



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
OFFICE OF SMART GROWTH
PO Box 204
TRENTON NJ 08625-0204

JON S. CORZINE
Governor

CHARLES A. RICHMAN
Acting Commissioner

BENJAMIN SPINELLI
Executive Director

September 19, 2007

The Honorable Malcolm C. Fraser
Mayor, Cape May Point Borough
215 Lighthouse Avenue
P.O. Box 490
Cape May Point, NJ 08212

**Re: Cape May Point Petition for Initial Plan Endorsement
Completeness Determination**

Dear Mayor Fraser:

I have reviewed the petition submitted by the Borough of Cape May Point for Initial Plan Endorsement and would like to commend the Borough for its ongoing planning efforts. However, pursuant to the State Planning Rules N.J.A.C. 5:85-7.5 and the Plan Endorsement Guidelines, I have determined that the petition is not complete as submitted. Accordingly, I have outlined below the additional information that is required in order for the Office of Smart Growth (OSG) to deem your petition complete. OSG and our State agency partners are committed to working closely with you throughout this process in order for the Borough to obtain Initial Plan Endorsement within the prescribed time periods.

Additional Information Required for Completeness

Proof of Publication & Meeting Minutes

The petition does not include proof that notice was published for the public hearing held on August 9, 2007, nor did the petition include minutes from said meeting. Both of these items are required in order for the petition to be deemed complete.

Statement of Community Vision and Public Participation

The petition narrative and the Land Use Element of the Master Plan express goals and objectives, but do not include a narrative of the public participation processes that were conducted in the preparation of these documents. As described in the Plan Endorsement Guidelines (pages 11-12), a vision statement should be created through a public process and should describe the desired future of the municipality in 20 years as it relates to land development, redevelopment, preservation and conservation of resources, transportation, economic growth, housing diversity and affordability, the provision of public facilities and intergovernmental coordination.

Statement regarding any proposed changes to the State Plan Policy Map

If Cape May Point would like to retain Village Center designation, they must provide justification that Village Designation is consistent with the criteria for Village Designation outlined in the State Plan. The Borough should submit a narrative demonstrating and justifying any center boundaries, cores, nodes, Critical Environmental Sites, Historic and Cultural Sites and other planning area changes consistent with the delineation



criteria and policies contained in the State Plan, for centers and otherwise, and how these changes will accommodate local and regional population, household and employment growth targets in ways consistent with the intent of planning areas. The narrative shall comply with the Plan Endorsement guidelines pages 12, and 42-43.

Statement of Planning Coordination

While the Master Plan includes a “Statement of Consistency with Other Planning Documents”, this does not adequately address all of the requirements set forth in the Plan Endorsement Guidelines (page 12-13) with regard to descriptions of outreach and planning coordination with other jurisdictions. The Township shall submit a formal Statement of Planning Coordination consistent with the Plan Endorsement guidelines.

Conclusion

Pursuant to N.J.A.C. 5:85-7.5(b), the Borough must submit an amended petition within 90 days of receipt of this notice. Should the Borough be unable to provide us with the necessary items within the prescribed timeframe, the petition will be considered withdrawn, and no further action will be taken by OSG unless Cape May Point Borough resubmits a petition for consideration. If you believe that some of the items identified above are already adequately addressed within the petition, please bring that to our attention as soon as possible. OSG and our partner agencies are available to assist you at any time during this process, and are committed to working with you so that you achieve plan endorsement in a timely manner.

Please note that this letter serves only to advise you of items necessary to deem this petition “complete” for the purposes of Initial Plan Endorsement. Upon receipt of the above information, a more thorough review of the petition will likely reveal “consistency” items that must be addressed by the municipality prior to receiving Initial Plan Endorsement. Moreover, as a municipality under the jurisdiction of the Coastal Area Facilities Review Act (CAFRA), there may be additional items beyond those of Initial Plan Endorsement required by the Department of Environmental Protection (DEP) to maintain Coastal Center designation. The OSG will work with the Borough and the DEP to identify those items as we move into the consistency review phase.

We also wanted to make you aware that the OSG intends to propose rules that will extend center designations beyond their current expiration date. This proposed extension, however, will only apply to those municipalities engaged in the “new” Plan Endorsement process. In addition to this center extension capability, the new Plan Endorsement process includes the CAFRA requirements, thereby streamlining the DEP review process. While the Borough has a vested right to continue under the Initial Plan Endorsement guidelines, we recommend that the Borough consider withdrawal from the Initial Plan Endorsement process in favor of new Plan Endorsement. We would be happy to meet with the Borough to discuss this option further.

Thank you again for your commitment to the Plan Endorsement process. If you have any questions or concerns, please feel free to contact Katherine Meade, Planner for Cape May Point Plan Endorsement within the Office of Smart Growth at (609)-633-8573 or via email at kmeade@dca.state.nj.us.

Sincerely,



Benjamin L. Spinelli
Executive Director

BS:km

C: James J. Smith, Cape May County Planning Director
Courtenay Mercer, P.P., AICP, Planning Director, OSG
Jung Kim, Principal Planner, OSG
Katherine Meade, Planner, OSG
Cape May Point Plan Endorsement File