

SEA GIRT PLANNING/ZONING BOARD
REGULAR MEETING
WEDNESDAY, NOVEMBER 15, 2023

The Regular Meeting of the Sea Girt Planning/Zoning Board was held on Wednesday, November 15, 2023 at 7:00 p.m. on a Zoom Meeting only, there was no live meeting at Sea Girt Elementary School.

In compliance with the Open Public Meetings Act, notice of this Body's meeting had been sent to the official newspapers of the Board and the Borough Clerk, fixing the time and place of all hearings.

Kevin Kennedy, Board Attorney was present as well as Chris Willms, Zoning Officer; Peter Avakian, Board Engineer, was absent and Board Secretary Karen Brisben recorded the Minutes.

The following roll call was then done:

Present: Carla Abrahamson, Councilwoman Diane Anthony (arrived 7:08), Karen Brisben, Tom Britt (arrived 7:05), Jake Casey, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

Absent: Mayor Don Fetzer

Chairman Hall asked if there was anyone in the online audience that wanted to speak or ask a question on any topic not on the agenda this evening and there was no response. He then asked for an approval of the Minutes of the October 18th meeting and Mrs. Brisben apologized to the Board for not sending them out until this afternoon, she thought she had sent them and realized today she had not. It was decided to approve these Minutes at the December meeting to give everyone a chance to read them over.

OLD BUSINESS:

The Board then turned to the approval of a Resolution for Block 7, Lot 5.02, 712 Morven Terrace, owned by Norman Hobbie, to allow new construction with an integrated garage. Before going over the Resolution, Mr. Kennedy wanted to add the point that this meeting, being changed to a Zoom Meeting only, had been published as such in both newspapers of the Board with instructions for logging on and, therefore, is a legal meeting of the Board. He then went over the Resolution for 712 Morven Terrace which needed one variance for the garage as it was not set back properly for the home as per zoning code. The home could not be set back farther due to CAFRA rules for beachfront homes and it could not be closer to Morven Terrace without a Front Yard variance. He then went over the conditions and Mr. Ward questioned a bullet on page 9 where it says "this is a beautifully designed home" and he did not feel that is consistent with Planning/Zoning regulations, it is not for the Board to say it is beautiful. Mr. Kennedy agreed and said it can be removed, he thought a Board Member had stated

this but it can be taken out. Mr. Ward said he remembered hearing that the Board is not to comment on the “artistry” of a building, that is not in the Board’s wheelhouse.

This comment was taken out and the following Resolution was presented:

WHEREAS, Norman Hobbie has made Application to the Sea Girt Planning Board for the property designated as Block 7, Lot 5.02, commonly known as 712 Morven Terrace, Sea Girt, New Jersey, within the Borough’s District 1, East Single-Family Zone, for the following approval: Bulk Variance Approval associated with a request to construct a 2 ½ story single-family dwelling, with integrated garage, and second story deck; and

PUBLIC HEARING

WHEREAS, the Board held a Public Hearing September 18, 2023, Applicant having filed proper Proof of Service and Publication in accordance with Statutory and Ordinance Requirements; and

EVIDENCE / EXHIBITS

WHEREAS, at the said Hearing, the Board reviewed, considered, and analyzed the following:

- *Sea Girt Planning Board Application Package, introduced into Evidence as A-1;*
- *Plot Plan, prepared by Charles E. Lindstrom, P.E., P.P., dated June 7, 2023, introduced into Evidence as A-2;*
- *Architectural Plans, prepared by Paul Grabowski, RA, dated June 23, 2023, introduced into Evidence as A-3;*
- *Review Memorandum from Leon S. Avakian, Inc., dated September 8, 2023, introduced into Evidence as A-4;*
- *Sea Girt Development Application Checklist, introduced into Evidence as A-5;*
- *Zoning Officer Denial Letter, dated July 27, 2023, introduced into Evidence as A-6;*

- *Narrative of Intent / Statement of Variances, introduced into Evidence as A-7;*
- *Affidavit of Service; and*
- *Affidavit of Publication.*

WITNESSES

WHEREAS, sworn testimony in support of the Application was presented by the following:

- Ken Smith, Professional Engineer
- Paul Grabowski, Architect
- Norman Hobbie, Esq., Applicant
- John Sarto, Esq.,

TESTIMONY AND EVIDENCE PRESENTED BY THE APPLICANT'S

REPRESENTATIVES

WHEREAS, testimony and other evidence presented on behalf of the Applicant and his representatives revealed the following:

- The Applicant is the Owner of the subject property.
- The subject lot / parcel was created as part of a minor subdivision which was approved (by the Sea Girt Planning Board) in or about 2022.
- The subject property is currently vacant.
- The Applicant is proposing to construct a 2 ½ story single-family dwelling, with integrated garage, and second story deck.
- Details pertaining to the proposed home include the following:

Size	Per Plans
Height	34.6 FT
# of Stories	2 ½ stories
Location on Lot	Per Plans
Building Coverage	19.8%
Impervious Coverage	6.3%
Front Yard Setback	31.4 FT
Rear Yard Setback	113.1 FT
Side Yards Setback	5.5 FT

Combined Side Yard Setback	16 FT
Materials	Seashore colonial design, with cedar shingles, wood shingle or asphalt roof, with stone or brick accents

- The Applicant is currently the owner of both lots which were created as part of the aforesaid 2022 subdivision.
- The Applicant will presumably be selling one lot and building a home / personally occupying the house to be constructed on the second lot. It is currently unknown as to which lot will be sold and/or which lot will be occupied.
- Upon completion of the construction process, the new house (on Lot 5.02) will include the following:

First Floor

Covered Porch
Foyer
Bedroom
Bedroom
Bedroom
Bathroom
Bathroom
Patio
Garage

Second Floor

Kitchen
Eating Area
Great Room
Pantry
Laundry Room
Bathroom
Office
Deck

Top Half Story

Primary Bedroom
Primary Bathroom
Balcony
Mechanical / Storage Area

Mechanical / Storage Area
Mechanical / Storage Area

- It is anticipated that the home will be constructed in the near future.
- The Applicant will be utilizing licensed contractors in connection with the construction process.

VARIANCES

WHEREAS, the Application requires approval for the following Variance:

INTREGATED GARAGE SETBACK: The prevailing regulations provide that an integrated garage door (which faces / fronts on a street) shall be setback from the principal dwelling by a minimum of 5 feet. In the within situation, the Applicant proposes an integrated garage which is only set back 1.5 feet from the building. As such, variance relief is required.

PUBLIC COMMENTS

WHEREAS, no members of the public expressed any questions, comments, statements, concerns, and/or objections in connection with the Application.

FINDINGS OF FACT

NOW, THEREFORE, BE IT RESOLVED, by the Sea Girt Planning Board, after having considered the aforementioned Application, plans, evidence, and testimony, that the Application is hereby **granted / approved with conditions**.

In support of its decision, the Planning Board makes the following Findings of Fact and Conclusions of Law:

1. The Sea Girt Planning Board has proper jurisdiction to hear the within matter.
2. The subject property is located at 712 Morven Terrace, Sea Girt, New Jersey, within the Borough's District 1 East, Single-Family Zone.
3. The subject lot / parcel was created as part of a subdivision which was approved in or about 2022.

4. The existing site is currently vacant.
5. The Applicant proposes to construct a 2 ½ story single-family dwelling at the site, with an integrated garage, and a second story deck.
6. Details pertaining to the proposed single-family home are set forth elsewhere herein, are set forth on the plans, and were discussed, at length, during the public hearing process.
7. Such a proposal requires Bulk Variance Approval.
8. The Sea Girt Planning Board is statutorily authorized to grant the requested relief, and therefore, the matter is properly before the said entity.
9. With regard to the Application, and the requested relief, the Board notes the following:
 - The Applicant proposes to construct a permitted single-family home at the site.
 - Single-family use is a permitted use in the subject zone.
 - The subject property is currently vacant.
 - The subject property is adjacent to the beach / Atlantic Ocean.
 - The subject property satisfies the minimum prevailing lot area requirements for the subject zone.
 - In that the existing site is currently vacant, the Board would typically expect an Applicant to construct a conforming (i.e. variance free) single-family home at the site.
 - As a result of the above, the Board has critically reviewed the subject Application, and the requested variance relief.
 - The subject Application requires a variance for the setback for an integrated garage. Specifically, the prevailing regulations provide that an integrated garage door (which faces / fronts on a street) shall be set back (from the principal dwelling) by a minimum of 5 feet. In the within situation, the Applicant proposes an integrated garage which is set back only 1.5 feet from the principal building.

- The presumed intent of such an Ordinance is to create some type of physical / architectural break-up between the principal building façade and the façade of the garage.
- There are compelling and legally sufficient reasons justifying approval of the requested variance relief.
- The Board Members recognize why the Applicant herein cannot readily satisfy the integrated garage setback requirements.
- During the public hearing process, an obvious inquiry was submitted to the Applicant's representatives. Specifically, the Applicant's representatives were asked why they could not relocate the house on the lot (i.e. locate the same further away from the street) so as to provide a conforming integrated garage setback.
- In response thereto, the Applicant's representatives advised that any relocation of the proposed home (closer to the beach) is not possible, because doing so would violate the express terms and conditions of the March 2023 CAFRA Permit issued for the site.
- The Board accepts such a response.
- The Board is aware that because of the CAFRA Permit limitations, physically relocating the home (closer to the beach / ocean) is not possible / feasible / lawful.
- The next obvious inquiry involved the suggestion that the proposed house be relocated closer to the street (Morven Terrace) so that the 5 foot integrated garage setback (between the principal structure and the garage) could still be satisfied.
- In response, the Applicant's representatives testified that doing so (moving the proposed home closer to Morven Terrace) would simultaneously trigger the need for a Front Yard Setback Variance.
- The required Front Yard Setback at the site in the within situation is 31.4 feet (which is the average of other Front Yard Setbacks in the immediate area). Thus, the required Front Yard Setback herein is 31.4 feet, and the Applicant is proposing a conforming Front Yard Setback of 31.4 feet. The Board is aware that placing the home closer to the roadway will, by its very nature, result in a non-compliant Front Yard Setback.
- The Board Members believe that, under the prevailing circumstances, a Front Yard Setback deviation will be disruptive to the existing streetscape.

- The Board Members believe that under the prevailing circumstances, a Front Yard Setback deviation will be disruptive to the character of development in the neighborhood.
- The Board Members find that, under the prevailing circumstances, a Front Yard Setback deviation at the site will be disruptive to the Borough's overall zoning plan.
- The Board is also aware that, under the circumstances, a front yard setback deviation can reduce the overall front setback average, which can, in turn, further reduce the overall front setback requirement.
- Presumably, the intent of the integrated garage setback regulation is to ensure, to the greatest extent possible, that there is some type of physical / aesthetic break of façade (between the principal structure and the garage).
- Notwithstanding the integrated garage setback deviation approved herein, the Board notes, positively, that there is no aesthetic sacrifice associated with the subject proposal.
- The proposed home is aesthetically pleasing, notwithstanding the integrated garage setback deviation.
- The proposed home has other physical attributes / features designed to mitigate the overall aesthetic impact of the requested variance – such as a front porch, window treatments, and the stepped-back setback of the upper floors.
- Per the testimony and evidence presented, the Board notes that the existing homes in the Morven Terrace area also appear to have non-compliant integrated garage setbacks.
- Per the testimony and evidence presented, the Board is aware that most other older / existing homes in the area have non-compliant integrated garage setbacks as well.
- Subject to the conditions set forth herein, the deviation approved herein will not cause substantial detriment to the overall zoning plan.
- Subject to the conditions set forth herein, the deviation approved herein will not cause any health / safety concerns.
- The Board appreciates the creative and aesthetic design of the proposed home and integrated garage.

- There are no privacy issues / concerns associated with the variance relief granted herein.
- There were no public objections associated with the Application.
- The subject property is situated along the beachfront and is uniquely affected by existing environmental conditions and, as such, the property is subject to prevailing NJDEP Regulations (including the permit which was granted on or about March 1, 2023). The aforesaid permit limits the area in which any proposed residence may be constructed on the property. The said permit also protects the dune areas on the eastern portion of the property. The said permit also limits how far back the home can be constructed. As such, and as referenced above, the Board is aware that the NJDEP permit impacts the ability of the Applicant to satisfy the prevailing integrated garage setback requirements.
- The Board is aware that one purpose of the Municipal Land Use Law encourages applications to be approved if the same can promote the public health, safety, and general welfare. The Board finds that constructing a home in accordance with prevailing NJDEP Regulations will, in fact, promote the general welfare.

One purpose of the Municipal Land Use encourages the Board to approve applications which promote the creation of appropriate population densities and concentrations which will contribute to the well-being of persons, neighborhoods, and communities. The Board finds that approval of the within Application will, in fact, advance such a purpose.

- One purpose of the Municipal Land Use Law encourages the approval of applications which provide sufficient space in appropriate locations for a variety of residential uses. Towards that end, the Board notes that the single-family use approved herein is specifically permitted in the zone and, as such, will advance such a purpose.
- One purpose of the Municipal Land Use Law encourages Boards to approve applications which promote a desirable visual environment through creative development techniques and other good civic design standards. Per the testimony and evidence presented at the Board hearing, and per Board comments issued at the public hearing, the Board finds that approval of the within application will clearly promote a desirable visual environment.
- The Board finds that subject to the conditions set forth herein, approval of the application will maintain the character / scale of residential development in the subject area.

- The Applicant's representatives essentially testified that there will be no adverse impact (on the adjacent lands) as a result of the within approval.
- The proposed single-family use is a permitted use in the subject Zone.
- The proposed integrated garage is a permitted accessory use in the subject Zone.
- The location of the proposed home / integrated garage is practical and appropriate, particularly in light of the prevailing NJDEP / local regulations.
- The home approved herein will be consistent with the streetscape of the immediate area.
- The use of the land approved herein is, in fact, an appropriate use of land.
- Subject to the conditions contained herein, the home approved herein has been appropriately scaled, and the same will not be inconsistent with the overall character of the neighborhood.
- The home approved herein is not out of scale with the neighborhood.
- Subject to the conditions contained herein, the home authorized herein will not overpower / overwhelm the subject lot.
- The home approved herein represents an attractive and upscale home, in accordance with Prevailing Community Standards.
- The site will provide a sufficient amount of off-street parking spaces for the Applicant's use and thus, no Parking Variance is required.
- The existence of sufficient and appropriate parking is of material importance to the Board – and but for the same, the within Application may not have been approved.
- Sufficiently detailed testimony / plans were represented to the Board.
- The proposed home should nicely complement the property and the neighborhood.
- Additionally, the architectural/aesthetic benefits associated with the proposal outweigh the detriments associated with the Applicant's inability to comply with all of the specified bulk standards.

- The architectural design of the proposed home will not be inconsistent with the architectural character of other single-family homes in the area.
- Subject to the conditions set forth herein, the benefits associated with approving the within Application outweigh any detriments associated with the same.
- Subject to the conditions contained herein, approval of the within Application will have no known detrimental impact on adjoining property owners and, thus, the Application can be granted without causing substantial detriment to the public good.
- The improvement to be constructed herein will not be inconsistent with other improvements located within the Borough.
- Approval of the within application will promote various purposes of the Municipal Land Use Law; specifically, the same will provide a desirable visual environment through creative development techniques.
- The Application as presented satisfies the Statutory Requirements of N.J.S.A. 40:55D-70(c) (Bulk Variances).

Based upon the above, and for other reasons set forth during the Public Hearing Process, the Board is of the unanimous opinion that the requested relief can be granted without causing substantial detriment to the public good.

CONDITIONS

During the course of the Hearing, the Board has requested, and the Applicant's representatives have agreed, to comply with the following conditions:

- a. The Applicant shall comply with all promises, commitments, and representations made at or during the Public Hearing Process.
- b. The Applicant shall comply with the terms and conditions of the Leon S. Avakian, Inc. Review Memorandum, dated September 8, 2023 (A-4).
- c. The Applicant shall cause the Plans to be revised so as to portray and confirm the following:

- The inclusion of a note confirming that the drywell details shall comply with prevailing Borough standards.
 - The inclusion of a note confirming that the drywell details shall be specifically reviewed and approved by the Board Engineer and Zoning Officer.
 - The inclusion of a note confirming that the drywell shall be installed and maintained in accordance with manufacturing guidelines, and other Best Practices.
- d. Grading / drainage details shall be reviewed and approved by the Board Engineer.
- e. The Applicant shall comply with all prevailing NJDEP Regulations, including those associated with the NJDEP issued permit.
- f. The Applicant shall obtain any additional / supplemental CAFRA Permit as may be required / necessary.
- g. The Applicant shall submit a revised Flood Certificate.
- h. Revised Plans (5 sets), as referenced herein, shall be submitted to the Board Secretary.
- i. The Applicant shall comply with any Prevailing /applicable FEMA Regulations.
- j. The Applicant shall comply with all Prevailing Affordable Housing Regulations / directions / contributions / directives, which may be required by the United States of America, the State of New Jersey, the Borough of Sea Girt, the Court System, C.O.A.H., and any other Agency having jurisdiction over the matter.
- k. The Applicant shall appropriately manage storm-water run-off during and after construction (in addition to any other Prevailing / applicable Requirements / obligations).
- l. The Applicant shall obtain any applicable permits/approvals and pay any applicable charges as may be required by the Borough of Sea Girt (or other Agency having jurisdiction over the matter) - including, but not limited to, the following:
- Building Permit
 - Plumbing Permit

- Electrical Permit
 - Sewer Connection Fees
- m. If applicable, the proposed structure shall comply with applicable Provisions of the Americans with Disabilities Act.
 - n. If applicable, grading plans shall be submitted to the Board Engineer so as to confirm that any drainage/run-off does not go onto adjoining properties.
 - o. The construction shall be strictly limited to the plans which are referenced herein and which are incorporated herein at length. Additionally, the construction shall comply with Prevailing Provisions of the Uniform Construction Code.
 - p. The Applicant shall comply with all terms and conditions of the Review Memoranda, if any, issued by the Board Engineer, Borough Engineer, Construction Office, the Department of Public Works, the Bureau of Fire Prevention and Investigation, and/or other agents of the Borough.

Unless waived by the Zoning Office, the Applicant shall obtain any and all approvals (or Letters of No Interest) from applicable outside agencies - including, but not limited to, the Department of Environmental Protection, the Monmouth County Planning Board, the Manasquan River Regional Sewerage Authority, and the Freehold Soil Conservation District. Additionally, to the extent the Plans materially change as a result of any such outside Approvals, then, in that event, the Applicant shall be required to re-appear before the Planning Board for further review / approval.

- q. The Applicant shall, in conjunction with appropriate Borough Ordinances, pay all appropriate / required fees and taxes.
- r. If required by the Board / Borough Engineer, and if permitted under the NJMLUL, the Applicant shall submit appropriate performance guarantees in favor of the Borough of Sea Girt.
- s. Unless otherwise agreed by the Zoning Board, the within approval shall be deemed abandoned, unless, within 24 months from adoption of the within Resolution, the Applicant obtains a Building Permit for the construction / development approved herein.
- t. **The approval granted herein is specifically dependent upon the accuracy and correctness of the testimony and information presented, and the accuracy of the Plans submitted and approved by the Board. The Applicant is advised that there can be no deviation from the Plans**

approved herein, except those conditions specifically set forth or otherwise referenced herein. In the event post-approval conditions at the site are different than what was presented to the Board, or different from what was otherwise known, or in the event post-approval conditions are not necessarily structurally sound, the Applicant and his representatives are not permitted to unilaterally deviate or build beyond the scope of the Board Approval. Thus, for instance, if the Board grants an Approval for an existing building / structure to remain, the same cannot be unilaterally demolished (without formal Borough / Board consent), regardless of the many fine construction reasons which may exist for doing so. That is, the bases for the Board's decision to grant Zoning relief may be impacted by the aforesaid change of conditions. As a result, Applicant and his representatives are not to assume that post-approval deviations can be effectuated. To the contrary, post-approval deviations can and will cause problems. Specifically, any post-approval unilateral action, inconsistent with the testimony / plans presented / approved, which does not have advanced Borough / Board approval, will compromise the Applicant's approval, will compromise the Applicants' building process, will create uncertainty, will create stress, will delay construction, will potentially void the Board Approval, and the same will result in the Applicant incurring additional legal / engineering / architectural costs. The Applicant is encouraged to be mindful of the within – and the Borough of Sea Girt, and the Sea Girt Planning Board, are not responsible for any such unilateral actions which are not referenced in the testimony presented to the Board, and / or the Plans approved by the Board. Moreover, the Applicant is to be mindful that the Applicant is ultimately responsible for the actions of the Applicant, his Agents, his representatives, his employees, his contractors, his engineers, his architects, his builders, his lawyers, and other 3rd parties.

BE IT FURTHER RESOLVED, that all representations made under oath by the Applicant and / or his agents shall be deemed conditions of the approval granted herein, and any mis-representations or actions by the Applicant's representatives contrary to the representations made before the Board shall be deemed a violation of the within approval.

BE IT FURTHER RESOLVED, that the Application is granted only in conjunction with the conditions noted above - and but for the existence of the same, the within Application would not be approved.

BE IT FURTHER RESOLVED, that the granting of the within Application is expressly made subject to and dependent upon the Applicant's compliance with all other appropriate Rules, Regulations, and / or Ordinances of the Borough of Sea Girt, County of Monmouth, and State of New Jersey.

BE IT FURTHER RESOLVED, that the action of the Board in approving the within Application shall not relieve the Applicant of responsibility for any damage caused by the subject project, nor does the Planning Board of the Borough of Sea Girt, the Borough of Sea Girt, or its agents / representatives accept any responsibility for the structural design of the proposed improvement, or for any damage which may be caused by the development.

The foregoing Resolution was offered by Mr. Ward, seconded by Mr. Koreyva and adopted by the following Roll Call Vote:

AYES: Karen Brisben, Tom Britt, Jake Casey, Stan Koreyva, Eileen Laszlo,
John Ward, Norman Hall

NOES: None

INELIGIBLE TO VOTE: Carla Abrahamson, Robert Walker

ABSENT: Mayor Don Fetzer, Councilwoman Diane Anthony (arrived after vote was taken)

NEW BUSINESS:

The Board then turned to a public report on Sea Girt Housing Element and Fair Share Plan given by Jennifer Beahm of Leon S. Avakian, Inc. Before starting, Mr. Kennedy said that notice of this report was published in the official newspapers of the Board, the Coast Star and Asbury Park Press and it was also sent to the Clerks of the surrounding municipalities. At this point Mr. Kennedy swore in both Jennifer Beahm and the Zoning Officer of Sea Girt, Chris Willms. Jennifer Beahm, the Borough Planner, then came on and gave her work address as 788 Wayside Road, Neptune and Mr. Willms gave his work address as 321 Baltimore Blvd., Sea Girt.

Ms. Beahm said this Housing Element is the culmination of a long protracted negotiation between the Borough and Mr. William Sitar and the Fair Share Housing Center. She explained how the court system took over COAH (Council on Affordable Housing) back in 2015. Because Sea Girt does not have a lot of developable land they did not become a participating municipality in this program. Mr. Sitar did then file a Builder's Remedy lawsuit for his two properties along Washington Boulevard and Fifth Avenue, so the Borough was dragged into the process. Ms. Beahm and Mr. Bayer, the Affordable Housing attorney for the Borough of Sea Girt met with Mr. Sitar and the Fair Share Housing Center, a non-profit affordable housing advisory group which is made up of 99% of attorneys. The Planning Board had seen the application for 19 units with commercial use and settled with Mr. Sitar on this, but they then spent an enormous amount of time with the Fair Share Housing Center as they were not familiar with the area and there was a lot of going back and forth with them.

The Courts then came up with a new methodology of deciding how many units a municipality is to provide, from 1987 to 1999 it was 115, then it was decided to add 104 making a total of 219 units. Of course Sea Girt knows that is unrealistic and there was an option to take a "vacant land adjustment" which is what Sea Girt did. This is what took so long with Fair Share Housing, to determine the vacant land that can be built on in Sea Girt and they were addressing Crescent Park and Edgemere Park, she thought it was ridiculous. They wound up settling at the number 5 and Mr. Sitar's project totally satisfies this obligation even though there will be only 3 units of affordable housing, but the town is given "credits" for doing this so the 5 units required is met. There also is a provision that the town has to allow affordable units to be built when and if it can. Ms. Beahm gave an example of an applicant coming in with 5 or more units to build, one of them has to be affordable, 20%.

She went on to explain there is an overlay zone over the Commercial District which provides for a mixed use with Commercial on the first floor and apartments on the second floor, 20% of which have to be affordable. She said that was it in a nutshell, census figures can come into play but she does not have any authority to change any of those numbers if they do not make sense. Mrs. Laszlo asked if this goes to 2025 and Ms. Beahm said yes but she did not see any change in 2025 from this, the overlay zoning will be in place and there are no large tracts of land to be developed. Mrs. Laszlo then asked if there is a possibility of another Builder's Remedy and the answer was no, this document presented tonight is part of this settlement and other boxes have to be checked off by Council; after this is done they go back to the Judge for a Compliance Hearing and if all is in order the Borough receives a Judgement of Repose which will protect Sea Girt from a Builder's Remedy.

Chairman Hall asked what now has to be done and Ms. Beahm said the Board has to adopt the Housing Element and Fair Share Plan by a Resolution, she said it has to be done by the end of this calendar year and can be done tonight or next month in December. Mr. Walker asked if the Sea Girt National Guard Camp area came up in their discussions and Ms. Beahm said it did not, the Camp activity has been building in recent years and there is no movement to change this, it is government property so it was not discussed.

Mr. Ward asked if a developer came in with less than 5 units would he be "under the radar" and Ms. Beahm said he would have to pay a Developer's Fee of 1.5% of the assessed value of the project that goes into an Affordable Housing Trust Fund that the Borough is obligated to set up. Mr. Ward then asked about the size of the units, is there a number and Ms. Beahm did not have all the figures but knew a one-bedroom unit has to be at least 800 square feet. She asked Mr. Willms if the town has requirements on sizes of apartments and the answer was no, Sea Girt does not. Ms. Beahm offered the thought that if a builder has to provide an affordable unit if there are 5 to be built, they will build 4 units instead because the difference in rent is dramatic. She used Bradley Beach as an example and said a two-bedroom unit would go for around \$2,000 a month where a two-bedroom unit under Affordable Housing would go for around \$1,000 a month; it would be more economical to pay the Developer's Fee.

Councilwoman Anthony asked if the Developer's Fee is a flat rate or annual and Ms. Beahm said it is a flat rate fee, 50% at building permit time and 50% at CO time. Mr. Casey asked what happens with that money and Ms. Beahm said it goes into an Affordable Housing Trust Fund to be used for Affordable Housing purposes only and 20% can be used for administrative costs (town engineering, etc.). Mr. Ward asked if she had any idea on what the town has spent to get to this point and Ms. Beahm did not know but did say it is more expensive now that the Courts have taken it over than when COAH ran it. Councilwoman Anthony commented that this was necessary to do and Ms. Beahm agreed as the town will be protected and she said Mr. Sitar's original lawsuit was for 42 units and there was a lot of back and forth to get to the 19 units and again said the town got dragged into this due to this Builder's Remedy.

Chairman Hall wanted to let everyone know this Board has written to Council, prior to the Sitar case, to look into the Affordable Housing requirements and come up with a solution and the Board was ignored. Councilwoman Anthony asked if the town should have any regulations on sizes of units and Ms. Beahm said no, they are regulated already through the State; but there will be Ordinances for Council to consider, a Mandatory Set Aside, the Overlay Zone and a Spending Plan and both she and Mr. Bayer are working on that. As far as the size of the units, Council is the entity that may want to address that.

At this point Mr. Kennedy asked that the report on the Housing Element and Fair Share Housing Plan be marked as Exhibit A-1 and this was done, the report done by Leon S. Avakian, Inc. and dated October 2023. Mr. Kennedy then asked that the hearing be opened to the public for comments and questions and, after that, a motion needs to be done to adopt this report and do a Resolution of approval.

Chairman Hall asked if this document now goes to Council or is this for the Planning Board only to approve and Ms. Beahm said this is for the Planning Board only to approve, the Council was involved in the settlement of the parties. Chairman Hall asked if this document is approved, what does it mean to the Board; Ms. Beahm said it is part of the Court Order, it enumerates what the settlement intends. Chairman Hall then commented the Board has nothing more to do and Ms. Beahm said the Board did already approve the application presented by Mr. Sitar so this is the only action the Board needs to take. Mr. Kennedy noted that the Planning Board and the Borough were named in the lawsuit and there is a checklist that has to be completed and one of the items was the approval, by the Planning Board, of the Housing Element and Fair Share Plan.

It was time to open to the public for comments or questions and a motion was made by Councilwoman Anthony to open this to the public, this seconded by Mrs. Brisben and unanimously approved, all aye. The hearing was now opened to the public and there was no response. A motion was then made to adopt the Housing Element and Fair Share, this done by Mrs. Laszlo, seconded by Mr. Ward and approved by the following roll call vote:

Ayes: Carla Abrahamson, Councilwoman Diane Anthony, Karen Brisben, Jake Casey, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

Noes: None

Not Eligible to Vote: Tom Britt (Alternate Member)

Mr. Kennedy said the next step is to pass a Resolution approving the Housing Element and Fair Share Plan, he had it ready and he could read it into the record and it can be voted on tonight or it can be distributed for a vote at the December meeting; it is up to the Board. Mrs. Laszlo felt it should be taken care of this evening, read into the record and voted on.

Mr. Kennedy then presented the following Resolution:

WHEREAS, the Sea Girt Planning Board is a duly organized Planning Board, operating and existing in accordance with the Rules and Regulations of the State of New Jersey and the Borough of Sea Girt; and

WHEREAS, per a prior litigation Complaint, the Borough of Sea Girt, and the Sea Girt Planning Board, were named Defendants in an Affordable Housing Builder's Remedy Lawsuit; and

WHEREAS, pursuant to the aforementioned Affordable Housing Litigation, the Borough of Sea Girt, the Sea Girt Planning Board, and other litigants approved a Settlement Agreement detailing, outlining, and memorializing the Borough's Affordable Housing obligations, and a plan for satisfying the same;

WHEREAS, in furtherance of the Court-approved / endorsed Settlement, there are a number of on-going municipal obligations which still need to be addressed; and

WHEREAS, one of the remaining obligations involves the need for the Planning Board, per the Fair Housing Act and the New Jersey Municipal Land Use Law, to review / consider the adoption of the Housing Element and Fair Share Plan Element of the Borough's Master Plan; and

WHEREAS, the purpose of such a Housing Element is to provide for the methods of achieving the goal of access to Affordable Housing, so as to meet the Borough's low and moderate income housing needs; and

WHEREAS, the Statutorily required content of the Housing Element include the following:

- *An inventory of the Municipality's housing stock by age, condition, purchase, or rental value, occupancy characteristics, and type, including the number of units affordable to low and moderate-income households and substandard housing capable of being rehabilitated;*
- *A projection of the Municipality's housing stock, including the probable future construction of low and moderate-income housing, for 10 years, taking into account, but not necessarily limited to, construction permits issued, approvals of Applications for Development, and probable residential development of lands;*
- *An analysis of the Municipality's demographic characteristics, including, but not necessarily limited to, household size, income level, and age;*
- *An analysis of the existing and probable future employment characteristics of the Municipality;*

- *A determination of the Municipality's present and prospective fair share for low and moderate-income housing, and its capacity to accommodate its present and prospective housing needs, including its fair share for low and moderate-income housing; and*
- *A consideration of the lands which are most appropriate for construction of low and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for, low and moderate-income housing, including a consideration of lands of Developers who have expressed a commitment to provide low and moderate-income housing;*

WHEREAS, the adoption of such a Housing Element and Fair Share Plan will be consistent with the aforesaid Court-approved / endorsed Settlement Agreement; and

WHEREAS, the adoption of such a Housing Element and Fair Share Plan will facilitate / advance the ability of the Borough of Sea Girt to obtain a Judgment of Repose, essentially insulating the Borough from other Affordable Housing litigation cases (pending compliance with future rounds / cycle obligations); and

WHEREAS, the Housing Element and Fair Share Plan was presented to, reviewed by, and discussed amongst, the Sea Girt Planning Board Members at its meeting of November 15, 2023; and

WHEREAS, advanced notice of the aforesaid Housing Element and Fair Share Plan presentation was published in the Borough's official newspaper; and

WHEREAS, the said notice also advised that members of the public would have an opportunity to comment at the said meeting; and

WHEREAS, notice of the aforesaid Housing Element and Fair Share Plan was also provided to the Clerks of the adjoining municipal towns; and

WHEREAS, at the said Hearing, sworn testimony was presented by the following Borough / Board witnesses:

- Chris Willms, Zoning Officer

- Jennifer Beahm, Borough Planner

WHEREAS, at the said Hearing, the following items were officially marked into the record as Evidence:

Housing Plan Element and Fair Share Plan, prepared by Leon S. Avakian, Inc., dated October 2023, introduced into Evidence as A-1; and

WHEREAS, no Members of the public expressed any questions, comments, or statements in connection with the matter; and

WHEREAS, Board Members also asked a number of questions and/or made a number of comments with respect to the subject topic;

NOW, THEREFORE, BE IT RESOLVED, by the Sea Girt Planning Board as follows:

1. That for good cause having been shown, the Planning Board hereby adopts the aforesaid Housing Plan Element and Fair Share Plan, which was introduced into Evidence as A-1.
2. That the Planning Board, Chair, Vice-Chair, Attorney, Engineer, Zoning Officer, and Borough Planner are hereby authorized to sign any and all documents necessary to effectuate the intentions of the within Resolution.
3. That the within Resolution shall take effect immediately.
4. That a certified true copy of the within Resolution shall be forwarded to the following individuals:
 - A. Sea Girt Borough Administrator;
 - B. Sea Girt Borough Clerk;
 - C. Sea Girt Mayor and Council;
 - D. Clerk of the Borough of Spring Lake;
 - E. Clerk of the Borough of Spring Lake Heights;
 - F. Clerk of the Township of Wall;

G. Clerk of the Borough of Manasquan;

H. Monmouth County Planning Board; and

I. Sea Girt Planning Board Members.

Mrs. Laszlo made a motion to approve the above Resolution, this seconded by Mrs. Abrahamson and then by the following roll call vote:

AYES: Carla Abrahamson, Councilwoman Diane Anthony, Karen Brisben, Jake Casey, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

NOES: None

NOT ELIGIBLE TO VOTE: Tom Britt (Alternate Member)

Mr. Kennedy said this now has to go to Clerks of the surrounding municipalities, the County Planning Board and to Council, the Borough Administrator and municipal Clerk. At this point Ms. Beahm said goodnight to all and was thanked for her work on this. (NOTE: A copy of this plan is attached at the end of these Minutes.)

OTHER BUSINESS:

The Board then addressed the report on proposed Ordinance, Chapter 17, Mechanicals. This is Ordinance #11-23 and Chairman Hall asked Mr. Casey to explain the difference between his document and the actual document from Council. He also told the Board that Council can pass this by a simple majority but if the Planning Board does not approve it this evening then Council can still approve it but by a major majority. Mr. Kennedy agreed and explained that anytime Council wants to pass an Ordinance that has to do with Zoning they need approval from the Planning Board; the Planning Board has to agree that this Ordinance is consistent with the Master Plan. An Ordinance has two parts – it is introduced on one night and then advertised with a public hearing on another night, in between those two nights they come to the Planning Board for their approval. Chairman Hall noted that this is scheduled to be passed by Council at their December 13th meeting, their next meeting and Mr. Kennedy said this happens a lot, the next meeting of the Planning/Zoning Board is after that date so this has to be addressed this evening and then the Secretary lets Council know what the Board has decided.

Chairman Hall asked what happens if it is not approved by Council in December and Mr. Kennedy stepped in and said there is a weird provision in the Municipal Land Use Law that if an Ordinance is introduced in 2023 it has to be adopted in 2023, it cannot be carried over to the next year and would have to go through the whole process again in 2024. Mr. Casey then asked if the Board does make changes is that denying it or just making changes? Mr. Kennedy said

the Board just has to make a determination if this is consistent with the Master Plan, not make changes but can certainly make comments that will go to Council; Mr. Willms agreed with Mr. Kennedy. Mr. Ward said he has seen this at other Council meetings and the Borough Attorney can hear a comment and decide whether or not it is substantial enough to be considered, so it is not totally black and white and Mr. Kennedy agreed.

Mr. Casey then spoke on what he felt were the most important things that were addressed, getting generators off of buildings, making sure there are barriers around any mechanicals that were put on a roof, barriers below the ridge line level, flood zone issues for mechanicals, these were all in there. (His Ordinance Issues Summary is attached at the end of these Minutes). He did say there were some that were missed and he would go into that. First, he wanted to let the Board know about the timeline here, it takes a lot of time. There was a letter to the Planning Board back in December 2021 from Chris Willms, from that letter and from the Master Plan, Chairman Hall had decided that a group had to be created to take into consideration anything from the Master Plan as well as from others so the Ordinance Review Committee was created. As it relates to Mechanicals specifically, the Committee has sent paperwork to the Planning Board who approved it in November 2022 and it was submitted to Council in December 2022. In January they got feedback which resulted in modification and that was brought back to the Planning Board in January 2023 and on 1/26/23 the final document was sent to the town. There was some confusion but this led to a process, done by Mr. Gant, and between 3/21/23 and 3/27/23 sent back to the town. Mr. Casey went on to say he received a google document from Mr. Gant sent in July 2023 and asked for feedback which Mr. Casey responded to in July. Then in late October he received another email from Mr. Gant and he responded in late October and he finally received a copy of the Ordinance to be presented on the day Council was meeting on this. Mr. Casey emphasized there were a host of emails going back and forth with questions asked and answered.

Mr. Casey then said there are other Ordinances waiting to be considered and he understood this will be started in January 2024 but he commented if the process could be sped up it would be helpful, more good can be done that way. Councilwoman Anthony then spoke and said she would relay that message; Mr. Casey thanked her and reminded that Councilwoman Richman and Councilman Downey are on the Ordinance Review Committee and know what is going on as well. He went back to the long time it has taken to get this one Ordinance done and did not think it looked like efficiency is being carried out by the town and he hoped the next Ordinances do not take longer.

He then went back to the items not in the Ordinance, Mechanicals on a principal building or an accessory building like a garage or storage shed and he said the storage shed has morphed into something else but the Committee's submission excluded having mechanicals on an accessory structure. The Committee expanded the mechanicals definition so there wouldn't be things not defined as mechanicals put into setbacks. The Committee has a requirement for stair access to the roof to get to areas above the ridgeline, they did not address

the calculations for mechanicals as to building coverage, on a platform or not, and ladders being permanent or temporary and not be on the side of the building but the rear of the building and that the ladders should be temporary. These are the primary differences from what the Committee submitted and what has been presented. Mr. Willms then spoke and said that what Mr. Casey was just talking about are outside the Ordinance that is being put in place; coverage and ladders are not part of this, they do have to be addressed but not in Ordinance 17 – they will be put in other sections of the Zoning Ordinance.

Mrs. Brisben asked Mr. Willms if he was satisfied with the Ordinance presented by Council and the answer was yes, there was back and forth with Council, including the Borough Attorney, and what is being addressed pretty much takes out the loopholes of where mechanicals can be placed on the property. Councilwoman Anthony asked Mr. Casey if he had concerns with secondary structures and he did have concerns on placement of mechanicals on principal structures and storage sheds, having a basement under a storage shed, they wanted to limit that. He gave an example and said, right now the way it is written, one can still put a pool heater on an accessory structure and there is a concern of having any type of fuel line going up to a roof being a problem for a first responder; he is not aware of this being done as this time but it is allowed. Chairman Hall added that generators need to be serviced twice a year so there definitely needs to be some sort of access to them.

Mr. Ward was concerned with all the places mechanicals can be put and felt that Council should be contacted and have these things buttoned up and be re-issued in 2024 and be taken care of next year. Mr. Walker asked about this and generators and Mr. Casey said this has been addressed, pool heaters are fed by gas and that was his concern regarding a firefighter having to go up on a roof for this. The Committee did not want to have anything fuel powered be anywhere but the ground. Mr. Casey said the Ordinance that has been introduced is much better than what is there today and he is not that excited about Mr. Ward's recommendation; he would like to see something move forward rather be put on another burner to be reviewed later.

Councilwoman Anthony asked Mr. Willms if the rest of the issues discussed, ladders, coverage, etc. can be addressed next year and Mr. Willms said yes, it is on the radar to get it to the Council Committee which would be the Public Safety Committee which is composed of the Mayor, Councilman Clemmensen and Councilman Downey; this also has to be addressed by the Borough Attorney, Mr. Bogan, to make sure they get put in the right section of the Zoning. Mr. Casey agreed, the Committee makes recommendations but they have to be put in the right section to make sure the right words go into the right places.

Chairman Hall asked Mr. Casey if he was in favor of this Ordinance and Mr. Casey said if there was commentary to be sent to Council on this he would support it, however if it is determined that commentary would not apply here and the thought is to "take it or leave it" he would certainly take the Ordinance as

written. Councilwoman Anthony asked Mr. Britt, as he is on the Ordinance Review Committee, if he had anything to add. Mr. Britt said he was part of the discussion and he felt this was a good step forward and he did not have any issue with what has been presented to Council. Chairman Hall clarified that this Ordinance should be approved and the rest of what was discussed this evening will be addressed next year. Mr. Britt felt that the mechanical issue was addressed and he had nothing to add to that. Mr. Casey added that what they had discussed can be addressed next but the expanded list of mechanical requirements would not be, the expanded list is out. The Planning Board would have to resubmit this requirement to the town but Mr. Willms said things were changed in Section A of the Ordinance, instead of saying to "serve a building" was changed to say to "serve a property" and this wraps all those other incidentals into this and gave some examples such as a generator having coverage around it, not above the ridgeline, etc.; Chairman Hall felt this was a good thing to have in. Mr. Willms again stated this covers all the other incidentals and by saying what it says the incidentals do not have to be listed as something may be overlooked and this wording covers all. He also said the comments on the pool heaters would go under pool requirements and not in this Ordinance and he added that he has not seen pool heaters above the ground; Mr. Britt agreed and did not feel it was practical to put a pool pump 16 feet in the air and have to change the filter.

Mr. Casey was still concerned with mechanicals on a principal building. Mr. Willms noted that, in discussion with the Public Safety Committee, if it is on a principal building it is farther away from adjacent properties than if it were on an accessory building and it cannot be higher than the ridge; the noise would be louder for the occupants than the neighbors. Mr. Casey then asked for opinions and Mrs. Brisben asked Mr. Willms if this meets his needs as he is the one to enforce it and he said it certainly does and he felt it should have been done a long time ago. It was taken out by Council before he came on and it should have never been taken out, this will greatly decrease concerns and complaints from residents and neighbors on everything; moving the generators down will help the building department and it is a great step forward. He concluded by stating he consulted Jen Beahm and she concluded this is consistent with the Master Plan.

Mr. Britt felt it may not be everything that was wanted but it is a great plan and he felt it should be moved on and approved. Mrs. Brisben agreed with Mr. Britt, if this doesn't work out well it can always be addressed in the future but now it will give Mr. Willms a lot more leeway to do his job properly. As there were no further comments Mrs. Brisben made a motion to approve the draft Ordinance as presented by Council, this seconded by Mrs. Laszlo. Before Roll Call was taken Mr. Kennedy just wanted to confirm that the Board feels this is consistent with the Master Plan and, even though some members would like to have seen other items, that can be addressed in the future and it is felt this should be approved. Also, the Board Attorney will write a letter to Council memorializing the Board comments rather doing a formal Resolution. The Board agreed with this and then the following roll call vote was taken:

Ayes: Carla Abrahamson, Councilwoman Diane Anthony, Karen Brisben, Jake Casey, Stan Koreyva, Eileen Laszlo, Robert Walker, John Ward, Norman Hall

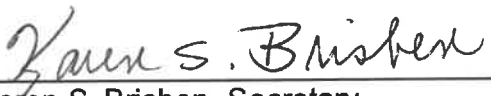
Noes: None

Not Eligible to Vote: Tom Britt (Alternate Member)

Councilwoman Anthony thanked Mr. Casey and the Committee for all their time and work, she will bring this back to Council and said they will try to expedite this procedure for the future. Mr. Casey said their last meeting was torture to try to get more done, he was hoping to have something for the December meeting but was not sure at this time and he noted that that's the way some of the meetings of the Committee go.

As there was no other business to come before the Board a motion to adjourn was made by Mrs. Brisben, seconded by Mr. Britt and unanimously approved, all aye; the meeting was adjourned at 8:28 p.m.

Approved: December 20, 2023



Karen S. Brisben, Secretary

Housing Plan Element and Fair Share Plan

Prepared for:

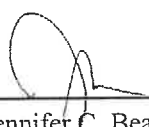
The Borough of Sea Girt
Monmouth County, New Jersey

October 2023

Prepared By:

LEON S. AVAKIAN INC.
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INTRODUCTION

In the case of *Southern Burlington County NAACP v. the Township of Mount Laurel*, (commonly known as Mount Laurel I), the New Jersey Supreme Court established the doctrine that developing municipalities in New Jersey have a constitutional obligation to provide a realistic opportunity for the construction of low and moderate income housing in their communities. In its Mount Laurel decision, decided on January 20, 1983 (Mount Laurel II), the Supreme Court expanded the Mount Laurel doctrine by stating that this constitutional responsibility extended to all municipalities in New Jersey. The Court also established various remedies, including the "builder remedy" or court-imposed zoning, to ensure that municipalities affirmatively addressed this obligation.

In response to the Mount Laurel II decision, the New Jersey Legislature adopted the Fair Housing Act in 1985 (Chapter 222, Laws Of New Jersey, 1985). The Fair Housing Act established a Council on Affordable Housing (COAH) as an administrative alternative to the courts. COAH was also given the responsibility of establishing various housing regions in the state, determining regional and municipal fair share affordable housing obligations, and adopting regulations establishing the guidelines and approaches that municipalities may use in addressing their affordable housing need.

Under COAH's regulations, low income households are defined as those with incomes no greater than 50 percent of the median household income, adjusted for household size, of the housing region in which the municipality is located, and moderate-income households are those with incomes no greater than 80 percent and no less than 50 percent of the median household income, adjusted for household size, of the housing region. For the Borough of Sea Girt, the housing region is defined by COAH as Region 4 and is comprised of Mercer, Monmouth, and Ocean counties. In Region 4 the median income for a four-person household is \$92,614, the moderate-income level is \$74,091 and low-income is \$46,307.

Pursuant to both the Fair Housing Act and the Municipal Land Use Law (MLUL), municipalities in New Jersey are required to include a housing element in their master plans. The principal purpose of the housing element is to provide for methods of achieving the goal of access to affordable housing to meet the municipality's low- and moderate-income housing needs. The statutory required contents of the housing element are:

- An inventory of the municipality's housing stock by age, condition, purchase or rental value, occupancy characteristics, and type, including the number of units affordable to low- and moderate-income households and substandard housing capable of being rehabilitated;
- A projection of the municipality's housing stock, including the probable future construction of low- and moderate-income housing, for the ten years, taking into account, but not necessarily limited to, construction permits issued, approvals of applications for development and probable residential development of lands;

- An analysis of the municipality's demographic characteristics, including but not necessarily limited to, household size, income level and age;
- An analysis of the existing and probable future employment characteristics of the municipality;
- A determination of the municipality's present and prospective fair share for low- and moderate-income housing and its capacity to accommodate its present and prospective housing needs, including its fair share for low- and moderate-income housing; and
- A consideration of the lands that are most appropriate for construction of low- and moderate-income housing and of the existing structures most appropriate for conversion to, or rehabilitation for low- and moderate-income housing, including a consideration of lands of developers who have expressed a commitment to provide low- and moderate-income housing.

MUNICIPAL SUMMARY

Sea Girt is a charming, quiet seaside community located along the Atlantic Ocean in southeastern Monmouth County, New Jersey in the one square mile between Stockton Lake to the south and Wreck Pond to the north. The Borough is 1.06 square miles and has been developing as a residential community since 1875, when it was purchased by a group of Philadelphia land developers. Though it began as a vacation destination, the development of the North Jersey Coast Rail line, which includes nearby stops in Manasquan and Spring Lake, and highway infrastructure brought additional means of commuting that opened the Borough to additional year-round residents.

Today the Borough is an almost completely built out residential community with a number of recreational activities to be enjoyed by residents and visitors. Commercial uses are concentrated along the western extent of Washington Boulevard, near the Borough's border with Manasquan, and along Route 71. The Borough is bordered by the Atlantic Ocean to the east, Spring Lake and Spring Lake Heights to the north, Wall to the west, and Manasquan to the west and the south.

The current year-round population of Sea Girt is estimated at 1,945 (ACS 2021 5-year data), swelling substantially in the summer months. Sea Girt has a population density of 1,834.3 persons per square mile, compared to that of the county's 1,378.4 persons per square mile. The Borough's median age slightly decreased between 2010 and 2021, with a 2010 median age of 53.7 and a 2021 median age of 52.8 years of age. Sea Girt's 2021 median household income estimate of \$174,612 was significantly higher than that of the County (\$110,356) and the State (\$89,703).

In the guidelines established by COAH, Sea Girt Borough is located in affordable housing Region 4 which is comprised of Monmouth, Mercer, and Ocean Counties.

DEMOGRAPHIC CHARACTERISTICS

POPULATION

In 2021, Sea Girt had an estimated total population of 1,945. This number represents a population decrease of 203 persons or 9.45 percent since 2000, when the total population was 2,148. An overall downward population trend has been occurring in Sea Girt since 1980, the year in which the population peaked at 2,650. The population experienced a brief period of increase in the decade 1990 to 2000 but returned to a downward trend in the decade from 2000 to 2010. In 2021, the population experienced a 6.4 percent increase since 2010. Monmouth County, in comparison, has been experiencing consistent population increases across decade, but with a much smaller population increase of 1.87% between 2010 and 2021.

TABLE 1: POPULATION TRENDS, 1940-2021

Year	Sea Girt			Monmouth County			New Jersey		
	Population	Change		Population	Change		Population	Change	
		Number	Percent		Number	Percent		Number	Percent
1940	599	-	-	161,238	-	-	4,160,165	-	-
1950	1,178	579	96.7%	225,327	64,089	39.7%	4,835,329	675,164	16.2%
1960	1,798	620	52.6%	334,401	109,074	48.4%	6,066,782	1,231,453	25.5%
1970	2,207	409	22.7%	461,849	127,448	38.1%	7,171,112	1,104,330	18.2%
1980	2,650	443	20.1%	503,173	41,324	8.9%	7,365,011	193,899	2.7%
1990	2,099	-551	-20.8%	553,124	49,951	9.9%	7,730,188	365,177	5.0%
2000	2,148	49	2.3%	615,301	62,177	11.2%	8,414,350	684,162	8.9%
2010	1,828	-320	-14.9%	630,380	15,079	2.5%	8,791,894	377,544	4.5%
2021	1,945	117	6.40%	642,160	11,780	1.87%	9,234,024	442,130	5.0%
2050^	1,972	27	1.39%	669,624	27,464	4.28%	7,743,120	1,490,904	-16.15%

Source: U.S. Census Bureau Decennial Census (table DP-1)

*U.S. Census Bureau, 2021 ACS 5-Year Estimates (table B01003)

**Population Projections from North Jersey Transportation Planning Authority (NJTPA)

POPULATION COMPOSITION BY AGE

The age composition of Sea Girt has shifted noticeably since 2010. According to American Community Survey 2021 5-Year Estimates, significant changes occurred in many age groups. The greatest percentage decreases occurred in the population under 5 years old, which decreased by 55.24 percent, followed by the 10 to 14 years age cohort, which decreased by 41.78 percent. Conversely, the Borough has seen a significant increase in the number of residents between 20 and 44 years. The greatest percentage increases occurred in the 20 to 24 years age cohort, which increased by 101.16 percent, and the 5 to 9 years age cohort, which increased by 86.21 percent.

TABLE 2: POPULATION BY AGE COHORT, SEA GIRT, 2010-2021

Population	2010		2021		Change 2010-2021
	Number	Percent	Number	Percent	
Total population	1,951	100.00%	1,945	100%	-0.31%
Under 5 years	105	5.40%	47	2.4%	-55.24%
5 to 9 years	58	3.00%	108	5.6%	86.21%
10 to 14 years	146	7.50%	85	4.4%	-41.78%
15 to 19 years	107	5.50%	71	3.7%	-33.64%
20 to 24 years	86	4.40%	173	8.9%	101.16%
25 to 34 years	128	6.60%	130	6.7%	1.56%
35 to 44 years	124	6.40%	159	8.2%	28.23%
45 to 54 years	268	13.70%	245	12.6%	-8.58%
55 to 59 years	220	11.30%	166	8.5%	-24.55%
60 to 64 years	197	10.10%	174	8.9%	-11.68%
65 to 74 years	240	12.30%	270	13.9%	12.50%
75 to 84 years	185	9.50%	229	11.8%	23.78%
85 years and over	87	4.50%	88	4.5%	1.15%
U.S. Census Bureau American Community Survey 5-Year Estimates (table DP-05)					

Monmouth County also experienced shifts in the age make-up of its population. The County experienced a significant decrease in elementary and middle school-aged population, with a decrease of 13.55 percent in the 5 to 9 years age cohort. The 35 to 44 years old age cohort experienced the most substantial population decrease over this timeframe, with a 20.40 percent decrease. The percentage of the County's older age cohorts (65 years and over) experienced increases between 2010 and 2021, suggesting that the County has an aging population.

TABLE 3: POPULATION BY AGE COHORT, MONMOUTH COUNTY, 2010-2021

Population	2010		2021		Change 2010-2021
	Number	Percent	Number	Percent	
Total population	628,112	100.0%	642,160	100.0%	2.24%
Under 5 years	36,105	5.7%	31,540	4.9%	-12.64%
5 to 9 years	43,432	6.9%	37,547	5.8%	-13.55%
10 to 14 years	45,172	7.2%	40,223	6.3%	-10.96%
15 to 19 years	44,706	7.1%	42,407	6.6%	-5.14%
20 to 24 years	33,055	5.3%	37,679	5.9%	13.99%
25 to 34 years	63,105	10.0%	68,888	10.7%	9.16%
35 to 44 years	93,461	14.9%	74,394	11.6%	-20.40%
45 to 54 years	108,675	17.3%	93,238	14.5%	-14.20%
55 to 59 years	42,594	6.8%	53,609	8.3%	25.86%
60 to 64 years	34,235	5.5%	48,661	7.6%	42.14%
65 to 74 years	41,719	6.6%	67,398	10.5%	61.55%
75 to 84 years	29,301	4.7%	31,608	4.9%	7.87%
85 years and over	12,552	2.0%	14,968	2.3%	19.25%
U.S. Census Bureau American Community Survey 5-Year Estimates (table DP-05)					

The median age of Sea Girt residents decreased by 0.9 years between 2010 and 2021. While the State and County have experienced increases in median age and the Borough experienced a decrease between 2010 and 2021, the Borough still exhibits the highest median age of the three populations.

TABLE 4: MEDIAN AGE

Year	Sea Girt	Monmouth County	New Jersey
2010	53.7	40.6	38.5
2021	52.8	43.3	40.0
Change	-0.9	2.7	1.5
U.S. Census Bureau, 2000 Decennial Census (table DP-1)			
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table B01002)			

HOUSEHOLDS

A household is defined as one or more persons, related or not, living together in a housing unit. 2021 ACS 5-Year Estimates note that there were approximately 757 households in Sea Girt. Approximately 68.8 percent of the Borough's households were comprised of one or two persons, with the two-person category containing the greatest number of households. A smaller percentage (~59%) of Monmouth County households fell into these categories. The Borough exhibited a lower percentage of three and four-or-more person households than the County. The Borough's average household size reflects these trends, at 2.56 persons per household compared to the County's 2.59 persons per household figure.

**TABLE 5: HOUSEHOLD CHARACTERISTICS
SEA GIRT AND MONMOUTH COUNTY, 2021**

	Sea Girt		Monmouth County	
	Number	Percent	Number	Percent
Total Households	757	100.0%	245,569	100.0%
1-person	147	19.4%	64,492	26.3%
2-persons	374	49.4%	79,730	32.5%
3-persons	43	5.7%	39,864	16.2%
4 or more persons	193	25.5%	61,483	25.0%
Average Household Size	2.56		2.59	
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (tables S2501 & B25010)				

Family households are defined as two or more persons living in the same household, related by blood, marriage, or adoption. Households in Sea Girt are mainly family households, comprising 79.1 percent of all households. Approximately 68 percent of all family households were family households with married couple householders, while 6.7 percent and 4.4 percent of family households respectively were family households consisting of single parent male or female householders. The average family size was 2.93 persons. Of all Borough households, 20.9 percent were non-family households.

TABLE 6: HOUSEHOLDS BY TYPE (2021)

Households	Total	Percent
	757	100.0%
Average Household Size	2.56	
Average Non-Family Household Size	1.06	
Family households	599	79.1%
Married Couple Family	515	68.0%
With own children under 18 years	135	17.8%
No children under 18 years	464	61.3%
Other Family		
Male householder, no wife present	51	6.7%
With own children under 18 years	0	0.0%
No own children under 18 years	51	6.7%
Female householder, no husband present	33	4.4%
With own children under 18 years	0	0.0%
No own children under 18 years	33	4.4%
Nonfamily Households	158	20.9%
Average Family Size	2.93	
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table S1101)		

INCOME

Sea Girt experienced an estimated 66.7 percent increase in per capita income between 2000 and 2021, which was lower than Monmouth County's 85.7 percent increase, and lower than the State's 72.9 percent increase. The same trend is observed in terms of the per capita income, as the Sea Girt experienced the highest increase of the three geographic regions studied. While the Borough's percent increase in per capita income was less than that of Monmouth County and New Jersey, Sea Girt's per capita income of \$106,481 in 2021 is significantly higher than the County's \$57,836 per capita income figure, both of which are higher than the State's \$46,691 per capita income.

TABLE 7: PER CAPITA INCOME AND MEDIAN HOUSEHOLD INCOME

	2000 Per Capita Income	2021 Per Capita Income	Percent Change	2000 Median Household Income	2021 Median Household Income	Percent Change
Sea Girt	\$63,871	\$106,481	66.7%	\$86,104	\$174,612	102.8%
Monmouth County	\$31,149	\$57,836	85.7%	\$64,271	\$110,356	71.7%
New Jersey	\$27,006	\$46,691	72.9%	\$55,146	\$89,703	62.7%

U.S. Census Bureau, 2000 Decennial Census (tables DP-3 and P082)
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (tables S1902 and S1903)

The income distribution for the Borough deviates from that of the County. The income bracket containing the highest percentage of households is the \$200,000 or more range for both Sea Girt (44.9%) and Monmouth County (23.0%). In terms of median household income, households in Sea Girt earned more than households in Monmouth County and the State overall in 2021. The median income in Sea Girt was \$174,612, approximately \$64,000 more than county median household income and \$85,000 more than state median household income. Between 2000 and 2021, Sea Girt's median household income increased 102.8 percent, higher than the 71.7 percent increase experienced in Monmouth County and the 62.7 percent increase for the State overall.

**TABLE 8: HOUSEHOLD INCOME DISTRIBUTION
SEA GIRT AND MONMOUTH COUNTY, 2021**

	Sea Girt		Monmouth County	
	Number	Percent	Number	Percent
Total Households	757	100.0%	245,569	100.0%
Less than \$10,000	20	2.6%	8,481	3.5%
\$10,000 to \$14,999	2	0.3%	5,744	2.3%
\$15,000 to \$24,999	8	1.1%	12,752	5.2%
\$25,000 to \$34,999	0	0.0%	12,150	4.9%
\$35,000 to \$49,999	46	6.1%	17,286	7.0%
\$50,000 to \$74,999	44	5.8%	28,719	11.7%
\$75,000 to \$99,999	55	7.3%	26,483	10.8%
\$100,000 to \$149,999	146	19.3%	45,503	18.5%
\$150,000 to \$199,999	96	12.7%	31,915	13.0%
\$200,000 or more	340	44.9%	56,536	23.0%

U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table B19001)

HOUSEHOLD COSTS

The tables below show housing expenditures for owner- and renter-occupied units in Sea Girt in 2021. The first table shows the housing costs of owner occupants as a percentage of total income. A total of 105 households (29.9%) were devoting more than 30 percent of their annual income to housing costs. The State affordability threshold for housing as a percent of income suggests that not more than 28 percent of gross income should be allocated for housing costs.

The second table shows rental costs as a percentage of household income. Unlike the county, there are a limited amount of renter-occupied housing units in Sea Girt, with 35 households renting in the area. A total of 15 households (42.9%) were spending over 30 percent of their incomes on rent. The State affordability threshold for housing as a percent of income suggests that not more than 30 percent of gross income should be allocated for rent.

TABLE 9: MONTHLY OWNER COSTS AS A PERCENTAGE OF HOUSEHOLD INCOME, 2021

	Sea Girt		Monmouth County	
	Number	Percent	Number	Percent
Total Owner-Occupied Housing Units with a Mortgage	352	100.0%	122,948	100.0%
Less than 15%	72	20.5%	25,593	20.8%
15 to 19%	37	10.5%	24,351	19.8%
20 to 24%	103	29.3%	20,268	16.5%
25 to 29%	31	8.8%	14,517	11.8%
30 to 34%	15	4.3%	9,129	7.4%
35% or more	90	25.6%	28,670	23.3%
Not computed	4	1.1%	420	0.3%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table B25091)				

TABLE 10: GROSS RENT AS A PERCENTAGE OF HOUSEHOLD INCOME, 2021

	Sea Girt		Monmouth County	
	Number	Percentage	Number	Percentage
Total Renter-Occupied Housing Units	35	100%	61,003	100.0%
Less than 15%	0	0.0%	7,661	12.6%
15 to 19%	0	0.0%	6,363	10.4%
20 to 24%	3	8.6%	6,578	10.8%
25 to 29%	0	0.0%	6,640	10.9%
30 to 34%	15	42.9%	4,581	7.5%
35% or more	0	0.0%	25,569	41.9%
Not computed	17	48.6%	3,611	5.9%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table B25070)				

EXISTING HOUSING CONDITIONS

HOUSING UNIT DATA

According to the 2021 ACS, there are approximately 1,191 housing units in Sea Girt, with 757 occupied housing units. The majority (95.4%) are owner occupied and mainly consist of detached single-family homes. Approximately 36.4 percent of the Borough's housing stock is vacant. The majority of these homes are considered vacant because they serve as seasonal homes, rather than as the primary residence of the owners. Most of the housing structures (~62%) were built before 1970.

TABLE 11: HOUSING UNIT DATA, 2021

Housing Units in Sea Girt	Number	Percent
Total Housing Units	1,191	100.0%
Vacant Housing Units	434	36.4%
Occupied Housing Units	757	63.6%
Owner Occupied	722	95.4%
Renter Occupied	35	4.6%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP04)		

	Number	Percent
Built 1939 or earlier	159	13.4%
Built 1940 to 1949	200	16.8%
Built 1950 to 1959	226	19.0%
Built 1960 to 1969	148	12.4%
Built 1970 to 1979	72	6.0%
Built 1980 to 1989	60	5.0%
Built 1990 to 1999	66	5.5%
Built 2000 to 2009	157	13.2%
Built 2010 or later	103	8.6%
Total	1,191	100.0%
Median Year Structure Built	1961	
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP04 and B25035)		

HOUSING TYPE AND SIZE

The majority of residences in Sea Girt are single-family detached homes, which comprise 97.7 percent of the housing stock, followed by residences with 20 units or more, which comprise 2.3% of the housing stock. The median number of rooms per unit was 8.1.

TABLE 12: HOUSING UNITS BY TYPE, 2021

Units in Structure	Total	Percent
Total	1,191	100%
1 Unit, detached	1,164	97.7%
1 Unit, attached	0	0%
2 Units	0	0%
3 or 4 Units	0	0%
5 to 9 Units	0	0%
10 to 19 Units	0	0%
20 Units or more	27	2.3%
Mobile home	0	0%
Boat, RV, van, etc.	0	0%
Rooms	Total	Percent
1 room	0	0%
2 rooms	0	0%
3 rooms	15	1.3%
4 rooms	65	4.7%
5 rooms	27	3.3%
6 or more rooms	1,084	90.9%
Median number of rooms	8.1	
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (DP04)		

HOUSING VALUES AND CONTRACT RENTS

According to ACS 5-Year Estimates, the majority of units in Sea Girt (93.2%) were valued at over \$500,000. Table 13 provides a breakdown of home values for owner-occupied units within the Borough. Only 4 owner-occupied housing units in Sea Girt were worth less than \$50,000. The median value of an owner-occupied housing unit in Sea Girt was \$1,585,500 at the time of the survey, compared to the county's median value of \$454,000.

TABLE 13: VALUE OF OWNER-OCCUPIED HOUSING UNITS, 2021

	Sea Girt		Monmouth County	
	Number	Percentage	Number	Percentage
Total	722	100%	184,566	100%
Less than \$50,000	4	0.6%	2,944	1.6%
\$50,000 to \$99,999	0	0%	2,141	1.2%
\$100,000 to \$149,999	4	0.6%	3,140	1.7%
\$150,000 to \$199,999	20	2.8%	5,217	2.8%
\$200,000 to \$299,999	0	0%	24,319	13.2%
\$300,000 to \$499,999	21	2.9%	70,104	38.0%
\$500,000 and greater	673	93.2%	76,701	41.6%
Median Value	\$1,585,500		\$454,000	
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP04)				

The number of rental units is estimated at 35. However, 17 of these rental units are categorized as units for which no cash rent is paid, therefore with no median contract rent as of 2021.

TABLE 14: GROSS RENT PAID

	Sea Girt		Monmouth County	
	Number	Percentage	Number	Percentage
Total Renter Occupied Units	35	100%	61003	100%
Less than \$500	0	0%	4,156	6.8%
\$500 to \$999	0	0%	4,670	7.7%
\$1,000 to \$1,499	0	0%	19,720	32.3%
\$1,500 to \$1,999	0	0%	14,358	23.5%
\$2,000 or more	18	51.4%	15,508	25.4%
No cash rent	17	48.6%	2,591	4.2%
Median Contract Rent	-		\$1,523	
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP04)				

HOUSING CONDITIONS

According to the 2021 ACS, there were no units exhibiting overcrowding (more than one person per room), lacking complete plumbing facilities, or lacking complete kitchen facilities. Table 15 details the condition of housing within Sea Girt based on plumbing facilities, kitchen facilities, and overcrowding. These factors are utilized in determining housing deficiency and general housing problems and are used as the basis to calculate the municipal rehabilitation obligation. According to the data, 0.0 percent of occupied housing units experienced over-crowding, 0.0 percent of occupied units lacked complete plumbing facilities and 0.0 percent of units lacked complete kitchen facilities.

TABLE 15: HOUSING DEFICIENCY CHARACTERISTICS

	Count	Percent
Housing Units with 1.01 or More Persons Per Room		
1.01 to 1.5 occupants per room	0	0%
1.51 or more occupants per room	0	0%
Plumbing Facilities		
Total Occupied Housing Units	757	100.0%
Lacking complete plumbing facilities	0	0%
Kitchen Equipment		
Total Occupied Housing Units	757	100%
Lacking complete kitchen facilities	0	0%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (tables B25014, S2504)		

PROJECTED HOUSING STOCK

According to New Jersey Department of Community Affairs, the Borough of Sea Girt has issued building permits for 381 residential dwelling units between 2000 and 2021. During that same time period, the Borough issued 335 residential demolition permits, adding a total of 46 dwelling units over this time period. Building permit data by year is summarized in Table 16 below.

**TABLE 16: BUILDING PERMITS AND DEMOLITION PERMITS ISSUED,
2000 - JUNE 2021**

Year	Residential Building Permits Issued	Residential Demolitions	Total Added
2000	7	6	1
2001	16	15	1
2002	22	21	1
2003	27	21	6
2004	18	16	2
2005	28	23	5
2006	20	20	0
2007	16	15	1
2008	21	18	3
2009	9	6	3
2010	8	12	-4
2011	11	12	-1
2012	18	9	9
2013	19	16	3
2014	13	11	2
2015	16	19	-3
2016	18	24	-6
2017	24	15	9
2018	23	14	9
2019	15	13	2
2020	17	14	3
2021	15	15	0
Total	381	335	46
<i>Source: New Jersey Department of Community Affairs Division of Codes and Standards</i>			

EMPLOYMENT DATA

The 2021 ACS reports on the work activity of residents aged 16 years and older. The Borough's working age population was 1,685 persons (86.4 percent of the overall population), approximately 800 of whom were part of the labor force (47.5%). Approximately 52.5 percent of the Borough's working age residents were not participating in the labor force, which is 19.2 percent higher than that of the county. This could perhaps be a result of the high proportion of retirement-age residents. All of Sea Girt's labor force was employed in civilian jobs. Approximately 2.6 percent of Borough residents are estimated to be unemployed at this time, lower than the estimated unemployment rate of Monmouth County overall (3.7%).

TABLE 17: EMPLOYMENT STATUS

	Sea Girt		Monmouth County	
	Number	Percent	Number	Percent
Population 16 years and over	1,685	100.0%	524,449	100.0%
In labor force	800	47.5%	349,589	66.7%
Civilian Labor Force	800	47.5%	349,017	66.5%
Employed	756	44.9%	329,455	62.8%
Unemployed	44	2.6%	19,562	3.7%
Armed Forces	0	0.0%	572	0.1%
Not in labor force	885	52.5%	174,860	33.3%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP03)				

Over 65 percent of the Borough's workers were employed in private wage and salary positions, while about 8.3 percent of workers are self-employed. Government workers comprise about 25.4 percent of the Borough's workforce. Table 18 provides a breakdown of worker classifications.

TABLE 18: CLASSIFICATION OF WORKERS IN SEA GIRT, 2021

	Number	Percent
Total	756	100.0%
Private Wage and Salary Worker	501	66.3%
Government Worker	192	25.4%
Self-Employed Worker	63	8.3%
Unpaid Family Worker	0	0.0%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP03)		

EMPLOYMENT BY INDUSTRY

An analysis of employees (over the age of 16) by economic sector indicates that employed working age individuals in Sea Girt were involved in a range of economic sectors. As depicted in Table 19 below, the highest concentration of workers (22.5%) are employed in the public administration sector, followed by the finance, insurance, and real estate and rental and leasing sector (18.4%). The other sectors employing over 10 percent of Borough's residents were educational, health, and social services; and professional, scientific,

and management and administrative and waste management services.

TABLE 19: WORKFORCE BY SECTOR

Sector	Number	Percent
Civilian employed population 16 years and over	756	100.0%
Agriculture, forestry, fishing and hunting, mining	3	0.4%
Construction	51	6.7%
Manufacturing	45	6.0%
Wholesale Trade	17	2.2%
Retail Trade	67	8.9%
Transportation and Warehousing, and Utilities	5	0.7%
Information	17	2.2%
Finance and insurance, and real estate and rental and leasing	139	18.4%
Professional, scientific, and management, and administrative and waste management services	104	13.8%
Educational services, and health care and social assistance	92	12.2%
Arts, entertainment, and recreation, and accommodation and food services	39	5.2%
Other Services, except public administration	7	0.9%
Public administration	170	22.5%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP03)		

Table 20 provides a percentage comparison of the Borough's workforce against that of the County. The Borough's profile of employment by sector generally mirrors that of the County. A higher percentage of the Borough's workforce is employed in Agriculture, forestry, fishing, and hunting, mining; Manufacturing; Finance and insurance, and real estate and rental leasing; and Public administration. A significantly higher percentage of the County's workforce was employed in the educational services, and health care and social assistance sector.

**TABLE 20: COMPARISON OF WORKFORCE BY SECTOR
SEA GIRT BOROUGH AND MONMOUTH COUNTY, 2021**

Sector	Sea Girt	Monmouth County
Civilian employed population 16 years and over	756	329,455
Agriculture, forestry, fishing and hunting, mining	0.40%	0.3%
Construction	6.70%	7.0%
Manufacturing	6.00%	5.7%
Wholesale Trade	2.20%	2.8%
Retail Trade	8.90%	10.6%
Transportation and Warehousing, and Utilities	0.70%	4.7%
Information	2.20%	3.0%
Finance and insurance, and real estate and rental and leasing	18.40%	10.3%
Professional, scientific, and management, and administrative and waste management services	13.80%	14.8%
Educational services, and health care and social assistance	12.20%	24.5%
Arts, entertainment, and recreation, and accommodation and food services	5.20%	8.0%
Other Services, except public administration	0.90%	3.9%
Public administration	22.50%	4.6%
U.S. Census Bureau, American Community Survey 2021 Survey 5-Year Estimates (table DP03)		

Table 21 provides a breakdown of occupations by type for the Borough's employed civilian labor force. Almost half of the Borough's employed civilian labor force was employed in management, business, science and arts, followed by the two other leading types of occupation: sales and office occupations, and production transportation and material moving occupations.

TABLE 21: OCCUPATIONS BY TYPE

Occupation	Number	Percent
Employed Civilian population 16 years and over	756	100.0%
Management, business, science and arts occupations	359	47.50%
Service occupations	91	12.00%
Sales and office occupations	166	22.00%
Natural resources, construction and maintenance occupations	13	1.70%
Production Transportation and material moving occupations	127	16.80%
U.S. Census Bureau, American Community Survey 2021 5-Year Estimates (table DP03)		

As indicated in Table 22 below, it is projected that Monmouth County will add 28,889 jobs by 2030. The Arts, Entertainment, and Recreation; Accommodation and Food Services; and Other Services (except Government) sectors are poised to experience the greatest increase in number of jobs over the course of the projection period.

TABLE 22: PROJECTED EMPLOYMENT, MONMOUTH COUNTY, 2030

Industry Title	2020 Actual Employment	2030 Projected Employment	Numeric Change	Annual Growth Rate	Percent Change	Outlook
Utilities	1,650	1,505	-145	-0.90%	-8.80%	Declining
Construction	15,036	15,619	583	0.4%	3.9%	Growing
Manufacturing	8,976	8,854	-122	-0.10%	-1.40%	Declining
Wholesale Trade	8,104	7,991	-113	-0.10%	-1.40%	Declining
Retail Trade	34,268	35,844	1,576	0.5%	4.6%	Growing
Transportation and Warehousing	5,323	6,103	780	1.4%	14.7%	Growing
Information	6,461	5,985	-476	-0.80%	-7.40%	Declining
Finance and Insurance	10,412	10,405	-7	0.0%	-0.10%	Declining
Real Estate and Rental and Leasing	3,605	3,879	274	0.7%	7.6%	Growing
Professional, Scientific, and Technical Services	19,249	18,721	-528	-0.30%	-2.70%	Declining
Management of Companies and Enterprises	3,847	4,048	201	0.5%	5.2%	Growing
	13,162	15,059	1,897	1.4%	14.4%	Growing
Educational Services	24,962	26,628	1,666	0.6%	6.7%	Growing
Health Care and Social Assistance	47,540	56,102	8,562	1.7%	18.0%	Growing
Arts, Entertainment, and Recreation	5,748	10,474	4,726	6.2%	82.2%	Growing
Accommodation and Food Services	21,797	28,896	7,099	2.9%	32.6%	Growing
Other Services (except Government)	11,932	14,396	2,464	1.9%	20.7%	Growing
Government	14,042	14,126	84	0.1%	0.6%	Growing
Total All Industries	271,792	300,681	28,889	1.0%	10.6%	Growing

Source: 2020-2030 Industry Employment Projections, NJ Department of Labor and Workforce Development

Lands Most Appropriate for Affordable Housing

An analysis was conducted to determine which areas of the Borough could accommodate developments that address affordable housing need. This analysis reviews the Borough's existing zoning and planned zoning changes and outlines the Borough's capacity to accommodate residential and non-residential growth projections. The following are included:

- An analysis of the available existing and planned infrastructure;
- The projected demand for types of uses permitted by zoning based on present and anticipated future demographic characteristics of the Borough and anticipated land use patterns; and
- Factors, such as environmental conditions, that present constraints on development.

Infrastructure

Water and Sewer

The Borough of Sea Girt is located within public water and sewer service areas. Sewer service is provided by the South Monmouth Regional Sewerage Authority, which directs wastewater to a secondary treatment plant located in Wall Township. Public water is provided by the Sea Girt Water Department which owns and operates the potable water system within the Borough. Water for public consumption is drawn from three wells tapping into the lower Kirkwood/Cohansey Aquifer and Englishtown Aquifers.

Anticipated Demand and Land Use Patterns

The Borough of Sea Girt contains mainly residential neighborhoods, as well as commercial development, a beach area, and the New Jersey National Guard Training Camp in the southern portion of the Borough. According to NJTPA population estimates projected to 2050, it is anticipated that the Borough will grow to approximately 1,972 people (a 1.39 percent increase since 2021). As a fully built-out municipality, it is anticipated that Sea Girt will need to accommodate future population and employment growth as opportunities for redevelopment arise.

Residential

Currently, the Borough is predominantly zoned for Single Family housing in zones 1E and 1W in the Northern part of the Borough. There are currently no Zoning Districts designated for higher-density residential districts. Sea Girt, however, has opportunities to allow and encourage mixed-use development in its downtown area, permitting upper floor apartments and multi-family uses in areas potentially designated as mixed-use districts.

Non-Residential

Sea Girt has a well-defined, low-density commercial area that runs the length of one block along Washington Blvd, between 6th and 5th Avenue. Buildings located in the Commercial district are typically two-stories in height, between two and three tenant spaces per lot or building. This area, with many positive aspects of downtown commercial corridors, has a variety of restaurants, salons, offices, and a couple of retail establishments. Given the built-out nature of the Borough, new commercial development will most likely take the place of existing tenants or will require some degree of redevelopment to occur on already developed sites.

Environmental Constraints

Sea Girt enjoys many natural environmental amenities, including the ocean, wooded areas, lake, dunes, and wetlands. In order for these environmentally sensitive features to retain their existing quality and perform

vital ecosystem functions, the Borough must be conscious of its role as steward of its natural environment. Sea Girt is home to a stretch of coastline, bordered by Wreck Pond to the north and by Stockton Lake to the south. It is also home to the Sea Girt Army Camp, a training center for the New Jersey National Guard since 1887. Along the stretch coastal zone there are limited pervious surfaces. Impervious surface contributes to negative environmental outcomes, particularly in coastal communities, by creating high velocity runoff and limiting groundwater recharge during storm events. Given these realities, the Sea Girt must conserve natural features such as dunes and wetlands that can absorb excess stormwater and help filter polluted runoff.

Historic

Four properties in Sea Girt are listed on the State Register of Historic places: Hunter Cottage, the New York and Long Branch Railroad Historic District, Quarters One, and the Shearman/Mount/Stockton Farmstead Site. While select properties are targeted for preservation, historic status is not generally a major source of development constraint in Sea Girt. Currently, pursuing the development of a historic preservation plan is included as one of the planning recommendations for the Sea Girt Master Plan.

Existing Land Use Designations

The Borough's land use designations have been continually examined and updated through the Master Plan Reexamination process. The last Reexamination Report was adopted June 20, 2018. The following districts comprise the Borough's **residential** zones:

Single-Family Residential Zones: 1W and 1E

The Borough has established two single-family residential zones, which have the same principal, accessory, and conditional uses. The principal permitted uses are single family dwellings, municipal buildings and facilities, municipal parks and playgrounds, and public libraries. Permitted accessory uses are generally those customary and incidental to residential property, including fences and walls, garages, and private residential pools. Conditionally permitted uses include houses of worship, schools, and home offices. The differentiation between the two single-family residential zones is with respect to their locations within the Borough.

The 1E zone is the district that occupies the largest land area of any zone in the Borough, located east of the railroad tracks. It also occupies large areas of the Borough south of Wreck Pond.

The 1W zone is the smaller residential district, located west of the railroad tracks and bordering Spring Lake Heights Borough, Wall Township, and Manasquan Borough.

In addition to its residential zones, Sea Girt has established the following **non-residential zones** where the main purpose is to accommodate non-residential uses, but **where dwelling units are permitted by right** as

a principal use:

Convenience Commercial Zones: 2E and 2W

The Convenience Commercial zone is intended to preserve the existing primary area of commercial concentration and permit such uses that meet the daily and other convenience needs of the Borough. The principal permitted uses are restaurant, tea rooms, luncheonettes and grills; stores and shops for the retail sale of groceries, meats, fruits, vegetables, alcoholic beverages, stationery, newspapers, appliances, wearing apparel, antiques, gifts and other similar retail uses; service uses such as beauty salons, barber shops, tailors, banks, professional offices, post office and other similar service uses; apartments above businesses not to exceed two (2) per lot; and service stations.

The differentiation between the two commercial zones is with respect to their locations within the Borough.

The 2E zone is located east of the railroad tracks, mainly surrounded by the 1E single-family residential zone. The southern portion of the zone is located along Sea Girt Ave, abutting district 4: Recreational Open Space.

The 2W zone is located west of the railroad tracks, mainly surrounded by the 1W single-family residential zone. The southern portion of the zone is located along Sea Girt Ave, abutting the Manasquan Borough municipal boundary.

Certain zones in the Borough **do not permit residential uses** at all, as summarized below:

District 3: Beach

The Beach zone is intended to preserve the existing natural beach area and dunes which are present in Sea Girt. The zone extends along the entire coastal portion of the Borough to the north and south boundaries. The principal permitted uses are the boardwalk, no more than one (1) Municipal pavilion, open beach area, and Ocean Avenue with its designated curbside parking spaces. There are no conditionally permitted uses or permitted accessory uses.

District 4: Recreational Open Space

The Recreational Open Space zone is intended to provide for and preserve passive and active recreational uses, adequate light, air, and open space to preserve the environment, open space, environmentally sensitive areas, and valuable natural resources. The zone is located east of the railroad tracks in the southern portion of the Borough, north of Stockton Lake, bordered by the 1E and 2E zones along Sea Girt Ave, and west of the Beach zone. The principal permitted uses are the

beach zone, active recreational uses, passive recreational uses, environmentally sensitive areas and buffers, and government use. Permitted accessory uses include municipal facilities, museums, wireless telecommunications facilities, and parking.

FAIR SHARE PLAN

Fair Share Obligation Summary

The cumulative 1999-2025 affordable housing obligation for the Borough is based upon the figures calculated in Econsult Solutions report, pursuant to Judge Mary C. Jacobsen's March 8, 2018 opinion. The Borough's cumulative 1999-2025 affordable housing obligation is outlined in Table 23 below.

TABLE 23: FAIR SHARE OBLIGATION SUMMARY

Obligation Component	Number of Credits Required
Present Need	0
Prior Round Obligation (1987-1999)	115
Third Round "Gap" and Prospective Need (1999-2025)	104

The following sections outline how the Borough will comply with its Fair Share Obligation.

Lack of Developable Vacant Land

From the outset of the Mount Laurel affordable housing program, Sea Girt has continually had to contend with the reality that it is a built-out municipality with virtually no available developable vacant land upon which to construct new affordable housing units.

Given the Borough's lack of sufficient vacant and developable land, the Borough's ability to satisfy its Court-determined affordable housing obligation is limited. To demonstrate its continued lack of vacant developable land, the Borough has prepared an updated Vacant Land Adjustment analysis in accordance with N.J.A.C. 5:93:4.2, submitted as part of this plan as Appendix A. The Borough continues to exhibit a lack of vacant developable land, with redevelopment over time presenting itself as the principal vehicle for accomplishing projects with affordable housing. The prepared VLA illustrated a lack of vacant land and a Realistic Development Potential (RDP) of five (5) affordable units. This leaves the Borough with a remaining combined Prior Round and Round 3 "unmet need" of 219 as is reflected in Table 24.

TABLE 24: RDP AND UNMET NEED OBLIGATIONS SUMMARY

Affordable Housing Mechanism	Number of Units
Total Realistic Development Potential	1
Unmet Need, 1987-2025	219

Satisfaction of the Borough's Realistic Development Potential

The Borough's RDP is five (5). The Borough proposes to address this RDP through a settlement agreement with Sitar, the use of an affordable housing zone, as well as through a mandatory set-aside ordinance (MSO) and mixed-use overlay (MUO).

Affordable Housing Zoning District (AH-1)

The Borough has established the Affordable Housing Zoning District (AH-1) on Block 76, Lots 1 and 2, and on Block 77, Lots 16 and 17 near the intersection of 5th Avenue and Washington Blvd. The AH-1 Zone will provide an opportunity to develop additional affordable housing, and will generate three (3) affordable family units yielding five (5) affordable housing credits to be applied toward satisfying unmet need. The AH-1 zone was established per a Settlement Agreement due to litigation with Sitar and will require a fifteen percent (15%) affordable housing set-aside, with a minimum of 50% of all affordable units made affordable to very-low and low-income households, and a minimum of 13% of all affordable units made affordable to very-low income households. The recently adopted ordinance is included herein as Appendix D.

Satisfaction of the Borough's Unmet Need

The Borough's unmet need is 219 units based on the remaining Prior Round Obligation and Gap and Prospective Need or Round 3 Obligation (1999-2025). The Borough proposes to implement the following mechanisms to address its unmet need:

Mandatory Set-Aside Ordinance ("MSO")

The Borough will establish a Borough-wide Mandatory Set-Aside Ordinance ("MSO"). The MSO will require a 20 percent (20%) affordable housing set-aside for residential developments and 15 percent (15%) for rental developments, comprised of five or more dwelling units. The MSO requires that to the extent possible, in all inclusionary developments, low and moderate income units shall be integrated with market units. The Ordinance will also ensure that the MSO does not give any developer the right to any such rezoning, variance, redevelopment designation or other relief, or establish any obligation on the part of Manasquan or its boards to grant such rezoning, variance, redevelopment designation or other relief. The proposed ordinance is included herein as Appendix C.

Mixed Use Overlay ("MUO")

The Borough will establish an affordable housing-mixed use overlay zone in the 2E: 2 East and 2W: 2 West Convenience Commercial zones to provide an opportunity to develop additional affordable housing. Any affordable units generated in the overlay zone will be applied toward satisfying unmet need. The proposed ordinances are included herein as Appendix E and Appendix F. The Mixed Use Overlay Map is included herein as Appendix G.

APPENDICES

Appendix A. Vacant Land Adjustment

Vacant Land Inventory and Analysis Report

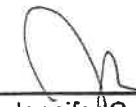
**Prepared for:
Borough of Sea Girt
Monmouth County, New Jersey**

October 2023

Prepared By:

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I. INTRODUCTION

As noted in N.J.A.C. 5:93, "there may be instances where a municipality can exhaust an entire resource (land, water or sewer) and still not be able to provide a realistic opportunity for addressing the need for low and moderate income housing." In recognition of the need to provide for the opportunity to adjust municipal affordable housing obligations, N.J.A.C. 5:93 outlines standards and procedures for municipalities to demonstrate that a municipal response to its housing obligation is limited by lack of land, water or sewer. This report outlines the vacant land analysis methodology and summarizes the results of the vacant land analysis prepared on behalf of the Borough of Sea Girt by Leon S. Avakian Inc (Avakian).

Previous Housing Rounds and Vacant Land Analyses

The Borough of Sea Girt is a fully developed shore community located in southern Monmouth County. Sea Girt has not participated in any prior housing rounds.

Current Housing Round and Vacant Land Assessment

Given the Borough's relative lack of vacant and developable land, the Borough's ability to satisfy its Court-determined affordable housing obligation is limited. To demonstrate its continued lack of vacant developable land, the Borough has prepared an updated Vacant Land Adjustment analysis in accordance with N.J.A.C. 5:93:4.2, which includes the following components:

- An inventory of all vacant parcels in accordance with N.J.A.C. 5:93-4.2(b), included as Attachment A.
- A Vacant Land Map depicting vacant properties within the Borough, included as Attachment B.
- An existing land use map for the Borough in accordance with N.J.A.C. 5:93-4.2(a), included as Attachment C.

The realistic development potential (RDP) of the Borough's vacant land was analyzed in accordance with the provisions of Subchapter 4 of N.J.A.C. 5:93 based on the most recently available data. After following the procedures as outlined, the analysis shows that the Borough has two (2) suitable sites available for development, and consequently, has an RDP new construction obligation of five (5) affordable units.

II. PERMITTED EXCLUSIONS

N.J.A.C. 5:93 establishes criteria by which sites, or portions thereof, in a municipal land inventory may be excluded from a municipality's RDP. Environmentally sensitive areas, including flood hazard areas, areas within Environmentally Sensitive Planning Areas according to the State Plan Policy Map, areas outside of the Sanitary Sewer Service Area (SSA), wetlands, and areas characterized by steep slopes of greater than 15 percent that render a site unsuitable for affordable housing may be excluded from consideration. In addition, small, isolated lots lacking sufficient acreage to generate an affordable housing set-aside as part of an inclusionary

development may also be excluded. Vacant lots under development or properties for which site plan approval has been granted may also be excluded. Finally, landlocked parcels or sites with limited or no access may also be excluded from the calculation of the Borough's RDP.

The vacant land inventory table in Attachment A provides a parcel-by-parcel description of exclusions that have been made pursuant to N.J.A.C. 5:93.

It should be noted that the Borough is permitted to reserve up to three percent of its total developed and developable acreage, less existing active municipal recreation areas, for active municipal recreation and exclude this acreage from consideration as potential sites for low and moderate income housing pursuant to N.J.A.C. 5:93-4.2(e)4. Any such site designated for active recreation in accordance with this section must be purchased and limited to active recreational purposes within one year of substantive certification. Although this calculation has not been completed as part of this analysis, the Borough reserves the right to revise this analysis to complete this calculation.

III. Summary and Conclusion

Based on the procedures for municipal adjustments provided in N.J.A.C. 5:93, the Borough of Sea Girt's RDP has been determined to be five (5) affordable units. This finding is consistent with the Borough's current development conditions.

ATTACHMENT A: VACANT LAND INVENTORY **TABLE**

Borough of Sea Girt
Vacant Land Adjustment
September 2022

Block	Lot	Class	Location	Owner Name	Area (acres)	Constrained Acreage	Unconstrained Acreage	Developable Acreage	Reason for Exclusion	Total Units	Affordable Units
3	1	15C	BEACHFRONT(MORVEN TERR)	BOROUGH OF SEA GIRT	1.14	1.12	0.02	0.00	Environmentally constrained with net developable area under 0.18 acres	0.00	0.00
6	2	1	1 SEASIDE PLACE	1 SEASIDE PLACE, LLC	0.29	0.00	0.29	0.00	Vacant	2.88	0.00
8	11	1	1 802 FIRST AVENUE	KLEIN, JON & PATRICIA	0.17	0.03	0.14	0.00	Undersized (less than 0.18 acres)	0.00	0.00
9	22	15C	CRESCENT PARK	BOROUGH OF SEA GIRT	18.08	0.00	18.08	0.00	Crescent Park	0.00	0.00
13	9	1	1 8 CHICAGO BOULEVARD	KOZINSKI, RONALD A & CHRISTINA	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
14	12	1	1 7 BEACON BOULEVARD	KENMAR DEVELOPMENT, LLC	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
15	1	15C	9 OCEAN AVENUE	BOROUGH OF SEA GIRT	0.23	0.00	0.23	0.00	Sea Girt Lighthouse	0.00	0.00
17	1	15C	WRECK POND	BOROUGH OF SEA GIRT	2.71	2.60	0.12	0.00	Environmentally constrained with net developable area under 0.18 acres	0.00	0.00
17	2	15C	WRECK POND	BOROUGH OF SEA GIRT	0.57	0.15	0.42	0.00	Vacant	4.19	0.00
22	4	1	1 100 BALTIMORE BOULEVARD	LACHANCE, MARGARET P	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
31	13	1	1 214 STOCKTON BOULEVARD	HENNESSY REALTY, LLC	0.17	0.00	0.00	0.00	Environmentally constrained with net developable area under 0.18 acres	0.00	0.00
31	14	1	1 210 STOCKTON BOULEVARD	CAPPARIS, PHILIP & SHEILA	0.30	0.29	0.01	0.00	Undersized (less than 0.18 acres)	0.00	0.00
33	10	1	1 218 WASHINGTON BOULEVARD	COOLEY, JUSTUS H. IV & MICHAEL COOLEY	0.16	0.00	0.16	0.00	Vacant	2.58	0.00
34	13	1	1 208 CRESCENT PARKWAY	BARONE, ROSE, ETALS	0.26	0.00	0.26	0.00	Undersized (less than 0.18 acres)	0.00	0.00
37	2	1	1 203 PHILADELPHIA BOULEVARD	MURPHY, DAVID L & BARBARA A	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
40	3	1	1 207 BROOKLYN BOULEVARD	SHORE HOME BUILDERS, INC	0.17	0.00	0.17	0.00	Environmentally constrained with net developable area under 0.18 acres	0.00	0.00
43	1	15C	THE TERRACE	BOROUGH OF SEA GIRT	13.72	13.72	0.00	0.00	Wreck Pond. This majority of this property is environmentally constrained, and the portion that is not, is a long, thin, silver along the southern property line	0.00	0.00
43	2	15C	WRECK POND	BOROUGH OF SEA GIRT	3.20	2.64	0.56	0.00	Undersized (less than 0.18 acres)	0.00	0.00
45	2	1	1 303 CHICAGO BOULEVARD	KELLY, SHAWN L & MARGARET M	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
48	8	15C	319-321 BALTIMORE BOULEVARD	BOROUGH OF SEA GIRT	0.52	0.00	0.52	0.00	Borough Hall	0.00	0.00
49	19	1	1 302 BALTIMORE BOULEVARD	CAL HOMES, LLC	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
58	10-01	1	1 406 CRESCENT PARKWAY	C G C REALTY, LLC	0.25	0.00	0.25	0.25	Vacant	2.49	0.00
61	1	1	1 401 PHILADELPHIA BOULEVARD	SMITH, MARTIN A & THERESA M	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
61	10	15C	400 BALTIMORE BOULEVARD	BOROUGH OF SEA GIRT	1.55	0.00	1.55	0.00	Playground, Soccer and Baseball fields	0.00	0.00
67	1	1	1 THE TERRACE	WRECK POND SANCTUARY, LLC	1.85	1.83	0.02	0.00	Environmentally constrained with net developable area under 0.18 acres	0.00	0.00
67	4	15C	WRECK POND	BOROUGH OF SEA GIRT	0.45	0.27	0.19	0.00	Wreck Pond. Partially environmentally constrained.	0.00	0.00
68	1	1	1 506 BEACON BOULEVARD	MASTHORILL, MATTHEW & MELISSA	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
68	9	1	1 501 CHICAGO BOULEVARD	313 BEACON BLVD, LLC	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
70	5	1	1 511 NEW YORK BOULEVARD	HUBER, JOHN III & LORI	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
75	1	15C	THE PLAZA	BOROUGH OF SEA GIRT	0.85	0.00	0.85	0.00	Sea Girt Plaza Park	0.00	0.00
77	5	1	1 526-528 WASHINGTON BLVD.	JTAS REALTY LIMITED LIABILITY CO	0.29	0.00	0.29	0.29	Vacant	2.94	0.00
78	1	15C	RAILROAD PLAZA	BOROUGH OF SEA GIRT	1.62	0.00	1.62	0.00	Parking lot, park, Sea Girt Library	0.00	0.00
80	4	15C	602 BALTIMORE BOULEVARD	BOROUGH OF SEA GIRT	0.33	0.00	0.33	0.33	Vacant	3.27	0.00
81	1	15C	SIXTH AVENUE	BOROUGH OF SEA GIRT	0.63	0.00	0.63	0.63	Vacant	6.25	1.25
82	1	15C	SIXTH AVENUE	BOROUGH OF SEA GIRT	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
84	1	15C	BEACON BOULEVARD	BOROUGH OF SEA GIRT	0.45	0.00	0.45	0.45	Edgemere Park	4.49	0.00
84	20	15C	ALONG WRECK POND	BOROUGH OF SEA GIRT	2.70	0.79	1.91	0.00	Wreck Pond. Partially environmentally constrained. The majority of this property consists of wreck pond.	0.00	0.00
84	21	15C	WRECK POND	BOROUGH OF SEA GIRT	11.82	11.11	0.70	0.00	Vacant	2.20	0.00
85	1	1	1 609 CHICAGO BOULEVARD	LAIEWSKI, JOHN E & DERRA E	0.22	0.00	0.22	0.00	Undersized (less than 0.18 acres)	0.00	0.00
85	4	1	1 603 CHICAGO BOULEVARD	MONTEVERDI, CLAUDIAMARIE POLI	0.17	0.00	0.17	0.00	Vacant	2.55	0.00
86	9	1	1 612 CHICAGO BOULEVARD	MILGALLEN, KEVIN & CHESTER JENNIFE	0.25	0.00	0.25	0.25	Vacant	3.66	0.00
88	1	15C	BALTIMORE BOULEVARD	BOROUGH OF SEA GIRT	0.37	0.00	0.37	0.00	Vacant	0.00	0.00
88	3	1	1 408 BELL PLACE	CALDWELL, CARLYLE G.	0.17	0.00	0.17	0.00	Undersized (less than 0.18 acres)	0.00	0.00
89	1	15C	BELL PLACE	BOROUGH OF SEA GIRT	1.26	0.00	1.26	0.00	DPW Buildings	0.00	0.00
76	1	4A	501 WASHINGTON BOULEVARD	501 WASHINGTON BLVD, LLC % SITAR CO	0.44	0.00	0.44	0.44	SITAR Site	4.40	0.00
76	2	4A	503 WASHINGTON BOULEVARD	503 WASHINGTON BLVD., LLC	0.42	0.00	0.42	0.42	SITAR Site	4.20	0.00

Borough of Sea Girt
Vacant Land Adjustment
September 2022

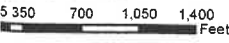
Block	Lot	Class	Location	Owner Name	Area (acres)	Constrained Acreage	Unconstrained Acreage	Developable Acreage	Reason for Exclusion	Total Units	Affordable Units
77	16	4A	500 WASHINGTON BOULEVARD	SITCO SEA GIRT, LLC	0.45			0.45	SITAR Site	4.50	2.98
77	17		2 905 FIFTH AVENUE	SEA GIRT FIFTH AVENUE, LLC % SITAR	0.18			0.18	SITAR Site	1.80	
90	1	15C	612 PHILA & 613 BOSTON	BOROUGH OF SEA GIRT	0.89	0.46	0.43	0.00	DPW Buildings	0.00	
91	1	15C	RAILROAD PLAZA	BOROUGH OF SEA GIRT	1.59	0.00	1.59	0.00	Sea Girt Library	0.00	0.79
98	3	15C	700 BEACON BOULEVARD	BOROUGH OF SEA GIRT	0.21	0.00	0.21	0.21		2.14	
106	1	15C	500 SEA GIRT AVENUE	STATE OF NJ C/O DEPT OF DEFENSE	168.73	99.95	68.78	0.00	State or County Land	0.00	5.00
						Total Developable Acreage		5.45		RDP	

ATTACHMENT B: VACANT LAND MAPPING



N S. AVAKIAN, Inc.
Consulting Engineers

This was developed using New Jersey Department of
Environmental Protection Geographic Information System digital
data. This secondary product has not been verified by NJDEP.
It is not authorized or endorsed.

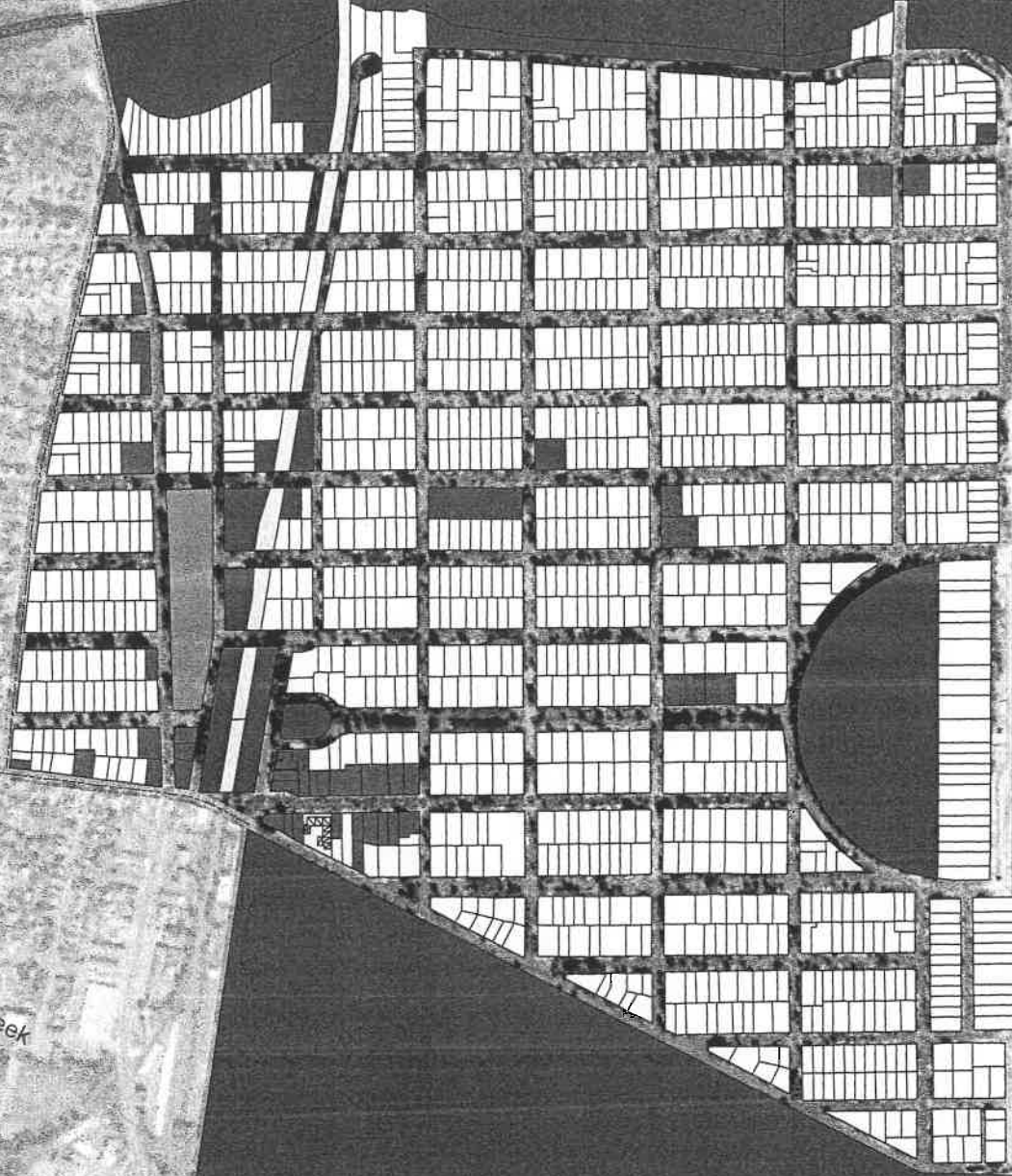


Attachment B: Vacant Land Mapping
Borough of Sea Girt
Monmouth County, New Jersey

Source: LSA, NJGIN, and
Monmouth County GIS.
Date: September 2022



ATTACHMENT C: EXISTING LAND USE MAP



Judas Creek

Legend

Residential	Church & Charitable Property
Commercial	Other Exempt
Public School Property	Vacant
Public Property	Railroad

Source: Esri, Maxar, Earthstar Geographics, and the GIS U

LEON S. AVAKIAN, Inc.
Consulting Engineers

This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state authorized or endorsed.

0 175 350 700 1,050 1,400 Feet

Attachment C: Existing Land Use Map Borough of Sea Girt Monmouth County, New Jersey

Source: LSA, NJGIN, and Monmouth County GIS.
Date: September 2022



Appendix B. Executed Settlement Agreement

Appendix C. Mandatory Set-Aside Ordinance (MSO)

BOROUGH OF SEA GIRT
ORDINANCE AMENDING CHAPTER 17 "ZONING", SECTION 17.5 GENERAL REGULATIONS,
CREATING A NEW SECTION 17.526 ESTABLISHING MANDATORY AFFORDABLE HOUSING
SET-ASIDE FOR FIVE OR MORE NEW RESIDENTIAL UNITS

ORDINANCE NO. 2023-

WHEREAS, the Borough was the subject of a Mount Laurel exclusionary zoning suit filed in the Superior Court of New Jersey entitled 501 Washington Blvd. LLC, 503 Washington Blvd., LLC, Sea Girt Fifth Avenue LLC, Sitco Sea Girt, LLC v. Borough of Sea Girt, Borough Council of Sea Girt, and Sea Girt Planning Board, (the plaintiffs shall be collectively referred to as the "Developer"), Docket No. MON-L-000102-20, seeking to compel the Borough to provide a realistic opportunity for the construction of housing affordable to low and moderate-income households and their fair share of the housing region's need for such housing, ("Builder's Remedy Action"); and

WHEREAS, the Borough instituted a declaratory judgment action entitled In the Matter of the Application of the Borough of Sea Girt, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. L-2312-2020 (the "D/J Action") wherein the Borough sought a declaration as to its affordable housing obligation and the opportunity to develop a plan to meet its constitutional obligation to provide for its fair share of affordable housing; and

WHEREAS, the Borough and the Borough Planning Board entered into a Settlement Agreement with the Developer in the Builder's Remedy Action and the Court approved the Settlement Agreement after conducting a Fairness Hearing on June 3, 2021 finding it fair, reasonable and adequately protecting the interests of very low, low and moderate-income households in the region; and

WHEREAS, the Borough entered into a Settlement with Fair Share Housing Center to resolve the D/J Action and a condition of the Settlement Agreement requires the Borough to implement and adopt a mandatory affordable housing set aside ordinance obligating an owner or developer of residential property with an approval for five or more residential units to provide a twenty percent set aside.

WHEREAS, the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey finds it is in the best interest of the Borough to comply with the Settlement Agreement by creating a Mandatory Affordable Housing Set Aside ordinance.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, that it hereby amends Chapter 17, Section 5.26 entitled "Mandatory Affordable Housing Set-Aside Ordinance as follows:

Section 5.26:

- a. **Background.** This Ordinance is required by the implementation of the Settlement Agreement with Fair Share Housing Center in the matter captioned In the Matter of the Application of the Borough of Sea Girt, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. L-2312-2020.

b. **Affordable Housing Set-Aside.** A mandatory 20% on-site affordable housing set-aside requirement shall apply beginning with the effective date of this ordinance to any residential development, including the residential portion of a mixed-use project, which consists of five (5) or more new residential units at six (6) units per acre or higher, or equivalent, which results, in whole or in part, from: (i) a municipal rezoning or zoning amendment adopted after the effective date of this Ordinance; (ii) any variance pursuant to N.J.S.A. 40:55D-70(d), including but not limited to any use variance or a density variance increasing the permissible density; and (iii) the adoption of a new or amended redevelopment plan or rehabilitation plan.

c. **Other Terms Applicable.** The following terms shall apply to any residential development subject to the mandatory affordable housing set-aside:

1. All subdivision and site plan approvals of qualifying developments shall be conditioned upon compliance with the provisions of the mandatory affordable housing set-aside.
2. No subdivision shall be permitted or approved for the purpose of avoiding compliance with the mandatory affordable housing set-aside. A developer may not, for example, subdivide a project into two lots and then plan each of them to produce a number of units below the threshold. The approving authority may impose any reasonable conditions to ensure such compliance.
3. In the event the number of affordable housing units to be provided includes a fraction, the number shall be rounded up if the fractional amount is 0.5 or greater and rounded down if the fractional amount is less than 0.5. For inclusionary projects, the developer shall provide a payment in lieu of constructing affordable units for the fraction of a unit less than 0.5. The payment in lieu shall be based on the amounts established in N.J.A.C. 5:97-6.4(c).
4. All affordable units created shall fully comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. ("UHAC"), including but not limited to the required bedroom and income distribution, with the sole exception that at least thirteen percent (13%) of the affordable units shall be required to be restricted for very-low-income households earning thirty percent (30%) or less of the median income pursuant to the Fair Housing Act, N.J.S.A. 52:27D-301, et seq. ("FHA").

5. At least fifty percent (50%) of the affordable units within each bedroom distribution shall be affordable to low-income households, inclusive of the at least thirteen percent (13%) of units affordable to very-low-income households.
6. The very-low-income affordable units shall be proportionately distributed within each bedroom distribution. In a family non-age-restricted development, at no time shall the number of efficiency/one-bedroom very-low-income units exceed the number of three-bedroom very-low-income units.
7. Affordable units shall be integrated with the market-rate units on-site, and the affordable units shall not be concentrated in separate building(s) or in separate area(s) or floor(s) from the market-rate units. In buildings with multiple dwelling units, this shall mean that the affordable units shall be generally distributed within each building with market-rate units. The affordable units shall also be of the same type as the market-rate units (e.g., if the market-rate units are non-age-restricted family units, the affordable units shall be non-age-restricted family units as well). The residents of the affordable units shall have full and equal access to all of the amenities, common areas, and recreation areas and facilities as the residents of the market-rate units.
8. Affordable units shall be subject to affordability controls of at least thirty (30) years from the date of initial occupancy and affordable deed restrictions as otherwise provided for by UHAC, with the sole exception that very low income shall be defined as at or below thirty percent (30%) of median income pursuant to the Fair Housing Act, and the affordability controls shall remain unless and until the municipality, in its sole discretion, takes action to extend or release the unit from such controls after at least thirty (30) years. In the event the municipality chooses to release the controls on rental affordable units after at least thirty (30) years, the controls shall remain in effect until the voluntary departure of the occupant household in accordance with N.J.A.C. 5:80-26.11(b).
9. Construction of the affordable and market units shall be phased in compliance with N.J.A.C. 5:93-5.6(d).
10. Affordable units shall be affirmatively marketed in accordance with UHAC and applicable law. The affirmative marketing shall include posting of all affordable units on the New Jersey Housing Resource Center website in accordance with applicable law.
11. The mandatory affordable housing set-aside shall not give any developer the right to any rezoning, variance, redevelopment designation or redevelopment or rehabilitation plan approval, or any other such relief, or establish any obligation on the part of the municipality to grant such rezoning, variance, redevelopment designation, redevelopment or rehabilitation plan approval, or other such or further relief.

12. No developer may make a payment in lieu of constructing affordable units on site, except for fractional units as noted in Paragraph 3, above.

13. Nothing in this Ordinance precludes the Borough of Sea Girt from imposing an affordable housing set-aside in accordance with applicable law in a development not required to have a set-aside pursuant to this Ordinance in accordance with N.J.S.A. 52:27D-311(h) and applicable law.

d. **Severability.** If any article, section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the remaining portions of this Ordinance and they shall remain in full force and effect and shall be deemed valid and effective.

e. **Inconsistencies.** In the event of any inconsistencies between the provisions of this Ordinance and any prior ordinance of the municipality, the provisions hereof shall be determined to govern and those inconsistent provisions shall be repealed to the extent of such inconsistency.

f. **Referral to Planning Board.** A copy of this Ordinance shall be referred to the Planning Board following its introduction for review pursuant to N.J.S.A. 40A:55D-26A.

g. **Effective Date and Scope.** This Ordinance shall immediately take effect upon its passage and publication, and as otherwise provided for by law. The provisions of this Ordinance shall be applicable within the entire municipality upon final adoption and shall become a part of the Code once completed and adopted.

INTRODUCED the _____ day of _____, 20__.

ADOPTED the _____ day of _____, 20__.

**Appendix D. Affordable Housing Zoning District (AH-1) Ordinance No.
15-2021**

**ORDINANCE NO. 15 -2021
BOROUGH OF SEA GIRT
COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

COUNTY OF MONMOUTH, STATE OF NEW JERSEY AN ORDINANCE AMENDING CHAPTER 17, "ZONING", SECTION 17-3.1 "ZONING DISTRICTS", SECTION 17-3.3, "DESCRIPTION OF ZONING DISTRICTS" AND SECTION 17-4.1 "SCHEDULE OF LIMITATIONS", OF THE CODE OF THE BOROUGH OF SEA GIRT BY CREATING A NEW ZONING DISTRICT ENTITLED AFFORDABLE HOUSING ZONING DISTRICT (AH-1)

WHEREAS, the Borough was the subject of a Mount Laurel exclusionary zoning suit filed in the Superior Court of New Jersey entitled 501 Washington Blvd. LLC, 503 Washington Blvd. LLC, Sea Girt Fifth Avenue LLC, Sitco Sea Girt, LLC v. Borough of Sea Girt, Borough Council of Sea Girt, and Sea Girt Planning Board, (the plaintiffs shall be collectively referred to as the "Developer"), Docket No. MON-L-000102-20, seeking to compel the Borough to provide a realistic opportunity for the construction of housing affordable to low and moderate-income households and their fair share of the housing region's need for such housing, ("Builder's Remedy Action"); and

WHEREAS, the Developer is the owner of identified as Block 76, Lot 1, Block 76, Lot 2 Block 77, Lot 16, and Block 77, Lot 17 (the "Properties"); and

WHEREAS, the Borough and the Borough Planning Board entered into a Settlement Agreement with the Developer in the Builder's Remedy Action allowing the Properties to be collectively developed with a total of 19 units, of which 3 units will be deed restricted as affordable housing available to very low, low and moderate-income households in conformance with the specific terms of the Settlement Agreement; and

WHEREAS, the Court conducted a Fairness Hearing on June 3, 2021 and as a result of the hearing, it preliminarily approved the Settlement Agreement finding it fair, reasonable and adequately protecting the interests of very low, low and moderate-income households in the region; and

WHEREAS, the court's approval of the Settlement Agreement requires the Borough to rezone the Properties to allow for a 19-unit family rental project including 3 affordable housing units available to very low, low and moderate-income households in order to assist the Borough in meeting its obligation to create a realistic opportunity to provide for the Borough's fair share of affordable housing; and

WHEREAS, this Ordinance shall set forth the zoning regulations and bulk standard requirements for all development within the newly created AH-1 Zone; and

WHEREAS, the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey finds it is in the best interest of the Borough to comply with the Court's Order and implement the terms and conditions of the Settlement creating the Affordable Housing Zoning District (AH-1).

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Sea Girt, County of Monmouth, State of New Jersey, that Chapter 17, Sections 17-3.1, 17-3.3 and Section 17-4.1 shall be amended to include a new Section entitled Affordable Housing Zone (AF-1), which shall regulate development through the following zoning regulations and bulk standards. (additions are underlined)

Section 1.

Section 3.1 Zoning Districts shall be amended as follows:

1E	1 East	Single Family
1W	1 West	Single Family
2E	2 East	Convenience Commercial
2W	2 West	Convenience Commercial
3	3	Beach
4	4	Recreational Open Space
5	5	Affordable Housing

Section 2.

Section 3.3 Description of Districts shall be amended to include a new subsection (g) as follows:

a-f No changes

g. District 5-The properties designated as Block 76, Lot 1, Block 76, Lot 2 Block 77, Lot 16, and Block 77, Lot 17 on the Borough of Sea Girt's tax map.

Section 3.

Section 17-4.1 Schedule of Limitations shall be amended to include a new zoning District entitled Affordable Housing (AH-1) as follows:

AFFORDABLE HOUSING ZONE

A. Purpose

The purpose of the Affordable Housing Zone is to provide a realistic opportunity for very low, low and moderate- income housing within an inclusionary development. The creation of the Affordable Housing Zone is in furtherance of the Borough's Settlement Agreement in the matter captioned 501 Washington Blvd, LLC, 503 Washington Blvd., LLC, Sea Girt Fifth Avenue LLC, Sitco Sea Girt, LLC v. Borough of Sea Girt, Borough Council of Sea Girt, and Sea Girt Planning Board, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. MON-L-000102-20 The zone appears on the zoning map impacting Block 76, Lots 1 and 2; and Block 77, Lots 16 and 17.

Pursuant to the settlement agreement, the Affordable Housing Zone permits: 10 apartment units on Block 77, Lots 16 and 17; and nine apartment units, of which 3 will be available to low, very low and moderate-income households, and one retail use on Block 76, Lots 1 and 2. The settlement agreement includes a concept plan that is the basis of this ordinance.

B. Permitted Principal Uses:

1. Apartment units on all floors
2. Mixed-Use buildings that include commercial or office space on the first floor and housing on the second and third floors. A mixed use building may also include housing on the first floor.

C. Permitted Accessory Uses: Uses that are customary and incidental to multi-family housing, including, but not limited to:

1. Parking
2. Garages
3. Club rooms
4. Fitness facility
5. Satellite Dish
6. Signs
7. Fences
8. Trash Enclosure
9. Temporary construction trailers
10. Utility pump stations, transformers, switches and meter facilities to support the development
11. Management and/or leasing office
12. HVAC units
13. Generators

D. Bulk regulations: Pursuant to this ordinance, Washington Boulevard is the front yard and Fifth Avenue is a side yard.

1. <u>Minimum Lot frontage along front yard. (Feet)</u>	95
2. <u>Minimum Lot Frontage Along Side Yard (Feet)</u>	145
3. <u>Minimum Front Yard Setback - (Feet)</u>	10
4. <u>Minimum Side Yard Setback from Fifth Avenue - (Feet)</u>	10
5. <u>Minimum Side yard from other property line (Feet)</u>	0 on north side of Washington Avenue and 10 feet on the south side of Washington Avenue
6. <u>Minimum Rear Yard Setback (Feet)</u>	40
7. <u>Maximum Height (Stories/Feet)</u>	3/45
8. <u>Maximum Building Coverage (Percent)</u>	40
9. <u>Maximum Improved Lot Coverage (Percent)</u>	85

E. Projections from buildings, such as, but not limited to balconies, patios, chimneys and windows may extend into the building set-back provided they shall be set-back a minimum of 5' from the front yard property line and 5' on the side yard property line.

F. Area, Yard and Bulk Requirements for Accessory Structures (including parking) & Uses. Pursuant to this ordinance, Washington Boulevard is the front yard and Fifth Avenue is a side yard. No accessory structures shall be permitted in the front yard set-back.

1. <u>Minimum Side Yard Set-back from Fifth Avenue (Feet)</u>	5
2. <u>Minimum Side Yard from western property line (Feet)</u>	2
3. <u>Minimum Rear Yard Setback (Feet)</u>	3
4. <u>Minimum Distance Between Accessory</u>	

and Principal Structures (Feet) _____ 0

5. Maximum Height (Stories/Feet) _____ 1/15

G. Parking

1. Commercial uses - 0 spaces
2. Residential uses - 1.7 spaces

H. Notwithstanding the set-back requirements for other accessory uses, fencing is permitted along the rear yard or the western side yard property line. Such fencing may be up to six feet in height and be of solid construction. Fencing may be provided in lieu of landscaping.

I. Signage.

1. One monument sign with a maximum area of 30 square feet may be provided along Washington Boulevard if set-back five feet from the property line.
2. Numbers indicating the addresses of the multi-family residential buildings are permitted to be mounted on the building facade, not to exceed 8 square feet and not to protrude more than 6 inches from the building's surface.

J. Deviations from Concept Plan. Development in the Affordable Housing Zone shall generally conform to the Concept Plan, dated December 4, 2020, prepared by Dynamic Engineering. However, it is the intent that the applicant can make reasonable refinements to the Concept Plan and that the Board shall approve those refinements even if such refinement requires a "c" variance.

K. Affordable Housing – Fifteen (15) percent of all the housing units shall be affordable to very low, low and moderate-income households. The affordable units within the inclusionary development shall be constructed pursuant to the phasing schedule at N.J.A.C. 5:93-5.6(d).

- a. The development of all affordable units shall comply with the Uniform Housing Affordability Controls (UHAC), N.J.A.C. 5:80-26.1 et. seq. or any successor legislation. Similarly, the monitoring, advertisement, tenant eligibility requirements, and deed restrictions shall comply with the UHAC regulations.
- b. A minimum of 50% of all affordable units shall be affordable to very-low and low-income households. All other affordable units shall be affordable to moderate-income households.
- c. A minimum of 13% of all affordable units will be affordable to very-low income households, defined as households earning no more than 30 percent of median income.

L. Conflicting Standards and Exemptions – The standards set forth in the AH-1 Zone shall supersede any conflicting standards elsewhere in the Land Development Ordinance. It is recognized that the subject properties are relatively flat; and therefore, any Borough land regulation related to slope shall not apply to the Affordable Housing Zone. No municipal standard regulating tree removal or tree replacement shall apply in the Affordable Housing Zone.

BE IT FURTHER ORDAINED, that

- A. All other Ordinances or provisions of the Code of the Borough of Sea Girt or parts thereof, which are inconsistent with any provisions in this Ordinance, are hereby repealed to the extent of such conflict or inconsistency.
- B. If any provision or portion of this Chapter is held to be unconstitutional, preempted by Federal or State Law or otherwise invalid by any court of competent jurisdiction, the remaining provisions of this chapter shall not be invalidated.
- C. This Ordinance shall take effect upon its passage and publication as required by law.

DATE INTRODUCED: July 14, 2021

DATE ADOPTED: August 11, 2021

APPROVED:

Donald Fetzer

Council President Fetzer

ATTEST:

Dawn Harriman

Dawn Harriman, Municipal Clerk

Date: August 12, 2021

I, DAWN HARRIMAN, Clerk of the Borough of Sea Girt, do hereby *certify* the above to be a true and exact copy of the Ordinance adopted after a public hearing thereon held on the 11th day of August, 2021.

Dawn Harriman

DAWN HARRIMAN, RMC
Municipal Clerk

Appendix E. Mixed Use Overlay Ordinance – Commercial Overlay

BOROUGH OF SEA GIRT

ORDINANCE NO. 22XX-1X

**ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17 (ZONING) OF THE BOROUGH OF
SEA GIRT CODE TO ESTABLISH AN AH-O AFFORDABLE HOUSING OVERLAY ZONE IN THE
BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

The Borough Council of Sea Girt, in the County of Monmouth and State of New Jersey, finds as follows:

WHEREAS, The Borough of Sea Girt has sought, to the best of its ability as a built-out municipality with a lack of available vacant land, to meet the intent and spirit of the Affordable Housing process by drafting an affordable housing plan, participating in the court-lead settlement process, and reviewing its existing land use ordinances.

WHEREAS, The Borough has determined that enacting an overlay zone that requires developers to set aside a portion of constructed housing units, which extends over portions of the Borough's major thoroughfares, would be a method for ensuring the provision of affordable housing as parcels redevelop.

NOW THEREFORE BE IT ORDANIED AS FOLLOWS:

SECTION 1. Purpose. The purpose of this ordinance is to establish an Affordable Housing Overlay Zoning Ordinance that places an overlay zone over specific areas of the Borough. Given the built-out nature of the Borough, an effective affordable housing overlay zone will produce affordable units when suitable opportunities become available through redevelopment or other planning mechanisms. This ordinance would ensure that residential affordable housing developments accompany major development on tax lots included in the overlay zone. The specific areas included are the portions of the Borough that can realistically accommodate affordable housing development, which are in proximity to public transit and the Borough's main mixed-use commercial thoroughfares.

The ordinance includes most parcels fronting on Washington Street for both the 2 East and 2 West Zoning Districts. The list of specific tax lots are identified as follows:

Block 76 Lot 1; Block 76 Lot 2; Block 76 Lot 3; Block 76 Lot 4; Block 76 Lot 6; Block 76 Lot 7; Block 76 Lot 8; Block 76 Lot 9; Block 76 Lot 10; Block 77 Lot 4; Block 77 Lot 5; Block 77 Lot 6; Block 77 Lot 7.01; Block 77 Lot 7.02; Block 77 Lot 7.03; Block 77 Lot 7.04; Block 77 Lot 7.05; Block 77 Lot 7.06; Block 77 Lot 7.07; Block 77 Lot 7.08; Block 77 Lot 7.09; Block 77 Lot 7.10; Block 77 Lot 7.11; Block 77 Lot 7.12; Block 77 Lot 7.13; Block 77 Lot 7.14; Block 77 Lot 7.15; Block 77 Lot 7.16; Block 77 Lot 7.17; Block 77 Lot 7.18; Block 77 Lot 7.19; Block 77 Lot 7.20; Block 77 Lot 8; Block 77 Lot 9; Block 77 Lot 10; Block 77 Lot 11; Block 77 Lot 12; Block 77 Lot 13; Block 77 Lot 14; Block 77 Lot

15; Block 77 Lot 16; Block 77 Lot 17; Block 92 Lot 1; Block 92 Lot 2; Block 92 Lot 3; Block 105 Lot 1; Block 105 Lot 20; Block 105 Lot 21; Block 105 Lot 22.

The affordable housing overlay zone will regulate said developments through bulk and design standards. However, the Borough's underlying zoning will still be in effect. This will allow affordable housing to be approved under local ordinance and regulations without detriment to the existing Borough zoning plan and ordinance. This creates a realistic opportunity to provide for the development of affordable housing in accordance with the Fair Housing Act (N.J.S.A. 52-27D-301), New Jersey Council on Affordable Housing ("COAH") prior round regulations, and the Housing Element and Fair Share Plan prepared by the Borough to address its Third-Round affordable housing obligation.

SECTION 2. A new section entitled "Affordable Housing Overlay Zoning Provisions" is hereby established as follows:

Affordable Housing Overlay Zoning Provisions

- A. Purpose: The purpose of the Affordable Housing Overlay Zone is to provide an opportunity to develop affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, in conformance with the requirements of the Court, the Fair Housing Act, and the Housing Element and Fair Share Plan of Sea Girt. Permitted and conditional uses within the designated Overlay Zone shall include all permitted and conditional uses in the underlying zoning district in which the Overlay Zone is located and allow for affordable housing development within the provisions of this section.
- B. Affordable Housing Overlay Zone: Tax lots with frontage on Washington Street within the Borough of Sea Girt will be included in the overlay zone and allow for affordable housing development with no affect to any existing zoning district regulations or standards. A map is attached to this ordinance that delineates the overlay zone.
- C. Principal Permitted Uses:
 - a. All uses permitted within the underlying zoning district in which the overlay zone is located.
 - b. Affordable housing development for sale or rental housing may include the following uses:
 - i. Mixed Use Buildings that include commercial, restaurant, retail or office space on the ground floor and residential development on the second and third floors.

- c. Permitted Accessory Uses: Uses that are customary and incidental to multi-family housing, including, but not limited to:
1. Parking
 2. Garages
 3. Signs
 4. Fences
 5. Trash Enclosure
 6. Temporary construction trailers
 7. Utility pump stations, transformers, switches and meter facilities to support the development
 8. HVAC units
 9. Generators

- d. Bulk regulations: Pursuant to this ordinance for purposes of this Ordinance, Seventh Avenue (Route 71) shall be considered the front yard and any intersecting street shall be considered the side yard

1. Minimum Lot Frontage (Feet)	50
2. Minimum Lot Depth (Feet)	150
3. Minimum Front Yard Setback (Feet)	10
4. Minimum Side Yard Setback	6
5. Minimum Rear Yard Setback (Feet)	20
6. Maximum Height (Stories/Feet)	3/45
7. Maximum Building Coverage (Percent)	40
8. Maximum Improved Lot Coverage (Percent)	85

- e. Projections from buildings, such as, but not limited to balconies, patios, chimneys and windows may extend into the building set-back provided they shall be set-back a minimum of 5' from all property lines.

- f. All property lines abutting a residential use shall provide a 10-foot landscaped buffer. Said buffer shall not be in addition to the required setback

- g. Area, Yard and Bulk Requirements for Accessory Structures (including parking) & Uses. Pursuant to this ordinance, Washington Boulevard is the front yard and Fifth Avenue is a side yard. No accessory structures shall be permitted in the front yard set-back.

1. Minimum Side Yard Set-back (Feet)	3
2. Minimum Rear Yard Setback (Feet)	5
3. Minimum Distance Between Accessory and Principal Structures (Feet)	0
4. Maximum Height (Stories/Feet)	1/15

h. Parking

1. Commercial uses - 0 spaces
2. Residential uses - 1.7 spac

- D. Affordable housing requirement: A 20% set-aside with a minimum of one (1) units. All affordable housing developments shall conform to the standards found in the Borough of Sea Girt's Affordable Housing Ordinance including provisions for affordability, very low-income units, and UHAC standards.
- E. REPEALER. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.
- F. INCONSISTENT ORDINANCES. All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.
- G. SEVERABILITY. If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.
- H. EFFECTIVE DATE. This Ordinance shall take effect upon its passage and publication according to law.

Appendix F. Mixed Use Overlay Ordinance – Route 71 Overlay

BOROUGH OF SEA GIRT

ORDINANCE NO. 22XX-1X

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17 (ZONING) OF THE BOROUGH OF SEA GIRT CODE TO ESTABLISH AN AH-O2 AFFORDABLE HOUSING OVERLAY ZONE 2 IN THE BOROUGH OF SEA GIRT, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

The Borough Council of Sea Girt, in the County of Monmouth and State of New Jersey, finds as follows:

WHEREAS, The Borough of Sea Girt has sought, to the best of its ability as a built-out municipality with a lack of available vacant land, to meet the intent and spirit of the Affordable Housing process by drafting an affordable housing plan, participating in the court-lead settlement process, and reviewing its existing land use ordinances.

WHEREAS, The Borough has determined that enacting an overlay zone that requires developers to set aside a portion of constructed housing units, which extends over portions of the Borough's major thoroughfares, would be a method for ensuring the provision of affordable housing as parcels redevelop.

NOW THEREFORE BE IT ORDNANIED AS FOLLOWS:

SECTION 1. Purpose. The purpose of this ordinance is to establish an Affordable Housing Overlay Zoning Ordinance that places an overlay zone over specific areas of the Borough. Given the built-out nature of the Borough, an effective affordable housing overlay zone will produce affordable units when suitable opportunities become available through redevelopment or other planning mechanisms. This ordinance would ensure that residential affordable housing developments accompany major development on tax lots included in the overlay zone. The specific areas included are the portions of the Borough that can realistically accommodate affordable housing development, which are in proximity to public transit and the Borough's main mixed-use commercial thoroughfares.

The ordinance includes scattered parcels located along Route 71 also known as 7th Avenue in the Borough of Sea Girt. This zoning district will include the following Blocks and Lots:

- Block 104, Lot 23
- Block 101, Lot 1
- Block 100, Lots 1 and 14
- Block 99, Lot 1

The affordable housing overlay zone will regulate said developments through bulk and design standards. However, the Borough's underlying zoning will still be in effect. This will allow affordable housing to be approved under local ordinance and regulations without detriment to the existing Borough zoning plan and ordinance. This creates a realistic opportunity to provide for the development of affordable housing in accordance with the Fair Housing Act (N.J.S.A. 52-27D-301), New Jersey Council on Affordable Housing ("COAH") prior round regulations, and the Housing Element and Fair Share Plan prepared by the Borough to address its Third-Round affordable housing obligation.

SECTION 2. A new section entitled "Affordable Housing Overlay Zoning Provisions" is hereby established as follows:

Affordable Housing Overlay Zoning Provisions

A. Purpose: The purpose of the Affordable Housing Overlay Zone is to provide an opportunity to develop affordable housing to meet present and prospective housing needs, with particular attention to low- and moderate-income housing, in conformance with the requirements of the Court, the Fair Housing Act, and the Housing Element and Fair Share Plan of Sea Girt. Permitted and conditional uses within the designated Overlay Zone shall include all permitted and conditional uses in the underlying zoning district in which the Overlay Zone is located and allow for affordable housing development within the provisions of this section.

B. Affordable Housing Overlay 2 Zone:

- a. Block 104, Lot 23
Block 101, Lot 1
Block 100, Lots 1 and 14
Block 99, Lot 1
- b. A map is attached to this ordinance that delineates the overlay zone.

C. Principal Permitted Uses:

- a. All uses permitted within the underlying zoning district in which the overlay zone is located.
- b. Affordable housing development for sale or rental housing may include the following uses:
 - i. Mixed Use Buildings that include commercial, restaurant, retail or office space on the ground floor and residential development on the second and third floors.

- c. Permitted Accessory Uses: Uses that are customary and incidental to multi-family housing, including, but not limited to:
1. Parking
 2. Garages
 3. Signs
 4. Fences
 5. Trash Enclosure
 6. Temporary construction trailers
 7. Utility pump stations, transformers, switches and meter facilities to support the development
 8. HVAC units
 9. Generators

- d. Bulk regulations: Pursuant to this ordinance for purposes of this Ordinance, Seventh Avenue (Route 71) shall be considered the front yard and any intersecting street shall be considered the side yard

1. Minimum Lot Frontage along Route 71 (Feet)	50
2. Minimum Lot Frontage along intersecting side street	150
3. Minimum Front Yard Setback (Feet)	10
4. Minimum Side Yard Setback	10
5. Minimum Rear Yard Setback (Feet)	20
6. Maximum Height (Stories/Feet)	3/45
7. Maximum Building Coverage (Percent)	40
8. Maximum Improved Lot Coverage (Percent)	85

- e. Projections from buildings, such as, but not limited to balconies, patios, chimneys and windows may extend into the building set-back provided they shall be set-back a minimum of 5' from all property lines.

- f. All property lines abutting a residential use shall provide a 10-foot landscaped buffer. Said buffer shall not be in addition to the required setback.

- g. Area, Yard and Bulk Requirements for Accessory Structures (including parking) & Uses. Pursuant to this ordinance, Washington Boulevard is the front yard and Fifth Avenue is a side yard. No accessory structures shall be permitted in the front yard set-back.

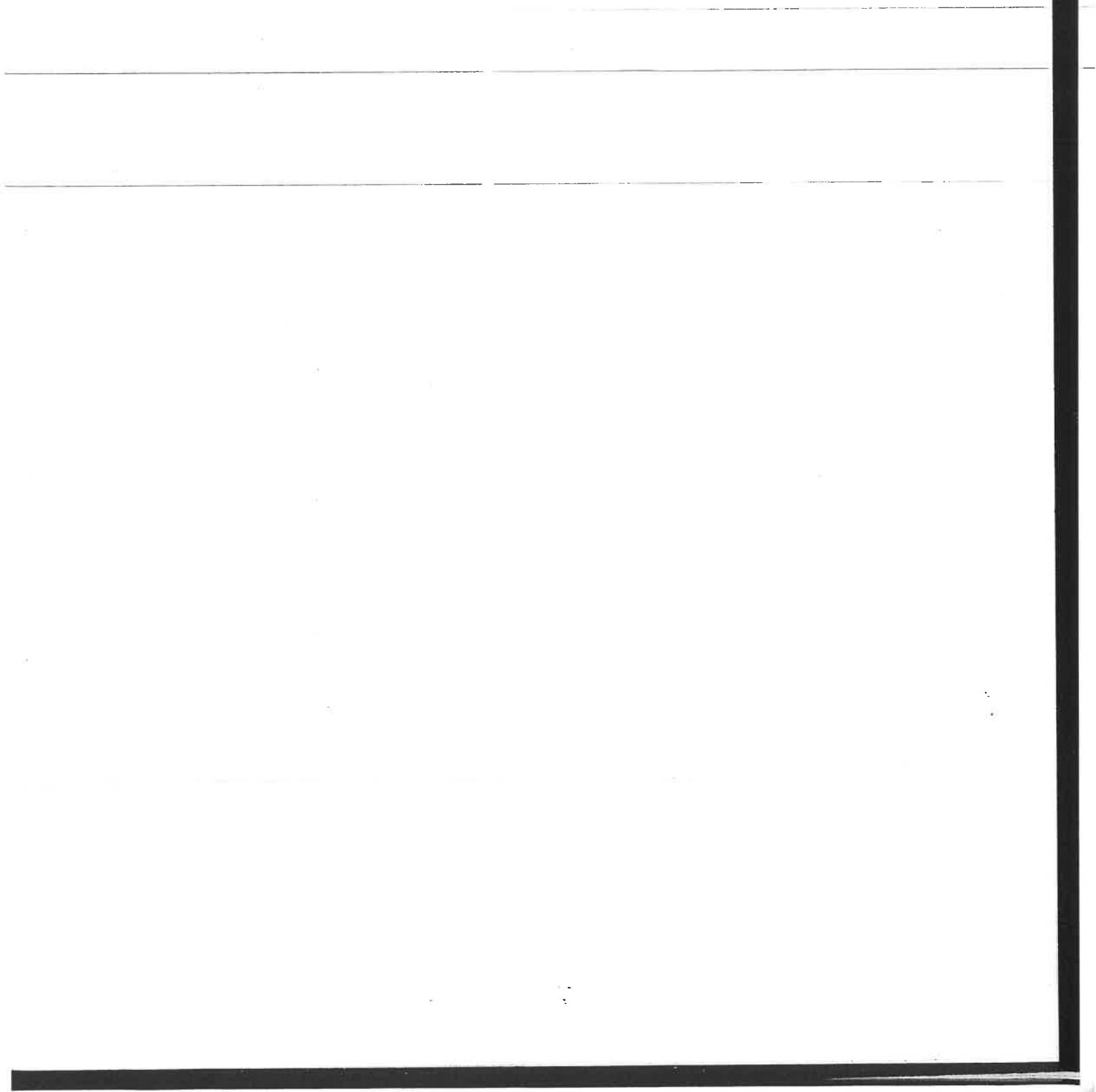
1. Minimum Side Yard Set-back (Feet)	3
2. Minimum Rear Yard Setback (Feet)	5
3. Minimum Distance Between Accessory and Principal Structures (Feet)	0
4. Maximum Height (Stories/Feet)	1/15

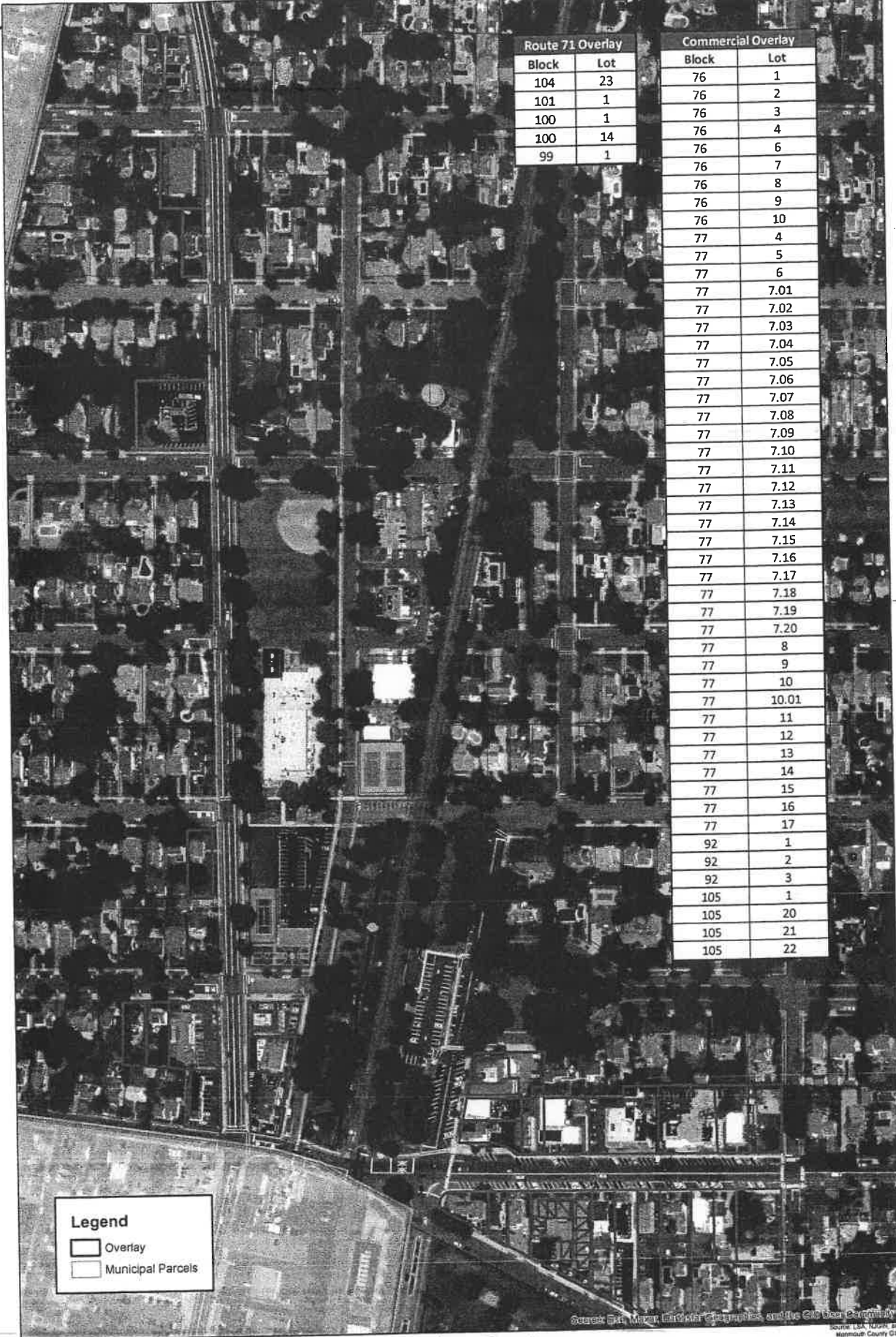
h. Parking

1. Commercial uses - 1 space for every 600 square feet of gross floor area.
2. Residential uses - 1.7 spaces

- D. Affordable housing requirement: A 20% set-aside with a minimum of one (1) unit. All affordable housing developments shall conform to the standards found in the Borough of Sea Girt's Affordable Housing Ordinance including provisions for affordability, very low-income units, and UHAC standards.
- E. REPEALER. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance shall remain in full force and effect.
- F. INCONSISTENT ORDINANCES. All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.
- G. SEVERABILITY. If any section, paragraph, subdivision, clause, or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause, or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.
- H. EFFECTIVE DATE. This Ordinance shall take effect upon its passage and publication according to law.

Appendix G. Mixed Use Overlay Map





Route 71 Overlay	
Block	Lot
104	23
101	1
100	1
100	14
99	1

Commercial Overlay	
Block	Lot
76	1
76	2
76	3
76	4
76	6
76	7
76	8
76	9
76	10
77	4
77	5
77	6
77	7.01
77	7.02
77	7.03
77	7.04
77	7.05
77	7.06
77	7.07
77	7.08
77	7.09
77	7.10
77	7.11
77	7.12
77	7.13
77	7.14
77	7.15
77	7.16
77	7.17
77	7.18
77	7.19
77	7.20
77	8
77	9
77	10
77	10.01
77	11
77	12
77	13
77	14
77	15
77	16
77	17
92	1
92	2
92	3
105	1
105	20
105	21
105	22

LEON S. AVAKIAN, Inc.
Consulting Engineers
This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not state-authored or endorsed.
0 50 100 200 300 400 Feet

Overlay Zoning Borough of Sea Girt Monmouth County, New Jersey

Source: Data from the Monmouth County GIS and the Sea Girt Community
Source: LSA, LSA, Inc.
Monmouth County GIS
Date: October 2023



ORDINANCE 11-2023

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 17 ZONING, ARTICLE 17-5.4, MECHANICAL EQUIPMENT OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

EXISTING

17-5.4 Mechanical Equipment.

[Ord. #855, § 4-1; Ord. No. 20-2018; amended 10-26-2021 by Ord. No. 14-2021]

All exterior mechanical equipment, including units for heat, ventilation, air- conditioning, pool pumps and accessories, heat pumps, other than individual air- conditioners and permanently installed generators, to serve a building shall be located in the rear yard and/or on the top story of either the principal building or accessory buildings, either inside or outside. If installed in the yard, they shall comply with the rear yard and setback provisions. If installed on the buildings they shall not be visible from the front or side street and shall be located behind physical buffer such as a parapet wall or solid short fence so as to dampen noise effects on neighboring properties.

REVISIONS

~~Strikeout~~ - Remove

Underline - New

17-5.4 Mechanical Equipment.

[Ord. #855, § 4-1; Ord. No. 20-2018; amended 10-26-2021 by Ord. No. 14-2021]

- a. All exterior mechanical equipment, including units for heat, ventilation, air- conditioning, pool pumps and accessories, heat pumps, other than individual air- conditioners ~~and permanently installed generators~~, to serve a building property shall be located in the rear yard and/or on the top story of either the principal building or accessory buildings, either inside or outside. If installed in the yard, they shall comply with the rear yard and setback provisions. If installed on the buildings they shall not be visible from the front or side street ~~or from ground level of immediately adjacent properties~~ and shall be located behind a solid non-transparent physical buffer such as a parapet wall or solid short fence so as to dampen noise effects on neighboring properties. Such wall or fence shall not be higher than the ridgeline of the structure to which it is placed.
- b. Permanently installed generators shall be located in the rear yard, and shall be installed at grade.
 1. In the event of permanently installed generators being installed within a flood zone, they are permitted to be installed on a platform no higher than one (1) foot above the established base flood elevation for the property, and shall be located behind a solid non-transparent physical buffer to shield from view and to dampen noise effects on neighboring properties.

ORDINANCE 11-2023
AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 17 ZONING, ARTICLE 17-5.4, MECHANICAL EQUIPMENT; CONSTRUCTION PROCEDURES AND
SITE REGULATIONS, OF THE BOROUGH CODE OF THE BOROUGH OF SEA GIRT

PUBLIC NOTICE

PUBLIC NOTICE IS HEREBY GIVEN that the foregoing Ordinance No. 11-2023 was introduced at a meeting of the Borough Council of the Borough of Sea Girt, County of Monmouth on the 8th day of November, 2023 and was then read for the first time. The said Ordinance will be further considered for final passage by the Borough Council on the 13th day of December, 2023 at 7:00 PM at the Sea Girt School, Bell Place, Sea Girt virtually via Zoom platform, login: <https://us02web.zoom.us/j/89855420827>; Webinar ID: 89855420827 at such time and place, or at any time and place to which said meeting may be adjourned, all persons interested will be given an opportunity to be heard concerning the said Ordinance.

Dawn Harriman

DAWN HARRIMAN, RMC, CMR
Municipal Clerk

Mechanical Equipment Ordinance Issues

Current Ordinance Language:

§ 17-5.4 Mechanical Equipment.

[Ord. #855, § 4-1; Ord. No. 20-2018; amended 10-26-2021 by Ord. No. 14-2021]

All exterior mechanical equipment, including units for heat, ventilation, air- conditioning, pool pumps and accessories, heat pumps, other than individual air- conditioners and permanently installed generators, to a building shall be located in the rear yard and/or on the top story of either the principal building or accessory buildings, either inside or outside. If installed in the yard, they shall comply with the rear yard and setback provisions. If installed on the buildings they shall not be visible from the front or side street and shall be behind physical buffer such as a parapet wall or solid short fence so as to dampen noise effects on neighboring properties.

ORC Committee Ordinance Edits: Edits in red are from 11/16 Planning Board review & approval meeting

Current language does not simply define blocking elevated mechanicals from neighbor's view nor provide sound barrier.

Current language does not include similar requirements for elevated mechanicals in flood zone.

Current language does not simply limit how high on a roof the mechanicals can be placed.

Suggestion: Change parapet wall requirement to include a solid-wall permanent physical non vegetative barrier with a minimum height of 6 inches above tallest mechanical. Slot-venting-allowed (to be defined)
Elevated Mechanicals must be 100% blocked from standing view from streets, sidewalks and any neighboring properties. Top of solid-wall permanent physical non vegetative barrier cannot exceed ridgeline of roof where mechanicals placed. Solid-wall Permanent physical non vegetative barrier requirement for all mechanicals elevated $\geq 16"$. In Flood Zone, the $\geq 16"$ measurement starts at LDFI

Current language allows mechanicals to be put on primary and accessory structure roof.

Current language allows non-standard and possibly dangerous access to roof placed mechanicals

Suggestion: Eliminate the words "primary and accessory" in current ordinance. Mechanicals are to be allowed on the ground or garage roof. Access to roof placed mechanicals must be via permanent stair

Current language does not include complete definition of mechanicals.

Suggestion: Standardize Mechanicals to include all mechanicals including units for Heat, Ventilation, (excluding single room window or in-wall installed A/C units), Generator, Pool Filter, Pool Motor, Pool Heater, Pool Controls, Heat Pump, Well Pump, electrical vehicle charging equipment.

Current language does not define which mechanical are or aren't eligible for elevation.

Any Mechanicals powered by gas or fuel, generators, pool heater, heat pump are not eligible for elevation.

Current language does not restrict mechanicals and other equipment from installation in setback areas.

Suggestion: Suggestion: Using expanded Mechanicals definition, don't allow mechanicals in setback areas nor permanent or temporary garage or accessory structure affixed roof access ladders nor non-public utilities.

Current language does not define standard of 200% building or 250% impervious coverage calculation of

Current language does not define standard of 20% building or 35% impervious coverage calculation or mechanicals allowing town engineer and zoning official determine calculations differently and also at di

elevated mechanical heights. **Suggestion: Standardize coverage calculations to 35% Impervious for all mechanicals less than 16" off the ground and 20% Building coverage for any mechanicals \geq 16 inches off ground, excluding those placed on the top of a garage.to encourage ground placement**