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**Eileen Swan, Executive Director**  
**Office of Smart Growth**  
Attn: State Planning Unit  
NJ Department of Community Affairs  
101 South Broad Street  
P.O. Box 204  
Trenton, NJ 08625-0204

March 9, 2006

Re: **Response to Completeness Determination**  
**Petition for Initial Plan Endorsement**  
**Township of Lacey, Ocean County, New Jersey**

Dear Ms. Swan:

We are in receipt of your completeness letter of March 3, 2006 and have reviewed the comments contained within. It is the Township's and our opinion that some of the items have been adequately addressed within the Petition or the supporting documents.

Additionally, we assert that the State's comments, although valid in the sense of OSG's interpretation of the Guidelines for Plan Endorsement, are not completeness items but instead technical content comments that should be resolved between the Township and the State during the process of Plan Endorsement.

As you are aware, the March 15<sup>th</sup> deadline for being deemed complete is critical to New Jersey coastal municipalities in order to reinstate the expired 'Centers'. The Township of Lacey requests that the OSG deem the Petition complete so that the Center designation can be re-established and remain in effect until March 15, 2007. Upon receiving a complete determination Township officials will meet with OSG and the State agency partners in order to resolve the technical content issues of the Petition and formalize the PIA as soon as possible. This course will permit the pending development and infrastructure improvements, such as the railroad-right-of-way service road, Route 9 improvements, affordable housing and other economic development opportunities within the Center boundary to proceed.

Please consider the above along with the attached responses to the points in your letter and reconsider your completeness determination.

The Township looks forward to a meeting with OSG and the Agency partners in the near future. Thank you in advance for your expeditious consideration and reply.

Very Truly Yours,  
Geller Sive & Company

Michael Geller, P.E., P.P., C.M.E.  
For the Firm

Enclosure

Cc: Mark Dykoff, Mayor  
Lacey Township Committee  
Steven Kennis, Planning Board Chairman  
John Adams, Township Administrator  
Veronica Laureigh, CMC, Township Clerk  
John Curtin, Director of Community Development  
Joseph I. Donald, PP, Deputy Executive Director, OSG  
Jung Kim, Area Planner, OSG

## Response to OSG Completeness Determination of the Lacey Township Petition for Initial Plan Endorsement

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### 1. Statement of Community Vision:

“does not include a community vision statement” and “The goals and objectives from the 2003 re-examination report could supplement a vision statement but they are not adequate in themselves for this purpose. A vision statement should be created through a public process and should describe the desired future of the municipality in 20 years as it relates to land development, redevelopment, preservation and conservation of resources, transportation, economic growth, housing diversity and affordability, the provision of public facilities and intergovernmental coordination.”

#### Response:

The ‘Guidelines’ actually state that “Petitioners are *asked* to submit a *narrative* of the visioning and public participation processes that were conducted, *demonstrating how the public has been involved in the preparation of the master plan and other documents that shape the community vision*”. A description was provided indicating the number of meetings and public participation involved in preparation of the 2003 Master Plan Re-Examination Report, the most recent planning document the Township has prepared. This document supplements the Master Plan and contains ‘the principles, policies and standards upon which the physical, economic and social development of the municipality are based’, as defined by the Municipal Land Use Law. This more than satisfies the ‘Guideline’. In its completeness determination however, OSG has decided to require something more than their ‘Guidelines’ stipulate in order to deem the Township’s Petition complete.

Adding visioning to the Master Plan process could give citizens and organizations a better way of identifying planning goals and the policies to achieve them and incorporation of a statement that defines this long-term vision would be a useful *addition* to the Master Plan. OSG should consider that the ‘Statement of Community Vision’ be an element of the community’s Master Plan, developed during that process. Lacey would consider adding a ‘Community Vision Statement’ to the Master Plan activities identified in its PIA.

### 2. Justification for State Plan Policy Map Amendments:

“The petition does not fulfill the requirements outlined in Appendix 6.2 of the Plan Endorsement Guidelines. The petition should demonstrate how these proposed changes support specific goals and policies of the State Development and Redevelopment Plan. The petition also needs to discuss how the proposals correspond with the delineation criteria for centers and planning areas”

Response:

The Petition includes the Township's 1999 Center Designation Report and the Ocean County Cross Acceptance Report, both demonstrating the specific goals and policies of the SDRP supported by the Center Designation and the Map Amendments.

The SDRP Criteria for Designating Centers states, "Criteria are *intended as a general guide* for designating Centers. *Local conditions may require flexible application of the criteria to achieve the Policy Objectives* of the Planning Area". Once again, the OSG has tried to strictly apply these 'guidelines' as absolute requirements.

The Criteria for both Regional Centers and Towns are attached. Lacey Township does not meet the exact criteria for either classification. That is not to say it cannot be a Center. Not dense enough to be a Regional Center but too developed for a Town Center, at this point in time Lacey presents the perfect opportunity to Plan for the inevitable growth intended for Suburban Planning Areas.

By permitting a high impervious coverage ratio development can be concentrated in the core areas of the Center, where employment, infrastructure, transportation, major highway access and areas in need of redevelopment already exist, the Policy Objectives and Intentions of the State Plan for Suburban Planning Areas can be achieved.

Failure to designate Lacey as a Center will result in future development utilizing greater land areas in order to meet the lower impervious coverage ratios and lower residential densities. It serves to significantly hinder opportunities for infill and redevelopment consistent with the SDRP. That translates into increased development costs, which may stall economic growth within the Township. Increased traffic due to reliance on cars to travel greater distances for shopping, business and employment purposes would also be anticipated. Future growth would not be concentrated. These are all characteristics of sprawl.

### 3. Statement of Planning Coordination:

"The petition does not include information on current and future planning and regulatory activities, or private sector development activity. There is substantial development activity in the Township, current and proposed, that has the potential to alter the character of the municipality. Please submit a narrative of the current and future planning and regulatory activities and private sector development activity that is proposed or currently occurring within the Township."

Response:

The Petition includes references to current, ongoing planning activities, such as the Railroad Right-of-Way and Route 9 Corridor Study. Private sector development activity that should be added include the Toll Brothers Sea Breeze development, which received Preliminary and Final Major Subdivision approval in 2003 with extensions granted in 2005. Additionally, major development applications for WalMart and Home Depot are locally approved and currently resolving outside agency (State) approvals. These developments, while large-scale, are not "character altering" as they are permitted by-right under the Township's existing Land Development Regulations, located within areas

designated for development and served by public utilities. They represent the development and growth this Center has anticipated and encouraged.

#### 4. Natural Resource Inventory:

“The petition does not include a Natural Resource Inventory. “...this material and the resource maps do not constitute an NRI as it lacks adequate discussion of the natural resources within the Township. The Natural Resource Inventory narrative must reflect the specific conditions of the municipality and provide adequate detail to allow consideration of any local conditions meriting special consideration.”

##### Response:

Although the Township does not currently have a document entitled “Natural Resource Inventory” mapping of the listed resources as well as others can be found within the Stormwater Management Plan. The Conservation Plan and Land Use Plan Elements provide narratives identifying the condition of the municipality and discuss local conditions meriting special consideration. Further, the NRI is identified as an area requiring additional action in the Petition and the PIA lists it.

#### 5. Housing:

“The petition refers to the Housing Element and Fair Share Plan for information regarding how the planning for housing is appropriate to scale, capacity and environmental resources of the community, OSG finds that the discussion of this subject is lacking.”

##### Response:

The Housing Element and Fair Share Plan identify the type, condition and diversity of the existing housing stock as well as projections of the types of future housing development. The current Land Use regulations provide for appropriate densities in various zones throughout the municipality taking into consideration the carrying capacity of those neighborhoods.

The Petition also indicates that the current land use regulations and zoning map may require revision in order to accommodate the Township’s future growth share. Once again, as a Center, the Township can accommodate that growth in a manner that will be appropriate based on the conditions in various zones or neighborhoods.

#### 6. Conformance with State Highway Access Code:

“the Township must demonstrate that it has not approved any non-conforming subdivisions since the Access Code’s adoption in September 1992 that create lots abutting state highways. The Township should amend its zoning ordinance within two years through the Planning and Implementation Agreement (PIA) to state that it will not approve any subdivisions fronting on a state highway that will create future nonconforming lots as defined in the Access Code. As the

Township is unable to determine compliance with the Access Code within the timeframe for Initial Plan Endorsement, it may be deferred to the PIA also to be completed within two years.”

Response:

The Township agrees to include compliance with the Highway Access Code in its PIA. However it should be noted that all subdivisions fronting on a state highway have been subject to NJ DOT Access Permitting therefore compliance has been assured in practice.

Prepared By:



Donna Miller, A.I.C.P.

Criteria	State Plan Criteria: Regional Center	Proposed Regional Center Baseline	Proposed Regional Center 2025
Land Use Function	Focal point for region's economic, social and cultural activities with a compact mixed-use core. Located in market area supporting high-intensity development and redevelopment.		
	Identified as a result of a strategic planning effort conducted on a regional basis.	<b>Supported by Ocean County Cross Acceptance Process</b>	
	Located, scaled and designed not to adversely affect economic growth potential of Urban Centers.	<b>Substantially remote from nearest designated Urban Center</b>	
Land area	1 - 10 sq mi	<b>Municipality contains 9 sq. miles outside of the Pinelands Area - Area within Center Boundary is less than 5 sq. miles</b>	
Housing units	4,000 to 15,000	<b>10,580</b>	<b>14,000+/-</b>
Housing	> 3 du / ac	<b>1.84</b>	<b>2.4</b>
Population			
Number of people	>10,000	<b>26,221 total population</b>	<b>31,000 - 35,000 total population most occurring within Center Boundary</b>
Density	> 5,000 per sq mi	<b>2,900</b>	<b>3,000 - 4,000</b>
Economy			
Employment	500 to 10,000	<b>12,510</b>	<b>14,000+/-</b>
Jobs-housing ratio	2:1 to 5:1	<b>1.2:1</b>	<b>1:1</b>
Infrastructure			
Capacity (general)	Access to sufficient existing or planned infrastructure.	<b>Sufficient existing infrastructure to support current and anticipated growth.</b>	
Transportation	Near major public transportation terminal, arterial or interstate interchange; hub for two or more transportation modes.	<b>Garden State Parkway Interchange, Route 9 - both significant transportation corridors, bus routes, park and ride facilities.</b>	

Criteria	State Plan Criteria: Town Center	Proposed Town Center Baseline	Proposed Town Center 2025
Land Use	Mixed-use core and diverse housing.		
Function	Mixed-use core and diverse housing. Identified as a result of a strategic planning effort.	Supported by Ocean County Cross Acceptance Process	
Land area	< 2 sq mi	Municipality contains 9 sq. miles outside of the Pinelands Area - Area within Center Boundary is less than 5 sq. miles	
Housing units	500 to 4,000	10,580	14,000+/-
Housing	> 3 du / ac	1.84	2.4
Population			
Number of people	1,000-10,000	26,221 total population	31,000 – 35,000 total population most occurring within Center Boundary
Density	> 5,000 per sq mi	2,900	3,000 – 4,000
Economy			
Employment	500 to 10,000	12,510	14,000+/-
Jobs-housing ratio	1:1 to 4:1	1.2:1	1:1
Infrastructure			
Capacity (general)	Sufficient existing or planned infrastructure.	Sufficient existing infrastructure to support current and anticipated growth.	
Transportation	Arterial highway or public transit.	Garden State Parkway Interchange, Route 9 – both significant transportation corridors, bus routes, park and ride facilities.	