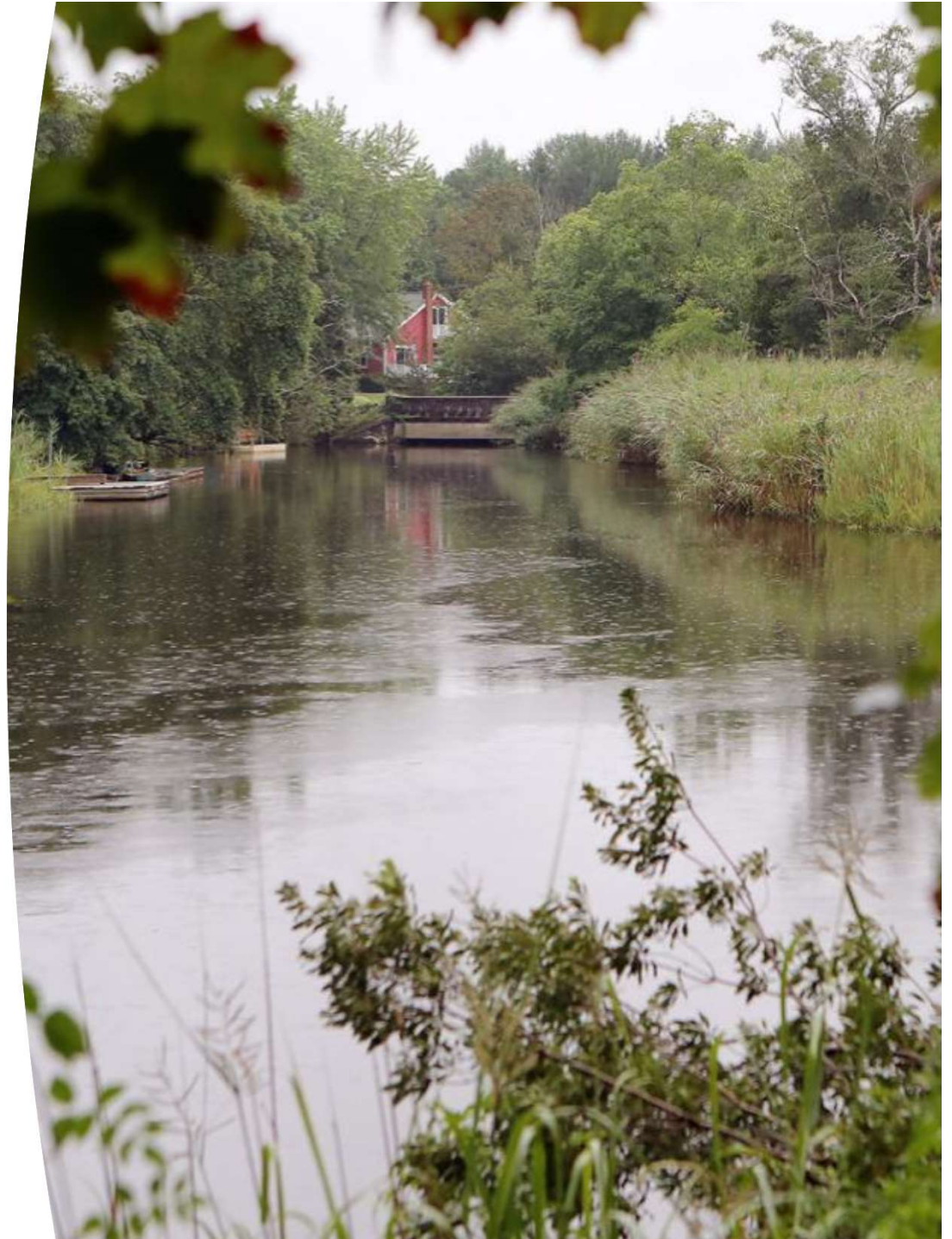

Upper Township Plan Endorsement Waiver Requests

Presented to the
Plan Implementation
Committee
of the
State Planning
Commission

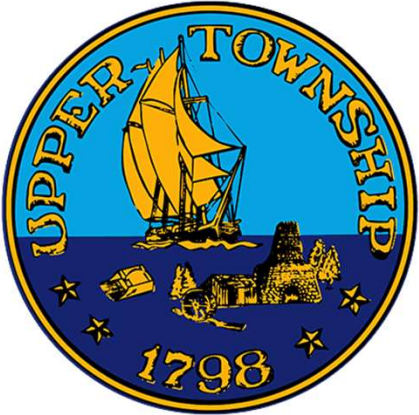
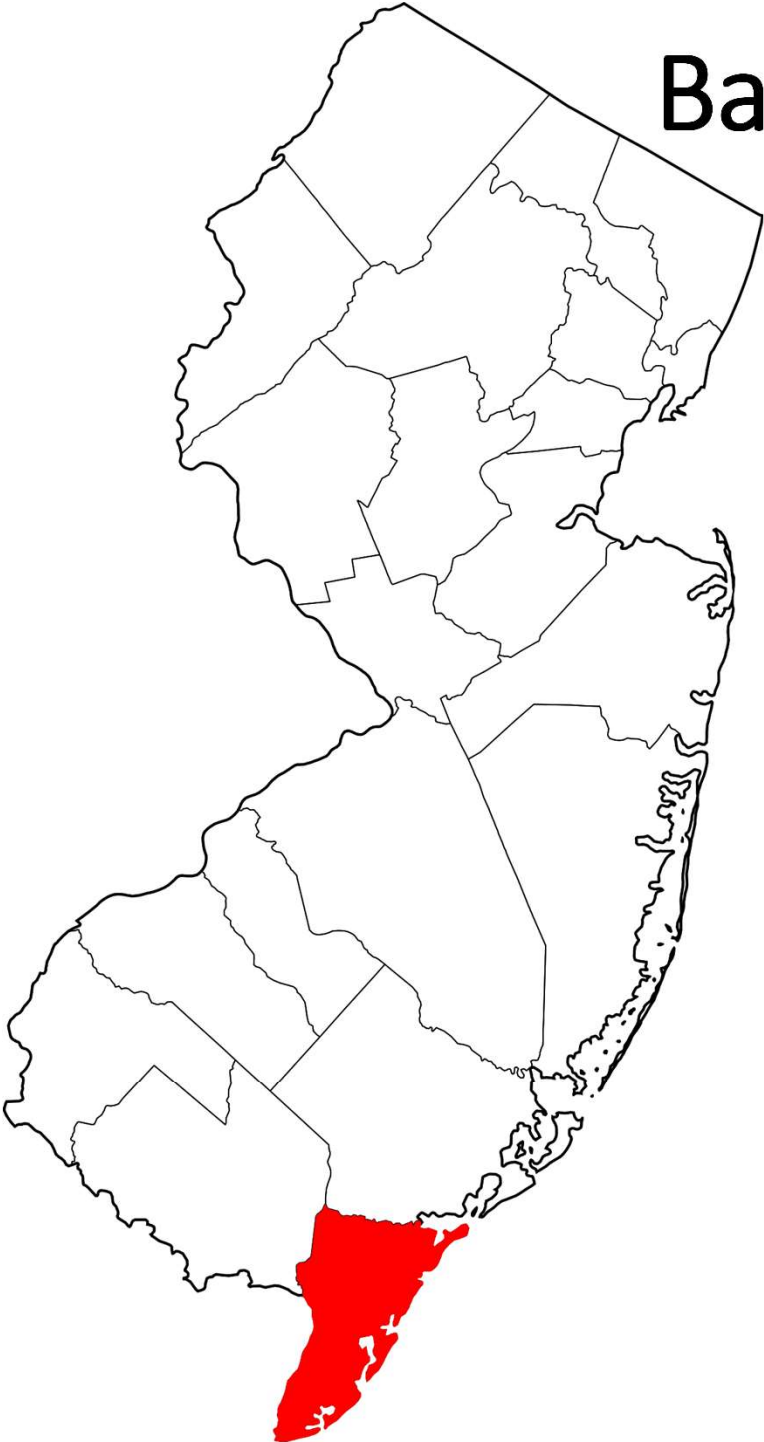
By Meghan Wren

NJ Office of Planning Advocacy

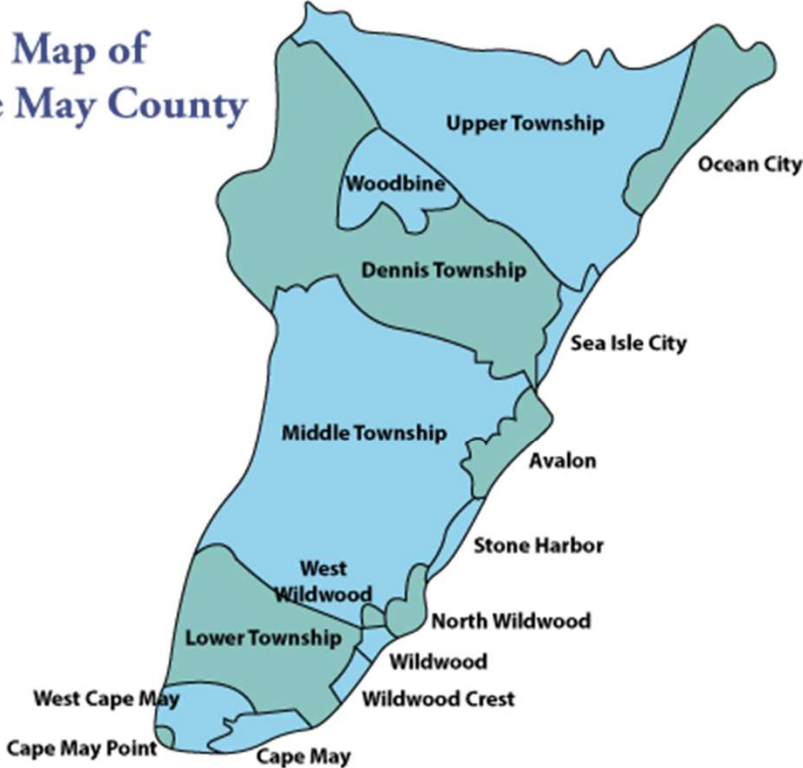
September 15, 2021



Background



Map of
Cape May County



Township of Upper Recreation & Open Space Inventory (ROSI) June 1982

Prepared by:
Paul E. Dietrich, Sr., P.E.
Upper Township Engineer
2100 Tuckahoe Road

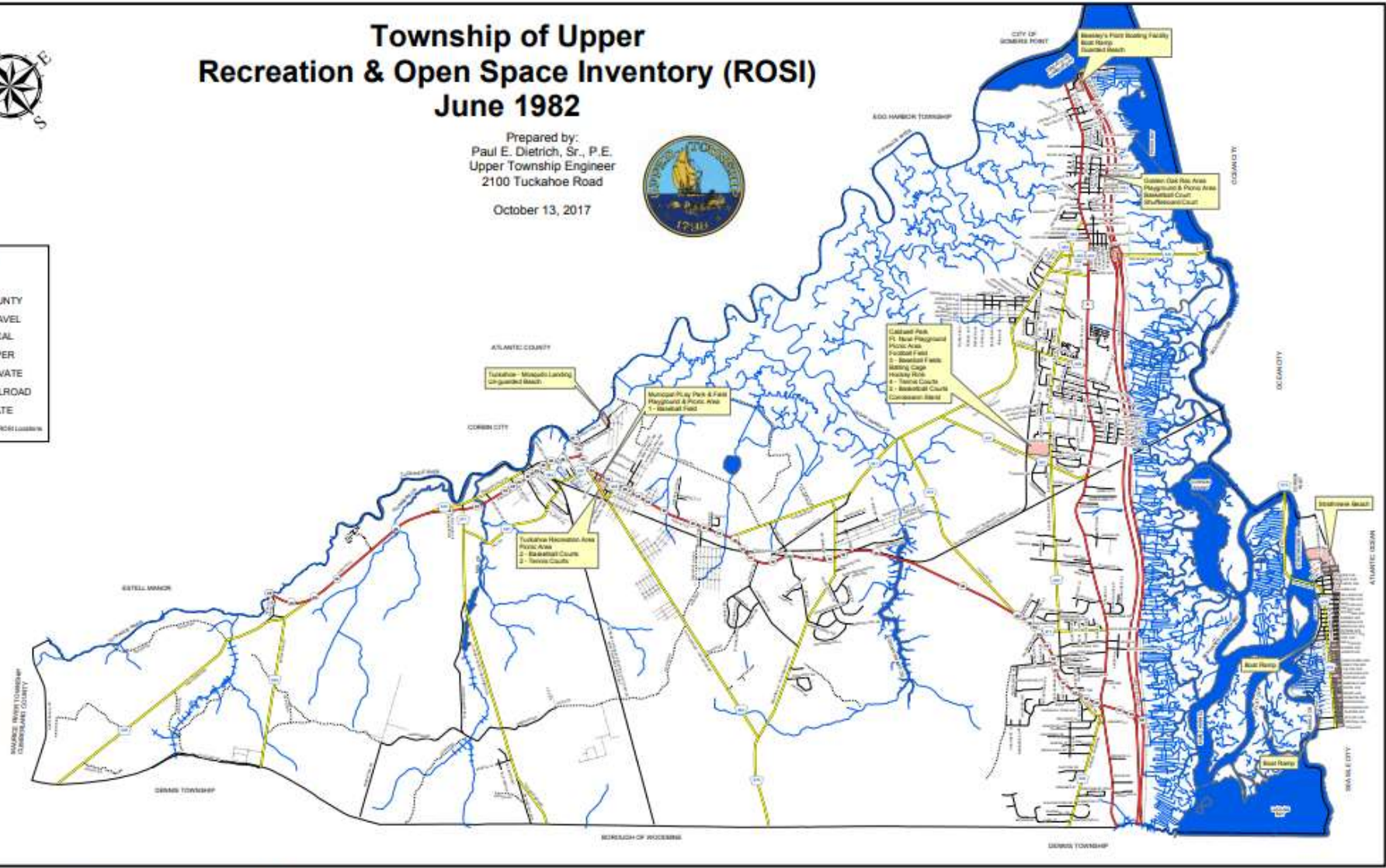
October 13, 2017



Legend

Roads

- COUNTY
- GRAVEL
- LOCAL
- PAPER
- PRIVATE
- RAILROAD
- STATE
- 1982 ROSI Locations

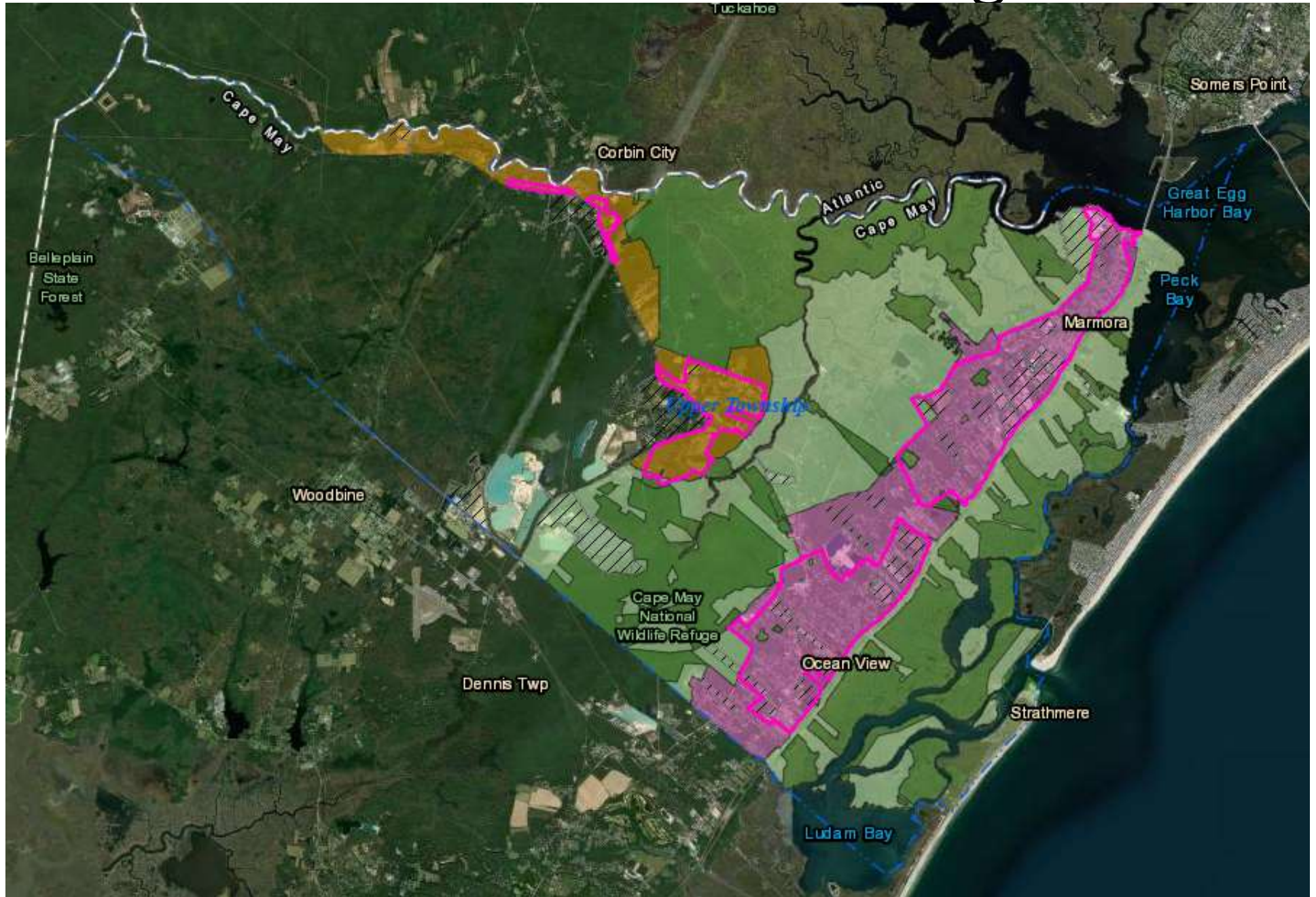


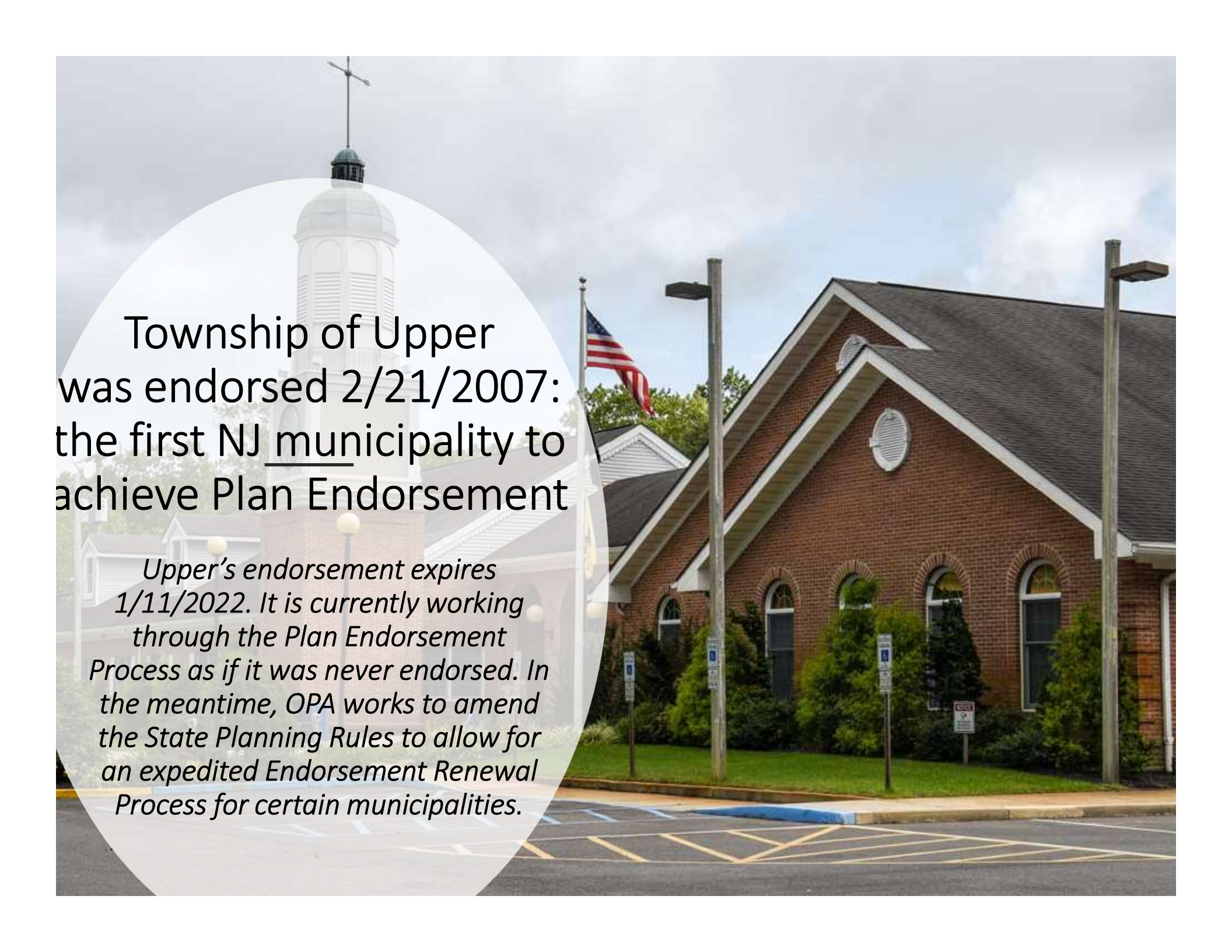
1 inch = 0.5 miles






Present Centers and Planning Areas



A photograph of a brick building with a gabled roof and arched windows. An American flag is flying on a pole to the left. The building is surrounded by greenery and a parking lot with yellow and blue markings. A large white circular graphic is overlaid on the left side of the image, containing text.

Township of Upper was endorsed 2/21/2007: the first NJ municipality to achieve Plan Endorsement

*Upper's endorsement expires
1/11/2022. It is currently working
through the Plan Endorsement
Process as if it was never endorsed. In
the meantime, OPA works to amend
the State Planning Rules to allow for
an expedited Endorsement Renewal
Process for certain municipalities.*

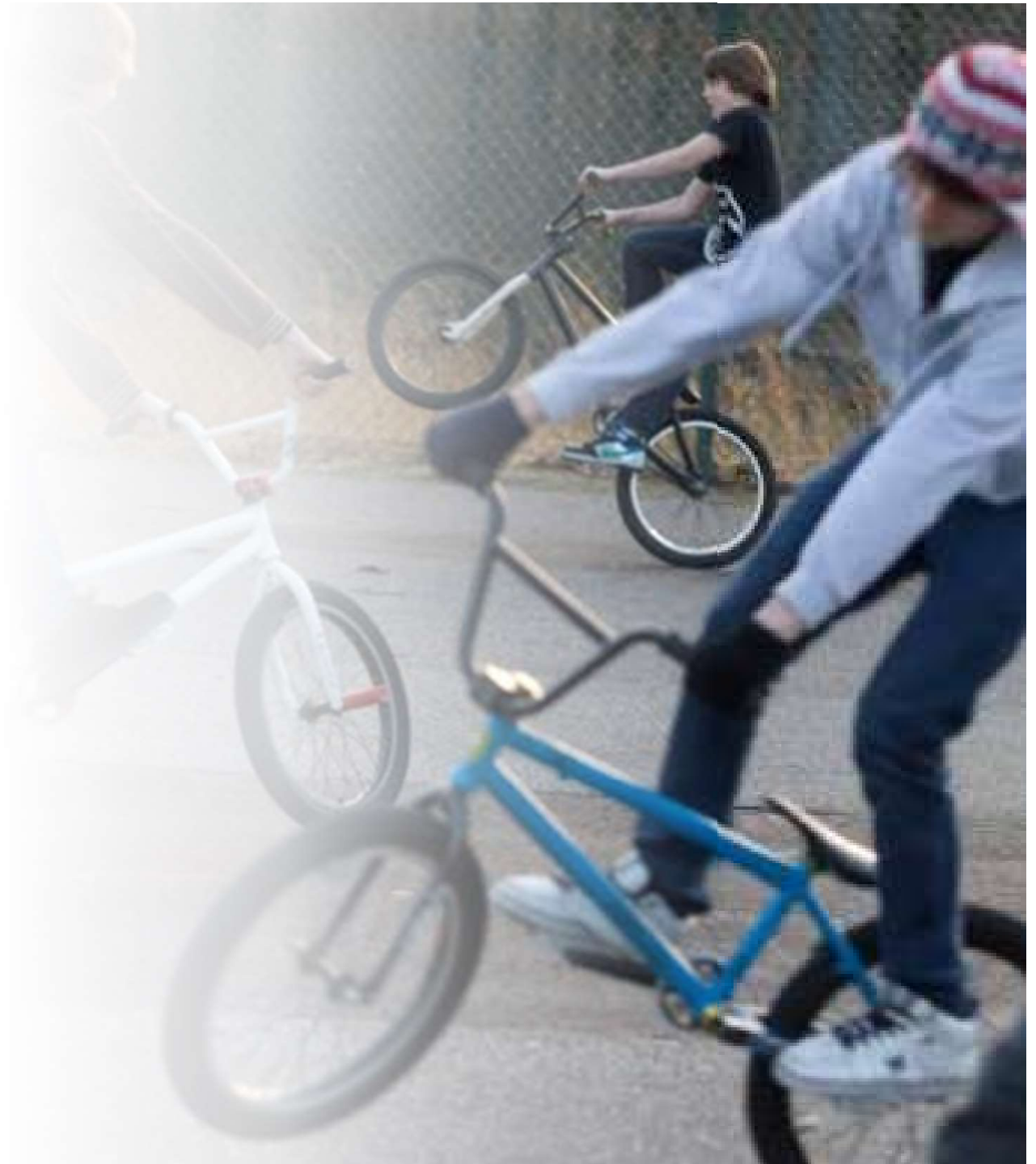


Waiver Requests

Mayor Richard Palombo of Upper Township submitted a waiver request August 23, 2021 asking for relief from the requirements for Steps 2, 4 and 5 of the Plan Endorsement Process; the Advisory Committee, Visioning and Opportunities and Constraints Report (N.J.A.C. 5:85-7.1)

Waiver Requests

OPA has reviewed these waiver requests, is approving the waiver requests that are in the purview of the Executive Director (Step 2 Advisory Committee and Step 5 Visioning) and is adding a request for relief for the formal Consistency review process, Step 6.



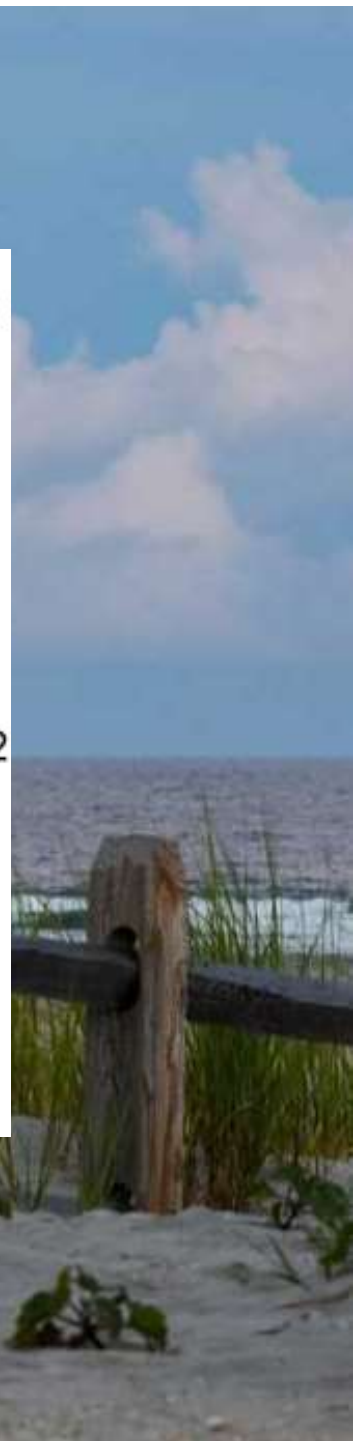
2007 PIA Status

Project/action awaiting funding.	7 Actions
Completed, ongoing or partially completed action/project.	32 Actions
Project/action held up by state or county agency(s).	9 Actions
	48 Total Actions



Planning since Endorsement

- 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



Step 4

Opportunities & Constraints Report

OPA and Upper Township have met the intent of the Opportunities and Constraints requirement for Upper Township because a build out analysis, which OPA typically prepares as the backbone of an Opportunities and Constraints report, was conducted by the Maser Consulting as part of the township's wastewater management plan. The data presented offers a clear picture from which state agencies can make consistency evaluations. Additionally, the data and analysis in the other issue areas mandated in an O&C Report are readily available as follows:





Development has been minimal since the last Opportunities and Constraints Report was prepared;

Infrastructure needs and issues are assessed in Upper Township's own reports;

Natural resources – Upper Township has a Natural Resource Inventory that has been kept up to date and a current complete ROSI;

Social equity - there are no identified social equity issues in Upper township though the community is prepared to address any concerns should they arise;

Resiliency to climate change – Upper Township has completed the 'Getting to Resiliency' report, achieved CRS Level 5 (soon to be 4); incorporated climate change impacts in its 2021 Hazard Mitigation Plan Annex and is prepared to adopt the actions identified in the 2020 PE Guidelines as part of its new PIA to address additional resiliency concerns.



Also:

- **There have been no significant land use changes in the years since its Endorsement;**
- **the township has implemented much of its original PIA,**
- **and worked through plans, programs and ordinances toward its vision of center-based, mixed use, higher density residences, affordable housing, walkability and bike/ped friendly streets in Marmora, Seaville, Petersburg and Tuckahoe while preserving and steering less dense development in its environs outside of the centers.**



Step 6 Consistency Review

OPA and the relevant state agencies with Upper Township have and/or will meet the intent of the Consistency Review requirement for Upper Township through careful consideration of submitted documents, reports, current information, and data available.

Upper Township has maintained consistency since its original endorsement in 2007 as evidenced by its continuous progress in sustainable planning.

Consistency

Consistency has been evaluated ...with particular emphasis on the following provisions:

1. The Statewide goals, policies, and strategies: Consistent
2. The policies that apply to all planning areas: Consistent
3. The intentions for each relevant planning area: Consistent
4. The policy objectives for each relevant planning area: Consistent
5. If any change to a planning area boundary is proposed, the delineation criteria, intent and policy objectives for each planning area impacted by any boundary change: Consistent
6. The delineation criteria and intent for critical environmental sites and historic and cultural sites, areas vulnerable to flooding and climate change-related hazards, and with special consideration of equity/environmental justice issues: Consistent
7. If there is a designated center or a center is proposed for designation, the policies for centers, including the center design policies, and environs: Consistent and 8. If a center is proposed to be designated or a change to the boundary of a designated center is proposed, the criteria for designating the type of center that is proposed to be designated or modified: Consistent

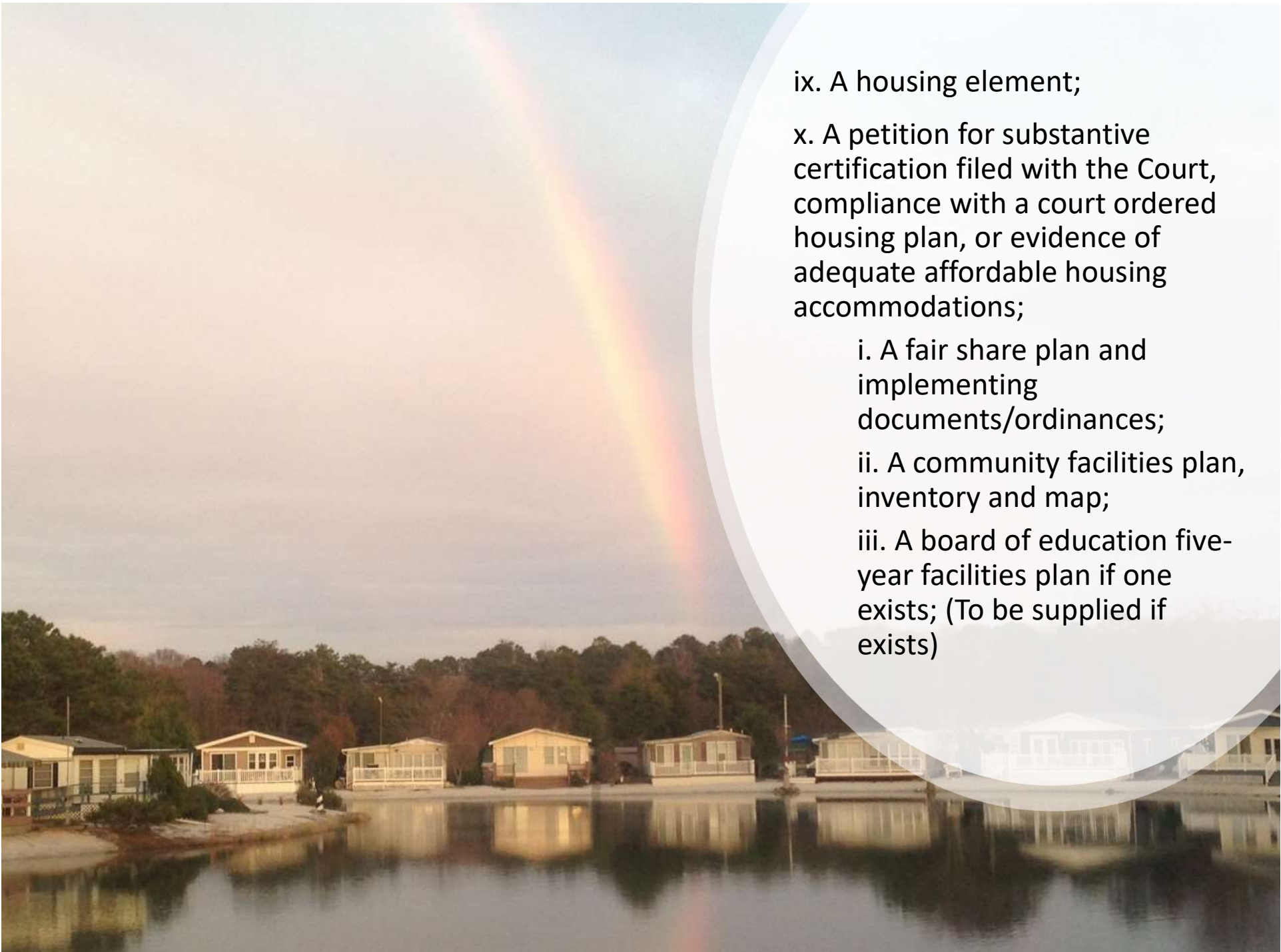


Ocean View
RESORT
CAMPGROUND

A consistent municipal plan shall and does contain... the following mandatory planning documents:

- i. A sustainability statement;
- ii. A land use element;
- iii. A land use inventory or map;
- iv. A zoning ordinance, schedule or map;
- v. Documents detailing recent or upcoming major developments as defined by the MLUL;
- vi. A circulation element and complete and green streets policy and implementation ordinance; (Partial – to be enhanced through PIA)
- vii. A municipal stormwater management plan and ordinance;
- viii. A wastewater management plan; (Awaiting DEP Approval)





ix. A housing element;

x. A petition for substantive certification filed with the Court, compliance with a court ordered housing plan, or evidence of adequate affordable housing accommodations;

i. A fair share plan and implementing documents/ordinances;

ii. A community facilities plan, inventory and map;

iii. A board of education five-year facilities plan if one exists; (To be supplied if exists)


iv. An open space and recreation plan;

v. A natural resource inventory;

vi. A conservation plan and implementing ordinances;

vii. An environmental justice and social equity action plan;(To be established through PIA)





viii. A climate action plan that addresses:

- a. climate adaptation and resiliency, and
- b. Greenhouse Gas emissions reduction ;(To be established through PIA)

ix. A recycling statement of consistency;

x. A municipal recycling ordinance;

xi. A hazard mitigation plan or local annex in a county HMP;

xix. New Jersey State Police letter approving the local emergency operating plan; and

xx. A capital improvement program

Check Out what
Upper Township
has to offer!

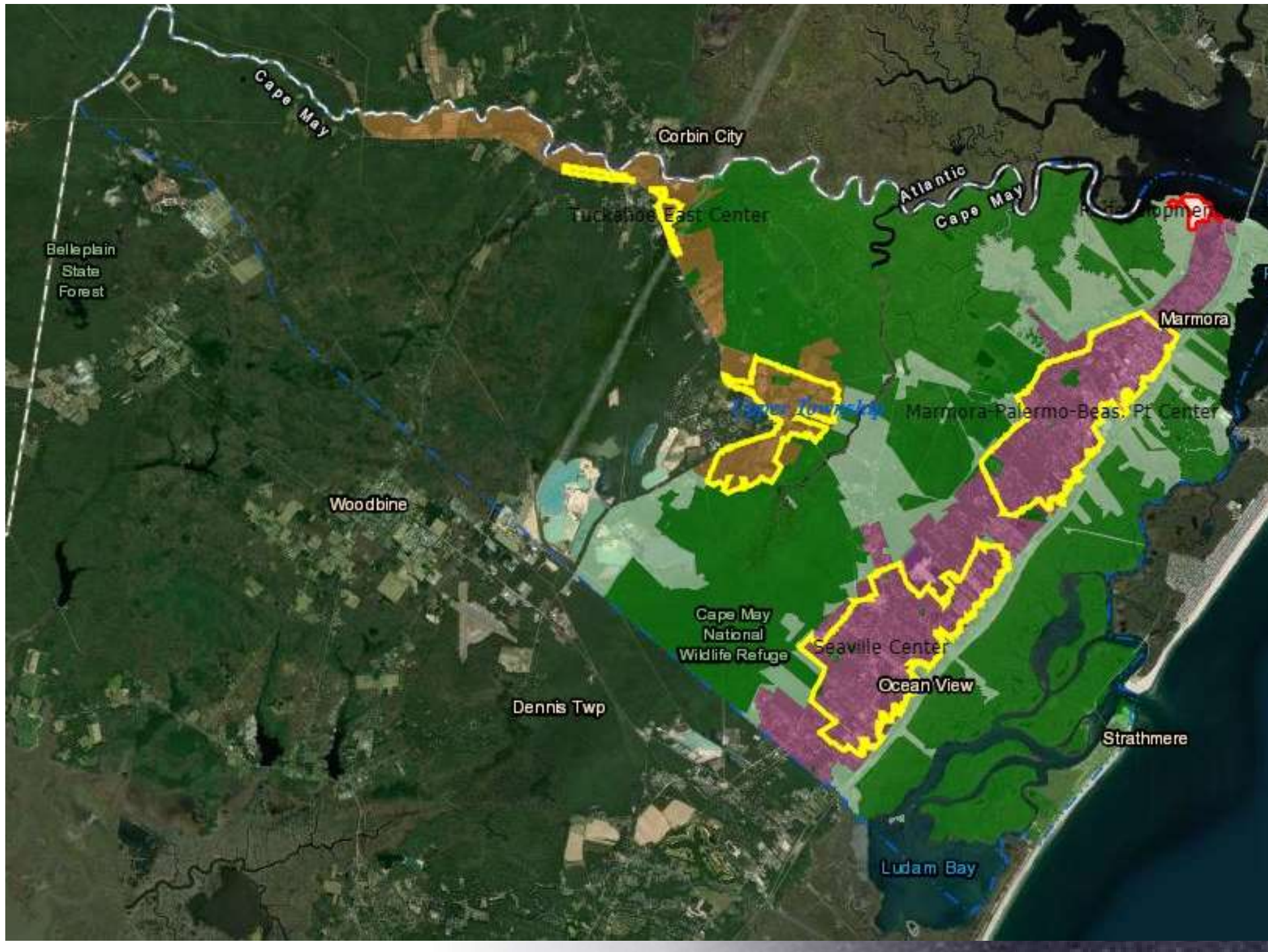


UPPER TOWNSHIP

Shop

Save

Support







Next Steps

Should Waivers for Steps 4 Opportunities & Constraints and Step 6 Consistency review be granted, OPA and the partner agencies would need to follow the proposed expedited renewal process including:

1. OPA & Agencies review all documents/identify any additional issues for PIA;
2. OPA , Agencies & Upper Twp reach consensus on final map;
3. OPA , Agencies & Upper Twp reach consensus on final PIA;
4. PIC review recommendation
5. SPC Approve Endorsement

