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June 9, 2006

George M. Ververides, P.P., AICP
Director of County Planning
County of Middlesex
40 Livingston Avenue
New Brunswick, NJ 08901-3605

**Re: Middlesex County Strategic Planning Areas (SPA) I & II
Petition for Initial Plan Endorsement
Request for Additional Information and Extension of Consistency Review Period**

Dear Mr. Ververides:

The Office of Smart Growth (OSG) and our state agency partners have reviewed the Middlesex County SPA I and II petition for Initial Plan Endorsement and would like to commend the County for its active participation and dedication to the Plan Endorsement process. However, consistency issues remain that need to be resolved before OSG can recommend this petition for endorsement by the State Planning Commission (SPC).

Pursuant to the N.J.A.C. 5:85-7.5(f), I would like to request additional information, as outlined within this letter, in order to clarify some concerns and assist with the evaluation of your petition for consistency with the goals, policies and strategies of the State Development and Redevelopment Plan (State Plan).

I am requesting that the County provide the requested additional information within 90 days. If this suggested amount of time is not sufficient, please let us know and we will work with you to establish a reasonable timeline for submission of the requested information. Once the Office of Smart Growth receives the requested information, we will renew our consistency review of the Middlesex County regional petition and prepare a report for the State Planning Commission on the Petition's consistency with the State Plan within 45 days after receipt of the requested information.

Requested Additional Information

Proposed State Plan Policy Map Changes

The Middlesex County Cross-Acceptance report contains a number of proposed State Plan Policy Map amendments. Some of these proposed changes overlap or are otherwise at variance with other requested map amendments. In order for OSG staff and the State Planning Commission to properly consider these map changes, these issues must be reconciled by the County. Also, justification must be provided in accordance with Appendix 6.2 of the Plan Endorsement Guidelines.



Critical Environmental Sites

The state agencies have identified several areas of important environmentally sensitive areas in each of the two SPAs. These areas include 386 acres of wetlands and adjacent upland habitat in Carteret, and Woodbridge, a 599 acre area of tidal wetlands in Woodbridge, 1100 acres of wetlands and upland habitat along the Raritan River in Edison and Woodbridge, 286 acres of wetlands in the SPA area of Old Bridge Township, and about 1,500 acres of wetlands and adjacent uplands along the Raritan and South Rivers in Sayreville Borough. These areas should be designated as Environmentally Sensitive Planning Areas.

Existing State Plan Map Planning Area Designations

Nearly all of the area contained in SPAs I & II are within the Metropolitan Planning Area (PA1). There are, however, significant expanses of riparian wetland systems proposed to be designated PA5 in the Preliminary State Plan. These wetland systems occur on either side of the Raritan River (the boundary between Edison Township and Sayreville Borough), on either side of the Cheesequake Creek (the boundary between Sayreville Borough and in Old Bridge Township), as well as on either side of the Whale Creek (the boundary between Old Bridge Township and Matawan Borough on the Middlesex/Monmouth County boundary). Please review these areas and correct any inconsistencies that may exist between your petition and the State Plan Policy Map, or provide justification for any of these areas remaining in a PA1.

Regional Build-Out & Capacity Analysis

The required zoning layer included with the Natural Resources Inventory (NRI) employs composite categories entitled “Commercial 1”, “Commercial 2”, “Environmentally Restricted”, “Industrial 2” and “Residential 1”. These categories are neither coincident with the actual local zoning district designations, nor are they explained or defined within the NRI Section. While utilization of composite zoning is not necessarily invalid for purposes of a build-out analysis, the local zoning maps must be included in order to evaluate the composite model.

Statement of Community Vision & Public Participation

The sections pertaining to Community Vision, Public Participation and Planning Coordination are not adequate for OSG review to determine their overall consistency with the State Plan. No particular vision for the County’s future is expressed, nor do the public survey forms allow a vision to emerge. The surveys asked residents to rate various services and quality of life features from ‘poor’ to excellent’. However, a narrative is still needed from petitioner outlining planning objectives to be realized between the present and the year 2025. The vision statement is an integral element of Plan Endorsement. Please see the Plan Endorsement Guidelines (pages 11-12) for guidance on the community vision and public participation processes.

Natural Resource Allocation

Private water purveyors are relied upon by the MetroPark and Arthur Kill Strategic Planning Areas. The petition notes that “Programs to assure the maintenance and expansion of water supply delivery systems are controlled by the private sector. The sources of the water supply are outside of the SPAs and are managed by the NJ Water Supply Authority.” NJDEP Water Allocation information for the two SPAs shows that major portions of the areas are served by purveyors who have used more than 80% of their State water allocation. In order to ensure that there will be an adequate water supply for the SPAs, an accurate estimation of the projected water needs for areas is needed for the areas and this information should be shared with the NJ Water Supply Authority and the private purveyors.

Stormwater Management

The petition identifies nonpoint water pollution as the greatest threat to water quality in the MetroPark and Arthur Kill Strategic Planning Areas. The County should present the level of compliance with the new stormwater management requirements. The petition additionally identifies flooding as an issue in both SPAs and the need for better stormwater management planning for the South Branch of the Rahway River. Due to the highly urbanized nature of the two SPAs, the institution of basin-wide stormwater management planning is recommended as a PIA item.

State Waterfront Development Act

Extensive areas along the Arthur Kill and Raritan River waterfront are within the State's Coastal Zone where development and redevelopment is subject to the requirements of the State's Waterfront Development Act. The regulations associated with the Act greatly affect the type, location, scale and design of new and redeveloped coastal lands and must be a factor in local planning.

Land Use

The petition lacks adequate discussion on land use, and more specifically, redevelopment as one of the "Key Planning Issues" in Section VI, pages 17-20. Some discussion on land use and redevelopment is scattered throughout the report (e.g. in Section V - demographics, and Appendix VI). But, some of this material, especially pages 22-23, would be more appropriately situated in the Land Use/Redevelopment sub-section under "Key Planning Issues" in Section VI. The County should elaborate further on land use, specifically how redevelopment has been implemented to-date and how the plan seeks to implement redevelopment in the future.

In addition, the petition proposes investment mostly by entities other than the County, such as the State and the municipalities. The state agencies acknowledge that there are significant limitations regarding county control over local land use decisions. However, the petition has not demonstrated that the County has provided leadership and guidance to its municipalities in dealing with issues that erode the sustainability of economic development and quality of life in the County.

Opportunities for Redevelopment

In a county such as Middlesex, with mostly older and built-up suburban communities and centers, the role of redevelopment as a strategic planning tool for absorbing future growth is very critical. Some opportunities to explore redevelopment may include discussions with the owners of the former Ford Motor Company site in Edison.

Transportation Planning

The petition should emphasize the importance of integrated transportation and land use and the specific role that the County intends to play in that effort. This strategy, rather than more investment in infrastructure, will provide long term solutions to the congestion caused by land development patterns that have occurred in the county. The County should demonstrate consistency with the goals for transportation, discussed immediately below:

- Future limited government investment in transportation should focus on strengthening the role of existing centers. The pattern of government subsidizing growth which spreads uses out and further away from walkable centers or transit hubs needs to change direction in favor of compact, mixed use development.
- Further planning, policy and programs must create disincentives to sprawl-inducing land uses. An example, such as subdivisions devoid of convenience retail uses, where daily activity centers are intentionally distanced from residential areas, should be strongly discouraged.

- The local practice of locating all conveniences on state and county roads also should be discouraged. This practice forces these roads to bear not only through traffic, but driving to local destinations as well. Future planning must recognize that continued placement of all such uses onto the state and county highways creates significant traffic congestion that is beyond the capability of government to solve.
- Future road networks should look to increase connectivity. Education of the citizenry should stress that the desired result of lightly traveled residential areas is accompanied by the unintended consequence of runaway congestion on county and state highways.
- Future planning and circulation plans should eliminate the preponderance of single use development created in pods, designed to access major highways only at a few points.
- Context Sensitive Street Design should be adopted as a county-wide policy to direct all future transportation infrastructure projects. The past practice of developing wide, flat, straight streets in search of safety, leads to inappropriate vehicle operating speeds, particularly in downtown or “Main Street” environments, or in other areas where walkability would be desirable. Instead, on the appropriate roads, street design needs to support pedestrian safety and acknowledge the importance of pedestrian quality of life, and related socioeconomic factors. Street design should lead to motorists using regional highways and local streets respectively as they are intended.

Planning & Implementation Agreement (PIA)

I would like to address and provide recommendations regarding some of the County’s requested PIA items. The PIA should be modified to reflect agreed upon changes.

- The Planning & Implementation Agreements for each Strategic Planning Area contain a significant number of projects derived from individual municipal requests, rather than regional initiatives resulting from inter-municipal planning activity. Such requests will not be considered as part of a regional endorsement petition, but instead would require a municipal endorsement petition.
- Middlesex County is centrally located within the State and endures a significant amount of vehicular local and regional through-traffic. Still, road widening projects are unlikely to be the preferred method of addressing high volume traffic issues. Further, a substantial discussion of the relationship of land use to transportation should be a distinct element of any fortified Regional Strategic Plan Endorsement Petition.
- Aside from the extremely high costs of highway expansion/widening projects, experience has demonstrated that vehicular accidents remain the single most prolific cause of delays. Experience has further demonstrated that providing additional lanes, with the exception of dangerous intersections, does not necessarily provide improved levels of service. A general lack of compliance with and enforcement of “keep right and pass left” also serves to detract from the benefits of road widening. This is especially true as the number of lanes increase, e.g., there are approximately six lanes in each direction on the Garden State Parkway in northern Middlesex County.
- Some PIA items commenced several years ago and should be removed from the PIA, where they have either been completed, or are no longer in the planning phase.
- It should also be noted that neither Federal agencies, CSX or, Norfolk-Southern are parties to the PIA or Plan Endorsement process.

- For PIA entries that require NJDOT assistance, the state assistance column should have an asterisk denoting the following: “When requested, NJDOT will give priority consideration to providing technical assistance consistent with program requirements and subject to the availability of state resources.”

Conclusion

Pursuant to N.J.A.C. 5:85-7.5 (f), the County must submit the additional requested information identified above in order for the Regional Strategic Plan to be evaluated for consistency with the goals, policies and strategies of the State Plan. OSG and our state agency partners will work with the County to revise the petition to include the items identified within this letter and help the County achieve Initial Plan Endorsement

Again, we look forward to meeting with you in the near future to discuss the next steps. Curt Lavalla, Area Planner for Middlesex County, will contact you to arrange a meeting to establish a strategy to ensure that the County is able to address the consistency requirements outlined in this letter.

Thank you again for your commitment to the Plan Endorsement process. If you have any questions or concerns, please feel free to contact Curt Lavalla, Area Planner for Middlesex County, at (609)-633-9648 or via email at clavalla@dca.state.nj.us.

Sincerely,



Eileen Swan
Executive Director

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