



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	2
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

Local jurisdiction of municipalities in making land use decisions.

Hardwick requests that the SDRP recognize that not all goals, policies and key concepts are applicable or addressable by every municipality. The SDRP must also recognize that the municipality must have the primary voice in setting its own direction. (p. 15)

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Participation at all Levels of Government, p. 10

Section in Existing State Plan:

Relationship of the Plan to Other Plans, Municipalities, p. 280

Additional Information Regarding Proposal:**Staff Response:**

We agree. The State Plan seeks to coordinate planning at all levels of government, recognizing that municipalities have extensive authority for regulating land use within their jurisdictions.

Revised Response:**STATEWIDE ISSUE:**

The Office of Smart Growth reaches out to municipalities through charettes, conferences and other opportunities for communication. We acknowledge that the State Plan cannot address every single example of good planning which is why the State Plan provides general planning guidelines that are to be flexibly applied according to the regional context.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	11
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Incorporate more local plans into state plan.

The State should respect the time and money spent by municipalities and incorporate their plans into the State Plan rather than try to force-fit local real world conditions into a hypothetical center model. (County CA Report, p. 9)

Preliminary State Plan Section as Currently Proposed:

I. Key Concepts

Section in Existing State Plan:

Planning Process P. 4

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The Office of Smart Growth reaches out to municipalities through charettes, conferences and other opportunities for communication. We acknowledge that the State Plan cannot address every single example of good planning which is why the State Plan provides general planning guidelines that are to be flexibly applied according to the regional context.

WARREN COUNTY COMMENT: The OSG should conduct more outreach to the local decision makers, planning board members, and elected officials on the concepts and the process of obtaining consistency with the State Plan.

REVISED OSG COMMENT

STATEWIDE

The Office of Smart Growth reaches out to municipalities through charettes, conferences and other opportunities for communication. In addition, the Plan Endorsement process can serve to accomplish this objective. We acknowledge that the State Plan cannot address every single example of good planning which is why the State Plan provides general planning guidelines that are to be flexibly applied according to the regional context.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	13
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Infrastructure (Not Trans)

County/NE Proposed Change to State Plan Section:

1. Municipal, County, Regional and State Investments in Infrastructure To Guide Growth

Washington Borough stated that the financial impact of accepting additional growth in designated centers is unaddressed and should contain measures to mitigate the negative financial impacts that would result from expanding enrollment in the schools, increased demand on water and sewer, and providing services such as police and fire protection. (County CA Report, p. 9)

Preliminary State Plan Section as Currently Proposed:

5. Provide Adequate Public Facilities and Services at a Reasonable Cost

Section in Existing State Plan:

P. 70

Additional Information Regarding Proposal:**Staff Response:**

The 2001 State Plan indicates that priority assistance be given for designated centers and endorsed plans. The plan also indicates that county and regional agencies should plan for appropriate locations and sizes of centers based on projected population growth and that growth between centers within a region should be balanced. Planning for centers of a reasonable size and balancing their needs within a regional context helps to manage the financial impacts of infrastructure investments.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	21
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

More attention by state to educating the public about the impact of concentrating growth in centers, specifically the issues of density.

Hackettstown may not seek center designation until it fully understands what the benefits of designation are. It is not interested in increased density which seems to be advocated in the state plan policies regarding centers.

(County CA Report, p. 7)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

The State Development and Redevelopment Plan encourages sound design, such that actual density becomes less significant. Design standards for centers seek to preserve and enhance existing community character.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	23
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Clarification of center and growth area concept.

Are designated Centers supposed to be growth areas? If not, what is the purpose of designating centers? (County CA Report, p. 7)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

There are different expectations for different types of centers. Urban and Regional Centers are appropriate growth areas. However villages, hamlets, and some towns may not be appropriate as significant growth areas. County and regional agencies should plan for appropriate locations and sizes of centers based on projected population growth and growth between centers within a region should be balanced.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	25
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Infrastructure (Not Trans)

County/NE Proposed Change to State Plan Section:

1. Municipal, County, Regional and State Investments in Infrastructure To Guide Growth

The primary focus or vision of the plan is to discourage growth from occurring in the rural areas of the state and to direct new growth into existing or new centers towns, villages, cities) at gross densities of three housing units per acre and 5,000 persons per square mile. From a land consumption point of view this makes sense, however the need to provide or expand infrastructure such as central water and sewer transportation and schools needs to adequately addressed. Without an adequate system to finance the additional infrastructure, focusing growth into centers that require the services will be difficult to support. The State Plan needs to recommend innovative ways to make centers economically viable especially from a public policy perspective. (County CA Report, p. 6)

Preliminary State Plan Section as Currently Proposed:

5. Provide Adequate Public Facilities and Services at a Reasonable Cost

P. 19

Section in Existing State Plan:

P.70

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

Adequate funding of infrastructure is a complex challenge. The 2001 State Plan indicates that priority assistance be given for designated centers and endorsed plans. This is based upon the assumption (and the experience) that development follows major infrastructure investment such as sewer and water systems. The plan also indicates that municipal, county and regional agencies should plan for appropriate locations and sizes of centers based on projected population growth and that growth between centers within a region should be balanced. Planning for centers of a reasonable size and balancing their needs within a regional context helps to manage the financial impacts of infrastructure investments and to appropriately plan for anticipated capacity needs. Proper funding of infrastructure that supports the goals of the State Plan is essential.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	26
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Economic

County/NE Proposed Change to State Plan Section:

Clearly define priority assistance for centers in the state plan.

Hardwick requests definition of priority assistance for designated centers as defined on page 287. (County CA Report, p. 9)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:**Additional Information Regarding Proposal:****Staff Response:**

This is an excellent suggestion that we need to work on in the new SDRP.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	28
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Define additional terms used in text of Section 4

In section 4 of preliminary plan, - number of terms need to be defined such as: agriculture sites, high intensity, land use, high performance design features.

Preliminary State Plan Section as Currently Proposed:

State Planning Goals and Strategies

Section 4, p. 24

Section in Existing State Plan:**Additional Information Regarding Proposal:****Staff Response:**

We will consider this suggestion.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	29
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Expand Indicator for Goal 1, Revitalize the States, Cities, and Towns.

Indicators for Goal 1, Revitalize the States, Cities, and Towns, Percentage of new jobs located in urban aid municipalities and percent of building permits issued in urban aid municipalities - why limit only to urban aid municipalities? It should include all existing and designated centers. (p. 19)

Preliminary State Plan Section as Currently Proposed:

Goal One Indicators

Proposed Indicators Related to Goal 1, p. 15

Section in Existing State Plan:

Additional Indicators, 6. Percent of jobs located in Urban Coordinating Council Municipalities, p. 271 and 23. Percent of building permits issued in Urban Coordinating Council Municipalities, p. 275.

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

We agree that the indicator should go beyond urban aid municipalities, however, the suggested change would be difficult to measure and of limited utility. Completion of the full list of targets and indicators is forthcoming as part of the work of our consultants.

WARREN COUNTY COMMENT: Disagree that it would be difficult to measure and be of limited utility. The State collects data on building permits by block and lot and tracks employment growth routinely. It is unclear why the data would be of limited utility when the basic focus of the plan is center development and growth. This would be a perfect indicator to see if growth is indeed occurring in state plan designated places. This is the kind of information the state should be evaluating by working with other agencies and sharing this information.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	31
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Issues with convincing the public of the benefit of a State Plan that promotes Smart Growth principles.

Smart Growth has been construed as meaning no growth. Until municipal governments and school districts are provided with tangible reasons, including funding, why additional development should be planned for rather than reacted to and viewed as an asset under our current property tax system, planning for growth will continue to be reactionary at the local planning board level. (p. 18)

Preliminary State Plan Section as Currently Proposed:**Section in Existing State Plan:****Additional Information Regarding Proposal:****Staff Response:**

STATEWIDE

Smart Growth's premise is to direct growth to where it is most appropriate - significant new growth is steered away from rural and environmentally sensitive resources and into existing or new communities, called centers, where appropriate infrastructure is available. The New Jersey Office of Smart Growth's website (<http://www.state.nj.us/dca/osg/>) is a starting point for resources on educating people on smart growth principles as well as information on funding opportunities. The OSG is also working with other state agencies to implement the State Plan's growth management strategies. By implementing good planning techniques, municipalities will have more control over what the community wants as opposed to the development controlling the community.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	32
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Funding for TDR projects in Highlands Preservation and Planning Areas.

Implementation of the Highlands Act should focus on the benefits of the program or plan. Significant incentives should be provided for both sending and receiving districts for TDR. Municipalities must not be considered or viewed as losers in the implementation.

TDR legislation that is easy to implement is needed. More State funding for planning, economic development, transportation, infrastructure and land preservation. Less legislation that usurps home rule. (p. 18)

Preliminary State Plan Section as Currently Proposed:

The Highlands

Section in Existing State Plan:

18. Special Resource Areas, The Highlands, p. 172

Additional Information Regarding Proposal:**Staff Response:**

The Highlands Act includes incentives for Highlands municipalities choosing to implement the voluntary TDR program for the Highlands. The Highlands Council is drafting a comprehensive Regional Master Plan which will include a TDR program. Adequately funded incentives and support for municipalities that engage in proper planning within the Highlands should be a priority.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	33
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Transportation

County/NE Proposed Change to State Plan Section:

Flexibility with design standards in town centers.

The NJDOT should be flexible in its highway design standards when the highway goes through existing town centers where the land is not readily available to meet the standards when improvements need to be made. (p. 18)

Preliminary State Plan Section as Currently Proposed:

9 Transportation and Context Sensitive Design

Section in Existing State Plan:

9 Transportation and Context Sensitive Design, p.141

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

Policies 8 and 9 under Statewide Goal 8 already address this issue. Maintaining the historic character of municipalities is positive and wherever possible highway design should account for historic structures and districts.

WARREN COUNTY COMMENT: The OSG response does not address the issue of town centers. Not all town centers contain historic structures.

REVISED OSG COMMENT

STATEWIDE

Policies 8 and 9 under Statewide Goal 8 already address this issue. Maintaining the historic character of municipalities is positive and wherever possible highway design should account for historic structures and districts.

NJDOT has been working with the municipalities in which their transportation facilities are located to utilize context sensitive solutions that take into account the character of the community. The new State Plan transportation section is intended to include language from NJDOT that reflects current policies and practices regarding context sensitive solutions.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	36
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Housing

County/NE Proposed Change to State Plan Section:

The burden of supplying low and moderate income housing should not fall only on areas designated for development but also areas in the environs to provide their fair share.

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Section in Existing State Plan:

New Jersey Council on Affordable Housing, p. 279

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

Good planning can facilitate the provision of affordable housing with minimal impact to local budgets and infrastructure capacity requirements.

WARREN COUNTY COMMENT: It is unclear how the OSG response deals with the issue raised.

REVISED OSG RESPONSE

STATEWIDE

Good planning can facilitate the provision of affordable housing with minimal impact to local budgets and infrastructure capacity requirements. Techniques, such as cluster ordinances, non-contiguous clustering, and transfer of development rights are available to municipalities to protect environs while accommodating growth.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	40
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

Increased inter-municipal cooperation.

Harmony suggests better inter-municipal cooperation, discussion and communication to discuss activities and planning that affect other communities such as transportation and land preservation is needed.

Preliminary State Plan Section as Currently Proposed:

I. Role of the State Development and Redevelopment Plan

Section in Existing State Plan:

I. Role of the State Development and Redevelopment Plan

Additional Information Regarding Proposal:**Staff Response:**

We agree. The State encourages multi-jurisdictional or regional planning processes that are consistent with the State Plan.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	45
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

State agencies need additional mechanisms for enforcing plan and more coordination.

State Agencies have improved in implementation but more teeth are needed to enforce the plan and encourage municipalities to adhere to its goals. State agencies need to ensure proper communication among them to coordinate state programs properly.

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Section in Existing State Plan:

Relationship of the Plan to Other Plans, p. 276.

Additional Information Regarding Proposal:**Staff Response:**

Through regular meetings of the Smart Growth Interagency Team and the Brownfields Interagency Task Force, OSG continues to improve coordination with state agencies. In addition, OSG is currently investigating revisions of the Plan Endorsement process which will include strengthening the benefits that are being given by departments for those municipalities that receive plan endorsement.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	46
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

Washington Borough requests more state-level cooperation due to its center status; potential impact of C1 designation within borough's center.

Washington Borough indicated that state agencies particularly NJDOT and the DCA should be more generous and cooperative with the Borough inasmuch as the Borough is a designated Town Center is supposed to have a higher priority for funding and projects. In addition the NJDEP should have considered the Borough's concerns when the NJDEP designated the Shabbecong and Pohatcong Creeks as C1 waters and the potential impact the designation will have with the Borough's redevelopment efforts. (p. 16)

Preliminary State Plan Section as Currently Proposed:

Policy 2 Priority Assistance for Designated Centers and Endorsed Plans

Section in Existing State Plan:

Centers, Policy 2 Priority Assistance for Designated Centers, p. 249; Surface Water, Policy 18, Stream Corridor Protection and Management, p.150.

Additional Information Regarding Proposal:**Staff Response:**

We will reach out to Washington Township to address this concern.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	47
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Plan implementation is difficult; use of state plan as regulatory document.

Oxford Township supports the concept of statewide planning and the SDRP as a policy document. However, the implementation process overall is laborious and too complex, often with agencies and staff providing differing and incomplete answers to questions and a lack of clear direction. Furthermore, the courts often refer to the SDRP when rendering their Zoning decisions. This then creates a discrepancy as to whether the SDRP is a policy document or a regulatory document.

Preliminary State Plan Section as Currently Proposed:

I. Role of the State Development and Redevelopment Plan

Section in Existing State Plan:

I. Role of the State Development and Redevelopment Plan, p. 11

Additional Information Regarding Proposal:**Staff Response:**

We agree that we need to clarify the role of the State Development and Redevelopment Plan and improve public education.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	49
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

State agency cooperation with OSG.

Harmony states that the state agencies have their own agendas which may conflict with each other and the goals of the State Plan.

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Participation at all Levels of Government, p. 10

Section in Existing State Plan:

Relationship of the Plan to Other Plans, State Agencies, p.278

Additional Information Regarding Proposal:**Staff Response:**

Through regular meetings of the Smart Growth Interagency Team and the Brownfields Interagency Task Force, OSG continues to improve coordination with state agencies.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	52
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:

Environmental

County/NE Proposed Change to State Plan Section:

Add more information in State Plan re: benefits of Highlands legislation.

The SDRP should make a definitive statement regarding the widespread state benefits that are enjoyed by the preservation of the highlands. The preservation area may erode the ratable base of municipalities so that others may have clean and reliable water source. It should be made clear that this legislation involves a municipal sacrifice.

Preliminary State Plan Section as Currently Proposed:

The Highlands

Relationship between the State Planning Commission and the Highlands Council

Section in Existing State Plan:

18. Special Resource Areas, The Highlands, p. 172

Additional Information Regarding Proposal:**Staff Response:**

The Highlands Council is currently undergoing a process to develop its first comprehensive plan. We expect that this document will contain detailed information regarding the benefits of preserving land within the Highlands Preservation Area. In addition, the State Plan will be updated to reflect current information regarding implementation of the Highlands Act.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	54
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Agreement

General Topic:**County/NE Proposed Change to State Plan Section:**

Issues with fast-track permitting.

The fast tracking act is the single biggest obstacle to smart growth because it ignores the very premises that Smart Growth is based. In addition, on the surface permit streamlining seemed like a plausible way of providing incentives for developing in areas better suited for growth, but the details of the Act seemed to only favor developers who have the money to pay for the streamlined review. The smaller entrepreneur who does not have the money must go through the lengthy process to obtain approval. (p.17)

Preliminary State Plan Section as Currently Proposed:**Section in Existing State Plan:****Additional Information Regarding Proposal:****Staff Response:**

The fast track act is no longer viable legislation.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	15
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Change in center boundary.

Oxford is requesting that the village center boundaries be expanded to remediate brownfields, diversify the tax base and expand business and housing.

Extend the eastern boundary further north and east to be coincidental with the boundary between the Highlands Planning and Preservation Area. This would incorporate all of Redevelopment Area #3 (the yellow area). This is especially important for several reasons. The first is to maintain consistency between the Highlands boundaries and the Center boundaries. The second is that extension of this boundary would enable Oxford, which is located in Planning Areas 4 and 5, to obtain necessary NJDEP permits expeditiously for the redevelopment work that is being planned for this area. The third reason is that this extension will enable this site to best serve as a TDR receiving area by incorporating this additional land area into the Center boundary.

Extend the western boundary to incorporate the land area that is disturbed in Redevelopment Area #1 (the blue area). Research has shown that this section of this larger, 150 acre site was utilized by the former Oxford Furnace business (1743-1940), and the land has continued to be disturbed over the last several decades since the business closed its operations, including the extraction of an extensive amount of waste slag for the construction of Rt. 287. This extension would maintain the natural features on the site while allowing redevelopment to occur, which will include environmental remediation of the site, on the area that had been previously developed. (County CA Report, p.8)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:**Additional Information Regarding Proposal:****Staff Response:**

For now, we do not agree to the change due to the fact that these sites fall into the Highlands Planning and Preservation areas. The Highlands Act requires that communities in the preservation area of the Highlands Region officially conform to the Highlands Regional Plan. We are working with the Highlands Council on this issue. We will address Oxford's issues further during the Plan Endorsement Process.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	16
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Requested removal of center designation.

Washington Township is requesting that it be removed from the designated Town Center designation that it shares with Washington Borough. Of concern is the C1 designation of the Brass Castle Creek and high quality farmland that is present in the center area. It also seeks to reconfigure the sewer service area to not promote inappropriate development in the area. An objection to this request is found in the Appendix E. (County CA Report, p. 8)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

The State Plan rules require that any changes to center designation boundaries should be undertaken as part of the Plan Endorsement process. We are working with Washington Township on this issue as they move through the Plan Endorsement process.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	17
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Center designation.

See proposed center request from Alpha Borough in Appendix I. (County CA Report, p. 8)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

We are not accepting center designation requests during Cross Acceptance. This request needs to follow the criteria for Plan Endorsement.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	18
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Center designation.

On the SDRP Policy Map, designate Stewartsville as a Hamlet Center with special historic and cultural significance. (County CA Report, p. 7)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

This request is more appropriate for the center designation process that is part of Plan Endorsement.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	19
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Request for assistance in center designation process.

County assistance requested to designate Vienna and Great Meadows as hamlets. (County CA Report, p. 7)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

This request is more appropriate for the center designation process that is part of Plan Endorsement.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	20
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Change in center boundary.

The sewered area of Mansfield should be part of the Hackettstown Regional Center. (County CA Report, p. 7)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

This change in center boundary is more appropriate for the Plan Endorsement process.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	22
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Center designation.

Lopatcong requests that the Ingersoll site be included in the proposed Phillipsburg center. (County CA Report, p. 7)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

This request for a change in the center boundary is more appropriate for the Plan Endorsement process. As of now, pending centers such as Phillipsburg no longer exist and will not be shown on the proposed State Development and Redevelopment map.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	48
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Defer to PE

General Topic:

Infrastructure (Not Trans)

County/NE Proposed Change to State Plan Section:

Local conflict with state infrastructure priorities and with allowable density in rural areas.

Mansfield stated that they plan for their growth in the HMUA sewer service area. However investments by the State and NJDEP regulatory actions do not support this. Mansfield states that the SDRP does not recognize market forces as it claims in the key concepts because the plan would rather see much lower density development than what is allowed in Mansfield in the rural areas.

Preliminary State Plan Section as Currently Proposed:

Statewide Policy 4. Infrastructure Investments

N/A

Section in Existing State Plan:

Infrastructure Investments, p.119

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The State Plan does recognize market forces but works to channel them into better planning. In addition, the State Plan policy map is informed by sewer service areas in most of the State and will be revised where major mismatches between Planning Areas and sewer service are found.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	3
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

Funding priorities in Highlands Planning area.

As discussed in many of the municipal reports and in the Draft County Strategic Plan, the prevalent theme is that local control of land use planning and approval must be retained. In previous cross-acceptance rounds, the concern was that the State Plan was going to usurp local authority. The usurpation of local authority has come instead from the passage of the Highlands Act. The Act mandates that municipalities with land area within the preservation area conform with the preservation plan and standards and that for all intensive purposes the NJDEP and the Highlands Planning Council will have full control over the use of land in the area. Furthermore, when the Highlands Planning Council, which is a 15 member body, nominated by the Governor and confirmed by the Senate develops the Highlands Master Plan, conformance with the preservation area will be required and in the planning area conformity will be voluntary. Incentives for voluntary acceptance of the plan have been provided in the legislation and will be explored and developed further by the Council. Now the concern is will funding be withheld from municipalities that do not conform with the voluntary aspects of the Highlands Plan. (p. 14)

Preliminary State Plan Section as Currently Proposed:

The Highlands

Relationship between the State Planning Commission and the Highlands Council

Section in Existing State Plan:

18. Special Resource Areas, The Highlands, p. 172

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

Compliance with the Highlands Regional Master Plan for municipalities that fall within the Highlands Planning Area is voluntary. If communities decide to conform to the plan, they will receive priority funding for plan implementation and other benefits specified in the Highlands Act. If municipalities do not decide to conform with the plan, they will continue to be eligible for all state funding programs that are available to communities throughout the state. In addition, Highlands Planning Area municipalities also have the option to seek Plan Endorsement from the State Planning Commission.

WARREN COUNTY COMMENT: To obtain COAH certification municipalities must obtain plan endorsement. Endorsed municipalities in the Highlands must be consistent with the Highlands Master Plan. Municipalities will not be inclined to risk a builder's remedy lawsuit for failing to obtain COAH certification. Therefore, conformance with Highlands Plan would not be voluntary but rather based on fear of lawsuits.

REVISED OSG COMMENT:

Friday, February 23, 2007

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New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	3
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

Compliance with the Highlands Regional Master Plan for municipalities that fall within the Highlands Planning Area is voluntary. The area that falls within the Highlands Preservation Area fall completely under the jurisdiction of the Highlands Council.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	4
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Agricultural

County/NE Proposed Change to State Plan Section:

Map prime agricultural soils; develop additional policies to protect areas.

Prime agricultural soils should be mapped and afforded a special designation on the SDRP Policy Map. Regional growth pressure continues to place demands on the conversion of prime agricultural soils to non-agricultural uses. These soils are a dwindling resource in the State and the SDRP should identify prime agricultural soils as critical resource areas, which should be preserved to the maximum extent achievable.

Preliminary State Plan Section as Currently Proposed:

Statewide Policy 15. Agriculture

Section in Existing State Plan:

Agriculture, p. 159

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The delineation criteria for PA4 incorporates soils characterizations for identification of agricultural lands, and the implementation strategies reflect the need to retain and preserve these lands for their agricultural resource value.

WARREN COUNTY COMMENT: PA 4 or PA 4B does not include all prime soils and not all prime soils are in PA 4 or 4B.

REVISED OSG COMMENT

STATEWIDE

The delineation criteria for PA4 incorporates soils characterizations for identification of agricultural lands, and the implementation strategies reflect the need to retain and preserve these lands for their agricultural resource value. OSG has the agricultural data of the SADC Strategic Targeting Project and has provided that data layer to counties. That information is based on soil quality and whether it is in a sewer service area or not.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	5
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Environmental

County/NE Proposed Change to State Plan Section:

Map aquifer recharge areas; develop additional policies to protect areas.

Aquifer recharge areas should be mapped and afforded a special designation on the SDRP Policy Map. The designation should identify these areas as priority protection areas within the Highlands region. Policies should be adopted to protect undeveloped aquifer recharge areas and limit impervious coverage to the maximum extent achievable. (p. 14)

Preliminary State Plan Section as Currently Proposed:

10 Protecting Ground Water Sources

Section in Existing State Plan:

Groundwater Policies 10, 11, 15, p. 149

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

While the policy of the State Plan is to protect public water supplies, mapping the location of each aquifer recharge areas is well beyond the capabilities of the Office of Smart Growth. Real protection will not be achieved through mapping but through local and Statewide actions.

WARREN COUNTY COMMENT: But first they must be mapped.

REVISED OSG RESPONSE

STATEWIDE

While the policy of the State Plan is to protect public water supplies, mapping the location of each aquifer recharge areas is well beyond the capabilities of the Office of Smart Growth. Real protection will not be achieved through mapping but through local and Statewide actions.

The Department of Environmental Protection provided mapping of areas of high groundwater recharge, in addition to other appropriate environmental data, to the counties during the Cross Acceptance process and this information will continue to be available as data layers.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	6
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Towns in PA 4 do not contain features that correspond to PA 4 criteria; state mapping consistency for these areas.

Hackettstown responded stating that the town is designated PA 4b Rural Environmentally Sensitive. The description of the planning area states that the planning area is to contain large contiguous areas of valuable ecosystems and wildlife habitats. The town is developed and does not contain these features. It was noted that other towns in Warren County were designated PA 4 such as Belvidere and Washington Borough. Hackettstown believes that developed areas should be mapped consistently through the state. (County CA Report, p. 10)

Preliminary State Plan Section as Currently Proposed:

Rural Planning Area (PA4) General Description

Section in Existing State Plan:

Rural Planning Area (PA 4), p. 205

Additional Information Regarding Proposal:**Staff Response:**

Planning Areas 4 and 4B by definition contain areas that are rural in character as well as the existing towns and villages that are interspersed in rural lands. In these planning areas, growth is expected to be accommodated in developed areas.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	7
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Designation of towns in PA 4 and 5; creation of regional planning areas that cross municipal boundaries.

There remains a general confusion why many existing towns that are served with central water and sewer are mapped as a Planning Area 4 which by definition includes land areas with soils classified as prime, statewide, unique, and local importance or planning areas 4B or 5 that by definition contain steep slopes areas, and wetlands, land areas in trout production or maintenance watersheds, category I watersheds, and watersheds of existing of planned potable water supply sources. Other criteria include aquifer recharge areas, wetlands, critical slope areas, limestone areas, prime forested areas, endangered or threatened plant and animal species habitats, and natural landscapes of exceptional value. While it is true that existing towns may fall in a high quality watershed, the land area characteristics are more like those found in a planning area 1 or 2. These rural towns are lost when they are hidden in the rural or environmentally sensitive planning areas. Therefore it is recommended that a planning area be created to recognize existing regions and development patterns that may cross municipal jurisdictions. In Warren County, this planning area could include the Belvidere area, the Hackettstown area, and the Washington Borough area. A similar planning area was included in the 1989 Preliminary State Development and Redevelopment Plan and was removed when the first plan was adopted in 1992. (County CA Report, p. 10)

Preliminary State Plan Section as Currently Proposed:

Planning Areas

Section in Existing State Plan:

Rural Planning Area (PA 4), p. 205; Environmentally Sensitive Planning Area (PA 5), p. 215.

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The State Plan provides the tool of center designation, which can be achieved through Plan Endorsement. The designations of Hamlet, Village, Town, or regional center are available in appropriate circumstances for the exact examples presented above.

WARREN COUNTY COMMENT: Shouldn't the planning and policy area map reflect accurately what is on the ground within the one sq.mile area? Free standing towns surrounded by a rural area are urbanized areas. They have their own set of issues and characteristics that should be reflected on the map.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	8
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Existing Centers and qualifying for programs.

The plan states that the benefit of center designation is to be able to take advantage of certain state funding and permit programs. It is then internally inconsistent for the state plan to support existing centers, while at the same time excluding them from the benefits of center designation just because a municipality had not gone through an additional process of center designation. Existing centers should be automatically designated as the eight urban centers were when the plan was adopted in 1992. (County CA Report p. 10)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The benefits of Center Designation are intended to apply to municipalities that have appropriately located centers, appropriately designed centers, appropriately planned centers and that have taken the steps necessary to be consistent with the overall State Plan. Centers are recognized and given benefits or priority with regard to grants, technical assistance, and regulatory matters. When applying for Plan Endorsement, if a municipality has already established planning consistent with the State Plan through Center Designation, then Plan Endorsement should be a smoother process. Finally, the need to monitor continued compliance with the State Plan is necessary in order to provide for continued provision of the benefits of Center Designation and Plan Endorsement weigh against any automatic designation.

WARREN COUNTY COMMENT: Using the rationale provided above in the disagreement, the eight urban centers automatically designated should be revoke. The eight cities should go through the plan endorsement process to obtain the benefits.

STATEWIDE

By virtue of being located in Planning Area 1, it does not necessarily mean a municipality's plans are consistent with the State Plan. Therefore, Plan Endorsement should not be automatic.

WARREN COUNTY COMMENT: The OSG did give this designation to the 8 largest urban areas in the State. We are sure they are not all consistent with the State Plan. The state plan needs consistency in where and how



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	8
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

plan endorsement is applied. All municipalities should be treated the same.

REVISED OSG RESPONSE

With proper planning, municipalities will have more control over the future of community. Designating centers through the Plan Endorsement process is an appropriate tool for communities that want to take control of their future through proper planning today. Historic centers throughout the state that are currently not designated can also benefit from the Plan Endorsement process.

Centers are recognized and given benefits or priority with regard to grants, technical assistance, and regulatory matters. When applying for Plan Endorsement, if a municipality has already established planning consistent with the State Plan through Center Designation, then Plan Endorsement should be a smoother process. Finally, the need to monitor continued compliance with the State Plan is necessary in order to provide for continued provision of the benefits of Center Designation and Plan Endorsement weigh against any automatic designation.

WARREN COUNTY COMMENT: Using the rationale provided above in the disagreement, the eight urban centers automatically designated should be revoke. The eight cities should go through the plan endorsement process to obtain the benefits.

STATEWIDE

By virtue of being located in Planning Area 1, it does not necessarily mean a municipality's plans are consistent with the State Plan. Therefore, Plan Endorsement should not be automatic.

WARREN COUNTY COMMENT: The OSG did give this designation to the 8 largest urban areas in the State. We are sure they are not all consistent with the State Plan. The state plan needs consistency in where and how plan endorsement is applied. All municipalities should be treated the same.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	9
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Length and Cost of Center Designation Process to municipalities.

The center designation process was too lengthy. The Plan Endorsement process may be the same. The process often requires that the municipality spend money for professional services and is not guided by a clear standard for reviewing and approving petitions. Clear standards need to be provided.

The Town of Hackettstown generally supports the concept but has reservations about the benefits of center designation until the town understands what the disadvantages and advantages may be. All of the disadvantages and advantages should be specified in the plan. (County CA Report p. 10)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

New Jersey is an extremely diverse state. Consistency with the State Plan is broadly defined in the State Planning rules to address the many different types of communities found throughout the state and the many different planning imperatives that must be considered. Consistency is interpreted to mean consistent with the goals, policies and strategies of the State Plan as well as the policies that apply to each planning area. The definition is adequate to provide guidance to both municipalities and to the SPC to assess consistency.

WARREN COUNTY COMMENT: The OSG needs to develop a set of standards so municipalities and counties are dealt with objectively.

STATEWIDE

Every municipality has a statutory obligation to plan appropriately and to take the necessary steps to implement that planning. This includes preparation of up-to-date master plans and relevant sub-elements. These are not "new" obligations. The Office of Smart Growth has provided, and will continue to provide, grants to municipalities designed to assist with planning efforts and completion of these elements.

WARREN COUNTY COMMENT: The OSG response does not address the issue. The issue is the expense to go



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	9
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

through cross acceptance and plan endorsement which are additional processes. To fully review the SDRP for cross acceptance and to prepare the PE documents and additional “sub-elements” that are now required for PE.

REVISED OSG RESPONSE

STATEWIDE

New Jersey is an extremely diverse state. Consistency with the State Plan is broadly defined in the State Planning rules to address the many different types of communities found throughout the state and the many different planning imperatives that must be considered. Consistency is interpreted to mean consistent with the goals, policies and strategies of the State Plan as well as the policies that apply to each planning area. The definition is adequate to provide guidance to both municipalities and to the SPC to assess consistency. OSG is currently in the process of revising guidelines for the Plan Endorsement process which will provide more direction to municipalities regarding consistency standards.

WARREN COUNTY COMMENT: The OSG needs to develop a set of standards so municipalities and counties are dealt with objectively.

STATEWIDE

Every municipality has a statutory obligation to plan appropriately and to take the necessary steps to implement that planning. This includes preparation of up-to-date master plans and relevant sub-elements. These are not “new” obligations. The Office of Smart Growth has provided, and will continue to provide, grants to municipalities designed to assist with planning efforts and completion of these elements. In addition, OSG is currently investigating revisions of the Plan Endorsement process which will include strengthening the benefits that are being given by departments for those municipalities that receive plan endorsement.

WARREN COUNTY COMMENT: The OSG response does not address the issue. The issue is the expense to go through cross acceptance and plan endorsement which are additional processes. To fully review the SDRP for cross acceptance and to prepare the PE documents and additional “sub-elements” that are now required for PE.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	10
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Housing

County/NE Proposed Change to State Plan Section:

State Plan should discuss alternatives to current property tax structure.

Property tax is the basis for funding local government and public education. When education consists of 60 percent of a tax bill, local government is reluctant to zone for more housing, which equates to more school children. Municipal officials are more receptive to commercial and industrial development because it does not add to school enrollment. Other ways of funding education to reduce the reliance on the property tax is needed to change one of main reasons behind many planning and zoning decisions. The State Development and Redevelopment Plan should discuss and recommend different funding methods. (County CA Report, p. 9)

Preliminary State Plan Section as Currently Proposed:

2.Assessing Impacts of Development Plans and Proposal

Section in Existing State Plan:

P. 111

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The purpose of the State Plan is to recommend sustainable land use policies that meet New Jersey's current and future needs. This includes the full range of potential land uses and directing the development of those uses to appropriate areas of the state. Property tax considerations should not drive the land use decision making process. There is no doubt that high property taxes are an issue in the state. There is widespread recognition that reliance on local property tax has led to local land use decisions that favor industrial and commercial development over residential development because residential development can lead to the need for additional taxes to pay for the education of school-age children. However, the result of this method of planning has rarely been a significant or substantial reduction in local property taxes. Alternatives to the current local property tax structure and school funding methodology should be considered, but specific alternatives are outside the scope of the State Plan. Reform of the local tax structure may reduce the often exclusive focus on "chasing after" commercial development and promote more rational planning.

WARREN COUNTY COMMENT: Ideally property tax should not drive land use decisions but in many cases it does and the State Plan should recognize that. The OSG should research how other states fund education and present the alternative methods in a supplemental document. See issue 4 Under Infrastructure Investments below.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	12
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Economic

County/NE Proposed Change to State Plan Section:

Request for economic assistance for municipalities that send growth to centers.

If commercial and industrial development is focused in one municipality as part of the center concept, those municipalities which are lacking in such ratables suffer for the benefit of the center as a whole. This major issue must be addressed by the State Planning Commission for the center concept to have any credibility in rural municipalities. (County CA Report, p. 9)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The purpose of the State Plan is to recommend sustainable land use policies that meet New Jersey's current and future needs. This includes the full range of potential land uses and directing the development of those uses to appropriate areas of the state. Property tax considerations should not drive the land use decision making process. Reform of the local tax structure may reduce the often exclusive focus on "chasing after" commercial development and promote more rational planning however, actual change of the tax structure is outside the purview of the State Plan.

WARREN COUNTY COMMENT: The OSG response does not address the issue described. In a multi-jurisdictional center, one or more municipalities may have to sacrifice ratable. This needs to be addressed.

As far as being outside the purview of the plan, why did OSG agree with Hudson County's suggestion to refine the tax system if it was out of the OSG purview?

OSG FOLLOW UP RESPONSE:

Multi-jurisdictional centers are created by the request of the jurisdictions.

Hudson County suggested that the The State Plan should promote Land Value Taxation or Site Value Taxation proposal. Our response was that Land Value Taxation should be explored, as it has proven useful in other states to be an excellent taxation method to discourage land banking and reduce the ratable chase. This was not meant to say that the State Plan and/or OSG would be able to enact this recommendation, only that it should be explored.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	14
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Legality of Highlands regulations overruling local regulations

The State plan should address the concept of home rule. The Highlands Act has usurped the existing police powers of municipalities particularly in the Preservation Area. (p. 15)

Preliminary State Plan Section as Currently Proposed:

The Highlands

Relationship between the State Planning Commission and the Highlands Council

Section in Existing State Plan:

18. Special Resource Areas, The Highlands, p. 172

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The New Jersey legislature passed the Highlands Act and created a structure where municipalities in the Preservation Area are required to update local plans and ordinances to ensure the protection of the important resources in the area. It is voluntary for those communities within the planning area of the Highlands to conform to the Regional Plan. The legislation that established the Highlands Region is consistent with previous planning acts that established existing Special Resource Areas by statute such as the Pinelands and the Hackensack Meadowlands Development District.

WARREN COUNTY COMMENT: Does the act protect the important resource of the farmer in the preservation area?

REVISED OSG COMMENT:

The State Planning Commission does not have jurisdiction within the Highlands Preservation Area. Upon adoption of the Highlands Regional Master Plan, the Highlands Council has 60 days to submit the plan for Plan Endorsement. At this time the State Planning Commission will have opportunity to comment on the Plan.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	24
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

More attention by state to educating the public about the impact of concentrating growth in centers, specifically the issues of density.

The quality of life of those who already live in centers is potentially threatened by new higher density development. In general, increased density has become a concept to fight rather than embrace. To overcome the threat of density, the State Development and Redevelopment Project must address the public perceptions of density. (County CA Report P.7)

Preliminary State Plan Section as Currently Proposed:

Centers

Section in Existing State Plan:

Centers P.230

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

Density is only encouraged where planned and existing infrastructure and resources can sustain such. The benefits of properly designed density far outweigh its challenges.

WARREN COUNTY COMMENT: The OSG response does not address the issue of public education. The response assumes everybody should know that properly designed density is beneficial and that it is not worth the OSG's time to educate or communicate with the public on why it might be beneficial.

OSG FOLLOW UP RESPONSE:

While participating in the Plan Endorsement process, OSG offers technical assistance and educational forums to educate the public about the benefits of Smart Growth techniques like center based development.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	27
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Economic

County/NE Proposed Change to State Plan Section:

More funding for smart growth planning.

Hackettstown and Independence stated that more funding is needed for planning, economic development, transportation, infrastructure, and land preservation.

Preliminary State Plan Section as Currently Proposed:

5. Coordinating Infrastructure Investments

Section in Existing State Plan:

5. Coordinating Infrastructure Investments

Additional Information Regarding Proposal:**Staff Response:**

This is not a Cross Acceptance issue. We would be glad to meet with Hackettstown and Independence to discuss this concern.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	30
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Infrastructure (Not Trans)

County/NE Proposed Change to State Plan Section:

Keep Additional Indicator 19 for Goal 2

Harmony suggests that Additional Indicator 19 Percent of Development on Individual Septic Systems should remain for Goal #2, Conserve the State's Natural Resources and Systems, because it does relate to the five areas to be monitored, economic, environmental, infrastructure, community life, and intergovernmental coordination, especially environmental and infrastructure and there is a strong link with land use governance. (p. 19)

Preliminary State Plan Section as Currently Proposed:

Goal Two Indicators

Current Indicators related to Goal 2 that should be eliminated, p. 17

Section in Existing State Plan:

19. Percent of Development on Individual Septic Systems, p. 274

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The State Plan generally supports development and redevelopment in PA1, PA2 and centers. Where development occurs in other planning areas, the decision regarding how to address wastewater disposal and its relationship to land use is far too complex to describe in a single useful indicator.

WARREN COUNTY COMMENT: This is the kind of information the state should be evaluating by working with other agencies and sharing this information. This information combined with other indicators would be useful.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	34
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Environmental

County/NE Proposed Change to State Plan Section:

General Comment. There should be priority recreation funding for municipalities that participate in county open space programs, rather than local ones.

Washington Borough does not have its own open space tax because it pays to the county fund. The Borough does not benefit from this when applying to Green Acres because it is not their own tax. The Borough sends most of its money to preserve open space and farmland outside of its own borders. Green Acres should recognize this and give the borough a priority in grant funding for its recreational needs. (p.18)

Preliminary State Plan Section as Currently Proposed:**Section in Existing State Plan:****Additional Information Regarding Proposal:****Staff Response:**

This is a comment most appropriate when Green Acres reauthorizes their own rules.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	35
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Infrastructure (Not Trans)

County/NE Proposed Change to State Plan Section:

Enabling legislation should be provided to allow municipalities to require developers to post a contribution for the perpetual management of detention basins. (p. 17)

Preliminary State Plan Section as Currently Proposed:**Section in Existing State Plan:****Additional Information Regarding Proposal:****Staff Response:**

These requirements would be best incorporated into DEPs stormwater rules and regulations.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	37
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Economic

County/NE Proposed Change to State Plan Section:

Issues with property tax structure in accommodating new residential development.

Washington Borough states that the property taxing policies that make housing projects undesirable because of the associated costs to schools needs to change.

Preliminary State Plan Section as Currently Proposed:

2.Assessing Impacts of Development Plans and Proposal

Section in Existing State Plan:

2.Assessing Impacts of Development Plans and Proposal, P. 111

Additional Information Regarding Proposal:**Staff Response:**

Changing the property tax structure in the state is not within the scope of the State Plan, but remains an important land use issue.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	38
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Economic

County/NE Proposed Change to State Plan Section:

Municipalities need more funding for compliance with state requirements, specifically Highlands and Plan Endorsement Requirements.

Oxford states that the State needs to provide State funding for State mandates. For example, financial assistance should be provided to assist municipalities in dealing with the impacts of the new Highlands legislation. In addition, since the State is viewing Plan Endorsement as the main vehicle to address changes to the State Plan Map, funding should be available for municipalities to update their Master Plan and all of the sub-elements required for Plan Endorsement. Preparing all of these sub-elements can cost municipalities thousands of dollars, which municipalities do not necessarily have at their disposal and usually must budget for in advance.

Preliminary State Plan Section as Currently Proposed:**Section in Existing State Plan:****Additional Information Regarding Proposal:****Staff Response:**

Oxford has received a Smart Future grant for some of this work through the Department of Community Affairs. All towns are eligible for Smart Future grants.

OSG FOLLOWUP RESPONSE:

As part of changes to the Plan Endorsement process, specific benefits will be named.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	39
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

State should weigh costs and benefits of regulation vs. land value.

Hardwick agrees with free market mechanisms to in effectively establishing land and housing values in NJ. It states that the State should weigh the costs associated with State and county level planning and regulation under the SDRP against the potential benefits and seek optimal balance between imposed costs and derived benefits. The SDRP should seek to minimize regulation and intervention in real estate market as a matter of policy and yet achieve state goals.

Preliminary State Plan Section as Currently Proposed:**Section in Existing State Plan:****Additional Information Regarding Proposal:****Staff Response:**

This issue would be more appropriate to address with the state Real Estate Commission.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	41
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

State regulation of municipal planning.

Mansfield and Hackettstown state that the document is not a "bottoms up" document but rather a "top down" document and should say so in the Overview section of the Role of State Plan.

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Participation at all Levels of Government, p. 9

Section in Existing State Plan:

Relationship of the Plan to Other Plans, p. 276

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The State Plan has always been a highly collaborative process between the state, its agencies, counties, municipalities, and the general public. The State Plan is a policy guide for the State as a whole that is created after compiling the best available information from relevant available sources and vetting that information through the appropriate stakeholders, including all levels of government.

WARREN COUNTY COMMENT: We question how much collaboration takes place between the state agencies in forming the document. It seems that some agencies have greater influence in shaping the plan than others. This undermines the concept of bottoms up and reinforces top down planning and regulation.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	42
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Other

County/NE Proposed Change to State Plan Section:

More legislation that reinforces municipal authority.

Hardwick would welcome legislation that reinforces municipal authority with respect to land use planning.

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Section in Existing State Plan:

Relationship of the Plan to Other Plans, p. 276.

Additional Information Regarding Proposal:**Staff Response:**

The State Plan seeks to coordinate planning at all levels of government, and already recognizes that municipalities have extensive authority for regulating land use within their jurisdictions. New authority to municipalities would need to come through appropriate legislation.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	43
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Environmental

County/NE Proposed Change to State Plan Section:

Preservation of environmentally sensitive areas in county outside the Highlands Preservation Area.

Greenwich states that the State should provide a mechanism for designating preservation areas' in the formulation of the Highlands regional plan so that areas overlooked in the drafting of the legislation may be effectively protected from inappropriate growth and development of prime agricultural areas and areas with significant environmental sensitivity.

Preliminary State Plan Section as Currently Proposed:

The Highlands

Section in Existing State Plan:

The Highlands, p. 172

Additional Information Regarding Proposal:**Staff Response:**

Environmentally sensitive areas identified during Cross Acceptance will be mapped as CES or PA5 based on their size and location in relationship to other environmentally sensitive areas. Areas in the Highlands Planning area that meet the criteria raised can be incorporated into the Highlands Regional Plan and earmarked for strategic acquisition.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	44
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

State agency resistance for municipality trying to undertake smart growth reforms.

White states that state policies have fueled sprawl. White has received resistance from the NJDEP when applying for open space and farmland preservation funds. NJDEP also resisted the township's efforts to eliminate an area from the Waste Water plan on the Route 46 corridor.

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Section in Existing State Plan:

Relationship of the Plan to Other Plans, p. 276.

Additional Information Regarding Proposal:**Staff Response:**

This an issue for NJDEP.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	50
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

InterGovernmental

County/NE Proposed Change to State Plan Section:

Roles of all levels of government in implementing the State Plan.

Hardwick has some concerns about the balance of municipal, county, and state roles in land use planning and implementation.

Preliminary State Plan Section as Currently Proposed:

Relationship of the Plan to Other Plans

Participation at all Levels of Government

Section in Existing State Plan:

Relationship of the State Plan to Other Plans

Additional Information Regarding Proposal:**Staff Response:**

The State Plan clearly outlines roles for all levels of government in implementing the state plan (see plan sections "Relationship of the Plan to Other Plans" and "Participation at all Levels of Government").



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	51
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Disagreement

General Topic:

Housing

County/NE Proposed Change to State Plan Section:

Relationship between Plan Endorsement and COAH Certification

The implementation of the Fair Housing Act through the Council on Affordable Housing continues to be a concern in Warren County. The builder's remedy continues to be an option against municipalities that do not have a Housing Plan certified by COAH. The newly adopted rule also requires that any municipality seeking COAH certification obtain initial plan endorsement from the State Planning Commission. This requirement forces municipalities to comply with the State Development and Redevelopment Plan, thereby losing a degree of local control in order to obtain the builder's remedy protection afforded through COAH Certification.

Preliminary State Plan Section as Currently Proposed:

28 Municipalities and COAH Certification

Relationship of the State Plan to the Council on Affordable Housing

Section in Existing State Plan:

28 Municipalities and COAH Certification p. 139

Additional Information Regarding Proposal:**Staff Response:**

STATEWIDE

The processes of COAH certification and Plan Endorsement should work in tandem since they both pertain to local planning. Adequately addressing a community's affordable housing obligation is essential to good planning. By implementing good planning techniques, municipalities will have more control over what they want for their communities as opposed to development controlling the community. Preparation of an appropriate housing plan will be addressed on a community- specific basis in the Plan Endorsement process.

WARREN COUNTY COMMENT: In addition, there is a hook in the Highlands Act that requires consistency between the local housing plan that is approved by COAH, the State Plan through Plan Endorsement, and Highlands Regional Master Plan conformity. In effect, for municipalities to protect themselves from builders remedy lawsuits, they will have to conform with both the highlands plan and the state plan.



New Jersey State Planning Commission Negotiation Worksheet Policy Issues

County:	WARREN COUNTY	OSG Item No.	53
Source:	County Report	Approved by OSG Director	
NE Item No.	0	Preliminary Staff Recommendation:	Pending

General Topic:

Other

County/NE Proposed Change to State Plan Section:

Change text in Key Concepts section.

"Planning should be closely coordinated with and supported by investments, programs, and regulatory actions."
Hardwick proposes to add the phrase "and such activity should be initiated at the request of the local municipality."

Preliminary State Plan Section as Currently Proposed:

I. Key Concepts

Section in Existing State Plan:

Key Concepts, Planning Process, p. 5.

Additional Information Regarding Proposal:**Staff Response:**

We will consider your recommendation.