



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
OFFICE OF SMART GROWTH
PO BOX 204
TRENTON NJ 08625-0204

RICHARD J. CODEY
Acting Governor

SUSAN BASS LEVIN
Commissioner

TIMOTHY J. TOUHEY
Chair

ADAM J. ZELLNER
Executive Director

Resolution No. 2004-13
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Date: December 1, 2004
Patron: Michele Byers,
Chair, Plan Implementation
Committee

RESOLUTION

APPROVAL OF PETITION TO AMEND THE STATE PLAN POLICY MAP
SUBMITTED BY HOVSONS, INC. AND HERITAGE MINERALS, INC.
FOR THE HERITAGE MINERALS TRACT IN MANCHESTER TOWNSHIP

WHEREAS, the State Planning Commission has been created pursuant to the State Planning Act, N.J.S.A. 52:18A-196 et seq.; and

WHEREAS, the State Planning Act requires the State Planning Commission to prepare and adopt a State Development and Redevelopment Plan and to revise and readopt the Plan at least every three years thereafter; and

WHEREAS, the State Planning Act requires that the State Development and Redevelopment Plan be designed to represent a balance of development and conservation objectives best suited to meet the needs of the State of New Jersey; and

WHEREAS, pursuant to its responsibilities under the State Planning Act, the State Planning Commission did prepare and adopt a State Development and Redevelopment Plan on March 1, 2001; and

WHEREAS, in carrying out its aforementioned statutory responsibilities, the State Planning Commission is also empowered, pursuant to N.J.S.A. 52:18A-203 of the State Planning Act, to adopt rules and regulations pertaining to the cross-acceptance process, the facilitation of cooperation and coordination between State agencies and local governments, and the provision of technical assistance to local governments to encourage the use of effective and efficient planning and development review data, tools and procedures; and

WHEREAS, such regulations establish procedures for the filing of petitions with the State Planning Commission for amendments to the State Plan Policy Map; and



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WHEREAS, pursuant to N.J.A.C. 17:32-8.1 et seq., Hovson's, Inc. and Heritage Minerals, Inc. have filed a petition with the State Planning Commission to amend the State Plan Policy Map to change the planning area designations of 296.5 acres of the Heritage Minerals Tract that are currently Planning Area 2 to Planning Area 5 and 681.6 acres that are currently Planning Area 5 to Planning Area 2 for the reasons and in the manner more specifically described in the petition; and

WHEREAS, the Executive Director of the Office of Smart Growth has reviewed the petition filed by Hovson's, Inc. and Heritage Minerals, Inc. and has found that the petition meets the requirements of N.J.S.A. 5:85-1 et seq.; and

WHEREAS, in accordance with N.J.A.C. 5:85-8.5(a), the Director has, by memorandum dated November 18, 2004, recommended that the Plan Implementation Committee endorse the petition and then forward the petition to the State Planning Commission for approval; and

WHEREAS, the Plan Implementation Committee met on November 22, 2004 and, consistent with the Director's findings, has recommended that the petition filed by Hovson's, Inc. and Heritage Minerals, Inc. be forwarded to the State Planning Commission for approval; and

WHEREAS, the State Planning Commission has considered the petition submitted by Hovson's, Inc. and Heritage Minerals, Inc., as more specifically described in the petition and in the Executive Director's November 23, 2004 memorandum, and has concluded that it is appropriate to approve the amendment of the State Plan Policy Map with the modification recommended by the Executive Director for the purpose of changing the planning area designations of 296.5 acres of the Heritage Minerals Tract that are currently Planning Area 2 to Planning Area 5 and 681.6 acres that are currently Planning Area 5 to Planning Area 2,

NOW, THEREFORE BE IT RESOLVED that the State Planning Commission, pursuant to N.J.A.C. 5:85-8.5(b), hereby approves the amendment of the State Plan Policy Map as requested by the petition filed by Hovson's, Inc. and Heritage Minerals, Inc. to change the planning area designations of 296.5 acres of the Heritage Minerals Tract that are currently Planning Area 2 to Planning Area 5 and 681.6 acres that are currently Planning Area 5 to



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Planning Area 2 in the manner more specifically described in the petition with the following modification:

1. The proposed map amendment shall be modified so that there will be an area not to exceed 200 feet in width linking the area that will be PA 2 on the Heritage Minerals Tract with the PA 2 that adjoins the subject parcel. This area will be designated as a CES within Planning Area 2. The area to be designated shall contain the access road from Colonial Drive that is authorized by the settlement entered into among the petitioners and the Department of Environmental Protection and the Pinelands Commission as well as any infrastructure that will be extended from the PA 2 along Colonial Drive adjoining the parcel. The petitioner shall provide mapping of the map amendment approved herein, within 90 days of this approval. The State Plan Policy Map boundaries approved herein shall be depicted on drafting film at a scale of 1:24,000 and corresponding to the United States Geological Survey (U.S.G.S.) 7.5 minutes topographic quadrangle maps or in digital files conforming to national standards of 1:24,000 scale accuracy.

BE IT FURTHER RESOLVED, that, in approving the amendment of the State Plan Policy Map requested by Hovson's, Inc. and Heritage Minerals, Inc., it is understood that such amendment in no way exempts the property owners or development applicants within the area affected by this amendment from securing all approvals, consistent with the settlement entered into among the petitioners and the Department of Environmental Protection and the Pinelands Commission, required by law from the relevant federal, state, county and municipal agencies nor does this amendment override or modify the terms and conditions under which said approvals are secured.