



State of New Jersey

DEPARTMENT OF STATE
BUSINESS ACTION CENTER
OFFICE OF PLANNING ADVOCACY
PO Box 820
TRENTON, NJ 08625-0820

PHILIP D. MURPHY
Governor

LT. GOVERNOR TAHESHA L. WAY
Secretary of State

MELANIE WILLOUGHBY
BAC Executive Director

WALTER C. LANE
Acting Executive Director

Resolution No. 2025-02
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Date: March 5, 2025
Patron: Thomas Wright

RESOLUTION ADOPTING THE PLAN ENDORSEMENT PETITION FOR THE TOWN OF NEWTON, SUSSEX COUNTY AND DESIGNATING ONE REGIONAL CENTER

WHEREAS, pursuant to the State Planning Act, N.J.S.A. 52:18A-196 to -206 (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 and defines five types of centers: Urban Centers, Regional Centers, Town Centers, Village Centers, and Hamlets; it also identifies and defines Cores and Nodes and sets forth policies regarding the identification, delineation, development, and redevelopment of those entities; 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. 15:30, that establish procedures for the filing of petitions with the Commission for the purpose of, *inter alia*, seeking Plan Endorsement, N.J.A.C. 15:30-7.1 to -7.23, and amendments to the State Plan Policy Map, N.J.A.C. 15:30-8.1 to -8.7, as a means to implement the State Plan and to foster cooperation and coordination of planning activities between the relevant State agencies and county and local governments; and

WHEREAS, in May 2023 the Town of Newton (Town), in Sussex County contacted the Office of Planning Advocacy (OPA) to seek Plan Endorsement and submitted a petition (Petition) in furtherance of same; and

WHEREAS, the Petition and supporting documents were received and comprehensively reviewed by the relevant State agencies represented on the Commission pursuant to N.J.A.C. 15:30-7.5; and

WHEREAS, in reviewing the petition, the Commission finds that the Town has made significant progress in the commitment to comprehensive planning and sustainable land use, which will be further advanced through receiving Plan Endorsement; and

WHEREAS, the Town and OPA Staff and Acting Executive Director of OPA, in consultation with the relevant State agencies, have collaborated and refined the Center boundaries and Planning Areas, as shown in the Map, EXHIBIT A, attached hereto; and

WHEREAS, at the same time, OPA prepared a Planning Implementation Agreement (PIA) in association with this Petition pursuant to N.J.A.C. 15:30-7.14(c), which sets forth the outstanding actions for the relevant State agencies and the Town to take in order to retain Plan Endorsement, including the timeframe(s) for completion of those requirements and the steps to be taken by the relevant State agencies to review and support the Town's Petition for Plan Endorsement; and

WHEREAS the PIA has been negotiated and agreed upon between the relevant State agencies and the Town, a copy of the PIA is attached as EXHIBIT B; and

WHEREAS, the Town formally adopted the attached PIA and proposed State Plan Policy Map on January 27, 2025 pursuant to N.J.A.C. 15:30-7.16; and

WHEREAS, on February 19, 2025, pursuant to N.J.A.C. 15:30-7.15, OPA presented the Recommendation Report and PIA to the Plan Implementation Committee (PIC), which reviewed and considered the Petition, concurred with the recommendation to approve the Petition and PIA, and moved the Petition for consideration by the full Commission upon reaching consensus on the changes to the State Plan Policy Map; and

WHEREAS, the PIC has recommended that the Commission approve the Petition, grant Plan Endorsement, and formally amend the State Plan Policy Map, per EXHIBIT A, attached hereto.

NOW, THEREFORE, BE IT RESOLVED, that, pursuant to N.J.A.C. 15:30-7.17, the Commission hereby affirms the Acting Executive Director's determination that the Petition for Plan Endorsement is consistent with the State Plan and approves the Petition for Plan Endorsement submitted by the Town; and

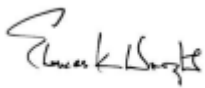
BE IT FURTHER RESOLVED, that the Commission acknowledges that the PIA memorializes the agreed-upon planning implementation mechanisms; reflects a commitment, on the part of the Town to implement its plan; reflects a commitment on the part of the relevant State agencies to provide agreed-upon benefits; and reflects a commitment on the part of the Town and relevant State agencies to work together to effectively implement the goals, strategies and policies of the State Plan; and,

BE IT FURTHER RESOLVED, that the Commission hereby authorizes formal amendments to the State Plan Map in the Town, as shown in EXHIBIT A; and,

BE IT FURTHER RESOLVED, that in approving the Petition and granting Plan Endorsement, it is understood that the Commission's endorsement may be revoked if the Commission determines that the Town has made substantial changes to its endorsed plan without adhering to the rules governing Plan Endorsement, N.J.A.C. 15:30- 7.1 to -7.23, and amending the State Plan Policy Map, N.J.A.C. 15:30-8. to - 8.7, or substantially violated the terms of the PIA, EXHIBIT B, so that the plan of the Town is no longer consistent with the State Plan; and,

BE IT FURTHER RESOLVED, that the Commission authorizes the Acting Executive Director to take all actions necessary to affect the Plan Endorsement approval reflected in the supporting documentation attached hereto.

I hereby certify that this resolution was duly adopted by the State Planning Commission at its meeting on March 05, 2025



Thomas K. Wright
Chairman State Planning Commission
Date: March 05, 2025

Map of the proposed Planning Area for the City of Dover, Delaware. The map shows various streets and land use designations. A legend in the top right corner identifies the following categories:

- CES - proposed
- Planning Areas - proposed
- Rural/Env. Sensitive Pl. Area
- Env. Sensitive Planning Area
- Parks & Natural Areas

The map includes a scale bar at the bottom left indicating distances from 0 to 1 mile. The map is overlaid on an aerial photograph of the area.

Center - proposed

CES - proposed

Planning Areas - proposed

Rural/Env. Sensitive Pl. Area

Env. Sensitive Planning Area

Parks & Natural Areas

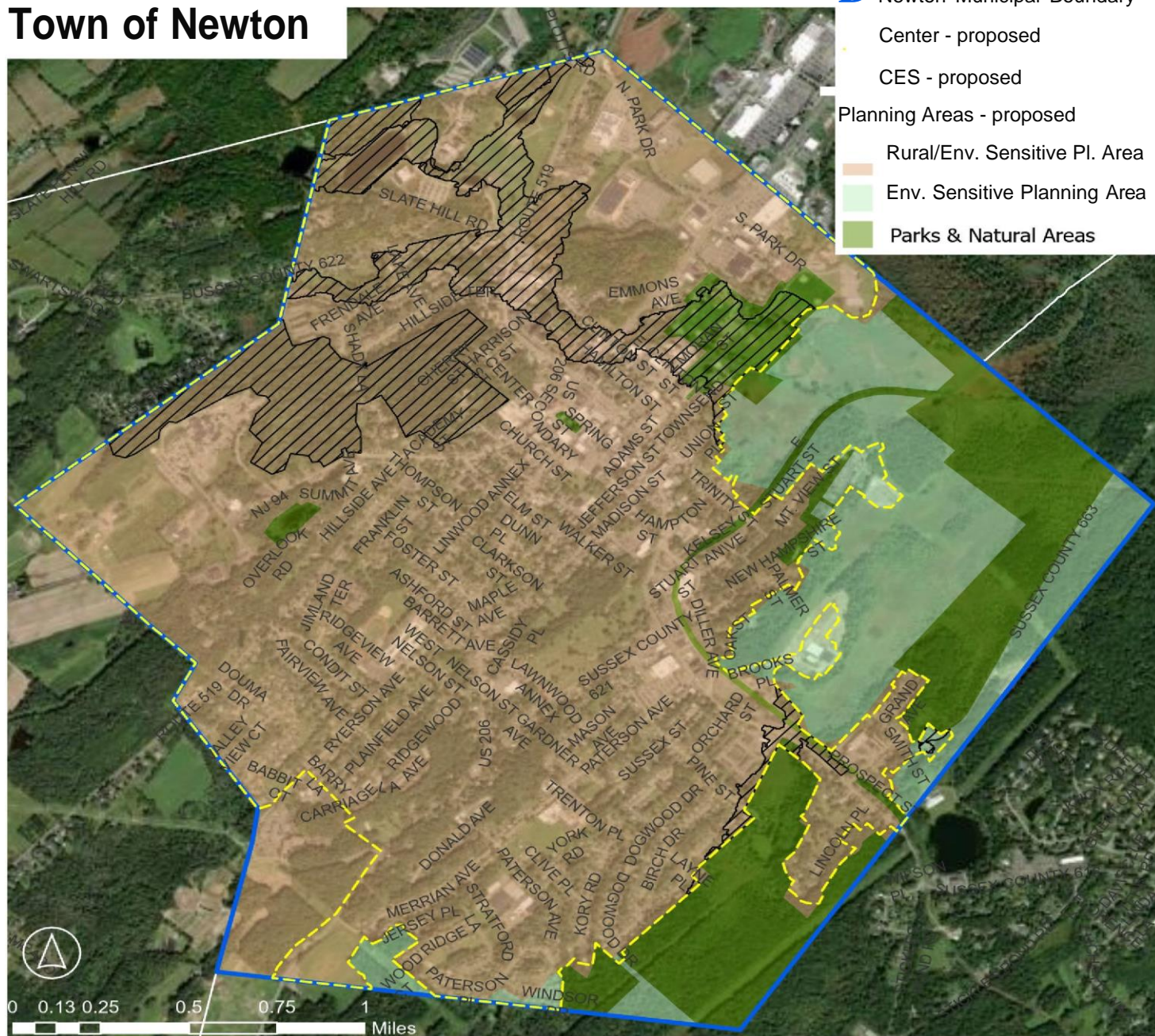


Exhibit B

Township of Newton Plan & Implementation Agreement

#	Topic	Req (*)	Activity	Local Effort	Assistance	Time Frame	Comments
A1	Administrative	*	One year from endorsement and biennially thereafter, report to the SPC about the status of your planning efforts, ordinance adoption and other accomplishments form the PIA.	Planning Board and governing body	OPA	Continuous, see comments.	First year = Annual Report then Biennial Reports for the next 8 years on PIA action status.
A2	Administrative	*	After adoption, the municipality shall submit any new or modified land use ordinance or other planning documents to OPA.	Planning Board and governing body	OPA	Include in biennial report.	
B1	Public Info & Community Engagement		Pursue Certification in the Sustainable Jersey program by engaging a Green Team and recruiting capable volunteer residents and others to support actions committed to by the municipality.	Governing body, Green Team	OPA, SJ	ongoing	Is community currently registered with Sustainable Jersey? Certified? (check report for list of actions completed.) Many PE actions could be undertaken by a Green Team and gain significant points for Bronze or even Silver certification and maybe even a Gold Star. If no Green Team, could an environemtnal Commission or equiveleant serve?
B2	Public Info & Community Engagement		Many actions would benefit from public engagement including education about issues, resident assistance with actions, participation in decision making and support for a path to resiliency and sustainability. An early action should be a public forum(s) designed to recruit short and long-term public engagement, sharing information/goals, highlighting opportunities for participation, volunteerism and meaningful involvement in community planning and decision making.	Governing body, Planning Board, Green Team, chamber (s), churches, schools, other local and regional organizations as partners/invitees.	OPA, DEP, local groups & regional NGOs/universities	Year 1 and periodically thereafter to update/engage residents on progress on key issues.	Forum(s) should be designed with a well developed outreach element to ensure equitable inclusion and meaningful turn out and facilitated to maximize results.
B3	Public Info & Community Engagement		Review and update municipal codes in Ecode360 or equivalent searchable online storage system as needed	Governing Body with Clerk			Access to ordinances creates a better informed and engaged citizenry and assists professionals and volunteers when working for the city.
C1	Climate Resilience Planning	*	Develop, adopt, and implement a climate change-related hazard vulnerability assessment (CCRHVA) that meets the requirements of the MLUL per P.L.2021, c.6.	All municipal hands should be engaged.	OPA, SJ	1-4 years	Municipality will review its existing data, maps, HMP Annex and assessments and compile any additional data into an assessment and strategy to satisfy the requirements for the CCRHVA in the MLUL per NJDEP. Expand on the local annex to the county HMP to include climate impacts for temperature, precipitation, flooding, heat island, and vulnerability of public and private potable wells, pump stations and wasterwater treatment. o Identify and document any utility sites, facilities, equipment, conveyance piping, overhead utility lines, etc. that may be vulnerable to climate impacts or other environmental hazards. o IIConfirm the condition and capacity of these utility sites, facilities, equipment, etc. o IIIDEP strongly advises against new utility development in areas identified as vulnerable to natural hazards in current and projected condition. Findings from the CCRHVA should guide strategies and actions to increase resilience and reduce risk moving forward.
C2	Climate Resilience Planning	*	Review and update the Flood Damage Protection Ordinance with the current NJ Model Ordinance, as needed, in order to stay compliant with NFIP.	Planning Board and governing Body	DEP	1-4 years	Flood Loss ordinance (Ecode360). Newton must update their ordinance to the most recent model ordinance in order to be in compliance. NJDEP updated the model ordinance in December 2020 to be compliant with NFIP. The model ordinance provided by NJDEP can be found at https://www.nj.gov/dep/floodcontrol/modelord.htm
C3	Climate Resilience Planning		Review the Blue Acres Program and see if it might be an option for the Non-mitigated repetitive loss properties in the community.	Governing Body	DEP, OEM, FEMA		Check HMP for # Repetitive loss properties and Severe Repetitive Loss property, # NFIP properties; # claims etc.
D1	Land Use	*	Review plans and ordinances and remove impediments to, and encourage, green design throughout the community. Make necessary modifications to ensure that innovative and sustainable construction alternatives and materials (such as green roofs) are permitted. Consider approving incentives for using innovative roofing alternatives and materials.	Planning Board and governing Body	OPA, NJDEP technical assistance	1-3 years	Sustainable Jersey points and support
D2	Land Use	*	Review and update Master Plan and all associated elements to consider climate resiliency and socially vulnerable populations.	Planning Board and governing Body	DEP, Sustainable NJ, BCBC	1-4 years after CCRHVA	Sustainable Jersey points and support. Address MLUL requirements, address vulnerabilities and build on strategies identified in CCRHVA. Items G2, I1, and M2 compliment this action.
D3	Land Use	*	The municipality shall enhance its zoning regulations and building codes to encourage building outside of the flood zone and to minimize construction in flood prone areas to reconstruction of existing buildings. Flood zone area new construction or redevelopment of existing buildings should avoid high density concentration and areas of severe flooding. Placement of critical facilities and utilities in flood zones should be avoided whenever possible. Affordable housing should be sited to avoid flood zone and hazardous areas.	Planning Board and governing body	DEP (Bureau of Climate Resilience Planning)	1-3 years After CCRHVA (years 3-6)	The municipality follows all regulations set forth by the NJDEP with regards to flood hazard area regulation, wetlands, etc. It does not site or recommend siting any affordable housing projects within a flood zone or a hazardous area.
D4	Land Use		Consider the review and update of an Accessory Dwelling Unit (ADU) Ordinance or "Accessory Apartment" Ordinance	Planning Board	OPA/SJ		

D5	Land Use		Update and review the Open Space & Recreation Plan (OSRP), as needed. Explore open space and recreation opportunities with the State and County. Explore purchases of additional properties for active recreation, preservation and flood protection.	Work with County	Green Acres Funding and County as applicable.	1-3 years after CCRHVA	Petitioner will work closely with Green Acres, local advisory committee, County, County Improvement Authority and property owners to negotiate the purchase of properties to be permanent open space. Expand corridors of open space a natural features to support habitat connectivity and adaptation to changing conditions.
D6	Land Use	*	Add appropriate Overlay Zones to Zoning Ordinance/Map.	Planning Board and governing body	County	Ongoing. 3-6 years after Plan Endorsement	The municipality's zoning ordinance should be updated to include overlays that address stormwater management, aquifer recharge, steep slopes, 100 year and 500 year flood zones and critical habitat and habitat corridors. This includes a CES overlay for structures in the 100 year and 500 year flood zone and environmentally sensitive areas (ESA).
D8	Land Use		Develop a Vacant Land Inventory and identify any unoccupied structures that would lend themselves to affordable housing. & for economic development	Governing body, planning board	DCA, OPA, DEP		
D9	Land Use	*	Review and update a Housing Plan/Element as necessary	Governing Body/Land use Board		3-6 years	
D10	Land Use		It is recommended that municipality consider going to the courts for a fair Share Housing Judgement of Compliance and Repose.	Governing Body/Land Use Board			
D11	Land Use	*	Review DCA Community Asset map for Areas in Need of Redevelopment. If there are inaccuracies please reach out to DCA	Governing Body, Planning Board	DCA, OPA	1 year	DCA Community Asset map
E1	Energy	*	Review and update public EV charging infrastructure feasibility and supporting ordinances, as needed	Planning Board, Governing Body & Green Team	BPU, DEP, SJ possible \$\$	1-2 years	Sustainable Jersey points and support
E2	Energy	*	Make your town EV Friendly (choose 3) *update zoning ordinances to require pre-wiring for EV chargers as part of a redevelopment plan or for a specific zone(1-2 yrs.) *Adopt a PEV ordinance to include regulation and design standards for EVSE, EV parking spaces and design guidelines for installation of EVSE (1- 2 yrs.) *Training for local officials and require local first responders to participate in education on PE and EVSE(1-2 yrs.) *Incentivize EV ready by reducing or waiving permit fees and providing recognition for businesses/entities that do it (2-3 yrs.) *Commitment from 3 or more partners for workplace or multi-family chargers (2-5 yrs.).	Planning Board, Governing Body & Green Team	BPU, DEP, SJ possible \$\$	(Endorsed communities must do at least 3.)	Sustainable Jersey points and support
E3	Energy	*	Develop a community GHG Reduction Action Plan, including GHG reduction targets. GHG reduction actions should be incorporated into land use element of master plan. 1) Conduct Local Government Energy Audit (LGEA) of municipal facilities and operations, at a minimum, and community-wide audits, if feasible, and 2) using the results of these audits, develop action plans for reducing municipal energy consumption and GHG emissions - use NJ's 2020 GHG emissions reduction target as a goal	Planning Board, Governing Body & Green Team	Bd of Public Utilities (BPU) Clean Energy Program provides funding for municipal energy audits: (http://www.njcleanenergy.com/commercial-industrial/programs/local-government-energy-audit/local-government-energy-audit)	Timeline as provided PE guidelines (2 years with phasing)	see report
E4	Energy	*	Energy Tracking & Management - establish energy use baselines, tracking, mgt & reporting systems	Governing Body		Year 1	https://www.sustainablejersey.com/actions/#open/action/482
E5	Energy	*	Greening the municipal fleet: • Fleet Inventory and target for green fleet conversion.	Governing Body	Sustainable Jersey points and support	must do within 3 years	
E6	Energy	*	Renewable Energy Generation: *Onsite Solar or *Geothermal system or *buy electric from a renewable source or *community solar project or *Renewable Energy Aggregation	Governing Body	BPU, DEP, SJ possible \$\$	1-3 items within 6 years	Sustainable Jersey points and support
E7	Energy		Implement energy efficiency measure for facilities as considered Sustainable Jersey	Governing Body	BPU, DEP, SJ possible \$\$		Sustainable Jersey points and support
E8	Energy		Greening the municipal fleet: * Trip optimization software * Proper vehicle maintenance * Driver training *purchase electric vehicles to achieve 20% reduction in fuel use w/in 4 years .	Governing Body	BPU, DEP, SJ possible \$\$	recommended	Sustainable Jersey points and support
E9	Energy		Greening the municipal fleet: • purchase electric vehicles to achieve 20% reduction in fuel use w/in 4 years .	Governing Body	BPU, DEP, SJ possible \$\$	must initiate by yr. 2 (can be multi-year)	Sustainable Jersey points and support
E10	Energy		Municipality should investigate State grant opportunities for the installation of publicly accessible electric vehicle charging stations in the downtown area.	Governing Body & Green Team, (if applicable)	BPU, DEP, SJ		

F1	Conservation	*	Review and update Tree Protection Ordinance , Tree Risk Assessment Plan as needed. Consider NIUCG accreditation	Planning Board, Governing Body & Green Team	DEP - Bureau of Sustainability; NJDEP Parks and Forestry; NJ Forest Fire Service; Sustainable Jersey	2-3 years	Compare to Woolwich (https://ecode360.com/14140851) or Haddonfield (https://ecode360.com/10200060). Also, NJDEP Urban and Community Forestry guidelines are here: https://www.state.nj.us/dep/parksandforests/forest/community/Information_for_Municipalities.html
F2	Conservation	*	Review and update a wellhead protection ordinance in addition to the Environmentally Critical Area protection with specifics to protect water quality and public health, as needed.	Planning Board, Governing Body & Green Team	DEP	2-3 years	Sample provided
F3	Conservation	*	Review and update as necessary the Water Conservation Ordinance that is mutually agreeable to the Township and DEP	Planning Board, Governing Body & Green Team	DEP	2-3 years	Sample provided
F5	Conservation	*	Review and update as necessary the Natural Resource Inventory, including climate change observations and concerns as they are relevant. DEP can assist with identifying what to update.	Planning Board, Governing Body & Green Team	DEP, BCBC has offered to do this regionally for the 12 communities, just need to request assistance.	within 5 years after CCRHVA	Incorporate findings from the CCRHVA, and CES overlays as appropriate.
F6	Conservation	*	Review and update as necessary the inventory of contaminated sites, identify if any of these Known Contaminated Sites (KCS) are within the proposed center and/or are vulnerable to climate change.	Planning Board, Governing Body & Green Team	DEP	1-3 years After CCRHVA	Review and update with climate impact considerations, findings from the CCRHVA, and CES overlays as appropriate. The Township follows the mapping and inventory provided by the NJDEP.
G1	Transportation & Circulation	*	Adopt/Incorporate Complete and Green Streets policy and Implementation Plan into the Circulation Element of the Master Plan.	Planning Board, Governing Body & Green Team	NJDOT, SJ, NJTPA	3-6 years	Samples provided
G2	Transportation & Circulation	*	Create/Update the Circulation Element of Master Plan to address opportunities for shared parking, goods movement, improvements to bicycle and pedestrian access and transit, along with continued growth in the community. In particular, reduce congestion and ensure that non-vehicular transportation is encouraged.	Planning Board, Governing Body & Green Team	NJDOT, NJTPA	3-6 years	Municipality agrees to work on the Circulation Element.
I1	Infrastructure	*	Review and update as necessary Utilities Element of the Master Plan. Confirm the condition and capacity of the stormwater drainage system and water supply. Incorporate climate change implications.	Governing Body, Planning Board, Municipal utilities authority	NJ American Water, County, DEP, American Rescue Plan	1-3 years after CCRHVA	New utility lines and associated infrastructure should be planned to avoid flood prone areas and existing utility infrastructure currently in or projected to be flood prone in the future should be addressed.
I2	Infrastructure	*	Confirm that the County has submitted a WMP with a local Chapter and a new FWSA map pursuant to 7:15-4.2 (c)	County with municipal	NJDEP		
I3	Infrastructure	*	Evaluate and update regularly the Stormwater Management Plan and Ordinance for consistency with the current Stormwater Management Rules. Be sure to submit MS-4 Permit reports each May.	Engineer, Governing Body and Planning Board	DEP and County	Ongoing	
I4	Infrastructure		Adopt an Impervious Surface Reduction Ordinance. Incorporate expected increases in precipitation and temperature related to adverse impacts of climate change into an impervious surface reduction ordinance. Include measures to manage stormwater on-site rather than as runoff; Future redevelopment projects shall incorporate means to minimize and/or reduce new and/or existing impervious surfaces.	Governing body	NJDEP		
I5	Infrastructure/ Utilities	*	Initiate conversations with the county about a regional wastewater plant out of the flood zone	Governing Body, Planning Board, Municipal utilities authority	NJDEP		
J1	Sustainability		Develop green building and sustainable design guidelines for new development - consider requiring "green buildings" (LEED, Green Globes) in redevelopment areas, to the extent practicable.	Planning Board, Governing Body & Green Team	SJ, OPA		Sustainable Jersey points and support
J2	Sustainability	*	Review and update of zoning code and permitting requirements to streamline and encourage solar, wind and geothermal, as needed.	Planning Board, Governing Body & Green Team	DEP, BPU, SJ	3-6 years	Tied to Land Use Element update. Sustainable Jersey points and support
K1	Economic Development		Prepare an economic sustainability plan working regionally as appropriate.		County, OPA, DEP, SJ		
L1	Historic Resources	*	Review and update the Historic Preservation Inventory, as necessary. Historic structures should be protected with enhanced stormwater management plans and flood minimization plans.	Governing Body	SHPO, County	Report on progress in biennial review	Review the NJ Historical Commission's (NJ Department of State) grant program at http://www.nj.gov/state/divisions/historical/grants . Work with SHPO to develop planning documents some guidance is provided at: https://www.nj.gov/dep/hpo/images/_MULT_DG_32_v2_ID14078r.pdf
M1	Planning	*	Update the Community Facilities Plan with consideration to climate vulnerabilities.	Planning Board	Technical assistance	3 years	
N1	Environmental Justice	*	Develop a Municipal Environmental Justice Action Plan		NJDEP	1-3 years after provision of guidance	Guidance from DEP forthcoming.