

## COVER LETTER

To: OSG

Ben Spinelli

Executive Director, OSG

From: Christine Abrams

755 Coral Ave.

Lakewood, NJ 08701

732-905-8961

Cabrams755@optonline.net

Re: Twp. of Lakewood Cross Acceptance Report  
and Plan Endorsement Petition comments

Contents: public comments letter for the  
public hearing of Aug. 16, 2007;  
Fig. 11 - Well Head Protection map  
Fig. 10 - Groundwater Recharge map  
Draft Proposed Regional Center  
Boundary Lakewood Twp.

Via Fax, Email, and Postal Mail  
Ben Spinelli, Executive Director  
Department of Community Affairs  
Office of Smart Growth  
101 S. Broad Street  
PO Box 204  
Trenton, NJ 08625-0204

Re: Township of Lakewood Cross Acceptance Report and Plan Endorsement  
Petition comments

Dear Mr. Spinelli,

Thank you for the opportunity to write. I'd like to voice my concerns regarding Lakewood Township and the Cross Acceptance Report and Plan Endorsement Petition submitted to the Office of Smart Growth. I attended the August 16, 2007 Ocean County Planning Board meeting on Cross Acceptance.

I've been a Lakewood resident since 1987, and an Ocean County resident since 1974. The following comments are based on the concerns of a resident that has witnessed the growth of Ocean County and Lakewood Township firsthand, and the research I've conducted about Smart Growth and Plan Endorsement over the past 12 months.

The Office of Smart Growth and the Department of Environmental Protection must view Ocean County as a whole interrelated and interconnected environmental area without borders, and not as individual unrelated townships where the borders are as definitive as lines drawn on a map. The Metedeconk River that runs through multiple towns must be considered equally throughout its entire length. Lines drawn on a map do not protect the river and its quality of drinking water, especially as it flows downstream. The river is not protected when it goes from a low to a high back down to a low PA designation just because it's drawn that way.

Ocean County has vast amounts of environmentally sensitive areas and natural resources that must be considered as a whole, but specifically, I'd like to address the areas and resources that are enclosed within Lakewood Township's border.

The proposed boundary for Lakewood's PA1 area encompasses most of its well head protection area (see Fig. 11 map from Lakewood's Natural Resource Inventory entitled Well Head Protection Areas dated Sept. 20, 2006). The wells however, are not currently protected by the township. In addition, these wells

are located in the largest designation area listed (16-23 in/yr) on the map entitled Fig. 10 Groundwater Recharge Areas Lakewood Township, also dated Sept. 20, 2006 as found in the NRI. Yet, Lakewood has approved high density development in these areas which will negatively impact the recharge area by high impervious coverage allowances, and possibly compound the integrity of an already stressed Kirkwood-Cohansey Aquifer. The wells of the MUA only have a firm capacity of .239 million gallons per day. I was told by the MUA that its customers routinely use on average 30,000 gallons per quarter, which is three times as much as their allotted 10,500 gallons per quarter. Additional residents drawing on those wells via greater density under PA1 and a Regional Center Designation, compromises the future of the water supply.

The New Jersey American Water Company, another supplier of water in Lakewood which has wells located in this same area, is still waiting to complete a comprehensive study called the Coastal North Supply Development Plan. This plan is a study to determine supply augmentation alternatives for future planning. This was supposed to be completed by March of 2007, but may now not be completed until the end of the year.

Water supply is a serious concern in Ocean County. According to a USGS Water Resources Investigations Report from 1998, "historical withdrawals have resulted in average base-flow reduction of up to about 12 percent of predevelopment base flow in some streams. Projected withdrawals at full allocation would further reduce the average base flow of the Toms River, the Metedeconk River, and Kettle Creek by about 2, 8, and 15 percent respectively...at full allocation, maximum additional base-flow reduction would be about 3, 14, and 26 percent respectively." One can only hope these numbers have not gotten worse since this study was conducted.

As mentioned earlier, the township does not have any well head protection ordinances. This is because although the township has an adopted master plan, there are no ordinances thus far written to support the recommendations in the most recently adopted master plan. Until such ordinances are written, Lakewood will continue its sale of township owned land identified as being in areas the DEP recommends be preserved. Until such ordinances are written, T&E habitat and CES areas will continue to be compromised by being sold or built upon, not only for Lakewood, but all Ocean County residents. Further still, the township must change its demands that these areas be considered PA1 and instead allow them to remain their current status.

On the most recent map obtained from the township (March 16, 2007 Draft Proposed Regional Center Boundary) and I believe submitted to OSG, there are indications on which I'd like to comment and question. The first is the Regional Center Area boundaries. I am in agreement with OSG that Lakewood should

concentrate it's boundary in or near the downtown area. Why do senior gated communities need to be included in a Regional Center Boundary? These are gated, deed restricted communities. There are critical T&E and environmentally sensitive areas included in the Regional Center boundary, such as the Kettle Creek wetlands area in the southeast portion of the township, and the area known as "the triangle" created by Cross and Prospect Streets, and Massachusetts Avenue in the southwestern portion of town. Also, the map indicates that there is a proposed bike path that runs right along Route 9. This doesn't make sense when one considers there are no shoulders on Rt. 9, and narrow sidewalks. Where will a bike path go that will not endanger the rider?

Considering all the problems with Lakewood's proposal as indicated in this letter, not to mention items not written about (such as Lakewood allowing building on the right away for a potential MOM line, the line being one of the indicators of a "smart" Smart Growth plan), OSG must require that the township have a master plan that is enforceable, better environmental planning for its proposed Regional Center, Regional Center boundaries that are reasonable for the protection of T&E and CES areas, and assurance that the water supply is adequate without jeopardizing that supply by extreme impervious coverage and PA1 designation.

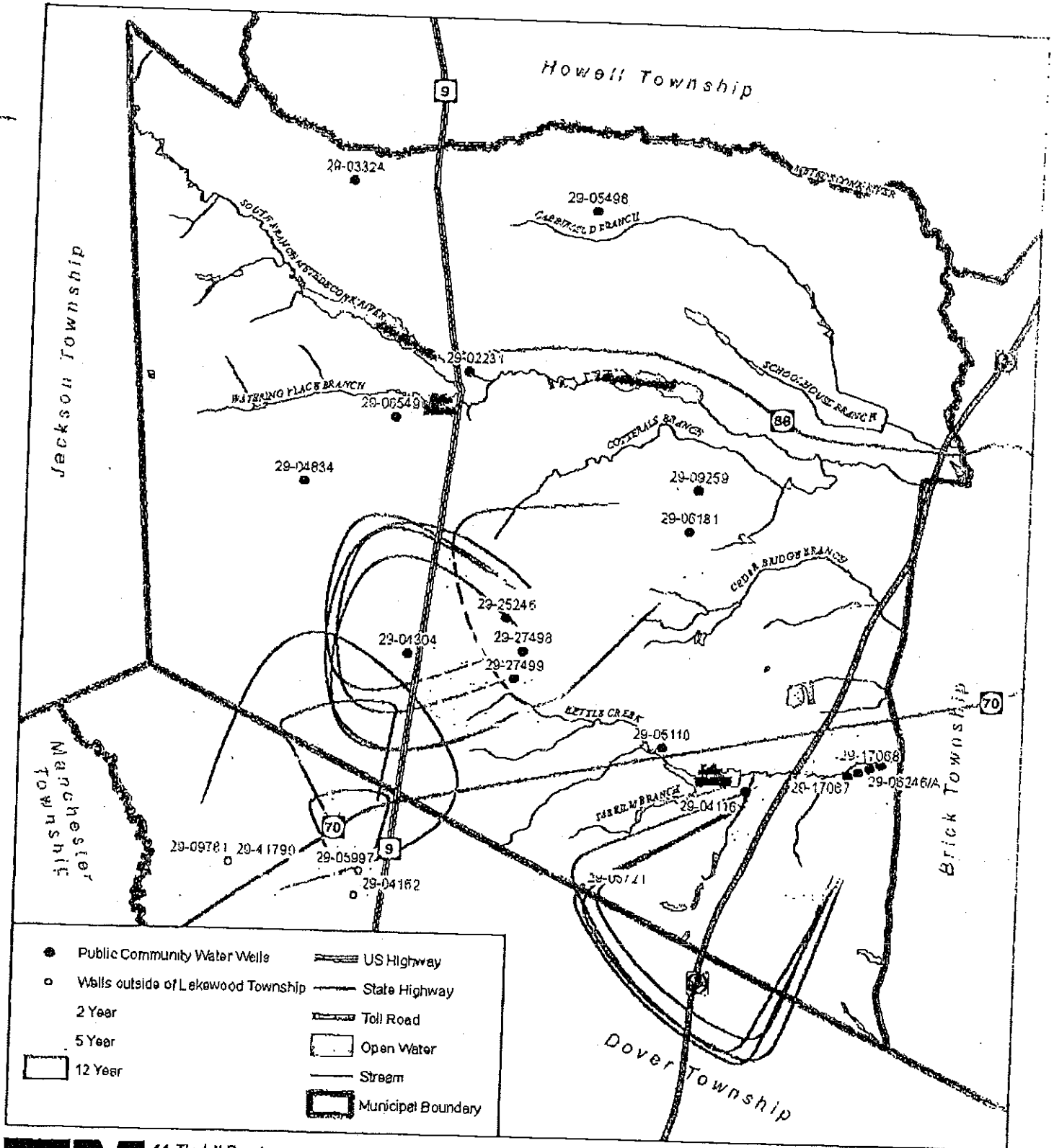
A Regional Center within a Planning Area 1 within a Coastal Zone must be carefully considered, as the future of the county as a whole is vital for Smart Growth.

Thank you for your time and consideration on these comments.

Respectfully submitted,

Christine Abrams

Enclosures



**Figure 11: Well Head Protection Areas  
Lakewood Township  
Ocean County, New Jersey**

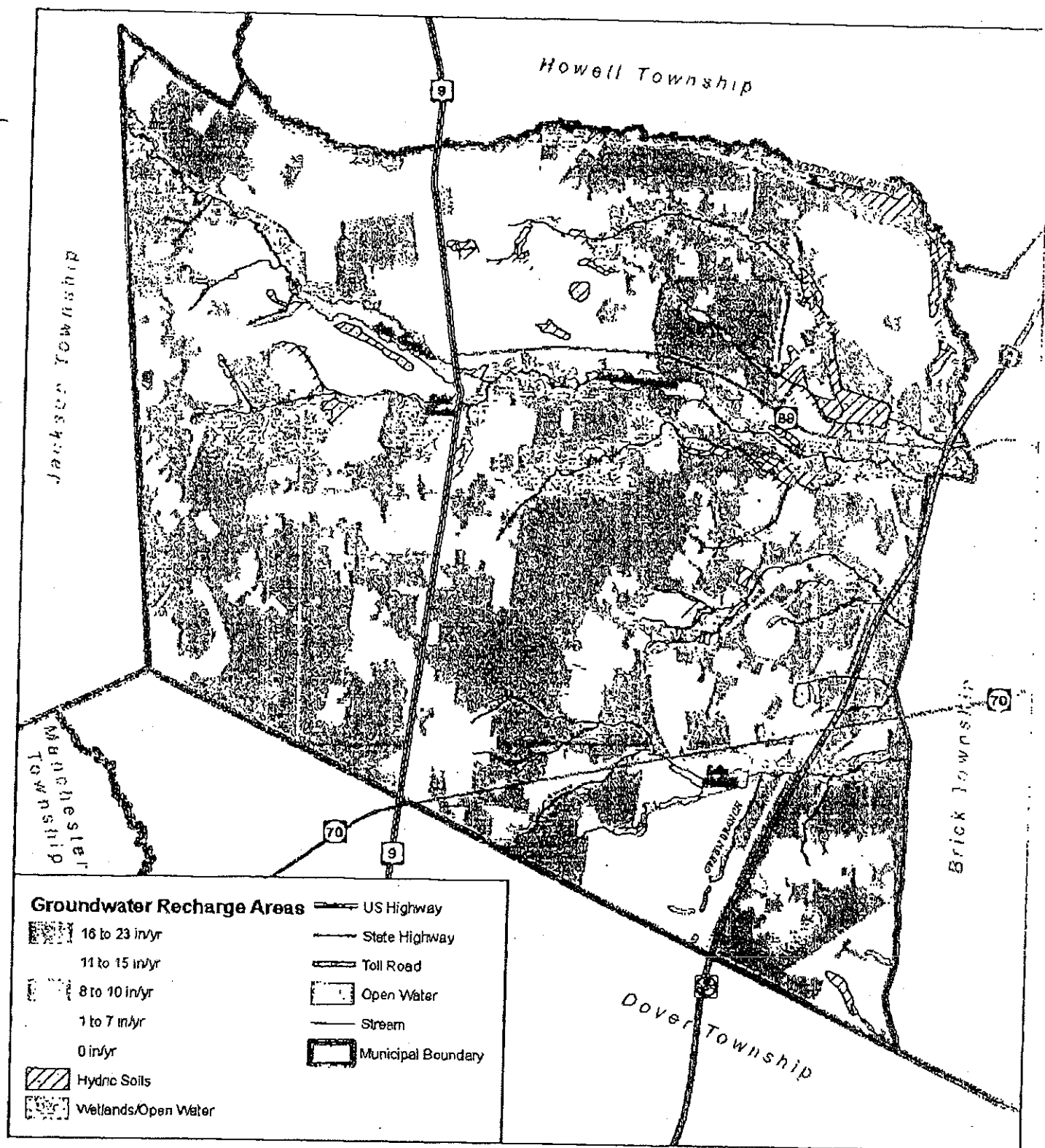
**T&M** 11 Tindall Road  
Middletown, NJ 07748-2792  
Phone: 732-671-6400  
FAX: 732-671-7385

0 2,250 4,500 9,000  
Feet

Prepared by: STK, September 20, 2006  
Source: NJDEP  
File Path: H:\LAKE\00030\Permits\lakeNRI\_whpa2.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.



**T&M** 11 Tindall Road  
Middletown, NJ 07748-2792  
Phone: 732-671-8400  
FAX: 732-671-7365

**Figure 10: Groundwater Recharge Areas  
Lakewood Township  
Ocean County, New Jersey**

0 2,250 4,500 9,000  
Feet

Prepared by: STK, September 20, 2008  
Source: NJDEP  
File Path: H:\LAKE\00030\Permits\lakeNRI\_gwra2.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

DRAFT

Howell Township



**T&M** 11 Tindall Road  
Middletown, NJ 07748-2792  
Phone: 732-671-6400  
Fax: 732-671-7365

0 1,850 3,300 8,600  
Feet

***DRAFT Proposed Regional Center Boundary  
Lakewood Township  
Ocean County, New Jersey***

Prepared by: JMR, March 19, 2007  
Source: NJDEA Office of Smart Growth - Centers and Corridors, NJDOT - Roads:  
NJDOT - Municipal Boundary: Summit, Open Water,  
New Jersey Commission, Economic Growth & Tourism Commission - Urban Enterprise Zone  
File Path: \\HAKEL003\Permit\sked0\_pnp\_regional\csl\DRAFT\1717.mxd



NOTE: This map was developed using New Jersey Department of Environmental Protection Geographic Information System digital data, but this secondary product has not been verified by NJDEP and is not State-authorized.

**Mercer, Courtenay**

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**From:** Spinelli, Ben  
**Sent:** Friday, September 14, 2007 8:46 AM  
**To:** Mercer, Courtenay; Kim, Jung; Whitaker, Lorissa  
**Subject:** FW: MAJOR LAPSES IN LAKEWOOD RE OSG  
**Attachments:** Environmental Recommendations.doc; Public Comment.doc

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**From:** smscher1@netzero.net [mailto:smscher1@netzero.net]  
**Sent:** Friday, September 14, 2007 4:31 AM  
**To:** Spinelli, Ben  
**Subject:** Fw: MAJOR LAPSES IN LAKEWOOD RE OSG

Enclosed please find the notes I used to speak from on August 16 in Toms River.

I have also attached for your use the Environmental Recommendations made under my stewardship as Chair of that Committee during the Master Plan Advisory meetings of 2006-7. You will note that they directly relate to the comments made to the township of Lakewood from the Office of Smart Growth.

I have also attached for your use the speech I read during the Public Comment portion of the Planning Board's hearing prior to their approval of the Master Plan.

Blanket PA-1 is an inappropriate designation for Lakewood. We want to defer as the state suggests to plan endorsement where appropriate center boundaries can be drawn.

Transfer of development rights needs to occur to preserve open space.

We look forward to working with the Office of Smart Growth to insure that ordinary citizens have their rights to clean air, drinking water, and natural space protected while intelligent long range planning

9/17/2007



decisions regarding transportation and existing centers are made.

Thank you,

Janet B. Scher

THE SCHERS  
smscher1@netzero.net

#### MAJOR LAPSES IN LAKEWOOD REGARDING THE OFFICE OF SMART GROWTH

I was privileged to serve as the Environmental Chair Master Plan Advisory Committee just completed 2006-7. I have resided in Lakewood at my present address since 1975.

I Live in an area that is predominantly 2 acre or more parcels of land. It includes Metedeconk watershed, the Crystal Lake Preserve, land suitable for Farmland Preservation, and Endangered Species Habitat (Barred Owl, Pine Snake, Cooper's Hawk.)

It is referred to as the southwest area and it is land suited for low density and preservation as open space.

It is surrounded by pristine wooded area serving as air and water filtration and recharge for the whole township.

It borders on Jackson Township land that while it is zoned for light industry is also pristine woodland and should be conserved as such.

Oddly enough in 2006 we discovered an "error" on Township maps where our area was rezoned from A-1 two acre 200 foot frontage to R-40 and R-12 with no notice and no ordinance and we have filed suit to have this admitted "error" corrected by the township.

Plan Endorsement must be looked at carefully and strictly adhered to.

BLANKET PA1 IS INAPPROPRIATE AND WE WANT TO DEFER AS THE STATE SUGGESTS TO PLAN ENDORSEMENT WHERE APPROPRIATE CENTER BOUNDARIES CAN BE DRAWN.

Community Vision is emphasized by the state as of great significance in the Master Plan. The subject was not addressed in the Advisory Committee and not adopted properly or discussed by the public during the Planning board process.

In fact, no meetings of the Master Plan Advisory Committee were advertised to the public, nor considered open for public attendance.

The existing Transportation Hub needs a plan to enhance the bus station and include rail access at that location. Other sites that are now in rural or undeveloped areas such as Lake Carasajlo or Faraday Avenue are unsuitable for such

9/17/2007

development.

The idea is to utilize existing downtown centers where the Theatre, Post Office, Library and other resources are already in place.  
**BUILDING ANOTHER DOWNTOWN ELSEWHERE DOES NOT FIT THE OSG RECOMMENDATIONS!**

The town's Historic Preservation Plan thus far has been to destroy every historic building that gets in the way of any builder's plan. The only exceptions that I am aware of are the Strand Theatre which is listed on the State and Federal Historic Register where I personally spearheaded the restoration as President of the Board of Directors, and the Gould Estate at Georgian Court University.

Our roads are choked with gridlock traffic and motor vehicle accidents.

Wellhead protection needs to be addressed. There has not been a demonstration that existing water resources can adequately deal with additional growth.

Transfer of development rights needs to occur to preserve open space during the planning and implementation of the plan endorsement process.

Habitat on the Kelly Horse Farm needs to be protected. Block 524 lots 7-8.01-8.02, 10-17, 129, 130

Thompson Grove has endangered sightings and Metedeconk watershed drainage.  
Block 251.01 lot 32 et.al.

For these reasons blanket PA-1 designation should not be granted

Thank you.

The  
Schers  
smscher@pol.net

## **Environmental Recommendations – July 26, 2006**

Complete Acquisition of Crystal Lake with Ocean County Land Trust

Create Passive Open Space Zone for environmentally sensitive areas like Lake Carasaljo, Lake Shenandoah etc. or designate PA5 or CES as state suggests

Comply with state's request for Environmental Resource Inventory  
"Identify areas with natural resources and...measures to protect them."

"climate,geology,geography/topography,soils,hydrology  
vegetation,wildlife habitat,watersheds,streams,wetlands  
(farmland),historical and cultural factors, scenic areas,  
air quality,transportation noise,contaminated sites"(ANJEC)  
IDENTIFY RESPONSIBILITY FOR ENFORCEMENT

Comply with state's request for "provisions maintaining open space  
networks, critical habitat and large contiguous tracts of land"  
IDENTIFY RESPONSIBILITY FOR ENFORCEMENT

Comply with state's request that town attempt to project adequacy of water  
supply capacity

Comply with state's request to "remove land with environmentally sensitive  
features from inclusion in sewer service area"

Comply with state's request for Historic Preservation Element with  
standards for preservation  
IDENTIFY RESPONSIBILITY FOR ENFORCEMENT

Comply with state's request for a Stream Corridor Protection Plan including  
all waterways, stream setback, wetland transition area and riparian buffer  
including rehabilitation of disturbed stream corridors.  
IDENTIFY RESPONSIBILITY FOR ENFORCEMENT

Comply with state's request for Wellhead Protection Plan  
IDENTIFY RESPONSIBILITY FOR ENFORCEMENT

Comply with state's request for Habitat Conservation Plan  
IDENTIFY RESPONSIBILITY FOR ENFORCEMENT

Comply with state's request for a Water Conservation Plan

Comply with state's request for Septic Management Plan

Create Tree Preservation Plan WITH ENFORCEMENT AND PENALTIES

Open space acquisition to preserve forests AND plant trees to reduce greenhouse gasses, heating and air conditioning costs AND ASTHMA

Municipal Tree Fund for contributions from citizens, the town and developers

Ordinance requiring tree replacement by developers with specific provision preventing clear cutting and specifying formula for preservation of trees on any application (clearing and changes in vegetation increase erosion and reduce groundwater recharge)

Beginning with the 2005 UDO process of the 1999 Master Plan I have been involved with the Master Plan Committee.

In May of 2006 when the first zoning recommendations were presented I went to check their locations on a map.

The area where I live had somehow been rezoned without notice AND without text in the ordinance to the Master Plan.

Prior to this neighbors had been solicited in the Spring to ask if we would consider rezoning the area from A-1 to R-40. We emphatically stated that spot zoning was illegal, pecuniary gain for anyone should not be a motivation for rezoning, and we preferred the A-1 zone.

Subsequently, I heard explanations about map errors and planners that did not do their job from various township committeemen.

That error was not corrected and everyone in the southwest corner of the town was assessed and taxed according to the error.

Subsequently, this Master Plan Advisory Committee set up a sub-committee to look at the error. The consensus of that sub-committee was to correct the error.

We had been told at every meeting to uphold confidentiality. I now understand that confidentiality was for some people, but not others.

That subcommittee decision was leaked and my entire neighborhood received flyers with factually inaccurate information.

A meeting took place between the people in charge of the Master Plan Committee and the creator of the flyer, which we were not told about or invited to.

Instead, more erroneous information was fed into the process through a channel that was not sanctioned by the whole committee or the public.

Developers, lawyers and planners serving their own or client's interests should not be making decisions about the future of our town. Individuals from these professions played an influential role in the decision making process of the Master Plan Advisory Committee. Sellers should not be enticed with bonuses if they deliver a change in zoning as part of

the sale of property. Profit takers who are moving from town should not take precedence over those who are staying.

Confidentiality should apply to everyone. Some of the meetings should be open to the public. Minutes should be taken, circulated and approved. Votes should be recorded. Text should be supplied for ALL zoning recommendations and adequate time should be granted to study text AND maps BEFORE a vote is taken. NONE OF THESE THINGS HAPPENED.

THERE IS A DIVIDE IN LAKEWOOD, BUT IT IS NOT THE ONE THAT IS TALKED ABOUT IN THE NEWSPAPERS.

THERE IS A DIVIDE BETWEEN ORDINARY CITIZENS WHO ALL WANT TO BREATHE CLEAN AIR, HAVE WATER TO DRINK, HAVE NATURAL BEAUTY TO LOOK AT, GOOD SCHOOLS FOR THEIR CHILDREN, BE ABLE TO GET FROM ONE PLACE TO ANOTHER WITHOUT CONGESTION...

AND THE DEVELOPERS, LAWYERS AND PLANNERS WHO HAVE HIJACKED THE SYSTEM FOR THEIR OWN MONETARY GAIN.

There is a divide between those who expect that the Shade Tree Commission will be contacted as a builder has promised to do BEFORE he clears a property and those who ignore it and clearcut.

There is a divide between those who came here from other more congested areas to raise their families and have watched in horror as every available technique is used to create a town in some cases more dense and congested than the ones they left behind.....

and the developers, lawyers and planners who only want to enrich themselves.

There is a divide between those who believe that Residential Office Professional is not an appropriate recommendation when the consequence is to wallpaper a partially deed restricted tract with multifamily housing rising to 45 feet in the midst of a rural area and those who seek to squeeze every available profit out of a project.

There is a divide between those who expect that the DEP will uphold protected habitat for Barred Owl, Cooper's Hawk and Pine Snake and those who seek to destroy that habitat.



There is a divide between those who feel that deed restrictions and terms of contracts for conveyances of lands are to be upheld rather than subsequently have their intent and terms not enforced.

There is a divide between those who think it is not good government to have the zone of your property changed without notice, without a chance to voice a point of view and the opportunity for an appeal and those who think that is an acceptable process.

The lack of water in our neighboring communities should be a wake up call. Instead it is not being addressed. The southwest corner of town needs to be preserved as a recharge area for drinking water for all of us. Unrestrained paving creates impervious surfaces that do not allow this to happen.

THE RESIDENTS WHO ALREADY LIVE HERE  
HAVE A RIGHT TO EXPECT THAT THEIR  
NEEDS WILL BE TAKEN CARE OF BEFORE  
THOSE WHO DEVELOPERS SEEK TO ENTICE  
IN THE FUTURE.

ALL OF MY NEIGHBORS WHO CONTRIBUTED  
TO AND PREVAILED IN A PREVIOUS

LAWSUIT TO REDUCE DENSITY STILL FAVOR  
MINIMUM TWO ACRE ZONING.

DEVELOPERS, LAWYERS, AND PLANNERS  
NEED TO UNDERSTAND THAT THEY SHOULD  
NOT CONTINUALLY MANIPULATE THE  
SYSTEM TO SIMULTANEOUSLY ENRICH  
THEMSELVES AND CREATE HARDSHIP FOR  
THOSE OF US WHO LIVE HERE, AND WANT  
TO CONTINUE TO DO SO.

THE ZONING RECOMMENDATIONS IN THIS  
MASTER PLAN, REWARD PROFIT TAKERS AT  
THE EXPENSE OF US ALL.

THANK YOU