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OFFICE FOR PLANNING ADVOCACY  
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**JUSTIFICATION  
FOR STATE PLANNING COMMISSION  
MAP AMENDMENT:  
EGG HARBOR TOWNSHIP, ATLANTIC COUNTY**

**Proposed Map Amendment**

The State Planning Rules at N.J.A.C. 5:85-8.3 allow the State Planning Commission to initiate amendments to the State Plan Policy Map based on new information related to the goals, strategies, and policies and delineation criteria of the State Plan provided that the new information alters the assumptions that were the basis for adopting the State Plan Policy Map for a particular area or areas.

**The map amendment would result in 160 acres in Egg Harbor Township to be changed from a Planning Area (PA) 5 to a Planning Area (PA) 1.** This change had been discussed extensively since 1999 and was agreed to during the last round of cross acceptance. It was logged in the Statement of Agreements and Disagreements as issue #20. The Draft Final State Strategic Plan (SSP) calls for a transition away from the State Plan Policy Map (PM). PM amendments being contemplated through cross-acceptance would not be made. OPA staff would like to request that the SPC allow us to initiate this change now, as it has been the subject of discussion for some time.

**Background Information & Existing Conditions**

Egg Harbor Township Resolution 2008-415 designated this area located between Atlantic City and Pleasantville, as an area in need of redevelopment pursuant to N.J.S.A. 40A:12A-6. The redevelopment area encompasses the PA 5 that is subject to change as well as a portion of the existing PA1.

The entire area is served by sewer. Wastewater is sent to the City Island Sewage Plant. Water is supplied by the NJ American Water Company.

The existing composition of uses was reviewed using the taxable property classifications. At the time of the last assessment, 31 lots were vacant, 100 were assessed as residential with four families or less and 37 were assessed as commercial. Two lots were assessed as public property. One of these public properties was a public school property.

This area is comprised of the R-5 residential district and the Special Highway Development (SHD) District. Permitted uses in the R-5 zone include Single Family Dwellings, Churches and other places of worship and nonprofit clubs, fraternal organizations, volunteer independent fire companies, rescue squads and first aid squads. The Special Highway Development District permits motels, warehouses, automotive repair, car

dealerships, gas stations, car washes, furniture/appliance stores, commercial swimming pools, mini golf, bowling, driving ranges, and campgrounds. The SHD district also permits all the uses permitted in the Neighborhood Commercial District including restaurants, offices, schools, food markets, liquor stores, personal service establishments, business services (primarily contractor type services) and commercial recreation facilities.

Current NJDEP landscape data indicates that 20 of the 160 acres or 12.5 % of the site is suitable habitat for the following species: Black Skimmer, Yellow-crowned Night-heron, Tricolored Heron, Snowy Egret, Little Blue Heron, Least Tern, Great Blue Heron, Glossy Ibis, Emergent Suitable, Common Tern, Cattle Egret, Black-crowned Night-heron, Caspian Tern, Osprey, Gull Billed Tern and Northern Harrier. Previous landscape data indicated that the area is also suitable for the Northern Diamondback Terrapin.

Back during the assembly of the 2001 Plan, initial mapping identified this area as a Barrier Island corridor and the land was subsequently mapped as PA5B. OPA records indicate a long history of discussing the designation of this site dating back to 1999 ending in agreement through the last round of cross-acceptance to change this area to PA1.

### **Justification for Consideration**

On Wednesday, August 1, 2012 at 7:00 p.m. a public hearing was held in the Egg Harbor Township municipal court room at 3515 Bargaintown Road, Egg Harbor Township, NJ. Notice was distributed per N.J.A.C. 5:85-1.7(b). 23 people signed into the meeting. Dan Kennedy gave a general overview of the process and Kate Meade provided additional specifics. Questions ensued.

- Will this change allow homes to be built on the beach?
- Will this change affect my taxes?
- Is the zoning changing?
- If my home burns down, may I rebuild it?
- What if I need to replace my driveway?
- Why did this change take so long?

All of these questions were answered to the audiences' satisfaction. No one voiced any objections to the change. One email of support was received.

The underlying assumption had been that this area is environmentally sensitive. The data we have today disproves that underlying assumption. The area is more appropriate for development than it is for protection / preservation. A redevelopment project that is seeking local and state approvals is within the proposed amendment area and the viability of the project is being hindered by the designation of this area at PA5.

In addition, the following information was considered by staff prior to making this recommendation:

1. Pursuant to Coastal Zone Management (CMZ) rules, any map amendment needs to be independently evaluated and found by the DEP to be consistent with the goals of the Coastal Area Management Program, the CMZ rules and CAFRA
2. The Municipality and County have been made aware of this proposed amendment and have reported that the amendment would be consistent with the Municipal Master Plan and the Proposed County Wastewater Management Plan, pending DEP approval.
3. The Pinelands Commission has verified that the property in question is located outside the Pinelands National Reserve. Therefore, the Pinelands Commission has no oversight or advisory role

OPA is recommending that the SPC amend the State Plan Policy map consistent with the process outlined in the State Planning Rules.

**ASSOCIATED EXHIBITS:**

**Exhibit A: Map, Regional View of the Area**

**Exhibit B: Map, Site View**

**Exhibit C: Map, Land Use Classifications per Tax Assessment Data**

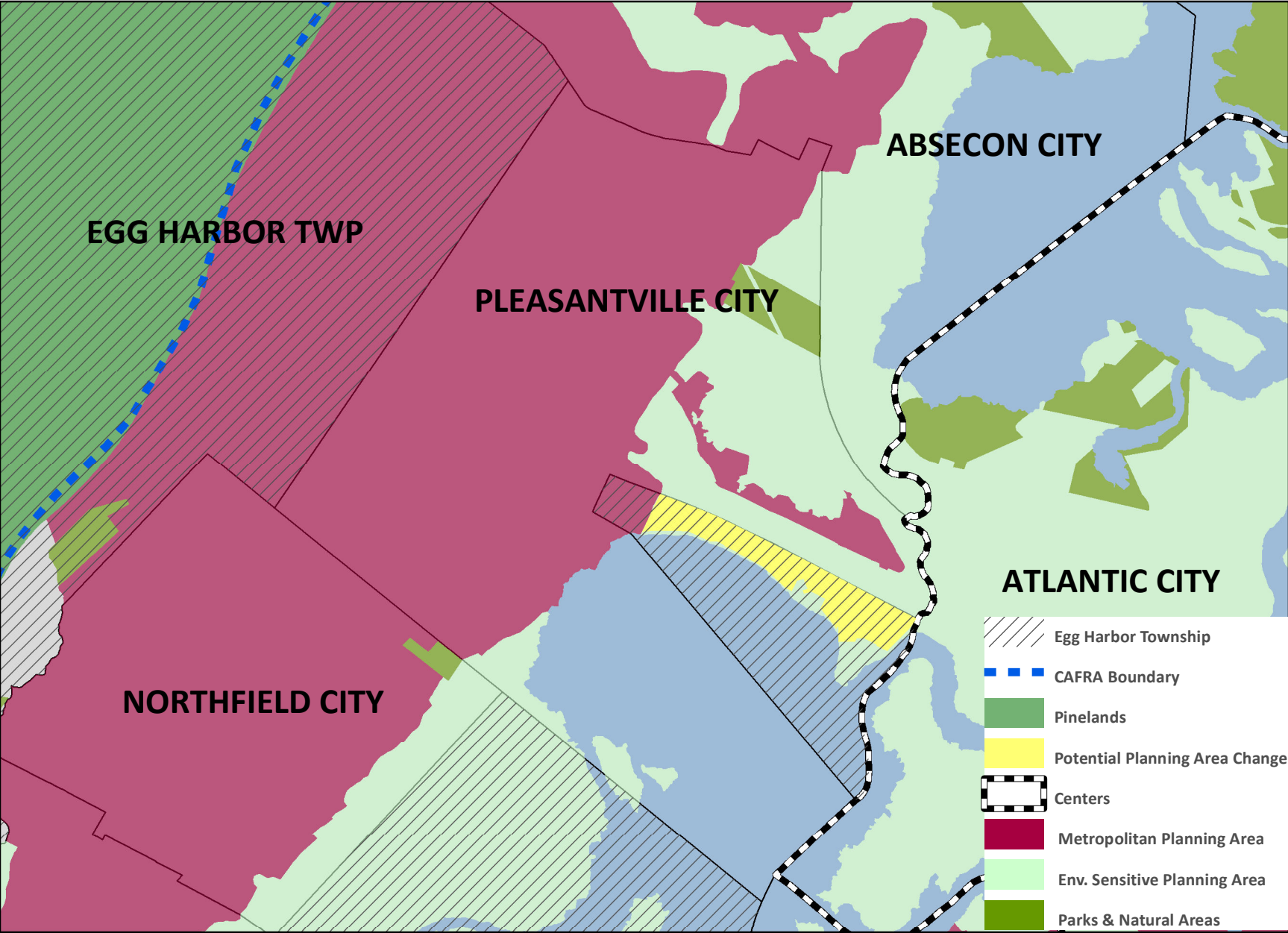
**Exhibit D: Cross Acceptance Negotiation Sheet, Atlantic County, Issue #20**

**Exhibit E: Map, Designated Area in Need of Redevelopment**

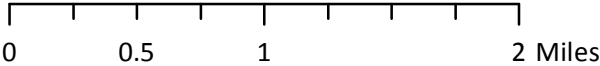
**Exhibit F: Map, Landscape Data, Version 3.1**

**Exhibit G: Map, Aerial Photograph**

# EXHIBIT A: Regional View of Potential Planning Area Amendment



Source:  
Office for Planning Advocacy

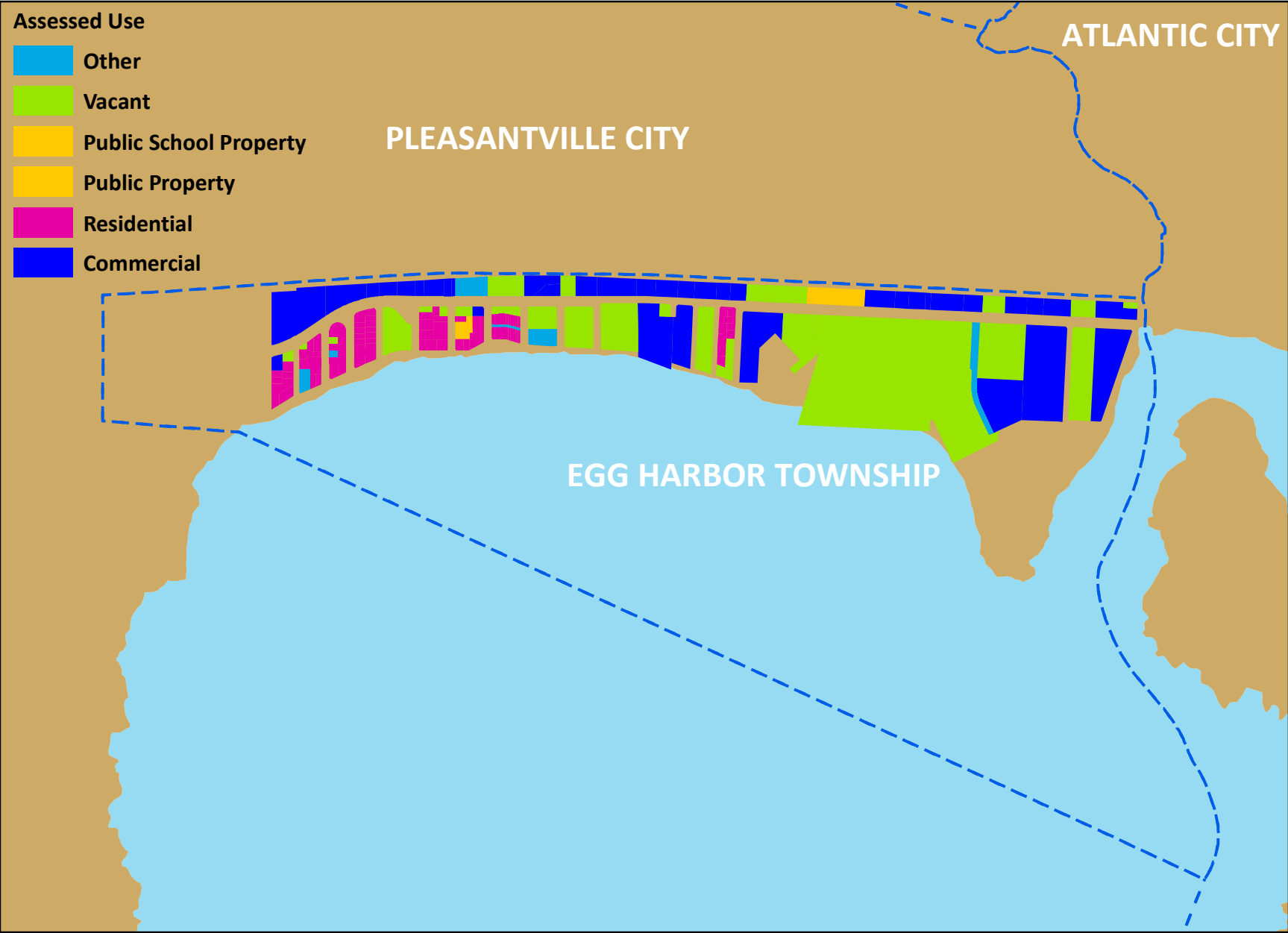


## EXHIBIT B: Site View



Source:  
Office for Planning Advocacy

EXHIBIT C: current uses per tax assessment



Source:  
Office for Planning Advocacy

0 0.2 0.4 0.8 Miles





## New Jersey State Planning Commission Negotiations Worksheet Map Amendments

County:	ATLANTIC COUNTY	Item No.	20
Source:	County Report	State Planning Commission Decision:	
NE #			

**Quads Affected:**

OSG Quad Number 158, OCEANVILLE NJ

OSG Quad Number 159, BRIGANTINE INLET NJ

**County/NE Proposed Change:**

*Planning Area*

From: PA5

To: PA1

**Acres affected:****County/NE Reason For Proposed Change:**

West Atlantic City is P.A. I, CAFRA permit approved, no longer barrier island corridor. City is willing to designate areas in question as environmentally sensitive, except for the Gateway site, which should be PA-1 (per agreement in 2000)

**What is it in Current State Plan:**

PA5

**What is it in Preliminary State Plan:**

PA5 (PA1 for West Atlantic City in Egg Harbor Twp)

**Municipalities Affected:**

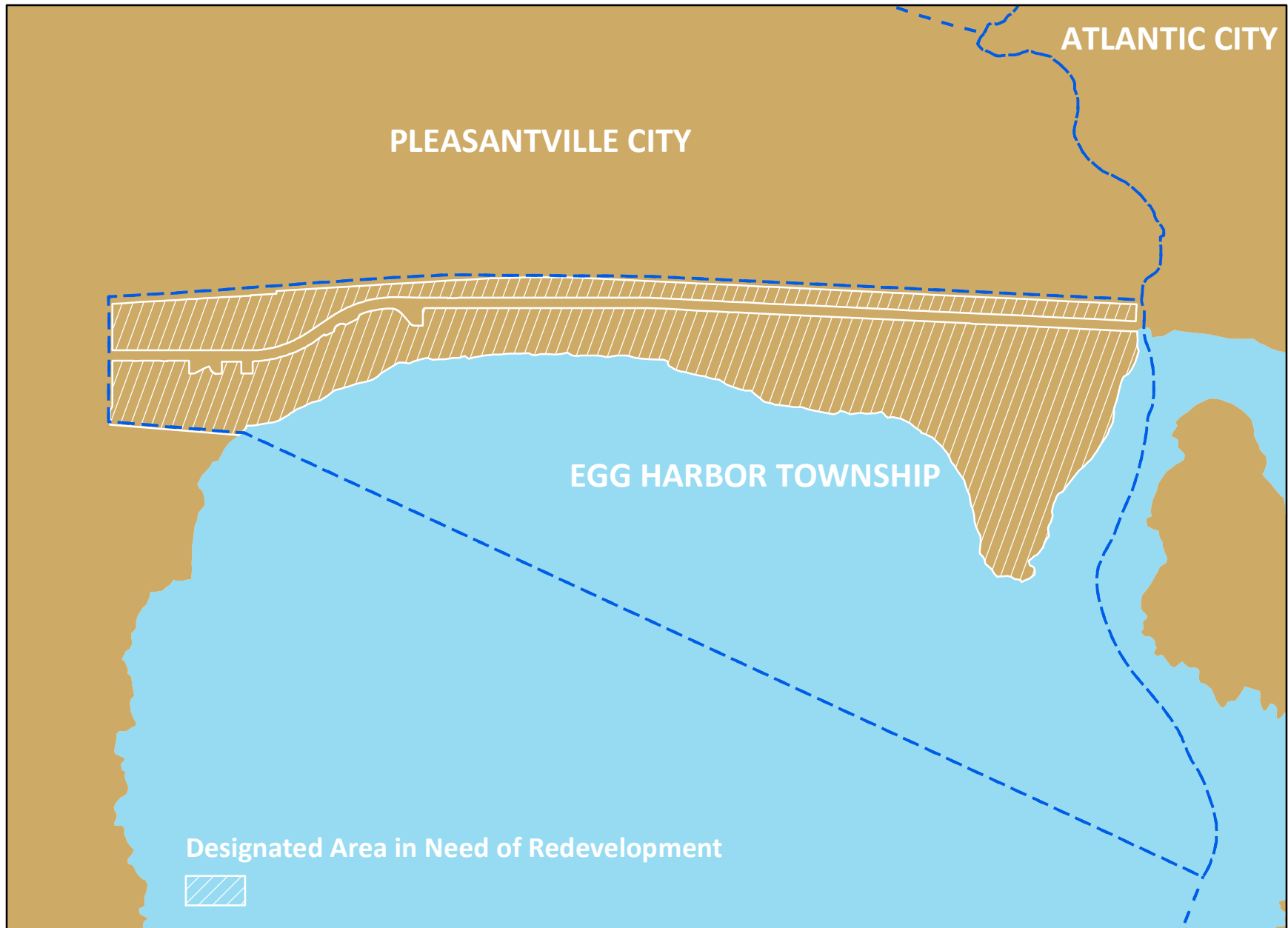
Egg Harbor Twp; Pleasantville City;

**Data Source:****Staff Response:**

That change was not accepted in the last round of Cross-acceptance. Records indicate that the PA change was to be considered under Center Designation- which did not reach completion. However the requested change has been noted in the present round of Cross-acceptance can be addressed when the State Planning Commission makes their final determination.

The 'Gateway' mapping was clearly noted as accepted by the Commission during the last Cross-acceptance, but had to wait until the uplands had been mapped- thus it will appear in the mapping of the present plan as soon as we confirm with all parties that the mapping we now have is correct.

## EXHIBIT E: Designated Area in Need of Redevelopment



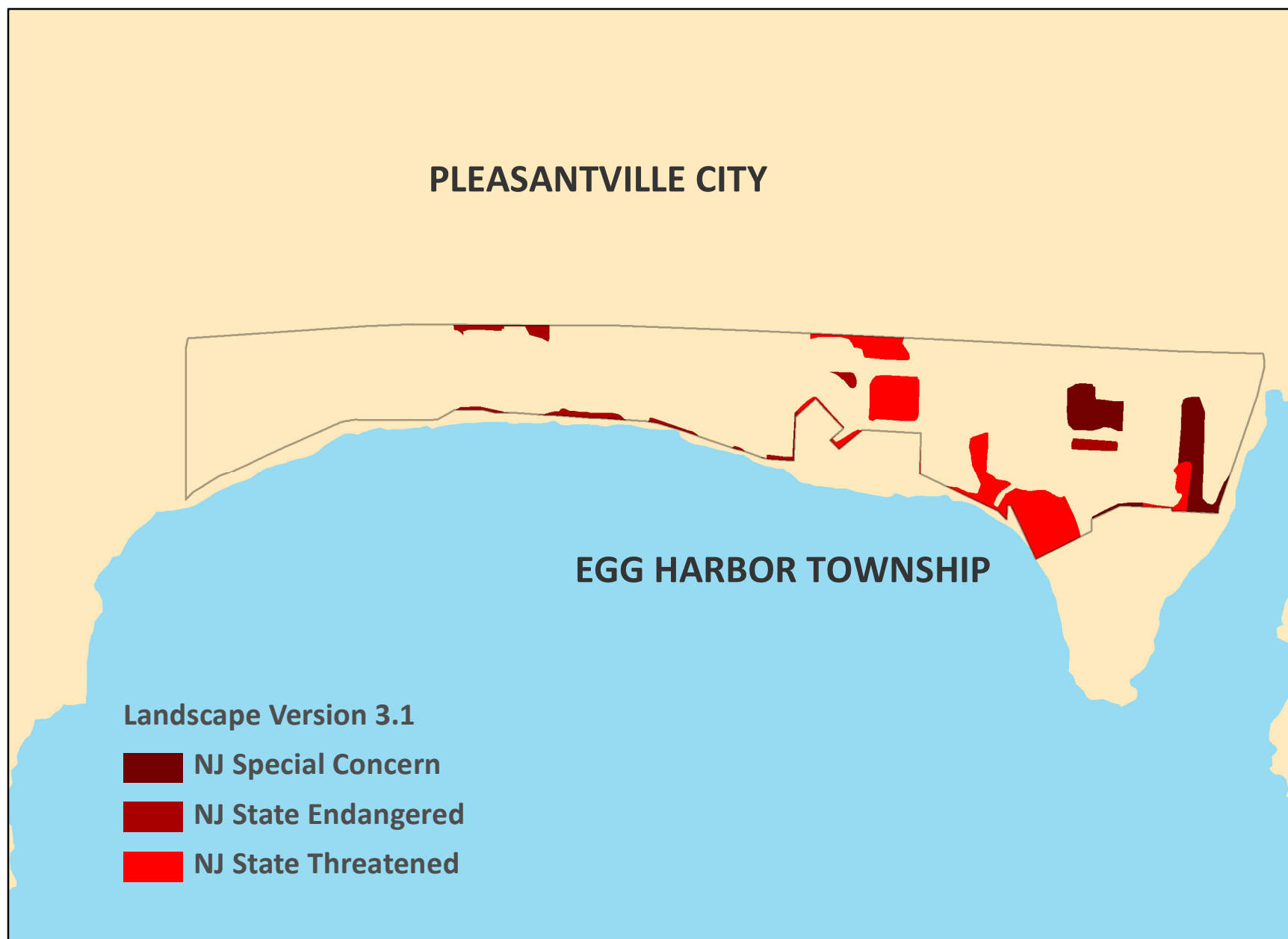
Source:  
Office for Planning Advocacy

0 0.2 0.4 0.8 Miles





## EXHIBIT G: Landscape Data Version 3.1



Source:  
Office for Planning Advocacy

0 0.15 0.3 0.6 Miles



Exhibit H: Aerial View of the Site



0 0.125 0.25 0.5 Miles

