

MASTER PLAN REEXAMINATION REPORT

BOROUGH OF RUMSON
MONMOUTH COUNTY, NEW JERSEY

PREPARED FOR

RUMSON BOROUGH PLANNING BOARD

JUNE 20, 1994
REVISED JULY 25, 1994

PREPARED BY

C. BERNARD BLUM, JR., P.E., P.P.
RUMSON BOROUGH ENGINEER

OF THE FIRM OF



11 TINDALL ROAD
MIDDLETOWN, NJ 07748

A handwritten signature in black ink, appearing to read 'C. Blum', written over a horizontal line.

C. BERNARD BLUM, JR., P.E., P.P.
LICENSED PROFESSIONAL ENGINEER - NO. GE14227
LICENSED PROFESSIONAL PLANNER - NO. LI00887

The original of this document has been signed and sealed in accordance with New Jersey Law.

RESOLUTION ADOPTING THE REEXAMINATION REPORT
OF THE MASTER PLAN OF THE BOROUGH OF RUMSON

WHEREAS, N.J.S. 40:55D-89 requires the Planning Board of each municipality to reexamine its Master Plan and development regulations at intervals of every six (6) years, and

WHEREAS, after careful consideration, the Planning Board of the Borough of Rumson has reexamined the Borough's Master Plan and provided comments and recommendations for incorporation in a written report thereon prepared by its Planning Board Engineer, entitled Master Plan Reexamination Report, Borough of Rumson, County of Monmouth, New Jersey, prepared by C. Bernard Blum, Jr., P.E., P.P., dated June 20, 1994.

NOW, THEREFORE, be it RESOLVED by the Planning Board of the Borough of Rumson that said report is hereby adopted as required by law.

BE IT further RESOLVED that a true copy of this Resolution with the Reexamination Report annexed shall be forwarded to the Monmouth County Planning Board and Clerk of the Boroughs of Fair Haven, Sea Bright and the Township of Middletown.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Board Secretary to the Mayor and Council of the Borough of Rumson.

The above resolution was moved by Mr. McGloin, seconded by Mrs. Armitage, and carried on the following roll call vote:

In the affirmative: Malone, Callman, Armitage, McGloin, Stewart,
In the negative: None. Ekdahl, Fowler.
Abstain: None.
Absent: Doremus, Kennedy, Shea, Gorski

CERTIFICATION

I hereby certify that the foregoing is a true copy of a resolution made by the Planning Board, Borough of Rumson, on the 5th day of July, 1994.

William E. Morrisey
William E. Morrisey, Secretary

RUMSON BOROUGH PLANNING BOARD

LAWRENCE R. MALONE, CHAIRMAN

MAYOR CHARLES S. CALLMAN

ROBERT J. GORSKI

EUGENE M. KENNEDY

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HARDEN W. FOWLER

PREFACE

The twenty-first century, less than a decade away, is a most compelling reason to reflect upon Rumson's heritage and its future. Blessed with a unique location and a natural beauty, the Rumson Peninsula attracted its first settlers more than three hundred years ago.

For over two hundred years the Rumson Peninsula has enjoyed an unparalleled reputation for its natural scenic beauty, and for the valuable and artistic landscaping used to enhance and complement the exceptional architectural endeavors found throughout the Borough of Rumson.

In 1814 a five hundred acre farm was offered for sale in the area of Black Point, Rumson. Even then (Black Point) "is so well known in Philadelphia and New York that it is not necessary to enter into a particular description" except to note "previous to the revolutionary war, it was the only watering place on the shore for the citizens of Philadelphia."

By the 1870's farms gave way to formal estates. It is these large estates with their magnificent structures and landscape settings between 1870 and 1930 that underscores the historic importance of the Borough of Rumson. A number of these estates were designed by eminent architects and landscape designers including Bruce Price, Stanford White, Thomas Hastings and Nathan J. Barret.

Rumson Road, once a simple Indian trail in the 1600's, was now developing a well deserved reputation as a most beautiful scenic road.

Through the Victorian period and well into the twentieth century guidebooks and gazetteers continued to call attention to Rumson Road and those qualities that made Rumson one of the premier residential communities of the Jersey Shore.

Rumson, in 1889, was "considered by many people the finest situation on the coast...the roads and walks throughout are kept in admirable order, the improvements made by summer visitors have enhanced rather than destroyed the natural beauty of this superb peninsula."

In 1903 it was noted that "the famous Rumson Road, known far and wide as New Jersey's beautiful driveway was flanked by velvety lawns, well kept hedges, luxuriant shrubbery and flower displays..."

On Rumson Road and Conover Lane there is a landmark cemetery believed to have been established in 1665. Records indicate more than two hundred burials in this venerable cemetery. The oldest legible headstone dates back to 1722.

On Rumson Road and Tennis Court Lane, the century-old grounds and Club House of the Sea Bright Lawn Tennis and Cricket Club, the oldest club of its type in continuous use, has been recognized and celebrated as a National Historic Landmark.

Historic Rumson Road, today, a tree shaded residential corridor, is still a most attractive and important scenic landmark within the Borough of Rumson. Through the years it has retained its picturesque qualities and architecturally significant buildings. Rumson Road's natural splendor is enhanced by several thousand specimen trees and plantings along the roadside. The quality of architecture and the size of new structures and continued landscaping remains consistent with the times and with the heritage of this Borough.

BOROUGH OF RUMSON MASTER PLAN REEXAMINATION 1994

INTRODUCTION

The Rumson Borough Planning Board has undertaken a general reexamination of the Rumson Master Plan and Development Regulations as required by the New Jersey Municipal Land Use Law (N.J.S.A. 49:55D-89). This report presents the findings and recommendations of the reexamination.

As required by law, this reexamination report addresses the following:

- *The major problems and objectives relating to land development in Rumson at the time of the adoption of the last reexamination report.*
- *The extent to which the problems or objectives have been reduced or have increased subsequent to the date of adoption of the last reexamination report.*
- *The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition and recycling of designated recyclable materials, and changes in State, county, and municipal, policies and objectives.*

- *The specific changes recommended for the Rumson master plan, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*
- *The recommendations of the Planning Board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Law," P.L. 1992, c.79 (C.40A:12A-1 et seq.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

1. THE MAJOR PROBLEMS AND OBJECTIVES AT THE TIME OF THE LAST REEXAMINATION

The last reexamination report of the Borough was approved by the Planning Board in 1988. The report noted that the problems and objectives identified during the 1985 reexamination were still a concern. These were:

- *To provide for the reasonable development of the few remaining acres left in the Borough, in coordination with the general development of the past.*
- *To provide for reasonable commercial improvements and development in the limited areas left in the Borough in the three business zones.*

The reexamination also noted that these problems and objectives had been articulated and addressed in more detail in an updated Borough Master Plan which had been adopted on July 5, 1988. The plan, which has not been amended since its adoption, recognizes that Rumson

is a mature community which has established harmonious patterns of land use and satisfactory public facilities and services. The Borough offers its residents a pleasant standard of living, safe streets, and quality public services. The challenge for Rumson is to manage and control its further growth and development to assure that this satisfying quality of life is maintained.

The 1988 Master Plan includes general objectives and specific land use recommendations.

GENERAL OBJECTIVES

The general objectives of the master plan are:

- *Maintain Rumson's character as a residential community and the quality of life that it offers.*
- *Encourage the most appropriate use of land consistent with neighborhood character and its suitability for development.*
- *Establish appropriate population densities and limit the intensity of development to both preserve the natural environment and to ensure neighborhood, community, and regional well being.*
- *Maintain a satisfactory level of public facilities and services.*
- *Secure the public's safety from fire, flood, panic, and other natural and manmade disasters.*
- *Maintain fiscal stability.*

- *Ensure that Rumson's development does not conflict with the development and general welfare of neighboring municipalities, the County and the State as a whole.*
- *Coordinate development with land use policies to encourage the appropriate and efficient expenditure of public funds.*
- *Provide sufficient space in appropriate locations for residential, recreational, commercial, and open space use.*
- *Locate and design transportation routes to promote the free flow of traffic while discouraging congestion or blight.*
- *Promote a desirable visual environment.*
- *Conserve historic sites and districts.*
- *Prevent urban sprawl and degradation of the environment through improper land use.*
- *Expand housing opportunities within the Borough compatible with neighborhood character and the needs of present and future residents.*
- *Promote the recovery of recyclable materials from municipal solid waste and encourage the conservation of energy.*

- *Protect the natural resources and qualities of the Borough including freshwater and saltwater wetlands, floodplains, stream corridors, open space, steep slopes, and areas with scenic, cultural and recreational values.*

PROBLEMS

The major problems articulated in the 1988 Master Plan are:

- *The disposal of solid waste and implementation of recycling to meet State recycling goals.*
- *Addressing the Borough need for low and moderate income housing.*
- *Controlling the intensity of development within the existing residential neighborhoods in order to ensure that infill development, redevelopment, or expansions are compatible with neighborhood character.*
- *Conserving scenic waterfront views along the Navesink River and the Shrewsbury River.*
- *Managing further development within the business and commercial districts to be compatible in scale and intensity with surrounding residential areas and with the character of the business area.*
- *Discouraging piecemeal conversions of residential uses in commercial areas into substandard commercial properties.*

- *Improving pedestrian and vehicular circulation in the business districts.*
- *Protecting Borough landmarks.*
- *Protecting sensitive natural features including wetlands and flood hazard areas.*

2. THE EXTENT TO WHICH PROBLEMS OR OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO 1988

The general master plan objectives continue to be valid

In 1990, the Borough adopted revised unified development regulations that consolidated the zoning, site plan, and subdivision ordinances. The regulations address the major problems in the Borough related to the intensity of residential and nonresidential development. Included is a new schedule of area and bulk requirements for setbacks, coverage limits, and floor area ratio to control residential and nonresidential intensity. Minor amendments to the standards were adopted in 1993.

The regulations include the following features to address planning problems identified in the master plan and previous reexamination report:

- *A circulation design guideline that promotes cross access easements between commercial properties for vehicular and pedestrian movement.*
- *Standards for development along the Navesink and the Shrewsbury rivers that help maintain scenic views.*

- *Design standards for recycling.*
- *Design standards and guidelines to protect sensitive natural features.*
- *Regulations to permit the development of low and moderate income companion units.*

In addition to revising the Borough development regulation, the Borough recycling program, which was in its infancy in 1988, has been successfully established and is in operation.

One feature of the revised regulations which was repealed after its adoption was the provision to protect Rumson Road as a scenic corridor. Consequently, the master plan recommendation to protect the scenic character of Rumson Road to date remains unimplemented; however, efforts are ongoing to achieve the purposes of the recommendation.

Another continued problem is the further development or redevelopment of the Borough business districts. These districts are a mix of nonresidential and residential uses. Concern continues over residential conversions to commercial uses which fail to meet area, bulk, or site plan standards. There is also concern that private proposals to redevelop parcels in the Oceanic Village Historic District, which is the oldest settled area within the Borough, will proceed piecemeal in an uncoordinated fashion to the detriment of overall community design. A Planning Board Committee headed by Councilman Gorski has been formed and is actively considering more detailed planning for the Oceanic Village area.

3. THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES

ASSUMPTIONS, POLICIES, AND OBJECTIVES

The assumptions, policies, and objectives of the master plan and development regulations have not significantly changed. The assumptions that underpin Borough planning are:

- *The continued economic viability of Rumson as a single family residential community with supporting public, commercial, and institutional facilities and services.*
- *No natural or man-made disasters will require redevelopment of the Borough.*
- *Given a stable population level, there will be minimal need to expand municipal facilities and services.*

The policies of the Borough, as stated in the Master Plan, are:

- *Prior land use planning and regulation within the Borough have been generally effective in producing satisfactory residential neighborhoods and commercial districts. The character of these areas and their suitability for particular uses can best be provided for by the continuation of established residential and commercial land use patterns and through the prudent application of regulations which assure that future development, redevelopment, or expansion occurs at reasonable levels of intensity. Standards compatible with the existing character of development are needed to restrict the coverage of lots by buildings, impervious surfaces,*

driveways, and parking areas. Within commercial districts, floor area ratio controls should be applied to control the intensity of commercial uses.

- *In order to establish and maintain the well being of residential neighborhoods and assure a continued desirable visual environment, existing residential district should be reviewed and revised where appropriate to satisfactorily control setbacks and location of principal and accessory buildings, accessory living quarters, accessory structures including fences, walks, swimming pools, and parking locations and the location and bulk of structures and buildings which front upon the Navesink and Shrewsbury Rivers.*

- *The Borough will fully satisfy its obligation to allow for the production of low and moderate income housing. The master plan will be the basis for providing realistic opportunities for low and moderate income housing consistent with sound land use planning principles and environmental constraints. Given the community's lack of vacant land, the Borough will utilize and rehabilitate the existing housing stock to create low and moderate income housing opportunities.*

- *The conservation of historic sites and districts is a public purpose essential to promoting a desirable visual environment, good civic design, and establishing neighborhood and community well being. Rumson's history records both the presence of native Americans, and its settlement as part of colonial New Jersey. Sites of historical, archaeological, cultural, scenic, and architectural significance should be identified, maintained, and conserved.*

- *The disposal of solid waste is a problem affecting all communities and persons in the State of New Jersey. The recovery and recycling of materials from municipal solid waste will be promoted through planning and development regulations that incorporate State recycling goals and the Borough recycling program.*

DENSITY AND DISTRIBUTION OF POPULATION AND LAND USES AND HOUSING CONDITIONS

While the U.S. Census indicates that the population of Rumson declined from 7,209 residents in 1980 to 6,701 residents in 1990 (Figure 1), the number of housing units in the Borough increased slightly. In 1980, the Borough contained 2,375 housing units. In 1990, there were 2,621 housing units (Figure 2). The population change is attributable to declining household size as the resident population has aged and the number of children declined. In 1980, the average Borough household size was 3.0 persons. By 1990, average household size had declined to 2.8 persons (Figure 3). Population decline was anticipated by the 1988 master plan although not to the extent revealed by comparing Census figures from 1980 and 1990.

Rumson has fewer people living in a slightly greater number of housing units. There has been no significant change in land use within the Borough. Density, as measured in population per square mile has decreased; however, density as measured in dwelling units per square mile has increased. These changes do not significantly alter the assumptions, policies, and objectives of the Borough master plan and development regulation as last revised.

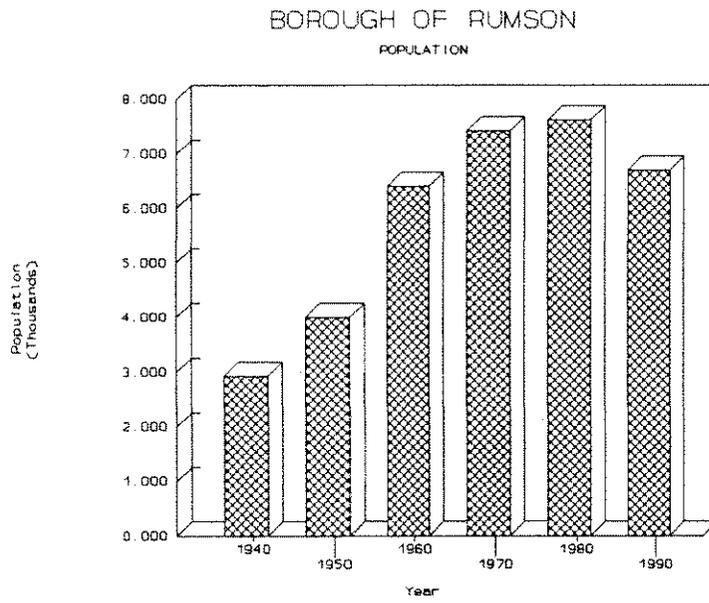


Figure 1

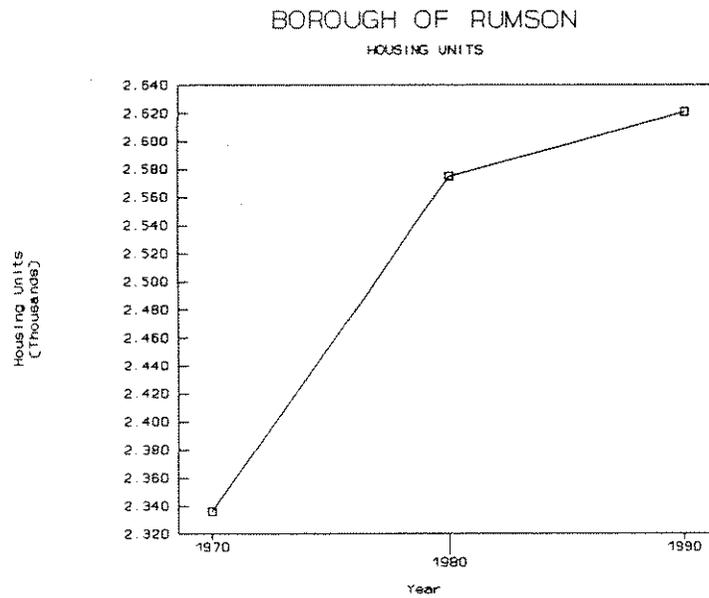


Figure 2

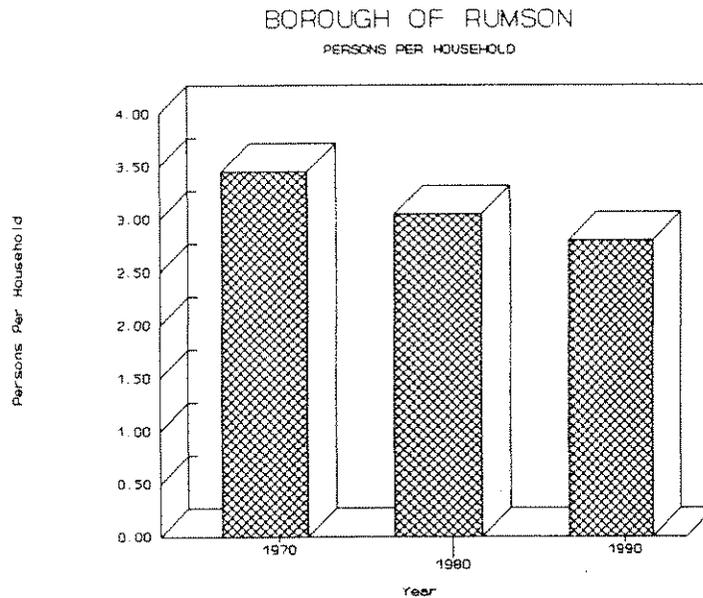


Figure 3

CIRCULATION, CONSERVATION, AND RECYCLING

There have been no significant changes in the assumptions, policies, and objectives of the master plan or development regulations related to circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of recyclables.

CHANGES IN STATE, COUNTY, AND MUNICIPAL POLICIES AND OBJECTIVES

Since the adoption of the Borough master plan in 1988 and the adoption of the revised development regulations in 1990, there have been changes to State and County plans and regulations that impact Rumson. Overall, these changes do not alter the assumptions, policies and objectives that form the basis for the Borough Master Plan and Development Regulations. However, they will impact upon Borough planning and regulation, The changes are itemized below and their relationship to the Borough Plan and regulations is reviewed.

THE NEW JERSEY STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The New Jersey State Planning Commission adopted the State Development/ Redevelopment Plan in June 1992. An Executive Order of the Governor issued in 1994 directs all State agencies to utilize the State Plan as a coordinating document for the overall development of the State of New Jersey. The State Plan contains numerous general policies, as well as detailed mapping of policy areas. The plan is intended to be utilized to coordinate and guide State infrastructure investments, and to help administer the Mount Laurel doctrine for low and moderate income housing. The Borough of Rumson cooperated with the Monmouth County Planning Board during the cross acceptance process for the State Plan and the State Plan map identifies the following policy areas within Rumson:

1. Most of Rumson is designated as part of metropolitan planning area (PA-1). This planning area includes communities that are almost fully developed with little vacant land available for new development. The concerns for PA-1 are growing fiscal constraints that may lead to a need to regionalize an increasing number of services and systems, rehabilitation of aging infrastructure, and future redevelopment.
2. Portions of Rumson, east of the Oceanic Bridge have been included as part of PA-5, Environmentally Sensitive Planning Area. This is described as a large contiguous land area with valuable eco-systems and wildlife habitats. The PA-5 designated in Rumson consists of coastal wetlands and sedge islands that are part of a larger environmentally sensitive area which includes the Navesink Highlands on the north shore of the Navesink and the McClees Creek Basin. PA-5 emphasizes maintaining large contiguous areas of undisturbed habitat to protect sensitive natural resources and wildlife.

Previously disturbed coastal wetland and sedge islands (e.g. areas used for dredge spoil disposal), while not undisturbed, will, over time, support successional vegetation and recover as valuable habitat. Consideration should be given to including all of these areas within the PA-5 designation.

3. In addition to the PA-5 designation, the State Plan identifies three critical environmental/historic sites within Rumson. This designation applies the conservation objectives of Planning Area 5 to smaller locations that are less than one square mile in area. In Rumson, the historic Oceanic Village, the southern shoreline of Rumson along the Shrewsbury River, inclusive of the Rumson Country Club holdings, and the sedge islands in the Shrewsbury River are recognized as critical environmental/historic sites.

MONMOUTH COUNTY PLAN

The plan adopted by the Monmouth County Planning Board is entitled "The Monmouth County Growth Management Guide". This document, was originally adopted in 1982 and was reviewed by the Borough at the time of the 1988 reexamination report and master plan adoption. In June 1991, the County Growth Management Guide was amended to include a new park, recreation and open space plan. The recreation and open space plan recommend conservation of the river islands in the Shrewsbury and Navesink Rivers. These include sedge islands under the jurisdiction of the Borough of Rumson. The County Plan cites these as important habitats for migrating birds and juvenile fishes.

UNIFORM SITE IMPROVEMENT STANDARDS ACT

In 1993, the New Jersey Uniform Site Improvement Standards Act was signed into law. The Act requires that all municipalities follow statewide site improvement standards established by the Commissioner of the Department of Community Affairs. These standards would apply to

municipal approvals of residential development for design and construction of public improvements, such as streets, roads, parking, sidewalks, drainage structures and utilities. The standards are currently being developed by a Site Improvement Advisory Board. Eventually the standards will be enacted as regulations adopted by the Commissioner of the Department of Community Affairs. The current Rumson development regulations will continue to govern until the Uniform Site Improvement Standards take effect. The State is attempting, through the Uniform Site Improvement Standard, to eliminate unnecessary costs in construction standards and to streamline the approval process by standardizing improvement requirements statewide.

CAFRA AMENDMENTS OF 1993

In July 1993, the enabling legislation for the New Jersey Coastal Area Facilities Review Act was amended to subject new development proposed on a beach or dune to review by the New Jersey Department of Environmental Protection and Energy. The State's review regulatory threshold, which used to be 25 or more dwelling units or non-residential projects of 300 or more parking spaces, has been changed. A tier system of review based upon the proximity of the development to the mean high water line of tidal waters, beach, or dune will be used instead. The New Jersey Department of Environmental Protection and Energy has proposed, but not yet approved, regulations to administer the statutory changes. The new CAFRA regulations should be reviewed for their relationship to the development review process within the Borough, particularly with regard to the situations under which the CAFRA permit may be required prior to the issuance of any local development permits.

NEW JERSEY COUNCIL ON AFFORDABLE HOUSING

In May 1994, the New Jersey Council on Affordable Housing (COAH) approved new regulations for the provision of low and moderate income housing in the State. These regulations include projections of need for low and moderate income housing through the year 1999. COAH projects low and moderate income housing need in the Borough of Rumson for

this period to be 294 dwelling units. This includes an indigenous need of 26 low and moderate income units in need of rehabilitation. The 1988 Borough Master Plan included a housing element which identified an adjusted need of 22 low and moderate income units. The adjustment was based on the lack of available and developable vacant land within the Borough for the construction of new low and moderate income housing. The lack of vacant land within the Borough continues to be a major constraint on new housing production. There is, however, a need to review the new COAH regulations and estimates of need in detail and to further update the Borough Housing Element to address the new COAH allocation.

FRESHWATER WETLANDS REGULATIONS

Recently, the State of New Jersey assumed jurisdiction for the Federal 404 program and the NJDEPE became the lead agency for authorizing wetlands permits within the State. As of March 2, 1994, anyone conducting activities in or adjacent to a wetland, must hold a valid permit from the State of New Jersey Department of Environmental Protection and Energy. Previous exemptions to the State Freshwater Wetlands Protection Act, including exemptions from the transition areas, are null and void. With some exceptions to the end of 1994, development near a freshwater wetland will be subject to the minimum transition area (buffer) requirement. The New Jersey Department of Environmental Protection has produced aerial mapping of freshwater wetlands within the State of New Jersey. This mapping should be reviewed to identify potential wetlands locations within the Borough that may be subject to State wetlands and transition area regulations.

AMERICANS WITH DISABILITIES ACT (ADA)

The Americans with Disabilities Act is a federal law which was enacted to assure access by disabled Americans to public facilities and services. Local government operation and public facilities are affected by these regulations. The design, improvement, or operation of public facilities, including buildings, public streets, and recreation areas, are impacted by ADA.

Future improvements and developments, should be arranged to be accessible to all persons, including those with disabilities.

4. RECOMMENDED CHANGES

As a result of this reexamination, the following specific changes are recommended:

- a. The Housing Element should be revised and updated to address the new Council on Affordable Housing regulations and low and moderate income housing allocation. In addition, this review should include a review of the housing rehabilitation efforts within the Borough and the companion housing program.
- b. The background section of the Master Plan as it relates to the Coastal Area Facilities Review Act should be reviewed and updated to reflect the 1993 CAFRA amendments and the subsequent regulations.
- c. The background section of the master plan describing wetlands, should be reviewed and updated to reflect the current regulations of the NJDEPE and map, and identify any areas mapped by the State as freshwater wetlands, which are subject to regulations, buffer requirements, and development restriction.
- d. The general site design standards for lot suitability should be revised to specify that each lot must be adaptable to its intended purpose and must provide a suitable building envelope for the placement of buildings and improvements. The language referring to deductions of environmentally constrained lands from lot area should be deleted. This modification will address recent case law regarding lot area, design standards, and environmental constraints. The relevant cases are

El Shaer v. Planning Board, Pizzo Mantin Group v. Township of Randolph, and Manalapan Builders Alliance v. Township Committee of Manalapan.

- e. The Borough is concerned with the future development of the area between River Road and the Navesink River and Bingham Avenue and First Street. This area includes portions of the historic Oceanic Village, waterfront lands, and the commercial district. Additional study of this area and production of a more detailed plan for its future use and improvement is recommended.

- f. The West Park section of the Borough, south of Grant Avenue, is subject to periodic flooding associated with fluctuations in the tidal cycle. To address this problem, the Borough is reviewing the possibility of reconstructing and raising the streets in this neighborhood prone to periodic inundation. The Borough should review the development regulations applicable to this area to determine if minimum elevations for finished lot grade or buildings should be required. For existing lots and improvements, additions or changes which would trigger a requirement to elevate a lot and existing improvements should also be reviewed.

The Planning Board otherwise finds that the underlying objectives, policies and standards of the Master Plan continue to be appropriate as the basis for the Borough of Rumson.

5. RECOMMENDATIONS ON REDEVELOPMENT PLANS

There are no locations at this time for which the Planning Board recommends incorporation of an adopted redevelopment plan nor is there a need at this time for any master plan or regulatory revision to effectuate a redevelopment plan.