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BOROUGH OF TUCKERTON

MASTER PLAN

2017/2018 REEXAMINATION OF THE MASTER PLAN

The Tuckerton Land Use Board

Prepared by John J. Mallon, P.E., P.P., C.M.E.
T&M Associates

The original of this report was signed and sealed in accordance with NJDS 45-14-12

Adopted August 16, 2018 by the Tuckerton Land Use Board

John J. Mallon, P.P., P.E., C.M.E.
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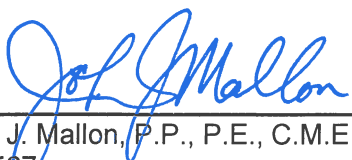
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INTRODUCTION

The Municipal Land Use Law (MLUL) requires every Municipality in New Jersey that has an adopted master plan and land development regulations to periodically review and revise, if necessary, those documents every ten years (N.J.S.A. 40:55D--89). This latest comprehensive Master Plan for the Borough of Tuckerton was adopted in December 2002 with a review of the Master Plan in 2007.

The purpose of this report is to present a comprehensive overview of the Borough's changes in land use policy since the 2002 Master Plan. The Land Use Board must adopt, by resolution, a report on the findings of this reexamination, and submit a copy of the adopted report and resolution to the Ocean County Planning Board and the Municipal Clerk of Little Egg Harbor.

The MLUL (N.J.S.A. 40:55D-89) requires a Reexamination Report to address five issues relating to the growth and development of the Borough, including:

- a. The major problems and objectives relating to land development in the Municipality at the time of such adoption, last revision or re-examination, if any;*
- 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 such plan or 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, 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, objectives, policies and standards, or whether a new plan or regulations should be prepared; and*
- 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 (CAOA:12 A-1 et al.) 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.*

Since 2007, there have been a number of events within the region and the State that bear on land use in the Borough. Several of these events are listed below:

1. Effects in the aftermath of Superstorm Sandy in October 2012.
2. Appellate Division decision on COAH third round affordable housing rules, January 25, 2007.
3. Ineffectiveness of COAH and pending litigation of COAH rules.

The findings and recommendations contained in this report are primarily based on the review of the following documents:

1. Reexamination Report of the 2002 Master Plan 2007 by Schoor DePalma.
2. Tuckerton Borough Land Development Ordinance with amendments after the 2007 Master Plan Review.
3. Tuckerton Borough 2002 Master Plan, prepared by Heyer Gruel and Associates.
4. Visual Preferences Survey, sponsored by Tuckerton Borough, Tuckerton Economic Development Committee, and Rutgers Department of Urban Planning and Policy Development.
5. Historic District map, prepared by Tuckerton Landmark Advisory Commission, 1994.

It is the intent of this Master Plan Reexamination Report to:

1. Address land use and *site* plan issues including those that have been identified by the Land Use Board; and
2. Recommend amendments to the Land Development Ordinance.

A. Problems & Objectives: 2002 Master Plan and 2007 Master Plan Review

A Reexamination Report shall address the major problems and objectives relating to land development in the Municipality at the time of such adoption, last revision or reexamination, if any.

The major issues facing the Borough at the time of the last Master Plan (2002) and Master Plan Review (2007) dealt with the revitalization and redevelopment of the Main Street corridor and downtown Tuckerton, the effects of unplanned regional growth, the preservation and enhancement of existing residential neighborhoods, and open space conservation.

Revitalization of Main Street and downtown Tuckerton - The 2002 Master Plan and 2007 Master Plan review encouraged the development and redevelopment in the downtown area to promote businesses and some residential improvements following the Greater Tuckerton Town Center guidelines. The Town Center classification allowed certain additional points for securing past and future grants.

Unplanned Regional Growth - Due to Tuckerton's geographic location and being completely surrounded by Little Egg Harbor Township on its landside, development and growth that occurs in Little Egg Harbor greatly affect the Borough in such ways as increased traffic, competition with downtown businesses, and loss of water quality in Lake Pohatcong, Tuckerton Creek, and Little Egg Harbor due to surface runoff and septic leaching.

Preserve & Enhance Residential Neighborhoods - Major issues affecting the Borough's residential neighborhoods included preserving neighborhood character, establishing appropriate standards for infill development, and creating bicycle and pedestrian linkages to the Town Center.

Open Space Conversation - The major concern regarding open space conservation was to secure additional Borough owned open space and support efforts of other non-profit groups and government agencies to acquire or secure conservation easements for environmentally sensitive lands. On subdivisions attempt to create larger lots or create open space.

The 2002 Master Plan and 2007 Master Plan review included the following objectives.

Land Use

- Preserve and protect the distinctive physical and historic character of the Borough as a whole as well as the identity of specific neighborhoods and streets.
- Assure that the character of individual structures; groups of structures and development are within the scale and style of existing neighborhoods.
- Encourage and regulate building and site design to assure that the overall character of the Borough is maintained and enhanced.
- Preserve the maritime heritage, including traditional land uses.
- Recognize that the maritime heritage of the Borough is tied to Tuckerton Creek, Little Egg Harbor and the Atlantic Ocean. Promote and encourage continued compatible marine use.
- Preserve and enhance views and vistas, which are important definable features that contribute, in part, to property values.
- Provide for a variety of housing types, as enabled by zoning, in order to maintain and strengthen a socially diverse population.
- Require that structural additions be in harmony and scale with the surrounding neighborhood.

Economic Development

- Support a mix retail, commercial, and marine uses and encourage an orderly and balanced growth that serves Borough residents and visitors.
- Encourage the re-use of properties, which have become vacant or obsolete.
- Work with merchants to maintain and strengthen the utility and attractiveness of the Main Street shopping area.
- Support appropriate economic development within the limitations of the Borough's size and scale.
- Promote and encourage economic development consistent with the Borough's marine heritage and unique geographic location and compatible with adjacent residential areas.
- Encourage the establishment of a Business Improvement District (BID) or a Special Economic District (SED) to promote downtown businesses.

- Promote marine-related uses for existing developed shorefront areas.
- Recognize and capitalize on the Seaport as an economic development tool.
- Encourage the continuation and growth of the commercial fishing activity within the Borough, working cooperatively with County and State officials.

Circulation, Parking and Transportation

- Provide safe vehicular circulation, pedestrian ways, adequate on and off street parking and transportation.
- Recognize that the ability to provide adequate parking is a controlling factor in the size and scale of development.
- Develop a coordinated downtown parking strategy through shared parking opportunities and the construction of municipal lots.
- Enhance potential gateway locations to improve the appearance of the Borough's transportation corridors.
- Provide for safe and convenient patterns of vehicular and pedestrian circulation in the Borough.
- Assure, where possible, that parking is adequate to meet the needs of existing residents and businesses and identify opportunities to provide additional public parking.
- Improve directional signage and public parking, particularly for Main Street retail and restaurant facilities.
- Support public transportation for senior citizens and for other transit dependent residents.

Community Facilities

- Provide community facilities and services that are sufficient to meet the needs of Borough residents and visitors. Work with the owners and/or providers of community facilities and services, including parks and dedicated open space, to continue and improve their positive contribution to the Borough.
- Work towards providing accessibility by having handicapped accessible meeting facilities.
- Maximize cooperation among the Mayor, Borough Council, the Land Use Board, and other local Boards and Commissions in order to provide efficient government.

Open Space

- Assure access for all residents to open space, sea breezes, clean air, and light.
- Secure additional Borough-owned open space and support efforts of other non-profit groups and government agencies to acquire or secure conservation easements for environmentally sensitive lands.
- Work with public private, and non-profit property owners to preserve, protect, and add to open space and water vistas.

B. The Extent of Increase or Reduction of Problems and Objectives

A Reexamination Report shall describe the extent to which such problems and objectives existing at the time of the last Master Plan review have been reduced or have increased in subsequent to such date;

Revitalization of Main Street and downtown Tuckerton - The Borough needs to continue the streetscape in the downtown area with the approvals for Commercial and Residential Improvements. The State improvements of the dam at Lake Pohatcong along with the County improvements at 539 and Main Street help to enhance the downtown district. ADA improvements utilizing CDBG funding add to the aesthetics of downtown Tuckerton. Lastly the relocation and improvements to the Municipal complex will show the public that the Borough is a major player of the downtown development.

The Borough should explore ways to enhance the Borough's downtown shopping district and promote economic growth for businesses and the community with the implementation of a Special Improvement District (SID). Business owners and property owners can establish a separate entity, through the approval of a municipal ordinance, that permits SID members to organize and raise assessments to pay for services including planning, management and financing, and promotional initiatives such as advertising, marketing and beautification projects. Other funding mechanisms for SID include donations and grant programs, such as the Main Street New Jersey Program. The Main Street New Jersey Program provides communities with technical assistance and training in revitalizing historic downtowns. The Borough should conduct a study to evaluate the feasibility of a SID in the downtown.

As for the development of the Greater Tuckerton Town Center, Tuckerton and Little Egg Harbor attended and information/pre-petition meeting with the Office of Smart Growth and partner State agencies on June 19, 2007 to pursue Plan Endorsement and maintain its center designation. Upon Plan Endorsement from the State Planning Commission, the Land Use Plan should be updated to reflect the town center boundary for informational purposes only.

Unplanned Regional Growth - Because Tuckerton is surrounded on its landside by Little Egg Harbor Township, the Borough becomes a regional hub for commuters traveling through the Borough to the Garden State Parkway from Little Egg Harbor Township. As a result, the Borough roadways become routinely congested. During the summer peak months, the traffic and congestion is exacerbated by seasonal visitors.

The Borough in conjunction with Little Egg Harbor in 2010 prepared and adopted a circulation plan which was submitted for Plan Endorsement to the State and County. The Land Use Board looks at all new development that encourages proposed connection to the existing roadway network.

Preserve & Enhance Residential Neighborhoods - In order to preserve and protect the distinctive physical character of the Borough as well as the identity of specific neighborhoods and streets, a floor area ratio (FAR) and lot coverage standards for single-family residential uses was adopted. Furthermore, flag lots are prohibited to maintain the existing pattern of development.

Building Height

As suggested with the 2007 review, a new definition for building height was adopted by the Governing Body.

Tuckerton Landmarks Commission

The Borough is currently reviewing and amending the Commission to establish a Historic Preservation Advisory Commission which will assist the Land Use Board in reviews and reevaluation limits of the Historic District.

The Avenues

The neighborhood located in the northwest corner of the Borough between Lake Pohatcong and North Green Street was recommended as a new R-90 District whereas the Land Use Plan Map designates this area as R-75 District. The Borough reviewed and elected the zoning requirements for the neighborhood would remain as R-75.

Open Space Conservation- The NRI, was adopted as a component of the Master Plan in 2007.

The following recommendations to enhance open space conservation efforts in the Borough:

- Establish a dedicated open space tax of one cent (\$0.01) per one hundred dollars (\$100.00) assessed value to provide a steady source of funding to acquire property or easements in the Borough for the purposes of active recreation, passive recreation, conservation, historic, and water quality protection.
- Explore other funding opportunities through grants, partnerships with government agencies, and non-profit organizations for open space preservation.
- Work with State, County and Little Egg Harbor to develop best management practices to improve water quality of Lake Pohatcong to levels sufficient for recreation.

The Borough's objectives that existed at the time of the last Master Plan and the Master Plan Review remain valid today. Following are additional goals and objectives to supplement the existing Master Plan goals and objectives.

- * Promote natural resource and wetlands protection in the Borough.

- Protect and preserve functional wildlife connections between the Edwin B. Forsyth Refuge and other natural, underdeveloped areas in Tuckerton Borough.
- Incorporate sustainable, environmentally friendly, and Green design standards as appropriate, into the Zoning and Land Use Ordinance, and as part of new development.
- Incorporate traditional neighborhood design to encourage mixed-use development, specifically where residential, retail, schools, and business are within walking distance of each other and the Borough's center.
- Incorporate walking/hiking trails linking the natural and recreational resources of Tuckerton Borough.
- Look into a Grandfather clause for Existing Plotted Lots to preserve their character and historic significance.

C. The Extend of Significant Change in Assumptions, Policies and Objectives

A Reexamination Report shall describe the extent to which there have been significant changes in the assumptions, policies and objectives forming the basis for the Master Plan or 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, and changes in State, County and Municipal policies and objectives;

Significant Changes

Superstorm Sandy (2012) created havoc along the East Coast and in the Borough with flooding. As a result, FEMA amended the flood maps to revise the 100-year flood elevations. The Borough than reviewed their local data and established ordinances for flood protection based upon local findings.

Since Superstorm Sandy through October 2017, 41 homes that were destroyed and not rebuilt, 166 homes in the Tuckerton Beach area were raised. This yields 207 properties and homes out of or above the flood damaged area. In fact, from 2014 through 2016, 1,162 building permits were issued.

C-1 Demographic Changes

Table 1: Annual Population vs. Census

			County data	Neighborhood Scout
1990	2000	2010	2014	2017
3,048	3,517	3,347	3,396	3,377

Table 2: Population and Age Characteristics

	1990	2000	% Change	2010	%Change
Total	3,048	3,517	+15	3,347	-4.8
Under 5	223	209	-6	215	+2.9
5-19	532	688	+29	570	-17.2
20-44	1,118	1,219	+9	990	-18.8
45-59	445	616	+38	779	+26.5
60-74	484	509	+5	516	+1.4
75-85	246	276	+12	277	+0.4
Median	35.9	39.2	+9	42.5	+8.4

Decrease in ages 5-44 and increase 45-59. Young people are not staying in Tuckerton.

Table 3: Selected Household Characteristics - 1990 - 2000 and 2010

	Tuckerton Borough				
	1990 (#)	2000 (#)	Percent Change (%)	2010 (#)	Percent Change (%)
Total Households	1,249	1,477	+18	1,396	-5.5
Average household size (persons per household)	2.44	2.38	-3	2.39	+4
Families	848	921	+9	872	-5.3
Families with children under 18	369	415	+13	343	-17.3
Married couples with families	687	739	+8	639	-13.5
Married couple families with children under 18	280	315	+13	1233	-26
Non-family households	401	556	+39	524	-5.28
Householders living alone	346	467	+35	434	-7
Households with individuals 65 and over	1,249	1,477	+18	457	-69

Sources: U.S. Census Bureau

Noteworthy statistics from Table 3 include:

- The number of all households and families decreased by 5.5%.
- Families and Married Couples with children 18 and under greatly decreased 13-26%.
- Households with over 65 decreased drastically 69%.

Table 4: Selected Household Characteristics - 1990 - 2000 and 2010

	Tuckerton Borough				
	1990 (#)	2000 (#)	Percent Change (%)	2010 (#)	Percent Change (%)
Housing Units	1,914	1,971	+3	1,902	-3.5
Occupied	1,249	1,477	+18	1,396	-5.5
Owner Occupied	933	1,075	+15	1,000	-7
Renter Occupied	316	402	+27	396	-1.5
Vacant	665	494	-26	506	+2.4
Vacant - Seasonal, Recreational or Occasional Housing: Units	468	405	-14	382	-3.2

- Sources: U.S. Census Bureau

Noteworthy statistics from Table 4 include:

- Modest decrease (3.5%) in number housing units.
- Slight increase (2.4%) in vacant housing units.
- Occupied and owner occupied increased.

The demographic profile may be more severe when considering the effects of Superstorm Sandy as 41 properties appear to have been lost to housing units. The 2010 census when compared to previous decade totals indicate that married couples and families with children under 18 have either relocated or were forced out due to Superstorm Sandy or the lack of housing. The Borough may wish in the future for housing, recreational, educational and other community needs for these exiting families.

Seasonal Population

The County has estimated that the influx of seasonal visitors can increase the population and traffic to the area. Predictions were 2:1 for bay communities. Using a 2:1 ratio, the estimated peak day summer population could increase to almost 6,700. The intersection of Route 9 (Main Street) and Route 539 bears the brunt of this increase. The new Little Egg Harbor/Tuckerton joint circulation plan addressed similar increases. Ocean County is aware of the problems and has performed some improvements at the intersection. With limited land and businesses on the improved streets, bypass roads are being investigated.

Council on Affordable Housing

The Council on Affordable Housing (COAH) is still in a flux with some Municipalities testing COAH numbers through the courts. Tuckerton has limited developable land due to wetlands, Forsythe Center and CAFRA restricted properties. Ultimately the Municipalities Fair Share Plan will need to be addressed for (1) rehabilitation share; (2) any remaining round obligation; and (3) projected growth. The Borough has qualified projects to address the need (Habitat for Humanity, Harbor View Plaza, etc.)

C-2 State Requirements

In accordance with the State and County mandates, the Borough has adopted ordinances which establish Stormwater regulation and recycling requirements. The Borough has also addressed the Federal requirements from FEMA.

D. Master Plan and Ordinance Changes

The Reexamination shall describe 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.

D.1 Master Plan Recommended Changes

- * Incorporate the Recycling Plan as a component of the Master Plan.
- * With the completion of the Natural Resource Inventory (NRI) in 2007, the NRI is made a component of the Master Plan.
- The Circulation Master Plan Element (2010) in coordination with the State, County, and Little Egg Harbor Township shall be made part of the Master Plan.
- Update the Master Plan in conjunction with Plan Endorsement.
- Supplement the Master Plan objectives with the following:
 - o Promote Natural resource and wetlands protection in the Borough.
 - o Protect and preserve functional wildlife connections between the Edwin B. Forsyth Refuge and other natural, undeveloped areas in Tuckerton Borough.
 - o Incorporate sustainable, environmentally friendly, and Green design standards as appropriate, into the Zoning and Land Use Ordinances, and as part of new development.
 - o Incorporate traditional neighborhood design to encourage mixed-use development, specifically where residential, retail, schools, and business are within walking distance of each other and the Borough's center.
 - o Incorporate walking/hiking trails linking the natural and recreational resources of Tuckerton Borough.
 - o Pursue continued existence of the Town Center designation.

0.2 Land Development Ordinance Changes

- Update the Borough's Development Regulations and Schedule of Area, Yard and Building Requirements to be consistent with the recommendations of the Borough's Master Plan Reexamination Report and the provisions of the Municipal Land Use Law.
- Update and refine the definitions of the Borough's Development Regulations, including lot coverage and impervious coverage area.
- Establish a maximum lot coverage limit in the Borough's single-family residential zones to maintain and strengthen the physical character of the Borough's residential neighborhoods.
- Prohibit flag lots to maintain the existing pattern of development.
- Revisit accessory building provisions to prevent conversion of accessory buildings into habitable areas.
- Adopt a "growth share ordinance" to capture project-induced affordable housing obligations of development applications requiring Borough approval.
- Further define and formalize the Landmarks Commission's authority, procedures and practices pursuant to the MLUL and inclusions in the Historic Preservation Advisory Commission.
- Add a provision in the Borough zoning chapter to require at a minimum that any development proposal for the construction of 50 or more units of single-family residential housing or 3 units or more of multi-family residential housing and any commercial or industrial development proposal for the utilization of 1,000 square feet or more of land include provisions for the collection, disposition, and recycling or recyclable materials.
- Update the zoning map as necessary - specifically to indicate the boundary of the historic district, and the town center boundary for information purposes only.

D.3 Other Recommendations

- Continue to seek input from the Land Use Board on recommendations to amend the Borough's Land Development Ordinance.
- Consider conducting a study to evaluate the feasibility of SID for the downtown business district.
- Consider modification to the historic district boundary based on an updated survey of historic properties within and in proximity to the historic district.
- Explore the Best Management Practices to improve the water quality of Lake Pohatcong in coordination with the State, County and Little Egg Harbor Township.
- Consider the establishment of a dedicated open space tax of one cent (\$0.01) per one hundred dollars (\$100.00) assessed value to provide a steady source of funding to acquire property or easements in the Borough for the purposes of active recreation, passive recreation, conservation recreation, historic, and water quality protection.
- Where not regulated by the State, business owners and other non-resident stakeholders should be permitted as members of Borough organizations.

E. Redevelopment Plans

The Reexamination Report shall include 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:12 A-1 et al.) 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.

There are presently no "areas in need of redevelopment" pursuant to the Local Redevelopment and Housing Law in the Borough. Although the Route 9 corridor was identified in the 2002 Master Plan and 2007 Master Plan Review to pursue as a potential area in need of redevelopment, due to recent development activity along the corridor, this recommendation does not remain valid.