



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

JON S. CORZINE
Governor

SUSAN BASS LEVIN
Commissioner

EILEEN SWAN
Executive Director

November 22, 2006

The Honorable Paul C. Brush
Mayor of Toms River Township
33 Washington Street
PO Box 728
Toms River, NJ 08754-0728

**Re: Dover Township (now known as Toms River) Petition for Initial Plan Endorsement
Letter of Extension**

Dear Mayor Brush:

I would like to take this opportunity to recognize the amount of work that Toms River Township has done towards achieving the Township's plan endorsement goals. The Office of Smart Growth (OSG) and our state agency partners have been actively working with the Township towards plan endorsement since the pre-petition meeting in December 2004. However, as has been articulated in previous letters to the Township of May 23, 2006 and November 15, 2006, significant consistency issues remain within the petition that must be resolved before the OSG and our state agency partners can make a recommendation of consistency to the State Planning Commission (SPC). The purpose of this letter is to provide next steps for moving forward to assist the Township in meeting its plan endorsement goals.

Our letter of May 23, 2006 outlined consistency issues relevant to the Township's petition for Initial Plan Endorsement. Attached to the letter was a draft Action Plan and a Memorandum of Understanding (MOU). The Township was provided with a six-month extension, until November 23, 2006, to support the Township's efforts to receive Initial Plan Endorsement from the State Planning Commission and to provide you with additional time to address outstanding consistency issues.

These steps were undertaken as a means of attempting to maintain the Township's coastal center boundaries or re-establish the boundaries when they expire on March 15, 2007. These steps were predicated upon the Township's petition for Initial Plan Endorsement being approved by the SPC and the Department of Environmental Protection (DEP) determining the appropriateness of the SPC approved center boundary as a CAFRA center boundary.

The Policy Directive introduced by the SPC at the March 15, 2006 meeting provided the framework for the Township to be offered a six-month time extension in order to resolve issues of consistency with the State Plan. However, in order to provide the Township with an opportunity to continue to refine its petition, we are offering the Township an extended period of time. This extension will provide the Township with the time necessary to continue to work with OSG and the state agencies towards plan endorsement. The recommended time extension will be an additional six months, commencing



November 24, 2006 and extending until May 24, 2007. Notice of this extension of time will be provided in accordance with the State Planning Rules, N.J.A.C. 5:85-1.6(b) and will be posted on the OSG website. The Township is welcome to submit its revised petition in accordance with the action plan sooner than this date. OSG will prepare a report to the SPC on the petition's consistency with the State Plan within 60 days of receipt of the Township's submission of the revised petition and associated action plan items.

I am requesting that the Township submit copies of all completed documents (not previously submitted) that are related to the action plan as soon as possible. These documents will be circulated to the state agencies for review and comment. OSG will additionally be coordinating a follow-up meeting between the Township and the state agencies within the first two weeks of December, in order to discuss any outstanding issues pertinent to the Township's petition.

Please provide OSG with a written response by December 15, 2006 if you would like to take advantage of this proposed extension. If we do not receive a definitive response, we will begin preparing our consistency report on the Township's petition to be provided to the SPC in January.

Thank you again for your commitment to the Plan Endorsement process. If you have any questions or concerns, please feel free to contact Kim Jung, Area Planner for Ocean County at (609)-633-6139 or via email at jkim@dca.state.nj.us. Again, we look forward to meeting with you in the near future to discuss the next steps.

Sincerely,



Eileen Swan
Executive Director

ES:jjd

c: Salvatore Mattia, Planning Board Chairman
Mark Mutter, Municipal Clerk
Fred Ebenau, Township Administrator
Garry Mundy, Township Attorney
Mark Healey, PP/AICP, Heyer, Gruel & Associates
Mark Troncone, Toms River Township
Jay Lynch, PP/AICP, Township Planner
Joseph I. Donald, PP/AICP, Deputy Executive Director, OSG
Ben Spinelli, Policy Director, OSG
Jung Kim, PP/AICP, Area Planner, OSG
State agency representatives *via email*