



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

JON S. CORZINE  
*Governor*

SUSAN BASS LEVIN  
*Commissioner*

CHRISTIANA FOGLIO  
*Chair*

EILEEN SWAN  
*Executive Director & Secretary*

Resolution No. 2006-02  
Page 1 of 3

Date: April 19, 2006  
Patron:

**RESOLUTION**

**AUTHORIZING THE IMPLEMENTATION OF THE POLICY DIRECTIVE REGARDING THE PLAN ENDORSEMENT PROCESS FOR CAFRA MUNICIPALITIES WITH PETITIONS THAT WERE DEEMED COMPLETE BY MARCH 15, 2006 PURSUANT TO THE NJDEP COASTAL ZONE MANAGEMENT RULES**

**WHEREAS**, the 1993 amendments to the Coastal Area Facility Review Act (CAFRA), N.J.S.A. 13:19-1 et seq. required that the rules adopted to implement those amendments be closely coordinated with the State Development and Redevelopment Plan; and

**WHEREAS**, in response to these statutory amendments, the Department of Environmental Protection (DEP) adopted new rules for determining impervious cover limits and vegetative cover percentages for sites in the CAFRA area based on the site's location in a CAFRA center, core or node, Coastal Planning Area or coastal center with a higher impervious cover allowed in a coastal or CAFRA center; and

**WHEREAS**, the Coastal Zone Management Rules were intended to encourage development in areas with existing development and infrastructure, discourage sprawl development, and protect sensitive natural resources; and

**WHEREAS**, DEP adopted these coastal centers as an interim measure to accommodate planned imminent development until the municipalities coastal centers on the mainland had been given the opportunity to obtain center designation through the State Planning Commission's (SPC) plan endorsement process, which is a prerequisite to obtaining CAFRA center status; and

**WHEREAS**, because these coastal centers were intended to be an interim measure, they were not subject to the comprehensive planning and analysis provided by the SPC's plan endorsement process; and

**WHEREAS**, in recognition that the CAFRA municipalities committed substantial time and money on diligent efforts to obtain plan endorsement from the SPC, DEP determined that it was appropriate to re-establish the boundaries of coastal centers located on the mainland that expired on February 7, 2005 for a limited term and in limited circumstances; and

**WHEREAS**, the DEP rule proposal provided that coastal centers within municipalities that had held pre-petition meetings with OSG before July 5, 2005 would be temporarily re-established until



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

JON S. CORZINE  
*Governor*

SUSAN BASS LEVIN  
*Commissioner*

CHRISTIANA FOGLIO  
*Chair*

EILEEN SWAN  
*Executive Director & Secretary*

Resolution No. 2006-02  
Page 2 of 3

Date: April 19, 2006  
Patron:

March 15, 2007 upon adoption of the rule, and further provided that, to maintain the re-established center, the municipality had to receive a determination of Plan Endorsement application completeness by OSG prior to March 15, 2006; and

**WHEREAS**, coastal centers within municipalities that had requested pre-petition meetings by August 4, 2005, that had held pre-petition meetings prior to October 15, 2005, and that had a petition deemed complete by OSG pursuant to the State Planning Rules prior to March 15, 2006 would be temporarily re-established until March 15, 2007; and

**WHEREAS**, the re-established mainland coastal center boundaries remain effective until they expire on March 15, 2007 or until the municipality's petition for initial plan endorsement has been approved by the SPC and DEP has determined the appropriateness of the SPC approved center boundary as a CAFRA center boundary, whichever occurs first; and

**WHEREAS**, the SPC evaluates petitions for plan endorsement on the basis of their consistency with the goals, policies and strategies of the State Development and Redevelopment Plan; and

**WHEREAS**, in order for DEP to amend the Coastal Zone Management Rules to make a center endorsed by the State Planning Commission into a CAFRA Center, DEP must be able to make a finding that the center is consistent with the purposes of the Coastal Area Facility Review Act, N.J.S.A. 13:19-1 et seq., and the Coastal Zone Management Rules; and

**WHEREAS**, in order for DEP to amend the Coastal Zone Management Rules to make a center endorsed by the State Planning Commission into a CAFRA Center, DEP must further determine whether accepting a center would result in unacceptable harm to the coastal ecosystem or the resources of the built or natural environment, or would otherwise be clearly inconsistent with the purposes of the Coastal Area Facility Review Act, and the Coastal Zone Management Rules; and

**WHEREAS**, OSG's staff review of the planning documents submitted with the petitions has raised significant concerns about the consistency of the CAFRA municipalities' petitions with the goals, policies and strategies of the State Development and Redevelopment Plan and State Plan Policy Map, as well as CAFRA; and

**WHEREAS**, in recognition of the substantial time, money and effort undertaken by the CAFRA municipalities to achieve plan endorsement, OSG, DEP and the state agencies are working together to assist the CAFRA municipalities to achieve plan endorsement from the SPC and to achieve CAFRA center designation subsequently thereafter; and



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

JON S. CORZINE  
*Governor*

SUSAN BASS LEVIN  
*Commissioner*

CHRISTIANA FOGLIO  
*Chair*

EILEEN SWAN  
*Executive Director & Secretary*

Resolution No. 2006-02  
Page 3 of 3

Date: April 19, 2006  
Patron:

**WHEREAS**, at the SPC meeting on March 15, 2006, a Policy Directive was introduced that would provide municipalities within CAFRA with petitions for plan endorsement that were deemed complete by March 15, 2006 a six-month time extension to resolve issues of consistency with the State Development and Redevelopment Plan through a Memorandum of Understanding (MOU); and

**THEREFORE BE IT RESOLVED** that the SPC hereby approves the Policy Directive, as amended on April 17, 2006, regarding the Plan Endorsement process for CAFRA municipalities with petitions that were deemed complete by March 15, 2006 pursuant to the NJDEP Coastal Zone Management Rules; and

**THEREFORE BE IT FURTHER RESOLVED** that the SPC hereby approves authorizing the execution of an MOU with each of the municipalities that elect to do so in order to resolve consistency issues with the State Development and Redevelopment Plan.

**Certification**

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Wednesday, April 19, 2006. Ayes: (13) Bernard McLaughlin, Kenneth Albert, Michele Byers, John Eskilson, Adam Zellner, Brent Barnes, Roberta Lang, Marilyn Lennon, Marge DellaVecchia, Debbie Mans, Edward McKenna, Thomas Michnewicz, George Pruitt.

Nays: (0). Abstains: (0).

---

Eileen Swan, Secretary  
NJ State Planning Commission

Dated: April 19, 2006