

**RESOLUTION #2016-21  
OF THE JOINT LAND USE BOARD OF THE TOWNSHIP OF WOOLWICH  
ADOPTING THE MASTER PLAN REEXAMINATION REPORT AND UPDATES TO  
THE TRANSFER DEVELOPMENT RIGHTS PLAN ELEMENTS**

**WHEREAS**, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-28, the Woolwich Township Planning Board, (hereinafter also referred to as the "JLUB") is given the exclusive authority to prepare and adopt a Master Plan for the Township and to hold a public hearing prior to the adoption of the Master Plan. Said Master Plan is to be a guide for the use and development of lands within the Township; and

**WHEREAS**, after a public hearing on October 16, 2003, the Planning Board, consistent with the Municipal Land Use Law (hereinafter "MLUL"), adopted a Master Plan which outlined the planning principles, objective and policies for the physical, social and economic development of the Township. The Master Plan is comprised of a statement of land use, maps and various elements, which contain land uses, housing, population, circulation, community facilities, recycling, utility services, recreation, conservation, economic development and historic preservation elements; and

**WHEREAS**, the MLUL, specifically N.J.S.A. 40:55D-89 requires a municipality to provide for a general reexamination of its master plan and development regulations at least every ten (10) years. The Reexamination Report should state the major land development problems and objectives present when the last report or plan was prepared and the status of these conditions to date. The report must also make any recommendations for change to the Master Plan or development regulations that would further achieve the original goals or address any significant

changes that would occur since the last report and provide recommendations to the Planning Board concerning the incorporation of redevelopment plans and any changes necessary to effectuate redevelopment; and

**WHEREAS**, in March of 2007, the Woolwich Township Planning Board prepared and adopted a Transfer of Development Rights Plan. The Transfer of Development Rights Plan was adopted by the Woolwich Township Mayor and Committee in October of 2008; and

**WHEREAS**, pursuant to N.J.S.A. 40:55D-89, the Woolwich Township Planning Board, after proper statutory notice, conducted a public hearing and adopted a Master Plan Reexamination Report on September 6, 2007, with Resolution No. 2007-29, having been adopted on September 20, 2007; and

**WHEREAS**, the Woolwich Township JLUB, after proper statutory notice, conducted public hearings on July 17, 2008 and August 21, 2008, and adopted various elements of the Master Plan and adopted an Amended Transfer of Development Rights Plan (hereinafter "TDR"), with Resolution No. 2008-30 having been adopted on September 4, 2008; and

**WHEREAS**, the Woolwich Township JLUB, conducted a public hearing on May 19, 2016, which public hearing was properly noticed and published pursuant to the MLUL and applicable law. At the hearing, the JLUB heard testimony from the following professionals regarding the following elements of the Master Plan Reexamination Report and the amendments to the TDR Plan:

- A. J. Timothy Kernan, PP, PE, CME, provided testimony regarding the Master Plan Reexamination Report, the Regional Center Update, the TDR Plan

update including the Land Use Element, the Stormwater Management Plan and the Zoning Regulations and Design Standards; and

B. Courtenay D. Mercer, AICP, PP, provided testimony regarding the Circulation Plan update; and

C. Peter Simone, RLA, FASLA, provided testimony regarding the Public Spaces Plan update; and

D. James Hartling, of Urban Partners, provided testimony regarding the Real Estate Market Analysis update; and

E. Matt Blake, Woolwich Township Director of Community Development provided introductory remarks and provided an update regarding the recent TDR Reverse Auction results; and

**WHEREAS**, the following members of the public spoke at the hearing: Anne Dorsett. Jordan Schlump and Elena Brandt. The members of the public asked questions regarding the examination report and made comments regarding same. No member of the public objected to the Master Plan Reexamination Report, the updated TDR Plan, nor any element, report or document pertaining to same.

**WHEREAS**, the Woolwich Township JLUB, after considering the Master Plan Reexamination Report, the updated TDR Plan and all elements and reports pertaining to both, and based upon the information provided to the JLUB prior to and at the time of the hearing, and as set forth above and throughout this Resolution, as well as, the advice, testimony and reports of the JLUB's professionals, the Woolwich Township Joint Land Use Board, makes the following findings of fact and conclusions of law:

1. The existing Master Plan of the Township of Woolwich was adopted on October 16, 2003; and

2. N.J.S.A. 40:55D-89 requires a municipality to provide for a general reexamination of its master plan and development regulations at least every ten (10) years. The Reexamination Report should state the major land development problems and objectives present when the last report or plan was prepared and the status of these conditions to date. The report must also make any recommendations for change to the Master Plan or development regulations that would further achieve the original goals or address any significant changes that would occur since the last report and provide recommendations to the Planning Board concerning the incorporation of redevelopment plans and any changes necessary to effectuate redevelopment; and

3. The Woolwich Township Planning Board adopted a Transfer of Development Rights Plan in March of 2007. The Transfer of Developments Rights was adopted by the Woolwich Township Mayor and Committee in October of 2008; and

4. The Woolwich Township Planning Board conducted a duly noticed public hearing and adopted a Master Plan Reexamination Report on September 6, 2007, with Resolution No. 7007-29 having been adopted on September 20, 2007; and

5. The Woolwich Township Joint Land Use Board conducted duly noticed public hearings on July 17, 2008 and August 21, 2008, and adopted various elements of the Master Plan and adopted an Amended Transfer of Development

Rights Plan, with Resolution No. 2008-30 having been adopted on September 4, 2008; and

6. Statutory notice of the public hearing conducted on May 19, 2016 was duly given in accordance with N.J.S.A. 40:55D-10A and N.J.S.A. 40:55D-13, by publishing notice of the hearing in the Township's official newspaper at least ten (10) days prior to the hearing date, by providing notice by certified mail to the Clerks of all adjoining municipalities at least ten (10) days prior to the hearing date and by providing notice to the Gloucester County Planning Board, with a copy of the proposed Master Plan Reexamination Report, Amended Transfer of Development Rights Plan and all reports and amendments thereto, at least ten (10) days prior to the hearing date; and

7. The areas and elements to be reviewed by the Woolwich Township JLUB were the Master Plan Reexamination Report, Amended Transfer of Development Rights Plan, including the Land Use Element update, the Stormwater Management Plan, the Zoning Regulations and Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis update and all supporting reports, elements, and other documents. All of these documents were on file with the Woolwich Township Clerk and available for public inspection, at least ten (10) days prior to the hearing date; and

8. The Master Plan Reexamination Report, the Amended Transfer of Development Rights Plan including the Land Use Element update, the Stormwater Management Plan, the Zoning Regulations and Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis

update and all supporting reports, elements, and all other documents submitted and on file with Woolwich Township are incorporated and made a part of this resolution by way of reference; and

9. At the hearing, Matt Blake provided the JLUB with an overview of the reexamination process, as well as, an update on the reverse auction that had taken place regarding the TDR Program. The Township had secured a grant in the amount of \$100,000.00 from the Delaware Valley Regional Planning Commission (DVRPC) to help fund the reexamination and TDR update. As a result of the reverse auction, the Township anticipates closing 288 TDR credits and preserving some 815 acres of farmland and open space.

10. J. Timothy "Tim" Kernan, the JLUB's professional planner provided the JLUB with a summary of the history of the Township's Master Plan and the current process. He noted that the Township's current Master Plan was adopted on October 16, 2003. The TDR Plan was adopted by the JLUB in March of 2007 and a Master Plan Reexamination Report was adopted by the JLUB on September 6, 2007. A Master Plan Reexamination Report and amendment to the TDR Plan was adopted by the JLUB in August of 2008. A five (5) year review and analysis of the TDR Plan as required by N.J.S.A. 40:55D-156 was conducted and a review report adopted by the JLUB on October 30, 2013.

11. Mr. Kernan proceeded to highlight aspects of the Problems, Goals and Objectives contained in the original Master Plan and which were addressed in the Master Plan Reexamination Report. Mr. Kernan noted a recommendation to expand

"small box" industrial uses and buildings and to allow expanded uses on farmland such as wineries/distilleries, wedding receptions and other similar uses.

12. With respect to the Regional Center update, Mr. Kernan noted that the area has now been given a branding name, which is "King's Landing at Woolwich Township". He noted that the previous developer who had been a part of the settlement agreement did not have an interest in participating in TDR. The new developer has shown an interest in participating in the program. The settlement area was re-zoned as a TDR receiving zone, but also contains an overlay which mirrors the zoning set forth in the settlement agreement. Mr. Kernan discussed the Township's affordable housing obligations and the fact that the Township was before the Court now in an effort to resolve its affordable housing obligation.

13. Mr. Kernan went on to testify regarding the current zoning and the proposed zoning changes in the new plan. In the area covered by the settlement agreement, the plan sets densities in accordance with the densities set forth in the settlement agreement. Any increased density can be obtained through the purchase of TDR credits. The plan calls for the consolidation of the old FOC and LIO zones into a combined commercial corridor with an expansion of the permitted uses in the commercial corridor. There is an area marked in dark green that is being preserved as a conservation area in accordance with the request of the New Jersey Department of Environmental Protection. Again, the area comprising the settlement agreement has an overlay that mirrors the zoning contained in settlement agreement and which is now in place.

14. Regarding the revised TDR Plan, Mr. Kernan traced the few new areas that have been added to the sending district and commented on the Township's success in preserving farmland and open space.

15. Mr. Kernan gave a brief summary of the Stormwater Management Plan noting that the plan is essentially the same as before, with the Township having added some additional stormwater areas.

16. As pertaining to the Zoning Regulations and Design Standards, Mr. Kernan noted that they were staying primarily the same as they are presently in the ordinance. They have attempted to keep the same models of buildings as previously permitted, but adding some flexibility to their use. He again noted the effort to provide more and greater flexible uses in the commercial corridor.

17. Courtenay D. Mercer, AICP, PP, testified regarding the circulation plan update. Ms. Mercer traced the various aspects of the plan, noting that they had applied the circulation plan to the entire Township, not simply the Regional Center area. She noted an emphasis on providing for bike paths and pedestrian walkways. Ms. Mercer also provided some depictions of roadways which will include public spaces and landscaped center medians.

18. Peter Simone provided testimony regarding the update to the Public Spaces Plan. Mr. Simone traced the significant progress the Township has made regarding the preservation of farmland and open space. The plan recommends an additional 952 acres of parks and open space be preserved. Combined with the existing 831 acres, a total of 1,783 acres of open space would be provided. The Plan proposes four (4) types of public spaces: Neighborhood Parks which are

primarily public spaces of about a half an acre to 5 acres near residential areas used for dog parks or playing fields, Plaza/Civic Spaces which are smaller spaces primarily near street intersections which are social spaces, Allee's/Green links/Buffers along roadways and environmental lands consisting of primarily wetlands.

19. James Hartling testified regarding the Real Estate Market Analysis update. He noted that there are 100 parcels in the sending area with the number to shrink as TDR credits are retired. The total acreage in the sending area is approximately 3,159.50 acres. The total number of credits is 1009.25. Mr. Hartling testified regarding the history of the value of the credits over the years since TDR was enacted and the current value of the credits. Mr. Hartling testified that the value of a credit is somewhere around \$40,000.00. He noted that some credits will be sold cheaper depending upon individuals need to sell credits. Mr. Hartling reviewed the "Bonus Multipliers" that are contained in the TDR Plan.

20. In the receiving area, Mr. Hartling estimated that there are a potential total of 4,200 units in the King's Landing and Auburn Road receiving areas. There would be a need for 1,052 credits, so they have clearly provided for enough credits in the sending zone.

21. Mr. Hartling estimated that the Township will need an additional 5,800 housing units will be needed, with most coming in the Weatherby project and the rest in the receiving area. He expects 90% to be built by 2040 and a total of around 6,000 units to be built by 2050 to meet the Township's housing needs. He expects the population of Woolwich to be approximately 23,000 by 2040 and 25,000 by 2050. Mr. Hartling noted a decrease in household size in recent years.

22. With respect to the Regional Center, Mr. Hartling noted that the area would be supported not just by Woolwich Township residents, but by citizens of neighboring municipalities as well.

23. As indicated above, the hearing was opened to the public for comment and questions. The public was provided the full opportunity to comment and be heard regarding the matters before the JLUB.

24. The Woolwich Township JLUB determines that the Master Plan Reexamination Report, the Amended Transfer of Development Rights Plan including the Land Use Element update, the Stormwater Management Plan update, the Zoning Regulations and Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis update and all supporting reports, elements, and other documents were all in full compliance with all of the requirements set forth in the Municipal Land Use Law and the Transfer of Development Rights Act (N.J.S.A. 40:55D-137 et seq.).

25. The Woolwich Township JLUB determines that all procedural requirements and regulations were fully satisfied with regard to the preparation of the various reports and plans submitted for consideration and passage by the JLUB and regarding the public meeting held on May 19, 2016.

**WHEREAS**, upon motion duly made and seconded to **ADOPT** the Master Plan Reexamination Report, the Amended Transfer of Development Rights Plan including the Land Use Element update, the Stormwater Management Plan update, the Zoning Regulations and Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis update and all supporting

reports, elements, and other documents, the Woolwich Township Joint Land Use Board, by a vote of 8 in favor, 0 opposed and 1 abstentions, (Voting for: Casella, Rossi, Schwager, Glanfield, Rushton, Iskander, O'Donnell and Blake)(Abstaining: Juliano), voted to **ADOPT** the Master Plan Reexamination Report, the Amended Transfer of Development Rights Plan including the Land Use Element update, the Stormwater Management Plan update, the Zoning Regulations and Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis update and all supporting reports, elements, and other documents.

**NOW, THEREFORE, BE IT RESOLVED**, by the Joint Land Use Board of the Township of Woolwich, after considering the Township Development Regulations, and after considering all of the testimony and evidence presented at the hearing and based upon the findings of facts and conclusions of law, the Master Plan Reexamination Report, the Amended Transfer of Development Rights Plan including the Land Use Element update, the Stormwater Management Plan, the Zoning Regulations and Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis update and all supporting reports, elements, and other documents are hereby **ADOPTED** as an amendment to the existing Master Plan by the Township of Woolwich Planning Board, including all of the recommendations set forth herein and in said documents.

**BE IT FURTHER RESOLVED** that a copy of the Master Plan Reexamination Report, the Amended Transfer of Development Rights Plan including the Land Use Element update, the Stormwater Management Plan, the Zoning Regulations and

**AIMINO & DENNEN, LLC**  
**ATTORNEYS AT LAW**

Newton Avenue  
Woolwich, New Jersey 08096

Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis update and all supporting reports, elements, and other documents and this Resolution shall be sent to the Gloucester County Planning Board and the Woolwich Township Mayor and Committee and that a notice of the adoption of same be prepared and shall be sent to the municipal clerks of each adjoining municipality.

**BE IT FURTHER RESOLVED** that the Woolwich Township JLUB recommends to the Woolwich Township Mayor and Township Committee that they take all necessary and appropriate action to enact the proposed updates and changes as set forth in the Master Plan Reexamination Report, the Amended Transfer of Development Rights Plan including the Land Use Element update, the Stormwater Management Plan, the Zoning Regulations and Design Standards update, the Circulation Plan update, the Public Spaces update, the Real Estate Market Analysis update and all supporting reports, elements, and other documents on file with the Township and which were adopted by the Woolwich Township JLUB.

JOINT LAND USE BOARD OF THE  
TOWNSHIP OF WOOLWICH



ROBERT RUSHTON, Vice-Chairman

**AIMINO & DENNEN, LLC**  
ATTORNEYS AT LAW

Newton Avenue  
Woolwich, New Jersey 08096

ATTEST:

The foregoing Resolution was a memorialization of action taken at a regular meeting of the Joint Land Use Board of the Township of Woolwich held on the 19th day of May 2016; and such resolution was adopted by the Joint Land Use Board of the Township of Woolwich at a regular meeting held on June 2, 2016, by a vote 5 to approve, 0 to oppose and 1 to abstain.

*Tara Simpkins*

TARA SIMPKINS, Secretary

In favor of the resolution: 5

Opposed to the resolution: 0

Abstained: 1