

## 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.2004 d.76, effective February 17, 2004.  
See: 35 N.J.R. 4458(a), 36 N.J.R. 1033(a).

## Chapter Expiration Date

Chapter 3, Administration, expires on February 17, 2009 except Subchapter 3, Disability Discrimination Procedure, is exempt as Federally required (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Chapter 3, First Stage of the Master Plan for the Comprehensive Development of the Hackensack Meadowlands District, was repealed and new rules were adopted as Chapter 3, Administration, by R.2004 d.76, effective February 17, 2004.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: Source and Effective Date.

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## 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;
2. Grant the petition and initiate a rulemaking proceeding within 90 days of the granting of the petition; or
3. Refer the matter for further deliberations, the nature of which shall be specified to the petitioner and included in the notice of action. The deliberations shall conclude within 90 days of such referral and, upon conclusion, the NJMC shall either deny the petition or grant the petition and initiate a rulemaking proceeding within 90 days. The NJMC shall mail the results of these further deliberations to the petitioner and submit the results to the OAL for publication in the Register.

**19:3-5.14 Expansion of nonconformities**

A request to expand an existing use or structure rendered nonconforming by a redevelopment plan shall require a variance, in accordance with the provisions of N.J.A.C. 19:4-4.14.

**19:3-5.15 Amendments to redevelopment plan**

(a) Amendments to an adopted redevelopment plan, as proposed by the NJMC staff or by any other interested party, may be brought before the Commission by the NJMC staff.

(b) Petitions for amendments to an adopted redevelopment plan shall be submitted in writing. A petition shall include:

1. The full name and address of the petitioner;
2. The block and lot number designation of the properties;
3. A statement indicating why the redevelopment plan should be amended; and
4. Such other information from a specific petitioner as may be deemed necessary by the NJMC staff.

(c) The NJMC staff shall review all petitions for amendments to an adopted redevelopment plan.

(d) If the NJMC staff determines that the petition does not meet the intent and purpose of the redevelopment plan, the petition shall not require further agency action. An appeal

from the NJMC staff determination may be made in accordance with N.J.A.C. 19:4-4.19.

(e) If the NJMC staff determines that the petition lacks sufficient information on which to proceed, the petition shall be deemed incomplete. The document shall be returned to the petitioner with an explanation of the deficiencies. The petitioner may address these reasons and resubmit.

(f) Upon receipt of a complete petition, the NJMC staff shall proceed with a public hearing in accordance with N.J.A.C. 19:4-4.17 and the notice requirements of N.J.A.C. 19:3-5.5.

(g) Subsequent to the public comment period, the NJMC staff shall submit a recommendation to the Commission to either approve, deny, or modify the proposed amendments.

(h) Amendments to the redevelopment plan shall not impact the "in need of redevelopment" designation for the area in question.

(i) The amended redevelopment plan shall supersede all previous redevelopment plans for the area in question.

**19:3-5.16 Period of validity**

The redevelopment plan shall remain in effect until such time as the NJMC amends the redevelopment plan, adopts a new redevelopment plan, or proceeds with a rezoning in accordance with this chapter.