

120 Village Green Drive
Woolwich Twp., NJ 08085

April 30, 2009

Mr. Benjamin L. Spinelli, Executive Director
Ms. Lorissa Whitaker, Principal Planner
Office of Smart Growth, Dept. of Community Affairs
101 South Broad Street
P.O. Box 204
Trenton, NJ 08625-0204

**Re: Township of Woolwich's Annual Report to OSG and State Planning
Commission as per the Plan Implementation Agreements**

Dear Mr. Spinelli and Ms. Whitaker,

As you know, I serve as Director of Community Development for the Township of Woolwich and, as such, I am intimately aware of the actions taken by Woolwich Township in association with the implementation of its Transfer of Development Rights Program. As you will recall, the Township of Woolwich's Plan Petition received Initial Plan Endorsement from the State Planning Commission on April 18, 2008. As part of that Initial Plan Endorsement, there are two Plan Implementation Agreements (PIA's) that have been formulated by the Office of Smart Growth for the Township: one is specific to the requirements of the State TDR Act, N.J.S.A. 40:55D-13.7 et seq, and the other is the general requirements during the ten year endorsement period as per N.J.A.C. 5:85-7.12.

Please accept this correspondence in lieu of a more formal document, as I will endeavor to address the items in each PIA line by line with specific references to each PIA Item Number. I do apologize for any inconvenience caused by my delay in submitting this report to the OSG and the State Planning Commission.

**Transfer of Development Rights PIA under the State TDR Act as per the
Endorsement by the State Planning Commission on April 18, 2008**

Action # TDR-1 = "Municipality shall provide proposed development transfer ordinance and accompanying documentation to Gloucester County Planning Board and CADB

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Phone (856) 467-2666 Fax (856) 467-3545

within 60 days from the date of Initial Plan Endorsement.” **Completed.** Woolwich has satisfied this item.

Action # TDR-2 = “Municipality shall readopt formerly overturned base zoning ordinance and notice in accordance with the MLUL N.J.S.A. 40:55D et seq within 180 days from the date of Initial Plan Endorsement.” **Completed.** Woolwich has satisfied this item and adopted the new Ordinance on October 27, 2008.

Action # TDR-3 = “Township to create, maintain, and update website regularly in an ongoing manner.” **Completed.** Woolwich has satisfied this item and will continue to update the website.

Action # TDR-4 = “Township shall revised or create new Comprehensive Farmland Preservation Plan with SADC support, as needed within one year from the date of Initial Plan Endorsement.” **Mostly Completed.** Woolwich has satisfied this item and will double check in next 30 days the formal adoption of said Plan.

Action # TDR-5 = “Township shall update Open Space & Recreation Plan to identify sending parcels that may qualify for future Township parkland; OSG, SADC, and NJDEP to provide assistance in identifying and categorizing parcels as needed, at the time of the Master Plan Reexamination.” **Mostly Completed.** Woolwich has satisfied this item and will double check in next 30 days the formal adoption of said Plan.

Action # TDR-6 = “Township Planning Board to present Final REMA at a public hearing pursuant to N.J.S.A. 40:55D-148 prior to the adoption of the TDR Ordinance, yet within one year from the date of Initial Plan Endorsement.” **Completed.** Woolwich has satisfied this item. Please see attached Exhibit “A” (letter to OSG).

Action # TDR-7 = “Township shall implement mechanisms for TDR administration within one year from the date of Initial Plan Endorsement” **Mostly Completed.** Woolwich has partially satisfied this item in that the forms are in draft form right now and expect to be formally adopted for use via Governing Body Resolution in the next 30 days. The draft internal documents are available upon request.

Action # TDR-8 = “Should the Township make any substantive changes to the TDR Ordinance approved pursuant to this Endorsement, the revised ordinance shall be submitted to the county for review and formal comment and the OSG for review and approval prior to adoption. Township need not go before the SPC if ordinance change occurs after Initial Plan Endorsement, as approval of the changes will be done administratively by the OSG. Pursuant to N.J.A.C. 5:85-7.12, the municipality shall provide reports, biennially or within six months after adoption of, a new or significantly revised plan, reexamination report, land use ordinance or regulation that deviates from plans or regulations submitted as part of Initial Plan Endorsement.” **Completed.** Woolwich has satisfied this item.



Action # TDR-9 = "The Township shall propose and adopt the TDR ordinance pursuant to all applicable notification and procedural requirements of the MLUL N.J.S.A. 40:55D et seq within one year from the date of Initial Plan Endorsement or as per attorney recommendation." **Completed.** Woolwich has satisfied this item and adopted the TDR ordinance, and others, on October 27, 2008. Please see attached Exhibit B (OSG receipt letter).

Action # TDR-10 = "Township shall create and submit TDR registry to State TDR Bank Board, Gloucester County and the OSG in an ongoing manner from the time of TDR Ordinance adoption and annually thereafter." **Mostly Completed.** Woolwich has partially satisfied this item in that the forms are in draft form right now and expect to be formally adopted for use via Governing Body Resolution in the next 30 days.

Action # TDR-11 = "Township shall continue to explore the feasibility of using and creating a TDR bank, if necessary. The Township shall research as needed as based on periodic evaluation of TDR program success and shortfalls in an ongoing manner." **Mostly Completed.** Woolwich has partially satisfied this item in that the research is ongoing, but no formal decision has yet been made.

Action # TDR-12 = "Per the MLUL N.J.S.A. 40:55D-157, the Township shall conduct a periodic review of the development transfer ordinance and the real estate market analysis 3 years from the date of TDR Ordinance adoption." Woolwich expects to satisfy this item within the 3 year period.

Action # TDR-13 = "Per the MLUL N.J.S.A. 40:55D-157, the Township shall conduct a periodic review of the development transfer ordinance and the real estate market analysis 5 years from the date of TDR Ordinance adoption." Woolwich expects to satisfy this item within the 5 year period.

Action # TDR-14 = "Per the MLUL N.J.S.A. 40:55D-157, the Township shall conduct a periodic review of the development transfer ordinance and the real estate market analysis every 5 years from the date of the last periodic review." Woolwich expects to satisfy this item within each successive 5 year period.

Action # TDR-15 = "Auburn Road receiving area shall be re-evaluated at the 3 year periodic review identified in TDR PIA Item TDR-12. If sewer is not available by the 5 year review or within a reasonable timeframe thereafter, the area shall be re-designated into a TDR sending area and the receiving credits shall be redistributed accordingly. Township is doing all it can to secure needed sewer service. NJDEP shall help Township facilitate needed sewer infrastructure based upon benefits that are to accrue to Plan Endorsed communities & within its own regulatory constraints, effective immediately." Woolwich expects to satisfy this item within the 3 year period. A Draft Sewer Agreement including the Auburn Road Receiving area is available upon request.



**General Requirements PIA under the Ten Year Endorsement Period as per the
Endorsement by the State Planning Commission on April 18, 2008**

Action # A1 = "Township shall submit drafts of all new and revised planning documents required by this PIA to OSG and partner State agencies. Pursuant to State Planning Rules N.J.A.C. 5:85-7.12, the municipality shall provide reports, biennially or within six months after adoption of, a new or significantly revised plan, reexamination report, land use ordinance or regulation that deviates from plans or regulations submitted as part of Initial Plan Endorsement." **Completed.** Woolwich has satisfied this item and will continue to do so thru the process of cross-acceptance.

Action # A2 = "OSG shall provide the requisite notice concerning designated center and revised planning area boundaries in the NJ Register." **Completed by OSG.** This item does not apply to Woolwich Township.

Action # A3 = "By April 16, 2009 and biennially thereafter, Woolwich Township shall submit a report to OSG, our partner State agencies and the public concerning the terms of this PIA and related efforts pursuant to N.J.A.C. 5:85-7.12(c), the first review is scheduled for one year after Endorsement due to significant PIA items that must be adopted within that timeframe." **Completed.** Woolwich has endeavored to satisfy this item, with apologies for a 2 week delay, by submitting the instant document and exhibits for the May 2009 SPC meeting.

Action # A4 = "Once endorsed by the State Planning Commission, Woolwich Township shall incorporate response to consistency issues into all documents submitted as part of the Plan Endorsement petition in an ongoing manner." **Completed.** Woolwich has amended its documents accordingly and has satisfied this item.

Action # A5 = "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 in an ongoing manner." **Completed and ongoing.** Woolwich has satisfied this item and will continue to do so thru the process of cross-acceptance.

Action # A6 = "Township shall collaborate with adjacent municipalities, as to participate in regional land use activities with Logan and Harrison Townships and with other adjacent communities. State, particularly NJDOT and NJOSG, and DVRPC shall take leadership roles, building on prior regional planning activities along US Rte. 322. The timeframe is ongoing and contingent upon ongoing studies conducted by NJDOT and DVRPC." **Completed and ongoing.** Woolwich has satisfied this item and will continue to do so thru the process of cross-acceptance.

Action # A7 = "The Township shall work with the Delaware Valley Regional Planning Commission to revise population and employment projections that reflect TDR Plan and to reflect TDR vision in future update of DVRPC's Long Range Plan. The Township shall forward TDR-based population and employment projections to DVRPC within 180



days from the date of Initial Plan Endorsement.” **Completed.** Woolwich has satisfied this item by meeting with the DVRPC and Gloucester County Planning Officials on September 5, 2008. A letter from the DVRPC confirming the meeting and incorporating the TDR projections will be sent as a follow-up to the OSG by Woolwich Township.

Action # A8 = “The Township shall coordinate with Gloucester County on future updates to the County Master Plan so that the Regional Center is recognized as a growth area in the plan. The Township shall forward the TDR Plan to Gloucester County at time of local hearings as per MLUL N.J.S.A. 40:55D et seq. County should review Township’s master plan/regulations at time it updates its master plan. The timeframe is ongoing and contingent upon the Gloucester County Planning Board schedule.” **Completed and ongoing.** Woolwich has satisfied this item and will continue coordination w/ the County.

Action # A9 = “The Township shall utilize the municipal website to educate residents about relevant planning issues and activities. Township shall update website regularly and in an ongoing manner.” **Completed.** Woolwich Township has satisfied this item and will continue to update its website regularly.

Action # B1 = “Township shall revise Master Plan to ensure consistent language regarding TDR is reflected throughout Master Plan within 18 months of the date of Initial Plan Endorsement.” Woolwich is working on this item and expects to satisfy this item within the allotted time frame.

Action # B2 = “Township shall revise Master Plan pursuant to MLUL N.J.S.A. 40:55D-28(2) to include “natural conditions, including but not necessarily limited to, topography, soil conditions, water supply, drainage, flood plain, areas, marshes, and woodlands.” Township shall amend the documents accordingly within 18 months of the date of Initial Plan Endorsement.” Woolwich is working on this item and expects to satisfy this item within the allotted time frame.

Action # B3 = “Township shall amend zoning and subdivision and site plan regulations for areas outside the TDR sending and receiving areas to be consistent with the Planning Area designations approved through the Initial Plan Endorsement process. Township shall amend regulations accordingly within 18 months from the date of Initial Plan Endorsement, assuming sewerage approvals are already secured or within 6 months of securing sewer approvals, whichever comes first. This shall follow Open Space and Recreation Plan amendment cited in TDR PIA.” Woolwich is working on this item and expects to satisfy this item within the allotted time frame. Woolwich Committee adopted the TDR Ordinances on October 27, 2008.

Action # B4 = “Township shall amend Right to Farm Ordinance to include mandatory disclosure information at the time of real estate transfer as per State Agriculture Development Committee model Right to Farm Ordinance within 5 years from date of Initial Plan Endorsement.” Woolwich is working on this item and expects to satisfy this item within the allotted time frame.



Action # C1 = "The Township shall revise and adopt Housing Element including TDR-based population, household & employment projections. The Township shall revise and adopt housing elements and projections in accordance with COAH's new rules and timelines or as directed by the Court under the Township's Judgment of Repose."

Woolwich is working on this item and expects to satisfy this item within the allotted time frame. Please see attached Exhibit C, a Court Order extending Woolwich's deadline to file its 3rd round Housing Element and Fair Share Plan to 12/8/2009.

Action # C2 = "The Township shall remove RLM-zoned properties and replace with alternative affordable housing site(s) and/or growth share solutions." Woolwich has completed this item because the Township is currently in a period of repose, during which the Court is reviewing the revised plan.

Action # C3 = "The Township shall submit revised Housing Element and Fair Share Plan accordingly. In accordance with the existing TDR sending and receiving area calculations, the Township shall submit an updated Housing Element & fair Share Plan. This shall be accomplished in accordance with the guidelines directed by the Court in the Township's Judgment of Repose and any modification thereto." Woolwich is working on this item and expects to satisfy this item within the allotted time frame. Please see attached Exhibit C, a Court Order extending Woolwich's deadline to file its 3rd round Housing Element and Fair Share Plan to 12/12/2009.

Action # D1 = "Township shall prepare and adopt Redevelopment Plan for the Nike Missile Site. Township shall conduct preliminary investigation to determine if site shall become an "area in need of redevelopment." Subsequent to the investigation, provided it recommends that the site become an "area in need of redevelopment", the Township shall prepare and adopt a Redevelopment Plan for the Nike Missile Site within 5 years from the date of Initial Plan Endorsement." Woolwich is working on this item and expects to satisfy this item within the allotted time frame.

Action # E1 = "In addition to the zoning and subdivision requirement changes needed for areas designated as PA5, the Open Space and Recreation Plan shall be updated to prioritize the strategies to permanently protect all lands along Raccoon Creek within Planning Area 5. These strategies may include downzoning, outright purchase, permanent deed restrictions and creation of a new TDR sending area. Township shall update their Open Space and Recreation Plan to conform to zoning and subdivision and site plan requirement amendments noted in item B3 of this PIA. The timeframe for this action is at the time of Master Plan Reexamination." Woolwich is working on this item and expects to satisfy this item within the allotted time frame.

Action # F1 = "Township shall revise Environmental Resource Inventory (ERI) to include Category 1 (C1) streams, specifically Pargey Creek. Township shall revised ERI accordingly within 15 months of the date of Initial Plan Endorsement." Woolwich is working on this item and expects to satisfy this item within the allotted time frame.



Action # F2 = "Prepare and adopt ordinances that recognize and establish minimum standards to protect stream corridors, well head protection areas, forested areas and vegetation retention, steep slopes, wildlife habitat and other natural areas of local significance within 18 months of the date of Initial Plan Endorsement." Woolwich is working on this item in conjunction with the NJDEP and expects to satisfy this item within the allotted time frame.

Action # G1 = "NJDOT shall provide new traffic projections from Route 322 Corridor Management Study. NJDOT shall provide projections in collaboration with the Township within 180 days from the date of Initial Plan Endorsement but no later than one year from that date." Woolwich has partially satisfied this item in conjunction w/ the NJDOT but is unsure of the present status of the Rte 322 Corridor Management Study.

Action # G2 = "The Township shall amend Circulation Element to include appropriate traffic projections provided by NJDOT US Route 322 Corridor Management Study within one year of receipt of information from the NJDOT." Woolwich expects to satisfy this item once the information is received from the NJDOT.

Action # G3 = "The Township shall amend Circulation Element as needed regarding compliance with the State Highway Access Management (SHAM) Code and amend zoning ordinances as needed to comply with the SHAM, as appropriate. The timeframe for this action is at the time of Master Plan Reexamination and following the completion of PIA Item G4." Woolwich expects to satisfy this item at the time of Master Plan Reexamination.

Action # G4 = "The Township and NJDOT shall reexamine State Highway Access Levels and cross-sections. NJDOT and Township shall concur on the necessity of any Access Level change requests within 1 year from the date of Initial Plan Endorsement to the extent feasible or as soon as possible thereafter in conjunction with the US Route 322 Corridor Management Study." Woolwich expects to satisfy this item once the status of the Study is received from the NJDOT.

Action # G5 = "The Township shall implement transportation infrastructure financing method identified in CIP and infrastructure improvement phasing. A Transportation Development District (TDD) shall be developed for the Regional Center that will likely involve local, county, and state roads as well as NJ Turnpike access. The development of the Regional center in conjunction with regional transportation needs shall necessitate cost-share solutions to be shared by various government entities and developers. NJDOT shall work with the Township to develop an action plan for providing infrastructure and improved connections to support new development in a logical sequence as it emerges. This shall be in cooperation with the US Route 322 Regional Corridor Management Study, including adjacent Townships. Gloucester County shall participate in the cost-share as well. NJ Transit shall also coordinate with the Township to identify cost-recovery and actual subsidy required for various types of transit services and enhancements, along with possible trigger points for service based upon development and revenue. Action Plan to be started within 1 year from the date of Initial Plan Endorsement



and to emerge in conjunction with the US Route 322 Corridor Management Study, which shall include funding partnerships among NJDOT, all affected municipalities, other interested public and private entities, that begins to implement infrastructure phasing within 10 years. To the extent that the timing of the US Route 322 Corridor Management Study proves detrimental to implementing TDR in Woolwich Township, the Township reserves the right to have the Action Plan completed within adequate time to prevent said detrimental impact." Woolwich has partially satisfied this item in conjunction w/ the NJDOT but is unsure of the present status of the Rte 322 Corridor Management Study. Additionally, the Township has asked the County to take a leadership role in addressing this item (Please see attached exhibit D, an internal memo from Woolwich Township Planner Bob Melvin).

Action # G6 = "The Township shall work with NJDOT to obtain approval for any necessary wetlands crossings, which is the Developers responsibility. The timeframe for completing this item is subject to the timeline set forth in above-referenced Action Plan established in PIA Item G5." Woolwich will endeavor to satisfy this item within the required time frame in conjunction with the Action Plan, once obtained.

Action # G7 = "The Township shall work with NJDOT to obtain approval for any railroad crossings. This is to be determined by NJDOT and is subject to the timeline set forth in above-referenced Action Plan established in PIA Item G5." Woolwich will endeavor to satisfy this item within the required time frame in conjunction with the Action Plan, once obtained.

Action # G8 = "Investigate opportunities for enhanced bus service both regionally to adjacent areas and to the Regional Center with NJ Transit to take the lead within 1 year from the date of Initial Plan Endorsement." Woolwich expects to satisfy this item once discussions occur with NJ Transit.

Action # G9 = "The Township shall obtain approval for NJ Turnpike (Exit 2) access improvements. NJDOT and NJ Turnpike Authority to determine this within 1 year from date of Initial Plan Endorsement." Woolwich expects to satisfy this item once discussions occur with NJ Turnpike and NJDOT.

Action # G10 = "The Township shall provide for Linkages Plan implementation. As such, the Township shall pursue paths, bike lanes, and sidewalks on roadways as per TDR Public Spaces Plan within 8 years from date of Initial Plan Endorsement." Woolwich expects to satisfy this item within the allotted timeframe.

Action # G11 = "NJDOT to investigate and implement traffic calming measures for high-density residential and commercial areas within the designated Regional Center within 2 years from the date of Initial Plan Endorsement." Woolwich expects to satisfy this item within the allotted timeframe.



Please note that under all "G" items, "when requested, NJDOT will give priority consideration to providing technical assistance consistent with program requirements and subject to the availability of state resources."

Action # H1 = "Pursue PIG program to supplement TDR efforts and obtain additional support from State via increased funding commitment. SADC to lend heightened support through increased funding commitment in an ongoing timeframe." Woolwich has been in continued communication with the SADC and will continue to satisfy this item on an ongoing basis.

Action # I1 = "Township shall implement stormwater infrastructure financing method identified in Capital Improvement Program (CIP) within 1 year from date of the Initial Plan Endorsement." **Mostly Completed.** Woolwich will endeavor to satisfy this item.

Action # I2 = "The Township shall complete Township-wide CIP to address anticipated needs outside of the TDR Receiving Zones and Regional Center. Township Planning Board to recommend and Township Committee to adopt within 5 years of Initial Plan Endorsement." Woolwich expects to satisfy this item within the allotted timeframe.

Action # I3 = "The Township, or its designee, shall provide such information and/or assistance to the Logan MUA for the completion of a new WMP or update for the Logan MUA with the specific goal of gaining adequate wastewater treatment capacity to serve the Auburn Rd TDR Receiving Area and the Regional Center as appropriate. Logan Township MUA has already submitted (2007) on behalf of Woolwich Township. WMP is currently under review by NJDEP. NJDEP shall review and take necessary action on the WMP in accordance with NJDEP Water Quality Management Rules within 6 months of submission to NJDEP." Woolwich has satisfied this item by being in contact with the Logan MUA and NJDEP continuously, and meetings are currently scheduled to occur within next month at NJDEP involving the WMPs.

Action # I4 = "The Township, or its designee, shall prepare and submit WMP for the designated Regional Center. Areas not already developed and outside of PA2 or designated centers shall be removed from the Sewer Service Area (ssa). The Township shall take the lead and complete this item within 18 months from the date of Initial Plan Endorsement." Woolwich will satisfy this item within the allotted time and expects to submit the WMP to the county and NJDEP imminently. A copy of the Draft Woolwich Township Wastewater Management Plan is available upon request.

Action # I5 = "NJDEP shall review and take necessary action on the WMP in accordance with NJDEP Water Quality Management Rules. Approval of WMP within 6 months after complete Wastewater Management Plan is submitted to the NJDEP." There is no action for the Township to satisfy under this item. Woolwich expects to submit the WMP imminently.

Action # I6 = "NJDEP to provide targeted review of permits associated with projects in plan endorsed growth areas that are consistent with the adopted and up-to-date WMP."

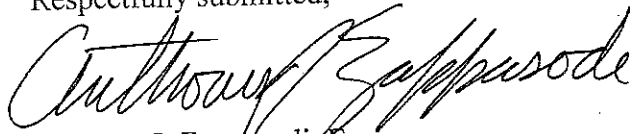


Treatment Works Approval shall be granted within 6 months after receipt of complete application that is consistent with the adopted and up-to-date WMP." There is no action for the Township to satisfy under this item. Woolwich expects to submit the WMP imminently.

Accordingly, and based upon the afore-mentioned PIA Action Items, the Township of Woolwich has made substantial positive progress in completing its tasks within the allotted timeframes. The Township of Woolwich expresses its gratitude to the State agencies for their cooperation, communication, and guidance through the process of cross-acceptance. Specifically, Woolwich has received great support from the Office of Smart Growth, the Department of Agriculture, the NJDEP, COAH, NJDOT, the Governor's Office, other state agencies, and the County of Gloucester.

In conclusion, it is with great pride that I submit this annual report on behalf of the Township of Woolwich to the OSG, our partner agencies, and the State Planning Commission. I would be happy to appear in person and testify as to the efforts of Woolwich under any and all of these enumerated PIA Action Items if so requested by the OSG or State Planning Commission. I can also testify about our anticipated actions over the next 6 months. I will also update the OSG as more PIA Action Items get completed. I can be reached directly at 856 467 2666 ext 3134.

Respectfully submitted,



Anthony J. Zappasodi, Esq.
Director of Community Development
Township of Woolwich

CC: Mayor Giuseppe Chila
Jane DiBella, Administrator
Appropriate State Agencies



Exhibit "A"

Rema Cover Letter
to OSG

**WOOLWICH TOWNSHIP
121 WOODSTOWN ROAD
WOOLWICH TOWNSHIP, NEW JERSEY 08085**

856-467-2666

FAX: 856-467-3545

July 1, 2008

Via Hand Delivery

Mr. Benjamin L. Spinelli, Executive Director
Office of Smart Growth, Dept. of Community Affairs
101 South Broad Street
P.O. Box 204
Trenton, NJ 08625-0204

RE: Woolwich Township's Real Estate Market Analysis Hearing 7/17/08

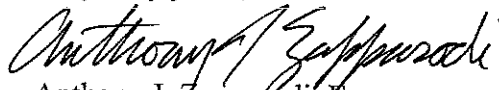
Dear Mr. Spinelli,

Enclosed please find two (2) copies of Woolwich Township's Real Estate Market Analysis and one (1) copy by disk. As you know, Woolwich Township's TDR plan received initial plan endorsement from the state planning commission on April 18, 2008.

These documents are being provided to you at least fifteen (15) days ahead of the public hearing, which is scheduled to occur in Woolwich Township on July 17, 2008.

Please contact me directly with any questions and/or concerns at 856 467 2666 ext 134. As always, thank you for your continued support of Woolwich Township's TDR plan.

Very truly yours,



Anthony J. Zappasodi, Esq.
Director of Community Development
Township of Woolwich

CC: Lorissa Whitaker
Jane DiBella, Administrator

Exhibit "B"

OSG receipt letter
for Woolwich TDR
Ordinances



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS

OFFICE OF SMART GROWTH

101 SOUTH BROAD STREET

PO BOX 204

TRENTON NJ 08625-0204

JON S. CORZINE
Governor

JOSEPH V. DORIA, JR.
Commissioner

BENJAMIN L. SPINELLI
Executive Director

November 24, 2008

The Honorable Giuseppe Chila
Mayor of Woolwich Township
121 Woodstown Road
Woolwich, New Jersey 08085

**Re: Woolwich Township Initial Plan Endorsement
Planning & Implementation Agreement (PIA) Monitoring**

Dear Mayor Chila:

I would like to offer my congratulations to you and the Township for the adoption of New Jersey's first Transfer of Development Rights (TDR) Ordinance under the State TDR Act (N.J.S.A. 40:55D-137 et seq.). With this action, the SPC recognizes your hard work and commitment to a better future for your community and New Jersey.

On November 3, 2008, the Office of Smart Growth (OSG) received certified documents, which were adopted by the Woolwich Township Committee on October 27, 2008, as it relates to the Township's petition for Initial Plan Endorsement, as contained in the Planning & Implementation Agreements (PIAs) and in accordance with the requirements provided in the State TDR Act.

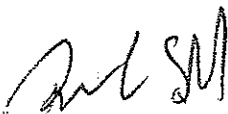
As such, this letter confirms receipt of the following documents:

- Resolution R-2008-229 Resolution of the Woolwich Township Committee to Accept the Recommendation of the Woolwich Township Joint Land Use Board to Adopt the Capital Improvement Program for the Receiving Zone
- Resolution R-2008-230 Resolution of the Woolwich Township Committee to Accept the Recommendation of the Woolwich Township Joint Land Use Board to Accept and Adopt the Real Estate Market Analysis
- Resolution R-2008-231 Resolution of the Woolwich Township Committee to Accept the Recommendation of the Woolwich Township Joint Land Use Board to Endorse the Revised Petition for Initial Plan Endorsement and to Recommend the Submission of Same to the State of New Jersey Office of Smart Growth
- Ordinance 2008-19 Ordinance to Amend Certain Section of Chapter 203 of the Code of the Township of Woolwich Entitled "Zoning" (Cluster Ordinance)
- Ordinance 2008-20 Transfer of Development Rights Ordinance
- Ordinance 2008-31 Ordinance Adopting Zoning Regulations and Design Standards that are to be Adhered to within Various Sectors of the Woolwich Regional Center and the Auburn Road Village



Again, OSG commends the Township for its leadership to promote sound land use planning in the State of New Jersey. Should you have any questions or concerns, please contact myself or Lorissa Whitaker, Principal Planner for Woolwich Township within OSG at (609) 633-6314 or via email at lwhitaker@dca.state.nj.us.

Sincerely,



Benjamin L. Spinelli
Executive Director

BLS:lw

c: Jane DiBella, Clerk, Woolwich Township (*via facsimile*)
Anthony Zappasodi, Community Development Director, Woolwich Township (*via facsimile*)
OSG Interested Parties (*via email*)
State Agencies (*via email*)
New Jersey State Planning Commission (SPC) (*via email*)
Lorissa Whitaker, Principal Planner, OSG
Woolwich Township Plan Endorsement File

Exhibit "C"

Court Order extending
COAH filing deadline

JEFFREY R. SURENIAN AND ASSOCIATES, LLC

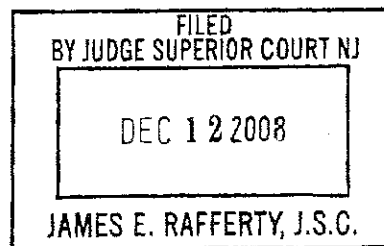
Brielle Galleria

707 Union Avenue, Suite 301

Brielle, NJ 08730

(732) 612-3100

Attorneys for Declaratory Plaintiff, Township of Woolwich



ZELLER & WIELICZKO, LLP

Ten Melrose Avenue

Cherry Hill, New Jersey 08003

(856) 428-6600

Attorneys for Declaratory Plaintiff, Woolwich Township Planning Board

**In the Matter of the Application of the
Township of Woolwich, County of
Gloucester**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: GLOUCESTER COUNTY
DOCKET NO.: GLO-L-2089-05

Civil Case
(*Mount Laurel II*)

ORDER

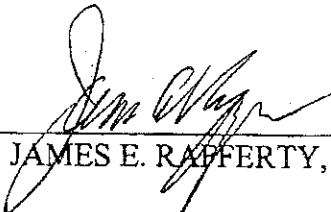
This matter having been opened to the Court by Jeffrey R. Surenian, Esq., of Jeffrey R. Surenian and Associates, LLC, attorneys for declaratory plaintiff Township of Woolwich; and Zeller & Wieliczko, Allen S. Zeller, Esq. appearing on behalf of the Planning Board of the Township of Woolwich (hereinafter collectively referred to as "Township"); and notice provided to all interested parties associated with the above captioned matters; and the Supreme Court in Southern Burlington County N.A.A.C.P. v. Tp. of Mount Laurel, 92 N.J. 158 (1983) (Mount Laurel II) having sought to promote the creation of affordable housing in accordance with sound land use planning; and State of New Jersey having sought to advance sound planning through the use of a bold, innovative technique to control the use of land known as a Transfer of Development ("TDR") program; and the TDR concept providing great promise and the

opportunity to advance the principles established by the Supreme Court in Mount Laurel II and its progeny; and the development, adoption, and approval of a TDR Plan involving a long, complicated, and expensive process; and small handful of municipalities, including Woolwich, having spent considerable public resources to explore the use of TDR to totally revamp the manner in which they regulate the use of land; and COAH having recently adopted comprehensive new regulations on May 6, 2008 and having further amended these regulations on September 22, 2008 (effective on October 20, 2008) while these limited number of municipalities explored TDR; and the new regulations appearing to undermine economic feasibility of TDR programs; and having brought to COAH's attention the problems created by its new regulations with TDR; and COAH having expressed its intention to propose and adopt new rules or to enter into a detailed Memorandum of Understanding with the New Jersey State Planning Commission to ameliorate these problems; and COAH also having endorsed at its October 27, 2008 meeting a Memorandum of Understanding with the Highlands Commission in which the eighty eight (88) Highlands municipalities are given the opportunity to secure an extended period until Dec 8, 2009 to file their Housing Element and Fair Share Plans; and the Township having urged the Court to utilize its discretion to allow the Township to take into account the curative measures it anticipates COAH will take in 2009 in the Housing Element and Fair Share Plan it ultimately presents to this Court; and the Court having concluded that Woolwich's application for such relief is reasonable; and, more specifically, the Court having decided that it is appropriate to use its discretion to facilitate the Township's efforts to achieve constitutional compliance through the completion of its continuing work on TDR; and the Court having considered the pleadings, supporting papers, and arguments of counsel submitted herein; and good cause appearing.

It is, thereupon, on the _____ day of _____, 2008 ORDERED as follows:

1. No later than December 8, 2009, the Township of Woolwich shall file with the Court a Housing Element and Fair Share Plan adopted by the Planning Board and endorsed by the Township.
2. The immunity from Mount Laurel lawsuits this Court previously awarded shall continue through the filing, review and cure of any issues the Court and/or its Master may identify with respect to the Housing Element and Fair Share Plan the Township submits by this December 8, 2009 deadline.

Dated: 12/12/08



JAMES E. RAFFERTY, P.J.G.E.

Exhibit "D"

INTERNAL Memo REGARDING
Rte 322 AND Gloucester
County

memo

GROUPmelvinDESIGN

3 South Broad Street Suite 3C
Woodbury, New Jersey 08096
t 856.251.9989 f 856.202.8007

to: Jack Fisher
from: Bob Melvin
date: January 20, 2009
re: Town Center – Route 322
cc:
project number: WP06002

Woolwich Township has been moving forward in its plans to position development of a New Town Center along Route 322 just North of Swedesboro. After almost three years of planning and intense interaction with State, County and local stakeholders, in April of 2008 the State Planning Commission approved the Woolwich Plan through a process of "Plan Endorsement."

The purpose of this letter is to request, or forward the opinion, that Gloucester County act as the lead agency with oversight of design and implementation for the regional traffic improvements within the Plan.

The plan has the following laudable goals that should be articulated. They include:

- Preservation of approximately 4,100 acres of open space and productive farmland through a sophisticated Transfer of Development Rights (TDR) program. The program is designed to support the effort of promoting agriculture in Woolwich Township and directing development to appropriate locations along the Route 322 corridor.
- Promote and accelerate appropriate economic development to benefit Woolwich Township and Gloucester County along the Route 322 corridor in the vicinity of exit 2 of the New Jersey Turnpike. The goal is to provide the conditions that will spur economic commercial development in an appropriate location while bolstering the balance of positive ratables for both Woolwich and Gloucester County.
- Create a unique focal point of community and economic activity along Route 322 based on a sustainable balance of residential and commercial development and to package the development as a walkable mixed use center.

- Implement a unique circulation and landuse model to allow for intense mixed use development along a major New Jersey highway corridor that promotes ratable development but does not adversely affect regional mobility. This is achieved through a redundant system of roadways and boulevards parallel to Route 322.

Implementation of the plan is complex and involves the participation of many stakeholders to provide the infrastructure necessary for the project. Transportation improvements to Route 322 are at the top of such a list and due to the fact that the roadway network is under a multitude of jurisdictions, (state, county and local) coordination will be difficult.

Historically, Route 322 in Gloucester County has provided a dual function – local circulation for individual municipalities (including Woolwich) and regional circulation for the county as a whole. As growth has occurred in Gloucester County, the ability for Route 322 to perform both functions has been systematically compromised.

The Woolwich Plan provides a unique solution for enhancing both the local and regional functions of Route 322 and therefore we believe it to be a unique opportunity for economic growth in the County. Providing for the dueling purposes of Route 322 is achieved in the following ways:

- The plan provides for a Boulevard design with inner lanes devoted to REGIONAL traffic and outer lanes separated by 30 feet of green space devoted to LOCAL traffic. This method tends to move a lot of vehicles safely and efficiently while maintain property values and landuses that are community friendly on the highway edge. This solution has a history of success both in the United States in such places as Louisville (Southern Parkway) and Brooklyn (The Grand Concourse) as well as in Europe (Barcelona).
- To improve efficiency and reduce friction on the Boulevard, direct driveway curb cuts are prohibited onto the inner lanes. All access is restricted to signalized intersections.
- In addition to the Boulevard, the Plan provides a redundancy of roadways PARALLEL to Route 322 to facilitate local traffic movement without the need of entering the regional portion of the system.

A requirement of the State Plan Endorsement was to provide a cost estimate of transportation improvements (See attached cost estimate) and a commitment to establish a cost sharing process among the various stakeholders (i.e. state, county, local and developer). While the cost sharing equation must still be negotiated among the parties, the purpose of this letter is to suggest that Gloucester County,

rather than the State of New Jersey, should be the lead agency overseeing the design and implementation of the regional traffic improvements within the plan. Much like the model established by the County in Richwood where the County has obtained temporary jurisdiction of Route 322 in order to effectuate regional traffic improvements, the situation in Woolwich warrants such a bold and decisive move. We see the advantage as follows:

- County control of the project can greatly reduce the lead time necessary to design and implement the project. Experience tells us that the county is far more nimble than the state and far more sensitive to the need to expedite projects that bring ratables to the area.
- Because the County can act faster than the State, Woolwich (and the County) are more likely to benefit from Federal Stimulus packages geared toward infrastructure enhancement. We believe that Woolwich should be able to score high on such list given the 21st Century and smart growth elements in plan. It is also our belief that this is a once in a century opportunity to benefit from federal dollars geared toward infrastructure and therefore it is important that we expedite planning and design of the improvements.
- The County is the agency best positioned to coordinate cost sharing between and among the various stakeholders. This includes: NJDOT, County, Woolwich, NJ Turnpike, NJ Transit and developers of the Center.

Thank you for this opportunity to express our concept. Please contact me with any questions at 856.251.9989.