

Newton Action Plan and Temporary Reestablishment of Center

- Kate Meade, Planner, OSG

Municipalities working in good faith

- When crafting the rule, OSG staff had hoped to include provisions that would extend centers for Municipalities that had been working through the PE process in good faith to reestablish centers before the expiration date.

May 22nd 2008

- The original drafting of the Permit Extension Act extended approvals until July 1st 2010, and, pursuant to section C.40:55D-136.3 of the Act, "Approval" meant.... Plan Endorsement and center designations pursuant to the "State Planning Act..."

June 19, 2008

- The New Jersey Legislature's Assembly Budget Committee made amendments adopted June 19, 2008 to section C.40:55D-136.4b of the 2008 Permit Extension Act stating that Nothing in this act shall be deemed to extend or purport to extend:....(3) any permit or approval issued within an environmentally sensitive area

December 17th

- The Commission is deleting N.J.A.C. 5:84-7.21(f) as it is no longer relevant.
- The Office of Smart Growth updated the final rule proposed and adopted by the SPC on December 17th to reflect the extension provided by the Permit Extension Act.

Removal of provision for extensions

- We removed this section because the Permit Extension Act brought back many centers that this would have applied to.
- Part of the extension stipulated that an interim center boundary had to be prepared for the Pre-Petition meeting. The Planning Unit was hesitant about negotiating boundaries at Pre-Petition Meetings.

Attorney General's Interpretation

- “Finally, nothing in the Act precludes the State Planning Commission, as part of their consideration of a petition for plan endorsement or as part of the process of revising and readopting the State Development and Redevelopment Plan itself, from exercising its authority to designate centers or extend the designation of existing centers.”

Why Build in Newton's Center?

- Live Where You Work Program
- BPU
 - Targeted Revitalization Incentive Program
 - Smart growth infrastructure investment Program (SGIIP)
- Business Employment Incentive Program (BEIP)
- NJ DOT Centers of Place (not affected by the Permit Extension Act)
- COAH

Temporary Extension

- Center boundary would be ready for the February 18th meeting. We had hoped to agree on an interim boundary for this meeting, but the process is taking longer than anticipated.

