

**RESOLUTION SUPPORTING THE STATE HOUSE COMMISSION
FINAL APPLICATION TO THE NJDEP GREEN ACRES PROGRAM
FOR
A MINOR DIVERSION OF PARKLAND FROM FLANDERS PARK
BLOCK 6000, LOT 12
TOWNSHIP OF MOUNT OLIVE, MORRIS COUNTY, NEW JERSEY**

WHEREAS, Block 6000, Lot 12 in the Township of Mount Olive is part of Flanders Park which is encumbered with restrictions against disposal or diversion from recreation and conservation uses by the New Jersey Department of Environmental Protection's Green Acres Program; and

WHEREAS, in conjunction with the proposed widening of Pleasant Hill Road necessary for the proposed improvements to the Flanders Bartley Road/Ironia Road and Pleasant Hill Road/ Main Street intersection required for the Marveland Estates development, it is necessary to remove the Green Acres restrictions from a one tenth of one acres (0.1) acre portion of Flanders Park (0.08 acres for road right of way and 0.02 acres for drainage easements); and

WHEREAS, the removal of Green Acres restrictions from parkland requires the approval of the Commissioner of the Department of Environmental Protection and the State House Commission pursuant to N.J.A.C. 7:36-26; and

WHEREAS, the Township Council of Mount Olive wishes to apply for approval for widening of Pleasant Hill Road necessary for the proposed improvements to the Flanders Bartley Road/Ironia Road and Pleasant Hill Road/ Main Street intersection required for the Marveland Estates development as a minor disposal or diversion of parkland under N.J.A.C. 7:36-26; and

WHEREAS, a resolution was passed on August 6, 2013 by the Township Council of Mount Olive supporting the pre-application submission pursuant to N.J.A.C. 7:36-26.4(d)10; and

WHEREAS, a public hearing was held on December 10, 2013 and public comment was accepted until December 24, 2013; and

WHEREAS, in accordance with N.J.A.C. 7:36-26.6(f)4, it is necessary for the Township Council of Mount Olive to submit as part of the final application a Resolution endorsing the application to divert or dispose or parkland;

NOW THEREFORE, BE IT RESOLVED by the Township Council of the Township of Mount Olive, in the County of Morris, State of New Jersey as follows:

1. The Township Council of Mount Olive endorses the filing of a final application for the Flanders Park diversion pursuant to N.J.A.C. 7:36-26;

2. The Township Council of Mount Olive has reviewed both oral and written comments accepted during the public comment period and have made a finding that the minor disposal or diversion of parkland is still in the public's best interest.
3. The Township Council of Mount Olive hereby finds that the Flanders Park diversion would meet the minimum substantive criteria at N.J.A.C. 7:36-26.1(d) by fulfilling a compelling public need and yield a significant public benefit as follows:
 - A. The Flanders-Bartley Road/Ironia Road and Main Street/Pleasant Hill Road Intersection is a four-legged unsignalized intersection, where the north, south and west bound approaches are stop controlled. The eastbound approach, Flanders-Bartley Road, is a free flowing movement. The lack of sidewalks, pedestrian crosswalks, and the free flowing movement of traffic from the Flanders-Bartley Road approach does not promote pedestrian circulation through the intersection.

Signalization of the intersection and the associated improvements that include crosswalks and accessible ramps at all four legs of the intersection will provide gaps in the traffic through the intersection and safe demarcated pedestrian routes through the intersection. The improvements will provide the residents from the Flanders Crossing Development, along with the other residential developments located to the north of Flanders-Bartley Road with a safe pedestrian route from the developments to Flanders Park, the Temple located adjacent to and immediately south of Flanders Park and through the Park to the system of trails that will link Flanders Park to the Mountain View School, Powerline Park and other trails and other preserved open space properties to the south.

- B. A traffic study done for the proposed Marveland Estates Development that is located approximately seven hundred feet (700') south of the intersection on Pleasant Hill Road has determined that a traffic signal is warranted at the intersection. The Marveland Estates Development is an inclusionary development as defined by the Fair Housing Act, N.J.S.A. 52:27D-304f. Twenty percent (20%) of the housing units in the development are set aside for low and moderate income households.

As provided for above, the proposed minor diversion (1.) fulfills a compelling public need (safe pedestrian access) and (2.) yields a significant public benefit by promoting the construction of low and moderate income housing.

4. The Township Council of Mount Olive acknowledges that in order to obtain the approval of Flanders Park diversion, all substantive and procedural requirements of N.J.A.C. 7:36-26 must be met, including compensation requirements at N.J.A.C. 7:36-26.5; and
5. The Township Council of Mount Olive acknowledges that in the event the Green Acres Program Classifies the Flanders Park diversion as a major disposal or diversion of parkland, additional application information will be required under N.J.A.C. 7:36-26 before the application can proceed.

DATE: (insert: date)

Township Council of Mount Olive

BY: _____
(insert: Title)

ATTEST: _____
(insert: Title)