

**PLANNER'S REPORT IN SUPPORT OF
DEANNEXATION OF SOUTH SEASIDE PARK
FROM BERKELEY TOWNSHIP, NEW JERSEY**



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**Submitted on Behalf of the South Seaside Park Homeowners & Voters Association, Inc.
Post Office Box 193, Seaside Park, New Jersey 08752**

**This original document was appropriately signed and sealed on August 15, 2014, in
accordance with Chapter 41 of Title 13 of the State Board of Professional Planners**

/s/ Scott Bauman

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INTRODUCTION

The process of part of a New Jersey municipality splitting from an original municipality to join another is called deannexation and is governed by N.J.S.A. 40A:7-12 & 12.1, and the burden of proof lies with the Petitioner.

In this case, the Petitioner-the South Seaside Park Homeowners & Voters Association, Inc. (“SSPHVA”), is seeking deannexation of South Seaside Park from Berkeley Township. The author of this report has been retained as a licensed New Jersey professional planner by the SSPHVA to prepare a report that proves a context and planning rationale for the deannexation of South Seaside Park from Berkeley Township. The author’s professional qualifications are attached to this report as **Appendix A**.

PURPOSE

The purpose of this report is to provide the basis and rationale for establishing the following:

1. Berkeley Township’s refusal to allow deannexation will be detrimental to the economic and social well-being to a majority of residents of South Seaside Park;
2. Berkeley Township’s consent to deannexation of South Seaside Park will benefit the economic and social well being to a majority of South Seaside Park residents;
3. Deannexation of South Seaside Park will not cause a significant injury to the economic and social well-being of Berkeley Township; and
4. Deannexation of South Seaside Park will not have detrimental negative impact to Berkeley Township’s master plan, zone plan, fair share affordable housing plan, or 2020 Vision Statement.

This report also establishes how South Seaside Park residents directly benefit from the facilities and amenities of adjacent municipality Seaside Park Borough, and whether the Berkeley Township master plan and zone districts are consistent with those of Seaside Park Borough.

This report does not detail how deannexation will impact the municipal budget, nor is it a compilation of complaints by South Seaside Park residents over the provision of municipal services. This report does not suggest any further advancement of South Seaside Park besides deannexation from Berkeley Township.

Thank you for the opportunity for the SSPHVA to present their petition for deannexation.

WHY DEANNEXATION? A BRIEF HISTORY & RATIONALE

Formed from portions of Dover (now Toms River Township), Berkeley Township was incorporated in 1875. Beginning in 1898 and up to 1965, there were thirteen instances of deannexation from Berkeley Township.¹ In 1898, a section of Berkeley Township was taken to form Seaside Park, and fifteen years later in 1913, Seaside Park Borough's new neighbor to the north Seaside Heights was formed via deannexation from Berkeley Township. 1898 was the first year South Seaside Park would share its boundary with a new municipal neighbor and it would be the first time South Seaside Park and mainland Berkeley Township were separated by not only water but also by a new municipality creating non-contiguous land between South Seaside Park and Berkeley Township. In the 1970's South Seaside Park unsuccessfully attempted deannexation from Berkeley Township, which went to New Jersey Superior Court, which authorized deannexation only to have Seaside Park Borough deny the request.²

South Seaside Park residents are so isolated from the mainland that they are not part of Berkeley Township's social fabric. South Seaside Park residents identify more with neighboring barrier island communities than the distant mainland.³ It takes on average thirty minutes to drive from South Seaside Park to utilize many of Berkeley Township's mainland facilities and services such as the municipal building, parks, recreation / senior citizen programs, and elementary schools.

Should deannexation be granted, Berkeley Township can then fully concentrate its efforts on the mainland development as recommended in the master plan by developing a town center, commercial nodes and corridors. Additionally, Berkeley Township will be relieved of trying to govern the barrier island- an area that has an entirely different set of priorities than those of the mainland.

South Seaside Park is not part of Berkeley's 2020 Vision Statement and the master plan recommended zoning changes for South Seaside Park are more intense than present permitted uses and are not consistent within the existing land use patterns of South Seaside Park, or even the zone plan of adjacent Seaside Park Borough.

The elimination of services to a non-contiguous barrier island could result in financial savings for Berkeley Township which is reported by other experts provided by the Petitioner. The proposed deannexation is consistent with statewide public policies that encourage sensible municipal governing of adjacent and contiguous areas. Berkeley Township local services can be made more

¹ Snyder, John F., 1969. The Story of New Jersey's Civil Boundaries 1606-1968. Pages 201, 202.

² Ocean County Law Division Docket No. L-9604-75.

³ This report references "barrier island" as the term is commonly used to describe the location of South Seaside Park and neighboring municipalities; the geographic area is actually called the Barnegat Peninsula, also known as the Island Beach Peninsula or Barnegat Bay Island and colloquially as "the barrier island" - the twenty mile long, barrier peninsula located in Ocean County that divides the Barnegat Bay from the Atlantic Ocean.

efficient without the burden of maintaining South Seaside Park on the barrier island. Consolidation of municipalities sharing similar geographic features is encouraged by the State of New Jersey. Public utility services, contractual agreements and mutual aid agreement contributions covering fire and first aid services for South Seaside Park residents can continue after deannexation without impacting Berkeley Township of South Seaside Park residents.

South Seaside Park may be the only oceanfront community in Berkeley Township, but the housing in South Seaside Park is not upscale nor is it out of character with the multitudes of residential waterfront development on Berkeley Township's frontage along Barnegat Bay or Pelican Island.

From a demographic and housing perspective, Berkeley Township and South Seaside Park are essentially homogenous communities divided by geographic barriers, and deannexation will not cause significant or substantial social or economic injury to Berkeley Township's demographic, economic, social, and cultural characteristics- there is no significant or substantial loss of social, cultural, and economic diversity to the residents of Berkeley Township.

EVALUATION PROCESS & Summary of FINDINGS

This report evaluates the following relevant areas of investigation when studying the economic and social impacts of South Seaside Park's deannexation from Berkeley Township:

1. Berkeley Township and South Seaside Park geography, population, race, age, income, occupation, and housing data;
2. Berkeley Township's master plan, zoning ordinance, affordable housing fair share plan, environmental resource inventory, vision statement, and build-out study;
3. Berkeley Township and South Seaside Park open space, park and recreation facilities, environmental resources, historic and cultural resources; and
4. Analysis of any economic and social injuries experienced by Berkeley Township residents as a result of deannexation expressed by: a) being deprived of South Seaside Park residents' participation in religious, civic, cultural, charitable and intellectual activities; b) being deprived of South Seaside Park residents' meaningful interaction with residents of Berkeley Township; c) being deprived of South Seaside Park residents' contribution to Berkeley Township's prestige and social standing; and/or d) being deprived of South Seaside Park residents' part they play in the general scheme of Berkeley Township's social diversity.

Berkeley Township's refusal to allow deannexation will be detrimental to the economic and social well-being to a majority of residents of South Seaside Park; this is based upon the following:

1. The Berkeley Township master plan goals and objectives are pre-occupied with the creation of a town center, commercial nodes, and commercial corridors on the eastern mainland. The master plan recommendation for Island Districts in South Seaside Park has not advanced since its inception and is not part of the land use ordinance- this is the only recommendation made in the master plan that involves South Seaside Park.

A 2008 Berkeley Township build-out analysis declares South Seaside Park as having no potential for new residential or commercial growth and labels it as an area with no future growth capacity. South Seaside Park is not mentioned in Berkeley Township's 2020 Vision Plan or Fair Share Plan for Affordable Housing.

Continued association with Berkeley Township under its current master plan, build-out projections, vision study, and affordable housing plan is detrimental to the economic and social well being of the residents of South Seaside Park because South Seaside Park is a remote part of Berkeley Township that lacks planning, zoning, and

land use regulations that adequately address South Seaside Park's barrier island community character. Continuing to be legally bound by Berkeley Township's land development regulations and growth projection / management plans, South Seaside Park residents economic and quality of life concerns specific to their barrier island surroundings will not be adequately addressed by Berkeley Township, damaging their economic and social well being.

2. Travel to the municipal building from South Seaside Park is about a fifteen mile, half-hour car ride through multiple towns that is subject to seasonal fluctuation. There are no public transit bus routes that stop in South Seaside Park. It is time consuming and costly for South Seaside Park residents to reach mainland municipal facilities to participate in a municipal sponsored programs or to conduct business transactions such as paying property taxes.

Public bus service is available on the mainland including those for senior citizen residents living in the planned communities. No public municipal meetings are held in South Seaside Park- they are all held on the mainland. Travelling to Berkeley Township sponsored programs on the mainland is costly in both time and money and negatively impacts the social and economic well being of South Seaside Park residents. If South Seaside Park were part of neighboring Seaside Park Borough, all municipal sponsored programs and public meetings would be in close proximity-even walkable.

3. Berkeley Township does not host municipal sponsored recreation, senior citizen or children programs in South Seaside Park. All recreation facilities are on the mainland except for two, and all programs take place on the mainland except for one beach party each summer at White Sands Beach.
4. South Seaside Park housing units are not included in Berkeley Township's Fair Share Plan for Affordable Housing and neither are South Seaside Park housing units part of the township's 610-unit prior round affordable housing obligation. South Seaside Park residents have not and will not benefit from any of Berkeley Township's affordable housing provision and rehabilitation programs. Whether South Seaside Park will be included in the next round of affordable housing remains to be seen.
5. Capital investment in South Seaside Park and municipal services provided to the residents including but not limited to roadway resurfacing, solid waste and recyclable collection, snow removal, police service, animal control, and park maintenance are haphazard and not trouble-free. Separate testimony by South Seaside Park residents will support how the lack of public investment and other

resources have injured the economic and social well-being of South Seaside Park residents.

6. Outside of the Central Avenue corridor, the zone districts are not consistent along the shared boundary of Berkeley Township and Seaside Park Borough. Berkeley Township's master plan recommended Island Zone districts for the shared boundary area is not consistent with the adjacent zoning of Seaside Park Borough. Land with common physical characteristics and a shared infrastructure that is zoned inconsistently due to different municipal jurisdictions is a blueprint for poor and insensitive development resulting in reduced property values, degraded vernacular character of the barrier island communities, and decreased quality of life and enjoyment of one's property. Inconsistent zoning between Berkeley Township and Seaside Park Borough is detrimental to the economic and social well being of South Seaside Park residents.

Berkeley Township's consent to deannexation will benefit the economic and social well-being to a majority of South Seaside Park residents; this is based upon the following:

1. Seaside Park Borough facilities and services are in close proximity to South Seaside Park and their common shore community characteristics will benefit South Seaside Park residents with convenience, financial savings, closer municipal services, and the ability to formally unite with people democratically and address the issues directly that affect their shore community.
2. Besides on Central Avenue, most zoning is not consistent between the shared boundaries of Berkeley Township and Seaside Park Borough. Should South Seaside Park be annexed by Seaside Park Borough, inconsistent zoning could be handled with more flexibility and ease. Consistent zoning of land within close proximities of each other is beneficial to the economic and social well-being to the South Seaside Park residents by protecting property values and preserving the unique barrier island community character and identity.

Deannexation of South Seaside Park will not cause a significant injury to the economic and social well-being of Berkeley Township residents; this is based upon the following:

1. South Seaside Park is one quarter square mile in size and makes up only 0.5% of the total land area of Berkeley Township. Through build out analysis and vision statements, Berkeley Township has determined that South Seaside Park has no future growth capacity. The Island District zone changes recommended by the master plan have not been implemented. From Berkeley Township's perspective and actions, there is no loss of any benefits from future development.

2. South Seaside Park's 490 residents make up only 0.1% of the population of Berkeley Township, the racial composition of South Seaside Park and Berkeley Township are similar (both predominately white), and the median ages are similar (61.9 and 61.1 years respectively). Only 1.3% of the total occupied households in Berkeley Township are in South Seaside Park and the ratio of household types are similar- 40% are one-person households, and 60% are two- or more person households. Residents of South Seaside Park and Berkeley Township both are similarly employed in areas of management, sales, and office work. Deannexation will not result in a significant injury to Berkeley Township's racial composition, median age, household composition, or workforce population.
3. Only 6% (1,410) of the total housing units in Berkeley Township are in South Seaside Park, the majority of housing types are similar (one-unit, detached), and the median age of a South Seaside Park housing unit is 44 years, eleven years older than the Berkeley Township average of 33 years. Deannexation will not result in a significant injury to Berkeley Township's housing diversity or inventory.
4. South Seaside Park makes up only 0.5% of the total waterfront of Berkeley Township, and only 2.2% of the total preserved open space. South Seaside Park has only one athletic facility- an outdoor basketball court, and White Sands Beach which is underutilized by mainland Berkeley Township residents and mainly serves South Seaside Park residents. Deannexation will not result in a significant loss of Berkeley Township's open space or recreational areas.
5. Berkeley Township does not host any senior citizen or children's programs in South Seaside Park. All municipal sponsored activities and programs for residents take place on the mainland with the exception of one beach picnic each summer at White Sands Beach. Since only one township event is held at South Seaside Park, deannexation of South Seaside Park will not significantly impact Berkeley Township's ability to plan and accommodate for recreation, children's, and senior citizen's programs and similar amenities for residents.
6. Deannexation would result in the withdrawal of any South Seaside Park students from the Berkeley Township School District and the subsequent savings involved with such departures, there are currently little to no students residing in South Seaside Park. South Seaside Park would remain in the Central Regional School District.
7. South Seaside Park is not easily accessible to mainland Berkeley Township residents via public transit or other means of transportation besides the automobile. Deannexation will not significantly impact Berkeley Township resident's ability to access South Seaside Park.

8. Berkeley Township and South Seaside Park are both in the Barnegat Bay Watershed Management Area, and both have NJDEP approved shellfish harvest areas. Deannexation will not result in Berkeley Township losing their only shellfish harvest area.
9. South Seaside Park has no properties officially listed on the State or National Registers of Historic Places. South Seaside Park has no farms, Prime Farmland Soils, Statewide Important Soils, or Unique Importance Soils. There are no public community wells, non-public community wells, or streams in South Seaside Park. Deannexation will not significantly impact any cultural sites or environmental resources currently available to or utilized by Berkeley Township residents.
10. In South Seaside Park there are five restaurants without bars, three restaurants with bars, two hotel/motels, and a small number of retail stores. Berkeley Township will not incur the loss of any significant commercial resources available to or utilized by Berkeley Township residents.
11. Since there are no houses of worship in South Seaside Park, Berkeley Township residents will not incur any loss of participating in any religious activities in South Seaside Park.
12. Since there are no schools or libraries in South Seaside Park, Berkeley Township residents will not incur any loss of any intellectual or cultural resources in South Seaside Park.
13. South Seaside Park is in an area of high flood risk and deannexation will relieve Berkeley Township of having high flood risk properties within their jurisdiction.
14. Deannexation will relieve Berkeley Township of the financial and administrative obligation of providing roadway resurfacing, solid waste and recyclable collection, snow removal, police service, animal control, beach and park maintenance to South Seaside Park.

Deannexation will not have a detrimental effect to Berkeley Township's planning and zoning documents; this is based upon the following:

1. The single master plan recommendation for Island Districts in South Seaside Park has not advanced and is not codified in the Berkeley Township land use ordinance. The absence of South Seaside Park would go relatively unnoticed given the number of planning on the mainland.

2. The use and bulk requirements in South Seaside Park are not unique and are found elsewhere in Berkeley Township; deannexation does not adversely impact or injure Berkeley Township's overall inventory and diversity of land use categories.
3. Berkeley Township's Fair Share Plan for Affordable Housing plan does not include South Seaside Park housing units; deannexation will not negatively impact Berkeley Township's fair share plan.
4. Deannexation will not have an impact on Berkeley Township's 2020 Vision Statement since South Seaside Park is not included in the document.

GEOGRAPHY, POPULATION, INCOME, OCCUPATION, & HOUSING

Geography: Berkeley Township is located in central Ocean County and it is 41.4 square miles (26,500 acres) in size.⁴ Berkeley Township has approximately thirty-five miles of shoreline consisting of ten miles of oceanfront, eighteen miles of bay frontage, and seven miles of creek, stream and river frontage.⁵ Berkeley Township is divided into three sections: western mainland, eastern mainland, and the barrier island. Berkeley Township's eastern boundary is the barrier island, where South Seaside Park and Island Beach State Park is located **(Exhibit 1)**.

The South Seaside Park section of Berkeley Township is located on the barrier island south of the Seaside Park Borough, north of Island Beach State Park, east of the Barnegat Bay, and west of the Atlantic Ocean. Roadway boundaries of South Seaside Park are: 14th Avenue to the north, 24th Avenue to the south, South Ocean Avenue to the east, and Roberts Avenue to the west **(Exhibit 2)**. South Seaside Park is 0.24 square miles (150.75 acres) in size⁶ with approximately 1.5 miles of shoreline- 2,900 linear feet of oceanfront and 5,000 linear feet of bay frontage **(Exhibit 3)**.

The deannexation of 150.75 acres from Berkeley Township- 0.5% of the township's total land area, and 1.5 miles of combined ocean and bay frontage will not cause significant economic or social injury to Berkeley Township residents.

Population: In the 2010 U.S. Census, South Seaside Park was counted as Census Block Group 1 **(Exhibit 4)**, which is a subset of Census Tract 728000 that includes Pelican Island, Seaside Park, Seaside Heights, and South Seaside Park. According to the 2010 U.S. Census, South Seaside Park's population is 490 persons in 275 occupied housing units, and Berkeley Township's population is 41,255 persons in 20,349 occupied housing units. The most prevalent race is white for both Berkeley Township and South Seaside Park **(Exhibit 5)**. Taking into account weekday and weekend population increases from May to October, the overall seasonal population of South Seaside Park can average 2,000 persons.

In South Seaside Park, 15 persons (3%) were under 18 years of age, as opposed to Berkeley Township with 13% of the entire population under 18 years of age. The median age is nearly identical- 61.1 years for Berkeley, and 61.9 years for South Seaside Park **(Exhibit 5)**. There are 275 total households in South Seaside Park- 40% are one person households, and the remaining 60% are two or more person households; this characteristic is shared identically with Berkeley Township **(Exhibit 5)**.

The deannexation of 490 persons- 0.1% of the township's population of identical ethnicity and age group will not cause significant injury to the economic and social well being of Berkeley Township residents. The deannexation of the 15 person school age population-

⁴ Roberts, David. 2012. Environmental Resource Inventory, Township of Berkeley. Page 8.

⁵ Maski, David. 2009. Berkley Township 2008 Land Use & Circulation Elements. Page 1.

⁶ Maski, David. 2009. Berkley Township 2008 Land Use & Circulation Elements. Table II-3B. Page 22.

0.02% of Berkeley Township's population of residents under 18- will not cause significant injury to the economic and social well being of Berkeley Township residents.

Income: Based on the 2008-2012 U.S. Census Bureau American Community Survey (the "ACS"), the per capita income is \$29,591 for Berkeley Township residents, and \$53,657 for South Seaside Park residents. The median household income of Berkeley Township residents is \$43,565, and \$68,194 for South Seaside Park residents **(Exhibit 6)**.

Occupation & Work Force: According to the ACS, 34% of Berkeley residents and 62% of South Seaside Park residents are employed, and the majority of employed residents work in the areas of management, sales, and office **(Exhibit 6)**.

The disparity in income and the percentage difference of those employed between South Seaside Park and Berkeley Township residents can be correlated to the number of residents under and over 75 years of age population- an age at which an individual presumably is not employed full time. While there may be a loss of income earning residents as a result of deannexation, this amount is neither substantial nor significant compared to the overall economic well being of Berkeley Township.

Housing: Based on the 2010 U.S. Census, there are 1,410 total housing units in South Seaside Park, 275 (20%) are occupied and 1,135 (80%) are vacant. Of the vacant units, 1,103 (97%) are for seasonal use and the remaining 3% are either for rent or for sale. Conversely, 85% of units throughout Berkeley Township are occupied, and 15% are vacant. The median age of the structure built in South Seaside Park is 44 years, while the median age in Berkeley Township is 33 years **(Exhibit 7A)**.

Based on the ACS, there are 1,468 housing units in South Seaside Park; 1,273 (86.7%) are one-unit detached, 37 (2.5%) are two-unit, 24 (1.63%) are three- or four- units, 119 (8.1%) are ten- or more units, and the remaining 15 (1.0%) are mobile home, boat, RV, or van. Overall, 93.6% of Berkeley Township's housing units are one-unit detached. The remaining unit categories are about 1% with the exception of ten- or more units at 2.2% (538) **(Exhibit 7B)**.

The ACS reports that of the 1,488 housing units in South Seaside Park, 56% have one or two bedrooms, 41% have three or more bedrooms, and 2.4% of the units have no bedrooms. The breakdown of bedrooms in housing units throughout Berkeley Township is 67% one or two bedrooms, 33% three or more bedrooms, and 0.3% with no bedrooms **(Exhibit 7C)**.

The ACS reports the median value of 377 owner occupied housing units in South Seaside Park is \$479,900, and the median value of 18,364 owner occupied housing units in Berkeley Township is \$183,600. In South Seaside Park, 235 (62.3%) of housing units are with mortgage, while in Berkeley Township, that figure is 9,094 (49.5%). The cost of home ownership as a percentage of

the total income is 33.8% for South Seaside Park residents, and similarly, 31.4% for Berkeley Township residents **(Exhibit 7D)**.

As a result of deannexation, Berkeley Township would lose 6% of its housing stock, but vacant housing units would be reduced by 33%, resulting in a decrease of Berkeley Township's overall vacancy rate from 14.5% to 10.4%. While the initial reduction of housing units is an economic injury, it is one that is off-set by the reduction in services that no longer need to be provided.

The median age of the housing stock in South Seaside Park is 44 years- eleven years older than housing units on the mainland. Berkeley Township is making plans to accommodate new growth in the proposed Town Center on the eastern mainland. Whatever the reduction in housing units is as a result of deannexation, that loss will be negated by future growth in planned areas designated by Berkeley Township.

The loss of seasonal units in South Seaside Park does not preclude Berkeley Township residents from renting or otherwise obtaining these units- they are not owned by Berkeley Township. The loss of seasonal units does not cause significant economic or social injury to Berkeley Township residents.

Deannexation will not result in the loss of a significant amount of housing units with varied number of bedrooms. The majority of housing units for Berkeley Township and South Seaside Park have two bedrooms which supports the fact that Berkeley Township will not lose significant or unique housing stock as a result of deannexation.

BERKELEY TOWNSHIP'S 2020 VISION STATEMENT

In 2002-2003, Berkeley Township conducted a public visioning process to identify long-range goals for the Township's physical, recreational, business, and community development *particularly within the eastern mainland section of the township* [emphasis added].⁷ The Township's 2020 Vision Statement- which serves as a guide for the Township's long-term policy and planning initiatives- focuses entirely on the mainland's physical, economic and environmental future. Furthermore, the Vision Statement establishes targets for future development of a Town Center and three commercial nodes on the eastern mainland. The Vision Statement fails to include how South Seaside Park will be linked to the Town Center and commercial nodes.

The Vision Statement states that residents of the Eastern mainland are secure in the knowledge that public safety- police, fire, first aid and emergency management- has always been a priority in the Township.⁸ South Seaside Park and its residents are not part of the 2020 Vision Statement.

South Seaside Park and its residents are not part of Berkeley Township's long-range policy and planning initiatives; the absence of South Seaside Park in the Vision Plan supports the notion that deannexation will not cause significant economic or social injury to Berkeley Township residents.

If deannexation is not approved, South Seaside Park residents will continue to be excluded from Berkeley Township's future plans which negatively impact their social and economic well being.

BERKELEY TOWNSHIP BUILD-OUT SUMMARY

In 2008, Berkeley Township conducted a build-out analysis to estimate job and population generation if all available and developable land was developed based on the maximum permitted density for residential zones, and additional gross floor area for non-residential zones. The build-out analysis revealed that there are no developable acres or new dwelling units yielded in South Seaside Park.⁹ The same analysis revealed 1,898 acres of residentially zoned unconstrained vacant land exists outside the designated Town Center, yielding 2,800 additional dwelling units and 308 acres of commercial / industrial zoned unconstrained vacant land outside the designated Town Center yielding 11 million square feet of new nonresidential floor area (**Exhibit 8**).¹⁰

Berkeley Township has already determined that South Seaside Park is an area built to capacity with no potential for future growth- while this determination does not cause significant social or economic injury to Berkeley Township residents, it has for those living in South Seaside Park.

⁷ *ibid.*, p. 5.

⁸ *ibid.*, p. 6.

⁹ *ibid.*, p. 45.

¹⁰ *ibid.*, p. 46.

BERKELEY TOWNSHIP MASTER PLAN: A BRIEF HISTORY

A master plan is the growth document of a municipality that depicts current and proposed land uses, and addresses various specific and community-minded subjects that shape the environment and well-being of its residents. The master plan provides focus on specific areas of a community, as well as the municipality's broader goals and objectives. The master plan is required to be re-examined every ten years.

Berkeley Township adopted a Comprehensive Master Plan in 1997, and in 2003 it underwent re-examination which resulted in an Open Space Preservation Study, 2020 Vision Statement, and Pinelands Area Master Plan Amendment.

In 2008 Berkeley adopted the Master Plan Housing Element and Fair Share Plan, and in 2009, Berkeley adopted "2008 Land Use and Circulation Elements". The 2009 document extended beyond land use and circulation and it included new zoning recommendations, new goals and objectives, vision statement, build out analysis, and inventories of community facilities, park / open space areas, natural and cultural resources, and utilities. In 2012 Berkeley adopted an Environmental Resources Inventory as a sub-element of the Master Plan.

BERKELEY TOWNSHIP MASTER PLAN GOALS

South Seaside Park is described in the master plan as "an older built-out seasonal community" whose "future is established for the foreseeable future."¹¹ The master plan calls the area between the Parkway and the bay as the area of primary focus for future development and redevelopment. The master plan makes certain to recommend that Berkeley Township be proactive about the future of this area- the Eastern mainland.¹² There are no focus initiatives or goals in the master plan that address South Seaside Park. The ten master plan goals "set the stage for more pointed objectives and recommendations,"¹³ encourage guidelines for new development, and support the preservation of residential character of neighborhoods. Circulation related goals revolve around the Towns Center concept only. Another master plan goal seeks to create a comprehensive open space system that provides recreation opportunities, connects green and blue ways, and establishes greenbelts around existing and planned development;¹⁴ but fails to provide "more pointed objectives and recommendations" on how to include South Seaside Park in on these same opportunities.

South Seaside Park and its residents are not included in the master plan goals. Deannexation will not cause significant injury to the Berkeley Township master plan.

¹¹ *ibid.*, p. 2.

¹² *ibid.*, p. 2.

¹³ *ibid.*, p. 8.

¹⁴ *ibid.*, p. 8.

BERKELEY TOWNSHIP MASTER PLAN OBJECTIVES

The nine master plan objectives do not individually or collectively address the needs and concerns of the residents of South Seaside Park. Completing the build-out of neighborhoods, encouraging development in Town Center and corridor nodes, and addressing the Route 9 corridor are addressed in master plan objectives but these are matters that are nowhere near South Seaside Park, nor do they affect the social and economic well-being of South Seaside Park residents.

*South Seaside Park and its residents are not included in the master plan objectives.
Deannexation will not cause significant injury to the Berkeley Township master plan.*

BERKELEY TOWNSHIP MASTER PLAN- EXISTING LAND USE

The Existing Land Use section of the master plan states that South Seaside Park has “the unique character of a year-round resort community,” but it does not say exactly what that means; it continues by stating that South Seaside Park “does still have some smaller bungalow type housing which is primarily utilized as summer rentals.”¹⁵

The Existing Land Use section also mentions smaller bungalow type housing in the lagoon communities of the Bayville section on the mainland and how newer, larger homes are being constructed among the bungalows, which “suggests that Berkeley Township has moved away from a seasonal vacation home community and has gravitated towards a maturing, year-round, residential suburb.”¹⁶ While this housing pattern may be prevalent on the mainland, South Seaside Park can hardly be described as becoming a maturing, year-round, residential suburb.

The existing land uses in South Seaside Park are: 89.14 acres of residential land, 8.15 acres of public and private vacant land, 4.35 acres of commercial land, and 4.21 acres of apartments. The remaining land is parks and preserved open space.¹⁷

The existing land uses in Berkeley Township are: 4,621.68 acres of residential land, 3,683.69 acres of vacant land, 721.17 acres of industrial land, 665.90 acres commercial land, and 52.13 acres of apartments. The remaining acreage is public property, vacant, school, church, farm, cemetery, or unknown.¹⁸

Single- and multi-family residential properties consist of 4,745, or 19%, of the township’s total land area,¹⁹ and commercial properties consist of 508 acres, or 2% of the township’s land area.²⁰ South

¹⁵ *ibid.* p. 15.

¹⁶ *ibid.* p. 15.

¹⁷ *ibid.*, p. 17.

¹⁸ Roberts, David. 2012. Environmental Resource Inventory, Township of Berkeley. Page 20.

¹⁹ Maski, David. 2009. Berkley Township 2008 Land Use & Circulation Elements. Page 15.

²⁰ *ibid.*, p. 15.

Seaside Park has 1.9% of the township's total residential land, 0.08% of commercial land, and 4.5% of apartment land.²¹

Deannexation of 1.9% of Berkeley Township's single- and multi-family residential land and 0.08% of Berkeley Township's commercial use land will not cause significant or substantial economic or social injury to the residents of Berkeley Township. The 2008 build-out analysis revealed 1,898 acres of residentially zoned unconstrained vacant land on the mainland outside the designated Town Center, yielding 2,800 additional dwelling units; and 308 acres of commercial / industrial zoned unconstrained vacant land outside the designated Town Center yielding 11 million square feet of new nonresidential floor area.

BERKELEY TOWNSHIP MASTER PLAN- PROPOSED LAND USE PLAN: RECOMMENDED ISLAND ZONES

The Land Use Plan calls for three initiatives: 1) create two town centers and three growth corridor nodes; 2) establish a Transfer of Development Rights program; and 3) eliminate all existing zoning in South Seaside Park and create new zones- Island Residential A, Island Residential B, Island Townhouse, Island Cottage Community, and Island Mixed Use. In support of the third initiative, the Land Use Plan calls for "context sensitive residential and commercial standards for the unique island neighborhood."²² This initiative is not supported by any of the goals or objectives of the master plan, and to date the master plan zone change recommendations have not been adopted into law. Should the recommended zone changes be carried out, the Land Use Plan acknowledges that the Island Zones are similar to mainland zones in terms of permitted uses and densities, but it encourages the creation of standards to address quality of life issues in South Seaside Park such as parking, signage, landscaping, and building mass.²³ A review of the zone changes (**Exhibit 9**) recommended by the master plan reveals the following:

1. Island Residential A zone would eliminate four-family zoning on Beach Drive (R-4F), and attached single-family homes and four-family zoning on 24th Avenue (R-TH), and would permit only single family homes at nine units per acre.²⁴
2. Island Residential B zone would eliminate four-family zoning between Beach Drive and 20th Avenue (R-4F) and would permit only single family homes at fourteen units per acre.²⁵

²¹ *ibid.*, p. 17.

²² *ibid.*, p. 48.

²³ "Although similar in some respects to certain zones on the mainland in terms of permitted uses and densities, these island-specific districts create an opportunity to further customize the applicable standards for such elements as parking, signage, landscaping, and building mass without impacting the mainland zones." *ibid.*, p. 48.

²⁴ *ibid.*, p. 52.

3. Island Townhouse zone would eliminate detached single-family zoning in the Central Avenue median (R-31.5), eliminate attached single family, and four-family zoning south of 14th Avenue between South Bayview Avenue and Central Avenue, and would permit only townhomes at fifteen units per acre.²⁶
4. Island Cottage Community zone covers the Midway Beach community using the current Beachfront Residential Zone standards, and also permits a five-acre minimum planned unit residential development to include single-family detached and townhouse units, and four-unit manor homes not to exceed fifteen units per acre.²⁷
5. Island Mixed-Use zone replaces the Resort Commercial and Neighborhood Business zones. The Island Mixed-Use zone permits retail, restaurant, and recreation uses on Central Avenue, attached single family homes, detached single family homes, and multi-family condominiums in the balance of the district which is the Resort Commercial zone.²⁸

The zone districts recommended for replacement by the master plan are currently in use in South Seaside Park. Implementation of the new master plan recommended Island zone districts would significantly change the one-unit detached residential character of South Seaside Park and will cause significant social and economic injury to South Seaside Park residents.

²⁵ *ibid.*, p. 52.

²⁶ *ibid.*, p 52.

²⁷ *ibid.*, p. 52.

²⁸ *ibid.*, p. 53.

BERKELEY TOWNSHIP FAIR SHARE PLAN FOR AFFORDABLE HOUSING

Berkeley Township did not file for substantive certification or a Judgment of Compliance for the Council on Affordable Housing ("COAH") first round. In 1994, Berkeley Township obtained a Judgment of Compliance for the second round. In 2008, Berkeley Township filed a Petition for Third Round Substantive Certification and Housing Element Fair Share Plan with the COAH and on March 6, 2009, Berkeley Township's Third Round Petition for Substantive Certification was deemed complete by COAH. As of 2008, Berkeley Township's fair share obligation is 1,230 units consisting of 610 prior round, 63 rehabilitation share, and 557 growth share for 2004-2018.

In March 2011, the Department of Community Affairs reported that Berkeley Township has credit for 306 new construction, 227 completed new, and 135 completed rehabilitation units.²⁹ South Seaside Park residential units are not part of Berkeley Township's 610-unit prior round obligation.

With regards to the rehabilitation component, of the 135 units rehabilitated by Berkeley Township since April 2000, not a single housing unit was located in South Seaside Park. Between 2000 and 2008, \$1.6 million in Ocean County Development Block Grant Housing Rehabilitation Program funds were used to rehabilitate owner occupied and rental units in Berkeley Township and not one resident of South Seaside Park benefitted from the CDBG program. South Seaside Park is not included in Berkeley Township's rehabilitation component of their fair share plan. The overwhelming majority of the rehabilitated units are located in the Silver Ridge or Holiday City communities on the mainland.

South Seaside Park is not mentioned in Berkeley Township's plans for fulfilling the growth share obligation of 557 units. The only mention of South Seaside Park in the fair share plan is of the master plan recommended Island Zones.

South Seaside Park is not part of Berkeley Township's fair share plan for affordable housing; no housing units in South Seaside Park were part of Berkeley Township's 610-unit prior round affordable housing obligation. No South Seaside Park housing units were rehabilitated by Berkeley Township. Deannexation of South Seaside Park will not cause significant injury to Berkeley Township's fair share plan for affordable housing. If deannexation is not approved, Berkeley Township's fair share plan will not achieve any new affordable units or any rehabilitated units- this is a significant injury to the social and economic well being of South Seaside Park residents.

²⁹ <http://www.state.nj.us/dca/affiliates/coah/reports/units.pdf> 3/1/11

BERKELEY TOWNSHIP LAND USE ORDINANCE: SOUTH SEASIDE PARK EXISTING ZONE DISTRICTS

According to the adopted zoning map last revised September 27, 2011, South Seaside Park has eight zoning districts consisting of five residential, two non-residential, and one beach conservation zone (**Exhibit 10**).

South Seaside Park is zoned 85% residential only (127 acres), and 15% commercial (24 acres). Excluding the Pinelands area, South Seaside Park consists of 1.5% of all the residential only zoned land, and 3.4% of the total commercial only zoned land in Berkeley Township (**Exhibit 11**). All but two zones are unique to South Seaside Park: 1) the R-50 zone is both on the barrier island (34 acres) and the mainland (173 acres); and 2) the NB zone is both on the barrier island (5.27 acres), and the mainland (23.29 acres).³⁰ The residential to commercially zoned land breakdown of Berkeley Township is 93% to 7% and remains unchanged in a post-deannexation Berkeley Township (**Exhibit 12**).

A synopsis of the permitted uses in each South Seaside Park zone district is provided in **Exhibit 13**. A synopsis of the lot requirements in each South Seaside Park zone district is provided in **Exhibit 14**.

The deannexation of 1.5% of the residential and 3.4% of the commercial zoned lands of Berkeley Township will not cause significant economic or social injury to Berkeley Township residents.

Berkeley Township's 93% to 7% residential-to-commercially zoned land ratio remains unchanged as a result of deannexation and thus will not cause significant injury to Berkeley Township's zone plan.

The permitted use and lot requirements in the zone districts of the South Seaside Park are no different than those throughout Berkeley Township; deannexation will not cause significant economic or social injury to Berkeley Township's diversity of permitted uses.

Berkeley Township's current zone plan is silent about South Seaside Park's unique barrier island community characteristic which adversely impacts the economic and social well being of South Seaside Park residents.

³⁰ Maski, David. 2009. Berkeley Township 2008 Land Use & Circulation Elements. Page 22.

PRESERVED OPEN SPACE IN BERKELEY TOWNSHIP AND SOUTH SEASIDE PARK

Open space is public or privately owned undeveloped land that is protected from development by legislation.

One open space property is in South Seaside Park at the corner of Roberts and South Bayview avenues- the Roberts Avenue Marsh is 7.1 acres and is owned by the Ocean County Natural Lands Trust Fund and has been dedicated open space since 1999 (**Exhibit 15**).

Berkeley Township owns ten open space properties and holds a conservation easement for an eleventh property for a total of 316 acres of preserved open space³¹ and not one property is in South Seaside Park. Some of these open space properties have even been improved over the years with parking lots, piers, and water access.

About 157 acres of mainland Berkeley Township is part of the 47,000 acre Edwin B. Forsythe National Wildlife Refuge which protects southern New Jersey coastal habitats. The State of New Jersey owns three open space properties in Berkeley Township: Double Trouble State Park, Greenwood Forest Wildlife Management Area, and Island Beach State Park. The first two properties are on the mainland, but Island Beach State Park is directly south of South Seaside Park.

Two Ocean County entities own fourteen open space properties in Berkeley Township totaling 1,800 acres,³² and 2 non-profit entities own and preserve 2,500 acres of open space in Berkeley- none of which are in South Seaside Park.

Deannexation of 2.2% of preserved open space in South Seaside Park will not cause significant economic or social injury to the residents of Berkeley Township and it will not thwart any local or regional preservation efforts. There is ample supply of national, state, and county owned open space on the mainland for use by Berkeley Township residents.

³¹ Roberts, David. 2012. Environmental Resource Inventory, Township of Berkeley. Page 161.

³² *ibid.*, pages 159-161.

PARK & RECREATION FACILITIES IN BERKELEY TOWNSHIP AND SOUTH SEASIDE PARK

Parks may be protected from development as well and they are often areas devoted to a specific purpose such as ball courts, ball fields, jogging tracks, playgrounds, etc.

Background: The 1997 master plan did not report any progress in expanding recreational facilities in South Seaside Park, it did however suggest that “the availability of municipally controlled property with frontage on the Barnegat Bay and other surface water features offers the opportunity to develop nature trails, bike paths, boating facilities, arboretums, outdoor performance venues and other passive recreation improvements to meet the present and future need of Township residents.”³³ Development of these publically owned parcels on the mainland fronting Barnegat Bay according to a long range plan would permit Berkeley Township active and passive waterfront recreational facilities at a scale and design that is consistent with the demands of mainland residents- these developments have no impact on South Seaside Park or its residents.

According to the 1997 Recreation Needs Analysis, Berkeley Township was deficient in providing 66% of the active recreation facility categories (8 out of 12 deficient), and 80% of passive recreation facility categories (4 out of 5 deficient).³⁴ More recently, the 2012 Environmental Resource Inventory reports that Berkeley Township has fifteen developed parks totaling 503 acres.³⁵ Berkeley Township’s website lists sixteen parks,³⁶ and of those listed parks, all but two are on the mainland: Sgt. John A. Lyons Memorial Park, and White Sands Beach.

Sgt. John A. Lyons Memorial Park: this 8,400 square foot park is at the intersection of Barnegat and 24th avenues in South Seaside Park and borders Island Beach State Park to the south. This park is paved with asphalt to accommodate one full size basketball court (**Exhibit 16A**).

White Sands Beach: this park is 6.76 acres and is located between 20th and 23rd avenues with approximately 1,000 linear feet of oceanfront (**Exhibit 16B**). Beach badges are required June through Labor Day, and beach buggy passes are available off-season. Called the “best-kept secret” in the township,³⁷ when the beach is open there are Berkeley Township lifeguards on duty. Restrooms and an outside shower are the only facilities at White Sands Beach. The cost to access White Sands Beach is \$5 daily, \$6 weekends and holidays; \$20 weekly. Season badges are \$30 through June 15, and \$35 thereafter. Under existing law, a municipality may not discriminate in the rate it charges as between residents and non-residents for beach use. Badges can be purchased pre-season from the Berkeley Recreation Center on Route 9 and then at the beach by mid June- this presents an added inconvenience for South Seaside Park residents who would have to travel to the municipal building in order to receive the pre-season discount. Pre-season badges

³³ McSweeney, Daniel C., Roberts, David. 1997. Berkeley Township Comprehensive Master Plan. Page 26.

³⁴ *ibid.*, p. 27.

³⁵ Roberts, David. 2012. Environmental Resource Inventory, Township of Berkeley. Page 164.

³⁶ http://www.twp.berkeley.nj.us/d_parks.aspx

³⁷ <http://berkeley-nj.patch.com/groups/politics-and-elections/p/white-sands-beach-berkeley-township>

are also sold at South Seaside Park on 23rd Avenue from 9:00AM to 1:00 PM on the first two Saturdays of June only. Collectively there is eight hours of pre-season availability to South Seaside Park residents to purchase badges to access their own beach. If a South Seaside Park resident misses either of these days, s/he must either travel to the Berkeley Recreation Center or pay full price.

Badges are free for seniors age 62 and older and children 12 and younger. While Berkeley Township stands to lose the revenue generated by the sale of beach badges, being relieved of funding the personnel and capital expenses for maintaining and operating White Sands Beach will result in no economic loss to Berkeley Township residents.

White Sands Beach is mainly a facility that serves the residents of South Seaside Park- those who live in the area. The toilet and changing facilities are minimal, and there are no parking areas for people coming to the area to use the beach.

The Berkeley Township Recreation Commission holds one event each year at White Sands Beach; the beach is not used with respect to senior citizens or children from the mainland being bused by the Township to the beach as part of a township sponsored program.

Excluding Sgt. A. Lyons Memorial Park and White Sands Beach, on average the next closest Berkeley Township owned and operated park is fourteen miles away- a twenty-five minute drive, or over an hour by bicycle (**Exhibit 17A**) while there are three parks in Seaside Park Borough that are less than two miles away, or a ten minute bicycle ride from South Seaside Park (**Exhibit 17B**). Parks and amenities available to mainland residents outnumber what is locally available to the residents of South Seaside Park. All but 98.5% of developed parks are located on the mainland.

The loss of the Sgt. John A. Lyons Memorial Park- one outdoor basketball court will not cause significant economic or social injury to Berkeley Township residents.

White Sands Beach is underutilized by Berkeley Township and mainly serves those who live in the area. The loss of White Sands Beach will not cause significant economic or social injury to Berkeley Township residents.

If deannexation is not approved, South Seaside Park residents will have to continue to travel unreasonable distances to utilize Berkeley Township recreation facilities which significantly injures the economic and social well being of South Seaside Park residents.

The Edwin B. Forsythe National Wildlife Refuge promotes visitor activities that include hunting, fishing, wildlife viewing, public events, environmental education, and photography.³⁸ Double Trouble State Park is located on the mainland and has a historic village, cranberry bogs, fishing,

³⁸ http://www.fws.gov/refuge/Edwin_B_Forsythe/visit/visitor_activities.html

hunting, canoeing/kayaking, biking, and horseback riding. Island Beach State Park is 3,003 acres and offers the following activities: fishing, waterfowl hunting, canoeing / kayaking, sail boarding, surfing, scuba diving, bird watching, horseback riding, biking, nature hikes, picnicking, swimming, herbarium (plant museum), and visiting historic Coast Guard stations. Island Beach State Park is directly south of South Seaside Park.

Ocean County owns and operates the Barnegat Branch Trail, Berkeley Island County Park, Mill Creek County Park, and Robert J. Miller Airpark. Each of these four parks total 74 acres, all are located on the mainland, and all offer a variety of recreational opportunities including: hiking, fishing, children's playground, fishing, picnicking, and an off-leash dog park.³⁹ There is an adequate inventory of park and recreation facilities to satisfy the mainland Berkeley Township residents.

There is ample supply of national, state, and county owned park and recreational facilities on the mainland for use by Berkeley Township residents.

³⁹ Roberts, David. 2012. Environmental Resource Inventory, Township of Berkeley. Page 163.

RECREATION & SENIOR CITIZEN PROGRAMS IN BERKELEY TOWNSHIP

Recreation Programs: Berkeley Township has a Division of Recreation which is part of the Bureau of Parks and Beaches. The only recreation center that serves all Berkeley Township residents is located at 630 Route 9 in Bayville- 13.6 miles road distance, and a 25 minute trip by car, 75 minutes by bike, or 8.5 hours walking from South Seaside Park. Traditionally, the twice-monthly summer concert series, and the Irish Festival is held at Veteran's Park on the mainland, and past Family Unity Day events have been held at Manitou Park on the mainland. The only recreation or recreation/social event held at South Seaside Park is the Summer Beach Party at White Sands Beach.

Summer camp is offered to Berkeley Township children and in 2013, a temporary bus stop was provided at the Sgt. A. Lyons Memorial Park. Weeknight basketball programs were offered to children in 2013 at the Recreation Center on Route 9 but no programs in South Seaside Park.

Senior Citizen Programs: Berkeley Township senior programs are administered through the Recreation Department. In order to participate in the senior programs, registration is required. The 2013-2014 registration form⁴⁰ requests that the senior citizen pick a bus stop; the choices provided on the application are (in alphabetical order): Bay Ridge Apartments, Holiday City at Berkeley, Holiday City South, Holiday Heights, Recreation Center, Silver Ridge Park East, Silver Ridge Park North, Silver Ridge Park West, and Silver Ridge Park Westerly. There are no bus stops for senior citizens living in South Seaside Park.

Berkeley Township offers an adult wellness walk around Veteran's Park, but no wellness walks in South Seaside Park. **Exhibit 18** provides a chart of nearby senior citizen program providers and their respective distances from South Seaside Park- there are no senior citizen programs or providers in South Seaside Park.

The loss of one location site to host one recreation program each year in South Seaside Park will not cause significant economic or social injury to Berkeley Township residents. If deannexation is not approved, it will result in continued economic and time related inconvenience of South Seaside Park residents having to drive in a vehicle for one hour round trip to participate in any Berkeley Township sponsored programs.

The Berkeley senior programs do not take into consideration that senior citizens reside in South Seaside Park; there are no bus stops for seniors living in South Seaside Park, nor do any senior programs take place in South Seaside Park. There is no loss of senior citizen programs in South Seaside Park, thus deannexation will not cause significant economic or social injury to Berkeley Township residents.

⁴⁰ <http://www.btrec.org/registration/SeniorRegistration2013.pdf> accessed 2/5/2014

ENVIRONMENTAL RESOURCES IN BERKELEY TOWNSHIP

Berkeley's Environmental Resource Inventory (ERI) was approved as a sub-element of the master plan in 2012. An ERI is a compilation of all environmental features and characteristics in a municipality. Environmental resources are pertinent to this deannexation report because environmental conditions affect the quality of life and economic and social well being of Berkeley Township's residents. The ERI divides Berkeley Township into three sections: barrier island, eastern mainland, and western mainland.

Water Resources: There are fourteen public community wells and twenty-seven public non-community wells in Berkeley Township- none of which are located in South Seaside Park. While there are eleven streams totaling 110 miles in Berkeley Township,⁴¹ none of these streams are in South Seaside Park.⁴² The New Jersey Department of Environmental Protection designates Berkeley Township within the Barnegat Bay Watershed Management Area. The US Geological Survey designates Berkeley Township into seventeen different subwatersheds, two of which neighbor South Seaside Park- the Barnegat Bay Control Subwatershed, and the Atlantic Coast Subwatershed. Both subwatersheds run the western and eastern lengths of Island Beach State Park respectively.⁴³

Biological Resources: There are twenty-two rare vertebrate animals and four rare plants found on the barrier island. There are fourteen rare vertebrae animals and eighteen rare plants found on the mainland.⁴⁴ Most if not all of the rare animals and plants on the barrier island are found on Island Beach State Park and not South Seaside Park.

Shellfish growing waters adjacent to Berkeley Township include the Atlantic Ocean, Barnegat Bay, Cedar Creek, Toms River and the manmade channels of the Glen Cove and Berkeley Shores neighborhoods. Berkeley Township has shellfish harvest prohibited areas, special restricted areas, seasonal, and harvest areas under any condition. Only two locations- Barnegat Bay south of Good Luck Drive, and the Atlantic Ocean are classified as approved harvest areas under any conditions.⁴⁵

Agricultural Resources: Berkeley Township has 53 acres of farmland properties; none are in South Seaside Park. There are more than 400 acres of Prime Farmland Soils within Berkeley, none of which are in South Seaside Park. Similarly, Berkeley contains 2,664 acres of Statewide Important soils, and 6,199 acres of Unique Importance soils but none are in South Seaside Park.⁴⁶

⁴¹ Roberts, David. 2012. Environmental Resource Inventory, Township of Berkeley. Page 63.

⁴² *ibid.*, p. 68.

⁴³ *ibid.*, p. 72.

⁴⁴ *ibid.*, pages 130-135.

⁴⁵ *ibid.*, p. 80.

⁴⁶ *ibid.*, pages 144-147.

Floodways and Floodplains: The Federal Emergency Management Agency (“FEMA”) provides Flood Hazard Areas mapping. Flood hazard zones are lettered based on the level and type of flood risk. In South Seaside Park, the post Superstorm Sandy preliminary FEMA maps zones indicate Zone V/VE- an area of high flood risk subject to inundation by the 1% annual-chance flood event with additional hazards due to storm-induced velocity wave action (a three-foot or higher breaking wave), and Zone A/AE- an area of high flood risk subject to inundation by the 1% annual-chance flood event.⁴⁷ South Seaside Park has Zones VE10, VE15, AE7, AE8, and AE9 (**Exhibit 19**).

Sand Dunes: When Superstorm Sandy hit in October 2012, damage to Midway Beach property was minimal – the area is protected by twenty-five foot high dunes that the Midway Beach community started passively building in the 1980s. Before Superstorm Sandy, the dunes were 120 to 150 feet wide, Superstorm Sandy eroded about 50 feet of sand from that width, so in November 2012, the Midway Beach Condominium Association spent \$7,000 of their own funds on plants and fencing to start replacing the sand without using heavy equipment⁴⁸ and without the assistance of Berkeley Township. Residents of South Seaside Park have invested their own money and time into building sand dunes to combat beach erosion and supplement natural habitats.

Contaminated Sites: There are no known active contaminated sites in South Seaside Park; the ERI lists twenty-four active sites in Berkeley Township.

There are no public community wells, non-public community wells, or streams in South Seaside Park. Both South Seaside Park and Berkeley Township share the same watershed concerns under the Barnegat Bay Watershed Management Area. Deannexation will not cause significant damage to water resources in Berkeley Township or South Seaside Park.

South Seaside Park and mainland Berkeley Township both have approved shellfish harvest areas. Deannexation will not cause significant economic or social injury to Berkeley Township residents as a result of any loss of shellfish harvest areas- they are all under New Jersey jurisdiction.

South Seaside Park has no farms, Prime Farmland Soils, Statewide Important Soils, or Unique Importance Soils. Deannexation will not cause significant economic or social injury to the farming community of Berkeley Township.

South Seaside Park is in an area of high flood risk; deannexation will result in Berkeley Township relieving themselves of the responsibility of having high flood risk properties in their jurisdiction- reducing economic injury to Berkeley Township residents.

⁴⁷ <http://www.region2coastal.com/additional-resources-1/glossary#Zone>

⁴⁸ <http://news.nationalgeographic.com/news/2013/09/130901-coastal-sand-dunes-midway-beach-jersey-sandy/>

HISTORIC AND CULTURAL RESOURCES- SOUTH SEASIDE PARK AND BERKELEY TOWNSHIP

There are three properties in Berkeley Township that are listed in the National and State Registers of Historic Places, none of which are in South Seaside Park.⁴⁹ There are five properties in Berkeley Township that are certified eligible to be listed on the State and National Registers of Historic Places. One of the eligible properties is in South Seaside Park- the Midway Camps Historic District which is bounded by Central Avenue to the west, 13th Avenue to the north, Ocean Avenue to the east, and 20th Avenue to the south **(Exhibit 20)**.⁵⁰ Midway Beach is a community of about 400 one-story houses on average 20' wide x 40' deep lots.⁵¹ Generations of central New Jersey families have made vacationing at Midway Beach part of their summer tradition. All of the four remaining certified eligible properties are located on the mainland: Dover Forge, Double Trouble Historic Village, Pinewald, and Manitou Park.

Deannexation does not result in the loss of any properties listed on the National and State Registers of Historic Places. Midway Camps Historic District is deemed only eligible to be listed on the state and national registers- it is not listed on the National and State Registers of Historic Places. The deannexation of one property deemed eligible to be listed on the National and State Registers of Historic Places does not cause significant economic or social injury to Berkeley Township residents. Historic and cultural places are not being moved or destroyed.

⁴⁹ Roberts, David. 2012. Environmental Resource Inventory, Township of Berkeley. Page 150.

⁵⁰ NJ DEP- Historic Preservation Office; New Jersey and National Registers of Historic Places, last updated 11/22/13.

⁵¹ http://blog.nj.com/njv_mark_dionno/2010/07/midway_beach_provide_the_shore.html

PUBLIC SAFETY

Police: The physical location of the headquarters is the municipal complex in Bayville- 15.2 miles road distance, or a half hour drive from South Seaside Park. A separate expert will provide testimony to include but not limited to the present status of the Berkeley Township police force and that force's strength and presence in South Seaside Park, an analysis of the types of complaints received by Berkeley Township from the South Seaside Park area, and the annual cost of policing South Seaside Park.

Fire: According to the 2008 master plan, the Seaside Park Volunteer Fire Department provides coverage to South Seaside Park through a contractual agreement of \$23,400 annually. The Seaside Park Volunteer Fire Department Station 45 is located at 1 Municipal Plaza in Seaside Park- only a half-mile from most South Seaside Park residents.

First Aid: Tri-Boro First Aid Squad, an independent emergency medical services organization consisting of both paid and volunteer members, provides services to South Seaside Park through a mutual aid agreement contribution. Tri-Boro First Aid also provides coverage to Seaside Heights, Seaside Park, and Island Beach State Park. According to the 2008 Seaside Park Master Plan, South Seaside Park generated twenty-eight calls- less than five percent of the calls received for the time period. Tri-Boro First Aid Squad is located on J-Street in Seaside Park- approximately 1.2 miles from South Seaside Park.

Contractual agreements and mutual aid agreement contributions cover fire and first aid services for South Seaside Park residents; the longevity of these relationships help contribute to their stability and predictability; there is no reason why police coverage could follow precedent through an inter-local services agreement between Berkeley Township and Seaside Park Borough (if annexation were accepted), or if they were absorbed entirely by Seaside Park Borough. Berkeley Township would be relieved of the financial and administrative responsibilities of providing public safety for South Seaside Park and will result in economic benefit and not injury to Berkeley Township residents.

PUBLIC TRANSIT WITHIN BERKELEY TOWNSHIP & SOUTH SEASIDE PARK

There is no public transit service that connects South Seaside Park with mainland Berkeley Township. A bus service provided by Ocean County called *Ocean Ride* provides bus service to Ocean County residents but these routes benefit only Berkeley Township residents who live on the mainland.

In order for a South Seaside Park resident to access mainland Berkeley Township via *Ocean Ride*, that person must take the Toms River Connection located in Lavallette at President Avenue and Route 35, which is 4.6 miles north of South Seaside Park- a twelve minute drive, half-hour bike ride, or 1.5 hour walk **(Exhibit 21)**. Mainland Berkeley Township residents must also take the Toms River Connection then travel 4.6 miles south if they wished to visit South Seaside Park.

The two *Ocean Ride* bus routes that benefit mainland Berkeley Township residents are:

1. Ocean Ride Route #1: Whiting, Manchester, Berkeley, to Toms River, operates Monday, Wednesday and Friday, and makes stops at Davenport Road / Route 530, Holiday Heights Clubhouse, Davenport Road / Mule Road, and Holiday City Mini Mall **(Exhibit 22)**.
2. Ocean Ride Route #2: Manchester, Lakehurst, Berkeley to Toms River, operates Tuesdays and Thursdays, and makes stops at Holiday City Mini Mall **(Exhibit 23)**.

New Jersey Transit provides a seasonal bus route from New York to Brick Township, Toms River, Ocean County Mall, Seaside Heights, Seaside Park, and Island Beach State Park which passes through South Seaside Park.

Ocean County is developing a fifteen mile rail-to-trail multi-purpose trail (non-vehicular) on the mainland but there are no such proposed or dedicated trails in South Seaside Park.

South Seaside Park is not easily accessible via public transit by mainland Berkeley Township residents; deannexation of South Seaside Park- an area not easily accessible by public transit- will not cause significant economic or social injury to Berkeley Township residents.

The time consuming and segmented public transit route that South Seaside Park residents are forced to take if they wish to access mainland Berkeley Township's public buildings and facilities is a economic and social burden; Berkeley Township's refusal to consent to deannexation will continue the economic and social injury burdened by South Seaside Park residents.

PUBLIC AND PRIVATE SCHOOLS

Public Schools: Berkeley Township has its own pre-kindergarten through grade 6 elementary school system. The 2013 enrollment was 1,772 regular full time pupils, 338 special full-time pupils for a subtotal of 2,110 pupils, not including eleven private school placements, two pupils sent to other districts for special education programs, and one pupil in a state facility. The district received thirty-one pupils from outside districts.⁵² Berkeley Township schools are as follows:

1. Bayville Elementary (grades PK-4): 356 Atlantic City Boulevard, Bayville. The enrollment is maintained at around 425. Bayville Elementary School is twelve miles road distance from South Seaside Park- a twenty-two minute drive.
2. Berkeley Township Elementary (grades 5-6): 10 Emory Road, Bayville. The 2013/2014 school year enrollment is 590 students. Berkeley Township Elementary school is fourteen miles road distance from South Seaside Park- a twenty-six minute drive.
3. Clara B Worth Elementary (grades PK-4): 57 Central Parkway, Bayville. This school also serves as the receiving school for the District's autistic population. Clara B. Worth Elementary school is fifteen miles road distance from South Seaside Park- a twenty-six minute drive.
4. H&M Potter Elementary (grades K-4): 60 Veeder Lane, Bayville. This school accommodates about five hundred students and is thirteen miles road distance from South Seaside Park- a twenty-five minute drive.

There is one regional public middle school that enrolls Berkeley Township residents- Central Regional Middle School (grades 7-8) at Forrest Hills Parkway in Bayville. The school enrolls 660 students and is fifteen miles road distance from South Seaside Park- a twenty-three minute drive.

There is one regional public high school that enrolls Berkeley residents- Central Regional High School at Forest Hills Parkway in Bayville. The 2013 enrollment was 1,502 students; the estimated 2014 enrollment is 1,505 pupils. The school is fifteen miles road distance from South Seaside Park- a twenty-three minute drive.

Ocean County Vocational Technical School had a combined enrollment of 475 in the 2011-2012 school year.⁵³ There are several school locations throughout the county but none in South Seaside Park, the barrier island, or even Berkeley Township; the facilities are located in: Brick, Little Egg Harbor, Jackson, Lakehurst, Manahawkin, Toms River, and Waretown.

⁵² http://www.btboe.org/files/_oHJYY_/bc634f8e8f5560a63745a49013852ec4/BTSD_UserFriendlyBudget.pdf

⁵³ http://nces.ed.gov/ccd/districtsearch/district_detail.asp?Search=2&details=1&ID2=3411980&DistrictID=3411980

Private schools: There are no private schools in South Seaside Park or on the barrier island, but there are thirteen within thirty miles that service Berkeley Township among other municipalities and they are: Ocean Academy (grades 5-12) in Bayville, Education Academy (1-8) in Lanoka Harbor, Ambassador Christian Academy (K-8) in Toms River, Ocean County Christian Academy (K-12) in Toms River, St. Joseph School (K-8) in Toms River, Grace & Peace Academy (K-8) in Toms River, Monsignor Donovan High School in Toms River, St. Peter School (K-8) in Point Pleasant Beach, St. Dominic School (K-8) in Brick, St. Paul's Christian School (K-8) in Brick, Calvary Academy (K-12) in Lakewood, Holy Family School (K-8) in Lakewood, All Saints Regional Catholic School (K-8) in Manahawkin. There are many private Jewish schools in Lakewood which is within thirty miles of South Seaside Park.

There are no public or private schools in South Seaside Park; deannexation of South Seaside Park will not cause significant economic or social injury to Berkeley Township residents. Berkeley Township residents will not be denied access to any school facilities that would enhance their social and cultural enlightenment.

Based on 2010 U.S. Census data and discussions with South Seaside Park residents, there are very few school age children living in South Seaside Park. Any withdrawal of South Seaside Park pupils from the K-6 local school district, or the middle / regional school districts would result in a financial savings to the Berkeley Township school district and this savings is a direct economic benefit to Berkeley Township residents.

Adjacent Seaside Park Borough students attend Toms River Regional School District for grades K-6. Students in public school for grades 7 through 12 attend the schools of the Central Regional School District which serves students from the municipalities Berkeley Township, Island Heights, Ocean Gate, Seaside Heights and Seaside Park.

PUBLIC LIBRARIES

Berkeley Township does not have its own library system- they participate in a county library system. There are four county library branches near Berkeley Township; the closest from South Seaside Park is the Upper Shores Branch in Lavellette, which is four road miles distance from South Seaside Park.

OCEAN COUNTY BRANCH LIBRARY	ROAD DISTANCE FROM SOUTH SEASIDE PARK	DRIVE TIME ⁵⁴	BICYCLE TIME	WALK TIME
Upper Shores Branch 112 Jersey City Avenue, Lavellette	4 miles	11 min	21 min	1.25 hr
Island Heights Branch 121 Central Avenue, Island Heights	6.5 miles	13 min	34 min	7 hr
Toms River Branch 101 Washington Street, Toms River	8.6 miles	15 min	44 min	7 hr
Beachwood Branch 126 Beachwood Boulevard, Beachwood	10 miles	19 min	54 min	7.5 hr
Berkeley Branch 30 Station Road, Bayville	14 miles	26 min	1.1 hr	8.75 hr

Since there is no local library system and no other public libraries in South Seaside Park, deannexation will not result in substantial social, economic, or cultural injury or detriment in Berkeley Township. No Berkeley Township residents will be deprived of participating in intellectual activities, and deannexation will not deprive Berkeley Township of prestige and social standing and/or the part they play in the region's general scheme of intellectual and social diversity.

⁵⁴ Summer traffic can make the drive time substantially longer

SOUTH SEASIDE PARK SOCIAL INTERACTION & COMMERCIAL ACTIVITY

Below is a list of eating and drinking establishments, lodging, and retail supply stores in South Seaside Park:

SOUTH SEASIDE PARK EATING AND DRINKING ESTABLISHMENTS, LODGING, AND COMMERCIAL ESTABLISHMENTS	DESCRIPTION OF ESTABLISHMENT
Atlantic Bar & Grill: 10 Central Avenue	Restaurant & Bar
Berkeley Restaurant & Fish Company: 24 th Avenue	Restaurant & Bar
Bum Rogers Tavern & Crabhouse: 2207 SW Central Avenue	Restaurant & Bar
Ebby's Café Alfresco: 2013 Southeast Central Avenue	Restaurant
Island Beach Café: 39 11 th Lane	Restaurant
Pier House Restaurant: 2204 SW Central Avenue	Restaurant
Beach Club Hotel: 33 20 th Avenue	Hotel
Island Beach Motor Lodge: 24 th & Central Avenue	Motel
Red Top Boats: 20 th Avenue & South Bayview Avenue	Retail- marine supply store

Since the number of eating and drinking establishments, lodging facilities, and retail supply stores are minimal, and their characteristics are vernacular to the barrier island, deannexation will not result in substantial social or cultural injury or detriment in Berkeley Township. No Berkeley Township residents will be deprived of patronizing any of the establishments in South Seaside Park should it become part of a different municipality. Deannexation will not deprive Berkeley Township of any prestige and social standing and/or the part they play in the region's restaurant, lodging, and retail diversities.

HOUSES OF WORSHIP

There are no houses of worship in South Seaside Park. The closest houses of worship on the barrier island within five road miles from South Seaside Park are:

HOUSES OF WORSHIP	MUNICIPALITY	ROAD DISTANCE FROM SOUTH SEASIDE PARK	DRIVE TIME ⁵⁵	BICYCLE TIME	WALK TIME
Union Church of Seaside Park	Seaside Park	0.7 mi	2 m	4 m	13 m
St. Catharine of Siena	Seaside Park	1.1 mi	3 m	6 m	22 m
Our Lady of Perpetual Help	Seaside Heights	2.4 mi	6 m	12 m	46 m
Redeemer Orthodox Presbyterian	Seaside Heights	2.7 mi	7 m	13 m	52 m
Faith Lutheran Church	Lavallette	3.9 mi	9 m	19 m	1.25 hr
Saint Elisabeth Chapel	Ortley Beach	4 mi	10 m	19 m	1.1 hr
St. Pio of Pietrelcina	Lavallette	4.2 mi	11 m	23 m	1.2 hr
Union Church of Lavallette	Lavallette	4.2 mi	11 m	23 m	1.2 hr

The closest houses of worship on the mainland within 15 road miles from South Seaside Park are:

HOUSES OF WORSHIP	MUNICIPALITY	ROAD DISTANCE FROM SOUTH SEASIDE PARK	DRIVE TIME ⁵⁶	BICYCLE TIME	WALK TIME
St. Justin's Church	Toms River	6.9 mi	12 m	35 m	6.1 hr
East Dover Baptist Church	Toms River	7.2 mi	12 m	39 m	6.3 hr
Congregation B'nai Israel	Toms River	11.1 mi	19 m	58 m	6.3 hr
Masjid Bilal Mosque	Toms River	12.6 mi	20 m	1hr	6.5 hr
Siddhivinayak Hindu Temple	Toms River	13.1 mi	21 m	1.1 hr	6.6 hr
Islamic Center of Ocean County	Toms River	15.1 mi	24 m	1.3 hr	6.5 hr

Since there are no houses of worship in South Seaside Park, deannexation will not result in substantial social injury or detriment to Berkeley Township residents. No Berkeley Township residents will be deprived of participating in religious activities, and deannexation will not deprive Berkeley Township of prestige and social standing and/or the part they play in the region's general scheme of religious and social diversities.

⁵⁵ Summer traffic can make the drive time substantially longer

⁵⁶ Summer traffic can make the drive time substantially longer

QUALITY OF LIFE ISSUES

South Seaside Park residents will testify to experiences where they have felt that their requests made to Berkeley Township employees and elected officials have gone ignored or are addressed in an unreasonably slow time period, these include:

1. Requests to have a central location to pick up a local newspaper- make the Berkeley Times available in South Seaside Park. Residents do not relish in the fifteen mile drive to pick up the paper at the municipal building.
2. Requests for a place for South Seaside Park senior citizen residents to meet besides at the mainland facility.
3. Requests for a boat launch ramp in South Seaside Park.
4. Requests for a bay beach area for play / swimming in South Seaside Park.
5. Requests for a pier from which to crab and fish in South Seaside Park
6. Requests for additional recreational facilities in South Seaside Park.
7. Requests to adjust the Emergency Notification System to communicate the weather notices more accurately since the weather on the barrier island is different than the mainland.

This and more will be supported by testimony of South Seaside Park residents during the public hearings for petition for deannexation.

PUBLIC UTILITIES

Water: Potable water for South Seaside Park is obtained through Shore Water Company. This arrangement would not change should South Seaside Park be de-annexed from Berkeley Township.

Sanitary Sewer and Wastewater: The Berkeley Township Sewerage Authority (BTSA) provides sanitary sewer service and wastewater collection to South Seaside Park. The BTSA has a service agreement with the Ocean County Utilities Authority (OCUA) under which the OCUA is obligated to receive and treat all the wastewater flow from the BTSA.

Electrical Power: Jersey Central Power and Light provide electric power for a region which includes both South Seaside Park and Berkeley Township.

Natural Gas: New Jersey Natural Gas provides natural gas for a region which includes both South Seaside Park and Berkeley Township.

With exception to solid waste and recycling collection, the remaining utility arrangements will not change and there would be no significant social or economic impact to the residents of Berkeley Township.

SOLID WASTE AND RECYCLING

Solid Waste and Recycling: The Berkeley Township Division of Sanitation performs solid waste and recycling collection for South Seaside Park. Garbage pickup is once per week (twice each week July and August), and recycling pickup is every other week. Bulk pickups are four times a year.

South Seaside Park residents experience conflicts with Berkeley Township solid waste and recycling collection performances, and Berkeley Township's refusal to consent to deannexation will continue in the social and economic impact to South Seaside Park residents by requiring them to frequently monitor the frequency and consistency of Berkeley Township's solid waste and recycling removal services in South Seaside Park.

SEASIDE PARK BOROUGH

South Seaside Park is bordered to the north by Seaside Park Borough which is 0.768 square miles in size and has a population 1,579 according to the 2010 U.S. Census.

The Seaside Park Borough Municipal Building is located at Sixth and Central avenues: a half-mile, five minute bike ride, or ten minute walk for most South Seaside Park residents.

The Seaside Park Borough Recycling Center on 14th Avenue / Barnegat Avenue is across the street from South Seaside Park residences. Moe Levine Field and Park has illuminated baseball fields, playgrounds, and tennis courts and is less than a half-mile from most South Seaside Park residents.

The Seaside Park Borough Recreation Center is located at 37 J Street, and the Recreation Office is located at 1701 North Ocean Avenue- a two mile drive, bike ride, or walk for South Seaside Park residents. The Recreation Department provides year-round programs that include family oriented activities and events. Many focus on improving the health of its residents, fostering family values and continuing education for adults and senior citizens.⁵⁷ Adult fitness classes are held at the Seaside Park Elementary School.

Seaside Park Borough maintains three playgrounds: 13th and Barnegat Playground and Ball Field; 5th and Bayview Avenue Playground and Pier; and O Street and Lake Avenue at the Bay. The Moe Levine Field and Park is on 14th Avenue and is directly north of northwest section of South Seaside Park.

All Seaside Park Borough parks are a short travel time from South Seaside Park.

	PLAYGROUND	BALL FIELDS	BASKETBALL	PICNIC AREA	FISHING	ROAD DISTANCE FROM SOUTH SEASIDE PARK	DRIVE TIME	BICYCLE TIME	WALK TIME
SEASIDE PARK MUNICIPAL PARKS									
13 th Avenue and Barnegat Avenue	X	X	X	X		0.4 mi	2 min	3 min	7 min
5 th Avenue and Bayview Avenue	X			X	X	0.7 mi	3 min	5 min	14 min
O Street and Lake Avenue	X			X		1.8 mi	5 min	10 min	34 min

⁵⁷ Seaside Park Master Plan, Recreation Element, 2008. Page 91.

Seaside Park provides no direct municipal services to South Seaside Park. However, under existing arrangements, fire protection and first aid services are supplied by non-municipal operating groups located in Seaside Park Borough- fire protection by the Seaside Park Volunteer Fire Company, and first aid by the Tri Boro First Aid Squad.

Land in South Seaside Park that abuts Seaside Park Borough is generally developed as single family dwellings at a density higher than what Seaside Park's adjoining single family zoning permits.⁵⁸

The zone districts in Seaside Park Borough that abut South Seaside Park are: Residential Zone, Mixed Use Zone, and Public Zone:

1. The Residential zone permits detached single-family dwellings and public uses as principal uses. The minimum lot size is 5,000 square feet.
2. The Mixed Use zone encourages a broader range of permitted uses including detached single family dwellings, two-family dwellings. Multiple dwelling units, professional offices, mixed-use (office/residential), churches, schools, and public uses.
3. The Public zone permits schools, parks, playgrounds, recreation areas, municipal buildings, public utilities, and public parking areas.

Moving west to east, the shared border between South Seaside Park and Seaside Park Borough is divided into three sections: 1) 14th Avenue between South Bayview and Central avenues; 2) Central Avenue intersection; and 3) 14th Avenue between Central and Ocean avenues.

Along 14th Avenue, Seaside Park Borough permits detached single family units, while Berkeley Township's existing zoning permits detached single family units, attached single family units, four-family dwellings, and multi-family low-rise residential buildings.

On Central Avenue, Seaside Park Borough permits detached single family, two-family, multi-family, and mixed- and non-residential uses, while Berkeley Township's existing zoning permits non-residential uses including retail, personal service, offices, and restaurants.

Berkeley Township's master plan recommended Island Zoning would permit attached single family units only along 14th Avenue between South Bayview and Central avenues. Along 14th Avenue between Central and Ocean avenues, recommended zoning would permit detached single family units at the prevailing density of Midway Beach, or a planned unit residential development of single-family detached, townhouse units, four-unit manor homes.

⁵⁸ 2008 Seaside Park Master Plan, *Relationship to Adjoining Municipalities*. Page 123.

Berkeley Township's existing zoning is not consistent with the adjacent zoning of Seaside Park Borough. North of 14th Avenue, Seaside Park Borough permits detached single family dwellings at 8.7 units per acre. South of 14th Avenue between South Bayview and Central Avenues Berkeley Township permits townhouse development at 10 units per acre. The zoning along Central Avenue between Berkeley Township and Seaside Park is relatively consistent **(Exhibit 24)**.

Berkeley Township's master plan recommended Island Zoning is not consistent with the adjacent zoning of Seaside Park Borough. North of 14th Avenue, Seaside Park Borough permits detached single family dwellings at 8.7 units per acre, while Berkeley's master plan recommended zoning would permit residential development at fifteen units per acre and higher **(Exhibit 24)**.

CONCLUSION

This report is a balance of analyzing consent or denial of deannexation and that decision's impact on Berkeley Township and South Seaside Park. The result of the balance outlined in this report presents the following conclusions:

1. If Berkeley Township consents to the deannexation of South Seaside Park, Berkeley Township residents will experience the following losses:

- The loss of 150.75 acres (0.24 acres) of barrier island land- 0.5% of the total land area of Berkeley Township.
- The loss of 490 persons- 0.1% of the total population of Berkeley Township.
- The loss of 1,410 housing units- 0.1% of the total housing inventory of Berkeley Township.
- The loss of 7.1 acres of dedicated open space property.
- The loss of White Sands Beach and Sgt. John A. Lyons Memorial Park.
- The loss of the annual summer beach party at White Sands Beach.
- The loss of the Midway Beach Camps- a site eligible for listing on the National and State Registers of Historic Places.
- The loss of three liquor licenses presently utilized by Atlantic Bar and Grill, Berkeley Restaurant and Fish Company, and Bum Rogers Tavern and Crabhouse.
- The loss of the opportunity to implement the master plan recommended Island Zone Districts in South Seaside Park.
- The loss of the opportunity to include South Seaside Park in future fair share plans for affordable housing.

Given the geography, demographics, development potential, commercial activity, biological and historic resources, and social and cultural diversities of Berkeley Township, the above-cited losses are not significant enough to deny deannexation.

2. If Berkeley Township consents to deannexation of South Seaside Park, Berkeley Township residents will experience the following economic and social benefits:

- Land that is zoned an area of high flood risk by the Federal Emergency Management Agency will no longer be under the jurisdiction of Berkeley Township.
- Deannexation will result in financial savings involved with the withdrawal of South Seaside Park students from the Berkeley Township school district.
- Deannexation will result in financial savings related to the municipal obligations of providing roadway resurfacing, solid waste and recyclable collection, snow removal, police service, animal control, and park maintenance.
- Most Berkeley Township residents are unaware that South Seaside Park is part of Berkeley Township- except for those residing in South Seaside Park. Deannexation of South Seaside Park will not cause any loss in prestige of having barrier island land within one's municipal jurisdiction. Island Beach State Park is also part of Berkeley Township so the loss of the White Sands beachfront is easily compensated.

3. If Berkeley Township consents to deannexation of South Seaside Park, South Seaside Park residents will experience the following economic and social benefits:

- South Seaside Park will have the opportunity to request annexation from adjacent Seaside Park Borough. South Seaside Park and Seaside Park Borough share the same character as many of the small barrier island communities. The incorporation of these two entities makes physical and fiscal sense.
- South Seaside Park residents will benefit from the nearby municipal facilities and amenities of Seaside Park Borough. South Seaside Park residents will no longer need to travel by car one hour round trip to the mainland to attend a public meeting, pay a tax bill, or participate in a community activity.
- South Seaside Park residents will benefit from becoming included in Seaside Park Borough's master plan and land use ordinance. There is an opportunity to ensure consistent zoning in a broader area than if South Seaside Park continued to be part of Berkeley Township.

- South Seaside Park residents will not lose any social, cultural, religious diversities associated with mainland Berkeley Township- both populations are homogeneous and the underlying feeling of disconnect with the mainland contributes to the lack of identity and association with mainland Berkeley Township residents.

4. If Berkeley Township denies deannexation of South Seaside Park, South Seaside Park residents will continue to experience the following economic and social injuries:

- Berkeley Township’s master plan, land use ordinance, build-out analysis, vision plan, and affordable housing plan are pre-occupied with the creation of a town center, commercial nodes, and corridors on the eastern mainland, If South Seaside Park were to continue to be part of Berkeley Township, the current studies, plans, and land use legislation neglects the conditions and needs of barrier island South Seaside Park residents.
- The lack of Berkeley Township facilities and amenities on the barrier island results in significant travel and time commitments by South Seaside Park residents when they wish to conduct municipal business, attend a public meeting, or participate in a program.
- The lack of Berkeley Township’s provision of services to South Seaside Park residents is a social and economic injury that is multi-faceted and will be represented by testimony from South Seaside Park residents.
- South Seaside Park’s present zoning designations and proposed master plan Island District zones are not consistent with the character of adjoining barrier island communities. Should the capacities of the current zoning ever be fully exercised, or if the Island District zones were ever adopted into law, the residents of South Seaside Park would experience significant injury to their economic and social well being.

5. If Berkeley Township consents to deannexation of South Seaside Park, Berkeley Township planning and zoning will not be negatively impacted:

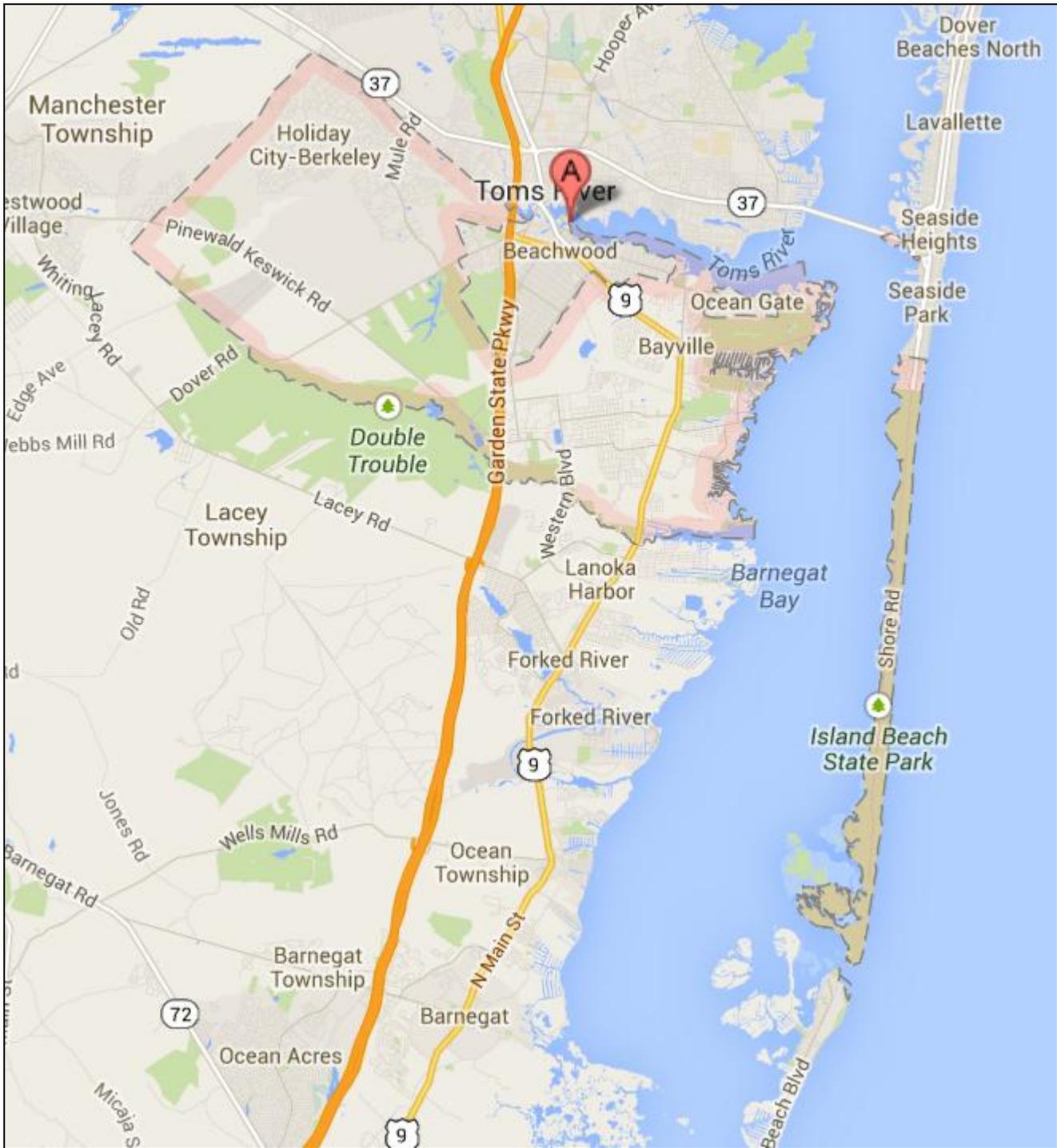
- The proposed master plan Island District zoning that has not been implemented will no longer be valid and can be removed from the master plan without any loss.
- Elimination of the use and bulk requirements found in current South Seaside Park zone designations are not unique and are present on the mainland- the

South Seaside Park zone requirements can be removed from the land use ordinance without any loss to the diversity or quantity of permitted uses.

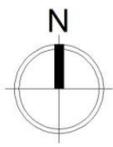
- Deannexation will not impact Berkeley Township's Fair Share for Affordable Housing Plan since South Seaside Park is not included in the plan.
- Deannexation does not have any impact on Berkeley Township's 2020 Vision Statement since South Seaside Park is not included in the document.

The evidence in this report contributes to the Petitioner's cause to satisfy their burden of proof that the negative impacts of deannexation will not cause significant social or economic injury to the well-being of the Berkeley Township residents. It is requested that the Planning Board submit the deannexation petition to the Berkeley Township Committee and recommend that the Berkeley Township Committee approve the Petitioner's request for deannexation.

EXHIBIT 1
BERKELEY TOWNSHIP LOCATION MAP

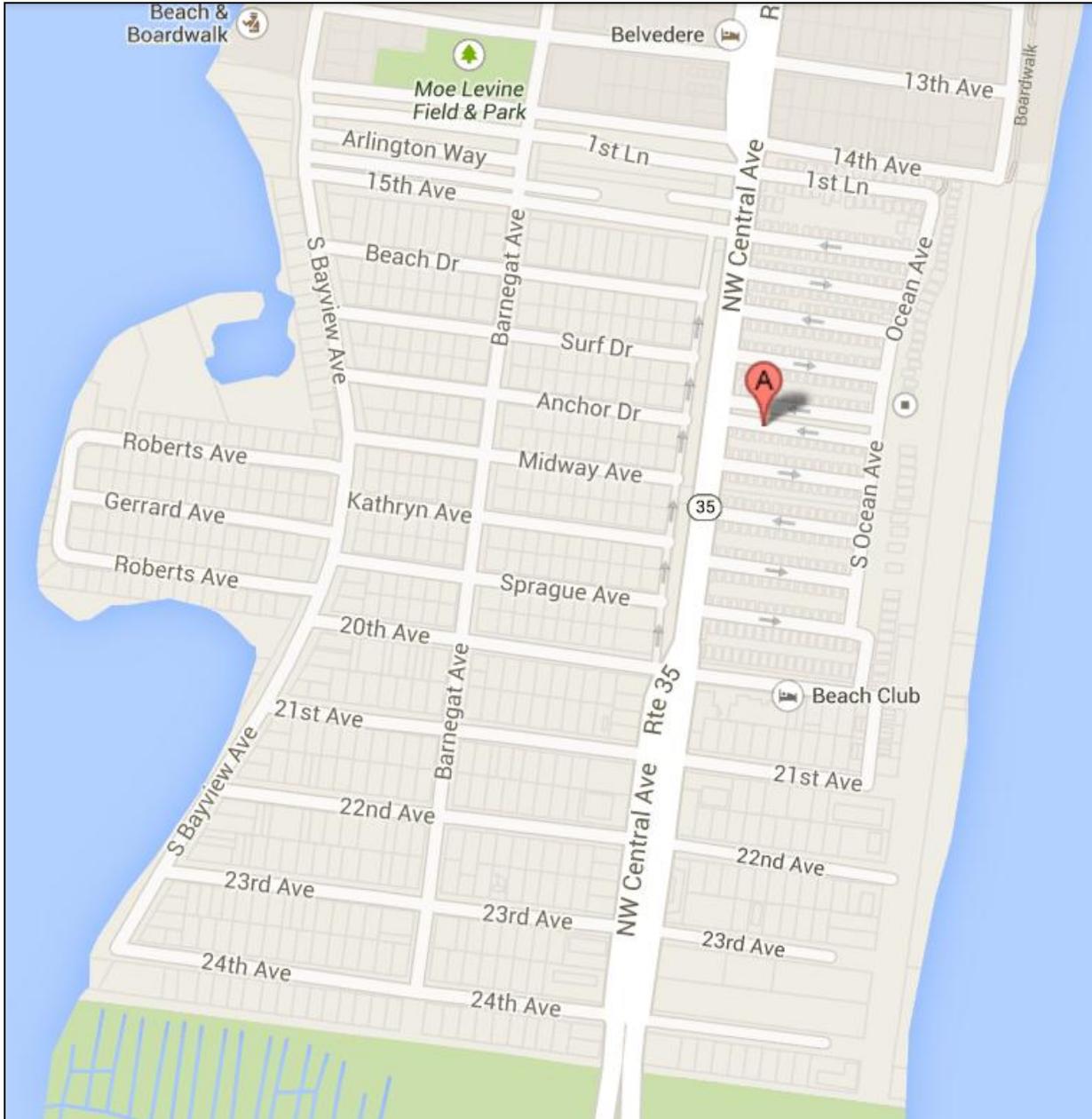


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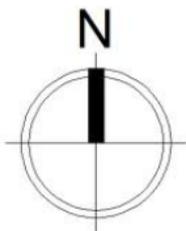


Berkeley Township municipal boundaries are delineated by a dashed line

EXHIBIT 2
SOUTH SEASIDE PARK LOCATION MAP



© 2014 Google



Roadway boundaries of South Seaside Park are: 14th Avenue to the north, 24th Avenue to the south, South Ocean Avenue to the east, and Roberts Avenue to the west.

EXHIBIT 3
SOUTH SEASIDE PARK OCEAN & BAY FRONTAGE CALCULATION

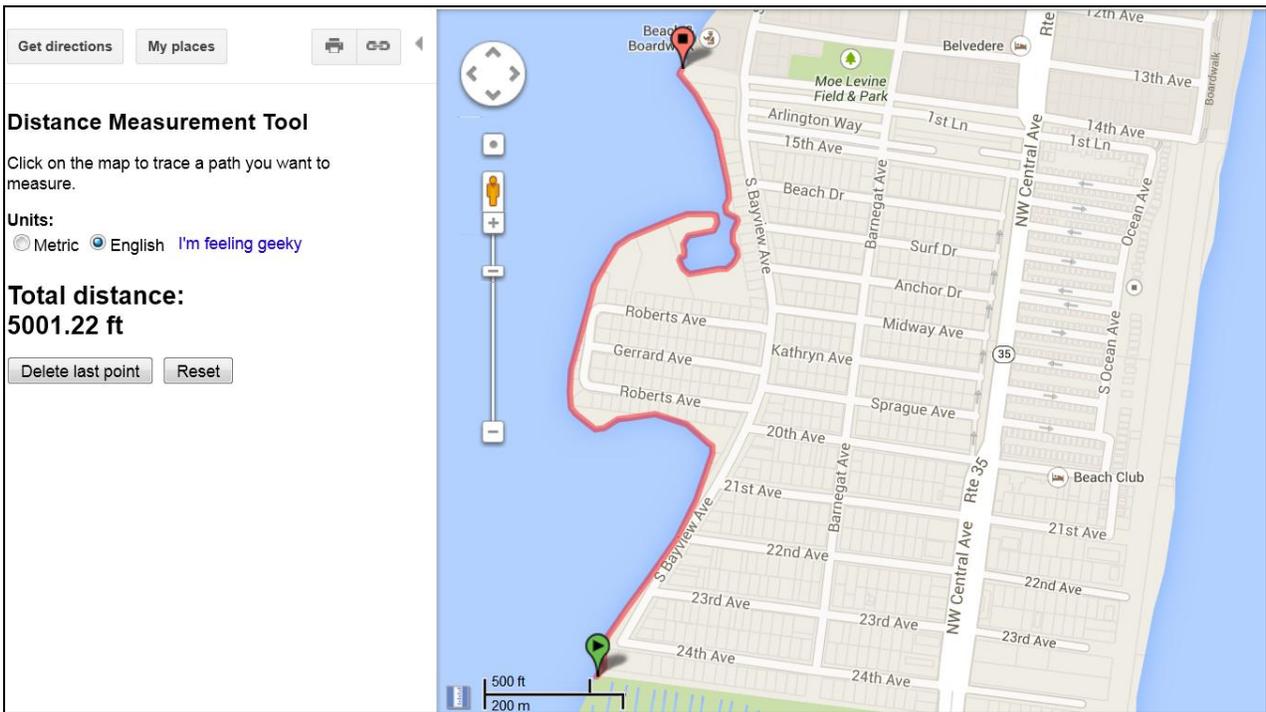
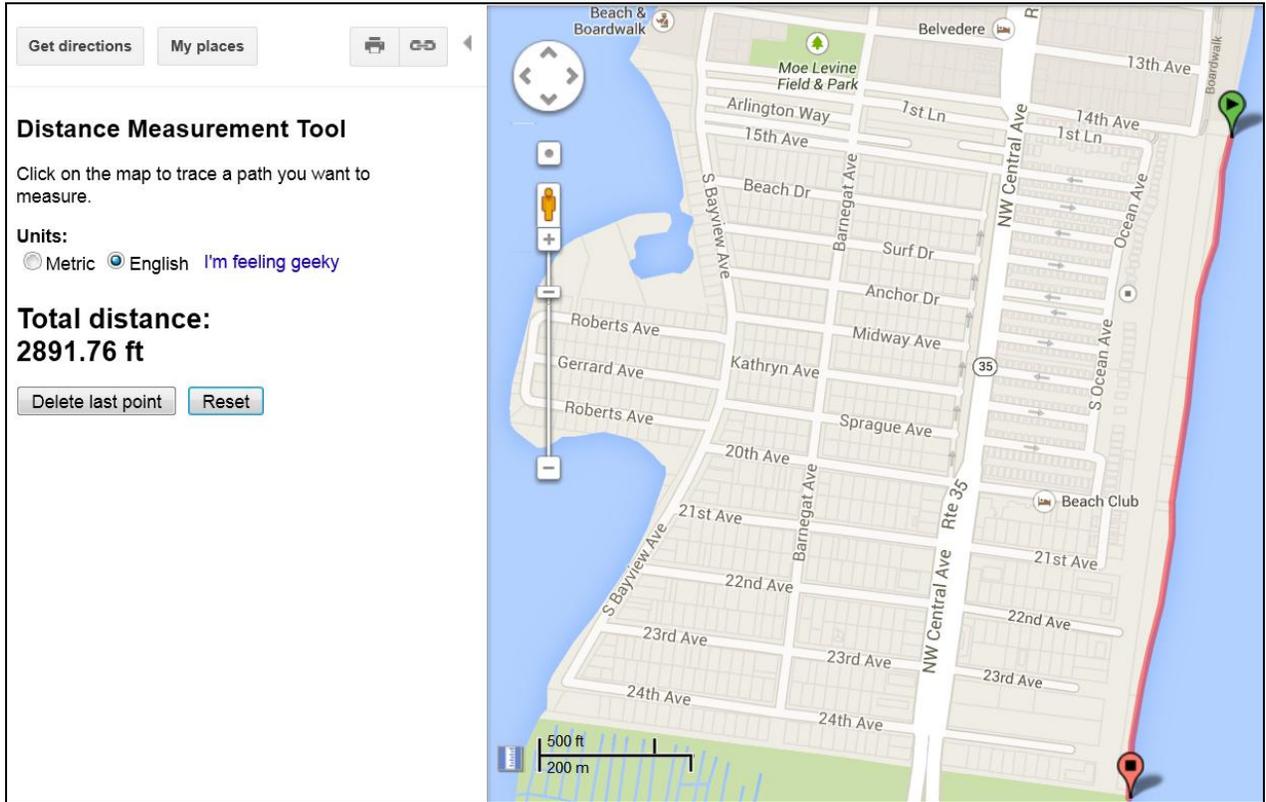
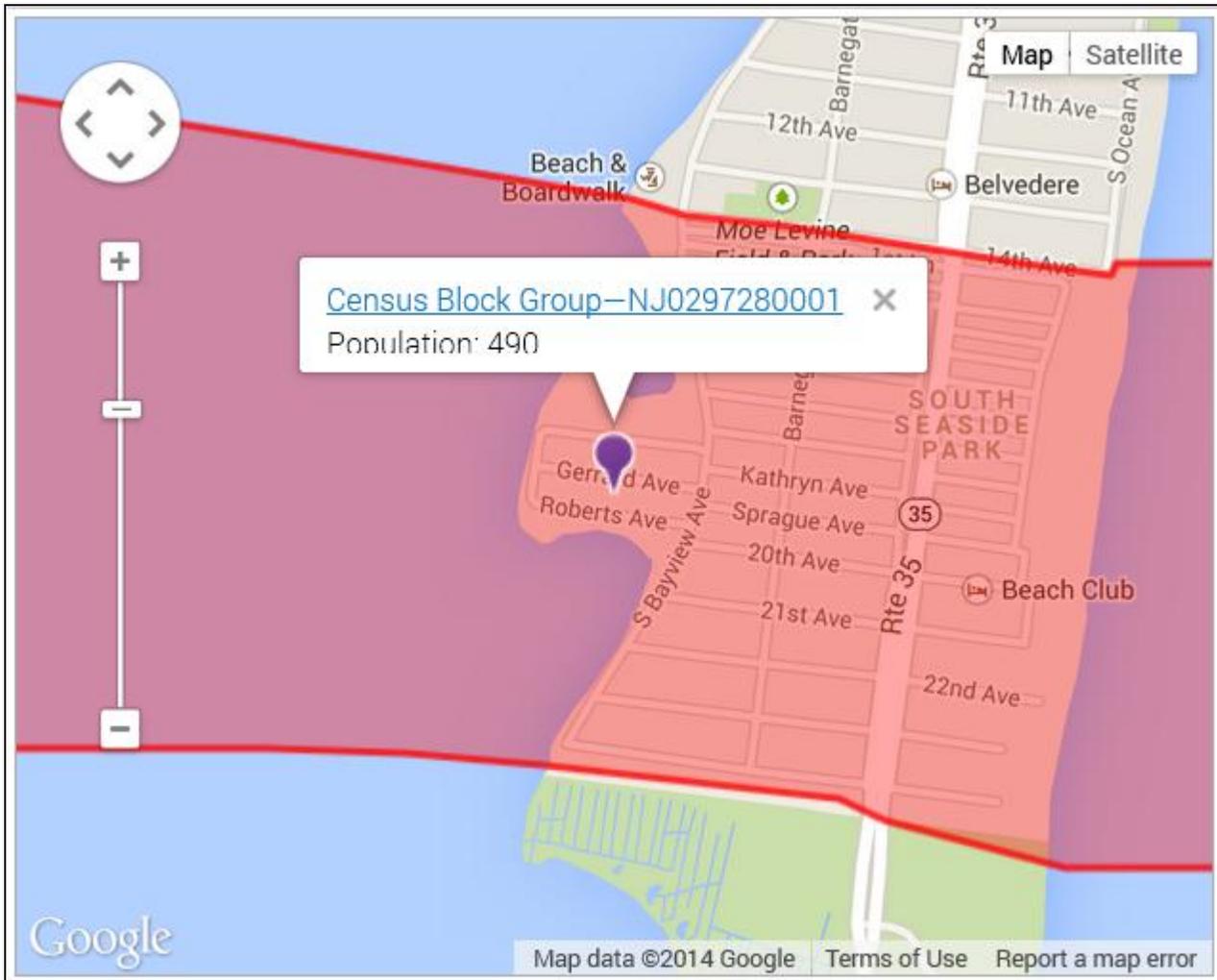


EXHIBIT 4
2010 U.S. CENSUS BLOCK GROUP 728000-1: SOUTH SEASIDE PARK



<http://www.usa.com/NJ0297280001.html>

EXHIBIT 5
POPULATION, RACE, AGE, AND HOUSEHOLD
SOUTH SEASIDE PARK & BERKELEY TOWNSHIP

POPULATION, RACE, AGE, AND HOUSEHOLD	SOUTH SEASIDE PARK	BERKELEY TOWNSHIP	POST-DEANNEXATION BERKELEY TOWNSHIP
Total Population	490 (100%)	41,255 (100%)	40,765 (100%)
Race:			
White	485 (99%)	39,129 (94.9%)	38,644 (94.8%)
Hispanic	8 (1.6%)	2,028 (4.9%)	2,020 (5%)
Black	0	723 (1.8%)	723 (1.8%)
Asian	2 (0.4%)	466 (1.1%)	464 (1.1%)
Other	3 (0.6%)	937 (2.3%)	934 (2.3%)
Age:			
Under 18 years	15 (3.0%)	5,476 (13.3%)	5,461 (13.4%)
18 years to 74 years	397 (81.0%)	25,789 (62.5%)	25,392 (62.3%)
75 years and over	78 (15.9%)	10,890 (26.4%)	10,812 (26.5%)
Median age (years)	61.9	61.1	less than 61.1
Total Households:	275 (100%)	20,349 (100%)	20,074 (100%)
1 person	109 (40%)	7,994 (39.3%)	7,885 (39.2%)
2 or more persons	166 (60%)	12,355 (60.7%)	12,189 (60.7%)

Source: 2010 U.S. Census

A household that has at least one member of the household related to the householder by birth, marriage, or adoption is a “family household.” “Nonfamily households” consist of people living alone and households which do not have any members related to the householder.

EXHIBIT 6

INCOME AND OCCUPATION: SOUTH SEASIDE PARK AND BERKELEY TOWNSHIP

INCOME AND OCCUPATION	SOUTH SEASIDE PARK	BERKELEY TOWNSHIP
Per Capita Income	\$ 53,657	\$29,591
Median Household Income	\$ 68,194	\$43,565
Civilian Employed, 16 Years and Over Occupation	306 (100%)	14,212 (100%)
Management, Professional:	116 (38%)	4,086 (29%)
Service:	43 (14%)	2,526 (18%)
Sales and Office:	103 (34%)	4,202 (30%)
Construction, Extraction, Maintenance & Repair:	12 (4%)	1,761 (12%)
Production, Transportation, & Material Moving:	32 (10%)	1,637 (11%)

Source: 2008-2012 American Community Survey

Ocean County, NJ ADJUSTED INCOME LIMITS Effective March 2013			
Household Size	Extremely Low 30% Limits	Very Low Income 50% Limits	Low Income 80% Limits
1 Person	19,300	32,150	46,050
2 Person	22,050	36,750	52,600
3 Person	24,800	41,350	59,200
4 Person	27,550	45,900	65,750
5 Person	29,800	49,600	71,050
6 Person	32,000	53,250	76,300
7 Person	34,200	56,950	81,550
8 Person	36,400	60,600	86,800

Source: US Department of Housing and Urban Development, March 2013.

EXHIBIT 7A
HOUSING UNITS BY OCCUPANCY AND SEASONAL USE
SOUTH SEASIDE PARK & BERKELEY TOWNSHIP

2010 HOUSING UNITS	SOUTH SEASIDE PARK	BERKELEY TOWNSHIP	POST-DEANNEXATION BERKELEY TOWNSHIP
Total Housing Units	1,410 (100%)	23,818 (100%)	22,408 (100%)
Occupied Housing Units	275 (19.5%)	20,349 (85.4%)	20,074 (89.6%)
Vacant Housing Units	1,135 (80.5%)	3,469 (14.5%)	2,334 (10.4%)
For Seasonal Use	1,103 (78.2%)	2,127 (9.0%)	1,024 (4.6%)
Median Year Structure Built	1970	1981	greater than 1981

Source: 2010 U.S. Census

EXHIBIT 7B
HOUSING UNITS BY TYPE
SOUTH SEASIDE PARK AND BERKELEY TOWNSHIP

HOUSING UNIT TYPE	SOUTH SEASIDE PARK	BERKELEY TOWNSHIP	POST-DEANNEXATION BERKELEY TOWNSHIP
Total Housing Units	1,468 (100%)	24,094 (100%)	22,626 (100%)
1-unit, detached	1,273 (86.7%)	22,546 (93.6%)	21,273 (94.0%)
1-unit, attached	0 (0%)	433 (1.8%)	433 (1.8%)
2 units	37 (2.5%)	190 (0.8%)	153(0.6%)
3 or 4 units	24 (1.6%)	119 (0.5%)	95(0.4%)
5 to 9 units	0 (0%)	232 (1.0%)	232 (1.0%)
10 or more units	119 (8.1%)	538 (2.2%)	419 (1.9%)
mobile home, boat, RV, van	15 (1.0%)	36 (0.2%)	21 (0.1%)

Source: 2008-2012 American Community Survey

EXHIBIT 7C
HOUSING UNITS BY NUMBER OF BEDROOMS
SOUTH SEASIDE PARK AND BERKELEY TOWNSHIP

2008-2012 HOUSING UNITS	SOUTH SEASIDE PARK	BERKELEY TOWNSHIP	POST-DEANNEXATION BERKELEY TOWNSHIP
Total Housing Units	1,468 (100%)	24,094 (100%)	22,626 (100%)
no bedroom	35 (2.4%)	60 (0.3%)	25 (0.1%)
1 bedroom	115 (7.8%)	920 (3.8%)	805 (3.6%)
2 bedrooms	709 (48.3%)	15,272 (63.4%)	14,563(64.4%)
3 bedrooms	313 (21.3%)	4,901 (20.3%)	4,588 (20.3%)
4 bedrooms	255 (17.3%)	2,430 (10.1%)	2,175 (1.0%)
5 or more bedrooms	41 (2.8%)	511 (2.1%)	419 (1.0 %)
No bedrooms	2.4%	0.3%	
1 or 2 bedrooms	56.1%	67.2%	
3 or more bedrooms	41.4%	32.5%	

Source: 2008-2012 American Community Survey

EXHIBIT 7D
OCCUPIED UNIT VALUE, MORTGAGE, AND COST
SOUTH SEASIDE PARK AND BERKELEY TOWNSHIP

2008-2012 OCCUPIED UNITS	SOUTH SEASIDE PARK	BERKELEY TOWNSHIP	POST-DEANNEXATION BERKELEY TOWNSHIP
Total Occupied Units	377 (100%)	18,634 (100%)	22,626 (100%)
median value	\$479,900	\$183,600	
units with mortgage	235 (62.3%)	9,094 (49.5%)	805 (3.6%)
cost of homeownership as a % of total income	33.8%	31.4%	14,563(64.4%)

Source: 2008-2012 American Community Survey

EXHIBIT 8**2008 RESIDENTIAL AND NON-RESIDENTIAL BUILD-OUT SUMMARY FOR SOUTH SEASIDE PARK**

SOUTH SEASIDE PARK RESIDENTIAL ZONES	ZONE AREA (ACRES)	NET YIELD (DU/ACRE)	DEVELOPABLE ACRES	DWELLING UNIT YIELD
R-31.5: Residential	44.62	13.83	0	0
R-4F: Residential Four-Family	13.06	7.13	0	0
R-50: Residential	33.74	8.71	0	0
R-LR: Residential Low-Rise	18.87	30	0	0
R-TH: Residential Town House	16.90	10	0	0
SOUTH SEASIDE PARK NON-RESIDENTIAL ZONES		FLOOR AREA RATIO (FAR)		
NB: Neighborhood Business	5.27	0.6	0	0
RC: Resort Commercial	18.29	0.7	0	0

Source: Berkeley Township 2008 Land Use & Circulation Elements. Tables II-16 and II-17. Pages 45, 46.

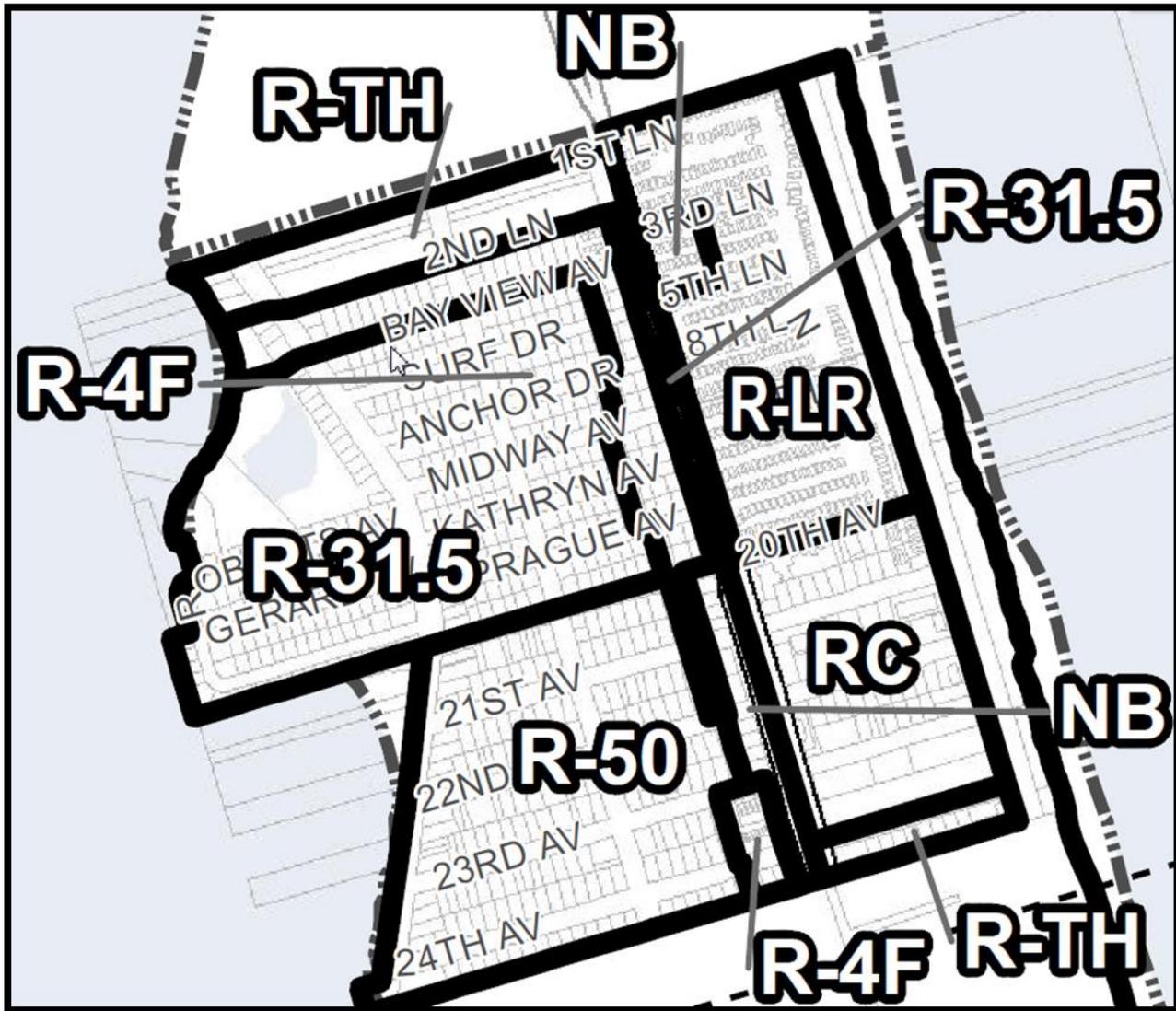
EXHIBIT 9

MASTER PLAN RECOMMENDED ISLAND DISTRICTS FOR SOUTH SEASIDE PARK

ISLAND DISTRICTS	PERMITTED USES	PROPOSED TO REPLACE EXISTING ZONE
Island Residential A	single family homes (9 units/acre)	<p>R-4F: four-family, church, public building, essential services, home occupation, home office zoning along Beach Drive</p> <p>R-TH: attached single-family, four-family, public building, essential services, home occupation, home office zoning along 24th Avenue.</p>
Island Residential B	single family homes (14 units/acre)	<p>R-4F: four-family, church, public building, essential services, home occupation, home office zoning between Beach Drive and 20th Avenue</p>
Island Townhouse	townhomes (15 units/acre)	<p>R-31.5: detached single-family, church, public building, essential services, home occupation, and home office zoning on the Central Avenue median.</p> <p>R-TH: attached single-family, four family, public building, essential services, home occupation, home office zoning south of 14th Avenue between South Bayview Avenue and Central Avenue</p>
Island Cottage Community	Midway Beach Beachfront Residential zone	<p>R-LR: detached single-family, four-family, church, public building, essential services, home occupation, home office (Midway Beach)</p>
Island Mixed Use	retail, restaurants, hotels, multi-family condominiums, attached and detached single- family homes	<p>RC: detached single-family, home occupation, home office, church, public building, essential services, hotels, motels, restaurants, theaters, eating and drinking establishments, commercial parking lots, remote parking lots</p> <p>NB: retail sales, business and personal service establishments</p>

Source: Berkley Township 2008 Land Use & Circulation Elements

EXHIBIT 10
ZONING MAP OF SOUTH SEASIDE PARK ZONE



Source: Maser Consulting, PA, July 2011, revised as per zoning amendments 9/27/2011

Barrier Island

BC	Beach Conservation
R-31.5	Residential
R-4F	Residential Four-Family
R-50	Residential
R-LR	Residential Low-Rise
R-TH	Residential Town House
NB	Neighborhood Business
RC	Resort Commercial

EXHIBIT 11
ZONE DISTRICTS IN SOUTH SEASIDE PARK

RESIDENTIAL ZONES	PERMITTED USES	ACRES	% OF TOTAL ACREAGE ⁵⁹
R-31.5: Residential	detached single-family, church, public building, essential services, home occupation, home office	44.62	30%
R-4F: Residential Four-Family	four-family, church, public building, essential services, home occupation, home office	13.06	9%
R-50: Residential	detached single family	33.74	22%
R-LR: Residential Low-Rise	detached single-family, four-family, church, public building, essential services, home occupation, home office	18.87	13%
R-TH: Residential Town House	attached single-family, four family, public building, essential services, home occupation, home office	16.90	11%
NB: Neighborhood Business	retail sales, business and personal service establishments	5.27	3%
RC: Resort Commercial	detached single-family, home occupation, home office, church, public building, essential services, hotels, motels, restaurants, theaters, eating and drinking establishments, commercial parking lots, remote parking lots	18.29	12%

Source: Table II-3B 2008 Circulation & Land Use Element

⁵⁹ 150.75 acres of land is zoned in South Seaside Park. The 2,184,46 acre Beach Conservation zone is omitted from this report since it covers the ocean, beach and dune lines of the barrier island- no structures other than temporary structures erected by a public body for essential government services or seasonal activities are permitted. This zone is unique to the barrier island.

EXHIBIT 12

RESIDENTIAL, NON-RESIDENTIAL ZONE DISTRICTS IN SOUTH SEASIDE PARK & BERKELEY TOWNSHIP

ZONE CLASSIFICATION	SOUTH SEASIDE PARK	NON-PINELAND AREA BERKELEY TOWNSHIP	POST-DEANNEXATION NON-PINELAND AREA BERKELEY TOWNSHIP
Total Acres	150.75 (100%)	10,393.48 (100%)	10,242.73 (100%)
residential (acres)	127.19 (85%) ⁶⁰	9,703.64 (93%) ⁶¹	9,576.45 (93%)
commercial (acres)	23.56 (15%) ⁶²	689.84 (7%) ⁶³	666.28 (7%)

Source: Table II-3A & 3B 2008 Circulation & Land Use Element

⁶⁰ R-31,5, R-4F, R-50, R-LR barrier island zones

⁶¹ All mainland, barrier island, and Pelican Island residential zoning

⁶² NB & RC barrier island zones

⁶³ Neighborhood Business (mainland and barrier island), Highway Business (mainland and Pelican Island), Rural Highway Business, Resort Highway Business, and Resort Commercial zones.

EXHIBIT 13

SOUTH SEASIDE PARK ZONE DISTRICTS-PERMITTED USES

PERMITTED USES IN SOUTH SEASIDE PARK	R-31.5 ZONE	R-4F ZONE	R-50 ZONE	R-LR ZONE	R-TH ZONE	BR ZONE	NB ZONE	RC ZONE
RESIDENTIAL USES								
Detached single-family	X		X	X		X		X
Attached single-family dwellings (townhouses), minimum 3 acres , density not to exceed 10 units / acre					X			
Four-family dwelling, minimum 10,000 sf lot size, density not to exceed 17.4 units /acre		X			X			
Low-rise residential structures: minimum 12 acres, density not to exceed 30 units/acre				X				
NON-RESIDENTIAL USES								
Home occupations	X	X	X	X	X			X
Professional office home occupation	X	X	X	X	X			X
Churches, including parish and educational buildings	X		X	X				X
Public buildings of a governmental or educational nature, schools, public parks and playgrounds	X	X	X	X	X			X
Essential services	X	X	X	X	X			X
Retail sales							X	
Business and personal service establishments							X	
Hotels, motels, restaurants, theaters, eating and drinking establishments								X
Commercial parking lots								X
Remote parking lots								X

EXHIBIT 14
SOUTH SEASIDE PARK ZONE DISTRICTS-LOT REQUIREMENTS

LOT REQUIREMENTS FOR PRINCIPAL STRUCTURES	R-31.5	R-4F	R-50	R-LR (1-F)	R-LR (M-F)	R-TH (4-F)	R-TH (TOWN HOUSE)	BR ⁶⁴	NB	RC
Minimum lot area (sq. ft.)	3,150	10,000	5,000	3,150	12 acres	10,000	3 acres max.		5,000	40,000 to 60,000
Minimum lot frontage (ft.)	45	70	50	45		70	n/a		50	200
Minimum front yard setback (ft.)	20	20	35	20		20	n/a		25	15
Minimum rear yard setback (ft.)	10	20	20	10		20	n/a		20	15
Minimum side yard setback (ft.)	5	15	5	5		15	n/a		(*)	20
Minimum combined side yard setback (ft.)	15	30	15	15		30	n/a		(*)	40
Minimum floor area (sq. ft.)	720	n/a	720	720		n/a	n/a		400	5,000
Maximum lot coverage (%)	35	35	35	35		35	35		60	35
Maximum structure height (ft.)	35	35	35	35	60	35	35		25	40

(*) grandfathering provision for undersized lots, footnote #11 in §35-95 Schedule 1- Schedule of Requirements

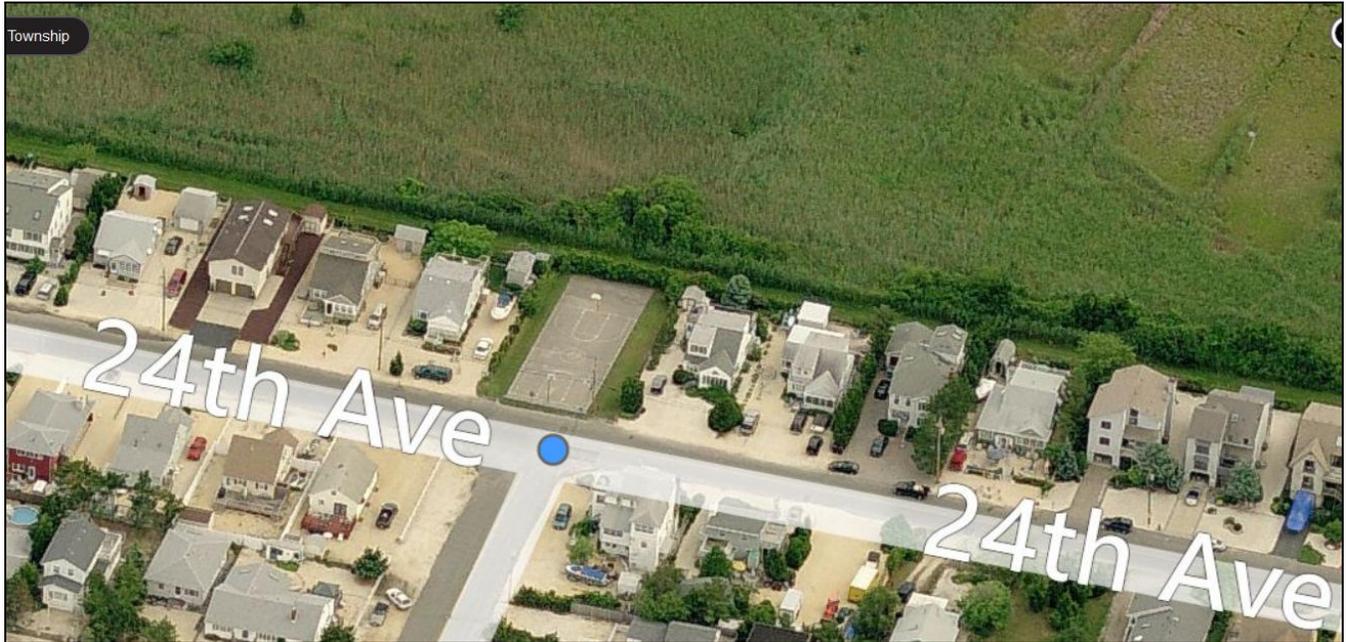
⁶⁴ The purpose of this zone shall be to establish standards for the predominantly residential area governed by the Midway Beach Condominium Association. It is the intention of this subsection to maintain sufficient rear yard separation between existing cottages or homes, in particular, where a cottage or home has been expanded. Where there are existing nonresidential uses that do not conform with the new BR Beachfront Residential Zoning, those uses shall be considered preexisting nonconforming uses and shall be governed by ordinance standards for same.

EXHIBIT 15
DEDICATED OPEN SPACE IN SOUTH SEASIDE PARK- ROBERTS AVENUE MARSH



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EXHIBIT 16A- SGT. JOHN A. LYONS MEMORIAL PARK IN SOUTH SEASIDE PARK



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EXHIBIT 16B- WHITE SANDS BEACH PARK IN SOUTH SEASIDE PARK



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EXHIBIT 17A

TOWNSHIP RECREATIONAL FACILITIES & TRAVEL TIME FROM SOUTH SEASIDE PARK

BERKELEY MUNICIPAL PARKS	PLAYGROUND	BALL FIELDS	BASKETBALL	PICNIC AREA	SWIMMING	FISHING	TENNIS	GOLF	BIKING	ROLLER RINK	ROAD DISTANCE FROM SOUTH SEASIDE PARK	DRIVE TIME	BICYCLE TIME	WALK TIME
Bayville Park	X	X	X											
Berkeley Shores	X			X	X	X					14.3 mi	28 min	1.25 hr	8 hr
Centennial / Station Road		X									14.0 mi	26 min	1.25 hr	8.5 hr
Eastern Boulevard Soccer Facility	X	X		X							17.4 mi	26 min	1.5 hr	9.25 hr
Forrest Hill Soccer Fields		X									14.9 mi	23 min	1.25 hr	8.5 hr
Mallard Park	X	X	X								12.1 mi	24 min	1 hr	8 hr
Manitou Park	X		X								14.1 mi	24 min	1.25 hr	7.5 hr
Moorage Avenue Park	X	X	X								13.3 mi	26 min	1.25 hr	8.5 hr
Recreation Center	X	X	X								13.6 mi	25 min	1.25 hr	8.5 hr
Sylvan Lakes	X										12.1 mi	23 min	1 hr	8 hr
Toms River Park		X		X							13.6 mi	23 min	1.25 hr	8.25 hr
Veterans Park	X	X		X			X	X			15.8 mi	23 min	1.25 hr	8.75 hr
William J. Dudley Park	X			X	X				X	X	16.0 mi	30 min	1.5 hr	9.25 hr
Roberts Ave. Marsh (South Seaside Park)						X					0.6 mi	3 min	4 min	11 min
Sgt. John A. Lyons Memorial Park (South Seaside Park)			X								0.5 mi	3 min	4 min	10 min
White Sands Beach (South Seaside Park)		X			X	X			X		0.3 mi	2 min	2 min	4 min

EXHIBIT 17B

NEARBY PARKS IN SEASIDE PARK BOROUGH

SEASIDE PARK MUNICIPAL PARKS	PLAYGROUND	BALL FIELDS	BASKETBALL	PICNIC AREA	SWIMMING	FISHING	TENNIS	GOLF	BIKING	ROLLER RINK	ROAD DISTANCE FROM SOUTH SEASIDE PARK	DRIVE TIME	BICYCLE TIME	WALK TIME
13 th Avenue and Barnegat Avenue	X	X	X	X							0.4 mi	2 min	3 min	7 min
5 th Avenue and Bayview Avenue	X			X		X					0.7 mi	3 min	5 min	14 min
O Street and Lake Avenue	X			X							1.8 mi	5 min	10 min	34 min

EXHIBIT 18**SENIOR SERVICES IN BERKELEY TOWNSHIP & SURROUNDING AREA**

SENIOR SERVICES	ROAD DISTANCE FROM SOUTH SEASIDE PARK	DRIVE TIME	BICYCLE TIME
Berkeley Senior Outreach Berkeley Twp Municipal Building Pinewald-Keswick Road	14.6 mi	20 min	1.25 hr
Brick Senior Center & Outreach 373 Adamston Road, Brick, NJ 08723	11.3 mi	22 min	1 hr
Senior Guidance at Preferred Behavioral Health of NJ 1500 Route 88, Brick, NJ 08723	19.4 mi	25 min	1.5 hr
Senior Beehive (St. Martha's Senior Center) 3800 Herbertsville & Church, Pt. Pleasant, NJ 08742	14.4 mi	29 min	1.25 hr
Caregivers of Central Ocean County, Inc. 145 Anchor Avenue, Beachwood, NJ 08722	10.3 mi	19 min	56 min
Wise & Well/ Senior Services Meridian Health System - Brick Hospital 425 Jack Martin Blvd, Brick, NJ 08724	14.8 mi	26 min	1.5 hr
Shore Area Outreach (Pt. Pleasant Beach) Durand Masonic Hall Rt. 35 South & N.J. Avenue, Pt. Pleasant, NJ 08742	11.5 mi	23 min	1 hr
Dover Township Senior Center & Outreach 652 Garfield Avenue, Toms River, NJ 08753	5.8 mi	10 min	29 min
Community Medical Center The Lighthouse Senior Membership Program 599 Highway 37 West, Toms River, NJ 08755	10.7	17 min	55 min
Coastal Caregivers 622 Forman Ave., Point Pleasant Beach, NJ 08742	13.1 mi	26 min	1.25 hr
DayBreak Caregiver Services 816 Beaver Dam Road, Pt. Pleasant, NJ 08742	13.4 mi	27 min	1.25 hr
Retired Senior Volunteer Program Board of Social Services 1027 Hooper Avenue, Toms River, NJ 08754-0547	8.7 mi	14 min	43 min

EXHIBIT 19
FEMA PRELIMINARY WORK MAP 2013



Flood Hazard Information

0.2% Annual Chance Boundary	Published Transects
1% Annual Chance Boundary	Mapping Transects
Gutter Line	Shoreline
PFD Line	Political Boundary
LIMWA	AE
AE	VE
VE	X
AO	Elevation
Shaded X (0.2% Floodplain)	4
Hurricane Sandy High Water Mark (HWM)	8
<i>Elevation information is provided in feet NAVD88.</i>	12
<i>High water marks are provided for reference to a historical storm event.</i>	16
<i>They are not intended to be used for validation of the coastal mapping and are not expected to match the coastal BFEs.</i>	

Panel 0337

This preliminary work map contains coastal flood hazard information only, riverine flood hazard information not included

FEMA **RAMPP**
4.17 of Dewberry, URS and ESP
Risk Assessment, Mapping, and Planning Partners

Source: http://184.72.33.183/Public/PreliminaryWorkMaps/NJ/Ocean/Workmaps/pdf/OceanNJ_Panel_0337.pdf

EXHIBIT 20
MIDWAY BEACH HISTORIC DISTRICT

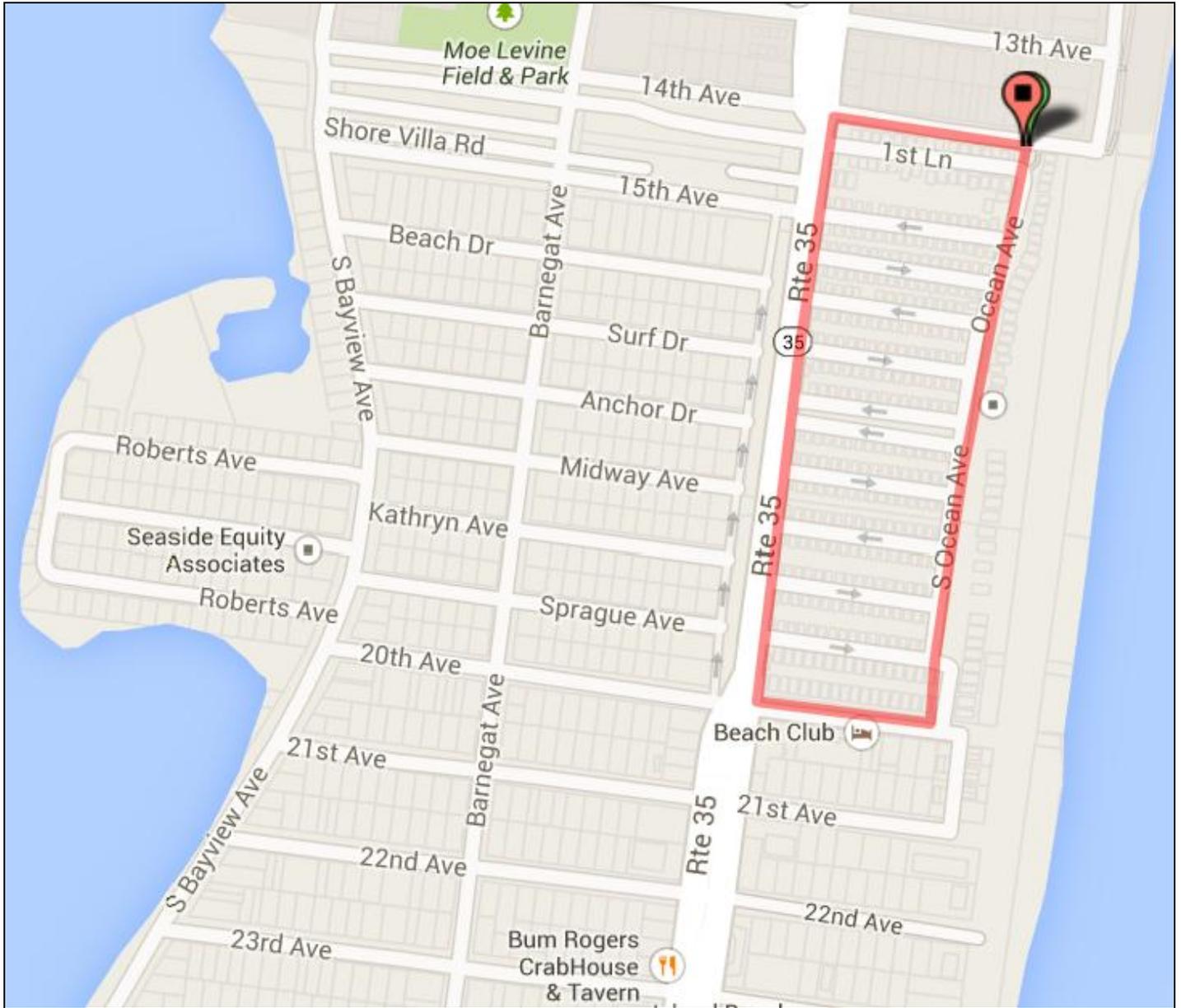
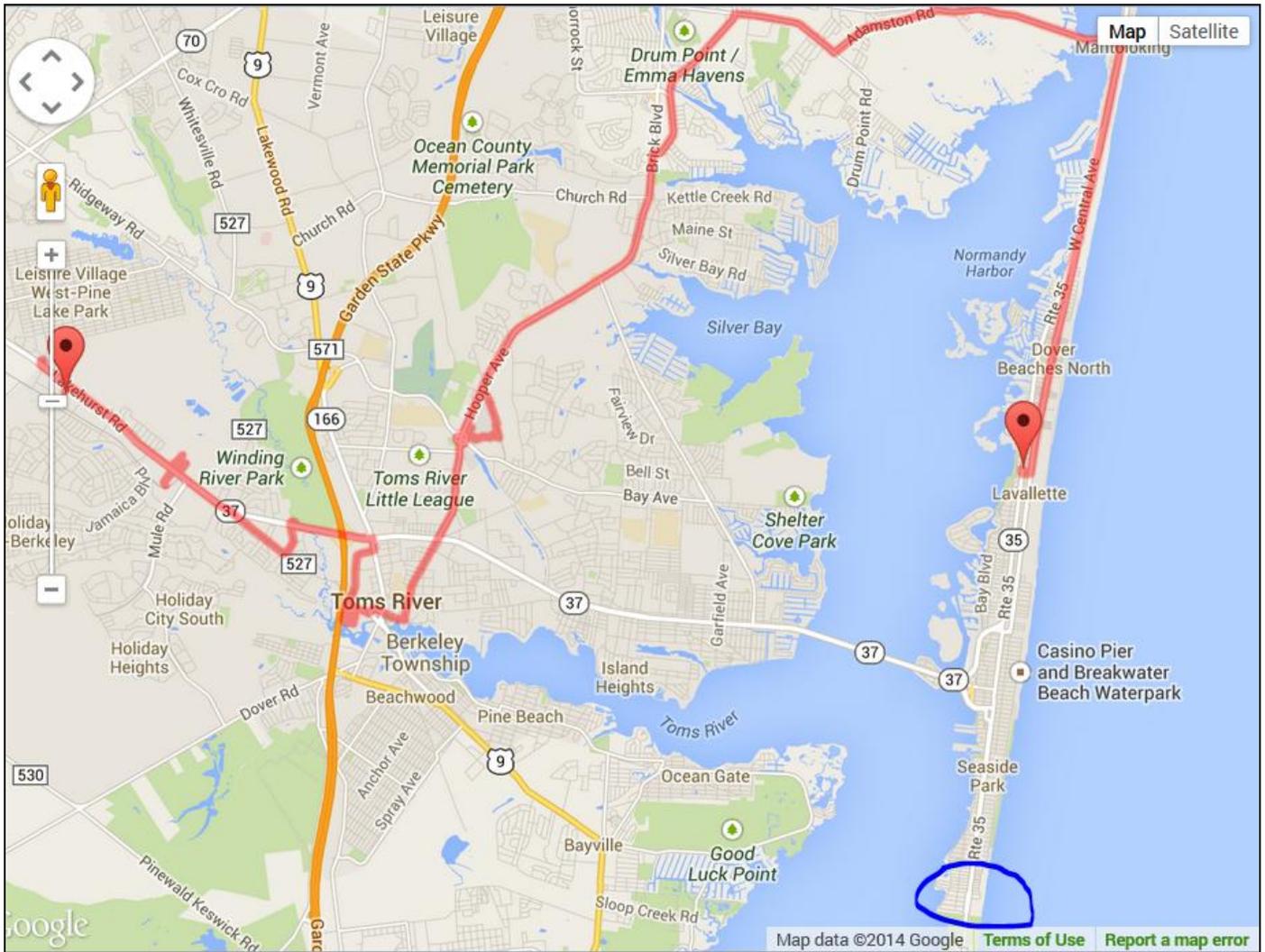


EXHIBIT 21
ACCESS TO OCEAN COUNTY BUS SERVICES FROM SOUTH SEASIDE PARK



In order for South Seaside Park residents to access Ocean County bus services, they must first take the Toms River Connection located in Lavallette at President Avenue and Route 35- this bus stop is 4.6 miles north of South Seaside Park- a 12 minute drive, 25minute bike ride, or a 1 hour, 30 minute walk

EXHIBIT 22

OCEAN RIDE ROUTE #1 WHITING, MANCHESTER, BERKELEY, TO TOMS RIVER

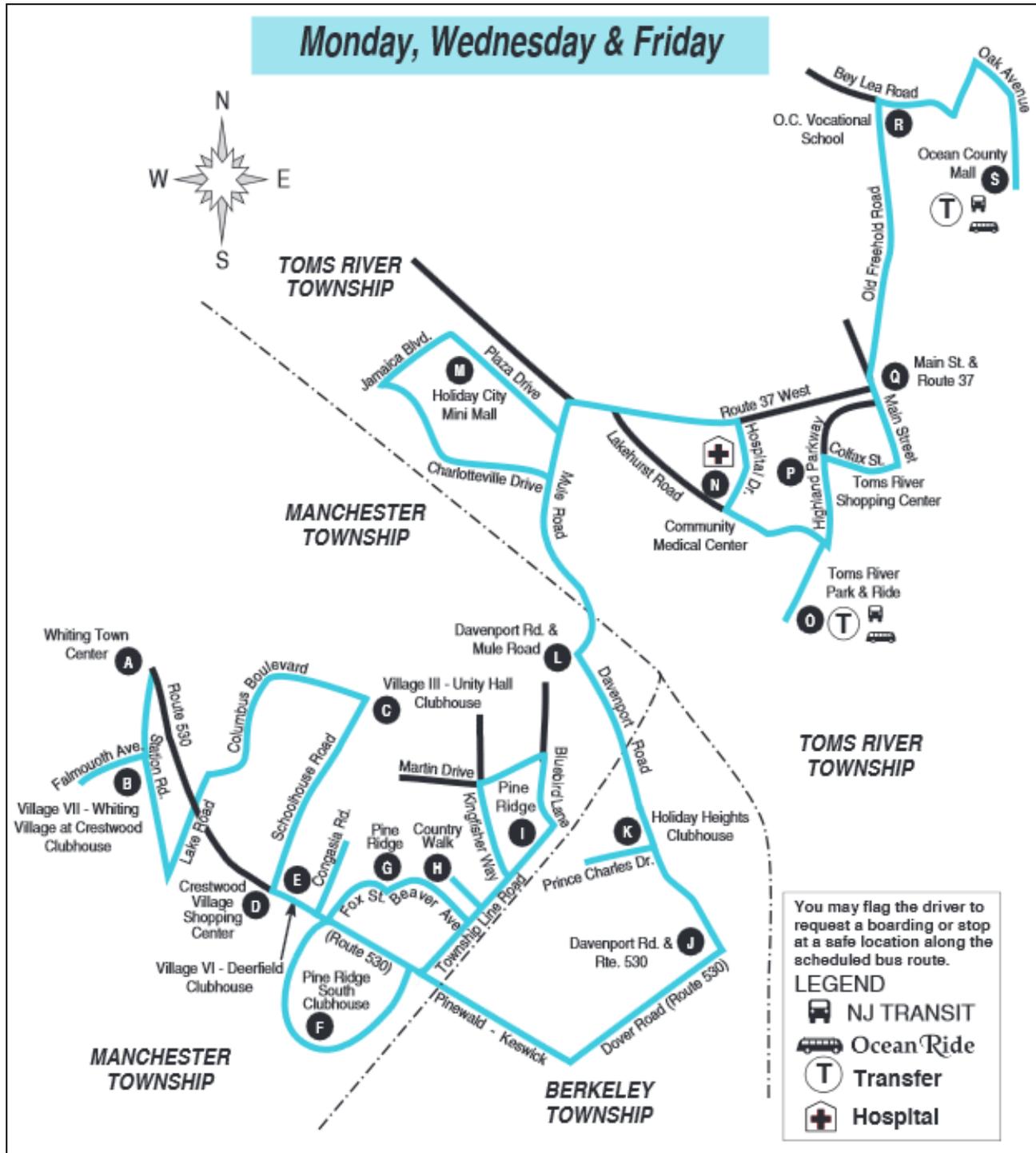


EXHIBIT 23

OCEAN RIDE ROUTE #2 MANCHESTER, LAKEHURST, BERKELEY TO TOMS RIVER

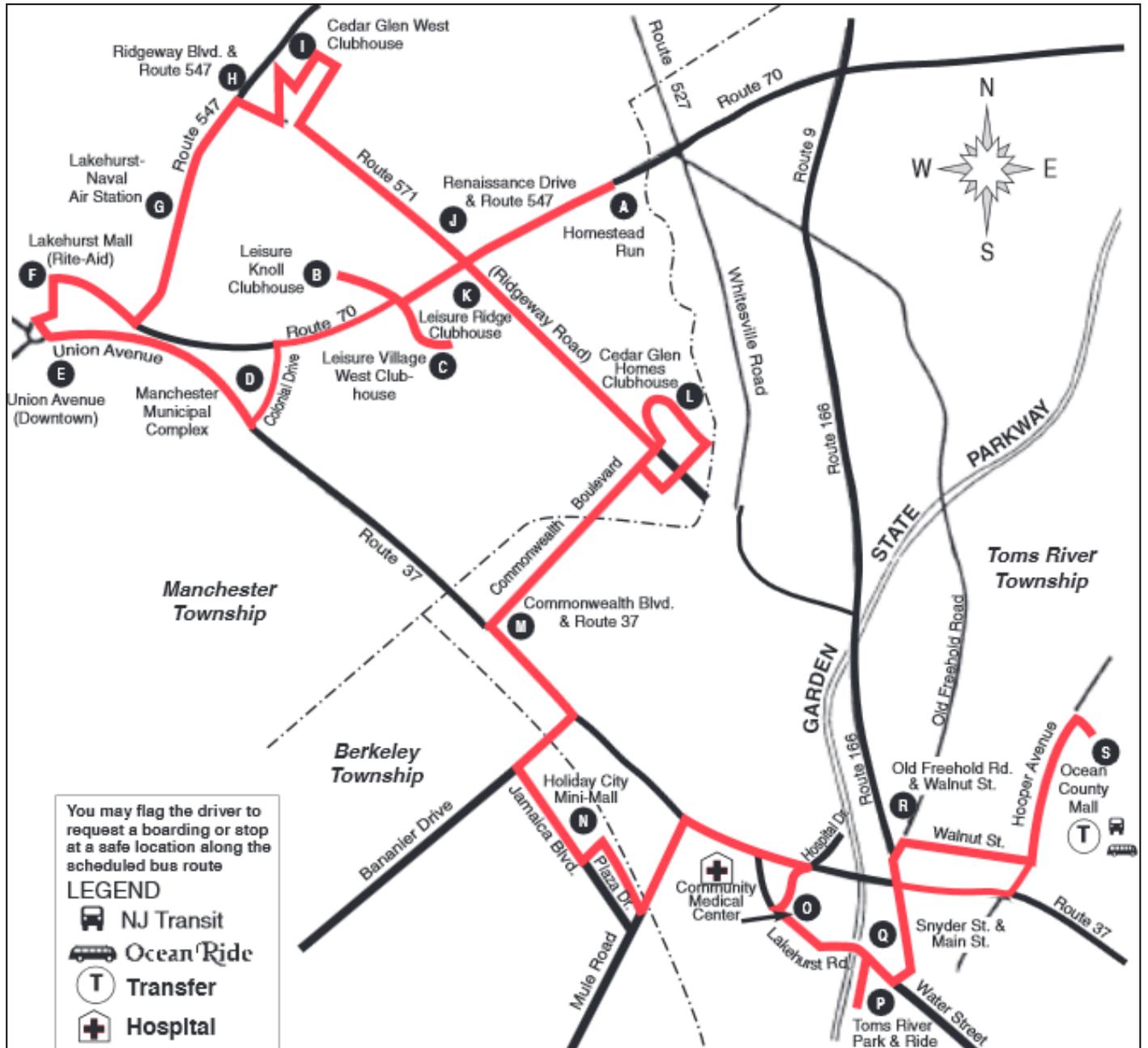


EXHIBIT 24

SHARED BOUNDARY OF SEASIDE PARK BOROUGH AND BERKELEY TOWNSHIP

BOUNDARY BETWEEN SOUTH SEASIDE PARK AND SEASIDE PARK	EXISTING SOUTH SEASIDE PARK ZONE & PERMITTED USES	RECOMMENDED ISLAND ZONE DISTRICTS & PERMITTED USES	ADJACENT SEASIDE PARK ZONE & PERMITTED USES
<p>Area #1: Residential area south of 14th Avenue between South Bayview and Central avenues</p>	<p>R-TH Residential Townhouse: Attached single-family @ 10 units/acre Four-family units @ 17.4 units / acre; min lot size 10,000 sf</p>	<p>Island Townhouse: Attached single family @ 15 units/acre</p>	<p>Residential Zone: Detached single family @ 8.7 units/acre</p>
<p>Area #2: Non-residential area (Central Avenue)</p>	<p>NB Neighborhood Business: Retail, personal service, offices studios, banks, restaurants, child care centers</p>	<p>Island Mixed Use: Detached single family, attached single family, multi-family condo at a density to be determined Retail, restaurant, hotel</p>	<p>Mixed Use Zone: Detached single family, two-family, multi-family @ 17.4 units / acre Offices, church, school, mixed use (office/residential)</p>
<p>Area #3: Residential area south of 14th Avenue between Central and Ocean avenues</p>	<p>R-LR Residential Low Rise: Detached single family @ 3.5 - 4.8 units / acre Multi-family low-rise @ 30 units/acre</p>	<p>Island Cottage Community: Detached single-family @ prevailing density of Midway Beach Planned unit residential development min 5 acres, single-family detached, townhouse units, four-unit homes at a density not to exceed 15 units / acre</p>	<p>Residential Zone: Detached single family @ 8.7 units/acre Public Zone: school, park, parking, playground, municipal buildings</p>

APPENDIX A

PROFESSIONAL CREDENTIALS

Scott S. Bauman, AICP, PP
scottsbauman@gmail.com / 908-797-4140

Scott Bauman has been a practicing professional planner in New Jersey since 1996 and has provided planning services in New Jersey urban, suburban, and rural environments. His areas of expertise include land use planning, redevelopment, zoning, historic preservation, transit-oriented development planning, zoning code enforcement, policy development, urban design, farmland / open space preservation, and affordable housing.

Scott earned a Masters in City and Regional Planning degree from Rutgers University in 1995, and a Bachelor of Science from Rutgers University in 1993. Between 2010 and 2013, Scott served three years in public office in Franklin Township, Hunterdon County and served as Mayor in 2011. Scott presently serves as Chairman of the Franklin Township Combined Land Use Board; he is licensed as a Professional Planner in New Jersey and is accredited by the American Institute of Certified Planners.

Professional Activities

Land Development Evaluation and Development	Zoning Code Amendments
Municipal Master Plan Preparation	Development Agreements
Transit Oriented Development Planning	Farmland & Open Space Preservation
Historic Preservation	Affordable Housing Planning

Staff Positions

East Amwell Township- Farmland & Open Space Preservation Trust Fund Administrator, 2013-present
Plainfield City- Principal Planner, Division of Planning & Office of Economic Development, 1999-present
Union County Department of Planning- Senior Planner, 1996-1999

Education

Continuing Education Certificate in Historic Preservation- Drew University, 2003
Master of City & Regional Planning- Rutgers University, 1995
Bachelor of Science- Rutgers University, 1993

Professional Licenses / Professional Affiliations

American Institute of Certified Planners- Certificate #020307
New Jersey Professional Planner- License #5522
American Planning Association, & New Jersey Chapter, American Planning Association

Professional Organizations / Community Service

Chair of the Franklin Township, Hunterdon County Combined Land Use Board
Former mayor and committeeman, Franklin Township,
Former chair and commission member, Franklin Township Environmental Commission
Former board member, Milltown Borough Planning Board & Environmental Committee

APPENDIX B

DOCUMENTS REVIEWED

Berkeley Township Comprehensive Master Plan. Signed and professionally sealed by Daniel C. McSweeney, PP, and David G. Roberts, PP, AICP of Schoor DePalma. 1997

Berkeley Township Master Plan Housing Element and Fair Share Plan. Signed and professionally sealed by David G. Roberts, PP, AICP, and Amy Sarrinikolaou, PP, AICP. 2008

Berkeley Township 2008 Land Use and Circulation Elements. Signed and professionally sealed by David K. Maski, PP, AICP of CMX. Adopted March 5, 2009

Berkeley Township Environmental Resource Inventory. Signed and professionally sealed by David G. Roberts, AICP/PP, LLA, RLA of Maser Consulting, P.A. January 2012

Seaside Park Master Plan. Signed and professionally sealed by Richard S. Cramer, PP, AICP, and John C. Jennings, PP, AICP of T&M Associates. 2008.

Amendment to Planner's Report In Support of Deannexation of South Seaside Park from Berkeley Township, New Jersey

Submitted on Behalf of the South Seaside Park Homeowners & Voters Association, Inc.,
Post Office Box 193, Seaside Park, New Jersey 08752

This original document was appropriately signed and sealed on February 19, 2015, in
accordance with Chapter 41 of Title 13 of the State Board of Professional Planners

Scott Bauman, AICP / PP
New Jersey Professional Planner #5522

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5 of 15	Berkeley Township Population Trends 1990-2010 & Estimates 2011-2013 Berkeley Township Population Projections
6 of 15	Residential Building Permits: 1992-2013 Site Plan Activity Approved By Ocean County Planning Board: 2000-2013
7 of 15	Berkeley Township 2012 TDR Transfer Element
10 of 15	State Planning Commission Plan Endorsement of Berkeley Township Town Center, Core, Node, and TDR Program
11 of 15	Berkeley Township Strategic Recovery Planning Report
14 of 15	Clarification of Driving Mileage / Time Calculations
15 of 15	Clarification of Exhibit 17A- Berkeley Township Parks

Introduction

This Report Amendment supplements the August 15, 2014, *Planner's Report In Support of Deannexation of South Seaside Park from Berkeley Township, New Jersey*. This Report Amendment primarily addresses population trends and growth projections for Berkeley Township.

This Report Amendment also analyzes the recently adopted June 9, 2014, Berkeley Township Strategic Recovery Planning Report prepared by Stanley C. Slachetka, AICP/PP and how this planning document impacts the residents of South Seaside Park- this document was not addressed in the first Planner's Report.

This Report Amendment concludes by providing clarifications to calculations made in Exhibit 17A *Township Recreational Facilities & Travel Time from South Seaside Park* found in my original report, as well as clarifications to names of Berkeley Township parks.

The following documents were reviewed and are referenced in this report:

1. Master Plan reexamination Report, September 26, 2008, prepared by David K. Maski, AICP/PP, and David G. Roberts, AICP/PP, CLA;
2. Berkeley Township Plan Endorsement approved by the State Planning Commission July 6, 2012- prepared for Berkeley Township by the Office for Planning Advocacy as staff to the State Planning Commission;
3. Transfer of Development Rights Real Estate Market Analysis prepared by Urban Partners, November 16, 2012; and
4. TDR Transfer Element draft revised to November 19, 2012, prepared by David G. Roberts, AICP/PP, LLA,RLA, and Stanley C. Slachetka, AICP/PP.
5. June 9, 2014, Berkeley Township Strategic Recovery Planning Report adopted June 9, 2014, prepared by Stanley C. Slachetka, AICP/PP

Managing Growth in Berkeley Township

Where is new growth being directed in Berkeley Township? The Eastern Mainland- the area of the township stretching from the Garden State Parkway to the shores of Barnegat Bay. The Eastern Mainland covers 15.6 square miles- 37% of the township's total land area. 54% of the area is undeveloped, and 25% of that undeveloped land is preserved as open space. The predominant zoning category is medium-density residential with minimum lot sizes ranging from 10,000 to 20,000 square feet. The State Development and Redevelopment Plan recognizes the majority of the area as Suburban Planning Area (PA2). Nearly the entire Eastern Mainland is either presently serviced by or has reasonable accessibility to public water service. The majority of the Eastern Mainland is within a sewer service area. Areas not within the sewer service area are isolated and mostly found along Barnegat Bay and Cedar Creek.¹ The TDR Program Element identifies receiving areas for residential, industrial, and commercial growth in the Eastern Mainland.

There is a recent history of growth on the Eastern Mainland- of the 2000 Census population of 39,991 persons in Berkeley Township, 17,631 (44%) resided in the Eastern Mainland; and while the township's growth rate leveled off to 7.2% between 1990 and 2000, the Eastern Mainland maintained a growth rate of almost 17%, on par with Ocean County as a whole. Additionally, in 2000 there were 7,185 housing units in the Eastern Mainland, an increase of 20% from 1990.²

The 2008 Master Plan Reexamination Report, the State Plan Endorsement, and the TDR Element all encourage growth in the Eastern Mainland and Berkeley Township is preparing itself for what it has planned for through ordinance changes and updating their master plan. No growth plan is proposed for South Seaside Park.

To assess population and growth projections in Berkeley Township, this report analyzes population trends from 1990-2010 as well as municipal population estimates as current as 2013, and population projections through 2040. Land development activity trends are also provided- residential unit building permits issued between 1992 and 2012, as well as site plan activity from 2000-2013 approved by the Ocean County Planning Board.

¹ Berkeley Township Master Plan Reexamination Report, 2008, page 3.

² *ibid.*, p. 3.

Berkeley Township Population Trends 1990-2010 & Estimates 2011-2013

Berkeley Township grew rapidly between 1960 and 1990, but after 1990 growth slowed. During the 20-year period between 1990 and 2010, population grew by 10.5% but the rate of increase base decreased each Census count since 1990, including the 2013 municipal population estimates as seen in Table 1.

Table 1: Berkeley Township Population 1990-2013

Census	Population	% change	annual % growth rate
1990	37,319	---	
2000	39,991	6.7%	between 1990-2000: 0.72%
2010	41,255	3.1%	between 2000-2010: 0.32%
Est. 2013	41,829	1.4%	between 2010-2013: 0.46%

Between 2000 and 2010, the annual percent growth rate decreased 55% from 0.72% to 0.32%, but that trend has reversed since 2010 with an increased annual percent growth rate of 0.46% through 2013. Between 2010 and 2013, it is estimated that the population of Berkeley Township has increased by 574 persons.

Berkeley Township Population Projections

Berkeley Township has experienced population growth and that trend is unlikely to reverse moving forward. In 2013 the North Jersey Transportation Authority (NJTPA) projected Berkeley Township population to increase 0.9% annually between 2010 and 2040.³ Other population projections for Berkeley Township include:

1. A 2008 build-out analysis cited in the Township Master Plan Land Use Element identified 1,900 residentially-zoned acre as “vacant and unconstrained” and available for development of 2,800 residential units; by applying the 2010 Census township-wide figure of 2.02 persons per occupied dwelling unit, the potential exists for 5,656 additional residents at build-out, or a total population of 46,911.
2. The 2012 Transfer of Development Rights Real Estate Market Analysis estimated that a full build-out of Berkeley Township would result in an additional 4,330 housing units before 2030- 50,925 persons residing in 25,125 households.⁴

³ PLAN 2040 Forecasts: Population, Households, and Employment; NJTPA, April 26, 2013.

⁴ Real Estate Market Analysis, Urban Partners, November 16, 2012, page 57, 58.

Table 2 below compares projected annual percentage growth rates for Berkeley Township through 2030. The annual growth rates in Table 2 are the averages from years 1990-2000 (0.72%), 2000-2010 (0.32%), 2010-2013 (0.46%), and 2010-2040 (0.90%):

Table 2: Berkeley Township Population Projections

Population US Census 2010	Annual % Growth Rate	2015	2020	2025	2030
41,255	0.46% (2010-2013)	42,213	43,192	44,195	45,221
41,255	0.32% (2000-2010)	41,919	42,594	43,280	43,977
41,255	0.72% (1990-2000)	42,762	44,323	45,942	47,620
41,255	0.90% (2010-2040)	43,145	45,122	47,189	49,351

When applying the lowest and highest annual growth rates (0.32% and 0.90%), Berkeley Township could experience growth of 664 to 1,890 persons by 2020, and 1,339 to 3,867 persons by 2025. Given that the the 2010 U.S. Census Tract population of South Seaside Park is 490 persons, should Berkeley Township grant de-annexation of South Seaside Park, the population loss would be quickly compensated within a five year period.

Residential Building Permits: 1992-2013

Between 1992 and 2013, Berkeley Township issued 3,990 building permits for residential units, averaging 190 per year⁵; by applying the 2010 Census township-wide figure of 2.02 persons per occupied dwelling unit, 190 permits represents approximately 384 new residents.

Site Plan Activity Approved By Ocean County Planning Board: 2000-2013

Between 2000 and 2013, the Ocean County Planning Board approved 324 residential units, 750,005 square feet of commercial space, and 62,464 square feet of industrial space in Berkeley Township.⁶ County Planning Board reviews site plan and subdivisions that affect county roadways or drainage facilities.

⁵ Annual Residential Building Permits Authorized, U.S. Bureau of the Census. Manufacturing and Construction Division; New Jersey Department of Labor and Workforce Development, January 2013

⁶ Ocean County Department of Planning

Berkeley Township 2012 TDR Transfer Element

The Transfer of Development Rights (TDR) program is a mechanism made available to New Jersey municipalities since 2004 that shifts land development away from one area to another—typically shifting growth away from environmentally sensitive areas and re-directing it to a receiving area that is zoned and prepared for growth. A development credit system is used to administer the program.

Berkeley Township’s TDR Transfer Element report labeled as Draft Revised to November 19, 2012, prepared by David G. Roberts, AICP/PP & Stanley C. Slachetka, AICP/PP is accessible via the township’s website.⁷ Furthermore, on November 16, 2012, Urban Partners⁸ prepared a Real Estate Market Analysis for Berkeley Township supporting the TDR element of the Master Plan.⁹ The Market Analysis forecasted that Berkeley Township can expect housing and population to grow at a modest pace over the next two decades, citing a 2030 population forecast nearing 51,000 which would support the development of 4,330 new housing units on the eastern mainland during that 20-year period.¹⁰

With few opportunities for development west of the Parkway and on the barrier island, the eastern mainland is presumably where the majority of the Township’s growth would be accommodated.¹¹ Through the TDR program, the equivalent of 391 single family detached dwelling units and 97,121 square feet of commercial space (429.71 development credits total) would be transferred from the five Sending Areas to the four Receiving Areas, which together have existing or planned infrastructure capacity to accommodate approximately 1,543 dwelling units, 260,000 square feet of light industrial development and 150,000 square feet of commercial development in addition to the 1,540 residential units and 147,000 square feet of commercial development that would be permitted “by right” in the Receiving Areas if the regulatory changes resulting from the completion of Plan Endorsement (and TDR) were successfully implemented.¹²

The TDR program is grounded upon sufficient market demand and provides sufficient economic incentive to Development Credit buyers to support the needed sales of development rights in the Sending Zone during the forecast period (through 2030).¹³

⁷ http://twp.berkeley.nj.us/docs/PL_Zon/2012/Berkeley_TDR_Element_Revised_111912.pdf accessed 2/9/2015

⁸ Urban Partners assists public, private and non-profit clients to plan and implement feasible development and revitalization efforts; see <http://urbanpartners.us> (accessed 2/14/15)

⁹ http://twp.berkeley.nj.us/docs/PL_Zon/2012/Berkeley%20TDR%20REMA%20Final%20November%202012.pdf accessed 2/14/15

¹⁰ Real Estate Market Analysis, Urban Partners, November 16, 2012, page 2.

¹¹ Draft Berkeley Township Development Transfer Element, November 2012, page 7.

¹² Real Estate Market Analysis, Urban Partners, November 16, 2012, page 3.

¹³ *ibid.*, p. 7.

Sending Areas

The Sending Areas total 840 acres bounded by the Garden State Parkway to the west, Route 9 to the east, Lacey Township to the south, and Beachwood Borough to the north. Not all properties in the Sending Zones are vacant and will generate development credits. Of the 840 acres, 240 are privately owned and will generate 429.71 development credits based on existing zoning within the Sending Areas.¹⁴ The balance of the lots are owned by Berkeley Township.

Receiving Areas

The Receiving Areas total 282 acres in 4 separate areas- Berkeley Town Center- Phase 2, Town Center 2 (Secondary Town Center), Corridor Node C, and Light Industrial Node. All of these areas are located at strategic points along the Route 9 corridor and are within the Ocean County Utility Authority sewer service area.¹⁵ The location, size, and proposed development of the Receiving Areas are as follows:

1. **Berkeley Town Center- Phase 2** is 96 acres of the 443 acre Berkeley Town Center and is located north of Mill Creek, south of the Beachwood Borough border, east of the Central Rail Road of New Jersey right-of-way, and west of Route 9. Of the 96 acre Phase 2 area, 27 acres are eligible for TDR credits for an additional 212 residential units (150 townhomes, and 62 duplexes (pages 15-17).
2. **Town Center 2 (Secondary Town Center)** is 92 acres and is located on the east side of Route 9 from the intersection with Korman Road and Ocean Gate Drive, south to Bow Street. Of the 92 acres, 31 acres are eligible for TDR credits for 158 dwelling units (12 duplexes, 46 townhomes, and 100 units of multifamily housing), 150,000 square feet of commercial space (page 17).
3. **Corridor Node C** is 145 acres located on the southbound side of Route 9 near Harbor Inn Road. By right, the area could yield 114 single-family units and 147,000 square feet of commercial space, but contingent upon purchase of Development Credits the area could be developed to 616 residential units- 300 duplexes and 316 townhouses (page 17).
4. **Light Industrial Node** is 79 acres at the western end of Hickory Lane bounded by the rail right-of-way to the west, Keefe Street to the east, and Northern Boulevard to the south. The entire 79 acres is eligible for TDR Credits for up to 260,000 square feet of industrial space (pages 18-19).

Remainder of the TDR Element

After describing the sending and receiving areas, the TDR Element provides an infrastructure analysis for the receiving zone- potable water (pages 35-43), wastewater collection and treatment

¹⁴ Draft Berkeley Township Development Transfer Element, November 2012, page 12.

¹⁵ *ibid.*, p.15.

(pages 43-46), storm water management (pages 46-47), transportation (pages 47-52). Pages 53 through 68 of the TDR Element outlines the procedures for calculating the development potential and the TDR Credit system. The final 11 pages address Design Standards for the receiving areas

Conclusion

The Receiving Zone anticipates 1,542 residential housing units through TDR participation as well as the 1,540 units by right. The TDR Program will also facilitate 260,000 square feet of light industrial and 150,000 square feet of commercial development.¹⁶ The draft TDR Element provides Berkeley Township with the tools needed to and encourage and direct growth while saving natural resources and infrastructure costs. Given that the population South Seaside Park is 490 persons;¹⁷ should Berkeley Township grant the de-annexation of South Seaside Park, an active TDR Program would compensate for the population loss within a five to ten year period.

¹⁶ Real Estate Market Analysis, Urban Partners, November 16, 2012, page 3.

¹⁷ 2010 US Census Block Group 728000-1

State Planning Commission Plan Endorsement of Berkeley Township Town Center, Core, Node, and TDR Program

Berkeley Township began the formal Plan Endorsement process in 2004 and on July 6, 2012, the New Jersey State Planning Commission approved Resolution No. 2012-04 approving the Petition for Plan Endorsement Designating Centers, Cores, and Nodes.¹⁸ The 10-year plan endorsement expires on July 6, 2022.

The Plan Endorsement report labeled draft July 6, 2012, prepared for Berkeley Township by the Office for Planning Advocacy as staff to the State Planning Commission¹⁹ contains findings and conclusions concerning whether the plan for a town center, a mixed-use development node, and intensification of a light industrial node on the Eastern Mainland are consistent with the State Plan. The Plan Endorsement Report also recommended an Action Plan to be followed by both Berkeley Township and state agencies. The Plan Endorsement further recommended approval of the township's TDR program per the State TDR Act.

The Plan Endorsement Report cites public participation efforts (page 10), grants and assistance (page 11), Berkeley's demographics (pages 13-18), build-out analysis (page 19), Berkeley's TDR Program- the 2012 TDR Transfer Element- (pages 20-36), water infrastructure for the Eastern Mainland (pages 37-38), and TDR impact on Eastern mainland transportation facilities, schools, utilities and other infrastructures (pages 39-41).

Pages 42 - 53 of the Report compares the proposal and public participation process with the goals, policies of the State Plan. The Plan Endorsement Report concludes with a Planning and Implementation Agenda (pages 56-60) that outlines various topics of agreements and activities to be completed by certain parties within particular time frames.

The Plan Endorsement approved by the State Planning Commission in 2012 does not involve South Seaside Park- the Plan Endorsement is a state-approved blueprint for growth of the Eastern Mainland portion of Berkeley Township only. Cooperation from state agencies during the permitting process coupled with density bonuses can only help with creating town centers and growth nodes that will increase Berkeley Township's population.

¹⁸ <http://www.nj.gov/state/planning/meeting-materials/spc-minutes-2012-0706.pdf> accessed 2/16/15

¹⁹ <http://www.state.nj.us/state/planning/plans-endorsed/ocean-berkeley-recommendation-report-draft-final-2012-0619.pdf> accessed 2/16/15

Berkeley Township Strategic Recovery Planning Report

In response to the damage caused by Superstorm Sandy, Berkeley Township adopted a Strategic Recovery Planning Report in June 2014 (the Report). The Report recommends specific municipal actions to promote recovery from Superstorm Sandy and to reduce impacts from future storms and other emergencies / natural disasters. The recommendations made in the Recovery Report include: reexamining the master plan elements; adopting a floodplain management plan; prepare a municipal capital improvement plan; update the township's hazards mitigation plan and emergency operating plan; prepare a GIS database to catalog township owned infrastructure; and to increase participation in FEMA's Community Rating System.²⁰ The Report provides detailed descriptions of each of the proposed projects proposed to mitigate damage and improve conditions.

Pages 19 through 21 of the Report describes in detail the damages to properties. The Report focuses on 3 Census Tracts with "Severe" or "Major" damage as determined by HUD- each of the 3 tracts cited are on the mainland- two in Bayville, and the third in Pine Beach.²¹ US Census Tract 728000 contains South Seaside Park, specifically Block Group 1- this Census Tract or Block Group is not featured in the Report.

Page 22 describes the damage to township buildings on the mainland. A map on page 23 shows key community facilities and their relation to flood hazard areas- South Seaside Park and the barrier island is not shown on the map.

Pages 24 through 26 of the Report inventories damage to waterfront areas; South Seaside Park beaches are addressed on page 25, stating that South Seaside Park sustained significant beach erosion, damage to beach access facilities, beach personnel facilities and dune fencing, and the following projects were implemented in order to restore the area:

1. Beach replenishment at the breach between 21st and 22nd avenues;
2. Repair or replacement of damages / destroyed wooden beach entrance ramps at 20th Avenue (complete rebuild; area of emergency vehicle and equipment access); 21st Avenue (complete rebuild); 22nd Avenue (ramp lifted, repaired, and reset); and 23rd Avenue (ramp cleared of sand, 12 linear feet of ramp to beach reconstructed);
3. Repair of lifeguard headquarters at 23rd Avenue;
4. Snow fence replacement along dunes

²⁰ Strategic Recovery Planning Report, Executive Summary, 2014, page I.

²¹ Bayville US Census Tracts 731001 and 731002; Pine Beach US Census Tract 731101

The bay beach on the barrier island is addressed on page 26 which is reported to have sustained damages, including a damaged snow fence, bulk head damage, and loss of rip-rap and living shoreline features. The Report states that as of June 2014, the Township completed the replacement of damaged bulkhead. The Report also states that the replacement of living shoreline features and the installation of rip-rap at bay beach will be completed in spring of 2014.

In the section titled *Community Vulnerabilities Exacerbated by Superstorm Sandy* beginning on page 28, the Report states that the degradation of a previously existing dune systems along South Seaside Park presents a significant vulnerability to the township. Prior to the storm, South Seaside Park was protected by a characteristically high system of dunes that provided protection for the neighborhood from high velocity wave action and flooding. Superstorm Sandy caused these beaches and dune systems to erode, reducing their ability to protect structures relying on them for protection from flooding and storm surges.

Pages 30 through 35 of the Report titled *Current Status of Post-Sandy Recovery Efforts*, covers topics ranging from the adoption ordinances to CDBG Disaster Recovery Programs, FEMA Public Assistance Grants to Small Business Administration Disaster Loans, as well as numerous state, county, and municipal programs. This section of the report does not specify what areas of the township these grant and loan funds were utilized.

Community outreach efforts are addressed on page 35; the Recovery Report states Berkeley Township officials held public meetings in November 2012, January 2013, March 2013, and May 2013 to answer questions from residents in areas affected by Superstorm Sandy- no meetings listed were held at South Seaside Park.

Table 3 on page 37 of the Report titled *Recommended Actions to Recover from Superstorm Sandy and to Improve Response and Increase Resiliency to Future Storms*, prioritizes 10 actions, and the length of time it would take to complete each action:

1. Reexamine the master plan to address post-Sandy strategies and policies;
2. Adopt a Floodplain Management Plan as part of the master plan reexamination;
3. Update, automate, and expedite the township's system for processing construction permits;
4. Install a town-wide Supervisory Control and Data Acquisition system to communicate critical alarms to a centralized location or operational personnel.
5. Update the townships Hazards Mitigation Plan and Emergency Operating Plan
6. Create a Township Debris Management Plan

7. Prepare a beach-dune system susceptibility assessment to identify weaknesses in the dune system;
8. Prepare a Capital Improvement Plan;
9. Update the township's GIS database to catalog and inventory all infrastructure owned by the township; and
10. Continue to increase township participation in FEMA's Community Rating System

Action #7- the preparation of a beach-dune system- directly addresses the bay beach dune systems on the barrier island that sustained damage. The remaining proposed actions do not directly relate to South Seaside Park- they are geared towards serving the township as a whole.

Conclusion

The Strategic Recovery Planning Report cites damage sustained by South Seaside Park; provides a list of beach replenishment projects and facility repairs to be implemented in the area; and proposes to install living shoreline features and rip-rap on the bay beach. Infrastructure needs for South Seaside Park are not included in the Report; nor does it cite cooperative efforts with neighboring municipalities on the barrier island. According to the Report, no community effort outreach meetings were held in South Seaside Park.

Clarification of Driving Mileage / Time Calculations

I have reviewed Don Whiteman’s schedule for mileage which he drove and calculated; when comparing Don’s calculations to mine, the differences are as follows:

Points of Interest	Don Whiteman	Scott Bauman
Bayville Elementary School	13.8 miles 25 minutes	12 miles 22 minutes
H&M Potter Elementary School	14.1 miles 26 minutes	13 miles 25 minutes
Berkeley Township Elementary School	15.7 miles 29 minutes	14 miles 26 minutes
Clara B. Worth Elementary School	16.3 miles 31 minutes	15 miles 26 minutes
Library- Berkeley Branch, Bayville	16.2 miles 31 minutes	14 miles 26 minutes
Berkeley Recreation Center	14.8 miles 29 minutes	13.6 miles 25 minutes
Berkeley Soccer Fields	14 miles 26 minutes	14.9 miles 23 minutes
Berkeley Township Police Headquarters Berkeley Township Public Works Berkeley Township Municipal Building	16.2 miles 31 minutes	14.6 miles 20 minutes
Al Leiter Little League Field (Moorage Avenue Park)	14.7 miles 27 minutes	13.3 miles 26 minutes

I believe the both calculations are close enough to be consistent and I have no objection to supplementing Don’s calculations with mine. The calculations made by Don that are not in my report are: Berkeley Township Sewerage Authority, Veterans Park and Golf Course, and “bike path”. My distance and time calculations were prepared by utilizing Google rather than personally driving each route. Additionally, my calculations did not take into account the differences between winter and summer travel.

Clarification of Exhibit 17A- Berkeley Township Parks

Pat Dolobacs informed me that some of the Berkeley Parks cited in Exhibit 17A page 63 of my report have changed. Pat's comments are as follows:

1. Berkeley Shores cited in my report is called Allen Road and Amherst Beach.
2. Pat said there is no Sylvan Lakes recreation area. Page 165, Figure 43 of the Berkeley Township Environmental Resource Inventory cites Sylvan Lakes as a 3.14 acre township-owned park and recreation area on the Recreation Open Space Inventory (ROSI).
3. Pat said Roberts Marsh is not listed in my report but it is cited in Exhibit 17A- third from the bottom.
4. Moorage Avenue Park cited in my report is called the Al Leiter Little League Field.
5. Pat said Butler Boulevard Beach has a beach and a playground at the end of Butler Boulevard at Barnegat Bay. This park was not included in my report.
6. Toms River Park cited in my report is called Whispering Pines.