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MASTER PLAN REEXAMINATION REPORT

BOROUGH OF BRIELLE

MONMOUTH COUNTY, NEW JERSEY

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SECTION I

INTRODUCTION

I. INTRODUCTION

As required by Section 40:55D-89 of the New Jersey Municipal Land Use Law (MLUL), municipalities must periodically reexamine their municipal master plan. In compliance with the statutory requirements of the MLUL, this Master Plan Reexamination Report has been adopted by resolution of the Planning Board. A copy of the Report, along with said resolution, shall be submitted to the Monmouth County Planning Board and the Municipal Clerk of each adjoining municipality. By statute, the reexamination report is required to address the following issues:

- A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.
- B. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.
- C. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, dispositions and recycling of designated recyclable materials, and changes in State, county and municipal policies and objectives.
- D. The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.
- E. The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79 (C.40A:12A-1 et seq.) into the Land Use Plan element of the municipal master plan and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.

The Planning Board adopted a comprehensive master plan for the long-range development of the Borough of Brielle in August 2000. The 2000 Master Plan included existing demographics; a Statement of Objectives, Principals, Assumptions, Policies &

Standards; a Land Use Plan Element; Housing Plan Element; Circulation Plan Element; Utility Service Plan Element; Communities Facilities Plan; Parks and Recreation Plan Element; Conservation Plan Element; Resource Conservation & Recycling Plan Element and an Economic Plan Element. This Master Plan Reexamination Report provides an evaluation of land use changes since the adoption of the 2000 Master Plan as well as recommendations to guide future development within the Borough of Brielle.

SECTION II

MAJOR LAND DEVELOPMENT PROBLEMS AND OBJECTIVES AT THE TIME OF THE 2000 MASTER PLAN

II. MAJOR LAND DEVELOPMENT PROBLEMS AND OBJECTIVES AT THE TIME OF THE 2000 MASTER PLAN

The 2000 Master Plan was based on a list of objectives, principles, assumptions, policies and standards developed over time by the Mayor and Council, Borough Planning Board, Board of Adjustment, and other Borough boards and agencies. These objectives, principles, assumptions and policies are outlined on pages 5 through 9 of the 2000 Master Plan, and all remain pertinent today.

The 2000 Master Plan also set forth more specific concerns regarding future land use and development, which were documented within each of the master plan elements. In particular, outlined below are some of the detailed issues and recommendations that were identified within the 2000 Master Plan.

A. Land Use

The following land use recommendations were made:

1. Those areas that are inconsistent with the existing zoning map should be reviewed with consideration being given to amending the zoning map.
2. New development should be encouraged in areas where existing land uses are inconsistent with zoning and the municipal ordinance.
3. Higgins Avenue should be rezoned to encourage redevelopment of existing uses and to encourage development within the “Gateway” theme. The new zone should encourage new commercial uses such as retail and office spaces while providing for public parking and other amenities.

B. Circulation

The following list of dangerous intersections were identified:

1. Highway 35 and Higgins Avenue
2. Highway 35 and Old Bridge Road
3. Highway 70 and Old Bridge Road
4. Highway 70 and Riverview Drive

C. Parks and Recreation

The following observations regarding open space and recreation were made:

1. Existing vacant parcels of land in the Borough that are large enough to develop with active recreational facilities are difficult to develop because of significant environmental constraints. However, these areas should be considered for passive recreation.
2. Based on calculations provided by the National Recreation Association, the Borough of Brielle should have approximately 44.5 acres of municipal parks set aside for the resident population. The total Acreage of parks in Brielle at the time of the 2000 Master Plan was 29 acres. However, the 140-acre Manasquan River Golf Course supplemented the acreage that the Municipality lacked in public parks.
3. Existing waterfront sites should be maintained and provisions for new waterfront sites should become a Borough priority.

D. Conservation

1. The Borough of Brielle should consider adopting ordinances such as pooper-scooper laws, stream corridor protection, open space preservation, stormwater management and flood protection to protect its marine recreational and commercial character and promote water quality protection.
2. Programs should be considered to improve water and protect quality resources such as storm drain stenciling, lawn maintenance and outreach and education programs.

E. Economic

The overriding objective set forth in the Economic Plan Element of the 2000 Master Plan was to promote a gateway commercial development along Higgins Avenue.

SECTION III

**EXTENT TO WHICH PROBLEMS HAVE BEEN
REDUCED OR INCREASED**

III. EXTENT TO WHICH PROBLEMS HAVE BEEN REDUCED OR INCREASED

Based on the recommendations of the 2000 Borough of Brielle Master Plan, portions of Higgins Avenue have been designated within the C-1A Gateway Commercial Zone District. Additionally, a number of vacant parcels within the southeastern part of the Municipality have been developed with single-family homes in conformity with the largely residential character of that portion of the Borough.

Further, the Borough has recently drafted a Stormwater Control Ordinance and a Stormwater Management Plan in compliance with New Jersey Municipal Stormwater Regulations (N.J.A.C. 7:14A-25) and the New Jersey Stormwater Management Rules (N.J.A.C. 7:8). The Plan and Ordinance were adopted in April of and May of 2006, respectively, and have been submitted to Monmouth County for approval. The standards set forth in the Ordinance and Plan are anticipated to minimize the adverse impacts of stormwater runoff on water quality and water quantity and the loss of groundwater recharge that provides baseflow to receiving water bodies.

The Borough has also recently adopted an amended soil removal ordinance. This ordinance is intended to regulate grading of sites and ensure that new construction is properly designed as not to cause any detrimental impact on the site or surrounding areas.

Another ordinance recently adopted by the Borough was an ordinance establishing Floor Area Ratio (FAR) standards for residential zones within the municipality. The purpose of the FAR ordinance was to prevent overdevelopment of residential areas in order to maintain an appropriate level of light air and open space. It is anticipated that the ordinance will encourage new development and infill development that is compatible with existing neighborhoods and consistent with the intent of the established zoning regulations. To reinforce the need for FAR standards within the Borough and in further support of the FAR ordinance amendments, the recently adopted FAR standards are recommended within Section V of this report.

SECTION IV

SIGNIFICANT CHANGES SINCE THE 2000 MASTER PLAN

IV. SIGNIFICANT CHANGES SINCE THE 2000 MASTER PLAN

A. Demographics

The 2000 Master Plan utilized 1990 Census data. Since the adoption of the 2000 Master Plan, however, the United States Census has released the 2000 Census Report. This section, therefore, updates the general demographic changes in Brielle with Census 2000 data.

1. Population

The Borough of Brielle encompasses 1.65 square miles with total population, as reported in the 2000 United States Census, of 4,893. The Borough has a population density of 1,052 residents per square mile. As illustrated in **Table 1**, below, the total population of Brielle increased by approximately eleven percent (11%) between 1990 and 2000. The largest growing population in the ten-year period between 1990 and 2000 was that population under five (5) years of age, which increased by fifty-nine percent (59%). The senior population over the age of sixty-five made up the largest percentage of the population in both 1990 and 2000 and remained virtually unchanged within that time period.

Table 1: Population by Age Group			
Age Group	1990	2000	Percent Change
Preschool (Under 5 years)	219	348	59%
School Age (5 to 20 years-1990 5 to 19 years-2000)	811	887	9%
Working Age (21 to 64 years-1990 20 to 64 years-2000)	2,507	2,790	11%
Senior Citizen (65 and over)	869	868	-0.1%
Total	4,406	4,893	11%
<i>Sources: 1990 United States Census and 2000 United States Census</i>			

2. Racial Composition

The racial composition of the Borough of Brielle's residents in 2000 was 4,553 white, 172 African American, and 168 Asian or another race. There were 162 people with Hispanic origin as reported in 2000. During the decade between 1990 and 2000 all racial populations increased except for the African American population, which decreased by approximately twenty-eight percent (28%). The racial composition of the Borough as reported by the 1990 and 2000 Census is illustrated in **Table 2**, below.

Table 2: Racial Composition			
Race	1990	2000	Percent Change
White	4,121	4,553	10.5%
African American	240	172	-28%
Asian and Other	45	168	273%
Hispanic Origin	66	162	145%
* Hispanic Origin is not a race class.			
<i>Sources: 1990 United States Census and 2000 United States Census</i>			

3. Income

As depicted in **Table 3**, the average income of the Borough residents substantially increased during the decade between 1989 and 1999. The per capita income for the Borough increased by approximately forty-nine percent (48.9%), while the median family and household incomes increased by approximately thirty-seven percent (37.2%) and twenty-eight percent (27.8%), respectively. The Borough's average income and per capita income remain considerably higher than those of Monmouth County as a whole.

Table 3: Income			
	1989	1999	Percent Change
Median Family Income	\$60,401	\$82,867	37.2%
Median Household Income	\$53,485	\$68,368	27.8%
Per Capita Income	\$24,027	\$35,785	48.9%
<i>Sources: 1990 United States Census and 2000 United States Census</i>			

4. Education

Table 4 illustrates the highest level of educational attainment for those Brielle residents over the age of twenty-five (25) in 1990 and 2000. Overall, it appears that the residents of Brielle are achieving significantly higher levels of education than they were in 1990. Those residents whose highest level of education was less than a high school degree or equivalent decreased by approximately thirty-three percent (33%). Likewise, those residents whose highest level of education was a high school diploma or equivalent decreased by less than one percent (0.7%). Those residents whose highest level of education was some college or an associate degree also decreased, each by approximately eight percent (7.6%). In contrast, those residents whose highest level of education was a bachelor's degree or a graduate/professional degree each increased by approximately fifty percent (49.5% and 50.1%, respectively).

Table 4: Educational Attainment of Population Ages 25 Years and Older			
Highest Level of Education	1990	2000	Percent Change
Less than 9 th Grade	75	62	-17.3%
9 th to 12 th Grade (no diploma)	201	122	-39.3%
High School Graduate (includes equivalency)	856	850	-0.7%
Some College (no degree)	761	703	-7.6%
Associate Degree	236	218	-7.6%
Bachelor's Degree	709	1,060	49.5%
Graduate or Professional Degree	345	518	50.1%
<i>Sources: 1990 United States Census and 2000 United States Census</i>			

B. Land Use

As the Borough of Brielle was already largely developed at the time that the 2000 Master Plan was adopted, the municipality has not experienced any significant land use changes. The predominant change that has occurred is the development residential homes on pre-existing vacant parcels within the southwestern area of the Borough. As this area of the municipality is predominantly residentially developed and zoned, the area has been developed as intended. The Existing Land Use Map, included within Appendix A of this report, illustrates the parcels that have been developed since the 2000 Master Plan was adopted.

SECTION V

SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN AND DEVELOPMENT REGULATIONS

V. SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN AND DEVELOPMENT REGULATIONS

Since the adoption of the 2000 Master Plan, the members of the public, Planning Board and administration have identified some inconsistencies and issues with the current land use regulations. Following are the proposed ordinance changes that have been identified to eliminate these inconsistencies:

A. Commercial Zone Districts

Based on a review of the existing list of permitted uses for the commercial zones within the Borough, it has been determined that years of modifications to the permitted uses have left them antiquated and inconsistent with their original intent. Therefore, it is recommended that Code Section 20-3, entitled "Definitions," be amended to include the following definitions, and that the list of permitted uses within each of the commercial districts be eliminated and replaced as set forth below:

1. Permitted Uses

The list of permitted uses within each of the commercial zone districts should be eliminated and replaced with the following:

○ C-1 Central Commercial Zone

1. Business Offices
2. Professional Offices
3. Retail Sales Establishments
4. Personal Services
5. Government Offices

○ C-1A Gateway Zone

1. Business Offices
2. Professional Offices
3. Retail Sales Establishments
4. Personal Services
5. Community Centers
6. Museums

- **C-2 Marine Commercial**

1. Retail Sale of goods, which are clearly oriented toward marine activities
2. Service Establishments that are clearly oriented toward marine activities
3. Marinas, boat basins, marine facilities, yacht basins, and yacht clubs including boat sales, repair, storage and fueling facilities
4. Other ancillary facilities and activities commonly related to party, charter headboat and pleasure boat activity.
5. Specialty Retail Shops
6. Museums

- **C-3 Highway Commercial**

1. Retail Sales Establishments
2. Business Offices
3. Professional Offices
4. Personal Services
5. Restaurants
6. Community Centers

In addition, the following list of uses that are specifically prohibited within the C-1A Zone should be added into the C-1A Gateway Zone Ordinance.

- **Uses Specifically Prohibited Within the C-1A Gateway Zone**

1. Pet shop
2. Butcher shop
3. Delicatessen
4. Feed Storage and mills
5. Bakery
6. Grocery Store
7. Ice Cream Parlor
8. Luncheonette/snack bar/sandwich shops
9. Restaurant
10. Sea food store
11. Tavern

2. Definitions

In order to clarify the intent of the permitted commercial uses set forth above, the following definitions as well as the existing definitions within the ordinance should be used when determining the permitted uses set forth in each of the commercial zones. Therefore, Code Section 20-3(c), Definitions, should be amended to include the following definitions:

- **COMMUNITY CENTER** -- A building used for recreational, social, educational or cultural activities usually owned and operated by a public or nonprofit group or agency.
- **MUSEUM** -- An establishment which is operated as a historical site or as a repository for a collection of natural, scientific, or literary curiosities or objects of interest or works of art.
- **OFFICE, BUSINESS** -- A business establishment, which does not offer a product or merchandise for sale to the public but offers a service to the public. However, personal services, and automobile services are excluded.
- **OFFICE, PROFESSIONAL** -- A professional office is an office for the use of a person or persons generally classified as professionals, such as architects, engineers, attorneys, accountants, doctors, dentists, chiropractors, psychiatrists, psychologists, and the like.
- **PERSONAL SERVICES** -- A use that provides a personal service that is non-medical and may include accessory retail sales of products related to the services that are provided. Examples of personal services include, *but are not limited to* the following: beauty and barber shop, dry cleaners, shoe repair, laundromat, tailor, video rental and travel agency.
- **RETAIL SALES ESTABLISHMENT** -- An establishment or place of business primarily engaged in selling goods directly to the consumer, where such goods are generally available for immediate purchase and removal from the premises by the purchaser. Includes Retail Specialty Shops.
- **RETAIL SPECIALTY SHOP** -- A business that sells directly to consumers goods or services of a distinctive kind or of particular superiority, such as antiques; clothing and accessories; jewelry; health and beauty products; spa

or beauty salon services; home furnishings, accents, accessories and decor; fine art and fine art gallery; and paper products.

B. Prohibited Uses

Due to the compact land development within the Borough combined with the predominantly residential character of the municipality as well as the largely built out existing commercial areas, it has been determined that certain uses may interfere with or negatively affect the existing uses within the Borough of Brielle. Therefore, in order to prevent the establishment of undesirable uses, which would be incompatible with the existing uses within the Borough, the following section should be added:

- **21-9.28 Prohibited Uses** -- The following uses and activities shall be specifically prohibited in any zone:
 - a. Auction markets.
 - b. All billboards, signboards, advertising signs or devices not expressly related to the business being conducted on the premises or otherwise specifically permitted by this chapter.
 - c. Asphalt and cement plants.
 - d. Automobile, dog, horse or go-cart racetracks.
 - e. Check cashing, or pawnshop businesses.
 - f. Dealerships devoted entirely to the sale of used automobiles or trucks.
 - g. Junkyards, automobile wrecking or disassembly yards, the sorting or baling of scrap metal, paper, rags or other scrap or waste material.
 - h. Open-air drive-in motion-picture theaters.
 - i. Privately operated dumps for the disposal of garbage, trash, junk, refuse and similar materials.
 - j. Tattoo parlors.
 - k. The keeping or raising of mink, foxes or similar fur-bearing animals.

- l. The keeping or raising of swine.
- m. Truck terminals when not a part of a permitted commercial or industrial use.
- n. Slaughtering of fowl or animals.
- o. Sexually oriented business.
- p. Any use, which emits excessive and objectionable amounts of dust, fumes, noise, odor, smoke, vibration, glare or waste products as to endanger or discourage the public health, safety, morals and general welfare.
- q. Any use of any building or premises in such a manner that the health, morals, safety or welfare of the community may be endangered.

C. Cluster Residential Provisions:

As Brielle is largely developed, the cluster provisions within the ordinance no longer serve their purpose of allowing smaller lot development in order to promote common or public open space. Therefore, it is recommended that the following sections of the ordinance relating to cluster residential development be removed:

- The definition of Residential Cluster under Code Section 20-3;
- Code Section 21-11.2(b) – *Remove all sections under subsection 'b' ;*
- Code Section 21-12.1(c)1;
- Code Section 21-12.2(b) – *Remove all sections under subsection 'b' ;*
- Code Section 21-53.4 – *Remove all sections under this subsection 4;*
- Code Section 23-2.1(e) ;
- Code Section 20-7.6(a)2 – *Remove the phrase "provided that in the case of a residential cluster the Planning Board may permit minimal deviations from the conditions of preliminary approval necessitated by change of conditions beyond the control of the developer since the date of preliminary approval*

without the developer being required to submit another application for development for preliminary approval."; and

- Code Section 21-11.1(d)1.

D. Impervious Coverage Requirements

In order to limit paving of entire properties within residential zone districts, it is recommended that a Maximum Impervious Lot Coverage requirement be established within all residential zone districts. If it is determined that the impervious coverage limitations recommended within this section are either too restrictive or too lenient, the Planning Board should reexamine these limitations and amend them appropriately.

1. Maximum Impervious Lot Coverage

The following sections should be added to the ordinance:

- **21-11.2(a)1(l)** – Maximum Impervious Lot Coverage 50%
- **21-12.2(a)1(k)** – Maximum Impervious Lot Coverage 50%
- **21-13.2(a)1(k)** – Maximum Impervious Lot Coverage 50%
- **21-14.2(a)1(k)** – Maximum Impervious Lot Coverage 50%

In addition, in order to establish guidelines as to how the Impervious Surface Coverage should be calculated, it is recommended that the following definitions be established within Code Section 20-3(c):

- **IMPERVIOUS SURFACE** -- That portion of the lot that is covered by nonpermeable surfaces, including but not limited to, buildings, structures, parking areas, driveways, service areas, streets, and walkways. All required parking areas, which are permitted to remain unimproved, and all gravel areas and landscape areas shall be considered as impervious surfaces if they are lined with weed-inhibiting plastic or other material. The definition of impervious surface shall specifically exclude swimming pools, decks and patios.

- **IMPERVIOUS LOT COVERAGE** – The proportion of the area of a lot, expressed as a percent, that is covered by the maximum horizontal cross-section of the aggregate of all impervious surfaces.

E. Additional Recommendations

1. In order to promote future conservation of the Borough's environmentally significant public property, the Borough should consider the establishment of an entirely new conservation/recreation zone district for Nienstedt Island and Sedge Island.
2. It is recommended that Borough consider alternative uses and/or development standards within the R-1 Zone District.
3. Code Section 21-11.2(a) incorrectly reads, "Accessory buildings not attached to the principal building shall conform to the height and front setback requirements of the *accessory building*." The words '*accessory building*' should be amended to read, '*principal building*.'
4. It is recommended that the FAR regulations adopted through Ordinance No. 970 and Ordinance No. 971 be maintained and enforced.
5. The objectives, principles, assumptions, policies, standards and recommendations that were established in the 2000 Master Plan remain pertinent and are recommended to be maintained.
6. In order to discourage the total loss of charter boat business within the Borough, it is recommended that parking requirements for marina uses be evaluated to identify an appropriate number of parking spaces per boat slip for charter boats, so that future marina facilities may provide sufficient parking for charter boats.

SECTION VI

REDEVELOPMENT RECOMMENDATIONS

VI. REDEVELOPMENT RECOMMENDATIONS

The Borough of Brielle does not have any existing redevelopment areas, nor are any areas for redevelopment recommended at this time.

SECTION VII

CONCLUSION

VII. CONCLUSION

The 2006 Borough of Brielle Master Plan Reexamination Report includes an updated Existing Land Use Map, which is included within Appendix A. As this report did not include any recommended changes to the Borough Zoning Map, an updated Zoning Map has not been included.

This Report has been prepared for the Borough of Brielle Planning Board and was compiled utilizing the input and recommendations of the Planning Board and the Master Plan Reexamination Report Planning Board Subcommittee, as well as input from other Borough Officials.

APPENDIX A

EXISTING LAND USE MAP