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BOROUGH OF FREEHOLD

MONMOUTH COUNTY, NEW JERSEY

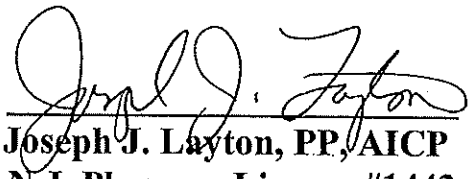
MASTER PLAN REEXAMINATION

AND

AMENDMENT

ADOPTED:
February 12, 2003

Prepared By:



Joseph J. Layton, PP, AICP
N.J. Planners License #1443

MC Project No. 01-0491G

The original of this report was signed and sealed in accordance with N.J.S.A.45:14A-12

FORWARD

Freehold Borough has a rich and unique history. Settled more than three centuries ago it is the seat of county government. It has prospered as both the hub of an agricultural economy and as a textile manufacturing center. Over the years the Borough has been the home to a diverse populace contributing to its cultural history. Freehold has the kind of unique and irreplaceable charm that comes only with time. A major goal of the community is to preserve significant elements of Freehold's past. Residents should be aware of the aesthetic and economic benefits of historic preservation and be encouraged to preserve the historic fabric and character of individual structures and streetscapes. It is in this spirit that the following document has been prepared.

PLANNING BOARD OF THE BOROUGH OF FREEHOLD

RE: RESOLUTION REPORTING ON PERIODIC REEXAMINATION OF MASTER PLAN

RESOLUTION
NO. 03-10

M.r. Copeland offered the following Resolution and moved its adoption which was seconded by M.s. Vawter :

WHEREAS, N.J.S.A. 40:55D-89 requires the governing body of municipalities to perform a general reexamination of the Master Plan and development regulations at least every six years, said reexamination to be performed by the Planning Board of the municipality; and

WHEREAS, such a general reexamination by the Freehold Borough Planning Board has been requested by the Mayor and Council of the Borough of Freehold; and

WHEREAS, the Planning Board has reexamined the various elements of the Freehold Borough Master Plan and heard a presentation by Joseph J Layton, New Jersey Licensed Planner and the Freehold Borough Planning Board Master Plan Subcommittee at its meeting of February 12, 2003; and

WHEREAS, notice was given of the said meeting in accordance with N.J.S.A. 40:55D-10a and 13, and the Planning Board considered the testimony of members of the public at said meeting;

WHEREAS, the Board carefully considered events and developments in the Borough since the last reexamination of the Master Plan, including but not

limited to the development of uses in the CM Zones, revisions to the Business Zones, and the insufficiency of parking in the Borough at large; and

WHEREAS, the Board has formulated the text of its report in furtherance of the general reexamination, a copy of which is annexed hereto as Exhibit A and is known as: "Borough of Freehold, Monmouth County, New Jersey, Master Plan Reexamination and Amendment" dated February 12, 2003 and prepared by Joseph J. Layton, Licensed New Jersey Planner.

NOW THEREFORE, BE IT RESOLVED by the Freehold Borough Planning Board pursuant to N.J.S.A. 40:55D-89, that it hereby renders its report on the findings of the Master Plan Reexamination conducted by the Planning Board and concluded on February 12, 2003, which is attached to this resolution as Exhibit A, and entitled as aforesaid, which is hereby adopted by the Board.

BE IT FURTHER RESOLVED that in conjunction with the said reexamination report, the Freehold Borough Planning Board recommends that the Freehold Borough Mayor and Council consider the opinion of the Freehold Borough Partnership when enacting ordinances related to the B-2 General Commercial Zone;

BE IT FURTHER RESOLVED that in conjunction with the said sections of the reexamination report dealing with parking shortages, that the Freehold Borough Planning Board recommends that the Freehold Borough Mayor and Council establish a committee consisting of representatives from the Freehold Borough Council, Freehold Borough Planning Board, Freehold Borough Partnership and the Monmouth County Planning Board to address parking shortages in the Borough of Freehold and devise solutions thereto;

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Secretary of the Planning Board to be a true copy be served upon the Monmouth County Planning Board, and upon the Clerk of the Township of Freehold.

ROLL CALL

YES:	5	Buchalski, Stryker, Copeland, Vawter, Mott
NO:	0	
ABSENT:	3	Mulroy, Toubin, Wilson
ABSTAINED:	0	
DISQUALIFIED:	2	Hammer, Hendry

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution which was passed by the Freehold Borough Planning Board at its meeting of February 26, 2003

Antoinette Jones

ANTOINETTE JONES
SECRETARY TO THE BOARD

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INTRODUCTION

The New Jersey Municipal Land use Law, NJSA 40:55 D-1 et seq. stipulates that each municipality in the State of New Jersey reexamine its Master Plan and development regulations at least every six years. Specifically, NJSA 40:55D-89 states:

> "The governing body shall, at least every six years, provide for a general reexamination of its Master Plan and development regulations by the Planning Board which shall prepare and adopt by resolution a report on the findings of such reexamination, a copy of which shall be sent to the County Planning Board and the municipal clerk of each adjoining municipality."

This reexamination of the Borough of Freehold Master Plan conforms with the requirements of the Municipal Land Use Law and addresses the requirements of NJSA 40:55D-89 by including the following:

a. The major problems and objectives relating to land development in the municipality at the time of the Master Plan adoption, or last revision or reexamination, if any.

b. The extent to which such problems and objectives have been reduced or have increased subsequent to such date.

c. The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for such plan or regulations as last revised, with particular regard to 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.

d. The specific changes recommended for the master plan or development regulations if any, including underlying objectives, policies, and standards, or whether a new plan or regulations should be prepared.

e. 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 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.

This reexamination report represents the reexamination of the Master Plan Reexamination which was adopted on August 23, 1995.

A. Major Problems and Objectives Relating to Land Development in the Borough of Freehold in 1995, the Year the Current Reexamination of the Master Plan Was Adopted.

The major problems and objectives related to land development in the Borough of Freehold in 1995 were as follows:

1. Downtown Parking - The general shortage of parking downtown in the Central Business District continued to be a problem in 1995 as it had been in prior years. This was also a concern expressed in the 1982 Master Plan and the 1988 Master Plan Reexamination. Finding solutions to the downtown parking shortage continued to be an objective of the 1995 Reexamination Report.

2. Downtown Traffic Congestion – Traffic congestion in the downtown area was a major problem in 1995 as it had been in both 1982 and 1988. The congestion in 1995 was viewed as more severe than in previous years. A major objective of the 1995 Reexamination Report was completion of the Freehold bypass from Route 33 to Route 9 east of the Borough.

3. Downtown Economic Conditions – Economic conditions in 1995 were generally improved in the Central Business District in comparison to the findings of the 1988 Reexamination Report. It was felt that the Business District was in the process of changing for the better in 1995 although there were still concerns. Nevertheless, improved economic conditions in the Central Business District was an objective of the 1995 Master Plan Reexamination will no doubt always be a Master Plan objective.

4. Housing Stock – Housing conditions in 1995 was no longer the major concern that existed in the 1980's. New housing was noted as having added to the Boroughs stock of sound housing units. Continuation of this trend was an objective of the 1995 Reexamination Report.

5. Center Designation – The objective of pursuing center designation was first discussed in the 1995 Reexamination Report. Further investigation was recommended and participation in the center designation process was endorsed if found to be appropriate.

6. Development Pressure to Extend Non-Residential Uses Into Residential Districts – The 1995 Reexamination Report noted a problem with encroachment of non-residential uses into residential districts. Most significant was the demand to convert residences into offices. The 1995 Reexamination Report noted five areas of concern for land use issues in the Borough, which represented pressures for change of use or development opportunities. Four of these areas involved encroachment of non-residential uses into residential districts. The areas of concern were: The Court Street Corridor; West Main Street from Manalapan Avenue to Route 9; Throckmorton Street from Haley Avenue to Rhea Avenue; and Spring Street in the vicinity of the First Aid Squad building. A study of these areas was recommended.

7. County/Borough Yard on Manalapan Avenue – This was noted as the fifth area of concern for land use issues in the 1995 Reexamination Report. This property represented a development opportunity and the 1995 Reexamination Report recommended that it be studied further.

B. The Extent To Which Such Problems and Objectives Have Been Reduced or Have Increased Since 1995.

The seven problem areas or major objectives discussed in the 1995 Reexamination Report are reviewed below for the extent to which they have been reduced or increased.

1. Downtown Parking

   The supply of downtown parking is still a concern and no doubt will continue to be an issue for the foreseeable future. Since 1995 the Market Yard parking area, the largest

parking area in the Central Business District, has been reconstructed, paved and enhanced with landscaping. The New Jersey Transportation Trust Fund for local aid for Centers of Place provided funds for this undertaking. This was a tangible benefit of the Borough's seeking and obtaining Center designation (see Objective #5 following).

In addition to improvements to the Market Yard parking area, a new Zoning District was created in 2001 on the edge of the Central Business District to encourage the establishment of recreational uses and parking areas. The so-called REC Zone (Recreational Zone) has the following purpose: "to encourage the development and full utilization of certain lands within the Borough of Freehold for recreational purposes, and/or for parking lot purposes so as to alleviate congestion in the Market Yard Parking Area and other downtown parking areas, and to actively encourage new recreational uses within the Borough of Freehold."

The reader is referred to the "Borough of Freehold Parking Study" prepared by Abbington Associates, Inc. dated January 8, 2003 for a comprehensive analysis of downtown parking.

2. Downtown Traffic Congestion

Traffic congestion is still a major concern in the Downtown Area. Since 1995 additional contracts have been awarded for the construction of the Freehold Bypass. The bypass is now under construction between Route 537 and Route 9. When complete, the bypass will extend from Route 33 Freeway south of the Borough to Route 9 north of the Borough passing to the east of the Borough. It is hoped that the bypass will provide some measure of traffic relief.

3. Downtown Economic Conditions

In 1995 the Downtown was seen as changing for the better in terms of economic conditions. That continues to be the case today even though more retail shops have left. The restaurant business has become the main commercial attraction of the downtown area since 1995. The Central Business District is now a mecca for diners

in western Monmouth County both for lunch and dinner. There are now no less than a dozen eating establishments in the two blocks fronting on Main Street in the Central Business District.

4. Housing Stock

Since 1995 additional housing stock has been added to the Borough and more is planned. Two redevelopment plans have been approved since 1995, which will add a considerable number of housing units. A Redevelopment Plan for the Manalapan Avenue Public Works Site (County/Borough Yard) was approved by the Planning Board in July 1997. In 1998 the Redevelopment Plan was amended to allow congregate care and assisted living residential units as a conditional use. An assisted living and congregate care facility is now under construction on the site. Also in 1998 a Redevelopment Plan for the Rug Mill Site was approved which permitted multi-family dwellings and other uses. The Rug Mill site is also currently under development.

A land use survey conducted in association with the 1995 Master Plan Reexamination indicated a proliferation of multi-family uses in the single-family zones of the Borough. This proliferation was felt to be detrimental to the integrity and preservation of the single-family zone districts by increasing residential densities beyond those recommended in the Master Plan. A conditional use provision in the zoning ordinance allowed the conversion of existing single-family dwellings to multi-family dwellings. This provision was deleted in 1996 to help preserve the integrity of the single-family districts.

5. Center Designation

Pursuant to the recommendations of the 1995 Reexamination Report the Borough of Freehold prepared a report in support of Town Center designation for the Borough. As a result of these efforts, the Borough was officially designated as a Town Center by the State Planning Commission on October 22, 1997. Benefits have already accrued to the Borough as a result of Center Designation with the Borough receiving

a Transportation Trust Fund Grant targeted for designated Centers for the reconstruction of the Market Yard parking area.

6. Development Pressures To Extend Non-Residential Uses Into Residential Districts

The 1995 Reexamination Report identified the problem of development pressure to extend non-residential uses into residential districts. This problem mainly concerned office uses on residential streets adjacent to the Central Business District. A study of areas of concern was recommended in the 1995 Reexamination Report and such a study was completed in March 1996. The study examined land use trends on Court Street, West Main Street from Manalapan Avenue to Route 9, Throckmorton Street from Haley Avenue to Rhea Avenue and Spring Street in the vicinity of the First Aid Squad building. The problem was more prevalent on Court Street and West Main Street. The recommendations of the study were to expand the B-2 Office District on the west side of Court Street to include the area between Broad Street and Haley Street. On the east side of Court Street the recommendation was to add two additional lots to the B-1 Office District. On West Main Street the study indicated that consideration should be given to allowing office uses on the north side of West Main Street only in the area between Park Avenue and Route 9. The study recommended no changes to zoning on Throckmorton Street and on Spring Street the study recommended the addition of the First Aid Squad facility to B-2 District.

In addition to the 1996 Study of Special Areas of Concern another area of the Borough was studied in 1999 to address the perceived incompatibility of a limited number of residential uses on Park Avenue (Route 33) with adjacent commercial uses. As a result of this study the creation of a new B-1a Limited Professional Office district was recommended and implemented. The rezoning included several lots to either side of Short Street on the north side of Park Avenue. A recommendation to vacate Short Street was also implemented in association with the rezoning.

7. County/Borough Yard on Manalapan Avenue

This Manalapan Avenue site was recommended for study in the 1995 Reexamination Report. It was addressed as one of the special areas of concern in the Special Areas

of Concern Planning Report prepared in March 1996. The Special Areas of Concern Planning Report recommended that the site should be considered for rezoning for townhouse development. Subsequently, a Redevelopment Plan was approved in 1997 and amended in 1998 to allow congregate care and assisted living units. The site is now under development for these uses.

C. The Extent To Which There Have Been Significant Changes In The Assumptions, Policies And Objectives Forming The Basis For The Master Plan.

Since the Freehold Borough Master Plan was last reexamined in 1995, there have been no significant changes in the municipal policies and objectives forming the basis for the Master Plan. Changes in population density and land use changes in Freehold have not been major and in general the objectives of the 1980 Master Plan as further expressed in the 1992 and 1995 Reexamination Reports remain valid. U.S. census data show a slight increase in Freehold's population from 10,742 in 1990 to 10,976 in 2000.

Since 1995 the approval of redevelopment plans for the Rug Mill Property and the Manalapan Avenue Public Works Yard recognized the need for additional housing in the Borough. Both redevelopment areas have been developed and are now being occupied. Also the Borough received designation as a Town Center in 1997. Preparation of a redevelopment plan for the Manalapan Avenue Public Works Yard and Achievment of Center Designation were two specific objectives of the 1995 Reexamination Report. Their implementation represents a realization of Borough land use planning objectives forming the basis for the Master Plan.

There have been several changes in municipal assumptions regarding land uses in certain areas of the Borough since 1995. Specifically these involve land uses in the various CM (Commercial Manufacturing) Zoning Districts and the continued lack of new retail uses in the central business district. The CM Zones typically have developed with uses that do not fulfill the purpose of the district which is to promote

research, development, manufacturing and office uses. Service and retail uses are more typical of the uses that have developed rather than research, development and

manufacturing. Two of the CM Zone Districts encompass Freehold Raceway and Millennium Assisted Living which have no CM uses whatsoever. The assumption that the CM districts would be developed for manufacturing related uses obviously has not taken place. Also the assumption that retail uses would return to the Central Business District has not been fulfilled. The Central Business District, while now healthier than in the recent past, largely contains service providers and restaurants rather than true retail facilities. These changes in assumptions and the Borough's reaction to them is addressed in the next section.

D. Recommended Revisions to the Borough Master Plan and Development Regulations

As noted in the previous section, there have been changes in the assumptions regarding the land uses in the CM Zoning districts and in the Central Business District. In the CM Districts there has not been the development of research and manufacturing uses for which the Zone is intended. Lands have either remained vacant or been developed for service uses and in some cases retail uses. New uses in the Central Business District tend to be service oriented or restaurants and not retail. Although not representing a change in assumptions, there also continues to be pressure to expand office uses into residential districts.

Consideration of the above factors has led to the development of the following recommended revisions to the Borough Master Plan:

1. Revisions to CM Zoning Districts
   a. A portion of the large CM Zone to the east of the Downtown Area has recently been rezoned REC by Ordinance No. 2001/3. Other portions of this CM Zone remain undeveloped. It is recommended that Block 85, Lots 14 and 15 be added to the REC Zone District. These lots are currently vacant and immediately adjacent to the newly created REC Zone District. Other vacant lands at the eastern end of Institute Street (Block 85, Lots 1-13 and Block 93,

Lots 29-56) should be zoned from CM to R-5 to accommodate proposed single family residential subdivisions.

b. CM Zones adjacent to Jerseyville Avenue and Throckmorton Streets have a variety of uses, most of which are not research or manufacturing uses. No change in zone boundaries is proposed but it is proposed to modify the uses permitted in the CM Zone to allow service establishments (excluding restaurants) contractors storage yards, auto repair and body shops and sale of retail goods. These uses are currently present in these areas. The CM Zone adjacent to Bannard Street should not allow any of the above additional uses because of the nearby residential areas. This CM Zone should be modified to allow similar types of uses to those which currently exist along Bannard Street and other low traffic generating uses such as self-service storage facilities and document storage facilities.

c. The CM Zone which encompasses Freehold Raceway should be rezoned to a new zone district allowing specialty retail uses and offices. The zone standards should include a unified design theme with architectural controls. It is not likely that the Raceway will continue in operation over the long term future and the CM Zoning currently in place is inappropriate for long term development objectives. Since there are few retail uses left in the Central Business District, it is not anticipated that retail uses on the raceway property will compete with the downtown area.

2. Revisions to Business Zones

a. The B-1a Zone District on Park Avenue established by Ordinance No. 27/99 should be reflected on the Zoning Map. Also the adjacent B-1 Zone District should be extended to the east one lot so that it abuts the B-1a District. Block 106, Lot 3 (rear) and Lot 13 would be rezoned from R-5 to B-1.

b. On the north side of West Main Street between Park Avenue and Route 9 a new zone should be created which would permit single family residences, as well as home based offices as a conditional use. The conditions for home-based offices should be as follows:

- The home-based office is located in a single family dwelling.
- Medical, dental, massage therapy and real estate offices shall not be permitted as home offices.
- In addition to the family members occupying the dwelling containing the home office, there shall not be more than one outside employee in the home office.
- Permitted signage area is limited to one (1) façade or free-standing sign not exceeding three square feet and four (4) feet from the ground.
- The home office shall not be more than twenty-five (25%) percent of the total habitable square footage of the dwelling exclusive of any basement, and shall not exceed 500 square feet.
- All exterior aspects of the home office operation shall not disrupt the residential integrity.

There is already one home-based office in this block and there have been use variance applications in the past filed for office uses in residences on West Main Street. More than 50% of the residential lots which front West Main Street in this block are owned by the Raceway.

c. Expansion of the B-1 Office Commercial District is recommended in several locations around the fringes of the Central Business District and expansion of the B-2 General Commercial District is recommended in one location. The areas recommended for expansion of the B-1 Zone district are adjacent to either B-1 or B-2 Zone districts and will provide additional land for office uses which are in great demand in the Borough. In some cases office uses already exist in the areas designated for rezoning. In association with any rezoning for additional office districts the parking standards for office uses should be revisited to insure adequate on-site parking. The areas recommended for rezoning area as follows:

(1) The northeast corner of Sherriff Street and Lafayette Street (Block 39, Lots 19, 19.01, 20, 21, 22, 22.01, 23 and 24). Should be rezoned from

R-7 to B-1. Three of these lots are owned by Monmouth County and used for offices or parking.

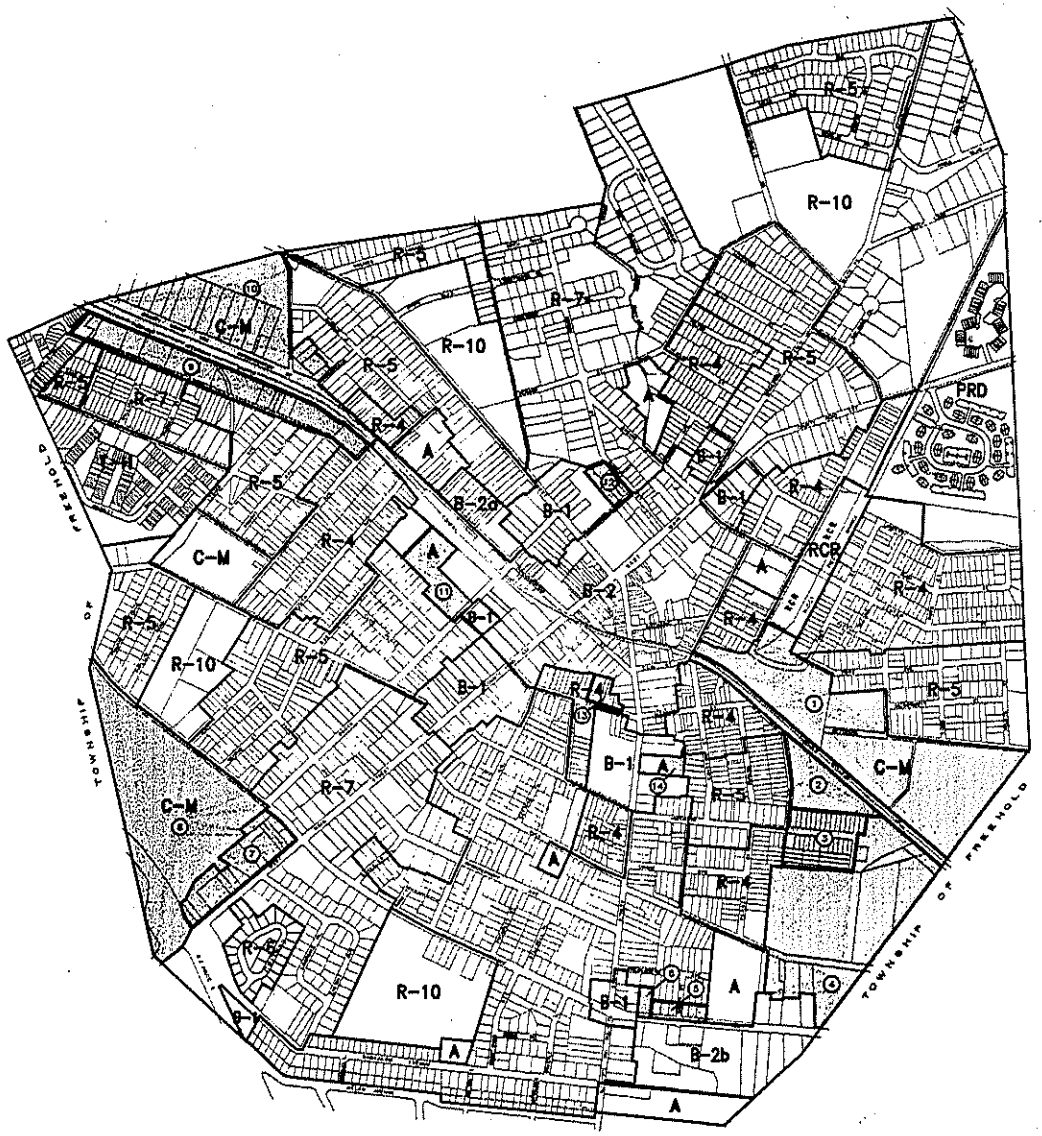
(2) Six lots on the north side of McLean Street to the east of St. Rose of Lima Church parking lot, including the parking lot, should be rezoned from R-4 to B-1. This area backs up to the B-2 Zone district on South Street. This rezoning would involve Lots 21.01, 23, 24, 25.01, 26 and 27 in Block 72.

(3) The A-Apartment District on South Street opposite St. Rose of Lima School should be rezoned B-1. This lot, Block 83, Lot 2.01 is surrounded by the B-1 Zone and office uses and over the long term office uses are more appropriate for these lots.

(4) The portion of the A-Apartment District off Broad Street, which is the location of the Parker House Condominiums, Block 34, Lot 30 should be rezoned B-2 which is the Zone that abuts this use. The Pine Street Apartments should remain in the A Zone District. The condominium property is not well maintained and rezoning to B-2 will allow for a wider variety of uses perhaps providing incentive to upgrade the property.

E. Recommendations Concerning Incorporation of Redevelopment Plans

Pursuant to the "Local Redevelopment and Housing Law" N.J.S.A. 40A:12A-1 et. al. the Freehold Borough Planning Board has in the past designated redevelopment areas on Mechanic Street, at the Rug Mill property and at the County/Borough Yard on Manalapan Avenue. At this time, there are no further recommendations for additional redevelopment areas.



BOROUGH OF FREEHOLD

MONMOUTH COUNTY
NEW JERSEY

ZONING MAP
RECOMMENDED CHANGES

ADOPTED: FEBRUARY 12, 2003

KEY TO CHANGES

1. C-M TO REC
2. C-M TO REC
3. C-M TO R-5
4. ADD CONTRACTORS & SERVICE USES
5. R-5 TO B-1a
6. R-5 TO B-1
7. R-7 TO RESIDENTIAL PROFESSIONAL OFFICE ZONE
8. C-M TO SPECIALTY RETAIL/MIXED USE
9. C-M TO MODIFIED C-M
10. ADD CONTRACTORS & SERVICE USES
11. A TO B-2
12. R-7 TO B-1
13. R-4 TO B-1
14. A TO B-1

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