



State of New Jersey

DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
PO Box 204
TRENTON NJ 08625-0204

JON S. CORZINE
Governor

SUSAN BASS LEVIN
Acting Commissioner

CHRISTIANA FOGLIO
Chair

MAURA K. MCMANIMON
Executive Director

Resolution No. 2006-01
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Date: January 18, 2006
Patron: John Eskilson

RESOLUTION

ENDORSEMENT OF THE PETITION FOR INITIAL PLAN ENDORSEMENT SUBMITTED BY THE TOWNSHIP OF PLAINSBORO AND DELINEATION OF CRITICAL ENVIRONMENTAL SITES WITHIN THE TOWNSHIP

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 (State Plan) which includes a State Plan Policy Map; and

WHEREAS, in adopting a State Plan, the State Planning Commission has laid out goals, policies, and objectives for the use of land in the State of New Jersey (including the concept of Planning Areas and Centers as the organizing planning principles for achieving a more effective and efficient pattern of development in the State); 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, including establishing a process for the endorsement of municipal, county and regional plans that are consistent with the State Plan; 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. 5:85-7.1 et seq., that establish procedures for filing of petitions with the State Planning Commission for the purpose of requesting Plan Endorsement in order that the State Plan and State Plan Policy Map can better serve to foster cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, the State Planning Commission encourages municipalities, regions, and counties to demonstrate that their plans are consistent with the goals, policies and objectives of the State Plan, thereby rendering their plans eligible for Endorsement by the Commission; and

WHEREAS, on March 9, 2005, the governing body of the Township of Plainsboro held a public hearing, at which it adopted a resolution endorsing a Petition for Initial Plan Endorsement and a proposed Planning and Implementation Agreement, and authorized submission of the Petition and Planning and Implementation Agreement for endorsement to the State Planning Commission; and

WHEREAS, the Township of Plainsboro filed a petition with the State Planning Commission on March 17, 2005 pursuant to the provisions of N.J.A.C. 5:85-7.1 et seq., seeking Initial Plan Endorsement of its planning documents; and





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WHEREAS, the Executive Director of the Office of Smart Growth subsequently deemed the Petition complete on August 26, 2005 and provided public notice of the determination pursuant to N.J.A.C. 5:85-1.7(i); and

WHEREAS, the Petition, plans, and supporting documents were subject to a 45-day public comment period; and

WHEREAS, no public comments were received by the Office of Smart Growth within the 45-day public comment period; and

WHEREAS, the Petition, plans and supporting documents were sent to the State agencies represented on the State Planning Commission and were subject to a 45-day review period by the relevant State and Federal agencies pursuant to N.J.A.C. 5:85-7.5(c) and (d); and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth reviewed the petition and proposed PIA filed by the Township of Plainsboro, the comments received by the State agency partners, and the public and determined that the Petition and proposed PIA, as revised, meets the requirements of N.J.A.C. 5:85-7.1 et seq. for Initial Plan Endorsement; and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth, in a report dated December 9, 2005 to the Plan Implementation Committee, the duly authorized committee, found that the Township of Plainsboro had met the criteria for initial plan endorsement, and recommended endorsement of the Petition and revised PIA as consistent with the State Plan subject to delineation of Critical Environmental Sites (CES) on the State Plan Policy Map over sensitive wetlands located in the Township as previously proposed by the SPC during Cross-acceptance III (CAIII) and consistent with the CAIII mapping criteria adopted by the State Planning Commission on September 21, 2005; and

WHEREAS, the Plan Implementation Committee conducted a public hearing on December 16, 2005 with regard to the petition for initial plan endorsement filed by the Township of Plainsboro; and

WHEREAS, the Plan Implementation Committee reviewed and considered the petition for Initial Plan Endorsement of the Township of Plainsboro, the delineation of CES, the revised PIA, the December 9, 2005 Report of the Staff and Executive Director of the Office of Smart Growth to the Plan Implementation Committee evaluating the petition, and the public comments received at the public hearing; and

WHEREAS, the Plan Implementation Committee concurred with the recommendations summarized in the December 9, 2005 Report of the Office of Smart Growth that the Petition was consistent with the State Plan and recommended endorsement of the Petition by the State Planning Commission; and





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WHEREAS, the Office of Smart Growth together with the partner state agencies further negotiated the PIA with the Township as a result of comments received from Plan Implementation Committee members and the public at the committee meeting on December 16, 2005; and

WHEREAS, the Township has agreed to the additional revisions of the draft Planning and Implementation Agreement as recommended by the Staff and Executive Director of the Office of Smart Growth; and

WHEREAS, the Executive Director of the Office of Smart Growth has recommended approval of the Petition and revised PIA for the reasons set forth in a revised Report from the Executive Director and Staff of the Office of Smart Growth dated January 11, 2006 and the delineation of CES over sensitive wetlands located in the Township and as depicted on the map entitled Plainsboro Initial Plan Endorsement; and

WHEREAS, the State Planning Commission has considered the petition submitted by the Township of Plainsboro, the revised Planning and Implementation Agreement, the January 11, 2006 Report from the Office of Smart Growth, the recommendations of the Commission's Plan Implementation Committee with regard to the petition, and all of the public comments received by the State Planning Commission with regard to the petition; and

WHEREAS, the State Planning Commission has determined that the petition for initial plan endorsement submitted by the Township of Plainsboro with supporting documents, and the revised Planning and Implementation Agreement, is consistent with the State Plan as required by N.J.A.C. 5:85-7.6(c);

NOW, THEREFORE, BE IT RESOLVED, that, the State Planning Commission, pursuant to N.J.A.C. 5:85-7.6(c), hereby endorses the petition for Initial Plan Endorsement submitted by the Township of Plainsboro for the reasons set forth in the January 11, 2006 Report prepared by Staff and the Executive Director of the Office of Smart Growth; and

BE IT FURTHER RESOLVED, that the State Planning Commission, hereby delineates CES over wetlands as depicted on Plainsboro Initial Plan Endorsement map attached to the January 11, 2006 report; and

BE IT FURTHER RESOLVED, that the State Planning Commission hereby authorizes its secretary and principal executive officer, Maura K. McManimon, to execute the attached Planning and Implementation Agreement; and

BE IT FURTHER RESOLVED, that, in implementing the endorsed plan of Plainsboro Township, the Township is obligated to work on and complete the various items in the revised Planning and Implementation





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Agreement within the prescribed time periods and to continue to carry out its plans in accordance with the goals, strategies and policies of the State Development and Redevelopment Plan; and

BE IT FURTHER RESOLVED, that, in approving the petition for initial plan endorsement submitted by the Township, it is understood that N.J.A.C. 5:85-7.13 provides that the endorsement may be revoked if the State Planning Commission determines that the Township of Plainsboro has either made substantial changes to its endorsed plans or substantially violated the terms of its Planning and Implementation Agreement so that the plans of the Township of Plainsboro are no longer consistent with the State Development and Redevelopment Plan; and

BE IT FURTHER RESOLVED, that the State Planning Commission and the Township of Plainsboro have entered into a mutual planning partnership by virtue of the Planning and Implementation Agreement, and therefore it is the obligation of the State agencies to provide the assistance to the Township of Plainsboro specified in the Planning and Implementation Agreement consistent with statutory and regulatory requirements and to the extent of available resources; and

BE IT FURTHER RESOLVED, that, in approving the amendment of the State Plan Policy Map for the purpose of delineation of CES over wetlands, 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 President, the Assembly Speaker, members of the Legislature representing the Township of Plainsboro and the Plainsboro County Board of Chosen Freeholders and Planning Board, the governing body of the Township of Plainsboro, the Planning Board of the Township of Plainsboro, the Commissioners and Secretaries of State Agencies and that notice of this decision be provided as set forth in N.J.A.C. 5:85-7.6(d) and (e).

Certification

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Wednesday, January 18, 2006. Ayes: (10) Kenneth Albert, Liz Semple, John Eskilson, Roberta Lang, Brent Barnes, Marge DellaVecchia, Edward McKenna, Lauren Moore, George Pruitt, Christiana Foglio. Nays: (0). Abstains: (0).

Maura K. McManimon, Secretary
NJ State Planning Commission

Dated: January 18, 2006