



**State of New Jersey**  
DEPARTMENT OF STATE  
NEW JERSEY STATE PLANNING COMMISSION  
P.O. Box 820  
TRENTON, NEW JERSEY 08625-0820

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*Lt. Governor*

Resolution No. 2019-05  
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Date: May 15, 2019

**R E S O L U T I O N**

**APPROVING THE PETITION FOR PLAN ENDORSEMENT  
SUBMITTED BY THE TOWNSHIP OF LACEY AND  
DESIGNATING STATE PLAN MAP AMENDMENTS**

**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 Lacey (Township) submitted a Petition for Plan Endorsement to the Commission pursuant to the provisions of N.J.A.C. 5:85-7.1 et seq., and subsequently worked with the Office for Planning Advocacy (OPA) and relevant state agencies to revise and supplement these materials and is now seeking approval of its Petition and endorsement of its plan, including:

- a municipal Master Plan;
- a 2018 reexamination of the Master Plan with extensive supporting documents; and
- a request for designation of a Town Center and two Industrial Nodes and Planning Area amendments throughout the municipality which align adopted extent of sewer service areas with Suburban Planning area boundaries, remove a Fringe Planning Area and replaced it with an Environmentally Sensitive Planning area, and identified public open space as Park lands.

**WHEREAS**, the Commission recognizes the Township's ongoing efforts to craft a set of municipal plans that embrace many smart growth principles, address sea level rise, and adapt to climate change and acknowledges that there are concerns about the sustainability of the Township's continued population growth due to the closure of the Oyster Creek Generating facility; and

**WHEREAS**, in recognition of the effects of coastal storms, tidal flooding, and a shifting climate, the Township has agreed, with assistance of the New Jersey Department of Environmental Protection (NJDEP), to undertake studies that will be used to update appropriate elements of its Master Plan to establish the consideration and implementation of resiliency measures to reduce these threats to its residents and visitors; and

**WHEREAS**, the Township and its residents recognize the great economic, recreational, and environmental value of Barnegat Bay, the Township has agreed to work with the NJDEP to reduce the deleterious effects of uncontrolled storm water runoff from sites undergoing redevelopment by establishing requirements for water quality controls that will reduce runoff from redevelopment sites that, due to their current conditions or size, would not otherwise need to provide water quality controls; and

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

**WHEREAS**, the Township and the Staff and Acting Director of the OPA, in consultation with relevant State agencies, have collaborated to delineate a proposed Town Center, two industrial Nodes, and Planning Area modifications, as shown in the map, EXHIBIT A attached hereto; and

**WHEREAS**, a Planning Implementation Agreement (PIA) in association with this Petition has been negotiated and agreed upon between the relevant State agencies and the Township, a copy of the PIA is attached hereto as EXHIBIT B; and

**WHEREAS**, the Staff and Acting Director of the OPA reviewed the Petition filed by the Township, the comments from the relevant State agencies, and comments from the public and determined that the Petition meets the goals of the State Plan; and

**WHEREAS**, the Staff and the Acting Director of the OPA presented findings of the comprehensive review, including the proposed State Plan Policy Map amendments and the PIA, to the Plan Implementation Committee (PIC) on April 24, 2019 recommending that the Commission grant Plan Endorsement to the Township; and

**WHEREAS**, the PIC reviewed and considered the Petition, concurred with the recommendation to approve the Petition and proposed Plan Implementation Agreement, and moved the Petition for consideration by the full Commission at its next regularly scheduled meeting; and

**WHEREAS**, the PIC has recommended that the Commission approve the Petition, grant Plan Endorsement of the plan, and formally amend the State Plan Policy Map, EXHIBIT B attached hereto; and

**WHEREAS**, the Commission has determined that the plan submitted by the Township, including changes to State Plan Policy Map designations and designation of a center as shown in

EXHIBIT A, is consistent with the State Plan, provided the terms of the PIA, EXHIBIT B, and this Resolution are satisfied.

**NOW, THEREFORE, BE IT RESOLVED**, that the Commission hereby affirms the Acting Director's determination that the Petition for Plan Endorsement is consistent with the State Plan and approves the Petition for Plan Endorsement, thus granting Plan Endorsement to the Petition submitted by the Township; and

**BE IT FURTHER RESOLVED**, that the Commission acknowledges that the PIA:

- memorializes the agreed upon planning implementation mechanisms;
- reflects a commitment, on the part of the Township to continue to implement its plan;
- reflects a commitment, on the part of the relevant State agencies, to provide agreed upon benefits; and
- reflects a commitment, on the part of the Township and the relevant State Agencies, to work together to effectively implement the goals, strategies and policies of the State Plan; and

**BE IT FURTHER RESOLVED**, that the Commission hereby authorizes formal amendments to the State Plan Policy Map in the Township, as shown in EXHIBIT A; and

**BE IT FURTHER RESOLVED**, that notwithstanding the Commission's Plan Endorsement and the map amendments, establishing a Town Center, two industrial Nodes, and Planning Area modifications, any proposed development and/or disturbances to the sensitive resources within the Township will be reviewed by the NJDEP in the permitting stages of any proposed project within their regulatory jurisdiction;

**BE IT FURTHER RESOLVED**, that in approving the Petition and granting Plan Endorsement, it is understood that the Commission's 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.