
Borough of South Toms River

Municipal Public Access Plan



Submitted by: The Borough of South Toms River

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Prepared By:

David G. Roberts, AICP/PP, LLA, RLA

Zachary Zeilman

Maser Consulting, P.A.,

331 Newman Springs Rd #203, Red Bank, NJ 07701

(732) 383-1950

Approval of this plan does not eliminate the need for any Federal, State, County or municipal permits, certifications, authorizations or other approvals that may be required by the Applicant, nor shall the approval of this plan obligate the Department to issue any permits, certifications, authorizations or other approvals required for any project described in this plan.

Instructions for Completing This Template

(This page should be removed from Final Approved Plan)

This template is the recommended guide to the format and development of a Municipal Public Access Plan (MPAP) document. To ensure that all required information is contained in the MPAP, the Department suggests that the headings and sections in this Template be retained within the final Municipal Public Access Plan document.

The sections of this Template in ***bold and italicized*** font are to be retained in the final Municipal Public Access Plan and to be prepared and completed by the municipality. These sections identify the information that must be included in the MPAP, unless otherwise authorized by NJDEP.

Individual words or lists in ***bold and italicized*** font with ***braces {}*** require either replacement (as in the municipality's name) or represent suggestions for information to be edited by the municipality. When information is inserted, remove the ***bold and italicized*** formatting and the ***braces {}***.

The texts indicated by bracketed [10 point] font are instructions and comments on the information to be provided.

When the sections have been completed:

- remove the [10 point text] instructions,
- retain Appendix 1, 2, and 3 (with maps and table) in the final document,
- delete the Reference Sections that are after the Appendices,
- complete the Index by inserting page numbers and
- save the document as your final Municipal Public Access Plan.

Any questions regarding the information needed to complete this template should be directed to the Division of Coastal and Land Use Planning (609-984-0058).

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Introduction

The intent of this document is to provide a comprehensive public access plan for the Borough of South Toms River which lays out their vision for providing access to tidal waters and shorelines within the municipal boundary. This Municipal Public Access Plan (MPAP) was developed in accordance with N.J.A.C. 7:7E-8.11 and in collaboration with the New Jersey Department of Environmental Protection (NJDEP), and has been approved by the NJDEP. The development and implementation of this MPAP supports the policy of local determination of public access locations and facilities, while safeguarding regulatory flexibility and potential funding opportunities for the Borough of South Toms River.

Public rights of access to and use of the tidal shorelines and waters, including the ocean, bays, and tidal rivers, in New Jersey are founded in the Public Trust Doctrine. First set by the Roman Emperor Justinian around A.D. 500 as part of Roman civil law, the Public Trust Doctrine establishes the public's right to full use of the seashore as declared in the following quotation from Book II of the Institutes of Justinian:

“By the law of nature these things are common to all mankind – the air, running water, the sea, and consequently the shores of the sea. No one, therefore, is forbidden to approach the seashore, provided that he respects habitations, monuments, and the buildings, which are not, like the sea, subject only to the law of nations.”

Influenced by Roman civil law, the tenets of public trust were maintained through English common Law and adopted by the original 13 colonies. Following the American Revolution, the royal right to tidelands was vested to the 13 new states, then to each subsequent state, and has remained a part of public policy into the present time. Through various judicial decisions, the right of use upheld by the Public Trust Doctrine has been incorporated into many state constitutions and statutes, allowing the public the right to all lands, water and resources held in the public trust by the state, including those in New Jersey.

The NJDEP adopted new rules governing public access on **July 15, 2013** that enable municipalities to develop and adopt MPAPs to govern public access within their municipality. This MPAP consists of an inventory of public access locations, plus plans to preserve and enhance access based on community needs and State standards.

On **March 31, 2015** representatives from the Borough of South Toms River met with NJDEP staff to begin the public access planning process. This plan was then developed in collaboration with the NJDEP, **Borough Council and Land Use Board** and was presented to the Planning Board on **April 18, 2016** and was approved for submission to the NJDEP on **April 18, 2016**. Upon receiving approval from the NJDEP on **{date}**, the MPAP was incorporated into the Master Plan by resolution on **{date}**. Incorporation into the Master Plan, and final approval of this MPAP by the NJDEP, was recognized by Public Notice in the NJDEP Bulletin. All public access decisions made within South Toms River Borough will be consistent with this plan.

Authority for Municipal Public Access Plans

The authority for a municipality to develop a MPAP is derived from the Coastal Zone Management Rules, N.J.A.C. 7:7E, adopted by NJDEP in **February 1993** and amended on July 15, 2013. The premise of the authorization of Municipal Public Access Plans is that public access to tidal waters is fundamentally linked to local conditions. Municipalities have a better awareness and are more responsive to these conditions than a broader State “one size fits all” mandated public access plan.

The voluntary development of a MPAP by the Borough of South Toms River enables the municipality to better plan, implement, maintain, and improve the provision of public access for its residents and visitors. The MPAP will be incorporated into the municipality’s Master Plan, in accordance with the Municipal Land Use Law (N.J.S.A 40:55D). The MPAP, as an official component of the municipal Master Plan, informs and/or identifies public access requirements associated with any proposed development or redevelopment project.

Upon approval of the MPAP by the Department and incorporation into the Master Plan, the Borough of South Toms River will be responsible for ensuring that public access to tidal waterways along the municipality’s shorelines is provided in accordance to this plan. For each new public access project, *the Borough of South Toms River* will provide NJDEP with a letter confirming its consistency with this MPAP. Any permit issued by the NJDEP will reflect this and ensure that public access requirements are satisfied in accordance to this plan. Per N.J.A.C. 7:7E -8.11(j)4, *the Borough of South Toms River* is required to submit a progress report on plan implementation to NJDEP within five (5) years from date of plan adoption.

The sections of this plan as indicated below are prescribed by the Coastal Zone Management Rules, N.J.A.C. 7:7E. See Appendix 1.

Study Approach

An analysis of the Study Area’s existing physical characteristics, current developed uses and structures was conducted in April and May of 2015, inclusive of site visits and interviews with Township officials. Township records and historic aerial photographs were also analyzed, as detailed in the report. Furthermore, previous studies, including the Township’s Master Plan and Zoning Ordinance, were reviewed.

Site selection was initiated by first speaking with Township staff to get a general idea of existing public access areas. Following analysis of aerial maps and documents provided by the Township, County, and State, potential sites were chosen based on the relationship to existing parks and open space, probable connectivity and riparian rights, as well as a determination of need. The sites were further narrowed down by conducting site visits to determine the feasibility of public access, maintenance, and connectivity to other access points. The report thus identifies sites based on these findings and put into context with the Township and County plans and zoning.

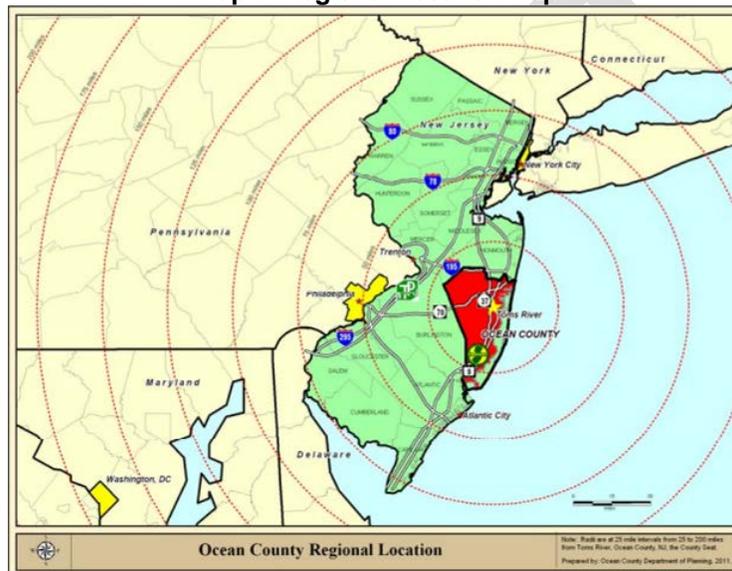
I. Municipal Public Access Vision

A. Overview of Municipality

1. Municipal Description

Nestled between the beaches of the Jersey Shore to the east and the forests of the Pinelands to the west, the Borough of South Toms River is a small river community located in the heart of Ocean County, New Jersey. The community is relatively young, albeit mature, being the second to last of incorporated municipalities in Ocean County in 1927.

Map 1: Regional Location Map



Source: *Ocean County Planning Board Comprehensive Master Plan*, p. 9. Ocean County Department of Planning. December 2011.

The Borough is approximately 75 miles south of New York City and 60 miles east of Philadelphia, placing it centrally between major urban centers. South Toms River has direct access to the Garden State Parkway, which makes it accessible to traffic from the north and south of the State. Additionally, Route 9 (Federal road), Dover Road (County road), South Main Street (County Road), Atlantic City Blvd./Route 166 (State road), and Double Trouble Road (County Road) are major thoroughfares that pass through the center of the Borough and connect it to other municipalities, as well as points beyond. South Toms River Borough is bordered by three municipalities, including Toms River Township to the north, Berkeley Township to the north and west, and Beachwood Borough to the south. The Toms River lies along the northeastern border and separates the Borough from Toms River Township.

Map 2: Ocean County Municipal Locations Map



Source: *Ocean County Planning Board Comprehensive Master Plan*, p. 12. Ocean County Department of Planning. December 2011.

South Toms River Borough occupies approximately 792 acres of land, or 1.2 square miles, and 0.05 square miles of water (4.5 percent of total area). Out of the total land area, 84 percent has already been improved for residential, commercial, public/quasi-public, industrial, or rail/utility uses. Only seven (7) percent is available for development when permanently preserved parks and open space lands are taken into account.¹ Single-family residential dwellings account for the majority of the land use in the Borough, with the median lot size of 17,500 square feet.

According to the 2010 U.S. Census, the 2012 population estimate was 3,696 with approximately 1,098 households and 907 families residing in the borough. Historically, the population exploded between 1930 and 1970 where it peaked as the Borough became largely built out. The population plateaued, but subsequently began to decrease slightly through the year 2000, despite the overall growth of Ocean County. However, since 2000, the Borough has seen incremental growth again. “Considering that the Borough has been predominantly built-out for many years, population change is largely dependent upon fluctuations in the average household size,” according to the South Toms River Borough Master Plan.²

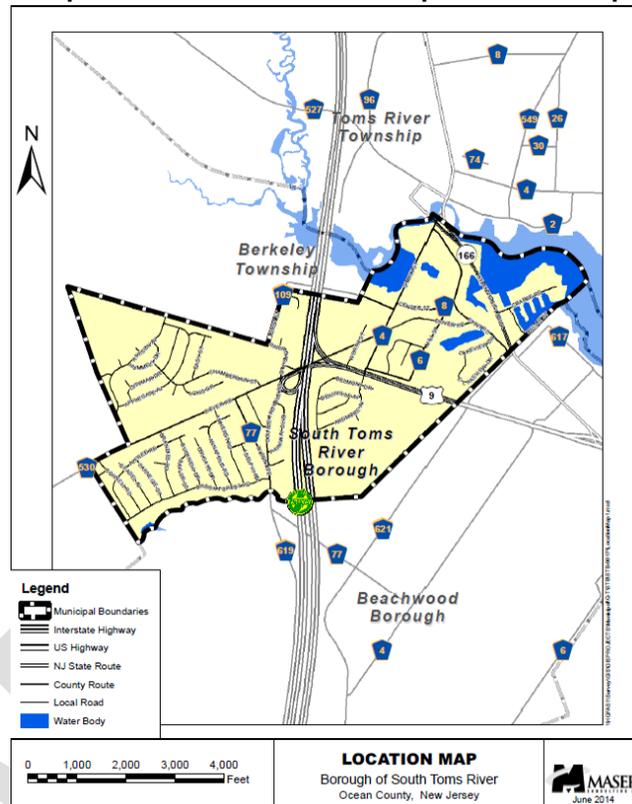
Named for its location along the Toms River, the river has assumed a prominent feature for the Borough. Despite having limited water area under its municipal jurisdiction, the river frontage still

¹ Leoncavallo, John, P.P. *South Toms River Borough Master Plan*. Page L-1. February 1, 2013.

² Leoncavallo, John, P.P. *South Toms River Borough Master Plan*. Page D-1. February 1, 2013.

provides numerous points of access to a much greater regional area. The Borough is also ideally situated between the Toms River and Jakes Branch Creek, and both are flanked by several parks and plazas. Toms River is a major tributary to Barnegat Bay, which provides access to the Atlantic Ocean and associated natural, social, and economic resources. Waterfront access provides an economic benefit to South Toms River and its businesses, but it is also significant to the community’s identity, sense of pride, and residential satisfaction.

Map 3: South Toms River Municipal Location Map



Source: Maser Consulting P.A. June 2014.

2. Public Access Description

Public Access in the Borough of South Toms River is provided by the municipality, Ocean County, and the State of New Jersey and consists of a variety of access points and facilities including walkways, beaches, nature trails, public parks, boat launches/marinas, and locations for fishing and crabbing. Despite the built-out nature of the Borough and the large number of privately held properties along waterways, there is a large component of open and preserved space, as well as riparian rights, which allow public access through waterways.

The Borough of South Toms River protects and ensures public access through **conservation easements, riparian rights, ordinances, community clean-ups, yearly inspections, access easements, etc.** The overall goal of this MPAP is to establish South Toms River’s plan to maintain and enhance all existing public access locations to and along tidal waterways and their shores.

The Mayor and Council of South Toms River, as well as the Borough administration, are dedicated to improving public access to the South Toms River waterfront. Recently, with assistance from the NJDEP, debris and watercraft remaining from Superstorm Sandy were removed from the waterways and the marina area was cleaned up.

The Borough expects the MPAP and subsequent implementation of public access projects to complement its planned capital improvement projects, particularly those along the Route 166 corridor. In January 2014, the Borough applied for a grant through the New Jersey Economic Development Authority (NJEDA) to fund the comprehensive Route 166 Streetscape Improvements Project. The project has been selected to advance to the federal Environmental and Historic Preservation Review stages and is expected to be entirely funded by the grant. The Borough is also submitting an application to the New Jersey Department of Transportation (NJDOT) Transportation Alternative Program to fund the acquisition of an easement to eventually extend the regional Barnegat Branch Trail from Beachwood to Toms River. Upon completion of the few missing links, the Barnegat Branch Trail will extend over 15 miles from Barnegat Township to Toms River.

South Toms River has 68 acres of recreation and open space, or 8.6 percent of all land in the Borough. Including vacant (unimproved land), public, and quasi-public land, there is approximately an additional 180 acres, or 22.6 percent that has the potential to be used for public access, upon first assessment.

This Plan focuses, however, on public access to water and shoreline, in particular. Therefore, the sites were chosen based on their proximity to water and potential for public use. One benefit of public access to water is that movement of people between various points of access can be easily facilitated by watercraft. Additionally, complementary recreational trails could connect most of the remaining open space in the Borough to the water that does not have direct access to the waterfront and, therefore, create better access for a larger segment of the public.

The Borough's location on the Toms River is fundamental, as it is the largest and most significant body of water in the area and flows out into Barnegat Bay and the Atlantic Ocean, providing access to many other parts of the region. Two of the five major parks in the borough – Cedar Point and Mathis Plaza – are located on the Toms River. Jakes Branch Creek flows eastward from Berkeley Township through the Borough into the Toms River for over 5.5 miles. Along Jakes Branch, there are two additional municipal parks, as well as a large amount of undeveloped municipal land, which would provide unimpeded access to the Creek and potentially out to Toms River.

Using existing parks is the simplest way to gain access to the waterfront; however, many vacant parcels of public land may also aid in the effort to make connections. New Jersey riparian rights allow public access to streams, lakes, rivers, beaches, and wetlands, while limiting the harmful impact of development. It is important that each access point serve as part of a network of public access to create the most effective, enjoyable, navigable, and fluid experience.

Therefore, public access points were chosen by identifying the following throughout the Borough:

1. Existing public parks;

2. Borough-owned properties located on a body of water;
3. Ocean County-owned properties located on a body of water in South Toms River Borough;
4. State of New Jersey-owned properties located on a body of water in South Toms River Borough;
5. Marinas and privately-owned slips that provide public access to the general public;
6. Recreation and Open Space described in the 2013 South Toms River Borough Master Plan, Recreation and Open Space Plan Element “Statement of Principles, Goals, Objectives, and Policies for Recreation, Open Space and Conservation Objectives” and “Recommendations”.

The Borough then categorized the chosen sites as “existing” and “potential” access points, as well as the type of access provided on each site by identifying conditions and uses. Site visits and an analysis of street-view and aerial imagery helped to inform the possibility of access. All Borough ordinances regarding beaches, marinas, crabbing and fishing, on-street parking, etc. were then reviewed. After performing a thorough review, the sites were characterized by their suitability for “visual” and “physical” access; “primary” or “secondary” access; the likelihood of establishing access; and the potential to connect the access point with others. Each site that has been analyzed includes a description of the existing conditions, permitted activities, and recommendations.

“Active Recreation” is defined here, for the purpose of this report, as outdoor recreational activities, such as organized sports, playground activities, and the use of motorized vehicles, that require extensive facilities or development or that have a considerable environmental impact on the recreational site.³ This includes running, cycling, swimming, boating, playgrounds, football, soccer, tennis, et cetera.

“Passive Recreation” is defined here, for the purpose of this report, as outdoor recreational activities, such as nature observation, walking, sitting, fishing, or kayaking, that require a minimum of facilities or development and that have minimal environmental impact on the recreational site.⁴

“Visual Access” is defined here, for the purpose of this report, as an area with a viewshed of water and/or wetlands, but does not permit on-site physical access to the water (including fishing), whether due to regulation or impassable terrain. Sites with this designation include public parks that restrict access to the water; public right-of-ways abutting private access; municipal lands with open space constraints; and wetlands that have no physical access to water without disturbing the wetlands. All visual access points are existing and are considered “passive”, but not all are improved. Some have the capability to be improved.

“Physical Access” is defined here, for the purpose of this report, as a site that permits the general public to participate in active or passive water-based recreation, in, on, or at the edge of the water. This may include swimming, boating, fishing, floating, et cetera.

³ American Heritage® Dictionary of the English Language, Fifth Edition. Copyright © 2011 by Houghton Mifflin Harcourt Publishing Company. Published by Houghton Mifflin Harcourt Publishing Company. All rights reserved. Accessed on February 8, 2016.

⁴ Ibid.

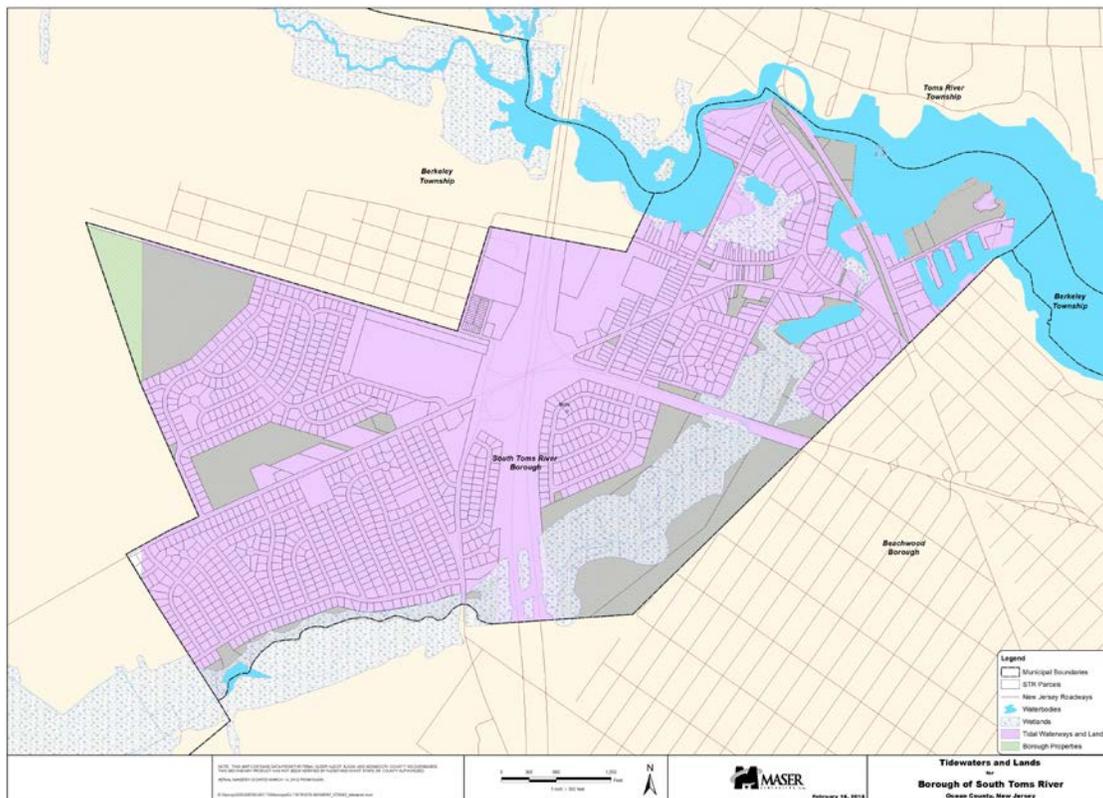
“**Primary Access**” is defined here, for the purpose of this report, as a site with direct physical or visual public access to a body of water.

“**Secondary Access**” is defined here, for the purpose of this report, as a site without direct physical or visual public access to the water, but which provides open space, trailhead and/or parking that connects along a designated route to a “primary access” point.

The Borough of South Toms River has identified a total of fifteen (21) public access locations, ten (10) of which are existing designated public access and five (11) of which are potential public access sites. A total of six (8) sites have been identified as visual access only sites with limited improvements, while nine (13) sites have been designated as physical access sites (including existing and potential sites). The Borough has identified eight (8) public access locations related to the Toms River, whereas there are seven (7) public access locations related to Jakes Branch Creek.

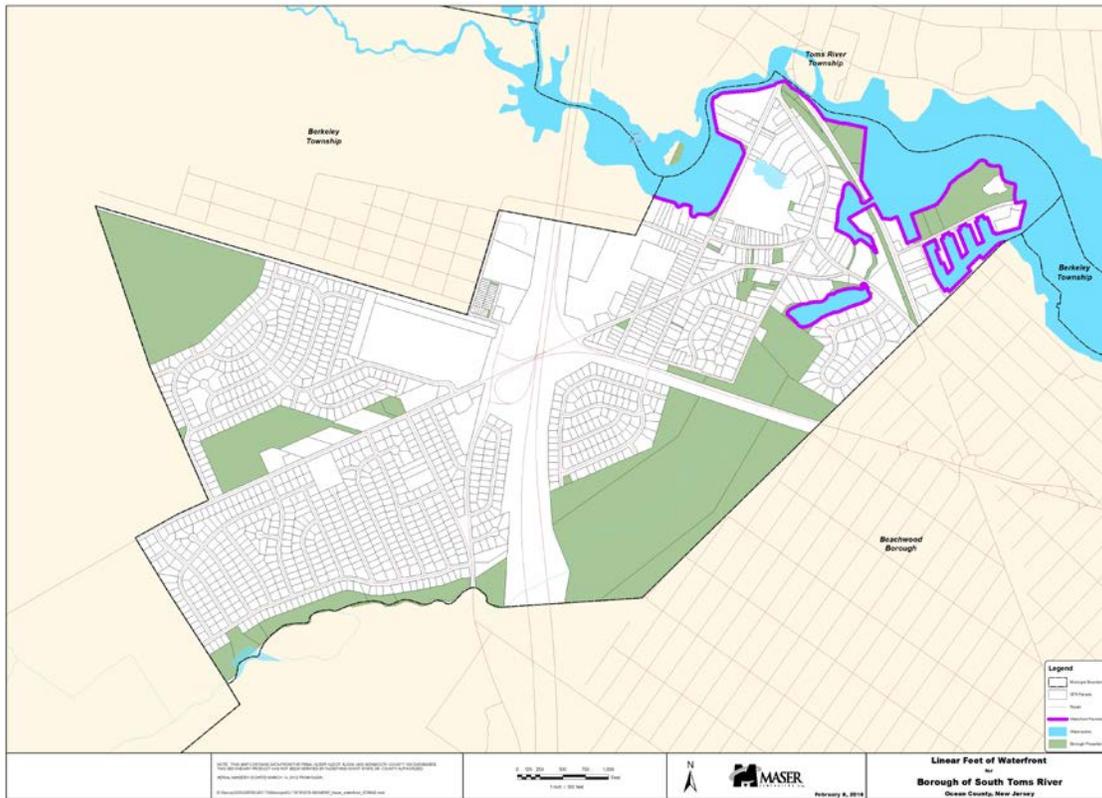
Map 5, provided below and found in Appendix 3, shows all the tidal waterways within the municipality and all lands held by the municipality. South Toms River Borough is located at the headwaters of the Toms River and Jakes Branch Creek and their tributaries.

Map 4: South Toms River Borough Tidal Waterways and Lands



Map 5, shown below, displays the water frontage of the tidal water along the Toms River and its tributaries. South Toms River Borough has approximately 3.34 linear miles of tidal water frontage as depicted in the map. Jakes Branch Creek provides additional non-tidal water frontage.

Map 5: Linear Feet of Waterfront Land in South Toms River



B. Municipal Public Access Goals and Objectives

1. Goals & Objectives

The goals of the process of creating a Municipal Public Access Plan (MPAP) are as follows:

1. To prepare a full Municipal Public Access Plan (MPAP) for the Borough of South Toms River;
2. To identify existing public access to waterways;
3. To identify areas where the Borough can improve upon and expand its existing access points; and,
4. To work with the public and Borough committees throughout the planning process and solicit opinions on the need for public access.

The objectives of this Plan that have been identified in order to meet the above goals, specific to the Borough of South Toms River, are as follows:

1. Connect all of the identified public access points in this Plan via one of four proposed trails, which include:
 - a. South Toms River Greenway
 - b. Toms River Blueway
 - c. Jakes Branch Creek Blueway

- d. Barnegat Branch Bike Trail
2. Promote the completion of and connection to the Barnegat Branch Bicycle Trail;
3. Improve existing public access areas to be desirable attractions;
4. Establish a public boat ramp at Cedar Point;
5. Connect the Borough of South Toms River strategically with the surrounding municipalities of Berkeley Township, Toms River Township, and Beachwood Borough:
 - a. Make improvements to the Borough's athletic fields and community center and work with Ocean County and Berkeley Township to connect them with the Municipal Public Access trails;
 - b. Work with Beachwood Borough and Ocean County to provide public access via Nautilus Street in Beachwood Borough and connect with the Municipal Public Access trails;
6. Provide sufficient and a variety of active and passive recreational facilities for the existing and future populations, and update the implementation strategy in the Recreation and Open Space Plan. The Borough of South Toms River Municipal Public Access Plan outlines active and passive recreational opportunities for various locations throughout the Borough;
7. Reconnect the Route 166/downtown corridor to the water;
8. Increase the quantity and quality of waterfront open space;
9. Create physical connections with open space amenities elsewhere throughout the Borough and across municipal boundaries;
10. Create clear visual connections to the waterways;
11. Design attractive signage and landscaping to identify and promote public access points;
12. Build and maintain new trails for biking, walking, and non-motorized watercraft that extend throughout the Borough, as well as associated entrances, ramps, and parking stalls.
13. Provide a variety of natural and man-made recreational/open space access opportunities;
14. Support the conservation of natural open space areas through designated conservation lands, minimal disturbance for public recreation, and public education.

In addition to those goals outlined within the 2013 South Toms River Borough Master Plan, the Borough of South Toms River establishes the following State required goals specifically for public access:

1. All existing public access shall be maintained to the maximum extent practicable;
2. Maintain safe and adequate access locations for fishing;
3. Provide clear informative signage for access locations;
4. Construct public access in accordance with the Americans with Disabilities Act where feasible;
5. Where feasible, facilitate public access by providing adequate parking within walking distance of public access points and/or providing public transportation to public access points from areas not within walking distance;
6. Protect public accesses from future storm damage;
7. Additional public restrooms shall be provided, where feasible, within walking distance of public access points.

2. Consistency with Master Plans

a. Policies

As part of the planning process, this MPAP has been reviewed and is consistent with the goals, elements, and policies established in The Borough of South Toms River's Master Plan. It is consistent in the following areas:

The 1962 and 1977 Master Plans articulated community objectives to guide the development of South Toms River during an unusual period of growth and new development. The following objectives remain valid and are restated as follows:

1. The protection and encouragement of stable, safe and desirable residential neighborhoods served by an adequate system of community facilities.
2. The creation of a balanced pattern of development through the compatible arrangement of different land uses.
3. The preservation of areas sufficient to serve present and future recreational needs.

The principles, goals, objectives, and policies structuring the 2013 Master Plan elements, which apply to the development of this Municipal Public Access Plan, are as follows:

General

1. Encourage quality architectural and landscape design through the use of design standards.
2. Encourage design and development standards that enhance and/or preserve open space; preserve woodlands; create a pedestrian friendly environment, railway systems, conservation areas and wetlands/meadow areas, etc.

Conservation

1. Preserve ecologically sensitive open and forested land, natural feature areas, remaining historic sites and buildings.
2. Encourage stormwater management controls for all new developments.
4. Encourage sustainable development practices.
5. Conserve and protect as many environmentally sensitive areas in the Borough as possible, including but not limited to waterways, wetlands and woodlands. Require new development to conform to rigorous performance standards so as to minimize potential adverse impacts on the environment.
6. Minimize the potential environmental impacts that could result from development and redevelopment.
7. Protect groundwater resources and promote the recharge of groundwater.
8. Incorporate the utilization of energy-efficient technologies in new development.
9. Encourage the remediation of brownfield sites and their reuse in a sustainable manner.
10. Promote and encourage the use of LEED (Leadership in Energy and Environmental Design) standards in all development.

Recreation and Open Space

1. Provide adequate park, open space, and recreational facilities for all Borough residents.
2. Provide a riparian landscape setting to maximize public access to both informal and formal spaces.
3. Encourage use of high quality landscaping design - to enhance dramatic views to the river, to develop civic space and public art, to develop and to screen and integrate development.
4. Encourage the use of low maintenance, hard-wearing materials in parks and public places.
5. Cooperate with public and quasi-public institutions to utilize and maintain their undeveloped land for open space or recreation.
6. Consider enhancing regulations to assure that quality recreation and open space is provided and maintained as redevelopment occurs.

Community Identity

1. Develop and effectively communicate a strong and appealing identity for the Borough.
2. Create attractive "gateways" into the Borough and improve the appearance of intermediate and major thoroughfares.
4. Preserve, restore, maintain and enhance the appearance of all Borough properties.

b. Elements

Recreation and Open Space

This Plan discusses the "Borough Recreational Needs" described in the 2007 Master Plan in Section III, Community Needs Assessment.

Borough Recreational Needs

"This [Master] Plan recognizes that South Toms River maintains adequate lands for recreation and open space purposes. Strategies for improving public recreation and open space properties must be creative and establish a strategy of incrementalism. By employing several action strategies and funding sources, over time, the Borough's goals will come to fruition. There are several constraints related to the present provision of parks and recreation space in the Borough that should be recognized."

- Deferred maintenance at existing Borough park and recreation facilities has resulted in many lost recreation and open space opportunities.
- Inaccessibility of recreational complexes to many residents in the community, except by vehicle.
- Lack of a community center/indoor recreation facility for the Recreation Department. As a result, indoor programming depends on available indoor recreation space at the elementary school.

Recommendations

1. *Improve Mathis Plaza and Cedar Point*

There are limited public access points or spaces along the Toms River, with the exception of Mathis Plaza and Cedar Point. Although Mathis Plaza was recently redesigned, Cedar Point remains relatively unimproved, but both offer some of the best views of the river and are strategically located. The intent of this Plan is to explore opportunities to further encourage and maximize the public use of these properties, as recommended in the Master Plan, as well as to improve the connections between public spaces. Opportunities for improvements in this area should be further explored by the proposed Recreation and Open Space Advisory Committee.

2. *Create a System of Bikes Lanes and Trails*

The MPAP is consistent with the Borough's Land Use Plan to work toward a bicycle network of shared or dedicated use ("bike lanes" and "bike paths," respectively). The aim is to identify the safest and most effective routes to provide better access to parks, the waterfront and other local destinations, and better link the east and west sides of the Borough that is currently bisected by the Garden State Parkway. The Borough's long-term goal is to develop an interconnected circuit of bike lanes and paths that circumnavigate the Borough, which could include the municipal or State land adjoining the Jakes Branch, which runs through the Borough until it meets the Toms River. Functionally, this area serves as an open space corridor and numerous recreation opportunities exist for this area, which a trail could enhance. Additionally, for other public areas within the Borough that do not have a clear route connecting them, bike trails provide a manageable alternative.

4. *Create a DPW park and beach maintenance plan for Brook Forest Beach Club*

This Plan provides an outline, but also recommends the creation of a formal plan for park and beach maintenance for Brook Forest Beach Club by the Recreation and Open Space Advisory Committee, recommended in the Master Plan.

5. *Optimize the use of existing facilities*

This Plan suggests the use of durable, but environmentally-friendly materials to maximize the amount of use and active time at recreational facilities.

6. *Continue a vigorous program of improving and maintaining Borough park and recreation facilities*

The Municipal Public Access Plan and the Master Plan both advocate for the Borough to commit sufficient resources to ensure the ongoing upgrade and high level of maintenance of Borough park and recreation facilities for the benefit of Borough residents and visitors.

7. *Provide a stable source of funding for local open space and recreation and supplement those funds with other revenue sources*

As stated in the 2013 Master Plan, “the Borough, should establish a stable revenue source for the development and improvement of public parks, open spaces and recreation sites in the Borough. If a stable funding source is established that is acceptable to the State, then the Borough may qualify for State grants.” The development of the MPAP will aid the Borough in qualifying for State and Federal grants and identify additional sources of revenue.

8. *Solicit grant monies to supplement local expenditures to satisfy South Toms River’s local recreation and open space needs*

Grant and service opportunities from NJ Green Acres and other sources could assist in implementing this Municipal Public Access Plan and the Recreation and Open Space Plan, including the relocation and expansion of existing Green Acres recreation area.

9. *Improve signs at parks in the community*

The Borough should repair existing signs and add new signs for each park that indicates the rules and regulations.

The Municipal Public Access Plan seeks to facilitate the process to connect and enhance existing and proposed public access and to conserve open spaces that will allow residents and visitors increased opportunities to access, utilize, and enjoy the available space into the future.

The goals of the Municipal Public Access Plan are directly aligned with many of the goals and recommendations of the Master Plan for the Borough, in terms of conserving existing open space, maintaining public recreation areas, and searching for opportunities to expand and provide new or improved public recreation facilities. Existing facilities, such as Brookforest Beach Club, Mathis Plaza, and Cedar Point, are each specifically mentioned in the Borough Master Plan for providing viable opportunities for public access and recreation, as well as the Jakes Branch corridor. Therefore, the aforementioned areas were given priority in making a determination for public access and connectivity through the Municipal Public Access Plan.

The Municipal Public Access Plan seeks to make both existing and proposed recreation areas, of many types of active or passive uses, more accessible to the public and connected as part of a network, while limiting any negative impacts of increased activity in open space. The Plan will encourage more attractive and desirable, and, as a result – more stable – neighborhoods through an “adequate system of community facilities” as part of the “compatible arrangement of different land uses”. This will solidify the preservation of open spaces and “areas sufficient to serve present and future recreational needs.”

Additionally, through the Plan, coherent and quality landscape designs will be encouraged that “enhance and/or preserve open space; preserve woodlands; create a pedestrian friendly environment, trailway systems, conservation areas and wetlands/meadow areas, etc.” The Municipal Public Access Plan also addresses many of the Conservation, Recreation and Open Space, and Community Identity goals, as well as the identified Recreational Needs of the Borough, such as

loss of recreation and open space opportunities due to deferred maintenance and inaccessibility to many residents, except by vehicle.

The specific recommendations of the Borough Master Plan, such as improving Mathis Plaza and Cedar Point, creating a system of bike lanes and trails, creating a park and beach maintenance plan for Brookforest Beach Club, optimizing the use of existing facilities, and improving signs at parks may all be addressed through various parts of the Public Access Plan recommendations and implementation plan.

While the Municipal Public Access Plan does not directly specify or manage a comprehensive bicycle lane or trail system, the Plan should include opportunities to connect to the trail system or extend it. For example, the Barnegat Bay Trail is proposed to extend from Beachwood Borough through South Toms River and into the Township of Toms River, where several of the parks or open spaces can be integrated.

Based on the cited goals and recommendations, the Municipal Public Access Plan is substantially consistent with each of the aforementioned plans and furthers a number of objectives that the Borough and County have set for recreation, open space, and conservation.

II. Public Access

A. Public Access Locations

Map 6: Existing Public Access Locations (Improved and Unimproved) identifies an inventory of all public access locations within South Toms River and whether they are currently Utilized, Restricted, or Unutilized, along with their attributes of improvements and activities. See **Table 1**, which provides detailed information needed for each location. Both may be found in Appendix 3.

“Improved” – meaning this location offers improvements or amenities greater than that described for partially improved sites that encourage public access and recreation, such as benches, piers boat launches, recreational fields, playgrounds, etc.

“Partially Improved” – meaning this location offers basic improvements, such as sidewalks, guardrails, bulkheads, etc.

“Unimproved” – meaning this location does not have any improvements or amenities, such as sidewalks or benches

“Utilized” – meaning this location is used by the public and provides official or unofficial public access

“Restricted” – meaning the location poses known or likely public health and safety or environmental damage concerns, or is under private ownership.

“Un-utilized” – meaning this location contains no improvements and receives little or no use by the public.

Map 6: Existing Public Access Locations (Improved and Unimproved)



Below is an outline of all existing public access locations with their location, type of access, type of recreation, and whether it is utilized, restricted or unutilized. A more detailed description of each property can be found in the subsequent section. Proposed public access locations and trails are found in the section following the existing enhanced locations.

Site 1: *Community Center/Athletic Fields* - Drake Lane; Block 20, Lot 1.02; Secondary Access; Active & Passive Recreation; Improved; Utilized

Site 2: *Brookforest Beach Club* – Brookforest Drive; Block 21.20, Lot 4.01 & Block 21.21, Lots 1.01 and 1.02; Primary – Physical Access; Active & Passive Recreation; Improved; Utilized

Site 3: *Double Trouble Road Overpass (West)* – Double Trouble Road; Primary – Visual Access; Passive Recreation; Partially Improved; Unutilized

Site 4: *Double Trouble Road Overpass (East)* – Double Trouble Road; Primary – Visual Access; Passive Recreation; Unimproved; Unutilized

Site 5: *Center Homes Park* – Edgemont Terrace; Block 17, Lot 6; Secondary Access; Active & Passive Recreation; Partially Improved; Utilized

Site 6: *Flint Road Overpass (West)* – Primary – Visual Access; Passive Recreation; Unimproved; Unutilized

Site 7: *Flint Road Overpass (East)* – Primary – Visual Access; Passive Recreation; Unimproved; Unutilized

Site 8: *Route 166 (West)* – Route 166/Atlantic City Boulevard; Primary – Visual Access; Passive Recreation; Unimproved; Unutilized

Site 9: *Route 166 (East)* – Route 166/Atlantic City Boulevard; Primary – Visual Access; Passive Recreation; Improved; Utilized

Site 10: *Cedar Point* – 6-10 Crabbe Road; Block 5, Lots 4, 5 & 6; Primary – Physical Access; Active & Passive Recreation; Improved; Utilized

Site 11: *Mathis Veterans Memorial Park* – 100 Atlantic City Boulevard; Block 3, Lots 1, 2, 3, & 4; Primary – Visual Access; Passive Recreation; Improved; Utilized

Site 12: *Toms River Crossing I (East)* – Route 166/Atlantic City Boulevard; Primary – Visual Access; Passive Recreation; Partially Improved; Utilized

Site 13: *Toms River Crossing II (West)* – Herflicker Blvd Bridge & South Main Street (north); Primary – Visual Access; Passive Recreation; Partially Improved; Utilized

Site 14: *Toms River Crossing III (South)* – Herflicker Blvd Bridge & South Main Street (south); Primary – Visual Access; Passive Recreation; Partially Improved; Utilized

Site 15: *South Main Street (North)* – South Main Street; Block 11, Lot; Primary – Visual Access; Passive Recreation; Partially Improved; Unutilized; Restricted (Private)

Site 16: *South Main Street (East)* – South Main Street; Block 2, Lot 10; Primary – Visual Access; Passive Recreation; Partially Improved; Unutilized; Restricted (Private)

Site 17: *South Main Street (South)* – South Main Street; Block 11, Lot 2; Primary – Visual Access; Passive Recreation; Partially Improved; Unutilized

B. Improved Public Access Locations

Map 42: Borough of South Toms River Preferred Public Access Locations provides an inventory of the preferred, existing and proposed, public access locations that provide access to public trust lands and waters. All existing locations are improved in some capacity, although some are only minimally improved or have not been maintained, as described in the report and in Table 1. Additionally, all of

the existing open spaces are listed in the Recreation and Open Space Inventory (ROSI) database filed with the New Jersey Department of Environmental Protection's (NJDEP) Green Acres Program.

See **Table 1** which provides detailed information on each location. Both may be found in Appendix 3.

1. Existing South Toms River Borough Enhanced Public Access Locations:

Map 7: Five existing public spaces as identified in the Borough's Recreation and Open Space Inventory Map (2011)



All signage posted in public open spaces for parks, beaches, and rivers is regulated by Section §8-1.3 of the Borough of South Toms River Municipal Code. Hours of operation and additional regulations are posted at all maintained public parks.

Site 1: Department of Recreation/Athletic Fields

The Recreation Center and Athletic Fields are located off of Drake Lane on Block 20, Lot 1.02 in the northwestern area of the Borough between the landfill, the subdivision on Attison Avenue, and the border of Berkeley Township to the north. The Athletic Fields are listed as a New Jersey Green Acres property, owned and maintained by the Borough.

The property serves multiple functions. In addition to having active recreational facilities, including four baseball fields of varying sizes – the only ones in the Borough – the property also contains the only indoor recreational facility in the Borough. However, the indoor space is significantly undersized, underutilized, and outdated for any proper recreational use. The building is also used for municipal offices and rented out to a worship group. The fields are used regularly during the

season, although they are slightly rundown and only have a few sets of metal bleachers. There is an outbuilding with bathrooms and one concession stand.

Map 8: Block 20, Lot 1.02 highlighted on Borough Tax Map



Map 9: Birdseye Map Department of Recreation and Athletic Fields on Block 20 (Bing Maps)



This site and the surrounding lots on Block 20, Lot 1.03, 1.04, and 1.05 are also part of the Municipal Landfill Redevelopment Plan. This property is expected to be improved and a new community center provided as part of a Developers Agreement for a redevelopment project in the Borough. New facilities will either be placed on Lot 1.02 or, if the residential development is placed on Lot 1.02, the facilities will be placed on Lot 1.04 (former capped landfill site). In retribution for building on a Green Acres property, the developer will provide more open/recreational space than currently exists.

The Community Center and Athletic Fields are considered secondary access, as there is no direct access to water recreation.

Signage: Signage and fencing for all parks, beaches, and rivers within the Borough are regulated by Section §8-1.3 of the Municipal Code. Existing signage at the Recreation Center property consists only of the identification sign on the building.

Restrooms: Restrooms are located within the Recreation Center building, as well as a separate outhouse building near the athletic fields with restroom facilities.

Parking: Parking is located onsite around the perimeter of the Recreation Center building. There is a paved parking area, as well as an additional gravel and sand area in the rear and west side of the building. There are no painted designated parking stalls, but the paved area can accommodate at least 35 vehicles, including one (1) handicap van accessible parking space at the front of the building. Although the sand area serves as access around the building, it provides space for approximately an additional fifty vehicles. Parking is adjacent to and in between both the building and the athletic fields and is unrestricted.

The proposed new athletic fields and Community Center would have 108 paved parking spaces.

Handicap accessibility: As stated, there is one handicap van accessible parking space at the front of the Community Center building. The parking area is mostly paved and the site is relatively flat and easily traversable. The restrooms are also handicap accessible.

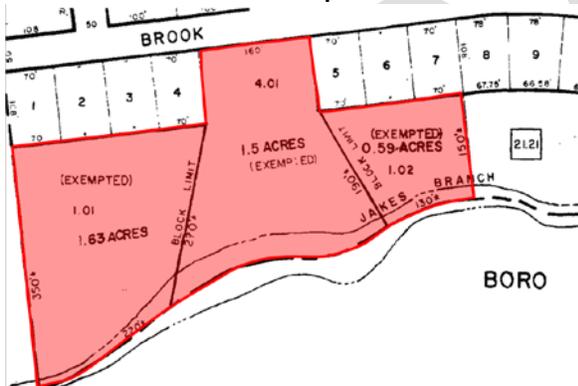
The proposed recreation space on Lot 1.04 would include four handicap accessible parking stalls at the front of the Community Center building.

Site 2: Brookforest Beach Club

Brookforest Beach Club is a Borough park with a playground, small parking lot, and direct access to Jakes Branch Creek. It is located off of Brookforest Drive and Cornell Road and situated on Blocks 21.21, Lots 1.01 and 1.02 and Block 21.20, Lot 4.01, with a total of 4.15 acres of land (labeled as number 5 on Map 6).

The park is on the far southwestern edge of the Borough municipal boundary adjacent to Berkeley Township to the west and Beachwood Borough to the south. It is also directly across from Jakes Branch County Park and nearby Double Trouble State Park further west along Jakes Branch Creek. The park was formerly a beach club, as the name suggests, and according to the historic aerials, the beach was first established around 1963, the same time as the surrounding neighborhood was being built.

Map 10: Brookforest Beach Club parcels on Borough Tax Map



Map 11: Birdseye view of Brookforest Beach Club with estimated lot lines in yellow (Bing Maps)



Although the park is no longer used as a beach, there is still a sandy, but overgrown area along the edge of the water, as well as a lifeguard chair. The water depth is likely shallow in this part of the creek, although may still be swimmable and navigable by small watercraft due to its history as a beach club. The beach area is now in poor condition for that particular use, but with the removal of some of the new underbrush growth, algae in the water, and litter, the park could be used as a small non-motorized boat launch or cleaned up and the sand replenished for a beach. Further along the creek to the east and west, the conditions remain unknown, but from a site visit, it appears that there are not currently any cleared footpath or navigable waterway.

The neighborhood playground appears to be new and in good condition. Based on historic aerial images, the playground was cleaned up and new equipment was added sometime around 2012.



Figure 1: Brookforest Beach Club Park with playgrounds and Jakes Branch in the background



Figure 2: Facing east along Jakes Branch at Brookforest Beach Club



Figure 3: Facing west along Jakes Branch at Brookforest Beach Club

Based on the site visit and map analysis, Brookforest Beach Club is ideally situated to serve as a major public access point for a network of open spaces. The park is the furthest access point to the west in South Toms River and could serve as the “Western Gateway” to the Jakes Branch Creek trail and to the municipal public access area. However, additional parking or a trail connecting to another site with parking may be necessary for this park to function more effectively, due to its somewhat isolated location. Furthermore, the creek may require significant clearing of overgrowth between this site and the next and/or a footpath cleared for a trail. Additional on-site investigation is required to determine the navigability, as well as the ability of the park to handle additional traffic and parking.

Signage: Signage and fencing for all parks, beaches, and rivers within the Borough are regulated by Section §8-1.3 of the Municipal Code. The only sign on the property is a warning at the water’s edge “No Diving or Swimming”.

Restrooms: There are no restrooms available on-site or in the vicinity of Brookforest Beach Club.

Parking: A small parking lot is available on Lot 4.01, which offers space for approximately 16 parked vehicles, although there are no painted stalls. Street parking is also available; however, it is located in a low-density residential neighborhood. The parking lot is seldom used because the park currently functions primarily as a neighborhood park and is within walking distance of the western part of the neighborhood.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There are no designated parking spaces, pathways, or handicap-accessible playground equipment.

Site 3: Double Trouble Road (West)

An existing visual access point is located west of Double Trouble Road where it crosses Jakes Branch Creek (#3 on Map 6). A sidewalk and a guardrail cross the bridge on the west side of the road, at which point one can view the creek. However, the sidewalk ends abruptly approximately 25 feet beyond the bridge in both directions.

The creek can also be accessed by foot on the other side of the guardrail as the adjacent land is municipal land, but is very overgrown. The western side of Double Trouble Road proved to be much easier to navigate by foot than the eastern side, although Jakes Branch Creek appeared very shallow. In terms of overall municipal public access, this site was chosen as a point of access to determine the navigability of Jakes Branch Creek west from Brookforest Beach Club towards Toms River in the east.

Map 12: Site 3 highlighted on Borough Tax Map



Map 13: Site 3 on aerial image (Google Maps)

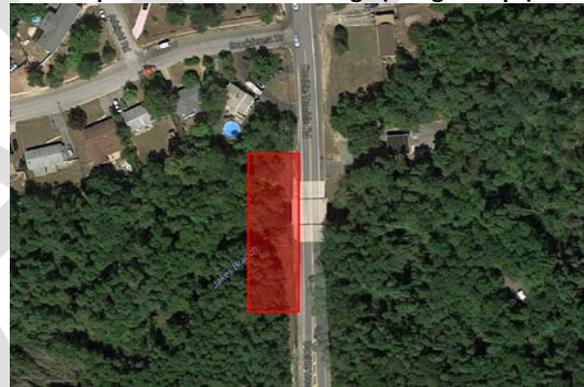


Figure 4: Southbound side of Double Trouble Road facing north along the shoulder/sidewalk

The Double Trouble Road bridge overpass appears to have been constructed fairly recently, but the opening above the water is not high enough to allow for small watercraft to pass through. Therefore, while pedestrian access may be possible in the future if a path is cleared, any watercraft use would be restricted to either side of the bridge and would also be severely impacted by the

significant amount of fallen trees. However, small boats could be carried across the road to the opposite side if a crosswalk or signal was put in place.



Figure 5: Southbound side of Double Trouble road facing south with view of overpass over Jakes Branch



Figure 6: Southbound side of Double Trouble Road overpass



Figure 7: Wetlands and low-hanging branches on western/southbound side of Double Trouble Road



Figure 8: West of Double Trouble Road – Jakes Branch is snagged with branches and fallen trees and surrounding land is wetlands

Despite the difficulty entering the site by land on the eastern side of Double Trouble Road, it is much easier on the western side. It is possible that a footpath could be created alongside the creek with some work, and the creek could be cleared in certain areas to navigate small non-motorized watercraft (i.e. kayaks or canoes) on either side of the bridge. A crosswalk or signalization at the bridge would allow people to continue along the path or creek on either side. The site is easily accessible from either side of Double Trouble Road and the land is gently sloping such that a ramp could be provided. Parking would be limited due to the lack of space, unless a new clearing was made, but some parking could be easily accommodated along either side of the road.

Signage: There is no existing signage at this site.

Restrooms: There are no restrooms available on-site or in the vicinity of this site.

Parking: Parking is only currently available on the shoulder of Double Trouble Road and in the grass alongside the road.

Handicap accessibility: The site is not currently designed to be handicap-accessible. While there is a new sidewalk that crosses the bridge, the sidewalk does not connect beyond the bridge and there is no ramp.

Site 4: Double Trouble Road (East)

Jakes Branch Creek passes easterly through South Toms River below the Double Trouble Road overpass. The creek is viewable from the road, although there are no other public improvements, such as a sidewalk, to make the site otherwise accessible.

Map 14: Site 4 shown on Borough Tax Map



Map 15: Site 4 on aerial image (Google Maps)



The land adjacent to the Creek is densely forested, with the exception of the entrance to the adjacent public water supply facility on Block 18, *Toms River Water (Altus Group)*, which prohibits trespassing. The land on the eastern side of Double Trouble Road is generally impassable when traveling along the creek by foot due to a lack of a path, as well as an abundance of fallen trees and thorny underbrush.



Figure 9: East side of Double Trouble Road facing south



Figure 10: Adjacent public water supply facility



Figure 11: General condition of land surrounding Jakes Branch around Double Trouble Road



Figure 12: Some of the trees and vegetation fallen into Jakes Branch near Double Trouble Road

Signage: There is no existing signage at this site.

Restrooms: There are no restrooms available on-site or in the vicinity of this site.

Parking: Parking is only currently available on the shoulder of Double Trouble Road and in the grass alongside the road.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There is no sidewalk on the eastern side of the road, but there is a shoulder.

Site 5: Center Homes Park

Center Homes Park is situated on Block 17, Lot 6 north of Jakes Branch Creek along the edge of the forest at Edgemont Terrace off of Ardmore Avenue. As implied in the name, the park was intended to serve the new subdivision community in the center of the Borough.

The area in question was formerly an active park which was built sometime between 1972 and 1986 after the adjacent subdivision had been established for approximately 10 years. The park contains a paved area for basketball courts and opens to a system of passive walking paths along Jakes Branch. Although the courts occupy a small area of land, the park sits on a long, narrow lot that is 5.5 acres of Borough-owned land, which extends the length of the subdivision.

Map 16: Block 17, Lot 6 highlighted in red on Borough Tax Map, with general area of formerly improved park in yellow



Map 17: Aerial view of Center Homes Park with estimated lot lines in yellow and entrance indicated by red arrow (Bing Maps)



The entrance into the park is located at the end of Edgemont Terrace, a dead-end residential road. The entrance is an ambiguous, overgrown, and unpaved driveway that is inconspicuous from the road. The driveway opens onto the paved basketball court with poles that previously served as basketball hoops. This is the primary feature of the park, but does not appear to be maintained and is in very poor condition.

Although the park offers the opportunity for active recreation, the poor condition of the park is testament to the reinforcing duality of its underutilization and lack of maintenance by the Borough.



Figure 13: Park entrance on Edgemont Terrace



Figure 14: Center Homes Park basketball court condition

Surrounding the basketball court is sandy terrain and dense vegetation – in particular, Atlantic White Cedars heavily populate this area. From the court, there is a sandy trail nearly 500 feet long that leads southwest towards Jakes Branch Creek. The trail reaches a point where it may have once crossed the creek over a wooden bridge, where now only the pilings and logs for a makeshift crossing remain. Immediately to the west, the creek reaches a swampy area that may have been a bog and the trail was likely where bog iron was extracted and removed by rail. The bridge was visible on the historic aerials for many years until about 1986, but there is no evidence available of its operability or utilization.



Figure 15: Wooden pilings at Jakes Branch



Figure 17: Jakes Branch near the trail and park



Figure 16: Sandy trail from Center Homes Park to Jakes Branch creek



Figure 18: Opening within forested area between Center Homes Park and Jakes Branch



Figure 19: Jakes Branch bog to the west of the trail

Although the park does not technically contain any direct access to Jakes Branch Creek, access can be provided through the adjacent municipal lot on Block 17, Lot 4, labeled as “cranberry bogs” on the Borough’s tax map. Therefore, it is considered secondary access, but would be part of the greater park system.

The park is no longer utilized, nor visibly maintained, and therefore it is both an *existing* passive visual access point and a *proposed* public physical access site, as described in the following section.

Signage: Signage and fencing for all parks, beaches, and rivers within the Borough are regulated by Section §8-1.3 of the Municipal Code. There is no signage on the property.

Restrooms: There are no existing public restrooms at this location or in the immediate vicinity.

Parking: There is no designated parking at Center Homes Park, leaving parking to the side streets. However, parking is currently accommodated in a small sand lot at the entrance and the basketball court is also temporarily usable as parking while it remains inactive. Assuming the restoration of the park to its previous state, parking could pose a problem for public access. If an additional small area can be cleared and paved with an access drive or the park setup can be reconfigured, parking could be easily accommodated for guests. With the redevelopment of the landfill property with additional public active recreation, including fields and courts, it is possible that the basketball court could be used as parking instead.

Handicap accessibility: Center Homes Park is not currently designed to be handicap accessible.

Site 6: Flint Lake – Flint Road Overpass (West)

Map 18: Flint Road West visual access highlighted in red on Borough Tax Map



Map 19: Aerial view of Flint Road West visual access highlighted in red (Google Maps)



Between the northbound section of Route 9 Parkway Access to the west and Flint Road to the east, Jakes Branch reaches a point where it becomes very wide between about 165 feet to 215 feet for approximately a length of one-fifth of a mile. This body of water does not have a designated name; however, due to its size similar to that of a small lake and its location along Flint Road, it will henceforth be referred to as “Flint Lake”.

Flint Lake is found in the Conservation-Residential (CR) Zone on the eastern end of Jakes Branch. According to Ordinance #8-13, Section 26-22, “It is the desire of the community to preserve and protect the established character of neighborhoods in the Borough and to encourage a compatible relationship between new or expanded houses and traditional neighboring structures that reflects the best of the local character, particularly in terms of scale, siting, design features, and orientation on the site.” Therefore, development is limited in this zone, although much of the surrounding land abutting the pond is primarily private, low-density residential property, as well as some condominiums, and a boat storage yard. There is roughly a 30’ vegetated buffer around much of the lake.



Figure 20: Facing East towards Flint Road overpass



Figure 21: Facing West over Jakes Branch “Flint Lake” and surrounding residential land

Public access is currently limited to visual access in at this location from Flint Road; however, the sidewalk on Flint Road ends immediately to the north of the bridge, further limiting access for pedestrians.

Providing public access by land in this location without an easement may prove difficult with the amount of privately-owned land surrounding the lake, although a widened shoulder on the bridge and pedestrian signage could be sufficient. On the other hand, riparian rights entitle people to the use of the lake and Jakes Branch Creek by watercraft if they are able to access it from another location. All access to the lake from the road is bordered by private property, with the exception of three lots to the west that are owned by the municipality and Ocean County. This is a potential physical access site, which is described further in Site 14 (Flint Lake – Mill Street).

Signage: The only signage in this location states that no parking is permitted on either side of the road.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

Parking: As stated on the sign, no parking is permitted in this location.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There are no designated parking spaces or sidewalks.

Site 7: Flint Road Overpass (East)

Immediately to the east of Site 6, on the northbound side of Flint Road, Jakes Branch Creek is visible again from the road as it passes underneath from Flint Lake and out towards the Toms River.

Map 20: Flint Road East visual access highlighted in red on Borough Tax Map



Map 21: Aerial view of Flint Road East visual access highlighted in red (Google Maps)



This is a visual access point only; however, there aren't any sidewalks on this side of the road to permit pedestrians to view the creek safely. According to the Borough's tax maps, the creek abuts private property on either side – Block 4, Lot 18 to the north and Lot 21 to the south. The creek is also buffered by thick vegetation on either side along the two properties, although only ten to

twenty feet in width. This makes public access more limited, unless an easement can be provided. However, the creek itself does not appear to be overgrown, but some rocks may need to be moved.



Figure 22: East towards Jakes Branch Creek from Flint Road (Google Streetview, 2014)



Figure 23: Flint Road facing north with Site 6 to left and Site 7 to right (Google Streetview, 2014)



Figure 24: East side of Flint Road overpass



Figure 25: Facing East from Flint Road over Jakes Branch creek



Figure 26: Municipal-owned property on the North side of Jakes Branch and East of Flint Road

After passing underneath the Flint Road overpass, Jakes Branch once again narrows to its typical width of approximately 15 to 20 feet for the next 360 feet until it reaches the area behind the commercial businesses on Route 166, passes under the Atlantic City Boulevard/Route 166 Bridge, and then meets the Toms River.

Signage: The only signage in this location states that no parking is permitted on either side of the road.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

Parking: As stated on the sign, no parking is permitted in this location.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There are no designated parking spaces or sidewalks.

Site 8: Route 166 (West)

Site 8, known as Route 166 (West), is located on the western side of the U.S. Highway Alt. Route 9/Route 166/Atlantic City Boulevard overpass where Jakes Branch Creek meets the Toms River between Mathis Veterans Memorial Park and Crabbe Road. This location offers primary visual access of Jakes Branch Creek to the west and the Toms River to the east. However, the site is only currently visual access because it is located along a major road; it is unimproved, and unutilized. The site presents an opportunity for active or passive recreation with the improvement of the Barnegat Branch Bicycle Trail, which is projected to cross the bridge at this point and join the adjacent land to the north and south on the west side. The adjacent land to the west is owned by CRR-NJ Toms River & Barnegat Branch.

Map 22: Site 8 highlighted in red on Borough Tax Map



Map 23: Birdseye view of Site 8 highlighted in red (Bing Maps)



Figure 27: Site 8, facing west toward Jakes Branch Creek (Google Streetview)

Signage: There is no existing signage in this location.

Restrooms: There are no public restrooms available on-site or in the vicinity of this location.

Parking: Parking can be accommodated along the shoulder of the road, but is also available nearby in Mathis Park and Cedar Point.

Handicap accessibility: The site is not currently designed to be handicap-accessible.

Site 9: Route 166 (East)

Site 9, known as Route 166 (East), is located on the eastern side of the Route 166/Atlantic City Boulevard overpass where Jakes Branch Creek meets the Toms River between Mathis Veterans Memorial Park and Crabbe Road. This location has similar properties to those of Site 8 directly across the road. However, this is a longer stretch of road, although partially improved with a sidewalk at the overpass. With the Barnegat Branch Trail occupying the west side, an extension of the existing sidewalk on the east side would be logical and would connect to the existing sidewalk at Mathis Park to the north and to the commercial district and Cedar Point to the south.

Map 24: Site 9 highlighted in red on Borough Tax Map



Map 25: Birdseye view of Site 9 highlighted in red (Bing Maps)



Figure 28: Pedestrians walking along east side of Route 166 at Site 9 (Google Streetview)

Signage: There is no existing signage in this location.

Restrooms: There are no public restrooms available on-site or in the vicinity of this location.

Parking: Parking can be accommodated along the shoulder of the road, but is also available nearby in Mathis Park and Cedar Point.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There are no designated parking spaces and the short extent of sidewalk does not have an ADA-compliant ramp.

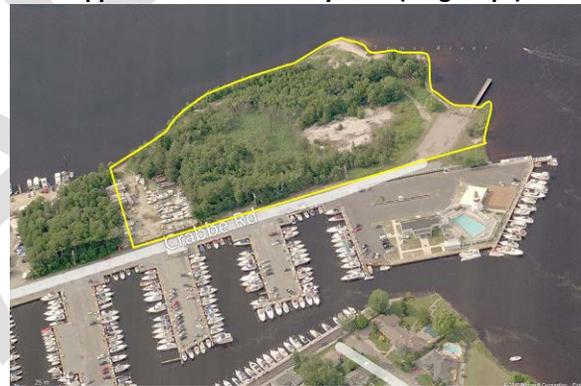
Site 10: Cedar Point

Cedar Point is a public access point on a peninsula on Crabbe Road on the Toms River, adjacent to the Lighthouse Point Marina/Yacht Club. The park is characterized by a small wooded area, a short sandy beach, a fishing pier, and nearly 270-degree sweeping views out onto the river. There is also a small parking lot at the end of Crabbe Road by the pier, which has relatively new light installations and fencing. Directly to the West across the mouth of Jakes Branch where it enters Toms River lays Mathis Park. Cedar Point is situated on 10.14 acres of Borough-owned land on Block 5, Lot 5, zoned as Municipal Land (ML) with both passive and active waterfront.

Map 26: Cedar Point tax lots highlighted in red on Borough Tax Map



Map 27: Birdseye view of Cedar Point with approximate lot lines in yellow (Bing Maps)



Lot 4 is also a Borough-owned lot that was previously leased by Miller Yacht Sales and now included with the abandoned marina as an Area In Need of Redevelopment. The bulkheading, finger docks and pilings had been neglected and were deteriorated and then destroyed during Superstorm Sandy. Lot 4 is found two lots to the West. In between Lot 4 and 5 is Lot 6, which is a vacant “exempted” lot. The lot was previously leased for boat storage, but the Borough has not permitted that use in several years. The Waterfront Redevelopment Plan envisions that this property will be part of a waterside walkway to be improved by the redeveloper of the Miller Yacht Sales property under a redevelopment agreement.

The Lighthouse Point Marina, a privately-owned marina, is on the southern side of the peninsula. The rest of the peninsula was developed in the late 1950s and ‘60s and the marina lagoons were dredged where there once was land.

The surrounding area, including the park, sustained heavy damage by Superstorm Sandy in 2012. One of the adjacent marinas along Atlantic City Boulevard lost many of its boats from severe flooding and several of them ended up in the wooded area of the park. During the site visit in April 2015, a large section of the wooded area and along the shoreline had been cleared for a path to remove debris since the storm and was mostly mud or dirt.



Figure 29: Facing to the northwest over the Toms River towards Mathis Plaza/downtown Toms River Township



Figure 31: Facing east over the Toms River with the Lighthouse Point Marina to the right



Figure 30: Facing east along the northern waterfront of Cedar Point, cleared to clean debris from Superstorm Sandy



Figure 32: Wooden pier over the Toms River facing north with beach to the left

The municipally-owned area of Cedar Point is mostly wooded, but does contain several features which make the park stand out. The small beach (as seen in Figure 32) provides a calm place for wading for children and families that may not want to travel to the Atlantic beaches. The wooden pier (Figure 32, Figure 34) provides a place to walk by the water and to fish. New colonial-style light fixtures (Figure 33) and other design elements around the parking lot also add to a sense of place within the park. Recycling and trash disposal bins are also provided.



Figure 33: Example of relatively new lighting fixtures and fencing



Figure 34: Facing south from end of pier; beach to the right and parking lot directly ahead

Signage: Signage and fencing for all parks, beaches, and rivers within the Borough are regulated by Section §8-1.3 of the Municipal Code. Current signage restricts loitering, warns against intoxication, restricts docking or launching of boats and personal watercraft. Additionally, a sign is posted along the street frontage of the park, which states: “This project is funded in full with financial aid from the Community Development Block Grant Program, U.S. Department of Housing and Urban Development, Administered by the Ocean County Board of Chosen Freeholders.”

Restrooms: No public restroom facilities are provided at Cedar Point. The closest restrooms are privately owned at Lighthouse Point Marina on Crabbe Road.

Parking: A parking area is provided within the park at the end of the peninsula, with the closest parking stalls located approximately five feet from the beach and fifteen feet from the pier and the water. There are no painted/designated parking stalls, but there are concrete parking blocks indicating the spaces. There are at least 27 available parking spaces, which is sufficient given the use of the park and the small size of the beach. Parking is unrestricted.

Handicap accessibility: The parking lot area is handicap accessible, with handicap spaces designated at the entrance of the fishing pier. The water can be seen from the parking area; however, the beach, pier, and wooded area are not handicap accessible due to rough and sandy terrain.

Site 11: Mathis Veterans Memorial Park

Mathis Veterans Memorial Park is a passive, formal plaza on Block 3, Lots 1-4 with 3.59 acres of Borough-owned land, located directly on the Toms River waterfront. The park has existed since at least 1931, but was recently redesigned and remains in fair condition. The buildings that were once on the adjacent lots have been removed and the lots have been merged.

Map 28: Mathis Plaza tax lots highlighted in red on Borough Tax Map



Map 29: Birdseye view of Mathis Park with approximate lot lines in yellow (Bing Maps)



The park sits on a triangular-shaped peninsula of land to the east of Atlantic City Boulevard at the intersection of Jakes Branch and the Toms River. There are unobstructed views of downtown Toms River, Cedar Point, and the river into Barnegat Bay to the East. Huddy Park, which is in Toms River, is also directly to the northwest along Atlantic City Boulevard, although the pedestrian connection needs to be improved.

Mathis Park is a passive recreational area with primary visual access to the waterfront. The public space includes a large grassy area with a gazebo situated in the center of the plaza and a concrete promenade along the waterfront perimeter. As a passive site, there aren't any defined recreational activities or boat launches. It is often used as a place for people to look out over the river from their cars in the parking lot or to walk the perimeter. This location also serves as a sort of town green, often hosting special events, including "Food Trucks on the Waterfront".



Figure 35: Temporary food trucks and picnic tables in the park

The Barnegat Branch Bike Trail may potentially extend along Route 166/Atlantic City Boulevard past Mathis Park and will give the park more visibility and the opportunity to be more accessible to a larger constituency. The provision of more activities and features to attract trail users and other visitors to this prominent landmark is highly encouraged.



Figure 36: Stamped concrete waterfront promenade with views along the Toms River



Figure 37: View from plaza driveway looking towards Toms River



Figure 38: Facing north across the Toms River to Toms River Township waterfront and WaterStreet Restaurant



Figure 39: Facing north along the East side of Atlantic City Boulevard and Mathis Park

Mathis Veterans Memorial Park has the largest existing capacity for parking of all of the parks, with the exception of the Athletic Fields/Community Center. It could be an alternate location to launch small boats or personal non-motorized watercraft with the installation of the appropriate lifts or floating docks, if feasible, due to its unimpeded access to the waterfront. Personal watercraft could then be taken in a variety of directions, including east across the inlet to Cedar Point and downriver Toms River, south through Jakes Branch, or west upstream Toms River.

Overall, the space is somewhat utilized, although it offers much more opportunity. This open public space has the greatest potential to become the “Eastern Gateway” of the municipal public space network, if the space is designed to be more activated.

Signage: Signage and fencing for all parks, beaches, and rivers within the Borough are regulated by Section §8-1.3 of the Municipal Code. Signage within the plaza includes signs at both entrances that restrict parking on the grass, restrict oversized vehicles and prohibit dogs. The only identification sign is located within the tree lawn between the sidewalk and curb.

Additionally, a sign is posted along the street frontage of the park, which states: “This project is funded in full with financial aid from the Community Development Block Grant Program, U.S.

Department of Housing and Urban Development, Administered by the Ocean County Board of Chosen Freeholders.”



Figure 40: CDBG sign along street frontage



Figure 41: Regulatory signage in Mathis Plaza

Restrooms: No public or private restrooms are provided on the site of this project.

Parking: Parking is located directly onsite with at least 63 permanent parking stalls in three different parking areas and an additional undesignated lot where food trucks typically park. The majority of the parking stalls are located in the two parking areas along the waterfront promenade and face perpendicularly towards the water. These stalls are located between the central gazebo and the water, separated from the promenade by concrete blocks and at least three to five feet of grass buffer. The third parking area is also onsite, but approximately fifty feet from the waterfront promenade.



Figure 42: Driveway and parking area along the waterfront in Mathis Plaza



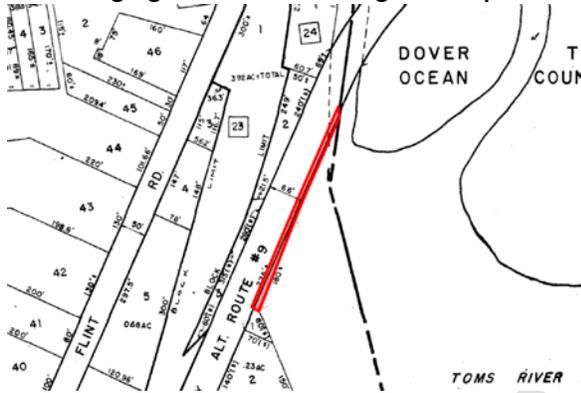
Figure 43: Aerial image of part of driveway and parking area in Mathis Plaza

Handicap accessibility: Mathis Plaza is slightly elevated from the road, Route 166, but an ADA-accessible municipal sidewalk passes along the western edge of the plaza, meeting the park entrance. Internally, the only sidewalk is a promenade located along the waterfront perimeter of the plaza and from the driveway to the central gazebo. However, there are no sidewalks connecting the sidewalk along Route 166 to the waterfront promenade, only a paved driveway. On the other hand, there are designated ADA-accessible parking spaces within the plaza parking lot located next to the promenade. The red arrow in Figure 43 indicates one of the handicap spaces.

Site 12: Toms River Crossing I (East)

Site 12, referred to as Toms River Crossing I (East) is located in the northeastern part of the Borough along the Toms River at the border of Toms River Township. It is a point of visual access only along the side of the Route 166/Atlantic City Boulevard northbound crossing. It is technically located on Block 3, Lot 1, but is differentiated from Mathis Plaza by use, size, and type of access.

Map 30: Block 3, Lot 1 (Site 12) visual access highlighted in red on Borough Tax Map



Map 31: Route 166 East visual access highlighted in red on aerial map (Google Maps)



In addition to being one of the few locations to view the Toms River, this strip of land is important as it provides a connection between Mathis Plaza in South Toms River and Huddy Park in Toms River Township. The sidewalk becomes more of a dirt path in this area and is very narrow, but is protected by a guardrail on both sides. There are various signs in the route of the path and it is also fairly overgrown, which provide additional hurdles for public access, particularly for handicap access.



Figure 44: Site 12 on east side of Route 166 (Google Streetview)



Figure 45: View of the Toms River from Site 12 (Google Streetview)

Signage: There is road signage referring to a stoplight; “No stopping or standing”; and “Right lane must turn right”; as well as a welcome sign for Downtown Toms River and an NJDOT sign “Entering Twp of Toms River” at the border with Toms River Township. These signs are placed within the walking path.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

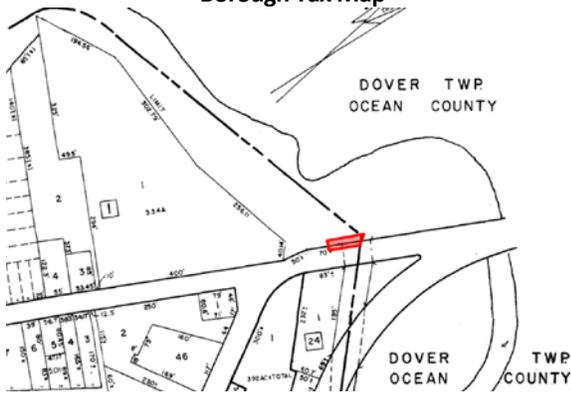
Parking: As stated on the sign, no parking or standing is permitted in this location. However, parking is available at Mathis Plaza and various surface lots in Toms River Township.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There are no designated parking spaces or sidewalks.

Site 13: Toms River Crossing II (West)

Site 13, hereto referred to as Toms River Crossing II (West), is a public right-of-way located on the west side of northbound South Main Street in the northeastern most part of South Toms River Borough, along the Toms River at the municipal border with Toms River Township. This is a point of visual access only. The site is very small and only extends the width of the sidewalk from Herflicker Boulevard to the overpass, where it then enters Toms River Township. There are no other amenities in this location other than the sidewalk and the guardrail along the edge of the bridge.

Map 32: Site 13 visual access highlighted in red on Borough Tax Map



Map 33: Site 13 visual access highlighted in red on aerial map (Google Maps)



In this location, South Main Street handles slow northbound one-way traffic. There is a sidewalk on the west side and wide shoulders that are painted to prevent parking or driving. If coordinated with the Township of Toms River and Ocean County, a wider esplanade or green space and buffer could be provided in the existing shoulder. Another option would be to provide on-street parking on South Main Street within the shoulder.



Figure 46: View of the Toms River from Site 13 (Google Streetview)

Signage: There is no signage at this location.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

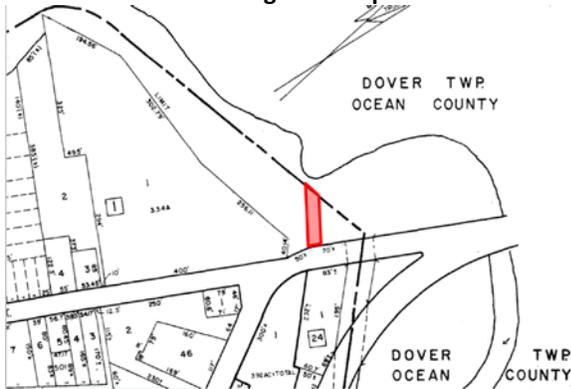
Parking: Parking is unavailable in this location; however, there is nearby parking at Huddy Park and other surface lots in Toms River Township.

Handicap accessibility: The sidewalk is handicap-accessible.

Site 14: Toms River Crossing III (South)

On the south side of Herflicker Boulevard across from Site 13 is Toms River Crossing III (South), or Site 14, which is the third river crossing and is also found in the northeastern corner of the Borough along the border with Toms River Township. This is another visual only access point and is located along the sidewalk in the public right-of-way along the southbound side of Herflicker Boulevard.

Map 34: Site 14 visual access highlighted in red on Borough Tax Map



Map 35: Site 14 visual access highlighted in red on aerial map (Google Maps)



A wide sidewalk extends the length of the bridge on the south side of the road and into Toms River. Crosswalks are provided on the Borough side at the intersection of South Main Street and Herflicker Boulevard crossing in both directions.

The sidewalk, which serves as the public access point, is divided into two by a fence approximately 3 ½ feet tall. The fence is likely intended to separate bicycle traffic from the Barnegat Branch Bicycle Trail to the south side of the bridge along the river edge, based on the unfinished asphalt path on the Toms River side of the bridge. The sidewalk is not ideal for bicycles, but if it is intended for bicycles, signage and painted lanes should be included. If possible, a bicycle lane should be placed adjacent to the road rather than on the outside, both to provide a buffer for pedestrians and to provide the benefit of the river view for slower moving pedestrian traffic. If the fence is not intended for bicycle traffic, the dividing fence may act as a barrier for pedestrian visual access because there are no cuts in the fence to cross sides. Additionally, there is a large fence along the edge of the bridge, but provides visibility of the river.



Figure 47: View of the Toms River from Site 14 (Google Streetview, Oct. 2015)

Signage: There is no existing signage at this location, with the exception of a “Do Not Enter” street sign placed in the center of the sidewalk. Directional signage for pedestrians and bicyclists should be included here to prevent any confusion and potential accidents.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

Parking: No parking is available in this location. Nearby parking is available in Toms River Township and there is an adjacent private commercial parking lot.

Handicap accessibility: The sidewalk is handicap accessible with ramps and is wide enough to allow wheelchairs and other pedestrian traffic.

Site 15: South Main Street (North)

Site 15, hereto South Main Street (North), is located on Block 11, Lot 1 on the southern side of the former Industrial complex, now Mixed-Use zone, on the northern peninsula of South Toms River. The land lies along the west side of South Main Street between Wrangle Pond and the Toms River. The entire tax lot includes 760 square feet and is about 28 feet wide from South Main Street to the water in most places, although widest at the intersection with River Road.

This is a visual access point, although there is no evidence of its regular utilization. Access to this location is currently restricted by ownership, but is not gated or posted. The river can also be seen from the sidewalk in several spots, although the partially obstructed by vegetation.

Map 36: Block 11, Lot 1 highlighted in red on Borough Tax Map



Map 37: Block 11, Lot 1 highlighted on aerial map (Google Maps)



The site is a narrow (approximately 28 feet wide and 760 feet long), grassy area along the Toms River with some trees and coastal vegetation buffering the river's edge. The only improvements include a sidewalk along South Main Street and curb stops for the adjacent parking spaces, as well as powerlines that run within the grass buffer between the street and sidewalk. The site is undeveloped and is too narrow and long for any development to occur, in addition to being in a sensitive, flood-prone area between the river and wetlands on Block 2, Lot 10 (Site 16) to the east.



Figure 48: The grassy site on South Main Street, facing south



Figure 49: Facing southwest towards the Toms River

This location could serve as an additional physical public access point to Toms River, provided there is coordination with or acquisition or easement from the current owner, Toms River Associates, LLC (current assessed value is only \$4,000). The available open space area is small, but could potentially be used as a "pocket park" with a boat launch for personal watercraft, such as kayaks or canoes to be used on the river, and passive recreation and benches for sitting. The sidewalk could also be improved to become more of a wider promenade with pervious materials and river views. Due to the size of the park, additional parking may not be necessary and could be accommodated along the river where it is currently. However, the parking area should be cleaned up and covered with gravel or a pervious surface. Temporary parking for boat trailers could be shared with the Mixed-Use

warehouse lots for both purposes. A handicap-designated parking spot should be located closest to the access point.

Signage: A street sign, which states “No stopping or standing” and a non-obstructive temporary sign for the Skate Park are located at the corner of the lot. There is also a “No Litter - \$100 Fine” sign further south along South Main Street.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

Parking: As stated on the sign, no on-street parking is permitted. There are presently curb stops on the northern side of the lot, indicating parking stalls.

Handicap accessibility: The site is not designed to be handicap-accessible. There are no designated parking spaces and the sidewalk does not have an ADA-compliant ramp.

Site 16: Wrangle Pond – South Main Street (East)

The wetlands on Block 2, Lot 10, henceforth known as Wrangle Pond – South Main Street (East), is located at 70 South Main Street (County Road 530). The land and pond are under private ownership, thus restricting any public physical access. The owner has also placed a sign stating “Private Property – No Trespassing” along the street frontage. Therefore, the public is limited to visual access from the sidewalk or road.

However, the sidewalk is not properly maintained nor ADA-accessible and does not extend to the south of the site. Additionally, there are no crosswalks within a reasonable distance to the other side of the road to Sites 15 or 17.

Map 38: Visual access site on Block 2, Lot 10 highlighted in red on Borough Tax Map



Map 39: Visual access site on Block 2, Lot 10 highlighted on aerial map (Google Maps)

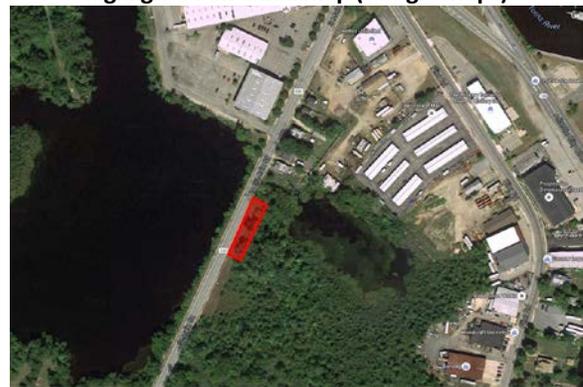




Figure 50: View of the wetlands from South Main Street (looking east)

In order to improve accessibility to this site, the existing sidewalk should be improved in this location to be ADA-compliant and extended south along the east side of South Main Street. A crosswalk should also be placed nearby to allow visible and safe east to west crossing. This site will remain a visual access point.

Signage: There is one street sign which states: “No stopping or standing” on either side of the road.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

Parking: As stated on the sign, no parking is permitted in this location.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There are no designated parking spaces or sidewalks.

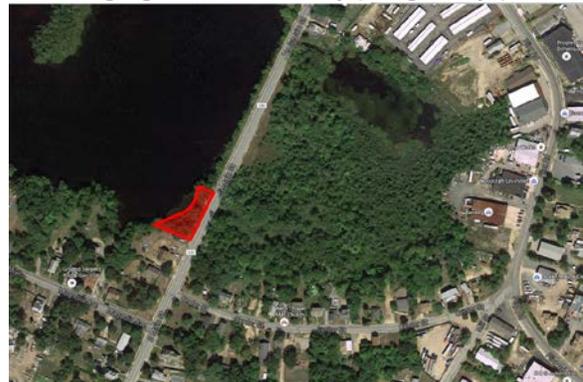
Site 17: South Main Street (South)

Site 17, hereto known as South Main Street (South), is a municipally-owned property located on Block 11, Lot 2 at 83 South Main Street (County Road 530) in the B1 zone. The land is 100’ x 64’ and has a total value of \$300 with no improvement value.

Map 40: Visual access site on Block 2, Lot 10 highlighted in red on Borough Tax Map



Map 41: Visual access site on Block 2, Lot 10 highlighted on aerial map (Google Maps)



The entire site is covered in dense coastal vegetation, although the Toms River is visible from several vantage points, as shown in Figure 51 below. The site could be partially cleared to make a second pocket park, similar to Site 15, which would allow passive recreation, including sitting and/or fishing.



Figure 51: View from southbound South Main Street (Google Streetview, 2014)

Signage: Two street signs in the vicinity along South Main Street, one which states “No stopping or standing” and one which states “No Litter - \$100 Fine”.

Restrooms: There are no restrooms available on-site or in the vicinity of this location.

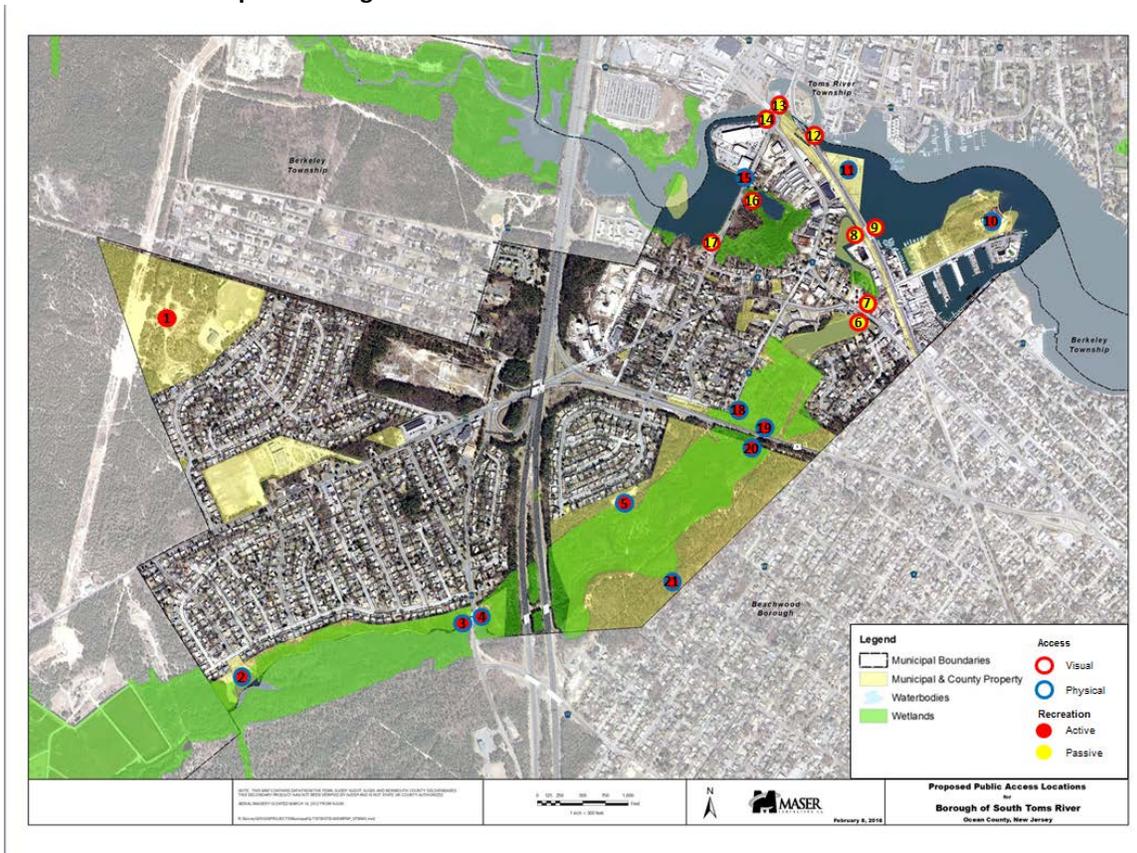
Parking: As stated on the sign, on-street parking is not permitted along South Main Street. Parking may be difficult to accommodate in this location.

Handicap accessibility: The site is not currently designed to be handicap-accessible. There are no designated parking spaces or sidewalks.

2. Proposed South Toms River Borough Enhanced Public Access Sites:

In addition to the existing sites described above, we have identified a number of other locations that could also serve as public access to trails or as open spaces as part of a network. The potential locations were first identified by examining aerial imagery for how likely they could be accessed by road, footpath, or navigable waterways. Additionally, there are a number of existing sites listed again below that could be significantly improved. Site visits further confirmed the feasibility of public access and are detailed below. Map 42 displays each potential location along with the existing public spaces, as well as the type of access that they provide.

Map 42: Borough of South Toms River Preferred Public Access Locations



There are four (4) proposed additional locations, which are listed and described below, as well as several existing sites for which improvements or a change in the type of access is proposed.

Site 18: Flint Lake – Mill Street; Primary – Physical Access; Active & Passive Recreation; Unimproved; Unutilized

Site 19: *Route 9 Overpass (East)* – Route 9; Primary – Visual Access; Passive Recreation; Unimproved; Unutilized

Site 20: *Route 9 Overpass (West)* – Route 9; Primary – Visual Access; Passive Recreation; Unimproved; Unutilized

Site 21: *Nautilus Street (Beachwood Borough)*; Secondary Access; Active & Passive Recreation; Unimproved; Utilized

Site 1: Department of Recreation/Athletic Fields

Along with the multifamily development of the land on Block 20, the existing Athletic Fields (Green Acres) is proposed to be moved from Lot 1.02 to 1.04 where the former landfill sits. This relocation would be the least intensive use of the site and would reduce the potential hazards associated with building housing on a former landfill. Relocating the athletic fields and Department of Recreation building to Lot 1.04 would provide larger space and more options for recreation than currently exists.

Additionally, Lot 1.04 abuts Berkeley Township to the west, which is mostly forested with the exception of a JCP&L utility easement. There are some unofficial paths which cross through this area already, but, with the coordination of Ocean County and Berkeley Township, could be transformed into an official trail following the municipal boundary to connect to Brookforest Beach Club (Site 2). In this way, Site 1 could act as a secondary access point to the water.

If the bi-municipal trail is implemented, Site 1 has the greatest potential to function as a starting point, or gateway, to the proposed trails described below, particularly to the Jakes Branch Blueway and South Toms River Greenway trails. Site 1 has an abundance of space for parking and as a new park will offer many other amenities to the public. A new road along the northern border with Manitou Park, Berkeley Township from the site to Dover Road will allow easy access to the recreational facilities.

Site 3: Double Trouble Road (West)

Double Trouble Road (West) has the potential to be transformed from a visual-only and unutilized access point into a physical access point with active and passive recreation. There is a large unimproved area in between Brookforest Beach Club and the successive existing physical access point at Center Homes Park. Therefore, Double Trouble Road is a critical point, but is also a logical access point due to the existing conditions and proximity to a large residential neighborhood.

As described earlier, with coordination with Ocean County, parking can be accommodated along either side of Double Trouble Road. A crosswalk, signage, and signalization should be placed on the road near the site entrance to allow visitors to cross safely. Additionally, the existing sidewalk should be extended north from the overpass to Brookforest Drive.

The gently sloping land from the road to the creek is ideal for a ramp for non-motorized personal watercraft, which could navigate the shallow waters to the west. Non-intrusive footpaths and boardwalks for areas within wetlands could be placed throughout the area between Double Trouble Road (West) and Brookforest Beach Club to facilitate pedestrian, bicycle, and handicap access and to provide north to south crossings that do not interfere with watercraft passage or sensitive natural areas.

However, the site and immediate area are located within the Pinelands area, so any disturbance or removal of trees would require permitting through the Commission.



Figure 52: Example of forest/wetlands boardwalk (courtesy of: www.tedvillaire.com, 2/23/16)

Site 4: Double Trouble Road (East)

The east side of Double Trouble Road also provides an opportunity for additional physical access to Jakes Branch Creek. This is another strategic point because the existing Double Trouble Road bridge/overpass over the Jakes Branch Creek is too short to allow any boat or pedestrian traffic to cross from the west to the east side.

Therefore, a crosswalk and signalization is critical to allow people to move from one side of the road to the other safely, especially for the handicapped and those who might be carrying personal watercraft.

A permit will likely be needed from Pinelands Commission for any clearing and un snagging process for the east side of the road towards the Garden State Parkway. Primarily, a small ramp should be included from the road to the creek and the creek should be cleared to allow watercraft movement eastward. However, a wetlands boardwalk (as shown in Figure 52) could be further extended from the bridge, as well.

Site 5: Center Homes Park

As described in the previous section, Center Homes Park, located at Edgemont Terrace on Block 17, Lot 6, is a former recreational park with a basketball court and a path that provides access to Jakes Branch Creek. Due to the fact that this park is no longer functional or maintained, it only provides secondary visual access to Jakes Branch Creek. Active recreation is possible, but there are no longer any designated recreational activity spaces. However, this Plan proposes that Center Homes Park provide physical access to the water, as well as the possibility of re-establishing space for athletic activity.

Currently, this is the only access to the water between Brookforest Beach Club and the Toms River, except for visual access from Double Trouble Road. Therefore, Center Homes Park is a critical point of public access, particularly for physical access and active recreation.

Center Homes Park would serve very well as a public access point to Jakes Branch Creek and the proposed network of public open space due to its prior use as a park, the existing paved area, and

the existing trail system. The park requires some remediation, including adding signage, either repaving or removing the pavement altogether, clearing the entrance and trails, and un snagging the Jakes Branch Creek to allow for passage.

The paved area could be refurbished into athletic courts, while an adjacent gravel or dirt lot could function as a parking area since the adjoining road is a small residential street and cannot handle a large capacity of vehicles.

Without watershed maintenance, which would include some disturbance of the wetlands, the extent of Jakes Branch to the west between the wooden pilings in the creek and Brookforest Beach Club may be impassable by personal watercraft due to the narrow, shallow, and grassy bog. On the other hand, it may be passable to the east towards Route 9.

A system of wooden pedestrian boardwalks and bridges (Figure 52) could be beneficial to connect the north side to the south side of the municipal land (particularly to Nautilus Street) and to create a trail to the east along Jakes Branch. Further investigation is needed for navigability of the waterways between Center Homes Park and points east, west, and south. However, existing sand and dirt trails provide pedestrian access, but would need to be further cleared and improved for handicap or bicycle access.

In addition to trails, courts, and parking, this may be an ideal site for low-maintenance public restrooms because of its size and midway location. An outhouse-style restroom with composting toilets could be proposed here for public use to be maintained by the Borough Department of Public Works. The restrooms would remain open and would have a handicap accessible ramp.

Site 18: Flint Lake – Mill Street

Block 8, Lots 4, 5, and 6 are all County-owned and extend from Route 9 to the western border of Flint Lake of the width between Mill Street to the north and Beachwood Borough municipal boundary to the south. While the eastern portion of the lake is inaccessible from Flint Road or other roads, the County may be able to allow public access to the lake from Mill Street or Route 9.

Map 43 below shows the Municipal properties in green and the County properties in red around Flint Lake and Jakes Branch Creek.

Map 43: Borough Tax Map with Municipal (green) and County (red) properties around Flint Lake and Jakes Branch Creek



Given the available open County lands, it is possible that access could be provided from Mill Street onto Block 8, Lot 4. A driveway and parking lot could allow boat access from the western side of Flint Lake and out towards Toms River to the east or follow Jakes Branch inland towards the old cranberry bogs (“Diamond Lake”).

Regardless of whether boat access or pedestrian access is more feasible, having available Municipal and County property facilitates the process of providing public access and recreational facilities.

Site 19: Northbound Route 9 Overpass (East)

Route 9 runs slightly diagonally northwest and southeast and serves as a connector road to the Garden State Parkway. The road also crosses over Jakes Branch in the eastern third of the Borough and is located between Flint Lake to the east and Center Homes Park west. The northbound (east side) of Route 9 where it crosses Jakes Branch Creek provides an opportunity for public access. However, because both physical and visual access are more feasible from the southbound (west) side and from Mill Street to the north, this is not a priority location.

Map 44: Proposed Route 9 (East) access point on Borough Tax Map



Map 45: Route 9 (West) access point on aerial map (Google Maps)



Small kayaks and canoes can likely navigate through the underpass along the creek from the west side. On the other hand, a trail should also continue from the west side to the east side and requires a crosswalk, signage, and possibly signalization, in order for pedestrians to cross Route 9 safely.



Figure 53: Existing site conditions (Google Streeview)

The site is presently heavily vegetated and inaccessible. There is no visual or physical access and no sidewalk to reach the site, but there is a grassy area on the shoulder of the road and a guardrail. A more complete access point is possible for the west side of Route 9 and at Site 14, Mill Street, to the east. Therefore, only a crosswalk, trail, creek clearing, and associated signage would be necessary.

Site 20: Southbound Route 9 Overpass (West)

The southbound side of Route 9 (west side) where it crosses Jakes Branch Creek is similar to Site 20 located on the opposite side of the road. The site is not considered an existing public access point due to its lack of pedestrian or recreational infrastructure, the overgrown nature of the site, and lack of visibility of Jakes Branch Creek from the road, but offers the potential for physical or visual access.

Map 46: Proposed Route 9 (West) access point on Borough Tax Map



Map 47: Route 9 (West) access point on aerial map (Google Maps)





Figure 54: West side of Route 9 overpass (Google Streetview)

The Route 9 corridor also serves as a border for two zoning districts: Municipal Land (ML) to the southwest and Conservation-Residential (CR) to the northeast. The largest amount of municipal land in the Borough is found in the area to the southwest of Route 9, east of the Garden State Parkway, south of Ardmore Avenue, and north of Beachwood Borough. This area will provide the greatest opportunity for new public access. However, much of the area to the west of Route 9 is wetlands and, therefore, may present some challenges for access or may limit the ability to provide paths and recreational amenities.

As a major thoroughfare, Route 9 does not provide easy access to Jakes Branch Creek. Although the site can be reached by foot, it is not advisable in its current state without sidewalks and crossings. However, the site can be accessed via an extended path from Center Homes Park or through various points in Beachwood Borough, including Forecastle Avenue (which runs parallel to the creek and perpendicular to Route 9), where there are some existing paths through the forest along the length of the municipal land.

The paths along Jakes Branch are wide and naturally sandy. These trails may have been used for all-terrain vehicles (ATV) at some point, although they are now closed off to vehicles and could still be ideal for mountain biking and hiking. Closer to the creek the land becomes wetlands and likely absorbs floodwater during storms and Spring melting, although it is relatively dry to walk otherwise. Smaller streams cross through the area, as well, and there are several stormwater outflow pipes, such as those shown in Figure 56 and Figure 60 that flow into Jakes Branch, being the lowest point between South Toms River and Beachwood Boroughs. The wetlands are part of a fragile ecosystem, which may require further ecological studies to understand the impact of human activity. However, they make a wonderful place for water activities, bird-watching, and other passive activities, such as walking.

Although Jakes Branch is still shallow at this point, it becomes wider near Center Homes Park and as it reaches Route 9 and passes through to the east. The Route 9 overpass is substantially large enough to allow small personal watercraft to pass underneath and potentially to have an elevated pedestrian walkway, although both may not be feasible together.



Figure 55: Wetlands conditions approaching Jakes Branch from South



Figure 57: Jakes Branch from Route 9 overpass



Figure 56: One of the outflow pipes from Beachwood side, stream flows into Jakes Branch



Figure 58: Path down to Jakes Branch from Route 9



Figure 59: Route 9 overpass over Jakes Branch



Figure 60: Stormwater outflow pipe

The site near Route 9 and Beachwood Borough has significant potential for public access to Jakes Branch with opportunities for various types of recreation. Firstly, and most immediately, visual access could be provided from Route 9 if either a sidewalk were provided along the road between South Toms River Borough and Beachwood Borough or if a parking area were provided on the side of the road. Some trees may need to be cleared for direct visual access; however, there is already a small path leading from the road down to the creek (Figure 58). Secondly, the trails should be improved, either widened and compacted or providing boardwalks in wetland areas.

There are some challenges that the Borough would face in creating open recreational space. Accessibility may pose a challenge for this particular site because Route 9 provides little access to the site as it is currently situated. An improved trail along Jakes Branch from Center Homes Park could prove easy and feasible, as it is only about a 15-minute walk to the Route 9 overpass. Use of a small, non-motorized personal watercraft downstream is another option. A small parking area to the east or west of the wetlands along Route 9 on municipal land should be provided.

Additionally, the land and wetlands should be conserved as much as possible and will likely require approvals from the Department of Environmental Protection for any type of project involving infrastructure, as well as an Environmental Impact Statement. The important and fragile wetlands ecosystem can be disturbed easily; however, it may provide beneficial recreational and educational opportunities to the community as a *natural* “nature center”.

Site 21: Nautilus Street (Beachwood Borough)

Another possibility for access would be to coordinate efforts with the Borough of Beachwood to access Jakes Branch from the south side. The land on both sides of the creek is owned by South Toms River, although it abuts quiet residential neighborhoods in Beachwood. Most streets that abut the forested area do not have access to a trail, but those that do generally have removable gates to block public vehicular access to the trails. However, a small trailhead located at the dead-end of Nautilus Street is not gated, yet small enough to prevent vehicular access.



Figure 61: Access point from Nautilus Street, Beachwood Borough (Google Streetview)

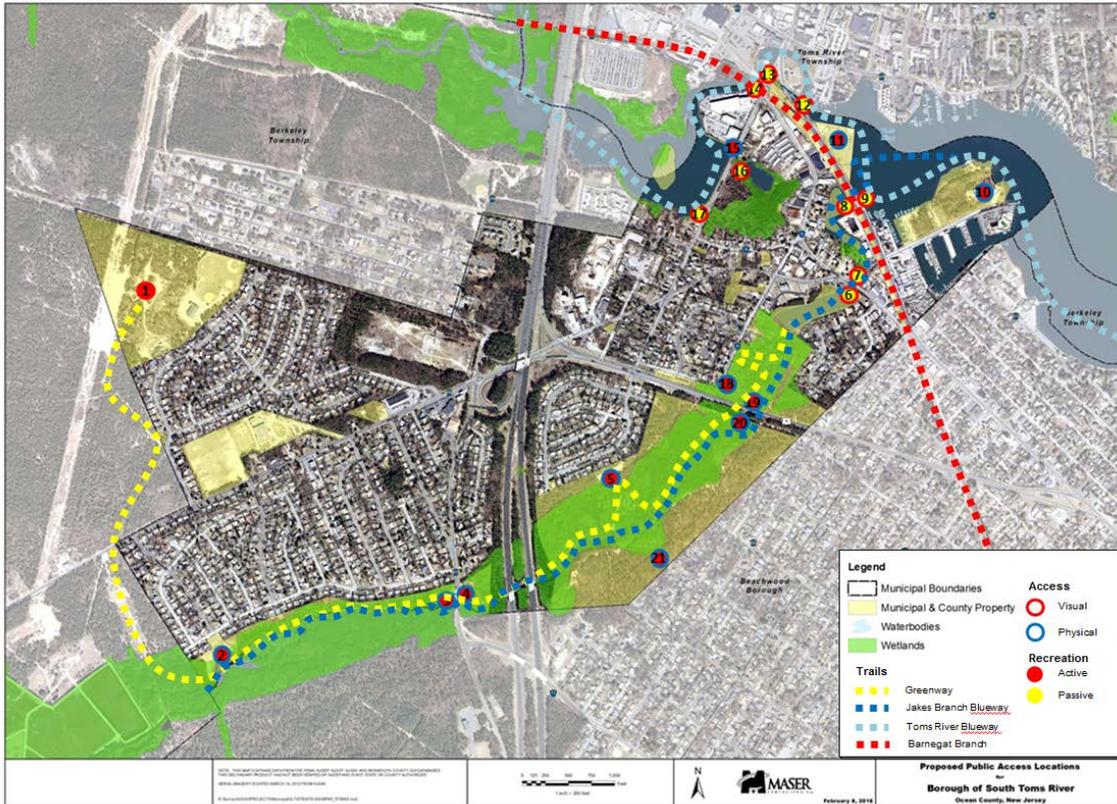
Although a gateway entrance would not be directly accessible to the neighborhoods in South Toms River, it could be connected via ecologically-sensitive boardwalks and paths and further expand access to both residents and other municipalities. Without boardwalks or pervious pavement, this area would not be handicap accessible.

Parking is limited, but available on the side streets of the Borough. A small parking area on a dirt lot could be included within the municipal land beyond the street end and gated in the evenings.

3. Proposed Public Access Trails:

Map 44 below depicts all of the identified existing and potential public access sites throughout the Borough, as well as trails that could connect them into a network. Four different possible trails have been outlined. Of these, the Barnegat Branch Bicycle Trail is the only one which is currently under construction, while the other three are solely based on connecting the sites identified in this Plan.

Map 48: Existing and Potential Public Access Locations with Trails



In addition to the bicycle trail, two of the proposed trails are “Blueway” trails and one is a “Greenway” trail. “Blueway” is a term used to imply that the trail will be navigable via a body of water, or will at least follow a body of water, such as the river. This is similar in concept to a “Greenway” trail, which connects various parks, open space, and natural terrain via roads, sidewalks, or other trails with limited interruptions.

Barnegat Branch Rail Trail

The Barnegat Branch Trail is a current project that is ongoing in Ocean County to convert the former Barnegat Branch Railroad right-of-way into a bicycle and pedestrian path that extends from Barnegat Township to Toms River Township. Although the trail has not yet been solidified in South Toms River, the right-of-way does pass through the eastern portion of the Borough adjacent to the Route 166 corridor on municipal land.

The trail has already been built in Beachwood Borough up to the border of South Toms River, but requires additional approvals to continue its path through to Toms River. Bike lanes and trails, and specifically the Barnegat Branch have been identified as a recommendation in the Borough's Master Plan and in the Route 166 Corridor Redevelopment Plan.

The bicycle trail will pass by Mathis Park, Cedar Point, Flint Lake, and the Toms River Crossings and will allow for a safer alternative for bicycling through the Borough between points north and south. It also passes by one the Borough's most important and attractive features – its waterfront on the Toms River – as well as through the commercial corridor. Therefore it not only meets directly with public access points on the Toms River and Jakes Branch Creek, but is also inherently drawing visitors from other municipalities into the core of the Borough. This presents one of the best and easiest opportunities for South Toms River to contribute to new recreational activity and, subsequently, greater social and economic activity.

Jakes Branch Blueway Trail

With a total of twelve of the twenty-one public access points in the Borough, Jakes Branch Creek could have the most significant contribution to municipal recreation and open space. While the sites are able to function individually, users would each benefit further by the access points being connected via a navigable or semi-navigable Blueway trail.

With the de-snagging of the creek, the trail could theoretically start or end at any point and allow users to go in any direction along Jakes Branch in a canoe or kayak. Some locations, such as the overpass at Double Trouble Road, prevent or obstruct access along the entirety of the creek. At such locations where overpasses are too low, the creek too shallow, and other obstacles, users may have to carry their watercraft across the road in a crosswalk.

Within the Borough of South Toms River, the trail would pass through or within the vicinity of Brookforest Beach Club; Double Trouble Road; Center Homes Park; Nautilus Street; Route 9; Flint Lake – Mill Street; Flint Lake – Flint Road; Route 166; and leads out to Mathis Park and/or Cedar Point.

Toms River Blueway Trail

Similar to the Jakes Branch Blueway Trail, the Toms River Blueway Trail would connect those access points that are located along the Toms River. These can be accessed either by watercraft or following a path along the waterfront.

The Toms River Trail would include Cedar Point, Route 166, Mathis Veterans Memorial Park, Toms River Crossings, and South Main Street within the Borough of South Toms River. However, because the Toms River shares a border with Toms River Township and Beachwood Borough, the trail could also include nearby parks, such as Huddy Park in Toms River and Mayo Park Waterfront Area in Beachwood. This trail could extend the entire

length of the Toms River, which goes all the way out to Barnegat Bay and the barrier island to the east.

Greenway Trail

Other Greenway trails pass through the State of New Jersey and Ocean County, including the East Coast Greenway, which extends much of the length of the east coast of the United States. None currently pass through the Borough of South Toms River; however, there is plenty of open space and parks that are relatively contiguous that could develop a Borough-wide greenway trail, and ultimately connect to a regional network.

This trail could start or end at the current Department of Recreation/Community Center building and Athletic Fields in the northwest of the Borough. There are already a number of amenities in this location, it is regularly used, and there is plenty of parking to be a gateway to the trail. The inclusion of this site in the Public Access Plan is predicated on the ability to make a connection with this trail, as well as the proposed redevelopment of the site.

The trail would then head southwest through the forest in Berkeley Township and loop around the neighborhood until reaching Dover Road. It might share the border with Berkeley Township or follow an existing path until reaching Jakes Branch Creek to the south. From there, the trail would essentially follow the Jakes Branch Blueway Trail, reaching the following access points: Brookforest Beach Club, Double Trouble Road, Center Homes Park, Nautilus Street, Route 9, and finally end up at Flint Lake – Mill Street. This final location at Flint Lake would depend on the compliance of Ocean County to allow public access, parking, and trails.

C. Limitations to Public Access

The following limitations to public access in South Toms River currently exist:

1. *Temporary Restrictions*

This Municipal Public Access Plan recommends that all public physical access locations have restricted hours. Limiting hours will prevent undesirable and unmonitored behaviors, such as loitering, partying, vandalism, et cetera that may be disturbing to area residents. It is encouraged that the use of public access locations occur during the hours of 6:00 a.m. and 8:00 p.m. and be restricted between 8:00 p.m. and 6:00 a.m., or from sundown to sunrise.

Locations that are already covered in the Township Ordinance shall comply with the restricted hours found in Chapter 8-1.10, which states that “No person shall be in or on any municipally-owned park in the Borough of South Toms River except between the hours of 8:00 a.m. and sunset Eastern Standard Time. (1975 Code §3-5.12).”

Section 8-1.7 of the municipal code restricts swimming or bathing in the waters of Toms River using any of the Borough’s riverfront lands, except within the boundary of bathing

beaches established in the chapter. No more than two (2) beaches or less than one (1) bathing beach is authorized on the Borough's riverfront lands at suitable locations.

Additionally, the launching of boats and watercraft is currently prohibited from any riverfront lands owned by the Borough, per Section 8-2.1 and is subject to penalties. This ordinance will need to be modified in order to allow personal watercraft along the Toms River and Jakes Branch Creek from Borough-owned land.

Many of the public access locations proposed in this Plan are also limited by lack of available parking, inadequate signage, lack of restrooms, and safety concerns, which include a lack of adequate sidewalks to reach the location, lack of maintenance, and wetlands or densely vegetated areas that may pose a hazard. With the exception of the Recreation Center/Athletic Fields, none of the existing public access locations have a restroom for public use. Only the Athletic Fields, Brookforest Beach Club, Center Homes Park, Cedar Point, and Mathis Park have any sort of designated parking.

Dangerous or hazardous water and weather conditions, particularly where and when lifeguards are able to make a determination of risk to public safety, may impose additional temporary restrictions.

The Borough has reviewed the public access locations that are suitable for different types of uses and have limited sites to particular uses as indicated in Table 1 provided in Appendix 3.

2. *Permanent Restrictions*

There are several sites that are permanently restricted for the following reasons:

1. Public Health and Safety

- a. Active fire lots and fire lanes
- b. Borough-owned public access locations with prohibited on-street parking where a lot or street parking cannot reasonably be provided within walking distance shall be maintained as visual public access locations only for the health and safety of the public. The Borough restricts parking on narrow streets or streets with curvature to ensure access for emergency vehicles to adjacent properties.
- c. Municipal sewer pump stations fenced for security purposes.

2. Protection of Environment and Public Health and Safety

- a. Drainage lots – There are no existing drainage lots at the access locations identified in this MPAP.

3. Protection of Environment

- a. Access points that provide direct access to wetlands shall be maintained as visual-only public access locations to protect the sensitive nature of the wetlands environment.
- b. Access points that could provide public boat access to areas that are adjacent to sensitive wetlands habitats shall be restricted to non-motorized and non-commercial boat access. The following locations shall be restrict boat access to non-motorized non-commercial boat launching, including kayaks, canoes, and other roof-rack boats:
- c. Sites managed by the County of Ocean, South Toms River Borough, and/or an environmental nonprofit organization that can accommodate boat launching shall be restricted to non-motorized and non-commercial boat launching, including kayak and other roof-rack boats for the public. However, in non-environmentally sensitive areas, motorized boats shall be permitted for the sole purposes of providing educational programs and/or site management.

III. Community Needs Assessment

The Borough of South Toms River has performed a community needs assessment. The methods and results are described in the following section:

A community inventory and needs assessment related to recreation and open space in the Borough was performed as part of the 2007 South Toms River Borough Master Plan. The needs assessment (“Borough Recreational Needs”) was prepared in recognition that the Borough maintains adequate lands for recreation and open space, but that there are three primary constraints to providing recreational space, which are outlined under “Consistency with Master Plans” (Section I.B.2.b.). Generally, improvement to Borough properties is needed by employing several strategies of incrementalism and funding sources.

In addition to the needs outlined in the Master Plan, site visits were conducted for each existing and potential public access point to gain further understanding of the recreation and open space needs as it has changed since 2007.

Due to a combination of factors including numerous existing visual and passive recreation sites, a single large area for athletic activity (Athletic Fields), and a lack of maintenance of many of the Borough-owned properties, it was determined that there is a great need for more active recreation, pocket parks with minor infrastructure, and connectivity between access points. This is especially true in the underserved central, western and southern portions of the Borough.

- 1. Bicycle trails and lanes are needed throughout the Borough for connectivity and as part of the Master Plan goals. The Barnegat Branch Bicycle Trail should be completed through South Toms River Borough to make connections to other Borough public access points, as well as other municipalities.*
- 2. Walking and biking trails that are also handicap-accessible are needed along the Jakes Branch Creek that connect to other public access points. Existing trails are not monitored, maintained, or improved in any way.*
- 3. A walking and biking trail is needed from the Athletic Fields to Brookforest Beach Club and should be coordinated with Ocean County and Berkeley Township.*
- 4. Several existing and former parks are no longer maintained, are poorly maintained, and/or lack improvements. New infrastructure, including equipment, restrooms, signage, trails, and parking is needed where feasible.*
- 5. Boating opportunities are limited within the Borough and are restricted by Borough ordinance from municipal lands.*
- 6. Sidewalks alongside roads are incomplete throughout the Borough and do not reach many of the existing and proposed public access sites. Many existing segments of sidewalk are not ADA-compliant.*

IV. Implementation Plan

The Borough of South Toms River has created an Implementation Plan composed of Priorities, Preservation of Public Access Locations, Signage, Proposed Access Improvements and Facilities, and Municipal Tools for Implementation as described in the following section:

A. Priorities

The Borough of South Toms River developed the following priorities:

1. Maintain Existing Public Access

The Borough Department of Public Works and Department of Recreation currently perform routine checks and maintenance at public access points, including the Athletic Fields, Brookforest Beach Club, Mathis Plaza, and Cedar Point, to ensure that they remain safe for users.

In addition, since Superstorm Sandy, the Borough has redesigned Mathis Plaza similarly to the park space at Riverfront Landing in Toms River, as per recommendation number 1 in the Master Plan, and holds various programs at this location throughout the spring, summer, and fall to promote community utilization of the riverside park. Special programming gives community members experience (albeit limited) with the river and promotes more responsible use. The Borough has also constructed new playground equipment at Brookforest Beach Club.

The Borough of South Toms River will continue to maintain all existing physical and visual access points and associated facilities and improvements through capital funding and/or Open Space and Recreation trust funds. This is with the exception of the Recreation Center and Athletic Fields (Site 1), which will be relocated, improved in size and amenities, and maintained by a private developer for public use if the existing site is sold for development.

a. Tools

The Borough owns all of the sites that are currently utilized for physical public access and the majority of visual public access sites. These sites include existing Borough parks and plazas, municipal and county open space, beaches, piers, right-of-ways and sidewalks, and street ends. Events for various locations, such as Mathis Park, are promoted throughout the Borough and via an online schedule.

The physical access sites, Cedar Point and Brookforest Beach Club, as well as Mathis Park, Center Homes Park, and the Athletic Fields are all listed on the Borough ROSI list, which allows the Borough to utilize Open Space and Recreation funds for maintenance and improvements for those sites. All Borough-owned physical sites that the Borough plans on maintaining should be added to the ROSI list. Streets, sidewalks, and drainage lots are owned by the Borough and will be maintained as such, but will not be added to the list because they will not be physically utilized by the public for recreation. Privately owned sites are to be maintained by private owners and will not be added to the ROSI list.

b. Cost and Funding

Funding for park maintenance and events is appropriated at the time of budget each year. The cost to maintain facilities varies per site. The Borough will utilize capital improvement funds, Open Space Recreation trust funds, and Green Acres funding to maintain and enhance Borough-owned public access locations and provide signage to improved and maintained sites. Privately owned locations must be maintained by the property owners. Signage will be installed as the sites are improved and/or maintained.

2. Planned Enhancement to Public Access Locations and/or Facilities

A majority of public access locations that have been described previously are not ADA compliant and have limited handicap access. This includes both physical and visual access points where, for example, sidewalks either do not exist or lack an ADA-compliant ramp; no handicap parking spaces are designated; or facilities are in some other way not physically accessible for use by handicap persons (i.e. playground equipment, sandy or rocky terrain between parking area and access points, etc.).

A priority could be to update sidewalks to be ADA-compliant with ramps and to connect to other sections of sidewalk, so that they are not constructed in a piecemeal manner. Parking stalls, particularly handicap designated stalls with appropriate signage, should be painted in parking areas for public access. Sidewalks and crosswalks should be placed along stretches of road where a public access point exists, where vehicular traffic presents a threat to pedestrians.

Additionally, some of the larger public access sites, for example those with parking lots, will include enhancements such as boat launching facilities and restrooms.

a. Tools

Any sites that have physical access to the water should be added to the ROSI list and maintained on the ROSI list.

b. Cost and Funding

The Borough will fund the improvements utilizing Capital Improvement funding and Open Space and Recreation funding.

3. Proposed Locations

The Borough is proposing a variety of new physical and visual public access locations of both active and passive recreation. This includes the proposed Athletic Fields as part of the Municipal Landfill Redevelopment Plan, as well as the proposed Barnegat Branch Bicycle Trail, which will connect the Route 166 corridor and waterfront with other municipalities. Additional locations with proposed enhancements for physical access, including Double Trouble Road, Route 9, Flint Lake at Mill Street, and South Main Street, will all be connected through a network of various other trails, including: Jakes Branch Creek Blueway, Toms River Blueway, and South Toms River Greenway.

a. Tools

The Barnegat Branch Trail bicycle/pedestrian path is an Ocean County project. The improvements at the Athletic Fields will be included in the Municipal Landfill Redevelopment Plan, as well as any other improvements which the developer offers to construct.

b. Cost and Funding

The costs of the public access improvements are unknown. Costs for the Athletic Fields and additional improvements through the Municipal Landfill Redevelopment Plan are not projected to be completed until after the Redevelopment Plan is approved.

B. Preservation of Public Access Locations

The Borough of South Toms River developed the following preservation and conservation measures:

1. Preservation Measure

With the exceptions as noted in this MPAP property used or proposed for public access is owned by the Borough. Properties will be added to the ROSI or secured by conservation easements, as necessary, to ensure that any improvements that are made with public funds to implement this MPAP are preserved for public use in perpetuity.

2. Conservation Easements

Borough properties that have been funded through the Green Acres Program are covered by any conservation easements required by the grant agreements.

C. Signage

The Borough of South Toms River has provided the following signage:

Signage will be provided for all public access locations with physical access to the water. Those sites that do not have sufficient existing signage will have signage that states: “Fishing and Crabbing Permitted Only from 6:00 a.m. to 8:00 p.m.” or “Fishing, Crabbing, and Rooftop Boat Launching at Own Risk Permitted Only from 6:00 a.m. to 8:00 p.m.”

Any locations not intended for swimming and/or boat launching shall clearly state: “No Swimming” and/or “No Boat Launching”. Sites that contain a beach or where swimming is permitted, but where a lifeguard is not provided shall state: “No Lifeguard on Duty – Swim at Own Risk”. Additional park, beach, or access rules shall also be posted.

All sites maintained by the Borough, whether visual or physical access, should have some type of signage indicating the public nature of the site and whether the land is protected or restricted. Educational signage for the public in wetlands and conservation areas is encouraged.

The municipal ordinances shall be updated to reflect the signage requirements.

D. Proposed Access Improvements and Facilities

The Borough of South Toms River has proposed the following access improvements and facilities:

1. Site 1: Recreation Center/Athletic Fields

- a. The developer of the municipal landfill site, under the Municipal Landfill Redevelopment Plan, will build a new and improved Borough Recreation Center and athletic fields for public use to replace the existing facilities in order to build multifamily housing on the site;
- b. A joint trail between Berkeley Township and South Toms River Borough will connect the Athletic Fields with Brookforest Beach Club;
- c. Associated wayfinding and regulatory signage will be placed on-site.

2. **Site 2: Brookforest Beach Club**
 - a. The Borough proposes to maintain existing playground facilities;
 - b. The Borough will clean up the beach area and reinstate beach access;
 - c. The Borough may allow a boat launching area for non-motorized rooftop-loaded watercraft;
 - d. A Borough-maintained anchored raft may be placed in the pond for public use;
 - e. Associated wayfinding and regulatory signage will be placed on-site.

3. **Site 3: Double Trouble Road Overpass (West)**
 - a. The Borough proposes to add a few parking stalls parallel to Double Trouble Road, or on-street parking; all subject to approval by Ocean County.
 - b. A gently sloping boat launching ramp for non-motorized rooftop-loaded watercraft (excluding rafts or tubes) could be placed either at the southern side of the overpass; subject to approval by Ocean County.
 - c. An ADA-compliant sidewalk could extend from the south side of Brookforest Drive at Double Trouble Road along the western side of Double Trouble Road until reaching the site; subject to approval by Ocean County.
 - d. A crosswalk and pedestrian signalization could be placed between Site 3 (west) and 4 (east); subject to approval by Ocean County.
 - e. Associated wayfinding and regulatory signage could be placed on-site.

4. **Site 4: Double Trouble Road Overpass (East)**
 - a. The Borough proposes a gently sloping boat launching ramp for non-motorized rooftop-loaded watercraft (excluding rafts or tubes) could be placed either at the southern side of the overpass; subject to approval by Ocean County.
 - b. A crosswalk and pedestrian signalization could be placed between Site 3 (west) and 4 (east); subject to approval by Ocean County.
 - c. Associated wayfinding and regulatory signage could be placed on-site.

5. **Site 5: Center Homes Park**
 - a. The Borough proposes to add a pervious parking area on-site;
 - b. The basketball courts will be repaved, improved, and maintained;
 - c. Other recreational facilities may be added on-site;
 - d. A public restroom may be placed on the site to be maintained by the Borough;
 - e. Trails will be maintained between the site and Jakes Branch Creek;
 - f. A boat launch area for non-motorized rooftop-loaded watercraft (excluding rafts or tubes) will be placed at to-be-determined location along the creek near Center Homes Park;
 - g. Associated wayfinding and regulatory signage will be placed on-site.
 - h.

6. **Site 6: Flint Road Overpass (West)**
 - a. The Borough may extend the existing sidewalk along the west side of Flint Road toward Lakeview Drive or to widen the shoulder, if feasible;
 - b. Associated wayfinding and regulatory signage could be placed on-site.

7. **Site 7: Flint Road Overpass (East)**
 - a. The Borough may extend the existing sidewalk along the east side of Flint Road toward Lakeview Drive or widen the shoulder, if feasible;
 - b. A clear view of Jakes Branch Creek will be maintained to the east, but a vegetative buffer will remain;
 - c. Associated wayfinding and regulatory signage could be placed on-site.

8. **Site 8: Route 166 (West)**
 - a. The Ocean County Barnegat Branch Bicycle Trail is proposed to cross the Route 166 overpass, likely along the west side of the road.
 - b. Associated wayfinding and regulatory signage could be placed on-site, subject to NJDOT approval.

9. **Site 9: Route 166 (East)**
 - a. The Borough has received a grant and is in design stage of extending the existing on-site sidewalk on both sides of Route 166 to be ADA-compliant and to meet the existing sidewalk at Mathis Park to the north and south toward Crabbe Road;
 - b. Associated wayfinding and regulatory signage could be placed on-site, subject to NJDOT approval.

10. **Site 10: Cedar Point**
 - a. The Borough proposes to extent an ADA-compliant sidewalk along Crabbe Road to Cedar Point as one of the improvements to be negotiated in a redevelopment agreement with the redeveloper of the Miller Yacht Sales property and Borough Lot 4;
 - b. A walkway of hard, sturdy material will be added between the parking area and the existing pier;
 - c. A public restroom may be added to the site, if feasible, and open during operating hours and will be maintained by the Borough;
 - d. A launching area may be provided on the site in proximity to the existing parking area for non-motorized rooftop-loaded watercraft (excluding rafts or tubes);
 - e. If feasible, a Borough-maintained anchored raft may be placed in the river for public use, not further than the end of the existing pier;
 - f. Associated wayfinding and regulatory signage could be placed on-site.

11. Site 11: Mathis Veterans Memorial Park

- a. A launching area may be provided on the site in proximity to the existing parking area for non-motorized rooftop-loaded watercraft (excluding rafts or tubes), subject to feasibility and safety determinations;
- b. Associated wayfinding and regulatory signage could be placed on-site.

12. Site 12: Toms River Crossing I (East)

- a. The Borough is in the design phase of sidewalk improvements along Route 166, which would include an ADA-compliant sidewalk from Mathis Park to connect to the existing sidewalk at the end of Herflicker Boulevard;
- b. Associated wayfinding and regulatory signage may be placed on-site.

13. Site 13: Toms River Crossing II (West)

- a. No improvements are proposed.

14. Site 14: Toms River Crossing III (South)

- a. The Ocean County Barnegat Branch Bicycle Trail may cross the Herflicker Boulevard Bridge at this site, likely along the west side of the road;
- b. Wayfinding signage will be placed at the division of the trail and the sidewalk;

15. Site 15: South Main Street (North)

- a. The Borough proposes a designated parking area;
- b. A launching area may be provided on-site for non-motorized rooftop-loaded watercraft (excluding rafts or tubes);
- c. Benches for sitting may be placed within the pocket park and at intervals along the sidewalk along the river;
- d. The sidewalk may be widened into a riverfront promenade;
- e. A crosswalk may be provided at the intersection of South Main Street and River Road;
- f. Overgrowth will be removed and maintained for views of the river, but native, sturdy vegetation may be introduced and maintained in certain areas to absorb flood waters;
- g. Associated wayfinding and regulatory signage may be placed on-site.

16. Site 16: South Main Street (East)

- a. The Borough proposes to extend an ADA-compliant sidewalk to the site; subject to approval by Ocean County.
- b. Associated wayfinding and regulatory signage may be placed on-site.

17. Site 17: South Main Street (South)

- a. Overgrowth will be removed and maintained for views of the river, but native, sturdy vegetation could be introduced and maintained in certain areas to absorb flood waters.

- b. Benches for sitting will be placed within the pocket park and at intervals along the sidewalk along the river;
- c. Associated wayfinding and regulatory signage will be placed on-site.

18. Site 18: Flint Lake – Mill Street

- a. The Borough proposes a driveway and parking area on Block 8, Lot 4 or 6 in proximity to “Flint Lake”; subject to approval by Ocean County.
- b. A trail will connect from the Flint Road to Site 19 (*Route 9 Overpass (East)*) and east to Flint Lake; subject to approval by Ocean County.
- c. Overgrowth will be removed and maintained for views of the creek and lake, but native, sturdy vegetation will be introduced and/or maintained in certain areas to absorb flood waters; subject to any environmental regulations.
- d. A launching area may be provided on the site in proximity to the parking area for non-motorized rooftop-loaded watercraft (excluding rafts or tubes);
- e. Associated wayfinding and regulatory signage may be placed on-site.

19. Site 19: Route 9 Overpass (East)

- a. The Borough is proposing a crosswalk and signalization between a proposed parking area at Site 20 and Site 19, subject to NJDOT approval;
- b. A maintained trail would follow Jakes Branch Creek to the east, meeting Flint Lake;
- c. Overgrowth would be removed as permitted by NJDEP and maintained for views and navigability of the creek, but native, sturdy vegetation will be introduced and/or maintained in certain areas along the sides to absorb flood waters;
- d. Associated wayfinding and regulatory signage would be placed on-site.

20. Site 20: Route 9 Overpass (West)

- a. A small parking area may be placed along the west side of Route 9 in proximity to Jakes Branch Creek, subject to NJDOT approval;
- b. A trail will connect from Site 20 westward to Center Homes Park and Nautilus Street;
- c. Overgrowth would be removed, as permitted by NJDEP regulations, and maintained for views and navigability of the creek, but native, sturdy vegetation will be introduced and/or maintained in certain areas along the sides to absorb flood waters;
- d. A launching area may be provided on the site in proximity to the parking area for non-motorized rooftop-loaded watercraft (excluding rafts or tubes);
- e. Associated wayfinding and regulatory signage may be placed on-site.

21. Site 21: Nautilus Street (Beachwood Borough)

- a. A small pervious parking area may be placed within municipal borders at the end of Nautilus Street;

- b. A maintained trail of pervious, but durable material will connect from Nautilus Street and Center Homes Park, Double Trouble Road, and Route 9 along Jakes Branch Creek;
- c. Boardwalks and wooden bridges may cross the creek to avoid disturbance to wetlands and sensitive areas, but allowing watercraft traffic, all subject to NJDEP permitting;
- d. Non-sensitive overgrowth would be removed, subject to NJDEP regulations, and maintained for views and navigability of the creek, but native, sturdy vegetation will be introduced and/or maintained in certain areas along the sides to absorb flood waters;
- e. Associated wayfinding and regulatory signage would be placed on-site.

E. Municipal Tools for Implementation

The Borough of South Toms River has the following tools for the maintenance, enhancement and development of public access locations:

1. Maintenance Tools

Currently the Borough does not restrict public access to any of its existing public access points. In the future restrictions such as dawn to dusk or other measures will likely be implemented to protect access sites against vandalism and to ensure public safety. The Borough will likely negotiate contributions from the redevelopers of the Landfill Redevelopment Area and the Waterfront Redevelopment Area to assist in funding maintenance capability of the Borough's DPW staff.

2. Enhancement Tools

The Borough has been aggressive in its grant procurement and has obtained funding for streetscape improvements along Route 166, an easement to enable the extension of the Barnegat Branch Trail along Route 166 between Beachwood and Toms River, etc. The Borough would continue that effort to implement this MPAP through Green Acres funding and other sources, including improvements constructed by redevelopers under a redevelopment agreement.

3. Development Tools

The Borough's most effective tool, given its challenged economic status, is to include public access and public recreation amenities as part of either impact contributions or actual construction projects related to its two redevelopment areas (Waterfront Redevelopment Plan and Landfill Redevelopment Plan).

F. Municipal Public Access Fund (if applicable)

The Borough of South Toms River will consider the creation of a Municipal Public Access Fund that could receive contributions from redevelopers under negotiated redevelopment agreements.

G. Implementation

The Borough of South Toms River has created an Implementation Schedule as follows:

1. Existing Maintenance

The Borough's DPW staff is limited by the Borough's challenged economic condition and has been focusing its efforts on maintaining the Recreation Center and Athletic Fields, as well as Mathis Plaza, with assistance from nonprofit groups like the South Toms River Little League. Expanded public access sites and amenities will require a dedicated fund for maintenance.

2. Enhancements to Existing Locations

To the greatest extent possible, the Borough will look to public-private partnerships to enhance locations such as Mathis Plaza and the proposed waterfront walkway in the Waterfront Redevelopment Plan. Other sources of assistance could come from volunteers.

3. Proposed Locations and Facilities

See description in earlier sections of this MPAP.

H. Additional Steps

The Borough of South Toms River has taken additional steps to implement the MPAP as part of the redevelopment of the Landfill Redevelopment Area by linking the pending State House Diversion to permit the reconstruction of the athletic fields and recreation center facility on a closed landfill in an area twice the size of the existing facility, by including a contribution to MPAP implementation.

V. Relationship to the Other Regional and State Plans

In order to remain concurrent and comply with existing planning practices and goals, the Borough's Municipal Public Access Plan was reviewed for consistency with several municipal, regional, and State plans, including: the Borough of South Toms River Master Plan; New Jersey State Development and Redevelopment Plan; Ocean County Master Plan; South Toms River Strategic Recovery Report; and the Route 166 Corridor Redevelopment Plan.

The Municipal Public Access Plan is informed by, guided by, and has the following relationship to these plans:

1. State of New Jersey Public Access Goals

Through the New Jersey Coastal Zone Management Rules (see N.J.A.C 7:7E-1.1 (c)), the State of New Jersey establishes a broad set of coastal protection goals, including the following specifically addressing public access:

1. Effectively manage ocean and estuarine resources through sustainable recreational and commercial fisheries, as well as through the safe and environmentally sound use of coastal waters and beaches.
2. Provide meaningful public access to and use of tidal waterways and their shores.

3. Preserve public trust rights to tidal waterways and their shores.
4. Preserve and enhance views of the coastal landscape to enrich aesthetic and cultural values and vital communities.
5. The enhancement of public access by promoting adequate affordable public facilities and services.
6. Create and enhance opportunities for public access to tidal waterways and their shores, on a non-discriminatory basis.
7. Maintain all existing public access to, and along tidal waterways and their shores.
8. Provide opportunities for public access to tidal waterways and their shores through new development.
9. Provide public access that does not create conditions that may be reasonably expected to endanger public health and safety, damage the environment, or create significant homeland security vulnerability.

The Borough of South Toms River Municipal Public Access Plan embraces and reflects these goals and will help preserve, protect, and enhance the public's ability to access the Public Trust lands which surround the City.

STATE STRATEGIC PLAN: NEW JERSEY'S STATE DEVELOPMENT AND REDEVELOPMENT PLAN (FINAL PLAN PROPOSED FOR ADOPTION BY THE NEW JERSEY STATE PLANNING COMMISSION, 2012)

New Jersey's State Development and Redevelopment Plan listed below is the Final Plan proposed for Adoption by the State Planning Commission, which was updated in 2012 from the 2001 Strategic Plan. The South Toms River Municipal Public Access Plan relates to the State Plan in the following ways:

The MPAP promotes the Garden State Values as outlined below:

Garden State Values

Create High-Quality, Livable Places – The Municipal Public Access Plan allows the State and the community to work together to offer an environmentally healthy place to live, work and recreate. The Plan will enhance the character and design of the community, especially by providing pedestrian-friendly streetscapes and improving community plazas, parks and connections to waterfront areas.

Provide for Healthy Communities through Environmental Protection and Enhancement – The MPAP aids in the protection and restoration of the environment, sensitive lands, ecosystems and natural resources by reserving open lands as part of the public sphere, rather than development. Simultaneously, the Plan ensures healthy places through an increase in the quantity and quality of preserved land and reducing water degradation and other impacts of development.

Protect, Restore, and Enhance Agricultural, Recreational and Heritage Lands – The Plan will promote for the provision and enhancement of accessible neighborhood parks and recreational systems.

Make Decisions within a Regional Framework - Maintain up-to-date, coordinated local, regional and State functional plans that reflect these principles and can provide a regional framework for making decisions about capital investments, programs, regulations and development applications. Gather and consider public input during planning and implementation.

The Municipal Public Access Plan relates specifically to Goal 3: Preservation, Protection and Enhancement of Critical State Resources of the State’s Values, Goals, Objectives, and Strategies, as outlined below:

Section 3: Values, Goals, Objectives, and Strategies

Goal 3: Preservation, Protection and Enhancement of Critical State Resources

The MPAP promotes the preservation, protection and enhancement of the State's critical natural, agricultural, scenic, recreation, and historic resources, recognizing their role in economic growth and the quality of life for New Jersey residents.

The MPAP protects existing and future investments through well-coordinated land preservation planning with economic and physical development efforts and land use regulation. It is recognized that protection of the environment is not a passive process and that growth and environmental protection/enhancement must be joined strategically and holistically.

The various state and federal statutory authorities, municipalities, regional planning entities and state and federal agencies that regulate and make investments to protect areas including but not limited to agricultural development areas, fresh and saltwater wetlands, flood plains, stream corridors, aquifer recharge areas, steep slopes, areas of unique flora and fauna and areas with scenic, historic, and cultural and recreational values, play an important role in supporting this Plan.

Such preservation programs support vibrant regions and improve New Jersey's quality of life in many important ways: they provide residents with a myriad of outdoor recreation opportunities and they permanently protect New Jersey’s scenic beauty, agricultural resources, biodiversity and cultural heritage. New Jersey citizens have long recognized these benefits, approving 13 statewide “open space” ballot initiatives since 1961. Voters have also approved local preservation referenda in all 21 counties and in 236 municipalities. Additionally, a strong system of public parks and active preservation programs are vital to an amenities-based economic development strategy that attracts and retains businesses in New Jersey.

Preservation and park development play a key role in implementing “Garden State Values.” By creating new parks, rehabilitating existing parks, and preserving land that provides locally grown fruits and vegetables, New Jersey’s preservation programs directly support healthy lifestyle choices. New Jersey’s preservation programs help avoid the high costs of sprawling growth patterns by channeling growth to developed areas, discouraging high-cost infrastructure extension, and supporting urban and first-tier suburban redevelopment initiatives. They also provide protection of drinking water, flood hazard mitigation, and water body quality protection

The Municipal Public Access Plan aligns with the State of New Jersey’s focus of preservation efforts going forward that maximize the benefits of public investments that result in the greatest quality of life improvements for residents, including efforts that prioritize the preservation of contiguous preserved lands and critical habitat and support economic development projects through the dedication of open space to create desirable mixed-use development.

The efforts put forth in this Plan will also need to leverage a variety of State, county, and municipal, foundation funding, federal grants, and nonprofit funds and donations to the greatest extent feasible. Mechanisms that provide for the permanent preservation of land through density transfer also must be encouraged and made easier to implement. By providing better mechanisms for private sector involvement, density-transfer tools such as single-site and non-contiguous clustering and Transfer of Development Rights (TDR) can preserve land with limited public funding.

The third goal of the State Strategic Plan: New Jersey’s Development and Redevelopment Plan focuses on the “preservation, protection and enhancement of critical state resources”. This statewide goal and its objectives are directly parallel to those of the Municipal Public Access Plan for South Toms River. The development of this Plan at the municipal level can be clearly identified within the context of providing preservation, protection and enhancement of critical resources for the State of New Jersey. The Borough of South Toms River falls within a long line of municipalities throughout the State that have preserved open space and developed a Municipal Public Access Plan.

The Municipal Public Access Plan directly relates to the values to “create high-quality, livable places”, to “provide for healthy communities through environmental protection and enhancement”, to “protect, restore and enhance agricultural, recreational and heritage lands”, and to “make decisions within a regional framework”. This Plan, through these values, also recognizes and serves the economic benefits of preservation programs, such that “[i]f New Jersey wants to attract and retain people along with industry, part of its attraction is having open spaces, recreational, and agricultural areas within the State.”

OCEAN COUNTY MASTER PLAN

The Ocean County Master Plan was adopted in December 1982, amended in 1983 and 1987 and certified by the Pinelands Commission in 1988 as the 1988 Comprehensive Plan. It was substantially updated as the Ocean County Comprehensive Master Plan in 2011. The following goals from the first Master Plan remain relevant to and compatible with this Municipal Public Access Plan:

- *Continue to provide a coordinated management program to control the spatial development of the County by directing new growth to environmentally suitable areas which can be provided with essential infrastructure and support facilities.* The MPAP will emphasize the protection of natural areas identified, which are not already public parks, which will further control development from encroaching in those areas. Additionally, certain development projects within the Borough may be required to provide new recreational or access to open space opportunities as part of their Developer Agreements.
- *Promote the development of an improved and balanced, multi-modal transportation system which integrates the highway system with bus, rail, and waterborne transport systems.* The MPAP will further promote the Barnegat Branch trail through the Borough for better bicycle and pedestrian travel, as well as recreational waterborne transport.

Noteworthy in the 2011 Comprehensive Master Plan for Ocean County is the recognition of the Barnegat Branch Trail as a catalyst for tourism as follows:

“This regional multi-use trail will eventually extend 15.7 miles from downtown Toms River southward to the historic town of Barnegat. While interconnections with local parks and recreation areas are promoted, there is also an opportunity to promote local business and shopping areas. The trail connects a number of commercial areas and is increasingly used by residents for local trips. Ocean County should continue to work with local officials and chambers of commerce on the opportunities presented by this expanding trail.”

The 2011 Master Plan also recognizes Toms River Township and the Borough of South Toms River as sharing a common resource, the Toms River as follows:

“Towns that share a common resource, such as Toms River and South Toms River, may consider partnerships to redevelop and promote the riverfront area. There are numerous business and recreational uses that can be coordinated to enhance the area as a regional attraction.”

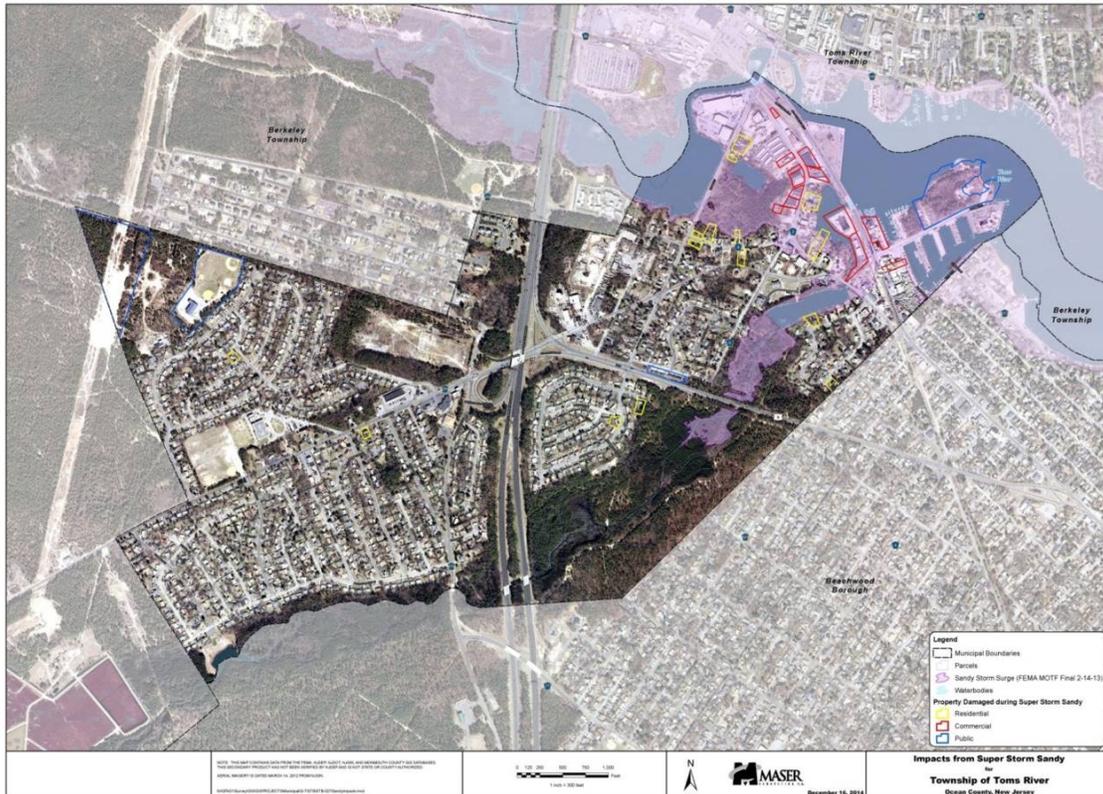
This Plan is an implementation step of these specific recommendations in the County’s Master Plan.

SOUTH TOMS RIVER STRATEGIC RECOVERY PLANNING REPORT

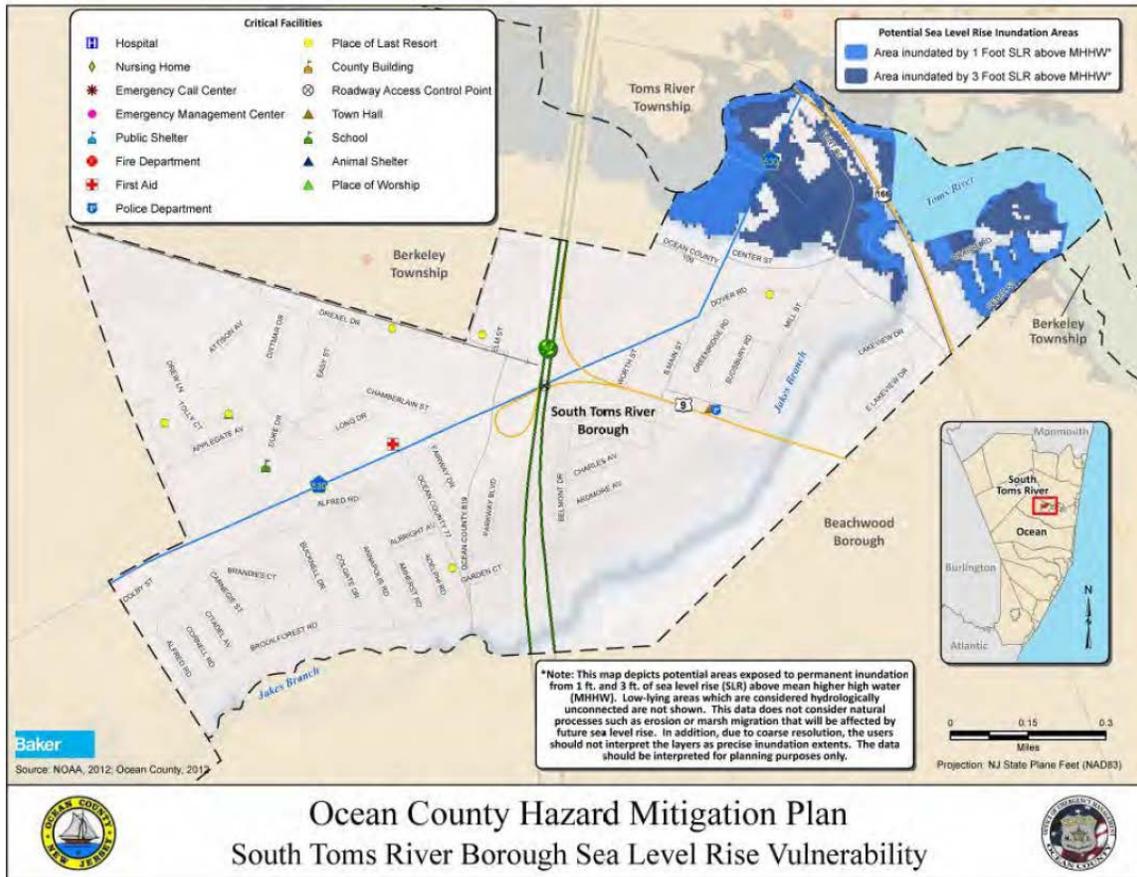
The Strategic Recovery Planning Report (SRPR) is a requirement of municipalities in New Jersey in order to be eligible to receive additional Post-Sandy planning assistance. The purpose of the SRPR is “to evaluate the impacts of the disaster on relevant community features. The evaluation can be broad or narrow but should focus on planning goals, strategies, and priorities leading to actions that are most urgently needed for public safety and economic recovery. The SRPR should serve as a guide for actions to be taken going forward not only to recover from the effects of Superstorm Sandy but also to reduce vulnerabilities to future disasters.”

Through the Municipal Public Access Plan, the Borough will be providing more open green space to serve as recreational areas along the waterfront, rather than impervious developed land. Connecting and conserving these natural areas and parks will help to fortify and buffer them and the surrounding areas from future disasters. Public open space will reduce the vulnerabilities of many of the low-lying waterfront areas in the Borough, as well as allow the Borough to recover from damages much more quickly, in terms of accessibility, liability, and impact.

Map 49: Impacts of Superstorm Sandy in South Toms River (from South Toms River SRPR)



Map 50: South Toms River Borough Sea Level Rise Vulnerability (from South Toms River SRPR)



The two maps above show the vulnerability of the Borough to storms, flooding, and sea level rise. Map 49 shows the impact to the Borough from Superstorm Sandy, while Map 50 depicts the potential inundation zones given different levels of sea level rise. Both scenarios highlight that most of the area along the Toms River and along the eastern portion of Jakes Branch has or will suffer severe damage from flooding. This evidence emphasizes the need for open spaces and well-designed, storm-resistant development in those areas.

WATERFRONT REDEVELOPMENT PLAN

A portion of the area selected for the Municipal Public Access Plan also overlaps with that of the Waterfront Redevelopment Plan, including Mathis Plaza, Cedar Point, and Flint Road Pond.

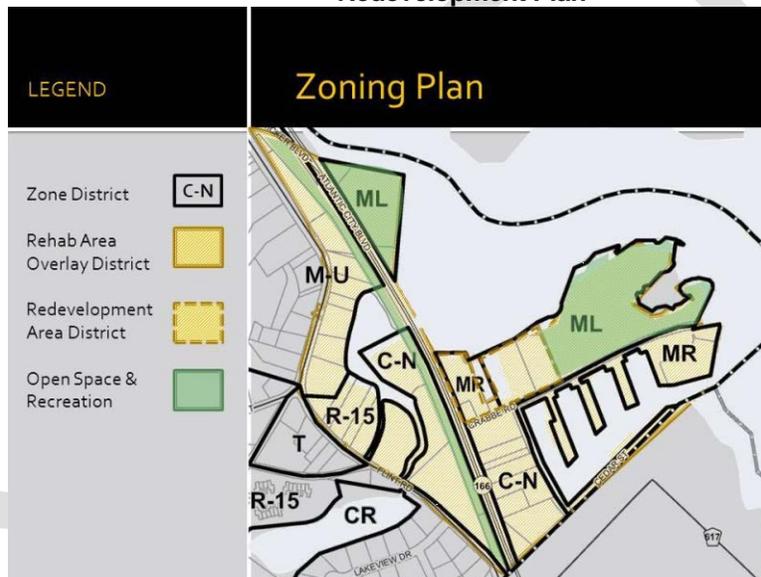
“[T]he corridor has suffered from underinvestment and deterioration and the Borough began an aggressive revitalization program in 2014 that combines pursuit of grant opportunities with the use of rehabilitation and redevelopment to incentivize investment and induce positive change.

Tax Blocks 3, 4, 5 and 6 were designated by the South Toms River Borough Council by Resolution 2014-208 on July 21, 2014 as an Area In Need of Rehabilitation under the Local Redevelopment and Housing Law (“LRHL”) (N.J.S.A. 40A:12A-1). Meanwhile the

Borough pursued and obtained funding to construct a streetscape project along the corridor, inclusive of sidewalks, street trees and curbing. Funds are also being pursued to acquire an easement along the former Central Railroad ROW, which is now privately owned.”

The Borough’s streetscape work and vision for “the extension of the Barnegat Branch Trail and a popular “Riverwalk” along the Toms River that connects a bustling restaurant and entertainment venue in the Redevelopment Area to the fishing pier and around the point to Lighthouse Marina,” is to be carried out and enhanced by the attraction of parks and open space within the corridor. Additionally, the public space will make the area along Jakes Branch and Flint Road more attractive to the development community for “retail shops facing the Corridor and residential apartments facing Jakes Brook on one side and the Crabbe Road waterfront recreational area on the other,” and distant views of the Toms River.

Map 51: Inset of Borough Zoning Plan used in the Route 166 Corridor Redevelopment Plan



VI. Resolution of Incorporation

Upon approval of this Plan by the New Jersey Department of Environmental Protection, the Borough of South Toms River will approve a final resolution to incorporate this Municipal Public Access Plan into the South Toms River Borough Master Plan. The final Resolution will mimic the draft Resolution provided in Appendix 2 of this Plan.

APPENDIX 1
Municipal Public Access Plans
Required Sections per NJAC 8.11 (e)

1. (e) 1 Statement describing overall **goal of the MPAP** and the **administrative mechanisms** (for example, conservation restrictions, easements, ordinances) that either are already in place, or that shall be put in place to ensure that the municipality will meet public access goals
2. (e) 2 Statement of **Consistency with...Master Plan**
3. (e) 3 Public access **needs assessment** that evaluates:
 - existing access locations and capacities
 - practical limitations (esp. parking and bathrooms)
 - alternatives to address any limitations determined to exist
 - need for additional locations
4. (e) 4 **Digital Map and Inventory** identifying...:
 - tidal waterways within municipality and adjacent lands held by municipality
 - existing and proposed public access ways
 - proposed public access facilities
 - identified facilities compliant with ADA
5. (e) 5 **Implementation strategy**
 - forms of proposed public access responsive to needs assessment (i)
 - comprehensive list of specific public access projects and initiatives with implementation schedule (ii)
 - proposed tools to implement the plan, including (iii)
 - i. adoption or amendment of muni ordinances
 - ii. uses of monetary compensation (Public Access Fund), if any
 - proposed modifications to existing plans, ordinances & programs to implement MPAP (iv)
 - proposed compliance with ACOE requirements for shore protection projects [see 8.11(r)] (v)
 - cost of implementing, constructing and maintaining the access facilities proposed in the plan and specifies how this cost will be funded (vi)
 - implementation schedule (vii)
 - ordinances in place/to be adopted re signage requirements (viii)
 - measures to permanently protect public access per MPAP (ix)
 - examples/models of easements/restrictions for permanent protections (x)
 - draft resolution incorporating DEP-approved MPAP into a MP element (xi)

APPENDIX 2
Model Resolution for Incorporating MPAP into Master Plan

Resolution # _____

Title: A RESOLUTION APPROVING THE MUNICIPAL PUBLIC ACCESS PLAN

WHEREAS, the *{municipality name}* Municipal Public Access Plan was submitted to the Township Council and reviewed at the regular meeting of *{date}*, and

WHEREAS, the governing body has approved the plan as submitted,

NOW, THEREFORE, BE IT RESOLVED by the *{municipality governing body}* of *{municipality name}*, the "*{municipality name}* Municipal Public Access Plan," a copy of which is attached, is hereby approved.

FURTHER RESOLVED a copy of the plan shall be sent to the New Jersey Department of Environmental Protection for review and approval in accordance with N.J.A.C.7.7 and 7.7E.

I hereby certify the foregoing to be a resolution adopted by the *{governing body}* at a meeting held on *{date}*.

Municipal Clerk

**APPENDIX 3
Maps and Table**

Map 1 {Municipality} Tidal Waterways and Lands

Map 2 {Municipality} Public Access Locations

Map 3 {Municipality} Handicapped Accessible Public Access Locations

Table 1 {Municipality} Public Access Location Amenities

ID	SIGNS	PARKING	NUM_ PARKING	STREET	BADGE	SWIM- MING	FISHING	SURFING	PLAY- GRD	PARK	PIER	BOAT- LNCH	MARINA	FOOD_ DRINK	REST- RM	SEATS	H_C	SHORE- LINE	ACCESS_ TYPE
	Yes	Fee			Yes	Guard At Own	Restricted	Restricted	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Ocean	Physical
	No	No Fee	No		No	Risk No	Unrestrict No	Unrestrict No	No	No	No	No	No	No	No	No	No	Bay River	Visual

This imbedded Excel spread sheet should be used for the table described in Section II (Existing Public Access). The title of each column should not be changed. The information about each public access location should be filled in using one of the options listed. This table will also be used to populate the information for each public access location in GIS. Additional information about each public access location can be included in the narrative portion of Section II. Please contact DEP with any questions or concerns about these options.

SIGNS: Does the location provide signage identifying the location as a point of public access? Yes/No

PARKING: Is there parking, and if so, is there a charge? Charge = there is a charge for public parking; No Charge = there is no charge for public parking; No = no public parking provided

AMT: How many parking spots are available? Provide a number

STREET: At what street end is the public access located? For parallel access, cross streets can be provided. Examples: 1st St; Ocean Ave/3rd; 45th St

BADGE: Are there times when a badge is required to use this location? Yes/No

SWIMMING: Can you swim at this location? Guard= a guard is provided at times; At Own Risk= No guard is provided; No= Swimming is not allowed

FISHING and SURFING: Is fishing/surfing allowed at this location? Unrestricted= Fishing/surfing is allowed at all times with no restrictions; Restricted= There exists a form of restriction of fishing/surfing, examples include time of day, seasonally, etc. These restrictions should be discussed in the Section II, C. (Limitations to Public Access).

PLAYGRD, PARK, PIER, BOATLNCH, MARINA, FOOD_DRINK, RESTRMS, SEATS: Does this location include these amenities? Yes/No

H_C: Is this location handicap accessible? (Not necessarily ADA Compliant) Yes/No. The type of accessibility should be expanded upon in Section II, B (Improved Public Access Locations).

SHORELINE: What shoreline does this location inhabit? The Beach, Bay, or River?

TYPE: Describe the type of access-physical, visual only, water

DRAFT

Reference Section 1 Municipal Goals, Elements and Policies

40:55D-2. Purpose of the act

It is the intent and purpose of this act:

- a. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
- b. To secure safety from fire, flood, panic and other natural and man-made disasters;
- c. To provide adequate light, air and open space;
- d. To ensure that the development of individual municipalities does not conflict with the development and general welfare of neighboring municipalities, the county and the State as a whole;
- e. To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment;
- f. To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies;
- g. To provide sufficient space in appropriate locations for a variety of agricultural, residential, recreational, commercial and industrial uses and open space, both public and private, according to their respective environmental requirements in order to meet the needs of all New Jersey citizens;
- h. To encourage the location and design of transportation routes which will promote the free flow of traffic while discouraging location of such facilities and routes which result in congestion or blight;
- i. To promote a desirable visual environment through creative development techniques and good civic design and arrangement;
- j. To promote the conservation of historic sites and districts, open space, energy resources and valuable natural resources in the State and to prevent urban sprawl and degradation of the environment through improper use of land;
- k. To encourage planned unit developments which incorporate the best features of design and relate the type, design and layout of residential, commercial, industrial and recreational development to the particular site;
- l. To encourage senior citizen community housing construction;
- m. To encourage coordination of the various public and private procedures and activities shaping land development with a view of lessening the cost of such development and to the more efficient use of land;
- n. To promote utilization of renewable energy resources; and
- o. To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the State Recycling Plan goals and to complement municipal recycling programs.

Master Plan Elements - Required

- Statement of Purpose C.40:55D-28B(1)
- Land Use Element C.40:55D-28B(2)
- Housing Plan Element C.52:27D-310 (Addendum to C.40:55D-28B(3))
- Relationship with Other Plans C.40:55D-28D

Master Plan Elements – Optional C.40:55D-28B

- Circulation Plan (including Bicycle/Pedestrian Plan)
- Utility Service Plan
- Community Facilities Plan
- Recreation Plan (sometimes combined with Open Space)
- Conservation Plan (sometimes combined with Open Space)
- Economic Plan
- Historic Preservation Plan
- Recycling Plan
- Farmland Preservation Plan
- Sustainability Plan
- Tourism Plan

Reference Section 2 Potential Needs Assessment Approaches

Simple Process

Create committee to handle needs assessment (temporary planning board sub-committee)
Review Inventory of existing facilities
Prepare list of local and regional stakeholders
Engage stakeholders and request input on potential needs being addressed and not being addressed
Compare needs with existing facilities
Hold public review of comparison at Planning Board meeting for general public input.
Record and review input at mtg.
Review opportunities for municipal improvements, non-municipal improvements and existing facilities in surrounding communities.
Prepare report on needs assessment for use in MPAP with suggestions on possible solutions.

Extended Process

Create committee to handle needs assessment (MPAP committee with members of Planning Board and or other municipal boards, residents, non-residents and associations)
Review Inventory of existing facilities
Prepare list of local and regional stakeholders
Expand committee as needed to incorporate critical stakeholder groups
Hold public forum and engage stakeholders for input on potential needs being addressed or not being addressed
Consider online survey of needs through survey monkey or constant contact distributions
Compare needs with existing facilities
Hold public review of comparison at Planning Board meeting for general public input.
Record and review input at mtg.
Review opportunities for municipal improvements, non-municipal improvements and existing facilities in surrounding communities.
Prepare report on needs assessment for use in MPAP with suggestions on possible solutions

NOAA Coastal Service Center

Conducting Needs Assessment s, <http://www.csc.noaa.gov/training/needs-assessment.html>

Online self-guided course for conducting needs assessments