

# **Borough of Tinton Falls Monmouth County, New Jersey**

## **CECOM REDEVELOPMENT PLAN**

Original Plan Prepared by THP, Inc.  
Adopted February 15, 2005

Revised Plan prepared by Heyer, Gruel & Associates  
March 2011

**Adopted by the Tinton Falls Borough Council in accordance with  
Ordinance 05-1143 on \_\_\_\_\_ and amended via Ordinance \_\_\_\_\_ on \_\_\_\_\_.**

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Paul Glietz, AICP, PP # 5802

The original of this document was signed and  
sealed in accordance with NJAC 13:41-1.3.b

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The original of this document was signed and  
sealed in accordance with NJAC 13:41-1.3.b

## I. Introduction

The Borough of Tinton Falls (the "Borough") has been actively involved in utilizing redevelopment as a planning and implementation strategy to work towards achieving the goals and objectives of the Borough's Master Plan. Block 76.01 lot 1.01 commonly known as the CECOM site was an area of particular concern and on October 5, 2004, by Resolution No. R-03-292 was determined by the Borough Council to be an area "In Need of Redevelopment." At that time, the adjacent parcel to the south of the CECOM site (Block 85, Lots 1, 2, 3.01 and 4) which was largely undeveloped and which belonged to members of the Newman family was not included in designated "area in need of redevelopment". In November 2004 THP, Inc. prepared a Redevelopment Plan for the CECOM site which was subsequently adopted by the Borough Council as Ordinance No. 05-1143 on February 15, 2005. The 2004 CECOM Redevelopment Plan identified that the CECOM site was zoned IOP-50, which was the Borough's most intense non-residential zoning district allowing non-residential uses with a floor area ratio of .50. The office structure which then existed on the site was dilapidated and the majority of the property was paved asphalt for parking. The surrounding land uses were all residential in nature and it was determined that residential use would be most suitable for the property. The 2004 CECOM Redevelopment Plan created the zoning standards for the CECOM Redevelopment Zone which permitted an active adult single-family detached residential community, based on recommendations in a Master Plan Reexamination Report completed in 2003. On April 1, 2005, the Newman family members, who were the owners of the adjacent parcel, instituted legal action against the Borough and then subsequently brought in PRC Tinton Avenue Developers, LLC ("PRC"), as the owner of the CECOM site (the "Newman Litigation"). The Newman Litigation challenged the Redevelopment Area Designation and the adoption of the Redevelopment Plan. The Newman Litigation was finally concluded by Order of the Superior Court of New Jersey, Monmouth County, Law Division, dated April 10, 2008, which approved a Settlement Agreement which had been negotiated and approved by the Newman family members; the Borough; the Borough of Tinton Falls Planning Board; and PRC Tinton Avenue Developers, LLC. The Settlement Agreement recognized *inter alia* that the development of the Newman Tract should be linked to the development of the CECOM site and, accordingly, required that the Newman Tract be granted a permanent residential access easement through and across the CECOM site. The Settlement Agreement further provided that the Newman Tract should be rezoned so as to have the

same zoning classification as the CECOM site and that the Newman Tract should be permitted to be developed in conjunction with and as an extension of the development which was planned and had been approved for the CECOM Redevelopment Area. Subsequent to the approval of the Settlement Agreement by the Court Order of April 10, 2008, PRC Tinton Avenue Developers, LLC acquired title to the Newman Tract on August 26, 2008. Pursuant to the Redevelopment Agreement between the Borough of Tinton Falls and PRC Tinton Avenue Developers, LLC dated June 16, 2009, the Borough and PRC agreed that the Newman Tract was to be developed in conjunction with and as a part of the redevelopment of the CECOM site. On \_\_\_\_\_, 2011, the Borough Council accepted the recommendations and findings of the Borough Planning Board and by Resolution No. R-11-\_\_\_\_\_ designated the Newman Tract (which is an isolated parcel immediately adjacent to the CECOM Site and impacted by many of the same conditions and restraints that impact the CECOM Site) as "an area in need of redevelopment" to be combined with the CECOM Redevelopment Area for the purpose of joint control and development.

This Plan is an amendment to the original 2004 CECOM Redevelopment Plan (which was originally adopted by the Tinton Falls Borough Council on February 15, 2005). This amended plan shall supersede the 2004 CECOM Redevelopment Plan. This Plan is in response to and recognition of the relevant determinations which arose as a result of the Newman Litigation as it directly impacted the development of the subject area. Furthermore, since the adoption of the CECOM Redevelopment Plan in 2005, there have been several key changes in the planning, economic, and real estate climate that have affected the developability of the CECOM site under the current Redevelopment Plan. Since 2008, the United States has been in a recession which has negatively impacted both the real-estate and lending markets. The demand for age-restricted housing has dwindled, while the supply of age-restricted developments has not, many of which have had trouble maintaining a high level of occupancy. On July 2, 2009, NJ Governor Corzine sign into law S-2577 (the "Conversion Bill), an amendment to the Fair Housing Act that allowed conversion of certain age-restricted housing developments to non-age-restricted housing developments, under certain circumstances. This legislation was crafted in response to the issues created by the slumping age-restricted real estate market in New Jersey.

These events have created the need to amend the uses and purposes permitted by the Redevelopment Plan, and to include the Newman Tract within the Redevelopment Plan Area in order that both the CECOM Site and the Newman Tract can be developed in a consistent and compatible manner. The objective of the revision is to develop a plan that will coordinate with the goals and objectives in the recently adopted 2007 Master Plan while facilitating the economic viability of any development within the expanded CECOM Redevelopment Area, which is now comprised of the CECOM Site, together with the Newman Tract. The amended plan establishes zoning changes to the CECOM redevelopment standards that reflect the recommendations of the 2007 Master Plan while considering recently enacted legislation and accounting for the economic trends and realities of the current real estate market. Specifically, this plan will amend the CECOM redevelopment standards to permit 151 single-family residential units on the CECOM portion of the project, and no more than 32 single-family residential units on the Newman Tract for a total not to exceed 183 units, which will be developed on an aggregate site area of approximately 54.8 acres (combined), which shall not be age restricted, but which shall limit the maximum number of bedrooms per dwelling to a maximum of two. In addition the redevelopment standards will require that all the units will be deed restricted against any additions which will increase the livable floor area.

The current economic climate has stifled development in the State and has given public entities time to proactively plan for the future. This amendment to the CECOM Redevelopment Plan will allow the Borough to modernize its physical infrastructure to plan for anticipated growth and to create an environment conducive to quality investment.

### **I. Area Description**

The original CECOM Redevelopment Area is 39.26 acres in size and was once home to a 737,000 square foot office building which was occupied at its peak by approximately 5,000 military employees. The Newman Tract, which has now been added to the CECOM Redevelopment Area, consists of 14.7 acres. Accordingly the CECOM Redevelopment Area is now comprised of a total area of 54.77. This Redevelopment Area occupies a unique location near the Borough's center and is in close proximity to the Garden State Parkway, Route 18, and Route 36 which allows for easy commuting to the commercial centers in the region. The Redevelopment Area is also located in close proximity to the regional job centers as well as public facilities including the Borough Hall,

Municipal Center, Tinton Falls Library and Monmouth Regional High School. The original office use developed on the CECOM Site did not coordinate with the surrounding land uses. The site is located in the middle of relatively low density residentially zoned and developed properties. The prior high density office structure was determined to be an inconsistent use. The current state of the site inhibits the area's ability to function efficiently and discourages new investment.

The CECOM Site is located in the AARZ Active Adult Redevelopment Zone which was created as a result of the 2004 Redevelopment Plan. The AARZ permits single-family detached dwellings in an active adult community. To the south is the Newman Tract, which is also zoned AARZ. The properties to the east across Wayside Road are zoned R-1 Single-Family Residential and R-2 Single-Family Residential. The properties to the north are zoned IOP Industrial Office Park, R-4-I Residential Inclusionary, and R-2 Single-Family Residential. The properties to the west are zoned R-2 Single-Family Residential and R-1 Single-Family Residential. The adjacent land uses include a garden supply center and single family residential to the east; offices, multi-family residential, and single-family residential to the north; single-family and undeveloped woodlands to the west; and undeveloped woodlands to the south.

The Redevelopment Area has approximately 800 feet of frontage along Wayside Road, with limited access from Water Street. The site is almost entirely paved and the redevelopment of the site would reduce the amount of impervious surface substantially. According to NJDEP GIS data the rear part of the area is located in the 100 year flood zone. The properties to the south and west have been identified as Rank 2 Forest habitat by the Landscape Project Data prepared by NJDEP which mean the area could contain species of flora and fauna that are considered a state priority. The properties to the west, northwest, and south are currently not served by sewer. The redevelopment of the CECOM site would help facilitate the extension of sewer to this area which would help mitigate the environmental impacts from the existing septic in the area.

## **II. Current Trends, Issues and Realities**

This amended CECOM Redevelopment Plan was developed within the context of several economic, social and planning trends that are occurring within the Borough of Tinton Falls, Monmouth County and the State of New Jersey. The following sections outline the social and economic trends, the legislative response to the slumping age-

restricted housing market, and the realities of the excess inventory of age-restricted housing in Tinton Falls.

**A. Social, Economic, and Market Realities Overview**

Several key things have happened in the last few years that have lead to shifts in the demand for housing. First, is the nation wide recession which started in 2008. The recession led to a slump in the housing market and directly affected the marketability of age-restricted housing. The drop in housing prices and slumping economy forced many the 55+ age bracket to stay in their current home rather than downsizing to a smaller home like those in age-restricted active adult communities. Additionally there has been an outmigration trend since 2002 which shows that there have been more people leaving the state to live somewhere else than people coming to New Jersey to live. All of these issues have lead to a diminished demand for age-restricted housing in the State.

**B. Demographic Trends**

The increase in housing prices from 2000 through 2005 created a deficit in the affordability of homes in the state. The large lot and large house trend lead to an overconcentration of high priced homes.

New Jersey Income vs. Cost of Housing				
Year	Per-Capita Income	Percentage of Change		Median Cost of Housing
2000	\$37,734			\$167,400
2001	\$38,625	2.4%	12%	\$187,488
2002	\$39,453	2.1%	12%	\$209,987
2003	\$40,427	2.5%	15%	\$241,485
2004	\$41,438	2.5%	13%	\$272,878
2005	\$43,771	3.0%	15.1%	\$314,082
5 year change		16%	87.6%	

Source: US CENSUS

This lead to New Jersey having the second highest housing costs in the country. In 2008 New Jersey homeowners had the 4<sup>th</sup> highest ranking of housing costs as a percentage of income in the country.

<b>Percentage of Homeowners Spending more than 30% on Income on Mortgage</b>		
Rank	State	Percent
1	California	53%
2	Nevada	49%
3	Florida	48.9%
4	New Jersey	46.1%
5	Hawaii	45.8%

Source: US CENSUS

The affordability of housing was affected negatively by these trends and since New Jersey also has the highest per-capita rate of taxation it created a difficult situation for people living on a fixed retirement income. These trends in turn negatively impacted the market demand for age-restricted housing.

Since 2002 the state has also undergone a net domestic outmigration trend. This trend is where more people are leaving the state to live elsewhere than coming into the state to live. This trend lends itself in part to the people of retirement age relocating to other states with offer a lower housing costs and cost of living. The result is a total loss of 388,623 people since 2002.

<b>Net Domestic Migration New Jersey</b>	
Year	Number
2002	-23,759
2003	-33,225
2004	-45,045
2005	-56,989
2006	-72,547
2007	-69,160
2008	-56,208
2009	-31,690

Source: US CENSUS

The dynamics of the local demographics in addition to the states demographic trends indicate would further hinder the viability of 55+ housing types. The states range of home buyers consists of people between the ages of 25 and 74. This represents 61% of the state's total population, while 55+ only represents 18%. The potential home-buying population in a 10 mile radius of the area shows that the 55 to 74 age cohort represents the smallest percentage of the housing demand cohort.

<b>2009 Estimated Population (10 mile radius)</b>	
Age	Percentage
25-34	10.5%
35-44	13.72%
45-49	8.48%
50-54	8.24%
55-59	7.08%
60-64	5.82%
65-74	7.49%

**C. “Conversion Bill”**

Senate Bill S-2577 (the Conversion Bill) amended the Fair Housing Act as a response to the slumping economy and housing market. S-2577 allowed for the conversion of age-restricted units to non-age restricted units. The following list outlines the findings and conclusions of the legislature in enacting the bill:

- Zoning practices have resulted in a lack of land approved for housing which meets the needs of households requiring smaller housing units
- The shortage of affordably priced workforce housing has been exacerbated in recent years by a municipal preference for age restricted housing which has resulted in an oversupply of age restricted housing approvals
- Although the maximum municipal percentage of affordable fair share housing which may be met by age-restricted units in a municipality has been reduced from 50 percent to 25 percent under the recently adopted rules of the Council on Affordable Housing, a mechanism is needed to permit an age-restricted development to change to a converted development to meet this rule, and to meet demographic needs

- Under currently deteriorating national economic conditions it is appropriate to take immediate action at this time to create the opportunity to increase the production and supply of workforce housing through the conversion of the over-supplied age-restricted market to meet the needs of New Jersey's residents who require smaller, more reasonably priced homes.

S-2577 was the legislative response to the unsold inventory of age restricted housing caused by the shift in the age-restricted market and the overall collapse of the housing market.

**D. Recent Developments**

In 2003, the Borough prepared a Master Plan Reexamination that examined the booming age-restricted real estate market at the time. The result of that Master Plan Reexamination was the creation of the AR Age Restricted Zoning District in three areas in the Borough and the creation of the CCRC/AH Continuing Care Retirement Community Zone. Since the creation of these zoning districts there have been several developments that have been completed as well as approved.

1. Seabrook Village: Completed CCRC

<b>Independent Units</b>	1,556
<b>Assisted Living Units</b>	124
<b>Skilled Care Beds</b>	86

2. Greenbriar Falls: 168 Age- Restricted Townhomes, under construction and continuing sales.
3. Twin Brooks Village: 155 Unit Age-restricted development with Preliminary Approvals.
4. Rose Glen: 304 housing units; 270 Market Rate Age Restricted Single Family Homes and 34 Affordable Age Restricted Duplex Units. This project was given Preliminary and Final Approval.

The Twin Brooks Village development has not moved through with a Final Site Plan application which is likely due to the lack of demand in age-restricted units. The developer of the Rose Glen project applied for an age-restricted conversion in

compliance with Senate Bill S-2577 because of the poor outlook on the demand for the units that were approved.

The Borough adequately zoned for age-restricted housing based on the demand for the type of unit in 2003. Since then, as indicated above, the demand for such units has declined. The enactment of the "Conversion Bill" is evidence of that fact. Within the Borough it is evident that additional age-restricted units would not be viable.

### **III. Planning Context**

As with any zoning amendment or change it important that the proposed changes coordinate with the goals and objectives of the Borough's Master Plan. The following goals and objectives are applicable to this Redevelopment Plan amendment.

#### **A. Goals**

1. Encourage a balanced development pattern, which will protect and enhance long term economic and social interests of present and future residents in order to maintain and improve the Borough's overall quality of life.
2. Promote land use policy designed to create a "sense of place" in designated centers of activity.
3. Balance growth and development opportunities with the established pattern of development and existing infrastructure, where appropriate.
4. Preserve and protect the existing residential neighborhoods and encourage an appropriate diversity of housing types.
5. Coordinate land use and transportation planning.
6. Maintain and upgrade the existing system of community facilities in order to provide a high level of public services and to accommodate growth as well as the changing needs of the population.
7. Ensure the most appropriate reuse of Fort Monmouth.
8. Enhance pedestrian connections within the Borough between and among residential neighborhoods, community resources, and commercial areas.
9. Promote the development of a comprehensive, Borough-wide system of greenways, bikeways and other pedestrian connections.
10. Maintain and upgrade the existing system of parks and recreation facilities and pursue opportunities to increase the number of parks and recreation facilities in underserved sections of the Borough as well as links between recreation facilities.

11. Encourage historic preservation in order to maintain and preserve historical character within the Borough.
12. Analyze sanitary sewerage, public water and public stormwater facilities to determine the need for future studies and possible improvements.

## **B. Applicable Objectives**

### **Land Use Objectives**

2. Create better conformity between bulk standards and the character of existing development.
4. Support the upgrading of substandard properties in the Borough through code enforcement efforts, education, ordinance amendments and other initiatives.
6. Discourage additional age-restricted and high density residential developments within the Borough, except where specifically identified in the Plan.

### **Housing Objectives**

1. Protect and preserve established residential character through zoning enforcement, design guidelines, inspections of multi-family dwellings and rehabilitation, where necessary.
2. Prevent continued residential sprawl.
3. Balance housing options in the Borough, including affordable housing for low and moderate-income households. Encourage the continued development of a variety of housing ranging from affordable to middle income and market rate units.

### **Economic Objectives**

1. Promote continued growth and development of the Borough's economic base.
2. Plan for continued economic viability by strengthening the tax base through the encouragement of continued private investment and tax-producing uses, which are consistent with community needs, desires, and existing development.
3. Locate businesses appropriately based on surrounding land uses and character.
4. Ensure that transportation, business and economic development retain a healthy relationship with the residential character of the Borough.
5. Maintain and expand the Borough's employment base.
6. Reevaluate the nature and extent of the CECOM Redevelopment Plan, if remanded.

The proposed plan amendment will coordinate with the applicable goals and objectives from the 2007 Master Plan.

#### **IV. Plan Amendment**

The original Redevelopment Plan was adopted in February 15, 2005, and provided a comprehensive framework for the physical, economic, social and environmental redevelopment of the CECOM site. This amended Plan seeks to build on this framework, including recent development trends in the area and respond to the changes in the real estate market while coordinating with the goals and objectives of the 2007 Master Plan.

The Redevelopment Area is located in the AARZ Active Adult Redevelopment Zone which was created as a result of the 2004 Redevelopment Plan. The AARZ permits single-family detached dwellings in an active adult community. This amended plan seeks to implement zoning changes to the redevelopment plan standards which will effectuate more of an economically productive and viable plan. The new non-age-restricted development will capitalize on the changing housing demands in the area. There is a growing need for smaller housing units for single or married professionals in their thirty's and forty's without children, in addition to widows and divorcees and people over the age of fifty five looking to downsize. The unit anticipated is a two bedroom, small lot, single-family residential unit, with general design attributes such as first floor master bedrooms and "Market Targeted" for mostly "childless" households desirous of appropriate home sizes and reduced maintenance responsibilities. The elimination of the age-restriction will generate a deminimus increase in the Borough's school enrollment. The two-bedroom maximum will discourage growing families and would only be suited to families with one child. The deed restriction requirement that prohibits any increases in living area will ensure that the units could only be suited to families with one child.

The following chart shows that approximate number of school age children that the lifting of the age-restriction will create is .118 per unit.

**TABLE II-2**  
**Statewide New Jersey: School-Age Children (SAC)**

STRUCTURE TYPE/ BEDROOMS/ VALUE/TENURE	TOTAL SAC	GRADE		
		ELEMENTARY	JUNIOR HIGH SCHOOL	HIGH SCHOOL
		K-6	7-9	10-12
<b>SINGLE-FAMILY DETACHED, 2 BR</b>				
<i>All Values</i>	0.118	0.057	0.025	0.037
<b>Below Median \$267,744</b>	0.118	0.053	0.024	0.041
<b>Above Median \$267,744</b>	0.119	0.063	0.026	0.030

Source: Center for Urban Policy Research Edward J. Bloustein School of Planning and Public Policy, *Who Lives in New Jersey Housing? A Quick Guide to New Jersey Residential Demographic Multipliers*, November 2006

The redevelopment of the CECOM site will allow for a development that has easy access to major roadways and is located in close proximity to many of the Boroughs community assets. It will allow for the extension of sewer and other infrastructure into areas that do not currently have it. It will allow for a reduction in the amount of impervious surface on the site while facilitating groundwater recharge consistent with the current NJDEP stormwater management rules. The redevelopment of this site will allow the proper utilization of the site and will facilitate many of the goals and objectives in the 2007 Master Plan while allowing for an economically viable land use.

**V. Proposed Land Uses**

Any future development of CECOM Redevelopment Area will comply with the following standards:

- A. Purpose. To allow for the development of single-family residential community that meets the growing need of specific housing types while creating an economically viable opportunity for residential development.
- B. Permitted Principal Uses (Land and Building).
  - (1) A community of single-family detached housing units and uses incidental and accessory to single-family uses.
- C. Single-Family Detached Dwelling Standards.
  - (1) Minimum lot area – Five thousand (5,000) square feet.
  - (2) Minimum lot width – Fifty (50) feet, with the exception of corner lots which shall be a minimum width of seventy-five (75) feet.

- (3) Corner lots shall be considered to have two (2) front yards, a rear yard and a side yard. The rear yard shall be the area of land between the lot line and the architectural rear of the single-family home.
- (4) Minimum lot depth – One hundred (100) feet.
- (5) Minimum yards:
  - (a) Front yard – Twenty-five (25) feet.
  - (b) Rear yard – Twenty (20) feet.
  - (c) Decks and patios – The rear yard setback of decks and patios shall be ten (10) feet; provided that the rear yard setback of decks and patios that do so exceed three (3) feet in height shall be eight (8) feet.
  - (d) Side yard – Six (6) feet each.
  - (e) Fireplaces, flues, chases and angled bays, roof, overhangs, leaders, gutters, exterior trim and fascia may extend no more than two and one-half (2.5) feet into the side yard building setback. In no event shall permitted projections into the side yard setback result in any portion of a single-family dwelling to be placed within nine and a half (9.5) feet of another single-family dwelling.
- (6) Maximum bedrooms per unit – 2 bedrooms
- (7) Maximum lot coverage – Sixty five percent (65%).
- (8) Maximum building coverage – Forty-eight percent (48%).
- (9) Each dwelling unit shall have a two (2) car garage. Such garage shall not be permitted to be converted to living space.
- (10) Maximum building height – Forty (40) feet.
- (11) All driveways to single-family detached home shall emanate from internal streets.
- (12) Single-Family Dwelling Design Requirements.
  - (a) Each single-family dwelling on a lot (the subject lot), pursuant to approval under this section, shall be substantially different in exterior design and appearance from any existing or proposed neighboring dwellings situated on any lot on the same side of the street or on any lot facing the subject lot on the opposite side of the street.
  - (b) For a dwelling to be deemed substantially different, the building elevation facing the street line must be different from the street

elevations of the neighboring dwellings in at least three (3) of the following categories:

- [1] The relative location of the garage, portico, angled or box bay, or any other such significant structural appurtenance attached to the dwelling.
  - [2] The relative location or the size and type of windows and doors.
  - [3] The pitch of the roof as determined by its type and angle.
  - [4] The type or pattern of siding materials.
  - [5] Color of siding materials.
- (c) In no event, regardless of the number of different categories that have been met, shall there be more than three (3) consecutive occurrences of the same model of dwelling.
- (d) In no event shall there be more than forty percent (40%) of the same model dwelling occurring throughout the development.

D. Tract Standards.

- (1) Minimum tract size – Fifty (50) acres.
- (2) Minimum lot width – Seven hundred (700) feet.
- (3) Average tract buffer – Twenty-five (25) feet.
- (4) No building shall be located within fifty (50) feet of the Wayside road right-of-way. All buildings along Wayside shall be screened with a landscaped berm found acceptable by the Planning Board.
- (5) Maximum density – 4.0 units per acre.
- (6) A flag lot for the purposes of this section shall contain not less than twice the minimum lot area otherwise required in the zone exclusive of the area contained in the access strip. The flag lot shall have access to an existing public road by way of an access strip which shall be owned in fee rather than served by an easement or right of way. Such access strip shall have a width of no less than 50 feet fronting upon such road and shall have a width of no less than 50 feet at all other points between the intersection of the access strip with the public road and the rear line of the flag lot created. The flag lot shall be deemed to front upon such access strip and the required lot width at the street line shall be measured along the access strip. All other dimensional requirements applicable to the zone

district in which the flag lot is located shall be complied with and shall be measured from and deemed to relate to the access strip.

- (7) Accessory Structures – Accessory structures and buildings are not permitted on single-family detached lots except for patios and first floor decks. The homeowner's association shall record a master deed and bylaws with a permanent prohibition on accessory structures and buildings on single-family detached lots except for patios and first floor decks. The community building may have a maximum height of forty (40) feet.
- (8) Outdoor parking of recreational vehicles or boats shall not be permitted anywhere.
- (9) There shall be within each dwelling unit adequate area for the temporary storage of solid waste and recyclable materials.
- (10) The entire tract shall be under the control of one (1) ownership and/or contract purchaser for purposes of obtaining all required development approvals and committing the tract to the requirements of an except as permitted hereafter. The submittal of applications by separate entities for separate Lots shall be permitted provided that the proposed developments are to be developed as one community and all units, including affordable housing units, shall be members of the same association entitled to access and use of all amenities located on either site. Furthermore, the Planning Board shall be permitted to impose single access, supplemental buffers or adequate fencing as conditions to ensure the development of separate parcels as one community. In the event separate applications are filed the provisions of the Borough's Land Development Ordinance shall apply. Upon approval of the tract for development, no further development will be permitted and appropriate restrictions will be incorporated in the approval.
- (11) The community shall not gain access to Water Street, except for emergency access.
- (12) Minimum common open space – Fifteen percent (15%) of tract. At least one-third (1/3) of this open space area shall be located outside of wetlands, wetlands buffers, stream corridors steep slopes and required perimeter buffers.

- (13) Parking shall be provided in accordance with the Residential Site Improvement Standards (RSIS).
- (14) A comprehensive open space and recreation plan shall be prepared and approved by the Planning Board which shall include all proposed passive and active recreational space and facilities. At least one (1) passive and active recreational space and recreation area shall have a minimum contiguous area of not less than one and one-half (1.5) acres. All open space and recreational areas shall be dedicated to a homeowner's association established pursuant to the Borough's Land Development Ordinance. No more than thirty-five percent (35%) of the housing units within the community shall receive construction permits prior to the active recreation facilities being fully constructed and operational. The facilities shall include:
- (a) A community clubhouse with a minimum area equal to twelve (12) square feet for each housing unit within the age associated community. Facilities with the clubhouse shall include an all purpose room, commercial style kitchen, restrooms and other such accommodations proposed by the applicant and deemed appropriate by the Planning Board.
  - (b) A swimming pool area of at least twelve (12) square feet for each housing unit. (This shall include any "patio" within the safety fence area)
  - (c) Additional outdoor recreational facilities, such as, for example, a putting green, bocce courts, tennis courts, etc. Any recreational facility shall be utilized only by residents associated community or their guest, and shall not be available to the general public.
  - (d) Parking for the above facilities in the amount of one (1) parking space for each two hundred (200) square feet of the community clubhouse building area.
  - (e) The above facilities, except parking lots, shall be located no closer than fifty (50) feet to a residential structure. Parking lots shall in no case be less than 15 feet from a residential structure and provide a vegetative buffer.
- (15) A homeowner's association established pursuant to Land Development Ordinance shall be responsible for owning, maintaining, and repairing all

common areas in the community. All residents in the community shall be required to be members of the association. This requirement shall be set forth in the contract of sale and deed for each unit as well as in any public offering statement by State law.

- (16) Landscaping. All lawn areas and planting beds within the front yard shall be serviced by sprinklers. In order to insure the consistent and continued operation of the sprinkler system, the maintenance and cost of the operation (including water) of sprinkler systems shall be borne by the homeowners association. All other landscaping shall conform to the requirements these standards.
- (17) In lieu of setting aside 20 percent (20%) of the housing units of the development as low and moderate income housing, the developer shall pay a fee of \$3,500 for each housing unit. This payment shall be in lieu of any other development fees.

#### **VI. Relationship of Plan to Borough Land Development Regulations**

The CECOM Redevelopment Area shall be redeveloped in accordance with the standards detailed in this amended Redevelopment Plan. The Plan supersedes the use, bulk, and design standard provisions of the Borough Land Development Regulations unless specifically referenced. Other standards and submission requirements relating to all zones in the Borough not specifically enumerated within in the Borough's Land Development Ordinance shall apply.

In connection with site plan or subdivision applications, the 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, pre-existing structures and 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 and exceptional practical difficulties to, or exceptional or undue hardship upon, the developer or redeveloper of such property. The Planning Board may also grant a deviation from the regulations contained within this Redevelopment Plan related to a specific piece of property where the purposes of this Redevelopment Plan would be advanced by such deviation from the strict application

of the requirements of this Plan and the benefits of granting the deviation would outweigh any detriments.

The Planning Board may grant exceptions or waivers from design standards from the requirements for site plan or subdivision approval as may be reasonable and within the general purpose and intent of the provisions for site plan review and/or subdivision approval within the Plan, if the literal enforcement of one or more provisions of the Plan is impracticable or would exact undue hardship because of peculiar conditions pertaining to this site. No deviations may be granted under the terms of this section unless such deviations can be granted without resulting in substantial detriment to the public good and will not substantially impair the intent and purpose of the Redevelopment Plan.

No deviations may be granted which will result in permitting a use that is not a permitted use within this Redevelopment Plan. Any deviation from standards of this Plan that results in a "d" variance pursuant to N.J.S.A. 40:55D-70d shall be addressed as an amendment to the Plan rather than via variance relief through the Borough's Zoning Board of Adjustment. All development must be approved by the Planning Board and shall be submitted through the normal site plan and subdivision procedures as identified by N.J.S.A. 40:55D, et seq.

## **VII. Redevelopment Entity and Approving Authority**

1. The Tinton Falls Borough Council is hereby designated the entity to implement this redevelopment plan (NJSA 40A:12A-4).
2. The governing body, acting as the Redevelopment Agency/Entity may take the actions authorized by N.J.S.A. 40A:12A-8 in order to effectuate the plan.
3. When necessary for the implementation of this plan, the Borough of Tinton Falls shall enter into a contract with a redeveloper for any construction or other work forming a part of this redevelopment plan. (N.J.S.A. 40A:12A-4-(c)) The redeveloper may be chosen through a Request for Proposals, a Request for Qualifications or through direct negotiations.

4. The Borough of Tinton Falls Planning Board shall review and approve all plans and proposals for development with respect to conformance with this Redevelopment Plan, land use ordinances and conformance with the site land use standards set forth in a redevelopment agreement that may be established.
5. The redeveloper shall be required to furnish escrows and performance guarantees as required by the Tinton Falls Borough Planning Board Use Board. (N.J.S.A. 40:55D-53), and in accordance with any Memorandum of Understanding signed by the Redeveloper and the Tinton Falls Borough Council.
6. The designated redeveloper shall agree to comply with all design standards and development regulations established in this plan for the Redevelopment Area. "C" variances may be reviewed and considered by the Planning Board, but "D" variances are not permitted, instead they would require a change to the redevelopment plan.
7. The Borough's Redevelopment Entity shall be empowered under N.J.S.A .40A:12A-1 et. seq. and N.J.S.A. 40A-21-1 et. seq. to allow for the implementation of alternative tax structures to assist in realizing the redevelopment plan and make redevelopment projects economically feasible. The establishment of redevelopment agreements including provisions for short term or long term alternative tax structures may be mutually beneficial for the Borough and the redeveloper. Each project and payment structure shall be subject to an individualized program through negotiation.
  - a. Short term exemption and abatement (N.J.S.A. 40A-21). The short term exemption and abatement is an inducement for property owners to invest in their properties without fear of an immediate increase in their property taxes. The Borough must adopt an ordinance to permit tax abatement/exemption. This tool may be used in the redevelopment area for improvements to existing buildings, construction of new dwellings, and the improvement or expansion of commercial or industrial structures. An exemption may be granted from property taxes on all or a portion of the added assessed value from an improvement or new construction. A Payment in Lieu of Taxes (PILOT) may then be established and schedule is

established for phasing into full taxation at the end of the five year period. Tax abatement is a reduction in taxes granted for a portion of the existing assessed value of the property, but is only available for residential dwellings or the conversion of non-residential dwellings to residential use – not for commercial or industrial buildings.

- b. Long term exemption (N.J.S.A. 40A-20). In order to utilize long term exemption the redevelopment project must have a public purpose linked to the redevelopment plan, it must be limited to a specific time period and the profits of the corporation receiving the exemption must be limited. The exemption applied to the value of the new improvements, not to the value of the land. Long term exemptions may only be granted to an Urban Renewal Entity – a private corporation formed for the purpose of undertaking redevelopment. The urban renewal entity must apply to the Borough for tax exemption, providing information about the project, architectural plans, site plans, estimated project cost, sources of private capital funds, and a fiscal plan for the project. The dividends or profits of the corporation are limited. Instead of paying property taxes, the redeveloper pays an annual service charge to the municipality, commonly referred to as a PILOT. The amount is established as part of the redevelopment agreement. The PILOT may be a percentage of the total project cost or the annual gross revenue. The PILOT is phased into full taxation by the end of the exemption period.

### **VIII. Statutory Requirements**

As described below, the Redevelopment Plan is in full compliance with New Jersey State statutes.

1. Relationship to Definite Local Objectives

The Redevelopment Plan is a comprehensive plan that includes a complete description of the relationship of the plan to the definite local objectives as to appropriate land uses, density of populations, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements. The Redevelopment Plan amendments have been

created to be consistent with the Borough's Master Plan and Master Plan Reexamination reports.

2. Proposed Land Uses and Building Requirements

The Redevelopment Plan includes maps and text sufficient to describe land uses and building requirements within the project area.

3. Relocation Provisions

This plan does not anticipate that relocation of any residents will be necessary. In the event that implementation of the plan does require relocation of any resident or business, the Borough Council acting as the Redevelopment Entity/Agency, shall undertake all appropriate measures required by law.

4. Identification of Property to be Acquired

The Redevelopment Plan has not identified any specific parcels for acquisition by the Redevelopment Entity/Agency. If experience shows that acquisition of property within the Redevelopment Area is necessary to stimulate implementation of the plan and for a legitimate public purpose, and the needed properties cannot be acquired by negotiated free market sale, then the Redevelopment Entity reserves the option to acquire property by any means necessary in accordance with the law.

5. Relationship to Other Plans.

The Redevelopment Plan has no detrimental effect on the Master Plans of contiguous municipalities, the Master Plan of the County of Monmouth or the State Development and Redevelopment Plan. This plan is in fact consistent with the goals of the State Plan in that the State Plan designates this portion of Tinton Fall's Borough as within the Suburban Planning Area (PA-2). PA-2 is a smart growth area. Within Planning Area 2, the State Plan's intention is to:

- Provide for much of the State's future development
- Promote growth in centers and other compact forms
- Protect the character of existing stable communities
- Protect natural resources
- Redesign areas of sprawl

- Reverse the current trend toward further sprawl
- Revitalize cities and towns

The Suburban Planning Area (PA-2) is viewed as a key area for accommodating market forces and demand for development in an efficient way.

6. Relationship to Municipal Land Use Law

The Redevelopment Plan describes its relationship to the Municipal Land Use Law and creates no conflict with existing local development regulations.

7. Tinton Fall's Master Plan

The Redevelopment Plan is substantially consistent with the Borough's Master Plan and Reexamination Report and recommendations. The Master Plan's intent with the CECOM site is to encourage redevelopment of the site as well as reconsidering the scope and extent of the project.

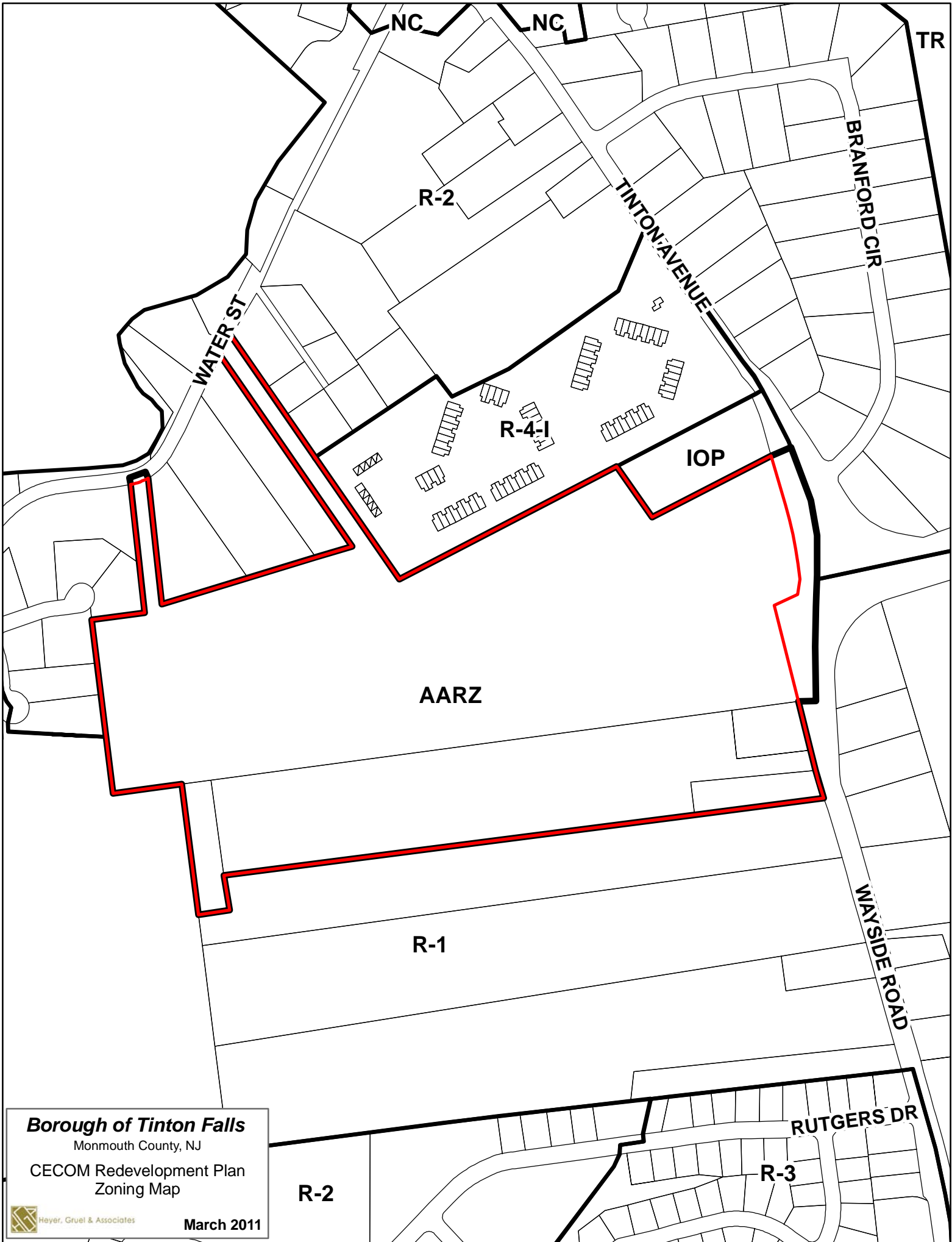
**Time Limits**

1. Reasonable Time for Development. The redeveloper of a specific project within the redevelopment area shall begin the development of land and construction of improvements within a reasonable period of time to be determined in a redevelopment agreement contract between the Borough and the duly designated redeveloper. (N.J.S.A. 40A:12A-8(f)).
2. Expiration of Redevelopment Plan. The provisions and regulations specified in this plan shall continue in effect for an unspecified period of time, until the Redevelopment Plan is repealed

**Conclusion**

This Amended Redevelopment Plan is part of the Borough's on-going, long-range planning efforts intended to provide the best possible quality of life for Tinton Fall's residents, to provide opportunities for a vibrant economy, to protect natural resources and to guide design to sustain and create an attractive town where the built environment and the natural environment coexist in harmony. It is anticipated that the

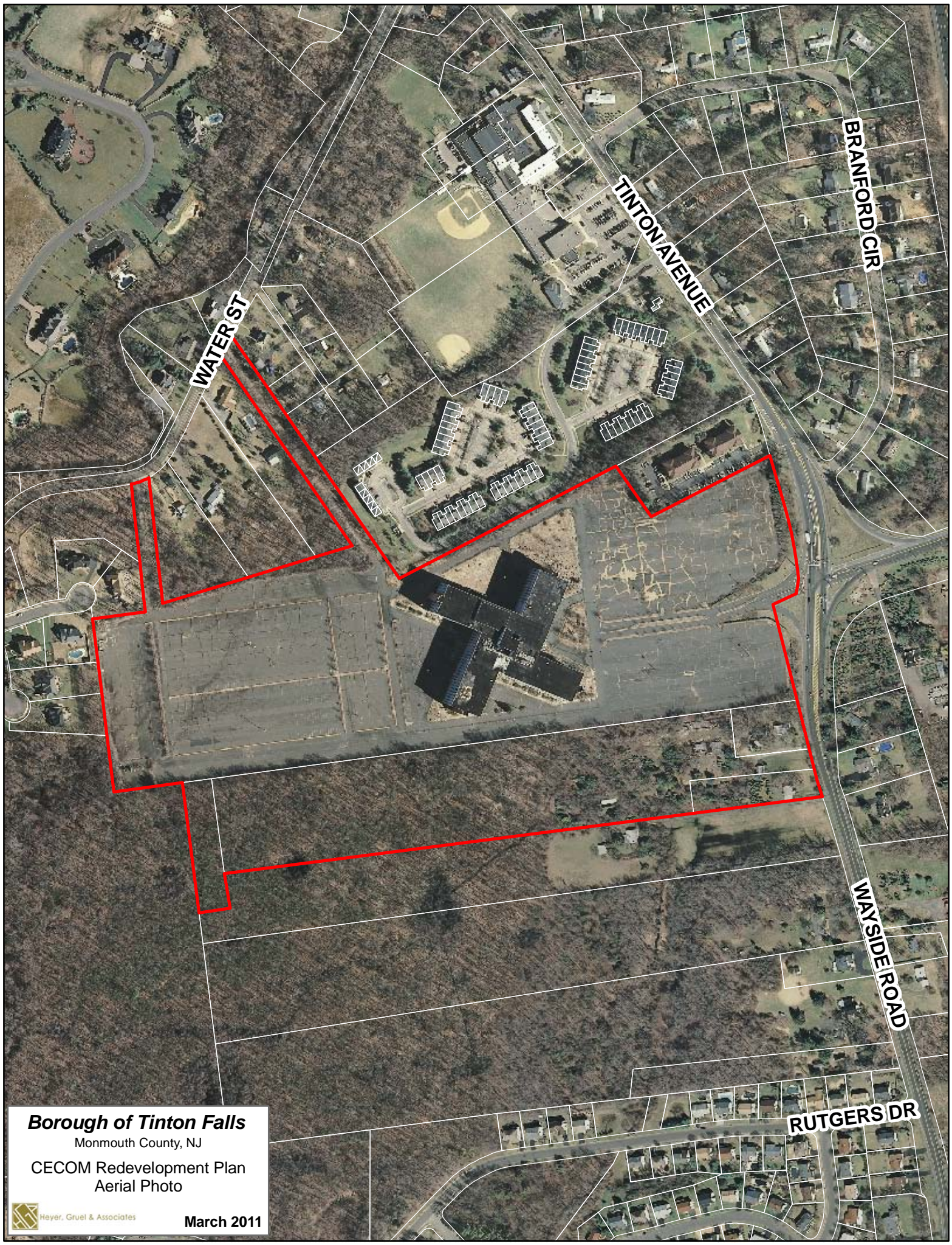
Redevelopment Plan will be a tool to facilitate the realization of redevelopment project that will make the most of public and private resources to ensure that infrastructure is installed as part of an efficient and effective overall plan and to ensure quality development that enhanced the character of the Borough.



**Borough of Tinton Falls**  
Monmouth County, NJ  
CECOM Redevelopment Plan  
Zoning Map



March 2011



**Borough of Tinton Falls**

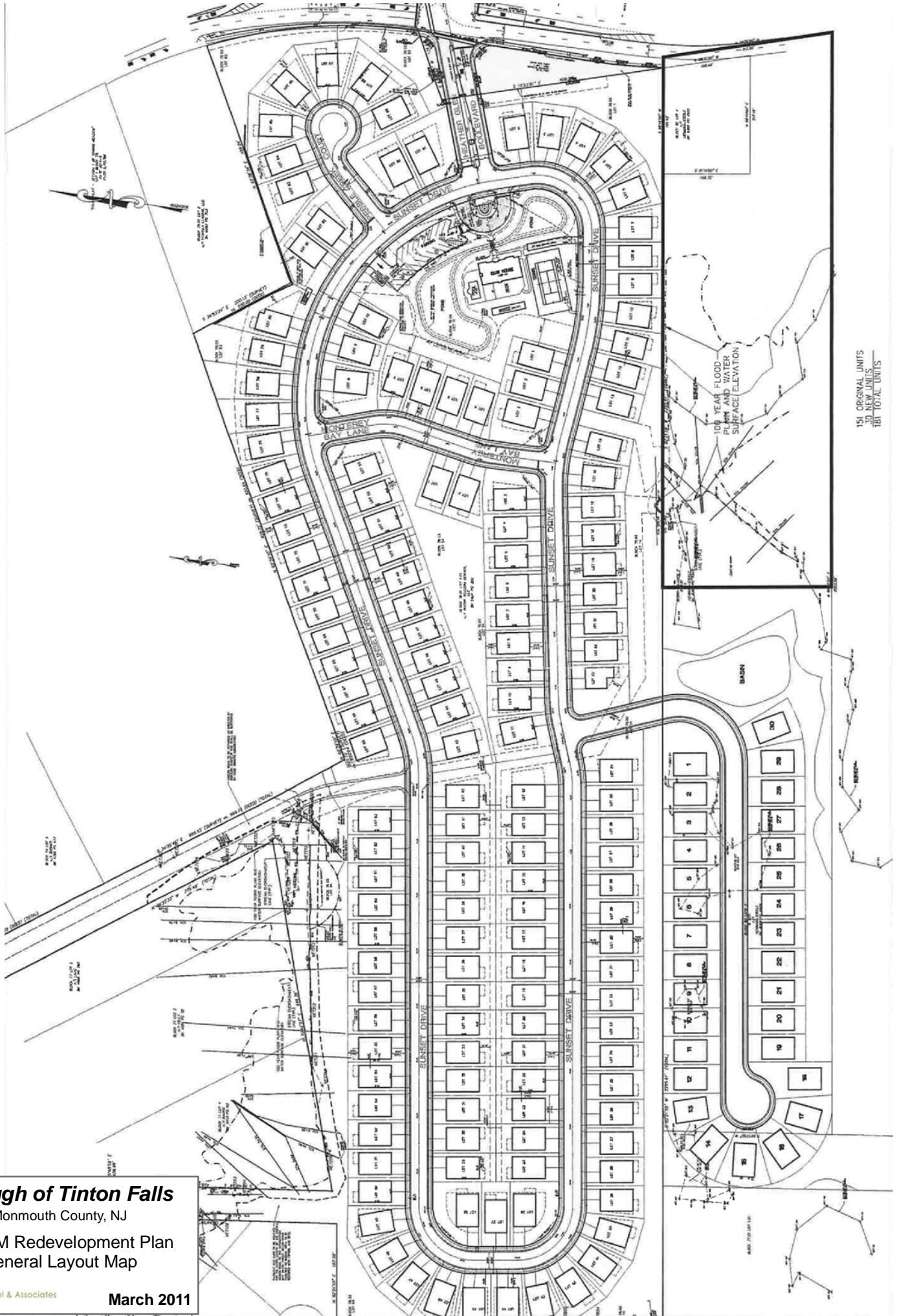
Monmouth County, NJ

CECOM Redevelopment Plan  
Aerial Photo



Hoyer, Gruel & Associates

March 2011



151 ORIGINAL UNITS  
 30 NEW UNITS  
 181 TOTAL UNITS

**Borough of Tinton Falls**

Monmouth County, NJ

CECOM Redevelopment Plan  
 General Layout Map



Heyer, Gruel & Associates

March 2011