
State your plan, plan your state

A legacy for McGreevey?

BY STEVE CHAMBERS

Over the past four decades, the sprawling subdivisions, cul-de-sacs and cookie-cutter repetitiveness of New Jersey's former countryside have made the Garden State something of a national joke.

The laughter has not been lost on state officials. Back in 1986, during the administration of Gov. Tom Kean, the Legislature created the State Planning Commission and began pushing for a more coordinated regional approach.

Subsequent governors embraced the resulting State Plan — a blueprint for growth first approved by the commission in 1992 — but none figured out a way to put enough teeth into the document for it to matter.

None, that is, until Gov. James E. McGreevey. Lost in the turmoil that followed his stunning admission of a homosexual affair with a top aide has been the fact that McGreevey did more than just talk about battling sprawl.

The plan, and its accompanying map, suggests that growth would be better channeled into cities, existing suburbs and newly defined dense centers in more rural areas. But until the late 1990s, when sprawl became a fighting word, towns basically ignored it.

"It's coming along, and if it wasn't for McGreevey it probably wouldn't be happening," said Jim Gilbert, who served as the first chairman of the state Planning Commission. "I think his heart is in this stuff."

There are, of course, many forces at work in the state's development pattern. Strengthening opposition to growth in rural areas, changing demographics and increased interest in urban living have all played a role in the slow reversal of trends.

McGreevey's own efforts have seen fits and starts. But as he

**Working hard
to put an end
to a perennial
Jersey joke.**

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Steve Chambers covers land use issues for The Star-Ledger.

SPRAWL

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prepares to leave office, he can say he strengthened the State Plan with:

■ A bill to preserve the northern Highlands. It virtually bans large-scale development in environmentally sensitive areas identified previously in the State Plan. A Highlands Council will draft a master plan for the balance of the region. That plan will be voluntary, but there are strong incentives for towns to accept dense growth.

■ A proposed affordable-housing reform that will require towns seeking protection from builder lawsuits to follow the suggestions of the State Plan. Builders seeking permits for development have successfully sued many towns under provi-

sions of the state's affordable housing laws, and many local officials are looking for a way out.

■ A new regulation by the state Board of Public Utilities that attacks sprawl subsidies. Utilities will be barred from charging customers to recoup the costs of building lines out to sprawling development discouraged by the State Plan.

■ Incentives for development in targeted areas, including millions of dollars for redevelopment of polluted "brownfields" in urban areas.

■ Accelerated preservation of open space, including a record 20,000 acres of prime farmland last year and tens of millions of dollars spent in the Highlands.

Of all the measures McGreevey championed, however, none was so controversial as the so-called "fast-track" bill, which was designed to streamline development approvals in areas designated for growth by the State Plan.

Here, the administration went beyond

the State Plan and bowed to the state's powerful tradition of home rule by including redevelopment areas designated by municipalities for "fast-track" consideration.

Environmentalists hate the bill, because they think it will eliminate public participation and help ram through bad projects. McGreevey is considering an executive order or corrective bill to make it less of a blunt instrument.

Supporters of the administration argue that by attacking sprawl with fierce rhetoric and then following up with action, the governor accelerated the movement of large-scale developers to the cities.

"He took a sledgehammer to the problem," said Eric Shuffler, a top policy official to McGreevey. "He moved quickly to put the drinking water off limits, and he got aggressive with farmland preservation. He took the Highlands out of play. Couple that with the incentives on redevelopment, and it supercharged the (urban) market."

Others say that may be taking a little too much credit.

"The market forces have been moving in this direction," said Joe Maraziti, a former chairman of the state Planning Commission appointed by Republican Gov. Christie Whitman. "You do have to credit him, though, and I do. You can argue that without the leadership of the governor none of this happens."

Maraziti, a lawyer who had worked on major urban redevelopment projects, argues that public opinion has also started to catch up with forward-thinking proponents of the State Plan.

One clear sign of that comes from the state League of Municipalities. As a fierce protector of home rule, the league has always fought efforts to make the State Plan mandatory.

But when the Council on Affordable Housing decided earlier this year to require towns seeking protection from builder lawsuits to provide evidence they were following the State Plan, the league did not balk.

William Dressel, the league's executive director, said that over the years, towns have become more enamored of the State Plan, because they have realized it can help protect them from builder lawsuits seeking to force development on environmentally sensitive land.

"A lot of towns are telling me, 'We believe in the State Plan,'" he said. "They are looking for protection. The reality is that our whole philosophy has changed over the years, so I'm keeping more of an open mind than we have traditionally."

Barbara Lawrence, who ran the non-profit sprawl watchdog New Jersey Future for a dozen years before leaving Oct. 1, said public pressure is the reason governors have gotten progressively better on regional planning and other anti-sprawl initiatives.

"Every governor since Kean advanced the concept of land-use planning," she said. "McGreevey took it very seriously. I imagine the next governor will do the same."