host to and responsible steward of Lake Tappan and many tributaries of the Hackensack River and its public water supply. This is further discussed in the Green Acres Open Space and Recreation Plan this Master Plan.

10.2 PROPOSED CONSERVATION PLAN

Collectively, the quantity and quality of natural resources within River Vale are being stressed and challenged, and steps for their protection, preservation and enhancement are warranted. As discussed in the Background section of this Conservation Element, many such steps have been on-going for many years, since several official bodies within the community have taken action within their own arenas towards both protecting the quality of natural resources and increasing the quantity and quality of open space. River Vale currently owns about 40.5 acres of undisturbed open space within the entire Township. Of this, 26.1 acres are in parkland, and the remaining 14.4 acres are preserved in approximately 19 lots whose primary functions are the conveyance of surface drainage and storm water. The natural resources that remain within River Vale are situated on these lands, as well as on other publicly and privately owned properties including those owned and protected by United Water Resources. Natural resources play an important role in defining the character of a community, and an overly stressed natural environment can be indicative of a lower quality of life within the community. Parks, recreation, and open spaces are shown on Figure 7.

To achieve River Vale’s conservation objectives, several recommendations are included in the Plan.

- 10.2.1 The Township should consider the creation of a municipal Environmental Commission in compliance with the N.J. State enabling legislation. By doing so, the Township would gain a volunteer commission with the authority to provide valuable input into land use hearings, and oversee the preservation of open space and protection of natural resources, as well as one that

- qualifies for State-generated grants for environmental projects that include the preparation of a municipal Natural Resource Inventory (NRI).
- 10.2.2 The Township should consider authorizing the preparation of an NRI on a community wide basis. An NRI documents, delineates, and (where appropriate) classifies the various natural resources within a community without editorializing. It is a factual document (hence an “inventory” rather than a planning document) that uses previously collected and generated information from various environmental agencies (i.e. local, county, state, federal) to illustrate the full extent of a town’s natural resources. It does not generate new empirical data as might be required of a site-specific examination. A composite of the most sensitive of these resources can also be generated to function as the “first look” document that serves to raise a red flag when a land use proposal threatens to cause adverse impacts to natural resources. It alerts the reviewing agency that some feature requires further examination and closer scrutiny. The NRI takes the form of a published report with individual graphics for topography (also includes ridges, steep slopes, and flood plains), soils (also includes their level of constraint to development, hydric soil identification, and flood prone soil identification), water resources (includes water bodies, waterways and wetlands), and vegetation (delineates predominance of vegetative types). An NRI also includes a mounted Township base map with acetate overlays for each of these resources for display in the council chambers, where land development applications are heard and where the information becomes readily available and of most value to review boards during their deliberations and considerations of these proposals.
- 10.2.3 The Township should then consider adopting the NRI by reference as the background information upon which future Conservation Elements are based, as has become common in several nearby communities. Then, the large scale NRI exhibits on display in the Council Chambers should be used on a regular basis in the evaluation and review of land development and alteration proposals. Applicants should be required to address the presence of and proposed disturbance to any natural resources identified as present on their subject sites. Applicants should also be required to address development alternatives that serve to minimize adverse impacts upon natural resources, and to propose mitigation measures commensurate with the disturbance expected to result from their proposals.
- 10.2.4 Following the efforts outlined above, the Township should then consider authorizing the preparation of a River Vale Township Open Space Preservation Strategies (OSPS) report. This would be a planning document (or action plan) that would serve as the basis or framework for preserving the Township’s remaining open spaces. The OSPS would delineate the remaining open spaces within the Township. Each open space property would be assigned an existing level of protection. The discussion would include an evaluation of highest and best use, the value of open space, the compatibility of recreation and conservation, the value of greenways and contiguous open space, River Vale’s position within a regional greenway, ways in which greenways can change, and methods for their conservation and preservation. Finally, the study would evaluate a series of reasonable acquisition and municipal regulatory techniques available to the Township to accomplish this task. The OSPS report would likely point out that the Township need not rely on property acquisition alone to preserve all of the desired property, and that other innovative methods can be found. Property management techniques would also be discussed that would improve the quality of the open spaces where the land is already committed.
- 10.2.5 The Township should continue its annual requests for additional funding from the N.J. Green Acres Administration. Prior recent Township funding has come from the Planning Incentive Grant program, and the Plan recommends its continuance. This is an innovative program that provides significant benefits to municipalities in their quests to improve their open space and recreation opportunities and facilities. The program provides successful applicants with the ability to partially fund the purchase of any of the properties included within their approved Open Space and Recreation Plan (OSRP – Chapter 11 of this Master Plan) from the same

funding source, without the need to return to the Green Acres Administration on a site by site basis. The latter had been the traditional and painstaking method of seeking State open space acquisition funding. The program also permits municipalities to legitimately and fairly negotiate in an open market environment with potential land sellers. To further this objective, the Plan recommends that the Township submit the OSRP to Green Acres in fulfillment of its prior obligation.

- 10.2.6 With professional assistance, the Township should revise the Tree Preservation and Removal ordinance to rectify the specific shortcomings that were identified by the judge during its recent legal challenge. The basic ordinance should be able to remain intact. The Township should also pursue enactment of the Tree Bank provisions that would further strengthen this ordinance.
- 10.2.7 The Township should monitor the effectiveness of its 2004 stormwater management regulations, and make adjustments as proves necessary and desirable.
- 10.2.8 The Township should revisit the objectives of the A-1 Zoning District to determine if they remain appropriate for the remaining undeveloped lands adjacent to the Lake Tappan Reservoir and the Hackensack River. The Township should consider whether or not the CN Conservation District is more appropriate for these particular areas. The A-1 Zoning District may only be appropriate for a limited area along Rivervale Road.
- 10.2.9 The prime objective of the CN district is clearly to promote the most environmentally sensitive land uses by the most contemporary standards. Since the water company owns most all of these lands, the more strict limitations of CN as opposed to A-1 in the areas identified above should not unduly minimize individual private property rights. Furthermore, since formal lawns and ornamental landscaping contribute little to environmental quality, and in many cases are detrimental and inconsistent with the District's objectives, these too should be restricted within the CN district.
- 10.2.10 The checklist for attachment to land development applications should be updated to require more detailed natural resources and environmental impact information, to provide for full disclosure of potential impacts from development proposals, and to identify reasonable alternatives to the proposal that might serve to lessen adverse impacts.
- 10.2.11 The Township should continue to participate in the Cross Acceptance processes of future N.J. State Development and Redevelopment Plan updates.
- 10.2.12 The Township should consider embarking upon a Community Forestry Management Plan (see Community Design Element of this Master Plan).
- 10.2.13 The Township should consider developing means to require Best Management Practices to apply for the two northern golf courses.

11. GREEN ACRES OPEN SPACE AND RECREATION PLAN

11.1 INTRODUCTION AND BACKGROUND

The Township of River Vale is located in Bergen County, New Jersey (see Figure 1), in the state's northeastern corner. Within Bergen County, River Vale is located at its northern extremity, in the County's northeastern quadrant (see Figure 2). From the Township of River Vale's standpoint, the Planning Incentive Grant Program has been and will continue to be a vitally important program. For this Township, it represents the most important and significant revision to the manner with which the N.J. Green Acres program operates since the inception of Green Acres. First and foremost, if the extension of River Vale's application were to