

NJ Office of Planning Advocacy

State Plan Endorsement Opportunities & Constraints
Assessment Report for:

The Town of Dover, Morris County
May 3, 2022



Contents

Introduction..... 3

Background..... 3

Relation to the State Plan.....4

 Vision Statement, Goals and Objectives of the Comprehensive Plan....5

Realistic Development Potential, and Buildout.....6

 Sewer Capacity.....7

 Buildout.....7

Housing.....9

 Affordable Housing.....9

 Overall Housing Needs.....9

 Workforce Housing.....9

 Accessory Dwelling Units.....9

Overall Planning & Redevelopment.....10

 Continue to pursue projects under Redevelopment Law.....10

 Schools.....10

 Establish a Planning Department.....11

 Bassett Highway Redevelopment Plan.....12

 Transit Oriented Development District.....12

 Housing and TOD.....14

 Establish a Parking Authority.....15

 2018 Master Plan: Recommended Changes.....16

 Proposed E Dickerson Street ROW Continuation.....16

 Higher Density Development.....17

 Consider establishing a Highlands TDR Receiving Zone.....17

 Opportunity Zone Challenge grant.....18

 Highlands Local Zoning Local Control grant.....19

Open Space, Parks and Complete Streets.....19

 Climate Resilience.....22

 Environmental Justice.....23

Conclusion.....24

Next Steps.....25

Introduction

The Town of Dover (hereafter Dover or the Town) in Morris County, first had its Regional Center designated by the State Planning Commission (the Commission) on December 2, 1994. The Regional Center was due to expire on January 7, 2008, that was extended via various permit extensions and then through Executive Order 103 (Murphy) declaring the Public Health Emergency and the State of Emergency due to the COVID-19 pandemic on March 9, 2020. On June 1, 2022, the Commission adopted Resolution No. 2022-05, which, among other things, declared a center termination date of March 31, 2023, for those municipalities, such as Dover that are further along in the process of extending their Centers through attaining Plan Endorsement.

Dover is seeking Plan Endorsement in order to maintain their existing Regional Center designation and to receive wider recognition and State Agency benefits in support of their efforts to strengthen the economic viability and vibrancy of the historic downtown and commercial corridors through several planning initiatives and redevelopment plans and projects that embody the principles of sustainable development and smart growth. Plan Endorsement is a voluntary review process designed to ensure the coordination of state, county, and municipal planning efforts in achieving the goals and policies of the State Planning Act (Act). The State Development and Redevelopment Plan (State Plan) is the blueprint for achieving these goals and provides the template for coordination. The endorsement process expands upon the requirements of the Municipal Land Use Law (MLUL) and incorporates many planning initiatives of the State agencies. Once centers are designated in the plan endorsement process, they remain valid for a period of ten years.

Background

The Town of Dover is located within Morris County, about 38 miles west of New York City. It enjoys excellent access to the regional road network, with major thoroughfares providing direct access to the community via Interstate 80, which passes to the north, and Route 10 in the south. Bisecting Dover are Route 15, which runs north/south, into the heart of town and Route 46 running east/west providing excellent access to the major road networks and surrounding region. Dover is roughly 2.7 square miles in size and is a “Regional Center” as defined by the State Development and Redevelopment Plan (“State Plan”). The adopted State Policy Plan Map shows the entirety of Dover, with its high density, as located entirely within Planning Area 1 (PA1), the Metropolitan Planning Area, of which 1,746 acres are located within the New Jersey Highlands Planning Area. The Regional Center has a termination date of March 31, 2023. Through Plan Endorsement, expired centers can be re-established, although the Town intends to become endorsed and extend its Center prior to its expiration. As with the endorsement period, approved centers are valid for ten years. In addition, the entirety of the Town is located within 4 of 6 different types of designated Overburdened Communities under New Jersey’s Environmental Justice Law, which defines overburdened communities based on criteria related to minority status, income, and English proficiency.

Dover consists of a pedestrian scale, centrally developed downtown that is bisected by the Rockaway River and includes the 45-acre Blackwell Street Historic District, now on the National Register of Historic Places. The adjacent, and historic, Dover Train Station, serves as a major stop on the Morris and Essex Rail line, with some trains operating directly into Penn Station New York (“Mid-town direct”). Surrounding the downtown area are lower density residential neighborhoods, parks, preserved forested hills, and industrial/commercial activities. The historic Blackwell Street serves as the community’s main street and urban core and epitomizes the Town’s rich past as a regional destination. With more than 6,000 people per square mile living within the 2.7 square mile community that is home to a major train station and a central business district along Blackwell Avenue, Dover is a perfect example of how the State Plan defines a regional center.

On June 30, 2009, the Town of Dover submitted their Municipal Self-Assessment (“MSA”) Report to the Office of Planning Advocacy (“OPA”) (successor to Office of Smart Growth). The findings and conclusions of the MSA were presented at a public meeting of the Town’s Board of Aldermen, and a resolution was adopted to pursue Plan Endorsement. For reasons outside of Town’s control, their petition for plan endorsement did not proceed. The Town again initiated the Plan Endorsement process on February 3, 2022, by attending a pre-petition meeting with OPA and our partner State agencies. At the meeting, it was mutually agreed that the Town would update its 2009 MSA Report, as much of the information therein, remains consistent with the State plan and current planning efforts. As part of the update, the MSA has been amended where new circumstances, data, and State priorities, such as climate resilience and environmental justice warrant. The Town’s planning consultant, CME, was tasked with updating the Report with the input and support of OPA, Town Planning Staff, and members of the Plan Endorsement Advisory Committee

(“PEAC”). The PEAC was authorized by the Board of Alderman on November 9, 2021, via Resolution NO. 244-2021. The MSA was authorized by the Board of Alderman on March 23, 2023, via Resolution NO. 103-23. As part of the Plan Endorsement process, the Town is required to conduct a Community Visioning process, culminating with adoption of a new vision statement as part of the next master plan reexamination. Since Dover completed an extensive and well-documented visioning process in 2007, as part of their current petition for plan endorsement, the Town will conduct at least one well-advertised visioning session to determine the extent to which the vision statement remains representative and modify if found outdated.

Pursuant to the State Planning Rules, N.J.A.C. 5:85-7.10, the State Agency Opportunities and Constraints Analysis (OCA) (“Step 4”), component reports, were conducted to preliminarily assess local opportunities and constraints, as it relates to existing development, current zoning regulations, infrastructure, and natural resources. This report responds to the information provided in the Municipal Self-Assessment Report to identify opportunities and constraints and determine whether current planning and zoning are consistent with the State Plan and new State planning priorities.

Relation to the State Plan

In order to revitalize the downtown, Dover initiated a series strategic visioning and planning efforts beginning in 2006. The first step was in designating all land within the municipal boundaries of the Town as an “Area in Need of Rehabilitation” as defined in the Local Redevelopment and Housing Law. This declaration was based on the fact that more than 50 percent of the housing stock is at least 50 years old, and the majority of the water and sewer infrastructure is at least 50 years old and is need of repair or substantial maintenance. In 2007, the Town completed an extensive community visioning process that established a broad local consensus and planning framework around key smart growth and transit-oriented development goals and objectives. This effort culminated with the adoption of a new Comprehensive Plan (i.e., Master Plan) that included a land use, housing, circulation, recycling, storm water, open space, and historic preservation element. Together, the Comprehensive Plan, supporting elements, goals, objectives, and vision statement, demonstrate a high-level of consistency with the State Plan. Taken as a whole, the Dover’s planning documents and zoning are largely consistent with the State Plan and related planning policies. Areas that are not consistent will be addressed in the Plan Implementation Agreement to be negotiated with the Town, which will outline short and longer term planning actions and measures for completion by Dover to achieve and maintain full consistency with the State Plan during the 10-year endorsement period. Specific consistency with each of the eight (8) goals of the State Plan will be addressed in OPA’s final Recommendation Report for Plan Endorsement.

Vision Statement, Goals and Objectives of the Comprehensive Plan-The Town's overall vision statement as stated in the 2007 Comprehensive Plan is to "Enhance and create a sense of place that encourages economic vitality and community activity through well-designed land development consistent with established neighborhoods and land use patterns, while preserving the community's suburban and urban landscapes. Dover is a unique community within Morris County with a pedestrian scale central downtown business district, parks, river and historic canal resources, railroads, industrial activity, a variety of housing types, and a high number of churches serving as neighborhood and regional centers, all of which make Dover a desirable place to live, work and play."

The Comprehensive Plan seeks to implement its vision through specific objectives as follows:

1. Encourage preservation of existing neighborhoods through community-based programs.
2. Reduction of auto- dependency through innovative design practices such as shared parking and pedestrian oriented design.
3. Reduce pedestrian and bicycle conflicts through taking a pedestrian first approach.
4. Encourage consistency with the State Plan for Planning Areas and Center Designation as well as the new Highlands Water Protection and Planning Act.
5. Capitalize on opportunities for redevelopment in the transit oriented downtown.
6. Encourage new development to be consistent with the scale of established land uses.
7. Create multi-jurisdictional partnerships both horizontally and vertically to establish coordination and cooperation for the future of the region.
8. Capitalize on the unique cultural diversity and charm of Dover through economic development initiatives.

In addition, the Comprehensive Plan includes the following goals, which, like the vision statement and supporting objectives, demonstrate consistency with the State Plan. Comprehensive Plan Goals include:

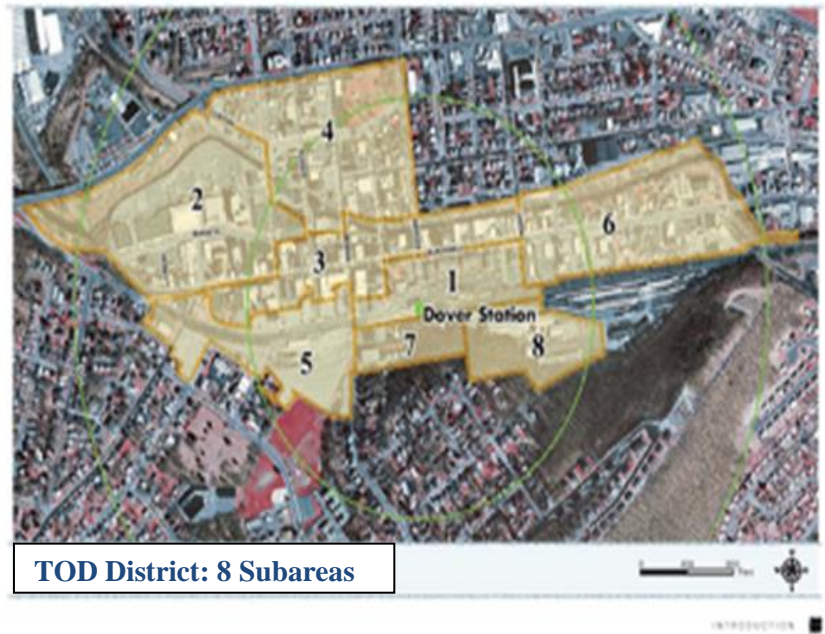
- Land Use Goal: Preserve residential neighborhoods.
- Circulation Goal: Provide alternative routes for regional traffic to disperse and diffuse traffic to reduce and eliminate existing and potential congestion.
- Housing Goal: Maintain and encourage diversity in the type and character of available housing promoting an opportunity for varied residential communities.
- Historic Preservation Goal: Preservation and continued use of properties of historic significance to the Town of Dover and its rich history.
- Recreation, Conservation & Open Space Goal: Provide for a range of quality public services such as schools, libraries, and recreational facilities, public safety/emergency services and ensure the adequacy of same to accommodate existing and future populations.

According to the 2023 MSA report, the Master Plan Goals and Vision for the Town have remained relatively static since adoption of the 2007 Master Plan. For Plan Endorsement, Dover understands that it will need to

conduct another Community Visioning process since it has been nearly fifteen years since adoption of the current comprehensive plan, related goals, and vision statement. This process should include a minimum of two (2) public forums for community input (including facilitation in Spanish), and interviews with various stakeholder groups and community representatives to ascertain the extent to which the current vision statement and goals remain reflective and representative of the overall community, and revise if necessary, consistent with the goals of the State Plan.

In 2008, Dover adopted a Transit-Oriented Development (TOD) Plan and associated form-based zoning code with funding from then, Office of Smart Growth. The TOD plan appended the 2007 master plan. Its goal was to “kick start” economic development in the downtown by focusing redevelopment efforts on the TOD district which comprises eight subareas centered within a half-mile of the Dover train station and the community’s historic core which contains the downtown business district, civic uses, and several surface parking lots associated with the train station. As part of the TOD planning effort, a detailed analysis was performed of existing land use, zoning and how new development and parking should be designed,

coordinated, and connected into the existing business district. Over the subsequent years, implementation has been slow, but steady, which can partly be explained by the economic downturn during the previous recession.



Through adoption and the ongoing implementation of its Comprehensive Plan (i.e., Master Plan), TOD plan, Master Plan Reexamination (2018), Redevelopment and Rehabilitation Plans (e.g., Guenther Mill, North Sussex Street, East Blackwell Street, Dover South Station, and Bassett Highway, etc.), and updated Fair Share Plan (2016), and Housing Element (2017), Dover continues to proactively revitalize its historic downtown and plan for a more sustainable future, consistent with the State Plan. These planning documents provide a sound foundation for ongoing redevelopment/infill and rehabilitation efforts and projects that have largely been focused on progressively transforming the downtown into a TOD District. With its dense, walkable, and mixed-use format anchored with ½ of the train station, the TOD strategy, and numerous Redevelopment/Rehabilitation Plans, support a vibrant, sustainable, and equitable community that optimizes the smart growth goals and objectives of the State Plan.

Realistic Development Potential, and Buildout

As part of the OCA report, OPA typically prepares a build-out analysis to determine whether trend growth as permitted under current zoning on developable land is sustainable and viable based on the information provided and State agency analysis. As Dover is essentially a “built-out” urban community with little developable vacant land, where development opportunities take place in the form of in-fill, reuse, and redevelopment, this report does not include a trends analysis (“build-out”) based on mapping data and zoning regulations. In addition, while current plans indicate that mixed-use development will be encouraged in the

TOD district (within a 1/2-mile circle surrounding the train station), the form-based code implemented by the Town, does not, by design, specify conventional uses and density calculations that would otherwise be used to determine the residential and commercial build-out. As such, the projections from the Town’s draft chapter in the County Wastewater Management Plan will be used.

Sewer Capacity-All of Dover is located within the currently adopted sewer service area, which is managed and operated by the Rockaway Valley Regional Sewerage Authority (RVRSA). In the MSA report, Dover, in conjunction with the RVRSA, has calculated the projected future wastewater flows for anticipated/known development projects for the Town to the year 2042. According to the Future Wastewater Flows table provided in the infrastructure section of the MSA, **Dover anticipates 2,172 new dwelling units over the next twenty years**, necessitating a projected additional flow of 422,250 GPD for residential uses. The RVRSA reports that its treatment plant is at 79.35% of available capacity (i.e., 9.522 MGD of 12 MGD as permitted by NJDEP). As the RVRSA provides sewer service to all or parts of the ten (10) municipalities in Morris County, it is unclear at this time whether there will be enough capacity to serve all 2,172 units that the Town anticipates over the next twenty years, as additional gallonage is provided on a first-come, first-served basis for applicants meeting certain established criteria, such as first obtaining preliminary site plan and/or subdivision approval. As much of Dover’s future growth will occur through redevelopment, to an extent, new demands for sewer capacity will be offset by disconnection of existing uses, including further offsets realized through the replacement of inefficient and consumptive uses with new and more efficient water saving technologies.

Build-out--As depicted in the below table, the RVRSA projects a future, year 2042 residential build-out of 2,172 units. If the average household size (according to ACS) is 3 persons, then the 2,172 units can be anticipated to yield 6,516 additional residents by year 2042, resulting in a total population of 24,432. While NJTPA forecast modeling from 2020, projects a 2050 population of only 19,522 (in comparison to using RVRSA projections), it should be noted that NJTPA draws upon U.S. Census Bureau’s (Census) American Community Survey (ACS) data in calculating demographic and other information. While the Census data is widely used and relied upon for municipal planning, there is no substitute for utilizing more accurate local data to the extent it exists. It is also true that some of the anticipated development projects used by Dover and RVRSA in determining sewer capacity and future unit yields, may not come to pass. As such, it’s entirely possible that the projected population will be lower. However, as reported in the MSA, recent Code Violation Reports indicate that there are a large number of residences in Town where stacking and overcrowding are occurring, which would skew current and future population estimates to be lower than the reality on the ground.

| | | |
|--|---------|--|
| Land consumption | (acres) | Figure 1 – Summary Trend Analysis |
| Urbanized lands | 1,364 | |
| Flood hazard Area | 239 | |
| Developable land | 3.73 | |
| Vacant land | 33 | |
| Constrained: flood zones, encumbered open space, wetlands, steep slopes | 865 | |
| Buildings | | |
| existing residential units (2020 Decennial Census Counts) | 5,972 | |
| additional units at 2042 (according to RVRSA) | 2,172 | |
| total residential units at 2042 (RVRSA units x avg. household size of 3) | 8,144 | |
| People | | |
| current residents (U.S. Census Bureau 2022/ACS) | 18,520 | |

| | |
|---|--------|
| Average Household Size (2022 ACS) | 3 |
| additional residents at 2042 (Using RVRSA units x avg. household size of 3) | 6,516 |
| population in 2042 (RVRSA total units x avg. household size) | 24,432 |
| NJTPA (Aug. 2020) Demographic forecasting model, Dover population in 2050 | 19,522 |

Figure 2 – Population changes by decade

| Year | Population | Number Change | Percent Change |
|----------------------------|------------|---------------|----------------|
| 1900 | 5,938 | - | - |
| 1910 | 7,468 | 1,530 | 25.77% |
| 1920 | 9,803 | 2,335 | 31.27% |
| 1930 | 10,031 | 228 | 2.33% |
| 1940 | 10,491 | 460 | 4.59% |
| 1950 | 11,174 | 683 | 6.51% |
| 1960 | 13,034 | 1,860 | 16.65% |
| 1970 | 15,039 | 2,005 | 15.38% |
| 1980 | 14,681 | -358 | -2.38% |
| 1990 | 15,115 | 434 | 2.96% |
| 2000 | 18,188 | 3,073 | 20.33% |
| 2010 | 18,157 | -31 | -0.17% |
| 2020 | 18,460 | 303 | 1.67% |
| 2021 | 18,490 | | .16% |
| 2022 | 18,520 | | .16 |
| 2045 Forecast (NJTPA 2015) | 19,632 | 1,172 | 6.35% |

Source: US Census (Decennial Census), North Jersey Transportation Authority Demographic and Employment Forecast Model (2017)

Housing

Affordable Housing--In 2016, the Town and Fair Share Housing Center, memorialized a Settlement Agreement, followed by the Court Granting Substantive Certification and a Judgement of Compliance and Repose for a period of ten years. As such, Dover remains fully compliant with the Mount Laurel Constitutional Housing Obligations in providing a realistic opportunity for the construction by the private sector of Dover's Fair Share Housing Obligations. As of 2022, the MSA noted that the Town's affordable housing obligations have been met and remain within the requirements set forth by the Court in providing very low-, low-, and moderate-income housing units throughout the Town. For example, in 2021, the Town successfully coordinated with developers to construct a 71-unit affordable project, which fulfilled a major element of the Town's Affordable Housing obligations. This development comes in the form of the Pennrose Properties Veterans Housing Development, a 1.183-acre parcel bounded by Prospect Street, Chestnut Street and Thompson Avenue near the center of the Town at "1 Thompson Avenue." In addition, the MSA recommended evaluating the potential for establishing a Zoning for Accessibility (ZFA) overlay zone in the TOD district to incentivize access-focused developments and improvements in this central part of the Town.

Overall housing needs--With 50% of the 5,879 total housing units in Dover estimated to have been built before 1950, the Town has an exceedingly high ageing housing stock, which can be a strong indicator for a higher percentage of substandard and unhealthful homes with greater risks that can impact health outcomes. According to the MSA, the proportion of units built in Dover for each subsequent decade after 1949 is significantly lower than for Morris County and State. While the data can be partly explained by the historic and built-out nature of the downtown core, these are not positive vital signs, which Dover's TOD program and other tools, could, if prioritized, be well-placed to reverse. Given the recognized severe housing shortage in New Jersey across demographic sectors, and indeed much of the country, Dover has a major opportunity to take advantage of the current housing demand and grow its economic base, while meeting the needs of its residents, and the community as a whole. By providing zoning mechanisms to ensure adequate inclusionary workforce and affordable housing for future projects within the TOD district and elsewhere, the Town can also take meaningful steps to address the overcrowding concerns raised in the MSA.

Workforce Housing--According to the MSA, in the future, the Town hopes to accommodate more affordable and accessible housing, particularly within the TOD district in order to serve its existing population by prioritizing inclusionary workforce housing. Traditionally, workforce housing is development that is centered-around moderate-income households near municipalities' employment centers. The MSA includes a map derived from the U.S. Census Bureau's [OnTheMap](#) demographic tool, which provides information that could guide the Town in pursuing future workforce housing development. As can be expected, much of the Town's employment density can be found in the Downtown area surrounding the Blackwell Street Historic Area and the nearby D-1 (Station Area) zoning district. Should the Town pursue workforce housing developments in the future, these locations would be considered the most appropriate to serve the needs of the current and future workforce population in Dover, while reducing vehicular traffic.

Overall Planning and Redevelopment

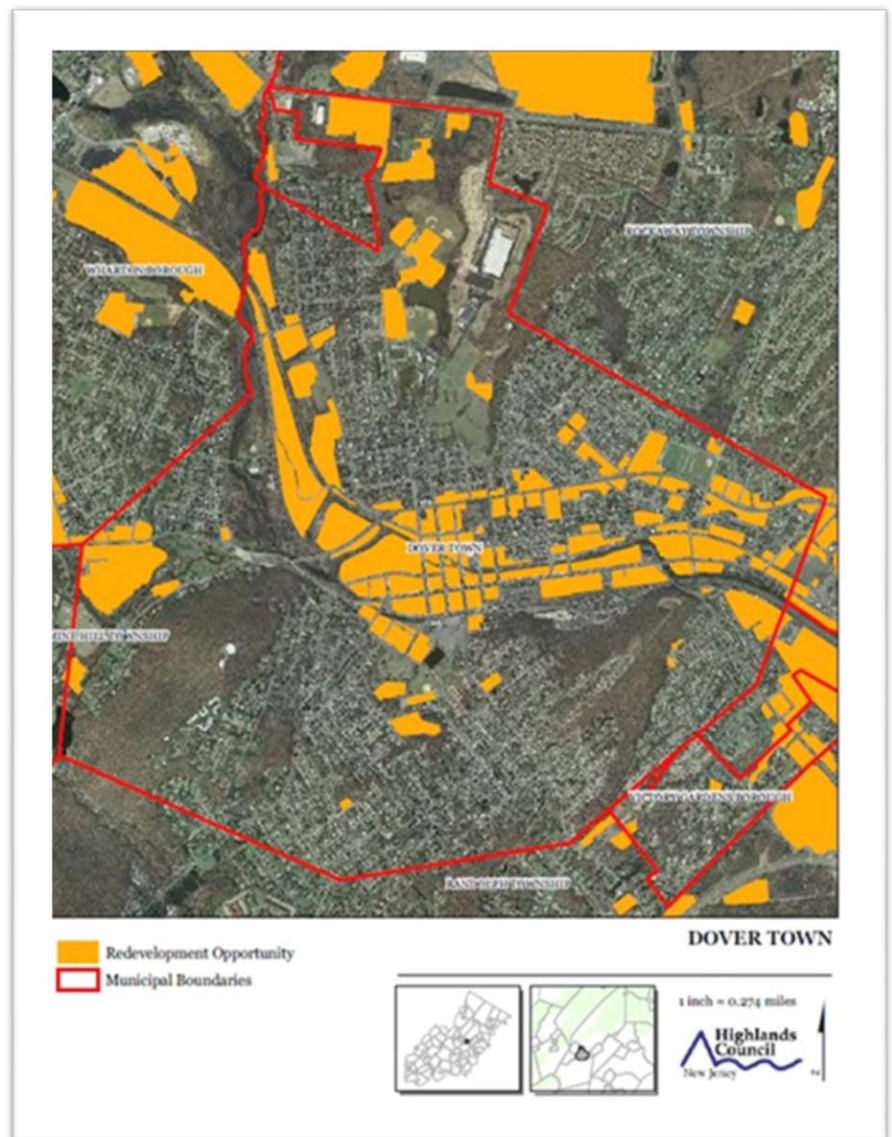
Accessory dwelling units--Another tool to consider, which is increasingly being used elsewhere in New Jersey, is permitting accessory dwelling units (ADUs) in certain residential zones. According to the American Planning Association, an ADU is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names throughout the U.S., including accessory apartments, secondary suites, and granny flats. ADUs can be converted portions of existing homes (i.e., internal ADUs), additions to new or existing homes (i.e., attached ADUs), or new stand-alone accessory structures or converted portions of existing stand-alone accessory structures (i.e., detached ADUs). Internal, attached, and detached ADUs all have the potential to increase housing affordability (both for homeowners and tenants), create a wider range of housing options within the community, enable seniors to stay near family as they age, and facilitate better use of the existing housing fabric in established neighborhoods. Consequently, many cities and counties have signaled support for ADUs in their plans and adopted zoning regulations that permit ADUs in low-density residential areas.

Schools--According to the MSA, Educational Facility Projections section, a February 2021 report prepared by NJDOE, examining youth population projections in the Dover public school system, following the COVID-19 Pandemic, indicates a majority of scenarios whereby the public-school enrollment in the Town is going to increase by the 2025-2026 school year, despite 2020 ACS estimates, indicating a decline over the past decade. The NJDOE report further notes that Dover public schools are nearing or surpassing capacity. Moreover, according to the Dover Public Schools, the NJDOE report also found that Dover currently has 700 more students than it has space for. The discrepancy in findings between the ACS estimates and DOE report, is

likely the result of the DOE having more accurate local data upon which its report relied in its assessment. For example, as indicated previously, the MSA report referenced recent Code Violation Reports indicating that there are a large number of residences in Town where stacking and overcrowding are occurring, which would in turn increase the need for educational facility space in Dover. In response to the DOE report, the MSA recommends that following this petition for Plan Endorsement, the Town should explore the possibility of a more comprehensive study/approach be taken as to addressing overcrowded housing conditions, in addition to placing greater emphasis on Code Enforcement.

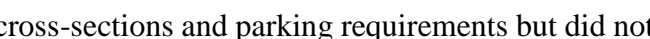
In addition, if the primary issues regarding residential development, are concerns about increased traffic congestion, parking, and the potential increased costs that more school children might place on municipal services, then the powers enabled under the Redevelopment Law can be focused on addressing those concerns through creative Redeveloper Agreements and the use of such tools as payments in lieu of taxes (PILOTs). It is also worth noting that PILOTs have no bearing on school finances as municipalities are statutorily required by law to pay their respective school district their full amount, which includes their allowable 2% increase, regardless of the taxes collected. PILOT or no PILOT, the schools receive the same amount regardless.

Continue to pursue projects under Redevelopment Law— In addition to zoning, the Town should continue utilizing the New Jersey Local Redevelopment and Housing Law (Redevelopment Law), NJSA 40A:12A-1 et seq., which gives municipalities access to powerful tools that can be used to promote a broad range of redevelopment projects. They include the ability to choose and designate redevelopers, negotiate, and execute redevelopment agreements (e.g., to remediate contaminated sites, incorporate environmental protection and mitigation measures, and guarantee specific infrastructure, capital improvements and public amenities. Redevelopment Agreements can provide incentives in return for certain public improvements, negotiate payments in lieu of taxes agreements (PILOTs), and issue bonds secured by project revenues to finance project components or other infrastructure improvements (e.g., offsite roadway, and pedestrian infrastructure needs/upgrades). The Statute also allows greater control over performance standards.



Consider establishing a Planning Department-While the economic benefits from projects realized through use of the Redevelopment Law can be significant and transformative at the community-level, redevelopment planning and project implementation is complex and time-consuming work, requiring the proactive and sustained involvement of qualified in-house professional staff. From a review of the MSA, it is clear that Dover has a large number of redevelopment opportunities and constraints. On the one hand, Dover has an inviting and walkable downtown with a major train station and several excellent plans in place to redevelop multiple, strategically located sites with in-demand land uses that if carefully planned, designed, and executed, promise to be enormously beneficial. At the same time, these efforts are complicated by the presence of extensive flood prone areas, contaminated sites (as documented in the MSA report), ageing infrastructure, underutilized and/or abandoned structures, and a complex form-based zoning code, among other municipal challenges.

Bassett Highway Redevelopment Plan Area (BHRPA) -Adopted in 2007 and revised and re-issued in 2017 by ordinance, the 18-acre tract is located within Subarea 2 of the TOD Plan and partially within the Blackwell Street Historic District. It is also within easy walking distance to the train station. According to the MSA, the Redevelopment Plan provides standards for typical street



address circulation within the site or its integration with Dover's existing road network. The MSA also indicates that two multi-family projects have been completed, with construction of an indoor recreational facility underway, and the so-called "Lynchpin"/ "Barnish" parcel has yet to attract a redeveloper.

The BHRPA Plan requires the creation of a Riverfront Park to be situated along the southerly bank of the Rockaway River. It also provides design standards that utilize traditional neighborhood design principles and help conserve environmental resources. Portions of several properties in the redevelopment area are located in the Flood Hazard Area, which presents challenges for redevelopment. The concept for creating a riverfront park in the most flood prone areas of the tract provides the best means for addressing larger flood, storm, park, and other green infrastructure needs within the immediate downtown area. The riverside park concept could be incentivized through future redevelopment agreements (e.g., PILOT or density bonus), and as part of a multi-phased, public and private partnership, partially funded through applications to the NJ Green Acres program to help fund park acquisition and related planning and recreational development and stewardship costs.

Given the importance of this tract (i.e., size and location) to the overall success of the downtown and TOD strategy, it is recommended that Dover consider updating the BHRPA Plan upon completion of a Climate Change Hazard Vulnerability Assessment, which is a required condition for Plan Endorsement. Doing so will help ensure that future redevelopment of the tract is designed to mitigate and avoid risks to property and livelihood as the result more frequent and intense flood events associated with climate change. In addition, the updated plan should comprehensively address [Complete and Green Streets](#), including specific multi-modal circulation and green infrastructure requirements, and the establishment of a protected pedestrian-bike path. It should identify opportunities to connect the pedestrian-bike path to the north side of the Rockaway River, including access to the train station and nearby parks, including Waterworks Park and Hedden Park. Finally, it should evaluate potential Brownfield and Known Contaminated Sites on the tract, including opportunities to take advantage of the [New Jersey Economic Development Authority \(NJEDA\)'s, Brownfields Redevelopment Incentive Program](#), which covers specific costs associated with brownfield remediation and redevelopment., including the investigation and remediation of environmental contamination, as well as building and structural remediation activities. Established by the [New Jersey Economic Recovery Act of 2020 \(ERA\)](#), the Brownfields Redevelopment Incentive Program is a \$300 million tax credit program designed to compensate developers of redevelopment projects located on brownfield sites for remediation costs.

Downtown Scattered Site Redevelopment Plan-Adopted in 2014 and amended in 2022, the DTSSRP seeks to facilitate Transit-Oriented Development (TOD) on underutilized Town-owned surface parking lots near the train station in the Downtown, as well as blighted properties within Block 1902 along Blackwell Street west of South Salem Street. The successful redevelopment of two of the seven surface parking lots near the train station for higher density residential redevelopment is indicative of the implementation of the Town's commitment to TOD.

TOD District-Dover's TOD Plan addressed how well-designed new development (largely in the form of infill and redevelopment) can fit into the historic framework of the Town to catalyze downtown revitalization, addressing the physical planning issues of mass transit, economic development, public spaces, and circulation. By introducing a critical mass and variety of new housing and mixed-use development, the TOD plan seeks to unlock the downtown's full potential as a vibrant destination for visitors, residents, and the new jobs, attractions, community amenities and customers they bring.

While much effort has gone into developing its award-winning TOD Plan, Dover has yet to take the next step toward full implementation and statewide recognition, by becoming a NJDOT/NJ TRANSIT-designated Transit Village, which could dramatically assist with efforts to advance the TOD strategy. Not only does the TOD Plan meet many of [NJDOT's criteria](#) necessary for demonstrating eligibility for designation under the Transit Village Initiative, but the remaining requirements will help focus the Dover's efforts on bringing its TOD Plan to life, and enabling the Town to take advantage of the many State benefits, technical assistance and funding, extending from designation.

The Transit Village Initiative creates incentives for municipalities to redevelop or revitalize the areas around transit stations using design standards of [transit-oriented development \(TOD\)](#). TOD helps municipalities create attractive, vibrant, pedestrian-friendly neighborhoods where people can live, shop, work and play without relying on automobiles. In addition to community revitalization, the Transit Village Initiative seeks to reduce traffic congestion and improve air quality by increasing transit ridership. Studies have shown that adding residential housing options within walking distance of a transit facility; typically, a one-half mile radius, increases transit ridership more than any other type of development. Therefore, one of the goals of the Transit Village Initiative is to bring more housing, businesses, and people into the neighborhoods around transit stations. Municipalities must meet the [Transit Village Criteria](#) and complete a [Transit Village Application](#) in order to be designated a Transit Village.

Housing and TOD-From the MSA, it unclear, the extent to which the 2,172 anticipated future anticipated units indicated in the Future Wastewater Flows table will be located within the TOD district, and where residential density as part of a mixed-use format should be focused. The market study performed as part of the 2003 Transit Vision Plan identified that 600 – 700 additional units could be accommodated in the TOD based on the market conditions of that time, while today's demand could clearly accommodate greater density. As the infusion of people and investment into TOD's has proven widely successful in bringing retail corridors back to life and, more broadly, catalyzing a community's sustained economic resurgence, Dover should assess its sewer, water, and municipal services (e.g., school) capacity, and determine whether the 2042 housing targets in the 2007 TOD plan should be updated and increased to take advantage of the surging housing demand, and the economic opportunities therein.

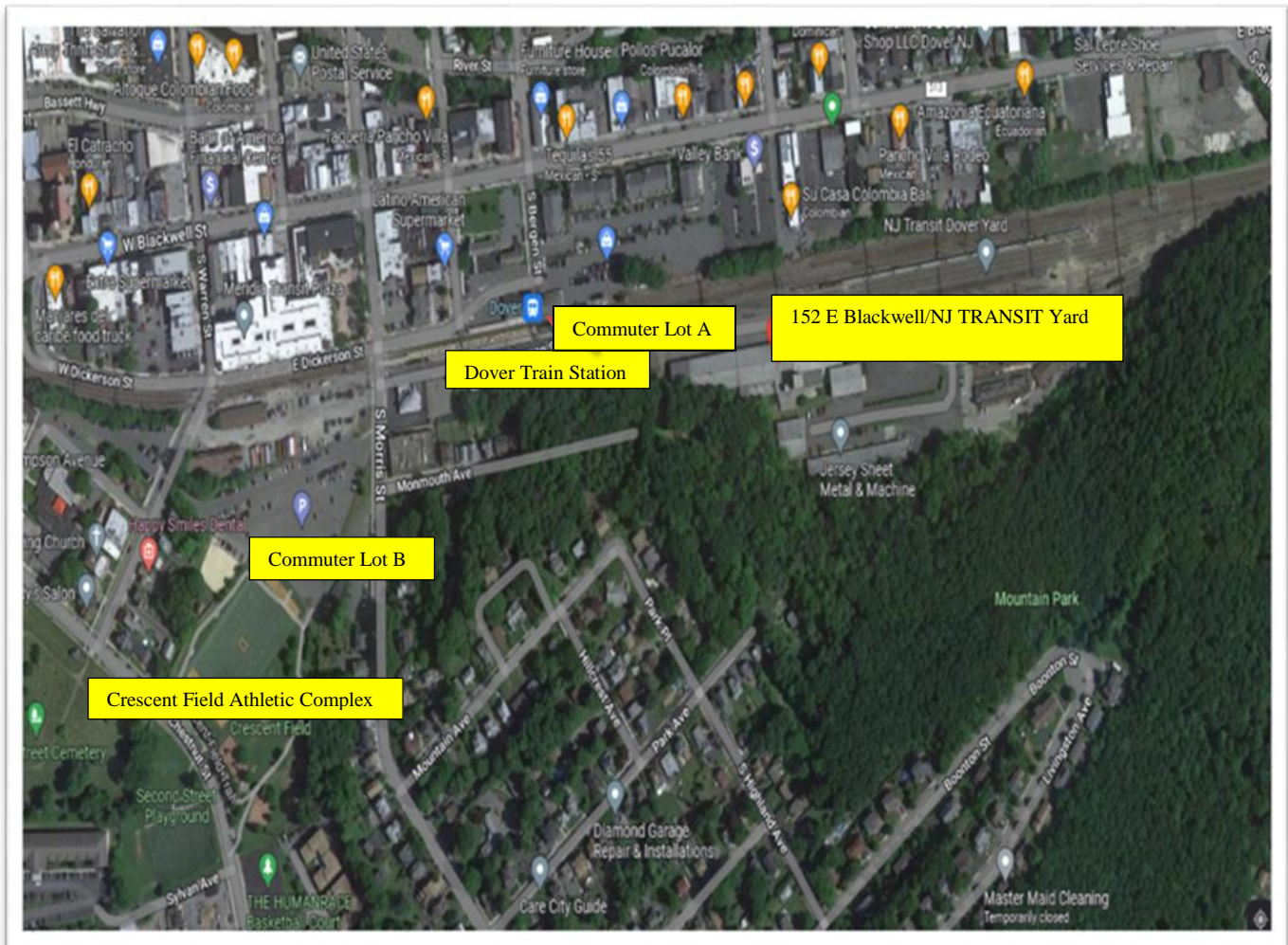
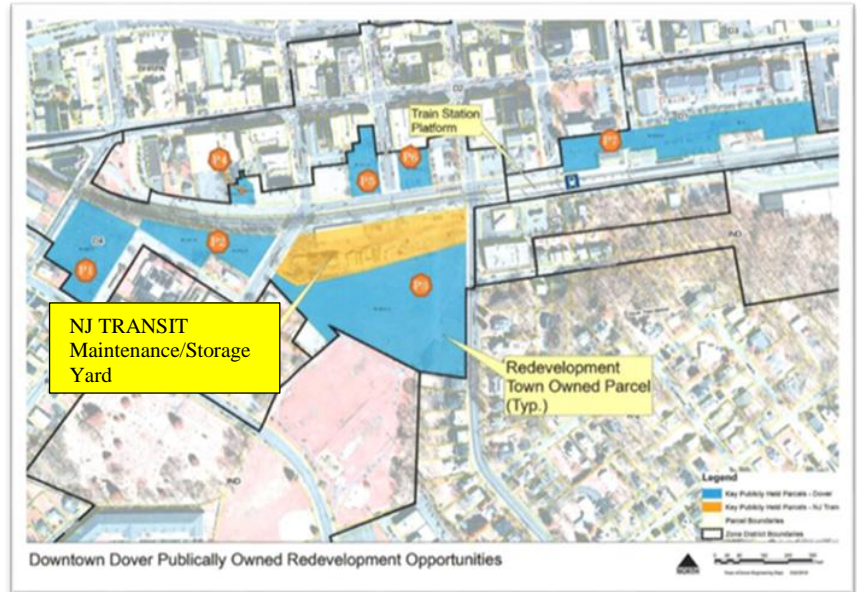
"Being a terminal station along the Morris & Essex Line, as well as a host to a railyard, Dover is an important cog in the regional transportation system. However, a balance must be found between the needs of the host community and the operator of the system. That balance must include a rational approach to commuter parking juxtaposed against what transit-oriented development brings the transit system. While Dover could meet a lot of different, and often competing needs of the system, it must be allowed to redevelop its parking areas to strengthen its economic position, while recognizing the parking needs of the transit system in sensible ways."

-2018 Master Plan Reexamination

TOD and NJ TRANSIT (NJT)

Controlled lands-As reported in the 2018 Reexamination and recent discussions between OPA and the Town, the future of TOD in Dover remains in question as a significant portion of land, comprising several commuter parking lots and other properties necessary to achieve total success, lies under the control of NJT. As most of the land around the station is used for surface parking, the TOD plan's success hinges on adding more intensive uses, encompassing decked parking, housing, and commercial retail, as part of the mixed-use format. Development here will involve cooperation with NJT, which

holds a deed restriction/easement on these town-owned surface lots for commuter parking.



Despite setbacks in the past, there is precedence for Dover and NJT working successfully together to advance significant projects of State and local interest, as evidenced by the Pennrose Properties Veterans Housing Development, which opened in 2021, that provides 71-units of affordable housing at former Parking Lot D (Blk-1219, Lot 2). In furtherance of efforts to continue implementing the TOD Plan, Dover requested OPA's assistance in facilitating renewed discussions with NJT, regarding certain commuter parking lots under the control of NJT, especially, Lots A and B. In addition, Dover has also expressed interest in discussing the NJT-owned, Maintenance/Storage Yard, located at 10 E. Dickerson Street (Block 510, Lot 6), which includes the Dover Freight Station building. According to Dover officials, the site is highly underutilized and currently serves as an unsightly storage/maintenance yard that separates the Crescent Field Athletic complex from the downtown core and E. Blackwell Historic District.

As for Lot A, the Town envisions the construction of a decked parking garage as will likely be needed in order to absorb the loss of parking associated with the redevelopment of Lot B. Finally, Dover has also requested NJT's assistance in addressing the severely deteriorated condition of the historic Dover Train Station building. The station was originally built by the Delaware, Lackawanna and Western Railroad in 1901 and was placed on the [National Register of Historic Places](#) in 1980. According to Dover, the interior of the building has been closed for nearly twenty years.

Update: On February 20th, a meeting was held in Dover with OPA and several representatives from NJT to discuss the above issues and desired outcomes of interest. At the conclusion of the meeting NJT expressed interest in the concepts presented and invited Dover to commit these items/request to writing as part of a meeting summary and policy statement in furtherance of continued discussions/negotiations. On March 21, Director Rendeiro, emailed the memo prepared by Dave Roberts, the Township Planner, to Paul Wyckoff, Government & External Affairs Chief at NJT, and other members of his team who participated in the meeting with Dover and OPA on February 20th. As part of Plan Endorsement, OPA will continue to engage both parties toward achieving the goals of both the Township and NJ Transit.

Consider establishing a Parking Authority-To support the costs associated with the construction of shared parking facilities, the TOD recommends that the Town consider establishing a Parking Authority, or other entity, whose sole purpose is to administer parking. This new entity would be created to broker deals with the Town, State, NJ TRANSIT and developers in order to accommodate the public need for both the Downtown and Transit facilities. Furthermore, this entity would work with the Police Department in the enforcement of parking rules and regulations and would also be responsible for parking meter installations.

The importance of a working Parking Authority is critical when development applications come forth that are unable to provide on-site parking. This is especially evident in the Historic District where many sites do not have dedicated on-site parking nor space to provide it. In the 2018 Reexamination Report, the Town indicated that it is examining the creation of a PILOP (Payment in lieu of parking) system. While this approach could address smaller potential redevelopments in the downtown area that are existing buildings that have no ability to provide off-street parking on their own, the larger issues posed in reconciling the TOD plan with NJ TRANSIT will likely necessitate the establishment of a Parking Authority if the Town is serious about TOD implementation and the overall success of downtown redevelopment efforts.



NJ TRANSIT Commuter Parking Lots and properties-The 2022 MSA report identifies the following commuter parking lots under NJ TRANSIT's control (i.e., deed restrictions or ownership) that contribute to the TOD village buildout and their status as an issue in 2022. It is important to note that specific recommendations for parking are included in the TOD Plan.

- **Lot A:** Block 1213, Lot 2. = 143+ Parking stalls along the Dover Commuter Station. Deed restriction also poses issues for a potential E Dickerson Street extension. TOD Plan recommends conversion to a decked parking garage.

- **Lot B:** Block 1803, Lot 11 = 302 Parking stalls. Transit Storage Yard and Lot B are top priority for the Town in terms of the potential future development and buildout potential

- **Lot C:** Block 1219, Lot 6 = Currently Parking

Stalls (Town-Owned w/ Deed Restriction)

- **Lot D:** Block 1219, Lot 4 = Currently Parking Stalls (Town-Owned w/ Deed Restriction)

- **Lot D:** Block 1219, Lot 2 = Development has been completed (Pennrose Development)

- **NJ TRANSIT Maintenance Yard:** Block 510, Lot 6 = approx. 1.9 acres. Currently used by NJTRANSIT as a storage/maintenance yard. Town would like to propose the relocation of this storage/maintenance area to a nearby property at 126 E Dickerson Street.

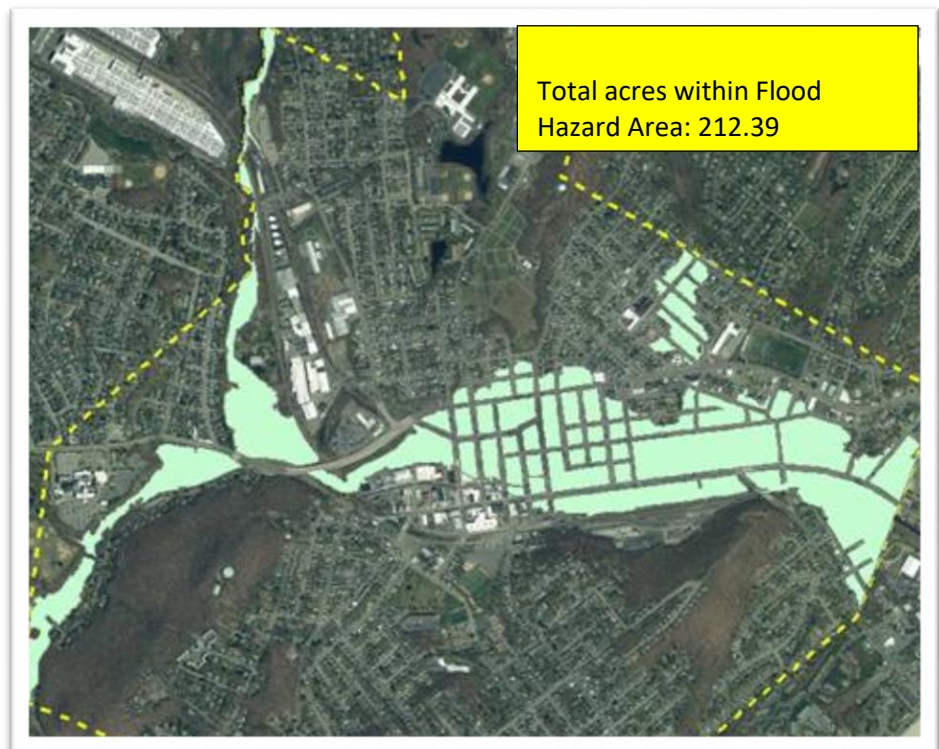
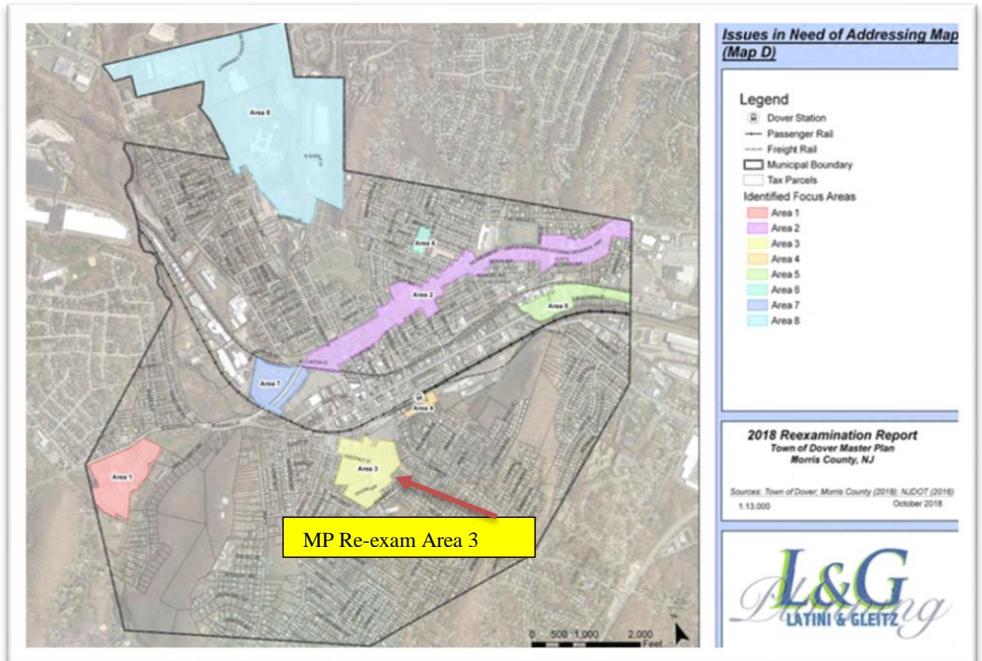
2018 Master Plan: Recommended Changes to Master Plan & Development Regulations – Issues in Need of Address (corresponds with Map D).

While OPA is generally very supportive of the 2018 Master Plan Reexamination Report's recommended changes, it is important to note that several of the "Identified Focus Areas" as depicted in Map D, appear to be at least partially constrained by such features as the 1% & 0.2% FEMA Flood Hazard Areas (FHA's), and DEP-regulated buffers, according to Figure 8, Environmental Constraints Map in the MSA Report. This includes Area 1 (C-1, partial FHA), Area 2 (partial FHA), Area 4 (partial FHA), Area 5 (partial Floodway and FHA), Area 7 (partial C-1), and Area 8 (partial C-1 Wetlands, Vernal Pool, Rank 5 Habitat under the Landscape Project, and Critical Habitat under NJ Highlands Council). As with all flood-prone areas identified within Dover, the Town will be required to further analyze them per the recent changes to the MLUL, which now requires a [Climate Change Vulnerability Assessment](#), among other resiliency measures that can be addressed under a Plan Implementation Agreement, following Plan Endorsement.

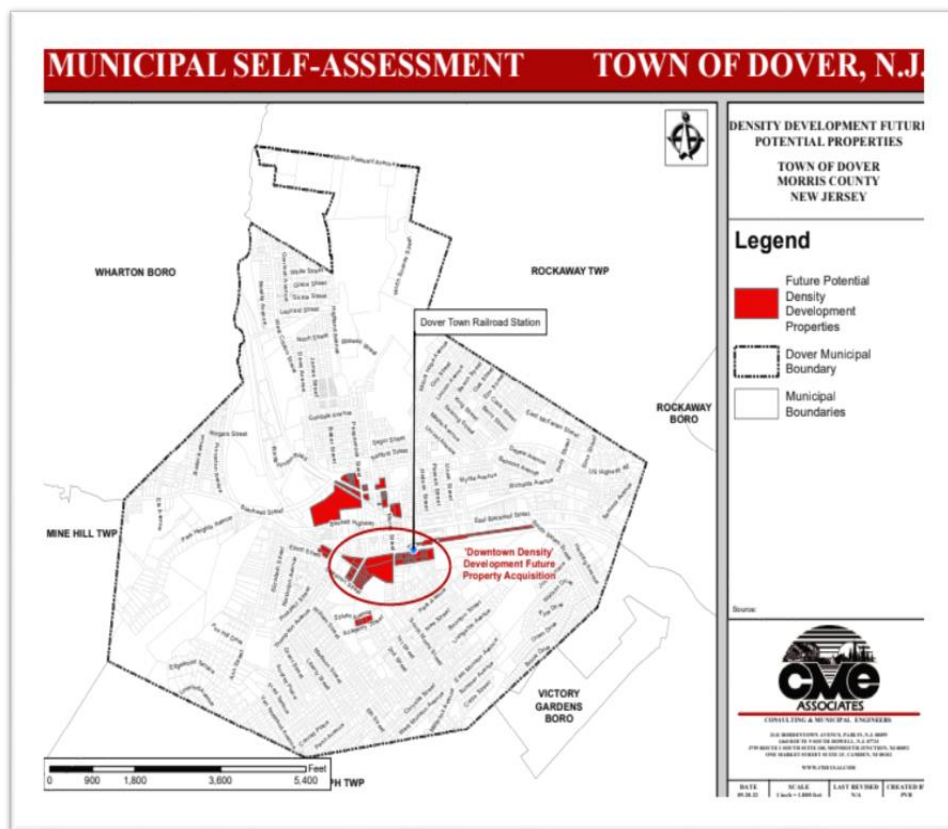
MP Reexamination Area 3 & TOD Plan Subarea 6:

Dover should consider eliminating that portion of Area 3 (as depicted in Map D from the 2018 MP Reexamination Report) that is overlain by the IND – Industrial, as it appears incompatible with residential uses and active recreational fields. In addition, Subarea 5 of the TOD Plan could be expanded to include Area 3, consistent with the mixed uses already in existence within these areas. Doing so would address the Reexamination Report’s recommendation for focusing less on use, than on design and form, as espoused under the TOD Plan’s form-based code. The form-based code’s reliance on graphic design standards as part of the municipal zoning ordinance will help to ensure that the sound design standards can be interpreted easily by property owners, developers, architects, construction officials, and municipal staff and officials.

Finally, given MP Re-exam Area 3 and TOD Subarea 6’s close proximity to the Crescent Field Recreational Complex, the train station and downtown, and fact that they appear to reside outside of any environmentally constrained areas (e.g., FHA’s), these areas could serve as an ideal location for future residential infill and redevelopment, especially as part of a well-designed, dense, mixed-use format. In addition, any unifying land use strategy that seeks to connect these two areas should include consideration and future use of the 1.9-acre, NJ Transit-owned, Storage/Maintenance Yard at the end of East Dickerson Street and the NJ TRANSIT controlled (via deed restriction) Parking Lot B, which includes 302 parking stalls. Both the TOD plan and the MSA report identify the Storage/Maintenance Yard and Parking Lot B, as critical to implementing the TOD plan.



Higher Density Development- OPA is supportive of the MSA report's concept for targeting future higher density development (with an inclusionary component) to the sites identified in the Density Development/Future Potential Properties Map, as shown here. Many of the identified sites are already subject to approved redevelopment plans and/or the TOD Plan. In providing more housing opportunities within the downtown, in areas closely proximate to existing businesses and the train station, Dover's current residents will gain new housing opportunities within walking distance of local commercial amenities, jobs, and regional transit, all of which advance the goals of social justice.



Where such higher density development projects are executed in tandem with adequate walking and biking facilities, traffic congestion and parking needs can be similarly managed to the benefit of the entire community. Similarly, the MSA's stated interest in having the Town consider potential adoption of a Zoning For Accessibility (ZFA) overlay zone within the TOD district in order to foster and incentivize transit station accessibility improvements in conjunction with new development, is worth exploring.

Consider establishing a Highlands TDR Receiving Zone-A Receiving Zone is an area within a municipality where the benefits of growth are desired and where greater development density will be permitted over what is currently zoned. Highlands Receiving Zones can be anywhere in New Jersey, the program is voluntary, and grant funding is available to explore the possibility of establishing Receiving Zones, including a feasibility study to evaluate infrastructure (i.e., sewer, water, transportation access, public transit service, capital improvement, streetscape, and parking), affordable housing implications, and potential zoning capacity in potential receiving areas, Real Estate Market Analysis, and Fiscal Impact Analysis. For example, Dover could apply for a grant from the Highlands Council to conduct a preliminary investigation into the feasibility of becoming a receiving area for the Highlands Region Transfer of Development Rights (TDR) Program. Becoming a Receiving Area for the TDR program would allow development rights in the Preservation Area of the New Jersey Highlands to be transferred to a designated Receiving Area, within the municipality, in the form of development credits purchased by developers.

Towns may consider designating a Receiving Zone to direct growth to revitalize developed areas, reinvigorate/maximize potential, make infrastructure improvements, enhance downtown areas, attract new business and customers, improve ageing commercial and industrial areas, and increase competitiveness with

surrounding towns. In addition to receiving technical assistance and expertise in planning, engineering, GIS, environmental science, state agency coordination, and Highlands Development Credit (HDC) transaction oversight, municipalities that establish voluntary Receiving Zones are eligible to receive enhanced planning grants up to \$250,000 and will have the ability to charge impact fees up to \$15,000 per unit for receiving area infrastructure improvements such as:

- Schools
- Roadways
- Transit
- Sewer and water infrastructure
- Streetscape
- Recreational amenities
- Brownfield and contaminated site clean up
- Energy improvements
- Economic development activities

In addition, Enhanced planning grants are available that covers planning for enhancement of Receiving Areas, which can include:

- Streetscape and façade improvement
- Sustainable economic development
- Marketing/branding
- Historical preservation
- Infrastructure planning and design

Other Receiving Zone Designation Benefits include, impact fees for infrastructure upgrades, streetscape improvements, remediation of contaminated sites, enhanced security (cameras, lighting), and more. Municipalities interested in potentially establishing Receiving Zones, should contact the TDR Program Administrator at the Highlands Council by calling (908) 879-6737. Additional information is available below.

- [Highlands TDR Receiving Zones: Benefits and Possibilities](#) (pdf)
- [Highlands TDR Receiving Zone Overview Brochure](#) (pdf)
- [Highlands TDR Receiving Zone Feasibility Grant Information](#) (pdf)

Consider applying to the NJEDA to receive an Opportunity Zone Challenge Grant-Designed as new community investment tool to be delivered through Federal tax policy, Opportunity Zones were created to encourage long-term capital flows and economic investment investments into distressed urban and rural communities nationwide. The Opportunity Zones provide an incentive for investors to re-invest their unrealized capital gains into dedicated Opportunity Funds. Fund capital must be invested in Opportunity Zone businesses or real estate projects for a fixed time period in order to access the full tax benefit. Following a detailed and community-focused selection process, **Governor Murphy nominated 169 Census tracts in 75 communities, including Dover**, across all 21 New Jersey counties – which were approved by the U.S. Department of the Treasury in 2018. The goal of this grant program is to empower communities that have historically faced economic challenges to build municipal and economic development capacity by developing community-specific plans that will frame their pursuit of Opportunity Zones-based investments.

For example, in 2019 the Borough of Flemington received a \$100,000 Opportunity Zone grant from the NJ EDA. The purpose of the grant was for completion of a report that addressed economic development trends, including a housing needs study and identification of zoning barriers to beneficial economic development. The plan included a series of charrettes (in-depth community stakeholder meetings) to help create community

participation in Opportunity Zone strategic planning, a borough-wide examination of zoning to reduce regulatory hurdles and encourage development, and new project marketing plans designed to showcase Flemington's Opportunity Zone investment projects. As with other grant opportunities recommended in this O&C report, OPA would be happy to provide a letter of support should Dover achieve State Plan Endorsement by the SPC.

For more information on the Opportunity Zone Challenge Program:

<https://www.njeda.com/ozchallenge/#Program-Details>

NJEDA Announces 5 Communities Selected To Receive Opportunity Zone Challenge Grants

Opportunity Zones Mapping Tools: <https://www.nj.gov/governor/njopportunityzones/maps/index.shtml>

Consider applying for a Local Zoning Local Control grant-The Highlands Council is offering a non-competitive grant opportunity to all 88 municipalities in the Highlands Region. The "Local Zoning Local Control" grant will provide an initial grant of up to \$5,000 to review a community's current zoning to ensure that all potential as-of-right development permitted by the zoning ordinance is consistent with the community's vision for the municipality and its citizens. An assessment of current zoning will help identify any deficiencies or issues that could lead to inappropriate, unintended, or unwanted development, as well as identify areas that may be better suited for development and redevelopment within the community. Highlands's grants are reimbursement-based and require an approved scope of work. This analysis of your local zoning may reveal additional steps your community can take to ensure that you have sufficient local control over future development. In most cases, the Highlands Council can provide funding to complete additional planning work. For more information, contact Maryjude Haddock-Weiler, PP/AICP, Planning Manager, and Highlands Council: (908) 879-6737 ext. 110: maryjude.haddock-weiler@highlands.nj.gov

Open Space, Parks and Complete Streets-According to the MSA Report, Dover envisions recapturing its riverfronts with the implementation of riparian greenbelts, passive recreation, and the reduction of impervious coverage along its banks. The preserved greenways (e.g., Hedden and Mountain Parks), adoption of an Open Space & Recreation Plan (OSRP 2011), steep slopes ordinance, and recent adoption of an updated stormwater control ordinance in 2021, all demonstrate consistency with the goals of the State Plan. Since several forested hills and waterbodies bisect Dover, it is critical that the Town continue with efforts to protect, and where appropriate, preserve, restore, and enhance these important and environmentally sensitive resources from further degradation. While moving forward to implement its OSRP, TOD and Redevelopment Plans, Dover needs to continue to be mindful of its environmental constraints, particularly given the extent of land and associated dense residential development within the downtown that resides within the 1% and 0.02 FEMA Flood Hazard Area.

- **Local Acquisition Projects-**The MSA Report does an excellent job outlining recent successes and potential sites and parcels for future open space acquisition, particularly those that have been deemed "repetitive loss" properties by FEMA. Dover is to be commended for proactively identifying and acquiring flood prone properties, and utilizing the Redevelopment Statute and tools therein, to address public spaces and infrastructure needs. These efforts should be continued and expanded as appropriate, and particularly where new projects can be tailored to address flood prevention and mitigation (i.e., climate resiliency), environmental justice and social equity, such as establishing new park and recreational facilities/amenities in underserved areas and neighborhoods of the community. In addition, given its limited ability to purchase property that has high real estate value, Dover should proactively partner with property owners and developers through the redevelopment process to ensure that adequate public spaces, recreational facilities, and [Complete and Green Streets](#) and infrastructure for

flood prevention and the treatment of stormwater are provided and incorporated into new redevelopment projects.

In advancing the Murphy Administration's commitment to building community resilience to climate change while furthering the promise of environmental justice, the **Green Acres Program prioritizes local open space acquisition and park development projects that provide equitable and meaningful public access, and maximize social, environmental, and health benefits to the public, particularly within the State's [overburdened communities](#)**. In order for Dover to take full advantage of funding available at Green Acres, its Open Space & Recreation Plan (OSRP), which it adopted in 2011, will need to be updated in accordance with current [NJ Green Acres Program Guidelines](#). Eligible funding participants receive a 50% matching grant rather than the standard 25% grant and have the greatest flexibility in applying those funds for land acquisition projects in their communities. Local governments who do not have an approved OSRP and have not yet passed an open space tax can be funded through Standard Acquisition funding.

The award is a 25% matching grant with the balance made in a low-interest loan (payable over thirty years) up to the cap. Loan funds may be provided by Green Acres or the New Jersey Environmental Infrastructure Trust, depending on the nature of the project. In addition, the Garden State Preservation Trust Act provides the same funding formula for local governments that have adopted, through a governing body resolution, a Green Acres approved alternative source of funding for acquisition; the funding must be stable and equivalent in effect to an annual open space and recreation tax levy of at least 1 cent per \$100 of assessed value for a ten-year period. Applicants may contact the Green Acres Program to determine if an existing or proposed alternative means meets the intent of the Garden State Preservation Act. **For Plan Endorsement, Dover will be required to adopt an updated OSRP per Green Acres Guidelines.**

- **Local Recreational Facilities Development Projects**-Green Acres provides low-interest loans and grants to assist local governments in the development of open space for conservation purposes and for diverse recreation needs. To meet these needs, Green Acres funds different types of parks in a variety of settings. The provision of recreational facilities in New Jersey's densely developed cities is a high priority for Green Acres. Densely or Highly Populated Municipalities: Park development projects in Densely or Highly Populated Municipalities (population density of more than 1,000 people per square mile or total population over 35,000, respectively), or projects sponsored by Highly Populated Counties (population density of more than 1,000 people per square mile), will receive a 25% grant, and a low-interest (2%) loan, up to the established cap.
- **Eligible Costs**-For acquisition projects, costs eligible for funding include the cost of acquiring the land, as well as related due- diligence costs such as survey, appraisal, title, and preliminary assessment. The cost to demolish non-historic structures on a site being acquired is eligible for funding. Relocation costs and costs of well testing done in compliance with the Private Well Testing Act (P.L. 2001, c. 40; N.J.S.A. 58:12A-26 et seq.) also are eligible for funding, if applicable. Incidental costs associated with the implementation of the acquisition project, including legal, engineering, financial, geological, hydrological, inspection, and other professional services are eligible for reimbursement up to an established cap.

For park development and historic preservation projects, the cost to construct the recreational facilities or rehabilitate the historic property is eligible for funding, as are other related costs such as professional

services (e.g., design, engineering, and supervision) and preliminary assessment costs associated with the project site. Other incidental costs related to the project, including legal, advertising, permit fees, archaeology, and preliminary planning and engineering necessary for the preparation of the application, are eligible up to an established cap.

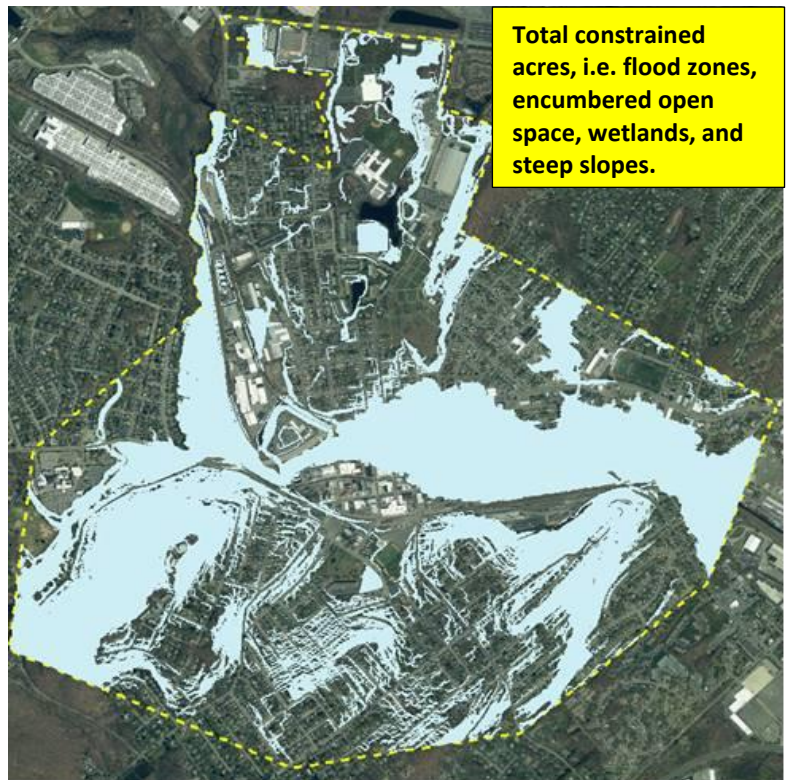
- **Open Space and Recreation Resources**-Per the below, Dover should consult with the NJ Highlands Council to determine whether there is available funding to assist it with updating its OSRP, among other potential planning grants made available to Highland jurisdictions that have attained either conformance with the RMP or Plan Endorsement.
- **Highlands Council Plan Conformance grant funding**-Highland's jurisdictions such as Dover that conform for Preservation Area and pursue Plan Conformance with the Highlands Regional Master Plan are eligible to use Highlands Council Plan Conformance grant funding toward municipal-wide planning efforts, which may assist in preparing items for the petition, post approval, and helping with implementation. **Contact:** Herbert S. August, Manager of Grants Administration, (908) 879-6737 or herbert.august@highlands.nj.gov.
- **Highlands Open Space Partnership Funding program**-is a matching grant program designed to support the acquisition of property for the protection of resources within the Highlands Region, and to further the goals of landowner equity as specified in the Highlands Water Protection and Planning Act of 2004 and the Highlands Regional Master Plan. The Highlands Council shall provide a maximum grant award of 50% of the total purchase price of the property. Applications will be considered for acquisition of property in fee simple or through conservation easements for any passive recreation or conservation purposes. See application package below for complete information. Eligibility: State agencies, Highlands's county or municipal governments, and charitable conservancies are eligible to apply.
- **Application Package:** [Highlands Open Space Partnership Funding Program](#)
Applications are accepted at *any time*; there is no application deadline. Following review of materials, applicants will be notified if funding is currently available for the submitted project proposal. **Contact:** James Humphries, Director of Planning and Science, james.humphries@highlands.nj.gov or 908-879-6737.
- **Morris Canal Greenway**
Contact: James Humphries, Director of Planning and Science
james.humphries@highlands.nj.gov or 908-879-6737.
[Morris Canal Greenway in Morris County, Strategic Preservation Plan](#)
[Morris Canal Greenway Map](#)
Morris Canal Workgroup: Contact Ted Ritter at the NJTPA at: (973) 639-8447
- **Consider applying to NJDOT's Local Bicycle/Pedestrian Planning Assistance Program**-To a large extent, Dover has excellent pedestrian circulation opportunities with sidewalks along the majority of roads. However, there remains a need for improvements to those existing sidewalks as well as expansion of facilities to those roads with none. However, it appears that many busier roads are not currently configured to safely accommodate bicycles as part of a shared road. Few, if any roads include dedicated bicycle facilities. In addition, the MSA has identified a number of intersections along US-46 in town that may present unsafe driving and pedestrian conditions for vehicles merging onto the highway. Of these, Dover has identified ten (10) intersections that should undergo a Traffic Safety

Study by NJDOT due to the potentially unsafe conditions at these intersecting points. The Town has requested OPA's assistance in bringing this issue to NJDOT's attention as part of its petition for endorsement.

Given Dover's understandable interest in providing safer pedestrian and bicycle facilities for general circulation, as well as new and improved recreational purposes, it is strongly encouraged to pursue a technical assistance grant through NJDOT's Local Bicycle/Pedestrian Planning Assistance Program, which could be used to develop a comprehensive Bicycle-Pedestrian Plan. Having such a plan in place would increase the strength of future grant applications through various NDOT Local Aid and NJ Green Acres programs. It is a fairly simple application process, and OPA would be happy to provide a letter of support. More information can be found at: <https://njdotlocalaidrc.com/>.

- **Adopt a NJDOT's Model Complete and Green Streets Policy**-In order to achieve consistency with the State Plan and [Plan Endorsement Guidelines](#), Dover will be required to adopt a NJDOT's Model Complete and Green Streets Policy to improve pedestrian and bicycle mobility and safety. The model policy also focuses on incorporating green stormwater infrastructure into complete streets projects as well as a renewed focus on health, equity and fairness in prioritizing and creating safer streets. It is based on NJDOT's [Complete and Green Streets for All, Model Complete Streets Policy & Guide](#) (updated January 2020).

Climate Resilience-The MSA Report lists several Master Plan and Reexamination Report goals and objectives that for the most part, indirectly address climate resilience. These should be expanded upon, with resiliency specifically addressed as part of the next master plan reexamination report. As a historic regional center with a dense downtown core of mixed uses, grid-pattern development, and overall walkability with significant regional transit opportunities, Dover embodies many key aspects of smart growth and overall, climate resiliency. At the same time, many of Dover's Redevelopment Areas, including part of the historic downtown and residential areas (including several contaminated and EPA Superfund Sites), are located within the 1% and 0.02 FEMA Flood Hazard Area, which pose serious risks to public health and safety, as well as potential impediments to redevelopment associated with flood mitigation/prevention and site remediation costs.



In order to achieve consistency with the State Plan and [Plan Endorsement Guidelines](#), **Dover will be required to complete a Climate Change-related Hazard Vulnerability Assessment as part of creating a local Resilience Strategy** into the Master Plan Land Use Element, in compliance with recent amendments to the

Municipal Land Use Law (MLUL), [P.L. 2021, c6](#). These requirements will be further outlined in the Consistency Review letter. The MSA Report also includes an overview (with reports provided in the appendix) of the Municipal Climate Snapshot provided by Rutgers University, which will help inform the Visioning process and Vulnerability Assessment. The Municipal Snapshot provided for Dover can be used to determine what municipal facilities and populations may be at risk from flooding events.

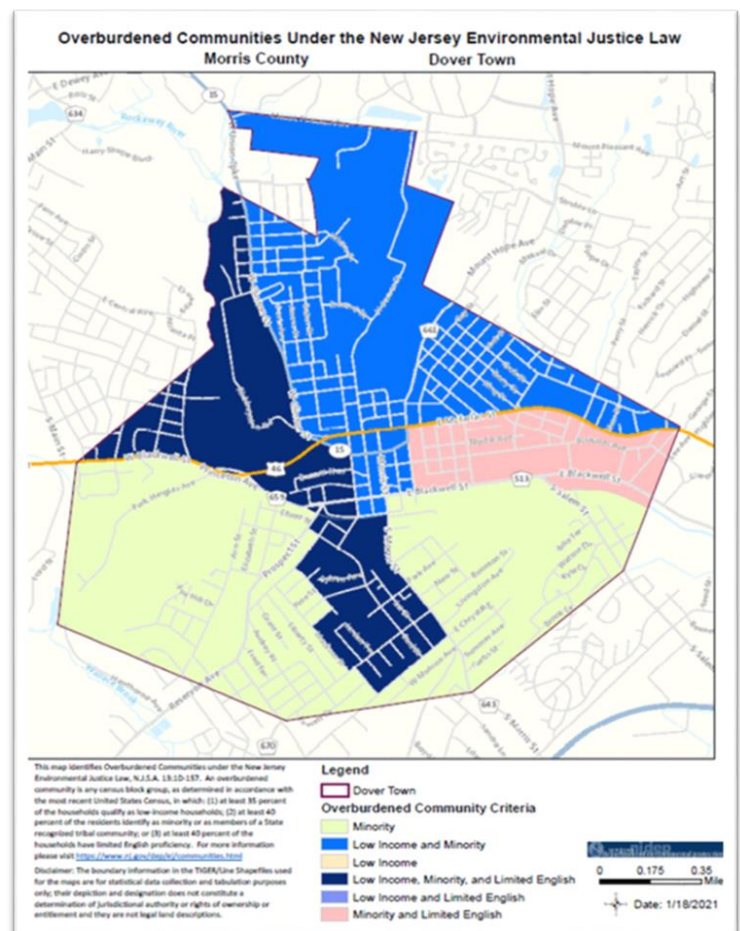
As discussed in the MSA Report, Dover's Municipal Snapshot shows that there are nearly two-dozen facilities (e.g., gas stations, bridges, contaminated sites), services and sensitive receptors (e.g., evacuation shelter, nursing, and childcare facilities), including some critical assets (e.g., fire and police stations), that may be at risk during high-flooding events. The Municipal Snapshot tools are part of a suite of data-visualization and mapping applications known as [NJADAPT](#) developed at Rutgers University under the umbrella of the [NJ Climate Change Resource Center](#).

Recent additions to NJADAPT made after submission of the MSA, include “a Climate Dashboard of projected climate trends and statistics by season; improved Climate Snapshots about the people, places and assets at risk by municipality, county, and statewide; and NJ HazAdapt, which was developed with the NJ Office of Emergency Management to aid in county and local hazard mitigation plans.

Environmental Justice-Similar to the above section, the MSA Report lists several Master Plan and Reexamination Report goals and objectives that indirectly address environmental justice. These should be expanded upon, with environmental justice specifically addressed as part of the next master plan reexamination report. In addition, the MSA recognizes that the entirety of the Town is located within 4 of 6 different groups of Overburdened Communities as designated under New Jersey's groundbreaking [environmental justice law](#) (Law) that was signed by Governor Murphy in September, 2020. According to the law, an Overburdened Community, is any community where 35% of households qualify as low income, 40% are minority or 40% have limited English proficiency.

Dover's number low-income households, minority-identifying households, and limited English-speaking households, qualify the municipality as an overburdened community. When examining these qualifying groups and their potential for hazards due to flooding events, the climate vulnerability of Dover's most burdened residents by State standards can be determined.

Dover's status as an overburdened community is important for a variety of reasons. First, its designation guides State agencies and regulatory programs in directing and implementing environmental justice into the Town, which translates to prioritization and



assistance on a host of levels meant to identify and address environmental and public health stressors, such as exposure to pollution. As such, it is important for the Town to be aware of its designation as an Overburdened Community as it may translate to meaningful prioritization and assistance in the form of new programs, grants, funding awards and favorable ranking. It also means that the Town has good reason to prioritize redevelopment projects that will facilitate the clean-up and remediation of its nearly forty contaminated sites, among other tools provided under the Redevelopment Statute that can be utilized to mitigate and reduce public health stressors.

Second, the law requires that NJDEP deny permits for certain new polluting facilities, expansions of existing facilities, or place conditions on its approval of the permit if it determines that the facility will disproportionately negatively impact overburdened communities in New Jersey by exposing them to additional sources of pollution including: air pollution, contaminated sites, solid waste facilities, recycling facilities, scrap yards, point sources of water pollution, or other environmental conditions that may cause potential public health impacts. The facilities included in the law are: major sources of air pollution under the federal Clean Air Act, resource recovery facilities and incinerators, sludge processing facilities, large sewage treatment plants, large solid waste and recycling facilities, scrap metal facilities, landfills, and medical waste incinerators not constructed as part of a hospital.

Additionally, the law includes a provision requiring that applicants for permits of facilities covered by the Law provide an environmental justice impact statement that assesses the potential environmental and public health stressors that would be caused by the new or expanded facility as well as the stressors already located in the overburdened community. The statement must be published online, and the permit applicant must hold a public hearing about the impacts of the permit on the affected neighborhood. The statute requires that the statement be published on the NJDEP's website and in at least two newspapers circulated in the community, including one in a local non-English newspaper if applicable. The applicant must also accept both written and oral comments from any interested party and provide opportunity for meaningful public participation at the public hearing.

In order to achieve consistency with the State Plan, Dover will need to holistically address environmental justice and social vulnerabilities in the community through the creation and of an Environmental Justice Action Plan for completion under a Plan Implementation Agreement as part of Plan Endorsement. While the [Plan Endorsement Guidelines](#) document outlines some of the requirements, further guidance from NJDEP is forthcoming. Finally, it is recommended that Dover also familiarize itself with the [New Jersey Water Risk and Equity Map](#), which contains information to help communities, residents, advocates, and policymakers understand water risks in their communities. Created to assist the public in identifying potential risks, prioritizing solutions, the mapping tool can be used to address inequities in water risk exposure.

Conclusion

OPA and our State agency partners wish to thank the Town of Dover, its professional staff, and planning consultants with CME, for their hard work in updating and furnishing a compliant and detailed MSA Report, which will advance the current petition for Plan Endorsement and inform the community visioning process. After many years of perfecting and implementing many well-devised and forward-thinking plans and redevelopment efforts, Dover promises to serve as a destination once again for the entire region. Underpinning the Town's current framework for redevelopment, revitalization, and investment to maximize community benefit and economic impact, is a solid foundation of methodical past, present planning efforts, including many of the conceptually-proposed ideas presented in Dover's MSA Report. As the Town continues to proactively implement its Redevelopment Plans, TOD program and associated form based code to create a lively mixed-use center, among other smart growth strategies, it will be well-positioned to realize continued

economic resurgence in the downtown, and a more sustainable, equitable and resilient future for the entire community.

Next Steps-Other component Opportunities & Constraints Reports from NJDOT and NJDEP will follow this report. As OPA finds the Dover's petition to be substantially consistent with the State Plan, the Office will not be drafting a Consistency Review Report (Step 6). Instead, it will move directly to the development of the PIA in an effort to streamline the process toward endorsing the Town on a more advanced timeframe. The PIA will outline short and longer term planning actions and measures for completion by Dover to achieve and maintain full consistency with the State Plan during the 10-year endorsement period. In addition, an interactive map of the proposed Regional Center and underlying designations will be presented to Dover for discussion and negotiation in the very near future. Dover should now commence its Community Visioning process (Step 5), as outlined in the [Plan Endorsement Guidelines](#).