

Plan Endorsement Recommendation Report

Township of Middle



**New Jersey Department of State
Office of Planning Advocacy
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April 24, 2023**

This document is a recommendation report prepared by the Office for Planning Advocacy (OPA) as staff to the State Planning Commission (SPC or Commission), based on the Municipal Self-Assessment report, input of our partner agencies, Township of Middle, Cape May County and members of the public. OPA will post this report and other material related to the Township of Middle Plan Endorsement petition on our website. You can contact our office by email regarding petitions for Plan Endorsement by providing contact information, including name, organization, address, and e-mail address to osgmail@sos.state.nj.us.

Documents submitted by the Township of Middle for Plan Endorsement can be found here: <https://nj.gov/state/planning/plan-endorsement.shtml> and include the Township's Master Plan, Amendments, Redevelopment Plans, etc.

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INTRODUCTION

The Township of Middle (hereafter Middle or Township) first petitioned for Plan Endorsement in 2005 and had its centers designated in September 28, 2011 and technically expired September 28, 2021.

The Township’s interest in again pursuing formal Plan Endorsement was discussed on April 27, 2021 at a prepetition meeting with representatives from the state agencies and the Cape May County Planning Department. Middle’s primary objective in seeking Plan Endorsement is to plan and grow consistent with the State plan and to have their CAFRA Centers reauthorized.

BACKGROUND/ CHRONOLOGY

The Mayor forwarded the Township of Middle’s petition for endorsement in March 2021.

In April, 2021, a Prepetition meeting was held, the Township authorized a Plan Endorsement Advisory Committee in June 2021; and submitted their Municipal Self-Assessment Report in September, 2021. As there have not been significant changes since their earlier visioning and there was a substantial public engagement/visioning element to their 2021 reexamination and public access planning effort, they sought and received a waiver for visioning.

Middle Township has been steadily building on its planning foundation, with efforts toward sustainability and smart growth as follows:

Event(s)	Date	Notes
Historic Preservation Comm Authorized	1986	(by resolution)
Plan Endorsed/Centers Designated	9/28/2011	Actions/plans & zoning changes
Historic Preservation Plan	2003	
Master Plan - Elements include Land Use, Housing, Infrastructure, Community Facilities Plan, Recreation, Conservation, Economic Development, Historic Preservation	2003 (1991)	
Housing Element & Fair Share Plan	2008 (2005)	
Land Use Plan Update	2010	Part of original PE
Natural Resource Inventory	2010	Part of original PE
Renewable Energy Ordinance	2011	
Zoning Ordinance Update	2011	Part of original PE
Transportation Study	2011	Part of original PE
Env Assessment Req Ordinance	2011	
Tree Protection Ordinance	2011	
Zoning Map	2012	
Adopted Cape May Co Waste Water Management Plan	2013	
Comprehensive Recycling ordinance	2013 (2010)	
Bike path complete CMC Zoo to Lower Twp	2015	CMC Zoo to Dennis Twp under development
SPC Approves map amendment per Biennial Report	2015	Expanded CMCH Center at what is now the commercial Node.
Coastal Vulnerability Assessment/Getting to Resilience	2016	

Emergency Operations Plan	2017	
Flood Damage Protection Ordinance	2017 (2007)	
Sustainable Land Use Ordinance	2017	
Direct install agreement at Davies Recreation Center	2017	
Tracts in Rio Grande and Burleigh as Areas in Need of Redevelopment	2018	Indian Trail and Railroad Avenue
Recreation & Open Space Inventory	2020	
Municipal Public Access Plan	2020	Approved by DEP
Cape May County submitted revised WMP	2019 and revised 2021	Under DEP review
Open Space and Recreation Plan Rexam	2021 (2008)	
Cape May County Comprehensive Plan	2021	
Cape May Co Hazard Mitigation Plan	2021	Approved Municipal Annex
Stormwater Ordinance Amended	March 2021	DEP compliant
Master Plan Reexamination	2021 (2010, 1996)	Public engagement/visioning
Mayor petitioned for PE	March 9, 2021	
Prepetition Meeting	April 27, 2021	
Appointed PE Advisory Committee	June 21, 2021	
Submitted MSA	September 2021	
PIC Recommendation	April 19, 2023	
SPC ADOPTION (Scheduled)	May 3, 2023	

PUBLIC PARTICIPATION

As part of the Plan Endorsement process the Township appointed a PE Advisory Committee on June 21, 2021. Their Master Plan Reexamination effort in 2020 had extensive public participation as well as a very inclusive public participation effort associated with their 2021 Open Space and Recreation Plan update and Public Access Plan which together with the fact that their vision has not changed significantly since their intensive visioning done with their initial Endorsement in 2011 serve as the basis for a waiver of their visioning requirement.

LOCATION & REGIONAL CONTEXT

The Township of Middle is made up of 83 square miles and is located on the Cape May County mainland surrounded by the Delaware Bay to the west, Lower Township to the south, Avalon, Stone Harbor and the Wildwoods to the east, and Dennis Township to the north. The Township is entirely within the Coastal Area Facilities Review Act (CAFRA) area except for 240 acres along the border with Lower Township. The northern portion of the township is in the Pinelands National Reserve. Almost half of the municipal land area is covered by wetlands. The Garden State Parkway, State Highways 47 and 147 as well as County Routes 657, 619 and several local roads serve the Township.

LAND USE, DEMOGRAPHICS AND FUTURE

The mean income levels of Middle Township are just slightly below the County and State levels but the poverty level is only 8% compared to Cape May County at 9.3% and the State at 9.8% based on 2020 Census figures.

Since 1990, Middle Township’s population has grown 37.9%. At the same time, New Jersey’s population has grown 20.1% while Cape May County’s population has decreased .18%. Cape May County’s population had increased from 1990 through 2000 but has steadily decreased since 2000, with the population total noted as 102,326 in 2000 and 95,263 in 2020. In recent years between 2010 and 2020, Middle Township’s population has increased by 7.8%. Prior to 2010, Middle Township experienced an even larger population growth, increasing by 11.1% between 1990 and 2000, and 15.3% between 2000 and 2010. In 2020, Middle had a population per square mile of 290.2.

Population Totals			
Year	Middle Township	Cape May County	New Jersey
1990	14,771	98,089	7,730,188
2000	16,405	102,326	8,414,350
2010	18,911	97,265	8,791,894
2020	20,380	95,263	9,288,994

Source US Census

Population Change			
1990-2000	11.1%	7.6%	8.9%
2000-2010	15.3%	-4.9%	4.5%
2010-2020	7.8%	-2.1%	5.7%
1900-2020	37.9%	0.2%	20.1%

The number of housing units in Middle Township has gradually increased, with the most dramatic increase between 2000 and 2010 at 23.8%. Between 2010 and 2021, the number of housing units increased 12.9%.

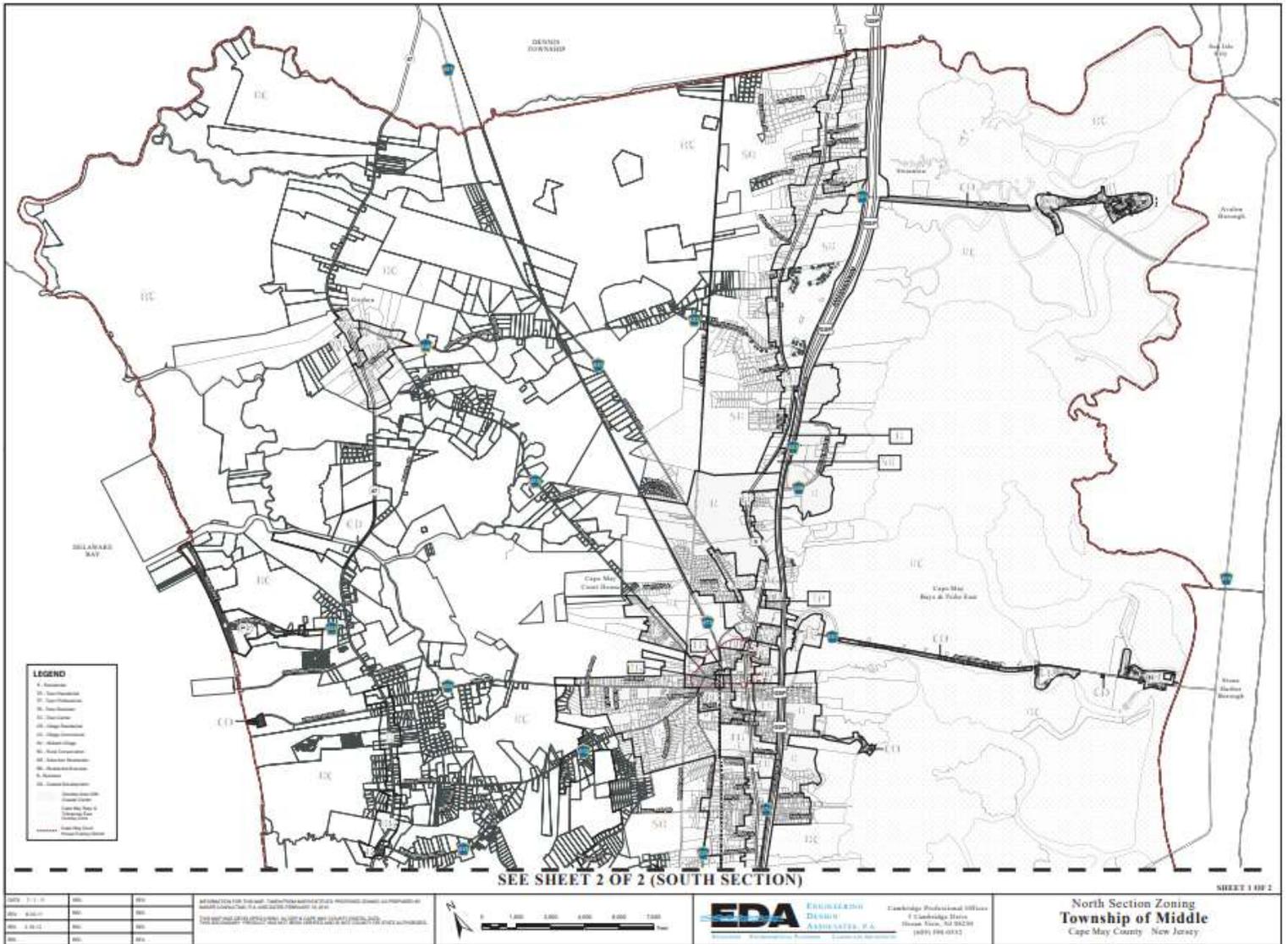
Housing Units	
Year	Units
1990	6,970
2000	7,510
2010	9,296
2021	10,496

INFRASTRUCTURE

Waste Water Treatment - The infrastructure to collect and convey sanitary wastewater within the municipality is owned and operated by the Cape May County Municipal Utilities Authority (CMCMUA), and serviced by two regional wastewater treatment facilities: Seven Mile/Middle Regional on the northern end, and Wildwood/Lower Regional on the southern end.

Water - Middle Township is served by New Jersey American Water- Cape May Court House System (NJAW) regulated under Water Allocation Permit Number 5054. NJAW utilizes two Atlantic City 800-foot sand aquifer wells and one Cohansey well. Areas of the Township that are outside of the NJAW service area are served by private wells. According to the Well Permitting section of the Bureau of Water Allocation and Well Permitting, approximately 5,318 permits to drill domestic wells have been issued.

FUTURE LAND USE /ZONING MAP (Below)

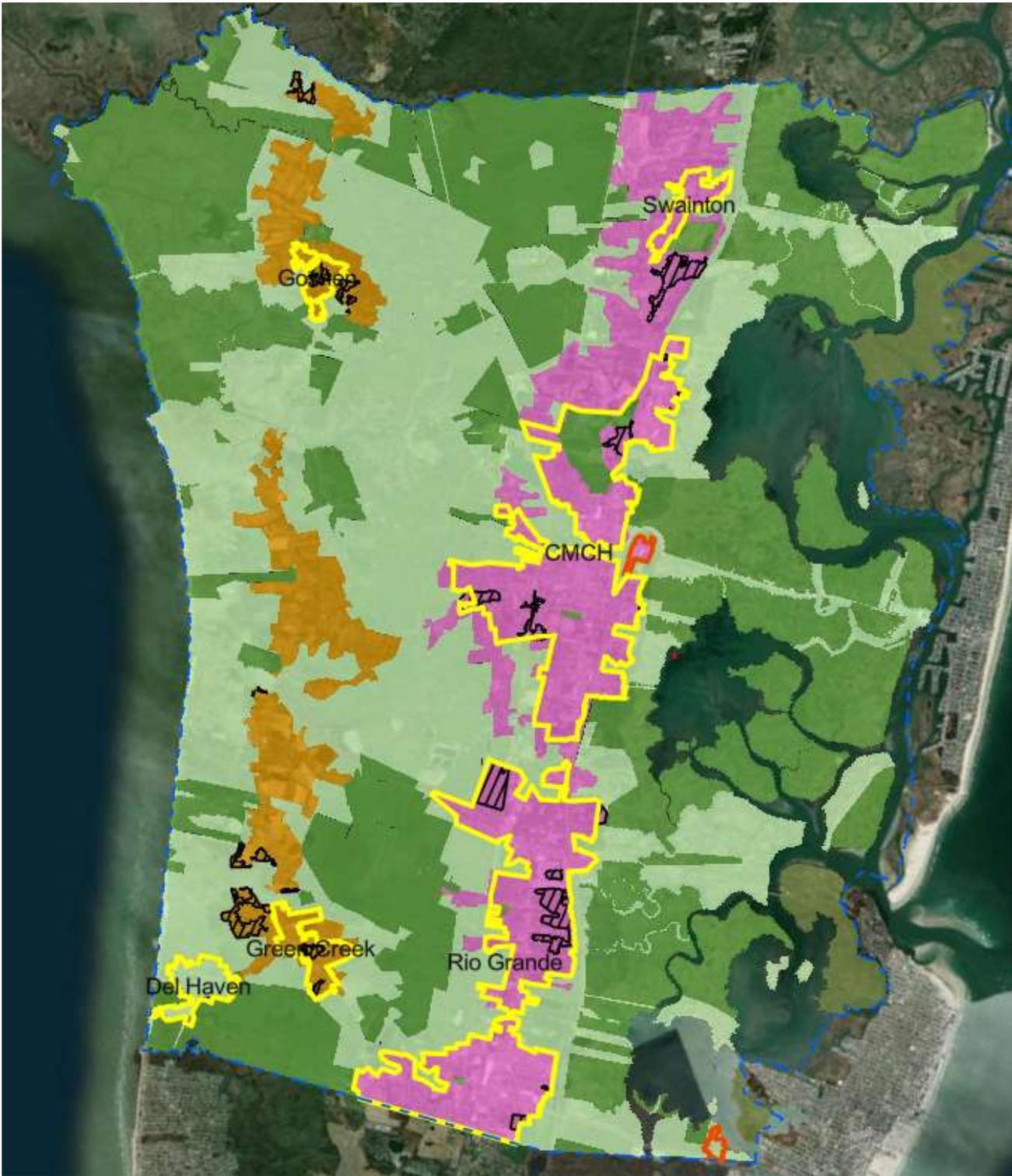


PROPOSED MAP AMENDMENTS

The following are Middle Township's proposed maps with Planning Areas and Center/Node boundaries. Previous SDRP mapping is below:

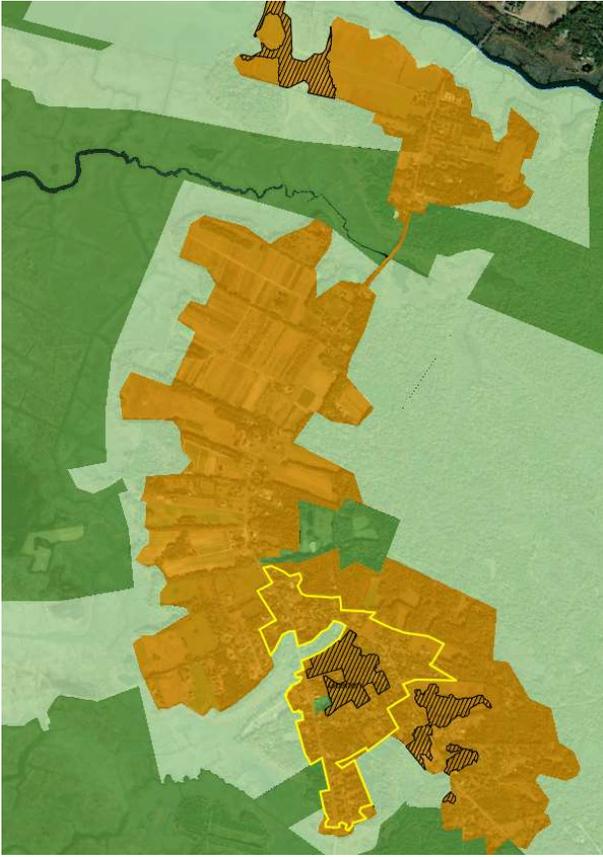


“Existing” Planning Areas (PA3, lt pink; PA4, tan; PA5 lt green and Open Space, dk green) and Centers (outlined in purple and rust).



Proposed Mapping with Suburban PA2 (pink); Rural PA4 (tan); Environmentally Sensitive PA5 (lt green); Open Space/Park PA 8; Center boundaries (yellow); Node boundaries (red) and Critical Environmental Sites (black hatching).

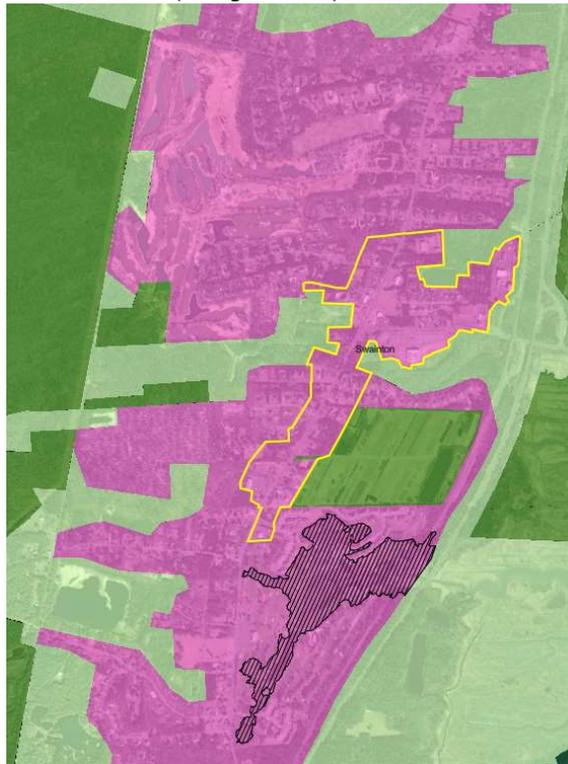
Goshen (Hamlet Center) and surrounding environs



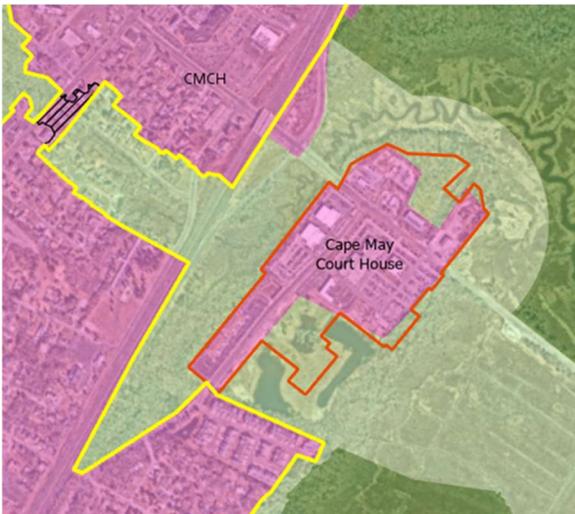
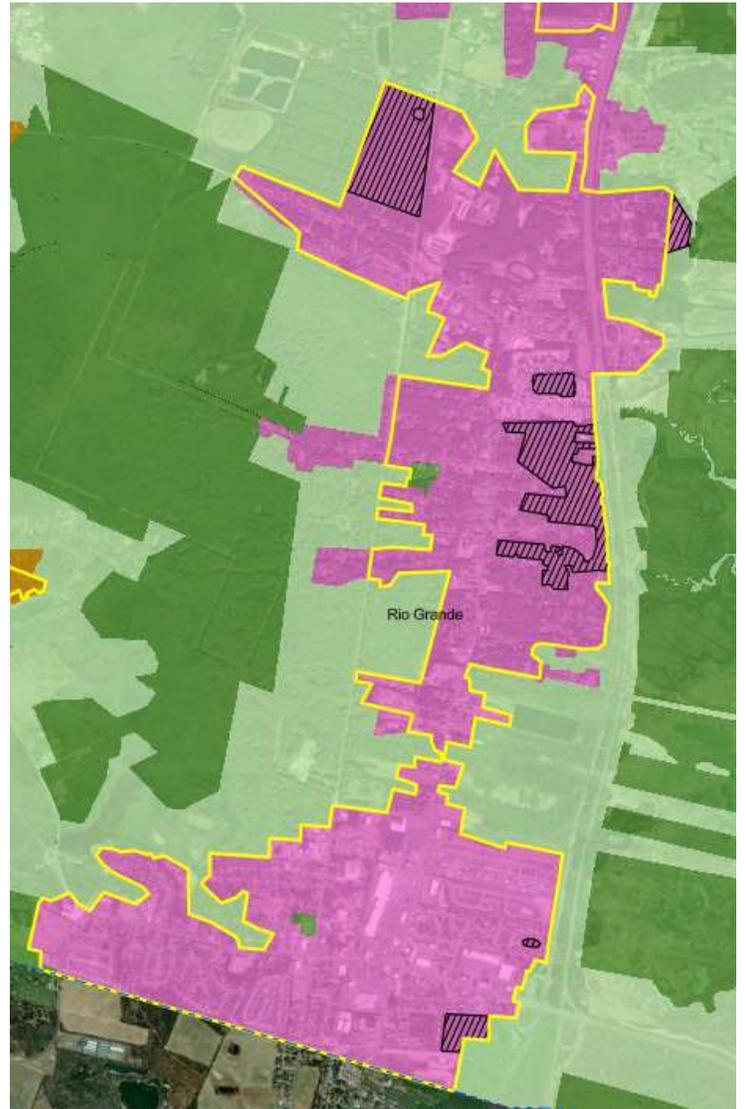
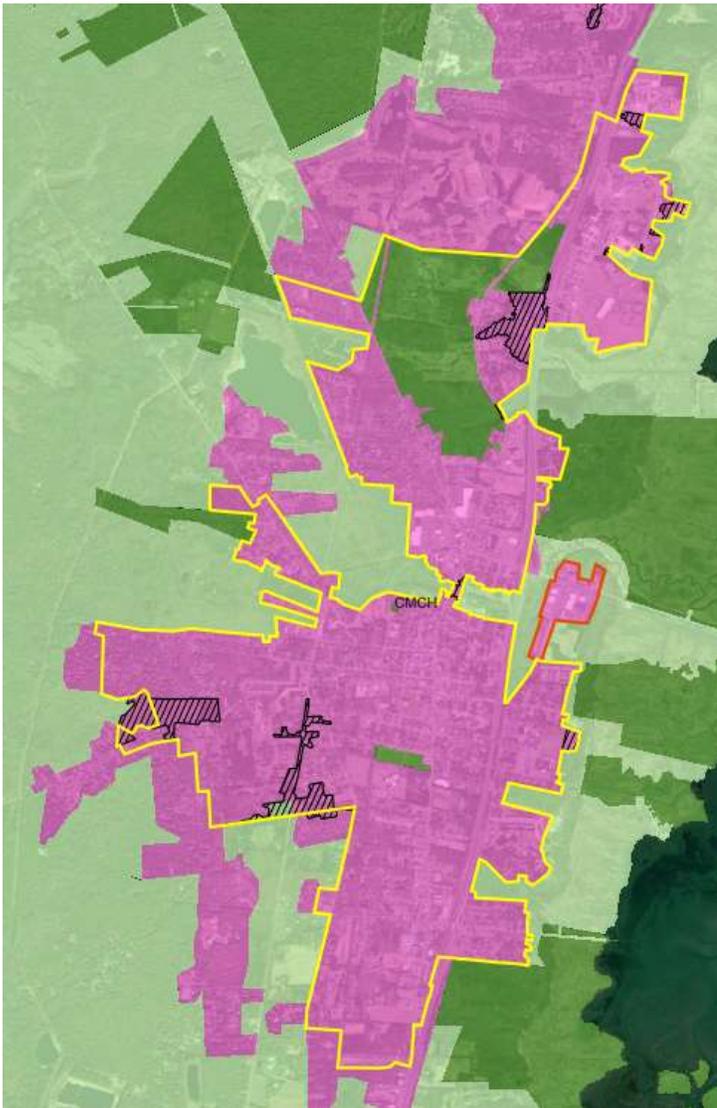
DelHaven and Green Creek (Village Centers)



Swanton (Village Center)



Cape May Court House and Rio Grande (Regional Centers)



Burke/Kindle Commercial Node



Hildreth Commercial Node

STATE PLAN GOALS REVIEW

Goal #1 Revitalize the State's Cities and Towns - The existing Centers and proposed Center adjustments support this goal by providing for infill development and opportunities for redevelopment and revitalization. Cape May Court House is the County Seat and the municipality and the County each have aggressive goals and programs to continue to build the Regional Center's vibrancy, services and livability. Also, Rio Grande Community Partnership is a volunteer community collaboration working on quality of life issues for that Center. The smaller villages have their own character and initiatives and the municipality is currently upgrading infrastructure, connectivity and sustainability for them as well.

Goal #2 Conserve the State's Natural Resources and Systems - Over 43 percent of the Township are public lands, covered by freshwater and tidal wetlands. Large areas of land within the Township are owned and managed by State and Federal Agencies for the protection of threatened and endangered species and wildlife habitats. These areas represent a significant amount of undeveloped land. The "Open Space" Mapping prepared by Maser Associates in May 2010 shows the breakdown of existing open space areas located within Middle Township including Federal, State, County and Municipal open space areas, as well as preserved farmland (refer to Exhibit VIII: Open Space Map). Most of the open space consists of State-owned land. The Delaware Bay Division of the Cape May National Wildlife Refuge is in Middle Township along the Delaware Bay. This area contains wildlife habitats including salt marshes, forested uplands, forested wetlands, vernal pools, shrub/scrub vegetation and grasslands. Large concentrations of migrating shorebirds visit the Delaware Bay area each spring. The Delaware Bay Division attracts large numbers of waterfowl, marsh birds, raptors, songbirds, reptiles, and amphibians. The Natural Resources Inventory prepared in 2010 serves to identify natural systems and to further the protection of existing natural areas through the appropriate development of vacant parcels and the re-development of developed lands. The State Office of Planning Advocacy endorsement of the Township's Center, and the refinement of the Township's zoning and land use ordinances have enhanced the protection of natural resources.

Goal #3 Promote Beneficial Economic Growth, Development and Renewal for all Residents of New Jersey - The Township has been actively engaged in promoting appropriate balanced economic growth consistent with the carrying capacity of the land and available infrastructure. Most development is infill development concentrated in the existing Centers. There is an active Chamber of Commerce assisting with business promotion and the administration is fully engaged in efforts to secure a sustainable economic future for the township.

Goal #4 Protect the Environment, Prevent, and Clean Up Pollution - The Township developed an Environmental Assessment review process to ensure that all future development (including those developments not under CAFRA jurisdiction) will appropriately consider environmental resources. The environmental review process provides a stronger level of local regulation. The Township also has an active Green Team addressing issues related to protecting the environment, pollution prevention and clean up.

Goal #5 Provide Adequate Public Facilities and Services at a Reasonable Cost - The Township operates a senior center, library, recreation department, school system including a high school, and a police department. The Township supports the extension of public sewers and public water to accommodate development in the Centers and is committed to providing its residents with efficient services and quality programs while keeping its taxes as low as possible.

Goal #6 Provide Adequate Housing at a Reasonable Cost - The Township has had ongoing dialogue with the Fair Share Housing Center since 2019 to address the municipality's obligation under New Jersey's

Third Round Housing Formula. The Township reached a Settlement Agreement in January 2022 and is making a good faith commitment to implementation.

Goal #7 Preserve and Enhance Areas with Historic, Cultural, Scenic, Open Space, and Recreational Value - The goals and policies defined in the 2013 Open Space and Recreation Plan remain important to the purpose of promoting responsible public recreation, preserving and enhancing historic and cultural resources, conserving land for wildlife, protecting water quality and open space lands, and ensuring the health and wellness of the community. A 2021 re-examination of the plan affirmed that the local, state, and federal regulations and programs in place serve to protect the existing open space areas for the future. The Township has consistently prioritized the funding of improvements to recreation facilities throughout the community. The re-examination process led to the affirmation that open space must be protected based on the significant benefits provided to the community's present and future well-being, and that the Township's recreation program should be structured to provide a variety of activities, programs and facilities for all ages and interests.

Goal #8 Ensure Sound and Integrated Planning and Implementation Statewide - The PIA adopted by the State Planning Commission in 2011 incorporated numerous transit and transportation improvements based on the 2011 Transportation Improvement Study. The Township has coordinated with the County and NJDOT to facilitate improvements recommended in the Study. Many of the initiatives have been completed or are ongoing. The new PIA recommends reevaluating this Study and working towards the implementation of the updated recommendations.

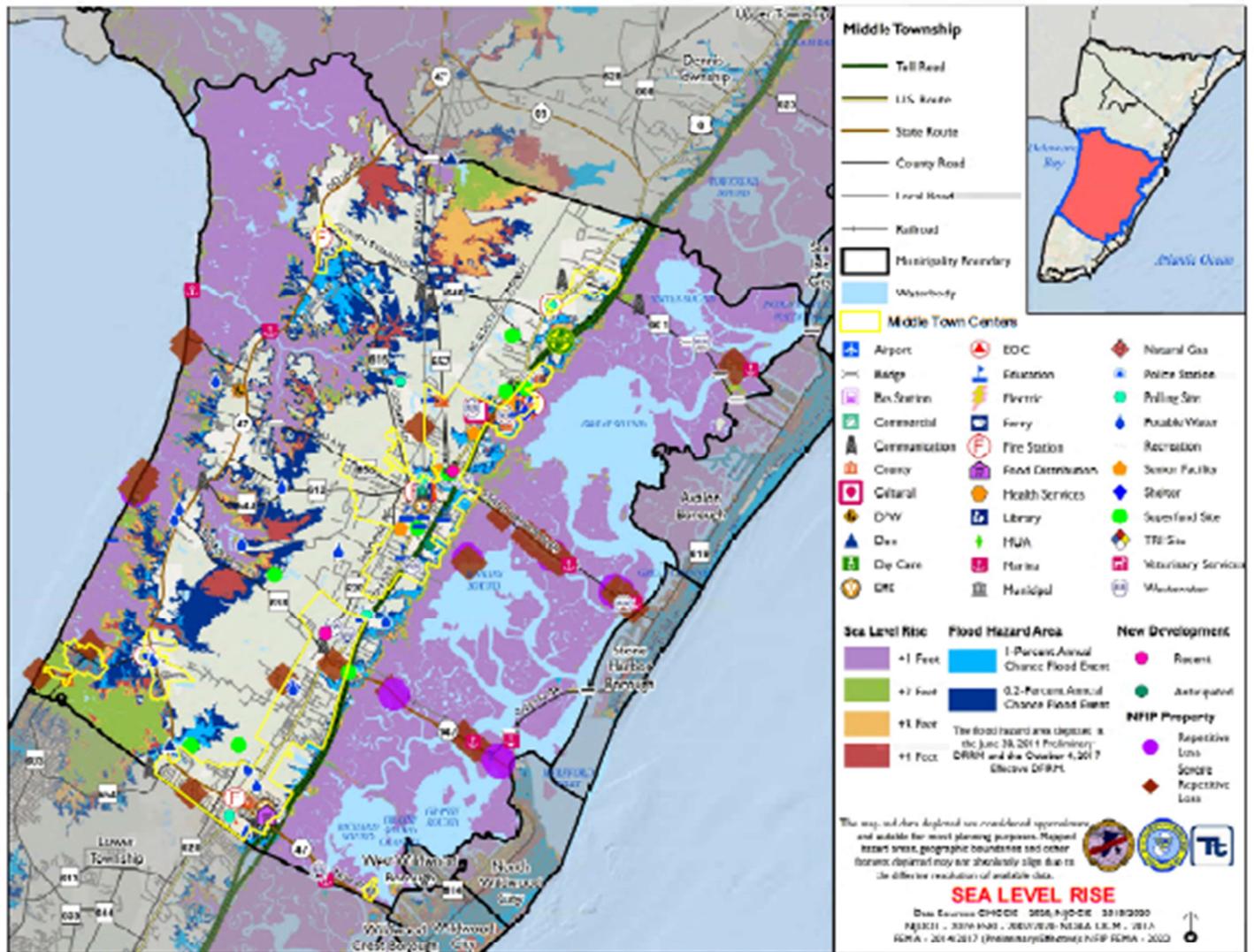
The Township also works closely to ensure consistency with these surrounding municipalities as well as the County and State on planning and zoning regulations and plans such as:

- State Development and Redevelopment plan
- County Solid Waste Management plan
- Participation in the county wide Hazard Mitigation Plan and Waste Water Management Plan as well as other county lead initiatives like the Comprehensive Plan, Bike plan, etc.
- Bayshore Heritage Byway Corridor Management Plan

RESILIENCY

The Township participates in the Sustainable Jersey program and is a certified municipality. The Environmental Commission, which also serves as the Green Team, was re-established in 2011 and carries out the actions of the Sustainable Jersey program. On August 17, 2017 The Township passed a Sustainable Land Use Pledge to make land use decisions with the intent of make Middle Township a sustainable community. The Township Public Works, Construction Official, Grants Coordinator, Emergency Management Officer and Business Administrator formed a committee to work with the New Jersey Department of Environmental Protection to identify vulnerabilities to coastal hazards based on existing tools developed by the NJ Coastal Management Program. Middle Township's Jurisdictional Annex within the Cape May County Hazard Mitigation Plan Update prepared by Tetra Tech, Inc. was developed over the course of several months with input from many jurisdiction representatives. The mapping prepared by Tetra Tech based on this input, and existing Centers are overlain on the map below.

In 2016, Middle worked with JC NERRS on Getting to Resilience and updated its Flood Hazard Prevention ordinance in 2017 and Stormwater Management Ordinance in 2021.



STAFF RECOMMENDATION

Middle Township has diligently and regularly planned and implemented measures to ensure that their centers, and environs remain sustainable and grow using smart-growth principles. Based on this work, they have demonstrated that their actions and plans, including with the items identified in the PIA, are aligned with the State Plan. It is staff’s recommendation that the State Planning Commission adopt the Resolution for Plan Endorsement. Please see the attached PIA for details of their implementation agreement.