



THE TOWNSHIP OF UPPER

2100 Tuckahoe Road, Petersburg, NJ 08270
PO Box 205, Tuckahoe, NJ 08250-0205

August 23, 2021

Office of Planning Advocacy
Secretary of State
NJ Department of State
P.O. Box 820
Trenton, NJ 08625-0820
ATTN: Meghan Wren, Area Planner

RE: Request for Waiver from PE Process
Upper Township, Cape May County

Dear Ms. Wren:

Upper Township would like to request for a waiver for the following three Plan Endorsement (PE) steps; Step 2 Plan Endorsement Citizens' Advisory Committee (N.J.A.C. 5:85-7.8), Step 4 Opportunities and Constraints Report; and Step 5 Visioning.

A waiver for Step 2 Citizens' Advisory Committee is justified because Upper Township has been committed to public engagement in our planning activities which have been numerous over the past ten years including recent opportunities for citizen involvement in the Municipal Self Assessment (MSA), Masterplan Reexaminations in 2018 & 2020, Bicycle Plan and the All-Hazard Mitigation Plan.

A waiver from Step 4 is justified because there have not been significant changes to Upper Township's status and trends since our original PE in 2007. The current build-out analysis prepared in 2019 as part of the wastewater management plan was done with more detail than OPA's in 2019. Upper Township has made significant and meaningful progress on our PIA and are prepared to adopt the new priorities of the state in the way of a revised PIA reflecting key State priorities.

Upper Township has have been a good partner/participant in resiliency planning, affordable housing, and other key interests of the state, implementing center-based development through municipal planning and zoning, incorporating CAFRA requirements into our zoning, adopting relevant ordinances for cluster development, resource protection and other key land use issues; working closely with Cape May County and other regional efforts; and taking a leadership role in resiliency through Coastal Coalition other collaborations. Upper Township is also a Class 5 Community in the FEMA's Community Rating System (CRS) and after adoption a watershed

management plan later in 2021 we will become a Class 4 Community. The Township has also adopted numerous ordinances that enhance resiliency in our Special Flood Hazard Area including a mandatory bulkhead height of Elevation 8, minimum ground floor/ garage elevation of Elevation 7, and a freeboard requirement of 3-feet above the base flood elevation.


A waiver for Step 5 is justified because the Township has been doing numerous planning activities related to our original plan endorsement petition approval on February 21, 2007. The visioning the Township did as part of the original PE process remains the vision for Upper Township.

Upper Township included thoughts on visioning in our Municipal Self Assessment (MSA) and we have worked on numerous planning efforts to support and enhance our initial vision include:

- Fair Share Plan in 2008 and updated in 2020 after receiving a Final Judgement of Compliance and Repose from the Court
- Conservation Plan in 2011
- Marmora Transportation Plan in 2012
- Getting to Resiliency in 2015
- Township formed an Economic Development Council to work with the business community in 2107
- Working with National Wildlife Foundation in Building Ecological Solutions to Coastal Community Hazards in 2016/2017
- Wastewater Management Plan update which included build-out analysis in 2012 & 2019
- 2018 & 2020 Master Plan Reexaminations where the Planning Board and Township Committee held public meetings to discuss Plan Endorsement, MSA and the vision of the Town Centers
- Prepared a Bicycle Plan in 2019
- All-Hazard Mitigation Plan in 2020
- Prepared a Redevelopment Plan for BL England in 2021

Thank you for considering these waiver requests. I appreciate this opportunity to continue to work with the Office of Planning Advocacy. Please contact me or Paul Dietrich, Township Engineer, if you have any questions or need any additional information.

Respectively submitted,

A handwritten signature in black ink, appearing to read "Richard Palombo". The signature is written in a cursive, flowing style.

Richard Palombo
Mayor