



State of New Jersey

DEPARTMENT OF STATE
NEW JERSEY STATE PLANNING COMMISSION
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CHRIS CHRISTIE
Governor

GERRY SCHARFENBERGER, PH.D.
Director

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Lieutenant Governor

Resolution No. 2012-03
Page 1 of 3

Date: April 30, 2012

RESOLUTION

AUTHORIZING A MEMORANDUM OF UNDERSTANDING AND ACTION PLAN BETWEEN THE REGIONAL CENTER PARTNERSHIP OF SOMERSET COUNTY, INC. AND THE STATE PLANNING COMMISSION AND ESTABLISHING AN INTERIM REGIONAL CENTER

WHEREAS, pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et seq. (the Act), the State Planning Commission (the Commission) has prepared and adopted a State Development and Redevelopment Plan (the State Plan) which includes a State Plan Policy Map; and

WHEREAS, in adopting the State Plan, the Commission has utilized the concept of centers as the organizing planning principle for achieving a more effective and efficient pattern of development in the State of New Jersey; and

WHEREAS, the State Plan identifies five types of centers: Urban Centers, Regional Centers, Towns, Villages, and Hamlets, and sets forth policies regarding the identification, delineation, development and redevelopment of same; and

WHEREAS, the Commission is empowered, pursuant to N.J.S.A. 52:18A-203, to adopt rules and regulations to carry out and implement its statutory responsibilities and purposes; and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the Commission has adopted regulations, set forth in N.J.A.C. 5:85, that establish procedures for filing of petitions with the Commission for the purpose of, *inter alia*, seeking plan endorsement and amendments to the State Plan Policy Map of the State Plan as a means to implement the State Plan and to foster cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, in October 2006, the Commission passed Resolution No. 2006-04 extending deadlines for initial plan endorsement for petitioners interested in continuing to work towards Plan Endorsement conditioned upon entering into a Memorandum of Understanding (MOU) and Action Plan with the Office of Smart Growth for so long as petitioner exerts good faith efforts to work toward Plan Endorsement as determined by the Executive Director of the Office of Smart Growth; and

WHEREAS, in June 2008, the Commission passed Resolution No. 2008-07 further extending plan endorsement deadlines for petitioners proceeding with plan endorsement as authorized pursuant to Resolution No. 2006-04; and

WHEREAS, the Regional Center Partnership of Somerset County, Inc. (SRC) and its participating municipalities (Township of Bridgewater, Borough of Raritan and Borough of Somerville) contacted the Office of Smart Growth (OSG) now known as the Office for Planning Advocacy (OPA) to seek Plan Endorsement to modify the Center boundary and renew the center that was going to expire; and

WHEREAS, the SRC and its participating municipalities (Township of Bridgewater, Borough of Raritan and Borough of Somerville) have consistently exerted good faith efforts to pursue new plan endorsement, as evidenced by the following:

- May 2007 – The SRC contacted the OSG to seek Plan Endorsement to modify the Center boundary and renew the center.
- July 2007 – The SRC attended a pre-petition meeting with the OSG and representatives of relevant State Agencies, expressing interest in pursuing new Plan Endorsement, with the intention of modifying the Center boundary and renewing the center that was about to expire.
- By February 2008 - The municipalities of the SRC appointed Plan Endorsement Advisory Committees by resolution.
- By Fall 2009 - The municipalities of the SRC submitted Municipal Self-Assessment Reports.
- By December 2009 - The OSG submitted Opportunity and Constraint Reports to the municipalities of the SRC.
- March 2011 – OPA granted a waiver to the SRC municipalities from further community-wide visioning based on the years of public outreach and public input.
- In the beginning of September 2011 - The OPA completed their consistency reviews for all the SRC Municipalities and provided them with Action Plans that addresses outstanding requirements needed for each to complete prior to receiving municipal Plan Endorsement.

WHEREAS, Pursuant to a resolution dated March 21, 2012, the SRC has indicated willingness to continue plan endorsement, including but not limited to adopting and implementing a MOU and Action Plan as negotiated with OPA; and

WHEREAS, the Director has determined that petitioner, the SRC, continues to work in good faith toward plan endorsement and recommends the Commission authorize a map change to designate an interim center for the SRC as it continues to exert good faith efforts toward plan endorsement; and

WHEREAS, it is the Commission's intention to allow for designation of interim centers for municipalities working in good faith to obtain plan endorsement, as determined by the Commission; and

WHEREAS, the Permit Extension Act of 2008, has extended a portion of the designated center in the SRC;

WHEREAS, an interim center boundary has been negotiated and agreed upon between the relevant State agencies and petitioner that is more appropriate than the portion of the center that is extended pursuant to the Permit Extension Act without jeopardizing environmentally sensitive areas; and

WHEREAS, the negotiated interim center boundary for the SRC as shown in Exhibit A attached hereto:

- is consistent with the intention of Resolution Nos. 2006-04 and 2008-07.
- is consistent with the State Plan, the Permit Extension Act and relevant State agency regulations.
- has been evaluated by OPA and deemed consistent with the State Development and Redevelopment Plan.

NOW THEREFORE BE IT RESOLVED, that the Commission hereby agrees to authorize a map change to reflect the negotiated interim center boundary in the SRC for so long as petitioner continues to exert good faith efforts to pursue Plan Endorsement as determined by the Commission.

BE IT FURTHER RESOLVED, that the members of the Commission and the Executive Director and staff of the OPA are hereby authorized and directed to execute such documents and to take such other actions as may be necessary or appropriate for the implementation of this resolution.

CERTIFICATION

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Monday, April 30, 2012. Ayes: (9) Ken Albert, John Eskilson, Monique Purcell, Melissa Orsen, Joyce Paul, Shing-Fu Hsueh, Marc Larkins, Marilyn Lennon, Andy Swords. Nays: (0). Abstains: (0).



Gerry Scharfenberger, Ph.D., Secretary
NJ State Planning Commission

Dated: April 30, 2012