



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
NEW JERSEY STATE PLANNING COMMISSION
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JON S. CORZINE
Governor

SUSAN BASS LEVIN
Commissioner
EILEEN SWAN
*Executive Director
and Secretary*

December 6, 2006

MEMORANDUM TO: Plan Implementation Committee
FROM: Eileen Swan, Executive Director
RE: Background on Agenda Items:
Upper Township Petition for Plan Endorsement

Upper Township, with Dennis and Middle Townships, received a joint Smart Future Grant in FY04 to produce a regional strategy that would serve as a foundation for their Plan Endorsement petitions. The three Townships initiated the Plan Endorsement process with a pre-petition meeting on November 23, 2004. Following this meeting, the Townships believed that the best way to proceed would be to set the center boundaries as the parameters for their respective petitions. Throughout much of 2005, meetings and communications focused on developing a consensus on the centers. Ideally, the three municipalities would have continued in a joint fashion. However, based on the quality of existing and new plans, as well as the advancement of negotiations over planning issues, Upper Township has moved faster than its counterparts. In addition to assessing the Township's petition, the Office of Smart Growth (OSG) and other state agencies continue to view its plans from a regional perspective in relation to the other towns.

Upper Township's petition was deemed complete on January 20, 2006, thereby allowing its existing coastal centers to be extended temporarily until March 15, 2007 pursuant to the CAFRA rules of the Department of Environmental Protection (DEP). While the Township had a complete petition, significant consistency issues remained, a situation similar to several other coastal municipalities that had their petitions deemed complete prior to March 15, 2006. To take full advantage of the 1-year period between petition completeness and coastal center expiration defined in the CAFRA rules, the State Planning Commission (SPC) approved a policy directive on April 19, 2006 allowing for an extended timeframe for the consistency review of petitions.

On this basis, Upper Township entered a Memorandum of Understanding (MOU) with OSG. The agreement included an Action Plan to address issues outlined in the Consistency Review letter dated April 21, 2006 so that the Township's petition could be endorsed by the SPC, with its centers recognized thereafter by DEP's CAFRA rules. The Action Plan covered 6 months from April 26, 2006 to October 26, 2006. Towards the end of the Action Plan timetable, the



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Township requested an extension to November 30, 2006. OSG granted this extension, as the Township's overall work was in line with the requirements and intent of the Action Plan. The petition now enters the 60-day report writing phase, during which the state will work with the Township to finalize the Planning & Implementation Agreement and other details. By rule, a report from OSG is due on January 30, 2006, but our objective is to have it completed by January 12, 2006 for consideration by the Plan Implementation Committee on January 24, 2006. In keeping with our policy to allow petitioners to make a presentation to the Plan Implementation Committee prior to the completion of the staff report, the Township will make a presentation at the December 14th, 2006 meeting.