

TOWNSHIP OF TOMS RIVER

33 Washington Street, P.O. Box 728
Toms River, NJ 08754



Department of Engineering and Community Development
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David G. Roberts, AICP/PP, LLA, LEED AP ND
Township Planner

January 6, 2017

Dr. Gerard Scharfenberger, Executive Director
New Jersey State Planning Commission
225 W. State Street, 3rd floor
P.O. Box 820
Trenton, NJ 08625

Re: Pinelands Preservation Alliance Response to Toms River petition

Dear Dr. Scharfenberger:

The Township has reviewed the concerns of the Pinelands Preservation Alliance in regards to the Township's petition for Plan Endorsement/Center Designation. The Township respectfully disagrees with the conclusions presented by the Pinelands Preservation Alliance regarding Block 505, Lots 14 and 15 and wishes to respond with our own points as follows:

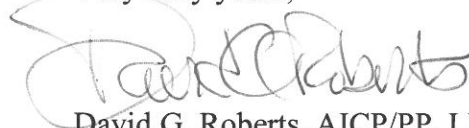
1. Block 505, Lots 14 and 15 are no longer part of the Route 37 West Highway Core but have now been included in the proposed Industrial Center. The proposed Industrial Center includes the Ciba Geigy (BASF) Property which is proposed as a future economic and housing center. The Toms River-Lakehurst Route 37 Economic Corridor Vision Plan Study outlines the vision plan for the Route 37 West Highway Core and the Industrial Center. The vision plan includes recommendations concerning incorporation of mass transportation options, including Rapid Bus service, bicycle path linkages, and sidewalks. The Township's existing zoning land use and development codes requires all new developments to install sidewalks or seek a design waiver.
2. Block 505, Lots 14 and 15 located within Toms River Township is located in the Pinelands National Reserve, but the Land Capability Map of the Pinelands CMP shows the property as part of the Regional Growth Area (see attached map).
3. Block 505, Lots 14 and 15 have been in the designated 1999 CAFRA Mainland Town Center. The Township is not seeking to increase the impervious coverage any more than what was previously included in the 1999 CAFRA Center, which permitted an impervious coverage of up to 80% for purposes of CAFRA permits (the existing RHB Zone restricts coverage to 75%).

4. Block 505, Lots 14 and 15 have received prior approval from the Toms River Township Planning Board for retail development, which was upheld in court. The applicant will be required to comply with the plan that was approved by the Planning Board. The project involves separate site plan approval for a portion of the parking for the retail use from the Township of Manchester because the parcel straddles the municipal boundary line. Toms River Township does not have jurisdiction over approvals from Manchester Township, but the project will obviously require approvals from both municipalities in order to be constructed.

5. Conservation Easements that are conditions of the site plan must be maintained in accordance with the Planning Board Site Plan resolution of approval. Any modifications to a Conservation Easement must be approved by the Township Planning Board.

6. The Township is not proposing to alter the existing land use zone of the property, and therefore not increasing the impervious coverage or intensity of the site. The site is located in the Rural Highway Business zone (RHB) which permits 75% impervious coverage.

Very truly yours,



David G. Roberts, AICP/PP, LLA, LEED AP ND
Township Planner



Erika F. Stahl, AICP/PP
Assistant Township Planner

Cc: Hon. Thomas F. Kelaher, Mayor
Paul J. Shives, Township Administrator

DGR/EFS/efs/dgr

Enc. – 1. Proposed Plan Endorsement Mainland Centers Map
2. Proposed Plan Endorsement Mainland Centers Map with Pinelands Land Capability Areas