

# **NJ Department of Environmental Protection**



## **Initial Plan Endorsement Program and Process Guide**

September 2004

# **NJDEP Initial Plan Endorsement Program and Process Guide**

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A guide to the environmental protection elements and requirements established by the New Jersey State Planning Commission for Local Governments to obtain Initial Plan Endorsement from the Commission

## Introduction

The New Jersey Department of Environment Protection believes that citizens and professionals working with the New Jersey State Planning Commission in the Initial Plan Endorsement process need to be provided with guidance concerning certain key Plan Endorsement requirements established by the Commission and how these requirements relate to the Department's regulatory programs, resource management and natural systems protection efforts. This guide is intended to provide an overview of the types of information generally considered by the Department to be necessary in a community's Initial Plan Endorsement petition and how the information should be used to develop and support better local protection and management of New Jersey's environment.

The Guide should be used by citizens and professionals to gain a basic understanding of the environmental and resource data available from Department that will aid a community's land use planning efforts. Information about the form and content of reports, suggested planning outcomes, and links to Department programs are provided to help clarify those information needs considered key by the Department in the Initial Plan Endorsement process.

The Guide starts with a comprehensive listing of the information considered most important by the Department in its review of a Initial Plan Endorsement Petition. The items listed are a subset of all the petition requirements items noted in Section 2.2 of the publication "*Plan Endorsement Guidelines*" approved by the State Planning Commission on April 28, 2004 and prepared by the Department of Community Affairs Office of Smart Growth. (This publication is available on the web at <http://www.nj.gov/dca/osg/> ) Throughout the list, where appropriate, notes are provided which will either simply clarify a specific requested information item or direct the reader to a discussion of the intent and desired outcome of a plan, inventory or protection strategy required by the Initial Plan Endorsement process.

In a state with 566 municipalities, the Department recognizes that there will be a wide range of circumstances and issues which will require special consideration. If you feel that there are matters relevant to specific conditions or environmental issues within your community which are not covered, please contact the Department's Office of Policy Planning and Science at 609-292-1143 and ask for assistance from our staff of natural resource planners and GIS specialists.

## **The Initial Plan Requirements needed for NJDEP review**

The information required for Initial Plan Endorsement is indicated in Section 2.2 of the publication “*Plan Endorsement Guidelines*” approved by the State Planning Commission on April 28, 2004 and prepared by the Department of Community Affairs Office of Smart Growth. The Initial Plan Endorsement requirements are shown below. Each required item has also been compiled into a table that shows related Department programs and regulations, as well as the basic criteria that will be used to determine consistency with Department plans and programs for Initial Plan Endorsement (see Appendix 1 of this document). Applicants should be sure to provide the relevant information and to answer the basic questions posed in the “Department Review Criteria” in Appendix 1.

The information identified herein will be used by the Department of Environmental Protection to determine whether the petition demonstrates consistency with the goals, policies and strategies relating to the protection of the environment established by the State Plan, the State Plan Policy Map, and the relevant State statutes and regulations administered by the Department.

It is the Department’s intent to review the information submitted by an applicant for consistency with provisions of the State Development and Redevelopment Plan, primarily those related to resource protection. To do this, the Department will use the applicable State Plan Planning Areas and their Policy Objectives as benchmarks for determining consistency (These Policy Objectives can be found in Appendix 2). As the State Plan’s key concepts, the Statewide Policies are applied to the natural and built resources of the state through the designation of five Planning Areas. The Planning Areas reflect distinct geographic units within the state and serve as the organizing framework for application of the Statewide Policies.

Reports and documents should be provided in an electronic format so that the key details may be accurately transferred into the Department’s findings. Maps should utilize GIS format, where feasible, or other formats that can be converted to GIS format. See <http://www.nj.gov/dep/gis/standard.htm> for details about map standards. Most of the required items are self-evident, however, in some instances italicized text provides background as to why an item would be relevant to the Departments review of a petition for Initial Plan Endorsement. The Department requests that the information be submitted as a complete package in order to avoid delays in the review of petition. Should additional time be needed in order to assemble or develop requested items, please advise our office of the need for a delay in the review of the petition.

## Initial Plan Endorsement Requirements

### A. Master Plan

*A copy of the currently adopted county or municipal Master plan and including all required elements and any amendment(s) and the date of adoption(s).*

- An analysis or statement as appropriate as to the need for the development of any other optional master plan elements that were not addressed in the adopted master plan
- A copy of any Master plan Reexamination Report adopted on or after the adoption of the master plan and date of adoption;

A copy of any the following adopted optional Master plan elements or other plans, or an indication whether the optional Master plan element is under development:

#### A-1. Open Space and Recreation Plan

*See Appendix 3 of this document*

**A-2.** Community Facilities Map providing information concerning the location of community facilities and services, e.g. municipal and county buildings, community colleges, schools, libraries, police and fire protection, etc. Please include a statement of facility capacity where applicable.

- **A-3.** Existing and proposed affordable housing sites in a Housing Element and Fair Share Plan currently before or certified by the Council on Affordable Housing, if applicable.

*This information is relevant to the Department as affordable housing sites need adequate drinking water and waste water disposal. As NJDEP permits, approvals and certifications may be required, poorly sited facilities or inadequate infrastructure may delay or prevent a municipality's COAH plan from realization.*

**A-4.** If the petitioner has an infrastructure or utility service plan element of the master plan, please submit that as part of the petition and any available information on the existing infrastructure, including extent and location of...

- wastewater collection systems, stormwater collection systems and discharge points
- public water supply systems, including conveyance mains, and any well, surface water intake, treatment facilities, and discharge location.

#### A-5. Natural Resource Inventory

The Natural Resource Inventory narrative must reflect the specific conditions of the municipality and provide adequate detail to allow consideration of any local conditions meriting special consideration. The petitioner must also submit any available local information on the following:

- steep slopes,
- beaches, dunes and coastal bluffs as defined in the Coastal Zone Management Rules,
- open space, public lands, including natural areas and private conservation areas or wildlife refuges, and conservation easements, including those entered pursuant to the farmland preservation program.
- Habitat for threatened, endangered and priority species,
- critical habitat as defined under CAFRA;
- areas identified as necessary to protect, sustain or restore plant or animal populations identified in state or federal recovery or management plans;
- Areas of critical water supply concern including but not limited to important water supply areas, Category 1 drainage areas, wellhead protection areas, aquifer recharge areas, source water protection areas
- shellfish harvesting areas
- wetlands defined under Freshwater Wetlands Protection Act and coastal wetlands:
- Transition or buffer areas defined under Freshwater Wetlands Protection Act and coastal wetlands act;
- Geology and soils,
- forest cover,
- hydrography, including Watershed boundaries (HUC 14) and where applicable, Wild and Scenic River data
- Critical Environmental Sites as previously identified by the State Planning Commission

*A current Natural Resource Inventory is the foundation for good community planning. The Natural Resource Inventory provides the*

*specific information needed by every municipality to better understand the environmental conditions and constraints which affect a community's planning and zoning. The NJDEP encourages municipalities to carefully review their existing NRI and to update it with current information where needed.*

*The New Jersey Department of Environmental Protection provides a broad range of Geographical Informational Systems (GIS) data to citizens and professionals to help them gain a better understanding of the environmental factors, conditions, and constraints that shape development and guide protection of our State's landscape. The Department is making the data available to each county for its use during the 2004 New Jersey State Development and Redevelopment Plan Cross Acceptance and Plan Endorsement processes to ensure that the planning goals established within their own master plan are environmentally sound and realistic.*

*The DEP GIS data reveal that each community has a unique collection of environmental factors and circumstances that serve to limit and shape where and how development or resource preservation should occur. The Department urges counties to carefully consider these GIS data layers, especially if they are seeking to change planning area designations to better protect resources or attract and accommodate growth. For communities seeking to pursue plan endorsement in order to designate new centers, the GIS data will greatly aid counties, municipalities and state agencies as they determine the size, scale and development intensity of the centers.*

*Some of the environmental features and factors mapped by the Department's GIS data have direct links to regulatory programs, while others call out areas needing special planning and design consideration. On occasion, users may find that the GIS data is not current, perhaps not depicting a feature recently constructed or a natural feature formerly located at a location. The Department's GIS data is under constant revision and regulatory site-specific decisions by DEP are always complemented by on-site verification. The data will serve as a helpful resource to local governments during Cross Acceptance, particularly in developing or updating a Natural Resource Inventory.*

#### **A-6. Build-out and Capacity Analysis**

*Using the current zoning maps of municipalities contained within the county, the petitioner will prepare an estimate of the potential location*

*and amount of residential, commercial, industrial and public development possible at build out for the county based on current planning, ordinances, and regulations. Based on that build-out analysis, the county must also submit an inventory of available infrastructure along with an analysis of the estimated capacity of the infrastructure to accommodate the outcomes of current planning at build out.*

**A-7. Demographic Projections**

**A-8. Land Use Inventory**

- A map or aerial depicting existing land uses
- Current zoning map (for municipal petitioners)
- Digital municipal block and lot data, if available.

**A-9. Capital Improvement Program.**

*Occasionally, a community may be planning a capital improvement that would require NJDEP permits, certifications or approvals or may be eligible for Department funding. The location and scale of a capital improvement may affect the outcome of the NJDEP regulatory process and so we encourage communities to let us know of their capital improvement plans early in order to avoid problems that may arise as the project moves to bidding, permitting, or construction or to help us direct your town to funding programs administered by NJDEP.*

**A-10. Neighborhood Revitalization Plans and designated Redevelopment Area plans**

*This information is relevant to the Department as these Plans may envision projects or activities that will need NJDEP approvals. Poorly sited or designed facilities and/or inadequate infrastructure may delay or prevent a Revitalization or Redevelopment Area plan from realization if permits cannot be issued. By screening these Plans early, the Department may identify potential conflicts or funding opportunities.*

**A-11. Wastewater Management Plan**

*see Appendix 4 of this document*

**B. Community Vision and Public Participation**

**C. Proposed State Plan Policy Map Changes**

A statement regarding any proposed changes to the State Plan Policy Map. All petitioners proposing State Plan Policy Map Amendments, to be implemented through either initial plan endorsement or a subsequent advanced plan endorsement petition, are required to submit the information outlined in Appendix 6.2 (refers to an appendix of the “*Plan Endorsement Guidelines*” approved by the State Planning Commission on April 28, 2004 and prepared by the Department of Community Affairs Office of Smart Growth.).

#### **D. Statement of Planning Coordination**

**D-1.** A statement noting the consistency or inconsistency of current land use related regulations with the municipal master plan, the county master plan and all applicable local or regional plans, such as...

Wastewater management plans, ( consult local MUA, or regional water quality planning agency)

Solid waste management plans pursuant to the Solid Waste Management Act, See <http://www.nj.gov/dep/dshw/recycle/plan03.htm> for more information

Pinelands Comprehensive Management Plan  
See <http://www.state.nj.us/pinelands/cmp.htm> for more information

New Jersey Meadowlands Master Plan  
See <http://www.meadowlands.state.nj.us/masterplan/index.html> for more information

Delaware and Raritan Canal Commission Plan,  
See <http://www.dandrcanal.com/drcc/planning.html> for more information

Metropolitan Planning Organization (MPO) Regional Transportation Plans

**North Jersey Transportation Planning Authority, Inc.**  
Newark, NJ See [www.njtpa.org](http://www.njtpa.org) for more information

**South Jersey TPO Vineland, NJ**  
See [www.sjtpo.org](http://www.sjtpo.org) for more information

The regulatory requirements of the Coastal Area Facility Review Act (CAFRA) See [http://www.state.nj.us/dep/landuse/njsa\\_njac.html](http://www.state.nj.us/dep/landuse/njsa_njac.html) for more information

Local open space/recreation plan, (consult local plan, if any)

**D-2.** A description of existing and potential conflicts between the petitioner’s vision and existing or projected planning and regulatory efforts by other agencies, for example, Open Space plans, Wastewater Management Plans, Transportation Plans, State infrastructure planning and/or development, development by public agencies or superior levels of government, or any court ordered development projects.

*The Department is seeking to understand whether or not existing plans or regulatory efforts directly conflict or run counter to a community’s Master Plan vision. Some conflicts may be resolved through adjustments to current planning goals and policies or anticipated regulatory changes while other conflicts may not be resolved through the Plan Endorsement process, requiring State or Federal legislative action or fundamental changes to a community’s Master Plan vision.*

**D-3.** A statement describing the petitioner’s current and/or future planning and regulatory activities already committed to by the petitioner. The term “regulatory activities” refers to actions undertaken or under development by the petitioner to protect or ensure the management of natural resources or areas.

*Many communities in New Jersey are undertaking studies or implementing strategies locally to ensure better management and protection of sensitive natural areas, historic resources, scenic resources, and natural resources. If your community is undertaking any of these “regulatory activities”, please let us know.*

**D-4.** A statement detailing any ongoing local or regional development activities by any level of government within the petitioner’s jurisdiction

*Please note any projects which may already be under construction or in advanced stages of planning. This information provides the Department with a better understanding of existing and proposed public or public/private development initiatives.*

**D-5.** A statement describing the level of development activity within the petitioner’s jurisdiction by the private sector

*Development pressure or the lack of it directly influences the state of natural resources like groundwater, surface water and air quality in a community. The relative vitality of natural systems and biotic communities within a municipality is also directly linked to these pressures. Our State has a wide range of landscapes, from urban to severely environmentally constrained and everything in between. Communities that are experiencing little development pressure have very different needs than*

*those which are rapidly developing or already fully developed. Local natural resource protection initiatives need to be understood within the context that each municipality finds itself in.*

**D-6.** A copy of any relevant Board of Education Five year facilities plan;

*This information is relevant to the Department as new and/or expanded schools need adequate drinking water and waste water disposal. As NJDEP permits, approvals and certifications may be required, poorly sited facilities or inadequate infrastructure may delay or prevent a facilities plan from realization.*

**E.** Planning and Implementation Agreement

A copy of the Planning and Implementation Agreement (PIA) proposed by the petitioner which identifies how the petitioner will achieve the goals and visions described in the plan proposed for endorsement and a schedule for doing so, and the nature of technical and or financial assistance to be sought through the Department of Environmental Protection to help advance the implementation of the endorsed plan.

**F.** Municipal Environmental Justice Inventory

Environmental Justice communities are communities of color and/or low-income that are exposed to a disproportionate amount of industrial pollution or other environmental hazards. The Department of Environmental Protection will provide all municipal petitioners with an inventory of the following sites, that are known to either emit pollution or be contaminated, for reference, review and consideration during comprehensive planning efforts.

- Facilities that submit a Release and Pollution Prevention Report under the Worker and Community Right to Know Act 34:5A and the Worker and Community Right to Know Regulations N.J.A.C. 7:1
- Facilities that submit an Emission Statement under the Air Pollution Control Act N.J.S.A. 26:2C-1 to -25.2 and N.J.A.C. 7:27-21
- Facilities regulated under the Toxic Catastrophe Prevention Act (TCPA), N.J.S.A. 13:1K-19 to -35 and N.J.A.C 7:31
- Facilities regulated under Spill Compensation and Control Act N.J.S.A. 58:10-23.11 and the Discharge Prevention Control and Countermeasure Regulations (DPCC) N.J.A.C.7:1E

- Hazardous Waste Treatment Storage and Disposal (TSD) facilities under the Solid Waste Management Act 13:1E-1–48 and the Hazardous Waste Regulations N.J.A.C. 7:26G
- Brownfields, as defined by Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-1 et. seq.
- The Known Contaminated Sites, as identified on the Department of Environmental Protection Known Contaminated Site List.

*Municipalities seeking Initial Plan Endorsement are encouraged to consider whether population, demographic, and pollution discharge information specific to their community reveals that there is a potential for environmental justice issues. The goal of the voluntary inventory is to identify variation in ethnic and economic characteristics and to compare environmental hazards in areas with high minority or low income to other areas in the municipality.*

*This information can be used to determine whether existing or proposed planning goals and zoning requirements should be altered to reduce or prevent the disproportionate exposure to industrial pollution or other environmental hazards to neighborhoods within a municipality. As directed by Executive Order, NJDEP is required to use environmental and public health data to identify existing and proposed industrial and commercial facilities in communities of color and low-income neighborhoods which will be targeted for more aggressive compliance, enforcement, remediation and permitting strategies to reduce residents' exposure to toxics and other pollution.*

*The petitioner can use data obtained from the U. S. Census Bureau available at a variety of web sites to evaluate variation in ethnic and economic characteristics.<sup>1</sup> Variation can be determined by comparing different areas within the municipality (census tracts, block groups, or blocks) to state or county averages or by simple statistical classification techniques such as equal intervals or quantiles. Depending on the ethnic groups within the community, population data for total minority or specific groups (i.e. Blacks, Hispanics, and Asian) can be used. Economic characteristics can be evaluated using data such as median household income or percent below poverty status.*

*Variation in environmental hazards can be done using data obtained from NJDEP<sup>2</sup> or EPA.<sup>3</sup> The Petitioner can use data such as the density of*

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<sup>2</sup> [http://datamine.state.nj.us/dep/DEP\\_OPRA/](http://datamine.state.nj.us/dep/DEP_OPRA/)  
<http://www.nj.gov/dep/gis/newmapping.htm>

*regulated or contaminated sites (sites per acre) in different areas to determine the variation in environmental hazards. The petitioner can contact the Department's Office of Policy, Planning and Science at (609) 292-1143 for assistance in obtaining information concerning regulated facilities and contaminated sites within their municipality.*

#### **G. Stormwater Management Plan**

The Department of Environmental Protection's rules on stormwater management [N.J.A.C. 7:8-1.1 et seq.] require municipalities to have prepared Stormwater Management Plans by February 2, 2006. After that date, Stormwater Management Plans will be a requirement for all pending and future petitions for Initial Plan Endorsement. For details, please go to <http://www.state.nj.us/dep/watershedmgt/stormwaterrules.htm>

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<sup>3</sup> <http://www.epa.gov/enviro/ej/>

## **New Jersey Department of Environmental Protection** **Regulatory Program Information and Internet links**

Local land use planning is affected by the requirements of Federal and State laws and regulations. These laws and regulatory programs affect the location, scale and design of new development and redevelopment. The NJDEP believes that it is important for communities to align their land use planning goals to support and further the protection of sensitive natural areas and ensuring the sustainable use of our state's land, water, and air. When creating new a Master Plan or updating an existing one, consideration should be given to how local planning goals can support the protection of a community's environment while also supporting its' economic or other goals. NJDEP Programs and decision points affecting land use permitting are listed below along with the internet addresses where you may find more detailed information about each of the regulatory programs.

### **WATERSHED MANAGEMENT**

The Division of Watershed Management (DWM) administers the Statewide Water Quality Management Planning (WQMP) Program. Under the existing WQMP rules, the Department shall not issue the permit if the Department finds the project or activity to be inconsistent with a Water Quality Management (WQM) plan or the rules at N.J.A.C. 7:15-3.1(a). The Department conducts a consistency determination (CD) review to ensure that proposed projects or activities do not conflict with the applicable area-wide WQM plans. After a CD review is completed, the Department will find the project to be "consistent", "not addressed", or "inconsistent".

See <http://www.nj.gov/dep/watershedmgt/> for more information.

### **LAND USE REGULATION PROGRAM**

Land Use Regulation Program administers the permit programs associated with the Waterfront Development Act, the Wetlands Act of 1970, the Coastal Area Facility Review Act (CAFRA), the Flood Hazard Area Control Act (Stream Encroachment), the Freshwater Wetlands Protection Act, and the Riparian Lands Management Program. See <http://www.nj.gov/dep/landuse/> for more information.

#### **Coastal Area Facility Review Act (CAFRA) Permit –**

A CAFRA Permit is needed for certain types of residential, commercial, industrial, and public developments within the coastal area described in the Act. There are Permits by Rule, General Permits and Individual permits issued.

#### **Waterfront Development Permit**

A Waterfront Development Permit is needed for developments proposed within any tidal waterway of the State and lands lying thereunder up to and including the mean high waterline. For development outside the CAFRA area, the Waterfront

Development Law regulates not only activities in tidal waters, but also the area adjacent to the water extending from the mean high waterline to the first paved public road, railroad, or surveyable property line. At a minimum, the zone extends at least a 100 feet, but no more than 500 feet, inland from the tidal water body. Within this zone the Department must review construction, reconstruction, alteration, expansion, or enlargement of structures, excavation, and filling. However, this part of the law does not apply within the Hackensack Meadowlands Development District.

**Coastal Wetlands Permit –**

A Coastal Wetlands Permit is needed to excavate dredge, fill or erect structures on coastal wetlands as delineated in maps promulgated by the Department pursuant to the Wetlands Act of 1970.

**Freshwater Wetlands –**

The Freshwater Wetlands Protection Act seeks to protect freshwater wetlands. State open waters (waters of the United States, which are not wetlands) and upland areas up to 150 feet from wetlands serve as buffers from random, unnecessary or undesirable alteration or disturbance. The program issues General Permits, Individual Permits, and Transition Area Waivers (a type of permit).

**Letter of Interpretation (LOI)**

Although not permit, this document certifies the extent of regulated wetlands and transition areas and is frequently sought before undertaking site plan design. There are four types of LOIs:

**Statewide General Permit**

A Statewide General Permit allows limited types of activities to be performed in freshwater wetlands and State Open Waters, provided specific permit conditions are met. Authorization is required from the Land Use Regulation Program before proceeding with an activity permitted under a Statewide General Permit.

**Freshwater Wetlands Individual Permit**

A Freshwater Wetlands Individual Permit is needed when activities proposed do not fall within any General Permit category or the activities exceed that allowed by the General Permits

**Transition Area Waivers**

A transition area waiver or buffer is required adjacent to freshwater wetlands of exceptional or intermediate resource value (N.J.A.C. 7:7A-6.1). There are three types of transition area waivers:

1. reduction in width;
2. modification in shape; and
3. partial elimination (N.J.A.C. 7:7A-7.1(c))

**Stream Encroachment Permit**

Regulates a project/facility which includes the construction, installation or alteration of any structure or permanent fill along, in, or across the stream channel or 100-year flood plain of any stream (N.J.A.C. 7:13)

**Water Quality Certificate**

All projects requiring a Federal permit for the discharge of dredged or fill material into State waters and/or their adjacent wetlands also require the State Water Quality Certification which ensures consistency with State water quality standards.

**Tidelands Instruments**

Tidelands, also known as riparian lands, are all those lands now, or formerly, flowed by the mean high tide of a natural waterway. These lands are State owned or State claimed to be owned. Activities on State owned tidelands require a tidelands grant, lease or license. Activities at or below mean high water may require a waterfront development permit.

**DELAWARE AND RARTIAN CANAL COMMISSION**

Administratively within the Department, the Commission reviews development applications proposing projects within its jurisdictional zone that includes the Canal Park and the lands adjoining the canal banks and encompassing all municipalities within which development could have an impact on the Canal Park.

See <http://www.dandrcanal.com/drcc/index.html> for more information

**GREEN ACRES**

When a local unit accepts **GAP** funding for the acquisition or development of parkland, the funded parcels and facilities and all other lands held by the local unit for conservation and recreation purposes come under GAP jurisdiction. Any disposal or change in use of these lands for other than conservation or recreation purposes is a diversion. Diversions require prior approval through GAP by the Commissioner of the Department and the State House Commission.

See <http://www.nj.gov/dep/greenacres/> for more information

**WATER SUPPLY PROGRAM**

The Water Supply Program is responsible for ensuring adequate and safe supplies of drinking water. The Bureau of Safe Drinking Water includes the permitting of public water supply facilities, the water supply rehabilitation loan program and the establishment of safe drinking water standards. The Bureau of Water Allocation is responsible for the permitting of surface and ground water diversions in excess of 100,000 gallons per day and the well permit program. It also implements the critical area aquifer program in areas of the state in which aquifers have been overstressed.

See <http://www.state.nj.us/dep/watersupply/> for more information

**Water Allocation**

A permit to divert Surface or Subsurface Waters (Nonagricultural) is needed where a project/facility includes the diversion of more than 100,000 gallons per day of water for more than 30 days in a 365-day period from surface or groundwaters for nonagricultural purposes.

**Dewatering wells/well point system**

A New Jersey licensed well driller of the proper class and permit to drill wells is required for the installation of any dewatering wells. A water allocation diversion permit may also be required if more than 100,000 gallons of water per day for more than 30 days in a 365-day period is to be diverted on a temporary basis during the construction of the project.

**Well Drilling**

A Well Drilling Permit is required for a project which includes the drilling, boring, coring or excavating of a well which will be used for any of the following purposes, including but not limited to: dewatering, domestic, fire, geothermal, heat pump, industrial, injection, irrigation, livestock, oil and gas exploration, water supply, public community water supply, public non-community water system, recharge, test, boring/probe hole, cathodic protection, gas vent, monitoring/observation, piezometer, or recovery.

**Safe Drinking Water**

If a project receives its potable water supply by development or, or connection to, individual non-public water systems involving the development of 50 or more realty Improvements, a plan must be submitted to the Bureau of Safe Drinking Water for their approval.

**WATER QUALITY**

To protect the state's waters, the Division of Water Quality implements the New Jersey Pollutant Discharge Elimination System (NJPDES Program), administers financial assistance programs for wastewater treatment facilities, and administers the Treatment Works Approval, Capacity Assurance, and Sewer Ban Programs. The Municipal Finance and Construction Permitting Element is responsible for administration of a number of state and federally funded programs for the planning, design, and/or construction of wastewater, drinking water, and stormwater/nonpoint source management programs. The Watershed Permitting Element is responsible for the NJPDES Program which protects New Jersey's ground and surface water quality by assuring the proper treatment and discharge of wastewater (and its residuals) and stormwater from various types of facilities and activities. To accomplish this, permits are issued limiting the mass and/or concentration of pollutants that may be discharged into ground water, streams, rivers, and the ocean. The types of regulated facilities can range from very small users such as campgrounds, schools, and shopping centers to larger industrial and municipal wastewater dischargers. For some projects requiring permits issued by the Watershed Permitting Element, a determination is required to assure that projects approved or

authorized do not conflict with the Statewide and Areawide Water Quality Management (WQM) Plans and Regulations.

See <http://www.state.nj.us/dep/dwq/> for more information

### **Treatment Works Approvals**

These approvals are a type of construction permit wherein the division evaluates the proposed treatment plant's design and its ability to meet the effluent standards specified in the NJPDES permit. They are issued after a discharger has obtained a NJPDES permit. The TWA process involves assessing the design of new sewer lines and other wastewater conveyance facilities (force mains, pumping stations, etc.) as well as evaluating downstream conveyance and treatment capacity.

### **Point Source Permitting**

The Bureaus of Point Source Permitting 1 and 2 regulate facilities discharging domestic and industrial wastewater directly into surface waters of the state as part of the NJPDES program.

### **Non Point Pollution Control**

The Bureau of Non Point Pollution Control (BNPC) is responsible for protecting and preserving the state's groundwater resources through the issuance of NJPDES Discharge to Groundwater Permits and is responsible for permitting industrial facilities and municipalities under NJPDES for discharges of stormwater to waters of the state.

### **Alternate Design Septic Systems**

The Realty Improvement Act empowers the Department to prevent pollution of the waters of the state by establishing standards for the proposed location, design, construction, installation, alteration and maintenance of individual subsurface sewage disposal systems for facilities with a design flow less than 2,000 gallons per day.

### **50 or More Realty Improvement Subdivision Certifications**

Any municipal or other authority in the State shall grant no subdivision approval to cover 50 or more realty improvements until Department has certified that the proposed water supply and sewerage facilities for realty improvements comply with applicable State standards. The Department will review an application only after the local board of health or planning board has stated that it will grant subdivision approval.

### **Stormwater Section**

Requires a permit for a stormwater discharge from a broad range of uses based upon the facilities Standard Industrial Code or SIC.

## **SITE REMEDIATION**

The Site Remediation program protects public health and the environment by implementing remedial activities utilizing public funds; oversees the cleanup of sites being remediated by both responsible and other parties; and acts as lead agency for emergency and spill activities related to hazardous substances and wastes.

See <http://www.nj.gov/dep/srp/> for more information

### **Underground Storage Tanks**

Provides for regulatory oversight where a project/facility includes any existing or proposed underground storage tank (UST) systems which contain or contained any hazardous substances or (b) hazardous wastes of any quantity which are regulated pursuant to N.J.S.A. 58:10A-21 et seq.

See <http://www.nj.gov/dep/srp/bust/> for more information

### **Office of Dredging and Sediment Technology**

The Office of Dredging and Sediment Technology) is responsible for all waterfront development dredging applications and all applications dealing with ports, maritime commerce, and Water Certifications dealing with disposal of dredged materials.

## **NATURAL RESOURCES**

### **Division of Fish and Wildlife**

The Division of Fish and Wildlife is responsible for protecting the state's endangered and non-game species as well as managing its game animals. It also coordinates recommendations from technical experts on the impacts of various types of development on wildlife and protects their habitat. A permit from the Division is required when a project involves the shut-off or draw-off of the waters of any pond, stream or lake, or the placing of a screen in a pond, lake or stream.

See <http://www.nj.gov/dep/fgw/> for more information.

### **Dam Safety**

The Dam Safety Program regulates the construction and maintenance of dams in order to ensure their safety. See <http://www.nj.gov/dep/damsafety/about.htm> for more information.

### **Historic Preservation Office**

The Historic Preservation Office is responsible for the identification, evaluation and protection of historic resources and requires approval of any State or Federally funded project that has the potential to adversely impact a known historic resource or an area with the potential for historic resources.

See <http://www.nj.gov/dep/infofinder/topics/historic.htm> for more information.

**Office of Coastal Planning and Program Coordination**

This office coordinates Departmental review and the issuance of comments on all environmental impact statements for major projects required by the National Environmental Policy Act and the Governor's Executive Order on environmental assessment.

See <http://www.nj.gov/dep/cmp/index.html> for more information

## APPENDIX 1

### NJ DEPARTMENT OF ENVIRONMENTAL PROTECTION REQUIREMENTS FOR PLAN ENDORSEMENT

The following list of Initial Plan Endorsement Requirements is taken from Section 2.2 of “*Plan Endorsement Guidelines*” (April 28, 2004). The information listed below will be used by the Department of Environmental Protection to determine whether the petition demonstrates consistency with the goals, policies and strategies relating to the protection of the environment established by the State Plan, the State Plan Policy Map, and the relevant State statutes and regulations administered by the Department.

<b>INITIAL PLAN ENDORSEMENT REQUIREMENT</b>	<b>Related DEP Regulations &amp; Program</b>	<b>Received</b>	<b>DEP Review Criteria</b>	<b>Preliminary Finding and Comments</b>
<b>Initial Plan Endorsement</b>				
<b>A. Master Plan and Master Plan Reexamination</b>			<ul style="list-style-type: none"> <li>• Has DEP received recent Plan with all required elements pertinent to DEP activities?</li> <li>• Do the master plan elements support smart growth, implement the State Plan and comply with DEP program standards?</li> <li>• Do the master plan elements reflect the NRI data?</li> <li>• If the master plan elements encourage smart growth, is this reflected in zoning and development ordinances?</li> <li>• Is the Land Use Element consistent with the applicable Planning Area Policy Objectives for Land Use, Natural Resource Conservation, Recreation, Recreation, Housing, Historic Preservation, Public Facilities and Services? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	

<b>Optional Master Plan Elements; Other Plans and Studies</b>				
<b>A-1. Open Space and Recreation Plan</b>	Green Acres Program		<ul style="list-style-type: none"> <li>• Does the open space plan meet Green Acres Open Space and Recreation planning guidelines?</li> <li>• Does the current inventory of public and private open space and recreation resources adhere to the municipal Open Space Plan?</li> <li>• Are mechanisms in place to achieve open space and recreation needs/objectives?</li> <li>• Is an open space map available?</li> <li>• Is the Open Space Plan consistent with applicable Planning Area Policy Objectives for Land Use, Natural Resource Conservation, Recreation, Historic Preservation? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<b>A-2. Community Facilities Element and Map</b>	Division of Watershed Management, Green Acres; Water Supply Administration		<ul style="list-style-type: none"> <li>• Is the location of current and planned community facilities identified?</li> <li>• Are the facilities in compliance with approved DEP plans and permits? I.e. Green Acres, WQMP plan, water supply, brownfields</li> <li>• Is the Community Facilities Element consistent with applicable Planning Area Policy Objectives? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	

<p><b>A-3. Housing Element and Affordable Housing Sites</b></p>	<p>Division of Watershed Management; Water Supply Administration, Non-Game Program</p>		<ul style="list-style-type: none"> <li>• Identify affordable housing sites</li> <li>• Are there inconsistencies between identified sites and future DEP approvals that may be needed, i.e. Land Use, NJPDES, wastewater, water supply?</li> <li>• Are there potential natural resources impacts at sites identified for future affordable housing?</li> <li>• Are the location of affordable housing sites consistent with applicable Planning Area Policy Objectives for Housing? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<p><b>A-4. Infrastructure or Utility Service Plan</b></p>	<p>Division of Watershed Management; Water Supply Administration; Division of Water Quality</p>		<ul style="list-style-type: none"> <li>• Has an inventory and map of existing infrastructure systems been submitted? (wastewater, stormwater, discharge points, public water systems, water supply wells, surface water intakes, treatment facilities, discharge locations)</li> <li>• Are future infrastructure/utility service plans consistent with DEP approved plans including Wastewater Management Plan?</li> <li>• Is the Infrastructure or Utility Service Plan consistent with applicable Planning Area Policy Objectives for Land Use, Public Facilities and Services, Housing? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	

<p><b>A-5. Natural Resource Inventory</b></p>			<ul style="list-style-type: none"> <li>• Must reflect specific natural resource conditions of municipality</li> <li>• Does the NRI serve as the technical basis for the Land Use and Open Space elements, and zoning map?</li> <li>• Is the Infrastructure or Utility Service Plan consistent with applicable Planning Area Policy Objectives for Land Use, Natural Resource Conservation? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<p><b>A-6. Build-out and Capacity Analysis</b></p>	<p>Division of Watershed Management; Water Supply Administration; Division of Water Quality</p>		<ul style="list-style-type: none"> <li>• Estimate location and amount of growth and development possible under current plans/ordinances;</li> <li>• Inventory available natural and built infrastructure, with estimated capacities.</li> <li>• Will the future build-out scenario adversely impact natural resources?</li> <li>• Will future projected growth be accommodated by natural and built or planned infrastructure?</li> <li>• Is the Build-out and Capacity Analysis consistent with applicable Planning Area Policy Objectives for Land Use, Recreation, Natural Resource Conservation, Public Facilities and Services? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	

<b>A-7. Demographic Projections</b>	Division of Watershed Management; Water Supply Administration;		<ul style="list-style-type: none"> <li>• Existing population and households;</li> <li>• Analysis of past growth and/or decline;</li> <li>• Future growth targets;</li> <li>• Are the future population projections sustainable based on available housing/ infrastructure/water/sewer capacity and potential impacts to natural resources?</li> <li>• Are the future projections consistent with county or regional projections and targets, and applicable Planning Area Policy Objectives for Public Facilities and Services? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<b>A-8. Land Use Inventory</b>	DEP-GIS		<ul style="list-style-type: none"> <li>• Map or aerial photo of existing land uses. Digital lot/block data, if available</li> </ul>	
<b>A-9. Capital Improvement Plan</b>	Division of Watershed Management; Water Supply Administration;		<ul style="list-style-type: none"> <li>• Identify planned capital improvement projects</li> <li>• Will these actions require DEP approvals and permits?</li> <li>• Are there identifiable DEP issues?</li> <li>• Is the Capital Improvement Plan consistent with applicable Planning Area Policy Objectives for Recreation, Public Facilities and Services? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<b>A-10. Neighbor Hood Revitalization Plan or Redevelopment Plans</b>	Division of Watershed Management; Division of Water		<ul style="list-style-type: none"> <li>• Identify planned capital improvement projects</li> <li>• Will these actions</li> </ul>	

	Quality; Municipal Stormwater Regulation Program; EJ Coordinator; Office of Brownfield Reuse		<p>require DEP approvals and permits?</p> <ul style="list-style-type: none"> <li>• Are there identifiable DEP issues?</li> <li>• Is the Neighbor Hood Revitalization Plan or Redevelopment Plan consistent with applicable Planning Area Policy Objectives for Housing, and Public Facilities and Services? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<b>A-11. Wastewater Management Plan</b>	Division of Watershed Management;		<ul style="list-style-type: none"> <li>• Is Plan consistent with Master Plan?</li> <li>• Are facilities adequate for Build-out scenario?</li> <li>• Is the Wastewater Management Plan consistent with applicable Planning Area Policy Objectives for Housing, and Public Facilities and Services? See Appendix 2 <i>NJDEP Benchmarks</i> and Appendix 3</li> </ul>	
<b>B. Community Vision and Public Participation</b>			<ul style="list-style-type: none"> <li>• Narrative outlining how the municipality has prevented sprawl and protected sensitive natural resources in the future. Describe how the public was involved in determining protection strategies and outcomes for natural resources.</li> <li>• Is the Community Vision consistent with applicable Planning Area Policy Objectives? See Appendix 2 <i>NJDEP</i></li> </ul>	

			<i>Benchmarks</i>	
<b>C. Proposed SPPM Changes</b>			<ul style="list-style-type: none"> <li>• Identify natural resources that may be impacted in the area of proposed PA changes?</li> <li>• Do the proposed changes appear to be consistent with existing regulatory constraints on environmental resources?</li> <li>• Is there available infrastructure capacity for new growth?</li> <li>• How is the PA change consistent with the applicable delineation criteria of SPPM and PA Policy Objectives?</li> <li>• Are local plans now consistent with the Policy Objectives of the proposed Planning Area? Or are plan changes anticipated? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<b>D. Statement of Planning Coordination</b>				
<b>D-1. Coordination &amp; Consistency of Planning</b>	CZM Rules, Division of Watershed Management; (WQMP)		<ul style="list-style-type: none"> <li>• Is the Master Plan and elements inconsistent with county plans, state agency functional plans, and/or CAFRA?;</li> <li>• Identify coordination efforts with adjoining municipalities related to such issues as infrastructure improvements, open space preservation, stream corridor protection, well head protection, flood mitigation</li> </ul>	
<b>D-2. Conflicts with Vision Statement and</b>	CZM Rules, Division of		<ul style="list-style-type: none"> <li>• Are there conflicts</li> </ul>	

<p><b>State planning and regulatory activities</b></p>	<p>Watershed Management; (WQMP)</p>		<p>between the municipal vision or plans and any public agency projects, State planning and regulatory activities, regional plans or capital projects?</p> <ul style="list-style-type: none"> <li>• Are there conflicts between the municipal vision or plans and the Policy Objectives of the current Planning Area? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<p><b>D-3. Current/Future Planning and Regulatory Activities</b></p>			<ul style="list-style-type: none"> <li>• Identify actions underway or planned to protect or ensure proper management of natural resources, sensitive areas, historic resources, scenic resources.</li> <li>• Will these actions be consistent with Planning Area Policy Objectives? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<p><b>D-4. Ongoing Local and Regional Development Activities</b></p>			<ul style="list-style-type: none"> <li>• Identify key development projects and activities that are currently under DEP review or have recently been permitted.</li> <li>• Identify key pending development projects or activities that will require DEP review or approval.</li> </ul>	
<p><b>D-5. Private Sector Development Activity</b></p>			<ul style="list-style-type: none"> <li>• Identify private sector development activities that may impact local and regional natural resources, i.e. groundwater, surface water, open space, habitat, etc.</li> </ul>	
<p><b>D-6. Board of Education Facilities Plan</b></p>			<ul style="list-style-type: none"> <li>• Identify school sites and infrastructure needs/plans that will require DEP approvals and permits.</li> <li>• Are school sites</li> </ul>	

			consistent with applicable Planning Area Policy Objectives for Public Facilities and Services? See Appendix 2 <i>NJDEP Benchmarks</i>	
<b>E. Planning and Implementation Agreement</b>			<ul style="list-style-type: none"> <li>Identify municipal plans, projects or actions that will require DEP technical assistance, approvals and permits, or financial assistance.</li> </ul>	
<b>F. Environmental Justice Inventory</b>	EJ Coordinator; Office of Brownfield Reuse		<ul style="list-style-type: none"> <li>Inventory existing contaminated sites and sources and known future sources of pollution</li> <li>Have EJ concerns been addressed or considered?</li> <li>Will EJ issues conflict with achieving applicable Planning Area Policy Objectives? See Appendix 2 <i>NJDEP Benchmarks</i></li> </ul>	
<b>G. Stormwater Management Plan</b>	Division of Water Quality; Municipal Stormwater Regulation Program		<ul style="list-style-type: none"> <li>Has the Municipal Stormwater Management Plan been prepared in conformance with the Stormwater Management Rules, approved by the county and adopted in accordance with the NJPDES Permit?</li> <li>Have other NJPDES Permit Stormwater Permit requirements been completed on a timely basis?</li> </ul>	

## APPENDIX 2

### **NJDEP Benchmarks for assessing Plan Endorsement petitions for consistency with the State Development and Redevelopment Plan**

#### *PA 1 Metropolitan Planning Area*

##### **Natural Resource Conservation**

Reclaim environmentally damaged sites and mitigate future negative impacts, particularly to waterfronts, scenic vistas, wildlife habitats and to Critical Environmental Sites.

Improve Air Quality.

Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems.

##### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Stormwater Element and Ordinance
- Any other related documents

##### **Documents and Reports should:**

Identify natural resources of the municipality. *Open Lands and Natural Systems Policies 11, 17; Water Resources Policies 18, 19*

Map Critical Environmental Sites. *Critical Environmental Sites and Critical Historic and Cultural Sites, page 224*

Incorporate ERI information into master plan elements. *Comprehensive Planning Policies 4, 13*

Identify and protect habitats of threatened and endangered species using NJ DEP Landscape data. *Open Lands and Natural Systems Policies 16 - 19*

Inventory Brownfield redevelopment sites. *Waste Management and Brownfields Policy 9*

Promote redevelopment and rehabilitation projects that improve and protect the environment and contribute to the sustainability of the community. *Economic Development Policies 27 – 31, 34; Urban Revitalization Policy 34*

Promote development and redevelopment that capitalizes on transportation linkages to reduce automobile usage. *Air Resources Policy 3*

## Recreation

Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels, by concentrating on the maintenance and rehabilitation of existing parks and open space, while expanding and linking the system through redevelopment and reclamation projects.

In the undeveloped portions of this Planning Area, acquire and improve neighborhood and municipal parkland within Centers, and regional parkland and open space either in or within easy access of Centers.

### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Any other related documents
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Open Space Tax

### **Documents and Reports should:**

Inventory public and private open space and recreation resources and opportunities;  
Identify open space and recreation needs;  
Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)  
*Open Lands and Natural Systems Policies*

Plan for improved access to coastal and waterfront areas. *Open Lands and Natural Systems Policy 12; Coastal Resources Policy 11*

### **Connect contiguous forests, grasslands and other natural lands with stream and river corridors. *Open Lands and Natural Systems Policies 16, 17***

Consider mandatory and optional clustering, density or lot averaging, center-based zoning, TDR for open space preservation. *Comprehensive Planning Policies 6, 10*

## Historic Preservation

Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to develop or redevelop. Coordinate historic preservation with tourism efforts.

### **Applicant may have these Documents or Reports:**

- Historic Preservation Element, Historic Surveys
- Open Space and Recreation Plan
- Historic Design Guidelines
- Environmental Resource Inventory
- Any other related documents

### **Documents and Reports should:**

Identify and evaluate historic resources *Historic Preservation Policy 1*

Include historic resources and scenic corridors in master plan documents.  
*Historic Preservation Policy 2, 9, 10, 11, 12*

Provide standards and guidelines for historically appropriate alterations and new construction. *Historic Preservation Policy 3, 4*

### **Public Facilities and Services:**

Complete, replace or repair existing infrastructure systems to eliminate deficiencies and provide capacity for sustainable development and redevelopment.

#### **Applicant may have these Documents or Reports:**

- Wastewater Management Plan
- Utilities Element
- Land Use Element
- Open Space and Recreation Plan
- Capital Improvement Plan
- Environmental Resource Inventory
- Neighborhood Revitalization Plan or Designated Redevelopment Area
- Board of Education Facilities Plans
- Statement of Current and/or Future Regulatory Activities

#### **Documents and Reports should:**

Plan for infrastructure that:  
promotes growth in centers and other appropriate areas in PA2 *Infrastructure Investments Policy 26*

protects the functional integrity of natural resources from impacts of development *Infrastructure Investments Policy 22*

ensures the preservation of historic, scenic and other cultural resources from the impacts of development *Infrastructure Investments Policy 21*

## ***PA 2 Suburban Planning Area***

### ***DEP `Applicable Policy Objectives***

#### **Land Use**

Preserve the Environs as parkland, farmland, or partially developed low-density uses without compromising the Planning Area's capacity to accommodate future growth.

#### **Applicant may have these Documents or Reports:**

- Environmental Resource Inventory
- Land Use Element
- Open Space and Recreation Plan
- Community build-out analysis

- Wastewater Management Plan
- Any other related documents
- Zoning

**Documents and Reports should:**

Identify natural resources of the municipality and serve as the technical basis for the Land Use and Open Space elements. *Comprehensive Planning Policies 4, 13; Water Resources Policy 17; Open Lands and Natural Systems Policy 18*

Identify areas of municipality to remain undeveloped, in low density uses or in agriculture. *Comprehensive Planning Policy 4; Policies for the Environs 1- 5, page 254*

Perform a community build-out analysis to determine opportunities for and impacts of future development under existing zoning. Determine form and pattern of development based on preferred development scenario. *Comprehensive Planning Policy 4*

Inventory public and private open space and recreation resources and opportunities;  
 Identify open space and recreation needs;  
 Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)  
*Open Lands and Natural Systems Policies*

Base zoning districts on constraints identified in Environmental Resource Inventory and Open Space plan. *Comprehensive Planning Policy 4*

Consider mandatory and optional clustering, density or lot averaging, center-based zoning, TDR. *Comprehensive Planning Policies 4, 6, 10.*

**Housing**

Focus multi-family and higher-density, single-family housing in Centers. Any housing in the Environs should be planned and located to maintain the existing character.

**Applicant may have these Documents or Reports:**

- Housing Element and Fair Share Plan
- Land Use Element delineating center(s)
- Community Build-out Analysis
- Open Space and Recreation Plan
- Any other related documents (i.e. Neighborhood Revitalization Plan, Designated Redevelopment Area)

**Documents and Reports should:**

Identify center(s) for location of higher density and multi-family housing; areas of municipality appropriate for low density uses. *Policies for Centers, Policies 1 – 5, page 249.*

Consider mandatory and optional clustering, density or lot averaging, center-based zoning, TDR. *Comprehensive Planning Policies 4, 6, 10.*

## Natural Resource Conservation

Conserve continuous natural systems, strategically locate open space, and buffer Critical Environmental Sites.

Use open space to reinforce neighborhood and community identity, and protect natural linear systems, including regional systems that link into other Planning Areas.

### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Stormwater Element and Ordinance
- Any other related documents

### **Documents and Reports should:**

Identify natural resources of the municipality. *Comprehensive Planning Policies 4, 13; Water Resources Policy 17; Open Lands and Natural Systems Policy 18*

Map Critical Environmental Sites. *Comprehensive Planning Policies 4, 13; Water Resources Policy 17; Open Lands and Natural Systems Policy 18*

Incorporate ERI information into master plan elements. *Comprehensive Planning Policies 4, 13*

Identify and protect habitats of threatened and endangered species using NJ DEP Landscape data. *Open Lands and Natural Systems Policies 18, 19*

Delineate wellfields and protection areas, and zone to prevent pollution discharge. *Water Resources Policies 10, 11, 15, 16*

Establish buffers along streams, rivers and wetlands to protect the natural functions and quality of surface water resources. *Water Resources Policies 11, 17, 18*

Identify critical slope and ridgeline areas; incorporate performance standards for development in critical slope and ridgeline areas; manage location of development to ensure visually compatible development. *Open Lands and Natural Systems Policies 22, 23, 24.*

## Recreation

Provide maximum active and passive recreational opportunities and facilities at the neighborhood, local and regional levels, by concentrating on the maintenance and rehabilitation of existing parks and open space, while expanding and linking the system through redevelopment and reclamation projects.

In the undeveloped portions of this Planning Area, acquire and improve neighborhood and municipal parkland within Centers, and regional park land and open space either in or within easy access of Centers.

### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan

- Any other related documents
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Open Space Tax

### **Documents and Reports should:**

Inventory public and private open space and recreation resources and opportunities;  
 Identify open space and recreation needs;  
 Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)  
*Open Lands and Natural Systems Policies*

Plan for improved access to coastal and waterfront areas. *Open Lands and Recreation Policy 12, Coastal Resources Policy 11*

### **Connect contiguous forests, grasslands and other natural lands with stream and river corridors. *Open Lands and Natural Systems Policies 8, 16, 17***

Consider mandatory and optional clustering, density or lot averaging, center-based zoning, TDR for open space preservation. *Comprehensive Planning Policies 6, 10*

## **Historic Preservation**

Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to develop or redevelop. Coordinate historic preservation with tourism efforts.

### **Applicant may have these Documents or Reports:**

- Historic Preservation Element, Historic Surveys
- Open Space and Recreation Plan
- Historic Design Guidelines
- Environmental Resource Inventory
- Any other related documents

### **Documents and Reports should:**

Identify and evaluate historic resources *Historic Preservation Policy 1*

Include historic resources and scenic corridors in master plan documents. *Historic Preservation Policy 2, 9, 10, 11, 12*

Provide standards and guidelines for historically appropriate alterations and new construction. *Historic Preservation Policy 3, 4*

## **Public Facilities and Services:**

Phase and program the extension of public facilities and services to support development in Centers and ensure adequate levels of public and private services.

### **Applicant may have these Documents or Reports:**

- Wastewater Management Plan
- Utilities Element
- Land Use Element
- Open Space and Recreation Plan
- Capital Improvement Plan
- Environmental Resource Inventory
- Neighborhood Revitalization Plan or Designated Redevelopment Area
- Board of Education Facilities Plans
- Statement of Current and/or Future Regulatory Activities

### **Documents and Reports should:**

Plan for infrastructure that:

- promotes growth in centers and other appropriate areas in PA2 (SP4 26)
- protects the functional integrity of natural resources from impacts of development. *Infrastructure Investments Policies 4, 22*
- ensures the preservation of historic, scenic and other cultural resources from the impacts of development *Infrastructure Investments Policy 21*

## ***PA 3 Fringe Planning Area***

### ***DEP `Applicable Policy Objectives***

#### **Land Use**

Focus development and redevelopment in appropriately located and designed centers to accommodate growth that would otherwise occur in the environs.

Protect the environs as open lands.

Development and redevelopment in the environs should not exceed the carrying capacity of the area and should maintain and enhance the character of the environs.

### **Applicant may have these Documents or Reports:**

- Environmental Resource Inventory
- Land Use Element
- Open Space and Recreation Plan
- Community build-out analysis
- Wastewater Management Plan
- Any other related documents
- Zoning

### **Documents and Reports should:**

- Identify natural resources of the municipality and serve as the technical basis for the Land Use and Open Space elements.
- Identify areas of municipality to remain undeveloped, in low density uses or in agriculture.
- Perform a community build-out analysis to determine opportunities for and impacts of future development under existing zoning. Determine form and pattern of development based on preferred development scenario.
- Inventory public and private open space and recreation resources and opportunities;
- Identify open space and recreation needs;
- Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)
- Base zoning districts on constraints identified in Environmental Resource Inventory and Open Space plan.
- Consider mandatory and optional clustering, density or lot averaging, center-based zoning, TDR

### **Housing**

Focus multi-family and higher-density, single-family housing in Centers. Any housing in the Environs should be planned and located to maintain or enhance the existing character of the environs.

#### **Applicant may have these Documents or Reports:**

- Housing Element and Fair Share Plan
- Land Use Element delineating center(s)
- Community Build-out Analysis
- Open Space and Recreation Plan
- Any other related documents (i.e. Neighborhood Revitalization Plan, Designated Redevelopment Area)

#### **Documents and Reports should:**

- Identify center(s) for location of higher density and multi-family housing; areas of municipality appropriate for low density uses.
- Consider mandatory and optional clustering, density transfers or lot averaging, center-based zoning, TDR

### **Natural Resource Conservation**

Strategically acquire open space to define centers and to maintain contiguous open space corridors that link to other planning areas.

#### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Environmental Resource Inventory

- Stormwater Element and Ordinance
- Any other related documents

**Documents and Reports should:**

- Identify natural resources of the municipality.
- Map Critical Environmental Sites.
- Incorporate ERI information into master plan elements
- Identify and protect habitats of threatened and endangered species using NJ DEP Landscape data.
- Delineate wellfields and protection areas, and zone to prevent pollution discharge.
- Establish buffers along streams, rivers and wetlands to protect the natural functions and quality of surface water resources.
- Identify critical slope and ridgeline areas; incorporate performance standards for development in critical slope and ridgeline areas; manage location of development to ensure visually compatible development.

**Recreation**

Provide maximum active and passive recreational opportunities and facilities at the neighborhood levels, by targeting the acquisition and development of neighborhood and municipal parkland within centers.

Provide regional recreation opportunities by targeting parkland acquisitions and improvements that enhance large contiguous open space systems.

**Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Any other related documents
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Open Space Tax

**Documents and Reports should:**

Inventory public and private open space and recreation resources and opportunities;  
 Identify open space and recreation needs;  
 Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)

Plan for improved access to coastal and waterfront areas.

Connect contiguous forests, grasslands and other natural lands with stream and river corridors.

Consider mandatory and optional clustering, density or lot averaging, center-based zoning, TDR for open space preservation.

## **Historic Preservation**

Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to develop or redevelop. Coordinate historic preservation with tourism efforts.

### **Applicant may have these Documents or Reports:**

- Historic Preservation Element, Historic Surveys
- Open Space and Recreation Plan
- Historic Design Guidelines
- Environmental Resource Inventory
- Any other related documents

### **Documents and Reports should:**

Identify and evaluate historic resources

Include historic resources and scenic corridors in master plan documents

Provide standards and guidelines for historically appropriate alterations and new construction.

## **Public Facilities and Services:**

Phase and program the extension of public facilities and services to support development in Centers and ensure adequate levels of public and private services.

### **Applicant may have these Documents or Reports:**

- Wastewater Management Plan
- Utilities Element
- Land Use Element
- Open Space and Recreation Plan
- Capital Improvement Plan
- Environmental Resource Inventory
- Neighborhood Revitalization Plan or Designated Redevelopment Area
- Board of Education Facilities Plans
- Statement of Current and/or Future Regulatory Activities

### **Documents and Reports should:**

Plan for infrastructure that:

- promotes growth in centers (SP4 26)
- protects the functional integrity of natural resources from impacts of development (SP4 22)
- ensures the preservation of historic, scenic and other cultural resources from the impacts of development (SP4 21)

## ***PA 4 Rural Planning Area***

### ***DEP `Applicable Policy Objectives***

#### **Land Use**

Focus development and redevelopment in appropriately located and designed centers.

Protect the environs as agricultural and open lands to form large contiguous areas and greenbelts around centers.

Development and redevelopment in the environs should use creative land use and design techniques to ensure that it does not exceed the carrying capacity of the area, and should maintain and enhance the character of the environs.

#### **Applicant may have these Documents or Reports:**

- Environmental Resource Inventory
- Land Use Element
- Open Space and Recreation Plan
- Community build-out analysis
- Wastewater Management Plan
- Any other related documents
- Zoning

#### **Documents and Reports should:**

- Identify natural resources of the municipality and serve as the technical basis for the Land Use and Open Space elements.
- Identify areas of municipality to remain undeveloped, in low density uses or in agriculture.
- Perform a community build-out analysis to determine opportunities for and impacts of future development under existing zoning. Determine form and pattern of development based on preferred development scenario.
- Inventory public and private open space and recreation resources and opportunities;
- Identify open space and recreation needs;
- Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)
- Base zoning districts on constraints identified in Environmental Resource Inventory and Open Space plan.
- Consider mandatory and optional clustering, conservation subdivisions, density transfers or lot averaging, center-based zoning, TDR

## **Housing**

Any housing in the Environs should be planned and located to maintain or enhance the cultural and scenic values, with minimal impact on agricultural resources.

### **Applicant may have these Documents or Reports:**

- Housing Element and Fair Share Plan
- Land Use Element delineating center(s)
- Community Build-out Analysis
- Open Space and Recreation Plan
- Any other related documents (i.e. Neighborhood Revitalization Plan, Designated Redevelopment Area)

### **Documents and Reports should:**

- Identify center(s) for location of higher density and multi-family housing; areas of municipality appropriate for low density uses.
- Consider mandatory and optional clustering, density transfers or lot averaging, center-based zoning, TDR

## **Natural Resource Conservation**

Minimize potential conflicts between development, agricultural practices and sensitive environmental resources.

Protect and preserve large contiguous tracts and corridors of recreation, forest or other open space land that protect natural systems and natural resources.

### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Stormwater Element and Ordinance
- Any other related documents

### **Documents and Reports should:**

- Identify natural resources of the municipality.
- Map Critical Environmental Sites.
- Incorporate ERI information into master plan elements
- Identify and protect habitats of threatened and endangered species using NJ DEP Landscape data.
- Locate development in centers; maintain the environs in low density uses.
- Establish buffers along streams, rivers and wetlands to protect the natural functions and quality of surface water resources.

## Recreation

Provide maximum active and passive recreational opportunities and facilities at the neighborhood levels and local levels by targeting the acquisition and development of neighborhood and municipal park land within centers.

Provide regional recreation opportunities by targeting parkland acquisitions and improvements that enhance large contiguous open space systems.

### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Any other related documents
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Open Space Tax

### **Documents and Reports should:**

Inventory public and private open space and recreation resources and opportunities;

Identify open space and recreation needs;

Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)

Plan for improved access to coastal and waterfront areas.

Connect contiguous forests, grasslands and other natural lands with stream and river corridors.

Consider mandatory and optional clustering, density transfers or lot averaging, center-based zoning, TDR for open space preservation.

## Historic Preservation

Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to develop or redevelop. Coordinate historic preservation with tourism efforts.

### **Applicant may have these Documents or Reports:**

- Historic Preservation Element, Historic Surveys
- Open Space and Recreation Plan
- Historic Design Guidelines
- Environmental Resource Inventory
- Any other related documents

### **Documents and Reports should:**

Identify and evaluate historic resources

Include historic resources and scenic corridors in master plan documents

Provide standards and guidelines for historically appropriate alterations and new construction.

### **Public Facilities and Services:**

Phase and program for construction as part of a dedicated capital improvement budget the extension or establishment of public facilities and services particularly wastewater systems to establish adequate levels of services to support centers.

### **Applicant may have these Documents or Reports:**

- Wastewater Management Plan
- Utilities Element
- Land Use Element
- Open Space and Recreation Plan
- Capital Improvement Plan
- Environmental Resource Inventory
- Neighborhood Revitalization Plan or Designated Redevelopment Area
- Board of Education Facilities Plans

### **Documents and Reports should:**

Plan for infrastructure that:

- promotes growth in centers (SP4 26)
- protects the functional integrity of natural resources from impacts of development (SP4 22)
- ensures the preservation of historic, scenic and other cultural resources from the impacts of development (SP4 21)

## ***PA 5 Environmentally Sensitive Planning Area***

### ***DEP `Applicable Policy Objectives***

#### **Land Use**

Focus development and redevelopment in appropriately located and designed centers; establish center boundaries and buffers and greenbelts.

Maintain open space networks, critical habitat and large contiguous tracts of land through a variety of land use techniques.

Development and redevelopment in the environs should use creative land use and design techniques to ensure that it does not exceed the carrying capacity of the area, and should maintain and enhance the character of the environs.

Development and redevelopment in the environs should maintain and enhance the natural resources of the area.

### **Applicant may have these Documents or Reports:**

- Environmental Resource Inventory
- Land Use Element
- Open Space and Recreation Plan
- Community build-out analysis
- Wastewater Management Plan
- Any other related documents
- Zoning

### **Documents and Reports should:**

- Identify natural resources of the municipality and serve as the technical basis for the Land Use and Open Space elements.
- Map and protect Critical Environmental Sites
- Identify areas of municipality to remain undeveloped, in low density uses or in agriculture.
- Perform a community build-out analysis to determine opportunities for and impacts of future development under existing zoning. Determine form and pattern of development based on preferred development scenario.
- Inventory public and private open space and recreation resources and opportunities;
- Identify open space and recreation needs;
- Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)
- Base zoning districts on constraints identified in Environmental Resource Inventory and Open Space plan.
- Consider mandatory and optional clustering, conservation subdivisions, density transfers or lot averaging, center-based zoning, TDR

## **Housing**

Any housing in the Environs should be planned and located to maintain or enhance the cultural and scenic values, with minimal impact on agricultural resources.

### **Applicant may have these Documents or Reports:**

- Housing Element and Fair Share Plan
- Land Use Element delineating center(s)
- Community Build-out Analysis
- Open Space and Recreation Plan
- Any other related documents (i.e. Neighborhood Revitalization Plan, Designated Redevelopment Area)

### **Documents and Reports should:**

- Identify center(s) for location of higher density and multi-family housing; areas of municipality appropriate for low density uses.

- Consider mandatory and optional clustering, density transfers or lot averaging, center-based zoning, TDR

## **Natural Resource Conservation**

Protect and preserve large contiguous tracts and corridors of recreation, forest or other open space land that protect natural systems and natural resources, including endangered species, ground and surface water resources, wetland systems, natural landscapes of exceptional value, critical slope areas, scenic vistas and other significant environmentally sensitive features.

### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Stormwater Element and Ordinance
- Any other related documents

### **Documents and Reports should:**

- Identify natural resources of the municipality.
- Map and protect Critical Environmental Sites.
- Incorporate ERI information into master plan elements
- Identify and protect habitats of threatened and endangered species using NJ DEP Landscape data.
- Locate development in centers; maintain the environs in low density uses.
- Establish buffers along streams, rivers and wetlands to protect the natural functions and quality of surface water resources.

## **Recreation**

Provide maximum active and passive recreational opportunities and facilities at the neighborhood levels and local levels by targeting the acquisition and development of neighborhood and municipal parkland within centers.

Provide regional recreation opportunities by targeting parkland acquisitions and improvements that enhance large contiguous open space systems. Ensure meaningful access to public lands.

### **Applicant may have these Documents or Reports:**

- Land Use Element
- Open Space and Recreation Plan
- Any other related documents
- Open Space and Recreation Plan
- Environmental Resource Inventory
- Open Space Tax

### **Documents and Reports should:**

Inventory public and private open space and recreation resources and opportunities;  
Identify open space and recreation needs;  
Open space map with existing lands and potential sites. (see NJ DEP Green Acres Program *Open Space and Recreation Plan Guidelines*)

Plan for improved access to coastal and waterfront areas.

Connect contiguous forests, grasslands and other natural lands with stream and river corridors.

Consider mandatory and optional clustering, density transfers or lot averaging, center-based zoning, TDR for open space preservation.

### **Historic Preservation**

Encourage the preservation and adaptive reuse of historic or significant buildings, Historic and Cultural Sites, neighborhoods and districts in ways that will not compromise either the historic resource or the area's ability to develop or redevelop. Outside centers, coordinate historic preservation with open space preservation efforts.

#### **Applicant may have these Documents or Reports:**

- Historic Preservation Element, Historic Surveys
- Open Space and Recreation Plan
- Historic Design Guidelines
- Environmental Resource Inventory
- Any other related documents

### **Documents and Reports should:**

Identify and evaluate historic resources

Include historic resources and scenic corridors in master plan documents

Link open space with historic resources

Provide standards and guidelines for historically appropriate alterations and new construction.

### **Public Facilities and Services:**

Phase and program for construction as part of a dedicated capital improvement budget the extension or establishment of public facilities and services particularly wastewater systems to establish adequate levels of services to support centers.

#### **Applicant may have these Documents or Reports:**

- Wastewater Management Plan

- Utilities Element
- Land Use Element
- Open Space and Recreation Plan
- Capital Improvement Plan
- Environmental Resource Inventory
- Neighborhood Revitalization Plan or Designated Redevelopment Area
- Board of Education Facilities Plans

**Documents and Reports should:**

Plan for infrastructure that:

- promotes growth in centers (SP4 26)
- protects the functional integrity of natural resources from impacts of development (SP4 22)
- ensures the preservation of historic, scenic and other cultural resources from the impacts of development (SP4 21)