



THE TOWNSHIP OF UPPER

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Gerry Scharfenberger, Ph.D., Director
Office for Planning Advocacy
NJ Department of State
PO Box 204
Trenton, NJ 08625-0204

Re: Township of Upper Plan Endorsement – Biennial Review

The Upper Township petition for Plan Endorsement was endorsed by the New Jersey State Planning Commission on February 9, 2007 and updated on March 25, 2009. Per the Planning and Implementation Agenda (PIA); Biennially Upper Township is required to submit a report to Office for Planning Advocacy (OPA) and the public concerning the terms of this PIA and related efforts pursuant to NJAC 5:85-7.12(c). It is in accordance with the PIA that this report has been prepared.

Upper Township has been working on numerous items during the last two years as part of its planning efforts. Through a Smart Future Grant (FY2007) we have been working with Maser Consulting in developing a Draft Form Based Code (FBC) beginning in March 2009. The FBC developed design guidelines to encourage a walkable and livable town center in Marmora and Seaville. The Draft FBC was presented to the Upper Township Planning Board in February 2010. The FBC Study worked on items C2, K2 and K3; and completed item K1.

During 2009 the Township Committee authorized Maser Consulting to prepare a Reexamination to the Master Plan and an update to the Conservation Element of the Master Plan. The concepts developed in the FBC Study, particularly with respect to Design Guidelines and Walkable Neighborhoods, were incorporated into this master plan reexam. The Conservation Plan updated the entire Conservation Element including adding a section on alternative energy. The Planning Board adopted them in March 2011.

During the winter 2009 the Municipal Land Use Center (MLUC) began discussion with Upper Township in continuing our planning efforts and working on the transportation issues, specifically as it related to the current designation of Rt-9 as a future 4-lane roadway with that of a downtown roadway cross-section of 2-lane roadway with on-street parking. Urban Engineers

was selected as the consultant for the Rt-9 Transportation Study in spring 2010. Urban began their process by working with a Municipal Working Group, which consisted of members of the public, Planning Board Members, Township Committee members and public officials. The Municipal Working Group worked with Urban and their team on developing a consensus for the traffic circulation issues and the scale of the buildings. In December 2010 the Township Committee and the Planning Board reaffirmed their commitment to the NJ Department of Transportation and the MLUC to prepare and adopt land use ordinances that would develop livable, walkable and economically viable Town Centers in Marmora and Seaville. We hope this process will be completed by the end of 2012.

The following is a status of the items requiring action during this biennial period:

ACTION ITEM

TIMETABLE

A7 Revised Plan Endorsement Process 90 days after new rules and guidelines are adopted

Once the new Plan Endorsement process is in place, the Township will have the option to work with state agencies to outline an action plan and timetable to attain the new standard for the benefit of additional state assistance.

Current Comment: A meeting will be scheduled with OPA to discuss what steps the Township may have to complete the new Plan Endorsement Process.

A8 Inter-governmental Coordination

Ongoing

Coordinate with planning efforts of adjoining municipalities, the County and State and regional planning efforts particularly concerning: regional planning, transportation, economic development, tourism, natural resource protection and open space and recreation.

Current Comment: The Rt-9 Transportation study is being coordinated with the County Engineer's Office and the County Engineer is a member of the Municipal Working Group. Upper has implemented the following shared services:

Upper Township is hosting Municipal Court for Dennis Township & Corbin City

Upper Township is performing Heavy Vehicle Maintenance for Cape May County beginning March 25, 2011.

Upper Township is sharing our Vehicle Wash Station with Cape May County and Linwood.

Ocean City is performing emergency medical services for Strathmere section of Upper Township and handles 911 emergency dispatch.

B3 TDR Plan

2/20/2009

Create TDR plan element in coordination with County Smart Future project.

Current Comment: This item should be removed from the Action Plan as the Office of Budget Management has pulled the funding for the County TDR plan.

C1 COAH Plan**180 days after COAH has finalized any necessary rule and/or guideline amendments following court decision**

Finalize and adopt Housing Element and Fair Share Plan. Coordinate housing site selection with centers. Petition COAH for substantive certification.

Current Comment: The Housing Element and Fair Share plan were presented to the Planning Board on 12/18/2008. The Township committee approved the submission for certification on 12/22/2008. COAH has the Township's plan under review.

C2 Residential Design**6/22/2008**

Incorporate housing design into design guidelines (K2) to support housing diversity and links to services and amenities.

Current Comment: The FBC Study funded through the 2007 Smart Growth Grant developed draft standards for housing diversity in the Marmora & Seaville Center. The 2011 Master Plan reexam has incorporated these study concepts based on the FBC Study. The Township is working on Land Use Ordinances in conjunction with the MLUC Rt-9 Transportation Study. This date should be extended until 2/21/2012.

E1 Recreation and Open Space Plan**2/20/2009**

Prepare and adopt Recreation and Open Space Plan as updated Master Plan element. Use the Plan to prioritize open space and farmland preservation acquisition efforts. Coordinate efforts with County Farmland Preservation plan. Prioritize acquisition of open space in coordination with State and Federal agencies and not-for-profit groups. Prepare Recreation and Open Space Inventory (ROSI) and submit to NJDEP to enable funding.

Current Comment: Funding for this item has been limited. The Township will attempt to implement this item during 2012. Since 2008 the Township has acquired title and easements to the entire beach area in Strathmere and Whale Beach. We continue to support and coordinate with the County Open Space and Farmland Preservation program.

E2 Recreation and Open Space Plan**2/20/2009**

Target maintenance and enhancement of neighborhood-level parks and recreation facilities for Centers. Pedestrian and bicycle connections between residential areas and these facilities shall be a key part of the strategy.

Current Comment: The Township has maintained and upgraded neighborhood parks and recreation facilities. Timetable should be listed as ongoing.

F3 Dredging**2/20/2009**

Undertake regional dredging effort, obtain funding for equipment, and identify spoil sites as part of an overall regional plan. The County is coordinating dredging efforts.

Current Comment: Upper Township remains willing to coordinate with the County and State on these efforts. Timetable should be listed as ongoing.

F4 Threatened and Endangered Species**2/20/2010**

Prepare Habitat Conservation Plan and protection measures to maintain habitat.

Current Comment: The Township prepared an update to the Conservation Element of the Master Plan and adopted it on March 17, 2011. Funding for this item has been limited. The Township will attempt to implement this item during 2012.

G2 Circulation Plan**2/20/2009**

Prepare updated Circulation Plan Element of the Master Plan. This element shall justify investments proposed in other Transportation PIA items, including alternative transportation modes.

Current Comment: MLUC has been awarded a grant from the NJDOT to prepare the Rt-9 Transportation study to examine future roadway network and center-based land use patterns in Marmora and Seaville Town Centers. This item should be extended until 2/20/2012.

G3 Bicycle Paths**2/21/2012**

Construct Petersburg /Woodbine /Tuckahoe bike path. Secure funding to design and construct bike path to connect to Woodbine from Amanda's Field and connecting north to Tuckahoe Village.

Current Comment: Bicycle connectivity shall be examined in the Rt-9 Transportation Study. This item is not due yet.

G4 Bicycle Paths**2/20/2012**

Design and construct Palermo bike path along inactive NJ Transit rail line from Route 9 to the Inland Waterway.

Current Comment: Upper Township received a grant from NJDOT in FY2008. NJ Transit has not given Upper Township positive consideration for the use of inactive rail line. This element should be removed.

G5 Tuckahoe Rail Station**2/20/2009**

Construct Tuckahoe train station link to Main Street. In coordination with County, design and construct sidewalk improvements along Reading Avenue from Route 50 to the Tuckahoe Train Station to support economic development efforts.

Current Comment: The Township is waiting for funding for this task. Timetable should be extended until funding is available.

G6 Routes 50 and 49 (Tuckahoe)**2/20/2009**

Construct Tuckahoe streetscape and Route 50 bridge improvements as key to revitalization of the Tuckahoe Village. Extend improvements to the section of Route 49 within Village center.

Current Comment: The Township is waiting for final a design to be developed. The

project must be moved forward by NJDOT. The NJDOT is anticipating construction to begin in 2012. Timetable should be revised to ongoing.

G7 Beesley's Point Bridge**Ongoing**

Coordinate bridge improvements with Somers Point, DOT and any related redevelopment activity (D1). Alternative funding mechanisms may be explored in conjunction with state agencies if DOT funding does not exist for the improvements.

Current Comment: Cape May County took control of the Beesely's Point bridge in January 2009. Cape May County is looking at converting bridge to fishing pier. NJ Turnpike Authority is examining replacement and possible widening of Parkway bridge of Great Egg Harbor. Plan should look at alternatives to exit/entrance in Beesley's Point.

G8 Garden State Parkway – Exit 20**Ongoing**

A full interchange at Exit 20 should be constructed. This is the highest priority Township transportation improvement to rescue congestion.

Current Comment: This remains a high priority for Upper Township. To date we have not received positive response from the NJ Turnpike Authority for a full interchange at Exit 20. However the impact of a full interchange will be examined as part of the Rt-9 Transportation Study and will hopefully show the need for a full interchange.

G9 Route 9**2/21/2007**

Implement Route 9 Cape May County Access Management Plan to reduce congestion along corridor.

Current Comment: Upper Township remains willing to coordinate with the County on these efforts. Timetable should be revised to ongoing.

G10 Route 47/55**Ongoing**

Implement Route 47/Route 55 Corridor Study improvements to reduce congestion (except a Route 55 bypass).

Current Comment: Upper Township remains willing to coordinate with the appropriate State agencies on these efforts.

H1 Regional Shuttle Service**2/20/2010**

Plan and implement regional shuttle service in coordination with mainland municipalities campgrounds and County. Shuttle service will provide transit service between campgrounds, mainland attractions and barrier island destinations. This needs to be coordinated by the County.

Current Comment: Upper Township remains willing to coordinate with the County on this program. Timetable should be extended until funding is available to develop the program.

H2 Bus Service**2/21/2012**

Pursue improved bus transit facilities to increase route headways, increase bus pickup locations, develop central transit locations coordinated with parking.

Current Comment: This item is not due yet.

H3 Rail Service**2/20/2014**

Complete rail line between Cape May City and Tuckahoe Village. Excursion rail service will support planned economic development activities around restored Train Station and Tuckahoe Village. The retention of the rail spur to Beesley's Point as part of redevelopment plan can further expand the excursion rail line route thereby reducing vehicular traffic through Route 9 corridor.

Current Comment: This item is not due yet.

H4.1 Rail Service**2/20/2014**

Conduct feasibility study for potential expansion of rail line from Tuckahoe to the Atlantic City Rail Line. This rail line can provide connection to NJTransit/PATCO service to Philadelphia and enable alternative travel modes, reducing congestion for summer visitors. (The rail line is also part of the excursion rail line link from Cape May to Tuckahoe Village.)

Current Comment: This item is not due yet.

H4.2 Rail Service**2/20/2010**

Depending on results of feasibility study, expand rail line connection from Tuckahoe to the AC Rail Line.

Current Comment: Upper Township remains willing to coordinate with Cape May Seashore Lines. Timetable should be extended until funding is available to develop the program.

I1 Wastewater Management Plan 4/7/07 (contingent on timetable of coordination with DEP)

Prepare and submit a Wastewater Management Plan Amendment consistent with the revised land use element and Centers & Planning Areas. The WMP will identify the areas the Township intends to encourage wastewater treatment systems, namely portions of the two Town Centers, and areas that will be served by individual septic systems. Upper met with NJDEP on 2/22/07. The new regulations require an additional build-out study.

Current Comment: The Township does not have funding for new as-built study. County will be hiring Consultant to prepare plan with grant from NJDEP. Timetable should be extended until 4/13/2012.

I2 Community Package Treatment Systems**Ongoing**

Promote private alternative sewer systems in Centers. Coordinate between larger development and redevelopment area for joint infrastructure facilities.

I3 Sewer Service on Roosevelt Blvd**2/21/2012**

Expand sewer service area to include developed properties on Roosevelt Blvd. The Township agreed to exclude these properties from the Marmora Center in lieu of extending public sewers to serve this area which has failing septic systems. Consent Order provides for the sewer service area extension. This item is not due yet.

I4 Public Water Ongoing

Encourage water line extensions by New Jersey American Water Company within Centers to support increased development density and to improve fire suppression capabilities. Work with utility to plan and improve waterline network.

Current Comment: NJ American Water Co. has a plan to extend a water main south from Evergreen Drive on Rt-9 to Rt-9&50 intersection and to continue south on Corson Tavern Road into Dennis Twp. Eventually this line will connect to Cape May Court House (Middle Twp) system.

I5 Gibson Bill Study**2/21/2008**

Once water supply scenarios are presented, the Township shall work with DEP, USGS, County and other municipalities to select the most feasible, cost-effective solution.

Current Comment: The study did not reveal any goals that the Township should implement except to participate in County Wide planning effort to look at alternatives. Timetable should be listed as ongoing.

I6 Southeastern New Jersey Alternative Water Supply Feasibility Study**2/21/2008**

Continue to coordinate with DEP, USGS, County and other municipalities on regional water supply studies.

Current Comment: Upper Township remains willing to coordinate with the various Agencies on this item. Timetable should be listed as ongoing.

J1 Tuckahoe Village Revitalization**8/22/2009**

Promote Tuckahoe Village Center Revitalization through coordinated planning efforts with business and property owners. Develop plans for revitalization of Tuckahoe Village to support economic development initiatives including façade and rehabilitation grant program, wayfinding signs, coordinated marketing efforts, etc. Evaluate land use and zoning for train station area.

Current Comment: Timetable should be extended based on funding of planning grant.

J2 Agriculture**2/20/2009**

Prepare and adopt a Farmland Preservation Plan. Coordinate efforts with County Farmland Preservation Plan. Funding for this item has been limited. The Township is hoping that funding will be included in the 2012 budget.

K1 Design Charrettes**6/22/2008**

Undertake design charrettes for Seaville, Marmora/Palermo/Beesley's Point, Tuckahoe, and Petersburg Centers. Use design workshops to refine Vision for zoning and design standards for Centers and planned Cores in Marmora and Seaville.

Current Comment: This work was completed as part of the FBC Study which was funded through a Smart Future Grant in FY2007. The work was completed in February 2010.

K2 Design Guidelines**6/22/2008**

Adopt design guidelines to support and enhance centers development. Provide design guidelines suitable for each unique town center. Create user friendly guidebook to inform guidelines. Incorporate guidelines into Land Use Ordinance.

Current Comment: This work was completed as part of the FBC Study which was funded through a Smart Future Grant in FY2007. The work was completed in February 2010. The Draft FBC will be developed into a Land Use Ordinance in conjunction with the MLUC Rt-9 Transportation Study. The timetable should be extended until 2/21/2012.

K3 Walkable Neighborhoods**6/22/2008**

Create pedestrian friendly centers through appropriate site design standards. Amend land use regulations to provide for vehicular interconnections and pedestrian facilities within centers.

Current Comment: This work was completed as part of the FBC Study which was funded through a Smart Future Grant in FY2007. The work was completed in February 2010. The Draft Form Based Code will be developed into a Land Use Ordinance in conjunction with the MLUC Rt-9 Transportation Study. The timetable should be extended until 2/21/2012.

L4 Historic Preservation Plan**6/22/2008**

Update Historic Preservation Plan of the Master Plan. Coordinate efforts with Upper Township Historic Preservation Society.

Current Comment: Township will address this item when funds become available. Timetable should be extended based on funding of planning grant.

L5 Design Guidelines**6/22/2008**

Promote awareness of historic resources of Township through design guidelines to encourage preservation and appropriate rehabilitation of properties and compatible infill. Develop design guidelines in coordination with Historic Preservation Society and as part of the proposed planning charrettes for the Tuckahoe and Petersburg villages. Adopt guidelines as part of Land Use Ordinance.

Current Comment: Township will address this item when funds become available. Timetable should be extended based on funding of planning grant.

If you have any questions regarding the items of this report please contact me.

Respectively submitted,

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Municipal Engineer
Superintendent of Public Works

CC: Upper Township Committee
Kate Meade, OPA