

NEW JERSEY MEADOWLANDS COMMISSION

CHAPTER 3  
ADMINISTRATION

Authority

N.J.S.A. 13:17-1 et seq., specifically 13:17-6(i).

Source and Effective Date

R.2009 d.40, effective December 23, 2008.  
See: 40 N.J.R. 4696(a), 41 N.J.R. 624(b).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1.c(2), Subchapter 1, Rulemaking, Subchapter 2, Flood Insurance, Subchapter 5, Redevelopment Areas, and Subchapter 7, Debarment and Suspension from Contracting, expire on June 20, 2016. See: 48 N.J.R. 39(a).

Subchapter 3, Disability Discrimination Procedure, is exempt as required under 42 U.S.C. §§12101 et seq.

Chapter Historical Note

Chapter 3, First Stage of the Master Plan for the Comprehensive Development of the Hackensack Meadowlands District, was adopted as R.1970 d.46, effective May 1, 1970. See: 1 N.J.R. 17(b), 2 N.J.R. 8(b), 2 N.J.R. 52(a). Subchapter 1, Revised Fee Schedule, implementing Stage I of the Master Plan was adopted as R.1970 d.118, effective September 25, 1970. See: 2 N.J.R. 95(b). Subchapter 1 was replaced by new Revised Fee Schedules as R.1973 d.334, effective November 30, 1973. See: 6 N.J.R. 39(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, First Stage of the Master Plan for the Comprehensive Development of the Hackensack Meadowlands District, was readopted as R.1988 d.281, effective May 26, 1988. See: 20 N.J.R. 743(a), 20 N.J.R. 1467(b).

Public Notice: Routine program implementation. See: 25 N.J.R. 1010(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, First Stage of the Master Plan for the Comprehensive Development of the Hackensack Meadowlands District, was readopted as R.1993 d.176, effective March 29, 1993. See: 24 N.J.R. 4503(a), 25 N.J.R. 1887(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, First Stage of the Master Plan for the Comprehensive Development of the Hackensack Meadowlands District, was readopted as R.1998 d.77, effective January 5, 1998. See: 29 N.J.R. 3704(a), 30 N.J.R. 566(a).

Chapter 3, First Stage of the Master Plan for the Comprehensive Development of the Hackensack Meadowlands District, was readopted as R.2003 d.9, effective December 9, 2002. See: 34 N.J.R. 2539(a), 35 N.J.R. 258(a).

Chapter 3, First Stage of the Master Plan for the Comprehensive Development of the Hackensack Meadowlands District, was repealed and new rules were adopted as Chapter 3, Administration, by R.2004 d.76, effective February 17, 2004. See: 35 N.J.R. 4458(a), 36 N.J.R. 1033(a).

Subchapter 6, Affordable Housing, was adopted as new rules by R.2007 d.57, effective February 5, 2007. See: 38 N.J.R. 3762(a), 39 N.J.R. 548(a).

Subchapter 7, Debarment and Suspension from Contracting, was adopted as new rules by R.2008 d.36, effective February 19, 2008. See: 39 N.J.R. 3731(b), 40 N.J.R. 887(b).

Chapter 3, Administration, was readopted as R.2009 d.40, effective December 23, 2008. As a part of R.2009 d.40, Subchapter 6, Affordable Housing, was repealed, effective January 20, 2009. See: Source and Effective Date.

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 3, Administration, was scheduled to expire on December 23, 2015. See: 43 N.J.R. 1203(a). Subchapter 4, Professional Services Contracts, expired on December 23, 2015.

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. RULEMAKING

- 19:3-1.1 Rulemaking
- 19:3-1.2 Petitions for rulemaking
- 19:3-1.3 Contents of petition to amend Official Zoning Map
- 19:3-1.4 Action on petition
- 19:3-1.5 Rulemaking process

SUBCHAPTER 2. FLOOD INSURANCE

- 19:3-2.1 Purpose
- 19:3-2.2 Required land use and control measures
- 19:3-2.3 Securing coverage under the National Flood Insurance Program

SUBCHAPTER 3. DISABILITY DISCRIMINATION PROCEDURE

- 19:3-3.1 Definitions
- 19:3-3.2 Purpose
- 19:3-3.3 Required ADA notice
- 19:3-3.4 Designated ADA coordinator
- 19:3-3.5 Complaint procedure
- 19:3-3.6 Complaint contents
- 19:3-3.7 Complaint form
- 19:3-3.8 Investigations

SUBCHAPTER 4. (RESERVED)

SUBCHAPTER 5. REDEVELOPMENT AREAS

- 19:3-5.1 Intent and purpose
- 19:3-5.2 Commission authorization
- 19:3-5.3 Petitions for the designation of redevelopment areas
- 19:3-5.4 Preliminary investigation
- 19:3-5.5 Public notice
- 19:3-5.6 Establishment of areas in need of redevelopment
- 19:3-5.7 Criteria for determination of need for redevelopment
- 19:3-5.8 Redevelopment plan
- 19:3-5.9 Relationship of redevelopment plan to NJMC Master Plan
- 19:3-5.10 Adoption of redevelopment plan
- 19:3-5.11 Applicability of redevelopment plan
- 19:3-5.12 Deviations from redevelopment plan
- 19:3-5.13 Amendments to redevelopment area boundary
- 19:3-5.14 Expansion of nonconformities
- 19:3-5.15 Amendments to redevelopment plan
- 19:3-5.16 Period of validity

SUBCHAPTER 6. (RESERVED)

SUBCHAPTER 7. DEBARMENT AND SUSPENSION FROM CONTRACTING

- 19:3-7.1 Definitions
- 19:3-7.2 Causes for debarment
- 19:3-7.3 Conditions for debarment
- 19:3-7.4 Procedures, period and scope of debarment
- 19:3-7.5 Suspension and causes therefore
- 19:3-7.6 Conditions for suspension
- 19:3-7.7 Procedures, period and scope of suspension
- 19:3-7.8 Applicability
- 19:3-7.9 Exclusions

19:3-7.10 Notice  
 19:3-7.11 Lists  
 19:3-7.12 Discretion

## SUBCHAPTER 1. RULEMAKING

### 19:3-1.1 Rulemaking

The rules of the New Jersey Meadowlands Commission (NJMC), found in N.J.A.C. 19:3, 19:4, 19:5 and 19:6, and including the Official Zoning Map, may be amended, in whole or in part, from time to time, pursuant to the rules in this subchapter and N.J.S.A. 52:14B-4(f).

### 19:3-1.2 Petitions for rulemaking

(a) An interested person may petition the NJMC to adopt a new rule, amend or repeal an existing rule, or amend the Official Zoning Map. Such petition shall be filed with the NJMC, in writing, and signed by the petitioner.

(b) The petition shall state the following clearly and concisely:

1. The substance or nature of the rulemaking that is requested;
2. The reasons for the request and the petitioner's interest in the request; and
3. The statutory authority under which the NJMC may take the requested action.

(c) Such petitions shall be sent by certified mail and shall be addressed to:

New Jersey Meadowlands Commission  
 One DeKorte Park Plaza  
 Lyndhurst, New Jersey 07071  
 Attention: Division of Land Use Management

(d) Any document submitted to the NJMC that is not in substantial compliance with this section shall not be deemed to be a petition for rulemaking requiring further agency action. The document shall be returned to the sender with a deficiency explanation.

(e) The review of a petition in substantial compliance with this section shall proceed in accordance with N.J.A.C. 19:3-1.4.

### 19:3-1.3 Contents of petition to amend Official Zoning Map

(a) Petitions to amend the Official Zoning Map that are submitted to the NJMC in accordance with N.J.A.C. 19:3-1.2 shall be accompanied by the following:

1. The full name and address of the petitioner;
2. When the petitioner is not the property owner, written consent of the property owner authorizing the petitioner

to apply to the NJMC for the requested change to the Official Zoning Map;

3. A report, signed and sealed by a New Jersey-licensed Professional Engineer or Professional Planner, including the following:

- i. A description of the rezoning being requested, including the location of the property, block, lot and municipality, existing zoning, and proposed zoning; and
- ii. A statement explaining why the proposed zoning designation is more appropriate than the current zoning designation;

4. A location map, in triplicate, of the lots drawn to scale and showing the actual dimensions of the subject property and the vicinity. The map shall include:

- i. The existing zoning and land uses of the subject and adjacent properties;
- ii. The location of water courses, rights-of-way, traffic circulation, and points of ingress and egress; and
- iii. Existing structures on the site;

5. A survey of the property for which the zone change is requested, signed and sealed by a New Jersey-licensed Professional Land Surveyor, identifying all easements of record; and

6. Other such information as may be required by the NJMC.

### 19:3-1.4 Action on petition

(a) Upon receipt of a complete petition for rulemaking, the following shall occur:

1. The petition shall be dated, stamped, and logged by the NJMC staff; and
2. The NJMC staff shall, within 15 days of receipt of the petition, file with the Office of Administrative Law (OAL) for publication in the New Jersey Register (Register) a notice of the petition's receipt, in accordance with N.J.A.C. 1:30-4.1(c).

(b) The NJMC staff shall review the petition and prepare a preliminary analysis with recommendations that shall be submitted to the Commission and the Executive Director for their consideration and approval.

(c) In accordance with N.J.A.C. 1:30-4.2(a), the NJMC's action on a petition may include:

1. Denial of the petition, in which case the NJMC shall provide a written statement of its reasons to the petitioner and include such reasons in the notice of action;