

OTLU-00080

June 10, 2005

Maura K. McManimon
Executive Director
New Jersey Office of Smart Growth
101 South Broad Street
Trenton, NJ 08625

**Re: Township of Ocean
Plan Endorsement Petition**

Dear Ms. McManimon:

In response to your letter to Mayor Dan Van Pelt requesting additional information regarding the Township's petition for plan endorsement, please note the following:

- Lack of Community Facilities Map. A community facilities map is attached.
- Lack of Natural Resource Inventory (NRI). A Draft NRI document is attached. If acceptable to the OSG and NJDEP, a final version of the draft will be adopted by the Township Committee.
- Lack of Capital Improvement Plan. The Township's latest Five-year Capital Improvement Plan is attached.
- Lack of a Wastewater Management Plan. A copy of the Township's Wastewater Management Plan is attached.
- Environmentally Sensitive Areas. As noted in your letter:

The petition states that sewers are precluded in environmentally sensitive areas. The petition should include (either within the Wastewater Management Plan or within another document) a map of the areas the Township has designated as environmentally sensitive and should reflect the Township's policy of prohibiting sewer.

As referenced in the original petition, environmentally sensitive areas include all areas in Planning Area 5 and all areas in the Pinelands west of the Parkway. A copy of the existing and proposed sewer service areas are shown in the attached Wastewater Management Plan map.

- Public Water Supply Systems.

The petition should include information on any public water supply systems, including conveyance, and any well, surface water intake, treatment facilities, and discharge location. The submission of this information in digital GIS data sets is encouraged.

Two maps showing the extent of the public water supply system are attached. Unfortunately, the water supply maps are not available in GIS format.

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- Lack of thorough discussion of other existing infrastructure, such as roads. Both the Township's 1999 Master Plan and its Amended Land Use Plan Element include a Circulation Plan Element addressing road infrastructure. In addition, the Township has signed NJDOT's Route 9 Corridor Coalition Agreement and is actively participating in discussions with NJDOT and its consultant team regarding the design of Route 9 and its overall road connector system. When an agreement is finally reached on the boundaries of the proposed center, the Township will submit to OSG a written summary explaining the proposed center boundaries and the rationale for any corresponding changes to the proposed planning area map.
- Lack of justification for Proposed SPPM Changes. The Township has previously indicated that it concurs with the proposed SPPM boundaries in the preliminary State Development and Redevelopment Plan. It is not independently proposing any further boundary changes other than those in the proposed SDRP, which has been its position in discussions with Ocean County as part of the cross acceptance process.
- Lack of Complete Statement of Planning Coordination.

- *A description of planning coordination with Lacey and Barnegat Townships and Ocean County;*

Ocean Township engages in an active inter-municipal dialogue on regional planning issues, including those relating to the Pinelands areas in Lacey and Barnegat, coastal issues, and regional transportation issues. The Township has contacted both Lacey and Barnegat Townships and informed them of the Ocean's plan endorsement application and proposed center, as well as its redevelopment efforts along Route 9. As noted above, the Township has signed NJDOT's Route 9 Corridor Coalition Agreement and is actively participating in discussions with NJDOT and its consultant team regarding the design of Route 9 corridor, which includes both Lacey and Barnegat Townships.

- *A description of outreach efforts to include other municipalities in the initial petition, or an explanation of why such efforts were not undertaken;*

Other municipalities were not included in the petition as the Township is seeking plan endorsement for its planning documents and not a regional planning program or project. In addition, the proposed center does not cross municipal boundaries. Also, the Township was ready to proceed with its petition before Barnegat and Lacey. Ocean was already in the state planning process as part of its petition for center designation and was one of the municipalities permitted by OSG to convert its center petition to a plan endorsement petition. Accordingly, Ocean wanted to proceed forward with its plan endorsement petition in a timely manner and not jeopardize its proposed center (as well as its proposed affordable housing plan). Therefore, the Township did not want to wait until Lacey and Barnegat were also ready to file for plan endorsement.

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- *A description of coordination activities, if any, with relevant Boards of Education;*

The Ocean Township Board of Education has been fully informed of the Township's plan endorsement petition and proposed center and supports both efforts. The Board of Education and the Township fully coordinate their respective planning efforts. No new schools are proposed outside the proposed center or Planning Area 2.

- *A statement describing any ongoing local or regional planning or development activities by any level of government and the level of development activity by the private sector, and*

A portion of Ocean Township is in the Pinelands and has a continuing and ongoing dialogue with the Pinelands Commission concerning regional planning and development issues in that portion of the Township under Pinelands jurisdiction. In fact, Ocean Township is one of three communities with fully endorsed plans and ordinances. The Township also has engaged in an active dialogue with Ocean County concerning regional planning and development activity within the Township and surrounding region. The County fully supports both the Township's application for plan endorsement and the proposed center. As noted above, the Township has signed NJDOT's Route 9 Corridor Coalition Agreement and is actively participating in the regional planning efforts being undertaken by NJDOT along the Route 9 corridor.

- *A description of potential conflicts of the Township's vision with existing or projected planning and regulatory efforts by other agencies, for example: Wastewater Management Plans, CAFRA, Transportation Plans, Pinelands Comprehensive Management Plan, State infrastructure planning and/or development, or any land use decision by the Courts involving land in the Township.*

The Township's plans and ordinances, as well as its proposed center, are fully consistent with these plans. Any CAFRA Coastal Center designation will likely take into consideration the final boundaries of the proposed center.

- Incomplete Discussion of Zoning Conformity with Access Code. The Township met with staff of NJDOT. Based on this meeting and subsequent review of its ordinances, the Township certifies and confirms that it has and will take the following actions in order to be consistent with the State Highway Access Code:
 - The Township reviewed its records and has not approved any subdivisions creating lots abutting Route 9 that do not conform to the access code after its adoption in September 1992.
 - The Township will not approve any subdivisions fronting on Route 9 that will create future nonconforming lots as defined in the Access Code at 16:47-1.1, Definitions, and at 16:47-3.16, Municipal and County Actions.
 - Ocean Township has examined its current zoning along Route 9 and will revise its Zoning Ordinance to require that all new development and redevelopment along Route 9 conform to

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the requirements of the State Highway Access Code and that such requirement will be a condition of all approvals

- The Township has committed to undertake a capacity analysis to demonstrate that enough capacity exists on the state highway and adjacent roadway network to accommodate all traffic generated if build-out based upon the current zoning and proposed redevelopment came to fruition. The Township proposes that this be part of the PIA.
- Incomplete discussion of the Township's revised Housing Element and Fair Share Plan. The Township's housing element and fair share plan is currently being reviewed by COAH. Currently, the Township is engaged in mediation with objectors to plan. The Township proposes to locate a substantial portion of its affordable housing obligation in the center and had identified general locations for these affordable housing sites. However, based on discussions with OSG and NJDEP, it appears that some of these sites may not be within the center boundaries. Therefore, the plan will have to be revised accordingly. Once the boundaries the center are established, the Township will identify, by block and lot, specific sites intended for the development of affordable housing, in order for their suitability to be properly evaluated.
- Draft Planning and Implementation Agenda. The draft Planning and Implementation Agreement (PIA) has been amended to include the following items, along with a proposed timetable for each:
 1. The revised PIA specifies that the Township will follow through with the remaining requirements of DEP's stormwater regulation program. The Township has adopted a Stormwater Plan Element as part of its Master Plan and will adopt an ordinance and implement its stormwater plan and ordinance in accordance with NJDEP regulations. A copy of the Township's Stormwater Management Plan Element has been provided to OSG.
 2. The Township will revise any industrial zoning and redevelopment area designations for areas outside the Center and Suburban Planning Area to prohibit uses and development that would adversely affect the environmentally sensitive areas.
 3. The Township will develop a stream corridor protection plan for the Township's waterways.
 4. The Township will pursue Federal, State, and County funds to acquire environmentally sensitive lands designated as PA5 or CES in the approved plan;
 5. The Township will adopt local ordinances for wellhead protection.
 6. The Township will incorporate any necessary changes to the Township's Zoning Ordinance so that it is in conformance with the Highway Access Code for lands adjacent to Route 9.

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A copy of the revised Plan Implementation Agenda is attached.

Thank you for the opportunity to participate in the plan endorsement process. We look forward to working with you as we continue to implement smart growth strategies within Ocean Township.

Sincerely,



STAN SLACHETKA, AICP, P.P.
ASSISTANT DIVISION MANAGER
PLANNING DIVISION

SCS:lbw

cc: Mayor Dan Van Pelt
Dennis Tredy, Ocean Township Planning Board Chair
Ocean County Planning Board
Jung Kim, Area Planner, OSG
William Harrison, OSG
Danielle Stevens, OSG