



State of New Jersey
DEPARTMENT OF STATE
OFFICE FOR PLANNING ADVOCACY
P.O. BOX 820
TRENTON NJ 08625-0820

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lieutenant Governor

GERRY SCHARFENBERGER, PH.D.
Director

MEMORANDUM

To: State Planning Commission
From: Daniel M. Kennedy, AICP / PP, Deputy Director, OPA
Date: June 27, 2012
Re: Request for SPC to Consider Initiation of Map Amendment Process
Edison Township – Middlesex County

The State Planning Rules at N.J.A.C. 5:85-8.3 allow the State Planning Commission to initiate amendments to the State Plan Policy Map based on new information related to the goals, strategies, and policies and delineation criteria of the State Plan provided that the new information alters the assumptions that were the basis for adopting the State Plan Policy Map for a particular area or areas.

The map amendment would result in 281 acres in Edison Township to be changed from a Planning Area (PA) 5 to a Planning Area (PA) 1. This change was discussed during the last round of cross acceptance, logged in the Statement of Agreements and Disagreements as issue #7203.

As you know, the Draft Final State Strategic Plan (SSP) calls for a transition away from the State Plan Policy Map (PM) and amendments contemplated through cross-acceptance would not be made. **OPA staff is recommending that SPC initiate this change now, as we believe it meets the provisions in the State Planning Rules.** Public notice of the required public hearing concerning the proposed map amendment would be provided pursuant to N.J.A.C. 5:85-1.7(b). The report and associated appendices provide additional detail and are attached.



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**DRAFT JUSTIFICATION
FOR STATE PLANNING COMMISSION INITIATED
MAP AMENDMENT:
EDISON TOWNSHIP, MIDDLESEX COUNTY**

Proposed Map Amendment

The State Planning Rules at N.J.A.C. 5:85-8.3 allow the State Planning Commission to initiate amendments to the State Plan Policy Map based on new information related to the goals, strategies, and policies and delineation criteria of the State Plan provided that the new information alters the assumptions that were the basis for adopting the State Plan Policy Map for a particular area or areas.

The proposed map amendment would result in 278 acres (29 lots) in Edison Township to be changed from a Planning Area (PA) 5 to a Planning Area (PA) 1. This change was agreed to during the last round of cross acceptance. It was logged in the Statement of Agreements and Disagreements as issue #7203. The Draft Final State Strategic Plan (SSP) calls for a transition away from the State Plan Policy Map (PM). PM amendments being contemplated through cross-acceptance would not be made. OPA staff would like to request that the SPC allow us to initiate this change now, as it has been the subject of discussion for some time.

Background Information & Existing Conditions

A majority of this area is already included in the most recent draft of Middlesex County's Wastewater Management Plan. The Middlesex County Utilities Authority currently provides sewer service to much of this area. The Middlesex Water Company provides water supply to much of this area. The areas not currently served by water or sewer that include the former active landfill area to the north of the Raritan River may be appropriate for a utility scale renewable energy facility in the future.

The existing composition of uses was reviewed using the taxable property classifications. At the time of the last assessment, 20 lots were vacant, eight lots were assessed as industrial and one lot was assessed as public school property.

This area is comprised of 82 acres zoned Light Industrial district, (LI), 176 acres zoned Raritan River Revitalization District (RRRD) and 14 acres zoned for other industrial uses. The Light Industrial District and the Raritan River District both allow offices, research labs, warehouse distribution facilities, retail, HVAC and plumbing sales and service, bottling and packaging, indoor recreation facilities, printing establishments, craftsmen's shops and wholesale food distribution. In addition the Raritan River Revitalization district also permits industrial parks, technical and educational training institutes, communications offices and studios, indoor theaters and motels.

Current DEP landscape data indicates that a limited area of the proposed map amendment (nine acres or 3% of the proposed amendment area) is suitable habitat for the Northern Harrier and the Yellow-Crowned Night Heron.

Justification for Consideration

The underlying assumption in the 2001 State Plan Policy Map was that this area was environmentally sensitive. The data we have today disproves that underlying assumption. The area is more appropriate for development than it is for protection / preservation. The Municipality and County have been made aware of this proposed amendment. The amendment would be consistent with the Municipal Master Plan and the Proposed County Wastewater Management Plan, pending DEP approval. In OPA's opinion, the designation of this area as PA5 is inappropriate. A major project that has final local development approvals and DEP Treatment Works Approval is within the proposed amendment area and the viability of the project is being hindered by the designation of this area as PA5.

OPA is recommending that the SPC initiate a map amendment consistent with the process outlined in the State Planning Rules.

ASSOCIATED EXHIBITS:

Exhibit A: Cross Acceptance Negotiation Sheet, Middlesex County, Issue #7203

Exhibit B: Map, Middlesex County Sewer Service Areas

Exhibit C: Map, Site View

Exhibit D: Map, Regional View

Exhibit E: Map, Land Use Classifications per Tax Assessment Data

Exhibit F: Map, Landscape Data, Version 3.1

Exhibit H: Map, 1995 Aerial Photograph



New Jersey State Planning Commission Negotiations Worksheet Map Amendments

County: MIDDLESEX COUNTY	Item No. 7203
Source: Other	Approved by OSG Director:
NE #	Preliminary Staff Recommendation: Agree Conditional / Mod

Quads Affected:

OSG Quad Number 72, SOUTH AMBOY NJ-NY
OSG Quad Number 71, NEW BRUNSWICK NJ

Proposed Change:

Planning Area From: PA5 To: PA1

Acres: 429

County/NE Reason For Proposed Change:

Portion of subject area is characterized by some heavy development.

What is it in Current State Plan:

PA1, PA-5

What is it in Preliminary State Plan:

PA1, PA-5

Municipalities Affected:

Edison Township

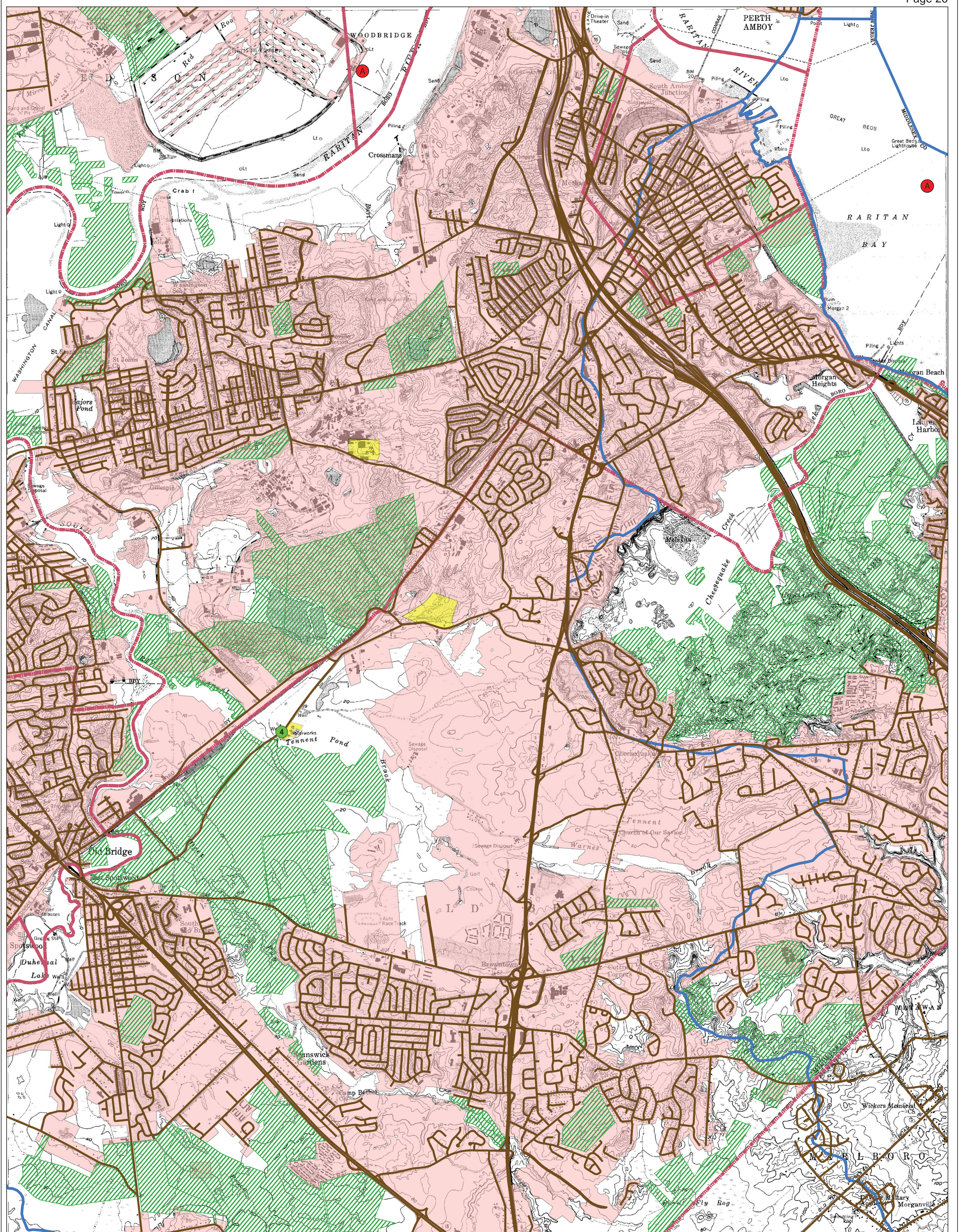
Data Source:

aerial mapping

Staff Response:

THE COUNTY CREATED A NEW POLYGON. THEY WANT US TO REVERT BACK TO 2001 Map. THIS RECORD SHOULD BE ELIMINATED.

Existing warehousing development occupies much of the subject lands. Using technical State Plan Mapping standards, those areas which are already developed will be shown as Metropolitan Planning Area (PA1). CES will be shown where needed.

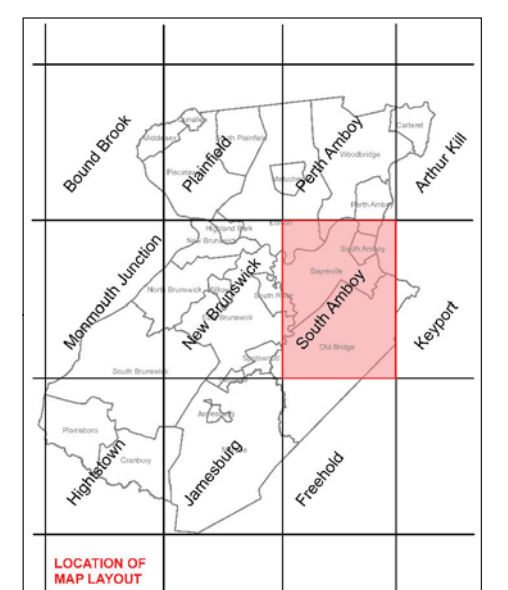


Legend

- HUC 11 Boundaries
- Middlesex County Utilities Authority
- Service Areas Of Facilities That Discharge To Groundwater*
- NJPDES Permitted Ground Water Discharge Locations
- NJPDES Permitted Surface Water Discharge Locations
- Municipal Boundaries
- Public Open Space And Preserved Agriculture
- Roads

**Middlesex County Wastewater Management Plan
Map 3b - Future Wastewater Service Area**
"South Amboy, New Jersey"
United States Geological Survey
7.5" Quadrangle Image
Photo Revised

NJPDES Permitted Ground Water Discharge Locations				
Item	Discharge Facility	NJPDES Permit Number	Type	T1
4	Runyon WTP	NJ0085472	Industrial	
NJPDES Permitted Surface Water Discharge Locations				
A	Middlesex County Utilities Authority	NJ0020141		



*All existing, new, or expanded industrial pretreatment facilities requiring Significant Indirect User (SIU) permits and/or Treatment Works Approvals, and which are located within the specified sewer service area, are deemed to be consistent.
 *Pre-existing grant conditions and requirements (from Federal and State grants or loans for sewerage facilities) which provide for restriction of sewer service to environmentally sensitive areas, are unaffected by adoption of this WMP and compliance is required.
 *Individual subsurface sewage disposal systems (ISSDS) for individual residences can only be constructed in depicted sewer service areas if legally enforceable guarantees are provided, before such construction, that use of such systems will be discontinued when the depicted sewer service becomes available. This applies to ISSDS that require certification from the Department under the Realty Improvement Sewerage and Facilities Act (N.J.S.A. 58:11-23) or individual Treatment Works Approval or New Jersey Pollutant Discharge Elimination System Permits (under N.J.A.C. 7:14A). It also applies to ISSDS which require only local approvals if the WMP acknowledges adequate arrangements for enforcement of the requirement (such as through a municipal or sewerage authority ordinance).
 *Proposed developments tying into existing and proposed sewer service areas which require coastal permits must demonstrate compliance with all applicable sections of the Coastal Zone Management rules including, but not limited to, Wetlands (N.J.A.C. 7:7E-3.27), Wetlands Buffers (N.J.A.C. 7:7E-3.28), Endangered or Threatened Wildlife or Vegetation Species Habitat (N.J.A.C. 7:7E-3.38), Secondary Impacts (N.J.A.C. 7:7E-6.3), Public Facility Use Policies (N.J.A.C.7:7E-7.6), Water Quality (N.J.A.C. 7:7E-8.4), Ground Water Use (N.J.A.C. 7:7E-8.6) and the policies under General Land Areas rules, Subchapters 5, 5A and 5B.
 Development in areas mapped as wetlands, flood prone areas, designated river areas, or other environmentally sensitive areas may be subject to special regulation under Federal or State statutes or rules. Interested persons should check with the Department of Environmental Protection for the latest information. Depiction of environmental features is for general information purposes only, and shall not be construed to define the legal geographic jurisdiction of such statutes or rules.

Exhibit C: Site View

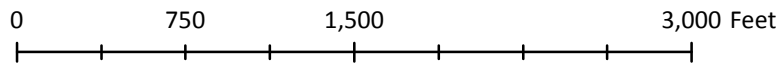


Exhibit D: Regional View

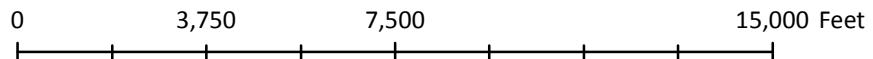
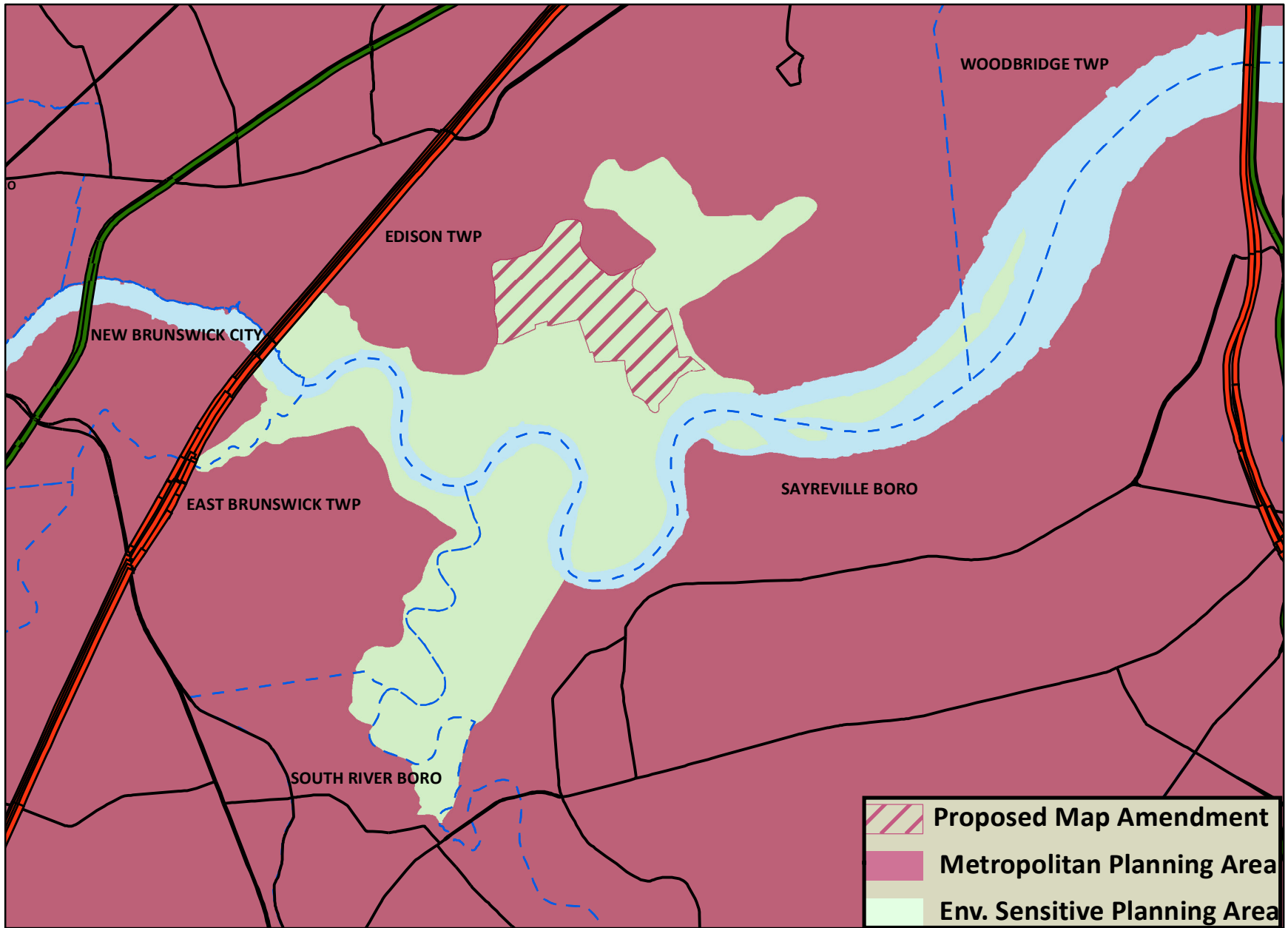
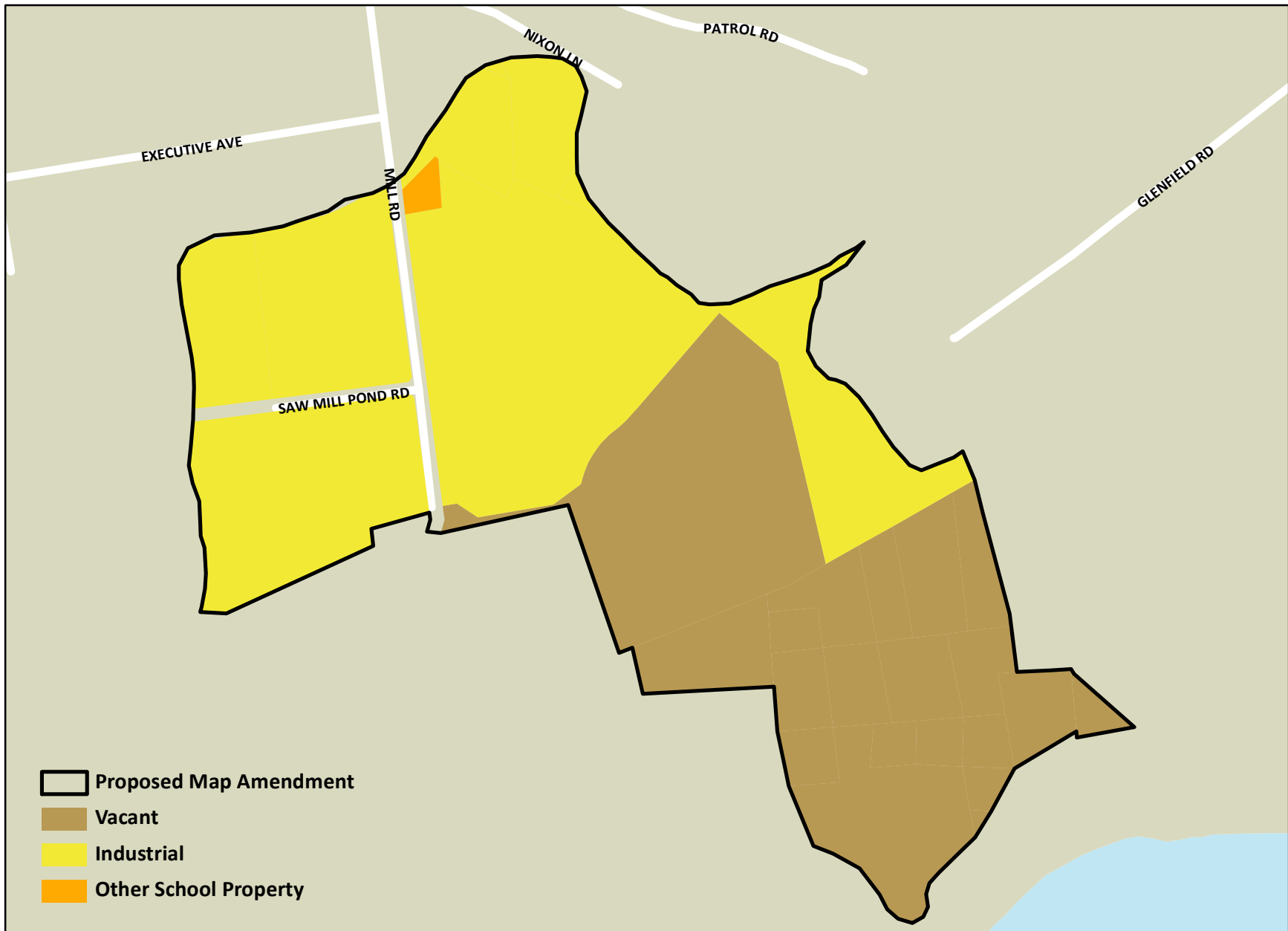


Exhibit E: Property Classification



- Proposed Map Amendment
- Vacant
- Industrial
- Other School Property

0 700 1,400 2,800 Feet



Exhibit F: Landscape Data Version 3.1

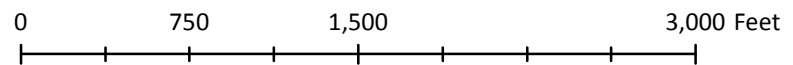
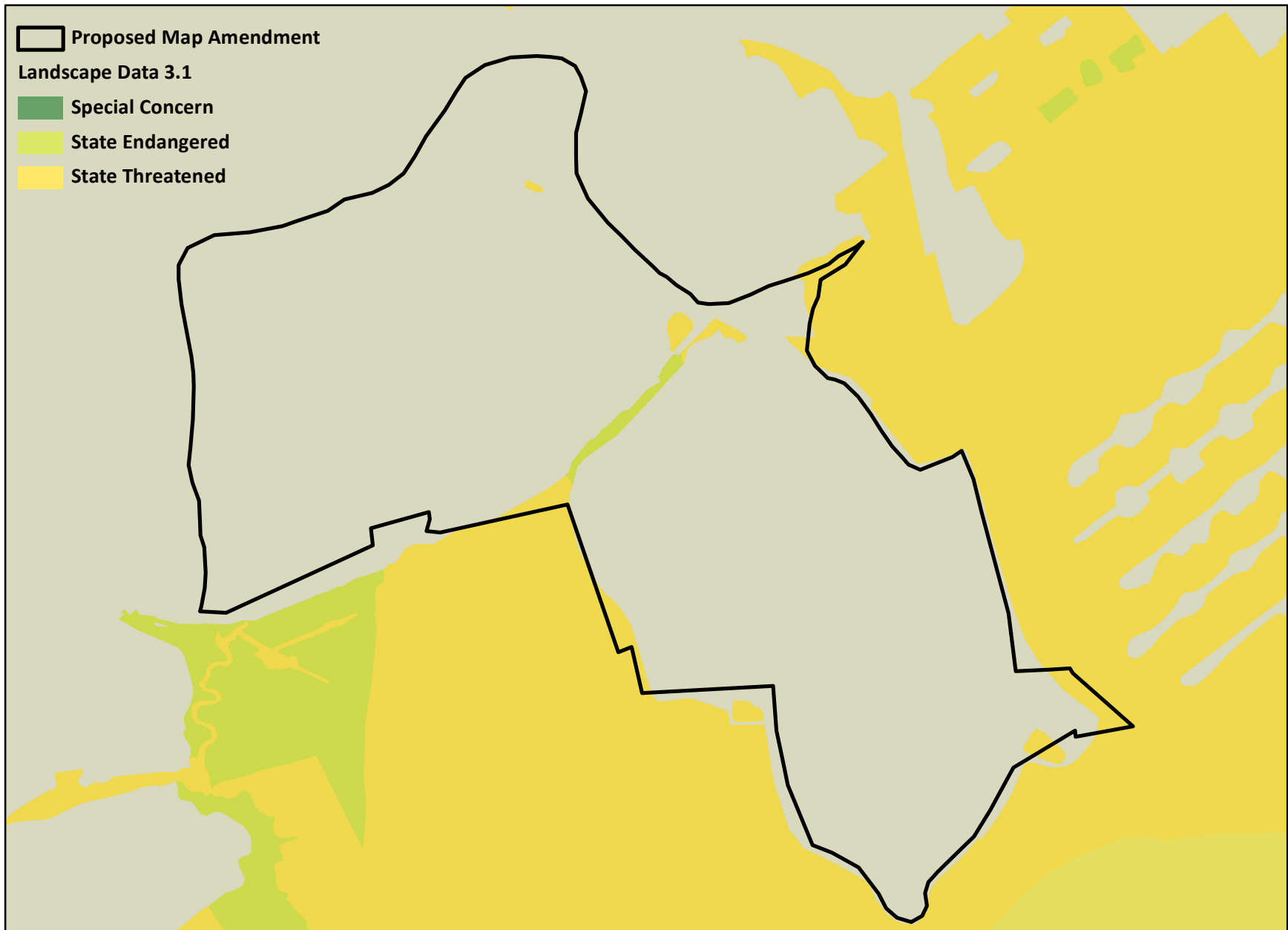


Exhibit H: 1995 Aerial Photography

