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4 **SECTION VIII**
5 **RECREATION & PARKS PLAN ELEMENT**
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8 *This Section taken together with Section IX – Conservation Plan Element, Section XI- Historic*
9 *Preservation Plan Element, and the separately published Recreation and Open Space Inventory*
10 *(ROSI), may be cited as the “Open Space and Recreation Plan (OSRP) for the Township of*
11 *Livingston, County of Essex”.*

12
13 **SUMMARY**
14

15 The Township of Livingston is a suburban residential community in western Essex County and is
16 in Metropolitan Planning Area (PA1) under the New Jersey State Development and
17 Redevelopment Plan (State Plan). It is almost fully developed. Specific portions of the
18 Township are water supply areas, each designated under the State Plan as an Environmentally
19 Sensitive Planning Area (PA5).
20

21 With tree-lined streets, a vibrant downtown district, and limited non-residential development, it
22 is home to three Essex County parks and a system of municipal parks and recreation facilities.
23 The Lenape Trail traverses the Township, connecting the Essex County trail system to the Morris
24 County Patriots’ Path. The Lenape Trail is a segment of the Liberty-Water Gap Trail that will
25 run from Liberty State Park in Jersey City to the Delaware Water Gap when completed. The
26 Passaic River forms the western boundary of the Township, separating Essex and Morris
27 Counties.
28

29 There are 428 acres of municipal parkland and 414 acres of county parkland in the Township.
30 Nearly one-tenth of the Township’s 8,960 acres is permanently protected parkland. An
31 additional 1,450 acres, or 16% of the total Township area, occupied by the East Orange Water
32 Reserve is zoned as a Water Resource Conservation District. This Master Plan proposes that
33 another 367 acres, owned by the New Jersey-American Water Company, be zoned in the same
34 manner.
35

36 This Section reviews the present and anticipated needs of the community, and the parks and
37 recreation resources currently in place, and makes recommendations for maintenance,
38 improvement and expansion. Present facilities are shown on the Parks and Recreation Map
39 (Map F).
40

41 The residents of the Township have always recognized the need for active and passive recreation
42 opportunities, and have long taken pride in Livingston’s parklands and recreation facilities. They
43 have also been quick to recognize the need for improvements, and that the need is constant, but
44 also changes in its character as the community itself changes.
45

46 **Goals and Policies**
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48 The Broad Goals of this Recreation & Parks Plan Element are:

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1. Expand and improve the Township’s parks, and both passive and active recreational facilities.
2. Create a system of multi-use trails within the Township.
3. Encourage improvement and increased utilization of County and State parks within the Township.

These Goals encompass Objectives presented in Section II of this Master Plan. Those Objectives, *numbered as they appear in that Section*, are:

2. To encourage municipal actions that will achieve the long-range use, development and preservation of lands and properties within the Township in a manner promoting the public health, safety, morals, and general welfare of present and future residents.
4. To provide adequate areas of natural light, air and open space.
5. To promote the establishment of appropriate land use standards which contribute to the well-being of persons and neighborhoods, preservation and improvement of the environment, the quality of life, and a sense of community.
6. To encourage the appropriate and efficient use of public funds in coordinating public and private development, improvement, or preservation, within a framework of sound land use and development principles and policies.
13. To acquire, develop, expand, improve, and maintain passive and active parks and recreation facilities, at appropriate locations within the Township, to meet reasonable and affordable needs and expectations of present and future residents.
24. To develop a safe system of pedestrian ways, trails and bicycle routes.
25. To utilize public easements and existing utility easements and rights-of-way, and easements on private property, as open space connectors to create a network of linked greenways, bicycle paths, trails, and recreational parcels.

Recreation encompasses a wide-range of activities that may be described by the general terms “active” and “passive”. Organized sports, team play and swimming are examples of active recreation. Active recreation facilities include playing fields, playgrounds, tennis or basketball courts, running tracks and swimming pools. Active recreation facilities may be located in a park or as part of a school site.

Passive recreation is generally non-team in nature and includes nature walks, picnicking, hiking, jogging, cycling, nature study, fishing, playing with a pet in a pet-friendly environment, or just sitting on a bench and enjoying sights and sounds or total tranquility.

There are active parks that contain sports facilities; and there are passive parklands where the natural setting is essentially undisturbed.

1
2 The purpose of this Recreation and Parks Plan Element is to identify all active and passive
3 recreation space in the Township by categories, to determine their current uses, to identify
4 anticipated needs of the community not currently met, and then to construct a plan in which
5 available property, current and anticipated needs of the community at-large, and the interests of
6 owners of remaining undeveloped property not otherwise preserved, can be integrated.

7
8 Township residents of all ages utilize the parks and recreation facilities in increasing numbers
9 and with increasing frequency. Demand for and wear and tear upon facilities are high. The
10 Township Recreation Department offers 35 different outdoor recreational programs for residents.
11 Numerous non-governmental organizations offer outdoor programs on recreational facilities in
12 the Township. These programs result in competing needs for playing fields. Heavy use limits
13 natural recovery opportunities for playing field turf.

14
15 Growing school populations and contemporary teaching standards have necessitated enlargement
16 of school buildings. This has resulted in loss of space for recreation. More such enlargements
17 are anticipated.

18
19 Needs for additional playing fields and improved programs for maintaining fields have been
20 suggested.

21
22 In addition to active sports activities, there have been increasing needs for, and use of, walking
23 paths, woodland trails, bicycle paths or ways, and fitness trails; as well as for pocket parks for
24 relaxation. Efforts to meet such needs have been recently completed or are currently under way.

25
26 Existing public parks and recreation facilities within the Township fall into four ownership
27 categories:

- 28 Essex County
- 29 Livingston Township
- 30 Board of Education
- 31 Privately-owned.

32
33 The privately-owned facilities are owned by religious institutions or private schools and are
34 considered to be quasi-public because they are open to the public by agreement.

35
36 **Recommendation:** Encourage more quasi-public facilities and
37 greater public access to them.

38
39 **Recommendation:** Seek easements from public utilities for use of their
40 rights-of-way as recreational greenways with trails and
41 multiple-use paths.

42 43 **County Parks within the Township**

44 45 **Lenape Trail**

46
47 The Lenape Trail is a hiking trail undergoing improvement through a cooperative effort
48 by Essex County and the Sierra Club. It begins at a point north of Brookdale Park in

1 Bloomfield. From the intersection of I-280 and Pleasant Valley Way in West Orange, it
2 follows the PSE&G right-of-way westward through Livingston to West Essex Park,
3 where it turns north to Eagle Rock Avenue and then crosses into Morris County. There it
4 joins other trails as part of the ultimately 156-mile Liberty-Water Gap Trail running from
5 Jersey City to the Delaware Water Gap National Recreation Area. Those wishing to hike
6 the Livingston section can easily access the trail from North Livingston Avenue just
7 south of I-280 or from Prospect Park near the intersection of Laurel Avenue and
8 Shrewsbury Drive.
9

10 **Riker Hill Art Park**

11
12 This 42-acre park is located entirely within Livingston, and is one of three elements of
13 the 204.68-acre Essex County Riker Hill Park that straddles the Livingston/Roseland
14 boundary. The Art Park is at the highest point of that park. It is at the location of a
15 former U.S. Army Nike Missile Battery control base built by the U.S. Army in 1955 and
16 acquired by Essex County after it was closed by the Army in 1974. (The missile
17 launchers were two miles away in East Hanover.) The former Army buildings have been
18 converted into studios for painters, sculptors, photographers and other artists working in a
19 communal setting. Classes, art shows, and concerts are held there. The winding drive to
20 the site from Beaufort Avenue provides a panoramic view of western Essex County. A $\frac{3}{4}$
21 mile interpretive trail connects the Art Park with the 146.73 undeveloped acres primarily
22 in Roseland that include Becker Park and Walter Kidde Dinosaur Park.
23

24 **Recommendation:** Request Essex County to provide funding for
25 improvement of the park access, signage and facilities.
26

27 **West Essex Park**

28
29 This is an undeveloped 1,360-acre park that remains largely a wetlands preserve. It lies
30 within the flood basin of approximately six miles of the Passaic River; from Bloomfield
31 Avenue in Fairfield, through Roseland and West Caldwell, and terminating at South
32 Orange Avenue in Livingston. Approximately 320 acres are in the Township. There are
33 fishing areas, interpretive trails, and boat and canoe landings at various points along the
34 river, but only one landing on the Livingston side of the river.
35

36 **Recommendation:** Request Essex County to provide environmentally sound
37 access and facilities for observation of birds and other
38 wildlife.
39

40 **Nearby State and Essex County Parks and Recreation Facilities.**

41
42 State and Essex County parks and recreation facilities within easy driving from the Township
43 are:
44

45 **Eagle Rock Reservation**

46 408.33 acres, primarily of undeveloped wooded lands, located mainly in West Orange, with a
47 view of the New York City skyline from the George Washington Bridge to the Verrazano

1 Narrows Bridge. It has the Highlawn Pavilion Restaurant and is the site of a memorial to those
2 lost at the World Trade Center. Situated along Prospect Avenue to the west and Eagle Rock
3 Avenue to the south, it is easily reached from Livingston.

4 **Essex County Environmental Center**

5 A 10,950 square-foot, one-level, handicapped accessible facility at 621 Eagle Rock Avenue in
6 Roseland. It has a library, class rooms and a laboratory for environmental education. There are
7 walking trails as well.

8
9 **Grover Cleveland Birthplace**

10 This 2.5-acre State Park, at 207 Bloomfield Avenue in nearby Caldwell, contains the house in
11 which Grover Cleveland, 22nd President of the United States, was born and lived from the 1830s
12 to the 1850's. Guided and self-guided tours are available by appointment.

13
14 **Grover Cleveland Park** straddles Caldwell and Essex Fells. A fishing pond serves as a skating
15 pond in the winter. There are jogging trails, tennis courts, softball fields and playgrounds.

16
17 **South Mountain Reservation**

18 2,047.14 acres of largely undeveloped and mostly natural open space within West Orange,
19 Maplewood and Millburn. It contains Turtle Back Zoo, South Mountain Arena (primarily ice
20 skating) a commuter parking facility, hiking, biking and equestrian trails and picnic and camping
21 areas.

22
23 **Verona Park**

24 54.32 acres located in Verona at the intersection of Bloomfield Avenue and Lakeside Avenue.
25 Just over ¼ of the site is Verona Lake. The park has fishing and boating, tennis courts, a
26 playground, a softball field, bocce courts, a fitness path and a bandstand.

27
28 **Walter Kilde Dinosaur Park and Becker Park**

29 These two elements of Riker Hill Park are located in adjacent Roseland. Dinosaur Park contains
30 a fossil dig. Becker Park has approximately 147 acres of undeveloped former farmland,
31 including 7.23 acres located in Livingston.

32
33 **Township Parks and Recreation Facilities.**

34
35 There are two categories of land ownership by Livingston governmental entities: lands owned
36 by the Township, and lands owned by the Board of Education. By agreement, recreational
37 facilities on Board of Education lands are available for Township activities when not in school
38 use. Also, several facilities that are privately-owned are available for community use.

39
40 The Township is a community known for the high level of participation in a multitude of sports.
41 Enrollment in organized sports activities has grown in almost every year of the past two decades
42 and placed a strain on the available facilities. High utilization rates increase wear and tear on
43 athletic fields. Requests for use have at times exceeded the availability of time slots or space.
44 All indications are that the need for facilities will continue to grow. The Township has
45 responded by acquisition of land for additional playing fields.

46
47 Other needs have been identified as well, and have been responded to by the Township. Through

1 the combined efforts of the Township and enthusiastic volunteers, a portion of East Hills Park on
 2 Shrewsbury Drive has been converted to a dog park. This new Livingston Dog Park has two
 3 fenced areas in which unleashed dogs can exercise and socialize. East Hills Park also has a
 4 hiking trail that can be used by residents and their leashed canine companions. A second project
 5 underway is the creation of hiking and biking trails in the Township's approximately 29-acre
 6 Prospect Park east of the junction of Laurel Avenue and Shrewsbury Drive and adjacent to the
 7 Lenape Trail.

8
 9 The 2000 Census showed that there were 1,917 children under five (5) years of age resident in
 10 the Township. The recreation needs of this age group are served primarily by playgrounds. The
 11 Township has playgrounds for this group at Littell People's Park, Monmouth Court Community
 12 Center, Northland Park, the Senior & Community Center, and Grand Terrace. In addition, most
 13 elementary schools have a playground open to the public.

14
 15 Current parks are located throughout the Township and serve a variety of needs. The following
 16 table identifies both parks owned by the Township and those shared with the Board of Education.

17
 18 **Table VIII-1**
 19 **Township Parks and School/Park Sites**

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 21

ID #	Name	Use	Block	Lot	Acreage
	Memorial Park & Littell's Pond	Passive recreation, historic preservation, library, playing fields, jogging track, swimming pool, tennis, handball, basketball, playground, gazebo, nature preserve, interpretive trail and 9-11 Living Memorial Garden	4400	2	56.62
	Northland Park	Swimming pool, playing fields, tennis courts, playground, passive recreation, woodlands	900	60	51.74
	Prospect Park	Passive recreation, hiking, biking, cross-county skiing and snow shoeing & nature trails	2100	70	28.87
	East Hills Park	1.5-mile wooded nature trail with fitness stations, two fenced dog parks, passive recreation.	2400	16	55.21
	Grand Terrace	Playground	3802	13	0.25
			3804	1	
	Okner Athletic Field Complex	Baseball, softball, soccer, lacrosse, beach volleyball, picnic ground	100	6	13.67
			100	7	
	Riker Hill School Park	Softball, baseball, soccer, playground	401	45.1	15.68
	Harrison School Park	Playground, softball, baseball, soccer	1600	53	9.53
			1600	54	4.17
	Hillside School Park	Playground, softball, baseball, soccer	4200	58	14.77
	Burnet Hill School Park	Playground, softball, baseball, soccer, football	4900	42	12.80
	Collins School Park	Playground, softball, baseball, soccer, football	2801	8	15.65
	Mt. Pleasant School Park	Playground, softball, baseball, soccer, lacrosse	3602	1	19.75

	Heritage School Park	Tennis, softball, baseball, soccer, lacrosse	5500	18	36.6
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Past Master Plans have measured Livingston’s park and recreational facilities against standards established by the National Recreation and Park Association (NRPA). The standard has been ten (10) acres of parkland for every 1,000 residents. An earlier standard referenced by Planning Boards called for one acre of playground or active recreation area for every 400 residents. The most recent Master Plans concluded that the Township’s aggregate open space and recreational acreage exceeded both standards. That is still the case. If the Township’s aggregate 428 acres of municipal land and its estimated population of approximately 29,000 are used, the ratio is 14.79 acres per 1,000 residents. If State and County parklands are included (as NRPA permits) the standard is exceeded even further.

Table VIII-2 is an illustrative, but not exhaustive, showing of the current athletic programs and facilities.

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Table VIII-2
Athletic Programs and Facilities (Pre-Okner)

Program(s)	Facilities Used (All Organizations)	Program Assessment
SOFTBALL		
<i>(March through August)</i> Men's Recreation Softball Girls Softball League West Essex Softball Livingston Lightening Softball Church League Softball Temple League Softball St. Philomena's Singles Senior Citizens Softball Livingston High School Girl's Softball Teams	1 Field at Memorial Oval 1 Field at Livingston High School Back Fields *1 Field at St. Philomena's RC Church *1 Field at Collins Elementary School *1 Field at Harrison Elementary School *2 Fields at Riker Hill Elementary School *1 Field at Burnet Hill Elementary School *1 Field at Hillside Elementary School *1 Field at Monmouth Court Community Center 2 Fields at Heritage Middle School 2 Fields at Mt. Pleasant Middle /Elementary 4 Little League Fields at National Little League (* Dual Purpose Baseball/SB)	Many of the fields used for softball are used for baseball as well. Scheduling could be a problem. Ages of participation range from ages 6-Adult.
BASEBALL		
<i>(March through November)</i> Little League (American League) (National League) Cerbo Baseball Suburban Baseball Livingston Dodgers Livingston Senior Baseball League Livingston High School Baseball Teams	1 Field at Memorial Oval 1 Field at Livingston High School Back Fields *1 Field at St. Philomena's RC Church *1 Field at Collins Elementary School *1 Field at Harrison Elementary School *2 Fields at Riker Hill Elementary School *1 Field at Burnet Hill Elementary School *1 Field at Hillside Elementary School *1 Field at Monmouth Court Community Center 1 Field at Heritage Middle School 1 Field at Mt. Pleasant Middle/Elementary 2 American Little League Fields 4 National Little League Fields (* Dual Purpose Baseball/SB)	Ages of participation range from 6-Adult. Seven fields serve both baseball and softball as well as Police Athletic League activities. Most fields have been reported as being in fair to good condition, but there are problems with drainage. Scheduling has become a problem due to high participation rates.
SOCCER		
SMC Soccer Club Women's Soccer Garden State Soccer Livingston High School Girls Soccer Boys Soccer Livingston Soccer Club	2 Fields at Memorial Oval 1 Field at St. Philomena's RC Church *1 Soccer Field at Collins Elementary School 1 Soccer Field at Harrison Elementary School 2 Soccer Fields at Riker Hill Elementary *1 Field at Burnett Hill Elementary School 1 Field at Hillside Elementary School *1 Field at Monmouth Court Community Center 4 Fields at Heritage Middle School 4 Fields at Mt. Pleasant Middle/Elementary (*Dual Purpose-Football/Soccer)	Many of these fields are used year-round and the fields have no time for recovery or replanting of grass seed. Two are these fields are also used for football. Monmouth Court also shares the field with lacrosse.
FOOTBALL		
Junior Lancers <i>(Football & Cheerleaders)</i> Livingston High School Football	2 Fields at Livingston High School **1 Small Field at Memorial Pool *1 Field at Burnett Hill Elementary *1 Field at Collins Elementary School *1 Field at Livingston High School (*Dual Purpose-Football/Soccer) (** Dual Purpose-Football/Band)	Two fields are dual purpose and used for both football and soccer. One field is used for the Livingston High School Marching Band Practice.
LACROSSE		

Lacrosse Club Livingston High School Lacrosse	1 Field at Memorial Oval *1 Field at Monmouth Court *4 Fields at Heritage Middle School 3 Fields at Mt. Pleasant Middle /Elementary (*Dual Purpose-Soccer/Lacrosse)	Two facilities are used for both soccer and for lacrosse. All fields have been reported as being tired or overworked. Drainage has been a problem as well. Heritage Middle School has started two lacrosse teams that will add to the wear and tear of the Township's fields.
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1 The new, 12 acre, Okner complex was dedicated in October of 2006. It adds 1 baseball field, 1
2 softball field, 2 soccer fields and a volley ball court to the Township facilities.

3
4 There are two Township swimming pools. One is at Northland Park. The other is at the
5 Memorial Park complex. During 78 days of operation in 2005 the pools had attendance of
6 95,562, an average of 1,200 persons per day. 25.7% of Township residents were seasonal pool
7 members.

8
9 During 2005, participants in specific organized sports were: baseball 1,250; softball 1,700;
10 cheerleading 50; football 150; lacrosse 250; and, soccer 2,400.

11

12 **Range of Recreational Activities Offered by Township Recreation Department**

13

14 Programs offered or facilitated by the Recreation Department in 2006 included:

15

16 Badminton

17 Baseball

18 Basketball

19 Baton Twirling and Dance

20 Bowling

21 Bridge

22 Ceramics

23 Chess

24 Dance

25 Creative dance for children ages 3-5

26 Ballet & jazz for children through elementary school age

27 Teen ballet, jazz and tap dance

28 Adult tap dance

29 Dog Parks

30 Duplicate Bridge

31 Fitness training for teens and adults

32 Fitness Trail

33 Football

34 Golf

35 Ice Skating

36 Lacrosse

37 Mentally and/or physically challenged adult programs

38 Pre-school programs

39 Senior Adult programs

40 Soccer

41 Softball

42 Summer day camp

43 Summer sports camps

44 Swim instruction

- 1 Swim program for disabled
- 2 Swim team
- 3 Table tennis
- 4 Tennis
- 5 Track for grades 4-8
- 6 Volleyball
- 7 Wrestling for grades 2-8

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9

10 **Organizations Sponsored by the Recreation Department**

- 11 Arts Association
- 12 Camera Club
- 13 Livingston Community Players
- 14 Livingston Symphony Orchestra
- 15 Music Under the Stars

16

17 The Township has large, varied and extremely active sports programs that place an exceptional
 18 burden on those playing fields that are multi-functional. Because utilization quickly transitions
 19 from one sports season to another, there are few or no opportunities for fields to rest and recover,
 20 or for on-site improvements to be made. The new Township Okner Athletic Fields Complex,
 21 with its new facilities identified on page 8 of this Section, will be of some assistance.

22

23 However, the popularity of the sports programs suggests that problems of high utilization rates
 24 will continue. In addition, requests for new programs and facilities will result from changing
 25 interests of residents.

26

27 **Recommendation:** Scheduling of use of specific facilities should be
 28 managed so as to allow natural recovery or the
 29 accomplishment of repairs and improvements.

30

31 **Recommendation:** Obtain easements from public utilities to permit
 32 utilization of their right-of-ways as greenways for
 33 pedestrian and bicycle paths.

34

35 **Recommendation:** Establish other greenways, walking and cycling
 36 trails, and urban bikeways, linking recreation areas
 37 wherever possible.

38

39 **Recommendation:** Identify and develop sites for recreational access to the
 40 Passaic River.

41

42 **Recommendation:** Continue to explore potential for use of portions of
 43 the East Orange Water Reserve for walking and bike paths
 44 and other passive and nature-appreciation programs.

45

46 **Recommendation:** Develop additional indoor and outdoor basketball
 47 facilities.

48

1 **Recommendation:** Establish a center to house existing and additional
2 recreational and social programs for teenagers.

3
4 **Recommendation:** Continually review user interests to determine whether
5 programs should be reduced or eliminated and to project
6 and plan for potential new needs (such as rugby, cricket or
7 skateboarding).

8
9 **Recommendation:** Seek to identify, acquire and develop additional property
10 for active and passive recreation.

11
12
13 **Action Program Recommendations.**

14
15 A program of actions for further implementation of Recreation and Parks objectives is
16 recommended:

17
18 **First Year & On-going**

- 19
20 • Establish a long-range plan for maintenance and improvement of parks and recreational
21 facilities.
22
23 • Identify possible sites for new active and passive recreation facilities.
24
25 • Complete a plan for trails, pathways, greenways and bikeways providing recreational
26 opportunities while linking open space and other recreational facilities.
27

28 **Within Three Years**

- 29
30 • Complete an inventory of sites for possible “pocket parks,” and establish standards for
31 design and function of such parks.
32
33 • Explore opportunities to engage in cooperative efforts with neighboring communities,
34 counties and regional units, as well as non-governmental organizations, to accomplish
35 partnership opportunities for recreational and parks projects.
36
37

38 **Within Five Years**

- 39
40 • Complete and implement a comprehensive trail plan that includes pedestrian and bicycle
41 routes and paths that link public open space, greenways and recreational facilities.
42
43 • Catalog the Township’s natural features and environmentally sensitive areas in a
44 Township Natural Resources Inventory.
45
46 • Develop a resources stewardship program involving Township residents of various ages
47 in maintaining and enhancing Township recreational and parks facilities.

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5 **ACQUIRING RIGHTS TO LAND FOR RECREATION OR PARKS**
6

7 Numerous tools and funding sources are available to acquire title or to otherwise obtain the use
8 of land for recreation or parks. The following descriptions are not exhaustive of the possibilities.
9

10 **Acquisition of Title**
11

12 Purchase is the most direct and simple, but most expensive, way of acquiring title. But, sufficient
13 funds to make the purchase may not be available to the Township at the time. However, the cost
14 may be eased by grants when available, or by entering into partnerships with conservation
15 organizations. Alternative direct acquisition methods can be considered:
16

17 Terms may be negotiated with the landowner permitting the purchase to be paid for over
18 time or for portions of a property to be acquired in discrete steps. Sale of property to the
19 Township might be coupled with the seller's retaining a tenancy in the property for a
20 fixed term or for life, with rent to be paid to the Township.
21

22 A property owner may be induced to sell property to the Township at below the market
23 value so as to realize a charitable gift tax deduction for the price reduction.
24

25 Opportunities to induce outright gifts of land to the Township should be explored. Such
26 gifts provide a charitable gift income tax deduction for the donor and also result in the
27 saving, to the donor, of real estate taxes after title to the land is transferred.
28

29 In instances of foreclosure upon property for failure to pay Township real estate taxes,
30 the Township could elect to keep title and add the property to its parks or recreational
31 facilities, or to trade the parcel for another with better environmental or recreational
32 qualities. Periodic review of existing tax liens of all types on properties within the
33 Township could identify opportunities for purchase of a lien and acquisition of the
34 property for recreational or park use.
35

36 The Township could exercise the right of eminent domain to acquire ownership of land
37 with a high recreational or parks potential from an owner unwilling to sell or to grant an
38 easement or other right of use.
39

40
41 **Easements.**
42

43 Easements provide an opportunity to obtain use of land for specified purposes without the costs
44 of acquiring ownership, while keeping the land on the real estate tax rolls (although the value of
45 the land for tax assessment may be reduced by the easement). Easement rights are written into
46 the deed on the property and pass on with changes in ownership. Easements may be purchased
47 or received as a gift.
48

1 Examples of types of easements are:

2 A right to establish and maintain a trail or path through the owner’s property.

3
4 A right of public access to a site for passive or active recreation.

5 **Funding Sources.**

6
7 Potential sources of funds for acquisition of property ownership or easements, and the amounts
8 available, vary. Each may have specific and limiting objectives or types of uses.

9
10 Township’s Open Space Trust Fund.

11
12 This fund, generated by a special real property tax, is available for the acquisition of title or
13 easements for recreation and preservation purposes. It can be most effectively used to qualify for
14 matching grants or to cover Township down-payments or local contributions required by
15 potential funding partners.

16
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18 Potential Funding Partners.

19
20 **New Jersey Green Acres Program** will provide funds to cover up to 50% of the cost of
21 acquisition of municipal parks and recreation lands under the municipality’s open space and
22 recreation plan.

23
24 **Essex County Open Space Trust** provides funding for projects consistent with the County open
25 space and recreation plan.

26
27 **Federal Land & Water Conservation Fund (LWCF)** is funded by annual Congressional
28 appropriations. It includes a State Grant Program under which the National Park Services
29 provides funds to individual states to cover up to 50% of the costs of acquiring land, building or
30 repairing recreation or park facilities, providing hiking and riding trails, enhancing recreation
31 access and providing wildlife and hunting areas. Within New Jersey, municipalities generally
32 receive funding through the Green Acres program.

33
34 **Transportation Enhancement Act (TEA-21)** The U.S. Department of Transportation has
35 established that funding for trail development and enhancement is an eligible expenditure from
36 the Federal Transportation Trust. The amount of funding for these purposes is substantial, and
37 funds for land acquisition are available. A special category of funding is dedicated to
38 enhancement of National Recreation Trails. An eligible project must show that the trail is part
39 of the community’s overall transportation system. Funds can be used for enhancements such as
40 signage, bike racks, surfacing as well as acquisition of land through easement or fee simple.
41 TEA-21 funding can jumpstart a community’s bikeway and walking trail system.

42
43
44 **Nonprofit Land Conservation Organizations** are eligible for Green Acres grants of up to
45 \$500,000 and can partner with the Township on a dollar for dollar match. To do so, the
46 organization “signs on” to a community’s Open Space and Recreation Plan. Morris Land
47 Conservancy is a conservation organization that has partnered with the Township in open space
48 and recreation planning. The Passaic River Coalition is a non-profit Land Conservation

1 Organization that has established a Land Trust to acquire and preserve open space. The Passaic
2 River Coalition Land Trust provides land and water resource management by permanently
3 protecting and preserving land. The Passaic River Coalition Land Trust works with citizens,
4 governments, and businesses to develop solutions to protect the environment within the
5 watershed through land preservation. The Land Trust not only preserves land, it also provide
6 guidance to local government in the efforts to identify and plan for protection of vital natural
7 resource and develop a methodology to acquire and manage open space.

8
9 **Brownfields redevelopment funding.** The New Jersey legislature has implemented several
10 financial and liability incentives to encourage municipal involvement in brownfields
11 redevelopment. Grants of up to \$2 million per municipality per year are available through New
12 Jersey’s Hazardous Discharge Site Remediation Fund (HDSRF). Certain restrictions limit
13 accessing this funding. First, the municipality must have some control over the property.
14 Second, the town must have a redevelopment plan for the property. This funding is available on
15 a rolling basis, and is applied for at a site-specific level.

16
17 Federal monies are also available for local government brownfields remediation. Assessment
18 Grants and Cleanup Grants are available from the United States Environmental Protection
19 Agency.

20
21 By utilizing existing infrastructure, brownfields redevelopment can be a financially attractive
22 way to revitalize urban areas, restore local tax bases, lower overall development costs and
23 preserve open spaces.

1
2
3

MAP F: PARKS AND RECREATION

NOVEMBER 19, 2007



PARKS AND RECREATION

- ESSEX COUNTY PARK
- TOWNSHIP PARKS/RECREATION
- ACTIVE PARKS/RECREATION
- PASSIVE PARKS/RECREATION
- SCHOOLS/ATHLETIC FIELDS
- PUBLICLY-OWNED
- PRIVATELY-OWNED
- PRIVATELY-OWNED OPEN SPACE
- PRIVATELY-OWNED GOLF COURSES

SOURCE:
 BASE MAP PREPARED BY KUPPER ASSOCIATES IN 2000 AND
 MODIFIED BY H2M ASSOCIATES, INC.
 OPEN SPACE OWNERSHIP DATA FROM THE 2006 LIVINGSTON
 TAX DATA AND LIVINGSTON PLANNING DEPARTMENT.



