



State of New Jersey
NEW JERSEY STATE PLANNING COMMISSION
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Resolution No. 2017-03
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Date: August 14, 2017

R E S O L U T I O N

**GRANTING THE TOWNSHIP OF LAKEWOOD
A FOUR-MONTH EXTENSION OF TIME
TO COMPLETE THE REQUIREMENTS OF
THE CONDITIONAL PLAN ENDORSEMENT**

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; and

WHEREAS, pursuant to its authority under N.J.S.A. 52:18A-203, the Commission has adopted regulations that establish procedures for filing of Petitions for Plan Endorsement with the Commission, N.J.A.C. 5:85-7.1 *et seq.*, and amending the State Plan Policy Map, N.J.A.C. 5:85-8.3 *et seq.*, for the purpose of encouraging consistency of submitted plans with the goals and policies of the State Plan 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 Township of Lakewood (Township) submitted a Petition for Plan Endorsement (Petition) to the Commission pursuant to the provisions of N.J.A.C. 5:85-7.1 *et seq.*, which included proposed amendments to the State Plan Policy Map pursuant to the provisions of N.J.A.C. 5:85-8.3 *et seq.*; and

WHEREAS, the Commission issued resolution 2016-01 on February 17, 2016, granting the Township a conditional Plan Endorsement and designating State Plan Map Amendments, a copy of which is attached hereto as **EXHIBIT A**; and

WHEREAS, the conditional Plan Endorsement required the Township to adopt a municipal zoning map and zoning ordinance and resource protection ordinances, as set forth in the Planning Implementation Agreement (PIA), a copy of which is attached hereto as **EXHIBIT B**, within eighteen months of the effective date of the resolution granting the conditional Plan Endorsement; and

WHEREAS, the Commission authorized the conditional Plan Endorsement to become final following the completion of the conditions set forth in the resolution, **EXHIBIT A**, and the PIA, **EXHIBIT B**; and

WHEREAS, the Commission authorized formal amendments to the State Plan Policy Map, as shown in **EXHIBIT C**, to be made effective by the Director of the OPA after the Township revised and adopted its municipal zoning map and zoning ordinance reflecting proposed changes to centers, planning areas, cores, and nodes, adopts resource protection ordinances, and mechanisms are implemented to permanently protect lands outside of sewer service area based on the Lakewood smart growth management plan (SGP); and

WHEREAS, the resolution granting the conditional Plan Endorsement requires an affirmative action by the Commission to extend the conditional Plan Endorsement beyond the initial eighteen month period; and

WHEREAS, the Township submitted a letter to the Commission dated April 20, 2017, a copy of which is attached hereto as **EXHIBIT D**, requesting an additional six months to complete the conditions required for Plan Endorsement set forth in the resolution granting conditional Plan Endorsement, **EXHIBIT A**, and PIA, **EXHIBIT B**, and;

WHEREAS, the Township proposes to complete the required conditions as follows:

- adopt the Master Plan, including circulation element by September 2017
- adopt water conservation and wellhead protection ordinances by September 2017
- adopt a mechanism to permanently protect lands in and around Kettle Creek in accordance with the PIA by August 31, 2017
- adopt zoning ordinance amendments and revisions to zoning map by December 7, 2017

WHEREAS, the Staff and Director of the OPA have reviewed the Township's request for a six-month extension and have been conducting weekly meetings with the Township and the Department of Environmental Protection to monitor the Township's progress towards completing the conditions set forth in the conditional Plan Endorsement, **EXHIBIT A**, and PIA, **EXHIBIT B**; and

WHEREAS, the Staff and Director of the OPA recommend that the Commission grant a four month extension of the conditional Plan Endorsement to the Township based on its satisfactory progress towards meeting the conditions set forth in the conditional Plan Endorsement, **EXHIBIT A**, and PIA, **EXHIBIT B**, but recognizing that more steps need to be taken to fully comply with the conditions for Plan Endorsement; and

WHEREAS, the Commission has reviewed the Township's request for a six-month extension and determined that the Township has made satisfactory progress towards meeting the conditions set forth in the conditional Plan Endorsement, **EXHIBIT A**, and PIA, **EXHIBIT B**.

NOW, THEREFORE, BE IT RESOLVED, that the Commission hereby adopts the Director's recommendation that the Township is entitled to a four-month extension of time to complete or make substantial progress toward the completion of the requirements of the conditional Plan Endorsement, **EXHIBIT A**, and PIA, **EXHIBIT B**; and

BE IT FURTHER RESOLVED, that the Commission's conditional Plan Endorsement is contingent upon the Township's continued progress on the conditions set forth in the conditional Plan Endorsement, **EXHIBIT A**, and PIA, **EXHIBIT B**; and

BE IT FURTHER RESOLVED, that failure to adopt a municipal zoning map and zoning ordinance and resource protection ordinances, as set forth in the PIA, **EXHIBIT B**, or to make substantial progress toward completion within four months of the effective date of this Resolution will result in the expiration of this conditional Plan Endorsement; and

BE IT FURTHER RESOLVED, that the Director of the OPA shall review the Township's progress towards completing the requirements of the conditions set forth in the conditional Plan Endorsement, **EXHIBIT A**, and PIA, **EXHIBIT B** and make a determination regarding whether the conditional Plan Endorsement should become final or expire at the conclusion of this four month extension; and

BE IT FURTHER RESOLVED, that notwithstanding the above-conditions, the Commission retains the authority to extend the conditional Plan Endorsement and provide more time for completion of these conditions by affirmative vote prior to the expiration of the conditional Plan Endorsement as extended; and

BE IT FURTHER RESOLVED, that the Director of the OPA shall amend the State Plan Policy Map in the Township, as shown in **EXHIBIT C**, once the Township revises and adopts its municipal zoning map and zoning ordinance reflecting proposed changes to centers, planning areas, cores, and nodes, adopts resource protection ordinances, and mechanisms are implemented to permanently protect lands outside of sewer service area based on the Lakewood SGP; and

BE IT FURTHER RESOLVED, that in approving the Township's request for an extension and continuing the conditional Plan Endorsement, it is understood that the Commission's plan endorsement may be revoked if the Commission determines that the Township has made substantial changes to its endorsed plan without adhering to the rules governing Plan Endorsement, N.J.A.C. 5:85-7.1 *et seq.*, and amending the State Plan Policy Map, N.J.A.C. 5:85-8.3 *et seq.*, or substantially violated the terms of its PIA, **EXHIBIT B**, so that the plan of the Township is no longer consistent with the State Plan; and

BE IT FURTHER RESOLVED, that the Chairman of the Commission and the Director of the OPA are hereby authorized to execute such documents and to take such other actions as may be necessary or appropriate for the implementation of this Resolution.