

**RESOLUTION**  
**OF**  
**BOROUGH OF BAY HEAD PLANNING BOARD**

**RE-EXAMINATION OF THE MUNICIPAL MASTER PLAN  
AND DEVELOPMENT REGULATIONS OF THE  
BOROUGH OF BAY HEAD, OCEAN COUNTY, NEW  
JERSEY**

**WHEREAS,** N.J.S.A. 40:55D-89, requires a periodic re-examination of a Municipal Master Plan and Development regulations by a Planning Board; and

**WHEREAS,** The Planning Board is required to prepare and adopt by Resolution a report on the findings of such re-examination; and

**WHEREAS,** the Borough's Municipal Planner, John D. Maczuga, of Bay Pointe Engineering Associates, Inc., of Point Pleasant Beach, New Jersey, prepared a document entitled "Master Plan Re-examination Report, Borough of Bay Head, Ocean County, New Jersey" and submitted this document to the Borough of Bay Head Planning Board; and

**WHEREAS,** the Planning Board had initiated discussions of its Re-examination of its Master Plan with its planner, at a meeting held on December 11, 1996, and has specifically viewed the aforesaid document at other meetings held on January 22, 1997, and February 19, 1997, of the Board; and

**WHEREAS,** all amendments suggested by the Planning Board have been incorporated in this document; and

**WHEREAS,** the Planning Board is desirous of adopting this document as its findings, in accordance with N.J.S.A. 40:55D-89;

**NOW, THEREFORE, BE IT RESOLVED,** by the Borough of Bay Head

Planning Board on this 19th day of February 1997, as follows:

1. The Borough of Bay Head Planning Board hereby adopts the document entitled "Master Plan Re-examination Report, Borough of Bay Head, Ocean County, New Jersey," prepared by John D. Maczuga of Bay Pointe Engineering Associates, as its official re-examination of the Master Plan and Development regulations of the Municipality, and incorporates and attaches same hereto, as if set forth at length.
2. A copy of the within Resolution and Re-Examination report shall be filed with the Municipal Clerk of the Borough of Bay Head, The Ocean County Planning Board, and the Municipal Clerk of each municipality adjoining the Borough of Bay Head.

MOVED BY: Romaine

SECOND BY: Heyer

**ROLL CALL**

THOSE IN FAVOR: Romaine, Heyer, DeFilippis, Applegate, Haurie, Wells, Haas, Lyons, Chesterman.

THOSE OPPOSED: None.

THOSE ABSTAINING: None.

THOSE ABSENT: Hurley, LaRue.

**CERTIFICATION**

I, **PATRICIA M. APPLGATE**, Clerk of the Borough of Bay Head Planning Board, Borough of Bay Head, County of Ocean, State of New Jersey, do hereby certify that the foregoing Resolution was duly **ADOPTED** by the Planning Board of the Borough of Bay Head at it regular meeting held on **February 19, 1997**.

  
**PATRICIA M. APPLGATE**  
Clerk

1997

MASTER PLAN REEXAMINATION REPORT

BOROUGH OF BAY HEAD  
OCEAN COUNTY, NEW JERSEY

JANUARY 13, 1997

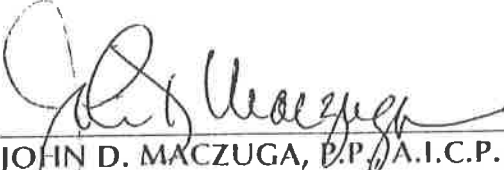
PREPARED FOR:

BAY HEAD PLANNING BOARD

PREPARED BY:

BAY POINTE ENGINEERING ASSOCIATES, INC.  
304 HAWTHORNE AVENUE, P.O. BOX 1731  
POINT PLEASANT BEACH, N.J. 08742

REVISION DATE - JANUARY 24, 1997

  
JOHN D. MACZUGA, P.P.A.I.C.P.  
(License No. 01714)  
DIRECTOR OF PLANNING

## BAY HEAD BOROUGH MASTER PLAN REEXAMINATION REPORT

### INTRODUCTION:

According to the Municipal Land Use Law (MLUL), C.40:55D-89 "The governing body shall, at least every six years, provide for a general reexamination of its master plan and development regulations by the Planning Board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which report and resolution shall be sent to the County Planning Board and the Municipal Clerk of each adjoining municipality."

The reexamination of a municipality's Master Plan ensures periodic review of information and changing conditions in the interest of keeping municipal planning efforts current.

The last Master Plan for the Borough of Bay Head was adopted on July 11, 1990, therefore, a reexamination report of the Borough's Master Plan is necessary at this time.

The Planning Board is not required to hold a public hearing on the reexamination report, however; it must adopt a report on the findings of this reexamination. The Planning Board must submit a copy of the adopted report and resolution to the Ocean County Planning Board and the Municipal Clerks of all adjoining municipalities.

The statute requires that the report address five specific areas which are set forth below and are followed by the appropriate response statements.

PROVISIONS OF PERIODIC REEXAMINATIONS:

- I. The first provision of 40:55D-89 of the MLUL states that a reexamination report shall include:

“A. The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.”

The following is the list of goals and objectives incorporated in the 1990 Borough of Bay Head Master Plan:

1. To preserve the single family residential character and traditions of Bay Head, and to provide zoning which recognizes the established residential character of the Borough.
2. To carefully limit the size and scale of commercial development, relating retail commercial zoning to the two established business districts.
3. To recognize the increasing importance of environmental protection in the establishment of development regulations and in the review of development proposals.

4. To understand the role of Bay Head in the region through an awareness of the plans of adjoining municipalities, the County and the State.
5. To maintain the pattern of development established in the Borough and to avoid those uses which would increase development intensity or density.

II. The second provision of 40:55D-89 of the MLUL requires that the Reexamination Report address: "The extent to which such problems and objectives have been reduced or have increased subsequent to each date."

A. Goals and Objectives

1. Single Family Residential Character -- There has been no significant change in the single family residential character of the Borough.
2. Commercial Districts - The existing B-1 General Business zone are satisfactory and there are no changes since adoption of the last Master Plan which warrant revisions to these districts.
3. Environmental Protection - Environmental regulations to protect wetlands and coastal resources are familiar to the development community and municipal officials and no changes are necessary at this time.

The Borough has adopted a Dune Protection Ordinance to control development or disturbance of dunes thereby furthering shore protection efforts and preserving the dunes as an important environmental resource.

4. Role in the Region - No changes
5. Maintain Pattern of Development - The Borough has addressed its fair share housing obligation by adopting a Housing Element to its Master Plan in 1992.

B. Population and Housing

The 1990 Census count indicated a decline in the population of more than 8% from the time of the 1980 Census from 1340 persons to 1226 persons. The population decrease is most likely due to the smaller average household size (2.6 in 1980 to 2.31 persons/household in 1990) since the total number of housing units in the Borough increased from 935 to 1001 units during the same time period.

The population density of the Borough of 2043 persons per square mile in 1990 is much higher than the County density of 683 persons per square

mile. The average household size of 2.31 persons per household was less than the County average of 2.54 persons per household in 1990.

In terms of the population characteristics by age and sex, the only age category which increased from 1980 to 1990 was the senior citizen (65 years and over) component which grew slightly from 248 persons (or 19% of the total) to 260 persons (21% of the total). The school-age population (5 to 17 years) dropped dramatically (over 40%) from 241 persons in 1980 to 139 persons in 1990. The male proportion of the Bay Head population dropped from 49% of the total in 1980 to 47% in 1990.

As noted above, the housing stock of Bay Head increased during the 1980's but remained 40% seasonal use as in 1980.

Ocean County Planning Board estimates indicate that the Borough population increased slightly from 1226 persons in 1990 to 1247 persons in 1996. The number of housing units also increased slightly during the same time period.

Employment data provided by the Ocean County Planning Board indicates that in 1994, 661 persons were employed and 29 persons (or 4.2%) were unemployed. The unemployment rate in 1994 was a slight decrease from the 4.4% unemployment rate in 1993.



In terms of income, the median household income for 1989 reported in 1990 Census was \$55,073 compared to \$33,110 in Ocean County. Median household income was \$22,578 in 1979 in Bay Head according to the 1980 Census.

C. Vacant Lands

An update of the 1992 vacant lands study was prepared by Bay Pointe Engineering Associates, Inc. Data was gathered from the 1997 tax duplicates provided by the Bay Head Tax Assessor. The information was transferred to the Borough Tax Maps and then to a Borough-wide map for comparison to the 1992 Vacant Land Map.

There are only minor changes in the inventory of vacant lands in Bay Head Borough since 1992. The general pattern remains the same. Most vacant lots are isolated, consisting almost exclusively of single building lots. Some of the vacant lots shown in the 1992 map have been developed. The majority of the lots in the subdivision on Evergreen Drive (and adjacent the Municipal Garage) are still vacant.

Eighty (80) vacant parcels were identified within the Bay Head Borough with a total area of 20.2 acres. The average parcel size was 11,000 square feet or 1/4 acre in area.

The average, however, is not typical in Bay Head and is actually misleading. A closer review of the lots indicates that of the 80 vacant lots, 41 or 51% are under 0.20 acres (8700 square feet) and only 26 lots (32%) are over the average size. The average size is pulled up or skewed by a one plus acre parcel (Block 3, Lots 12 & 13) on Twilight Road and a half dozen lots which are slightly over 1/2 acre in area. The median lot, in terms of area, is 8250 square feet, much less than the average size noted above.

A review of the vacant land inventory in terms of the width of the lots also provides information about typical lot size. Thirty-one (31) or 39% of the vacant lots have a lot width of 50 feet or less and 10 lots have a width between 50 and 60 feet. Therefore, 41 or 51% of the vacant lots have a lot width of 60 feet or less.

The only larger vacant parcels are a property off Osborne Avenue (Block 3, Lots 12 & 13) and an ocean front property north of Karge Avenue. The former parcel abuts the N.J. Transit railyard and has environmental constraints, (freshwater wetlands) based upon the analysis in the Housing Element. The latter property (Block 38, Lots 1, 2 & 3) is owned by the Bay Head Improvement Association, is not recommended by the Housing Element for multi-family housing development due to its sensitive location,

limited size and the owner's community role in maintaining the beach frontage.

D. Sidewalks and Curbs

Sidewalks along residential and commercial streets are an important asset to the community for pedestrian circulation and safety. Adding more sidewalks will improve the quality of life and increase pedestrian safety in Bay Head. The Planning Board recommends that the Borough Council review the construction of additional sidewalks around the Borough, especially around the school facilities and public facilities.

In addition there are numerous areas throughout the Borough in which the concrete curb has deteriorated and is in need of replacement or repair. Pursuant to Chapter 10 ("Streets and Sidewalks") of the Bay Head Borough Code, the Borough Council may order the reconstruction of curbing, as well as sidewalks, along Township streets with the cost to be borne by the adjacent property owners benefiting from the improvements. The Planning Board recommends that the Borough Council review the current condition of the concrete curb along all Borough streets for the purpose of determining the areas where replacement or repair is necessary.

E. Parking

Borough residents are experiencing problems with parking on residential streets, especially during the summer months. Since parking can affect the character and quality of life in residential neighborhoods, the Planning Board should study and develop recommendations to address this issue.

F. Housing Plan Element

The Borough has addressed the needs of low and moderate income households in a Housing Plan Element adopted on October 21, 1992. Based on the requirements applicable at that time, the Borough's fair share number was three (3) Indigenous Need Units which would be addressed through housing rehabilitation.

The Housing Element contains a fair share analysis which utilizes the vacant land and open space adjustments. The conclusion, as stated in the Housing Element, is that Bay Head is not subject to a prospective need obligation based upon a lack of vacant developable land. Based upon the current analysis of vacant developable land within the Borough, this conclusion is not altered.

The Element also contained a "Recreation and Open Space Adjustment" Analysis which reviewed the level of recreation and open space in the Borough versus a minimum standard of 3% of the total land area of the

Borough (adjusted for environmentally sensitive areas). The recreation and open space inventory indicated that the Borough has 4.9 acres of recreation properties which is less than half of the minimum amount of recreation and open space lands deemed appropriate. The recreation and open space adjustment further reinforces the conclusion that there is inadequate lands in Bay Head to properly address the affordable housing need figure calculated by the Council on Affordable Housing.

III. The third provision of 40:55D-89 of the MLUL requires that a reexamination report address:

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, collection, disposition and recycling of designated recyclable materials and changes in State, County and Municipal policies and objectives."

A. Population and Housing

Based on a review of the demographic information, the Planning Board has concluded that there have been minimal changes in the population and housing characteristics in Bay Head Borough since the

last Master Plan, and, therefore, no major revision is necessary in the planning assumptions, or the goals and objectives of the Master Plan. The minor changes in the assumptions, policies and objectives are set forth in Section IV of this report.

B. Historic District

The Bay Head Historical Society has completed a study which concludes that a major portion of the Borough meets the criteria for establishment of an historic district. Since several of the Master Plan goals address preservation of the character of the Borough, the Bay Head Borough Council could consider establishing a Historic District and a Historic Preservation Ordinance. The Ordinance would designate the historic district, regulate the district and provide design criteria and guidelines for the district.

C. Housing Plan Element

Since the adoption of the 1992 Housing Plan Element, the Council on Affordable Housing (COAH) adopted 1987-1999 Low and Moderate Income Housing Need Estimates. The figures supersede the prior cycle numbers.

In 1992 the fair share numbers were as follows:

Indigenous Need: 3

Present and Prospective Need: 37

In February 1993 new Housing Need estimates were published by COAH and the calculated need for Bay Head is 70 units of which the total indigenous need is 7 units.

D. Traffic Circulation

The 1990 Master Plan notes that there are four (4) signalized intersections on Route 35. They are found at Osborne Avenue, Bridge Avenue, Mount Street and Johnson Street. The traffic lights now operate on a year-round basis reflecting the less seasonal nature of the area. In addition, a traffic signal has been provided at the intersection of Bridge and Lake Avenues.

- IV. The fourth provision of 40:55D-89 of the MLUL requires that the reexamination report address:

- 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."

A. Goals and Objectives

The Planning Board wishes to amend and supplement the 1990 Master Plan goals and objectives as follows:

1. Goal #2 would be amended to read: To maintain the existing character of the commercial districts.
2. Add new Goal #6: To review and modernize the Bay Head Borough land development regulations relating to bulk standards and requirements in various zones.

B. Sidewalks and Curbs

The Planning Board recommends that the Borough perform an analysis of areas lacking sidewalks and develop a plan for construction of additional sidewalks, where warranted, particularly around public facilities, especially the school.



The Planning Board recommends that the Borough perform an analysis of areas of deteriorated curb and develop a plan for replacement or reconstruction of concrete curb, where warranted.

C. Historic District

The Planning Board recommends that further study be given to establishment of the Historic District and the adoption of the Historic Preservation Ordinance.

D. Housing Plan

The analysis of current vacant developable land within the Borough supports the underlying assumptions of the Borough's current Housing Element and therefore no changes are recommended at this time. The Planning Board and Borough Council will conduct a review of the Housing Element prior to October 21, 1998 as required by statute.

E. Parking

The Planning Board recommends that the issue of parking in the Borough be examined and a determination of whether additional parking and/or increased regulation is warranted to address the problems.

F. Center Designation

The following discretionary item is recommended to be examined further by the Planning Board and/or Borough Council for possible Master Plan or Development Regulation changes. The Borough may wish to petition the State Planning Commission for designation of the Borough as a "center" within the State Development and Redevelopment Plan. The State Development and Redevelopment Plan offers "incentives" to Municipalities which complete the center designation process, including priority for discretionary State funding and expedited and coordinated State permit review.

V. The final provision of 40:55D-89 of the MLUL requires that the Reexamination Report address:

- 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. al.) into the Land Use 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 condition of residential and commercial/business areas of Bay Head Borough do not necessitate the incorporation of redevelopment plans into the Municipal Master Plan and, therefore, the Planning Board finds that changes to the local development regulations are not necessary at this time.