SECTION XI - HISTORIC PRESERVATION PLAN ELEMENT

This Section taken together with Section VIII – Recreation & Parks Plan Element, Section IX – Conservation Plan Element, and the separately published Recreation and Open Space Inventory (ROSI) may be cited as the “Open Space and Recreation Plan(OSRP) for the Township of Livingston, County of Essex”.

INTRODUCTION

The Historic Preservation Plan Element indicates the location and significance of historic sites, identifies the information used to assess their eligibility for historic site designation, and analyzes the impact of each component and element of the Master Plan on the preservation of historic sites. As defined in Section 170-3 of the Code of the Township:

Historic site means any real property, man-made structure, natural object or configuration or any portion or group of the foregoing which have been formally designated in the Master Plan as having historical, archaeological, cultural, scenic or architectural significance.

A goal of the State Development and Redevelopment Plan is to “preserve and enhance historic, cultural, open space and recreational lands and structures.” The New Jersey Department of Environmental Protection (NJDEP) has stated that in New Jersey the public commitment to implement historic preservation is defined by three distinct designation types: the National Register of Historic Places, the New Jersey Register of Historic Places, and designation by a municipality pursuant to the authority of the Municipal Land Use Law. Listing on the New Jersey Register of Historic Places assures protective review of public projects that might adversely affect the character of historic property. A listing of a site on that register does not place limitations upon a private owner’s property rights. Neither does a listing on the Federal register.

The N.J. Municipal Land Use Law enables local municipalities to adopt ordinances to regulate historic sites that have been identified in the local Master Plan. Such ordinances may cover alterations and demolitions, and may also provide for preservation of important original construction features by granting exemptions from modern code requirements.

The Planning Board has not found any component, element or provision of this Master Plan to adversely impact preservation of historic sites.

LIVINGSTON’S HISTORIC SITES

Residential and commercial development (especially since the end of World War II) and the ravages of time, have taken their toll of buildings and landmarks from Livingston’s early years. Few have survived into the 21st Century. Four buildings, listed in Table XI-1, although never identified in previous Master Plans, have achieved formal recognition on State or Federal registers.
Table XI-1

<table>
<thead>
<tr>
<th>Name</th>
<th>Location</th>
<th>Designated By</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dickinson House</td>
<td>84 Dickinson Lane (Circa 1802)</td>
<td>SHPO 11/20/81</td>
</tr>
<tr>
<td>Ward-Force House</td>
<td>366 S. Livingston Avenue (Circa 1752)</td>
<td>SR &amp; NR 11/12/81</td>
</tr>
<tr>
<td>Condit Family Cook House</td>
<td>Rear of 366 S. Livingston Avenue</td>
<td>SHPO &amp; NR 12/29/81</td>
</tr>
<tr>
<td>Washington Place Schoolhouse</td>
<td>122 Passaic Avenue (Circa 1800)</td>
<td>SHPO 11/20/81</td>
</tr>
</tbody>
</table>

SHPO: NJ State Historic Site Program
SR: NJ Register of Historic Places
NR: National Register of Historic Places

27 locations are now designated in this Master Plan as Historic Sites for municipal planning purposes. They include the four (4) sites already registered. Their brief descriptions are primarily derived from: “LIVINGSTON The Story of a Community”, Richard A. Shafer (1939) N.J. Writers Project WPA; the 1982 Livingston Historic Trail tour guide prepared by The Livingston Historical Society; the 1999 book “Livingston New Jersey”, by Barry H. Evenchick published as part of The American Century Series; and, the Livingston Environmental Commission’s 2003 Open Space Inventory.

Each site has been chosen because of one or more of the following standards:
- Link to people of importance in Livingston’s past.
- Link to events in local or broader history.
- Architectural uniqueness in relation to the community at large.
- Age.
- Preservation of burial grounds.

The Historic Sites and 7 potential additional ones are on the Historic Sites Map (Map J).

**Anderson Squier House**
Block 5400 Lot 12
Anderson Squier House, 144 Walnut Street, (circa 1800) was built by Anderson Squier, a descendent of Jonathan Squier who, with Nathaniel Camp, had purchased 782 acres in 1774 for £391. The Squire extended-family holdings ranged westerly from what is now Walnut Street to the Passaic River. Nathaniel and Elijah Squier were members of the New Jersey Militia during the War for Independence.

**Baldwin Family Burying Ground**
Block 6101 Lot 29
A private cemetery on the westerly side of Passaic Avenue adjacent to the Washington Place School House (122 Passaic Avenue) and established in 1781. It contains 25 graves, including those of three Revolutionary War soldiers, and is in a state of neglect.
**Condit Family Cook House**

The Condit Family Cook House was the stand-alone summer kitchen of a farm home which was located at what became the corner of Walnut Street and South Orange Avenue. When the Bamberger’s store was built there at what is now the Livingston Mall, the cook house was donated to the Township and moved to its present location at the rear of the Ward-Force House to become part of the “Old Force Homestead”. The Cook House is listed in the National Register of Historic Places.

**Crystal Plaza**

A fieldstone mansion constructed in the 1890’s for Shakespearean scholar Richard Grant White, father of architect Stanford White. While the residence of the White family it was a gathering place for artists and musicians. Converted to a catering hall in 1965, it was expanded in 1996 to its present size.

**Dickinson House**

This house, located at 84 Dickinson Lane, within the East Orange Water Reserve, was built in 1803 by Israel Dickinson. It replaced a home that his great-grandfather Bern Dickinson had built in 1742. The house was built on a wood-pinned frame of hand-hewn beams and encased in solid brick covered by clapboards. It was visited by President Theodore Roosevelt, who hunted with noted naturalist David Dickinson. The house is registered in the New Jersey State Historic Site Program.

**Ely Cemetery**

The Ely Family’s private cemetery is located on the westerly side of Hillside Avenue, south of Edgemere Road and opposite Hillside Terrace. It was established by Captain William Ely around 1777, and is maintained by the Livingston Historical Society.

**Ely House**

This home, at 186 West Mt. Pleasant Avenue, was built in 1810-1811 by Moses Ely, and enlarged to its present size in 1875. The Ely property originally consisted of 50 acres owned by British Army Captain William Ely, who had built an earlier home circa 1751. Moses’ son Smith Ely, was elected Mayor of New York City in 1877 and also represented New York State in Congress. He maintained the house as his summer home and then retired there. In 2002, the Planning Board approved a subdivision of the property. Under the conditions of approval, Ely House was restored and a deed restriction, running with title, was established prohibiting destruction or demolition of the house.

**Federated Church of Livingston**

This church, located on West Mt. Pleasant Avenue, west of the Northwestern corner of the intersection of West Mt. Pleasant Avenue and North Livingston Avenue, was built in 1853. That was two years after 33 members of the Northfield Baptist Church obtained that church’s
permission to establish their own congregation, Livingston Baptist Society, in Livingston Center. There are exposed 12x12 hand hewn beams joined by wooden pegs in the attic. A Sunday School wing was added at the rear of the building in 1905. On September 10, 1978 Livingston Baptist Church and the Olivet Congregational Church combined to form the Federated Church of Livingston.

**Federated Church of Livingston Parsonage**

Block 1409  Lot 10

This house is located at the northwest corner of the intersection of West Mt. Pleasant Avenue and North Livingston Avenue, adjacent to the Federated Church. Constructed as a Northfield farmer’s home circa 1800, it was moved across town to its present location in 1870.

**Force Farmhouse**

Block 2100  Lots 47 & 48

This Gothic Revival house at 339 East Mt. Pleasant Avenue dates from 1865 and is owned by the C. Force Trust.

**Grannis-Rousch House**

Block 900  Lot 64

This house, at 135 North Livingston Avenue, corner of Congressional Parkway, stands behind a white picket fence. It was built some time in the 19th Century with a foundation of local stone and with two brick chimneys.

**Kean Mansion**

Block 2402  Lot 15

This circa 1900 Georgian-style stone mansion, at what is now 8 Windemere Court, was built with 30 rooms as the main residence on what was then the 300-acres Kean estate. The bluestone used for the construction of all but the porches came from a quarry on the estate. The porches are of brownstone. The mansion was built by Alexander Kean, and was long the home of his brother U.S. Congressman Hamilton F. Kean. Former N.J. Governor (1982-1990) and 9/11 Commission Co-Chairman Thomas H. Kean was raised in the house.

**Kent-Stevens-Spurr-Collins House**

Block 5301  Lot 13

This tree-screened house, set back from the road, is at 264 West Hobart Gap Road. The original portion of the house was built elsewhere in the Township earlier in the 19th Century in Colonial style and was moved to the present site in 1887 by Andrew Miller Kent. The northerly extension and the Tudor effects were added after the move. In the 1930s, it was the home of Joseph James Spurr II, Chairman of the governing body then known as the Livingston Township Committee. It was subsequently the home of Councilman and Mayor John Collins.

**Littell-Stiles Burying Ground**

Block 6101  Lot 47

This family plot (c. 1815) is located at 47 Kensington Lane within the Regency Club development, between Buildings 20 and 21. The Littell Family was among the first European settlers in the Passaic Valley in the 17th and 18th Centuries. This small site contains the graves of Mary
Littell Stiles (d.1815, age 30), John Littell (d.1818, age 6) and Jonathan Littell (d. 1847, age 77) and is protected by a fence and pergola erected in compliance with a condition of the Planning Board’s approval of the development.

**Livingston Baptist Church Cemetery**
Block 1409 Lot 10
Located to the rear of the Federated Church of Livingston and its parsonage, this cemetery was established in 1851 by the Livingston Baptist Society, organizers of a new congregation that ultimately became Livingston Federated Church as the result of mergers of congregations. In 1928 the cemetery was acquired by the Livingston Baptist Cemetery Association.

**Northfield Baptist Church Cemetery**
Block 4701 Lot 58
This cemetery was established some time after the land was donated to the Northfield Baptist Church by Moses Edwards around 1790. The congregation had been established in 1786. Three pastors and numerous deacons of that church are buried here. It is also the final resting place of one (1) soldier from the French and Indian War, seven (7) Revolutionary War soldiers, five (5) Civil War soldiers, and one (1) World War II soldier.

**Nettie Ochs Cider Mill**
Block 7600 Lot 7
The mill, located at 38 Old Short Hills Road, was established by the Ochs Family in 1867. Until 2005 it was the last functioning cider mill in the Township. The present manually operated press was installed in 1904. Originally known as “The Old Cider Mill”, it was renamed in memory of Nettie (Natalie) Ochs in 1951. Operations were suspended in 2005.

**Old Crane House**
Block 6002 Lot 4
Located at 7 Dellmead Dr., this east-facing clapboard building is an enlargement of three original 18th century rooms on the northerly side of the house. Members of the Crane family were among the pre-War for Independence settlers of the Livingston area. Caleb Tichenor, and his wife Aphia, purchased the property in 1810. Over time it became a building consisting of rectangular first and second floors topped by a third floor of arched gables. The original narrow vertical windows have been replaced with arched windows of the same widths in a process that began in the early 1900’s. The front of the house has a wide, covered, veranda porch that has been modernized by arch work in front of the door. There are eight fireplaces. An attached garage has been added.

**Olivet Presbyterian Chapel (Masonic Temple)**
Block 5901 Lot 1
Located at 1 Old Road, and abutting the Livingston Traffic Circle of State Route 10, is a white clapboard building with steeple. Built in 1880 as a house of worship, its most recent use was as a Masonic Temple.
Pell Collins House

This former farmhouse at 83 Falcon Road was built in 1860 to replace a homestead lost by fire. It was originally reached via a footbridge over Canoe Brook, and is near the site of the remains of a dam built around 1745 that harnessed the brook’s waters to power what was Theophelous Ward’s and later William Emmons’ sawmill.

Phoebe Beach House

This house, at 76 Beaufort Avenue, is perhaps the oldest house remaining in Livingston. It was built in 1730.

Rathbun House

This beautifully restored and well-maintained home at 103 Hillside Avenue was built in 1878.

Teed House

At 223 East Mt. Pleasant Avenue, this Greek Revival vernacular house (circa 1850) was owned by Andrew Teed, sheriff of Essex County. He was also an organizer of the Livingston Baptist Church. The Teeds were early settlers of Livingston. What we now know as Livingston Center was earlier known as “Teedtown”.

Tompkins House

Located at 354 Beaufort Avenue and built at a right angle to the road, this two-story house with extra-wide shiplap clapboards and local stone features faces south. There are dormers across most of the front and rear of the building. They are believed to have been extensions. The core of the building has beams connected by the mortise and tenon method, and the building has been expanded on more than one occasion. Its date of construction is not known, but is believed to have been in the late 1700’s. Descendants of the Tompkins family reported, in the 1930’s, that John Tomkins was born in the house in 1806. There is a shallow porch, roofed, that spreads across two-thirds of the front of the building. On the west side there is roofed porch, that is deeper and over a tall foundation of local stone, that was added after the Civil War.

Ward-Force House

Commonly known as the Old Force Homestead, this building now located at 366 South Livingston Avenue, just south of the Oval, was built no later than 1752, and possibly as early as 1745, by Theophilus Ward. It then consisted of one room and an attic. In 1777 it was purchased by Samuel Force as a home for his son Thomas. Thomas was a patriot who served in the War for Independence and was taken prisoner by the British. After the war, he and his wife Sarah raised 10 children in the house. They ultimately enlarged the house, with the largest section a two-story wing added in 1825. Thomas Force was a deacon of the Northfield Baptist Church for 40 years. Ward Force House is registered in the National Register of Historic Places. The Condit Family Cook House is at the rear.
**Ward-Wilson House**

This house is located at 77 Old Road. The original portion is believed to have been constructed about 1730, and had two rooms that are in the westerly portion of the building. Additional rooms were added over the centuries. The foundation of the original section is of local fieldstones cemented with clay. A well is in the front yard.

**Washington Place Schoolhouse**

This one-room school house is believed to have been built circa 1800 to replace an earlier school building that had been located in front of the Baldwin Family Burying Ground. The earlier building had been known as the Washington Place Academy, a private school, and then as The Cheapside School. Washington Place Schoolhouse is listed in the New Jersey State Historic Site Program.

**POSSIBLE ADDITIONAL HISTORIC SITES**

There are other sites which, because of their age and significant relevance to the Township’s past, are now recognized by this Historic Preservation Plan Element as having potential historic qualities and deserving further investigation.

- DeCamp House (1912) 73 N. Livingston Ave. Block 1304, Lot 28
- Dowd House (1856) (w/barn) 301 E. Mt. Pleasant Ave. Block 2102, Lot 24
- Farry/Lees House (circa 1850) 166 Passaic Avenue Block 6101, Lot 18
- Orchard Hill Farmhouse (1790) 244 Hillside Avenue Block 5500, Lot 30
- Farmhouse (circa 1860) 213 W. Mt. Pleasant Ave. Block 3900, Lot 16
- Residence (has well) (c. 1800's) 21 Old Road Block 5900, Lot 38
- Residence (local stone) (c. 1900) 117 E. McClellan Avenue Block 1703, Lot 7

**IMPACT OF THE MASTER PLAN ON HISTORIC SITES**

The other components and elements of this Master Plan have been drafted with preservation of historic sites in mind. No aspects of Master Plan would adversely affect the properties designated as historic sites.

**Recommendation:** The Livingston Environmental Commission, the Open Space Trust Committee, and the Livingston Historical Society should jointly recommend to the Township Council which of these historic sites should be nominated for addition to State or National registers.

**Recommendation:** The Township Council should consider offering incentives to owners to list their properties on such registers.

**Recommendation:** The Livingston Historical Society should identify
and recommend additional sites, not limited to those listed under “Possible Additional Historic Sites” for designation in the Master Plan as historic sites.

**Recommendation:** Owners of properties identified in this Master Plan as historic sites should be encouraged to post identifying signs, meeting standards set by the Township, at their properties.

**Recommendation:** The Township should consider incentives, by way of tax relief or otherwise, as inducements to owners of Livingston historic sites to agree to preserve such properties by way of easements or dedications recorded in deeds.

**Recommendation:** The Township should use its Open Space Trust Fund for acquisition and preservation of the most significant or oldest historic sites.

**Recommendation:** The Township should consider amending the Land Use Ordinance to establish provisions that might encourage maintenance, and discourage demolition, of historic buildings.

**Recommendation:** The Livingston Historical Society should initiate efforts to restore and preserve the Baldwin Family Burying Ground.

**Recommendation:** The Township should enter into agreements with the congregations of the Federated Church of Livingston and the Northfield Baptist Church ensuring the preservation of their historic properties, including their cemeteries, should a congregation relocate, dissolve, or merge with a congregation at another site.

**Recommendation:** The Township should encourage or establish educational activities and community events to communicate the importance of the historic sites.

**ACQUIRING RIGHTS TO LAND OR HISTORIC SITES FOR PURPOSES OF PRESERVATION.**

Numerous tools and funding sources are available to acquire title or to otherwise achieve preservation of historic sites. The following descriptions are not exhaustive of the possibilities.

**Acquisition of Title**

Purchase is the most direct and simple, but most expensive, way of acquiring title. But, sufficient
funds to make the purchase may not be available to the Township at the time. The cost may be
 eased by grants when available, or by entering into partnerships with conservation organizations.

A number of alternative direct acquisition methods should be considered:

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

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

Opportunities to induce outright gifts of real property to the Township should be
explored. Such gifts provide a charitable gift income tax deduction for the donor and can
result in the savings, to the donor, of real estate taxes after title to the land is transferred.

In instances of foreclosure upon property for failure to pay Township real estate taxes,
the Township could elect to keep title. Periodic review of existing tax liens of all types on
properties within the Township could identify opportunities for purchase of a lien and
acquisition of the property historic preservation or for trade for acquisition of historic
property.

Easements.

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

Funding Sources.

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

Township’s Open Space Trust Fund.

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

Potential Funding Partners.

New Jersey Historic Trust (NJHT) provides matching grants for repair, preservation or care of
properties listed, or eligible for listing, in the State or National Register of Historic Places.
Funding of individual grants is recommended by the NJHT Board and is provided after approval
of the grants by the Garden State Preservation Trust and the State Legislature.
Essex County Open Space Trust provides funding for projects consistent with the County open space and recreation plan.

Nonprofit Land Conservation Organizations are eligible for Green Acres grants of up to $500,000 and can partner with the Township on a dollar for dollar match. To do so, the organization “signs on” to the Open Space and Recreation Plan. Morris Land Conservancy, a conservation organization, has partnered with the Township in Open Space and Recreation planning. The Passaic River Coalition is a non-profit Land Conservation Organization that has established a Land Trust to acquire and preserve open space. The Passaic River Coalition Land Trust provides a mechanism to implement land and water resource management by permanently protecting and preserving land. The Passaic River Coalition Land Trust works with citizens, governments, and businesses to develop solutions to protect the environment within the watershed through land preservation. The Land Trust not only preserves land; it also provide guidance to local government in the efforts to identify and plan for protection of vital natural resources and develop a methodology to acquire and manage open space.