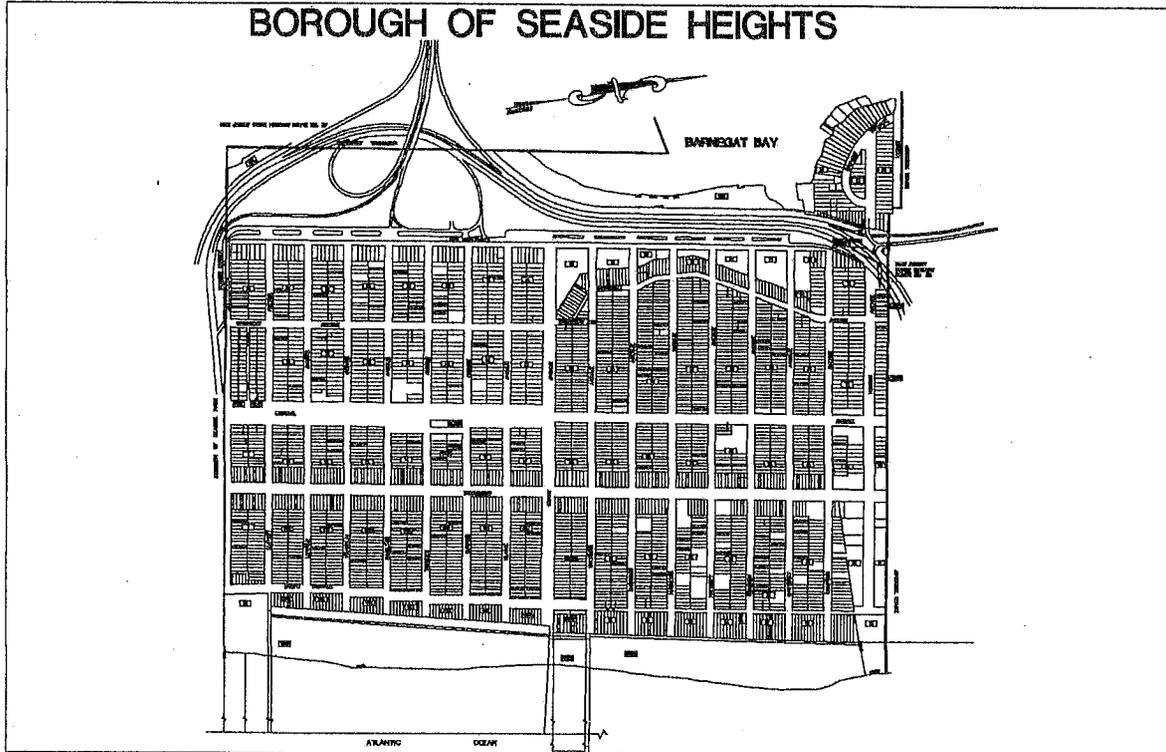


MASTER PLAN  
RE-EXAMINATION  
May, 2005



*Gerald J. Freda*  
Gerald J. Freda, P.P.  
N. J. License No. 5446

Birdsall Engineering, Inc.  
611 Industrial Way West  
Eatontown, NJ 07724

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**I. 2005 Seaside Heights Planning Board Membership Roster:**

P. Kenneth Hershey	Mayor
John A. Camera	Administrator/Clerk
Richard Crosby	Chairman
Richard Tompkins	Councilman
Dean Stabley	Member
Steve Sanzone	Member
Leonard Ipri	Member
Robert Brower	Member
Frank Gorman	Member
Warren Harzer	Alternate
Tony DeLuca	Alternate
Anne Stabile	Secretary
Scott Thompson, Esq. Montenegro, Thompson, Montenegro & Genz Brick, New Jersey	Attorney
Chas. Holloway, P.E., P.P., C.M.E. Birdsall Engineering, Inc. Eatontown, New Jersey	Engineer
Marilyn Lennon, P.P., A.I.C.P.	Planner

## II. Introduction

As required by Chapter 40:55D-89 of the New Jersey Municipal Land Use Law (MLUL), municipalities shall reexamine the municipal Master Plan at least once every six years.

Subsequently, this Re-Examination Report has been authorized by the Borough of Seaside Heights to satisfy the MLUL requirements and to assist the Borough to evaluate current and projected planning needs of the Borough.

### a) Background/History

The original Master Plan for the orderly and continued growth of the Borough of Seaside Heights, Ocean County, New Jersey was prepared in 1978; reported as adopted in February of 1979; and re-adopted by Resolution of the Planning Board at a special meeting on April 29, 1985.

The revised Land Use Element of the Master Plan was prepared in May of 1986 and adopted by the Planning Board on May 27, 1986.

The Housing Element and Fair Share Master Plan was prepared in December of 1988.

The previous Borough of Seaside Heights Master Plan Re-examination was prepared in December of 1996.

The following is a partial listing of Zoning changes since the adoption of the Seaside Heights Master Plan in 1984:

<u>Ordinance No. and Date</u>	<u>Description</u>
26 - 1984	Single Family Residential (SFR) zone description and use restrictions, (minimum lot area 4,000 sq. ft., minimum Lot frontage 40 ft.).
26 - 1984	Low Density Residential (LDR) zone description and use restrictions, (minimum 1800 Sq. Ft. of Lot/Dwelling Unit).
26 - 1984	SFR & LDR building height restricted to 24 feet.
26 - 1984	LDR to require 1 parking stall per unit.

<u>Ordinance No. and Date</u>	<u>Description</u>
35 - 1986	Off-street parking revised to require 2 parking spaces for every apartment or efficiency motel unit.
12 - 1991	SFR & LDR building height restricted to within 25 feet of flood level
41 - 1993	Retail Business (RB) Zone amended to permit miniature golf concessions
49 - 1993	Abandonment restrictions and definition.
61 - 1994	Resort Recreational District "A", (RRA) zone boundary description and adult entertainment use, display restrictions
17 - 1996	Retail Business (RB) zone amended to permit hobby shops.
30 - 1996	Chapter 83 design requirements transferred to chapter 60 entitled "Standards for Approval".
3 - 1998	Chapter 246 zoning and land use amended to include "Enforcement", "Violations and Penalties".
10 - 1998	Chapter 246 zoning and land use amended to include "Additional Regulations"
21 - 1998	Chapter 246 zoning and land use amended to remove Blocks 78, 79, and 80 from the residential zone.
22 - 1998	Chapter 80 enacted to create "Drug Free Park & Recreational Zone" and establish drug-free park and recreational zone map.
16 - 1999	Chapter 246 amendment to add tattooing, body piercing, branding, and gun establishments to the resort recreational (RR) zone A and exclude such establishments from all other zones.

Ordinance No. and Date	Description
18 - 1999	Chapter 246 amended to include "additional regulations" regarding front setback extensions beyond the building line.
11 - 2000	Chapter 246 "establishment of control" supplemented to define 1986 re-evaluation records regarding heat. Additional amendments and supplements are detailed for "definitions", "residential zone", "low-density residential zone" and "additional regulations".
18 - 2002	Chapter 246 sections and paragraphs amended to change "establishment of controls", "low density residential zone" "retail business zone" and "standards for approval".
29 - 2002	Chapter 246 amended to create section entitled "right to appeal to Borough Council".
10 - 2004	Chapter 246 amended "definitions" and "additional regulations" pertaining to building height measured from flood level.
14 - 2004	Chapter 246 amended "additional regulations" pertaining to setback requirements and projections.

### III. Objectives / Current Applicability

The original Seaside Heights Master Plan provided several historical objectives and goals for the Borough.

Previously identified Master Plan major challenges, objectives and goals are summarized below and provided with statement of current applicability.

a) Previously identified major challenges, objectives and goals and the extent to which they have increased or decreased:

#### Objective No. 1

*"Promote the logical placement/relationship of compatible Land Uses to provide a variety of resident services and facilities. Locate businesses/residences so they do not adversely affect each others function."*

The objective of logical placement / relationship of compatible Land Uses continues to be a goal of the Borough via zoning enforcement and ordinance amendments. The resort recreation district "A" was created to regulate the proximity of adult entertainment to residences. The Low Density Residential (LDR) Zone has been modified to restrict development to single family or duplex units.

The Borough has experienced a tremendous surge of development and growth within the last several years. A listing of planning board approved applications is provided in Attachment E. The Borough zoning ordinances are unique due to their allowance's for mixed uses and multiple principle structures on a single property. Over the next year a comprehensive re-examination of land use patterns, density, and uses should be undertaken by the Borough to determine whether these goals / objectives are being addressed.

#### Objective No. 2

*"Improve existing deteriorating housing through owner and community participation."*

A Council on Affordable Housing (COAH) structural conditions survey was conducted within the Borough in 1999. The results of the survey indicated a total of 409 deficient units. Deteriorated housing has been improved via homeowner and community participation as indicated by the aesthetic qualities of a current visual inspection and corresponding construction permit/board application activities. Property values have risen as part of the real estate market, which has promoted property owner improvements and investments. The creation of a comprehensive master plan should be utilized to assess the current conditions of the Borough housing.

Objective No. 3

*"Encourage hotels and motels to remain open beyond the customary 100 day season to develop business/convention trade."*

Publicized contests, real estate development and special events have resulted in a longer season and greater use of the boardwalk facilities, hotels and restaurants. Hotels, motels and residential units have been applying to the Planning Board to convert to heated/year round units. The Borough relies on 1986 tax re-evaluation records to determine if the applicant, who wants to intensify a property's use, previously had heat or if they need variance approval from the board. These conditions have resulted in a larger population base that can be measured via census, school enrollment records, and increased demands on Borough services. Subsequently, this objective needs to be evaluated to determine if it remains a goal of the Borough.

Objective No. 4

*"Encourage expansion and improvements of business"*

Businesses are encouraged to expand and improve as evident by Planning Board application approvals and State Funding of "French Quarter" redevelopment of the Boulevard business section of the Borough. A Business Improvement District (BID) has been created and staffed with a full time administrator to promote Borough business operations and development. This objective needs to be evaluated to determine how it coincides with the planned growth of the Borough. Recent developments are converting existing sand parking lots to residential units. A comprehensive evaluation is required to analyze the relationship of needs for parking and borough services with boardwalk needs, residential needs, restaurant needs, and hotel needs.

Objective No. 5

*"Encourage aesthetics in commercial areas and to stay open longer to promote trade goals."*

Commercial aesthetics have been enhanced by the installation of a French Quarter facade along the Boulevard. Sidewalk and lighting improvements have also been installed along the Boulevard. Individual Planning Board approvals have permitted enhancements to business establishments along the Boardwalk and at other locations throughout the Borough.

The question of trade hours of operation has undergone a process of transition and review. Bar closing times have been established to promote compatibility with business owners, patrons, police and adjoining municipalities. Business establishments are encouraged to provide restaurant facilities. Subsequently, during the peak summer months, bars stop serving at 3:00 a.m. and close at 4:00 a.m.

The opening of a 24-hour convenience store has since appeared to be a benefit to the community and is accommodated by the Borough.

Objective No. 6

*"Encourage off street parking with adequate traffic patterns, light, safety and drainage."*

The Borough has actively been promoting off street parking through the implementation of development ordinances and the acquisition/conversion of properties into off street metered parking areas.

The Borough Planning Board and Residential Site Improvement Standards (R.S.I.S.) provide off-street parking for new developments. However, the loss of open lot parking in the vicinity of commercial properties and the boardwalk are a major concern. Residential and condominium developments are displacing these parking spaces and are not being replaced.

A comprehensive Master Plan study should include a traffic and parking utilization element. The Borough should assess its role in managing and promoting adequate parking facilities for both residential and commercial needs.

Objective No. 7

*"Encourage park preservation and recreation development."*

The Borough has promoted park preservation and recreation development for its growing population whenever opportunities and funding sources are available.

In addition to the Borough's beach and bay areas, current facilities include a baseball field, playground, basketball/tennis courts and a community/recreation center. The Borough has also acquired the Hering Tract at the northeast portion of the borough utilizing state funding (attachment C).

Objective No. 8

*"Encourage mass transit facilities and seek greater capabilities and technology."*

The Borough continues to encourage mass transit facilities via scheduled bus routes. The Borough should evaluate access routes and conditions as part of the Master Plan traffic and parking element.

Each of these objectives continues to be addressed by Seaside Heights. The Borough intends to further develop ordinances and take action as required to further promote and develop each objective. The addition, deletion, or modification of the Borough's defined goals and objectives are a primary component of a comprehensive Master Plan.

**IV Policies, Assumptions & Demographics**

The fundamental assumptions, policies and objectives of the Borough have not greatly changed since the Master Plan was adopted. However, the demographics of the municipality have changed. The current figures based on the 2000 census and Ocean County projections are as follows:

a) Density/Population

Seaside Heights had a census population of 1,248 in 1970; 1,802 in 1980; 2,366 in 1990 and 3,155 in 2000. (A growth of 44%, 31%, and 33% for each decade respectively).

The population estimated by the North Jersey Transportation Planning Authority, as noted in the Ocean County Cross Acceptance Report, for Seaside Heights in 2015 is 3,253 (3%). For comparison, the countywide growth estimate for a similar period is approximately 17 %.

The 2000 census household size of the Borough is estimated at 2.17 persons per household and the estimated number of year round occupied housing units is 1,408.

The Ocean County Cross Acceptance Report also notes the Borough's population density of 5,162 persons per square mile (p/sm) exceeds the county density of 803 (p/sm) and the State density of 1,134 (p/sm).

b) Land Uses

Being a developed barrier island, a majority of the Borough is in the 100 year Flood Plain and contains virtually no vacant or unused land.

The predominant characteristic remains mixed use, one and multi-family, and commercial development.

c) Housing Conditions

Numerous building permits and Planning Board approvals have been issued for new structures, building upgrades and expansions. Some existing housing may be considered substandard. However, most homes and commercial establishments are in reasonably good repair.

d) Circulation

Existing traffic patterns remain primarily unchanged. Borough perimeter circulation is accomplished via the major route access of Route 35 and Route 37. Internal circulation is accomplished via a combination of one-way and two-way streets and Boulevards.

e) Conservation/Recycling

Although the Borough does not have a separate Master Plan element regarding recycling, the Borough continues to work with the State and encourages conservation/recycling among its residents, visitors and commercial establishments. Over 2,310 tons were recycled in 2003.

f) Comparison to State and County Plans

The New Jersey State Planning Commission, Office Of Smart Growth, released an April 2004 publication of the Preliminary New Jersey State Development and Redevelopment Plan entitled "Building a Better New Jersey". The State plan goal is to use Planning and Resource Management for desirable and necessary growth / infrastructure improvements within the State.

The Preliminary Plan is currently in the cross-acceptance process. The plan is being reviewed by government entities at all levels and the public for consistency with each other and the State Plan.

The State plan identifies five types of State "Centers". They are: Urban, Regional, Town, Village, and Hamlet. The State plan designates the Borough of Seaside Heights as a "Town" which meets the following criteria:

- 1) *While smaller than an Urban or Regional Center, it has a traditional, compact, mixed-use core of development providing all of the commercial, industrial, office, cultural and governmental functions commonly needed on a daily basis by the residents of the Town and its economic region; it has neighborhoods providing a mix of residential housing types, with infrastructure serving both the core and the neighborhoods; and*

- 2) *It has (or is planned to have) a population of more than 1,000 persons and less than 10,000 within the Center Boundary; and*
- 3) *It has (or is planned to have) a gross population density of more than 5,000 persons per square mile, excluding water bodies; and*
- 4) *It has (or is planned to have) a minimum gross housing density of three dwelling units/acre excluding water bodies; and*
- 5) *It has a land area of less than two square miles; and*
- 6) *It has (or is planned to have) a jobs-to-housing ratio of 1:1 to 4:1 ; and*
- 7) *It is served by an arterial highway and /or public transit*

The Ocean County Planning Board adopted a County comprehensive Master Plan in 1988. The County Plan recites historical facts, and compiles general census and demographics among Ocean County communities. The County, similar to the State, is interested in planned and orderly growth and infrastructure improvements. The County plan has not been reexamined since 1988. However, the County does publish an annual update of County community demographics and projections.

There is no appreciable difference between the common goals of the Borough of Seaside Heights and the State and County.

## **V Accomplishments and Needs**

The Borough has accomplished several goals and has identified several Municipal needs including:

### **a) Redevelopment Agency**

- The Borough created a Citizens Advisory Committee (CAC) in the mid 1990's. Utilizing special legislative grants, the Borough hired consultants and designated the Bayside tract and Southeast tract as area's in need of redevelopment (See 1999 reports).
- The Borough petitioned the Department of Community Affairs (DCA) and was granted authorization to create a redevelopment agency.
- The Borough adopted ordinance 2000-19 in September of 2000 and officially created the "redevelopment agency".

- The Seaside Heights redevelopment agency issued a Southeast Area Redevelopment Plan in 2002.
- Although the plan was not implemented, the Borough recognizes the value of the agency and provides an annual operating budget.
- The seven member agency continues to meet approximately once a month and has adopted a mission statement to assist the Borough meet it's goals and continue to promote redevelopment, planning and grant acquisitions.
- At the present time the Borough has designated no specific areas for agency review (ordinance 04-11).

b) CAFRA (Town Center)

The Borough petitioned the Office of State Planning (OSP) for Center status in the mid 1990's. The petition was granted and town center status was conferred on July 16, 2003.

Seaside Heights was officially listed as a CAFRA Town Center in the N.J. register published on December 20, 2004. Subsequently, the impervious cover limit for CAFRA projects within the Borough is 70% (vs. 3% permitted for a CAFRA coastal environmentally sensitive planning area).

To maintain town center status the Borough must implement a Planning Implementation Agenda (PIA). A copy of the PIA is provide in attachment B, and includes the following requirements.

- Update master plan.
- Petition for COAH certification.
- Promote economic development.
- Support school improvements.
- Inventory and protect historic resources ;
- Adopt Beach and Dune maintenance plan.
- Review ordinances and ensure public access to beach and bay waterfront.

c) COAH

The Borough hired a consultant and conducted a structural conditions survey in 1999.

The Borough does not have a housing element and fair share plan that is certified by COAH.

The implementation and impact of round 3-growth share requirements needs to be addressed by the Borough.

d) Stormwater Management

The Borough has obtained a general stormwater permit that became effective on April 1, 2004.

The Borough is obligated to initiate a stormwater prevention plan and a stormwater management plan element prior to April 1, 2005 (attachment D).

e) Parking Facilities

During peak summer months, parking near the Boardwalk is at a premium. Open sand lots have historically supplemented on street metered parking spaces. The high demand for proximity near the boardwalk and restaurant establishments has resulted in high daily parking rates in these lots (greater than \$25/day). Loss of these lots has exacerbated the situation. The open sand lots have been subject to developers constructing condominium units. The condominiums are required to provide off street parking for their units only, in conformance with RSIS regulations.

Some additional public parking has been addressed in the northeast area of the Borough at the Hering Tract, acquired by the Borough as part of the Green Acres program.

Additional parking remains at the western (Bay) section of the Borough.

The development trend is anticipated to continue. The potential short term and long term affect of the availability / proximity of public parking spaces warrants further study and impact analysis.

f) Zoning Density & Land Use Regulations

An updated zoning map could be utilized to more accurately depict the limits of the LDR zone along Central Avenue where typical lots are 25 ft wide (vs. 20 ft).

Various interests have informally discussed revised zoning regulations to promote restaurant/boardwalk/parking at the southeast portion of the Borough. Correspondingly, with the exception of specific commercial/business corridors along main access streets, residential uses would be promoted towards the west (Bay) side of the Borough.

It is necessary for the Borough to discuss and review current zoning regulations and boundaries. The review should include:

- On street vs. off street parking requirements.
- Leased off site spaces, proximity and duration of lease.
- Multiple principle buildings on one lot
- Lot requirements for mixed-use commercial/residential uses.
- Lot area requirements per unit.

## **VI Recommendations**

Based on the Master Plans adopted by the Borough, County and State, including a review of current Borough needs, Zoning Regulations and Maps, we submit the following findings.

- A. The previously recommended Zone description amendments have been implemented and included the following:
- 1) The use of the word "District" has been replaced with the word "Zone" to match the Zone Area descriptions.
  - 2) Ordinance 83-4: Residential Zone permitted uses have been clarified to specifically include "Multi-Family" structures and "Multiple Conforming Structures" per building lot.
  - 3) Ordinance 83-4: Residential Zone, Paragraph C, items 6 & 7 has been deleted in their entirety due to conflicts with the Low Density Residential Zone Boundary descriptions.
  - 4) Ordinance 83-4.1c: Low Density Residential Zone, minimum Lot "coverage" has been replaced with the word "size".
  - 5) Ordinance 83-4.2: Low Density Residential Paragraph D description of Zone Boundaries has been revised to delete the last sentence and add a statement that all retail business zones are also excluded.

- 6) Ordinance 83-5: Retail Business District paragraph E (1) has added "at Ocean Terrace" to the first sentence after the words Grant Avenue. Paragraph E (2) has been revised to delete reference to Block No. 14 and insert 14.01 and 14.02 instead.
  - 7) Ordinance 83-5: Retail Business District, Paragraph E (6) has been revised to include Lots 30, 33 and 34.
  - 8) Ordinance 83-5: Retail Business District, Paragraph E (8) has been revised to stipulate Buildings Numbers 6.01 and 7.01; and Paragraph E (9) should stipulate Block No. 33.01.
  - 8) Ordinance 83-6 Resort Recreational District, Paragraphs B (1) through (7) has added .02 to the end of each Block reference. Paragraph B (8) should revise Block 33 to 33.01, 33.02 and 33.03.
  - (9) Ordinance 83-6.1 Resort Recreation District A, Paragraph B (1) has been revised to include Lots 15 through 68 (not 15-58)
- B. The current re-examination has identified several matters that warrant the Borough's attention regarding planning and defining the Borough's vision for the future. The following items are recommended to be addressed:
- 1) Define how the redevelopment agency can assist the Borough's development.
  - 2) Prepare a new comprehensive master plan as recommended in the previous re-examination report. This is now even more important to fulfill the requirements of the planning implementation agenda and address Borough's needs regarding economic development, zoning, density, and affordable housing.
  - 3) Prepare and adopt a stormwater management plan element of the master plan.
  - 4) Prepare and adopt a parking study/traffic circulation element of the master plan.
  - 5) Adopt an updated zoning map (see Attachment A).
  - 6) Define zoning boundary limits pertains to Lots partially within zones.

- 7) Define off-street parking requirements for Marinas.
- 8) Define off-street minimum parking aisle widths.
- 9) Specify a minimum lot frontage for the low-density residential (LDR) zone.
- 10) Define the relationship between a mixed-use retail business and residential development pertaining to minimum lot size, permitted units and bulk requirements.
- 11) Add the terms townhouse and condominiums to the definition and bulk standards.
- 12) Add the terms minor subdivision and lot frontage to the definitions.

The public hearings required to develop the master plan can be utilized to solicit input from the commercial, business and residential sections of the community to develop a vision of the borough for the foreseeable future and planned growth.

The Planning Board has not received authorization from the Borough to study any additional areas within the Municipality "as in need of redevelopment" per the Local Redevelopment and Housing Law (40A:12A-5).

Upon final adoption of the Master Plan Re-Examination by the Planning Board, we recommend forwarding a copy of the document to the County Planning Board and adjoining municipal clerks. In addition, a copy should be forwarded to the Mayor and Committee requesting the implementation of recommended measures.

**Attachment A**

**Proposed Zoning Map  
(reduced version)**



**Attachment B**

**Town Center / Planning Implementation Agenda (PIA)**



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS  
101 SOUTH BROAD STREET  
PO Box 800  
TRENTON NJ 08625-0800

JAMES E. MCGREEVEY  
Governor

SUSAN BASS LEVIN  
Commissioner

July 31, 2003

The Honorable P. Kenneth Hershey  
Mayor, Seaside Heights Borough  
901 Boulevard  
Post Office Box 38  
Seaside Heights, NJ 08751

Re: Seaside Heights Borough, Ocean County  
Seaside Heights Town Center

Dear Mayor Hershey:

I am writing to congratulate and officially notify you that the State Planning Commission approved Seaside Heights Borough's petition for designation of the Seaside Heights Town Center at its meeting of July 16, 2003. I am enclosing a copy of the signed resolution indicating this approval and a copy of the approved Planning and Implementation Agenda (PIA). With this action, the Commission recognizes your hard work and commitment to a better future for your community. We will help you with your PIA in every way we can.

Enclosed is a list of State programs. The list, weighted to give priority to designated centers, is arranged according to the format of the approved Planning and Implementation Agenda.

Joe Donald of the Office of Smart Growth's (OSG) State Planning Unit (SPU) has been assigned to be the OSG center case manager for Seaside Heights Borough. He will assist you in the implementation of your PIA. You can reach him at (609) 292-3732 or [jdonald@dca.state.nj.us](mailto:jdonald@dca.state.nj.us).

Please identify a contact person to implement your PIA and advise Mr. Donald who will take on the responsibility.

Again, congratulations. If you have any questions, please do not hesitate to call.

Sincerely,

Susan Bass Levin  
Commissioner

Copies to: Scott Thompson, Chas Holloway, & John Camera

## Borough of Seaside Heights Town Center Planning & Implementation Agenda

Planning Efforts	Local Efforts	State & County Assistance	Indicators & Targets
<b>Land Use</b>			
<p>Update Master Plan. Review and update zoning ordinances, incorporating revitalization and redevelopment planning goals, policy objectives and Town Center objectives.</p>	<p>Planning Board review, Planning Board recommendations, Council authorization and allocate funding.</p> <p>Incorporate Town Center within Master Plan - amend maps, land use plan and zone plan where applicable.</p>	<p>DCA technical assistance.</p>	<p>2 Years</p>
	<p>Create and adopt design guidelines to preserve the character of the Center and promote it's economic growth.</p>		
<b>Housing</b>			
<p>Establish a program to rehabilitate deteriorated housing units and upgrade existing housing stock.</p>	<p>Undertake a housing study and identify deteriorated properties.</p> <p>Develop a housing rehabilitation program.</p> <p>Consider regional contributions from neighboring municipalities.</p>	<p>COAH, DCA, County.</p>	<p>Ongoing</p>
	<p>Reinforce property maintenance Code Enforcement.</p> <p>Continue to adopt or amend codes as necessary.</p>		
<p>Petition for COAH certification.</p>	<p>Prepare Housing Element and Fair Share Plan.</p>		<p>1 Year</p>
<b>Economic Development</b>			
<p>Promote the development and enhancement of defined commercial districts and programs supportive of the needs of both the business community and their patrons.</p>	<p>Support sidewalk, streetscape, lighting and façade improvements designed to unify and identify commercial areas; develop a coordinated parking and circulation plan supportive of the needs of both the business community and their patrons.</p> <p>Development of a "downtown improvement plan".</p> <p>Develop Special Improvement District(s).</p> <p>Consider Tax Abatement Programs Develop an Advertising and Public Relations Program.</p>	<p>NJDCA, NJ Commerce, NJEDA, County.</p>	<p>2 Years</p>
<p>Promote year round arts, entertainment, and cultural activities.</p>	<p>Coordinate events with local business groups, Chamber of Commerce and regional organizations.</p>		<p>Ongoing</p>

## Borough of Seaside Heights Town Center Planning & Implementation Agenda

Planning Efforts	Local Efforts	State & County Assistance	Indicators & Targets
<b>Human Services</b>			
Support school improvements.	Evaluate needs & promote supplemental programs.  Establish a Board of Education Committee to develop and oversee program development.	NJDOE.	2 Years
<b>Historic Preservation</b>			
Review historic resources within the Borough and promote preservation.	Develop and inventory existing facilities and establish a program to protect the integrity of historic resources.	SHIPO.	Ongoing
<b>Environmental Protection</b>			
Apply to DEP Municipal Stormwater Regulation Program for Tier A Municipal Stormwater Permit.	Municipal Committee and Planning Board to prepare stormwater plan and adopt storm water ordinances pursuant to DEP NJPDES Rules.	OSG, SCPD, DEP.	Summer 2003
Evaluate and adopt changes to local plans and ordinances required by Rules.		Watershed Assistance Grants, Non-point Source Pollution Control Grants, Watershed Education Grants.	Summer 2004
Develop and adopt revised DEP-approved Stormwater Management Plan.			Summer 2004
Develop and adopt revised DEP-approved Stormwater Control Ordinance.			Summer 2005
Prepare Beach and Dune Maintenance Plan for submission and approval to DEP.	Borough to prepare and adopt plan.	DEP Land Use Regulatory Program technical assistance.	Spring 2004
Ensure public access to beach and bay waterfront.	Borough to review ordinances, ensure redevelopment plans incorporate access issues.	DEP Land Use Regulatory Program technical assistance.	Ongoing



State of New Jersey  
DEPARTMENT OF COMMUNITY AFFAIRS  
NEW JERSEY STATE PLANNING COMMISSION  
PO Box 204  
TRENTON NJ 08625-0204

JAMES E. MCGREEVEY  
Governor

SUSAN BASS LEVIN  
Commissioner

Resolution No. 2003-10  
Page 1 of 4

Date: July 16, 2003  
Patron:

RESOLUTION

DESIGNATING THE SEASIDE HEIGHTS TOWN CENTER IN  
SEASIDE HEIGHTS BOROUGH, OCEAN COUNTY

WHEREAS, the State Planning Commission, pursuant to its responsibilities under the State Planning Act, N.J.S.A. 52:18A-196 et seq., has prepared and adopted a State Development and Redevelopment Plan which includes a State Plan Policy Map; and

WHEREAS, in adopting a State Development and Redevelopment Plan, the State Planning Commission has utilized the concept of Centers as the organizing planning principle for achieving a more effective and efficient pattern of development in the State of New Jersey; and

WHEREAS, the State Development and Redevelopment Plan accordingly identifies five types of Centers: Urban Centers, Regional Centers, Towns, Villages, and Hamlets, and sets forth policies regarding the identification, delineation, development and redevelopment of Centers; and

WHEREAS, the State Planning Commission is empowered, pursuant to N.J.S.A. 52:18A-203 of the State Planning Act, to adopt rules and regulations to carry out and implement its statutory responsibilities and purposes; and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the State Planning Commission has adopted regulations, set forth in N.J.A.C. 17:32, that establish procedures for filing of petitions with the State Planning Commission for the purpose of seeking amendments to the State Plan Policy Map of the State Development and Redevelopment Plan in order that the Map and Plan can better serve to foster cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, the Borough of Seaside Heights, Ocean County, filed a petition with the State Planning Commission in 1998 during Cross-acceptance II as part of the Ocean County Cross-acceptance Report, pursuant to the provisions of N.J.A.C. 17:32-8 which were in effect prior to January 7, 2002, seeking to amend the State Plan Policy Map of the State Development and Redevelopment Plan in order that the Borough of Seaside Heights, as more specifically described in the Borough's petition, be designated as the Seaside Heights Regional Center under the State Plan; and



State of New Jersey  
DEPARTMENT OF COMMUNITY AFFAIRS  
NEW JERSEY STATE PLANNING COMMISSION  
PO Box 204  
TRENTON NJ 08625-0204

JAMES E. MCGREEVEY  
Governor

SUSAN BASS LEVIN  
Commissioner

Resolution No. 2003-10  
Page 3 of 4

Date: July 16, 2003  
Patron:

WHEREAS, in accordance with the recommendations of the Executive Director of the Office of Smart Growth and the Plan Implementation Committee, the Borough of Seaside Heights has reduced the Center Boundary and modified the Planning and Implementation Agenda contained in its petition in the manner recommended by the Executive Director of the Office of Smart Growth and the Plan Implementation Committee; and

WHEREAS, the State Planning Commission has considered the revised petition, the reduced Center Boundary and the modified Planning and Implementation Agenda submitted by the Borough of Seaside Heights, the findings of the Executive Director of the Office of Smart Growth with regard to the petition, the recommendations of the Commission's Plan Implementation Committee with regard to the petition, and all of the comments and written correspondence submitted to the Office of Smart Growth and the State Planning Commission with regard to the petition; and

WHEREAS, the State Planning Commission has determined it appropriate to approve the amendment of the State Plan Policy Map for the purpose of designating the Seaside Heights Town Center,

NOW, THEREFORE, BE IT RESOLVED, that the State Planning Commission, pursuant to N.J.A.C. 17:32, hereby approves the amendment of the State Plan Policy Map for the purpose of designating the Seaside Heights Town Center; and

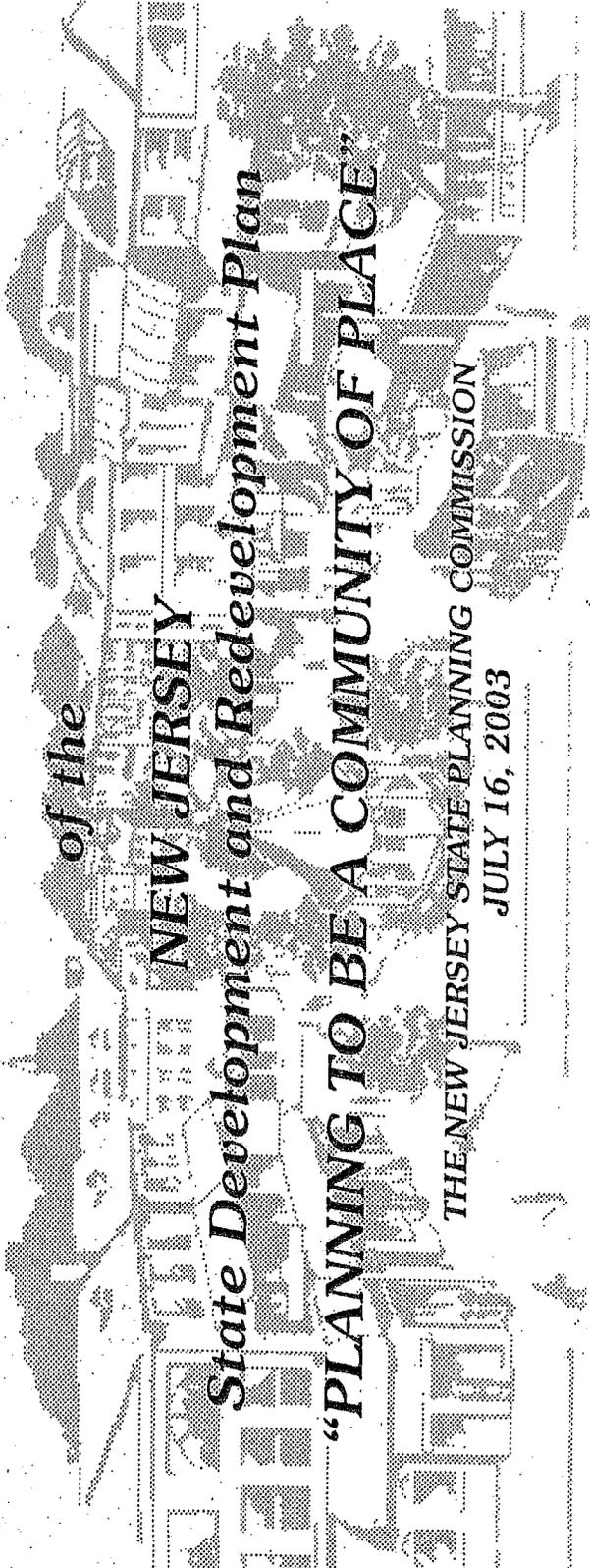
BE IT FURTHER RESOLVED, that, in approving the amendment of the State Plan Policy Map for the purpose of designating the Seaside Heights Town Center, it is understood that the Borough of Seaside Heights will continue to carry out its plans in accordance with the goals, strategies and policies of the State Plan and in accordance with its revised Planning and Implementation Agenda; and

BE IT FURTHER RESOLVED, that, in approving the amendment of the State Plan Policy Map for the purpose of designating the Seaside Heights Town Center, it is understood that such amendment in no way exempts property owners and/or development applicants within the area affected by this amendment from securing all approvals required by law from the relevant federal, state, county and/or local agencies, nor does this amendment override or modify the terms and conditions under which said approvals are secured; and

**SEASIDE HEIGHTS  
TOWN CENTER**

SEASIDE HEIGHTS BOROUGH, OCEAN COUNTY

**A DESIGNATED TOWN CENTER**



of the  
**NEW JERSEY**

*State Development and Redevelopment Plan*

**"PLANNING TO BE A COMMUNITY OF PLACE"**

THE NEW JERSEY STATE PLANNING COMMISSION  
JULY 16, 2003

Handwritten signature of Adam Zellner.

Adam Zellner, Director

Handwritten signature of Timothy J. Touhey.

Timothy J. Touhey, Chairman

Ordinance No. and Date	Description
18 - 1999	Chapter 246 amended to include "additional regulations" regarding front setback extensions beyond the building line.
11 - 2000	Chapter 246 "establishment of control" supplemented to define 1986 re-evaluation records regarding heat. Additional amendments and supplements are detailed for "definitions", "residential zone", "low-density residential zone" and "additional regulations".
18 - 2002	Chapter 246 sections and paragraphs amended to change "establishment of controls", "low density residential zone" "retail business zone" and "standards for approval".
29 - 2002	Chapter 246 amended to create section entitled "right to appeal to Borough Council".
10 - 2004	Chapter 246 amended "definitions" and "additional regulations" pertaining to building height measured from flood level.
14 - 2004	Chapter 246 amended "additional regulations" pertaining to setback requirements and projections.

### III. Objectives / Current Applicability

The original Seaside Heights Master Plan provided several historical objectives and goals for the Borough.

Previously identified Master Plan major challenges, objectives and goals are summarized below and provided with statement of current applicability.

a) Previously identified major challenges, objectives and goals and the extent to which they have increased or decreased:

#### Objective No. 1

*"Promote the logical placement/relationship of compatible Land Uses to provide a variety of resident services and facilities. Locate businesses/residences so they do not adversely affect each others function."*

The objective of logical placement / relationship of compatible Land Uses continues to be a goal of the Borough via zoning enforcement and ordinance amendments. The resort recreation district "A" was created to regulate the proximity of adult entertainment to residences. The Low Density Residential (LDR) Zone has been modified to restrict development to single family or duplex units.

The Borough has experienced a tremendous surge of development and growth within the last several years. A listing of planning board approved applications is provided in Attachment E. The Borough zoning ordinances are unique due to their allowance's for mixed uses and multiple principle structures on a single property. Over the next year a comprehensive re-examination of land use patterns, density, and uses should be undertaken by the Borough to determine whether these goals / objectives are being addressed.

#### Objective No. 2

*"Improve existing deteriorating housing through owner and community participation."*

A Council on Affordable Housing (COAH) structural conditions survey was conducted within the Borough in 1999. The results of the survey indicated a total of 409 deficient units. Deteriorated housing has been improved via homeowner and community participation as indicated by the aesthetic qualities of a current visual inspection and corresponding construction permit/board application activities. Property values have risen as part of the real estate market, which has promoted property owner improvements and investments. The creation of a comprehensive master plan should be utilized to assess the current conditions of the Borough housing.

Objective No. 3

*"Encourage hotels and motels to remain open beyond the customary 100 day season to develop business/convention trade."*

Publicized contests, real estate development and special events have resulted in a longer season and greater use of the boardwalk facilities, hotels and restaurants. Hotels, motels and residential units have been applying to the Planning Board to convert to heated/year round units. The Borough relies on 1986 tax re-evaluation records to determine if the applicant, who wants to intensify a property's use, previously had heat or if they need variance approval from the board. These conditions have resulted in a larger population base that can be measured via census, school enrollment records, and increased demands on Borough services. Subsequently, this objective needs to be evaluated to determine if it remains a goal of the Borough.

Objective No. 4

*"Encourage expansion and improvements of business"*

Businesses are encouraged to expand and improve as evident by Planning Board application approvals and State Funding of "French Quarter" redevelopment of the Boulevard business section of the Borough. A Business Improvement District (BID) has been created and staffed with a full time administrator to promote Borough business operations and development. This objective needs to be evaluated to determine how it coincides with the planned growth of the Borough. Recent developments are converting existing sand parking lots to residential units. A comprehensive evaluation is required to analyze the relationship of needs for parking and borough services with boardwalk needs, residential needs, restaurant needs, and hotel needs.

Objective No. 5

*"Encourage aesthetics in commercial areas and to stay open longer to promote trade goals."*

Commercial aesthetics have been enhanced by the installation of a French Quarter facade along the Boulevard. Sidewalk and lighting improvements have also been installed along the Boulevard. Individual Planning Board approvals have permitted enhancements to business establishments along the Boardwalk and at other locations throughout the Borough.

The question of trade hours of operation has undergone a process of transition and review. Bar closing times have been established to promote compatibility with business owners, patrons, police and adjoining municipalities. Business establishments are encouraged to provide restaurant facilities. Subsequently, during the peak summer months, bars stop serving at 3:00 a.m. and close at 4:00 a.m.

The opening of a 24-hour convenience store has since appeared to be a benefit to the community and is accommodated by the Borough.

Objective No. 6

*"Encourage off street parking with adequate traffic patterns, light, safety and drainage."*

The Borough has actively been promoting off street parking through the implementation of development ordinances and the acquisition/conversion of properties into off street metered parking areas.

The Borough Planning Board and Residential Site Improvement Standards (R.S.I.S.) provide off-street parking for new developments. However, the loss of open lot parking in the vicinity of commercial properties and the boardwalk are a major concern. Residential and condominium developments are displacing these parking spaces and are not being replaced.

A comprehensive Master Plan study should include a traffic and parking utilization element. The Borough should assess its role in managing and promoting adequate parking facilities for both residential and commercial needs.

Objective No. 7

*"Encourage park preservation and recreation development."*

The Borough has promoted park preservation and recreation development for its growing population whenever opportunities and funding sources are available.

In addition to the Borough's beach and bay areas, current facilities include a baseball field, playground, basketball/tennis courts and a community/recreation center. The Borough has also acquired the Hering Tract at the northeast portion of the borough utilizing state funding (attachment C).

Objective No. 8

*"Encourage mass transit facilities and seek greater capabilities and technology."*

The Borough continues to encourage mass transit facilities via scheduled bus routes. The Borough should evaluate access routes and conditions as part of the Master Plan traffic and parking element.

Each of these objectives continues to be addressed by Seaside Heights. The Borough intends to further develop ordinances and take action as required to further promote and develop each objective. The addition, deletion, or modification of the Borough's defined goals and objectives are a primary component of a comprehensive Master Plan.

**IV Policies, Assumptions & Demographics**

The fundamental assumptions, policies and objectives of the Borough have not greatly changed since the Master Plan was adopted. However, the demographics of the municipality have changed. The current figures based on the 2000 census and Ocean County projections are as follows:

a) Density/Population

Seaside Heights had a census population of 1,248 in 1970; 1,802 in 1980; 2,366 in 1990 and 3,155 in 2000. (A growth of 44%, 31%, and 33% for each decade respectively).

The population estimated by the North Jersey Transportation Planning Authority, as noted in the Ocean County Cross Acceptance Report, for Seaside Heights in 2015 is 3,253 (3%). For comparison, the countywide growth estimate for a similar period is approximately 17 %.

The 2000 census household size of the Borough is estimated at 2.17 persons per household and the estimated number of year round occupied housing units is 1,408.

The Ocean County Cross Acceptance Report also notes the Borough's population density of 5,162 persons per square mile (p/sm) exceeds the county density of 803 (p/sm) and the State density of 1,134 (p/sm).

b) Land Uses

Being a developed barrier island, a majority of the Borough is in the 100 year Flood Plain and contains virtually no vacant or unused land.

The predominant characteristic remains mixed use, one and multi-family, and commercial development.

c) Housing Conditions

Numerous building permits and Planning Board approvals have been issued for new structures, building upgrades and expansions. Some existing housing may be considered substandard. However, most homes and commercial establishments are in reasonably good repair.

d) Circulation

Existing traffic patterns remain primarily unchanged. Borough perimeter circulation is accomplished via the major route access of Route 35 and Route 37. Internal circulation is accomplished via a combination of one-way and two-way streets and Boulevards.

e) Conservation/Recycling

Although the Borough does not have a separate Master Plan element regarding recycling, the Borough continues to work with the State and encourages conservation/recycling among its residents, visitors and commercial establishments. Over 2,310 tons were recycled in 2003.

f) Comparison to State and County Plans

The New Jersey State Planning Commission, Office Of Smart Growth, released an April 2004 publication of the Preliminary New Jersey State Development and Redevelopment Plan entitled "Building a Better New Jersey". The State plan goal is to use Planning and Resource Management for desirable and necessary growth / infrastructure improvements within the State.

The Preliminary Plan is currently in the cross-acceptance process. The plan is being reviewed by government entities at all levels and the public for consistency with each other and the State Plan.

The State plan identifies five types of State "Centers". They are: Urban, Regional, Town, Village, and Hamlet. The State plan designates the Borough of Seaside Heights as a "Town" which meets the following criteria:

- 1) *While smaller than an Urban or Regional Center, it has a traditional, compact, mixed-use core of development providing all of the commercial, industrial, office, cultural and governmental functions commonly needed on a daily basis by the residents of the Town and its economic region; it has neighborhoods providing a mix of residential housing types, with infrastructure serving both the core and the neighborhoods; and*

- 2) *It has (or is planned to have) a population of more than 1,000 persons and less than 10,000 within the Center Boundary; and*
- 3) *It has (or is planned to have) a gross population density of more than 5,000 persons per square mile, excluding water bodies; and*
- 4) *It has (or is planned to have) a minimum gross housing density of three dwelling units/acre excluding water bodies; and*
- 5) *It has a land area of less than two square miles; and*
- 6) *It has (or is planned to have) a jobs-to-housing ratio of 1:1 to 4:1 ; and*
- 7) *It is served by an arterial highway and /or public transit*

The Ocean County Planning Board adopted a County comprehensive Master Plan in 1988. The County Plan recites historical facts, and compiles general census and demographics among Ocean County communities. The County, similar to the State, is interested in planned and orderly growth and infrastructure improvements. The County plan has not been reexamined since 1988. However, the County does publish an annual update of County community demographics and projections.

There is no appreciable difference between the common goals of the Borough of Seaside Heights and the State and County.

## **V Accomplishments and Needs**

The Borough has accomplished several goals and has identified several Municipal needs including:

- a) **Redevelopment Agency**
  - The Borough created a Citizens Advisory Committee (CAC) in the mid 1990's. Utilizing special legislative grants, the Borough hired consultants and designated the Bayside tract and Southeast tract as area's in need of redevelopment (See 1999 reports).
  - The Borough petitioned the Department of Community Affairs (DCA) and was granted authorization to create a redevelopment agency.
  - The Borough adopted ordinance 2000-19 in September of 2000 and officially created the "redevelopment agency".

- The Seaside Heights redevelopment agency issued a Southeast Area Redevelopment Plan in 2002.
- Although the plan was not implemented, the Borough recognizes the value of the agency and provides an annual operating budget.
- The seven member agency continues to meet approximately once a month and has adopted a mission statement to assist the Borough meet it's goals and continue to promote redevelopment, planning and grant acquisitions.
- At the present time the Borough has designated no specific areas for agency review (ordinance 04-11).

b) CAFRA (Town Center)

The Borough petitioned the Office of State Planning (OSP) for Center status in the mid 1990's. The petition was granted and town center status was conferred on July 16, 2003.

Seaside Heights was officially listed as a CAFRA Town Center in the N.J. register published on December 20, 2004. Subsequently, the impervious cover limit for CAFRA projects within the Borough is 70% (vs. 3% permitted for a CAFRA coastal environmentally sensitive planning area).

To maintain town center status the Borough must implement a Planning Implementation Agenda (PIA). A copy of the PIA is provide in attachment B, and includes the following requirements.

- Update master plan.
- Petition for COAH certification.
- Promote economic development.
- Support school improvements.
- Inventory and protect historic resources.
- Adopt Beach and Dune maintenance plan.
- Review ordinances and ensure public access to beach and bay waterfront.

c) COAH

The Borough hired a consultant and conducted a structural conditions survey in 1999.

The Borough does not have a housing element and fair share plan that is certified by COAH.

The implementation and impact of round 3-growth share requirements needs to be addressed by the Borough.

d) Stormwater Management

The Borough has obtained a general stormwater permit that became effective on April 1, 2004.

The Borough is obligated to initiate a stormwater prevention plan and a stormwater management plan element prior to April 1, 2005 (attachment D).

e) Parking Facilities

During peak summer months, parking near the Boardwalk is at a premium. Open sand lots have historically supplemented on street metered parking spaces. The high demand for proximity near the boardwalk and restaurant establishments has resulted in high daily parking rates in these lots (greater than \$25/day). Loss of these lots has exacerbated the situation. The open sand lots have been subject to developers constructing condominium units. The condominiums are required to provide off street parking for their units only, in conformance with RSIS regulations.

Some additional public parking has been addressed in the northeast area of the Borough at the Hierung Tract, acquired by the Borough as part of the Green Acres program.

Additional parking remains at the western (Bay) section of the Borough.

The development trend is anticipated to continue. The potential short term and long term affect of the availability / proximity of public parking spaces warrants further study and impact analysis.

f) Zoning Density & Land Use Regulations

An updated zoning map could be utilized to more accurately depict the limits of the LDR zone along Central Avenue where typical lots are 25 ft wide (vs. 20 ft).

Various interests have informally discussed revised zoning regulations to promote restaurant/boardwalk/parking at the southeast portion of the Borough. Correspondingly, with the exception of specific commercial/business corridors along main access streets, residential uses would be promoted towards the west (Bay) side of the Borough.

It is necessary for the Borough to discuss and review current zoning regulations and boundaries. The review should include:

- On street vs. off street parking requirements.
- Leased off site spaces, proximity and duration of lease.
- Multiple principle buildings on one lot
- Lot requirements for mixed-use commercial/residential uses.
- Lot area requirements per unit.

## **VI Recommendations**

Based on the Master Plans adopted by the Borough, County and State, including a review of current Borough needs, Zoning Regulations and Maps, we submit the following findings.

- A. The previously recommended Zone description amendments have been implemented and included the following:
- 1) The use of the word "District" has been replaced with the word "Zone" to match the Zone Area descriptions.
  - 2) Ordinance 83-4: Residential Zone permitted uses have been clarified to specifically include "Multi-Family" structures and "Multiple Conforming Structures" per building lot.
  - 3) Ordinance 83-4: Residential Zone, Paragraph C, items 6 & 7 has been deleted in their entirety due to conflicts with the Low Density Residential Zone Boundary descriptions.
  - 4) Ordinance 83-4.1c: Low Density Residential Zone, minimum Lot "coverage" has been replaced with the word "size".
  - 5) Ordinance 83-4.2: Low Density Residential Paragraph D description of Zone Boundaries has been revised to delete the last sentence and add a statement that all retail business zones are also excluded.

- 6) Ordinance 83-5: Retail Business District paragraph E (1) has added "at Ocean Terrace" to the first sentence after the words Grant Avenue. Paragraph E (2) has been revised to delete reference to Block No. 14 and insert 14.01 and 14.02 instead.
  - 7) Ordinance 83-5: Retail Business District, Paragraph E (6) has been revised to include Lots 30, 33 and 34.
  - 8) Ordinance 83-5: Retail Business District, Paragraph E (8) has been revised to stipulate Buildings Numbers 6.01 and 7.01; and Paragraph E (9) should stipulate Block No. 33.01.
  - 8) Ordinance 83-6 Resort Recreational District, Paragraphs B (1) through (7) has added .02 to the end of each Block reference. Paragraph B (8) should revise Block 33 to 33.01, 33.02 and 33.03.
  - (9) Ordinance 83-6.1 Resort Recreation District A, Paragraph B (1) has been revised to include Lots 15 through 68 (not 15-58)
- B. The current re-examination has identified several matters that warrant the Borough's attention regarding planning and defining the Borough's vision for the future. The following items are recommended to be addressed:
- 1) Define how the redevelopment agency can assist the Borough's development.
  - 2) Prepare a new comprehensive master plan as recommended in the previous re-examination report. This is now even more important to fulfill the requirements of the planning implementation agenda and address Borough's needs regarding economic development, zoning, density, and affordable housing.
  - 3) Prepare and adopt a stormwater management plan element of the master plan.
  - 4) Prepare and adopt a parking study/traffic circulation element of the master plan.
  - 5) Adopt an updated zoning map (see Attachment A).
  - 6) Define zoning boundary limits pertains to Lots partially within zones.

- 7) Define off-street parking requirements for Marinas.
- 8) Define off-street minimum parking aisle widths.
- 9) Specify a minimum lot frontage for the low-density residential (LDR) zone.
- 10) Define the relationship between a mixed-use retail business and residential development pertaining to minimum lot size, permitted units and bulk requirements.
- 11) Add the terms townhouse and condominiums to the definition and bulk standards.
- 12) Add the terms minor subdivision and lot frontage to the definitions.

The public hearings required to develop the master plan can be utilized to solicit input from the commercial, business and residential sections of the community to develop a vision of the borough for the foreseeable future and planned growth.

The Planning Board has not received authorization from the Borough to study any additional areas within the Municipality "as in need of redevelopment" per the Local Redevelopment and Housing Law (40A:12A-5).

Upon final adoption of the Master Plan Re-Examination by the Planning Board, we recommend forwarding a copy of the document to the County Planning Board and adjoining municipal clerks. In addition, a copy should be forwarded to the Mayor and Committee requesting the implementation of recommended measures.

# The Journal of State Agency Rulemaking

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December 20, 2004 Indexed 36 N.J.R. 5599-5988

(Includes adopted rules filed through November 24, 2004)

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- 12.-15. (No change.)
16. East Plains Natural Area:
- i. Location: Stafford Forge Wildlife Management Area, Little Egg Harbor, Stafford and Eagleswood Townships, Ocean County;
  - ii. Management Objective: Preservation and management of a globally rare dwarf pine plains community in the East Plains, a large occurrence of the state endangered broom crowberry, as well as other rare plant and animal species;
  - iii. Interim Classification: conservation preserve;
  - iv. Administering Agency: Division of Fish and Wildlife, through Stafford Forge Wildlife Management Area;
17. (No change in text.)
18. Great Bay Natural Area:
- i.-iii. (No change.)
  - iv. Administering Agency: Division of Fish and Wildlife, through Assunpink Wildlife Management Area;
19. Hacklebarney Natural Area:
- i.-iii. (No change.)
  - iv. Administering Agency: Division of Parks and Forestry, through Voorhees State Park;
- Recodify existing 19.-21. as 20.-22. (No change in text.)
23. Ken Lockwood Gorge Natural Area:
- i.-iii. (No change.)
  - iv. Administering Agency: Division of Fish and Wildlife, through Whittingham Wildlife Management Area;
24. Liberty Park Natural Area:
- i. (No change.)
  - ii. Management Objective: preservation of a salt marsh in upper New York Bay and created uplands;
  - iii.-iv. (No change.)
25. Manahawkin Natural Area:
- i.-iii. (No change.)
  - iv. Administering Agency: Division of Fish and Wildlife, through Assunpink Wildlife Management Area;
- Recodify existing 25.-29. as 26.-30. (No change in text.)
31. Rancocas Natural Area:
- i.-iii. (No change.)
  - iv. Administering Agency: Division of Parks and Forestry, through Brendan T. Byrne State Forest;
- Recodify existing 31.-41. as 32.-42. (No change in text.)
43. West Plains Natural Area:
- i. (No change.)
  - ii. Management Objective: preservation of globally rare ecological communities within the West Plains Fireshed, including dwarf pine plains, pitch pine-shrub oak barrens, pitch pine-reedgrass savanna and hydric pine plains, as well as numerous rare plant and animal species;
  - iii.-iv. (No change.)
44. Whittingham Natural Area:
- i. Location: Whittingham Wildlife Management Area, Fredon and Green Townships, Sussex County;
  - ii.-iii. (No change.)
  - iv. Administering Agency: Division of Fish and Wildlife, through Whittingham Wildlife Management Area.

#### 7:5A-1.14 Public Information

Interested persons may obtain information on the Natural Area System or inspect general location maps of natural areas by contacting:

Office of Natural Lands Management  
 Division of Parks and Forestry  
 Department of Environmental Protection  
 PO Box 404  
 Trenton, New Jersey 08625-0404  
 (609) 984-1339  
[NatLands@dep.state.nj.us](mailto:NatLands@dep.state.nj.us)

(a)

## LAND USE MANAGEMENT LAND USE REGULATION PROGRAM

### Notice of Acceptance of Community Development Boundaries Formally Approved by the New Jersey State Planning Commission as Boundaries for Certain CAFRA Centers under N.J.A.C. 7:7E-5B.3 Cedarville CAFRA Village Seaside Heights CAFRA Town Notice of Administrative Changes N.J.A.C. 7:7E, Appendices 2, 3 and 4

Take notice that, in accordance with N.J.A.C. 7:7E-5B.3, the New Jersey Department of Environmental Protection (Department) has determined to accept the community development boundaries that have been formally approved by the State Planning Commission as the boundaries for certain centers in the coastal zone. In each case, the Department evaluated the boundaries and determined that they are consistent with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., and the Coastal Zone Management rules at N.J.A.C. 7:7E. The Department has determined to accept the following community development boundaries: Cedarville Village Center (in Lawrence Township, Cumberland County) and Seaside Heights Town Center (Seaside Heights, Ocean County).

In accordance with N.J.A.C. 7:7E-5B.3(c), the boundaries accepted by the Department will be operative January 19, 2005. The centers described by the accepted operative boundaries will be incorporated into N.J.A.C. 7:7E-5B as CAFRA Centers for purposes of applying the requirements for impervious cover and vegetative cover under N.J.A.C. 7:7E-5 and 5B. Maps indicating the operative boundaries of the new CAFRA centers are available on the Department's Geographic Information System (GIS) and may be reviewed at the Department, 401 East State Street, Trenton, New Jersey 08625. An appointment for review can be scheduled by calling (609) 292-1143.

The boundaries of the CAFRA centers, when operative, will supercede the boundaries for the corresponding coastal centers in Appendix 2 and Appendix 3. The resulting administrative changes to Appendices 2, 3 and 4 are indicated below and shall be operative January 19, 2005.

#### Cumberland County, Lawrence Township CAFRA Center

The Township of Lawrence in Cumberland County filed a petition with the State Planning Commission in March 2000, pursuant to N.J.A.C. 17:32-8, seeking to amend the State Plan Policy Map of the State Development and Redevelopment Plan to have Cedarville designated as a Village Center under the State Development and Redevelopment Plan. In a report dated February 20, 2003, the Director of the Office of Smart Growth recommended approval of the petition.

The Plan Implementation Committee of the State Planning Commission conducted public hearings on February 26 and May 28, 2003 on the petition filed by the Township. Department staff commented on Cedar Creek, which runs through the village, and the presence of freshwater wetlands, and recommended that the village boundary avoid these features. The Plan Implementation Committee reviewed and considered the petition, comments by Department staff, the proposed Center Boundaries, the report of the Director of the Office of Smart Growth and the comments made regarding the petition at the public hearings.

The Committee recommended that Cedarville be designated as a Village, subject to revising the center boundary to exclude Cedar Creek and associated freshwater wetlands. The Committee also recommended that Cedar Creek and the freshwater wetlands be recognized and delineated as a Critical Environmental Site on the State Plan Policy Map. The Township agreed to the boundary revisions and delineation of a Critical Environmental Site, and the Committee forwarded the petition to the State Planning Commission with a recommendation for approval of the center petition with revised boundary and Critical Environmental Site delineation.

On June 18, 2003, the State Planning Commission considered the petition submitted by the Township of Lawrence, the revised center boundary, Critical Environmental Site delineation and the recommendation of the Director of the Office of Smart Growth, and adopted Resolution 2003-07 approving the amendment of the State Plan Policy Map, pursuant to N.J.A.C. 17:32, designating the Cedarville Village Center.

**Cedarville CAFRA Village**

Cedarville is currently designated as a coastal village under the Coastal Zone Management rules, N.J.A.C. 7:7E, Appendix 2 IVE.1. The existing Cedarville coastal village is located in the Coastal Rural Planning Area. Cedar Creek, which is delineated as Coastal Environmentally Sensitive Planning Area, runs through the middle of the village. The village is a mixed-use community of residential, retail, commercial and agricultural uses. The Cedarville coastal village encompasses 514 acres.

The Cedarville CAFRA Village is consistent with the Cedarville Village Center that was approved by the State Planning Commission, and was delineated using Department environmental data, aerial photography and known local roads to encompass the concentration of homes, businesses, civic, cultural and agricultural uses, and to exclude sensitive resources. The Cedarville CAFRA Village boundary excludes the Cedar Creek stream corridor and associated wetlands, as well as the Coastal Environmentally Sensitive Planning Area. The Cedarville CAFRA Village is 440 acres.

The impervious cover limit for CAFRA-regulated development within the Cedarville CAFRA Village is 60 percent. The impervious cover limit for CAFRA-regulated development outside of the CAFRA Village and within the Coastal Rural Planning Area is five percent.

The Department has reviewed the 440-acre village community development boundary designated by the State Planning Commission, and believes that it is appropriate, as it includes the existing concentration of homes and businesses and some agricultural uses in Cedarville. The Cedarville CAFRA Village is in the Coastal Rural Planning Area. The lands within the CAFRA Village are all served by individual water wells and septic systems.

The Department has determined that the Cedarville CAFRA Village in Lawrence Township is consistent with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., and the Coastal Zone Management rules at N.J.A.C. 7:7E. The CAFRA center is consistent with the CAFRA decision-making process established at N.J.A.C. 7:7E-1.5(b)1ii, specifically to concentrate rather than disperse the pattern of coastal residential, commercial, industrial and resort development, and encourage the preservation of open space. Further, the designation meets the policy objectives of the Coastal Rural Planning Area established at N.J.A.C. 7:7E-5B.2, to protect agriculture and sensitive lands by guiding development into centers and limiting public infrastructure to these centers, and by maintaining low intensity development patterns elsewhere in the Township.

The Department has reviewed reports, maps and other materials submitted by Lawrence Township, local and State open space inventories, county and municipal plans and ordinances, coastal and freshwater wetlands inventories, and Landscape Project maps in order to determine the consistency of Cedarville CAFRA Village with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., and the Coastal Zone Management rules, N.J.A.C. 7:7E. The Department has long recognized the unique environmental resources of the Delaware Bay area of the Coastal Zone.

The Cedarville CAFRA Village boundary recognizes the private and public investment in economic development and infrastructure by incorporating existing development with the center boundary. The boundary excludes coastal and freshwater wetlands, and forested lands.

The Cedarville CAFRA Village recognizes the municipal master plan of the Township of Lawrence by including within the community development boundary lands that the Township has deemed appropriate for residential and commercial uses to accommodate current and projected residents and the local economy.

The Cedarville CAFRA Village is consistent with the Coastal Zone Management Rules, N.J.A.C. 7:7E, particularly the CAFRA decision-making process established at N.J.A.C. 7:7E-1.5(b)1ii. By delineating a community development boundary that encompasses existing and planned development, the CAFRA Village limits and concentrates, rather than disperses, the pattern of coastal residential, commercial, industrial and resort development. The CAFRA Village encourages the preservation of open space by recognizing and excluding environmentally sensitive lands.

The CAFRA Village designation will also help to minimize off-site stormwater runoff by incorporating best management practices that protect the character of natural drainage systems into developments regulated under the Coastal Zone Management Rules.

The Cedarville CAFRA Village designation by the Department of this area in the Township of Lawrence encourages Smart Growth designs and new development in more compact forms due to higher impervious cover limits and development potential, and because the Coastal Zone Management Rules allow maximum impervious cover in CAFRA centers, cores and nodes to be

calculated based upon total land area rather than net land area (see N.J.A.C. 7:7E-5B.4).

**Ocean County, Seaside Heights CAFRA Center**

The Borough of Seaside Heights, Ocean County, filed a petition with the State Planning Commission in 1998 seeking to amend the State Plan Policy Map of the State Development and Redevelopment Plan in order that the Borough of Seaside Heights be designated as a Regional Center within the Environmentally Sensitive Planning Area.

In a report dated June 19, 2003, the Executive Director of the Office of Smart Growth forwarded a report to the Plan Implementation Committee, finding that the proposed Regional Center did not meet the State Development and Redevelopment Plan's center design guidelines for regional centers. The report noted that Seaside Heights met the guidelines for a town center, and recommended a town center as a more appropriate designation. The Executive Director also recommended that the community development boundary of the center be reduced to exclude environmentally sensitive areas along the oceanfront and bay.

The Plan Implementation Committee conducted a public hearing on July 1, 2003 on the center petition submitted by the Borough. Department staff commented on the ocean and bay beach areas within the center boundary, and the presence of endangered and threatened species on the ocean beach areas, and recommended that the town boundary avoid these features. The Committee reviewed and considered the petition, the comments by Department staff, the proposed Center Boundary, the proposed Planning and Implementation Agenda, and the recommendation of the Executive Director of the Office of Smart Growth to modify the designation to a Town Center, and reduce the size of the center to avoid sensitive features.

The Plan Implementation Committee concurred with the recommendations of the Executive Director of the Office of Smart Growth, and recommended that the Borough of Seaside Heights be designated a Town Center on the State Plan Policy Map and that the petition of the Borough of Seaside Heights, as revised, be forwarded to the State Planning Commission for approval.

In accordance with the recommendations of the Executive Director of the Office of Smart Growth and the Plan Implementation Committee, the Borough of Seaside Heights agreed to revise the center petition to a Town Center designation with a revised community development boundary that excludes environmentally sensitive areas.

On July 16, 2003, the State Planning Commission considered the revised petition submitted by the Borough of Seaside Heights, the findings of the Executive Director of the Office of Smart Growth with regard to the petition, the recommendations of the Commission's Plan Implementation Committee with regard to the petition, and all of the comments and written correspondence submitted to the Office of Smart Growth and the State Planning Commission, and adopted Resolution 2003-10 approving the amendment of the State Plan Policy Map, pursuant to N.J.A.C. 17:32, designating the Seaside Heights Town Center.

**Seaside Heights CAFRA Town Center**

Seaside Heights is currently designated as a coastal town under the Coastal Zone Management rules, N.J.A.C. 7:7E, Appendix 3 IVK.1. The existing Seaside Heights Coastal Town is located in the Coastal Environmentally Sensitive Planning Area, on a coastal barrier spit. The town is primarily a residential resort community that accommodates substantial summer visitor populations. The Seaside Coastal Town is approximately 327 acres.

The Seaside Heights CAFRA Town boundary was delineated using Department environmental data and aerial photography to exclude sensitive resources. The Seaside Heights CAFRA Town is consistent with the Seaside Heights Town Center that was approved by the State Planning Commission that also excluded sensitive resources. The Seaside Heights CAFRA Town boundary excludes the beachfront on the Atlantic Ocean side, and beaches on the Barnegat Bay side. The Seaside Heights CAFRA Town is 274 acres. The description of the Seaside Heights coastal town in Appendix 3 of N.J.A.C. 7:7E specifically excludes any bay islands from the center boundary. A review of current maps and aerial photographs shows that there are no bay islands within the municipal boundary of Seaside Heights. Accordingly, the description of the new Seaside Heights CAFRA Town does not include a reference to bay islands.

The impervious cover limit for CAFRA-regulated development within the Seaside Heights CAFRA Town boundary is 70 percent. The beach areas that were in the coastal town and excluded from the CAFRA Town boundary will revert to the Coastal Environmentally Sensitive Planning Area. The

impervious cover limit for CAFRA-regulated in the Coastal Environmentally Sensitive Planning Area is three percent.

The Department has reviewed the 274-acre Town community development boundary designated by the State Planning Commission, and believes that it is appropriate, as it includes the developed portion of Seaside Heights on the coastal barrier spit, and excludes sensitive beaches on the ocean and bay sides. The Seaside Heights CAFRA Town is in the Coastal Environmentally Sensitive Planning Area. The lands within the CAFRA Town are all served by regional infrastructure systems, particularly water supply and wastewater systems.

The Department has determined that the Seaside Heights CAFRA Town is consistent with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., and the Coastal Zone Management rules, N.J.A.C. 7:7E. The CAFRA center is consistent with the CAFRA decision-making process established at N.J.A.C. 7:7E-1.5(b)iii, specifically to concentrate rather than disperse the pattern of coastal residential, commercial, industrial and resort development, and encourage the preservation of open space. Further, the designation meets the policy objectives of the Coastal Environmentally Sensitive Planning Area established at N.J.A.C. 7:7E-5B.2, to protect environmentally sensitive features, and accommodate higher intensity development in the Coastal Environmentally Sensitive Planning Area barrier islands.

The Department has reviewed reports, maps and other materials submitted by Seaside Heights Borough, coastal and freshwater wetlands inventories, and Landscape Project maps in order to determine the consistency of Seaside Heights CAFRA Town with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq.

Full text of the changed rules follows (additions indicated in boldface thus; deletions indicated in brackets [thus]):

#### APPENDIX 2

##### BOUNDARIES OF COASTAL CENTERS IN THE CAFRA AREA NOT LOCATED ON BARRIER ISLANDS, OCEANFRONT SPITS, OR PENINSULAS

For purposes of N.J.A.C. 7:7E-5 and 5B, this appendix sets forth the boundaries of coastal centers in the CAFRA area other than those on the barrier islands, oceanfront spits, or peninsulas (the boundaries of which are set forth in Appendix 3).

In accordance with N.J.A.C. 7:7E-5.3(c), the impervious cover allowed on a site within a Department-delineated coastal center must be placed on the net land area of the site, as determined under N.J.A.C. 7:7E-5.3(d). The placement of impervious cover on a site in a coastal center may be further restricted by other provisions of this chapter, including the Special Area rules at N.J.A.C. 7:7E-3.

The appendix is organized as follows: Counties are listed alphabetically. Within each county, the municipalities are listed alphabetically. Within each municipality, the coastal centers are listed alphabetically.

Maps of the coastal centers, for illustration only, may be reviewed at the Department, 401 East State Street, Trenton, New Jersey, (609) 292-1143. In case of any discrepancy between the maps and this text, this text shall govern. Note: When a point is described as being a certain distance from a particular street or railroad right-of-way, that distance is measured from the centerline of the right-of-way of such street or railroad unless otherwise specified. Coastal wetlands maps referenced are listed at N.J.A.C. 7:7-2.2(c) and are available from the Department at the Maps and Publications office, 428 East State Street, PO Box 438, Trenton, New Jersey, (609) 777-1308.

I.-III. (No change.)

#### IV. Cumberland County coastal centers

A.-D. (No change.)

[E. Lawrence Township coastal centers

1. Cedarville coastal village

a. The coastal village boundary extends from the intersection of Main Street (County route 553) and Sawmill Road, thence northeast on Sawmill Road to the former Central Railroad of New Jersey right of way, thence northwest along the railroad right of way to North Avenue, thence southwest on North Avenue to a point that is a perpendicular distance of

500 feet northeast of Main Street (County route 553), thence northwest along a line that is parallel to and 500 feet north of Main Street (County route 553) to a point that is a perpendicular distance of 500 feet northeast of the intersection of Main Street (County route 553) and County route 652, thence southwest along a line to a point that is a perpendicular distance of 500 feet southwest of the intersection of Main Street (County route 553) and County route 652, thence southeast along a line that is parallel to and 500 feet southwest of Main Street (County route 553) to a point that is a perpendicular distance of 500 feet west of the intersection of Main Street (County route 553) and Franklin Street, thence south along a line that is parallel to and 500 feet west of Franklin Street to Maple Avenue, thence south along a line to a point that is a perpendicular distance of 500 feet south of Maple Avenue, thence east along a line that is parallel to and 500 feet south of Maple Avenue to a point that is a perpendicular distance of 500 feet southwest of Main Street (County route 553), thence southeast along a line that is parallel to and 500 feet southwest of Main Street (County route 553) to a point that is 500 feet west of Main Street (County route 553) at its intersection with Sawmill Road, and thence northeast to the intersection of Main Street (County route 553) and Sawmill Road.]

V.-VI. (No change.)

#### APPENDIX 3

##### BOUNDARIES OF COASTAL CENTERS IN THE CAFRA AREA LOCATED ON BARRIER ISLANDS, OCEANFRONT SPITS, OR PENINSULAS

For purposes of N.J.A.C. 7:7E-5 and 5B, this appendix sets forth the boundaries of coastal centers in the CAFRA area on barrier islands, oceanfront spits, or peninsulas. The boundaries of all other coastal centers are set forth in Appendix 2.

In accordance with N.J.A.C. 7:7E-5.3(c), the impervious cover allowed on a site within a Department-delineated coastal center must be placed on the net land area of the site, as determined under N.J.A.C. 7:7E-5.3(d). The placement of impervious cover on a site in a coastal center may be further restricted by other provisions of this chapter, including the Special Area rules at N.J.A.C. 7:7E-3.

The appendix is organized as follows: Counties are listed alphabetically. Within each county, the municipalities are listed alphabetically. Within each municipality, the coastal centers are listed alphabetically.

I.-III. (No change.)

#### IV. Ocean County coastal centers on barrier islands, spits, or peninsulas

A.-J. (No change.)

[K. Seaside Heights coastal town ←

1. The coastal town boundary follows the municipal boundary of Seaside Heights Borough, but does not include any bay islands.]

Recodify existing L.-N. as K.-M. (No change in text.)

#### APPENDIX 4

##### CAFRA CENTERS, CAFRA CORES AND CAFRA NODES

This non-regulatory appendix contains the list of CAFRA centers, CAFRA cores and CAFRA nodes the boundaries of which have been accepted by the Department under N.J.A.C. 7:7E-5B.3(b), and which are incorporated into and shown on the CAFRA Planning Map. As required under N.J.A.C. 7:7E-5B.4(b), an applicant shall refer to the CAFRA Planning Map in order to determine the location of a site for the purposes of determining the applicable impervious cover limits under this chapter.

The Department will update the list of CAFRA centers, CAFRA cores and CAFRA nodes in this Appendix by notice of administrative change as part of the New Jersey Register notice required in N.J.A.C. 7:7E-5B.3(b). The appendix is organized as follows: Counties are listed alphabetically. Within each county, the municipalities are listed alphabetically. Within each municipality, the CAFRA centers, CAFRA Cores and CAFRA nodes are listed alphabetically.

**Attachment C**

**Green Acres R.O.S.I.**

EXHIBIT 1 TO DECLARATION  
RECREATION AND OPEN SPACE INVENTORY

A Local Unit that receives a loan or grant from the State of New Jersey, Office of Green Acres shall not dispose of, or divert to a use for other than recreation and conservation purposes, any lands (1) acquired or developed with Green Acres or Federal Land and Water Conservation Fund assistance or (2) held by the Local Unit for recreation and conservation purposes at the "time of receipt of Green Acres funds" (the restricted lands) N.J.S.A. 13:8A-47. The primary purposes of this recreation and open space inventory (ROSI) are to document all restricted lands and to provide notice of the restrictions to title searchers.

*Instructions*

All restricted lands must be described on the completed ROSI by their block and lot identification numbers as shown on the current, official tax map and specify whether or not each parcel is funded or unfunded parkland. The Local Unit shall submit a tax map current as of the date of Green Acres application showing each parcel of parkland listed on the ROSI, with the approximate boundaries of each such parcel clearly marked in colored ink. Staff knowledgeable of the Local Unit's land use regulations and the uses of its land holdings must complete this ROSI. If only a portion of a current tax lot is to be restricted, the phrase *part of or portion of* shall be used on the ROSI. Deletion or omission of lands listed on previously submitted ROSI's is prohibited without prior written approval of the Office of Green Acres (See N.J.A.C. 7:36-20.3).

The completed ROSI must be duly executed and certified by the Local Unit's Chief Executive Officer and planning board chairperson (or equivalent). The page number and the total number of pages in the completed ROSI must be entered at the top right corner of each page.

All pages, including this Page 1 and the following Page 2, of the ROSI must be submitted.

*Special Notes*

Lands held by school boards, parking authorities, housing authorities, and similar public agencies without primary recreation or conservation responsibilities should not be inventoried unless they are also held for recreation and conservation purposes by the Local Unit.

If lands held by the Local Unit for recreation and conservation purposes are omitted from this ROSI by mistake, inadvertence, or otherwise, such lands shall be subject to the same terms and conditions, covenants, and restrictions as they would be if they were included. This ROSI, as completed and duly executed, shall be incorporated into, and be a part of, both (1) the Green Acres Project Agreement and (2) the Declaration of Encumbrance.

*Recommendations*

The Local Unit's planning board, and other boards or commissions, are encouraged to participate in the preparation and review of this ROSI. When preparing the ROSI, the listed parcels of parkland should be confirmed by reference to the tax maps that are required to be submitted as part of the Green Acres application (See N.J.A.C. 7:36-6.4(a)3ii or 12.4(a)4ii).

The Local Unit's governing body and planning board should designate, with appropriate descriptive labels, all lands listed on this ROSI in any revision or update of the following master plan elements: recreation plan, conservation plan, and land use plan.

The Local Unit's governing body should officially and permanently dedicate all lands held for recreation and conservation purposes. Failure to do so, however, shall have no effect on the validity of the Declaration.

Rev. 1/29/99

EXHIBIT 1 TO DECLARATION  
RECREATION AND OPEN SPACE INVENTORY

*Definitions*

For the purposes of this ROSI, the following definitions shall apply whenever the quoted words, or a form of the word are used:

"Declaration" means the recordable, written instrument executed by the Local Unit, which declares that all of the Local Unit's funded and unfunded parklands are subject to Green Acres restrictions.

"Development" means any improvement or physical alteration designed to expand or enhance the use of parkland for recreation and conservation purposes.

"Funded parkland" means parkland that a Local Unit has acquired or that a Local Unit has developed with Green Acres funding.

"Held" means owned, leased, or otherwise controlled by the Local Unit for recreation and conservation purposes.

"Lands" means real property, including improvements, rights-of-way, riparian and other rights, easements, privileges, and any other rights or interests in, relating to, or connected with real property.

"Local Unit" means a municipality or county, or other local political subdivision of this State, or any agency thereof whose primary purpose is to acquire, administer, protect, develop, and maintain lands for recreation and conservation purposes.

"Parkland" means land acquired, developed, and/or used for recreation and conservation purposes.

"Recreation and conservation purposes" means the use of lands for parks, natural areas, forests, camping, fishing, reservoirs, water reserves, wildlife preserves, hunting, boating, winter sports and similar uses for either public outdoor recreation or conservation of natural resources, or both, pursuant to the Green Acres Bond Acts. This term also includes the use of historic areas pursuant to P.L. 1974, c.102; P.L. 1978, c.118; P.L. 1983, c.354; P.L. 1987, c.265; P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204; and the use of historic buildings and structures pursuant to P.L. 1992, c.88 and P.L. 1995, c.204; and the use of ecological and biological study areas pursuant to P.L. 1989, c.183; P.L. 1992, c.88; and P.L. 1995, c.204.

"ROSI" means the listing of all parcels of land held by a Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds, including a description sufficient to identify each such parcel.

"Time of receipt of Green Acres funds" means at all times beginning on the date of the letter from the Department under N.J.A.C. 7:36-6.7 or 12.5 notifying the Local Unit of the amount of the Green Acres funding award and ending on the date of receipt of the first transmittal of Green Acres funds.

"Unfunded parkland" means parkland, other than funded parkland, that is held by the Local Unit for recreation and conservation purposes at the time of receipt of Green Acres funds.

*Legislative References*

N.J.S.A. 13:8A-1 et seq.; N.J.S.A. 13:8A-19 et seq.; N.J.S.A. 8:A-35 et seq. (as amended and supplemented); N.J.A.C. 7:36-1 et seq.; 16 U.S.C. 460 s.1 et seq.

EXHIBIT 1 TO DECLARATION  
RECREATION AND OPEN SPACE INVENTORY

Local Unit: Seaside Heights County: Ocean

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named Borough of Seaside Heights and is dated June 24, 1999.

Developed and Partially Developed Lands Held for Recreation and Conservation Purposes  
(\*If necessary, use the first page following & after Page 4 for additional developed and partially developed lands)

<u>Key</u>	<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>
	Bay Blvd & Rt 37 South	Bay Front Piers & Parks	1.01	1	0.57	N
	Bay Blvd & Rt 37 North	Bay Front Piers & Parks	1.02	1	4.56	N
	131 Webster Avenue	Hamilton and Central	13	31	0.09	N
	1521 Ocean Terrace	Hiering Parcel	55	9	0.98	Y
	1300 Bay Boulevard	Carteret Ave Ball Field	63	1	1.36	N
	1100 Bay Boulevard	Hancock Avenue	65	1	0.69	N
	1100 Barnegat Ave	Community Center	66	1	0.29	N
8.	1003 Bay Boulevard	Sheridan Ave Park	66	9	0.27	N
	Beach	Beach and Boardwalk	99.01	1	12.30	N
10.	420 Boardwalk	Comfort Station	99.01	1.02	0.00*	N
	Boardwalk & Webster	Refreshment Stand	99.01	1.07	0.32	N
12.	Beach	Beach & Boardwalk	99.02	1	10.60	N
3.	Beach Water	Riparian Area	99.02	1.01	36.70	N

\*Building Only

Subtotal of Acres on this page ..... 68.73  
 Total Acres of developed and partially developed lands from all pages of this ROSI... 111.59

EXHIBIT 1 TO DECLARATION  
RECREATION AND OPEN SPACE INVENTORY

Local Unit: Seaside Heights County: Ocean

NOTE: All lands held for recreation and conservation purposes (1) must be described by their block and lot identification numbers as shown on the current, official tax map and (2) keyed to a current, legible, official map of the Local Unit and current tax map of Local Unit. The official map used for this ROSI is named Borough of Seaside Heights and is dated June 24, 19 99.

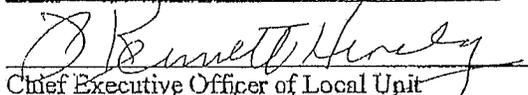
**Wholly Undeveloped Lands Held for Recreation and Conservation Purposes**  
(\*If necessary, use the second page following & after Page 4 for additional wholly undeveloped lands)

<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>	<u>Acres</u>	<u>Funded/Unfunded</u>
Dover Township	Hiering Parcel	1056	4.02	6.16	Y
Beach Water	Riparian Area	99.01	1.01	36.50	N

Subtotal of Acres on this page ..... 42.86

Total Acres of wholly undeveloped lands from all pages of this ROSI..... 111.59

CERTIFICATION: I HEREBY CERTIFY that this Exhibit 1 to Declaration, comprising 2 total pages, is a complete and accurate listing of all lands held by the Local Unit, as of this 13<sup>th</sup> day of February, 2004, for recreation and conservation purposes during the time of receipt of Green Acres funding. This ROSI is being submitted to Green Acres as part of the project entitled Seasonal Stage at Hiering Tract.

  
Chief Executive Officer of Local Unit  
Date: 2/13/04

  
Planning Board Chairperson (or equivalent)  
Date: 2/13/04

This Certification is to be signed only on this page, Page 4, of EXHIBIT 1 to DECLARATION.

**Attachment D**  
**General Stormwater Permit**



# NEW JERSEY POLLUTANT DISCHARGE ELIMINATION SYSTEM

Permit Number: NJ0141852  
P.I. ID #50577

## Final: Tier A Municipal Stormwater Master General Permit

Permittee:

Division Of Water Quality  
401 E State Street  
Trenton, New Jersey 08625

Co-Permittee:

Property Owner:

Location Of Activity:

NJPDES Master General Permit Program  
Interest  
401 E State Street  
Trenton, New Jersey 08625

Authorization(s) Covered Under This Approval	Issuance Date	Effective Date	Expiration Date
R9 -Tier A Municipal Stormwater General Permit	02/02/2004	03/03/2004	02/28/2009

By Authority of:

Commissioner's Office

DEP AUTHORIZATION  
Barry Chalofsky, P.P., Chief  
Bureau of Nonpoint Pollution Control  
Division of Water Quality

(Terms, conditions and provisions attached hereto)

**Attachment E**

**Planning Board Approved Projects list**

Major Projects Approved by Seaside Heights Planning Board since 1996 Master Plan Update

(updated 4/27/05)

<u>Project Name &amp; Use</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Year</u>
Fat Cat Café (restaurant/pub)	5.01	63	418 Boulevard	1998
Bokeelia LLC (6 summer cottages to annual condos)	78	19	439 Bayside Terrace	1998.
Carmine Prato (6 summer apts. to heated annual)	57	1	1319 Ocean Terrace	2000
Giovanni Santoro (construct 3 annual apts.)	43	12	114 Kearney Ave.	2000
Belmont Motel (7-unit addition)	46	15	128 Sheridan Ave.	2001
ATRIA Inc. (construct restaurant/pub)	13	6	401 Boulevard	2002
Victor Belkowski (construct 3 annual apts.)	29	33	406 Bay Boulevard	2002
Elite Homes I (6 condominium units)	6.01	31	33 Sumner Ave.	2002
Elite Homes II (6 condominium units)	6.01	32	32 Webster Ave.	2002
Spicy's Restaurant (add 2 <sup>nd</sup> floor expansion)	6.02	1	500 Boardwalk	2003
CVS Drug Store	77	1	80 Hiering Ave.	2003
Kyle Magnusson (8 condominium units)	22	2	202 Webster Ave.	2003
Water Works Park (expansion, incl. mini-golf course)	33.01	15	Sherman & Grant Ave.	2003
Seaside Motel (20-unit motel)	15	28	136 Sumner Ave.	2003
Rachel Manor (14 condominiums)	6.01	13	15 Sumner Ave.	2004
Robert Bennett (8 condominiums)	40	14	18 Sheridan	2004
Park Place on the Boardwalk (30 condominiums)	56	1	1401 Ocean Terrace	2004
Que-Mont Developers (44 condominiums)	54	1	202 Grant Ave.	2004
Que-Mont Developers (24 condominiums)	7.01	13	Sumner/Blaine @Ocean Terr.	2005
Rachel Manor (11 condominiums)	9	19	119 DuPont Ave.	2005

<u>Project Name &amp; Use</u>	<u>Block</u>	<u>Lot</u>	<u>Address</u>	<u>Year</u>
Oceana Villas (16 condominiums)	43	1	1315 Boulevard	2005
Pleasant View by the Sea (6 condominiums)	7.01	30	30 Sumner Ave.	2005

Also the following expansions to existing pubs:

Klee's Bar & Grill (restaurant & bar)	10	8	101 Boulevard
Bamboo Bar (food & bar)	11	1	201 Boulevard