



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
STATE PLANNING COMMISSION
PO Box 204
TRENTON NJ 08625-0204

JON S. CORZINE
Governor

JOSEPH V. DORIA
Commissioner

JAMES SOUDER
Interim Executive Director

Resolution No. 2009-03
Page 1 of 3

Date: July 22, 2009

RESOLUTION

**APPROVING THE PETITION FOR INITIAL PLAN ENDORSEMENT
SUBMITTED BY THE BOROUGH OF CAPE MAY POINT
AND DESIGNATING A VILLAGE CENTER**

WHEREAS, the State Planning Commission (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 (Policy Map); and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the Commission has adopted regulations, set forth in N.J.A.C. 5:85-7.1 *et seq.*, that establish procedures for filing of Petitions for Plan Endorsement with the Commission for the purpose of encouraging consistency of submitted plans with the goals and policies of the State Plan and Policy Map in order to foster sound and comprehensive planning and cooperation and coordination of planning activities between State agencies and county and local governments; and

WHEREAS, the Borough of Cape May Point submitted a Petition for Initial Plan Endorsement to the State Planning Commission pursuant to the provisions of N.J.A.C. 5:85-7.1 *et seq.*, seeking approval of its Petition and endorsement of its plan, including:

- a comprehensive master plan with extensive supporting documents
- a request for designation of a village center
- a multifaceted approach to protecting environs. Cape May Point is also regulated pursuant to DEP CAFRA regulations which imposes strict limits on impervious cover outside of designated centers, and
- a Fair Share Housing Plan

WHEREAS, the Petition, plan and supporting documents were received and comprehensively reviewed by the State agencies represented on the Commission; and

WHEREAS, the Staff and Executive Director of the Office of Smart Growth reviewed the Petition filed by the Borough of Cape May Point, the comments received by the relevant State agencies and the public and determined that the petition meets the requirements for Initial Plan Endorsement; and

WHEREAS, a village center boundary has been negotiated and agreed upon between the relevant State agencies and petitioner as shown in **Exhibit A** attached hereto; and

Resolution No. 2009-03
Page 2 of 3

Date: July 22, 2009

WHEREAS, the Staff and Executive Director of the Office of Smart Growth presented findings of the comprehensive review to the Plan Implementation Committee (PIC) on June 24, 2009, and determined that the Borough of Cape May Point plan appears consistent with the State Plan and Policy Map and recommended that the State Planning Commission approve the Petition; and

WHEREAS, the PIC reviewed and considered the Petition, concurred with the recommendation to approve the Petition, subject to further consideration of Planning Implementation Agreement (PIA) language, and moved the Petition for consideration by the full Commission at its next regularly scheduled meeting; and

WHEREAS, the Executive Director has recommended that the Commission approve the Petition and grant initial endorsement of the plan submitted by the Borough of Cape May Point, contingent upon development of a mutually acceptable PIA; and

WHEREAS, the Commission has determined that the plan submitted by the Borough of Cape May Point is consistent with the State;

NOW, THEREFORE, BE IT RESOLVED, that the Commission, pursuant to N.J.A.C. 5:85-7.6(c), hereby affirms the Executive Director's determination on consistency with the State Plan and Policy Map and approves the Petition for Initial Plan Endorsement, thus granting initial plan endorsement to the plan submitted by the Borough of Cape May Point; and

BE IT FURTHER RESOLVED, that the Commission hereby designates a Village Center; and

BE IT FURTHER RESOLVED, that the endorsement of the Borough of Cape May Point, is contingent upon adoption of an agreed upon PIA, to be developed in conjunction with the Staff of the Office of Smart Growth and relevant State agencies that shall:

- memorialize the agreed upon planning implementation mechanisms,
- reflect a commitment, on the part of the Borough of Cape May Point, to continue to implement its plans,
- reflect a commitment, on the part of the relevant State agencies, to provide agreed upon benefits, and
- reflect a commitment, on the part of the Borough of Cape May Point and the relevant State Agencies, to work together to effectively implement the goals, strategies and policies of the State Plan; and

BE IT FURTHER RESOLVED, that in approving the Petition and granting initial plan endorsement, it is understood that the endorsement may be revoked if the Commission determines that the Borough of Cape May Point has either made substantial changes to its

endorsed plan or substantially violated the terms of its PIA so that the plan of the Borough of Cape May Point is no longer consistent with the State Plan; and

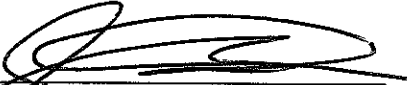
Resolution No. 2009-03
Page 2 of 3

Date: July 22, 2009

BE IT FURTHER RESOLVED, that the Chairman of the State Planning Commission and the Executive Director of the Office of Smart Growth are hereby authorized to execute such documents and to take such other actions as may be necessary or appropriate for the publication of this rule proposal.

Certification

This Resolution was adopted by the New Jersey State Planning Commission at its meeting held on Wednesday, July 15, 2009. Ayes (11) Kenneth Albert, Ronald Chen, Brent Barnes, Stacy Spera, John Eskilson, Shing-Fu Hsueh, Liz Semple, Edward McKenna, Roberta Lang, Charles Richman, Bernard McLaughlin. Nays (0). Abstains (0).


James Souder, Secretary
NJ State Planning Commission

