

NEGOTIATION ISSUES

Throughout the Cross-Acceptance Process, vital issues were raised and valuable comments were received, warranting further discussion during the upcoming Negotiation Phase of Cross-Acceptance. Those Map Amendments and changes presented in this report not accepted by the State Planning Commission will also be addressed during the Negotiation Phase. The major issues raised during Cross-Acceptance III are presented below.

C1 WATERS AND THEIR ASSOCIATED BUFFERS AND WATERSHEDS

How will the C1 water bodies and their associated buffers be illustrated on the State Plan Policy Map? Will the mapping be performed by the Department of Environmental Protection, or is each municipality responsible for insuring that buffers are mapped? Should we assume that an area mapped as C1 waters and their associated buffers is a critical environmental feature, to be designated as either CES or PA-5 depending upon its size and geometry? Further, is it appropriate that the Planning Area designation for sewerred and developed areas upstream in the C1 watershed be PA-1? Do we wish to encourage further development – dense development, as implied by its designation as a “growth area” – in an area feeding the potable water supply?

PLANNING AREA BOUNDARIES

Planning Area borders take on new meaning given that State Agency regulatory requirements and funding mechanisms are directly linked to the State Plan and its Planning Areas. As such, these can no longer take the form of vaguely drawn lines but must be crisply defined in order that property owners, developers, and municipal authorities are clear as to which Planning Area designations certain properties fall under, and as such, which regulatory requirements and funding mechanisms apply.

DESIGNATED SEWER SERVICE AREAS WITHOUT SEWERS IN PA1

Is it appropriate that areas without sewers be mapped as PA-1? While many of these areas received this designation decades ago, there is no intention, nor the financial wherewithal in most cases, to develop this infrastructure. Should these areas remain in a PA-1 designation, which implies that additional growth at higher densities should be encouraged without the necessary infrastructure to support such development?

CRITICAL ENVIRONMENTAL SITES

In highly developed and dense landscapes such as ours, the mapping of Critical Environmental Sites take on an added importance by assuring highly treasured, undeveloped land is protected from further dense development. Fast-Track Permitting further emphasizes the importance of preserving these sites in PA-1 growth areas. Many of these sites comprise key groundwater recharge areas and wellhead protection areas, or contain

surface water bodies feeding into potable water supply. These Critical Environmental Sites should remain a critical element of the State Plan Policy Map.

COAH

Is it reasonable for COAH to utilize 2025 projections, an unperfected state of art at best, to determine short-term growth share for affordable housing goals? We are updating the State Plan every six years and as such, a 10-year horizon for population and employment projections should meet immediate and short-term needs, with the ability to revise projections in subsequent Cross-Acceptance Rounds, as necessary.

CENTERS, CORES AND NODES

What is the benefit for a municipality to designate Centers, Cores, and Nodes in PA-1? These designations have limited to no significance in already-developed landscapes with no discernable “hinterland” such as ours.

STATE AGENCY COORDINATION

The Cross-Acceptance process has done little to demonstrate that coordination between the many state agencies is occurring, with too many issues conflicting, unresolved, or unanswered. Many issues arose during Cross-Acceptance that cross the lines of individual agency roles and jurisdictions, and more should be done to ensure that the necessary interagency coordination is achieved. The State Planning Commission, with its representatives from each of the operating agencies, may wish to meet together on a more regular basis with the counties and municipalities to discuss issues and concerns facing the respective county.

PLAN ENDORSEMENT

Throughout Cross-Acceptance, municipalities repeatedly requested greater clarification about the Plan Endorsement process, with particular attention to the anticipated benefits, process, time, and costs. Given the current Center Designation Process, does the State have sufficient staff to review and process Plan Endorsement applications in an expedited fashion?

MUNICIPAL PARKS, RECREATION AND OPEN SPACE

Bergen County has attached a series of Map Amendments that reflect the desire of municipalities to have their municipal parks, recreation sites, and open space mapped as parkland. These are permanently preserved municipal resources, with their preservation as open space ensured by way of deed restriction or municipal ordinance. As such, these sites deserve the same protections and mapping as County and State Open Space Facilities.