

## ***Plan Endorsement Recommendation Report*** ***Borough of Stone Harbor***



**New Jersey Department of State  
Office of Planning Advocacy  
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This document is a recommendation report prepared by the Office for Planning Advocacy (OPA) as staff to the State Planning Commission (SPC or Commission), based largely on the Municipal Self-Assessment report, input of our partner agencies, Borough of Stone Harbor, Cape May County and members of the public. OPA will post this report and other material related to the Borough of Stone Harbor Plan Endorsement petition on our website. You can contact our office by email regarding petitions for Plan Endorsement by providing contact information, including name, organization, address, and e-mail address to [osgmail@sos.state.nj.us](mailto:osgmail@sos.state.nj.us).

Documents submitted by the Borough of Stone Harbor for Plan Endorsement can be found here: <https://nj.gov/state/planning/plan-endorsement.shtml> and include the Master Plan, Amendments, Redevelopment Plans, etc.

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## INTRODUCTION

The Borough of Stone Harbor (hereafter Stone Harbor, SH or Borough) first had its Center Endorsed through a State Planning Commission resolution on October 27, 1999 and it technically expired March 31, 2023.

The Borough’s interest in pursuing formal Plan Endorsement was discussed on April 28, 2020 at a prepetition meeting with representatives from the state agencies and the Borough. Stone Harbor’s primary objective in seeking Plan Endorsement is to plan and grow consistent with the State plan and to have their CAFRA Centers reauthorized. Additionally, Stone Harbor seeks to access available technical assistance and potential State funding for projects related to issues involving predicted climate change resiliency, water supply and sanitary sewerage infrastructure enhancement, surface and groundwater protection measures, storm water management system upgrades, preservation and protection of critical open space resources, roadway rehabilitation and pedestrian safety.

## BACKGROUND/ CHRONOLOGY

The mayor forwarded the Borough of Stone Harbor’s petition for endorsement in February 2020.

In April 2020, a Prepetition meeting was held, the Borough authorized a Plan Endorsement Advisory Committee in July 2021; and submitted their Municipal Self-Assessment Report approved by their Green Team serving as their Plan Endorsement Advisory Committee on December 21, 2021. As Stone Harbor has a very had significant community input and engagement over two years on the development of their most recent re-exam report and housing element including from property owners, the chamber, the police department and green team; they sought and received a waiver for visioning.

Stone Harbor has been steadily building on its planning foundation, with efforts toward sustainability and smart growth as follows:

Event(s)	Date	Notes
Bird Sanctuary Preserved	1961 (1947)	21 acres by ordinance #208 (was 31)
Centers Designated	10/27/1999	Through Cross Acceptance
Shade Tree Committee amended	2006 (1982)	
SH Point Conservation Plan	2008	
Master Plan - Elements include Land Use, housing, cultural and heritage Resources, Utilities and Infrastructure, Community Facilities, Tourism, Sustainability	2009	
Conservation Plan	2008	
Historic Preservation Plan	2010	
Municipal Public Access Plan	2011	
Zoning Map	2012	
Adopted Cape May Co Waste Water Management Plan	2013	
Dune Vegetation Management Plan	2015	
Municipal Public Access Plan	2015 (2011)	Approved by DEP
Forestry Management Plan	2016 - 2020 (2011)	
Coastal Vulnerability Assessment/Getting to Resilience	2016	
Flood Warning Program	2016	

Emergency Operations Plan	2017 (2013)	Updated regularly per HMP Annex
Green Purchasing Policy	2017	Resolution 2017-S-214
Housing Element & Fair Share Plan	2018	
Flood Damage Protection Ordinance	2018 (2017)	2ft freeboard
Single Use Plastics Ban	8-7-2018	Ch 466-19 Ordinance 1524
Master Plan Reexamination	2019	Public engagement/visioning
Cape May County submitted revised WMP	2019 and revised 2021	Under DEP review
Zoning Ordinance Update	2021	
Water Conservation/Drought Mgt Plan	2021	
Cape May County Comprehensive Plan	2021	
Cape May Co Hazard Mitigation Plan	2021	Approved Municipal Annex 9.11.1-49
Stormwater Ordinance Amended	April 2021	DEP compliant Ord. 1584
Mayor petitioned for PE	February 2020	
Prepetition Meeting	April 28, 2020	
Appointed PE Advisory Committee	July 6, 2021	
Submitted MSA	December 2021	
Water Conservation Ordinance	2022 (2021)	Ord. #s 2013, 1421, 1597, 1607
Bulkhead min. elevation & standards ordinance	2022	Requires engineered design and requires certain specifications
Invasive Plant Species Ban	2023	Ordinance 1628
PIC Recommendation (scheduled)	June 21, 2023	
SPC ADOPTION (Scheduled)	July 5, 2023	

## **PUBLIC PARTICIPATION & VISIONING**

As part of the Plan Endorsement process the Borough appointed a PE Advisory Committee that met multiple times in the development of the MSA. The community is essentially built-out and walkable. Its vision is built around redevelopment, resiliency, and sustainability. The Borough’s Master Plan Reexamination effort in 2019 had extensive public engagement of all sectors of their local stakeholders which, together with the fact that their previous vision had hundreds of contributors over a lengthy public process and that vision has not changed significantly since then served as the basis for a waiver of their visioning requirement.

## **LOCATION & REGIONAL CONTEXT**

The coastal barrier island community of Stone Harbor occupies a total area of 2.31 square miles, all situated within the State’s designated Coastal Zone and comprising the southern portion of Seven Mile Island, which it shares with the contiguous Borough of Avalon directly to the north. Stone Harbor is located entirely within the CAFRA zone, and thereby subject to the applicable environmental and land use provisions of the New Jersey Coastal Area Facilities Review, Waterfront Development and Coastal Wetlands Acts. To the south, the Borough is bounded by expansive coastal marshes within Middle Township, Hereford Inlet and the City of North Wildwood; and to the west, by the Great Channel segment of the Intracoastal Waterway and coastal marshes within Middle Township. Stone Harbor is part of Cape May County, New Jersey’s second smallest county based on resident population. The community’s proximity to tidal waters, the ocean, inlets and back-bay areas have defined Stone Harbor since its’ founding in 1914. The Borough’s evolution into the resort-oriented, residential community that exists today has followed a pattern similar to other coastal communities in the State. Within Stone Harbor, there exists a delicate balance between natural elements and the built environment. While the island is largely developed with residencies and shops, it still maintains pristine beaches, marshes, and abundant wildlife.

## **LAND USE and DEMOGRAPHICS**

The Borough's year-round population has slowly declined over the past several decades from a high of 1,187 in 1980, 1,025 in 1990, 1,129 in 2000, declining to 866 in 2010 and 876 in 2020 with a median age of 62.3. According to the 2020 census, the median household income was \$110,625. The current seasonal population rises to approximately 21,000 according to recent estimates by the Cape May County Planning Department, a number that has continued to rise over the past two decades.

The Borough's demographic profile mirrors many Cape May County coastal communities with declining year round populations owing to the primacy and market for second homes. Aging year-round populations also appear to be a recurrent trend based on recent demographic and labor rate statistics compiled by the Cape May County Planning Department. It should be noted that this long-term declining year round population trend has been temporarily slowed by the Covid-19 pandemic. Consistent with nearby shore communities, second homeowners within the Borough have extended seasonal stays evidenced by metrics such as traffic flows, metered potable water use and increased enrollments in the Borough's public school system. It remains to be seen whether this trend continues or is a temporary situation.

## **INFRASTRUCTURE**

**Waste Water Treatment** - The infrastructure to collect and convey sanitary wastewater within the municipality is owned and operated by the Cape May County Municipal Utilities Authority (CMCMUA), and serviced by two regional wastewater treatment facilities: Seven Mile/Middle Regional on the northern end, and Wildwood/Lower Regional on the southern end.

**Water** - Stone Harbor draws water from the Kirkwood Aquifer. The Cape May County Comprehensive Plan notes studies by the US Geological Survey which concluded that there is an ample supply of potable water. The long term concern is that saltwater intrusion will contaminate the water supply. This concern should be watched along with County and State authorities. This issue has not been reduced nor has it gotten worse and should continue to be monitored.

Stone Harbor Borough Water Department (SHBWD) provides water supply and distribution services through 4 active supply wells which draw from the Atlantic City 800-foot sand aquifer under Water Allocation Permit Number 5182. There is a treatment plant at 96th Street and 2nd Ave. According to the Well Permitting section of the Bureau of Water Allocation and Well Permitting, approximately 7 permits to drill domestic wells have been issued in Stone Harbor Borough.

## **FUTURE LAND USE /ZONING MAP (Below)**

The Borough in 2019 completed and adopted a comprehensive Master Plan Reexamination Report which built on the 2009 Master Plan for the community. In addition, the Borough maintains an annual Capital Budgetary Planning process reflecting established municipal needs. The 2019 Reexamination report, as well as current capital budget, highlight specific areas of concern primarily focused on increasing community resiliency, infrastructure enhancements, recreation upgrades and natural resource protection. Examples include provisions on beach front protection/restoration, water conservation, lot grading, flood mitigation, storm water system upgrades and protection of municipally-managed green spaces.

DATE	LAURENCE	USE No.
3-16-2007	CRAG F. REBENSTON	23004
12-16-2007	CRAG F. REBENSTON	23005
1-10-2008	CRAG F. REBENSTON	23006
3-25-2012	CRAG F. REBENSTON	23007

**NOTES:**

1. ZONING Map adopted by the Borough Council of the Borough of Stone Harbor 9-9-2007 by Act No. 2007.
2. This zoning map is subject to the approval of the Board of Health, which is the Board of Health of the Borough of Stone Harbor, as required.
3. ZONING Map and Report.
4. 2007-2012 Act No. 2007.

The proper title for this map is the "Zoning Map of the Borough of Stone Harbor, New Jersey".

**NOTES:**

Subject to the approval of the Board of Health, which is the Board of Health of the Borough of Stone Harbor, as required, and the approval of the Board of Health of the Borough of Stone Harbor, as required, the zoning map of the Borough of Stone Harbor, New Jersey, is hereby adopted.

**NOTES:**

1. ZONING Map and Report.

2. 2007-2012 Act No. 2007.

3. 2007-2012 Act No. 2007.

4. 2007-2012 Act No. 2007.

5. 2007-2012 Act No. 2007.

6. 2007-2012 Act No. 2007.

7. 2007-2012 Act No. 2007.

8. 2007-2012 Act No. 2007.

9. 2007-2012 Act No. 2007.

10. 2007-2012 Act No. 2007.

11. 2007-2012 Act No. 2007.

12. 2007-2012 Act No. 2007.

13. 2007-2012 Act No. 2007.

14. 2007-2012 Act No. 2007.

15. 2007-2012 Act No. 2007.

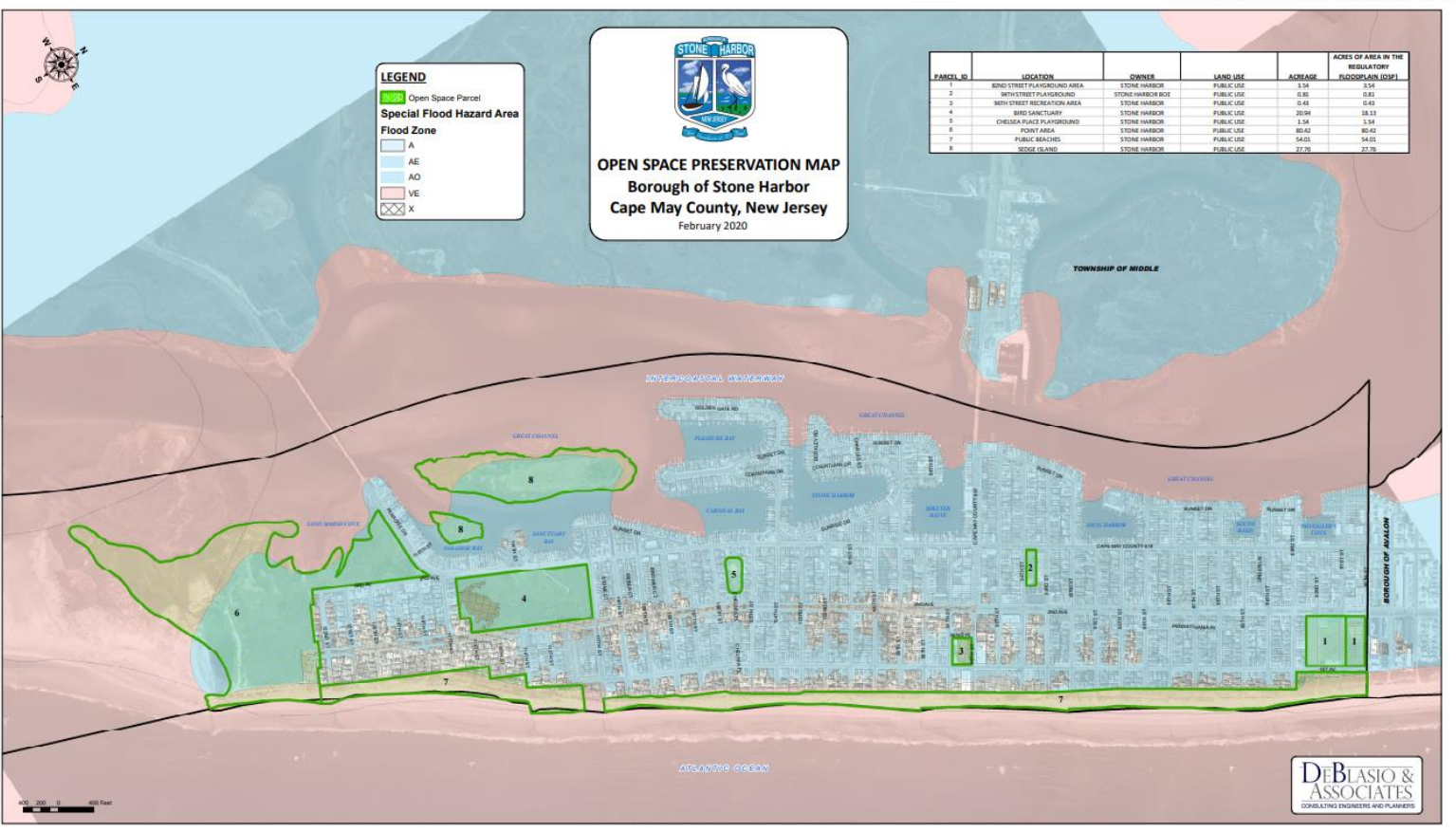
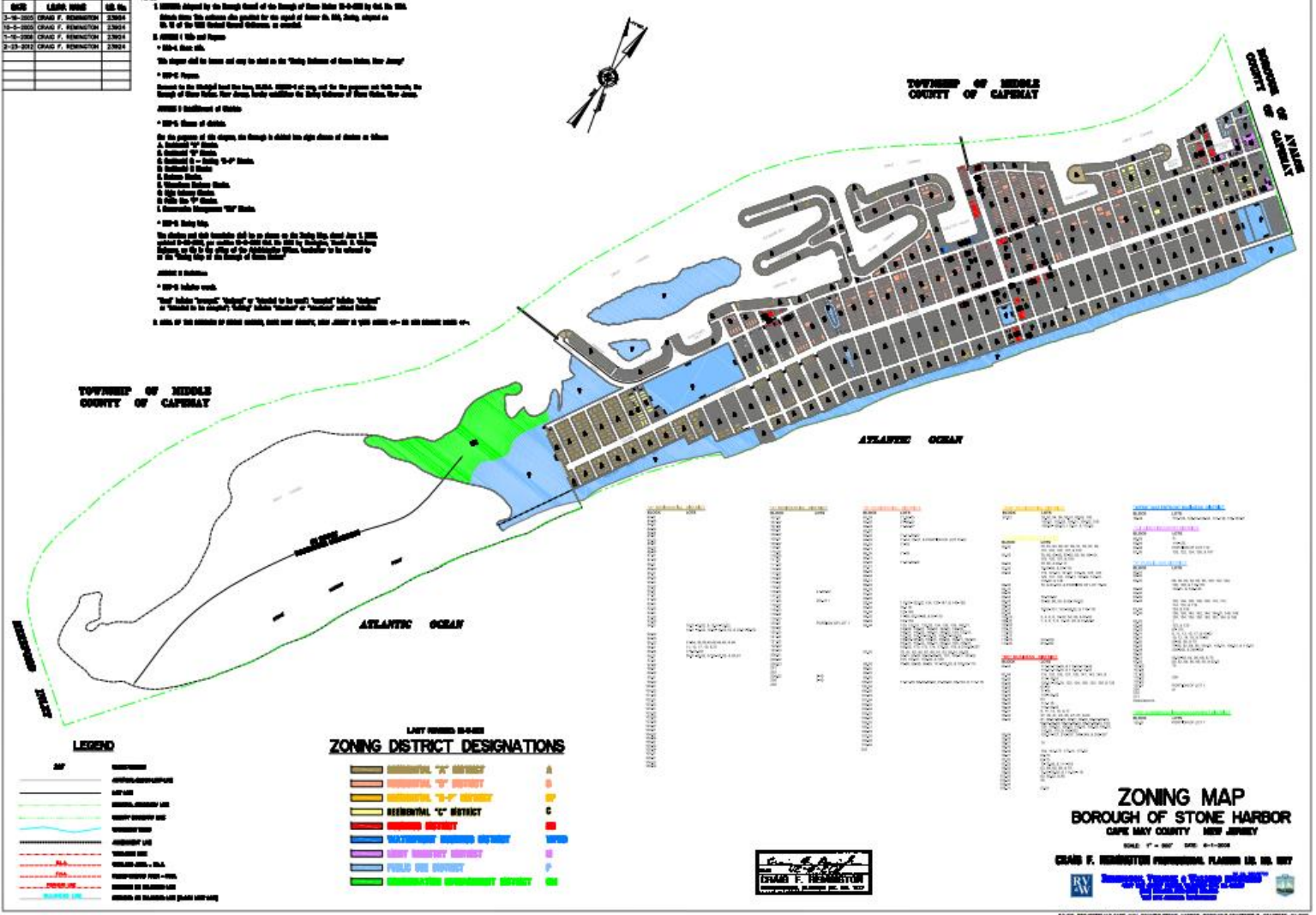
16. 2007-2012 Act No. 2007.

17. 2007-2012 Act No. 2007.

18. 2007-2012 Act No. 2007.

19. 2007-2012 Act No. 2007.

20. 2007-2012 Act No. 2007.



## PROPOSED MAP AMENDMENTS

As with most barrier island communities, there are many residences and businesses built within the Special Flood Hazard Areas in Stone Harbor. To be consistent with the Executive Order 89 and Floodplain Management Rules, OPA is working with DEP and communities to limit residential flood risk exposure by discouraging incentivizing residential growth in floodplains while supporting resilient downtowns with mixed use, walkable communities – this essentially means smaller centers in flood-prone barrier islands. Since a major practical benefit of a center is that it allows a higher impervious coverage when obtaining a CAFRA permit, and existing impervious coverage is grandfathered, a built out community like Stone Harbor should not be negatively impacted by a smaller center concentrated in its business district. The following are Stone Harbor’s previous and proposed maps with Planning Areas and Center boundary:



*Previous (now expired) Center in Pink; 2023 proposed Center in orange. Municipal boundary in blue and the lighter green is for PA4b, Environmentally Sensitive Barrier Island Planning Area and the darker green is PA8, dedicated Open Space.*



*Close up of the proposed center.*





## **STATE PLAN GOALS REVIEW**

**Goal #1 Revitalize the State's Cities and Towns** – Stone Harbor's Master Plan and Reexam both have extensive descriptions of the vision, goals and objectives around revitalizing the Central Business District of the Borough and building stability into the community for its year-rounders, seasonal residents, visitors and merchants. There is a vibrant Chamber, recreation department and marketing campaigns all building the attraction value and shoulder seasons to support their local merchants on which the vibrancy of the town relies. There are numerous arms of the borough as well as private citizen groups who regularly invest their time and efforts to beautify, preserve and interpret the history of the community, engage, edify and energize the citizenry and attract visitors to boost the town's vitality.

**Goal #2 Conserve the State's Natural Resources and Systems** - The popularity and intrinsic charm of Stone Harbor is firmly rooted in its natural resources and pristine coastline and the borough is committed to their preservation. Access to the Ocean and Intracoastal Waterway provide the impetus for the community's success. The Master Plan goes into detail on the importance of the 'point' (undeveloped southernmost section of the island) as a habitat for coastal birds as well as butterflies, terrapins, sea turtles, and dolphins. It is also a critical pathway for finfish and shellfish to move between spawning grounds and nursery areas and the borough is committed to its preservation and the protection of the species that utilize it. Another important preserved wildlife habitat in Stone Harbor is its bird sanctuary, founded in 1947 and registered as a National Landmark by the National Park Service in 1965. The sanctuary draws an abundance of coastal birds and is a popular spot for naturalists and bird watchers alike. Stone Harbor's tidal basins and bay waters are additional important habitats that remain protected including mudflats and uninhabited intercoastal islands. Innovative projects involving indigenous vegetative plantings at the Point Beach/Dune Complex and preparation of a Vegetation Management Plan for the Bird Sanctuary have also been completed. (The project at the Bird Sanctuary was awarded the County's Conservation Award in 2015.) Stone Harbor's Go Green Team is a key cadre of volunteers and staff committed to these and other conservation efforts in the Borough.

**Goal #3 Promote Beneficial Economic Growth, Development and Renewal for all Residents of New Jersey** The business district was in a decline in 2009 when the Master Plan was adopted. Since that time there has been a resurgence as Borough businesses adapt to the changing needs of their patrons. Development in the Waterfront Business District along with the redevelopment of the movie theatre has anchored this change. With several upscale bars and restaurants coupled a variety of high end boutiques and shops, new life has been breathed into the downtown. Festivals and events have begun to strengthen the shoulder seasons along with stores and restaurants staying open further into the fall and opening earlier in the spring. The Borough must continue to support this growth to continue to maintain the vibrancy of the town.

**Goal #4 Protect the Environment, Prevent, and Clean Up Pollution** - The Borough has adopted Conservation, Community Forestry Management, Dune Vegetation Management and Watershed Management plans with detailed ongoing implementation schedules and objectives; There has been increased attention to protecting the sanctuary by removing invasive plant and animal species.

The Borough Council has been at the leading edge of municipal sustainable actions in New Jersey with a bag ban prior to the State's bag ban and a requirement for ecofriendly packaging by its businesses in 2018. It also has extensive recycling programs including for shrink wrap for boat covers. The Borough also has an active Green Team addressing issues related to protecting the environment, pollution prevention and clean up.

The Borough is closely tied to the beauty and nature that surrounds it, so it's in their self-interest to protect that asset. Green initiatives have been at the forefront of many major decisions. The Borough is developing greener solutions for dealing with storm water. They are looking at reducing consumption of natural resources, water and electricity, as well as creating less waste while promoting the use of recyclable materials. Stone Harbor is also considering policies and incentives that will reduce the impact that new construction and larger homes have on the Borough. While sustainability is not something new to the Borough it is increasingly becoming the focus.

**Goal #5 Provide Adequate Public Facilities and Services at a Reasonable Cost** - The Borough provides significant facilities and services as evidenced by the following lists:

- Municipal Complex – offering a full range of governmental services to residents/visitors;
- County Library Branch;
- Recreation Building;
- K-4 Elementary School providing education services for resident and tuition students from outside the district. (The Borough shares facilities with the Avalon Borough School District where grades 5-8 attend);
- Firehouse and Emergency Services Building;
- Public Works Facilities;
- At 81st Street the Borough maintains waterfront facilities adjacent to the Intracoastal Waterway providing boat launching, kayak storage as well as extensive waterfront public access for fishing, crabbing, etc., seasonal vessel mooring and boat trailer parking;
- Municipal water supply wells, treatment facility, and 500,000 gallon elevated storage tank;
- Wastewater pump stations;
- Recreation amenities inclusive of several playgrounds, athletic fields, tennis, basketball and shuffleboard court complexes;
- Natural open space resources including the beach, Bird Sanctuary and Point Beach/Dunes

Public Services provided by the Borough include:

- Public Administration;
- Resident Police/EMT coverage;
- Emergency Management;
- Salaried/Volunteer Fire Department;
- Public Works Department;
- Water and Sewer Department;
- Recreation Department;
- Tourism Department;
- Beach Patrol staff/equipment;
- Elementary School staffing;
- Water/Sanitary Sewerage service;
- Solid Waste/Recyclables collection

**Goal #6 Provide Adequate Housing at a Reasonable Cost** - Though the rest of the island is essentially built out with primarily redevelopment and elevation potential, the subdivision and redevelopment of approximately 2.0 acres of the Sisters of the Immaculate Heart of Mary's Convent property by private development interests, has been approved by the Borough Zoning Board, leading to the construction of thirteen (13) new single family residences developed in the southern end of the Borough, along with the extension of a municipal roadway (112th Street) and associated servicing infrastructure. The plan includes demolishing a seasonal communal residence, construction of a new retreat center, reconfigured parking and comprehensive storm water management system. The Borough is providing three (3) affordable units as required by the approval of this development project through the purchase and rehabilitation of an existing triplex. The three (3) rehabilitated units will be occupied by community residents meeting established regional income limits.

The Borough has enacted Affordable Housing regulations that create and provide the procedure for developers to contribute to the dedicated Community Housing Fund, implemented in 2009 as a component of the Borough's Substantial Certification and Settlement process through the Council on Affordable Housing (COAH) and Fair Share Housing Association. This regulatory framework provides the basis for the utilization of collected funds for targeted residential rehabilitation work, assuring that required inclusionary development requirements for new development and income eligibility assessments are carried out and determining mandatory maximum rental fees to assure benefits are appropriately directed.

**Goal #7 Preserve and Enhance Areas with Historic, Cultural, Scenic, Open Space, and Recreational Value** - Stone Harbor has one structure, the Lifesaving Station, on the National Historic Registry. The Master Plan recommends a comprehensive inventory and analysis of the condition and historical significance of the older structures throughout the Borough to determine the extent to which they can be protected. It also recommends preserve buildings and other features within the Borough that reflect elements of its cultural, social, economic, and architectural history; increasing public awareness of the Borough's heritage and encourages the creation of historic plaques and markers for buildings and landmarks. The open space areas are discussed under Goal #2 and there is a significant commitment by the borough to enhance recreational opportunities both by providing public access to the beach, ocean and back bay as captured in the Municipal Public Access Plan and by making more structured recreational spaces, activities, and events available to its residents and visitors. SH has a public marina, fishing piers and public boat ramp near 80th Street as well as all sorts of sports areas including tennis, pickle ball, basket ball, ball fields and playgrounds.

**Goal #8 Ensure Sound and Integrated Planning and Implementation Statewide** - The Borough works closely to ensure consistency with surrounding municipalities as well as the County and State on planning and zoning regulations and plans such as:

- Shared services with Avalon
- Participation and consistency with the State Development and Redevelopment plan
- County Solid Waste Management plan
- Participation in the county wide Hazard Mitigation Plan and Waste Water Management Plan as well as other county lead initiatives like the Comprehensive Plan, Bike plan, etc.

Coordination with the County of Cape May has also involved working together on a number of major transportation infrastructure projects including the ongoing work to reconstruct the bridge at 96th Street over the Intracoastal Waterway. This project will improve County Route 657 (Stone Harbor Boulevard) from the mainland to the Borough with enhanced pedestrian access. In addition, repaving and completing of drainage improvements along Ocean Drive (Cape May County 619), the major north/south connector traversing the entire length of Seven Mile Island have been ongoing.

## **RESILIENCY**

Climate Change/Sea Level Rise Impacts - The Borough continues to experience varied and deteriorating impacts of climate change-fueled sea level rise inclusive of:

- “Sunny day” flooding of storm sewer systems, intersections and street segments during monthly high tide cycles in lower portions of the community;
- Beachfront erosion resulting from intensive coastal storms, inclusive of recurrent ‘nor’easters’, generating extremely hazardous conditions within the littoral zone;
- Extreme variations in local/regional precipitation patterns producing flash flooding and/or drought conditions, challenging potable water supply through potential salt water intrusion into water-bearing geologic formations which provide potable and emergency water supplies;
- Recurrent “back bay” flooding along the Intracoastal Waterway and within basin mooring areas damaging both public infrastructure as well as adjacent private properties.

Resiliency Planning Efforts - Post Superstorm Sandy and in response to increasing threats posed by the varied impacts of climate change, the Borough has undertaken a series of mitigative strategies aimed 11 | Page at substantively increasing resiliency within the community for both publicly owned and operated infrastructure and on private properties. These actions included collaboration with FEMA staff, adoption and use of revised flood maps and entering into the revised Community Rating System where the Borough has attained a CRS rating of 5. In addition, the Borough has implemented a series of specific actions aimed at mitigating potential community-wide impacts, including:

- Creating and maintaining a comprehensive and informative Flood Hazard Information site that provides detailed narrative and graphic information regarding activities which have been completed as components of its current Community Rating (# 354323) through the National Flood Insurance Program including:

Activity #	Description
300	Public Information
310	Property Elevation Certificate Information
320	Local/Regional Flood Mapping Data
330	Outreach – General Flooding Information
340	Real Estate Hazard Disclosures
350	Flood Protection Information/Hazard Mitigation Planning
360	State/Federal Flood Protection Assistance Programs
370	Flood Insurance Promotion Information
410	Local Regulatory Floodplain Mapping
420	Community Open Space Preservation Information
440	Flood Data Metrics/Regional Benchmarks
450	Storm Water Management (MS4) Regulations/Plans
450	Local Ordinance Regulatory References
501	Notice to Residents – Repetitive Loss Areas
510	Beach Management Plan
540	Community Drainage System Inventory/Inspections
610	Flood Warning System/Procedures

- Annual enhancement of the beachfront dune system including additional plantings of native herbaceous species and drift fence relocations/additions to expand and fortify this system both vertically and laterally;

- Incremental upgrading/raising the elevation of waterfront bulkhead structures both within public rights-of-way and along adjacent private properties along the back bay area to prevent/lessen tidal flooding;
- Working with Atlantic City Electric on the comprehensive hardening of electrical power infrastructure serving the community, including replacement of older transmission structures, implementing code requirements mandating underground connections of servicing infrastructure to all new construction, upgraded underground switching vaults, redundant service connections to the mainland transmission grid and replacing existing street lighting with LED fixtures. The Borough has also recently had extensive discussions with ACE regarding potential options and associated cost implications for reinstallation of the Borough's electrical power supply infrastructure completely underground. While recent above ground upgrades to the Borough's existing power grid have enhanced resiliency this comprehensive subsurface 12 | Page installation project may continue to be discussed with ACE potentially as a pilot or as a project completed on an incremental basis in order to mitigate costs;
- As the primary component of its Coastal Vulnerability Assessment, the Borough has created flood mitigation overlay zones within the community based on recent FEMA flood mapping. Within these zones, when residential property owners/developers undertake new construction or substantial improvements of existing structures, required lot grading criteria now include the provision of linear retaining structures along the property right-of-way so that future elevating of roadway segments can be accommodated absent back flooding. These provisions are in addition to meeting the current stringent structural requirements of the Borough's Flood Hazard Reduction Ordinance;
- Implementation of the community-wide Storm Water Master Plan is ongoing, as well as comprehensive Pollution Prevention and Watershed Management Plans. These planning documents detail compliance with the State's MS4 Permit, designed to reduce and mitigate Non-Point Source (NPS) impacts on water quality and provide detailed information on the Borough's storm water management system and flood mitigation efforts. Planning has emphasized reductions in impervious coverage on both private and publicly-owned lands wherever possible, upgrading of conveyance capacity as well as other measures aimed at minimizing tidal flooding impacts on the community.

### ***STAFF RECOMMENDATION***

Stone Harbor has diligently and regularly planned and implemented measures to ensure that their center and environs remain sustainable and become resilient using smart-growth principles and mitigation measures. Based on this work, they have demonstrated that their actions and plans, including with the items identified in the PIA, are aligned with the State Plan. It is the staff's recommendation that the Plan Implementation Committee forward their petition to the State Planning Commission for approval. Please see the attached PIA for details of their implementation agreement.