



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
OFFICE OF SMART GROWTH
PO Box 204
TRENTON NJ 08625-0204

JON S. CORZINE
Governor

SUSAN BASS LEVIN
Commissioner

EILEEN SWAN
Executive Director

October 16, 2006

The Honorable Arthur Puglia
Mayor of Mansfield Township
P.O. Box 249
Columbus, NJ 08022-0249

Re: Mansfield Township Petition for Initial Plan Endorsement

Dear Mayor Puglia:

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

Therefore, pursuant to N.J.A.C. 5:85-7.5(f), I would like to request additional information, as outlined within this letter, and thereby provide the Township with an extension of time to address consistency issues within petition. This request is made 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).

The Office of Smart Growth would like to schedule a workshop session with the Township to discuss strategies for how to respond to the requested information and to develop an action plan with specific tasks with associated timelines for completion. Staff from the Office Smart Growth will contact you within 30 days to schedule a workshop session to develop an action plan to address the items identified within this letter.

Once the Office of Smart Growth receives the requested information, we will renew our consistency review of the Township's 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 Town Center

- The Township should provide justification for the discrepancies between the Township's proposed town center and the town center design criteria in the State Plan.

- The petition should demonstrate what steps will be taken to establish design principles for center-based development.
- The Township should consider how to provide both pedestrian and bicycle access and linkages between the area proposed for the new municipal complex and the core area of development within the proposed center.
- The petition should demonstrate how new housing opportunities within the center will offer both choice and affordability.
- The Township should work with OSG, DEP and the state agencies to delineate center boundaries that avoid or minimize conflicts with sensitive resources, in particular the Category 1 stream in the southwest portion of the Columbus center. Another area of concern is wetlands in the northeast section of the Columbus center.

Master Plan

The Township's master plan land use element does not reflect the vision that is described in the vision statement of the Township's petition. The land use element needs to be revised in order to reflect the growth management strategy being pursued by the Township. The Township should consider the following when updating the land use element:

- Centers:
The master plan should clearly identify centers that are being proposed for designation, and how they are associated to the Township's TDR program.
- Transfer of Development Rights (TDR):
The Township should more clearly demonstrate its intent to pursue TDR as a means of targeting growth and preserving its environs. The 2001 Master Plan indicates that the Township would complete its TDR planning within six months of its adoption; however, the documentation provided to the Office of Smart Growth neither meets the requirements of the Burlington County TDR Demonstration Act, nor the State TDR Act. The Township should provide a timeline of milestones for implementing a TDR program.

With regard to the proposed Transfer of Development Rights Program put forth in the Township's petition for Initial Plan Endorsement, there is concern with the lack of consideration of existing environmental constraints in the credit allocation scheme. Furthermore, given the market demand for the Township's current zoning, the Township should consider a sending area approach that includes a reduction of base zoning as a means of encouraging the transfer of development rights. The Township should work with the Office of Smart Growth and State TDR Bank Board in formulating a feasible and legal TDR program.

- Crystal Lake development:
The current master plan identifies the Crystal Lake development as a TDR receiving area within the Village of Hedding. However within the Crystal Lake area, there are both wastewater capacity issues and environmental constraints which need to be addressed.

There is additional concern regarding the feasibility of TDR in Crystal Lake considering the Township's petition does not recognize any growth activity within the Crystal Lake area until at least 2025. A proposal to site 104 affordable housing units within this area is recognized as the outcome of a court settlement. In the context of the aforementioned activity, the Township should discuss its prospective development proposals for the Crystal Lake area with both the Council on Affordable Housing (COAH) and the Department of Environmental Protection (DEP) in order to provide coherence to its growth management strategies, taking into account realistic development opportunity, growth projections and timing of growth. If it is determined that this area is not an appropriate area for growth, the Township should consider changing the planning areas accordingly.

Zoning

Any changes to the Township's master plan land use element should be memorialized by appropriate amendments to the municipal zoning plan and map.

Growth Projections

Any growth associated with proposed or anticipated development generated by the TDR program and residential and non-residential projects will more than likely contribute to Mansfield's growth share obligation. We, therefore, recommend that the Township meet with COAH to ensure that any potential growth within the Township will accurately reflect the Township's growth share obligation. The Township should also reconcile any inconsistencies in the growth projections extending from 2004 to 2014 that exist between the Township's petition for Plan Endorsement and the master plan.

Environmental Resource Protection

The Township should clearly articulate a resource protection strategy to protect its various environmental features. The Township should also adopt the following plans/ordinances to protect its environmental resources:

- Stream corridor protection plans and ordinances for waterways in the Township;
- A wellhead protection strategy that would involve the identification of public water supply wells and adoption of local ordinances to protect public water supply wells; and
- A habitat conservation plan for critical habitat areas in the Township. Of particular concern are areas of bog turtle habitat along the southern boundary of the Township.

Farmland Preservation

The area between I-295 and the Turnpike that is currently designated as a Suburban Planning Area (PA2) has preserved farmland directly adjacent to it. The need to maintain agricultural viability in this area was addressed during the pre-petition meeting with the Township. The Township should determine what they envision for this area and what measures will be taken to preserve and protect the agriculture industry.

Transportation

The highway segment of Route 206 between mileposts 30.36 (just south of New York Avenue) and 31.28 (just north of New York Avenue) currently stands at Access Level 2, according to the State Highway Access Management Code. Should this highway segment be included within the Center boundary, the Access Code provides that it would change from rural to urban, thereby making it Access Level 3, which means right-turn access with left-turn access via jug-handles. Mansfield Township should take this in consideration in ongoing plans for the proposed town center.

The Township should also maintain an open dialogue with the Department of Transportation to discuss any proposed traffic control devices discussed within the petition and accompanying documents. The Township should be aware that each proposal would need individual study to determine if it meets with necessary criteria and does not conflict with other traffic control measures on the system.

Infrastructure Capacity

Mansfield Township has public water supply capacity issues. The Township should work with DEP to ensure adequate public water supply for current and anticipated growth or agree to revise current and

anticipated growth projections and implementing planning and zoning laws to match available and anticipated water supply capacities.

Planning Implementation Agreement (PIA)

The items listed below are recommended for inclusion with the Township's Planning and Implementation Agreement. Generally, the PIA should be formatted by subject with a corresponding date for completion. OSG will provide a template for this format.

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."

Farmland Preservation

- In order to ensure and protect agricultural viability within the Township, the PIA should include the preparation of a Farmland Preservation Plan, Agriculture Retention Plan, and the establishment of an Agriculture Advisory Committee.
- In addition, the Township should pursue a Planning Incentive Grant offered by the State Agriculture Development Committee.

Transfer Development Rights (TDR)

- The PIA should include a strategy for public outreach and visioning sessions as part of the Township's TDR program, as well as significant milestone and completion dates.

Transportation

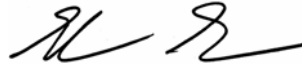
- The Township should revise the Circulation Element of the master plan by November 2007 to include/address:
 - strategies to change the transportation network to support higher density development that will result from the TDR program;
 - study of potential Access Management Plans for Route 130, Route 206 and Route 68;
 - regional and local goods movement issues, particularly as they relate to the Columbus Bypass and the I-295 interchange, which experiences heavy usage by truck traffic to access Route 130, Florence and Burlington, the Pennsylvania Turnpike and the local truck rest stop;
 - strategies for bicycle and pedestrian modes. The Department of Transportation (DOT) has consultant assistance available for local bicycle and pedestrian planning. The Township is encouraged to apply for this resource.
- The PIA should also contain an item that reflects the Township's partnership with both the County of Burlington and the NJDOT on the Route 206 corridor endeavor; and
- The Township should commit to develop a Township Access Management Code within two years.

Conclusion

Thank you again for your commitment to the Plan Endorsement process. We look forward to meeting with you in the near future to discuss strategies and develop an action for the Township to address the items identified within this letter and to successfully achieve Initial Plan Endorsement.

If you have any questions or concerns, please contact Courtenay Mercer, Director of Planning, at (609) 943-9938 or via email at courtenay.mercer@dca.state.nj.us.

Sincerely,



Eileen Swan
Executive Director

ES;jid:dds

- c. Harry McVey, PP, Louis Glass Associates
- Frederick W. Hardt, Law Offices of Frederick W. Hardt
- Mark Remsa, PP/AICP, Burlington County Economic Develop. & Reg. Planning
- Joseph I. Donald, PP, Deputy Executive Director, OSG
- Ben Spinelli, Policy Director, OSG
- Courtenay Mercer, PP, Director of Planning, OSG
- State agency representatives *via email*