

ORDINANCE #2023-05

ORDINANCE OF THE BOROUGH OF BEACH HAVEN ADOPTING THE REDEVELOPMENT PLAN FOR BLOCK 166.02, LOT 3 & BLOCK 170, LOT 2 WITHIN THE BOROUGH OF BEACH HAVEN, COUNTY OF OCEAN, STATE OF NEW JERSEY

WHEREAS, pursuant to N.J.S.A. 40A:12-1 *et seq.*, Resolution 174-2019 of the Borough Council of the Borough of Beach Haven (the “Borough Council”) declared Block 166.02, Lot 3 (the “Rehabilitation Area”) within the Borough of Beach Haven an “Area in Need of Rehabilitation”; and

WHEREAS, pursuant to N.J.S.A. 40A:12-1 *et seq.*, Resolution 188-2022 of the Borough Council declared Block 170, Lot 2 within the Borough of Beach Haven an “Area in Need of Rehabilitation”; and

WHEREAS, Block 166.02, Lot 3 and Block 170, Lot 2 are collectively referred to as the Rehabilitation Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, a Governing Body may adopt, revise or amend a redevelopment plan; and

WHEREAS, in order to facilitate rehabilitation of the Rehabilitation Area, the Beach Haven Borough Land Use Board (the “Board”), pursuant to N.J.S.A. 40A:12A-7, reviewed a Redevelopment Plan for the Borough which will support and promote the adaptive reuse and redevelopment of the Rehabilitation Area; and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7, the Board did recommend to the Borough Council the Redevelopment Plan (the “Redevelopment Plan”), entitled “Redevelopment Plan for Block 166.02, Lot(s) 3 & Block 170, Lot(s) 2, Borough of Beach Haven, County of Ocean, State of New Jersey” and on file with the Borough Clerk’s office, be adopted, as it provides for the planning, development, redevelopment of the Rehabilitation Area and is consistent with the Borough’s Master Plan; and

WHEREAS, the Redevelopment Plan shall be an overlay to other local development regulations and the Borough Zoning Map is hereby amended to conform with the provisions of the Redevelopment Plan; and

WHEREAS, the Borough Council has determined that it is in the best interest of the Borough to adopt the Redevelopment Plan, as recommended by the Board, to effectuate the rehabilitation and redevelopment of the Borough.

NOW THEREFORE BE IT ORDAINED by the Borough Council of the Borough of Beach Haven, Ocean County, State of New Jersey, as follows:

Section 1. The Borough hereby adopts the Redevelopment Plan entitled “Redevelopment Plan for Block 166.02, Lot(s) 3 & Block 170, Lot(s) 2, Borough of Beach Haven, County of Ocean, State of New Jersey” to facilitate redevelopment of the Rehabilitation Area.

Section 2. The Borough Council declares and determines that said Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides realistic opportunities for redevelopment of the Rehabilitation Area and is otherwise in conformance with N.J.S.A. 40A:12A-1, *et seq.*

Section 3. The Borough shall have, be entitled to, and is hereby vested all power and authority granted by the aforementioned statutory provisions to effectuate the Redevelopment Plan.

Section 4. The Redevelopment Plan shall be an overlay to other local development regulations and the Borough Zoning Map is hereby amended to conform with the provisions of the Redevelopment Plan.

Section 5. All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. In the event any clause, section or paragraph of the Ordinance is deemed invalid or unenforceable for any reason, it is the intent of the Borough Council that the balance

of the Ordinance remains in full force and effect to the extent it allows the Borough to meet the goals of the Ordinance.

Section 7. This Ordinance shall take effect after final adoption and publication according to law.

NOTICE

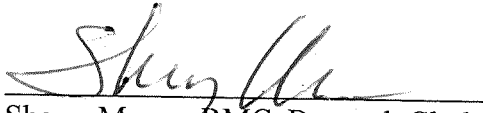
Public Notice is hereby given that the foregoing Ordinance was introduced and passed on the first reading at a public meeting of the Borough Council of the Borough of Beach Haven, County of Ocean, State of New Jersey, held on February 13, 2023 at 6:00 p.m. A copy of the ordinance can be obtained, without cost, by any member of the general public at the Office of the Municipal Clerk, 300 Engleside Avenue, Beach Haven, New Jersey 08008 Monday through Friday, 9:00 a.m. to 4:00 p.m.

Further public notice is hereby given that said ordinance shall be considered for final passage and adoption at a public meeting of the Borough Council to be held on March 13, 2023 at 6:00 p.m. at the Beach Haven Municipal Building, 300 Engleside Avenue, Beach Haven, New Jersey 08008.

CERTIFICATION

I, Sherry Mason, RMC, Municipal Clerk of the Borough of Beach Haven, do hereby certify that the foregoing Ordinance was duly adopted by the Borough Council of the Borough of Beach Haven at a public meeting held on the 13th day of February, 2023, a quorum being present and voting in the majority.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 13th day of February, 2023


Sherry Mason, RMC, Borough Clerk

Introduction:	February 13, 2023
First Publication:	February 23, 2023
Adoption:	March 13, 2023
Second Publication:	March 23, 2023
Effective Date:	April 2, 2023

**Borough of Beach Haven, New Jersey
January 23, 2023**

**Redevelopment Plan for Block 166.02, Lot(s) 3 & Block 170, Lot(s) 2
Borough of Beach Haven**

**Prepared By:
Owen, Little & Associates, Inc.
443 Atlantic City Boulevard
Beachwood, NJ 08722**

Frank J. Little, Jr., PE, PP, CME
NJPE 24GE02708500
NJPP 03096

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I. Introduction

The project area (the “Project Area” or “Rehabilitation Area”) is comprised of approximately 16,961 square feet within the Business District and the Affordable Housing Overlay Zone of the Borough of Beach Haven (the “Borough” or “Beach Haven”). The Project Area, commonly known as 400 and 415 North Bay Avenue, is identified on the Beach Haven Tax Map as Block 166.02, Lot(s) 3 and Block 170, Lot(s) 2 respectively. Lot 3 contains a two and a half-story structure and Lot 2 contains a one-story structure, both of which have been vacant for several years. In order to address the conditions in the Project Area and stimulate private investment, the Mayor and Council of the Borough of Beach Haven have determined that the appropriate course of action to prevent further underutilization and deterioration of the Project Area and to return the property within the Project Area to a useful and productive condition is to rehabilitate the Project Area in accordance with the Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.) (“LRHL”). Accordingly, on April 9, 2018, the Borough of Beach Haven adopted Resolution 111- 2018 designating a portion of the Project Area an “Area in Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-14. Then on September 12, 2022, the Borough of Beach Haven, upon favorable recommendation by the Borough’s Land Use Board, adopted Resolution 188-2022 declaring the second portion of the Project Area (Block 170 Lot 2) an “Area In Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-14.

II. Designation of Area and Plan Development

A. Designation of the Rehabilitation Area

The Project Area has been designated as an area in need of rehabilitation. The process, consistent with applicable state statutes, followed by the Borough in the determination as to the Project Area’s qualification and designation as an area in need of rehabilitation was that on July 8, 2019, the Borough of Beach Haven, upon favorable recommendation by the Borough’s Land Use Board, adopted Resolution 174-2019 declaring a portion of the Project Area (Block 166.02 Lot 3) an “Area In Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-14. Then on September 12, 2022, the Borough of Beach Haven, upon favorable recommendation by the Borough’s Land Use Board, adopted Resolution 188-2022 declaring the second portion of the Project Area (Block 170 Lot 2) an “Area In Need of Rehabilitation” pursuant to N.J.S.A. 40A:12A-14.

B. Redevelopment Plan Preparation Process

A redevelopment plan must be prepared and adopted by ordinance prior to undertaking any rehabilitation project or housing project in all or a portion of the Rehabilitation Area. This process, which is consistent with applicable state statutes, was followed by the Borough in the preparation of this Redevelopment Plan.

III. Statutory Requirements of Redevelopment Plan

Pursuant to the LRHL, a redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the designated area or portion thereof, including the proposed land uses and building requirements for the area. Specifically, N.J.S.A. 40A:12A-7(a) requires the following provisions:

1. Its relationship to definite local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements.
2. Proposed land uses and building requirements in the project area.
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent, safe and sanitary dwelling units affordable to displaced residents will be available to them in the existing local housing market.
4. An identification of any property within the redevelopment or rehabilitation area which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to:
 - a. the master plans of contiguous municipalities;
 - b. the master plan of the county in which the municipality is located; and
 - c. the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L. 1985, c.398 (C.52:18A-196 et al.).
6. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L. 1985, c.222 (C.52:27D-304), that are to be removed as a result of implementation of the redevelopment plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.
7. A plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the redevelopment plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the "Fair Housing Act," P.L. 1985, c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the "Fair Housing Act," P.L. 1985, c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the rehabilitation area.

A municipality shall report annually to the Department of Community Affairs on its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.

IV. Description of Project Area

This Redevelopment Plan is applicable to the following parcel(s):

- Block 166.02, Lot(s) 3 – 400 N. Bay Avenue
- Block 170, Lot(s) 2 – 415 N. Bay Avenue

This Project Area has been determined to be an area in need of rehabilitation by the Beach Haven Borough Council and is identified on the Project Area Map found in the Appendix.

A. Project Area Context

On July 8, 2019, the Borough of Beach Haven, upon favorable recommendation by the Borough's Land Use Board, adopted Resolution 174-2019 declaring a portion of the Project Area (Block 166.02 Lot 3) an "Area In Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-14. Then on September 12, 2022, the Borough of Beach Haven, upon favorable recommendation by the Borough's Land Use Board, adopted Resolution 188-2022 declaring the second portion of the Project Area (Block 170 Lot 2) an "Area In Need of Rehabilitation" pursuant to N.J.S.A. 40A:12A-14.

B. Existing Land Use

The Project Area is located in the Borough's Business District (BD) as well as the Borough's Affordable Housing Overlay Zone. Existing permitted uses in the BD are retail shopping facilities or services establishments as well as mixed uses, single family dwellings, houses of worship, playgrounds, conservation areas, hotels and motels. The Project Area currently contains a two (2) vacant structures.

V. Statement of Goals and Objectives

The Borough seeks to alleviate the conditions found in this Rehabilitation Area and support use of property in the Project Area in a manner which will better contribute to serve the public health, safety and welfare of the community and the region. To achieve this overall goal, the following goals and objectives have been established:

1. The primary goal of this Redevelopment Plan is to eliminate those conditions that cause the area to be considered an "Area In Need of Rehabilitation."

2. The stimulation of private investment in the Rehabilitation Area by assembling sites and assisting as necessary and appropriate to support such rehabilitation.
3. The making available of the full range of benefits and inducements for the Project Area, including, federal, state, county and local government funding.
4. Foster public-private partnerships to accomplish revitalization of the area in a manner that best serves the needs of the community, strengthens the local economy and attracts residents to the area and contributes to the continuing vitality of Beach Haven. Including the provision of Affordable Housing.

VI. Proposed Land Uses and Building Requirements

The existing use, bulk, design, and performance standards, and all other standards, as currently set forth in the Borough's Development Regulations and Zoning Ordinances, and as adopted in the future, shall apply to the Rehabilitation Area, with the exception of the following bulk standards, which shall apply as an overlay zone:

Bulk Standards

- A. Affordable Housing Overlay Zone- Section 212-29
 - ❖ Residential Density (212-29.D) – The Maximum Permitted Residential Density on Block 170 Lot 2 shall be 16.3 units/acre and the Maximum Permitted Residential Density on Block 166.02 Lot 3 shall be 19.4 units/acre. The Total Permitted Maximum Residential Density within the entire project area shall not exceed 18.0 units/acre.
- B. Business District – Section 212-14
 - ❖ Loading Zone – No loading zone is required to be installed.
 - ❖ Impervious Coverage – The Maximum Permitted Impervious Coverage on Block 170 Lot 2 shall be 95.3 % with 38.7% comprised of porous pavers and the Maximum Permitted Impervious Coverage on Block 166.02 Lot 3 shall be 97.7% with 36.8% comprised of porous pavers. The Total Permitted Maximum Impervious Coverage within the entire project shall not exceed 96.6% with total onsite porous pavement not to exceed 37.7%
 - ❖ In lieu of a 10 FT buffer, a 6 FT solid wood fence must be provided on Block 170, Lot 2 along the common property line with the residential district and/or use. Driveway Access – On Block 170 Lot 2, the Maximum Driveway Width shall not exceed 29.2 FT and the Block 166.02, Lot 3, the Maximum Driveway Width shall not exceed 42.5 FT.
 - ❖ Parking Stall Dimensions – On Block 170 Lot 2, the dimension of all parking stalls onsite shall be 9'x18'. On Block 166.02 Lot 3, seven (7) parking stalls shall be dimensioned 9'x18' and five (5) parking stalls shall be dimensioned 8.5'x18'.

It is intended and expressly understood that with respect to any issue of relevant land use and building requirements not specifically addressed in this Redevelopment Plan, those

issues are subject to the Zoning and Land Development Ordinances and all other ordinances and regulations of the Borough of Beach Haven not contravened in this Redevelopment Plan as permitted by N.J.S.A. 40A:12A-7a(2). It is the intent of this Redevelopment Plan to allow for a project comprising of two separate structures, with 7 residential units, 2 of which are 1 bedroom affordable units and 5 three bedroom units, plus commercial uses in the first level of each structure, consistent with the attached Concept Plans.

The zoning standards as set forth in this Redevelopment Plan shall be an overlay zoning which shall require the execution of a redevelopment agreement in order to apply. In addition, redevelopment of both Block 170, Lot 2 and Block 166.02, Lot 3, must be done concurrently, and as part of a single development application. Development of the Project Area without benefit of a redevelopment agreement shall be governed by the zoning currently in effect throughout the Borough.

Redevelopers who have entered into a Redevelopment Agreement with the Redevelopment Entity shall be subject to the following design standards:

Design Standards

- 1) Design plans shall be subject to façade architectural review by the Borough Council to determine consistency with the attached Concept Plan(s).
- 2) Only diagonal parking spaces shall be provided within the Right of Way along the easterly side of North Bay Avenue between 4th Street and 5th Street for the entire width of the block. No parallel parking spaces are permitted. Coordination with the Borough Engineer and the Ocean County Engineering Department will be required.
- 3) Brick paver sidewalks shall be installed along the front yard property lines to the maximum extent practicable.
- 4) Compliance with the Borough's Streetscape Ordinance and coordination with the Borough Engineer will be required.
- 5) The Project Area shall include seven (7) total residential units of which two (2) units shall be one-bedroom COAH units and the remaining five (5) units shall be comprised of three-bedroom market rate units. Commercial uses shall be permitted on the first level.

VII. Affordable Housing

The Borough does not anticipate the removal of any Uniform Housing Affordability controlled housing units due to the implementation of this Redevelopment Plan. Because it is anticipated that no affordable housing units are to be removed due to the implementation of this Redevelopment Plan, no affordable housing units are anticipated to be replaced.

The provision of affordable housing within the Rehabilitation Area shall be addressed in accordance with the Borough's Housing Element and Fair Share Plan, and, if applicable, in accordance with any redevelopment agreement entered into between a redeveloper and the Redevelopment Entity.

VIII. Property Acquisition

Because the Project Area is a rehabilitation area and has not been designated a redevelopment area, the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Redevelopment Plan.

IX. Relocation of Displaced Residents

The Borough does not anticipate the displacement of any residents due to the implementation of this Redevelopment Plan.

X. Relationship of the Redevelopment Plan to Other Plans

A. Relationship to Master Plans of Contiguous Municipalities

The uses proposed within this Redevelopment Plan are the same uses currently existing or permitted within the Rehabilitation Area and therefore are consistent with local objectives.

B. Relationship to Ocean County Comprehensive Master Plan

The 2011 Ocean County Comprehensive Master Plan serves as a guide to municipalities in the County. This Redevelopment Plan provides for a mix of commercial and residential units including affordable housing which specifically support the County's Recommendations of "*Promoting mixed use developments that incorporate design considerations such as transportation, education, employment, recreation and public safety*" as well as "*Encourage mixed use developments which contain a variety of building types and uses, connected by walkable and aesthetically pleasing streets and corridors.*" Based on these recommendations, no conflict with the Ocean County Comprehensive Master Plan is anticipated.

C. Relationship to State Development and Redevelopment Plan

The State Development and Redevelopment Plan ("SDRP") was adopted in 2001. In 2012, the State of New Jersey proposed a Strategic Plan to update the 2001 SDRP; however, the updated plan was never adopted. Therefore, the 2001 SDRP is the most current version.

The Project Area is located in the Environmentally Sensitive Barrier Island Planning Area ("PA 5B") designation of the SDRP. The SDRP's intent is for PA 5B areas is to accommodate growth in Centers, protect and enhance the existing character of barrier island communities, minimize the risks from natural hazards, provide access to coastal resources for public use and enjoyment, maintain and improve coastal resource quality and to revitalize cities and towns. The SDRP's PA 5B designation recognizes both the environmental and the vital economic aspects of the barrier islands and peninsulas.

This Redevelopment Plan furthers the State Development and Redevelopment Plan by meeting at least two goals of the SDRP including “*Promote Beneficial Economic Growth, Development and Renewal for all Residents of New Jersey*” as well as “*Revitalize the State’s Cities and Towns.*” No conflict with the State Development and Redevelopment Plan is anticipated.

XI. Relationship of Redevelopment Plan to Municipal Development Regulations and Borough Master Plan

Under the current Beach Haven Land Use Ordinance, the Project Area lies within the B-Business District and the Affordable Housing Overlay Zone where mixed use structures are permitted and affordable housing units are encouraged specifically through redevelopment as noted in the Land Use section of the Borough’s Master Plan. This Redevelopment Plan incorporates components such as commercial space, residential affordable housing units and onsite parking which are designed to effectuate the Borough’s Master Plan. No conflict with the Borough Master Plan is anticipated.

Dating back to calendar year 2000 and the inception of the Borough Ordinance (2000-12) that regulates Floor Area Ratio, Borough Professionals including the Borough Engineer and the Zoning Department have excluded mixed use developments from meeting the 50% maximum Floor Area Ratio requirement. More specifically, Borough Code Section 212-21(C) states that “*All multistory residential buildings, except for hotels and motels, shall contain a combined total habitable floor area equal to not more than 50% of the area of the lot on which such building is situated*” and no regulation is provided for mixed use or commercial structures. Therefore, only residential structures within the Borough that exceed one story in height have been subject to meeting the Floor Area Ratio requirements for the past 22 years.

XII. Proposed Rehabilitation Actions

A. Redevelopment Authority

The Borough’s Governing Body shall act as the redevelopment entity pursuant to N.J.S.A. 40A:12A-4.c for purposes of implementing and carrying out this Redevelopment Plan. In doing so, the Borough Council shall have the powers set forth in N.J.S.A. 40A:12A-15 and 40A:12A-22, and all other relevant statutes and regulations to effectuate all of its duties and responsibilities in the execution and implementation of this Redevelopment Plan.

B. Redevelopment Agreement

Pursuant to N.J.S.A. 40A:12A-8, the Borough may select one or more redevelopers for the construction of a development project within the Project Area as it deems necessary. Once a redeveloper has been selected, the Borough shall enter into a Redevelopment Agreement with the redeveloper that comports with the requirements of N.J.S.A. 40A:12A-9.

XIII. Obligations of the Redeveloper

For Redevelopers who have entered a Redevelopment Agreement with the Redevelopment Entity, property within the Project Area must be developed in accordance with the requirements of this Redevelopment Plan, the Borough of Beach Haven Zoning and Land Development Ordinances, and the Municipal Land Use Law (N.J.S.A. 44:55D-1, et seq.). Any private developer(s) seeking to utilize the overlay zoning established in this Redevelopment Plan will be required to:

- A. Submit development plans consistent with this Redevelopment Plan to the Borough Land Use Board for approval.
- B. Enter into a Redevelopment Agreement with the Borough of Beach Haven prior to submission of an application for development with the Borough Joint Land Use Board as permitted in this Redevelopment Plan. Such Redevelopment Agreement shall include a development schedule and the private developer(s) shall commence the undertaking of the development in accordance with the development schedule and its land use approvals.
- C. No covenant, agreement, lease, conveyance or other instrument shall be effected or executed by the redeveloper(s) or the successors, lessees, or assigns of them, by which land in the Project Area is restricted as to sale, lease or occupancy upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status as determined in more detail in such Redevelopment Agreement.
- D. Neither the developer(s) nor any successors, lessees, or assigns shall discriminate upon the basis of race, color, creed, religion, ancestry, national origin, sex or marital status in the sale, lease or rental or in the use and occupancy of land or improvements erected or to be erected thereon, or any part thereof, in the Project Area.
- E. Maintain the private structures and facilities developed in the Project Area in accordance with all code and ordinances of the Borough of Beach Haven.

XIV. Deviations From Provisions Of Approved Redevelopment Plan

Pursuant to N.J.S.A. 40A:12A-13, all applications for development pursuant to this Redevelopment Plan shall be submitted to the municipal planning board for its review and approval in accordance with the requirements for review and approval of subdivision and site plans as set forth by ordinance adopted pursuant to the Municipal Land Use Law.

All applications requiring relief for deviations from this Redevelopment Plan or other Borough development ordinances shall be governed by the Municipal Land Use Law

(N.J.S.A. 44:55D-1, *et seq.*) or any existing, or to be adopted, redevelopment plan for a specific site and/or project and/or project area.

For Redevelopers who have entered a Redevelopment Agreement with the Redevelopment Entity, no deviations shall be granted that result in: (i) the granting of a variance under N.J.S.A. 40:55D-70(d) or (ii) deviating from any other mandatory component of this Redevelopment Plan; or (iii) deviating from the phasing plan for public improvements or other contractual obligations of a Redeveloper to the Borough acting as the Redevelopment Entity. Any such deviations shall require an amendment to this Redevelopment Plan at the option of the Redevelopment Entity.

For Projects where a private Redeveloper wishes to avail itself of the opportunities set forth in N.J.S.A. 40A:12A-1 *et seq.*, and this Redevelopment Plan, execution of a Redevelopment Agreement with the Borough shall be a submission requirement for application to the Borough Joint Land Use Board for a Redevelopment Project within the Rehabilitation Area. Any application submitted to the Joint Land Use Board without an executed Redevelopment Agreement shall be deemed incomplete.

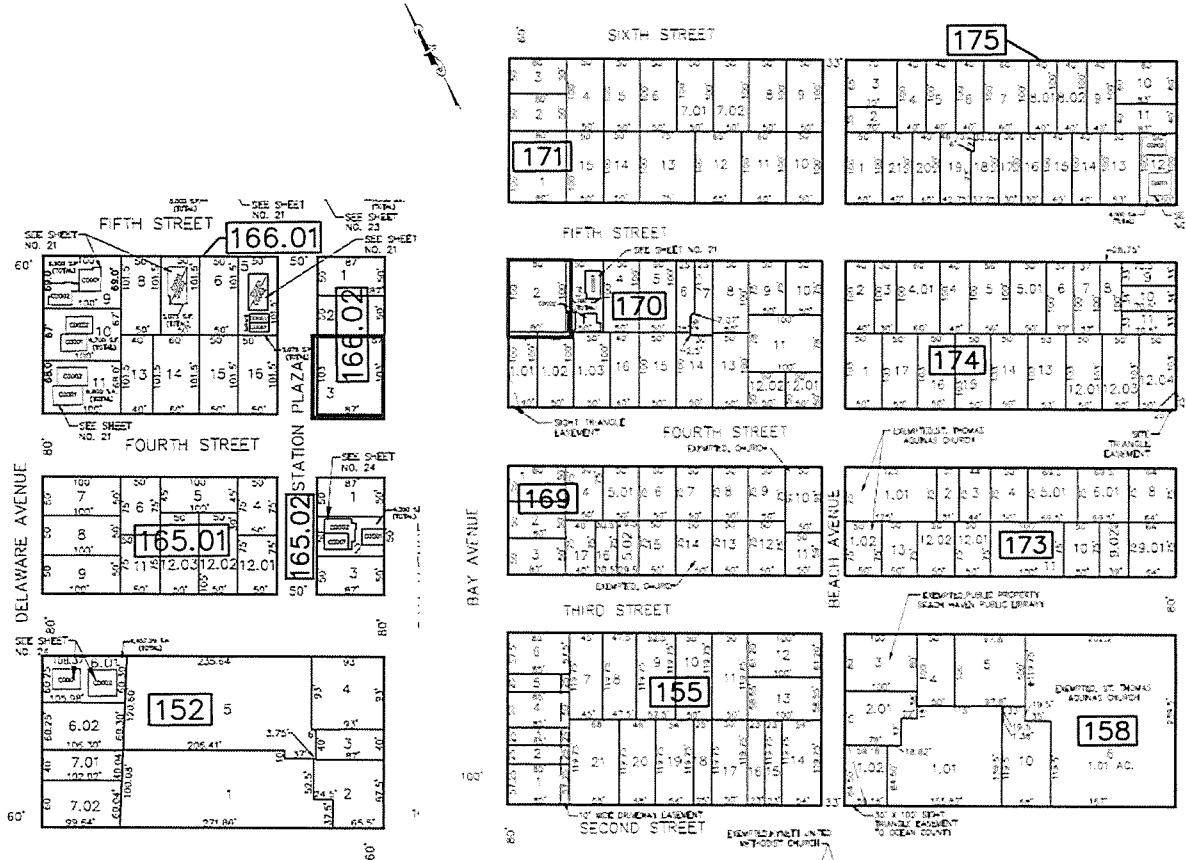
XV. Duration of Redevelopment Plan Restrictions

This Redevelopment Plan and any modifications thereof shall be in force and effect for a period of thirty (30) years from the date that the Borough first approves this Redevelopment Plan. Upon completion of any Redevelopment Project, which is the subject of a Redevelopment Agreement, this Redevelopment Plan shall no longer be in effect.

XVI. Amendments to Approved Redevelopment Plan

This Redevelopment Plan may be amended from time to time in accordance with the provisions of the LRHL, as may be amended.

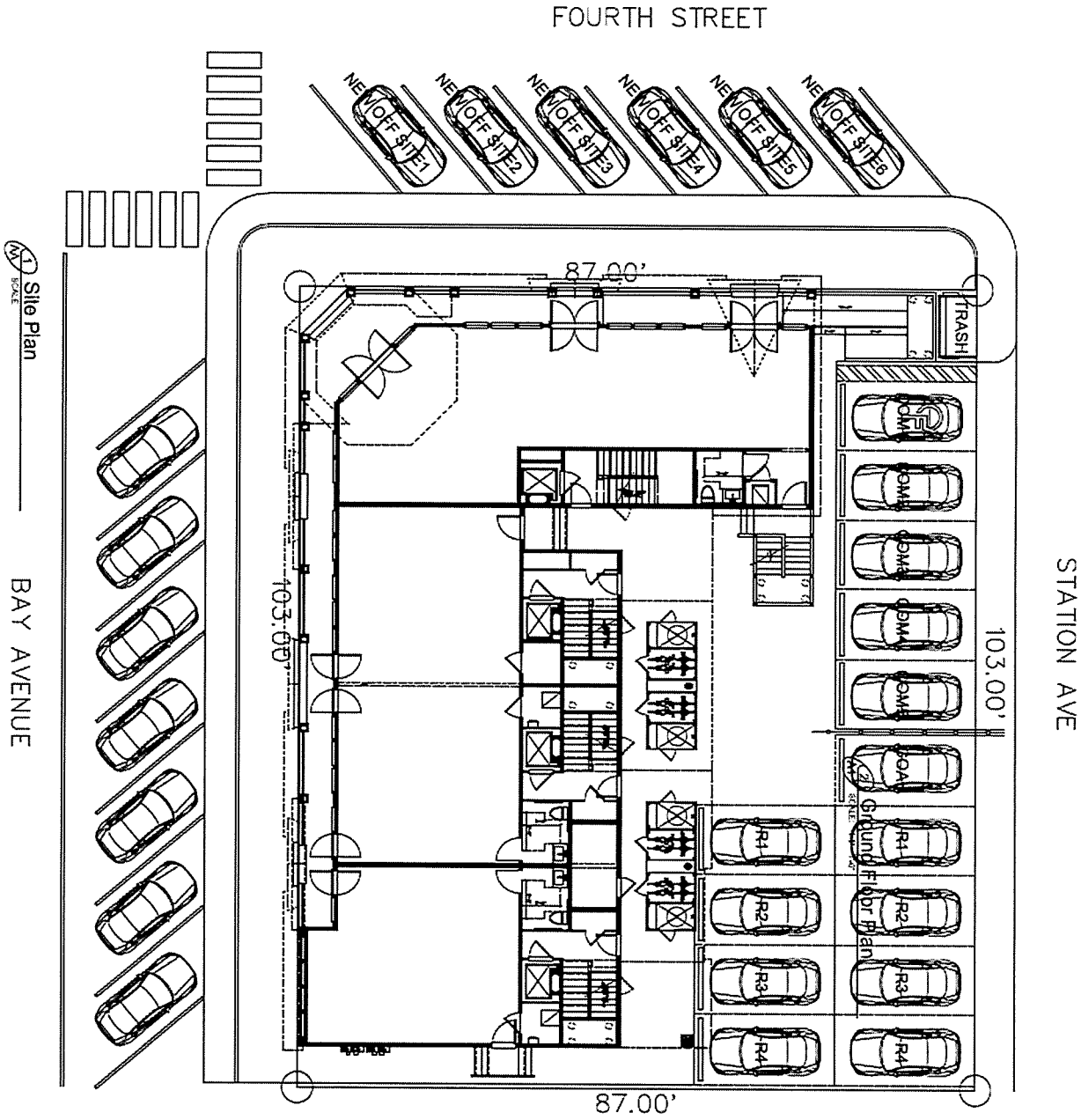
Project Area Map



TAX MAP
 BOROUGH OF BEACH HAVEN
 OCEAN COUNTY, NEW JERSEY
 SCALE: 1"=200'
 MARCH 01, 2007
 WILLIAM J. BERG, P.L.S.
 OWEN LITTLE & ASSOCIATES, INC.
 443 ATLANTIC CITY BOULEVARD
 BEACHWOOD, NJ 08722

CONCEPT PLAN

Block 166.02 Lot 3



Site Plan

BAY AVENUE

STATION AVE

FOURTH STREET

NE OFF SITE 1
NE OFF SITE 2
NE OFF SITE 3
NE OFF SITE 4
NE OFF SITE 5
NE OFF SITE 6

87.00'

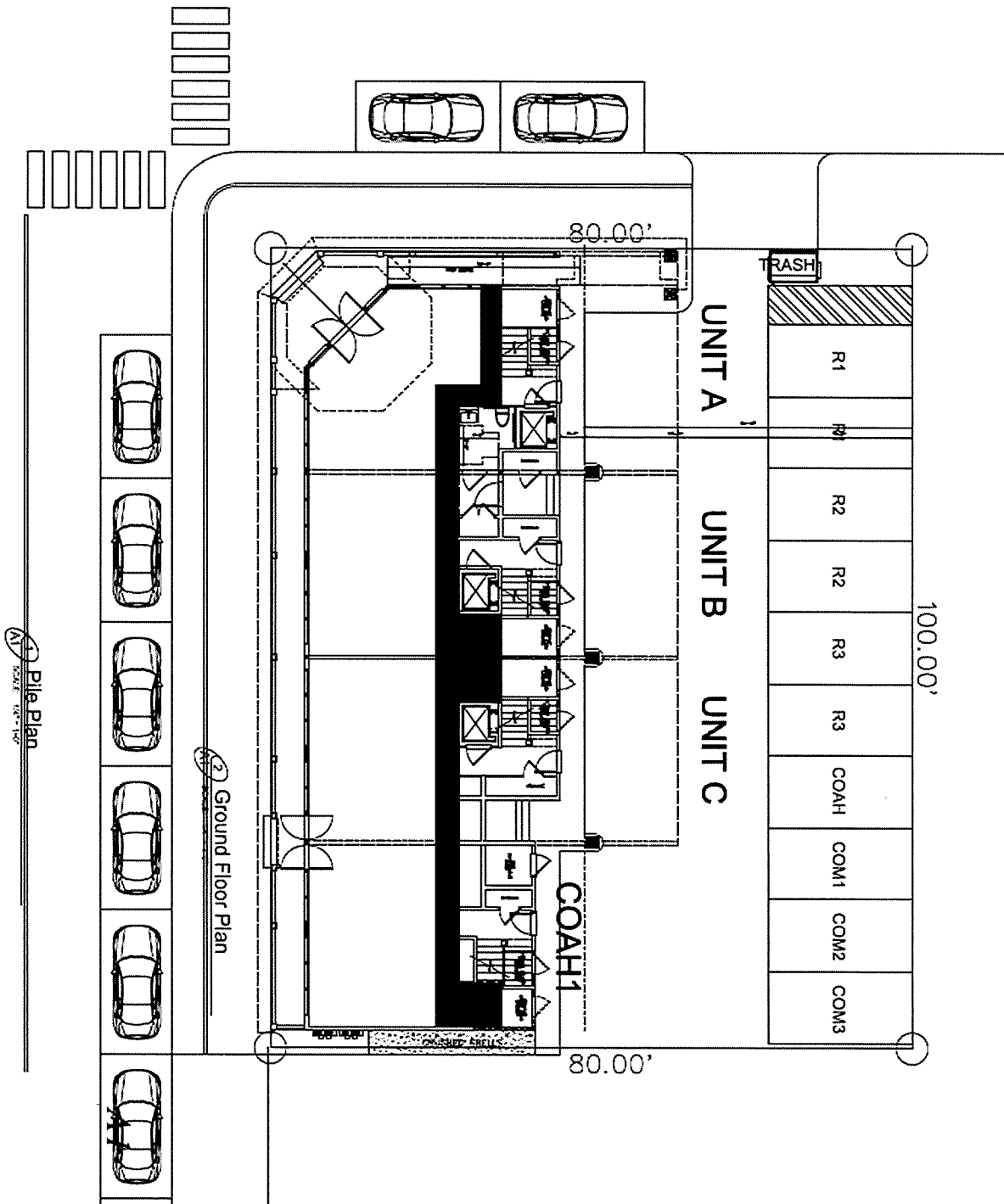
103.00'

103.00'

87.00'

CONCEPT PLAN

Block 170 Lot 2



Presentation Plans (undated) prepared by

**Michael Pagnotta Architecture-Interiors-Construction
as follows:**

Block 170 Lot 2

Sheet 1 - Front Architectural Rendering

Sheet 2 - Site Plan

Sheet 3 - First & Second Floor Plans

Sheet 4 - Elevations: Rear, Left, Right and Front

Sheet 5 - Conceptual Street View: Bay Avenue Elevation with Context

Sheet 5 - Conceptual Street View: Pedestrian View Crossing at Fifth Street

Sheet 5 - Conceptual Street View: Pedestrian View @ Corner

Sheet 5 - Conceptual Street View: Driving down Bay Avenue looking North

Block 166.02 Lot 3

Sheet 6 - Front Architectural Rendering

Sheet 7 - Site Plan

Sheet 8 - First & Second Floor Plans

Sheet 9 - Elevations: Rear, Left, Right and Front

Sheet 10 - Conceptual Street View: Bay Avenue Elevation with Context

Sheet 10 - Conceptual Street View: Pedestrian View Crossing at Fourth Street

Sheet 10- Conceptual Street View: Pedestrian View @ Corner

Sheet 10 - Conceptual Street View: Across Street