

BANISCH ASSOCIATES, INC.

FACSIMILE TRANSMITTAL SHEET

TO: KEVIN PAGE

FROM:

CHUCK NEWCOMB PP/AICP

FAX NUMBER:

732-805-3978

DATE:

FEBRUARY 22, 2005

CLIENT: FLRD, LLC.

TOTAL NO. OF PAGES INCLUDING
COVER: 8

PHONE NUMBERS:

908-782-0835

CC: DAVE DECH

475-6537

RE: Draft memo

URGENT FOR REVIEW PLEASE COMMENT PLEASE REPLY

NOTES/COMMENTS:

Kevin,

Please review and let me know your comments.

Chuck

Post Office Box 154 • Sergeantsville, NJ 08557

PHONE: 908-782-0835 • FAX: 908-782-7636
E-MAIL: CHARLESNEWCOMB@EARTHLINK.NET

B A N I S C H
A S S O C I A T E S , I N C

Planning and Design

February 23, 2005

The Honorable Board of Chosen Freeholders of the County of Warren
Wayne Dumont, Jr. Administration Building
165 County Road, 519 South
White Twp, New Jersey 07823-1949

Dear Freeholders:

This letter is a request to amend the Cross-Acceptance Plan as forwarded to you by the Warren County Planning Board. Specifically, we are requesting that the proposed map amendments offered by Oxford Township requesting that the village center boundaries be expanded to include Block 24 Lot 20, an existing commercial use, which is within the sewer service area.

As you may not be aware the Oxford Township Land Use Board memorialized a resolution granting use variance relief to certain conditions for the subject property to develop a cluster development on 36.87 acres as well as preliminary subdivision approval. The relief was granted in part based on the Oxford Township Master Plan which identified the area for residential development as well as use of the cluster development option to preserve open space. (The proposed development provides over 15 acres of open space.) Additionally, the Township and the applicant were of the opinion that the subject property was in the center boundary of the Town Center of Oxford as approved by the State Planning Commission on January 28, 1998.

At the meeting of the approval, January 12, 2004, the applicant testified that based on further investigation the property was not within center boundary but sat adjacent to it. Additionally, he established that the Implementation Agenda approved by the Commission directed the Township to "Develop concept plans for vacant land adjacent to the proposed town center. Review and revise zoning codes to allow for bonuses that would encourage development adjacent to the town center **for the eventual expansion of the center.**" (Copy attached of the implementation agenda, accompanying report and State Planning Commission resolution.)

Therefore, it is our contention that the Township should have requested not only the center boundaries for the three redevelopment areas but should have included an amendment for the property in question as approved by the Oxford Township Land Use Board on January 12, 2004 because it met the intent of the Implementation Agenda as approved by the State Planning

P.O. Box 154, Sergeantsville, NJ 08857-0154

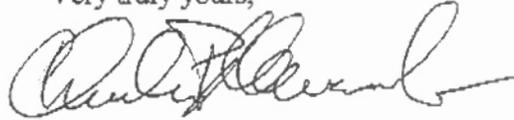
908-782-0835/908-782-7636(fax) banisch@earthlink.net

Commission. It is our contention that the approval granted by the Land Use Board met the intent of the Implementation Agenda, Report and approval Resolution. Consequently, we ask that the Board of Chosen Freeholders direct the Planning Board to amend the map amendment request made by Oxford Township to include Block 24 Lot 20 within its town center boundary.

If you have any questions or require additional information, please inform us accordingly.

Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Charles P. Newcomb', written in a cursive style.

Charles P. Newcomb, PP/AICP

Enclosure

cc: Warren County Planning Board members
David K. Dech, Planning Director
Oxford Township Committee
Oxford Township Land Use Board
Kevin Page, PE



State of New Jersey
DEPARTMENT OF THE TREASURY
OFFICE OF STATE PLANNING

PO BOX 204
TRENTON NJ 08625-0204

CHRISTINE TODD WHITMAN
Governor

JAMES A. DiELEUTERIO, JR.
State Treasurer

Memorandum

DATE: January 9, 1998
TO: Members, Plan Implementation Committee
FROM: Herbert Simmens, Director *HRS*
RE: Oxford Township, Warren County, Center
Designation Petition

The Oxford Township center designation petition was discussed at length at the December 10, 1997 PIC meeting. As a result of that meeting, the Township was asked to supply the following:

- 
1. The Township would need to develop policies for the R80 and R120 zones to encourage clustering as close to the existing village as possible. The center's community development boundary (CDB) would be amended to incorporate these new clusters when the analysis was completed. An amendment of the CDB would become an activity of the Planning and Implementation Agenda (PIA). The Township would need to work with OSP in developing concept plans for lands adjacent to the village center.
 2. The Township would need to rethink its industrial, office and business zoning in the northern part of the township to come up with a more realistic buildout potential.
 3. The Township would need to add some specificity and a timetable to the PIA activities.
 4. The Township, in cooperation with the agricultural community, would need to develop a set of policies to strengthen agriculture.

In response to the Committee's requests, Oxford Township has modified both the petition's text and the PIA. Specifically, Oxford Township responded in the following fashion:

- 
- Oxford has agreed to develop concept cluster plans for the vacant land parcels abutting Oxford Village. The Township will incorporate these clusters into the Village Center where possible, or keep them within pedestrian proximity. In the PIA, the Township states that it will be requesting assistance from OSP in the development of these plans.
 - Oxford will review and revise its industrial and office zoning in the northern part of the township to establish a more realistic buildout potential.

- More specificity has been added to the PIA, along with a timeframe for the listed planning activities.
- Existing agricultural properties will be reviewed and local land use policies developed to strengthen the Township's farmland preservation efforts.

The above-noted revisions were included in the original PIC packet.



State of New Jersey

DEPARTMENT OF THE TREASURY
NEW JERSEY STATE PLANNING COMMISSION
PO Box 204
TRENTON NJ 08625-0204

CHRISTINE TODD WHITMAN
Governor

JAMES A. D'ELBUTERI
State Treasurer

Resolution No. 98-001 Date: January 28, 1998

Page 4 of 4

Patron: Dianne Brake

BASIS FOR DESIGNATION

petition, and all of the comments and written correspondence submitted to the Office of State Planning and the State Planning Commission regarding the petition, and

WHEREAS, the State Planning Commission has determined it appropriate to approve the amendment of the Resource Planning and Management Map for the purpose of designating a portion of the Township of Oxford as a Village Center in accordance with the petition, and subject to the conditions recommended by the Plan Implementation Committee on December 10, 1997 and January 14, 1998,

NOW, THEREFORE, BE IT RESOLVED that the State Planning Commission, pursuant to N.J.A.C. 17:32-8, hereby approves the amendment of the Resource Planning and Management Map designating a portion of the Township of Oxford as a Village Center in accordance with the petition filed on March 1, 1996, and subject to the conditions recommended by the Plan Implementation Committee on December 10, 1997 and January 14, 1998 regarding said petition, and

BE IT FURTHER RESOLVED that the Office of State Planning shall work closely with the Township of Oxford and Warren County in order to assist in the implementation and development of the Village Center and to see that the conditions of this Resolution are achieved, and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Governor, the Senate President, the Assembly Speaker, members of the Legislature representing District 23, and the Commissioners and Secretaries of State Agencies.

Certification

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Wednesday, January 28, 1998. Ayes: (11) Dianne Brake, George Horzepa, Meredith Stengel, Richard Fritzky, Jay Cranmer, Stephen Sasala, Charles Kuperus, Lisa Scarinci, Larry Schmidt, Bill Beetle, H. Jay Yoon. Nays: (1) Michele Byers.

Herbert Simmens, Secretary
NJ State Planning Commission

Dated: January 29, 1998

PETITION FOR CENTER DESIGNATION
TOWNSHIP OF OXFORD
WARREN COUNTY, NEW JERSEY

Prepared by:

Michael J. Spillane, P.E., P.L.S., #17569
Spillane Engineering Associates
124 Morris Turnpike
Randolph, NJ 07869

January, 1998

environmentally sensitive nature of the land in the Township it is unlikely that a dense development will continue outside the boundary of the center. There is a provision in the Oxford Ordinance to allow for clustering developments in order to preserve as much open space as possible and to allow for reasonable yield to property owners.

The State Plan recommends that growth within centers be guided by the location and capacity of infrastructure in such a way that the protection of natural resource sensitive land is ensured. Oxford Township recognizes this significance of the physical infrastructure and has always tried to improve its system and nurture its resources in conformance with the State and County agencies. In the 1993 Master Plan the Village Center area was designated as a Village Center while the outlying areas were designated for low density, recreational or agricultural uses. In anticipation of the Development of the environs around the town center, the Land Use Board will prepare a number of concept plans for the vacant parcels adjacent to the town center and utilizing density bonuses strongly encourage the development of those properties to be clustered abutting or at least within pedestrian proximity of the town center. The parcels that have been zoned for low density contain environmentally sensitive areas and with some realistic evaluations and reduced lot size per a clustering provision, plus or minus 10,000 square feet per lot, the development can be controlled and directed to become part of the town center while preserving the environmentally sensitive areas of the environs as open space.

The density areas specifically enumerated by the plan were in two and three acre zoning with a cluster option suggested in the Master Plan to preserve open space. The majority of the

PLANNING AND IMPLEMENTATION AGENDA:

ACTIVITY	LOCAL EFFORT	STATE/COUNTY ASSISTANCE
<i>Land Use</i>		
Develop new, updated zoning and planning regulations and form. Completed 9/1/97.	Research successful municipalities and combine Planning and Zoning Board.	New Jersey OSP and Warren County Planning Staff.
Create design guidelines for downtown/center redevelopment. Complete by 6/1/99.	Access existing qualities and review existing guidelines available.	OSP New Jersey Historic Trust.
Review and revise zoning regulations for industrial and office zones to establish realistic guidelines for floor area ratio and impervious coverage ratio to control ultimate buildout in those zones. Complete by 3/1/99.	Land Use Board and staff research various municipalities for appropriate guidelines.	New Jersey Office of State Planning, Warren County Planning staff and New Jersey League of Municipalities.
Update and revise Master Plan to show access points State Route 31 and bypass routes for Route 31.	Master Plan Committee and staff revise Master Plan in accordance with new cross acceptance procedure.	New Jersey Office of State Planning and Warren County Planning Staff.
* Develop concept plans for vacant lands adjacent to the proposed town center. Review and revise zoning codes to allow for bonuses that would encourage development adjacent to the town center for the eventual expansion of the center. See Page 20. Completed by 1/1/99.	Master Plan Committee in conjunction with the Master Plan revision will coordinate municipal efforts.	New Jersey Office of State Planning and Warren County Planning Staff.
Review existing farmland properties and develop policies to strengthen agricultural preservation as an element of the revised Master Plan.	Review farmland assessments provided by the tax assessor, identify viable farms and review available published procedures relative to farmland preservation.	New Jersey Office of State Planning, New Jersey Dept. of Agriculture, County Agricultural Extension Service and the New Jersey Farm Bureau.