



State of New Jersey
DEPARTMENT OF COMMUNITY AFFAIRS
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Lt. Governor

LORI GRIFA
Acting Commissioner

February 24, 2010

The Honorable James Dodd
Mayor, Town of Dover
37 N. Sussex Street
Dover, NJ 07801

RE: Town of Dover, Morris County Decision on Waiver Request and Commencement of Consistency Review

Dear Mayor Dodd:

This letter is in follow up to our prior letter dated January 20, 2010 regarding your petition for plan endorsement. At that time, you requested a waiver of certain visioning provisions in recognition of the extensive visioning efforts your municipality has performed to date. In order to properly consider and decide upon that request, we proposed a visioning plan in which you would provide to our office a report describing the visioning process that was performed as well as a coherent statement of the results of those efforts. We indicated that if the visioning process and statement met the waiver requirements, we would grant the waiver and begin the consistency review of the submission materials. As a reminder, to date we have received the following requirements and submissions:

- Attendance at a pre- petition meeting and copies of existing planning documents and listing of same, including zoning map, ordinance and schedule (N.J.A.C. 5:85-7.7)
- Establishment of a Plan Endorsement Advisory Committee (N.J.A.C. 5:85-7.8)
- Submission of a Self-Assessment Report (N.J.A.C. 5:85-7.9)
- Waiver request and supporting documentation for visioning waiver (N.J.A.C. 5:85-7.6 and 7.11)

At this time we have reviewed the submissions in support of the waiver request, including the following vision statement, which has been incorporated into the 2007 Master Plan:

“Enhance and create a sense of place that encourages economic vitality and community activity through well-designed land development consistent with established neighborhoods and land use patterns, while preserving the community’s suburban and urban landscapes. Dover is a unique community within Morris County with a pedestrian scale central downtown business district, parks, river and historic canal resources, railroads, industrial activity, a variety of housing types, and a high number of churches serving as neighborhood and regional centers, all of which make Dover a desirable place to live, work and play.”

OSG hereby grants a waiver of further visioning workshops in order to advance your petition for Plan Endorsement to the consistency review step. Accordingly, the Consistency Review period begins today, February 24, 2010.



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The Town, the governing body of a municipality or county, which is not the petitioner or at least 10 written requests from any interested groups or persons, may request that OSG conduct a public hearing on the Town's petition. See N.J.A.C. 5:85-7.13 (e). A request for a public hearing must be submitted to the Office of Smart Growth by **Friday, March 5, 2010**. The public also has an opportunity to provide comments at any time during the process until the SPC takes final action on the petition

Within 90 days (May 24, 2010) OSG and relevant State agencies will conduct the Consistency Review to insure that the petition and related documents are consistent with the State Development and Redevelopment Plan (State Plan). See N.J.A.C. 5:85-7.13(b). If it is determined that the petition is consistent with the State Plan N.J.A.C. 5:85-7.15, OSG will prepare a recommendation report to the State Planning Commission and a draft Planning and Implementation Agreement (PIA) within 60 days after the conclusion of the consistency review.

If it is determined that additional action must be taken by the municipality to achieve consistency with the State Plan, OSG will consult with our State Agency Partners and develop a draft Action Plan and Memorandum of Understanding (MOU) within the 90 day Consistency review period, N.J.A.C. 5:85-7.14 (b). If OSG fails to provide a draft MOU and Action Plan to the Commission within that 90 period, the municipality may directly petition the Commission for Plan Endorsement.

As always, OSG commends the Town of Dover for its active pursuit of Plan Endorsement. Should you have any questions, please feel free to contact Barry Ableman, Principal Planner within OSG for Morris County at (609) 292-3228 or via email at bableman@dca.state.nj.us. We look forward to continuing to work with the Township as it pursues Plan Endorsement and re-establish the Dover Regional Center.

Sincerely,



Donna Rendeiro
Acting Executive Director
Office of Smart Growth

DR:ba

c: State Agency Partners (*Via E-Mail*)
Eileen Swan, Executive Director, Highlands Council (*Via E-Mail*)
Christine Marion, PP/AICP, Assistant Planning Director, Morris County (*Via E-Mail*)
Joy Farber, Esq, Chief Counsel and Policy Director, OSG (*Via E-Mail*)
Karl Hartkopf, PP/AICP, Planning Director, OSG (*Via E-Mail*)
Barry Ableman, Principal Planner, OSG (*Via E-Mail*)
Michael Hantson, PE, PP, CME, Town of Dover (*Via E-Mail*)
Town of Dover, Plan Endorsement File