



State of New Jersey
DEPARTMENT OF STATE
OFFICE FOR PLANNING ADVOCACY
PO Box 204
TRENTON NJ 08625-0204

CHRIS CHRISTIE
Governor

GERRY SCHARFENBERGER, Ph.D.
Director

KIM GUADAGNO
Lieutenant Governor

MEMORANDUM

To: Plan Implementation Committee Members

From: Gerry Scharfenberger, Director

Date: May 17, 2011

Re: Upper Township and Cape May Point Monitoring Reports

BACKGROUND

Upper Township's Petition for Plan Endorsement was approved by the State Planning Commission (SPC) on February 21, 2007 and the Planning and Implementation Agenda (PIA) was put into effect. The State Planning Commission made minor modifications to the PIA on March 25th 2009 after a biennial review. As required by N.J.A.C 5:85-7.24 et seq. and the Township's Planning Implementation Agreement (PIA), the Township submitted its second biennial report on March 31, 2011 detailing the status of its PIA efforts.

Cape May Point's Petition for Plan Endorsement was approved by the SPC on July 15, 2009 and the PIA was put into effect. As required by N.J.A.C 5:85-7.24 et seq. and the City's Planning Implementation Agreement (PIA), on February 18, 2009, the Township submitted its first annual report detailing the status of its PIA efforts.

CAPE MAY POINT BOROUGH: PROGRESS

As the biennial report demonstrates, Cape May Point has been working to enhance the built and natural environment. The local government's stewardship efforts have been innovative and effective. The "Tree and Vegetation Ordinances" have been held up as examples by such noted experts as New Jersey Audubon Society, ANJEC and F. Herman Bormann, Diana Balmori and Gordon T. Geballe in their book "Redesigning the American Lawn". The Borough's commitment to fund the Army Corps replenishment projects is the highest budget priority. In 2010, for the first time, beach grass was not needed to stabilize the dunes (as advised by DEP and USDA experts) so three species of native vegetation were planted as was advised.

Cape May Point General Store and Restaurant on Pavilion Circle has been completely renovated after receiving a variance to increase the restaurant seating by twenty five seats without increasing the footprint of the structure. While twenty five seats may not seem significant, it must be put into perspective: "The only restaurant in Cape May Point has doubled its seating" and, of course, that should translate into double the tax revenue for the state as well as an increased tax ratable for the borough.

UPPER TOWNSHIP: PROGRESS

Upper Township has been working to design concepts for their centers since 2007 when they received a Smart Future Grant. The grant was to prepare a form based code and 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 but it was not adopted. During 2009 the Township Committee authorized Maser Consulting to prepare a Master Plan reexamination 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 reexamination that was adopted 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. The Township received \$200,000 worth of consultant planning assistance from DOT and hired a consultant to develop consensus on traffic circulation issues and the scale of the buildings. In December 2010 the Township Committee and the Planning Board committed to preparing and adopting land use ordinances that would develop livable, walkable and economically viable Town Centers in Marmora and Seaville.

PIA MODIFICATION REQUESTS

CAPE MAY POINT ACTION ITEM	TIMETABLE
----------------------------	-----------

D4 Tree Maintenance Modification	1/13/2010
---	------------------

While not located within the Borough, the magnesite plant at Sunset Beach destroyed many pines, cedars and oaks in Cape May Point. The Borough should take measures to maintain and increase the number of trees; in particular, pines, cedars and oaks on Borough property.

Current Comment: The Township requests to continue using the expertise of our Environmental Commission in lieu of creating a Tree Commission since they're already achieving the goals of planting and maintaining Borough trees with exceptional success. The Borough will continue to assess the need for the Tree Commission should the situation with Environmental Commission expertise change.

D5 Cape May County Solid Waste Management Plan Extension	1/13/2010
---	------------------

The petition shall include a statement of consistency with the County Solid Waste Management Plan, including municipal strategies to achieve the State's Recycling Goals and reduce municipal solid waste.

Current Comment: The Planning Board respectfully requests a time extension to provide this element until our complete re-examination of the Cape May Point Master Plan which is due in 2012.

D8: EJI not yet received	1/13/2010
---------------------------------	------------------

DEP will provide the Borough with an Environmental Justice Report so that the Borough will have it available to reference when making land-use decisions.

Current Comment: The Borough is looking forward to the DEP's Environmental Justice Report to be referenced when we make land use decisions.

UPPER TOWNSHIP ACTION ITEM	TIMETABLE
----------------------------	-----------

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

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.

Recommendation and Conclusions

Upper and Cape May Point continue to make excellent progress, not just generally meeting deadlines and performing the required activities, but also assuming creative, complementary work that enhances the PIA items. OPA is recommending that the SPC modify the noted language and provide extensions as proposed to allow for additional time on which to work on these items. All items to be extended are those that are either in progress or for which the municipality has proposed a schedule for undertaking the necessary tasks. State agencies remain committed to assisting local governments with these endeavors and commend the endorsed municipalities for the diligence and perseverance in both fulfilling the PIA and working towards meaningful community building.