



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 204
TRENTON, NJ 08625-0204

JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

MEMORANDUM

To: State Planning Commission

From: Donna Rendeiro, Acting Executive Director, Office of Smart Growth

Date: November 24, 2009

Re: Brick Township 2009 Biennial Monitoring Report

On June 20, 2007, the State Planning Commission (SPC) approved the Plan Endorsement petition submitted by Brick Township. As required by N.J.A.C 5:85-7.12 et seq. and the Township's Planning and Implementation Agreement (PIA), the Township submitted a biennial report (enclosed) detailing the status of its PIA efforts. Accompanying this memo is a draft revised PIA for consideration.

As the biennial report demonstrates, over the past two years, Brick Township has been very active in its planning efforts. It has adopted a redevelopment plan for one of its mixed-use overlay zones in the Brick Town Center, and is proposing streetscape ordinances for several other areas within the Township. It has worked with the New Jersey Department of Transportation (DOT) to improve mobility along the Route 70 corridor, in addition to working with the Safe Routes to School program to bring sidewalks into a neighborhood that includes three local schools. The Township has also adopted environmental ordinances to protect natural resources from adverse development and has developed strategies for increasing and improving open spaces. The Office of Smart Growth and its State agency partners in the Plan Endorsement process have reviewed the biennial report and accompanying submissions and found that the Township is maintaining its commitment to fulfilling the PIA. The following summarizes the actions taken by the Township to address its PIA and notes any items proposed to be modified.

General

The Township submitted its biennial report in a timely manner and included both a status update of all PIA items and copies of relevant plans and ordinances. In the future, the Township should be mindful of the need to submit new and revised planning documents to OSG at least 20 days prior to adoption to allow for review for consistency with the State Plan and the endorsed petition. In terms intergovernmental coordination, Brick is participating in the preparation of the Ocean County Wastewater Management Plan and has a shared services agreement with Toms River Township for building department personnel. OSG encourages Brick to continue to explore opportunities for working with neighboring municipalities on planning matters of regional concern, including transportation, economic development, and natural resource protection. At this time, it does not appear that the Township is interested in petitioning for Advanced Plan Endorsement.

Items Completed: n/a

Time Extensions Needed: n/a





State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 204
TRENTON, NJ 08625-0204

JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

Land Use and Zoning

With the receipt of Plan Endorsement, Brick Township adopted the land use element that had been developed during the endorsement process. Since then, it has designated and prepared a redevelopment plan for the former Foodtown site, one of the four mixed-use overlay areas within the designated Brick Town Center. The plan calls for pedestrian-oriented development including residential and commercial uses, an affordable housing set-aside, and access to the neighboring Forge Pond open space area. The Township has executed phase one of the redevelopment agreement, and demolition has occurred on site. It is now in the process of negotiating phase two with the designated redeveloper. To further facilitate center-based development, it has adopted several environmental protection ordinances (PIA item B4, but discussed further in the “Environmental Resources” section). However, the Township has yet to revise its zoning ordinance to prohibit development that would adversely affect environmentally sensitive areas outside of the center, including properties enrolled in the Green Acres program. It has agreed to do this within the next year.

Items Completed: B1, B4

Time Extensions Needed: B3

Housing

Brick Township submitted its Housing Element and Fair Share Plan to Court Master Philip Caton in December 2008 as part of its pursuit of a judgment of compliance. The plan contests the growth share methodology—which projects a 1,038-unit growth share obligation through 2018—and within the plan, the Township proposes its own methodology for this calculation. At least two projects within the plan are located in the Brick Town Center. The Township is currently awaiting a review letter from the Court Master regarding the plan. In the interim, the Township has built an inclusionary requirement into the Metedeconk Redevelopment Plan and in August 2007 saw the completion of a 3-unit residential group home developed and operated by The Association for Retarded Citizens. The Township should continue efforts to provide affordable housing for all population segments.

Items Completed to Date: C1 complete pending judgment of compliance from court master

Time Extensions Need: None

Open Space and Recreation

The Township has done an impressive job addressing its open space needs. It reopened two rehabilitated neighborhood parks with the help of the Green Acres program. It has also received funding from Green Acres for both the acquisition and development of Trader’s Cover Marina, which will have a public boatyard, public pathway around the waterfront, and a proposed spray park for children. In addition, the Township recent completed a Park Improvement Plan for existing recreational areas that details needs by each location and includes estimated costs and proposed timing for improvements. This remains to be adopted. The Township adopted an Open Space and Recreational Plan with its 2007 Master Plan.

Items Completed to Date: D1

Time Extensions Need: none





State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 204
TRENTON, NJ 08625-0204

JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

Environmental Resources

Brick has adopted all of the environmental ordinances required by the PIA, including a habitat protection ordinance and riparian buffer ordinance. The required steep slope ordinance was found included in previously adopted regulations. Regarding water supply, the Brick Township Municipal Utilities Authorities (BTMUA) provides all of the Township's water needs and handles related planning measures. While the Township has not completed a Water Conservation Plan, it feels confident that the BTMUA has measures in place that meet this requirement. State agencies will work with the Township to ensure that these measures meet the spirit of PIA item E2. If they do not, the Township will be required to produce its own Water Conservation Plan.

Items Completed: E1, E3, E4

Time Extensions Need: E2

Transportation and Circulation

The Township has undertaken two major transportation projects since receiving Plan Endorsement. First, it partnered with DOT to develop the Route 70 Corridor Master Plan, which seeks to improve mobility along the corridor from the ramp just east of the Garden State Parkway to Route 88. The plan includes recommendations on turning movements, intersection alignments, and other vehicular issues, as well as means of improving pedestrian mobility across Route 70 and along Chambers Bridge Road, which the Township plans to transform into its civic corridor. Related to this, the Township has undertaken several other measures to improve congestion in this area, including extending the length of turn lanes and improving signal timings. It is seeking a change to the desired typical section (DTS) for the Route 70 corridor. The application for this change is under review by DOT.

The second mobility effort pertains to pedestrian safety for children walking to school. Through its participation in the Safe Routes to School program, the Township has installed 2,100 linear feet of sidewalks in the Midstreams Elementary School area. In addition, through a 2005 NJDOT Safe Streets to School grant, the Township installed approximately 1 mile of sidewalk along Lanes Mill Road, increasing safety for students attending two elementary schools, as well as Brick Memorial High School. In the future, Brick will again seek Safe Routes to School funding to enhance the sidewalk system in additional neighborhoods.

Because the circulation element in the 2007 Master Plan is generally the same one the Township had when entering the Plan Endorsement process, it will need to revise the element to incorporate tasks outlined in PIA items F1, F8, and F9. This will include incorporating concepts from DOT's mobility and community form guidelines, planning for goods movement, and developing a strategy for transportation demand management. To further this effort, it seeks the opportunity to work with DOT's Office of Bicycle and Pedestrian Programs to create a plan for the entire Township. Brick would also like to work with NJ Transit to create bus shelters for which the Township would assume maintenance.

To better comport with DOT's intentions for PIA item F10, we request a change in language to the "activity" column. Please refer to the draft revised PIA for specific language proposed.

Items Completed: F4, F11





State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 204
TRENTON, NJ 08625-0204

JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

Time Extensions Needed: F1, F8, F9. It is proposed that the timeframe for F10 be changed to “ongoing.”

Infrastructure

The Township has been working with Ocean County on the development of a County Wastewater Management Plan in compliance with the latest Statewide Water Quality Management Planning rules. The most recent proposed sewer service area mapping is generally consistent with planning areas, with a few areas remaining to be worked out. Ocean County has requested a time extension until April 30, 2010 to complete the plan.

Items Completed: n/a

Time Extensions Needed: Given the timing of the new rules, it is proposed that the timeframe for G1 be changed to “ongoing” and G2 be changed to “April 30, 2010” in conjunction with the extension given to Ocean County to complete the County Wastewater Management Plan.

Urban Design/Sense of Place

Brick Township has several areas in which revitalization efforts have been furthered with redevelopment plans, rehabilitation plans, and streetscape ordinances, or for which these concepts are under consideration. A streetscape ordinance is now in place for the entire Brick Town Center, and a redevelopment plan was adopted in May 2008 for the former Foodtown site. A streetscape ordinance for Mantoloking Road is currently being developed by the Township Council Land Use Committee. OSG has a draft copy of the ordinance and will provide comments to the committee on what is generally a very strong document. The Township is also considering improvements in various forms to Herbertsville Road and Chambersbridge Road, as well as the Routes 88 and 35 corridors. Along Herbertsville Road, the Township proposes streetscaping in line with its historic character, while the latter three areas are possible redevelopment or rehabilitation areas depending on municipal decisions and preliminary investigation findings. At a minimum, these areas will see streetscape ordinances to facilitate pedestrian mobility. This is particularly important along Chambersbridge Road, the Township’s proposed civic core.

Unfortunately, many proposed improvements along Route 88 have been stymied by the fact that business owners seeking to improve properties in accordance with the Brick Town Center streetscape ordinance have been discouraged by the lengthy waiver process required for the pavers along this State road. In the future, this should be coordinated in advance among State agencies so that endorsed towns have easier process of implementing plans even when they require permits from divisions not generally involved in the endorsement process.

Items Completed: none

Time Extensions Needed: H1

Recommendation and Conclusions

Brick Township has made commendable progress on its PIA and continues to find ways to further smart growth principles within the context of a highly-developed, suburban community. Over the next reporting period, it is expected that PIA-related efforts will focus largely on updating the circulation plan to incorporate a greater land use-transportation connection by addressing form, goods movement, and transportation demand management. The Township will also need to work on the development of a Housing Element and Fair Share Plan that meets the requirements



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
101 SOUTH BROAD STREET
PO BOX 204
TRENTON, NJ 08625-0204

JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

necessary for the issuance of a judgment of compliance. OSG asks the SPC to approve the modifications proposed for the noted items to allow the Township to continue its work on the PIA.

