

**Green Acres Program
State House Commission Pre-Application
Local Parkland—Major Disposal/diversion**

Major Disposal/Diversion Pre-Application Requirements



1. **Description of the proposed disposal/diversion, including:**

- Block(s) and lot(s) information for the parkland proposed for disposal or diversion (*N.J.A.C. 7:36-26.9(d)1i*);
- Acreage of the parkland proposed for disposal or diversion (*N.J.A.C. 7:36-26.9(d)1ii*);
- Purpose of proposed disposal/diversion, including the intended future use and owner of the parkland proposed for disposal/diversion (*N.J.A.C. 7:36-26.9(d)1iii*);
- A detailed description of how the proposed disposal/diversion will fulfill a compelling public need or yield a significant public benefit as defined at *N.J.A.C. 7:36-26.1(d)1* (*N.J.A.C. 7:36-26.9(d)1iv*);
- A description of how the parkland is proposed to be disposed or diverted including (*N.J.A.C. 7:36-26.9(d)1v*);
 - The name of the prospective buyer, lessee or easement grantee;
 - A description of the type of legal interest to be conveyed, if any;
 - A description of any conditions or restriction on the intended use of the parkland;
- If applicable, a copy of the draft lease or use agreement and statement of total compensation proposed to be received by the applicant for the lease of use agreement (*N.J.A.C. 7:36-26.9(d)1vi*);
- If the proposed disposal/diversion involves the construction of a building or infrastructure on parkland, a set of plans and specifications for the construction (*N.J.A.C. 7:36-26.9(d)1vii*);
- A general description of the natural features, history and current use of the parkland proposed to be disposed/diverted and of any parkland contiguous to or functionally related to the parkland proposed for disposal/diversion (*N.J.A.C. 7:36-26.9(d)1viii*);
- A detailed description of any recreational facilities and/or activities to be affected by the proposed disposal/diversion of parkland and an explanation of how they will be affected (*N.J.A.C. 7:36-26.9(d)1ix*);

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2. Alternatives analysis:

A. Identify each alternative course of action that could be taken to fulfill the compelling public need or yield the significant public benefit to be derived from the project for which the disposal/diversion of parkland is proposed. (*N.J.A.C. 7:36-26.9(d)2i*) This identification must include all feasible, reasonable and available alternatives, including:

- All alternatives presented at the scoping hearing
- Any alternatives suggested by the public at the scoping hearing or in the written comments submitted during the public comment period
- The alternative of constructing the proposed project on the proposed replacement land (if applicable)
- A “no build” or “no action” alternative
- Any alternative involving private lands or other public lands
- Please also include a description of methods used to identify alternatives

B. For each alternative identified under A above, provide:

- A detailed description of the environmental impact of the alternative (*N.J.A.C. 7:36-26.9(d)2ii(1)*);
- A listing of all Department permits to construct or utilize the alternative (*N.J.A.C. 7:36-26.9(d)2ii(2)*);
- Information on whether the alternative involves any areas mapped as endangered or threatened species habitat, including a review of the Department's Landscape Project Mapping (www.nj.gov/dep/fgw/ensp/landscape/index.htm) and a response from or evidence that a request for information has been filed with the Department's Natural Heritage Database (c/o Office of Natural Lands Management, Mail Code 501-04, P.O. Box 420, Trenton, New Jersey 08625-0420) (*N.J.A.C. 7:36-26.4(d)2ii(3)*);
- An analysis of the overall cost of the alternative (*N.J.A.C. 7:36-26.9(d)2ii(4)*);
- A description of the timetable or schedule necessary to implement the alternative to the proposed disposal or diversion (*N.J.A.C. 7:36-26.9(d)2ii(5)*);
- If applicable, the estimated land acquisition or lease cost of the alternative (*N.J.A.C. 7:36-26.9(d)2ii(6)*);

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- Identification of any other zoning, land use, environmental or other constraints associated with the alternative and a description of all attempts undertaken to remove or adapt to such constraints (*N.J.A.C. 7:36-26.9(d)2ii(7)*);
- An explanation of the reasons for rejecting each alternative (*N.J.A.C. 7:36-26.9(e)*).
- 3. **Environmental Assessment Report** prepared in accordance with **Attachment I: Environmental Assessment Report Outline** (*N.J.A.C. 7:36-26.9(d)3*)
- 4. **Land Valuation Forms** using the form found at **Attachment II: Land Valuation Forms** (*N.J.A.C. 7:36-26.9(d)4* and *N.J.A.C. 7:36-26.10(f)*)
- 5. **Preliminary Compensation Proposal** based on the requirements of *N.J.A.C. 7:36-26.10* and prepared in accordance with **Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland** and **Attachment II: Value Statement** (*N.J.A.C. 7:36-26.9(d)5*)
- 6. A description of how the proposed project for which the disposal or diversion of parkland is proposed, and the proposed compensation, will support the State Development and Redevelopment Plan Goals and be consistent with the State Development and Redevelopment Plan's Policy Map and the Statewide Policies. (*N.J.A.C. 7:36 26.9(d)6*)
- 7. A **listing of all permits and approvals** required for the project (**Attachment IV: Permit/Approval Checklist**). (*N.J.A.C. 7:36 26.9(d)7*)
- 8. **Copy of the deed** for the proposed disposal or diversion area and replacement parcel(s). If the replacement parcel is not already owned by the applicant, please include a brief description of how the applicant intends to acquire the replacement parcel. (*N.J.A.C. 7:36 26.7(d)8*)
- 9. **Maps. (Attachment V: Map requirements; and VI: Sample Reference Map)** (*N.J.A.C. 7:36-26.9(d)9*)
- 10. **Confirmation of the scoping hearing:**
 - Proof of publication, mailings and postings of the notice of the scoping hearing required under *N.J.A.C. 7:36-26.8(c)1-3*. A template for the notice can be found in **Attachment VII: Sample Public Notice**. (*N.J.A.C. 7:36-26.8(e)1*);
 - A copy of the transcript of the scoping hearing (*N.J.A.C. 7:36-26.8(e)2*);
 - A summary of public comments made at the scoping hearing and/or provided in writing during the public comment period and the applicant's response to the public comments (*N.J.A.C. 7:36-26.8(e)3*);

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- Copies of written comments submitted as part of the record of the scoping hearing.
11. **Governing body resolution. (Attachment VIII: Resolution) (N.J.A.C. 7:36- 26.9(d)11)**
12. **Please attach this cover sheet and the following checklists:**
- **Attachment II: Land Assessment Form**
 - **Attachment III: Preliminary Compensation Proposals for Major Disposals or Diversions of Parkland**
 - **Attachment IV: Permit/Approval Checklist**
 - **Attachment V: Map Requirements**
13. **Please provide the following copies:**
- **Two printed copies of the entire application including maps- Waived for time-being**
 - **Items 1 - 3, 5, and 6 in Microsoft Word Format**
 - **Maps submitted under Item 9 in .pdf format**
 - **All other application material in .pdf format**
- Digital copies may be submitted on a Standard or Mini CD-R produced to be read by any CD-ROM drive or on a USB Flash Drive.**

NOTES:

- The Green Acres Program will notify the applicant as to whether the applicant may proceed with the final application. (N.J.A.C. 7:36-26.9(h))
- If authorized to proceed, the final application must be submitted to Green Acres 75 days prior to the meeting of the State House Commission. (N.J.A.C. 7:36-26.11(i))
- The final application must be deemed complete for public hearing purposes by Green Acres before the second public hearing on the application is scheduled. (N.J.A.C. 7:36-26.11(d))
- This package is also available at:
www.nj.gov/dep/greenacres/pdflaunch.html#legal_stewardship