



SEA BRIGHT RIVER PROPERTIES REDEVELOPMENT PLAN



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PREPARED FOR:
THE BOROUGH OF SEA BRIGHT, MONMOUTH COUNTY, NEW JERSEY

APRIL 2020

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The original of this report was signed and sealed in accordance with N.J.S.A. 45:14A-12.

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I. INTRODUCTION

BASIS FOR THE PLAN

This Redevelopment Plan ("Plan") has been prepared for certain properties, known as Block 13, Lots 13, 14, 15, 18, 20, 21, and 22; Block 14, Lots 12 and 14; and Block 15, Lots 5, 8, 10, 11, and 12 in the Borough of Sea Bright, Monmouth County, New Jersey. A mixture of vacant land, unoccupied structures, partially occupied structures, and light industrial buildings characterize the area.

In this Plan, the Shrewsbury River Properties Redevelopment Area will generally be referred to as the "Redevelopment Area" or "Plan Area."

The Borough of Sea Bright Council directed the Borough's Planning Board to study the area in order to determine whether it was an "Area in Need of Redevelopment" in accordance with the criteria specified at N.J.S.A. 40A:12A-5. The Borough retained the Cofone Consulting Group to conduct the Redevelopment Area investigation. A public hearing on the investigation was held by the Planning Board, and the Board recommended that the study area be designated as an Area in Need of Redevelopment by Resolution on that same date. The Sea Bright Council subsequently declared the area in need of redevelopment.

OVERVIEW OF PLAN

The intent of the Plan is to allow for development that capitalizes on the Site's location along the Shrewsbury River and near the Borough's Downtown area. The overarching objectives for inclusion in this Redevelopment Plan include the desire for public access to the Shrewsbury River; public amenities along the Shrewsbury River; sustainability; viable residential uses; and synergies with the Borough's Downtown and Shrewsbury River waterfront.

The Plan purposes to create an aesthetically-pleasing, pedestrian-friendly residential area with public access to, and amenities along, the riverfront. Residential development in this area will also compliment the Downtown area, where businesses operate year-round. Please refer to Section Four for a detailed breakdown of uses.

The Plan sets forth standards for land use, circulation, open space, parking, and design. Some Plan elements are fixed, while others are flexible in keeping with overall Plan goals and objectives.

LOCATION OF REDEVELOPMENT AREA

Situated in northern Monmouth County, the Borough of Sea Bright has a total area of 1.287 square miles of land, according to the United States Census Bureau. The Borough is bordered to the north by Highlands Borough and the southern portion of Sandy Hook, the east by the Atlantic Ocean, the south by Monmouth Beach, and the west by the Shrewsbury River.

The Redevelopment Area is located in the southwestern portion of the Borough, generally between the Shrewsbury River and the Downtown area. See Figure 1, Location of Redevelopment Area.

Figure 1.

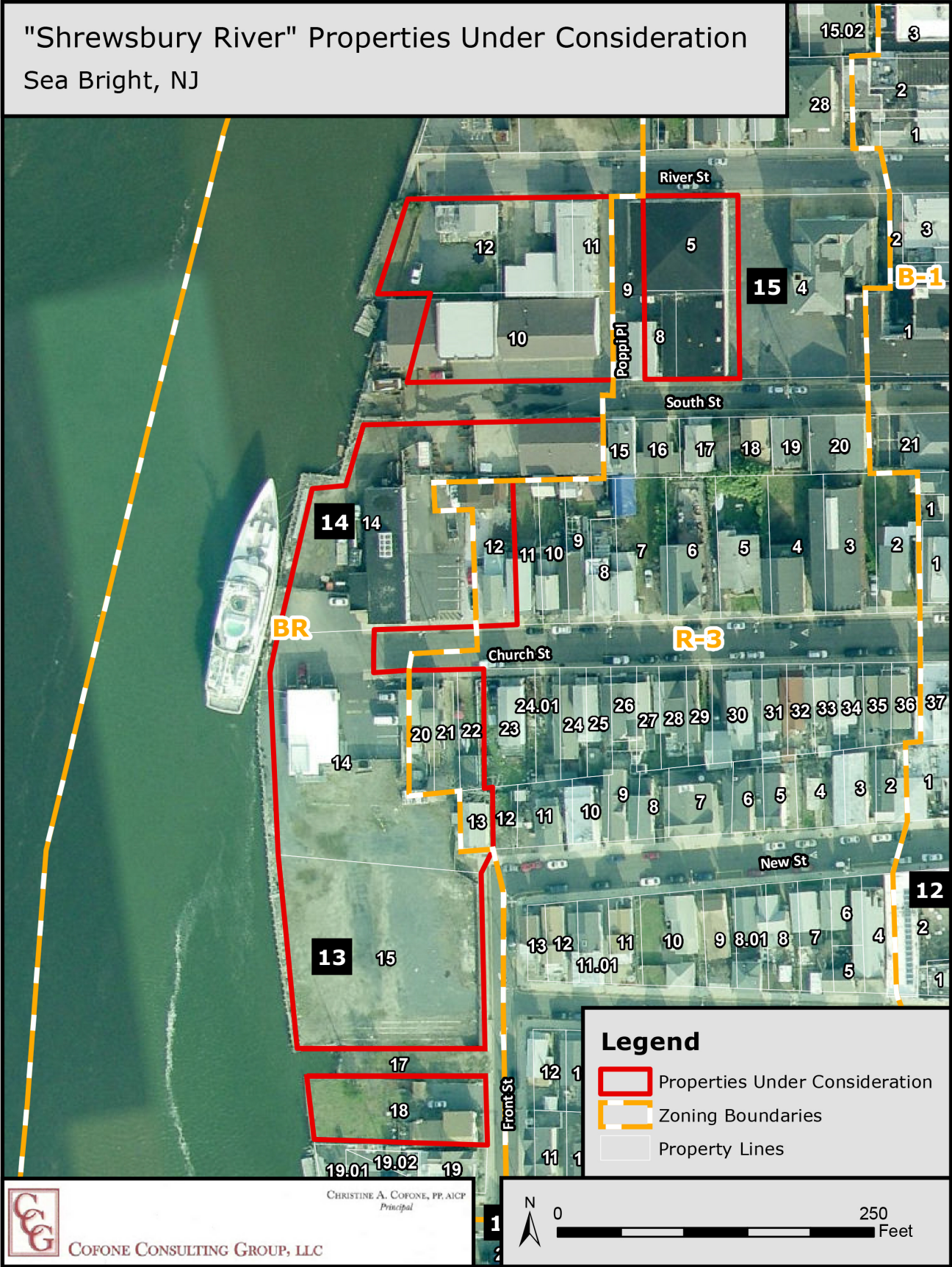


Figure 2. The following are photos of the Plan Area taken from a drone:



Figure 3. The following are ground level views of streets within the Plan Area:



Figure 4. The following are photos of the existing bulkhead along the Plan Area:



Figure 5. The following are images of the sunset views as seen from the Plan Area:





II. VISION, GOALS, & CONTEXT

REDEVELOPMENT PLAN VISION

The following is a summary of the key Redevelopment Plan goals and objectives.

- Provide for the type of redevelopment that removes the existing stagnant influence and provides invigorating land uses that serve the community.
- Capitalize on the proximity to the Shrewsbury River and the Downtown.
- Provide for inviting architecture and streetscaping to create a much needed sense of place in an area that is characterized by a severe lack of aesthetic appeal.
- Recognize the importance of the Site as a focal point within the larger community that demonstrates ongoing progress in the Borough.
- Provide for public access to the Shrewsbury River and public amenities, including but not limited to a boardwalk, a dog park, a kayak launch, a fishing area and cleaning station, parking spaces, and a community green.
- Develop residential uses that are consistent with smart growth principles.
- Design private and public access drives to be multi-modal (i.e., accommodating pedestrians, cyclists, and vehicles).
- Establish site and building design standards that foster a visually pleasing streetscape and high quality, environmentally sustainable construction within the Plan Area.
- Minimize impacts on surrounding areas.
- Create a critical mass of residential density and increased activity to support the Downtown area, which continues to recover from Superstorm Sandy.
- Provide inclusionary housing to meet the affordable housing needs of the community.
- Create opportunities for residents and visitors to enjoy sunrise and sunsets.

RELATIONSHIP TO MASTER PLAN AND LOCAL GOALS

The Borough published its first Master Plan in April 1989. Subsequent related planning documents include the Reexamination Report of the Master Plan and Development Regulations in 1996, Recycling Plan Element of the Master Plan in 1996, Stormwater Management Plan Element of the Master Plan in 1996, the Housing Plan Element of the Master Plan in 1996, Reexamination Report of the Master Plan and Development Regulations in 2003, the Downtown & Oceanfront Smart Growth Plan in 2007, the 2020 Recovery Plan in December 2013, the Strategic Recovery Planning Report in 2014, and a Master Plan in 2017.

The 1989 Master Plan contains a variety of goals and objectives to guide the future development of the Borough. Specific to the context of the Plan Area, certain goals and objectives are as follows:

River front and ocean front developments should be carefully tailored to optimize the use of these sites. Waterfront properties are an extremely scarce resource and all development of these properties should be either water dependent or water related. (Page 16-(d)).

The 1989 Master Plan further discussed “river oriented redevelopment” and infill development of vacant parcels:

River Oriented Redevelopment - The riverfront properties in Block 13 have great potential for reuse with a waterfront recreation related use. This area is used as a storage yard for a construction use and for a marine tender service. The sketch plan includes a conceptual design for a marina and restaurant with accessory parking. The site can take advantage of the distant vistas along the Shrewsbury River. An alternative redevelopment scenario might substitute a motel/restaurant for the marina. (Page 47-d)

Following the 1989 Master Plan, there were no changes specifically recommended within the Study Area in 1996 and 2003.

In 2007, the Borough issued a “Downtown & Oceanfront Smart Growth Plan,” which proposed to retain and “spur more [commercial] vitality” along Ocean Avenue, while simultaneously encouraging higher density residential development and providing for riverfront access in the area to the west of Ocean Avenue.

Following Hurricane Sandy, which struck in October 2012, in December 2013 the Borough issued the “Sea Bright 2020 Recovery Plan,” which highlights key recovery issues, summarizes recovery projects developed to address those issues and outlines the community’s strategy for moving forward in the aftermath of Hurricane Sandy.

The 2020 Recovery Plan summarized the widespread damage inflicted on the Borough:

The Borough of Sea Bright was heavily damaged by both waves from the ocean and flooding from the Shrewsbury River. Public facilities, infrastructure, the business district, and virtually all neighborhoods were impacted. Of the Borough's seven private beach clubs, three were completely destroyed by Hurricane Sandy and one was seriously damaged. The municipal beach building was completely destroyed and other public facilities, including the Borough Hall, the firehouse, the library, and police building sustained damage. The Borough's business district was heavily impacted by both wave damage and flooding. Several buildings have been demolished and many others remained boarded up a year later.

Virtually all of the structures in the Borough sustained flood damage. Of the 1,263 individual properties assessed by FEMA in November 2012, 47 were deemed unsafe for entry and another 52 were deemed uninhabitable and in need of further structural analysis. Of the remaining properties, 707 had either moderate structural damage or damage to decks, roofs, and windows. Many of the residences are still unoccupied, awaiting repairs and/or elevation. A key part of any recovery is to return families to their homes and reopen damaged businesses. The Borough, like other municipalities across the state, relies on ratables and property taxes, so restoring the community to its pre-storm economic levels is vital to a full recovery. (Page 11)

The 2014 Borough Strategic Recovery Planning Report expanded on the financial costs:

Overall, it is estimated that the Borough lost \$60 million in tax ratable property due to Superstorm Sandy. According to building permit data maintained by the Borough, Sea Bright sustained over \$18 million in property damages as a result of Sandy. The Borough has filed for over \$6 million in FEMA Public Assistance (PA) claims. (Page 8)

The 2020 Recovery Plan addressed the issue of abandoned and unmaintained properties, stating that they "continue to create areas of blight in residential neighborhoods throughout the Borough" and create a sense of uncertainty since "Borough officials and concerned neighbors do not know the status of these properties or the long-term intentions of the property owners." (Page 42) Moreover, the 2020 Recovery Plan noted that the vacant properties pose "a safety hazard to neighbors" and depress "the overall property values and character of the neighborhood and the entire Borough." (Page 46)

The 2020 Recovery Plan also discussed the constant threat of flooding along the Shrewsbury River and the Atlantic Ocean, proposing mitigation such as sand dune

restoration, seawall restoration, and a bulkhead wall along the Shrewsbury River. Specific to the properties along the Shrewsbury River, the bulkhead would “provide protection for the residences and business district in the downtown area, ensuring the shortest disruption of business activity will help secure the Borough’s economic base at an extremely vulnerable time.” (Page 56)

The 2020 Recovery Plan also highlighted the limited number of access points along the 3.5-mile stretch of riverfront, calling the access points at the “ends of busy streets, a small Borough-owned parcel on Front Street, a pump station, and a small park at the site of the old Rumson Bridge” an “under-utilized resource.” (Page 58)

Particularly striking, the 2014 Strategic Recovery Planning Report addressed the issue of tidal inundation exposure, finding that properties within the Study Area will face regular flooding by 2050 due to sea level rise. “[T]hese impacts will occur in what is presently the most densely population portions of Sea Bright and the area of the municipality’s downtown commercial activity currently occurs.” (Page 19)

To mitigate this risk, through discussions with the Borough and its engineer, the redeveloper proposes to construct a continuous bulkhead along the river from River Street to the O’Mara Property (6 Front Street, Block 13, Lot 19.01), which is one property removed from the end of Beach Street. The redeveloper also proposes to reconstruct the existing kayak launch. We advised that a removable or automated flood barrier should be provided at the kayak launch to prevent flood waters from infiltrating at this location. The barrier would be installed/raised during high tide and flooding events and removed/lowered after the tide recedes.

The redeveloper will also connect to the existing stormwater pump station at Beach Street and upgrade it or construct a new pump station if upgrading the existing pump station would not be sufficient.

The 2014 Strategic Planning Report also recommended redevelopment as a legal mechanism to spur economic resiliency:

There are multiple vacant or underutilized properties in the Borough that would benefit from a formal redevelopment process. This includes both publicly owned property and privately owned property. The Borough Council has recognized this and has authorized the Planning Board to initiate redevelopment planning. A key goal in this redevelopment will be economic resiliency. A redevelopment plan or plans would also articulate the vision for the future of Sea Bright, and thus lay the necessary foundation for future business development strategies. (Page 32)

The 2017 Master Plan carries forward the planning vision, goals, and objectives of the Borough.

Planning efforts initiated approximately 30 years ago provide strong support for the redevelopment efforts proposed within the Study Area.



III. LAND USE, SITE PLANNING, AND BUILDING DESIGN

This section sets forth standards for the Plan Area that are designed to foster a vibrant walkable and pedestrian-scaled environment. The design standards seek to create a “sense of place” that allows for an active relationship with streets and the Shrewsbury River; emphasizes important visual corridors; attractive parking areas; promotes the use of outdoor space; encourages green design; and requires high-quality choice and application of materials. See Figure 5, Site Plan.

The design of buildings in relation to the surrounding area is an important element of creating the community identity. It should not attempt to replicate or recreate a perfect copy of any particular architectural vernacular, but be seamlessly linked to their surroundings, including the coastal character of the area.

Proposed development shall relate in similarity of scale, height, and configuration to adjacent buildings. Multi-unit buildings shall be void of long flat facades. Units shall be broken by the use of balconies and changes in facades depths.

Specific, overarching uses are recommended to achieve a vibrant Plan Area. One of the key objectives of the Redevelopment Plan is to create synergies with the Downtown and the Shrewsbury River. As such, the intention is to provide a variety of residential uses throughout the Plan Area using the redevelopment process. To assist Sea Bright with its affordable housing obligation, an off-site affordable housing set-aside shall account for 15 percent of the total residential units.

LAND USES

PERMITTED PRINCIPAL USES

- Single-Family Detached
- Single-Family Attached
- Multi-unit Condominium Buildings
- Public walkways, open space, and related facilities

PERMITTED ACCESSORY USES

In addition to the uses listed above, the following are permitted as accessory uses:

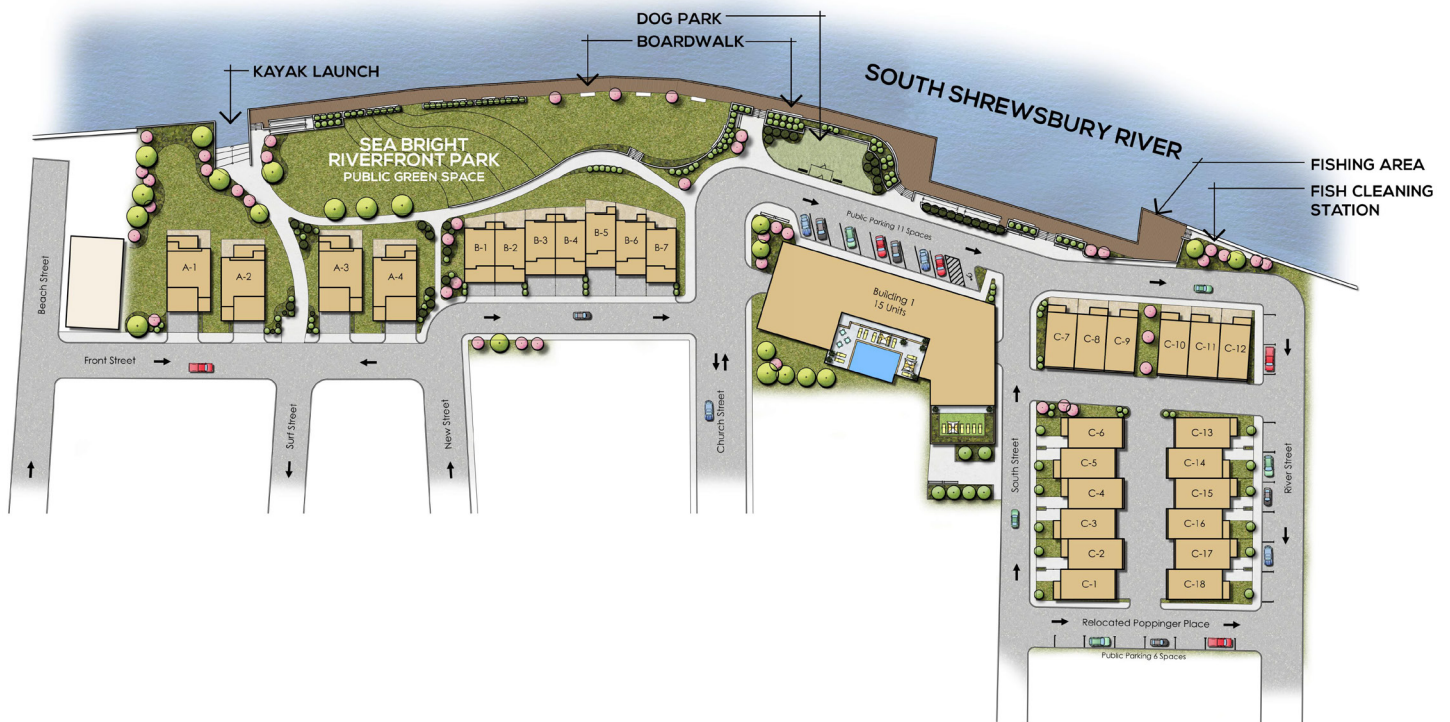
- Off-street parking (for the principal uses, as well as visitors);
- Rooftop deck;
- Waterfront related recreation, including fishing cleaning stations, kayak launching, and docks
- “Back room” facilities associated with buildings, such as mechanical, loading, transformers, laundry, trash and recycling rooms, or other service-type facilities;
- Personal storage rooms or areas to serve residents;
- Any other use determined to be customary and incidental to permitted principal uses

BULK AND MASSING

Description	Use			Notes
	Single Family	MF Townhouse	MF Condo	
Bulk Requirement				
Lot Size	2,275 SF	900 SF	10,000 SF	Fee Simple Lots
Lot Frontage at Curbline	30 FT	20 FT	50 FT	
Lot Width at Midpoint	35 FT	20 FT	50 FT	
Lot Depth	65 FT	45 FT	100 FT	
Building Frontage Setback	10 FT	5 FT	1 FT	
Building Side Setback to Prop. Line	3.0 FT	0 FT	1 FT	
Building Rear Setback to Prop. Line	5 FT	5 FT	1 FT	
Patio / Deck Setback to Prop. Line	2 FT	N/A	N/A	
Lot Coverage - SF Lot	75%	90%	90%	
Building Coverage - SF Lot	65%	85%	85%	
Building Height - Flat Roof	42 FT	42 FT	42 FT	4 Story
Building Height - Other Elements	52 FT	52 FT	52 FT	Mezzanine, Bulkhead, Stairs, Parapets, etc.
Maximum Mezzanine Size	1/3 Floor Below	1/3 Floor Below	1/3 Floor Below	
Maximum Units / Building	1 Unit	8 Units	20 Units	

Wall Separations				
Front Wall to Curb	15 FT	10 FT	5 FT	
Front Wall to Rear Wall	20 FT	20 FT	20 FT	
Front to End	20 FT	20 FT	20 FT	
Front to Front	20 FT	20 FT	20 FT	
Side to Side	6 FT	0 FT	20 FT	
End to End	N/A	10 FT	20 FT	
End to Rear	N/A	20 FT	20 FT	
Rear to Rear	N/A	20 FT	20 FT	
Wall to Curb Line - Side	10 FT	1 FT	1 FT	
Wall to Property Line	3.0 FT	0 FT	1 FT	
Front Wall to Parking	N/A	N/A	5 FT	
Tract				
Tract Size for Redevelopment	2 Acres			
Tract Open Space	35%			
Tract Impervious Coverage	65%			
Tract Building Coverage	50%			
Parking Per Unit	2 Spaces			
Parking Space Size	8.5 by 18 FT			
Parking Compact	7.5 by 15 FT			

Figure 6. A conceptual plan of the proposed development of the Plan Area.



CONCEPT PLAN
HAVEN AT SEA BRIGHT
SEA BRIGHT, NJ
 DATE: 12.11.2018 SCALE: 1" = 30'



Building Height

The maximum building height shall be 42 feet, measured at the base floor elevation at datum. The following standard shall apply:

- Rooftop appurtenances including architectural features such as spires, cupolas, domes, and belfries, as well as mechanical screening, elevator/stair shafts, and mezzanine levels, are permitted to exceed the listed maximum height, as long as they are uninhabited, their highest points are no more than 12 feet above the maximum overall height of the building, and as long as the total area enclosed by the outer edges of the appurtenances, measured at the maximum overall height of the building, does not exceed 15 percent of the total horizontal roof area of the building.
- Mechanical equipment shall be set back from all building facades by at least 10 feet and screened from new and existing sidewalk view as well as the views from the rail embankment to the greatest extent possible.
- Solar panels are permitted on flat roofs anywhere below the parapet, regardless of building height. Portions of taller solar installations that are higher than 4 feet shall be subject to limits on roof coverage and height. On sloping roofs, panels may be flat-mounted but may not exceed 18" above the roofline.
- Vegetated roofs shall be permitted, provided they do not exceed 3 feet, 6 inches in height, excluding vegetation, as measured from the maximum height limit. On roofs with slopes greater than 20 degrees, vegetated roofs shall be limited to a height of 12 inches measured perpendicular to the roof surface.

BICYCLE PARKING AND DELIVERIES/RIDESHARE

Bicycle Parking

- Bicycle parking spaces shall be located in a convenient and visible area at least as close as the closest non-accessible automobile parking and within one hundred (100) feet of a principal entrance of a condominium building and shall permit the locking of the bicycle frame and one (1) wheel to the rack and shall support a bicycle in a stable position.
- No bike rack shall be located on public property or sidewalks.

Deliveries/Rideshare

- General mailboxes shall be provided at the garage level in a condominium building for each resident. A loading/pickup space shall be provided off site for use by parcel deliveries, retail receiving, and rideshare pick-up. The specifics regarding loading zones and considerations will be addressed within Redevelopment Agreement(s).
- Individual residences will have private mailboxes located at each residence.

STREETSCAPE IMPROVEMENTS

In general, all streetscape and landscape improvements shall be integrated with building design and placement, parking, buffering and other site features, as depicted in the redeveloper's site plan.

Public benches along the river should be provided where deemed suitable in the context of the Plan Area.

Street Trees

Sidewalks along the all access ways in the Plan Area should incorporate street trees, where possible, as depicted in the redeveloper's site plan.

Street Lighting

The access way shall be lit with pedestrian-scale street lamps. All outdoor lighting, including street lamps and accent lighting, shall be downcast and screened to illuminate only the intended areas so as not to cause disabling glare that affects driver safety, reduces the visibility of starry night skies, and causes spillover into residential areas.

Bright, stadium-style lighting is prohibited in all areas.

SITE LIGHTING

No lighting shall spill on to adjacent private properties.

OPEN SPACE LANDSCAPING

Landscaping may include trees, shrubs, ground cover, raised planters, flowers, as well as sculptures, art, and similar materials, and shall be designed to fulfill aesthetic environmental, ornamental, and related objectives.

BUILDING MATERIALS

Materials shall be authentic and high quality. Building facades shall be visually pleasing and not have a monolithic appearance. Materials to be used include aluminum, glass, PVC, and Hardie plank or composite siding. The use of vinyl, steel, galvanized metal, and exposed CMU block will not be permitted. Any changes in primary wall material from lower to upper levels should occur along a horizontal line, with the visually heavier material below the visually lighter material. Building massing, special architectural features, and changes in the roof line shall be used to emphasize building entrances. A building shall be constructed to withstand the coastal environment with little maintenance and deterioration.

Stormwater/Sewer Management

The Beach Street stormwater pump station should be upgraded. The redeveloper has the responsibility to both handle its stormwater and to transmit the water flowing across the downtown streets to the Shrewsbury River.

The redeveloper should provide the permitting, design and construction of the upgrade or provide the Borough with a monetary contribution to have the Borough Engineer design and administrate the project.

If it is found not feasible to pump River Street and Church Street stormwater, a third pump station should be built, with the redeveloper contributing a partial amount.

The Borough should continue to own and maintain the stormwater pump station stations (Osborne and Beach).

The redeveloper should also make a monetary contribution to the rehabilitation of the sewer system and enlargement of the pump station as necessary to provide service to the project. This work will be completed by the Borough.

PARKING

Two dedicated parking spaces shall be provided at the boat ramp, which will provide public access for aquatic activities and continue to be owned by the Borough.

All street parking shall continue to be under Borough ownership.

BULKHEAD/RIVER BOARDWALK

The redeveloper should design, build and maintain the bulkhead and river boardwalk, with the homeowner's association assuming responsibility for all future maintenance. A public access easement shall be provided across the boardwalk from end to end.

SCREENING OF PARKING

The parking areas should be adequately landscaped internally and along the perimeter, as depicted on the redeveloper's site plan.

SIGNAGE

General Signage Requirements

The following signage requirements shall apply within the Plan Area:

- Signs shall be permitted only on the condominium building at a maximum of 20 square feet per facade.

- Signs must be architecturally compatible with the style, composition, materials, colors and details of each building. Signs must not obscure the architectural details of a façade. Signs shall be externally lighted. No internal lighting is permitted.
- No fluorescent or glowing paint is permitted for any signage within the Plan Area.
- No signs or advertising devices that are rooftop mounted, intermittently illuminated, flashing or moving are allowed.
- The property owner and tenants are prohibited from installing signs that might be mistaken for traffic control devices.

SUPPORT SERVICES

Solid Waste and Recycling

Each condominium building must be designed to provide adequate storage of solid waste disposal, including provisions for recycled materials, within a building or parking lot. Each condominium building shall have at least one trash and recycling pickup location.

All condominium building exterior trash and recycling locations shall be enclosed and located in a manner that is obscured from view from parking lots, streets and adjacent buildings by a fence, wall, planting or combination thereof. It shall also be architecturally compatible to the main building.

For single-family detached and attached units, individual trash cans will be stored in garages and brought to the street by residents for pick-up.

Mechanical and Utilities

All machinery and mechanical controls for same, including but not limited to transformers, junction boxes, lift stations, electrical meters, condensers and signal boxes shall be masked by building elements in a manner consistent with the design of the building. A wall of venting for mechanical rooms shall not be permitted along facades facing streets or public open spaces.

Telecommunications Equipment

With the exception of the antenna, all parts and components of personal communications antennas, television and radio antennas shall be screened from view regardless of elevation, or shall be disguised within an enclosed structure. The screening shall be designed as part of the overall design theme of the building to which it is associated.

Antenna panels for personal communications services (PCS) may be attached to the parapet of a building provided they are indistinguishable in color and texture from the building material.

Figure 7. Renderings of the proposed development within the Plan Area:



Figure 7. Renderings of the proposed development within the Plan Area:





IV. PLAN CONSISTENCY REVIEW

RELATIONSHIP TO SEA BRIGHT ZONING CODE

This Redevelopment Plan shall supersede all provisions of the Land Development Code of the Borough of Sea Bright regulating development in the area addressed by this Redevelopment Plan. In all situations where underlying zoning requirements are not specifically addressed herein, the Sea Bright Land Development Code shall, however, remain in effect, including development design and performance standards. Final adoption of this Plan by the Borough Council shall be considered an amendment of the Borough of Sea Bright Zoning Map.

RELATIONSHIP TO ADJACENT MUNICIPALITIES

The Redevelopment Area is situated in the southern section of the Borough. The nearest border to an adjacent municipality, Rumson Borough, is situated across the Shrewsbury River. Any impact on Rumson will be positive given the removal of a blighting influence in proximity to the municipality and the redevelopment of productive uses.

RELATIONSHIP TO THE MONMOUTH COUNTY MASTER PLAN

Monmouth County adopted its latest comprehensive Master Plan in September 2016. The document identifies the Borough as both a “Priority Growth Investment Area” and a “Priority Preservation Investment Area”. A “Priority Growth Investment Area” is an area for development and redevelopment opportunities. A “Priority Preservation Investment Area” is an area where an investment in land preservation and other techniques is preferred and encouraged. The objectives of the Redevelopment Plan are consistent with the goals, strategies, and policies of the 2016 Monmouth County Master Plan.

RELATIONSHIP TO THE STATE DEVELOPMENT AND REDEVELOPMENT PLAN

Among the State Plan's intentions is to revitalize the State's existing urban areas by directing growth and development to those areas. On the latest State Plan Policy Map, the Redevelopment Area is located in the Metropolitan Planning Area, which is identified in the State Plan as an appropriate location for much of the State's new growth.

A stated goal of the State Plan is to revitalize the State's cities and towns by protecting, preserving, and developing the valuable human and economic assets in cities, towns and other urban areas. The Redevelopment Area, by virtue of its location within a part of New Jersey that has extensive existing infrastructure and a long history of development, is by all measures an appropriate location for growth and redevelopment. The Redevelopment Plan will facilitate growth in this area and contribute to the economic revitalization of the State. The objectives of the Redevelopment Plan are consistent with the goals, strategies, and policies of the State Plan. The Redevelopment Plan will redevelop a deteriorated and underutilized area within Sea Bright, placing currently unproductive lands into productive use in order to better serve the needs of residents of the Borough, County, and State as a whole.



V. REDEVELOPMENT ACTIONS

PROPERTIES TO BE ACQUIRED

The Borough of Sea Bright does not anticipate the need for acquisition of any privately owned land within the Plan Area in order to effectuate this Redevelopment Plan. However, the Borough reserves the right, up until such time as the redevelopment within the Plan Area is deemed complete, to acquire any lot in the designated Redevelopment Area should it be necessary to facilitate redevelopment.

RELOCATION

Implementation of the Redevelopment Plan does not require the displacement or relocation of any residents or businesses within the Plan Area.

OTHER ACTIONS

Several other actions may be taken by the governing body to further the goals of this plan. These actions may include, but shall not be limited to: (1) provisions for public infrastructure necessary to service new development; (2) environmental remediation; (3) vacation of public utility easements and other easements and rights-of-way as may be necessary for redevelopment.



VI. GENERAL PROVISIONS

DEFINITIONS

Except for those words defined in this Redevelopment Plan, words that appear in this document shall be defined in accordance with the definitions that appear in the Borough's land use ordinances, or, where these ordinances do not provide a definition, in accordance with the definitions in the Municipal Land Use Law.

EASEMENTS

No building shall be constructed over a public easement in the Redevelopment Area without prior written approval of the Borough of Sea Bright.

SITE PLAN AND SUBDIVISION REVIEW

Prior to commencement of construction, a site plan, prepared in accordance with the requirements of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), shall be submitted by the applicants for review and approval by the Sea Bright Planning Board.

Any subdivision of lots and parcels of land within the Redevelopment Area shall be in accordance with the requirements of this Redevelopment Plan and the land development ordinance of the Borough of Sea Bright.

APPROVALS BY OTHER AGENCIES

The Redeveloper shall be required to provide the Borough with copies of all permit applications made to federal, state and county agencies upon filing such applications, as will be required by the Redeveloper's agreement to be executed between the Redeveloper and the Borough.

ADVERSE INFLUENCES

No use or reuse shall be permitted which will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

NON-DISCRIMINATION PROVISIONS

No covenant, lease, conveyance or other instrument shall be affected or executed by the Borough Council or by a developer or any of his successors or assignees, whereby land within the Redevelopment Area is restricted by the Borough Council, or the developer, upon the basis of sexual preference, race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions on occupancy or use of any part of the Redevelopment Area based on sexual preference, race, creed, color or national origin.

DEVIATION REQUESTS

The Sea Bright Planning Board may grant deviations from the regulations contained within this Redevelopment Plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions or physical features uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design objective or regulation adopted pursuant to this Redevelopment Plan would result in peculiar practical difficulties to, or exceptional and undue hardship upon, the developer of such property. The Sea Bright Planning Board may also grant such relief in relation to an application relating to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by a deviation from the strict requirements of this Plan and the benefits of the deviation would outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and without substantial impairment of the intent and purpose of the Redevelopment Plan. An application for a deviation from the requirements of this Redevelopment Plan shall provide public notice of such application in accord with the requirements of public notice as set forth in N.J.S.A. 40:55D-12.a. and b.

ESCROWS

The Redeveloper shall be responsible to post sufficient escrows to cover any and all costs of the professional consultants retained by the Borough or the Planning Board to review the proposed redevelopment project, including the site plan submissions, and advise the Borough or the Planning Board on any and all aspects of the redevelopment process.

INFRASTRUCTURE

The Redeveloper, at its cost and expense, shall provide all necessary engineering studies for, and construct or install all on- and off-site municipal infrastructure improvements and capacity enhancements or upgrades required in connection with the provision of water, sanitary sewer, and stormwater management, and sewer service to the project, in addition to all required tie-in or connection fees. The Redeveloper shall also be responsible for providing, at the Redeveloper's cost and expense, all sidewalks, curbs, streetscape improvements (street trees and other landscaping), and street lighting for the project or required as a result of the impacts of the project. The Redevelopment Agreement between the Borough and the Redeveloper will contain the terms, conditions, specifications, and a description of required performance guarantees (such as performance bonds or other acceptable performance security) pertaining to Redeveloper's obligation to provide the infrastructure and improvements required for the project.



VII. OTHER PROVISIONS

In accordance with N.J.S.A. 40A:12A-1 et seq., known as The Local Redevelopment and Housing Law, the following statements are made:

- The Redevelopment Plan herein has delineated a definite relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities and other public improvements. The Plan has laid out various programs and strategies needed to be implemented in order to carry out the objectives of this Plan.
- The Redevelopment Plan lays out the proposed land uses and building requirements for the Redevelopment Area.
- All privately owned lots within the Redevelopment Area are subject to acquisition by the Borough of Sea Bright as part of the redevelopment effort.
- The Redevelopment Plan is substantially consistent with the Master Plan for the Borough of Sea Bright. The Plan also complies with the goals and objectives of the New Jersey State Development and Redevelopment Plan.
- This Redevelopment Plan shall supersede all provisions of the Zoning and Development Regulations of the Borough of Sea Bright regulating development in the area addressed by this Redevelopment Plan, except where specifically mentioned within the text of this Plan. In all situations where zoning issues are not specifically addressed herein, the Borough of Sea Bright Zoning and Development Regulations shall, however, remain in effect. Final adoption of this Plan by the Borough Committee shall be considered an amendment of the Borough of Sea Bright Zoning Map.
- If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.



VIII. PROCEDURE FOR AMENDING THE APPROVED PLAN

This Redevelopment Plan may be amended from time to time upon compliance with the requirements of state law. A non-refundable application fee of \$1,000 shall be paid by the party requesting such amendment, unless the request is issued from an agency of the Borough. The Borough of Sea Bright Council, at its sole discretion, may require the party requesting the amendments to prepare a study of the impact of such amendments, which study must be prepared by a Professional Planner licensed in the State of New Jersey.

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