



THE TOWNSHIP OF UPPER

2100 TUCKAHOE ROAD
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February 18, 2009

Kate Meade, Planner
Office of Smart Growth
Dept of Community Affairs
PO Box 204
Trenton, NJ 08625-0204

**Re: Township of Upper Plan Endorsement
Biennial Review**

RECEIVED
2009 FEB 27 A 11:18
DEPT OF
COMMUNITY AFFAIRS
OFFICE OF SMART GROWTH

Dear Ms. Mead:

The Upper Township petition for Plan Endorsement was endorsed by the New Jersey State Planning Commission on February 9, 2007. Per the Planning and Implementation Agenda; Two years from the date of endorsement and biennially thereafter, the Upper Township shall submit a report to OSG and the public concerning the terms of this PIA and related efforts pursuant to NJAC 5:85-7.12(c).

It is in accordance with the PIA the following is a status of the various PIA items:

A1 CAFRA Center Boundary, revised planning area boundaries
20 days prior to adoption by the Township
Submit drafts of all new and revised planning documents required by this PIA to OSG, DEP and the Pinelands Commission.

COMPLETED 4/9/2007

A4 CAFRA Center Boundary, revised planning area boundaries
5/23/2007

DEP to provide the requisite notice concerning designated center and revised planning area boundaries in the NJ Register. As part of this process, the Pinelands Commission will provide general comment to DEP regarding the petition per the MOU between the two agencies.

COMPLETED 4/2/2008

A5 Plan Endorsement Review
2/21/2009 and biennially thereafter

By February 21, 2009 and biennially thereafter, the Township shall submit a report to OSG and the public concerning the terms of this PIA and related efforts pursuant to NJAC 5:85-7.12(c).

In Process

A7 Revised Plan Endorsement Process

90 days after new rules and guidelines are adopted

Once the new Plan Endorsement process is in place, the Township will have the option to work with state agencies to outline an action plan and timetable to attain the new standard for the benefit of additional state assistance. This action plan may be merged with this PIA, due to overlapping activities.

There has been no progress to date. A meeting will be scheduled.

A8 Inter-governmental Coordination

Ongoing

Coordinate with planning efforts of adjoining municipalities, the County and State and regional planning efforts particularly concerning: regional planning, transportation, economic development, tourism, natural resource protection and open space and recreation.

Upper is working on a shared services agreement with Corbin City to look at the feasibility of consolidation of Corbin City into Upper Township.

B1

Land Use Regulations

4/22/2007

Update zoning regulations to implement land use plan and support center-based development.

Eliminate discrepancies between the land use plan, zoning plan and CAFRA requirements to enable planning consistency. Provide preservation of the of the environs through refined zoning standards, and development cluster and transfer mechanisms.

The new zoning went to the planning board on April 19th 2007. The zoning was introduced to the Township Committee on April 23rd. The final adoption on took place on May 14th.

COMPLETED

B2 Stormwater Management

Adopt ordinance changes required to implement new Stormwater Management Rules

COMPLETED ordinance adopted June 12, 2006.

B3 TDR Plan

2/20/2009

Create TDR plan element in coordination with County Smart Future project.

This item should be removed from the Action Plan as the Office of Budget Management has pulled the funding for the County TRD plan.

C1 COAH Plan

180 days after COAH has finalized any necessary rule and/or guideline amendments following court decision Finalize and adopt Housing Element and Fair Share Plan. Coordinate housing site selection with centers. Petition COAH for substantive certification.

The Housing Element and Fair Share plan was presented to the Planning Board on 12/18/2008.

The Township Committee approved the submission for certification on 12/22/2008 and submitted to COAH. COAH has deemed the Township's petition complete and the Township published the 45-day public notice on 2/25/2009.

C2 Residential Design

6/22/2008

Incorporate housing design into design guidelines (K2) to support housing diversity and links to services and amenities.

This item should be extended. Progress is still being made. This item will be paid for with a 2007 Smart Future Grant. Public workshop to begin process is scheduled for 3/7/2009.

D1 Beesley's Point

2/20/2009

Investigate Beesley's Point redevelopment options to promote suitable mixed use waterfront based development in this Center. This effort will provide for reutilization of this prime economic resource for the Township. (This item depends on future status of B.L. England plant). This item should be removed. The plant has not closed and is unlikely to because the new owners are making significant plant upgrades to meet the NJDEP environmental permit requirements.

E1 Recreation and Open Space Plan

2/20/2009

Prepare and adopt Recreation and Open Space Plan as updated Master Plan element. Use the Plan to prioritize open space and farmland preservation acquisition efforts. Coordinate efforts with County Farmland Preservation plan. Prioritize acquisition of open space in coordination with State and Federal agencies and not-for-profit groups. Prepare Recreation and Open Space Inventory (ROSI) and submit to NJDEP to enable funding.

Funding for this item has been limited. The Township is hoping that funding will be included in the 2010 budget. An extension for this item is being requested.

E2 Recreation and Open Space Plan

2/20/2009

Target maintenance and enhancement of neighborhood-level parks and recreation facilities for Centers. Pedestrian and bicycle connections between residential areas and these facilities shall be a key part of the strategy.

Funding for this item has been limited. The Township is hoping that funding will be included in the 2010 budget. An extension for this item is being requested.

F1 Coastal Consistency Statement

4/2/2007

The Township shall prepare a statement that addresses natural resource protection and coastal management demonstrating consistency of local plans and ordinances with the goals of the Coastal Zone Management Program.

COMPLETED 3/3/2007

F2 Local Environmental review

4/7/2007

Adopt Environmental Review regulations to protect environmental sensitive lands as a condition of Plan Endorsement. Provide environmental maps for Township construction and zoning officials to use to identify critical land and to inform public.

COMPLETED ordinance adopted on March 12, 2007.

F3 Dredging
2/20/2009

Undertake regional dredging effort, obtain funding for equipment, and identify spoil sites as part of an overall regional plan.

The County is coordinating dredging efforts. Thus far, no progress has been made.

F4 Threatened and Endangered Species
2/20/2010

Prepare Habitat Conservation Plan and protection measures to maintain habitat.
This item isn't due yet.

G1 Access Management
4/7/2007

Revise the Township's LDO to comply with the MLUL requirement that municipal zoning to provide for the regulation of land adjacent to State highways in conformity with the State Highway Access Management Code.

COMPLETED ordinance adopted October 9, 2007.

G2 Circulation Plan
2/20/2009

Prepare updated Circulation Plan Element of the Master Plan. This element shall justify investments proposed in other Transportation PIA items, including alternative transportation modes.

Thus far, no progress has been made. The Township is hoping that funding will be included in the 2010 budget.

G3 Bicycle Paths
2/21/2012

Construct Petersburg /Woodbine /Tuckahoe bike path. Secure funding to design and construct bike path to connect to Woodbine from Amanda's Field and connecting north to Tuckahoe Village.

This item is not due yet.

G4 Tuckahoe Rail Station
2/20/2012

Design and construct Palermo bike path along inactive NJTransit rail line from Route 9 to the Inland Waterway.

Upper Township received a \$125,000 grant from NJDOT in FY2008. The Township is awaiting a response from NJ Transit on use of inactive rail line.

G5 Tuckahoe Rail Station
2/20/2009

Construct Tuckahoe train station link to Main Street. In coordination with County, design and construct sidewalk improvements along Reading Avenue from Route 50 to the Tuckahoe Train Station to support economic development efforts.

The Township is awaiting funding from NJDOT.

G6 Routes 50 and 49 (Tuckahoe)

2/20/2009

Construct Tuckahoe streetscape and Route 50 bridge improvements as key to revitalization of the Tuckahoe Village. Extend improvements to the section of Route 49 within Village center. The Township is waiting for final a design to be developed. The project must be moved forward by NJDOT.

G7 Beesley's Point Bridge

12/1/2007

Coordinate bridge improvements with Somers Point, DOT and any related redevelopment activity (D1). Alternative funding mechanisms may be explored in conjunction with state agencies if DOT funding does not exist for the improvements.

Cape May County took control of the Beesely's Point Bridge in January 2009. Cape May County is coordinating repairs with NJDOT.

G8 Route 9

2/21/2012

Implement Route 9 Cape May County Access Management Plan to reduce congestion along corridor.

This item is not due yet.

G10 Route 47/55

Ongoing

Implement Route 47/Route 55 Corridor Study improvements to reduce congestion (except a Route 55 bypass).

No progress has been made to date.

H1 Regional Shuttle Service

2/20/2010

Plan and implement regional shuttle service in coordination with mainland municipalities campgrounds and County. Shuttle service will provide transit service between campgrounds, mainland attractions and barrier island destinations. This needs to be coordinated by the County.

This item is not due yet.

H2 Bus Service

2/21/2012

Pursue improved bus transit facilities to increase route headways, increase bus pickup locations, develop central transit locations coordinated with parking.

This item is not due yet.

H3 Rail Service

2/20/2014

Complete rail line between Cape May City and Tuckahoe Village. Excursion rail service will support planned economic development activities around restored Train Station and Tuckahoe Village. The retention of the rail spur to Beesley's Point as part of redevelopment plan can

further expand the excursion rail line route thereby reducing vehicular traffic through Route 9 corridor.

This item is not due yet.

H4.1 Rail Service

2/20/2014

Conduct feasibility study for potential expansion of rail line from Tuckahoe to the Atlantic City Rail Line. This rail line can provide connection to NJTransit/PATCO service to Philadelphia and enable alternative travel modes, reducing congestion for summer visitors. (The rail line is also part of the excursion rail line link from Cape May to Tuckahoe Village.)

This item is not due yet.

H4.2 Rail Service

2/20/2010

Depending on results of feasibility study, expand rail line connection from Tuckahoe to the AC Rail Line.

This item is not due yet.

I1 Wastewater Management Plan

4/7/07 (contingent on timetable of coordination with DEP)

Prepare and submit a Wastewater Management Plan Amendment consistent with the revised land use element and Centers & Planning Areas. The WMP will identify the areas the Township intends to encourage wastewater treatment systems, namely portions of the two Town Centers, and areas that will be served by individual septic systems.

Upper met with NJDEP on 2/22/07. The new regulations require an additional build-out study. The Township does not have funding for new as-built study. Upper is trying to obtain assistance from County. Extension is being requested for this item.

I2 Community Package Treatment Systems

Ongoing

Promote private alternative sewer systems in Centers. Coordinate between larger development or redevelopment area for joint infrastructure facilities.

This item is not due yet.

I3 Sewer Service on Roosevelt Blvd

2/21/2012

Expand sewer service area to include developed properties on Roosevelt Blvd. The Township agreed to exclude these properties from the Marmora Center in lieu of extending public sewers to serve this area which has failing septic systems. Consent Order provides for the sewer service area extension.

This item is not due yet.

I4 Public Water

Ongoing

Encourage water line extensions by New Jersey American Water Company within Centers to support increased development density and to improve fire suppression capabilities. Work with

utility to plan and improve waterline network.

NJ American water has a plan to extend a water main south from Evergreen Drive on Rt-9 to Rt-9&50 intersection and to continue south on Corson Tavern Road into Dennis Twp. Eventually this line will connect to Cape May Court House (Middle Twp) system.

I5 Gibson Bill Study

2/21/2008

Once water supply scenarios are presented, the Township shall work with DEP, USGS, County and other municipalities to select the most feasible, cost-effective solution.

NJDEP has not completed the Gibson Bill Study.

I6 Southeastern New Jersey Alternative Water Supply Feasibility Study

2/21/2008

Continue to coordinate with DEP, USGS, County and other municipalities on regional water supply studies.

NJDEP has not completed the Gibson Bill Study.

J1 Tuckahoe Village Revitalization

8/22/2009

Promote Tuckahoe Village Center Revitalization through coordinated planning efforts with business and property owners. Develop plans for revitalization of Tuckahoe Village to support economic development initiatives including façade and rehabilitation grant program, wayfinding signs, coordinated marketing efforts, etc. Evaluate land use and zoning for train station area.

This item isn't due yet. No progress has been made to date.

J2 Agriculture

2/20/2009

Prepare and adopt a Farmland Preservation Plan. Coordinate efforts with County Farmland Preservation Plan.

Funding for this item has been limited. The Township engineer is hoping that funding will be included in the 2010 budget.

K1 Design Charrettes

6/22/2008

Undertake design charrettes for Seaville, Marmora/Palermo/Beesley's Point, Tuckahoe, and Petersburg Centers. Use design workshops to refine Vision for zoning and design standards for Centers and planned Cores in Marmora and Seaville.

Upper received a Smart Future Grant in FY2007 for \$50,000. The contract was awarded to with Maser Consulting to perform work. Public workshop scheduled for March 7, 2009.

K2 Design Guidelines

6/22/2008

Adopt design guidelines to support and enhance centers development. Provide design guidelines suitable for each unique town center. Create user friendly guidebook to inform guidelines.

Incorporate guidelines into LDO.

Upper received a Smart Future Grant in FY2007 for \$50,000. The contract was awarded to with

Maser Consulting to perform work. Public workshop scheduled for March 7, 2009.

K3 Walkable Neighborhoods

6/22/2008

Create pedestrian friendly centers through appropriate site design standards. Amend land use regulations to provide for vehicular interconnections and pedestrian facilities within centers. Upper received a Smart Future Grant in FY2007 for \$50,000. The contract was awarded to with Maser Consulting to perform work. Public workshop scheduled for March 7, 2009.

L1 Amendments to review process

4/27/2007

Develop procedures to ensure Historic Preservation Society input for any development application or permit that affects identified historic properties.

Completed as part of Environmental Ordinance

COMPLETE 3/30/2007

L2 Amendments to review process

4/7/2007

Amendments to review process

Require a cultural resources assessment for identified historical properties as part of Environmental Review checklist.

Completed as part of Environmental Ordinance

COMPLETE 3/30/2007

L3 Historic Site Inventory

Update existing historic properties inventory and include as updated section of Township Master Plan. Coordinate efforts with Upper Township Historic Preservation Society.

COMPLETE

L4 Historic Preservation Plan

6/22/2008

Update Historic Preservation Plan of the Master Plan. Coordinate efforts with Upper Township Historic Preservation Society.

Funding for this item has been limited. The Township engineer is hoping that funding will be included in the 2010 budget.

L5 Design Guidelines

6/22/2008

Promote awareness of historic resources of Township through design guidelines to encourage preservation and appropriate rehabilitation of properties and compatible infill. Develop design guidelines in coordination with Historic Preservation Society and as part of the proposed planning charrettes for the Tuckahoe and Petersburg villages. Adopt guidelines as part of LDO.

Funding for this item has been limited. The Township engineer is hoping that funding will be included in the 2010 budget.

Conclusion

Extensions Needed for following items:

C2 Residential Design

6/22/2008

Incorporate housing design into design guidelines (K2) to support housing diversity and links to services and amenities.

This item should be extended. Progress is still being made. This item will be paid for with a 2007 Smart Future Grant. An extension is requested until 1/20/2010.

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Upper received a Smart Future Grant in FY2007 for \$50,000. The contract was awarded to with Maser Consulting to perform work. This grant expired February 2009. This item must be completed as soon as possible to ensure reimbursement.

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6/22/2008

Update Historic Preservation Plan of the Master Plan. Coordinate efforts with Upper Township Historic Preservation Society.

Funding for this item has been limited. The Township engineer is hoping that funding will be included in the 2010 budget. An extension will be granted until 6/20/2010.

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Amendments/Deletions Needed

B3 TDR Plan

2/20/2009

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This item should be removed from the Action Plan as the Office of Budget Management has pulled the funding for the County TRD plan.

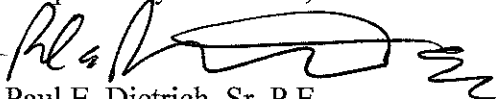
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2/20/2009

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If you have any questions regarding these items please let me know.

Respectively submitted,



Paul E. Dietrich, Sr. P.E.
Upper Township Engineer

Cc: Upper Township Committee