

Atlantic County Cross-Acceptance Public Meeting July 1, 2004 - Egg Harbor Township

State Agency and County representatives in attendance: Bill Harrision and Maura McManimon, OSG; John Peterson, Atlantic County, Jennifer Lane, DOT; Rich Melini and Jerry Lutin, NJ Transit; Monique Purcell, Agriculture; Kim Springer, DEP.

County Comments

J. Peterson, Deputy Director of Planning, opened the meeting to the 17 people in the audience on behalf of the County Executive who, he said, has made planning an important focus of his Administration. The County adopted a new master plan and worked closely with towns to advance open space implementation. County is pleased to be the go-between between the state and the towns and is interested in hearing what the state has to say.

M. McManimon delivered presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

J. Peterson presented his power point. County had previously taken exception to many of the state's policies and that's why the County has taken on the responsibility of "Negotiating Entity". Want to make sure municipal views are taken into account. The County works for the towns. Population growth will occur all over the County but not equal: in Hamilton (+52% with 200 lots approved in 2003), Galloway (+55% with 170 new lots) and Egg Harbor (+62% with 800 new lots in one year). Job growth projections follow a similar pattern. Growth requires re-examination of zoning, master plans and infrastructure needs so that we can maintain that quality of life in the county. With the help of DCA grants, the county did a Smart Growth Initiative to look at zoning buildout for the County. We developed a lot of helpful data, which is available to you, and we now want to work with towns on planning.

By the year 2000, 1/3 land already developed, 1/3 constrained and 1/3 available. By 2000, we had 100,000 dwelling units, with the potential for another 98,000 to 120,000 units.

Question & Answer Discussion

Q. What do you (the county) want from towns?

A. J. Peterson: Look at development in PA-5s; at areas of conflict and who's plan should change. See if the 400+ policies in the State Plan make sense and if they make sense for rural areas seeking economic development. The Coastal (CAFRA) rules sunset in February 2005 so figure out whether you have Coastal Centers that will expire. Take a look at your population and employment projections and assess whether your projections match those of the South Jersey TPA or the Department of Labor..

Q. After the last Cross-acceptance process the towns' suggestions were lost.

A. J.Peterson: Will look into it and find paper work.

A. B. Harrison: We've made commitments to work with those towns who get their petitions in for Plan Endorsement. We will be meeting with the County on their Growth Management Plan and, depending on the County Plan, the County could come in with towns who are seeking Plan Endorsement. We will be happy to meet with towns to talk through what they need to do.

Q. Are there penalties for towns with development under DEP's new stormwater rules?

A. B. Harrison: The rules for groundwater recharge requirements differ depending on whether you are in an urban or rural area. DEP is looking at how best to apply the rules.

Q. Fred Acres, Great Egg Harbor River Watershed Association: Is there any greater acceptance of making planning decisions based on water supply availability?

A. B. Harrison: Generally, yes.

Comment: Rose Turner, Corbin City: Coastal center designation (CAFRA centers) should be extended past the February 2005 sunset date.

Bergen County Cross-Acceptance Public Meeting June 17,2004 – Mahwah

State agency and county representatives in attendance: Dennis McNerney, Bergen County Executive; Valerie Vainieri Huttle, Freeholder Chairwoman; Adam Zellner, OSG; Larry Baier, DEP; Jennifer Lane, DOT; Jim McDermott and Rich Roberts, NJTransit; Farouk Ahmad, Bergen County Planning Director; Laura Lavicchi, Bergen CA coordinator; Donna Orbach, Christopher Helms and Kenneth Aloisio, Bergen County.

OSG and County Comments

A.Zellner: The Office of Smart Growth will develop a “statewide issues web page” so that counties and all interested parties could learn about the issues/policies that were discussed at county meetings that impact all counties. We were informed that this was a concern during the last round of Cross-acceptance. We want to focus on three things this time around: data inaccuracies, where should growth occur and what policies do you want to amend. One example of a policy to review is that currently, waterfront development regulations treat ocean and river waterfronts the same. Another example is that developers will build industrial or retail on brownfield sites, not residential because they are concerned about liability.

Other main points about the Cross-acceptance process include:

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- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
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Donna Orbach: Most of the county’s issues are environmental because much of the area that is not sewered is in already developed areas. For example, Wycoff is 50% not sewered but will probably want to grow. Also, Northern Bergen is a major groundwater recharge area, per the Big Map. We also need to consider new Planning Area 5s vs. Critical Environmental Sites.

Farouk Ahmad: New storm water rules emphasize water quality not quantity and the County wants to play a regional role in that issue.

Dennis McNerney: It is great that everyone is here to tell the state what we want. The county is advancing open space, storm water plans, rail access, Rte. 17 improvements and GIS efforts. He thanked all participants.

Valerie Vainieri Huttle: Thanked Adam and thanked Commissioner Levin for providing \$75,000 to do CA, \$25,000 more than was offered to the county originally, because the County has the most municipalities. Bergen wants to plan in a smart growth manner.

Donna Orbach: Bergen didn’t have the cooperation with the state the last time they did Cross-acceptance. She described the extensive county outreach program to the 71 Bergen municipalities.

Question & Answer Discussion

Q. Maywood resident: We have had many meetings on the need to improve Rte. 17, but I just learned that DOT is not going to widen the road. It’s only two lanes through Maywood and most traffic is through traffic. One state department doesn’t seem to know what the other is doing. Will there be coordination?

A. R.Roberts: There is coordination. Dennis Keck, Farouk and I drove it to see what can be done. **A. A.Zellner:** Yes, the idea is to make sure all is coordinated at the state level with the local process. Part of what DOT and the Office of Smart Growth are looking at is the land use around Rte. 17. We don't want to see intense development occur along the right-of-way. **J.Lane:** DOT is looking at corridors around the state to see how we can redevelop them. **D.Orbach:** Bergen is actively working on a solution. Widening the road won't work unless it is in combination with other strategies. You must take back your local road system for local trips.

Q. Norwood Planning Board member: The data distributed for Cross-acceptance did not include soils data. Aerial mapping of wetlands does not show what's under the trees.

A. Bergen response: All information will be provided on Bergen maps. **A. L Baier:** There is a slew of information on DEP web site. Wetlands mapping by DEP is a planning tool; but the wetlands limit must be determined on the ground.

Q. My town has just gone through a master planning process. What will the state do?

A. A.Zellner: Through Cross-acceptance, you should check to see how your master plan relates to the State Plan. Then bring it to the State Planning Commission for Plan Endorsement so we can work with you to locate the resources to implement your master plan.

Q. Does each town need a Cross-acceptance committee?

A. D.Orbach: Laura will start calling all towns and would like towns to form a small committee of members of zoning board, planning board, environmental committee, town council etc.

Q. Tenafly resident: We just completed a difficult COAH process. Are they on board with the State Plan and Cross-acceptance?

A. A.Zellner: Yes. COAH and the State Planning Commission are updating our MOU that links our processes with COAH's new growth share methodology.

Q. How will the Smart Growth Ombudsman bill impact this process?

A. A.Zellner. The bill will create within DCA, DEP and DOT a Division of Smart Growth to review and expedite projects in Smart Growth areas. Also, the Ombudsman will be in charge of looking at the impact of new rules and regulations on implementing the State Plan. That is all the more reason to make sure the State Plan and Map are up-to-date.

Q. Boro of Ridgfield Administrator's Office: We worked with Adam and the Office of Smart Growth staff on a local issue and were amazed at positive interagency team response.

A. A.Zellner: Thank you.

Q. How do we update local plans.

A. D.Orbach: See Bergen staff (Shawn).

Q. Ridgewood resident: Will current FEMA mapping be available on the State Plan Map?

A. Bergen County: Not on the map but if data is available in a GIS format, we can provide it to you.

Q. Creskill resident: Is it okay to have one member from various town committees on a Cross-acceptance committee?

A. D. Orbach: Yes. **A.Zellner:** Leave up to you.

Q. We need more time to do all this work.

A. A.Zellner: We will provide sufficient time. **D.Orbach:** We sent a Cross-acceptance package to all towns that contains a questionnaire. You should fill out as much as possible before meeting with Laura.

Burlington County Cross-Acceptance Public Meeting June 28, 2004 - Westampton

State Agency and County representatives in attendance: Theresa Brown, County Freeholder; Marge Dellavecchia, State Planning Commission; Robin Murray, Bill Harrison and Maura McManimon, OSG; Rich Melini and Joyce Gallagher, NJ Transit; Susan Weber, DOT; Robert Kull, Dave Hojsak and James Reid, Burlington County; Len Coleman, Department of Education; Elizabeth Semple, DEP; and Roberta Lang, Department of Agriculture.

OSG and County Comments

Freeholder Theresa Brown welcomed the 65 public attendees, including five mayors.

M.Dellavecchia thanked the Freeholder for hosting the meeting on behalf of the Governor, Commissioner Susan Bass-Levin, Tim Touhey and OSG staff.

R.Murray delivered presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

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- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

R.Kull made a presentation for the County. He said that Burlington County is in good shape, as there are very few areas of disagreement. But we must prepare for the future, and we have a window of opportunity with state staff tonight. Cross-acceptance is an opportunity to talk about a vision for your town and surrounding towns together as a group. We've been doing this along the Rte. 130 corridor and there are accomplishments because we have identified issues and acted upon them. We must think twenty years ahead and see if that's where we want to be. The Pinelands Commission is considering some changes in the Pinelands (i.e. growth areas under consideration). The outcome of this first step in the Cross-acceptance process is a County Cross-acceptance Report, with all your insights, and a Negotiating Agenda to highlight differences and see how to reconcile; opportunity to work with utilities.

Tonight is a kick-off meeting. We have divided the county into regions. The Rte. 206 Farmland Corridor-- Bordertown to Vincentown--will have a meeting this summer. We are sending out an RFP to help western towns to prepare a Cross-acceptance report.

Question & Answer Discussion

Q. Mayor Bob McCollough of Pemberton: There's a lot of concern to us in the township as to the direction Burlington County goes. We are a so-called host community, with every type of building known to man taking up most of our prime ground. We are concerned about the 206 and 38 development plans. We want to be able to develop the perimeter of the community and still remain green as a rural community as we should be. There's a

rumor that the county wants to buy up the property along Rancocas Creek to prevent more growth. That will mean less money coming in to Pemberton Township. You need to be doing things like working with FEMA on finding money for water and sewer, so we can protect the creek that way.

A. R.Kull: We are in the process of setting meeting to reconcile some of your issues.

Q. Patrick Bunn, VP, Builders League of South Jersey: There are 60,000 to 70,000 people forecasted in next twenty years; 22 to 27,000 new homes; what data does state have to see if it can fit?

A. B.Harrison: That's one question we have to find out through the Cross-acceptance process. At the end of the process, the State Planning Commission will make sure that there will be sufficient areas to accommodate the population projections. We have population and employment projections from the NJ Department of Labor and DVRPC. We are asking municipalities and counties to review these and submit projections that they believe reflect their future growth. These projections are not set in stone. There's also the potential to designate new centers to accommodate growth.

Q. Delran resident: It looks like Smart Growth wants to jam more growth in Planning Area 1's that are already built out, while preserving open space.

A. R.Murray: Smart Growth has to do with density and how much you want to grow. Many areas have opportunities for in-fill development and revitalization of under-utilized areas. At the same time, you don't want a city without green space. Development and open space go hand in hand.

Comment, Delran: What about towns that don't want to grow.

A. R.Murray: There are towns that will grow and want to grow, question is how.

Comment, Delran: Why would I want to grow if developed?

A. B. Harrison: There's always opportunity for redevelopment even if developed, - like the town I live in which went through some redevelopment even though it's developed. Should you choose to redevelop, we can work with you to identify state resources to implement your plan, including open space preservation.

Q. Delanco resident: Is there a calculation on how much open space a town should have?

A. B. Harrison: There are Green Acres figures and national figures but it really has to be decided in the local context.

A. E.Semple: I can send you DEP's recommendations for open space percentages.

Q. Scott Hatfield: Am I correct that there's a new commercial node designation?

A. B.Harrison: We have proposed a new node for agricultural industry. We have not changed any mapping of existing nodes.

A. R.Murray: We suggest that you try to incorporate your existing and planned commercial and industrial nodes into the State Plan Map.

Comment: Town Manager, East Hampton: My town has gone a long way to plan for Smart Growth. We recently received a Smart Growth award from New Jersey Future. Smart Growth is often viewed within lens of tax structure and the ratables chase. If a Constitutional Convention was held on the property tax structure, it could give us an opportunity to align revenue streams to where we want growth. Without that, I don't think it can happen.

Q. R. Brown of Pemberton: My town needs assistance to broker a meeting with the Pinelands Commission and Fort Dix. Fort Dix has closed some roads which has had a drastic impact on the town.

A. R. Murray: Fort Dix planners have indicated that they are willing to participate in the Cross-acceptance process. We have already been working with Wrightstown on privatizing some of their military housing.

A. B. Harrison: OSG is also in regular communication with the Pinelands.

Q. R. Brown: There's a push for development, but does it occur in or out of the Pinelands?

A. R. Kull: For towns that border Fort Dix, we will do a road show with Pentagon planners to try to reconcile noise issues so we can coexist.

Q. R. Brown: Is there money for towns to participate in CA?

A. R. Murray: There are grants to counties for CA and to ten of the largest cities (six of ten cities wanted funds).

A. R. Kull: For this process we have divided the county into regions, each of which will be addressed separately. We will be setting up meetings with the towns in each of the regions very soon.

Q. R. Brown: A consultant suggested the we designate new centers along Rte. 206. How is this linked to State Plan?

A. R. Kull: The centers will be addressed primarily through the Plan Endorsement process, but we hope to provide direction through Cross-acceptance. Our build out analysis is close to release. We also have a consultant doing an agriculture viability study which will be complete in six weeks.

M. Dellavecchia comment: We want to know where you want to grow so we can align state departments to provide resources. You should feel comfortable to approach us—we are available.

Q. Dave Hojsak, Burlington County staff: It is nice that the State is trying to get agencies to align their efforts but the Department of Education and the School Construction Corporation are not working together. The siting of the new Pemberton school is not consistent with SG.

A. L. Colner: That was the result of a decision by a previous administration. Since then we have revised our procedures to require more of a smart growth review prior to land acquisition. There's a similar process with DEP to raise environmental issues.

A. R. Murray: OSG will work with School Construction to try to identify these siting issues ahead of time. Representatives from the School Construction Corporation have been working with the Interagency Smart Growth Team for months now.

Comment from D. Hojsak: School Construction needs a Smart Growth education.

Q. Pemberton Councilman: Agriculture is the last thing looked at in the process. The school was sited on farmland, but sewers should not extend into farmland.

A. M. Dellavecchia: In the example you gave, the action taken included reducing the impact by deed-restricting the land.

Comment from questioner: I hope OSG will protect the area from further development.

Q. S. Hatfield: Will DEP assist in streamlining the process?

A. L. Semple: Yes.

Q. What happens if not enough towns absorb growth?

A. R. Murray: Growth increase is a projection. New Jersey is projected to be the first state to be built out. But we are a home rule state, and each town decides. We hope that the State Plan, Cross-acceptance and Plan Endorsement, as well as the inter-agency coordination to support smart growth, will provide enough opportunities to accommodate an appropriate level of growth in the right places.

Q. Questioner: Will the State support home rule? After July 2005, when the new State Plan is adopted, if a town realizes it must change zoning/master plan, can their planning areas change on the State Plan Map to reflect that?

A. M. Dellavecchia: Definitely.

A. B. Harrison: Plan Endorsement is designed to accommodate this. We recognize that planning is an on-going process and not frozen in time.

Q. Burlington Township resident: Opposed to Ombudsman Bill because no difference between factories and housing and 45 days not enough review time.

A. M. Dellavecchia: The Ombudsman Bill is intended to differentiate between areas where we want to encourage growth and those where we don't. The bill does not preclude that a project in a Smart Growth

area will be approved. Instead, it moves projects that are in a Smart Growth area to a pile where they will be seen more quickly. If we accept that our population and economy will continue to grow, we have to figure out where and how to accommodate it. If we don't accommodate it in growth areas, it will go where we don't want it, like on 10-acre lots on our farmlands.

Q. Sounds like a political appointee will be Ombudsman who could override wetland's decisions, correct?

A. M.Dellavecchia: Cabinet members are appointed by the Governor as are other staff right now. This appointment won't be different from that process.

Comment from Beverly City Councilman: Wetlands permit comes under Army Corp and state can't overrule that.

Q. Edgewater Park Deputy Mayor Richard Tucker: We need that State's help to buy State Police land they vacated along Rte. 130, which we would like to target for revitalization. Why should town have to pay \$ 1.5M when it's surplus land?

A. B.Harrison: Give us the details and we'll call Treasury.

Q. Delran resident: I would like the Rte. 130 jughandle proposal fast-tracked. DOT said it would take ten years to build.

A. B.Harrison: Give us the details. Since the Route 130 plan has been endorsed by the State Planning Commission, you should be in a good position for priority state resources.

Comment: R. Kull: Part of the State Plan is an Infrastructure Needs Assessment. This provides you an opportunity to identify what you see as critical infrastructure needs.

Camden County Cross-Acceptance Public Meeting

June 29, 2004 - Camden County Department of Public Works Facility

State Agency and County representatives in attendance: Marge DellaVecchia, State Planning Commission; Doug Griffith, Camden County Planning Director; Ed Fox, Director of Smart Growth-Camden County Improvement Authority; Bob Kelly and Farhat Biviji, Camden County; Robin Murray and Bill Harrison, OSG; Rick Brown, DEP; Roberta Lang, DOA; Rich Melini and Joyce Gallagher, NJ Transit; and Jennifer Lane, DOT.

OSG and County Comments

Doug Griffith, County Planning Director: Welcomed all in attendance and stressed that Cross Acceptance III has been a positive experience so far. Twelve towns were represented at the meeting and the County Freeholders had also adopted a resolution to participate in Cross Acceptance OSG awarded Camden County \$50,000 to participate in the process. Ed Fox and Joel Faulk will be key players in this process.

Marge DellaVecchia, State Planning Commission: Welcomed everyone to the meeting. She emphasized that the State Planning Commission will take comments, issues and concerns seriously.

Robin Murray, OSG: Presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

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Doug Griffith, County Planning Director: Emphasized comprehensive planning and control over land use issues. The county's goal is to preserve 2,000 additional acres as preserved land over the next ten years. DVRPC is helping the county develop its Master Plan. He reiterated that 75% of the county is already developed and gave examples of Planning Areas: PA1- Camden, PA2- Voorhees, PA3- Winslow.

The county is also involved in several Transportation Community Development Initiatives with DVRPC. In addition, the Camden County Improvement Authority will serve as the consultant to Camden County for the Cross Acceptance process.

Ed Fox, Director of Smart Growth-Camden County Improvement Authority: Presented his perspective on Cross Acceptance. He stated that North Jersey is filling up & people are moving south. Where will they go? Where will growth occur? In Camden County growth will be targeted to the Delaware River Waterfront and the White Horse and Black Horse Pike corridors. Specifically, the "Camden Hub" and Cherry Hill with towns north, eight municipalities along the Black Horse Pike, and the White Horse Pike between Barrington & Lindenwold. Mr. Fox emphasized the need for the 15 towns in the northern part of the county to work closely together. Local coordination meetings will begin in July.

Question & Answer Discussion

Q. Tom Paparone, developer: Are there any Category 1 Streams in the county? Will any Planning Area 3s be able to be changed to Planning Area 2?

A. R. Brown: There are no C1 streams outside of the Pinelands or state lands in the county

A. B. Harrison: PA3s are transitional areas and changes in either direction can be discussed during Cross Acceptance.

Q. Tom Paparone: Has population build-out of towns been submitted to the county?

A. D. Griffith: Yes.

Comment M. DellaVecchia: We want to align state resources to facilitate development and redevelopment in the right (e.g. smart growth) areas. Local, county & state plans need to be aligned.

Q. Ed Williams, Camden County Planning Board: Could the Office of Smart Growth approve the county's Improvement Plan?

A. B. Harrison: I recommend that you schedule a pre-petition meeting with the Office of Smart Growth so we can talk you through the requirements and benefits of Plan Endorsement.

Comment, M. DellaVecchia: For the first time we are viewing issues through a regional perspective and are looking at the towns surrounding Camden.

Comment, Jim Miller, Professional Planner: The state has been "too meticulous" with Plan Endorsement in the past and therefore too few towns participate. He hopes that we have learned lessons from the past.

A. B. Harrison: This is why we have amended the rules to make it a two-step process: 1) Initial Plan Endorsement requires planning documents that are already required to be prepared and information that is readily available; and 2) Advanced Plan Endorsement will involve Plan Implementation Agreements where both the petitioner and the state agencies make commitments to help implement the plan.

A. R. Murray: Counties should bring towns in with them when they do Plan Endorsement.

A. M. DellaVecchia: DCA officials know what the issues are and will help each town and the county as much as possible. "Smart growth areas" are very clear in Camden County and we should take advantage of them!

A. Ed Fox: Concurred and stated that targets and projections for housing and jobs in the county are very important for any future planning effort.

Cape May County Cross-Acceptance Public Meeting

June 23, 2004

State Agency and County representatives in attendance: James J. Smith, Planning Director Cape May County; Martin P. Teller, Jr., Principal Planner Cape May County; Brigitte Sherman, Principal Planning Aide Cape May County; Brian O'Connor, Senior Planning Aide Cape May County; John Vona, Planning Aide Cape May County; Leslie Gimeno, Economic Development & Capital Planning Office Cape May County; Robin Murray, Bill Harrison and Maura McManimon, OSG; Bill Purdie, DEP; Jennifer Lane, DOT;

OSG and County Comments

County: Some of the major issues that the county would like to address through the Cross-acceptance process are:

- The requirement that Planning Area 2 must be adjacent to Planning Area 1. This doesn't make sense in the shore communities which are developed at a level equivalent to a PA2, but because they are not near PA1 areas, they can not be designated as such.
- Endangered Species Habitat and impacts of data on the State Plan Map
- The scheduled expiration of CAFRA centers in February 2005
- Correcting sewer service area data
- Drinking water issues

Robin Murray delivered presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

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Question & Answer Discussion

Q. Is funding available during Cross-Acceptance?

A. We gave each of the counties, for their role as negotiating entities, a grant specifically to assist them with Cross-acceptance. In addition, Office of Smart Growth staff provide technical planning and design assistance and distribute Smart Future planning grants to support cooperative regional planning and downtown revitalization efforts.

Q. Do you recommend that municipalities work through the county during the plan endorsement process?

A. Yes, the more regional the plan, the higher its priority.

Q. Does this State Plan simply reinvent the wheel?

A. That is not our intent. A great deal of work has already gone into the policies found in the State Plan. Our intent for this round of Cross-acceptance is to focus on implementing the State Plan and to emphasize

inter-agency collaboration. Updates to the State Plan Map are meant to reflect updated data on environmentally sensitive areas and parks, as well as sewer service area data. Designated Centers are not set to expire until 2008 so existing designated centers will still be able to take advantage of the benefits until then.

Q. What will happen to the CAFRA centers, which are going to expire in February 2005?

A. DEP is still working through this, but the Office of Smart Growth has been talking with them about making sure that the centers can be extended if the towns seek initial Plan Endorsement prior to the expiration date.

Comment. Cape May County is a tourism-based economy. Affordable housing for workers in the tourism industry is critical.

A. We are working closely with the Council on Affordable Housing to improve the linkage between our planning processes. In addition, the Governor committed to provide 20,000 affordable housing units in NJ within 4 years. 17,500 have already been subsidized through HMFA so far.

Q. Population explodes during the summer months from 100,000 to 700,000. How does that affect funding?

A. The seasonal population changes and the associated infrastructure impacts should be included in the County plans and addressed in the County Cross-acceptance Report.

Q. What potable water issues are related to this?

A. Water supply study is based on summer population ceiling.

Comment. There are only 3 roads into and out of the county. Without better access to the shore, we will lose tourists.

A. NJDOT looks at year round travel trends when assessing investment needs. There are several parts to road expansion process; NJDOT takes extra summer traffic into account during study.

Q. The small portion of Woodbine Borough that is located outside the Pinelands Area is designated PA5. How can that be changed to be consistent with the adjoining portion of the Borough in the Pinelands Area that the Pinelands Commission has designated as Pinelands Town?

A. Generally, submit proposed changes through county. Submit copy of proposed change to OSG. DEP also needs to review requested change against Coastal Zone Rules.

Cumberland County Cross-Acceptance Public Meeting

June 24, 2004

State Agency and County representatives in attendance: Douglas M. Rainear, Freeholder Director; Tony Stanzione, Executive Director, Cumberland Development Corporation; Robin Murray, Bill Harrison and Maura McManimon, OSG; Susan Weber, DOT; Tim Brill, DOA; Bill Purdie, DEP; Robert Brewer, Stephen Kehs, Matt Bisarski and Pam Weintraub, Cumberland County.

OSG and County Comments

County: Some of the major issues that are important to the county for Cross-acceptance are the sunset of the CAFRA centers; rural transit opportunities; water supply issues; and farmland preservation program land valuation methods.

Maura McManimon delivered presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Question & Answer Discussion

Comment, Mayor George Garrison, Commercial Township: Proposed a moratorium on open space preservation because the town is losing tax revenue as a result. He indicated that the Garden State Preservation Trust PILOT formula should be adjusted to make it fair for municipalities with more open space.

A. The funding formula needs to be changed legislatively, so the towns need to talk to their legislators.

Comment, Mayor Garrison: The mayor also mentioned a letter he received from Green Acres indicating their intention to preserve 1200 acres in his township without the municipality's knowledge.

A. If your town comes in for plan endorsement process, we can bring together the state agencies to coordinate with you on your planning efforts, including working with DEP and Green Acres on land acquisition issues.

Comment, Tony Stanzione, Director, Cumberland Development Corporation: The Western/ Southern Cumberland Region Strategic Plan (WSCRSP) which comprises 12 towns, will be more specific than what results from cross-acceptance. Both processes should work together. What the county expresses through cross-acceptance as its future needs must be respected by the State.

Comment, Downe Township Resident: Support assembly bill A2923 which proposes to increase the Payment in Lieu of Taxes to the town because of the town's lack of taxable entities. The town is occupied mostly by non-

profit organizations including state facilities, which are off the tax rolls. There are many seniors living in the town who cannot afford an increase in taxes.

Q. Route 522, Sherman Avenue is very busy and unsafe in its present condition. Residents have concerns about access to the hospital that's about to be constructed. Can the road be expanded?

A. DOT: A corridor study was done a year ago to determine improvements to the highway. Please check with the county engineer who has the information you are looking for.

Q. Maurice River Township went through the long process of center designation. When does the designation expire?

A. Most of the Designated Centers will expire in 2008. If your municipality pursues Plan Endorsement as part of the county's WSCRSP Plan Endorsement petition, and includes the center in your petition, the designation will be in effect for 10 years from the date of endorsement.

Q. How far along is DEP in designating water bodies as C1 along the Maurice River?

A. DEP is still collecting data from the township and environmental organizations. In order to designate a water body as C1, DEP must go through rulemaking.

Q. Hopewell Township has a large percentage in the CAFRA zone. There are sewers in the ground already. Will those areas be allowed to grow?

A. Within the CAFRA zone, outside of Planning Areas 1 and 2, major development must occur within centers. You can designate a center through the Plan Endorsement process.

Q. Millville and the county are in a very different situation now compared to when they participated in cross-acceptance 1 & 2. They are now facing huge development pressure. How do they balance growth & preservation in Millville? The city has a lot of priority development projects. They would also like to see growth outside of the city. They see smart growth as including growth outside of PA 1 & 2, in PA 3 & 4 if there are sewers. They believe it's possible to have a good project outside of PA 1 & 2. How can OSG address the inconsistency?

A. Planning areas 4, 4B & 5 are mostly conservation areas but it doesn't mean no growth, just less intensive development focused in centers, in accordance with environmental conditions. Issues of intensity of uses, how to develop and design within those areas can be addressed during plan endorsement.

A. Agriculture: There's a lot of potential to accommodate growth in those areas through the transfer of development rights, or establishing an agricultural industrial node.

Q. Is there enough staff to handle the plan endorsement applications?

A. Yes, because the submissions will not all come in at the same time.

Comment, Downe Township Resident: Every year the open space referendum passes but the problem is there is no money allotted for maintenance of those lands. The towns have been stewards of the open space. The Nature Conservancy reserves some money to maintain the lands that they preserve, but the state doesn't. How will communities afford to maintain open space? The money has been coming out of their general funds. The state should provide the money in those communities that have a lot of open space.

Essex County Cross-Acceptance Public Meeting

July 12, 2004 - Verona Community Center

State Agency and County representatives in attendance: Joseph DiVincenzo Jr., County Executive; Jim Bartell, Essex County; Marcia Shiffman, Maser Consulting (county planning consultant); Sanjeev Varghese, County Engineer; Joseph Alessi, County Planning Board Chairman; Tom Ries, County Engineering Division; Adam Zellner, Bill Harrison, Maura McManimon and Danielle Stevens, OSG; Jeanne Herb, DEP; Sallie Morris, NJ Transit; Helene Rubin, DOT.

OSG and County Comments

Danielle Stevens delivered presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Marcia Shiffman, Maser Consulting: Extensive questionnaire was submitted to each Essex County municipality. There are four parts: key concepts, metropolitan area planning objectives, environmental sensitive policy objectives, and general information. Maser Consulting is holding 6 regional meetings in the month of August, in order to prepare the Cross-Acceptance Report for the State Planning Commission for late October 2004.

Question & Answer Discussion

Comment, Cedar Grove, Environmental Commission: The Environment Commission does not support the redevelopment designation for the Hilltop area in Cedar Grove. The County Executive's office has issued a statement that the area is in need of redevelopment and should be changed from a PA5 to PA1.

A. Joseph DiVincenzo, Jr. That can't be correct. The County will get back to you and address your concerns.

Gloucester County Cross-Acceptance Public Meeting

June 15, 2004

State agency and county representatives in front of audience: **Charles Romick, Gloucester County Planning Director; Maura McManimon, and Robin Murray, OSG; Neil Longfield, DOT; Rich Melini, NJ Transit; Roberta Lang, Department of Agriculture; Rick Brown, DEP.**

OSG and County Comments

C.Romick: State Plan is a major tool for curbing sprawl, preserving open space and focusing growth in central areas. Cooperation between all levels of government is needed and Cross-Acceptance allows that. County Board of Freeholders has passed a resolution expressing this and designated the responsibility to the county planning board. This is the best opportunity to establish consistency for planning.

R.Murray: We're all delighted to be here, to help make Cross-Acceptance and the State Plan properly focused and collaborative. I understand that Gloucester County is the fastest growing county in the United States; conflict between growth and preservation will be inevitable without proper planning.

She delivered a presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

C.Romick: I'll address where we are on Cross-Acceptance, what the county plan looks like. The county planning board will be reviewing the state plan and inventorying local plans. We would like a contact person from each municipality, though we only have 5 so far. This will be a 10-month process from May through to the end of negotiations. Meetings with municipalities will be arranged as needed and 4 regional public meetings will be organized. We are being careful not to exclude the public, customize the process. We've set an aggressive work schedule.

Mapping work has been prepared by our GIS system. Layers can be added and areas customized. The map is very similar to that seen in previous Cross-Acceptance cycles. We still want growth around existing development where the proper infrastructure is already in place – in the north and northeast parts of the county. Parks and natural areas have been added. Some mistakes are evident and will be corrected. Discussion over sewer service in planning areas 3 and greater has taken place. But we need to go beyond the map and focus on policies too, if they make sense and reflect what the State Plan says.

Question & Answer Discussion

Q. Are all the data layers from different departments on the GIS map?

A. M.McManimon: Not everything is on the discs.

A. R.Murray: Greater detail is available from specific departments and the web site as well.

A. R.Brown: DEP website has 2002 overhead imagery. Recent photos from DVRPC should be available as well

A. R.Murray: GIS layers are available are on the CD, along with State Plan as proposed as well as educational materials.

Q. Friends of Gloucester County Watershed: For Rick Brown, how many developments and homes are currently under review?

A. R.Brown: You would have to poll each community to determine a number.

Q. A developer goes to DEP for review and wetlands evaluation, there's no count of those applications?

A. R.Brown: Not all developments need wetlands permit. If you're asking if we could determine the number of permit requests, the answer is yes, I don't know it though.

Q. I talked with a reviewer in 1989 who knew there were 2000 homes being reviewed in their territory, how about now? It should be even more, right?

A. R.Brown: The lots approved are not necessarily built on.

A. R.Murray: All permits that come into the state for approval are now computerized and sorted. **Q.** I want to know what's coming next, what's under review so that groups like mine can have some idea of expected impact on streams and waterways.

A. R.Brown: Work with the county. Under the Municipal Land Use Law, towns must file their permit applications with the county.

A. R.Murray: The permits go to the county before DEP for preliminary site approval.

Q. What subdivisions are in the works? Specifically in wetlands and creeks.

A. R.Brown: All right, I misunderstood your question, thought you were referring to things already approved. That information is certainly available, but you would have to assemble it yourself. They are public records.

Q. It was mentioned that 5 counties are close to Plan Endorsement, can you identify them?

A. R.Murray: Somerset, Sussex, Monmouth, Cumberland, and Middlesex. Monmouth is really ready, just waiting for the outcome from Cross-Acceptance negotiation.

Q. Is Plan Endorsement the opportunity to change plan boundaries or Cross-Acceptance?

A. R.Murray: The difference between the two is one of scale. In Cross-acceptance we are focusing on mapping related to policies, sewers and such, not moving the line 2 blocks.

A. M.McManimon: Cross-Acceptance is about whether your plan matches current conditions and a 20 year horizon.

Q. Hypothetically, if there's a square mile of PA4 that may be improperly labeled and development is desired, where would that be addressed?

A. R.Murray: Discussions of specific local mapping issues should be addressed through Plan Endorsement.

Q. To get to that point, does the town have to undertake a master plan process?

A. R.Murray: Not if the master plan is up to date. Initial Plan Endorsement will hopefully incorporate the planning documents that the municipality has already prepared. We are trying to avoid minute amendments.

A. M.McManimon: The mapping changes proposed in this preliminary plan show where growth is already limited – such as wetlands and parks - not any further restrictions.

A. R.Murray: We are trying to reflect new data, make the Plan accurate.

Q. You said this puts together issues from different counties. What if one is planning industrial and another residential adjacent across the county border?

A. R.Murray: We do want to encourage inter-county discussion, even though it's not specifically required among our tasks. Traffic certainly doesn't know county boundaries. As an example, Monmouth has recently initiated a 5-county effort based on common agricultural issues.

Q. Tom Paparone, Developer: How can towns do effective planning while laws are being changed? Hope that the Office of Smart Growth could put a moratorium on new regulations. Moving targets make the measurement of impacts impossible. We agree with cluster planning, but find it tough in this environment.

A. R.Murray: Unfortunately that is not in our purview. Lots of discussions in our interagency groups focus on this, but it's a hard call. The change that has occurred in the last two years is that we no longer have individual agencies moving in different directions. Discussions on rules take place across agencies, but no one can cancel out the others.

A. M.McManimon: Many of these new rule proposals link to the State Plan. It is even more important now for municipalities to participate in the State Planning process so that when regulations are implemented, they're based on an accurate map.

Q. I don't want this to fail. Clearly you need more help.

Q. I would rather have regional and local planning work well together, and then bring things to you.

A. R.Murray: We've worked on critical Highlands issues together for two years and South Jersey is next. Specific staff members are working to encourage the southern counties to work together, discuss planning issues. Cross-Acceptance makes clear what the future will be about.

Q. Agreed, this is complicated, but 60% of the state is now in preservation or not developable. 25% is in PA1 or PA2, that's 85% in simple math. It is critical to take the right steps next; a logical and integrated approach is necessary. Hard to achieve if regulations are changing.

A. C. Romick: Do not get the impression that there is no regional planning. Gloucester County is part of the DVRPC and works with neighbors through the tri-county water management board. The Camden County Planning Director is here tonight. We're not purely parochial.

Q. R.Murray: Could the state representatives talk about what they're doing at their departments to work toward a more predictable future?

A. R.Lang: We already worked with the county to target agricultural lands, overlay maps of soil quality and sewer service to determine accuracy and new policies for growth. Further, all new policies will reflect the smart growth initiative.

A. R.Brown: We reached out widely last year on potential regulations and map changes and clearly listened, as most of the new regulations were not introduced. In coordination with the State Plan, things will be more simple and straightforward in areas designated for growth, and more difficult in other areas. Everything will relate to the State Plan. Water is important and need to be managed with growth in mind and different kinds of uses.

Hudson County Cross-Acceptance Public Meeting

June 16, 2004

State Agency and County representatives in front of audience: **Thomas DeGise, County Executive; Jeffrey Kaplowitz, CEDS Chair; William O'Dea, Freeholder; Robin Murray, Bill Harrison and Maura McManimon, OSG; Stephen Marks, Hudson County Planning Director; Jennifer Lane, DOT; Jim McDermott and Jeremy Colangelo, NJ Transit; Rick Brown, DEP.**

OSG and County Comments

County: CEDS has been designated as the group to run cross-acceptance. This is a combination of representatives from the 12 municipalities, non-profit groups, labor organizations, contractors, etc. with a total of 35 members

A notice has been sent to all community organizations officials and the questionnaire is being filled out and sent back to fulfill need for new data and distribution of information

Essentially the whole county besides Meadowlands is a PA1 with only minor changes like parks.

Main issue is the Sports and Exposition Authority and its support for the light rail extension to the Meadowlands. Bergen is not sure of its position but it supports a light and or heavy rail extension into Bergen. The two counties need to come to an understanding and set up a meeting

Must get together and talk about regional center or hub with Jersey City, Bayonne; need discussion and brainstorming session DOT conducted a study envisioning an industrial path linking the industrial area in order to ease truck traffic

In Harrison, 3 developers are at work and Metro-Stars are building a new stadium.

Welcome remarks from Tom DeGise, County Executive: Direction from Trenton, specifically OSG is welcome in Hudson County. We see a sense in not paving over something when there are areas looking to redefine themselves. Among great infrastructure investments, light rail is fulfilling the needs of Hudson and Bergen counties. New roads and bridges will be needed to unclog truck traffic, as well as ferry connections.

Soon there will be more development in the inner city and throughout the county, around the 3 rivers and each of the 12 municipalities in Hudson County. Newly created Division of Planning is working with municipalities in order to look at planning holistically

We are looking to put in brand new mixed-use development in at Peninsula property in Bayonne. Hudson County is committed to working with them in this venture

In South Kearny, Whitpenn Bridge project will include road link

Lincoln Park is beautiful and county government is huge in the development of parks. We're working towards balance with development. We want to offer assistance that makes sense.

Robin Murray delivered presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state;

and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).

- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Stephen Marks: Last fall, Hudson County created CEDS, an official group to concern itself with the cross-acceptance process.

Hudson County is one big urban landscape. The Regional Strategic Revitalization Plan sets goals for the next 20 years and designates a new area called an urban complex consisting of all the cities in the county. Designation has helped to gain priority with state offices with approximately \$6.25 million going to projects in Jersey City and Hoboken

Looking forward to continuing the State Plan and Regional Plan. CEDS is using same opportunity from cross-acceptance to further its Regional Strategic Plan

Jeffrey Kaplowitz, CEDS director: There should be a financial incentive with tax breaks for developers to look to urban areas because of the higher costs of land, infrastructure and services in urban areas.

Robin Murray, OSG: BPU has already taken a major step in that direction by introducing rules that create a significant financial incentive to build in Smart Growth areas. We are also working with the Environmental Infrastructure Trust to incorporate Smart Growth incentives into their infrastructure financing program. Current federal regulations actually limit their ability to do this.

Question & Answer Discussion

Q. Russ Hoffman, St. Peter's College: City tries to regulate parking, but does it solve the problem and how is the state looking to resolve the problem?

A. We are working with Rutgers on a study of the level of need for parking spaces associated with new development, particularly in transit villages and urban areas. It will also look at new financing mechanisms for building parking garages.

Q. What about a study for how much parking along transit village, or how to better fund parking garages?

A. NJ Transit: We have been asked by the state to create 20,000 spots for NJ Transit facilities and have been very aggressive in meeting that goal, including pursuing partnerships with the private sector to get this done.

Comment: State Plan should look at bills that have been introduced by the Legislature to further Smart Growth through Transportation Enhancement Districts and Land Value Taxation changes.

Hunterdon County Cross Acceptance Public Meeting

July 13, 2004

Agency representatives in attendance: Curtis Fisher, State Planning Commission; Bill Harrison and Maura McManimon, Office of Smart Growth; Rick Brown, DEP; Jim Lewis, DOT; Monique Purcell, Department of Agriculture; Kathy Vossough, NJ Transit; Director Marcia Karrow, Freeholder; George Melick, Freeholder Deputy Director; Frank J. Fuzo, Freeholder; George D. Muller, Freeholder; Nancy Palladino, Freeholder; Les Varga, Hunterdon County.

County representatives: Marcia Karrow, Freeholder Director; Les Varga, Hunterdon County Planning Department;

OSG and County Comments

Marcia Karrow, Freeholder Director: Citing Sec. 6.2 Article II New Jersey Constitution, zoning belongs to municipalities. In a meeting prior to this cross acceptance meeting, the Freeholders voted unanimously to get involved in zoning. This is the first time ever.

If a municipality does not want to be a PA2 anymore, the freeholders will stand by your side and fight the state with you. Nobody will tell our county and our municipalities what to do.

She expressed a great deal of concern regarding the implications of Highlands and Fast Track legislation on home rule. She stated that the two bills would increase the amount of development that will occur in Hunterdon County, outside of the Highlands Preservation Area.

Les Varga, Hunterdon County Planning: We have had meetings previously in June concerning Cross-acceptance and the Highlands. The next meeting is August 12th. Please check the county website for updates, www.co.hunterdon.nj.us/smartgrowth

Curtis Fisher: We must have proper vision in our policies so as to help with preservation and development of the State of NJ. The Governor is working hard to try to address the most important issues.

In the Highlands, we share the goal of preservation. The bill consists of the strongest environmental protections in the country and we are seeking new ways of protection. According to Sec 11-B—Regional Master Plan, nothing can occur in a municipality unless the municipality wants it.

Under the Fast Track law, only the review of state permits is expedited. Projects still must receive local approvals in order to be built.

We have these policies because they are important to assist with growth in the right places.

Maura McManimon delivered presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.

- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Question & Answer Discussion

Q. Is there a format that the SPC has established that a county can use to properly present information from municipalities in their Cross Acceptance plans? Concern is accountability.

A. B. Harrison: There is no format. The information we want from municipalities would be the population and economic development projections, information on the infrastructure in the municipality, and any changes to PA designations. Additionally, after the county submits its Cross-acceptance Report, each municipality has 45 days in which to submit its own Cross-acceptance Report if it disagrees with anything in the county report.

Q. There are currently deficiencies in the data sets distributed with the Preliminary Plan Map. There is only so much time scheduled for the cross acceptance process, and we are under pressure to get it right because we have identified inaccurate data. If municipalities as a group were to point out deficiencies would you facilitate review and is there a more instant process?

A. B. Harrison: There is not a separate process. Cross Acceptance is the best and quickest way to correct data and the map. There are two types of changes. One is changing Planning Area boundaries, which is what we are doing and asking for your help with in cross acceptance. The other changes pertain to the underlying data on the map. This type of change, like DEP not having designated an area as a critical habitat when it clearly is or vice versa, should be reported immediately to both the county and the OSG so that it may be addressed.

Q. When are we going to find out what the Highlands law restricts us from doing and what it allows us to do?

A. C. Fisher: The legislative process normally allows the departments to come up with the rules. This is true this time, however, there are certain provisions in the law that apply immediately such as the environmental standards. There are also provisions that will allow DEP to come up with its rules and this needs time.

Q. Is the bill as passed by the Senate Committee the one the Governor will sign?

A. C. Fisher: Yes

Q. Since cross acceptance is in progress, how will the Smart Growth bill apply to Planning Areas already designated? Are they frozen in time or can they only change through cross acceptance?

A. Bill Harrison: The Planning Areas on the State Plan Map can be changed through two processes – Cross-acceptance and Plan Endorsement. Through Cross-acceptance we are focusing mapping changes on those related to either data corrections or changes where the Planning Area doesn't match the reality on the ground. Through Plan Endorsement, we can get into more detailed planning and mapping discussions.

Q. My community has done a lot. Where do we stand with farmland preservation, and does my priority status for preservation funds change up or down depending upon whether we apply for TDR?

A. Monique Purcell: No you would not move up or down in priority. However, there are additional incentives in the Highlands legislation for towns that want to establish receiving areas for Highlands TDR credits. But as the program stands currently, you remain in the same shape you were prior to the bill.

Q. Is there money for the county and township for help with the planning in the Highlands?

A. C. Fisher: Absolutely, there are specific monies allocated in the bill directly for planning costs.

Q. Concern is farmland preservation funding. We shouldn't as a county pay more proportionally on our taxes for a statewide initiative. I request a solution for funding so that they aren't linked up with state goals. Additionally, my municipality is largely farming, but there are also environmentally critical areas. How do you determine the difference between a PA 4, 4B, and 5. What are the characteristics to look for when mapping?

A. Bill Harrison: The distinctions among Planning Areas 4, 4b and 5 is something that we are seeking your input on. At a basic level, Planning Area 4 is mainly agricultural; Planning Area 5 is environmentally sensitive; and Planning Area 4b is a combination of both. But there are significant issues that overlap all three, and we would like your comments.

Q. Planning Area 2 on the State Plan Map has now become very important because of the fast track bill. Are the mapping changes proposed on the Preliminary Map in effect now, or do we have to wait until cross acceptance is finished? When talking about sewer service areas, are you referring to sewers in the ground already or areas where they are planned?

A. The Planning Area changes will not go into effect until a year from now when the new State Plan is adopted. Where there are sewers, it may sometimes lead to a change to a more growth-oriented Planning Area. Also, we would like to make the sewer service areas line up with the State Plan as much as possible.

Q. C1 streams are on the map, but the buffer isn't, why?

A. The C1 streams are put on the map so that the counties and municipalities can take them into consideration when reviewing the Planning Areas, and to alert them that there will be a buffer zone around it. We could not show the buffer zones because stream widths vary, but are not mapped at that detailed a level.

Q. Has anyone prepared an economic impact statement on the effects of the Highlands legislation? If there is one, where is it?

A. C. Fisher: There have been numerous analyses, by various interested groups. In addition, the non-partisan Office of Legislative Services prepared an economic analysis of the legislation. If you would like to see it I have a card I can give you and you can contact my office.

Q. What does preservation mean when referring to the Highlands preservation core? Should we be investing our dollars?

A. Yes, if there are lands that your municipality or county want to preserve, you should still be investing local dollars in land preservation in the Highlands. Maintaining landowner equity is an important part of the Highlands preservation effort. This is one of the reasons why the legislation incorporated TDR as an essential land use tool for the region.

Q. The Fast Track Bill is bad environmentally speaking. In Fast Track, sewers can be extended by permit by rule. In making changes to the State Plan Policy Map, the question is what criteria take priority in determining a Planning Area designation? There is obvious overlap, but have we created a situation where sewers have higher priority than C1 streams?

A. The fast track bill does not change environmental standards. It specifies the time periods in which permit applications must be acted on. There is no one criteria that takes priority over other criteria. In determining whether a change to the current State Plan Policy Map should be made, all relevant criteria will be evaluated.

Q. What prevents a developer from getting all state approvals first and then going to municipalities with everything already approved? Do you know what kind of pressure this would create for the municipality?

A. Developers can certainly approach state agencies for permit approvals first. However, New Jersey is a home rule state, and land use decisions, in the end, fall upon the municipalities. No matter how many state permits a developer has, the municipality has to approve the development in order for it to proceed.

Q. Can you explain the process for developing population projections and their relationship to COAH?

A. M. McManimon. Through this round of Cross-acceptance, we are asking counties and municipalities to submit population and employment projections with the county cross-acceptance reports. For reference, in the Preliminary State Plan we have provided the projections prepared by New Jersey's Metropolitan Planning Organizations and the Department of Labor. The Council on Affordable Housing just re-proposed their rules for Round 3 affordable housing obligations. COAH has been working with the Office of Smart Growth to better integrate the State Plan and Fair Share Housing Plan program. COAH's new rules include a provision that when reviewing petitions for COAH certification, they will give a presumption of validity to the cross-accepted population and employment projects included in the updated State Plan.

Q. Do you have any information about how to deal with approvals for sewer discharge for industries?

A. B. Harrison. Small scale treatment plants aren't mapped; if you think that should change, tell us.

Q. The term "Core" continues to be thrown around in the conversation about the Highlands, but I cannot find it in the entire law, where is it?

A. C. Fisher. The Highlands Task Force had described the most environmentally sensitive area of the Highlands as the Core. However, the legislature decided to use the term "Preservation Area" in the legislation to describe the same thing.

Q. Can a municipality create more stringent rules regarding zoning in the preservation area?

A. B. Harrison. In the bill, it is provided that a municipality may create zoning in the preservation that is consistent with or more stringent than the Highlands Bill. So a municipality may change its zoning to be more stringent.

Q. Are there any other incentives to participate in plan endorsement?

A. There are state funding programs that will give priority to municipalities that have had their plans endorsed by the State Planning Commission or have elected to opt-in to the Highlands Council's regional master plan.

Mercer County Cross Acceptance Public Meeting

July 14, 2004 - Mercer County Community College Conference Center

State Agency and County representatives in front of audience: Brian Hughes, County Executive; Dave Fisher, State Planning Commission; Donna Lewis, Mercer County Planning Director; Nick Angarone, Senior Planner; Maura McManimon and Bill Harrison, OSG; Roberta Lang, Agriculture; Tom Clark and Jack Kanarek, NJ Transit; Danielle Graves, DOT.

OSG and County Comments

The County plans to combine their Master Plan revisions with the State Plan Cross-acceptance. The County held their first meeting in May and held a follow-up meeting on the Preliminary State Plan Policy Map.

Issues of concern will be how to integrate the DVRPC population and employment projections with the State Plan. The County planners are given a total number and asked to divide those numbers throughout Mercer's municipalities. In terms of employment projections, the issue is how to accurately predict Mercer county employment growth, as there are three counties that claim Princeton addresses.

B. Hughes: Warm welcome to the State agency representatives and welcomed the opportunity for greater regional planning efforts at the county level.

D. Fisher: Expressed his support for the State Planning process and welcomed the opportunity for public discussion.

M. McManimon: Presentation on the Preliminary State Plan and Map and the Cross-acceptance process. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

N. Angarone: Cross-acceptance update by the county. The County Planning Board is the negotiating entity for Mercer. To date, the efforts regarding Cross-acceptance have been a preliminary map discussion, followed by a June 29 meeting to discuss the Preliminary State Plan. Mercer County municipalities also have all received a questionnaire with several follow-up requirements, one of which is a resolution for designating the municipal representative for Cross-acceptance. To further discuss the Preliminary Plan and Map, the County will hold both regional meetings or meetings by topics, depending on the response to the map meeting and the County Informational Meetings.

Question & Answer Discussion

Q. Donna Lewis, Mercer County Planning Board: Expressed concern about the county's ability to review the population and employment projections during Cross-acceptance. The Delaware Valley Regional Planning Commission develops projections for the region, and the county historically hasn't had the ability to change them. Princeton Mayor Marvin Reed concurred and also expressed his concern with the projections, so that there is a clear set of numbers that can be used by the Central Jersey Transportation Forum.

A. Bill Harrison: The population and employment projections set out in the Preliminary Plan were released to generate conversations amongst the municipalities within each county to look at expected

growth. The State Planning Commission also intends to work with the DVRPC on these numbers through the Cross-acceptance process. The Council on Affordable Housing has indicated that it will give a presumption of validity to cross-accepted projections when submitted as part of a municipality's petition for substantive certification.

Q. Marvin Reed, Princeton Regional Planning Board: Are we to assume DVRPC's are the population and employment projections we will be using?

A. Donna Lewis: DVRPC floats the numbers and asks the Counties to meet with municipalities and react to them. No matter what numbers we use, we need to utilize (1) one agreed upon set of data.

Q. Marvin Reed: But is OSG assuming DVRPC's numbers are the numbers?

A. Bill Harrison: We included the population and employment projections developed by New Jersey's three Metropolitan Planning Organizations (including DVRPC), as well as the NJ Department of Labor, in the Preliminary Plan document that was distributed to counties, municipalities and the public as a point of information. We are asking that the counties and municipalities work through these numbers to see what makes sense. If the numbers are off, OSG will negotiate with DVRPC to ensure they are the best they can be. Once we get through the negotiation phase, those numbers will be the ones we use.

Q. Marvin Reed: Municipalities are zoning for jobs and ratables NOT residential. Is Cross-acceptance the venue to have these discussions about how to accommodate projections with what towns are planning?

A. Bill Harrison: Yes, we hope to match these up.

A. Rich Finkel, DVRPC: There is a DVRPC Board Meeting next week and Regional forecasting will a topic of discussion. Barry Seymour will be meeting with the Dept. of Labor to ensure numbers are consistent. Past practices will be improved upon.

Q. Marvin Reed: Your descriptions of Plan Endorsement and Cross-acceptance suggest that there are two chances to make mapping changes.

A. Bill Harrison: That is correct. For municipalities and counties seeking plan endorsement during the current Cross-acceptance process, OSG will be making sure that planning area boundaries that are being proposed in a petition for plan endorsement are consistent with what is being proposed as part of the Cross-acceptance process. Once the State Planning Commission has readopted the State Plan, including the State Plan Policy Map, municipalities and counties will be able to propose changes to the State Plan Policy Map through the plan endorsement process.

Q. Donna Lewis, Mercer County Planning Board: What type of map changes is the Commission accepting?

A. Bill Harrison: Changes for the map will be considered for over-arching issues, such as whether there is sewer infrastructure in the ground and the growth potential of an area.

A. Dave Fisher: Planning area changes should also consider limits on development as well

Comment, Jeff Tittel, Sierra Club: The ombudsman bill (S1368) will make the efforts for environmental preservation in growth areas nearly impossible as the bill calls for pre-qualified non-State consultants to review permits without any public input and public/municipal oversight. This affects over 60,000 acres in Mercer County alone.

Q. Arlene Kemp, Hopewell Township: How do the sewer service area boundaries reflect growth and no-growth areas?

A. Donna Lewis: Municipalities should inform the County of desired changes to the wastewater plans to reduce sewer service areas in non-growth areas that are not currently sewered so that the county can consider those areas for open space preservation.

A. Bill Harrison: The Final State Plan should reflect consistency, where appropriate, between sewer service area boundaries (existing and projected) and areas where municipalities expect growth to occur. In terms of process, municipalities should provide information on any proposed changes to the county so that these areas are included in the county Cross-acceptance Report.

Q. Dietrich Wahlers, Hopewell Township Planning Board: There are several areas in Hopewell Township where the planning areas were changed from a PA3 to a PA2 designation. Why?

A. Maura McManimon: I don't have the maps in front of me, but I would have to assume that those proposed mapping changes were related to sewer service area data that we received from DEP.

A. Chuck Latini: Yes, existing data facilitated us taking a closer look at certain areas and proposing some changes. We also looked at what exists on the ground. We did go the other way too. In-fact a large chunk of PA 2 and PA 3 moved to PA 4 and even PA 5.

Q. Mike Bolan, Banisch Associates for Hopewell: It appears that changes have been made unilaterally using inaccurate data.

A. Maura McManimon/Bill Harrison: The Preliminary Map discussion is the first part of the Cross-acceptance process. None of the changes made are set in stone, and these changes are most likely are reflected as polka dots on the map for Hopewell.

Q. Mike Bolan: The process has been flawed and preliminary data was wrong. Changes should not have been made based on that data. We submitted comments to the SPC and never received any notice that they took them into consideration or received them.

A. Bill Harrison: Everything is proposed and not final. We have catalogued all the comments that OSG received during pre-Cross-acceptance as well as the comments that were sent to DEP concerning the BIG map. We will be utilizing the information contained in those comments during the negotiation phase.

Q. Mike Bolan: During the last Cross-acceptance process, there were three phases: comparison, negotiation, and issue resolution. Why was the Issue Resolution Phase dropped?

A. Bill Harrison: We tried to streamline the process through updates to the State Planning Rules. We thought it made sense to make Issue Resolution a part of the negotiation phase. We will also utilize the web to post notes from our negotiating sessions because many counties will have similar if not the same issues.

Q. Mike Bolan: Are there additional funds for municipalities for Cross-acceptance?

A. Bill Harrison/Chuck Latini: Monies were provided to each county, except to Morris County, which declined assistance, as well as to the top-10 municipalities, based on population size.

Q. Natalie Harrington, East Windsor: For the past 30-years the State and other regional entities have made similar observations about sprawl and loss of open space. When and how will this disconnect be changed to channel growth and preservation efforts?

A. Donna Lewis, Mercer County Planning Board: As long as property tax reform is not addressed, none of this stuff will truly take hold. With every municipality chasing ratables, it is all but impossible for them to zone for anything but commercial. It's a huge problem that no one is addressing.

Comment, Jeff Tittel, Sierra Club: The discussion should be expanded to not only include sewer services areas, but also agricultural, environmentally sensitive areas, and mass transit issues.

Q. Dietrich Wahlers, Hopewell Township: The County Master Plan has not updated the information for both open space and mass transit needs.

A. Donna Lewis: Again, the County is trying to combine the Cross-acceptance process with Master Plan revisions as there is substantial overlap.

A. Dave Fisher: The State Plan and the Cross-acceptance process seek to provide a balance between the competing goals of growth and preservation areas.

A. Maura McManimon: At the state level, the transfer of development rights law now provides incentives for municipalities to cluster growth into identified growth areas while at the same time preserving land in rural areas.

A. Brian Hughes: The Princeton redevelopment is an excellent example of how to rejuvenate a central business district. In conclusion, the state planning process coupled with county and local governments efforts demonstrate the continued need for collaborative planning.

Middlesex County Cross Acceptance Public Meeting

June 15, 2004 – New Brunswick Elks Club

State Agency and County representatives in attendance: Camille Fernicola, Freeholder; George Ververides, Planning Director; William Kruse, Assistant Planning Director; Olga Sgambettera, Planning Board; Matthew Flannery, Supervising Planner; Alex Zakrewsky, Principal Planner; William Purdie, DEP; Danielle Graves, Jim Lewis and Brent Barnes, DOT; Thomas Clark and Vivian Baker, NJTransit; Adam Zellner and William Harrison, OSG.

OSG and County Comments

Freeholder Camille Fernicola opened the meeting, welcomed the forty attendees and introduced A.Zellner.

A. Zellner: Cross-acceptance is a bottom up process for redrawing the state map; a lot of progress has been made over the last nineteen months since Governor McGreevey held his Smart Growth Conference. State departments were directed by the Governor to coordinate their programs and work together to interrelate their actions in an unprecedented way so that all programs impacting smart growth pass through a policy funnel to insure there are reinforcing state actions as compared to the previous shot gun approach. Smart growth is about where and how we will grow.

He delivered a Powerpoint presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

W. Kruse: Power point presentation discussed the fact that Middlesex has already started the Cross-acceptance process with three objectives: to make sure that everyone who wants to participate, can participate; the County will continue to prepare their strategic plans; and, the State Plan supports the County Strategic Plan. He said that the process for participation includes tonight's meeting; a Cross-Acceptance Report; a negotiation process and Report through March 2005; and many stakeholder meetings. He said a critical factor is that we must have resolutions of participation from all twenty-five towns in the County (the County received twenty at this time). He said the County sent letters to all twenty-five mayors explaining the process.

Question & Answer Discussion

Q. Jim Constantine of Metuchen: How do we interface with COAH?

A. A.Zellner: The State Planning Commission is updating the MOU with COAH to make sure our processes are connected. In addition, we're working with COAH on population and employment projections. COAH has proposed a new growth-share approach to calculating municipal affordable housing obligations.

W.Harrison: COAH staff will be at the table when we are reviewing petitions for Plan Endorsement. They will be using the population and employment projections that result from Cross-acceptance and will be published in the new State Plan.

Q. Ed Spiegel of Edison Wetlands Council: First, A-3008 and S-1368 (the Smart Groth fast-track permitting bills) are scheduled for a vote but are terrible because they take decisions away from the state departments reviews and rush the process, granting mandatory approval after 30 days. I'm not opposed to smart growth, but the review process is critical and the departments need adequate time. Even things like site remediation. Second, watershed areas are not given proper consideration. Some are only partially shown on the Preliminary State Plan Map, like Arthur's Kill, Raritan River and Dismal Swamp, parts of which are listed as sewered.

A. W.Harrison: Regarding wetlands, the purpose in providing the data layers for the State Plan Map is to find out where changes are needed. For example, the parks data layer does not include all locally-preserved open space lands. We are looking for your input.

Q. Craig Marshall of South Brunswick: Are the striped yellow areas wetlands?

A. W.Harrison: Predominantly wetlands. We need your comments on these areas.

Q. Craig Marshall: Hate to see regulations established based on the map if we don't really know if they are wetlands.

A. W.Harrison: it identifies an area where we need your input to see if it's correct.

A.Zellner: Data must constantly be updated. Our concern is that non-wetlands are included and vice-versa.

Q. NJ Baykeeper representative: How were wetlands designated?

A. A.Zellner: The key question where we need assistance is: Is the data correct?

Q. Will PA1 wetlands remain PA1?

A. Yes, but they still won't be able to be filled in.

Comment. A-3008 allows filling, takes away local oversight, and puts it in developer hands.

Q. Cross-acceptance reports and negotiations are in the hands of counties, but how are disagreements handled?

A. The public and non-profits should comment directly to the county, with copies to the State Planning Commission.

Q. How will counties decide?

A. Through an open negotiating process.

Q. Ed Collins of East Brunswick: Discussed conflicts with home rule and the State Plan. Say a town wants to develop in a PA4 area, how will it be resolved?

A. A.Zellner: Planning Area 4 can accommodate some level of development. The type of development depends on the features on the ground. Basically, if it's compact, mixed-use, and preserves open space the State Planning Commission is likely to support it. But keep in mind that the State Plan is not mandatory, and ultimately the final development approvals rest with municipalities.

Q. Frank Recco of Edison Open Space Committee: Elaborate on C1's.

A. A.Zellner: DEP looks to protect key streams via a 300-foot buffer.

Q. Can we put in trails within wetlands buffers?

A. You should be able to, within limits. It depends on location, width, design, materials, etc.

Comment, W.Kruse: There are seven strategic growth areas in the county and the county wants to develop these areas consistent with smart growth principles. He asked for maximum participation and said meeting dates will be advertised in many forms.

Monmouth County Cross Acceptance Public Meeting

June 30, 2004

State agency and county representatives in attendance: Amy Handlin, Freeholder; Dave Fischer, State Planning Commission; Bonnie Goldschlag, Joe Barris, Ed Sampson and Richard Mount, Monmouth County; Robert Clark, Planning Director; Adam Zellner, OSG; Bill Purdie, DEP; Tim Brill, Agriculture; Tom Clark and Vivian Baker, NJ Transit; Jim Lewis, DOT;

OSG and County Comments

Amy Handlin welcomed those in attendance. Monmouth County is one of the planning leaders in the state thanks to our fantastic planning professionals and the volunteers who work with them. Just a few of our particularly county projects include stormwater management planning, wastewater management planning, creating cyber districts, preserving farmland, redeveloping brownfields, regional planning and planning for rail service in Western Monmouth. We have been very successful in obtaining nearly a half-million dollars in smart growth funds from the Department of Community Affairs to conduct three regional planning studies. The Western Monmouth Development Plan is completed and we're going to start working on development plans for the Bayshore and the Coastal regions

Cross-acceptance is a perfect opportunity to discuss a very wide range of planning issues and work together to come up with answers to the many questions that are posed. Cross-acceptance is an open dialogue and an exchange of ideas among all of us, states, counties, municipalities, residents and other interested groups and organizations. The Board of Freeholders has designated the Monmouth County Planning Board to coordinate this process for our county. Bonnie Goldschlag our assistant director of planning will be talking more about the role of the county later on this evening. Cross-acceptance is an excellent vehicle to bring the discussion of planning to the forefront and to encourage us all to raise the bar on our planning initiatives. We strongly, strongly urge you to work with us, to work with our county planning board and professionals during Cross-acceptance.

David Fischer: I'm pleased to be here to hear from Monmouth County citizens. I am traveling as much as I can around the state with the State Planning Commission staff to kick off Cross Acceptance as well as hear concerns and issues that each of the counties face during this next period of time. A great deal of give and take and negotiation will take place between the counties and municipalities and the state to finalize the third version of the State Plan.

Adam Zellner delivered a presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Bonnie Goldschlag: The Monmouth County Board of Chosen Freeholders designated the Planning Board to serve as the negotiating entity during this process. As the negotiating entity we are meeting individually with each of the 53 municipalities; preparing a Cross-acceptance Report; and negotiating any differences with the State Planning Commission. I encourage your participation in this as well as in our regional planning initiatives.

Our Cross-acceptance team is: Ed Sampson and Joe Barris from our long range planning section; Linda Brennan from our environmental planning section; and Richard Mound from our research special studies section; and myself

Planning board staff have put together a whole array of information to assist municipalities during Cross-acceptance:

- GIS data layers, based on a comparison of the State Plan to our county GIS and other county plans. There are some discrepancies. Our biggest concern is sewer service areas. We have completed a comprehensive wastewater management plan. We know our information is current and correct. We have discussed this information with Office of Smart Growth staff and they have agreed to use our more recent information.
- Interactive projection model that's based on municipal zoning as well as developable land. We used our model to project population and employment projections for the year 2025 for each of our municipalities and county. We will be discussing those numbers during each of our Cross-acceptance meetings.
- Series of workshops to educate our municipalities and the general public about Cross-acceptance, the State Plan, regional planning and smart growth, including our Cross-acceptance kick-off meeting; the MODC conference with DCA Commissioner Susan Bass Levin; and a transit-oriented development workshop. I thank OSG staff and the SPC for their participation in many of these meetings.
- Cross-acceptance Survival Kit. In it were copies of the preliminary plan, the Cross-acceptance manual, the Plan Endorsement guidelines as well as individualized maps of the State Plan for each municipality, population and employment projections and our planning indicator report.

We have started our meetings with municipal delegation that were appointed by resolution by the municipal governing bodies. We ask that you fill out the municipal Cross-acceptance survey and bring them to your meeting.

We are also working on the plans for the 5 regional planning areas in the county. The Western Monmouth Development Plan is complete. Next are the plans for the Bayshore Region and the Coastal Region. We are also working on a plan for the panhandle region, with the four adjacent counties. And then we will seek funding from the Office of Smart Growth for a Central Monmouth study.

Question & Answer Discussion

Q. Emilia M. Sciliano, Mayor of Shrewsbury: What about the potential for the Pentagon, through BRAC (Base Realignment and Closing), to close down Fort Monmouth with 5,000 employees and its effect on Monmouth County?

A. B.Goldschlag: Monmouth County has a model it can plug potential changes into and get some of the effects of these changes. The county will be sure to look at and stay on top of any progress.

Q. Builder from Manalapan: Given that State police powers give municipalities power over land use decisions, won't the new State Planning rules empower municipalities to further avoid their COAH obligations?

A. A.Zellner: In the past, the system might have led municipalities to be discouraged to build affordable housing because a single number was assigned based on available land and when the municipality didn't meet its number, "Builders Remedy" suits were threatened. Given our new, stronger relationship with COAH and other agencies allied in promoting Smart Growth, we will work together to provide affordable development and redevelopment that provides adequate services, access to transportation, and will encourage municipalities to 1) update their master plans to better reflect their community vision; 2) encourage them to come in for Plan Endorsement and

coordinate with state agencies, including COAH; and 3) combine technical support with funding incentives to develop in appropriate ways.

Q. The State has only built 29,000 of the 480,000 that the court said were needed over the next many years, and only one third of housing is for families with kids. The results are that we don't have enough housing and much existing affordable housing is substandard. Builders Remedy suits have resulted in only 5 court remedies and 2 COAH remedies.

A. COAH's new growth-share rule proposal will be based on actual population and employment growth, so will better reflect the needs of the community. Your builder's remedy figures don't account for how many municipalities provided housing elements in their master plans and fair share plans because of the fear of those suits. The new process will improve affordable housing provision in the State. Furthermore, Plan Endorsement will allow a municipality to plan better and more effectively for affordable housing, especially since we do provide support for the Plan Endorsement process. Additionally, in the past the State didn't focus resources, instead using a shotgun approach. Now, the State will be targeting transportation, infrastructure and technical support for projects such as affordable housing in existing centers.

Q. The State is taking what little existing land is left in New Jersey out of potential use for building (4.8 million total acres; 1.5 million preserved; 1.8 million left, with 800,000 acres for Highlands, 600,000 for C-1 protection – leaving only 400,000 acres of land). I am a father of three kids and my kids will not be able to live in State if it continues to take land out of production and only talks about density instead of actually doing and promoting it.

A. There are many examples across the state for how we can accommodate growth in a way that doesn't involve large-lot zoning. It is a question of density. Rahway, for example, is implementing a transit village, and is planning to add 1200 units over the next few years. Similar development is also occurring in Jersey City, Hoboken etc. There are also opportunities in clustered developments in more rural and suburban areas.

Q. Christine Lofone, Schoor Depalma: What is the forum to use for airing these kinds of concerns.

A. B.Goldschlag: Talk to the municipality and CC us.

Q. Woman from Manalapan: Sprawl is caused by longstanding State regulations, downzoning, and septic rules. What are you doing about these?

A. A.Zellner: We are working on an integrated approach, setting design standards, not just spot decision-making. We need to be planning together to make sure the State's policies are consistent and coordinated with each other.

Q. Environmental advocate: Your "corrected" maps show more errors than the old ones, particularly the sewer service areas.

A. A.Zellner: Previously, we couldn't even provide you with the level of data and detail that we do now, so the new process is actually an improved one. Now, we are providing the information and are asking for corrections, input and updates.

A. B.Goldschlag: The county has actually completed its Wastewater Management Plan (WMP) and the State and County will be using that sewer coverage as the base coverage for Cross-acceptance.

Q. Member of Millstone Planning Board: Our little town is a PA4 sandwiched between many forms of development, more developed planning areas and encroaching development. Can this last and what can we do about keeping our status?

A. A.Zellner: Yes, you can keep your status as long as you back up that status with actions more powerful than our Planning Area designations. These include making sure your master plan is clear on where development can and cannot occur, that there are no contradictions in your planning area classifications and on the ground realities, that zoning reflects your desires and that local road decision-making fits in with this as well.

Q. How does third round COAH rule making fit in with the State Plan?

A. A.Zellner: We are updating the MOU between COAH and the SPC so that it requires COAH to use the population and employment numbers reached through Cross-acceptance. In addition, there will be much integration, cooperation and assistance given to towns coming in for Plan Endorsement or COAH certification.

Q. Builder from Manalapan: 150,000 houses have been built in the United States by Habitat for Humanity over the past 25 years. Western Monmouth Habitat is trying to get land to build higher density housing and cannot get help.

A. D. Fischer: Available land is a big issue in New Jersey and the divergent nature of towns policy with the reality of demand is exacerbating the problem. Towns down zone, want age restricted housing or big boxes even as demand for housing goes up. State needs to make redevelopment and planning their top priorities.

A. B.Goldschlag: County receives federal funds as disburses it to support affordable housing.

A. A.Zellner: We might be able to offer some assistance, you should come to talk to us.

Q. Builder from Manalapan: Bonnie Goldschlag, you said that MODC meetings were used to fulfill your public outreach obligations, but if there are only 483 members, is that enough?

A. B.Goldschlag: We will continue to have other meetings, MODC as well as State Plan meetings. We have only met with seven towns for State Planning. We also provide additional information on our web site. Bottom line is, not many people attend these meetings, even when they are published in the paper.

Q. Of the issues brought up by the seven towns, affordable housing was not one of the top three?

A. B.Goldschlag: No, but one town did mention it. As we continue our meetings, we will update the list.

Q. Middletown man: Was one of the seven towns Middletown and if so, how do we pass on our comments?

B.Goldschlag: Yes it was. Talk to your municipality, CC us and our phones are always on and we would be happy to talk to you.

Morris County Cross Acceptance Public Meeting

June 30, 2004

State agency and county representatives in front of audience: Jack Schrier, Freeholder Director; Curtis Fisher, State Planning Commission; Walter Krich, Director, Dept. of Planning, Development & Technology; Christine Marion, Assistant Planning Director; Kevin Sitlick, Senior Planner; Helene Rubin, DOT; Wendy Molner, NJ Transit; Monique Purcell, Department of Agriculture; Rick Brown, DEP; Bill Harrison, and Maura McManimon, OSG.

OSG and County Comments

Maura McManimon delivered a presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Christine Marion: The County met with about 75% of its municipalities. The county sent out a questionnaire to municipalities regarding where their growth will take place and how much by the year 2020. The county asked the municipalities to extend their projections to 2025 to match the State's projected horizon.

Question & Answer Discussion

Q. How does cross-acceptance dovetail with the Highlands master plan?

A. The Highlands Council is charged with creating the Highlands Regional Plan. The legislation requires that the State Planning Commission (SPC) and the Highlands Council coordinate their efforts. The Highlands Plan must be submitted to the SPC for plan endorsement.

Q. What about projects that have already been approved that are in the Highlands preservation area?

A. The legislation allows for grandfathering projects that have received specified approvals. The towns should provide us with the information on what these projects are even before the Highlands Council works on the master plan.

Q. Where is the data for the population projections coming from?

A. The U.S. Census, MPOs, Dept. of Labor. We are asking the municipalities and counties to compare these numbers with theirs & let us know where the discrepancies are.

Q. Targets & Indicators?

A. We are working on them right now to make them more relevant to the goals of the State Plan. We're collecting data right now to get a better assessment of success of our implementation.

Q. Randolph citizen: What is meant that PA 3 serves as the buffer between PA 1, 2 and environmentally sensitive areas? Because Randolph is in PA 3 and most of it is covered with roads.

A. You might want to consider changing the boundaries during cross-acceptance.

Q. How does DEP tie in the priority list for funding with NJ Environmental Infrastructure Trust for smart growth projects?

A. DEP and the State Planning Commission are working to make EIT's funding and financing decisions more consistent with the State Plan priorities.

Q. Dover township engineer: They submitted information about mapping errors to the Office of Smart Growth around the time the BIG Map was being discussed. They have not received any comments from OSG but OSG has used their information in the current preliminary state plan map. Can Dover make corrections to their own map without plan endorsement?

A. Yes, they can make changes to their master plan and map without permission from the state. They should work with the county as part of the cross-acceptance process to propose changes to the State Plan Map.

Q. Will the Highlands Council act like the Pinelands Commission? (In terms of acting independently from the State Planning Commission)

A. No. The State Planning Act simply exempted the Pinelands area from its requirements. In contrast, the Highlands Act requires cooperation between the State Planning Commission and the Highlands Council and requires the Highlands Council to submit its plan for the Highlands Planning Area to the State Planning Commission for plan endorsement.

Q. What are the implications from the Highlands act for those outside of the Highlands? Do they fall under the fast track permitting legislation?

A. According to the bill, development projects in smart growth areas, including those in the Highlands Planning Area, are eligible for fast track permitting.

Q. There seems to be a different definition of smart growth areas in the Fast Track Permitting bill. Should the definition in the Preliminary State Plan be changed to match the bill?

A. No, because the bill and the State Plan each have a different end goal. The permitting bill has a narrower focus while the smart growth areas defined in the Preliminary Plan was agreed upon by multiple state agencies to cover multiple purposes.

Q. Dover & Netcong are in the Highlands. Do they qualify for fast tracking?

A. If they are in smart growth areas within the Highlands Planning Area, the fast track bill would apply. There are specific benefits to towns in the Planning Area that opt in to the Highlands Regional Plan. Also, communities that establish Transfer of Development Rights programs that accept regional Highlands credits can charge impact fees of up to \$15,000 per housing unit.

Ocean County Cross Acceptance Public Meeting

July 8, 2004 – Municipal Buildings, Toms River

State agency and county representatives in attendance: Robin Murray, Bill Harrison and Maura McManimon, OSG; Susan Weber, DOT; Tom Clark, NJ Transit; Monique Purcell, Agriculture; Liz Semple, DEP; David McKeon, Assistant Planning Director Ocean County; Anthony Agliata, Supervising Planner.

OSG and County Comments

R. Murray delivered a presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

D. McKeon: Ocean County Planning Board is the negotiating entity for the CA process. Ocean County is a growing region, though with some variability. Rates of development are leveling off and some areas are accelerating in others. Through our outreach to municipalities we have asked Mayors to designate a representative for CA. Only 3 of 33 responses received so far, but this meeting is largely a starting point. There is much more to come. We plan to meet with each municipality, with the help of our consultant from Schoor Depalma.

Question & Answer Discussion

Q. Ralph Avalone, Diamond Builders: Highlands legislation resulted from consultation with 857 people. In a state of more than 8 million, that's 1/10,000th of the population, will the CA process show the same imbalance? **A.**

R. Murray: Responses have differed by counties; meeting attendance has ranged from 15 to 80 people. The process is entirely open and input is wanted and welcome. An invitation is all we can do. **A. M. McManimon:** This meeting is the first of many rounds of dialogue that will be undertaken at many different levels of government. **A. R. Murray:** Participation is not limited to meetings.

Q. Susan Carmen, Realtor: New Jersey ranks 3rd in open space preservation, isn't it about time we know where growth will go, not where it won't? **A. B. Harrison:** That's what the State Plan is about, it identifies both growth and preservation areas.

Q. Helen Henderson, local environmental group: What percent of the state is protected? **A. B. Harrison:** In Ocean County, of non-Pinelands land, half is PA1 or PA2 and half is PA3 or higher. **Q.** Where does the CAFRA Centers situation stand? **A. L. Semple:** DEP is reviewing the CAFRA Center policy and will issue direction as the date of their expiration nears. For now, I recommend that the towns seek Plan Endorsement. **Q.** We would appreciate more coordination with the State Plan. How do wellhead protection areas show on the State Plan? **A. B. Harrison:** A number of data layers were utilized in developing the Preliminary State Plan Map. Even if a property falls within Planning Area 1 or 2, or a Designated Center, DEP protections still apply. You can also

propose new Critical Environmental Sites through CA. **Q.** We do need that designation. How are C1 waters and tributaries feeding Barnegat Bay considered? Ocean County is dependent on the Bay and its well-being depends on lots of outside influences. **A. L. Semple:** Those tributaries are often protected by Pinelands. DEP is looking at the whole picture. **Q.** Should I even bring up the fast track bill? **A. R. Murray:** I have no specifics to share with you at this time on how the bill will be implemented once it is signed.

Q. Tim Richardson, Ryan Homes: I am already familiar with the transfer of development rights sending and receiving area concept, but with regard to the whole balance of the plan, are statewide shifts, like moving growth in Ocean to Newark, considered? **A. B. Harrison:** Not Ocean to Newark. The legislation envisions TDR as a tool to accommodate growth within a municipality or a region. It is not intended as a tool to transfer all of our growth to the major cities. **A. M. Purcell:** Not just where, but how you develop is also important. Transport is relevant when considering reasonable ways to accommodate growth.

Q. Willie DeCamp, Save Barnegat Bay: Where are we in the process of Cross-acceptance? What's up for consideration? **A. B. Harrison:** Proposed changes are open for comment, we'll consider any additional changes to the State Plan or State Plan Map that are proposed during Cross-acceptance. You're at Day 1. **Q.** Where do I find what's being proposed? **A. D. McKeon:** We're at Day 1. I have not brought together proposals from the county yet. Public hearings are still to come; public comments can still come in.

Q. The tone of the whole process seems discordant with grassroots level people; this has an undemocratic feel. The fundamental question must be, how do we slow everything down? **A. B. Harrison:** People should be interested and paying attention to this process. The population and employment growth projections considered in Cross-acceptance will be used by other agencies, such as the Council on Affordable Housing. I want to be clear that nothing is inevitable; the process can be shaped. Work with your county. Register with us and we'll notify you at every step of the way. **A. R. Murray:** On a larger scale, Smart Growth dates to the 1900s; New Jersey is finally becoming interested in the discussion again. Cross-acceptance is just a small part of a planning process, which is on-going, and welcomes involvement. DOT has recently changed their attitude and is now looking at land use planning to reduce congestion instead of just building wider roads. Municipalities are changing their tone too. All of planning is changing.

Q. JP Doyle: I am impressed by the intergovernmental cooperation, including BPU's smart growth rule proposal. Berkeley Township is seeking development in the right places – in its economic base along Route 9 – and preserving the areas it needs to preserve. But the two water utilities are at capacity. Berkeley Water Company has an application to expand its capacity that has been pending at DEP for awhile. What do we need to do to improve the inter-agency coordination so that other municipalities such as Berkeley that are doing the right things don't get help up at the state level?

A. R. Murray: We are doing collaborative planning with DEP on a number of water-supply issues across the state. We understand that along the shore and in the southern counties there are similar water issues, and that we need to be proactive on that and are working with DEP.

A. L. Semple: The water allocation program and the review of applications for allocations is a very complex and technical process. We know that we need to ramp up the speed of the review process. This is a priority for Commissioner Campbell. I am happy to take a look at the status of his application.

A. B. Harrison: Some of the things we're trying to do through Cross-acceptance and Plan Endorsement is establish a set of growth projections that everybody agrees with. If a community is planning for growth, that translates into some amount of water supply. Through Plan Endorsement, state agencies, including DEP, are at the table to come to agreement with the municipalities on planning issues, including water needs. As a result, the water allocation permit process should move more quickly for a town with an endorsed plan.

A. R. Murray: Another issue that you should be aware of is the new stormwater regulations. Many people have looked at them as a burden, but they can actually be very proactive in that they make you consider how to improve groundwater recharge - which means that you are replenishing the water supply.

Q. Carl Block, Mayor of Stafford Township: CAFRA Centers have always been understood as a temporary bridge. My question is: State Plan would not prohibit local wellhead protection, right? **A. B. Harrison:** No. **Q.** If we were to suggest a C1 expansion, where would we go? Where do we go with map corrections? **A. B.**

Harrison: Propose map changes through the county. **Q.** No one has mentioned COAH, where do they fit in? **A. B. Harrison:** We are working closely with COAH. They will be responding to the comments on their proposed growth share rules very soon. A revised MOU between COAH and the State Planning Commission will be adopted to make sure our processes fit together. COAH certification and Plan Endorsement will be coordinated processes. COAH will be using the population and employment projections cross-accepted and published in the State Plan. **Comment:** My last comment is that every town should go through the Plan Endorsement process. It makes you face issues that maybe you don't want to, but it does make you do that and you're better off for that when you do. **A. R. Murray:** We appreciate that endorsement of the Plan Endorsement process.

Q. Frank Bundy, Property Owner: Watersheds used to be a frequent subject, but talk of planning from a watershed perspective has gone down. How are they handled? How is the effect on the Barnegat Bay incorporated, with reference to its regional significance? **A. D. McKeon:** Barnegat Bay is in the National Estuary Program, listed as a bay of national significance, which brings added eyes, funding and ongoing studies. Uses and impacts of downstream actions are of special significance. **Comment.** Waterfront affects everyone.

Q. Mike Geller, Land use planning for Lacey: Concerned about CAFRA Center sunseting and the space between this and eventual Plan Endorsement. We need guidance from DEP. Lots of preplanning would help enrollment in the Plan Endorsement process. **A. L. Semple:** DEP is still evaluating the situation. No one will be left hanging. Guidance will follow when we figure out the hand off. **A. R. Murray:** Adam Zellner, the Director of the Office of Smart Growth, has been working on this specifically. We are hoping to have answers and transition in place by August.

Q. Ralph Avalone, now representing NJBA, Shore Builders Association specifically: He cited the Planning Area designations and environmental restrictions across the state that result in the State Plan leaving just 400,000 acres to meet the state's future development needs, forever. Legislation and planning are promoting a no growth agenda. Plus, the administration has given municipalities the tools to avoid Mount Laurel obligations. **A. B. Harrison:** You overstate the amount of acreage on which development is restricted. The State Plan does not take away municipal home rule. But the State Planning process will make sure growth can be accommodated. Lots of currently developed land can be subject to redevelopment as well. **Q.** Builders are being vilified, we do believe in redevelopment and preservation. We see the need for housing that is affordable to our workforce. Congestion is not the fault of builders. Municipal planning is constantly behind the curve. **A. B. Harrison:** The administration is not "no-growth." Plan Endorsement is an attempt to rectify past failures at coordination on infrastructure at the state level. **A. R. Murray:** In addition, OSG is working with DEP, EDA and the Federal Government to identify brownfields across the state and create more redevelopment opportunities. We're providing support for developers. The pilot remediation program with EDA to take away time constraint is just one example. Lots of new units are being built, well ahead of trend. Outside developers are interested in doing business in New Jersey because they see the State Plan as pro-growth. **Q.** Putting the responsibility on developers to pay for infrastructure raises the cost of housing. The middle class is having a tough time affording homes. Downzoning exacerbates the issue. **A. R. Murray:** The Transfer of Development Rights, as an alternative to downzoning, and funding incentives are being added as tools. **Q.** You will have to sell a whole new way of life to people. Don't make the same mistakes by not planning ahead as happened 30 years in the past.

Q. Luke Derenzo, director of Development for Lacey: We attempted involvement with smart growth years ago, but determined that town centers were not a good fit. Time delay is inherent in interagency process; we hope that Plan Endorsement ends delays. **A. B. Harrison:** We're ready. Come in for a pre-petition meeting. There are time periods establishing how soon we must act, as protections and entitlements for you, once your plan is endorsed. **A. S. Weber:** We're working hard on the Route 9 study and seeing progress. **Q.** Consultants and DOT have been great on this so far; let's not drop the ball.

Passaic County Cross Acceptance Public Meeting

July 7, 2004 - William Paterson University

State agency and county representatives in attendance: Lauren VandeVaerst, Planning Board Chairwoman; Neil Muller, Director of Planning; Tineen Howard, Laura Torchio, and Tracy Yu, Passaic County; Adam Zellner, Bill Harrison, and Maura McManimon, OSG; Helene Rubin, DOT; Rich Roberts, NJ Transit; Liz Semple, DEP.

OSG and County Comments

Neil Muller: The Passaic Strategic Revitalization Plan reviews three key themes. Streetscapes, gateways into Paterson. Visioning for regional planning efforts and plan endorsement. Transportation coordination such as connections to regional railroads.

In the Highlands planning area we need to be proactive with zoning and a transfer of development rights.

Issue of concern will be designations of PA5.

County specific issues: Main state highways by-pass the county. The county requests that attention be made to non-state highways, which are highly congested. In the Blue Ribbon Transportation report the state highway needs were articulated. There has been no new job growth in the county in the past 30 years, actually there has been a 10,000 net loss. However, in Bergen and Morris there has been over a quarter million new jobs. Population and employment projections (NJTPA) are suburban focused—models need to include urban area needs. For example, in Paterson there has never been a population plunge as witnessed in other urban areas

A. Zellner, OSG: Presentation of the Preliminary State Plan and Map & The Cross-acceptance Process. The reason why the State is here today is to discuss the process of cross-acceptance and why participation is key to the success of State Plan implementation.

The State Plan and the State Plan Map have in the past administrations been largely ignored. However, in the past two years with passage of Executive Order #4, State agency coordination has begun to take effect and target infrastructure needs.

Other main points about the Cross-acceptance process include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Neil Muller: Cross-acceptance is putting the string around the ball—meaning cross-acceptance provides a county picture and the county is a conduit of information

Lauren VandeVaarst, Passaic County Planning Board: We have created a new set of interactive maps that are now accessible on the web at www.passaiccountynj.org. The web site includes the Cross-Acceptance Manual and Map description, including data layers for: the Preliminary Policy Map of the New Jersey State Development and Redevelopment Plan; the Groundwater Recharge Areas; the Landscape Project Endangered Species Habitat; the Dedicated Open Space; the Natural Heritage Program Priority Sites; the Sewer Service Status and the Wetlands and Critical Sub Watersheds.

Question & Answer Discussion

Q. In Wanaque the proposed Highlands legislation separates the township into a core and a planning area with a main road (Ringwood Avenue). What does this mean for Wanaque in regards to cross-acceptance requirements and Highland Council requirements?

A. B.Harrison: During the cross-acceptance process the Office of Smart Growth will provide information to the Highlands Council that will aid in the development of the Highlands Master Plan. At this point in time, municipal participation in cross-acceptance is critical, particularly for land within the Highlands Planning Area. The State Planning process will inform the decisions of the Highlands Council. Also, by participating in Cross-acceptance now, you are significantly on the way to Plan Endorsement. Center designation will now occur during Plan Endorsement as well.

Q. Kathy: What is the proposed Highlands Council's relationship to COAH and the obligations of Rounds I & II and now Round III?

A. B.Harrison: The population and employments projections that will be included in the new State Plan, with full input from counties and municipalities during cross-acceptance, will be used by COAH to determine growth share obligations for Round III. With regard to outstanding obligations from Round I & Round II, these obligations will not change in the core area. Regarding the possibility of switching COAH numbers from undeveloped sites to existing sites, this is a question for COAH. Also bear in mind that the Highlands legislation provided for certain grandfather provisions; one of them deals with COAH projects that meet specified criteria.

Q. Wendy Berger, Builders Association: How do center designations, such as West Milford's, maintain development if the township boundaries are now the in the Highlands core area?

A. B.Harrison: This is one of the questions that the Highlands Council will have to grapple with. At present, there are no designated centers in West Milford. **A. L.Semple:** The DEP rules, when the legislation is signed by the Governor, will also provide guidance on exemptions and appropriate infill projects for the core. There will be procedural and substantive requirements that will require varying levels of involvement by the municipality. DEP also encourages pre-application meetings that are useful for connecting municipal and developers with State permitting issues. The DEP is also considering in their rules several legal tests to prevent litigation in the Highlands.

Q. County Planning Board: What information is needed for the stormwater regulations?

A. L.Semple: Sending information on modified projects is key as the DEP may approve a project and then the project is modified changing the streetscapes and impervious cover. DEP requests that projects be resent to the DEP with existing permit, so that the DEP can revise the permit.

Salem County Cross Acceptance Public Meeting

July 15, 2004

State agency and county representatives in attendance: Lee Ware, Freeholder Deputy Director; Beth Timberman, Freeholder; Ron Rukenstein, County Planning Director; Marge Della Vecchia, State Planning Commission; Robin Murray, Bill Harrison, and Maura McManimon, OSG; Susan Weber, DOT; Tim Brill, Agriculture; Bill Purdie, DEP.

OSG and County Comments:

Lee Ware, Freeholder Deputy Director: Smart growth is essential to the County and State Plans. Salem has focused on preservation for the past 10 years, however we have neglected town centers, and this has led to a diminishing tax base and declining population in that area. Salem County needs to grow where it makes sense; we must grow in growth area and preserve in preservation areas.

Robin Murray delivered a presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

Ron Rukenstein, County Planning Consultant: **Freeholder Board has been tremendously supportive of the work with the county plan. We have many images of smart growth development in Salem County. Up until now, the county, municipal and State Plans have been consistent with each other. Now, to put those plans into effect, we must utilize a balance, a give and take situation between the state agencies, the county and local municipalities.**

Salem County is the anomaly in New Jersey because the land is only 10% developed for residential or commercial use. Land use reflects the traditional way the county has been developed, with a majority of the development coming in the western corridor. Half of the total population of the county is condensed into 10% of the total land area, between Salem City, Woodstown, and Elmer, local regional centers. The trend in development is to occur in the northern border area along Gloucester County, in areas such as Pittsgrove and Upper Pittsgrove. The overall impact on the county has been an increase in developed land from 8.5% to 10% from 1986-1995. Salem was the only county to lose population, while neighboring Gloucester County experienced significant increase. Salem County is relatively underdeveloped and unpopulated. We are dealing with many communities losing area and population, but rural areas are experiencing an increase in population, so it is balancing out. We have lost green space while population has grown along the northern border. Population and household income loss is concentrated along the western corridor

The county has developed a smart growth plan for the western corridor where there are large areas of existing infrastructure that correspond with the State Plan Planning Areas 1, 2, and 3. The Smart Growth plan for the

county was adopted in Jan '04 and this was the first comprehensive county plan since 1970. The growth corridor has significant environmental constraints. Redevelopment allows for local input and control

We are looking to working with the Regional Planning Partnership to create open space by undertaking an environmental inventory and exploring a possible Transfer of Development Rights program.

Question & Answer Discussion

Q. When mapping Category 1 (C1) rivers and streams, will the state designated list be used for the map or will it include those requested by municipalities?

A. We are using state designated C1's. The list continues to be updated as more are designated.

Q. What state participation do you anticipate in PA's 4B and 5?

A. The state currently participates by donating Green Acres funding, farmland preservation funds through the State Agricultural Development Committee. The focus is on the preservation of PA's 4, 4B, and 5. The monies are equally distributed throughout the state. In addition, one of the things we plan on doing through the Plan Endorsement process is to have communities identify needs for road improvement as well as other infrastructure improvements, so that we can help you coordinate with the state agencies on the resources you need.

Q. What kind of strength do the documents like deeds, and the smart growth plan or even plan endorsement have?

A. The State Plan is a voluntary document. If a town comes in for Plan Endorsement, it may change its local zoning in order to make its master plan consistent with the State Plan. Ultimately, zoning decisions are made by municipalities. There isn't anything the state can do to make a town change its zoning

Q. Elmer is designated as a town center, surrounded by Pittsgrove, and it is about 1 mile square. What is going to happen with its development? Will it expand into Pittsgrove?

A. That is up to the adjoining municipalities. Again, development approvals are up to municipalities. Boundaries on the State Plan Map alone can not contain development. What we can do is use state resources to support growth within designated centers and other growth areas. We also encourage towns in situations like Pittsgrove and Elmer to plan together for growth that works best for them both.

Q. With regards to C1 waterways, is there any way to expedite the process or is all you can do nominate a waterway to become one?

A. You can begin by nominating. The DEP has a list of targeted streams and waterways they are researching. If there is overlap between the public nominated waterways and the DEP list, the process is quicker.

Q. It is a year before the County and State Plan are fully endorsed and finalized. Do they use information that is proposed or the current map?

A. If a town or county comes to the State Planning Commission for Plan Endorsement, we will use the most up-to-date data we have available. County or municipal Cross-acceptance reports should be consistent with Plan Endorsement petitions filed during the process. But the Preliminary Plan and Map won't be considered official until they are adopted at the end of Cross-acceptance.

Q. We are trying to revitalize the town center in Woodstown. What will happen to us now because of the concentrated effort on development only in the western corridor?

A. The Smart Growth plan is focused on the western corridor because it is the most urgent. We are trying to stabilize that area. However because of Woodstown's designation, they still receive funding and benefits of a growth area. We have not forgotten about you.

Q. PA3 is designated as a no development area, will it take overflow from the development in PA1 and 2's?

A. PA3 is a transition area between the preservation area and the area of growth. One thing that we would encourage you to do during this Cross-acceptance process, or during Plan Endorsement, is to determine if your planning area designations are appropriate in order to help with the plan.

Q. I didn't see Agriculture soils designated on the map. I think it should be visited at least. Why is it not designated?

A. Ag is in agreement with you on this issue. We are working with DEP to fine tune the data. We are also working with a soil testing company that uses the best information and technology to create and list this Ag base.

Q. I am concerned about the environmental resources in Oldman's Twp.

A. We understand that the areas targeted for development are environmentally sensitive, but the development should be done in a manner that acknowledges and complies with the constraints.

Q. My concern is that in this state, we plan to be built out by 50 years and another 1 million people, but we cannot accommodate that growth only in PA1 and 2's. Is there going to be flexibility in the borders of the PA's 1 & 2?

A. One thing we will do is to make sure that the population projections can be accommodated. There can still be development in PA 3,4,5, but it will be on a much smaller scale than in the growth areas.

Q. I am a farmer in Salem County. I am finding it harder and harder to make a living on the farm. Twenty-five years ago, my father could get \$10 for a bushel of peppers; today I can only get \$6. There aren't enough incentives for people to be able to buy locally-grown produce in grocery stores. If I can't afford to farm my land, my best option is going to be to sell it off for development. What is the state doing to help the farmers?

A. We do understand how difficult it is for the farmers in New Jersey. The Department of Agriculture just recently completed a comprehensive Smart Growth Plan for preserving farmland, promoting the agriculture industry, and helping farmers get the value of their land. In some cases, it may involve converting your farm to a new kind of product that will bring you a better economic return. Please feel free to reach out to me and my colleagues at the Department of Agriculture for more information.

Somerset County Cross Acceptance Public Meeting

June 14, 2004 - County Freeholder Meeting Room, Somerville

State agency and county representatives in attendance: Timothy Touhey, Dave Fisher and Curtis Fisher, State Planning Commission; Bernard Novato, Somerset County Planning Board; Robert Bzik, Somerset County Planning Director; Laurette Kratina, and Anthony Suriano, Somerset County; Kenneth Schere, Freeholder; Adam Zellner, Bill Harrison and Maura McManimon, OSG; Liz Semple, DEP; Monique Purcell, Agriculture; Linda DiGiovanni, NJ Transit; Brent Barnes, Jim Lewis and Jennifer Lane, DOT.

OSG and County Comments

T. Touhey: Welcomed the attendees and complimented Somerset County Planning Director Bob Bzik for his outstanding planning work and said that Somerset County is an example to us all in advancing smart growth principles.

B. Novato: There have been many changes in Somerset County since the previous cross-acceptance process three years ago. Somerset County remains one of the most desirable places to live in the nation but its economic growth is not equally distributed. There's been an increase in self-employment and part time jobs without affordable housing. There's been growth in rural areas and traffic congestion and more land consumed. He said he would judge the State Plan update process on whether it can provide answers to about a dozen questions including whether the Plan can:

- Provide adequate sustainable economic development while preserving the environment,
- Provide incentives to redirect growth
- Provide incentives to build affordable housing
- Target transportation investments to appropriate growth areas
- Facilitate intermodal transportation
- Take into account local knowledge
- Facilitate integration of land use and storm water management

M. McManimon delivered a presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

R. Bzik: Recounted the steps that Somerset County has taken to get ready for the cross acceptance process including sending a survey to the local officials in every Somerset municipality to determine their planning-related issues/suggestions and convening three meetings to be scheduled the third week in July with groups of municipalities to discuss cross acceptance. He said he would provide each town with ten maps with separate data sets including zoning comparisons, land use comparisons with DEP data, agricultural comparisons with farm grants and land use comparisons with areas that are sewered.

T. Touhey: We are faced with decisions about where people will live in the future. He said as a parent he recognizes that this is a critical time for the future of our State. He also said he was impressed by the turn out but not surprised because Somerset County is very focused on smart growth.

Question & Answer Discussion

Q. Franklin Farmer: Who will compensate me for my farm if my land is within a Planning Area 5?

A. A.Zellner: The State Plan is not a zoning document; the State Plan's planning area designations alone do not make land off-limits to development. Nor should they devalue land. Part of the purpose of the designation is to keep you farming, as well as to encourage compact development vs. sprawl.

Q. Somerville resident: One concern is redevelopment because it has historically occurred in minority areas and the resultant housing and retail is out of their range. Will the State Plan look at including these people and take care of them? We need affordable housing. Minorities feel they have been excluded.

A. A.Zellner: You are right when it comes to spot redevelopment with the private sector initiating the process. The cross acceptance process and the plan endorsement process will be open and bottoms up. The Plan looks to achieve a balance, that is, sustainability - not development that makes people have to drive longer to get to work, school, or shops. Affordable housing must be integrated into master plans, not stuck out in unbuildable, isolated areas. Must work with COAH and DCA and other departments to make it work. **A. T.Touhey:** I affirm your interpretation. African-Americans have historically had low home ownership. Affordability and density are the challenge. The State Planning Commission cannot create a fair housing law but we can work with state departments to advance better housing programs. It's clear also that we do not have enough rental units. **A. R.Bizik:** Affordable housing is a priority. Comments received from towns seek tools to provide more housing for all income groups.

Q. Rocky Hill Planning Board Chair: Need three things to help the process: need a lot of visioning to help people understand what smart growth is because people don't understand it, people must see what we mean by suburban redevelopment and more should be done to advance the Transfer of Development Rights (TDR).

A. A.Zellner: It's tough to get the message out in New Jersey which is only part of the New York media market but we continue to go out to many towns with different mayors and developers: Carlos Rodrigues of our staff runs a very successful Mayors' Institute. Many towns do understand that suburban redevelopment is the way to go. DOT has focused on corridors and we are focused on greyfields. We will be announcing TDR demonstration projects. Also there's a TDR training session we are co-sponsoring with the League of Municipalities on June 22 at the PNC Arts Center.

Q. Somerville resident: I like the urban/suburban center concentrations but the storm water regulations must allow for concentration and flexibility. For example, we can't put a bike path behind a housing project because it's 50 feet from a stream. Also, the extension of Rte. 206 to the south encourages downward development. Sewer systems are already at capacity, but we'll have to extend sewers if we want more housing.

A. A.Zellner: We recognize that downtowns are very complex. We need to stop the shotgun approach and coordinate on the state level. We are retooling and refining what the state is doing. We are reorganizing the internal "game". We will be doing better. **A. T.Touhey:** The speaker's point is critical. We can't look at one thing and apply something else to this issue. **A. L. Semple:** Different areas of the state require different regulations and must be treated differently. We must be patient; it's not easily changed.

Q. Questioner: How does DOT's plan dovetail with the State Plan, especially when dealing with truck traffic?

A. B. Barnes: DOT's long range plan aligns very well with the State Plan, including programs for bikes, roads, transit and freight. Freight is very complex. First, a lot of trucks delivering local goods are here to stay. Second, DOT is preparing a State Freight Master Plan and an important part is the Portway project which will improve freight transportation including exiting the state more directly. **R.Bzik** recognized Freeholder Peter Palmer who is Chair of the NJTPA and Chair of the Freight Committee of the North Jersey Transportation Planning Authority. **Freeholder P.Palmer** said it's important to note that whatever is undertaken to change roads will be done within the existing road right-of-way.

Q. Watchung resident: What is the process for conflict resolution during Cross-acceptance?

A. R. Bzik: Somerset County is setting up three meetings in July with adjoining towns as a first step to address local issues.

Q. Montgomery Mayor: There's a number of streams recommended as C-1. Does DEP have more streams in mind?

A. L. Semple: DEP does have proposals for more C-1 streams; it's an on-going process. I suggest that you do the best you can to protect the streams locally now. **R. Bzik** said we need inter-municipal dialogue on stream protection strategies. **A. Zellner** said these areas should be identified as part of the Critical Environmental Sites assessment.

Q. North Plainfield resident: Some streams are bounded by counties, so what's the process?

A. R. Bzik: We will identify critical issues and forward to SPC and ask them to facilitate inter-county meetings.

A. Zellner: We have given out about \$5 million in smart growth grants, impacting 300 municipalities, for the purpose of promoting more regional planning and coordination.

Q. Questioner: Do maps give more details on boundaries?

A. R. Bzik: Yes.

Q. PSE&G representative: I commend DEP on storm water regulations. But many PSE&G facilities are located near wetlands, and we are hamstrung with regulations. What can be done?

A. A. Zellner: We understand that it's a unique issue. It's a delicate balance because we don't want to give industry a green light to develop in wetlands. **L. Semple:** Will take the comment back to DEP

Sussex County Cross Acceptance Public Meeting

June 22, 2004 - Branchville

State agency and county representatives in attendance: **John Eskilson, and Curtis Fisher, State Planning Commission; Eric Schneider, Sussex Planning Director; Bill Harrison and Maura McManimon, OSG Helen Rubin, DOT; Rick Brown, DEP; Monique Purcell, Agriculture; Wendy Molner, NJ Transit.**

OSG and County Comments

M. McManimon delivered a presentation on the Cross-acceptance process and proposed changes to the State Plan and Map. Main points include:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

E. Schneider: We are putting together the county growth plan. Responses from the municipal survey are important. We will schedule meetings with towns in the autumn. Local Cross-acceptance meetings are also important. The county will submit its report to the Office of Smart Growth in January '05. We want growth, but we want it where it's appropriate, and not all towns want growth. We're part of a region that extends into Pennsylvania, so we also need to be thinking in that kind of regional context.

Question & Answer Discussion

Q. Ed Sabo: Environmental Commission member: Would like all of Paulins Kill River streams to be C-1

A. R. Brown: C-1 streams must be based on detailed analysis and it takes time.

Q. Confused about who we deal with, county or state.

A. J. Eskilson: The county's strategic growth planning process is part of the state planning process so they mesh well. **A. E. Schneider:** Yes, we started with visioning meetings. There is an overlap between Cross-acceptance and the county's strategic planning process because Sussex got a running start.

Q. Mayor Hudson: Need data layers for the State Plan Map by town.

A. R. Brown: Will do.

Q. Mayor Hudson: With Highlands mapping, does county's smart growth management plan need to change?

A. E. Schneider: We'll see how the Highlands planning process plays out.

A. J. Eskilson: I don't see anything inconsistent between the goal of the Highlands and our county plan. **A.**

C. Fisher: The Highlands legislation requires that the Highlands Council submit plans for the Highlands Planning Area to the State Planning Commission for endorsement.

Q. First, thank you to all staff. I heard talk about pushing growth to lake towns. True? And please consider lake pollution.

A. J. Eskilson: Not true.

Comment, Paul Sutton, Frankford: Concerned about loss of pure water going into Paulins Kill.

Q. If we have growth designated in centers, will the state assist in infrastructure money and grants?

A. B.Harrison: There are low interest loans from the Environmental Infrastructure Trust prioritized to growth areas. There are DOT funds. One advantage of Plan Endorsement is that the state will work with you to see what resources are available for you. In addition, the Highlands Bill allows municipalities to charge developers impact fees if they are willing to accept transferred development rights from the Highlands region. **A. C.Fisher:** \$15,000/unit impact fee allowed.

Q. What is the makeup and purpose of local Cross-acceptance committees?

A. E. Schneider: No specified membership; citizens at large.

Comment, M. Purcell: The Department of Agriculture's Strategic Targeting Project is based on soil type and whether it's in or out of a sewer service area. There are twenty-three Ag Smart Growth policies and Ag-Business was added (i.e. Ag nodes). We want to keep farmer on the land.

Q. Doug Martin of Sparta: What impact can we have on bringing in public transportation?

A. H. Rubin: We are hoping to create nodes of development. **A. E. Schneider:** The issue is focusing development so that public transit becomes more reasonable. Bigger roads don't work. **A. W. Molner:** There's an Environmental Assessment in process for Lackawanna Cutoff train service, and there's a bus service extension to Sussex that is doing well

Q. If we have no major road improvements, how do we handle through traffic?

A. J. Eskilson: The Rte. 206 widening in Byram is advancing. **A. C.Fisher:** Truck traffic is a major issue and Port improvements will be placing more freight on rails rather than on eighteen wheelers.

Q. Rte. 23's four lanes stop in Stanhope. What will be done?

A. J. Eskilson: A center turn lane is in the works. **A. H.Rubin:** DOT will be making safety improvements.

Q. Stanhope resident: What about the county connector road?

A. E.Schneider: It's in the second phase of scoping and it's very active.

Q. After the Highlands Council does its regional plan, would the Highlands legislation authorize a non-Highlands town in Sussex County to charge the \$15,000 per unit impact fee if it did a Transfer of Development Rights (TDR) program only within the town?

A. B.Harrison: No, but you would get the benefits of plan endorsement, such as Green Acres money; Farmlands Preservation funds; planning grants for TDR. We also hope to work with the legislature to make impact fees available across the state.

Towns within the Highlands Planning Area, and towns outside the Highlands region but within Highlands counties, are eligible for the legislation's benefits if they establish TDR programs that include transferred credits from the Highlands region. Those benefits include impact fees on residential development; \$250,000 planning grants; and they are accorded a priority status within the Highlands for State capital and infrastructure programs.

Q. What's the timeline for the county's Cross-acceptance process?

A. J. Eskilson: It's on the web site.

Q. Concerned about being asked to look at two documents – the updated State Plan and the new county plan.

A. E.Schneider: The Smart Growth Management Plan for Sussex County reflects what was raised during the visioning process. Cross-acceptance should result in the same conclusions.

Q. No one mentioned the impact of technology and incentives to business to take cars off road.

A. H. Rubin: We tried to study this about ten years ago with Transit Demand Management program legislation but it was repealed because businesses said it did not contribute to the bottom line.

Q. Bob Dowell, Frankford: He expressed concern that the Highlands Bill will put pressure on master plans to accept development.

A. E.Schneider: Yes, there will likely be a spillover impact, but you'll have to deal with it. **A. C.Fisher:** Nothing in the Highlands bill mandates growth. Instead it provides incentives to accept growth and relieve pressure on natural resource lands. You must start planning early on what your local vision is. Money will be available to assist planning in the Highlands preservation and planning areas.

Union County Cross Acceptance Public Meeting

June 21, 2004 - Kean University, Union Township

State agency and county representatives in attendance: Mary K. Murphy, Union County Planning Director; Adam Zellner, and Bill Harrison, OSG; Kamal Saleh, Transportation and Land Use Planning; Gary Weltchek, Supervising Planner; Liza Betz, Transportation Planner; Rick Brown, DEP; Linda DiGiovanni, NJ Transit; Brent Barnes, DOT; Dr. Dawood Farahi, Kean University President; and Freeholder Mingo.

OSG and County Comments

K. Saleh: We are putting together municipal zoning plans and contacting towns to discuss planning issues, because not many know about Cross-acceptance. Seven of the eleven municipalities provided information on cross-acceptance. We are preparing a resolution for the county to accept a cross-acceptance grant. We are working on the scope of work for that grant and will hire a consultant who will analyze local plans. The county is making the initial contact with towns, and then we will set up four regional meetings in September for groups of towns to discuss issues. The towns are grouped geographically. We will draft a report for review by the towns and seek public comment.

A.Zellner: The Office of Smart Growth can help address inter-county issues through Cross-acceptance. We will create a site on the OSG web site to post statewide issues. For the State Plan Map, it's important to know where in Union there are or are not sewers. If there are legitimate Planning Area 5's we will look at it but we don't want spot, micro locations of them. Through the Cross-acceptance process, we want to deal with factual things, data on the ground that will indicate the need for a Planning Area change. The focus is on the horizon year of 2025, not just what exists on the ground today. We want to know where you want to develop first so please tell us your main issues: 1) so that the state knows where to place infrastructure for redevelopment—Cranford, Elizabeth, Rahway and other towns are talking about sewer capacity expansion; 2) so we could help deal with structured parking issues; and 3) so that we can address Port development along the waterfront versus residential development and issues such as noise, fumes, aesthetics etc.. You have an opportunity to react to state policies that you may disagree with and you have an opportunity to seek Plan Endorsement. Now, there are serious implications to the State Plan: you won't get priority for open space funds or you can't adopt a transfer of development rights program without Plan Endorsement. Another town will get priority funding if that town receives Plan Endorsement. You must make sure the data is accurate (i.e. parks, sewers etc.); identify where are the major hubs that OSG should focus on; and review policies impacting parking and transit and state highways (how is Exit 13 and 13A and Rte 22 going to develop?).

Other major points regarding the Cross-acceptance process:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

K. Saleh: The County is the negotiating entity for Cross-acceptance. Towns need to designate Cross-acceptance committees. Regional meetings will be held in September and the county's report will be completed in November.

Question & Answer Discussion

Q. City of Plainfield Planner: What grants are available? We can't get the job done without it.

A. A.Zellner: Talk to OSG's Area Planner Curt Lavalla after the meeting.

Freeholder Mingo comment: People don't fully understand what smart growth is. Everything the state is doing relates to smart growth, so you should see how you embrace it and can benefit from it. If you can do so it will open a lot of doors—whether open space, redevelopment or brownfields. **A.Zellner:** I agree. If you don't participate some other town will do so and this time there are real benefits. If you don't participate you will get spot development, which may not be consistent with your vision.

Q. Should folks go through the county for comments on the State Plan and Map?

A. A.Zellner: Yes. The county should be your first stop. But municipalities have the right to submit their own cross-acceptance report if they don't agree with the county report.

Freeholder Mingo comment: Developers will build what you want them to build if they know what it is. You should have the plan ready because at some point things will change. If you want state support, must be in bounds of the plan.

Q. Can Cross-acceptance or Plan Endorsement be a tool to realize an interconnected parks plan?

A. A.Zellner: Yes, and a great opportunity to line up the funds to support it.

Comment, Union resident, member of environmental coalitions, including the Arthur Kill Coalition:

Development is not a bad thing if done properly. Must look at environmental resources. Rahway River coordination is critical, especially around major storms like Floyd. We need to stop building close to waterways. Most towns have environmental commissions. We must keep some green areas within urban areas. One person can make a difference - like a woman in the Bronx who single-handedly started to clean up a small lot and eventually got the community to pitch in to plant trees. There are no more drug addicts there. It is also important to look at Critical Environmental Sites, which are often wildlife habitats.

Comment, Joe Higgins, Fanwood Planning Board: I want to thank Adam and Curt for the \$50,000 grant to Fanwood. We have a 6 ½ acre property in Fanwood and hired a consultant to take another look at it for development. Fanwood will be actively participating in the cross-acceptance process.

Warren County Cross Acceptance Public Meeting

June 17, 2004

State agency and county representatives in attendance: **John Eskilson and Curtis Fisher, State Planning Commission; Rich Gardner, Freeholder Director; John DiMaio and Everett Chamberlain, Freeholders; Maura McManimon and Bill Harrison, OSG; Tim Brill, Department of Agriculture; Jim Lewis, DOT; Bill Purdie, DEP; Wendy Molner and Kathy Vossough, NJ Transit; David Dech, Planner for Warren County; Richard Miller, Bernie Rooney, Greg Sipple and Albert Krouse, Warren County.**

OSG and County Comments

Rich Gardner, Warren County Freeholder Director, opens the meeting and welcomes everyone. Glad to see a wide variety of municipal officials present. A number of people from the state office of the Planning Commission have spoken with us before. Now, they will offer some insight on the Cross-acceptance process and how that will dovetail with the county and our municipal officials

M. McManimon delivered a presentation on the Cross-acceptance process. Main points included:

- The purpose of Cross-acceptance is to maximize consistency among municipal, county, regional and state agency plans and the State Plan, and to maximize public participation in updating the State Plan.
- Changes to the State Plan policy document focus on implementing the State Plan, through Plan Endorsement and coordinated State agency investments. The changes also focus on current policy initiatives including community school programs; the movement of goods through and within the state; and the public benefits of smart growth community design. We have also proposed definitions of Smart Growth and Smart Growth Area (Planning Areas 1 and 2 and Designated Centers).
- Changes to the State Plan Map include the incorporation of new data layers for public parks, wetlands, Category 1 streams and sewer service areas.
- The role of counties in Cross-acceptance is to serve as negotiating entities, to meet with municipalities and the public on the proposed changes to the State Plan, and to prepare a Cross-acceptance Report that reflects public input. The Cross-acceptance reports should include county and municipal projections for population and employment growth, as well as any available data on local infrastructure needs.
- The end goal of Cross-acceptance is to create a strong linkage between state investments and local planning.

John Eskilson: I am eager to find out what everyone thinks and helping to bring the process forward. Hopefully this will be a productive process and collaborative, representing the public and county and municipal governments so that we can continue moving through and create stronger communities. Thank you all for coming out and hopefully we'll have a good dialogue tonight.

David Dech reviewed the county's plans for participating in Cross-acceptance.

This year, we will try to keep Cross-acceptance as simple and brief as we can. Most of you have received a questionnaire that we want you to look at; compare with the State Development Plan based on the questionnaire. We will rely mostly on your responses, you know your plans intimately. The full county Cross-acceptance will be organized by municipality, as was done the first two times. We are also conducting a county Cross-acceptance that will be based on our review of our county plan and the county strategic growth plan, that is almost completed. We will ascertain what the major issues are and develop the negotiation agenda for the next round.

Some of the key issues include: look at key goals of the State Plan and how they apply in your community; how successful do you think the state agencies have been in implementing the State Plan; compare the State Plan Map with your local maps; identify your infrastructure needs, such as sewer and stormwater facilities; consider how you are impacted by the Highlands legislation; if you have a designated center, how have you implemented your planning and implementation agenda; do you have plans for redevelopment.

For the time-table, today is our county information meeting. You all have one week to feel out the questionnaire and get it back to us. Once we have your questionnaire, we will draft a Cross-acceptance report and send it to you by July 15. By August 13, we plan to have incorporated your comments so that a final version can be transmitted to the governing body for approval. Everything should be assembled into one report for the October 25 county planning board meeting. At that meeting we'll discuss the report again and take comments from the public. Once

this is approved for release, it will be sent out to the municipalities and a meeting with the board of freeholders will be scheduled. We're looking at the November 23 meeting for the official public hearing of the Cross-acceptance report. Once that's adopted, the report is sent down to the state and from December through February there will be negotiations based on the agenda that's developed.

Question & Answer Discussion

Q. What happens if the June 25 deadline imposed on the municipalities by the county to submit local Cross-acceptance reports is not met?

A. The county is making every effort to meet the state's deadline and is asking the municipalities to try their best to get the information to the county. If you want to have one-on-one meetings, we'll work with you on that. We will try to have regional meetings and try to group a series of municipalities together if

Comment: Municipalities are concerned that the county hasn't provided them with the figures they need to complete their work.

Q. To what extent will the towns within the Highlands Planning Area be developed?

A. Participation in the Highlands regional master plan, which will be developed once the Highlands Council is appointed, is purely optional. If a town opts in to this, it will be entitled to receive legal assistance from the Council if any lawsuits are brought against the municipality as a result of its opting in to the Highlands Plan. In addition, it is eligible for the same benefits as a municipality that has had its plan endorsed by the State Planning Commission. There's an additional provision to allow towns to set up transfer of development rights programs in growth areas. Those towns are also eligible for planning grants of up to \$250,000; they can charge impact fees on residential development; and they are accorded a priority status within the Highlands for State capital and infrastructure programs.

Q. Why do we need the Highlands legislation when we already have the State Plan? How will the two relate to each other?

A. The Highlands Council will submit its plan for the Highlands Planning Area to the State Planning Commission for Plan Endorsement, and it will be linked to the State Plan.

Q. How were the Highlands boundaries determined?

A. Legislatively.

Q. How can changes be made?

A. The State Planning Commission does not have the authority to change the Highlands boundaries. That must happen through legislation. But within the Highlands Planning Area, and outside of the Highlands, you should go through the cross-acceptance process and tell us where you want to propose mapping changes.

Comment: Towns weren't given enough time to consider the consequences of the Highlands legislation.

Q. In the last cross-acceptance process, were the municipalities' concerns addressed and implemented?

A. County: Some were implemented and some were not. He has seen changes made to boundaries as agreed upon. **A. J.Eskilson:** The county needs to let the SPC know about what issues they want the SPC to consider.

Q. What are DOT and NJ Transit doing for the county?

A. DOT is currently working on Route 57 in Washington Boro. They are trying new techniques that support the community's plans instead of just widening the road. The regional county plan mentions extending the rail from Hackettstown.

Comment: The farmland preservation valuation is too low.

A. The farmland preservation program is constrained by the appraisal process that the county is responsible for. If you feel the appraisals are coming in too low, then talk to the farmland preservation office. Actually, what the numbers show is that deed-restricted farmland is going up in value.

Q. If two towns go in for a joint center designation in plan endorsement, can one town go in and make changes on their own?

A. Although we encourage regional cooperation, we will not prevent any town from coming in on their own.