

**REDEVELOPMENT PLAN AMENDMENT**

**BEESELY'S POINT REDEVELOPMENT AREA**

**Block 479, Lots 76, 76.01, 94.01, 106.02, 107, 107.01, 108, and 108.01**

**January 2023**

**Amending January 2021 Redevelopment Plan**

Prepared for:

Upper Township  
Cape May County, New Jersey

As Recommended by the Planning Board by Resolution # SP01-2023 on February 16, 2023;  
Adopted by the Governing Body by Ordinance # 001-2023 on February 27, 2023.

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## **INTRODUCTION**

This Redevelopment Plan Amendment relates to the Beesley's Point Redevelopment Area and Redevelopment Plan which was adopted by the Governing Body as Ordinance #001-2021 on January 25, 2021.

The Beesley's Point Redevelopment Area is comprised of approximately 348 +/- acres. This Redevelopment Plan Amendment is intended to provide for the construction of an Electrical Substation at the B.L. England Generating Station. Over the past several years the former power plant operations have ceased, and portions of the plant have been removed/demolished. The continued use of this area as an electrical substation has been provided for in the existing zoning ordinance. This Redevelopment Plan Amendment provides for the continued use of a portion of the property located to the east of the existing B.L. England improvements.

Specifically, this amendment deals with the construction of an Electrical Substation on a portion of the property within the Beesley's Point Redevelopment Area. The primary location for the electrical substation is located in the area of the former "Coal Pile" associated with the B.L. England Plant operations. Additional improvements including a transmission structure, underground utilities and other similar items specifically related to the construction of an electrical substation are also proposed.

## **LAND USE AND BUILDING REQUIREMENTS**

The Redevelopment Plan shall be amended to replace the Land Use and Building Requirements as follows:

The existing use, bulk, design, performance standards, and all other standards, set forth in the Township Zoning Ordinance shall apply to the Redevelopment Area except as provided below for Electrical Substations.

It is intended and expressly understood that with respect to any issue of relevant land use and building requirements not specifically addressed in this Redevelopment Plan, those issues are subject to the Township's Development Regulations and Zoning Ordinances and all other ordinances and regulations of the Township of Upper not contravened in this Redevelopment Plan as permitted by N.J.S.A. 40A:12A-7(a)(2).

Except as specifically provided herein, development of the Redevelopment Area shall be governed by the underlying zoning currently in effect throughout the Township, and subject to any and all existing Redevelopment Plans.

**Electrical Substation Overlay Zone:**

The following provisions shall be on overlay of the underlying zoning only for the portion of the Beesley's Point Redevelopment Area identified in red on Exhibit I attached to this Plan Amendment. This overlay zoning shall be subject to a Redevelopment Agreement with the Township. An executed Redevelopment Agreement with the Township shall be a condition of approval of any site plan approval granted in the overlay zone. No building permit shall be issued for any project utilizing this overlay zoning unless and until a fully executed Redevelopment Agreement has been approved by the Township. To the extent there is an inconsistency between the Redevelopment Plan and the Zoning Ordinance, the Redevelopment Plan shall control.

Within the Electrical Substation Overlay Zone identified in red on Exhibit I attached to this Plan Amendment, the following requirements shall apply:

A. **Permitted Uses.** The following shall be permitted uses within the Electrical Substation Overlay Zone, subject to the terms and conditions in this Plan Amendment.

1. Electrical Substations are a permitted use.

2. Lightning Masts are a permitted accessory use

**B. Bulk Requirements.**

1. Lot Area - The maximum lot area devoted to an electrical substation is 10 acres. This does not include any lot area required for site access parking, stormwater management facilities, landscaping, buffering and the preservation of environmentally/historically restricted areas.
2. The location of an Electrical Substation is permitted in the same general area as the former “Coal Pile” area from the B.L. England Power Plant operations. This area has an underlying zoning designation of C-Conservation and the RP-Recreational and Park Districts. More specifically, electrical substations must be located at least 1,200 feet from the most waterward side of Lot 76.01 and 1,400 feet from North Shore Road.
3. There are no minimum lot frontage, lot width or lot depth requirements.
4. Minimum setback to all property lines – 50 feet.
5. Maximum Building Coverage – 35%
6. Maximum impervious coverage – 80%
7. Maximum Heights shall be in accordance with the following table:

	Height	Notes
Building Heights	35'	Listed height does not include lightning masts on top of building that will be approximately 5' high each
Structure height (main onshore substation)	80'	This is the height of the lightning mast which is the tallest structure in the substation.
Riser Structure height	95'	Riser structure could be a H frame or a monopole. Monopole is taller which is considered here.
Power Transformer	35'	Height to top of transformer bushing. Conservative height includes elevating transformer 3ft.
Shunt Reactor	38'	Height to top of reactor bushing or conservator tank. Conservative height includes elevating reactor 3ft.
Harmonic Filter	42'	This is the height of the capacitor banks within the 275kV Harmonic Filter which is the tallest equipment of the filter.
275kV Main High Bus	38'	This is the height of the main electrical bus within the 275kV yard which is the tallest bus work in the yard.
138kV Main High Bus	28'	This is the height of the main electrical bus within the 138kV yard which is the tallest bus work in the yard.

- a. Building height shall not apply to accessory structures such as lightning masts, riser structures and/or other electrical transmission process structures.
8. With the exception of above-ground structures to enable the connection of the overhead electrical cables/conductors from an Electrical Substation into existing off-tract electrical transmission facilities, all other connections to those existing electrical transmission facilities or other related installations shall be underground.
  9. Any development plans shall identify trees over 12-inch caliper. Tree preservation areas should be provided which incorporate those trees identified where they are not in conflict with any required site improvements. There is no minimum tree preservation area required.

10. Fences may be topped with barbed wire or metal spikes. Fences over four feet are permitted, provided no fence may exceed 8-feet in height including any barbed wire or metal spikes.
11. A minimum of 5 parking spaces with a minimum area of 160 square feet are required on-site. The total required parking shall be determined by the total anticipated employees and/or visitors of and to the Electrical Substation as confirmed by any redeveloper in testimony before the planning board. In no case shall parking be permitted outside of the Electrical Substation Overlay Zone for any visitors/employees. Parking spaces are not required to be striped or designated.
12. There are no requirements for off-street/on-site loading areas.
13. The Electrical Substation Overlay Zone does not require frontage on a public street provided adequate access is provided for emergency vehicles and employee vehicles to a municipal street through cross-access easements. The access for emergency vehicles shall be a minimum of 20-feet wide and improved with a water-bound macadam or asphalt surface to support emergency vehicles.
14. Section 20-5.8 of the local ordinance shall apply to Electrical Substations with the following exceptions:
  - b. The provision of an underground irrigation system per Section 20-5.8.a.6(c) is not required provided the landscaping proposed is draught resistant.
  - c. The requirements for a Nuisance Landscaping Buffer under Section 20-5.8.a.1 and/or the requirements for Windbreaking/Heavy Screening under Section 20-5.8.a.3 are applicable to the area surrounding the Electrical Substation. In lieu of complying with the above referenced buffer ordinance requirements, any redeveloper in its sole discretion may make a monetary payment to a separate account to be established by Upper Township for landscaping to be provided off-



site in the future by other developers, redevelopers and/or Upper Township anywhere in the municipality, in the reasonable discretion of the Upper Township municipal engineer. The amount of said in lieu payment shall be based upon the number of plantings that would otherwise be required on-site pursuant to the above-cited ordinance buffer provisions in the reasonable estimation of the municipal engineer multiplied by a cost of three hundred dollars (\$300) per tree and seventy-five dollars (\$75) per shrub planting, in an amount not to exceed two hundred thousand dollars (\$200,000). Payment may be made as a condition of any approval of final major site plan and once said payment is made, the obligations set forth herein shall be deemed fully satisfied.

**Entire Redevelopment Area:**

The following additional zoning requirements shall apply to the entire Beesley's Point Redevelopment Area and shall supersede the underlying zoning requirements, to the extent that they conflict.

- A. Riser structures and underground utility installations which connect an Electrical Substation to off-site transmission facilities are a permitted use throughout the Project Area, whether or not they are located on-site or off-site of the Electrical Substation Overlay Zone, subject to the terms and conditions in this Plan Amendment as provided below.
  - 1. A single Transmission/Riser Structure to be located between an Electrical Substation and the BL England Generating Station.
  - 2. All new connections to existing or future electrical substations shall be located underground.
  - 3. Height limits for all riser structures shall comply with the requirements in Section B.7 of the Electrical Substation Overlay Zone.

## **ZERO-EMISSION VEHICLE FUELING AND CHARGING INFRASTRUCTURE**

All development shall comply with the requirements set forth at N.J.S.A. 40:55D-66.20, to the extent applicable. It is further anticipated that much of this Redevelopment Area, and in particular, the Electrical Substation Overlay Zone, is unlikely to be open and available to the public, there is no need for most of the area to have public charging stations. To the extent that employees, residents and/or the public will be visiting the area, It is anticipated that electric vehicle changing stations shall be made available in this area through compliance with N.J.S.A. 40:55D-66.20 for residents, employees and visitors of the developments constructed within the Project Area. Finally, there is one (1) public charging station within a five mile radius of the Project Area located at City Hall in Ocean City, 840 Central Avenue, Ocean City, New Jersey.

Given the availability of public charging stations in the area, as well as the availability of charging stations on-site pursuant to N.J.S.A. 40:55D-66.20, and the limited public access to many areas within the Redevelopment Area, no additional public charging stations shall be required within the Redevelopment Area.

## **RELATIONSHIP TO TOWNSHIP MASTER PLAN**

As indicated in the Redevelopment Plan, the Land Use Portion of the 1994 Master Plan envisioned the continuance of the Utility Zoning for the majority of the Redevelopment Area. It also noted that the 2020 Master Plan Reexamination Report recommended additional zoning options for the area because of the discontinuance of the B.L. England Facility and the limited ability to reuse the site for utility uses.

On May 26, 2020, the Township adopted Ordinance No. 005-2020, which incorporated the zoning recommendations set forth in the 2020 Master Plan Reexamination Report. This zoning included electrical substations as a conditional use. Although this Plan Amendment changes electrical substations from a conditional use to a permitted use, the same conditions still apply to the siting of an electrical substation within the Electrical Substation Overlay Zone.

Therefore, the Redevelopment Plan still remains substantially consistent with and designed to effectuate the Master Plan.

## **OTHER PROVISIONS**

All other provisions of the Redevelopment Plan Beesley's Point Redevelopment Area, dated January 2021 which are not specifically amended herein shall remain in full force and effect.

## **CONCLUSION**

The proposed amendments to the Beesley's Point Redevelopment Plan will provide for the effective and appropriate redevelopment of a portion of the property as an Electrical Substation. The proposed amendments are substantially consistent with the underlying zoning and former use of the property. The Redevelopment of this area as provided for in this Amendment will benefit the community and region by utilizing and repurposing existing facilities and providing new opportunities for energy production.

# BL England Substation

Upper Township, Cape May County



EXHIBIT I

## SITE MAP



### LEGEND

- SUBSTATION FENCE LINE
- PROPOSED CLEARING FOR UNDERGROUND UTILITIES
- 👉 CONTEXT IMAGE LOCATION
- 👁️ VIEWPOINT LOCATION



## CONTEXT IMAGES



1. View looking northwest from Beesley's Point Beach toward BL England Generation Station.



2. View looking north at the Tuckahoe Inn. Portions of BL England Generation Station are visible in the background of the image.



3. View looking northwest from the Clay Avenue access road toward the proposed BL England Substation site.



4. View looking northwest from the public fishing pier parking area toward BL England Generation Station.



5. View looking northwest from North Shore Road toward the Clay Avenue access road to the proposed BL England Substation site.