

March 17, 2026

BOROUGH OF BRADLEY BEACH

RESOLUTION 2026-86

A RESOLUTION SUPPORTING THE GOALS OF THE NEW JERSEY RESILIENT ENVIRONMENTS AND LANDSCAPES (REAL) REGULATIONS AND REQUESTING MODEL ORDINANCE LANGUAGE, IMPLEMENTATION GUIDANCE, INFRASTRUCTURE COORDINATION, REGIONAL RESILIENCE PLANNING, AND AN EXTENSION OF MUNICIPAL COMPLIANCE DEADLINES

WHEREAS, The New Jersey Department of Environmental Protection (NJDEP) has adopted the **Resilient Environments and Landscapes (REAL) regulations**, which modify flood hazard, coastal zone, and related environmental permitting requirements; and

WHEREAS, the Mayor and Council of the Borough of Bradley Beach recognize and support the State of New Jersey's efforts to prepare communities for **sea-level rise, coastal flooding, and climate-related risks** affecting the State's shoreline communities; and

WHEREAS, the Borough acknowledges the importance of proactive planning and resiliency initiatives to protect **public safety, property, infrastructure, and the long-term economic vitality** of coastal communities; and

WHEREAS, the REAL regulations require or anticipate **municipal action**, including amendments to local zoning ordinances, land development regulations, permitting procedures, and administrative practices; and

WHEREAS, the Borough of Bradley Beach is a **densely developed coastal municipality** with significant residential, commercial, and tourism-related land uses potentially affected by the REAL regulations; and

WHEREAS, New Jersey's **564 municipalities vary significantly** in staffing capacity, planning resources, engineering support, and legal expertise; and

WHEREAS, absent standardized guidance, municipalities may independently develop ordinance amendments that vary in interpretation, terminology, structure, and implementation, potentially resulting in **inconsistent statewide application** of the REAL regulations; and

WHEREAS, uniformity and clarity in municipal ordinance language would reduce **legal uncertainty, administrative burden, and inconsistent enforcement**; and

WHEREAS, municipalities require sufficient time to:

- Review and understand the technical implications of the REAL regulations
- Coordinate with municipal attorneys, planners, engineers, and construction officials

- Conduct Planning Board and Governing Body hearings
- Prepare zoning map amendments where necessary
- Develop clear public-facing guidance materials
- Conduct resident outreach and education to ensure transparency and informed compliance

WHEREAS, municipal officials have identified **implementation challenges associated with applying the REAL regulations within established coastal communities** that were built over many decades under earlier development standards; and

WHEREAS, the Borough has observed potential **vertical elevation disparities**, where some homes may be elevated ten (10) to twenty (20) feet above grade while adjacent homes remain at existing elevations, potentially creating challenges for emergency services, school transportation, pedestrian circulation, and neighborhood accessibility; and

WHEREAS, differences in building elevations may create **infrastructure coordination challenges**, including misalignment between elevated structures and existing sidewalks, roadways, drainage systems, and utility infrastructure such as telephone and electric service lines; and

WHEREAS, the Borough recognizes **cost equity concerns associated with the Substantial Improvement (“50 Percent Rule”)**, under which the cost of elevating a single-family home may range from approximately \$80,000 to \$300,000 or more, placing substantial financial burdens on individual property owners; and

WHEREAS, uneven elevation of structures within a neighborhood may create localized flood management concerns sometimes referred to as the **“bathtub effect,”** in which elevated structures may redirect or displace floodwater toward adjacent lower-elevation properties; and

WHEREAS, from an engineering perspective, incremental elevation of individual properties without coordinated neighborhood drainage improvements may alter surface runoff patterns, disrupt historic drainage pathways, and increase localized ponding or floodwater displacement, potentially worsening flood conditions in adjacent areas, and may result in the displacement of floodwaters to adjacent properties or public rights-of-way where stormwater systems were not designed to accommodate such altered drainage patterns; and

WHEREAS, incremental elevation of buildings over time may also produce a **“staircase coastline” condition**, resulting in a patchwork of varying building elevations that complicates infrastructure connections, pedestrian access, utility alignment, and long-term neighborhood planning; and

WHEREAS, changes in flood elevation standards and redevelopment requirements may affect the feasibility of reinvestment in certain properties and may create uncertainty regarding **property improvement costs, redevelopment potential, and long-term property values** in established neighborhoods; and

WHEREAS, effective coastal resilience requires coordination between **property-level elevation standards and broader infrastructure systems**, including transportation networks, stormwater drainage systems, utilities, and emergency service access; and

WHEREAS, many coastal municipalities in **Monmouth County, Ocean County, and throughout New Jersey share common flood risks, watershed systems, and infrastructure networks**, which would benefit from coordinated regional planning and watershed-scale flood management strategies; and

WHEREAS, experience from coastal regions around the world demonstrates that successful long-term resilience strategies often combine **property-level protections with coordinated infrastructure investments**, including drainage improvements, pump stations, tide gates, flood barriers, and regional stormwater management systems; and

WHEREAS, many coastal municipalities face similar planning and infrastructure challenges related to the implementation of the REAL regulations, and a coordinated regional dialogue among municipalities, State agencies, engineers, and planning professionals could assist in identifying practical implementation strategies and long-term resilience solutions; and

WHEREAS, a structured implementation framework developed by NJDEP would promote **orderly adoption**, reduce confusion among property owners, and enhance regulatory predictability statewide.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Bradley Beach, County of Monmouth, State of New Jersey, that:

- 1. Model Ordinance Language Requested:** The Borough respectfully requests that NJDEP prepare and disseminate **standardized model ordinance language** addressing municipal implementation of the REAL regulations.
- 2. Structured Implementation Framework Requested:** The Borough further requests that NJDEP develop and provide a **structured statewide implementation framework**, including guidance memoranda, technical bulletins, FAQs, public education materials, training opportunities, and compliance review tools.
- 3. Holistic Legislative and Planning Coordination:** The Borough respectfully encourages the State of New Jersey to pursue a **comprehensive legislative and planning framework** that aligns building regulations with municipal land-use planning, infrastructure systems, and coastal resilience initiatives.
- 4. Model Ordinances for Coastal Consistency:** The Borough encourages development of **model ordinances and planning tools** that promote regulatory consistency across coastal municipalities.

5. Zoning Map and Planning Coordination: The Borough requests coordination with municipalities regarding **zoning map amendments, land-use planning implications, and development standards** associated with REAL implementation.

6. Standardized Definitions and Regulatory Interpretation: The Borough respectfully requests standardized definitions and technical guidance to ensure **consistent interpretation of REAL regulatory provisions statewide**.

7. Public Communication and Education Tools: The Borough requests development of **public communication toolkits and educational materials** to assist municipalities in informing residents and property owners.

8. State–Municipal Collaboration: The Borough encourages continued collaboration between **NJDEP, municipalities, county governments, regional planning entities, and infrastructure providers**.

9. Regional Coastal Resilience Collaboration: The Borough supports the exploration of **regional partnerships among coastal municipalities** to coordinate planning efforts, share engineering data, and develop watershed-scale strategies to address shared flood risks.

10. Expanded State and Federal Infrastructure Investment: The Borough respectfully calls upon State and Federal leaders to pursue **expanded funding opportunities and long-term infrastructure investment** to support coastal resilience initiatives including drainage upgrades, pump stations, tide gates, stormwater management systems, roadway adaptations, and utility infrastructure protection.

11. Watershed-Scale Flood Management Planning: The Borough encourages the development of **coordinated watershed-scale flood management strategies**, recognizing that floodwaters and drainage systems do not follow municipal boundaries.

12. Regional Coastal Resilience Implementation Dialogue: The Borough respectfully encourages NJDEP, in cooperation with the **New Jersey State League of Municipalities, county governments, and coastal municipalities**, to convene a **coastal resilience implementation working group or regional forum** to facilitate coordination, share technical information, and support consistent implementation of the REAL regulations.

13. Orderly Implementation Period Requested: The Borough respectfully requests that NJDEP extend municipal compliance deadlines for adoption of REAL-related ordinance amendments, potentially **up to one (1) year**, to allow adequate time for municipal review, public hearings, planning coordination, and resident education.

14. Purpose of Request: This request is made to promote:

- Administrative consistency
- Regulatory clarity
- Transparent communication with residents
- Coordination between regulatory policy and infrastructure planning
- Reduction of unintended economic and infrastructure disruption

BE IT FURTHER RESOLVED

That a certified copy of this Resolution shall be transmitted to:

- The Commissioner of the New Jersey Department of Environmental Protection
- The Governor of the State of New Jersey
- The Borough’s Federal Representatives
- The Borough’s State Legislative Representatives
- The Monmouth County Board of Commissioners
- The Mayors of Coastal Municipalities in the State of New Jersey
- The New Jersey State League of Municipalities

and that the Borough of Bradley Beach **encourages other coastal municipalities to review and consider adoption of similar resolutions in order to promote coordinated statewide implementation of the REAL regulations.**

Seconded by Councilperson _____ and adopted upon the following vote:

AYES NAYS ABSTAIN ABSENT

Ms. DeNoble
Ms. Greenblatt
Mr. Karp
Mr. Nowicki
Mayor Gubitosi

CERTIFICATION

I, Erica Kostyz, Municipal Clerk of the Borough of Bradley Beach, Monmouth County, New Jersey, do hereby certify that the foregoing resolution was duly adopted by the Governing Body at the March 17, 2026 Council Meeting.

Erica Kostyz, RMC, CMR
Municipal Clerk