

R E S O L U T I O N

**DESIGNATING THE SPARTA TOWN CENTER IN
SPARTA TOWNSHIP, SUSSEX COUNTY**

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

WHEREAS, in adopting a State Development and Redevelopment Plan, the State Planning 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 Development and Redevelopment Plan accordingly 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 Centers; and

WHEREAS, the State Planning Commission is empowered, pursuant to N.J.S.A. 52:18A-203 of the State Planning Act, 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 State Planning Commission has adopted regulations, set forth in N.J.A.C. 17:32, that establish procedures for filing of petitions with the State Planning Commission for the purpose of seeking amendments to the State Plan Policy Map of the State Development and Redevelopment Plan in order that the Map and Plan can better serve to foster cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, the Township of Sparta, Sussex County, filed a petition with the State Planning Commission in August of 1998 during Cross-acceptance II as part of the Sussex County Cross-acceptance Report, pursuant to the provisions of N.J.A.C. 17:32-8 which were in effect prior to January 7, 2002, seeking to amend the State Plan Policy Map of the State

Development and Redevelopment Plan in order that three portions, Sparta Town Center, Woodruffs Gap Village Center and the Blue Heron Hamlet Center, of the Township of Sparta, as more specifically described in the Township's petition, be granted Center Designation, under the State Development and Redevelopment Plan; and

WHEREAS, the State Planning Rules, N.J.A.C. 17:32-1.1 et seq., as amended on January 7, 2002, provide that petitions for map amendments filed with the State Planning Commission prior to March 1, 2001 will be considered and treated as petitions for map amendments under the provisions of N.J.A.C. 17:32-8 which were in effect prior to January 7, 2002; and

WHEREAS, the Executive Director of the Office of Smart Growth reviewed the petition filed by the Township of Sparta and determined that the petition meets the requirements of N.J.A.C. 17:32-8 which were in effect prior to January 7, 2002; and

WHEREAS, the Executive Director of the Office of Smart Growth forwarded a report dated May 20, 2003 to the Plan Implementation Committee evaluating the petition and finding that the Sparta Town Center had substantially met the Center design guidelines to be designated as Town Center, recommended approval of the petition subject to a reduction of the Center Boundary and modification of the Planning and Implementation Agenda in accordance with the recommendations outlined in that report; and

WHEREAS, the Executive Director of the Office of Smart Growth, in the report dated May 20, 2003 to the Plan Implementation Committee evaluating the petition, also recommended that the Township withdraw the Woodruffs Gap proposed Village Center and the Blue Heron proposed Hamlet Center and the Township agreed to do so; and

WHEREAS, the Plan Implementation Committee conducted a public hearing on May 28, 2003 with regard to the petition filed by the Township of Sparta; and

WHEREAS, the Plan Implementation Committee reviewed and considered the petition for designation of the Sparta Town Center, the Center Boundary and the Planning and Implementation Agenda, the report of the Executive Director of the Office of Smart Growth to the Plan Implementation Committee dated May 20, 2003 evaluating the petition, and the comments made regarding the petition at its hearing on May 28, 2003; and

WHEREAS, the Plan Implementation Committee, at its May 28, 2003 meeting, requested information from the Department of Environmental Protection regarding water supply and wastewater allocation and treatment issues in Sparta Township; and

WHEREAS, on June 10, 2003, the Department of Environmental Protection provided a summary of water supply and wastewater treatment issues in Sparta Townships that expressed concern over potable water supplies, projected population growth, and wastewater allocations in the Wallkill Valley; and

WHEREAS, the Department recommended actions and studies to be undertaken by Sparta Township as part of their Planning and Implementation Agenda to provide additional information to protect water quality and ensure adequate water supply in the Wallkill Valley; and

WHEREAS, the Township of Sparta has agreed to the revisions of the Planning and Implementation Agenda and modification of the Center Boundary contained in the Township's petition in accordance with the recommendations outlined in the report of the Executive Director of the Office of Smart Growth dated May 20, 2003 to the Plan Implementation Committee; and

WHEREAS, the Plan Implementation Committee concurred with the recommendations summarized in the report forwarded by the Executive Director of the Office of Smart Growth to the Plan Implementation Committee on May 28, 2003 to designate the Sparta Town Center, subject to revisions of the Planning and Implementation Agenda and modification of the Center Boundary in accordance with the recommendations outlined in that report; and

WHEREAS, the Executive Director of the Office of Smart Growth has recommended approval of the petition to designate the Sparta Town Center, as revised, with the revised Center Boundary; and

WHEREAS, the State Planning Commission has considered the revised petition submitted by the Township of Sparta, including the revised Planning and Implementation Agenda, the revised Center Boundary, the findings of the Executive Director of the Office of Smart Growth with regard to the petition, the recommendations of the Commission's Plan Implementation Committee with regard to the petition, and all of the comments and written correspondence submitted to the Office of Smart Growth and the State Planning Commission with regard to the petition; and

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Date: July 16, 2003
Patron:

WHEREAS, the State Planning Commission has determined it appropriate to approve the amendment of the State Plan Policy Map for the purpose of designating a portion of the Township of Sparta as the Sparta Town Center, as more specifically described in the Township's revised petition, with a revised Center Boundary; and

NOW, THEREFORE, BE IT RESOLVED, that the State Planning Commission, pursuant to N.J.A.C. 17:32, hereby approves the amendment of the State Plan Policy Map for the purpose of designating a portion of the Township of Sparta as the Sparta Town Center, as more specifically described in the Township's revised petition, with a revised Center Boundary; and

BE IT FURTHER RESOLVED, that, in approving the amendment of the State Plan Policy Map for the purpose of designating a portion of the Township of Sparta as the Sparta Town Center, it is understood that the Township of Sparta will continue to carry out its plans in accordance with the goals, strategies and policies of the State Development and Redevelopment Plan and in accordance with its revised Planning and Implementation Agenda; and in particular the amendments to the Planning and Implementation Agenda that have been made as a result of the recommendations by the New Jersey Department of Environmental Protection that the Township of Sparta conduct a new build-out analysis to determine the accuracy of projected wastewater flows to be generated by the Sparta Town Center within eighteen months; and

BE IT FURTHER RESOLVED, that, in conditionally approving the amendment of the State Plan Policy Map for the purpose of designating the Sparta Town Center, it is understood that that the designation of the Sparta Town Center shall automatically expire eighteen months from the date of designation if, upon determination by the State Planning Commission, it can be shown by that time that the Township of Sparta did not complete the build-out analysis based on current zoning and reconcile the analysis with the Township's allocated wastewater flows within eighteen months of designation; and

BE IT FURTHER RESOLVED it is understood that the New Jersey Department of Environmental Protection, NJ Office of Smart Growth and the Township of Sparta will work diligently and cooperatively with each other in the review and exchange of this information in order to meet the aforementioned deadline. For good cause, this deadline may be extended

through mutual agreement of the State Planning Commission and the Township of Sparta; and

BE IT FURTHER RESOLVED, that if the buildout analysis conducted by the Township shows that projected flows exceed the current allocation for the Township, the Town Center designation will be reduced to reflect the limits of the Township's current wastewater allocation; and

BE IT FURTHER RESOLVED, that in conditionally approving the amendment of the State Plan Policy Map for the purpose of designating the Sparta Town Center, the Township will continue to undertake and complete the other items in the Planning and Implementation Agenda that are critical to water quality and supply in the Wallkill Valley, particularly stormwater and septic system management plans; and

BE IT FURTHER RESOLVED, that, in approving the amendment of the State Plan Policy Map for the purpose of designating the Sparta Town Center, it is understood that such amendment in no way exempts property owners and/or development applicants within the area affected by this amendment from securing all approvals required by law from the relevant federal, state, county and/or local agencies, nor does this amendment override or modify the terms and conditions under which said approvals are secured; and

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Governor, the Senate Co-Presidents, the Assembly Speaker, members of the Legislature representing the Township of Sparta and the Sussex County Board of Chosen Freeholders and Planning Board, the governing body of the Township of Sparta, the Planning Board of the Township of Sparta, and the Commissioners and Secretaries of State Agencies.

Certification

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Wednesday, July 16, 2003. Ayes: (11) Joanna Dunn Samson, Curtis Fisher, Monique Purcell, Peter Lazaropoulos, Marilyn Lennon, Brent Barnes, Marge DellaVecchia, Daniel Levine, Edward McKenna, George Pruitt, Timothy J. Touhey. Nays: (1) Michele Byers. Abstains: (0).

Adam Zellner, Secretary
NJ State Planning Commission

Dated: July 28, 2003