



Master Plan Reexamination Report

Township of Dennis Cape May County, New Jersey

August 2009
Revised December 2012

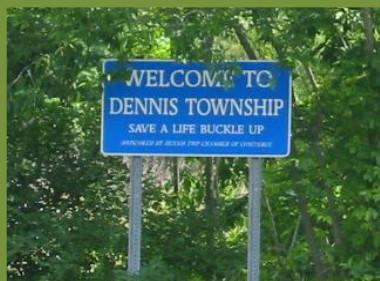
Adopted by the
Township of Dennis
Planning Board on
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The Original of this document has been signed and sealed in accordance with N.J. State Law



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INTRODUCTION

The Municipal Land Use Law requires that a master plan must be reexamined at least once every ten years. The last Master Plan Reexamination Report was completed in 2002 for Dennis Township. This Reexamination Report was prepared in concert with a Land Use Plan Update of the Master Plan and a 2010 Natural Resource Inventory ("NRI"), which was undertaken by Dennis Township as part of a comprehensive planning process to update their master plan to achieve Plan Endorsement by the New Jersey State Planning Commission ("NJSPC").

REEXAMINATION REPORT REQUIREMENTS

When the Municipal Land Use Law ("MLUL") (N.J.S.A. 40:55D-1 et seq.) was adopted in August 1976, the enabling legislation which governed municipal planning and zoning was completely revised. A major change was the provision that required the reexamination of master plans and development regulations at least once every six years pursuant to the provision of N.J.S.A. 40:55D-89. On May 4, 2011, the New Jersey Legislature enacted P.L. 2001, c.65, which modifies the Municipal Land Use Law to allow municipalities to undertake a master plan reexamination every ten years instead of the every six years. The reexamination report is prepared by the Planning Board, adopted by resolution, and distributed to the County Planning Board and the Municipal Clerks of the adjoining municipalities. The most recent amendments to N.J.S.A. 40:55D-89 require five elements in the reexamination report, as follows:

- a. *The major problems and objectives relating to land development in the municipality at the time of the adoption of the last reexamination report.*
- b. *The extent to which such problems and objectives have been reduced or have increased subsequent to such date.*
- c. *The extent to which there have been significant changes in the assumptions, policies, and objectives forming the basis for the master plan or development regulations as last revised, with particular regard to the density and distribution of population and land uses, housing conditions, circulation, conservation of natural resources, energy conservation, collection, disposition, and recycling of designated recyclable materials, and change in State, county and municipal policies and objectives.*
- d. *The specific changes recommended for the master plan or development regulations, if any, including underlying objectives, policies and standards, or whether a new plan or regulations should be prepared.*
- e. *The recommendations of the planning board concerning the incorporation of redevelopment plans adopted pursuant to the "Local Redevelopment and Housing Plan," P.L. 1992, c.79 (C.40A:12A-1 et al.) into the land use plan element of the municipal master plan, and recommended changes, if any, in the local development regulations necessary to effectuate the redevelopment plans of the municipality.*

The Master Plan Reexamination Report may recommend changes to specific amendments to both the Master Plan and Zoning and Site Plan ordinances. An amended Zoning Ordinance text and zoning map may also be part of the Reexamination Report. According to N.J.S.A. 40:55D-62.1 and 40:55D-63, the statutory requirement for the giving of personal notice within a district of zoning ordinance amendment proposing a change to the classification or boundaries of a zoning district is not applicable to changes made as a result of a Master Plan Reexamination.

DENNIS TOWNSHIP PLANNING DOCUMENTS

The following documents the Dennis Township planning documents prepared since the initial adoption of the 1994 Master Plan to present day:

- Township of Dennis Master Plan, with a Land Use, Housing Plan, Transportation Plan, Infrastructure, Community Facilities, Recreation, Conservation and Historic Preservation Element, adopted October 27, 1994
- Storm Water Management Plan, prepared by Walker, Previti, Holmes & Associates, dated March 2005, amended March 2006
- Plan Endorsement Petition, prepared by Maser Consulting, PA, dated February 2006
- Dennis Township Master Plan Reexamination Report, prepared by Dennis Township Planning Board, adopted February 28, 2002
- Natural Resource Inventory, prepared by Maser Consulting, PA, dated December 2007, revised May 2010
- Dennis Township Build-Out Analysis, prepared by Maser Consulting, dated October 17, 2007
- Ocean View Operation Study, Dennis Township Working Group Report, dated May 2007
- Dennis Township Master Plan Questionnaire, dated 2008
- Dennis Township Master Plan – Land Use Plan Update, DRAFT, dated January 2009, revised November 2012
- Dennis Township Traffic Impact Assessment for Route 9 DTS and Roadway Network, DRAFT, prepared by Maser Consulting, dated February 2012
- Cape May County Wastewater Management Plan – Dennis Township Chapter, DRAFT, prepared by Cape May County Planning Board and Maser Consulting, dated September 24, 2012

ASSESSMENT OVERVIEW

In accordance with the MLUL Master Plan Reexamination Report requirements, this Reexamination Report will assess changes in planning activities since the adoption of the latest Master Plan Reexamination Report in 2002. Additionally the other documents, especially the *1994 Master Plan*, which formed the basis of the subsequent Reexamination Reports, will be referenced where appropriate.

THE MAJOR PROBLEMS AND OBJECTIVES RELATING TO LAND DEVELOPMENT IN THE MUNICIPALITY AT THE TIME OF THE ADOPTION OF THE LAST REEXAMINATION REPORT (2002) AND THE EXTENT TO WHICH SUCH PROBLEMS AND OBJECTIVES HAVE BEEN REDUCED OR HAVE INCREASED SUBSEQUENT TO SUCH DATE.

This section lists the problems and objectives of the 2002 Master Plan Reexamination report, the recommendations made and the current status of those recommendations. The 2002 Master Plan Reexamination report also acknowledged problems relating to the various master plan elements. The 2002 Reexamination Report based its reexamination on the 1994 Master Plan goals and policies, which are listed below:

GOALS

1. To provide for an appropriate variety of land use types responsive to the development potential of Dennis Township.
2. To promote appropriate population densities within well planned residential neighborhoods.
3. To protect sensitive environmental areas from inappropriate development.
4. To provide comprehensive protection for a broad range of natural resources.
5. To protect the historic, archeological and cultural resources of the Township.
6. To provide for the safe and efficient movement of traffic within and through the Township.
7. To promote resort-related development as a major local component of the resort economy of the County.
8. To promote and to enhance public access to the waterways.

POLICIES

1. The Land Use and Management Plan provides for a mixture of residential, commercial, industrial and resort development and open space and conservation districts
2. Residential districts are designed in concert with the carrying capacity of the land.
3. Residential development will not be permitted Conservation Districts.
4. Minimum lot criteria are designed to protect ground water quality. Management programs will protect wetlands, vegetation, fish and wildlife, agricultural lands, water and air quality and require proper management of forestry and resource extraction activities and reclamation.
5. Management programs will protect archeological data and historical and cultural resources.
6. The Township will work with State and County officials to improve current deficiencies. Commercial uses with off-peak times trip generation will be promoted.
7. Existing campground development is maintained and age restricted residential development is promoted.
8. Marina expansion in the Marina District is encouraged.

9. To preserve the Township's historic villages and to promote appropriate cultural and historical activities there.
9. Newly developed VR, DVR and RB districts work to enhance the cultural and historic value of the Township's communities.

These nine goals and policies have acted as a springboard to examine the issues concerning the Township. This current Reexamination Report breaks the nine goals into their respective master plan elements (i.e. land use, conservation, etc). The following sections review the major problems and objectives at the time of the adoption of the 2002 Reexamination Report and reference the extent that these items have been reduced or have been increased.

Land Use Plan Element

Goal #1: *To provide a variety of land use types responsive to the development potential of Dennis Township.*

There were a number of land use problems identified in the 2002 Reexamination Report. The Township was not successful in attracting appropriate development to historic commercial zones. The "RB" Residential Business Zone was questioned in its effectiveness of channeling home occupations to this particular area of the Township. In 2002, the modification of zoning to permit large mixed-use shopping centers was not complete, but it was modified in 2005. Finally, there was still a need to review historic commercial zone uses to ensure compatibility as 'loci for cultural and ecological tourism' in 2002.

The 2002 Reexamination listed ten recommendations, which have been addressed as follows:

- 1.1 *Adoption of a "bed and breakfast" amendment to the zoning ordinance making bed and breakfast a conditional use, or a permitted use in the historically significant areas.*

Status: Not implemented. The 2008 Public Questionnaire results indicated that over 86% of the respondents favored permitting bed and breakfast uses as conditional uses in residential zones. Specific conditions included parking, limiting guest rooms, signage, length of stay, lighting, buffers and kitchen use.

The 2012 Land Use Plan recommends that bed and breakfast uses be permitted within the proposed VC Village Commercial and VR Village Residential districts. Specific conditional use standards will be required to be adopted.

- 1.2 *Elimination of the "residential business" zone and adoption of zoning ordinance provisions permitting, throughout the Township, home occupations consistent with the character of the specific zoning districts.*

Status: The RB Residential Business zone was not eliminated. However, the 2012 Land Use Plan recommends that the RB Residential Business zone be eliminated.

The 2008 Public Questionnaire results indicated that over half of the respondents favored permitting contractors yards in residential zones (R-3, R-10) as a conditional uses subject to restrictive standards addressing noise, types of equipment, permitted contractors, signage, types and number of vehicles, hours of operation, materials stockpiling, size of accessory buildings and number of employees. Type of contractors specifically mentioned for exclusion included auto and body shops, trucking, recycling, petroleum and asphalts plants etc.

Home Occupations: The current zoning permits Home Occupations in all Pinelands zones and the R-3, R-10, the VR Village Residential zone (with use limitations permitting only antique shops, craft shops, artist studios and book and music shops).

Home occupations - The 2008 Public Questionnaire results indicated that 86% of the respondents that that home occupations should be permitted in residential zones subject to specific standards limiting hours of operation, signage, noise, permitted occupations, accessory building size, parking, number of vehicles, buffers, etc.

The 2012 Land Use Plan recommends that home businesses be permitted as a conditional uses within the VC Village Commercial zone and the VR Village Residential zone (in Dennisville Center only).

- 1.3 *Consideration and possible adoption of an amendment to the zoning ordinance making large-scale, mixed-use shopping centers a permitted use, but with specific stringent criteria for such things as minimum lot size, parking, retail use mix, traffic circulation and design and architectural features.*

Status: Adopted ordinance 2004-15. The 2012 Land Use Plan recommends mixed use facilities including within the proposed Ocean View Town Center and Clermont Village Center, including limiting size of single retail uses.

- 1.4 *Enforcement of the existing specific, stringent limitations on the amount of clear-cutting or site clearance that may be done, with particular attention to the preservation of the "specimen trees" inventoried in the master plan.*

Status: Section 185-46 protects record trees in the Pinelands. Addressed in Section 165-37.

- 1.5 *Enactment of a maximum, as well as a minimum, number of parking spaces, together with an enactment of limitations on the amount of impervious surface permitted on a site.*

Status: No change in parking regulations providing for maximum limitations to number of parking spaces. Impervious coverage restricted in some limited zones including R3 lot averaging only, R3 AR only, GC zone for shopping centers at 60%, Pinelands zones.

- 1.6 *Continued effort to improve enforcement of Township code requirements and site plan standards.*

Status: Township addressing this recommendation, but has limited staff.

- 1.7 *The zoning ordinance should be revised to permit the sale of alcoholic beverages only in the general commercial zones in Ocean View and Clermont.*

Status: Permitted in GC zones only, Ordinance 2002-05. The 2012 Land Use Plan proposes elimination of the GC zones in Ocean View of Clermont. This Ordinance will need to be amended as well.

- 1.8 *Limitation of liquor sales, or on- and off-premises, to the existing General Commercial zones in Ocean View and Clermont.*

Status: Permitted in GC zones only, Ordinance 2002-05. (See prior comment 1.7)

- 1.9 *The Township should investigate participation in the Transfer of Development Rights (TDR) program in the Pinelands.*

Status: This has already been implemented through the Pinelands Development Credits (Section 185-58) and Density Transfer Program (Section 185-61) provisions of the current zoning ordinance.

Goal #2: *To promote appropriate population densities within well planned residential neighborhoods.*

The 2002 Reexamination Report noted two remaining problems related to Goal #2: the limited large tracts of land available and the effect of summer campground visitors, which merited further consideration. The 2002 Reexamination did not contain any recommendations related to Goal #2 or Policy #2.

Status: No change in campground regulations. The 2012 Land Use Plan proposes that campgrounds should remain as a conditional use.

Goal #7: *To promote resort-related development as a major local component of the resort economy of the County.*

In 2002, resort-related recreation opportunities as evidenced by the extensive campground development was a major part of the economy, however, the desire for resort-related 'historical commercial development' in Dennisville and South Seaville was not being achieved.

Status: No change in regulations since 2002.

Conservation Plan Element

Goal #3: *To protect sensitive environmental areas from inappropriate development.*

In 2002, the Reexamination Report noted that goals for conservation were generally well met; however, the Reexamination Report noted that Township needed to provide for greater protection of existing biota and enforce clear-cutting limits. The registration and preservation of specimen trees should have also been considered. Finally, the Township needed to reduce the amount of impervious surfaces and overall coverage.

Section 185-47 contains the regulations related to forestry within the Pinelands and states that only one cord of wood per five acres can be removed in a year's time. One recommendation was made:

- 3.1 Revision of the zoning ordinance paving requirements to indicate that in appropriate cases, and at the Board's discretion, the Board may permit substitution of stone or other permeable surfaces for asphalt or impervious surface.

Status: No change.

Goal #4: *To provide comprehensive protection for a broad range of natural resources.*

The problems remaining in 2002 for Goal #4 were the same as those for Goal #3. As part of the Plan Endorsement Petition, there is a draft environmental assessment ordinance prepared which has been approved by the NJDEP. A

NRI was completed to document and protect natural resources. The NRI should be adopted as part of the Master Plan.

Goal #5: *To protect historic, archeological and cultural resources of the Township.*

There were four problems that remained during the 2002 Reexamination with regards to Goal #5. First, the regulations were noted as being only moderately effective in protecting the Township's resources. Secondly, the Township needed to establish historic preservation areas particularly in and around Dennisville. Finally, the Township needed to require environmental impact statements and enforce the limits on clear cutting of lots.

The 2002 Reexamination contained one recommendation:

5.1 *Strong consideration and possible adoption of a historic preservation ordinance, and the creation of a Historic Preservation Commission.*

Status: Not implemented; however, Ordinance 2005-138 created position of Township Historian.

In the Land Development Ordinance section § 185-55 Historic, archaeological and cultural resources addresses what occurs to development proposals with significant resources onsite, but is not a historic preservation ordinance.

The 2008 Public Questionnaire results indicated that 55% of the respondents preferred a Historic Preservation Advisory Committee with 25% preferring a regulatory commission.

Goal #9: *To preserve the Township's historic villages and to promote appropriate cultural and historical activities there.*

In 2002 the Reexamination Report noted that the Township still needed to encourage and possibly mandate the protection of resources. Consideration should have also been given to relocation and preservation of Ludlam School, built in 1801, as well as expansion of the Township museum and establishment of an interpretive center.

Ludlam School was acquired by the Township in 2001, but its plans for the School are unknown. A phone interview with the Township Historian, Bobbie Babbitt, revealed that the historic information contained in the 1994 Master Plan is inaccurate and doesn't contain a number of historic buildings located in the Historic District. Ms. Babbitt stated that to prepare an accurate listing of historical places, one would need to drive the Township, using the data from the 1994 Master Plan as a start, but not as an accurate account. Ms. Babbitt also related that the Township museum needs additional space immediately to house artifacts; the use of the Ludlam School was an option being considered.

Transportation Plan Element

Goal #6: *To provide for the safe and efficient movement of traffic within and through the Township.*

A number of issues remained in 2002 regarding with Goal #6. Traffic problems were being exacerbated by zoning variances for traffic generating uses not permitted. Seasonal traffic impacts remained, particularly on Route 47. Opposition still remained to the Route 55 extension; it would cause dislocation and substantial environmental damage, which was inconsistent with the Master Plan.

The 2002 Reexamination listed one recommendation, which is as follows:

6.1 Continued forceful opposition to the extension of Route 55 into the Township.

Status: Traffic and circulation patterns in the Township remain roughly as they were in 2002.¹ The major traffic issues continue to be the impact of seasonal traffic, particularly on the Route 47 (Delsea Drive) corridor and the road net of Ocean View, South Seaville and Clermont areas.

The State of New Jersey has completed the signalization of intersections along Route 47. There are currently five controlled intersections located where Route 47 intersects [1] Route 347 in Eldora; [2] Route 557 (Tyler Road) in North Dennis; [3] Route 610 (Petersburg Road) in Dennisville; [4] Route 83 in South Dennis and [5] Route 657 (Court House Road) in South Dennis.

The signalization has been very successful in allowing turning movements from side roads onto Route 47 and left hand turns from the southbound lane across northbound traffic onto side roads. The signalization has also had a calming effect on summer traffic as visitors are now more aware that they are moving through a lower speed area.

The intersection of Route 47 and Route 83 was signalized in 2007, with left hand turn lanes onto southbound Route 47 from westbound Route 83 and from northbound Route 47 onto eastbound Route 83. This signalization greatly increases the safety of one of the more dangerous intersections along the route. In addition the bridge over Dennis Creek was completely rebuilt and widened, and the causeway from the bridge to the traffic light was raised. These changes to traffic patterns have helped lower the number of accidents and the consequent overall lowering of speeds has helped lessen severity of accidents that have occurred.

Additional transportation improvements should be considered for Route 47; specifically that the State designates the 0.8 mile stretch of Route 47 from the South Seaville Diner (milepost 16.8) to Sluice Creek (milepost 16.0) as NO PASSING. This would be consistent with Middle Township which has NO PASSING from Sluice Creek (milepost 16.0) to Bidwell's Ditch (milepost 11.7), a total of 4.3 miles. The rationale for the change would be [1] to eliminate the extremely short length of highway that is currently designated a passing zone; [2] to promote safe egress and ingress from the ever increasing number of driveways and side roads coming onto Route 47; [3] the desire to calm the traffic; [4] to promote consistency with how the highway currently exists in Middle Township; [5] and that entire 7.7 mile stretch could be signed with NO PASSING signs, making it easier for drivers not familiar with the road to understand that there is no need to anticipate the possibility of passing.

The major threat to the western section of the Township remains the proposed extension of Route 55. In 1998 the Township participated in the last inclusive discussion of Route 55 involving state, county, local, environmental and business groups. This "*Shore Connection Committee*" concluded that the environmental and technical obstacles made the extension impossible to build. Subsequent successful evacuations for Hurricanes Irene and Sandy have shown that evacuation plans and routes are adequate. Nevertheless, the Cape May County Chamber of Commerce continues to push state officials to extend the freeway, most recently under the guise of being needed for emergency evacuation in case of a hurricane.

The "*Ocean View Operational Study*" group consisted of members of the Dennis Township Planning Board, Township Committee, local business and land owners, Chamber of Commerce, County Transportation Department and New Jersey Department of Transportation. This group held a series of meetings throughout 2006 to make proposals to the Township Committee concerning improving seasonal transportation circulation in the Ocean View and South Seaville areas. Proposed changes include a center turning lane from Ocean View – Woodbine Road to Sea Isle Boulevard, sidewalks, and a median in places. Sea Isle Boulevard would have a left hand turn lane added,

¹ Transportation information provided by David Watson, Dennis Township Planning Board, Vice-Chairman.

and would have its lanes lined up with Schoolhouse Lane. It was also proposed that sidewalks be added in South Seaville, that Corson Tavern Road be repaved, and that the bike path that ends at the Woodbine border be continued along the abandoned railroad bed and into Middle Township.

The NJDOT has completed the reconfiguring and signaling the intersection of Route 83 and Route 9 in Clermont which is expected to have a calming effect on the traffic and greatly reduce the number of accidents at this location.

Between 2010 and 2012, a Traffic Impact Assessment for the Route 9 DTS and Roadway Network was prepared with funding from the New Jersey Office of Smart Growth. This study focused on the Ocean View and Clermont Centers along the Route 9 corridor. An evaluation was conducted of existing and future 2035 traffic conditions to assess the network capacity and infrastructure needs. The results indicated that future development within these two Centers would need to be scaled back to meet road capacity constraints. It was determined that SR 9 within the two Centers would require two traffic lanes in each direction with intersection and other road improvements to handle future traffic. Within Ocean View, a new CR550 /CR625 (Sea Isle Boulevard) bypass road and a Town Center Access Road at Mulligan Drive was recommended. For Clermont Center, signalization of Route 9 and Hagan Road was indicated. The study supported the decision to significantly reduce the residential density and to limit overall development through reduced building height and lot coverage standards in the two Route 9 Centers. These changes will be implemented through the zoning changes as recommended in the 2012 Land Use Plan.

Goal #8: *To promote and to enhance public access to the waterways.*

This goal was met by creating a 'small marina district'.

Housing Plan Element

The 2002 Reexamination mentioned no goals for the housing element. In 2002, the only housing issue was that the Township failed to file the 1994 Housing Plan with COAH for substantive certification.

Status: Affordable housing will be promoted as a realistic opportunity to address the Township's affordable housing obligation, which will be addressed when the regulations for affordable housing are finalized by the State.

Community Facilities Plan Element

The 2002 Reexamination mentioned no specific goals for the community facilities element and the 2002 Reexamination contained no recommendations for community facilities. At this time, a new senior center at the Municipal Complex, a primary school located at 601 Hagan Road that houses grades K-2 and the Township Recreation Center on South Seaville Road were built.

Infrastructure Plan Element

There are no specific infrastructure goals. The 2002 Reexamination Report stated that neither sanitary sewer nor central water service is available and the situation is expected to continue until at least 2020.

One recommendation was made for infrastructure in 2002: continued study of appropriate steps to maintain the integrity and sufficiency of the Township's groundwater supply.

Status: In 2009, the USGS and NJDEP released a report² which details the hydrogeologic framework, past water use, and water quality conditions in Cape May County and models groundwater supplies. The report documents past and projected potable, non-potable, and ecological water-supply demands. It also looks at past and ongoing adverse effects to production and domestic wells caused by withdrawals include saltwater intrusion and water-level declines in the freshwater aquifers.

Using information from the 2009 report, the NJDEP, water purveyors, Cape May County government, municipalities and other stakeholders will develop a strategy to address the near and long term water supply challenges in Cape May County. The ideal plan would meet projected demands and minimize adverse effects on currently used sources of potable, non-potable, and ecological water supplies.

Dennis Township intends to participate as a stakeholder and work with NJDEP, USGS, Cape May County, purveyors and other stakeholders to evaluate options presented in the study, and select the best option that provides a sustainable water supply. The Township will also consider various water conservation measures, which are yet to be determined.

The 2012 Land Use Plan reviews the water and sewer conditions. Regarding water supply, there is currently no public water supply available within the Township. Dennis Township is serviced by individual wells. New Jersey American Water Company (NJAWC) plans to construct a water main extension, which will connect the Ocean City system with the Middle Township/ Cape May Court House (Neptune) system. The water main route through Dennis Township is currently unknown. This could provide opportunity for public water service for the two proposed Township Centers of Ocean View and Clermont, which would allow for the moderate density development planned for these Centers.

Regarding wastewater treatment, there are no existing public sewers in Dennis Township. The rest area at Exit 17 of the Garden State Parkway in Dennis Township is sewered but currently no other areas are included. There are also existing sites in the Township that are served by an on-site treatment works that is regulated under a New Jersey Pollutant Discharge Elimination System ("NJPDES") permit.

At this time, Dennis Township does not plan public sewers in any area of the Township. However, the Township would allow privately constructed and maintained alternative wastewater treatment facilities such as community package treatment plants for use in the Ocean View and Clermont Centers. The Township understands that without this infrastructure it will not be possible to develop the Ocean View Town Center and Clermont Village Center at the scale proposed in the 2012 Land Use Plan for these Centers. These facilities may be individual serving one development, however, it is hoped as more detailed planning occurs in these Centers, that multiple property owners will coordinate their efforts to address wastewater management comprehensively.

Under NJDEP regulations, an updated Wastewater Management Plan ("WMP") is required. The Township is working with Cape May County to complete the Dennis Township WMP Chapter. The WMP proposes sewer service areas within all of the proposed CAFRA Town and Village Centers, as well as the Pinelands Villages. This would allow property owners to obtain wastewater treatment permits for sewerage flows exceeding 2,000 GPD.

² U.S. Geological Survey. Future Water-Supply Scenarios, Cape May County, New Jersey, 2003-2050. Scientific Investigations Report 2009-5187. Reston, Virginia. 2009.

THE EXTENT TO WHICH THERE HAVE BEEN SIGNIFICANT CHANGES IN THE ASSUMPTIONS, POLICIES, AND OBJECTIVES FORMING THE BASIS FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS AS LAST REVISED, WITH PARTICULAR REGARD TO THE DENSITY AND DISTRIBUTION OF POPULATION AND LAND USES, HOUSING CONDITIONS, CIRCULATION, CONSERVATION OF NATURAL RESOURCES, ENERGY CONSERVATION, COLLECTION, DISPOSITION, AND RECYCLING OF DESIGNATED RECYCLABLE MATERIALS, AND CHANGE IN STATE, COUNTY AND MUNICIPAL POLICIES AND OBJECTIVES.

State Development and Redevelopment Plan

The NJSPC adopted the *2001 New Jersey State Development and Redevelopment Plan* ("SDRP") which established eight policy planning goals to guide development activity in the State. Of these eight goals, a number of these goals are particularly relevant to the physical conditions of Dennis Township and the Township's focus on its Centers and protection of the Environs through 'smart growth' planning tools.

These specific policy goals with particular relevance to Dennis Township can be summarized as follows:

- *Conserve the State's natural resources and systems ...by promoting ecologically sound development and redevelopment and accommodating environmentally designed development and redevelopment in Centers in the Fringe, Rural and Environmentally Sensitive Planning Areas.*
- *Plan, design, invest in and manage the development and redevelopment of Centers and the use of land, water, soil, plant and animal resources to maintain biodiversity and the viability of ecological systems.*
- *Provide adequate public facilities and services at a reasonable cost...purchasing land and easements to prevent development, to protect flood plains and sustain agriculture where appropriate.*
- *Provide adequate housing at a reasonable cost... Create and maintain housing in... Centers in the Fringe, Rural and Environmentally Sensitive Planning areas...*
- *Preserve and enhance areas with historic, cultural, scenic, open space and recreational value...by comprehensive planning, design, investigation and management techniques,*

The SDRP established planning areas throughout the State that share common development and environmental characteristics. These planning areas serve as the framework for application of the policies of the State Plan. Each planning area has policy objectives that guide growth.

Like most of Cape May County, a large portion of Dennis Township is designated as PA5 Environmentally Sensitive due to coastal or tidal wetlands, Wildlife Management Areas, other state or federal lands. The bulk of the Township development, areas which are located along the Route 9 corridor, is designated as PA3 Fringe Planning Area. The western portion of the municipality has large isolated areas designated PA4 Rural Planning Area. These areas are surrounded by environmentally sensitive lands and linked together by major roads such as Route 47 and Route 83.

The State Plan Endorsement Process

In 2004, the former New Jersey Office of Smart Growth (NJOSG) established an alternative process for reviewing and adopting Centers through a review of not only the development Centers, but also through review of the entire municipality. This is called the "Plan Endorsement Process". Beginning in 2004, the Township, funded through a NJOSG Smart Growth Grant, prepared an Initial Plan Endorsement Petition to gain Plan Endorsement which would

confirm the Township's Centers. The Township worked with NJOSG and New Jersey Department of Environmental Protection ("NJDEP") to identify and refine the Centers boundaries and to develop tools to protect the areas outside of the Township Centers or "Environs". The Township adopted an Action Plan with the NJSPC to guide its planning activities to achieve consistence with the SDRP. This Action Plan required a number of planning activities including adoption of an updated Land Use Plan and Housing Element and Fair Share Plan.

2012 Land Use Plan

The Future Land Use Plan refines the Township expectations for future development patterns, population density and environmental protection. It incorporates the Township's planning goals and objectives as part of the land use recommendations which will form the foundation for the Township's development patterns in the future. The 2012 Land Use Plan has been written to address the Dennis Centers including updating the land use requirements to better direct growth into the Centers. Also this plan encourages development that will create walkable and diverse community Centers with mixed uses and multimodal transportation facilities (motor vehicles, bicycles and pedestrian connections) to create attractive places to live and work. Eight Township Centers are proposed as part of the Future Land Use Plan. The Clermont Village Center and Ocean View Town Center are located along the Route 9 corridor. The Dennisville Village Center is split between both CAFRA and the Pinelands Management Area. The remaining two Centers outside of the Pinelands are South Dennis Village and South Seaville Village. Four Pinelands Villages are designated in the Pinelands Management Plan and no changes are proposed for these Centers which are Belleplain, Dennisville, Eldora and North Dennis.

The 2012 Land Use Plan also addressed the need to better protect the Township areas outside of the Centers in the Environs to provide natural buffers or green areas around the Centers and to reduce development within the Environs through various regulatory and zoning provisions including through update environmental assessment regulations.

The Township began the process of preparing a Form Based Code to implement design standards for the Ocean View Town Center and the Villages of Clermont, Dennisville, South Dennis and South Seaville. The Form Based Codes Study was funded through a NJOSG Smart Futures grant. Visioning workshops were held in the Spring of 2009 for the Village and Town Centers. After adoption of the 2012 Land Use Plan, the Form Based Code recommendations should be reviewed and adopted to implement the Centers-based design.

New Jersey Coastal Area Facilities Review Act (CAFRA)

Approximately 60 percent (or 40 square miles) of Dennis Township is located within the Coastal Zone, where the NJDEP regulates development under the Coastal Area Facilities Review Act ("CAFRA"). The Coastal Zone is divided into different Centers and planning areas. CAFRA restricts the intensity of development in each of the various Planning Areas. Consistent with the State Plan, CAFRA regulations encourage growth within Centers and minimize development potential outside these Centers by requiring more stringent regulations.

As of February 2006, the CAFRA Centers were supposed to be eliminated and incorporated into the NJOSG Centers via the Plan Endorsement process. In 2006, municipalities who were in the NJOSG Plan Endorsement Petition process were given an additional year until March 2007 to complete the Plan Endorsement Petition Process. In 2008, the NJDEP Permit Extension Act (P.L. 2008, c.78) temporarily extended the CAFRA Coastal Centers designation for those municipalities that were in the NJOSG Plan Endorsement Process. The Permit Extension Act Amendment of 2012 (P.L. 2009, c.336) extended these Centers to at least December 31, 2014. For Dennis Township, after completion of the Action Plan and when the NJSPC has approved its Petition, then the NJDEP

reviews the Centers within the CAFRA area for consistency with the NJDEP guidelines. With their approval, the Centers are then confirmed.

The proposed Clermont Coastal Village Center and Ocean View Coastal Town Center are located within the Coastal Fringe Planning Area; and the proposed Dennisville, South Dennis and South Seaville Coastal Villages are located within the Coastal Rural Planning Area

The 2012 Land Use Plan has been prepared to respond to New Jersey Office of Planning Advocacy ("NJOPA") (formerly NJOSG) and NJDEP requirements to achieve Plan Endorsement. Once the Township has adopted the Land Use Plan, then any zoning amendments required to implement the plan recommendations within the Township must be adopted prior to NJDEP acting on and approving the Township's CAFRA Coastal Centers.

Pinelands

The Pinelands Management Area encompasses 24.5 square miles (or 40 percent) of the land area of Dennis Township. The Pinelands Comprehensive Management Plan designates the following areas within Dennis Township: Forest Area, Rural Development Area and four Pinelands Villages: Belleplain, Eldora, North Dennis and Dennisville. No changes are proposed within the Pinelands Management Area with the exception that Non-contiguous density transfer from the Pinelands into residential areas in CAFRA areas is recommended.

State Storm Water Management Regulation

In 2004, the NJDEP adopted new stormwater management regulations which required plans be prepared by all New Jersey municipalities. Consequently in March 2005 and amended in March 2006, a Storm Water Management Plan was adopted by the Planning Board as an element of the Township's Master Plan. In 2006, the Township adopted the related regulating ordinances.

Affordable Housing Regulations

New Jersey Council on Affordable Housing ('NJCOAH') third round regulations were adopted in December of 2004, which require that a municipality's fair share consist of three elements, of which the third is newly added:

1. The remaining obligation from prior rounds that was not constructed or provided for;
2. Rehabilitation share;
3. Growth share
 - a. For every five market residential units that receive a certificate of occupancy one new affordable housing unit must be created.
 - b. For every 16 jobs created upon receipt of COs as a result of non-residential new construction or expansion of existing residences, one unit affordable to households of low or moderate income must be created using COAH formulae relating built space to number of employees

On October 8, 2010, the NJ Appellate Division issued its decision in the consolidated appeal of 22 separate challenges to the COAH 3rd round regulations. In its decision, the Court invalidated substantive portions of the COAH regulations. COAH has yet to resolve the affordable housing regulations at this time.

Dennis Township had a Housing Plan Element as part of their 1994 Master Plan. As a part of the Township's Memorandum of Understanding with the NJSPC, preparation of a Housing Element and Fair Share Plan was required. Affordable housing will be promoted as a realistic opportunity to address the Township's affordable housing obligation, which will be addressed when the regulations for affordable housing are finalized by the State.

Population

Dennis Township has experienced continuous population growth since 1950, especially in the 20 years between 1980 and 2000. The population grew by 39.7% between 1980 and 1990 and by 16.5% between 1990 and 2000. Negative growth from 2000 to 2010 indicates the recent decline in economic conditions. The table below shows these changes.

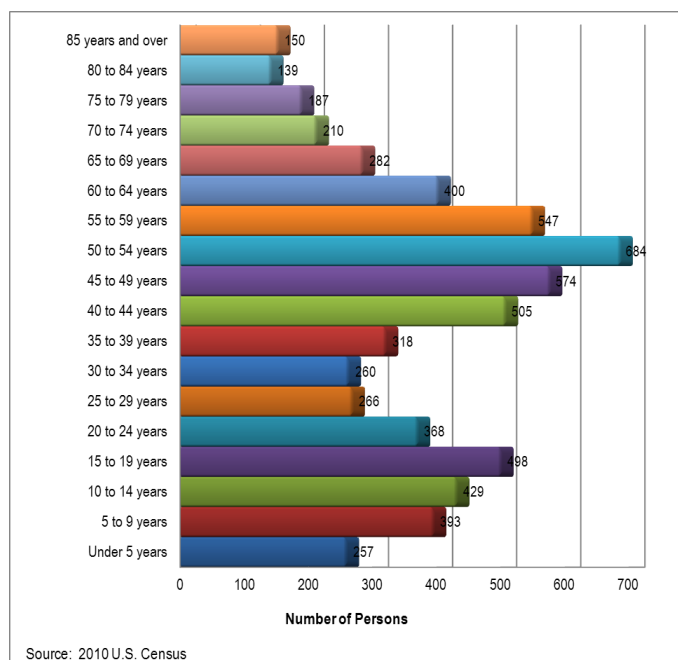
Permanent Population Trends 1950 – 2010

Year	Population	Population Change
1950	1,981	- - - - -
1960	2,327	+346 (+17.5%)
1970	2,635	+308 (+13.2%)
1980	3,989	+1,354 (+51.4%)
1990	5,574	+1,585 (+39.7%)
2000	6,492	+918 (+16.5%)
2010	6,467	-25 (-0.4%)

SOURCE: US Census

In 2010, the largest age cohort in Dennis Township was 50 to 54 years, with almost 700 persons. The second largest was 45 to 49 years with almost 580 persons. This was followed closely by the 55 to 59 years cohort.

Population by Age Cohort, 2000



Population projections for Dennis Township were completed by South Jersey Transportation Planning Organization (SJTPO) up to the year 2040. Between 2010 and 2040, the SJTPO projects an additional 69 residents.

Population Projections 2010-2040

Year	Population	Population Change
2010	6,467	- - - - -
2020	6,461	-6 (-0.1%)
2030	6,525	+64 (+1.0%)
2040	6,594	+69 (+1.1%)

SOURCE: South Jersey Transportation Planning Organization 2040
Population and Employment Projections By Municipality, 2012

Development Activity in Township

From 2002 to 2011, a total of 135 certificates of occupancy were issued for residential dwelling units; from a low of 4 COs in 2010 to a high of 23 in 2002 and 2003. Meanwhile, 34 demolitions occurred during the same ten-year period. The net development (COs – demolitions) from 2002 to 2011 was 101 residential units. From a high in 2004, new housing construction has trended downward significantly in recent years.

Residential Development Activity 2002-2011

	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	Total
COs Issued	23	23	22	17	11	18	5	5	4	7	135
Demolitions	5	5	0	4	3	6	1	5	1	4	34
Net	18	18	22	13	8	12	4	0	3	3	101

Source: NJ Department of Community Affairs, Construction Report, 2002-2011

Between 2002 and 2011 a large amount of non-residential development occurred in the Township. A total of 407,202 square feet of non-residential space received a certificate of occupancy, an average of over 40,000 square feet per year. Storage development was the greatest with over 160,000 square feet, followed by nearly 130,000 square feet of office space. Just 13 demolitions of non-residential space occurred between 2002 and 2011.

Non-Residential Development Activity 2002-2011

	'02	'03	'04	'05	'06	'07	'08	'09	'10	'11	Total
Certificates of Occupancy Issued											
A1 - Assembly										1,300	1,300
A2 - Assembly		4,822									4,822
A3 - Assembly	1,560							3,060			4,620
A4 - Assembly							1,681				1,681
A5 - Assembly						1,200					1,200
B - Office		6,360		12,400	12,731	50,810		22,946	22,933		128,180
F - Industrial								10,200			10,200
H - High Hazard										5,130	5,130
I - Institutional										6,687	6,687
M - Retail	864			31,848	17,000	17,853	4,474	2,600	7,994		82,633
R1 - Dormitory											0
S - Storage		51,880	22,300		12,000	42,824		31,745			160,749
Total COs Issued	2,424	63,062	22,300	44,248	41,731	112,687	6,155	70,551	30,927	13,117	407,202
Demolition Permits Issued											
A1 - Assembly											0
A2 - Assembly											0
A3 - Assembly								1		2	3
A4 - Assembly											0
A5 - Assembly			1								1
B - Office				1		1	1	2	1	1	7
F - Industrial											0
H - High Hazard											0
I - Institutional											0
M - Retail			1								1
R1 - Dormitory											0
S - Storage									1		1
Total Demolitions	0	0	2	1	0	1	1	3	2	3	13

Source: NJ Department of Community Affairs, Construction Report, 2002-2011

THE SPECIFIC CHANGES RECOMMENDED FOR THE MASTER PLAN OR DEVELOPMENT REGULATIONS, IF ANY, INCLUDING UNDERLYING OBJECTIVES, POLICIES AND STANDARDS, OR WHETHER A NEW PLAN OR REGULATIONS SHOULD BE PREPARED.

Based upon the 2012 Land Use Plan, significant zoning changes are recommended. These changes reflect the new paradigm for planning for growth centered at its villages of Dennisville, South Dennis, South Seaville and the proposed Route 9 Mixed Use Centers: Clermont Village Center and Ocean View Town Center. The Pinelands Villages will remain as zoned. Outside of the Centers, the Township will retain its low density rural and conservation zoning.

The following zoning amendments are recommended:

1. Adopt the land use and zoning recommendation as identified in the 2012 Land Use Plan Update.
2. Prepare and adopt Land Use Ordinance regulations (Form Based Codes) to implement the recommendations for the planned Township Centers. The Township has received a Smart Futures Grant to enable this work.
3. Provide standards for Home Occupations as conditional uses within single family residential districts.
4. Provide standards for Bed and Breakfast uses as conditional uses in residential zones.
5. Provide standards for Contractors Yards as conditional uses in residential zones.
6. Update Township parking standards consistent with current planning standards. Consider enacting a minimum as well as a maximum parking requirement to reduce paving and to support shared parking.
7. Ensure that current New Jersey Residential Site Improvement Standards are adopted within the Township ordinances.
8. Adopt the Environmental Assessment ordinance and checklist as approved by NJDEP with the Township's action plan requirements for Plan Endorsement.
9. Revise R-3 and R-10 zone regulations to eliminate the requirement that minimum setbacks are measured from the wetlands buffers.
10. Include group home and family day care requirements in the zoning regulations in accordance with the current municipal land use law requirements.

The following master plan elements and other related planning studies are recommended:

11. Adopt the 2010 Natural Resources Inventory as part of the Township's Master Plan background studies.
12. Complete and adopt a Housing Element and Fair Share Plan.
13. Prepare an updated Circulation Element of the Township's Master Plan to address multimodal transportation conditions in the Township. This plan should include bicycle and pedestrian improvements plan and well as

coordination on rail and transit opportunities. This study should also evaluate creating a “No Passing” zone on Route 47 from the Henry Ludlam Inn in North Dennis to Sluice Creek in Middle Township.

14. Consider preparation of an Open Space and Recreation Inventory and submit to New Jersey Green Acres to enable funding of future recreation and open space acquisition projects.
15. Consider the preparation and adoption of a Green Buildings and Environmental Sustainability Plan Element of the Master Plan. Consider working toward certification in Sustainable New Jersey to be eligible for future funding. Seek funding from ANJEC for this effort.
16. Continue to work to update the Township’s Historic Site Survey to determine State and National Register eligibility. Consider preparation and adoption of an updated Historic Preservation Element of the Master Plan.
17. Provide standards for the design of new or modified commercial and retail development consistent with the vision of the overall township plan.

THE RECOMMENDATIONS OF THE PLANNING BOARD CONCERNING THE INCORPORATION OF REDEVELOPMENT PLANS ADOPTED PURSUANT TO THE "LOCAL REDEVELOPMENT AND HOUSING PLAN," P.L.1992, C.79 (C.40A:12A-1 ET AL.) INTO THE LAND USE PLAN ELEMENT OF THE MUNICIPAL MASTER PLAN, AND RECOMMENDED CHANGES, IF ANY, IN THE LOCAL DEVELOPMENT REGULATIONS NECESSARY TO EFFECTUATE THE REDEVELOPMENT PLANS OF THE MUNICIPALITY.

There are no sites planned for redevelopment at this time.