



Brook Avenue Redevelopment Plan

Borough of Union Beach
Monmouth County, New Jersey

Adopted: August 20, 2015

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Brook Avenue Redevelopment Plan

August 2015

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Borough of Union Beach
Monmouth County, New Jersey

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*The original of this document was signed
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Executive Summary

The purpose of the Brook Avenue Redevelopment Plan is to return an area that had been devastated by Hurricane Sandy to viable use. Illustrated in Figure 1, Sandy dramatically altered the character of the neighborhood, transforming a compact residential community on the Raritan Bay to an empty landscape. While some properties have been rebuilt, many are still characterized by empty driveways and staircases leading to nowhere. The area north of Brook Avenue has remained uninhabited.

Following the storm, the Borough declared the entire municipality an area in need of rehabilitation in 2013, permitting the creation of redevelopment plans for several selected sites, including the area north of Brook Avenue. The Plan proposes the development of a new residential community that is resilient to future extreme weather events by utilizing of sustainable design and serving as a testament to the recovery of Union Beach.

Through the input from the Union Beach Post Sandy Recovery Committee, this redevelopment plan serves as a localized “Master Plan” for the future development of the site and provides specific recommendations and guidelines to meet the goals and objectives of a resilient recovery. The plan outlines the development of a residential community, phased around the construction of a flood-protection berm that has been proposed by the US Army Corps of Engineers. Presently, environmental constraints and the existing flood zone effectively render a portion of the site unbuildable. In acknowledgement of the uncertainty of the timeline of the Army Corps flood-control project, this Redevelopment Plan is staged to permit development with the corresponding buildable area.

Introduction



Figure 2: The image of this Front Street house in Union Beach is one of the more iconic reminders of the devastation wrought by Hurricane Sandy.

When Hurricane Sandy struck the coast of New Jersey on October 29, 2012, the impact of the hurricane’s destructive winds, flooding and storm surge devastated Union Beach. Floodwaters, ranging from 2 to 10 feet in depth, covered nearly 90 percent of the Borough. The storm destroyed 60 properties, and substantially damaged another 629. Downed trees and power lines left residents without power for over two weeks. Over 24,000 tons of storm debris covered the area.

Union Beach’s waterfront experienced some of the most extreme damage, caused by a combination of flooding, wave action, and wind. Some of the most extreme damage in Union Beach was found near the waterfront, including the area around Brook Avenue. On July 18, 2013, Union Beach approved resolution 2013-106, declaring the entire Borough as an “Area In Need of Rehabilitation.” This designation, made on the basis

of the average age of the area’s housing stock, gave Union Beach the authority to utilize all aspects of redevelopment, with the exception of eminent domain land acquisition and long-term property tax abatements.

Development of the Brook Avenue Redevelopment Plan was guided by input from the Union Beach Post Sandy Recovery Committee, which included Mayor Paul Smith, Councilman Lou Andreuzzi, Borough Administrator Bob Howard, Borough Engineer representative Dennis Dayback, as well as Planning Board Chairman Chuck Steiner and Planning Board Secretary Madeline Russo.

The central focus of this Redevelopment Plan promotes land use and development that will help Union Beach become more resilient in order to withstand future storm events in order to meet the needs of residents, visitors, businesses and investors today and well into the future. These recommendations are echoed by the recently completed 2014 Strategic Recovery Planning Report, 2015 Master Plan, and complement similar redevelopment projects for the municipal Department of Public Works property and the Route 36 Commercial Corridor.



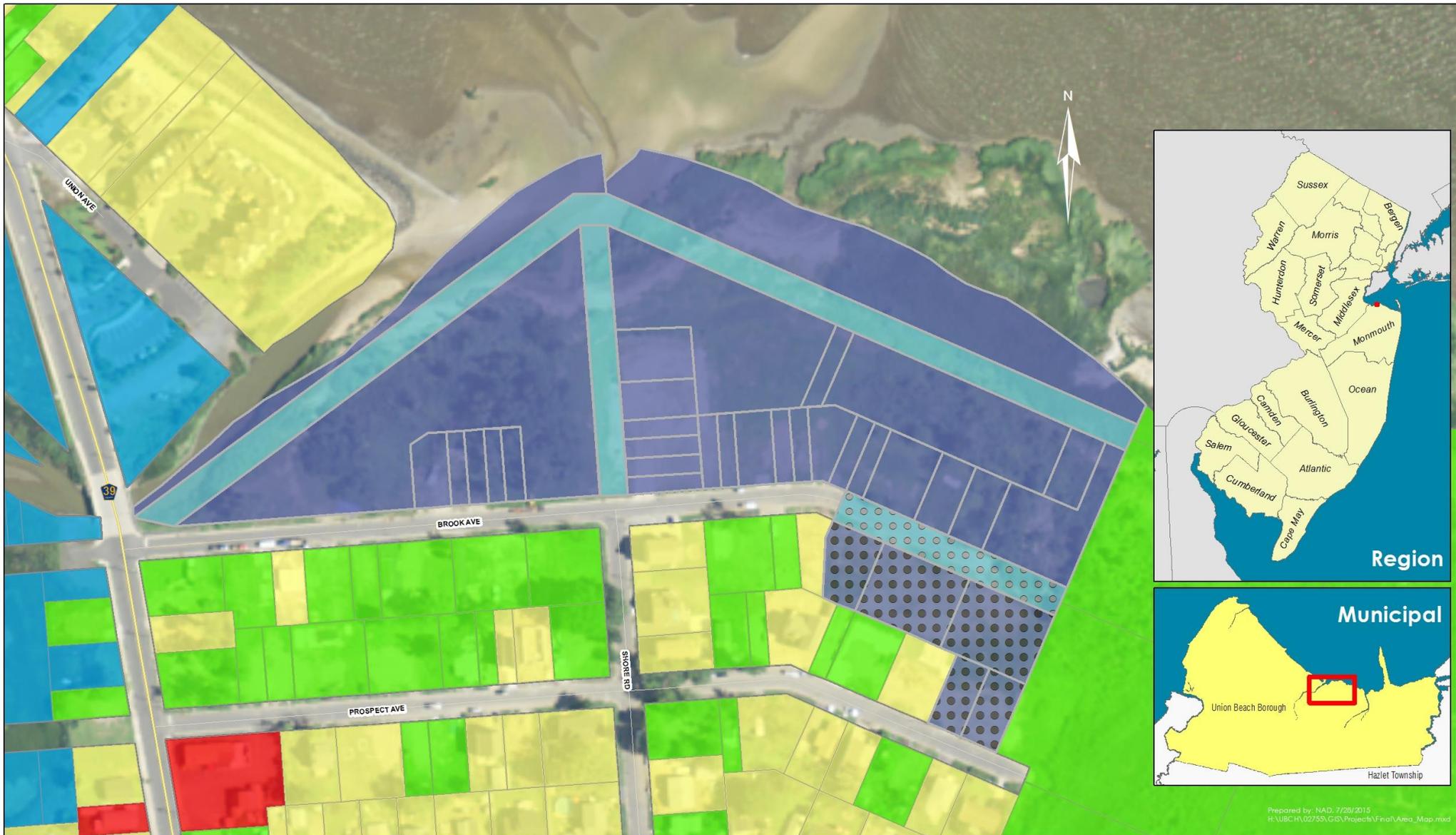
Figure 3: The extent of Sandy’s storm surge in the Union Beach Area. Source: Rutgers University, NJ Flood Mapper.

Area Description

Union Beach, a borough of Monmouth County, is a coastal community located on the Raritan Bay shore (See reference map on the following page). The area proposed for redevelopment includes 30 parcels of varying size and 2 vacated street right of ways on the north side of Brook Avenue. The area measures just under 10 acres in size, and is bounded by the Flat Creek to the west, Raritan Bay to the north, wetlands to the east, and Brook Avenue to the south. The area is presently zoned part of the Borough’s Townhouse Zone (TH-2). A vacated section of Shore Road that extends through the middle of the site in addition to a paper street “Front Street” is also included as part of this area. An additional five parcels south of Brook Avenue, including a section of Brook Avenue that could be vacated, just over 1 acre in size, are included in this project under an optional redevelopment plan overlay.

Like most of the Borough, the site is located within the FEMA Flood Area, and is split between the Coastal VE (Wave Action) to the north, and with the remaining site area located within the AE (1% Annual Chance) Zones. A flood-protection project proposed by the US Army Corps of Engineers would construct a berm along the northerly bay side of the site which would allow the Borough to request a map amendment to remove it from the VE Flood Zone and permit a greater development yield.

	Block	Lot	Acreage
Redevelopment Plan Area	220	1	0.06
	220	2	0.05
	220	3	0.06
	220	4	0.05
	220	5	0.11
	220	6	2.06
	221	1	1.44
	221	1.01	0.49
	222	1	0.05
	222	2	0.06
	222	3	0.06
	222	4	0.06
	222	5	0.12
	222	5.01	0.16
	222	6	0.92
	222	7	0.07
	222	8	0.74
	222	10	0.35
	222	10.01	0.12
	222	11	0.11
222	12	0.17	
222	13	0.06	
222	13.01	0.06	
222	14	0.11	
222	15	0.06	
222	16	0.06	
222	17	0.11	
222	18	0.05	
222	19	0.06	
222	20	0.11	
		Vacated Street	0.31
		Vacated Street	1.38
		TOTAL	9.69
Overlay District	Block	Lot	Acreage
	223	5	0.15
	223	6	0.29
	223	7	0.29
	223	9	0.12
	223	10	0.11
		Vacated Street	0.31
		TOTAL	1.27



Brook Avenue Redevelopment Area

Borough of Union Beach
Monmouth County, New Jersey

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

- | | |
|--|--------------------------|
| Redevelopment Plan Areas | Existing Commercial |
| Overlay District | Existing Public Property |
| Redevelopment Plan Area | Existing Vacant |
| Street Vacation, Redevelopment Plan Area | County Route |
| Potential Street Vacation Overlay | Local Road |
| Existing Land Use | |
| Existing Residential | |



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Planning Focus

This redevelopment will focus on the improvement of a vacant area, and how it ties into the neighboring streetscape and surrounding community. The proposed site will include a mix of townhomes and multifamily dwelling units. As part of the development, improvements along Brook Avenue will improve the character of the area, and an integrated walking path that follows the proposed berm, will integrate a valuable recreational asset into the broader Union Beach community. The success of this project will be measured on how it addresses the challenges of building on a site that is prone to extreme weather, but also how it is able to capitalize on the site's strengths.



Figure 4: A Brook Avenue residence following Sandy in November 2012.

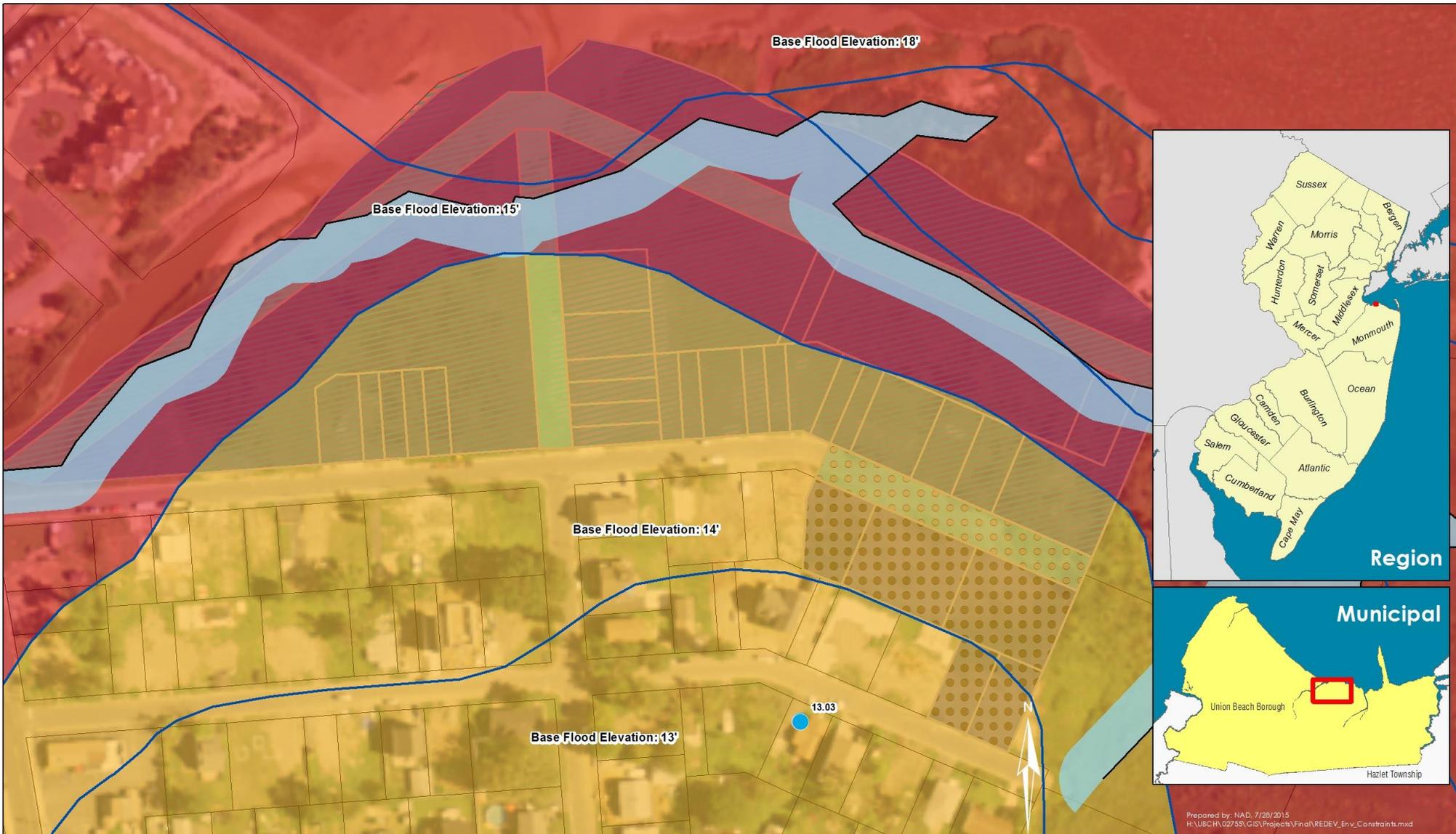
Challenges

The devastation caused by Hurricane Sandy to Union Beach and the Brook Avenue community exposed the vulnerability of coastal communities to extreme weather. The climate-related challenges to redevelopment exist only as they apply to the standards in place for the area, pre-Sandy. With a local understanding of the potential extent that damage from flooding and storms can cause, it is critical that future development incorporates principles of resilient design. After Hurricane Sandy, many New Jersey residents encountered flooding in areas that had once been considered “safe.” A neighboring townhome development along Front Street fared better than neighboring developments, as the residential units were built on top of garages and the entire site was elevated on added fill. In this case, damage was limited to wave damage. Therefore, it is necessary to reexamine how to approach development of the natural and built environments in a way that incorporates strategies that protect the long-term safety, security and prosperity for the Borough and its residents.

Flood Zone

As part of the Comprehensive Plan for shore protection and flood control for the Borough of Union Beach, the US Army Corps of Engineers has proposed a protective berm for the waterfront along the Brook Avenue Redevelopment Plan area. Presently, the northerly portion of the site is located in the coastal “VE” flood zone which prohibits multifamily development and effectively prohibits single family residential development. However redevelopment can begin to proceed on the portion located in the AE Flood Zone.¹ Completion of the berm will remove the site from the VE Zone, which will permit development of additional housing units. The flood protection project has received congressional approval and has been approved by the State of New Jersey Department of Environmental Protection. Redevelopment will occur in stages in order to correspond with the progress of the berm project.

¹ This will be discussed further on page 9, regarding proposed development staging.



Brook Avenue Natural Constraints

Borough of Union Beach
Monmouth County, New Jersey

NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.



- Wetland Boundary
- 50' Wetland Buffer
- Base Flood Elevations
- Existing Flood Zone
 - AE
 - VE
- Sandy Storm Surge Elevation Data
- Redevelopment Plan Areas
 - Overlay District
 - Redevelopment Plan Area
- Street Vacation Redevelopment Plan Area
- Potential Street Vacation Overlay



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Stormwater

Another challenge for site development will include the on-site management of stormwater. Union Beach's existing design and improvement standards for clearing and grading require lots to be graded in a way that drains water from each lot into the street (13-8.7(h)). Given that a single 800 square foot roof can generate 500 gallons of stormwater from an inch of rain (20,950 gallons annually), and that this redevelopment plan proposal would utilize approximately half the site for driveways, parking, and residential units, residents and the surrounding community would benefit from the efficient management and reuse of rainwater. The addition of sidewalks and sod lawns would increase the total quantity of stormwater that would be sent into Brook Avenue.

Stormwater management for this site could opt to follow the existing municipal guidelines by grading the site to drain water into the streets. However, untreated stormwater from this large development may increase the amount of suspended solids and other pollutants that enters Raritan Bay and Flat Creek. To reduce the risk of overwhelming the existing municipal stormwater collection systems with an increase in impervious coverage, especially on days when high tides contribute to the problem, future development should incorporate green infrastructure when possible. Due to the site location, and the proximity of the water table to the surface, certain forms of low-impact development, like rain gardens, may not be as effective as they might be elsewhere. That said, vegetated roofs and collection cisterns could help to reduce stormwater, while creating a community amenity and reducing the amount of potable water used for landscape irrigation.

Benefit to the Greater Community

Hurricane Sandy's impact to Union Beach extended well beyond the Brook Avenue redevelopment project. Therefore it is important that this project serves as a testament to the resiliency of Union Beach in the face of extreme weather. Redevelopment should be physically integrated into the existing community fabric, rather than establish a new and insulated waterfront enclave community. This will be accomplished through development of the walkway along the proposed berm, providing a valuable amenity to the Union Beach community. In addition, special consideration would need to be given

to the design of the residential units, so as to avoid overtaking the neighboring residences, but also maximize views of the waterfront from public right-of-ways.

Opportunities and Strengths



Figure 5: The Brook Avenue redevelopment plan area in January 2015.

Extreme weather on the scale of Hurricane Sandy has established a "new normal" in the approach towards coastal development. The design of the built environment, including private structures and public infrastructure must be able to withstand coastal storms, flooding and other weather events. Despite the challenges presented by this site, and inherent in coastal developments as a whole, redevelopment of the Brook Avenue site presents an opportunity to demonstrate to the rest of the region how to effectively, safely, and successfully rebuild in similar locations.

Resiliency

The Brook Avenue redevelopment site was highlighted as part of the proposal led by the international design company, Sasaki, for the Rebuild By Design resiliency design competition that was launched by the US Department of Housing and Urban Development (HUD) following Hurricane Sandy. The program selected 10 design teams from 148 international applicants to develop proposals, where the winning proposals would receive funding for implementation. The Sasaki proposal, “Resilience + The Beach” focused on how to best protect the Jersey Shore from Raritan Bay to Barnegat Bay, including proposed pilot projects for the three identified unique typologies of the Jersey Shore: Inland Bay (Raritan Bay area), Headlands (Monmouth County’s oceanfront coastal areas) and the Barrier Island (Sandy Hook, and the Ocean/Atlantic County coastal areas). The Inland Bay pilot project centered around the creation of a Coastal Park through the ecological restoration of Union Beach’s Natco Lake. Through a combination of dredging and the expansion of wetland areas using native species, the project would reduce the impacts of flooding in the surrounding communities. The Brook Avenue site was identified as a part of this proposal, with the development of a “Superlevee,” which would serve to protect the existing neighborhood, while providing new residential opportunities.

Ultimately, the Sasaki Proposal was not selected for implementation funding, but the research and concepts developed by the design team, in addition to the extensive community input, will help provide guidance for future projects, such as the Brook Avenue site. As it stands, the Army Corps of Engineers’ berm proposal will permit the redevelopment and revitalization of Brook Avenue.

Redevelopment

The benefit of rebuilding on this site is its access to existing road, water, and wastewater infrastructure, which reduces the need for costly extensions into undeveloped areas and undesirable “sprawl” growth patterns. Development of the Brook Avenue site would create new residential housing that is conveniently located near multiple modes of transit. Access to New York City and the surrounding metropolitan area is possible through its close proximity to three New Jersey Transit commuter rail stations on the North Jersey Coast Line (Hazlet: 9-15 minutes, Aberdeen: 11 minutes, and Middletown: 15 minutes); 3 minutes from a commuter bus lot, 15 minutes from the ferry terminal in Belford and also the Garden State Parkway.

Location

The orientation of the site on the Raritan Bay affords future development with unobstructed views of New York City, but waterfront access also provides recreational opportunities, as the site is located adjacent to a public boat launch on the Flat Creek, and close to the municipal beach. In addition, the site is located less than a half mile from the Henry Hudson Trail, a 24-mile rail trail that extends from Freehold to Atlantic Highlands.



Figure 6: Neighboring multifamily development in Union Beach, west of Flat Creek

Statutory Requirements

This Redevelopment Plan is written pursuant to Section 7 of the LRHL (N.J.S.A. 40A:12A-7), which provides that “no redevelopment project shall be undertaken or carried out except in accordance with a Redevelopment Plan adopted by ordinance of the municipal governing body.” Pursuant to the requirements of the LRHL, the Redevelopment Plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the Redevelopment Area sufficient to indicate:

- Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities, and other public improvements.
- Proposed land uses and building requirements in the Redevelopment Area.
- Adequate provision for the temporary and permanent relocation, as necessary, of residents in the Redevelopment Area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
- An identification of any property within the Redevelopment Area which is proposed to be acquired in accordance with the Redevelopment Plan.
- Any significant relationship of the Redevelopment Plan to: (a) the Master Plans of contiguous municipalities; (b) the Master Plan of the county in which the municipality is located; and (c) the State Development and Redevelopment Plan (SDRP) adopted in pursuant to the “State Planning Act,” P.L. 1985, c. 398 (C.52:18A-196 et al.).

The Redevelopment Plan has been prepared to meet these requirements as described in the following sections of the plan.

Redevelopment Plan Overview

The purpose of the redevelopment area plan is to encourage the development of a livable neighborhood that contains a mix of townhouse and multifamily residential dwelling units. The intent is to provide for moderate density housing that meets strict design standards and promotes a desirable visual environment based upon a complementary architectural theme. Design requirements and standards are intended to create a compact and pedestrian friendly form of development while ensuring a high quality of development and the preservation of open spaces for residents and the surrounding community.



Figure 7: The "Jersey Shore" architecture style includes elements incorporated into to these office buildings in Toms River.

It is intended that the development employ design elements that complement historic and contemporary waterfront developments along the New Jersey Shore. The site will include townhouse and multifamily dwelling units, community facilities and common property, as well as passive recreation that connect the development to the broader

community. It is also important to note that the proposed concept can be adjusted to meet the changes made to the Army Corps of Engineers flood reduction project.

Plan Goals and Objectives

The Redevelopment Plan seeks to achieve the following objectives:

- Transition the use of a vacant tract of land previously dedicated to low-density residential uses and devastated by Hurricane Sandy into moderate-density multifamily flats and townhomes that catalyze revitalization of neighboring properties and the adjacent Union Avenue corridor;
- Redevelop the site in a manner that respects and preserves on-site environmentally sensitive features including wetlands;
- Improve the aesthetic image of the Borough;
- Redevelop in a manner consistent with the goals and objectives of the Union Beach Master Plan;
- Utilize green infrastructure and other low-impact development techniques to reduce stormwater impacts on the surrounding community, reduce demands on the public water system and offer protection from future storm events;
- Serve as a regional model for effective resilient redevelopment.

Project Staging

The proposed development schedule is based in part upon the progress of the Army Corps of Engineers shoreline protection and flood control project. Development of the proposed multifamily units in the existing AE flood zone will be able to proceed upon adoption of this plan by the Borough and an agreement is finalized with a selected redeveloper, however development in the existing VE flood zone cannot proceed until the completion of the flood control project and flood map amendment.

Phase 1: Multifamily Development

It is expected that development of the proposed multifamily housing units will take place first, as they are located outside of the existing AE Flood Zone. Utility connections and stormwater systems should be installed at this time with the capacity to accommodate maximum buildout to avoid subsequent service reinstallation.

Community amenities, with the exception of the bayside trail may be installed during this time.



Figure 8: Multifamily development should incorporate variation in designs that limit blank walls, and create unique spaces for residents, similar to these apartments in Washington State (Source: Village Green Apartments).

Phase 2: Townhome Development

Development of the shorefront townhomes may proceed upon completion of the proposed Army Corps of Engineers flood-reduction project. Improvements related to these units, including driveways, sidewalks and parking for these dwelling units may be developed at this time. Since utility service connections and stormwater management systems will have previously been constructed to buildout specifications, extension of service should require minimal disturbance or upgrades to the existing community.

The Borough and the redeveloper should maintain communication with the Army Corps to ensure that the proposed landscape design supports the goals of this redevelopment plan to include a community trail as well as landscaping that complements and supports this type of passive recreation.

Expansion Overlay Area

In order for future development to meet the goals and objectives of this Plan, the standards recommended in this document will supersede the underlying use, bulk, and design standards of the Borough's Land Use and Development Regulations as they relate to the area governed by this Redevelopment Plan unless noted otherwise. Upon adoption of this Plan, the zoning district will be amended for the Redevelopment Plan area by the terms of this Redevelopment Plan in accordance with the LRHL. This zoning change will be limited to the redevelopment plan area, however, five parcels south of Brook Avenue and highlighted on pages 2-3 will be included as part of a zoning overlay. Any future development of the parcels included in this overlay will be permitted to utilize either the underlying zone requirements, or opt to utilize the standards set forth in this Plan.

Residential Design Overview

The purpose of the architectural design standards is to establish a set of principles and requirements to provide for the redevelopment of the site in a manner that is aesthetically pleasing and provides visual interest. The guidelines work to provide standards that allow for flexibility and creativity while encouraging high-quality development.

Residential development will be composed of a mix of townhomes and multifamily "flats," that include 1, 2 and 3 bedroom units that are raised above the base flood elevation. In order to ensure that the project is integrated into, and welcomed by the community, a scaled design plan that does not overtake the Brook Avenue streetscape or overwhelm neighboring residences will be critical. The design of these buildings may incorporate design elements characteristic of New Jersey Shore communities.

Success of the project and its longevity will stem from how the residential units are able to withstand the challenges of a coastal marine environment. Shutters and other

components that can protect windows and dwelling units during storm events should be incorporated and integrated aesthetically into the design proposal to avoid subsequent costs and repairs. Selection of siding and building materials should utilize materials that are resistant to rot and decay. The use of flood vents and breakaway walls may be incorporated into the basement-level portion of the development, however, solid walls should be limited to avoid unauthorized conversions to habitable living areas.

Elevation of dwelling units, utilities and appliances above the flood level will require additional consideration towards design. Water and utility feeder connections should be appropriately insulated to prevent freezing. Likewise, entrances to dwelling units that utilize a staircase should be enclosed from snow and ice to ensure safe and clear ingress/egress.

The development will be oriented in order to maximize waterfront views for residential units, but also from public rights of way. Variation in rooflines is encouraged. Consideration should be given to the use of green roofs, in order to reduce the quantity of stormwater that empties into the streets and parking areas during rain events. This will also help to improve the water quality that enters the Flat Creek and Raritan Bay. The added thermal benefit of a green roof is its ability to reduce the amount of cooling required during summer months. Alternatively, a developer may consider the use of a blue roof that also reduces cooling costs, and retain water from flooding streets, but can also be channeled into cisterns and used for irrigation. Regardless of the roof type used, it is encouraged that the excess stormwater generated by rooftops will be collected into rain barrels or cisterns for irrigation.

The use of energy-efficient lighting and appliances, including but not limited to, stoves, refrigerators, washer/dryer units, air conditioning and heating systems should be utilized to the greatest extent possible. This will not only be a value-add for residents who will benefit from reduced energy costs, but will also ensure that more appliances are available for use during times when emergency generators are needed.

Each dwelling unit shall have access to at least one individual private yard area, porch, deck, open patio or court. In addition, each unit will have a specified area for storage with separate access and space for parking. While the eventual Army Corps of



Figure 9: Vegetated roof constructed in 2007 for the Diamond Beach Condos in Long Branch. (Source: Greenroofs.com)

Engineers berm project may reduce exposure of the site to major flooding, garages and other “ground level” enclosures should be designed to the standards from the National Flood Insurance Program (NFIP) for storm surge and flooding, including, but not limited to breakaway walls, flood vents, and elevated electrical appliances.



Figure 10: Design elements can be included in raised residential units that leave the lower level open for floodwaters to pass, while creating space for parking.

Community Amenities Overview

The Brook Avenue redevelopment site will be managed through a nonprofit homeowners' association. This association will be incorporated in accordance with the requirements of the Department of Community Affairs, and shall own all areas put into common ownership for common use by all residents. The homeowners association will have the option of whether to add accessory buildings for maintenance purposes in a subsequent development phase, or contract with outside landscaping and maintenance professionals.



Figure 11: Playground

The project site's unique proximity to the waterfront, the nearby beach and boardwalk, alleviates some of the need to provide community-specific recreational facilities. That said, the development shall incorporate elements of passive recreation. This can include benches that are strategically placed in areas to offer a place of rest for those using the paths and sidewalks and also offer views of the waterfront. Walkways shall be designed in accordance with the principles of universal access. All walkways shall provide pedestrian linkages between public sidewalks, parking areas and the building entrances. Other recreational amenities may include playgrounds (both a tot lot and

recreational equipment geared toward older adults), and a space for community gardening.

Off-tract improvements to sidewalks and crosswalks will allow residents to access the neighboring boat launch and beach area. The sidewalk and crosswalk improvements will provide the broader community with access to the waterfront, and along the scenic Bayfront walkway, located on the proposed berm.

Refuse and garbage collection stations shall be established in centralized indoor sections of the multi-family dwellings for efficient pickup by collection personnel and vehicles. This will minimize unauthorized dumping, limit access from pests, and protect against weather-strewn litter. The number and size of the designated refuse and recycling areas will be consistent with the number of dwelling units and anticipated demand. Signs clearly identifying the refuse and recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.

Driveway and Parking Overview

Parking shall be primarily located underneath dwelling units. This is possible because the elevation of housing units for floodplain management is enough to provide adequate space for parking and storage. The provision of covered parking will be of value to residents as this will reduce the need to clear snow during winter months, regulate internal temperatures during warm months, and improve ambient air quality from the reduction in vehicle idling. All efforts shall be made to reduce the amount of impervious surface generated from off-street parking and internal roadways, while maintaining the integrity of the road surface. Developers should consider the use of crushed aggregate or tiled pavers where it is appropriate.



Figure 12: Pervious Pavers and Rain Barrel recently installed in Union Beach.

All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with the Borough of Union Beach road specifications; provided, however, that, upon recommendation of the borough engineer, the requirement of curbing may be waived or modified when found not to be needed for control of stormwater, protection of pavement and similar purposes.

At a maximum build out of 120 units, the Borough has determined that the site will need to provide a maximum of 250 parking spaces. Installation of parking areas shall be phased with development. If the developer can demonstrate that demand for parking spaces is less than expected, the developer may request that the Planning Board waive the total number of spaces, and permit an area to be set aside as a “parking bank” that can be constructed when needed. Alternatively, the excess parking area may be constructed using pervious paving stones.

Where large stretches of impervious cover is required, rain gardens and landscaped drainage swales that can filter out suspended solids before entering the Flat Creek shall be incorporated in areas that can support stormwater infiltration. Curbs should be designed to direct stormwater off to collection basins, rain gardens, or as required by the Borough.

Where parking is not located underneath the dwelling unit, parking and pathways shall be located within close proximity to the dwelling unit entrance to minimize travel and unauthorized parking in travelways.

Landscaping and Site Design Overview

The guiding intent for the landscaping and site design should complement the character of the residential dwelling units and provide a smooth visual transition between the redevelopment plan area and the surrounding community.



Figure 14: Union Beach's existing waterfront walkway

Plant selection shall be limited to drought and salt-tolerant species. Native plants whose root systems are well-equipped to stabilize soils from stormwater and flood events shall be incorporated throughout the site. The landscaping plan shall include a mix of trees, decorative flowering trees, evergreen trees, shrubs and hedges, ground

cover, perennials and annuals. The distribution and location of plants should promote privacy of lower-level dwelling units, provide shade near walkways and the sidewalk along Brook Avenue, and create an aesthetically pleasing experience. Plant-based screening may be incorporated where appropriate, but should not act to isolate the development from the surrounding community. Plants that require daily irrigation and regular soil amendment shall not be permitted, in order to protect the quality of surrounding waterways and limit the unnecessary use of potable water for nonpotable uses. Irrigation shall draw from rain barrels and collection cisterns that recycle stormwater generated from rooftops.



Figure 13: Shore-tolerant plantings

Walkways and driveways shall incorporate lighting that is sufficient for safe travel along streets, sidewalks and parking areas. Such lighting shall be provided at a frequency and height to provide desired light levels. The use of LED and other low-energy lighting should be used when at all possible, in order to reduce maintenance, energy use, which has the additional benefit of drawing less power when emergency generators are in use. Floor-level recessed lighting will be used along walkways and outdoor stairways to minimize light pollution and maximize privacy. Freestanding lights along driveways and parking areas shall not exceed 12 feet in height.

The design and placement of signs will be governed by their use, and should complement the character of the built environment. Signs shall be permitted for internal

navigation and wayfinding. Ground-mounted monument-type signs that identify the units in each section of the development shall be permitted. The development will be permitted a single identification sign along Brook Avenue.

Storm Resiliency Overview

Existing municipal ordinance permits the establishment of conservation easements along drainage and stormwater rights of way, and also along ponds, marshes, swamps, streams or other watercourse along which drainage rights of way are not required (13-8.12 b1). For the Brook Avenue site, conservation easements should be designated as part of the redevelopment plan for all areas not designated for development. The easement should be reviewed and amended at a minimum of every 10 years by the Borough, Borough Engineer and the Homeowners Association to reflect geomorphological and hydrologic changes to the site, including erosion and deposition that extend beyond annual patterns. The easement shall be extended to areas subject to repetitive loss by the NFIP.

The entire development shall have access to a standby/backup generator that will provide limited power during service outages. The generator will be powered by a connection to an existing natural gas service line, or through the installation of an LPG tank.



Land Uses and Building Plan

The purpose of the redevelopment plan is to encourage the development of a livable residential neighborhood that contains a mix of owner-occupied housing types, transforming a tract of vacant land that had been previously devastated by Hurricane Sandy. It is the intent of this redevelopment plan for this development to serve as a regional model for practical, yet effective resilient redevelopment that utilizes green infrastructure and other low-impact development techniques and improves the aesthetic image of the Borough.

Site Requirements

Upon completion, site development will include the creation of a residential community that includes a mix of owner-occupied multifamily dwelling units and townhomes. The site will include amenities that exclusively serve residents, as well as amenities that incorporate the development into the broader Union Beach community.

1. The Redevelopment Plan area and any project thereon shall be served by both public water and public sewerage facilities.
2. The site shall be developed as a single tract, with the exception of the phased development outlined on page 9. Phases may be divided into sub-phases, provided that they accommodate the rest of the plan.
3. Any development in the Redevelopment Plan area shall require preliminary and final major site plan approval in accordance with the procedures and requirements specified in Section 13-6 of the Borough of Union Beach "Land Use and Development Regulations."

Permitted Principal Uses on the Land and in Buildings

4. Multifamily dwelling units
5. Townhouse dwelling units, upon completion of the Army Corps of Engineers flood control project

Conditional Uses

6. None

Permitted Accessory Uses

7. Signs subject to the provisions herein
8. Boardwalks.
9. Tennis courts, exercise rooms and recreation facilities for use of residents and guests.
10. Uses accessory or incidental to the principal use.

Bulk and Area Requirements

The area, yard, and structure requirements should serve to complement the character of the adjacent single family residential units presently being rebuilt south of Brook Avenue. The overarching bulk requirements are as follows:

Table 1: Lot and Bulk Requirements

Setback from Brook Avenue	20
Rear Lot Line	30
Side Lot Line	10
Maximum Number of Dwelling Units	120 DU
Parking Spaces Maximum	250
Density	15 DU/Acre
Maximum impervious coverage	As permitted by CAFRA Regulations
Building Height	3 Stories, or 35' Above BFE
Bedroom (% Distribution) and Sizing	One Bedroom Units (35% Max): 860 square feet
	Two Bedroom Units (75% Max): 1,000 square feet
	Three Bedroom Units (10% Max): 1,150 square feet

Residential Design Standards

The purpose of the architectural design standards is to establish a set of principles and requirements to provide for the redevelopment of the Redevelopment Plan Area in a manner that is aesthetically pleasing and provides visual interest. These guidelines provide standards that permit flexibility and creativity while encouraging high-quality development.

1. Each building shall have an architectural scheme with appropriate variations in design to provide complementary attractiveness to the development. Such

scheme and variations shall be compatible within the development and in relationship to adjacent land uses.

2. Such variations in design shall result from:
 - a) The use of landscaping and the orientation of buildings to the natural features of the site and to other buildings;
 - b) The orientation to the sun so that solar energy may be utilized;
 - c) The use of different exterior materials;
 - d) Variations in roof lines and roof designs;
 - e) Variations in architectural elements including window types, shutters, doors, porches, and exterior colors and materials.
3. Building layout and spacing should be designed to maximize waterfront views from public rights-of-way.
4. No unit larger than a three bedroom unit shall be permitted.
5. All residential units shall have connections for washing machines and driers.
6. Each building shall have adequate access for firefighting purposes. Sufficient numbers of water hydrants shall be appropriately located, and no parking shall be permitted in any required "fire zones."
7. Buildings with exterior walls greater than 50 feet in horizontal length shall be constructed using a combination of architectural features and a variety of building materials and landscaping near the walls. Walls which can be viewed from public streets shall be designed using a variety of architectural features and landscaping, which may include decorative gardens.
8. Garages and other areas located below the elevated residential floor will be designed in accordance with NFIP Guidelines for storm surge and flooding, including but not limited to: latticework, insect screening, breakaway walls and flood protection barriers where appropriate. Solid, basement-level walls are not permitted. Enclosures using breakaway walls should be limited to minimize flood insurance costs and discourage conversions to habitable areas.
9. Buildings shall, to the greatest extent practicable, incorporate storm protection measures required by the New Jersey Department of Community Affairs (DCA), such as window coverings, into the proposed design.
10. Building construction shall employ durable materials that tolerate coastal marine conditions.

Multifamily Design Standards

11. In addition to the above requirements, a storage space with separate access and containing a minimum of 80 square feet of floor area shall be provided for each dwelling unit in the basement of the building in which the unit is located or in the garage serving the unit.
12. Dwelling units located on the ground floor shall be provided with a private rear yard consisting of a minimum area of 200 square feet. Such private rear yard shall be enclosed by means of vegetative screening from all other neighboring dwelling units and private rear yards, walkways, common recreational facilities, parking lots, driveways and streets. A minimum of one low-wattage incandescent light fixture shall be provided to light such area.
13. Each dwelling unit located above the ground floor level shall be provided with a private outdoor patio or balcony area consisting of a minimum of 64 square feet. The minimum length of any individual dimension of such area shall not be less than six feet. This area shall be located or recessed inside the outer wall plane of the building on which it is located. A minimum of one low wattage incandescent light fixture shall be provided to light such area.
14. The front elevation of any multifamily residential building shall have a minimum of four offsets of no less than four (4) feet each for every 100 feet along the front façade

Townhouse Design Standards

15. Walls visible from a public street, adjacent off-street parking areas or other residential uses shall include windows and architectural features similar to the front facade of the building, including, but not limited to awnings, cornice work, edge detailing or other decorative finish materials.
16. Employ features such as stoops, gateways, porches, and weather protection to enhance the residential quality of unit and building entries, the visibility of such entries, a comfortable architectural rhythm along the street, and a human scale.
17. Each townhouse shall have at least one individual private yard area, open patio or court adjoining the unit and having a width of at least ten feet and an area of at least 100 square feet. Each private yard area, patio, court or deck shall be screened in order to provide a reasonable degree of privacy.

Community Amenities

1. A nonprofit homeowners' association in accordance with the requirements of the Department of Community Affairs shall own all areas put into common ownership for common use by all residents.
2. There shall be a maintenance staff on-site every day, and all residents shall be provided with a telephone number to receive emergency services during the evening and overnight hours; the telephone number also shall be provided to the Union Beach Police Department and the Borough Administrator.

Recreation

3. Passive recreation such as pathways, seating areas and natural areas, in addition to outdoor play equipment shall be provided, suitably arranged, throughout any multifamily site to service the occupants of the project.
4. When adjacent to the waterfront, public access to the waterfront shall be provided and shall facilitate wheelchair access.

Common Facilities

5. Architectural design and materials used in the construction of accessory buildings shall conform to or complement those used in the construction of principal buildings.
6. Concrete walkways shall be provided where normal pedestrian traffic is likely to occur, including from parking areas to residences.
7. Accessory buildings for outdoor recreation facilities and maintenance purposes shall be provided and shall be sufficient to store recreational and maintenance equipment and supplies, unless it is demonstrated that the homeowners association will contract with an outside entity for the purposes of landscaping and maintenance.

Refuse and Recycling Requirements

8. Indoor areas designated for the collection and storage of refuse and recyclables shall be centrally located in each of the multifamily dwellings for efficient pickup by collection personnel and vehicles.

9. The dimension of the refuse and recycling area shall be sufficient to accommodate covered bins or containers which are of adequate size and number, and are consistent with anticipated usage.
10. The refuse and recycling area shall be well lit and shall be safely and easily accessible by collection personnel and vehicles, without interference from parked cars or other obstacles.
11. Signs clearly identifying the refuse and recycling area and the materials accepted therein shall be posted adjacent to all points of access to the recycling area. Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.

Driveway and Parking Standards

Parking shall be primarily located underneath dwelling units. The provision of covered parking will be of value to residents as this will reduce the need to clear snow during winter months, regulate internal temperatures during warm months, and improve ambient air quality from the reduction in vehicle idling. All efforts shall be made to reduce the amount of impervious surface generated from off-street parking and internal roadways, while maintaining the integrity of the road surface.

Driveway

1. Where possible, roadways and driveways shall utilize pervious paving stones.
2. In areas highlighted by the developer or the Borough Engineer to be inappropriate for pervious paving materials, construction shall utilize either bituminous concrete flexible pavement structure or a Portland cement concrete rigid pavement structure, or an alternative material when submitted for approval by the Borough Engineer.
3. The widths of internal streets in a multifamily development designed as a whole in accordance with a comprehensive site plan shall be determined by the Planning Board and the Redeveloper in light of the circumstances in the particular situation and with a view to assuring the maximum safety and convenience of access for traffic and firefighting equipment, circulation and parking, including provisions for the loading and unloading of goods.

Parking

4. The maximum number of parking spaces permitted on site is 250.
5. Where possible, parking areas shall utilize tiled pervious paving stones.
6. Parking space shall measure nine feet by eighteen feet (9' x 18'), with the exception of accessible parking that meets the standards of the Americans With Disabilities Act (ADA).
7. Parking spaces shall be located, whenever possible, underneath each residential structure to limit impervious coverage and provide the maximum amount of open space and view corridors on the site.
8. All off-street parking areas and internal roadways shall be paved, bounded by permanent curbing and constructed in accordance with the Borough of Union Beach road specifications; provided, however, that, upon recommendation of the borough engineer, the requirement of curbing may be waived or modified when found not to be needed for control of stormwater, protection of pavement and similar purposes.
9. Development of parking may be phased as development takes place. If the developer can demonstrate that demand for parking spaces is less than expected, the developer may request the Planning Board to waive the total number of spaces, and permit an area to be set aside as a "parking bank" that can be constructed when needed.

Landscaping and Site Design

Landscaping within the Redevelopment Plan Area shall be conceived as a total pattern throughout the tract, integrating the various elements of the architectural design of the buildings. Landscaping includes mixture of elements, signage, lighting, plants and other materials including rock sculpture, art, walls, fences, and decorative brick or paving materials.

Signage

1. One (1) ground-mounted monument-type sign identifying the name of the development from the street shall be permitted. This sign shall not exceed five feet (5') in height, be set back from the street right-of-way, shall not exceed an area of ten (10) square feet in area, and shall not impede sight triangles.

2. Information and directional signs, each not more than two feet (2') in height and five (5) square feet in area, shall be permitted where appropriate and as approved by the Planning Board in order to guide traffic to its intended destination in a safe and convenient manner.
3. Ground-mounted monument signs, or wall-mounted signs that identify the name or number of each building may be permitted, but shall not exceed more than three square feet (3 sq. ft) in area.

Lighting Requirements

4. The use of low-energy lighting shall be utilized whenever possible to reduce maintenance and energy use.
5. Outdoor lighting along interior development roads, parking areas, dwelling entrance ways and pedestrian walks shall be provided with sufficient illumination to minimize hazards to pedestrians and motor vehicles utilizing the same, but in no case, shall such lighting be less than is required to provide a minimum lighting level of 0.5 horizontal foot candles throughout such areas from dawn to dusk. Where necessary, lights shall be shielded to avoid glare disturbing to occupants of the buildings. Lighting shall be so arranged as to reflect away from all adjoining residential buildings.
6. Lighting is to be provided by fixtures with a mounting height not higher than fifteen (15'), measured from the ground level to the centerline of the light source.
7. Floor-level recessed lighting shall be utilized along walkways and outdoor entryways to minimize light pollution and maximize privacy to neighboring dwelling units.

Landscape Vegetation

8. Vegetation shall provide a natural buffer from coastal flooding, while creating a visually pleasing environment.
9. Irrigation systems shall draw from cisterns that collect and reuse stormwater from rooftops. A backup system that utilizes potable water is permitted when rainwater collection is insufficient, and must utilize a "smart" irrigation controller.
10. Landscape vegetation shall include a mixture of elements, including shade trees, decorative flowering trees, evergreen trees, shrubs and hedges, ground

cover, perennials, and annuals, and may include other materials such as rock sculpture, art, walls, fences, and decorative brick or paving materials.

- a) The use of native vegetation is encouraged, specifically those that are tolerant to coastal marine environments, and those specially attuned to soil stabilization. More flexibility will be given to the size, design, and layout of these plantings to buffer against coastal flooding and maximize stormwater absorption. Vegetation that does not conform to this subsection will be subject to the minimum size requirements outlined in Section 12, below.
 - b) The use of sod or similar turf grasses shall not be permitted.
11. Compliance with Section 10(a) above shall be demonstrated by the developer through a landscaping plan and testimony to the planning board about how the landscaping design meets the goals and objectives of this Redevelopment Plan and Section 8 above.
12. For proposed vegetation not in compliance with Section 14(a) above, the minimum size of new plants at the time of planting shall be as follows:
- a) Shade trees shall have a minimum caliper of two and one-half inches (2 1/2") measured by six inches (6") from the ground level, shall have a standing height of at least ten feet (10'), and shall be balled and burlapped;
 - b) Decorative flowering trees shall have a minimum caliper of one and one-quarter inches (1 1/4") measured six inches (6") from ground level, shall have a standing height of at least six feet (6'), and shall be balled and burlapped. Decorative flowering trees shall be well branched, with the branches starting not less than three feet (3') above the crown of the root system;
 - c) Evergreen trees shall be at least six feet (6') in height at time of planting and shall be balled and burlapped; and
 - d) Shrubs and hedges shall be at least eighteen to twenty-four inches (18-24") tall at time of planting, depending upon and appropriate to the species of plant.
13. All plant material shall be guaranteed for at least two (2) years and a written copy of the guarantee executed between the developer and the nursery shall

be reviewed by the attorney and planner for the Planning Board prior to the Board granting any final approval.

- 14. The planning board may waive screening along the property line to maximize waterfront views from the development and the surrounding neighborhood.
- 15. Fence or vegetative screens shall be installed around outdoor utility boxes and standby generator equipment.

Storm Resiliency Guidelines

Storm resiliency guidelines refer to the additional steps that should be incorporated into the site to be better prepared to handle extreme weather.

Stormwater Management Requirements

- 1. Stormwater generated from residential rooftops shall be collected into rain barrels or other collection cisterns for reuse as irrigation. Rain barrels and collection cisterns will be appropriately screened with mesh to prevent the influx of debris and insects.
- 2. Where appropriate, the site shall employ the use of rain gardens and bioswales to absorb excess stormwater generated by impervious surfaces on site, provided that the area is capable of absorbing the stormwater within a 24 hour period of time.

Storm Resiliency

- 3. The entire development shall have access to a standby/backup generator that will provide limited power during service outages. The generator will be powered by a connection to an existing natural gas service line, or through the installation of an LPG tank.
- 4. Conservation easements shall be designated for drainage and stormwater rights of way, as well as along ponds, marshes, swamps, and streams or other watercourses along which drainage rights of way are not required. The easement shall be reviewed and amended at a minimum of every 10 years by the Borough, Borough Engineer and the Homeowners Association to reflect geomorphological and hydrologic changes to the site, including erosion and deposition that extend beyond annual patterns. The easement shall be extended to areas of the site subject to future repetitive loss by the NFIP.

Planning Relationship

Pursuant to the LRHL, “all provisions of the Redevelopment Plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan” (N.J.S.A. 40A-12A-7d). As described in prior sections, the Redevelopment Plan is substantially consistent with the Borough’s Master Plan and is intended to effectuate the goals and objectives of the Borough Master Plan.

Local Planning Objectives

The 2005 Union Beach Master Plan establishes goals and objectives for major land use categories. The Redevelopment Plan objectives are consistent with and seek to advance the following objectives of the Borough’s Master Plan:

Residential

- Preserve and protect the existing residential character of the Borough. Require that infill development be compatible with the neighborhood and conform to the setbacks of existing buildings on the block.
- In developed areas, limit new development and infill development that increases the intensity of neighborhood land and property use.
- Ensure that public and quasi-public land use remains compatible with the needs and character of adjacent neighborhoods.

Commercial

- Provide for adequate parking to serve established residential and commercial areas. Incorporate adequate parking into new developments.
- Encourage shared parking when appropriate to meet parking demands while limiting the amount of impervious surfaces.
- Strive to enhance and retain existing businesses and promote new business development along commercially zoned areas of Route 36, Union Avenue, Florence Avenue and Front Street.

Circulation

- Encourage circulation patterns that are compatible with land use goals and public safety.
- Improve the appearance of intermediate and major thoroughfares, such as Route 36, Union Avenue and Florence Avenue.
- Increase bicycle/pedestrian safety and circulation at key intersections by utilizing traffic calming measures and providing bike lanes that connect with the Heritage Trail and community facilities throughout the borough.

Economic Development / Redevelopment

- Encourage the development of a diversified economic base that generates employment growth, provides increased tax ratables, increases income levels and promotes the reuse of underutilized properties.
- Capitalize on the Borough’s competitive advantages for economic development purposes including its location in the New Jersey/New York City region, extensive transportation and quality of life.

Housing

- Provide a balance of housing options to meet the needs of all residents including low and moderate income housing and market rate housing.
- Encourage residential rehabilitation to improve substandard units and preserve neighborhood stability.
- Preserve established residential character wherever possible by preventing the intrusion of incompatible commercial and industrial uses into residential neighborhoods and promoting the rehabilitation of substandard units.
- Enforce the property maintenance code to improve the aesthetic and image of the Borough.

Community Facilities and Utility Infrastructure

- Preserve and upgrade the existing utility infrastructure including water, stormwater management and wastewater treatment. Continue rehabilitation programs while pursuing selected replacement and expansion projects in order to accommodate growth and revitalization.

- Study and periodically review future service needs and implementation methods.
- Improve stormwater management along the bay front, roads and intersections through effective infrastructure, maintenance, and replacement.
- To achieve the stormwater quality standards established by the New Jersey Department of Environmental Protection.

Community Identity

- Develop and effectively communicate a strong and appealing identity for the Borough.
- Preserve and protect historic and major natural features in the Borough.
- Encourage higher quality architectural and landscape design through the use of design standards.
- Encourage neighborhoods to improve their aesthetic appeal and identity.

Land Use Plan

The Land Use Element that accompanied the 2005 Master Plan also highlighted several goals, objectives and recommendations that relate to the use of this site. The recommendations from this plan led to the establishment of a new zoning district for the Brook Avenue site to permit townhouse development, due to its view of Raritan Bay and its distance from the Borough's waterfront promenade.

In addition to the recommendations that established the townhome zoning district for the Brook Avenue area, the plan includes the following goals and recommendations that link to this redevelopment plan:

- Capitalize on the amenities of the waterfront, Heritage Trail and Route 36 to encourage economic development into non-residential districts.
- Address flooding problems and the impacts of the Federal Emergency Management Agency Regulations.
- Address appropriate infill residential and commercial development.
- Encourage the development of land use regulations that maximize the view corridor to the waterfront.

Stormwater Management Plan

The 2005 Master Plan also included a Stormwater Management Plan to guide the establishment of new and updated methods to address stormwater that is generated from development. Many of these recommendations encourage the use of green infrastructure and low impact development, including vegetative swales, and pervious pavements where feasible. Other recommendations include the practice of parking space "banking" to prohibit the excessive development of parking if the need does not exist. Another recommendation, related to coastal development, encouraged the use of vegetation to stabilize the shoreline.

Existing Zoning and Land Development Regulation

In order to implement the Plan consistent with the objectives stated herein, the Redevelopment Plan area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan. This Plan supersedes the underlying use, bulk, and design standards of the Borough's Land Use and Development Regulations as they relate to the area governed by this Redevelopment Plan unless noted otherwise. The zoning district is hereby amended for the Redevelopment Plan area by the terms of this Redevelopment Plan in accordance with the LRHL. Additional parcels highlighted on pages 3-4 will be included as part of a zoning overlay where developers will have the option to develop under the guidelines set forth in this plan, or follow the underlying zone requirements.

Zoning and Land Development Purpose

- Guide the appropriate use or development of all lands within the Borough of Union Beach in a manner which will promote the public health, safety, morals and general welfare;
- Secure safety from fire, flood, panic and other natural and man-made disasters;
- Provide adequate light, air and open space;
- Ensure that the development of Union Beach does not conflict with the development and general welfare of neighboring municipalities, the County of Monmouth and the State of New Jersey as a whole;

- Promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- Encourage the appropriate and efficient expenditures of public funds by the coordination of public development with land use policies;
- Provide sufficient space in appropriate locations for a variety of residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens.
- Encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- Promote a desirable visual environment through creative development techniques and good civic design and arrangements.
- Promote the conservation of open space and valuable natural resources and to prevent urban sprawl and degradation of the environment through improper use of land;
- Encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, and recreational development to the particular site;
- Encourage senior citizen community housing construction;
- Encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- Promote the conservation of energy through the use of planning practices designed to reduce energy consumption and to provide for maximum utilization of renewable energy sources.

Contiguous Municipalities

Union Beach Borough is located in Northern Monmouth County along the Raritan Bay. The Borough is bordered by the Raritan Bay to the north and west, Keyport Borough to the west, Hazlet Township to the south and east, and Keansburg Borough to the east.

The Redevelopment Plan Area is not adjacent to any of these contiguous municipalities, however the goals and objectives of this Redevelopment Plan are consistent with many of their goals and objectives.

Monmouth County

Adopted in 1982 as the Monmouth County Master Plan, Monmouth County's Growth Management Guide (GMG) is the County's primary planning tool. The GMG categorizes the Redevelopment Plan Area as a mix of Proposed Protection Areas, Environmentally Sensitive Areas, and a Suburban Settlement Growth Area. Two of the Suburban Settlement policies defined by the GMG include encouraging a variety of housing to suit the diversity of individual preferences, as well as encouraging the use of the neighborhood unit in the suburban settlement. For the Protection Areas, the plan recommends public acquisition of beach areas along the Bayfront. For the Environmentally Sensitive Areas, the plan recommends encouraging new coastal development compatible with the surrounding environment. As the plan also recommends protecting floodplains from development, and restricting non-water based development in coastal flooding and high-risk erosion areas, it will be critical that this Redevelopment Plan integrates low-impact development, green infrastructure, and resiliency principles to ensure that this coastal development is a beneficial asset to the greater Monmouth County community by serving as an example of sustainable design.

General goals and objectives of the GMG that are related to the Brook Avenue redevelopment plan recommend:

Land Use

- Redevelop vacant or underutilized lands through short-term adaptive reuse and longer range redevelopment planning.
- Strengthen existing core areas and older built-up communities.
- Limit development in coastal areas based on building sustainability and environmental criteria.

Housing

- Increase the supply of adequate housing units.

- Improve the quality of housing by eliminating substandard housing.
- Create and/or maintain viable neighborhoods in conjunction with housing rehabilitation.

Environment

- Protect and conserve tidal and freshwater wetlands for wildlife habitat, water pollution control and groundwater recharge.
- Provide for public access to bay and ocean beaches, stream corridors and riverbanks.
- Limit development in coastal areas based on building suitability and environmental criteria.

Utilities

- Protect existing and potential sources of potable water.
- Conserve existing water supplies and develop new water sources.
- Plan for the treatment of wastewater in an economically and environmentally sound manner.

As part of the Monmouth County Master Plan, the 1987 Bayshore Waterfront Access Plan recommended a Bayshore Trail that would provide an unobstructed view along the Raritan Bayshore, from Monmouth County's border with Middlesex County to the Highlands Bridge. According to the plan for the trail with regard to redevelopment, "Each municipality should ensure the provision of linear and perpendicular public access to the waterfront as part of a new waterfront development and redevelopment project. Developers of larger tracts should be encouraged to provide a wider easement for the Trail, for the placement of public amenities. This would supplement the Rules on Coastal Resources and Development, which encourage the provision of perpendicular and linear access for projects under the jurisdiction of the New Jersey Division of Coastal Resources. Municipalities and developers are encouraged to use the Hudson River Walkway Plan and Design Guidelines (1984) as a prototype until such time as the State and local governments develop specific guidelines for the Bayshore."

In addition to the Monmouth County Growth Management Guide, Union Beach is included in the area governed by the Bayshore Region Strategic Plan. This Plan was adopted by the Monmouth County Planning Board on September 18, 2006 as an

element of the GMG. The Bayshore Region Strategic Plan focuses on nine (9) municipalities in Monmouth County, which are tied together by their connection to Raritan Bay and Route 36.

The Bayshore Region Strategic Plan notes that "due to a lack of vacant land, there is little opportunity to add large amounts of new housing development into the region. Therefore, municipalities of the Bayshore Region must balance opportunities for increased homeownership and private investment with protection and enhancement of existing housing stock." The Implementation Agenda for the Borough in the Bayshore Region Strategic Plan includes the following actions for the Borough:

- Identify locations where new housing development is appropriate and should be encouraged.

This Redevelopment Plan establishes standards for residential townhouse development and provides for uses that are compatible with the existing residential neighborhoods. The Redevelopment Plan is therefore substantially consistent with the County Master Plan and Bayshore Region Strategic Plan.

State Development and Redevelopment Plan

On March 1, 2001, the State Planning Commission ("SPC") adopted the SDRP. The SDRP establishes a proposed statewide planning framework that is designed to maintain and revitalize existing cities and towns and organize new growth in "centers" – compact, mixed-use communities that provide a variety of choices in housing, employment opportunities, entertainment, services, transportation, and social interaction. The Redevelopment Plan area is located in both the Metropolitan Planning Area 1 (PA-1) and the Environmentally Sensitive Planning Area 5 (PA-5). According to the SDRP, the intent of the Metropolitan Planning Area 1 is to:

- Provide for much of the state's future redevelopment;
- Revitalize cities and towns;
- Promote growth in compact forms;
- Stabilize older suburbs;
- Redesign areas of sprawl; and
- Protect the character of existing stable communities.

The Policy Objectives governing the Metropolitan Planning Area 1 (PA-1) include the following:

- Land Use: Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts.
- Housing: Provide a full range of housing choices through redevelopment.
- Economic Development: Promote economic development by encouraging strategic land assembly, site preparation and infill development, [and] public/private partnerships.
- Natural Resource Conservation: Reclaim environmentally damaged sites and mitigate future negative impacts.
- Public Facilities and Services: Complete, repair, or replace existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment in the region.

The intent of the Environmentally Sensitive Planning Area 5 (PA-5) is to:

- Protect environmental resources through the protection of large contiguous areas of land;
- Accommodate growth in Centers;
- Protect the character of existing stable communities;
- Confine programmed sewers and public water services to Centers; and
- Revitalize cities and towns.

The Policy Objectives governing the Environmentally Sensitive Planning Area 5 (PA-5) include the following:

- Land Use: Development and redevelopment should use creative land use and design techniques to ensure that it does not exceed the capacity of natural and infrastructure systems.
- Housing: Provide for a full range of housing choices at appropriate densities.

This Redevelopment Plan establishes standards to redevelop a site served by existing infrastructure in a manner that protects sensitive environmental features. The Redevelopment of the site will result in the creation of 120 dwelling units, while incorporating green infrastructure and appropriate flood mitigation measures.

Therefore, the Redevelopment Plan is substantially consistent with the Goals, Objectives, and Policies of the SDRP.

Administrative and Procedural Requirements

Relocation

The Borough's decision to utilize the area-in-need-of-rehabilitation designation prohibits the use of eminent domain, but rather encourages for a coordinated effort of public and private investment to achieve the goals outlined in this Redevelopment Plan. Therefore, this plan will not necessitate relocation of residents. The site is comprised of parcels that are presently vacant. Hurricane Sandy destroyed the housing units that were previously located on the site.

Acquisition

The designation of the site as an –area-in-need-of-rehabilitation prohibits the use of eminent domain. Instead, the Borough anticipates private transactions by landowners and developers to move this project through to completion.

If a developer desires to include the designated overlay parcels south of Brook Avenue as part of a larger project, they have the option to utilize the development standards of this plan. This overlay district will permit development to follow this Redevelopment Plan. If expansion to this area occurs, the Borough may choose to vacate the section of the Brook Avenue street right-of-way to create a contiguous tract. However, these parcels are not bound to this plan, and may continue to follow the zoning standards of the existing R-8 district.

Amending the Redevelopment Plan

Upon compliance with the requirements of applicable law, the Borough Council may amend, revise, or modify the Redevelopment Plan in general or for specific properties within the Redevelopment Plan area, as circumstances may make such changes appropriate, such as changes made by the Army Corps to the upcoming Flood Control

project. The review and approval of any proposed amendments shall be undertaken in accordance with the procedures set forth in the LRHL. However, any proposed changes in permitted uses, the land use plan, residential density, building height, or the core design concepts in this plan shall require notice and public hearings in a manner similar to the adoption of the original plan.

Redevelopment Powers

The Borough may also use any and all redevelopment powers granted to it pursuant to the LRHL to effectuate this plan. The Borough may enter into agreements with a designated redeveloper or redevelopers in connection with the construction of any aspect of the Redevelopment Plan, including off-site improvements.

Conveyance of Land

The Borough may sell, lease, or otherwise convey to a redeveloper for redevelopment, subject to restrictions, controls, and requirements of the Redevelopment Plan, all or any of the properties designated in need of redevelopment within the designated Redevelopment Plan area that it owns or may acquire. The Borough may also use its redevelopment powers pursuant to the LRHL to enter into other agreements with a designated redeveloper or redevelopers in connection with the implementation of the Redevelopment Plan.

Duration of the Plan

The Redevelopment Plan, as it may be amended from time to time, shall be in full force and effect upon its adoption by ordinance by the Borough Council and shall be in effect until the redevelopment of the Redevelopment Plan area as evidenced by the issuance of the Borough of a certificate of project completion in accordance with the Redevelopment Plan.

Redeveloper Selection

Redevelopment under the terms of this Redevelopment Plan shall only be undertaken pursuant to a redevelopment agreement entered into between the Borough and a

designated redeveloper, which may be the property owner. The Borough may undertake a developer selection process that will provide a qualified redeveloper(s) to implement the Redevelopment Plan in a manner that is in the best interest of the Borough. The following restrictions and controls on redevelopment are hereby imposed in connection with the selection of a redeveloper(s) for any property or properties included in the Redevelopment Plan and shall apply notwithstanding the provisions of any zoning or building ordinance or other regulations now or hereafter in force.

- The redeveloper will be obligated to carry out the specified improvements in accordance with the Redevelopment Plan.
- The redeveloper, its successors, or assignees, shall develop the Redevelopment Plan area in accordance with the Redevelopment Plan.
- Until the required improvements are completed and a certificate of completion is issued, the redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and imposed in any redevelopment agreement, lease, deed, or other instruments shall remain in full force and effect.
- The redevelopment agreement(s) shall contain provisions to assure the timely construction of the redevelopment project, the qualifications, financial capability, and financial guarantees of the redeveloper(s) and any other provisions necessary to assure the successful completion of the project.

Redevelopment Entity Review

The Borough Council, acting as the redevelopment entity, shall review all proposed redevelopment projects within the Redevelopment Plan Area to ensure that such project(s) are consistent with the redevelopment plan prior to their submission to the Planning Board. As part of its review, the Borough Council may require the redeveloper to submit its proposed project to a technical review committee or subcommittee of the Borough Council. The technical review committee may include members of the Borough Council and any other members and/or professionals as determined necessary and appropriate by the Borough. The technical review committee shall make its reservations to the Borough Council.

In undertaking its review, the Borough Council shall determine whether the proposal is consistent with this Redevelopment Plan and relevant redeveloper agreement(s). In

addition, the review may address the site and building design elements of the project to ensure that the project adequately addresses the goals and objectives of the plan.

Planning Board Review Process

Pursuant to N.J.S.A. 40A12A-13, all development applications for development of sites governed by this Redevelopment Plan shall be submitted to the Planning Board for review and approval. The following provisions shall govern review of any proposed redevelopment projects for the Redevelopment Plan area.

- No building permit shall be issued by the construction or zoning official for any work resulting in a change of intensity of development or change of use for any properties or buildings within the area of the Redevelopment Plan.
- Regular maintenance and minor repair shall not require Planning Board review and approval.
- The Planning Board shall conduct site plan and subdivision review, if applicable, pursuant to N.J.S.A. 40:55d-1 et seq. and the Borough's Land Use and Development Regulations.
- As part of site plan approval, the Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Borough's Land Use and Development Regulations. The performance guarantees shall be in favor of the Borough of Union Beach, and the Borough Engineer shall determine the amount of any performance guarantees.
- Any subdivision of lots or parcels of land within the Redevelopment Plan area shall be in compliance with the Redevelopment Plan and reviewed by the Planning Board pursuant to the LRHL and N.J.S.A. 40A:55D-1 et seq.
- Once a property has been redeveloped in accordance with the Redevelopment Plan, it may not be converted to any use not expressly permitted in this Redevelopment Plan. No non-conforming use, building, or structure may be expanded or made more non-conforming in nature after adoption of this Redevelopment Plan. A use or structure not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Planning Board shall determine the issue of whether the non-conforming use or building structure has been "destroyed."

- The Planning Board may grant relief from the bulk, parking, lighting, architectural, landscaping, and/or sign requirements of the adopted Redevelopment Plan as well as the design standards contained herein where there is a hardship or the granting of such relief will promote the purpose of said plan consistent with the standards established at N.J.S.A. 40:55D-70(c). In no event shall relief be granted by the Planning Board to provide a use or facility that is not permitted by the Redevelopment Plan.
- The regulations and controls of this Redevelopment Plan shall be implemented, where applicable, by appropriate covenants, or other provisions and through agreements between the redeveloper and the Borough pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.
- Any and all definitions contained within this Redevelopment Plan shall prevail. In the absence of a definition, the definition found within the Borough's Land Use Development Ordinance shall prevail. Any and all definitions inconsistent with N.J.S.A. 40A:12A-3 shall be considered invalid.
- A redeveloper shall be required to pay all applicable escrow fees and other required charges in accordance with applicable provisions of the Borough's Land Use Development Ordinance and State law. Additionally, a redeveloper shall be required to pay their proportional share of the cost of any studies, plans, reports, or analysis prepared by the Borough or its designated redevelopment entity as part of this Redevelopment Plan. Any such payments required to reimburse the Borough shall be specified in the redevelopment agreement.

The above provisions are all subject to approval by ordinance and/or resolution according to law. If a court of competent jurisdiction finds any word, phrase, clause, section, or provision of this Redevelopment Plan to be invalid, illegal, or unconstitutional, the word, phrase, section, or provision shall be deemed severable, and the remainder of the Redevelopment Plan and implementing ordinances shall remain in full force and effect.

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