DEPARTMENT OF STATE
BUSINESS ACTION CENTER
OFFICE OF PLANNING ADVOCACY
PO Box 820
TRENTON, NJ 08625-0820

PHILIP D. MURPHY

Governor

TAHESHA WAY Secretary of State

SHEILA Y. OLIVER
LT. GOVERNOR

Donna A. Rendeiro Executive Director

MEMORANDUM

TO:

Donna Rendeiro

FROM:

Meghan Wren

RE:

Upper Township Plan Endorsement Waiver Request/Renewal

DATE:

September 8, 2021

Background

The Township of Upper was first endorsed on February 21, 2007 (the very first NJ municipality to achieve Plan Endorsement) and received extensions for its re-endorsement through January 11, 2022. It is currently working through the Plan Endorsement Process as if they have never been endorsed. In the meantime, OPA works to amend the State Planning Rules to allow for an Endorsement Renewal Process that would acknowledge the past and current work of municipalities following a path of comprehensive planning consistent with the State Plan.

Waiver Requests

Mayor Richard Palombo of Upper Township submitted a waiver request August 23, 2021 asking for relief from the requirements for Step 4 of the Plan Endorsement Process; the Opportunities and Constraints Report (N.J.A.C. 5:85-7.1) The Mayor also asked for a waiver for Step 2 & 5, Advisory Committee and Visioning that will be reviewed in a separate action by the Executive Director. OPA has reviewed these waiver requests and is adding a request for relief for the formal Consistency review process, Step 6.

<u>Justification</u>

A waiver for Step 4, Plan Endorsement State agency opportunities and constraints assessment and report, is requested/justified because: "We would request a waiver from Step 4 because there have not been significant changes to Upper Township's status and trends since our original PE in 2007. The current build-out analysis prepared in 2019 as part of the wastewater management plan was

done with more detail than OPA's typical build out analysis. Upper Township has made significant and meaningful progress on our PIA and are prepared to adopt the new priorities of the state in the way of a revised PIA reflecting key State priorities.

Upper Township has have been a good partner/participant in resiliency planning, affordable housing, and other key interests of the state, implementing center-based development through municipal planning and zoning, incorporating CAFRA requirements into our zoning, adopting relevant ordinances for cluster development, resource protection and other key land use issues; working closely with Cape May County and other regional efforts; and taking a leadership role in resiliency through Coastal Coalition and other collaborations. Upper Township is also a Class 5 Community in the FEMA's Community Rating System (CRS) and after adoption a watershed management plan later in 2021 we will become a Class 4 Community. The Township has also adopted numerous ordinances that enhance resiliency in our Special Flood Hazard Area including a mandatory bulkhead height of Elevation 8, minimum ground floor/ garage elevation of Elevation 7, and a freeboard requirement of 3-feet above the base flood elevation."

A waiver for Step 6, Plan Endorsement Consistency review, is requested/justified because: Upper Township went through Plan Endorsement once before and aligned their planning documents and efforts with the State Development and Redevelopment Plan — which has not changed since their endorsement. The Township has only moved closer to sustainability in the ensuing years; implementing a significant number of their Plan Implementation Agreement actions, leading the state in resiliency efforts, achieving Category 5 (and soon 4) in NFIP's Community Rating System and Bronze Certification through Sustainable Jersey while adding land use plans and ordinances that support center-based communities.

NJ State Planning Rules for Waivers

According to N.J.A.C. 5:85-7.6 (b) "A waiver may be granted ... provided the Executive Director, determines that a petitioner has previously satisfactorily completed the requirement, or has substantially complied with the intent of the requirement. The determination will be based on a consideration of whether standards for plan endorsement ... have been met."

Step 4 PE State agency opportunities and constraints assessment and report – Intent: NJAC 5:85-7.1

...relevant State agencies shall compare the findings and conclusions of the petitioner's Self-Assessment Report with the most up-to-date regional and Statewide data, evaluate the report with regard to development, infrastructure, natural resources, social equity and resiliency to climate change, and make an assessment as to whether trend growth apparent in petitioner's report is sustainable based on the resources and infrastructure available in the municipality, region and State...

Step 6 PE State agency Consistency Review – Intent: NJAC 5:85-7.12

...the Office of Planning Advocacy, in consultation with the relevant Federal, State and regional agencies, shall conduct a review of the plan for consistency with the goals, policies and strategies of the State Plan, which shall conclude with issuance of a consistency review report to the petitioner.

... (c) In conducting the consistency review, consideration will be given to the ability .. to achieve the targets and indicators contained in the State Plan ...; the extent to which the activities listed to be undertaken in each planning area can or will achieve consistency with the State Plan goals and implement Statewide sound planning policies, taking into account relevant State agency policies, rules and regulations, and whether the plan is based on current information and data.

Consistency will be evaluated ...with particular emphasis on the following provisions:

- 1. The Statewide goals, policies and strategies;
- 2. The policies that apply to all planning areas;
- 3. The intentions for each relevant planning area;
- 4. The policy objectives for each relevant planning area;
- 5. If any change to a planning area boundary is proposed, the delineation criteria, intent and policy objectives for each planning area impacted by any boundary change;
- 6. The delineation criteria and intent for critical environmental sites and historic and cultural sites, areas vulnerable to flooding and climate change-related hazards, and with special consideration of equity/environmental justice issues;
- 7. If there is a designated center or a center is proposed for designation, the policies for centers, including the center design policies, and environs; and
- 8. If a center is proposed to be designated or a change to the boundary of a designated center is proposed, the criteria for designating the type of center that is proposed to be designated or modified.
- (d) A consistent municipal plan shall contain... the following mandatory planning documents:
 - i. A sustainability statement;
 - ii. A land use element;
 - iii. A land use inventory or map;
 - iv. A zoning ordinance, schedule or map;
 - v. Documents detailing recent or upcoming major developments as defined by the MLUL;
 - vi. A circulation element and complete and green streets policy and implementation ordinance;
 - vii. A municipal stormwater management plan and ordinance;
 - viii. A wastewater management plan;
 - ix. A housing element;
 - x. A petition for substantive certification filed with the Court, compliance with a courtordered housing plan, or evidence of adequate affordable housing accommodations;
 - i. A fair share plan and implementing documents/ordinances;
 - ii. A community facilities plan, inventory and map;
 - iii. A board of education five-year facilities plan if one exists;
 - iv. An open space and recreation plan;
 - v. A natural resource inventory;
 - vi. A conservation plan and implementing ordinances;
 - vii. An environmental justice and social equity action plan;
 - viii. A climate action plan that addresses: a. climate adaptation and resiliency, and b.
 - Greenhouse Gas emissions reduction
 - ix. A recycling statement of consistency;
 - x. A municipal recycling ordinance;
 - xi. A hazard mitigation plan or local annex in a county HMP; xix. New Jersey State Police letter approving the local emergency operating plan; and

xx. A capital improvement program

The following conditional items as outlined in the plan endorsement guidelines, which may be required depending on local circumstances;

- i. A utility service plan;
- ii. floodplain ordinance; A water supply plan
- iii. A recreation and open space inventory;
- iv. An economic development plan;
- v. An agricultural retention plan/farmland preservation plan, agricultural advisory committee, right-to-farm ordinance, and implementation program;
- vi. A historic and cultural resources inventory, historic preservation plan, and implementation documents and mechanisms;
- vii. Incorporation of hazard mitigation measures into relevant planning documents; viii. A sustainability element; ix. A historic and cultural resources inventory and historic preservation plan; and
- (f) Any additional requirements that are agreed upon between petitioner and the Executive Director, in consultation with the relevant State agencies...

Review of Requirement and Intent

Step 4 Opportunities & Constraints Report: OPA and Upper Township have met the intent of the Opportunities and Constraints requirement for Upper Township because a build out analysis, which OPA typically prepares as the backbone of an Opportunities and Constraints report, was conducted by the Maser Consulting as part of the township's wastewater management plan. The data presented offers a clear picture from which state agencies can make consistency evaluations. Additionally, the data and analysis in the other issue areas mandated in an O&C Report are readily available as follows:

- **Development** has been minimal since the last Opportunities and Constraints Report was prepared;
- Infrastructure needs and issues are assessed in Upper Township's own reports;
- Natural resources Upper Township has a Natural Resource Inventory that has been kept up to date and a current complete ROSI;
- **Social equity** there are no identified social equity issues in Upper township though the community is prepared to address any concerns should they arise;
- Resiliency to climate change Upper Township has completed the 'Getting to Resiliency' report, achieved CRS Level 5 (soon to be 4); incorporated climate change impacts in its 2021 Hazard Mitigation Plan Annex and is prepared to adopt the actions identified in the 2020 PE Guidelines as part of its new PIA to address additional resiliency concerns.

Furthermore, there have been no significant land use changes in the years since its Endorsement; the township has implemented much of its original PIA, and worked through plans, programs and ordinances toward its vision of center-based, mixed use, higher density residences, affordable housing, walkability and bike/ped friendly streets in Marmora, Seaville, Petersburg and Tuckahoe while preserving and steering less dense development in its environs outside of the centers.

Step 6 Consistency Review: OPA and the relevant state agencies with Upper Township have and/or will meet the intent of the Consistency Review requirement for Upper Township through careful consideration of submitted documents, reports, current information, and data available. Upper

Township has maintained consistency since its original endorsement in 2007 as evidenced by its continuous progress in sustainable planning.

Consistency has been evaluated ...with particular emphasis on the following provisions:

- 1. The Statewide goals, policies, and strategies: Consistent
- 2. The policies that apply to all planning areas: Consistent
- 3. The intentions for each relevant planning area: Consistent
- 4. The policy objectives for each relevant planning area: Consistent
- 5. If any change to a planning area boundary is proposed, the delineation criteria, intent and policy objectives for each planning area impacted by any boundary change: Consistent
- 6. The delineation criteria and intent for critical environmental sites and historic and cultural sites, areas vulnerable to flooding and climate change-related hazards, and with special consideration of equity/environmental justice issues: Consistent
- 7. If there is a designated center or a center is proposed for designation, the policies for centers, including the center design policies, and environs: Consistent and
- 8. If a center is proposed to be designated or a change to the boundary of a designated center is proposed, the criteria for designating the type of center that is proposed to be designated or modified: Consistent
- (d) A consistent municipal plan shall contain... the following mandatory planning documents:
 - ☑ i. A sustainability statement;
 - ☑ii. A land use element;
 - ☑iii. A land use inventory or map;
 - ☑iv. A zoning ordinance, schedule or map;
 - ☑v. Documents detailing recent or upcoming major developments as defined by the MLUL;
 - ✓vi. A circulation element and complete and green streets policy and implementation ordinance; (Partial to be enhanced through PIA)
 - ☑vii. A municipal stormwater management plan and ordinance;
 - ☑viii. A wastewater management plan; (Awaiting DEP Approval)
 - **☑**ix. A housing element;
 - ☑x. A petition for substantive certification filed with the Court, compliance with a court-ordered housing plan, or evidence of adequate affordable housing accommodations;
 - ☑i. A fair share plan and implementing documents/ordinances;
 - ☑ii. A community facilities plan, inventory and map;
 - iii. A board of education five-year facilities plan if one exists; (To be supplied if exists)
 - ☑iv. An open space and recreation plan;
 - ☑v. A natural resource inventory;
 - ☑vi. A conservation plan and implementing ordinances;
 - vii. An environmental justice and social equity action plan; (To be established through PIA)
 - viii. A climate action plan that addresses: a. climate adaptation and resiliency, and b.

Greenhouse Gas emissions reduction ;(To be established through PIA)

- ☑ix. A recycling statement of consistency;
- ✓x. A municipal recycling ordinance;
- ☑xi. A hazard mitigation plan or local annex in a county HMP; xix. New Jersey State Police letter approving the local emergency operating plan; and
- ☑xx. A capital improvement program

The following **conditional** items as outlined in the plan endorsement guidelines, which may be required depending on local circumstances;

- ☑ i. A utility service plan;
- ☑ ii. floodplain ordinance; A water supply plan
- ☑ iii. A recreation and open space inventory;
- iv. An economic development plan;
- v. An agricultural retention plan/farmland preservation plan, agricultural advisory committee, right-to-farm ordinance, and implementation program; (Through CM County)
- ☑vi. A historic and cultural resources inventory, historic preservation plan, and implementation documents and mechanisms; (Partial)
- ✓vii. Incorporation of hazard mitigation measures into relevant planning documents; viii. A sustainability element; ;(To be established through PIA)
- (f) Any additional requirements that are agreed upon between petitioner and the Executive Director, in consultation with the relevant State agencies...

Other Considerations

This review encompasses one of the three waiver requests submitted by Upper Township which, taken together with the waiver request initiated by OPA, would essentially provide a pilot case for an expedited Plan Endorsement renewal procedure. OPA recognizes the major planning and compliance work that Upper did in the years leading up to its initial endorsement and the continuation of that planning and incremental accomplishments toward its vision since then.

Upper township is in good standing for its Affordable Housing and has conducted its own build-out analysis as part of its wastewater planning that is more comprehensive than OPA's status and trends analysis. Upper Township is a leader in resiliency planning in NJ – leading the largest Public Participation Information network in the country as part of its CRS program (soon to be Category 4) through the Coastal Coalition and it has achieved Bronze Certification through the Sustainable Jersey program evidencing its commitment to climate change adaptation and other sustainability issues.

Conclusion/Recommendation for Approval

In light of the aforementioned considerations and hard work by Upper Township, I recommend approving these requests for waivers for PE Step 4 and Step 6 as they have provided sufficient evidence that we/they have **substantially complied with the intent of the requirement** for the Opportunities and Constraints assessment and report and Consistency Review.

Additionally, OPA and the agencies will have an opportunity to add considerations to the Plan Implementation Agreement should they have additional items of concern.

As the first Endorsed community, engaged in perennial responsible planning for the past fifteen years, this community is the ideal test for the proposed expedited Renewal process.

Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021

| Topic | # | Subtopic | Activity (local action unless otherwise indicated) | State/County Assistance | Timetable | Status |
|----------------------|----|---|--|---|--|-----------------------|
| General | A1 | CAFRA Center Boundary, revised planning area boundaries | Submit drafts of all new and revised planning documents required by this PIA to OSG, DEP and the Pinelands Commission. | OSG, DEP and Pinelands Commission to provide technical assistance | 20 days prior to adoption by township | 4/9/07, complete |
| General | A4 | CAFRA Center Boundary & revised planning area boundaries | DEP to provide the requisite notice concerning designated center and revised planning area boundaries in the NJ Register. As part of this process, the Pinelands Commission will provide general comment to DEP regarding the petition per the MOU between the two agencies. | DEP, Pinelands | 5/23/2007 | 4/2/2008 complete |
| General | A5 | Plan Endorsement review | By February 21, 2009 and biennially thereafter, the Township shall submit a report to OSG and the public concerning the terms of this PIA and related efforts pursuant to NJAC 5:85-7.12(c). | | 2/21/2009 and biennially thereafter | Ongoing |
| General | A7 | Revised Plan Endorsement Process | 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. This action plan may be merged with this PIA, due to overlapping activities. | OSG and other state agencies | 90 days afrer new rules and guidelines are adopted | Ongoing |
| General | A8 | Inter- governmental coordination | 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. | County Planning Board, OSG, DOT, DEP | Ongoing | Ongoing |
| Land Use & Zoning | B1 | Land Use Regulations | Update zoning regulations to implement land use plan and support center-based development. Eliminate discrepancies between the land use plan, zoning plan and CAFRA requirements to enable planning consistency. Provide preservation of the environs through refined zoning standards, and development cluster and transfer mechanisms. | OSG, DEP, Pinelands Commission | 4/22/2007 | 10/9/2007 complete |

Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021 **Topic Activity** (local action unless otherwise indicated) State/County Timetable **Subtopic Status** Assistance Adopt ordinance changes required to implement new 6/12/2006 Land Use & B2 Stormwater DEP Completed Stormwater Management Rules Management complete Zonina Create TDR plan element in coordination with County Smart OSG, SADC. 2/20/2009 Land Use & В3 TDR Plan County-wide Future project. County (subject to project? Zonina funding) COAH Plan Housing C1 Finalize and adopt Housing Element and Fair Share Plan. COAH 180 days 12/22/2008; Coordinate housing site selection with centers. Petition after COAH final JOR from COAH for substantive certification. has finalized Superior Ct and settlement lany necessary agreement with Fair Share rule and/or guideline Housing amendments 6/30/2020 following complete court decision. Incorporate housing design into design guidelines (K2) to OSG (subject to Need Funding Housing C2 Residential 6/22/2008 support housing diversity and links to services and funding) Design lamenities. Ongoing Rezoned Redevelopment Beeslev's Point Investigate Beesley's Point redevelopment options to OSG, DEP 2/20/2009 area for promote suitable mixed use waterfront based development Waterfront in this Center. This effort will provide for reutilization of this Towncenter on prime economic resource for the Township. (This item 5/26/20. depends on future status of B.L. England plant). Approved Condemneation Redevelopement Area on 1/22/21. Incoroporate area as a State Redevelopment Node

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Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021 Activity (local action unless otherwise indicated) State/County Timetable Topic **Subtopic Status** Assistance DEP Green Acres 2/20/2009 Open Space & E1 Prepare and adopt Recreation and Open Space Plan as **ROSI And Open** Recreation and Open Space lupdated Master Plan element. Use the Plan to prioritize Space Plan Recreation Plan open space and farmland preservation acquisition efforts. Complete Coordinate efforts with County Farmland Preservation plan. MPAP approved Prioritize acquisition of open space in coordination with State bv DEP 5/20 and Federal agencies and not-for-profit groups. Prepare Recreation and Open Space Inventory (ROSI) and submit to NJDEP to enable funding. Open Space & E2 Target maintenance and enhancement of neighborhood-2/20/2009 Recreation and losg ongoing NJDOT funded Open Space level parks and recreation facilities for Centers. Pedestrian Recreation Plan and bicycle connections between residential areas and these Bike Plan facilities shall be a key part of the strategy. 4/2019 The Township shall prepare a statement that addresses DEP technical 4/7/2007 3/30/2007 Environmental Coastal Resources Consistency natural resource protection and coastal management assistance completed demonstrating consistency of local plans and ordinances Statement with the goals of the Coastal Zone Management Program. 4/7/2007 3/30/2007 Environmental lF2 Adopt Environmental Review regulations to protect DFP technical Local Resources Environmental lenvironmental sensitive lands as a condition of Plan lassistance completed Endorsement. Provide environmental maps for Township Review construction and zoning officials to use to identify critical land and to inform public. Undertake regional dredging effort, obtain funding for 2/20/2009 Environmental Dredging County Ongoing CM coordination of equipment, and identify spoil sites as part of an overall County held Resources task force. OC regional plan. regional plan. DEP assistance and Strathmere with funding and projects site selection. Threatened & 2/20/2010 Partial, need Env Prepare Habitat Conservation Plan and protection measures DEP technical Endangered funding to maintain habitat. Resources lassistance and **Species** funding

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Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021 **Topic Activity** (local action unless otherwise indicated) State/County Timetable **Subtopic Status** Assistance DOT technical 4/7/2007 Transportation G1 Revise the Township's LDO to comply with the MLUL Access 10/7/2007 requirement that municipal zoning regulate land adjacent to & Circulation complete Management assistance*. State highways in conformity with the State Highway Access Management Code. Transportation & G10 Implement Route 47/Route 55 Corridor Study improvements NJ Turnpike Route 47/55 Ongoing complete Circulation Authority funding to reduce congestion (except a Route 55 bypass). DOT/SJTPO TIP Circulation Plan Prepare updated Circulation Plan Element of the Master DOT technical 2/20/2009 Transportation & G2 Partial - Town Circulation Center Road Plan. This element shall justify investments proposed in assistance Network Map other Transportation PIA items, including alternative Complete Streets transportation modes. Policy 8/2019 Transportation & G3 Bicycle Paths Construct Petersburg /Woodbine /Tuckahoe bike path. DOT TE funds. 2/21/2012 Bike Plan Circulation DOT Bicycle and Secure funding to design and construct bike path to connect prepared; need to Woodbine from Amandas Field and connecting north to funding for Pedestrian funds* Tuckahoe Village. DEP wetlands implementation permits Transportation & G4 Bicvcle Paths Design and construct Palermo bike path along inactive DOT TE funds. 2/21/2012 NJT no Circulation NJTransit rail line from Route 9 to the Inland Waterway. **DOT Bicycle and** response permiting use of Pedestrian funds* DEP wetlands inactive rail line. permits. Transportation & G5 Tuckahoe rail NJDOT Bike and 2/20/2009 **Need County** Construct Tuckahoe train station link to Main Street. In Circulation station coordination with County, design and construct sidewalk Pedestrian funds: and NJDOT for improvements along Reading Avenue from Route 50 to the \$. NJDOT Local Aid Tuckahoe Train Station to support economic development funds*. efforts.

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Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021 **Topic Activity** (local action unless otherwise indicated) State/County Timetable **Subtopic Status** Assistance DOT project under Transportation & G6 2/20/2009 Routes 50 and Construct Tuckahoe streetscape and Route 50 bridge complete. Circulation design. Funds and improvements as key to revitalization of the Tuckahoe 49 (Tuckahoe) fast track Village. Extend improvements to the section of Route 49 improvements to within Village center. support Tuckahoe Village economic development efforts. TE and/or NJDOT Local Aid for Centers of Place funds for to extend streetscape improvements along Route 49 and to provide streetscape lenhancements in Transportation & G7 Beesley's Point Coordinate bridge improvements with Somers Point, DOT Beesley's Point 12/1/2007 complete Circulation and any related redevelopment activity (D1). Alternative Bridge Company, Bridge funding mechanisms may be explored in conjunction with losg state agencies if DOT funding does not exist for the improvements. Transportation & G8 Install full interchange at Exit 20 of the Garden State NJ Turnpike NJHA Project Garden State 2/21/2012 Circulation Parkway. This is the highest priority Township Authority funding Park - Exit 20 DOT/SJTPO TIP transportation improvement project to reduce congestion. 2/21/2012 Transportation & G9 Implement Route 9 Cape May County Access Management County coordinate **County Project** Route 9 Circulation regional access plan Plan to reduce congestion along corridor. with mainland municipalities. DOT Local Planning Assistance funds*.

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Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021 **Topic** Subtopic Activity (local action unless otherwise indicated) State/County Timetable **Status Assistance** Regional Shuttle Request funding 2/20/2010 Plan and implement regional shuttle service between Regional Transit H1 through NJ Transit campgrounds and beaches abd other recreational Project awaiting Service for system planning opportunities in coordination with mainland municipalities funding and purchase of campgrounds and County. Shuttle service will provide shuttle vans (which transit service between campgrounds, mainland attractions can be used off and barrier island destinations. This needs to be season for other coordinated by the County. transit services (seniors, van pools, dial a ride programs); coordinate with SITPO on TIP Pursue improved bus transit facilities to increase route 2/21/2012 N Transit Transit H2 **Bus Service** Coordinate headways, increase bus pickup locations, develop central bewteen Twp. Project transit locations coordinated with parking. County, NJ **H3** Rail Service Complete rail line between Cape May City and Tuckahoe Cape May 2/20/2014 Cape May Transit Village. Excursion rail service will support planned economic **Seashore Lines** Seashore Line development activities around restored Train Station and Project awaits shall take the lead Tuckahoe Village. The retention of the rail spur to in this effort. DOT funding Beesley's Point as part of redevelopment plan can further funds for rail line expand the excursion rail line route thereby reducing improvements; vehicular traffic through Route 9 corridor. Transportation H4.1 Rail Service Conduct feasibility study for potential expansion of rail line 2/20/2010 Municipalities, Regional Transit from Tuckahoe to the Atlantic City Rail Line. This rail line County and NJ Project can provide connection to NJTransit/PATCO service to Transit 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.) H4.2 Rail Service Depending on results of feasibility study, expand rail line Municipalities, Long term Regional Transit connection from Tuckahoe to the AC Rail Line. County and NJ Project Transit

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Upper Township 2007 Planning and Implementation Agreement (PIA) Feburary 2021 Status Update Adopted by the State Planning Commission on February 21, 2007

| Adopted by the State | Planni | ing Commission on Februa | ary 21, 2007 | | 2/21/2007 | 9/8/2021 |
|----------------------|--------|-------------------------------------|---|--|--|--|
| Topic | # | Subtopic | Activity (local action unless otherwise indicated) | State/County Assistance | Timetable | Status |
| Infrastructure | I1 | Wastewater Management Plan | 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. | Cape May County, NJDEP permits. | 4/7/07 (contingent on timetable of coordination with DEP) | Complete; Awaiting NJDEP approval of submitted plan. |
| Infrastructure | 12 | Community Package Treatment Systems | Promote private alternative sewer systems in Centers. Coordinate between larger development or redevelopment area for joint infrastructure facilities. | DEP | Ongoing | ongoing |
| Infrastructure | 13 | Sewer service on Roosevelt Blvd | 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. | DEP permits for sewer extension to service existing development. | 2/21/2012 | ongoing |
| Infrastructure | 14 | Public Water | 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. | DEP | Ongoing | NJ American plans extension |
| Infrastructure | 15 | Gibson Bill Study | 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. | DEP, OSG, County, other stakeholders | 2/21/2008 | complete |
| Infrastructure | 16 | l . | Continue to coordinate with DEP, USGS, County and other municipalities on regional water supply studies. | DEP, OSG, County, other stakeholders | 2/20/2010 | Complete |

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Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021 Topic Activity (local action unless otherwise indicated) State/County Timetable **Subtopic Status** Assistance OSG, Main Street 8/22/2009 Tuckahoe Village Promote Tuckahoe Village Center Revitalization though **Economic** J1 **Awaits Funding** coordinated planning efforts with business and property Development Revitalization NJ. historic owners. Develop plans for revitalization of Tuckahoe Village preservation trust to support economic development initiatives including façade grants and and rehabilitation grant program, wayfinding signs, revolving loan coordinated marketing efforts, etc. Evaluate land use and program. (subject zoning for train station area. to funding) Prepare and adopt a Farmland Preservation Plan. NJDA 2/20/2009 **Economic** Agriculture Works with Coordinate efforts with County Farmland Preservation plan. Development County Funding 5/9/2011 Community K1 Design Undertake design charettes for Seaville, OSG (subject to 6/22/2008 Marmora/Palermo/Beesley's Point, Tuckahoe, and Design / lfundina) complete Charrettes Petersburg Centers. Use design workshops to refine Vision Sense of Place for zoning and design standards for Centers and planned Cores in Marmora and Seaville. Community K2 Adopt design guidelines to support and enhance centers OSG (subject to 6/22/2008 5/9/2011 Design development. Provide design guidelines suitable for each Design / Guidelines funding) complete unique Township Center. Create user friendly design Sense of Place quidebook to inform on quidelines. Incorporate quidelines linto LDO. K3 Create pedestrian friendly centers through appropriate site OSG. DOT* 6/22/2008 Study 20210 Community Walkable Design / design standards. Amend land use regulations to provide Form-based Neighborhoods Sense of Place for vehicular interconnections and pedestrian facilities within code centers. ordinances 5/9/2011 Complete streets ord 2019 4/7/2007 3/30/2007 Develop procedures to ensure Historic Preservation Society OSG, DEP Historic and L1 Amendments to Cultural input for any development application or permit that affects review process complete identified historic properties. Resources

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Adopted by the State Planning Commission on February 21, 2007 2/21/2007 9/8/2021

| Topic | # | Subtopic | Activity (local action unless otherwise indicated) | State/County | Timetable | Status |
|--------------|----|----------------|---|-----------------|-----------|-----------|
| | | | | Assistance | | |
| Historic and | L2 | Amendments to | Require a cultural resources assessment for identified | OSG, DEP | 4/7/2007 | 3/30/2007 |
| Cultural | | review process | historical properties as part of Environmental Review | | | complete |
| Resources | | | checklist. | | | |
| Historic and | L3 | Historic Site | Update existing historic properties inventory and include as | OSG, DEP | Complete | complete |
| Cultural | | Inventory | updated section of Township Master Plan. Coordinate | | | |
| Resources | | | efforts with Upper Township Historic Preservation Society. | | | |
| Historic and | L4 | Historic | Update Historic Preservation Plan of the Master Plan. | OSG, DEP | 1/20/2010 | Funding |
| Cultural | | Preservation | Coordinate efforts with Upper Township Historic | | | |
| Resources | | Plan | Preservation Society. | | | |
| Historic and | L5 | Design | Promote awareness of historic resources of Township | OSG (subject to | 1/20/2010 | Funding |
| Cultural | | Guidelines | through design guidelines to encourage preservation and | funding) | | |
| Resources | | | appropriate rehabilitation of properties and compatible infill. | | | |
| | | | Develop design guidelines in coordination with Historic | | | |
| | | | Preservation Society and as part of the proposed planning | | | |
| | | | charettes for the Tuckahoe and Petersburg villages. Adopt | | | |
| | | | guidelines as part of LDO. | | | |

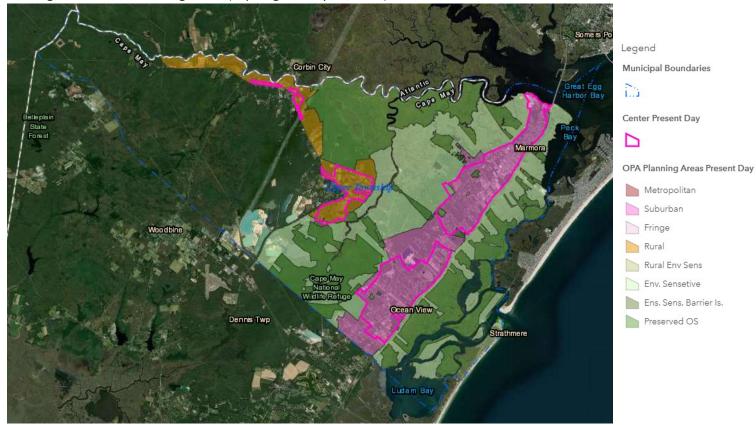
^{*} When requested, NJDOT will give priority consideration to providing technical assistance consistent with program requirements and subject to the availability of state resources.

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| Green denotes project/action awaiting funding. | 7 Actions |
|--|------------------|
| No highlight denotes completed, ongoing or partially completed action/project. | 32 Actions |
| Yellow denotes project/action held up by state or county agency(s). | 9 Actions |
| | 49 Total Actions |

Upper Township Working Draft Map 9-8-21 (Found here: Upper Twp PE Working Map (arcgis.com)

Existing Centers and Planning Areas (Expiring January 11, 2022)



Proposed Centers/Node and Planning Areas

