

**Redevelopment Plan for
The Department of Public Works Existing Site
Block 103, Lots 3 & 3.01**

Borough of Union Beach
Monmouth County, New Jersey

Redevelopment Plan for The Department of Public Works Existing Site

Adopted on August 20, 2015 via Ordinance #2015-227

Prepared for:



Borough of Union Beach
Monmouth County, New Jersey

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*The original of this document was signed
and sealed in accordance with New Jersey Law*

**Redevelopment Plan for the Department of Public Works Existing Site
Borough of Union Beach, Monmouth County, New Jersey**

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Introduction

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 the Borough of 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. The Department of Public Works site also sustained major damages to the main building, municipal garage, and mechanics garage from floodwaters and high winds, as are detailed in this Redevelopment Plan.

In the aftermath of Superstorm Sandy, on July 18, 2013, the Borough of 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 the Borough of Union Beach the authority to utilize all aspects of redevelopment, with the exception of eminent domain land acquisition and long-term property tax abatements.

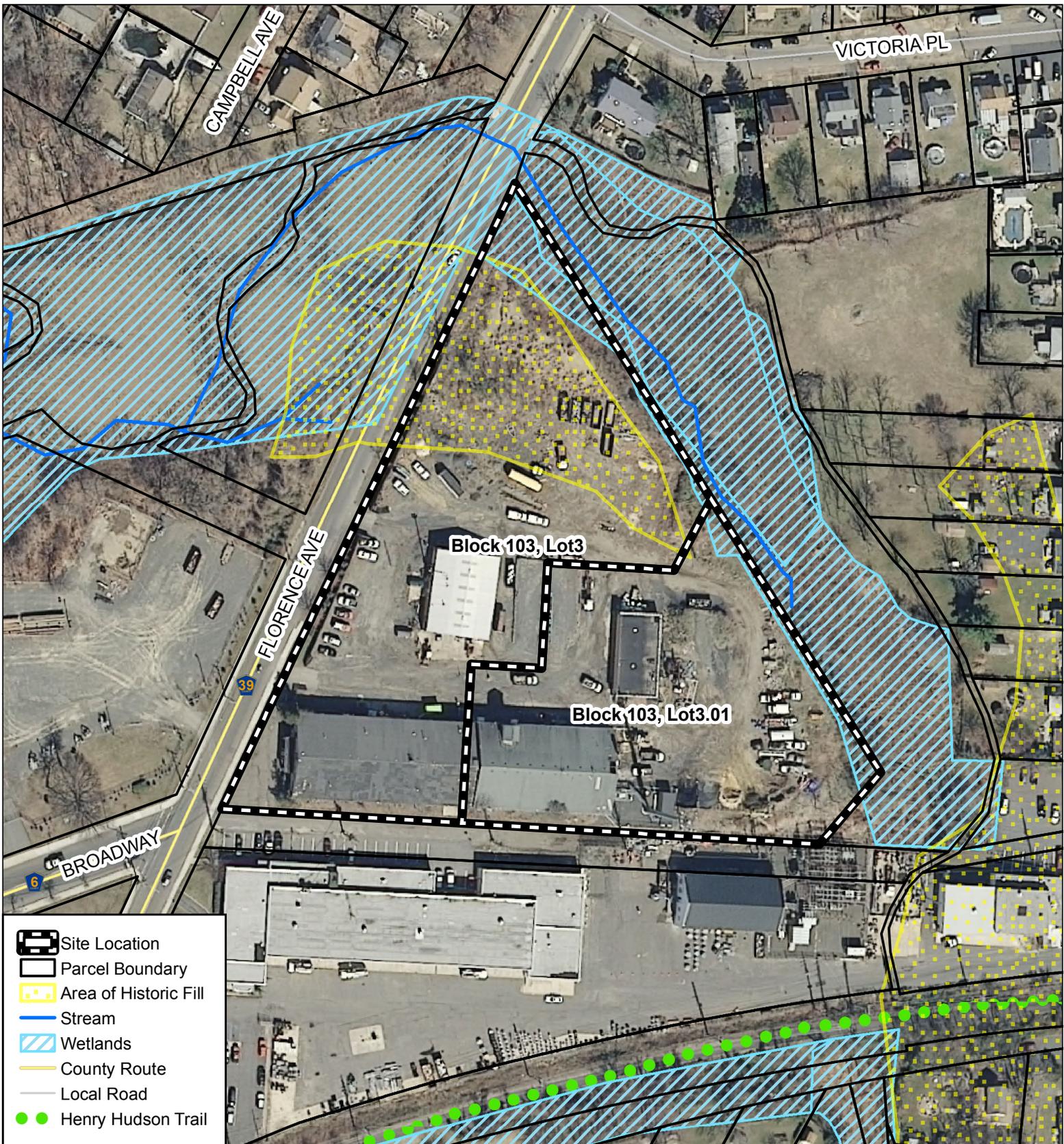
The central focus of this Redevelopment Plan promotes land use and development that will help the Borough of Union Beach become more resilient in order to withstand future storm events and to meet the needs of residents, visitors, businesses, and investors today and well into the future. This Redevelopment Plan is echoed by the recently completed 2014 Strategic Recovery Planning Report, 2015 Master Plan Reexamination Report, and complement similar redevelopment projects for the Brook Avenue neighborhood and the Route 36 and Union Avenue Commercial Corridors.

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

Site Description

The Redevelopment Area is comprised of Block 103, Lots 3 and 3.01 on the Borough of Union Beach Tax Map, which are both Borough-owned parcels with a land area totaling 5.28 acres. The Redevelopment Area is a triangular site bound by Florence Avenue to the west, by a tributary of the Chingarora Creek to the east, and the Jersey Central Power and Light (JCP&L) property to the south. The area is presently zoned M-1 Light Industrial. The Redevelopment Area is the site of the existing Department of Public Works activity. There is also an existing cell phone service tower on the southern end of the site, adjacent to the JCP&L activity.

Like most of the Borough, the Redevelopment Area is located within the FEMA Flood Area; in fact the entire Redevelopment Area is entirely within the AE 13 Zone (one percent chance annual flood), as mapped on both the FEMA Effective Flood Insurance Rate Map (dated 2009) and the Preliminary Flood Insurance Rate Map (dated 2015). Other environmental constraints include a small wetland area at the northern end of the Redevelopment Area, as well as an area of historic fill, also in the northern half of the Redevelopment Area (as seen in Figure 1). The New Jersey Department of Environmental Protection (NJDEP) categorizes “historic fill” as “non-indigenous material placed on a site in order to raise the topographic elevation of the site. No representation is made as to the composition of the fill or presence of contamination in the fill.”



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**Environmental Constraints
 Department of Public Works Former Site Location
 Borough of Union Beach,
 Monmouth County, New Jersey**



Prepared by: JAC, 11/19/2014
 Source: FEMA; NJDOT; Monmouth County

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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.

Impacts from Superstorm Sandy

The Department of Public Works main building sustained substantial damages from Superstorm Sandy from storm water and high winds. Flood waters swept through the doors on the front of the building and flooded the interior space. The list of interior contents that were damaged by floodwater is extensive, and includes (but is not limited to) the following: remnants of damp surfaces, muck and debris on flooring, walls, and doors; saturation of paneling, insulation, flooring, walls, and doors; and warping/buckling of plywood flooring. In addition, winds from Superstorm Sandy blew off a partial section of the roof surface and collapsed a partial section of the roof brick masonry firewall parapet.

Damages to the Department of Public Works site also affected the municipal garage. The interior of the building was flooded to a depth of approximately 36 inches above the finished floor, depositing muck throughout the building's flooring and also resulted in damages to the following: wooden baseboards, drywall, paint, interior doors, a 10 gallon electric water heater, a light switch, and two garage doors.

The Department of Public Works mechanics garage also sustained floodwater and wind damages estimated to be valued at approximately \$757,680. The building's interior was flooded to a depth of approximately 48 inches above the finished floor. Barrels of used engine oil and vehicle fluids stored inside the building were spilled by the floodwaters, covering the building interior and contents with up to 48 inches of engine oil and vehicle fluids. This caused interior surface damage to the building's floors, walls, and doors. It also damaged the building's electrical system, including damages to the following components: the main panel box, the sub panel box, the main switch in the compressor room, and the electric hot water heater in the vehicle bay. Damages to the building's exterior were caused by high velocity surge water and winds, which include damage to exterior metal siding, foam insulation, metal gutters, and roofing.

Statutory Requirements

This Redevelopment Plan is written pursuant to Section 7 of the Local Redevelopment and Housing Law (or “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 Objectives

The Redevelopment Plan seeks to achieve the following objectives:

- Facilitate the transition of the land use at the subject site away from its current use as the Department of Public Works offices and municipal garages (and formerly dedicated to industrial uses) into a use that is compatible with that of the surrounding area.
- Promote the development of age-restricted senior citizen housing that:
 - Is located outside of the flood hazard area;
 - Is located along existing public transportation and evacuation routes; and
 - Enables residents to age in place.
- Promote land use and development that will:
 - Help facilitate resiliency to future storm events;
 - Incorporate existing environmentally sensitive features into site design for recreation, conservation, and stormwater management;
 - Meet the housing needs of residents; and
 - Uphold and promote the goals and objectives of the Union Beach Master Plan.
- Create an aesthetically-welcoming gateway into the Borough by highlighting and capitalizing on the subject site's location along both a County road and transit route.

Land Uses and Building Plan

Permitted Principal Uses on the Land and in Buildings

1. Age-restricted apartment dwelling units, restricted to residents 62 years of age or more, and restricted to the second floor and above.

Permitted Accessory Uses

1. Conservation areas, open spaces, and common property.
2. Recreation facilities for use of residents and guests.
3. A Senior Citizen Center for the Borough of Union Beach, which shall contain at least two thousand (2,000) square feet of gross floor area unless a lesser size is approved for good cause shown by the applicant, and which shall be comprised of the following facilities:
 - a. Meeting room;
 - b. Kitchen facility; and
 - c. Adequate restroom facilities.
4. Signs subject to the provisions herein.
5. Uses accessory or incidental to the principal use.

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Bulk and Area Requirements

The area, yard, and structure requirements are as follows:

Table 1: Lot and Bulk Requirements

	Existing Conditions	Proposed
Minimum Lot Size	5.28 acres	5.28 acres*
Minimum Lot Frontage	±692 feet	±692 feet
Minimum Building Setbacks		
Front Setback	20 feet	50 feet
Rear Setback	120 feet	50 feet
Side Setback	21 feet	20 feet
Minimum Number of Dwelling Units	N/A	60
Maximum Number of Dwelling Units	N/A	80
Maximum Density	N/A	15 units per acre
Number of Units per Building	N/A	80
Maximum Lot Coverage	62.5%±	As permitted by CAFRA Regulations
Maximum Building Height	One (1) story	4 stories (3 stories/35 feet above BFE)

*The intent is for the subject site to be developed as a single tract in its entirety.

This Redevelopment Plan envisions the tract to be redeveloped with ground floor parking which will be located below any residential units. In accordance with the Borough’s Land Use and Development Regulations, all residential units shall be located on the second floor and above, set at an elevation above the base flood elevation (BFE) plus a minimum of two feet (2’) of freeboard.

Figure 2 is a representative illustration of how the Redevelopment Area could be developed under these lot and bulk requirements.

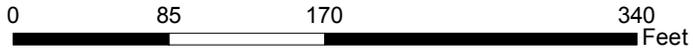


- - - Building Setback Line
- Use**
- Age-Restricted Apartments
- Cell Phone Tower
- Conservation / Recreation
- Rain Garden
- Stream
- Henry Hudson Trail



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Proposed Concept Plan
Department of Public Works Redevelopment Plan
Borough of Union Beach,
Monmouth County, New Jersey



Prepared by: JAC, 7/9/2015
 Source: FEMA; NJDOT; Monmouth County
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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.

Building Design Requirements

1. All buildings shall be constructed with elevator access.
2. All portions of all buildings shall be provided both heat alarms and smoke alarms and, except for any outside balconies and attics, all interior areas of all buildings shall have a “wet” fire suppression sprinkler system.
3. Only the following structures may be erected above the actual height of a building; and such structures shall not exceed more than ten feet (10') above the actual height of the building:
 - a. Penthouses or other roof structures for the housing of stairways;
 - b. Spires, cupolas, chimneys, and similar architectural structures associated with the building and its design.
 - c. The existing on-site cell phone tower.
4. All residential dwellings shall be located on the second floor and above.

Parking and Circulation Requirements

1. Off-street parking shall be provided at the minimum ratio of 0.75 spaces per senior apartment unit.
2. Off-street parking for the Senior Center shall be provided at the minimum ratio of 1.0 space per 250 square feet of gross floor area.
3. Parking spaces shall be nine feet by eighteen feet (9' x 18') in size.
4. All parking areas and driveways shall be set back at least ten feet (10') from all property lines.
5. Vehicular access shall be provided on all sides of the apartment building for emergency vehicles.

Permitted Signs

1. One (1) ground-mounted monument-type sign identifying the name of each development shall be permitted. Each such sign shall not exceed ten feet (10') in height, shall be set back at least fifteen feet (15') from all street and property lines, and shall not exceed an area of fifty (50) square feet in area. The location of such signs shall not impede sight triangles.
2. Additionally, information and directional signs, each not more than three feet (3') in height and ten (10) 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.

Lighting Requirements

1. Lighting shall be minimal for security and safety purposes, and a point-by-point lighting plan shall be submitted indicating the location of the lighting fixtures, the direction of illumination, the wattage and the foot-candle levels of illumination for each fixture, and the details of the lighting poles and the luminaries.
2. The lighting is to be provided by fixtures with a mounting height not higher than twenty-five feet (25'), measured from the ground level to the centerline of the light source.
3. The lighting fixtures are to include non-glare lights with recessed lenses focused downward and with "cut-off" shields as appropriate in order to mitigate adverse impacts upon adjacent and nearby properties, the safety of traffic along adjacent roadways, and light pollution.
4. The light intensity provided at ground level shall be indicated in footcandles on the submitted plans and shall average *not more* than two (2.0) footcandles throughout the area to be illuminated.

Landscaping

1. The landscaping within the Redevelopment Area shall be conceived as a total pattern throughout the tract, integrating the various elements of the architectural design of the buildings and creating an aesthetically pleasing environment.
2. The landscaping shall include shade trees, decorative flowering trees, evergreen trees, shrubs and hedges, ground cover, perennials, and annuals, and may include other materials such as rocks sculpture, art, walls, fences, and decorative brick or paving materials.
3. The dollar amount expenditure for the landscaping shall not be less than the equivalent expenditure for the planting of at least twelve (12) shade trees of a minimum size as indicated in 4(a) below per gross acre of the tract not covered by buildings and other impervious surface, and sufficient information shall be provided to the Planning Board to confirm this requirement.
4. 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 ½") 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 ¼") measured six inches (6") from ground level, shall have a standing height of at least six feet (6'), and shall be balled and burlapped.

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- 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.
5. All plants shall be installed in accordance with the American Nurseryman Guide, latest edition.
 6. 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 of landscape architect installing the plantings shall be reviewed by the attorney and planner for the Planning Board prior to the Board granting any final approval.
 7. There shall be full landscape screening between the Redevelopment Area and adjacent non-residential properties.

Refuse and Recycling Requirements

An indoor or outdoor area for the collection and storage of refuse and recyclables shall be provided as follows:

1. 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 which are consistent with anticipated usage and with current methods of collection in the area in which the project is located.
2. The refuse and recycling area shall be well lit and shall be safely and easily accessible by collection personnel and vehicles. Collection vehicles shall be able to access the area without interference from parked cars or other obstacles. Reasonable measures shall be taken to protect the area, and the bins or containers placed therein, against theft of materials, bins, or containers.
3. The recycling area, and the bins or containers placed therein, shall be designed so as to provide protection against adverse environmental conditions which might render the collected materials unmarketable. Any bins or containers which are used for the collection of recyclable paper or cardboard, and which are located in an outdoor recycling area, shall be equipped with a lid, or otherwise covered so as to keep the paper or cardboard dry.
4. 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.

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Individual bins or containers shall be equipped with signs indicating the materials to be placed therein.

5. A barrier consisting of landscaping and a gated enclosure of at least six feet (6') in height shall be provided around any outdoor refuse and recycling area and shall be provided in an aesthetically pleasing manner.
6. The separation, storage, collection, and recovery of recyclable materials shall be in accordance with Section X, Public Works, of the Revised General Ordinances of the Borough of Union Beach.

Storm Resiliency Guidelines

The following storm resiliency guidelines refer to additional steps that can be taken to better prepare the Redevelopment Area for extreme weather events:

1. Where appropriate, the Redevelopment Area 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.
2. 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.
3. 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 to reflect geomorphological and hydrologic changes to the site, including erosion and deposition that extend beyond annual patterns.



Additional Requirements

1. The Redevelopment Area and any project thereon shall be served by both public water and public sewerage facilities.
2. Any development in the Redevelopment Area may provide, at no cost to the Borough of Union Beach, a Senior Citizen Center for use by the senior citizen residents of the Borough.
3. 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.
4. All provisions within Section 13-8 of the Land Use and Development Regulations, entitled Design Standards and Improvement Specifications, which are not inconsistent with the provisions specified hereinabove, shall govern the design and construction of any development within the Redevelopment Area.
5. Any development in the Redevelopment 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."

Architectural Design Standards

1. Purpose
The purpose of the architectural design standards is to establish a set of principles and requirements to provide for the redevelopment of the Redevelopment Area 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.
2. Design Standards
 - a. The buildings shall have an architectural scheme with appropriate variations in design to provide attractiveness to the development. Such scheme and variations shall be compatible within the development and in relationship to adjacent land uses.
 - b. Such variations in design shall result from:
 - i. The use of landscaping and the orientation of buildings to the natural features of the site and to other buildings;
 - ii. The orientation to the sun so that solar energy may be utilized;
 - iii. The use of different exterior materials;
 - iv. Variations in roof lines and roof designs;

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- v. Variations in architectural elements including window types, shutters, doors, porches, and exterior colors and materials.
- c. Architectural elevations shall be submitted to the Board for review and approval.
- d. All parking facilities shall be located no more than two hundred (200) feet from the nearest entrance of the building they are intended to serve. Parking spaces shall be provided in areas specifically for parking, and there shall be no parallel or diagonal parking along interior streets.
- e. The buildings 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."

Planning Relationship

Relationship to Union Beach Master Plan Objectives

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).

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 (with commentary as to how each objective is addressed in italics, where relevant):

- 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.
This Redevelopment Plan envisions a senior housing development, which will coincide with the surrounding residential character.
- Commercial
 - Provide for adequate parking to serve established residential and commercial areas. Incorporate adequate parking into new developments.
This Redevelopment Plan will provide ample parking for the anticipated residents, to reflect both Borough standards and New Jersey Residential Site Improvement Standards.
 - Encourage shared parking when appropriate to meet parking demands while limiting the amount of impervious surfaces.
This Redevelopment Plan seeks to limit impervious surfaces and retain on-site open space by providing first floor garage parking below the residential units.
- Economic Development / Redevelopment
 - Focus economic activity in the Borough’s economic centers including the International Flavor and Fragrance (IFF) Company, JCP&L properties, and existing non-residential areas. Recognize the unique character of each area and promote development that will strengthen and reinforce market niches.
This Redevelopment Plan recognizes the potential of the Department of Public Works site, which is no longer appropriate at its existing condition, to be redeveloped as a senior housing development that will reinforce the Borough’s residential base.
- Housing

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- Promote the development of senior citizen housing that enables older residents to “age in place” including independent living, assisted living, and congregate care housing.
This objective is at the forefront of the Redevelopment Plan’s goals and objectives.
- Enforce the property maintenance code to improve the aesthetic and image of the Borough.
This Redevelopment Plan envisions a facility that is in line with the aesthetics and image of the surrounding residential neighborhood.
- Community Facilities and Utility Infrastructure
 - Maintain facilities that are in current use and renovate or reuse obsolete facilities for other uses.
The current Department of Public Works site is an obsolete use in this area of the Borough that should be relocated to a more suitable site and renovated to provide a modern and efficient facility.
- Community Identity
 - Preserve and protect historic and major natural features in the Borough.
 - Enhance and maintain the appearance of community facilities and Borough owned properties.
 - Encourage higher quality architectural and landscape design through the use of design standards.
 - Encourage neighborhoods to improve their aesthetic appeal and identity.
These four Community Identity objectives are all supported by the Redevelopment Plan. As the Redevelopment Area is located along a tributary of the Chingarora Creek, redevelopment of the site will highlight the views and aesthetic appeal of recreation areas.

As explained above in the commentary in italics, this 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.

Relationship to Zoning and Land Development Regulations

In order to implement the Plan consistent with the objectives stated herein, the Redevelopment Area shall be redeveloped in accordance with the standards detailed in this Redevelopment Plan except where otherwise noted. 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 except where otherwise noted. The zoning district is hereby amended for the Redevelopment Area by the terms of this Redevelopment Plan in accordance with the LRHL.

Relationship to Contiguous Municipalities' Plans

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 Area is located on Florence Avenue in Union Beach. While the Redevelopment Area is not adjacent to any contiguous municipalities, it is within close proximity to both Keyport Borough and Hazlet Township. Keyport Borough is located 0.34 miles to the southwest along Broadway, and Hazlet Township is located only 0.28 miles to the south along Florence Avenue.

Keyport Borough

The Redevelopment Plan objectives are consistent with and seek to advance the following objectives of the Keyport Borough's Master Plan:

- Preserve and protect existing and established residential neighborhoods.

Hazlet Township

The Redevelopment Plan objectives are consistent with and seek to advance the following objectives of the Hazlet Township Master Plan:

- To insure the harmonious interrelationships of the various land use activities throughout the entire Township and with neighboring municipalities.
- To preserve environmentally critical areas such as flood plains.
- To encourage high quality design in residential, commercial, and industrial development.

Relationship to the Monmouth County Master Plan

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 Area as a Suburban Settlement Growth Area. One of the Suburban Settlement policies defined by the GMG includes "encourag[ing] a variety of residential types in the suburban settlement" in order to "suit the diversity of individual preferences and budgets."

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

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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 highlights identifying locations where new housing development is appropriate and should be encouraged.

This Redevelopment Plan establishes standards for senior housing and provides for uses that are compatible with the existing residential neighborhoods. The Plan also provides for the conservation of sensitive environmental features located on the tract. The Redevelopment Plan is therefore substantially consistent with the County Master Plan and Bayshore Region Strategic Plan.

Relationship to the State Development and Redevelopment Plan

On March 1, 2001, the State Planning Commission (“SPC”) adopted the State Development and Redevelopment Plan (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:

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- 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 also will result in the creation of senior housing on the site and will preserve a portion of the site that contains environmentally sensitive features. Therefore, the Redevelopment Plan is substantially consistent with the Goals, Objectives, and Policies of the SDRP.

Administrative and Procedural Requirements

Relocation

The Redevelopment Area is comprised of two tax parcels that currently house the Department of Public Works complex. There are no residents located within the Redevelopment Area. Therefore, any redevelopment taking place on the property will not impact existing residents, and relocation services will not be required.

Acquisition

The property is owned by the Borough of Union Beach, and no acquisition is required to effectuate the Redevelopment Plan.

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 Area, as circumstances may make such changes appropriate. 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 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.

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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 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 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 Area to ensure that such project(s) is consistent with the Redevelopment Plan and relevant redeveloper agreement(s). 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

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members and/or professionals as determined necessary and appropriate by the Borough. The technical review committee shall make its recommendations 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 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 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."

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- 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.