

Plan Endorsement Recommendation Report for the Township of Vernon, Sussex County, NJ

June 10, 2021



New Jersey Department of State
Business Action Center
Office for Planning Advocacy
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This document is a recommendation report prepared by the Office for Planning Advocacy (OPA) as staff to the State Planning Commission (SPC or Commission), based on input of our partner agencies, Vernon Township, Sussex County and members of the public. OPA will post this report and other material related to the Vernon Township Plan Endorsement petition on our website. You can contact our office by email regarding petitions for Plan Endorsement by providing contact information, including name, organization, address, and e-mail address to osgmail@sos.state.nj.us.

Documents submitted by the Township of Vernon for Plan Endorsement can be found here: <https://nj.gov/state/planning/plan-endorsement.shtml> and include the Township's Master Plan and associated plan elements, individual development redevelopment ordinances, pre-petition materials, municipal self-assessment report and associated documents, as well as the opportunities and constraints analysis component report prepared by the Office of Planning Advocacy and other State agencies.

Contents

<i>Plan Endorsement - Recommendation Report for Township of Vernon</i>	0
<i>THIS PAGE LEFT INTENTIONALLY BLANK</i>	3
INTRODUCTION	4
BACKGROUND.....	5
CHRONOLOGY.....	5
PUBLIC PARTICIPATION	6
LOCATION & REGIONAL CONTEXT	6
DEMOGRAPHICS	9
INFRASTRUCTURE	10
Water.....	10
Sanitary Sewers.....	10
Water Quality Management Plan Amendments	10
TRANSPORTATION.....	13
FUTURE LAND USE MAP.....	15
PROPOSED MAP AMENDMENTS	16
STATE PLAN GOALS REVIEW	
GOAL 1: REVITALIZE THE STATE’S CITIES AND TOWNS.....	21
GOAL 2: CONSERVE THE STATE’S NATURAL RESOURCES AND SYSTEMS	21
GOAL 3: PROMOTE BENEFICIAL ECONOMIC GROWTH, DEVELOPMENT AND RENEWAL FOR ALL RESIDENTS OF NEW JERSEY	
GOAL 4: PROTECT THE ENVIRONMENT, PREVENT AND CLEAN UP POLLUTION.....	23
GOAL 5: PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES AT A REASONABLE COST.....	23
GOAL 6: PROVIDE ADEQUATE HOUSING AT A REASONABLE COST	24
GOAL 7: PRESERVE AND ENHANCE AREAS WITH HISTORIC, CULTURAL, SCENIC, OPEN SPACE AND RECREATIONAL VALUE.....	24
GOAL 8: ENSURE SOUND, INTEGRATED PLANNING AND IMPLEMENTATION STATEWIDE.....	25
STAFF RECOMMENDATION:.....	26
PLANNING AND IMPLEMENTATION AGENDA.....	Enclosed

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INTRODUCTION

The Township of Vernon (hereafter Vernon or Township) received Town Center designation by the State Planning Commission (SPC) on July 16, 2003. This designation was set to expire June 30, 2020; however, the expiration has been extended until 180 days after the conclusion of the Public Health Emergency declared in Executive Order 103. Currently, the Public Health Emergency was most recently extended on June 4, 2020 and remains in full force and effect.

Plans for Vernon's Town Center go back to the 1995 Master Plan. While the Township did not complete the Plan Endorsement process begun in 2008, it undertook a substantial amount of work as part of these previous planning efforts. As far back as its 2003 Master Plan Update, Vernon adopted major zoning changes to align with the goals of the State Plan. It established Town Center, Mountain Resort and other zoning districts along SR 94 that remain relevant today, and enacted densities and standards in the environs to protect environmentally sensitive areas, natural and agricultural resources. Over the past decade, it consulted with Looney Ricks Kiss (LRK) to create a mixed-use concept plan for a Main Street Town Center, which included the adoption of a form-based zoning code; conducted a TDR feasibility and market analysis study, and adopted a comprehensive Sustainable Economic Development Plan 2019.

Approximately, 29,305 of the Township's 67.7 square miles are located within the Preservation Area of the New Jersey Highlands Region, which provides a significant level of State protection, as well as additional sources of funding for targeted land preservation efforts. Its Petition for Plan Conformance for the Preservation Area, was approved by the Highlands Council on May 17, 2012. As such, the Township's current Petition for State Plan Endorsement, is limited to the 15,464-acre, Highlands Planning Area (35%) for which the SPC has jurisdiction. Well-known for its destination ski resort (Mountain Creek) and related recreational amenities, including such State-significant natural treasures as Hamburg Mountain, Wawayanda State Park, Wallkill River NWR, and the Appalachian Trail, the Township appreciates the fact that a successful local economy, particularly its thriving recreation-based tourism industry, is intrinsically tied to sound land use planning and the careful stewardship of the community's natural and historic resources which supports it.

The Township has chosen not to opt in to Plan Conformance for the Planning Area. Therefore, this Petition is focused on the remaining one-third of the Township that is located within the Highlands Planning Area, and where much of Vernon's future growth and development will need to be accommodated. This planning reality is compatible with the Highlands Act, which established development goals for the Highlands Planning Area that, "consistent with the State Plan and smart growth strategies and principles, encourage appropriate patterns of compatible economic development and growth, in or adjacent to areas already utilized for such purposes, while protecting the Highlands environment and critical water resources from adverse impacts." Moreover, the long held local goal for establishing a walkable, mixed use Town Center, as called for in its 1995 Master Plan and 2010 update, is also supported by the 2005 Sussex County Strategic Growth Plan, which was endorsed by the SPC in February 21, 2007 and updated in 2014.

BACKGROUND

On August 31, 2020, the Township of Vernon in Sussex County submitted their Municipal Self-Assessment report (MSA) to the New Jersey Office of Planning Advocacy (OPA), which issued a determination of completeness on September 5, 2020. On January 8, 2021, OPA and several State agency partners responded with component Opportunities and Constraint Analysis (OCA) reports. Since that time, the Township, OPA staff and State agency partners have worked to resolve remaining tasks necessary for Vernon to achieve consistency with the requirements outlined in the MSA Template and OCA reports, among other requirements. At this time, OPA and the Township have completed negotiations on the enclosed draft Plan Implementation Agreement (PIA) that OPA believes will achieve consistency with the State Plan, as well as the recently updated Plan Endorsement Guidelines, which address State priorities for environmental justice and climate resiliency, including recent amendments to the MLUL. Many of the items outlined in the PIA are explained in greater detail in the OCA reports. The bulk of the PIA items, represent updates to existing master plan elements and ordinances that indicates a high degree of present overall consistency with the State Plan that will be further enhanced through its implementation. As the bulk of the tasks for completion by the Township represent planning updates that take time to budget for and complete, OPA and DEP have determined that there is no need to develop an Action Plan, as these planning items will be addressed within 1-3 years under the PIA.

Adopting the PIA and associated PIA in support of Plan Endorsement demonstrates that the Township of Vernon seeks a sustainable future by addressing infrastructure, economic development, housing, open space, historic preservation, environmental and resiliency in alignment with the State Plan.

CHRONOLOGY

Event(s)	Date	Notes
Master Plan adopted	December 27, 1995	Update under PIA
Master Plan Update	2010	Update under PIA
Circulation Plan	1995	Update under PIA
Farmland Preservation Plan	1995	Update under PIA
Conservation Plan	1995	Update under PIA
Town Center Designation	July 16, 2003	
Sussex CO Strategic Growth Plan	February 2006	Adopted SPC May 2007
OSRP	2003, 2010 Update	Update under PIA
Housing Element & Fair Share Plan	June, 2011	Update under PIA
NRI	2012	Update under PIA
Conformance with Highlands Preservation Area/Master Plan adoption	May 17, 2012	

Sustainable Economic Development Plan	March 2019	
Master Plan Update	July, 2010	Including updates to several elements and land use plan
TDR Feasibility Study (3 phases)	August 8, 2014 Feb. 5, 2015 May 23, 2016	Results indicated development pressure in TC would not support TDR
Master Plan update for Historic Properties List Only	2011 and 2016	
*SPC Extends Town Center	August 5, 2019	Until June 30, 2020
Water Use and Conservation Management Plan (WUCMP)	2019/Ongoing	To completed under PIA
Petition for PE	February 20, 2020	
Prepetition Meeting	May 5, 2020	
Municipal Self-Assessment	August 31, 2020	
OPA Completeness Determination	September 5, 2020	
Opportunities and Constraints Analysis Reports issued	January 8, 2021	
Adopted Ord.#21-10, approving a redevelopment plan for the Town Center District	April 2021	Establishes an Inclusionary Zone requiring 20% affordable units for any residential project greater than 6 units per acres and a total of 6 or more units
Sussex County Hazard Mitigation Plan Vernon Twp. annex	2016 and draft update posted May 7, 2021	Includes action items to be completed under PIA
PIA Completed – negotiated draft accepted by parties	June 2021	Requires local adoption via MOU
PIC REVIEW	April 16, 2021	With Mapping & PIA
SPC REVIEW	July 7, 2021	
Vernon Township ADOPTION of MOU	TBD	
SPC ADOPTION of MOU	TBD	

*Expiring 180 days after revocation of Executive Order 103, per resolution 2020-07. The current June 30, 2020 Center Designation deadline has been extended until 180 days after the revocation of Governor Murphy’s State of Emergency declared in Executive Order #103, which was adopted March 9, 2020 and has been extended as recently as June 4, 2020 and remains in full force and effect. The resolution noting this extension was adopted by the State Planning Commission on April 15, 2020.

PUBLIC PARTICIPATION

OPA granted the Township waivers from Steps 2 (Community Visioning) and 5 (PE Advisory Committee) of the Plan Endorsement process. The basis for justification, was receipt of an official waiver request letter from the Township, which adequately detailed a well-documented community visioning process, with extensive public engagement/outreach, including advertised workshops and online surveys that was conducted by and Township Planning Board subcommittee in developing a comprehensive Sustainable Economic Development Plan completed in March of 2019.

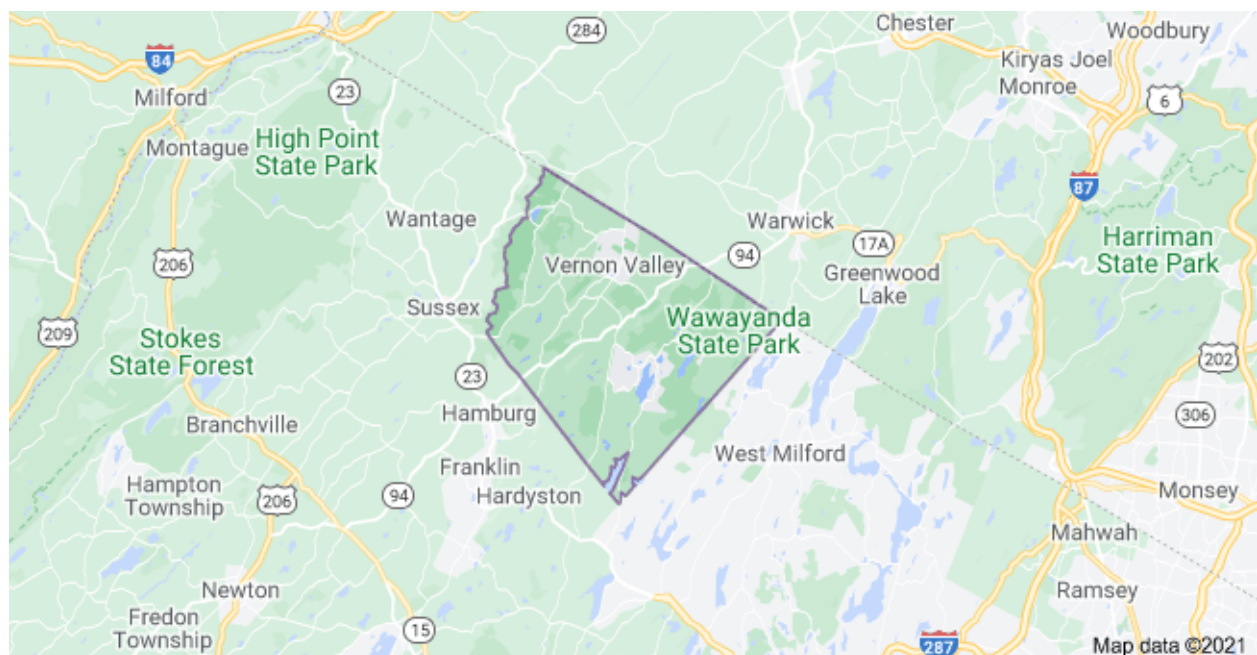
LOCATION & REGIONAL CONTEXT

Vernon Township covers about 70 square miles and is the largest municipality in Sussex County by both population and size, with 22,369 as of 2018 (MSA August 2020). Founded in 1793, Vernon underwent rapid growth in 1930s from residential resort development around its lakes, to suburbanization from 1950s onward, to more intensive mountain resort development in 1970s with the development of Vernon Valley, Great Gorge North, and Hidden Valley Ski Resorts. According to the U.S. Census 2018 American Community Survey (ACS) 5-Year Estimates, Vernon Township's population is approximately 22, 369, which is about 15% of Sussex County's total population. The average household size in Vernon is 2.76 people, slightly higher than both the County average of 2.66 people and the State average of 2.73. The Township has a lower median household income (\$79,363) than both the County (\$90,520) and the State (\$93,902) but a similar income per capita. The Township also has the lowest poverty rate (2.6) among the three geographies. About 60% of the population of the Township is in the labor forces

	Vernon Township	Sussex County	New Jersey
Land area (sq mi)	69.96	535.44	8,723.09
Population	22,369	142,298	8,881,845
Households	8,354	53,361	3,213,362
Average Household Size	2.76	2.66	2.73
Housing Units	10,922	62,371	3,605,401
Median Household Income	\$79,363	\$90,520	\$93,902
Per Capita Income	\$42,010	\$42,639	\$40,895
Poverty Rate (% of Families)	2.6	3.1	7.6
Civilian Population in Labor Force 16 Years and Over	13,437	80,037	4,675,686

Data Source: Social Explorer Tables: ACS 2018 (5-Year Estimates) (SE), ACS 2018 (5-Year Estimates), Social Explorer; U.S. Census Bureau

	Vernon Township	Sussex County
Median Age	42.9	44.8
Population (sq mi)	328.7	270.8
Average Family Size	3.18	3.2
Housing Units	10,694	62,418
Home Ownership Rate 2019	87.9	83.1
Persons Below Poverty Line	3.4%	4.9%
Unemployment Rate (NJDOL August 2020 NJ Annual Average Labor Force Estimates)	11.2	17.1
Sources: US Census Bureau, NJDOL; Data from Decennial Census and ACS unless otherwise noted		



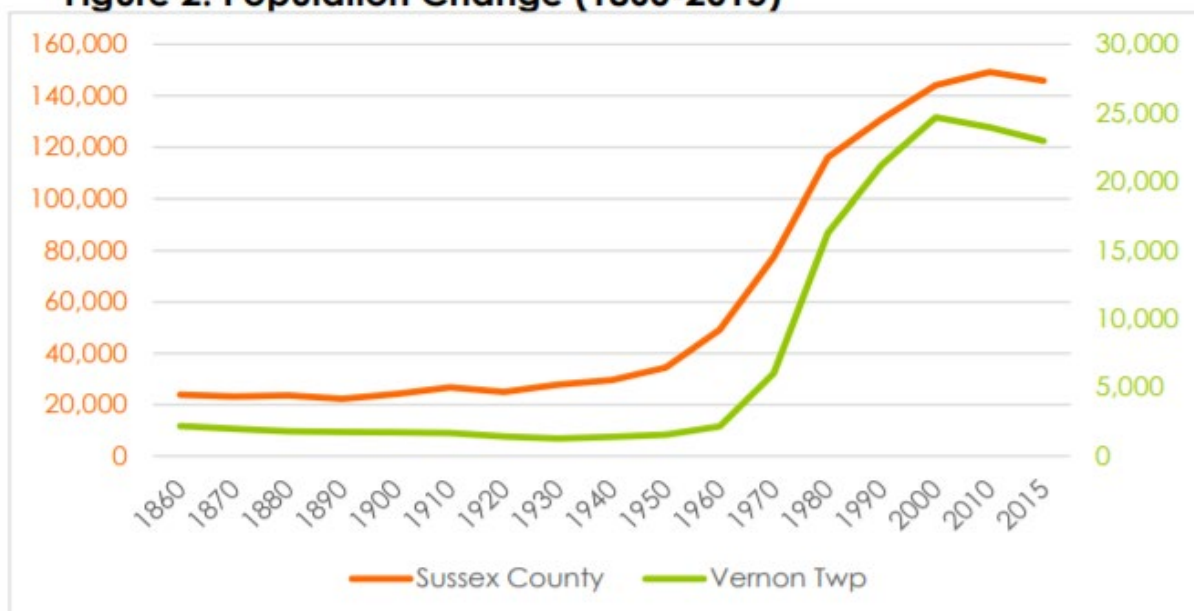
DEMOGRAPHICS

Established nearly 230 years ago, Vernon is the largest municipality in Sussex County by both population and size, and is expected to continue to grow. Over the last 60 years, Vernon has experienced significant growth during times of expansion. In 1950, the population was 1,548 and grew exponentially from the 1960s onward and with the advent of the ski industry being introduced to the area, which coincided with rapid suburbanization throughout the country. With its abundant available land, attractive lake communities and other recreational amenities, including overall affordability in comparison to the inner suburbs of New York City, by 2000, the Township's population peaked at 24,686 people. With the Great Recession, the population experienced a flattening of growth in 2007, with the 2019 Census Estimate reporting its largest decline between April 2010 and July 2019, where the population dropped by 6.8% to 21,999. This decline coincides with the rest of Sussex County during this period and is attributed to many factors beyond the economic downturn; from changing trends in desired locations and type, land preservation efforts, and regulatory restrictions on development, ushered in with passage of the Highlands Act.

Population Change: 1950-2017						
	Township of Vernon (Vernon)	% Change	Sussex County (SC)	% Change	New Jersey (NJ)	% Change
1950	1,548		34,423		4,835,329	
1960	2,155	39.2	49,255	43.1	6,066,782	25.5
1970	6,059	18.1	77,528	57.4	7,168,164	18.2
1980	16,302	16.9	116,119	49.8	7,364,823	2.7
1990	21,211	30.1	130,943	12.8	7,730,188	5.0
2000	24,686	16.4	144,166	10.1	8,414,350	8.9
2010*	24,376	-1.3	149,265	3.5	8,791,894	4.5
2017*	22,572	-7.4	143,570	-3.8	8,960,161	1.9

Data Source: U.S. Census; 2013-2017 American Community Survey 5-Year Estimates

Figure 2: Population Change (1860-2015)



Sources: Vernon Township Master Plan; U.S. Census Bureau; 2015 American Community Survey

INFRASTRUCTURE

Wastewater and Water Supply Wastewater Analysis

Water Supply

Vernon Township lies within the public water service area served by Suez Water Company, Vernon Valley (SWCVV), which operates 13 public community water systems in Vernon Township. Hidden Village Condo Association and a water system operated by Aqua NJ are also in the township. There are a number of public non-community systems inspected by the Sussex County Health Department. Vernon should confirm the area of service of all public and private water systems utilized by Vernon residents.

The consolidation of small water systems by Suez Water and Aqua Water, which were privately run by very small companies years ago, have enabled these systems to be operated and managed properly with the resources available to these larger water purveyors. For example, one Suez water system with less than 30 homes required radiological treatment to be installed. Suez purchased one of the homes and built a treatment plant and installed the necessary radiological treatment. This would have been very difficult to many small water systems due to costs of design, construction, and annual operation

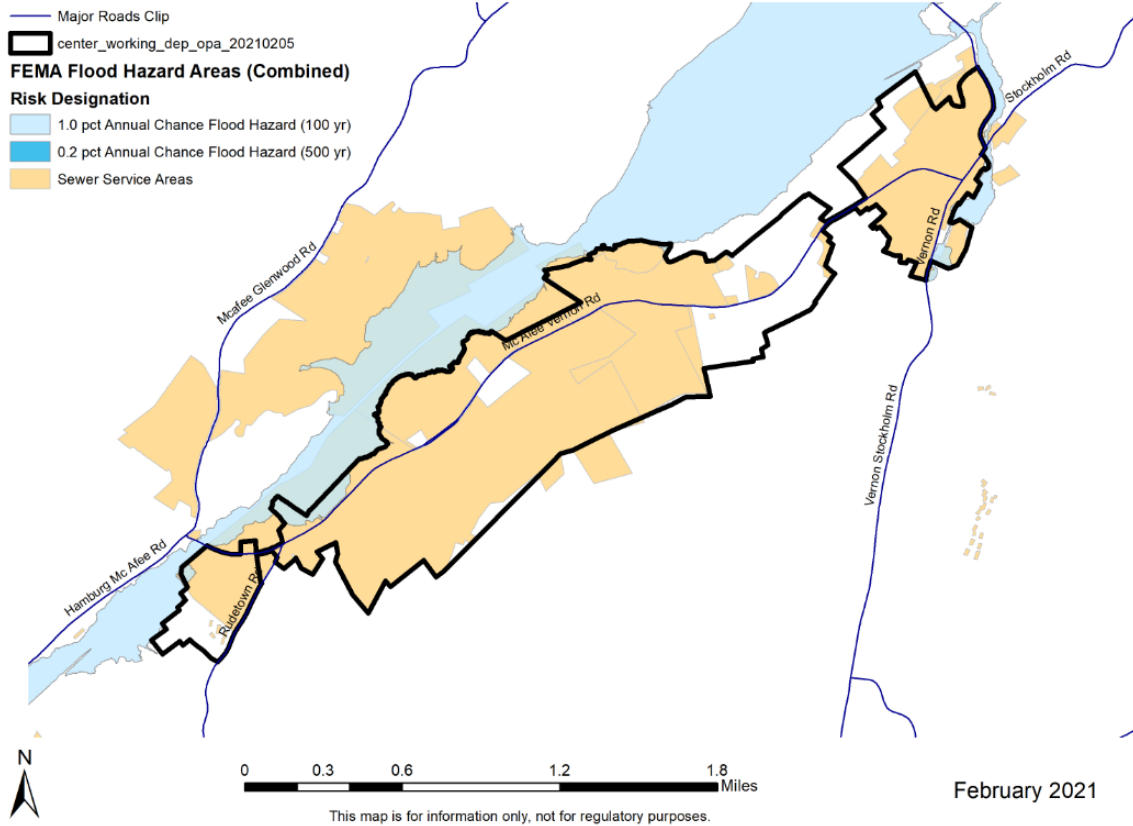
Sanitary Sewers

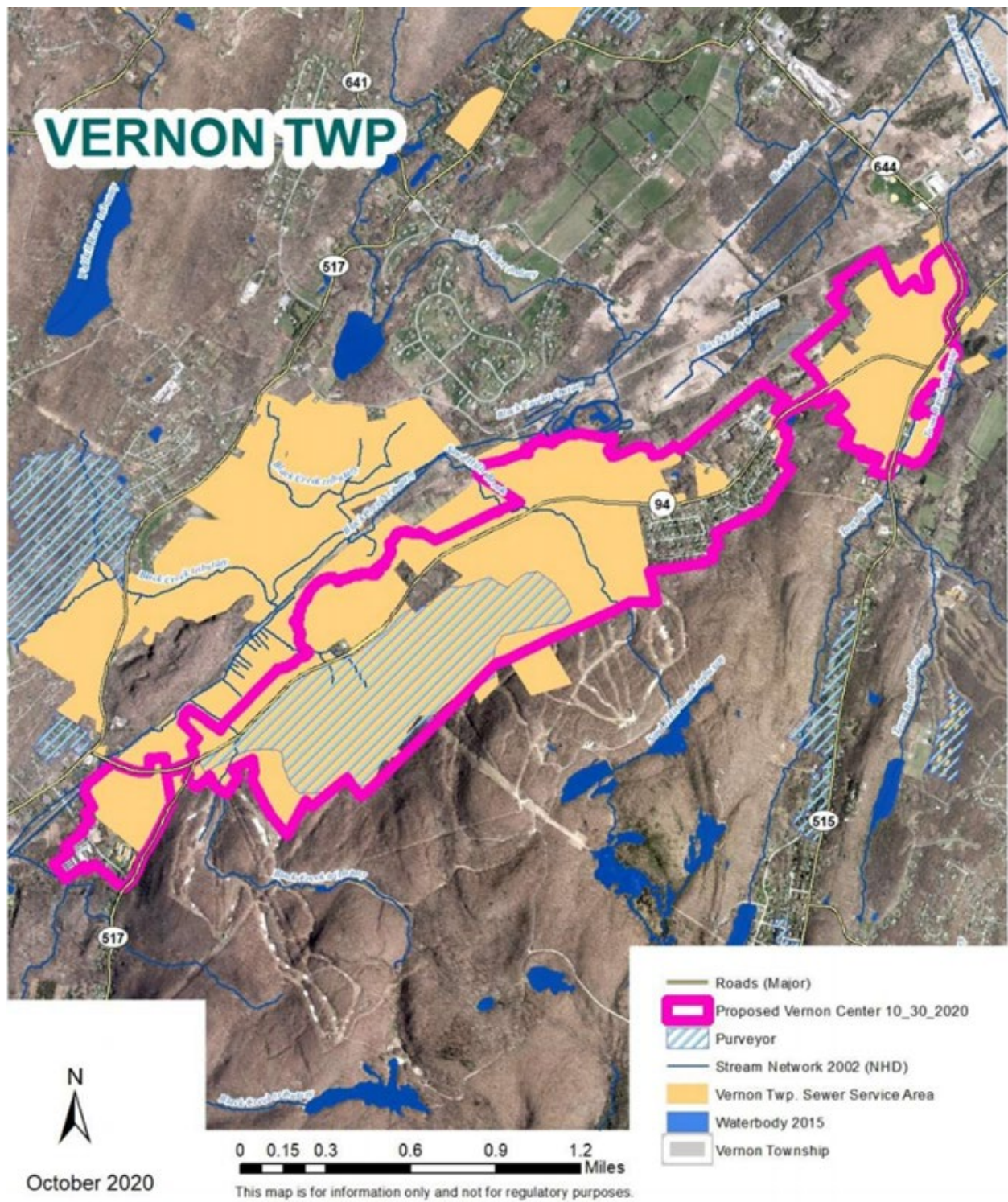
The infrastructure to collect and convey sanitary wastewater within the municipality is owned and operated by the Vernon Township Municipal Utility Authority (MUA). The wastewater is pumped to the Sussex County Municipal Utility Authority (SCMUA) for treatment at the County sewage treatment plant (STP) (#NJ0053350) and discharged to the Wallkill River in Hardyston Township. There are several small sanitary sewage treatment systems that discharge to groundwater in various locations within Vernon Township, including Hidden Village Condo Association, Vernon High School, Walnut Ridge Middle School, and Vernon Colonial Plaza. Many of Vernon Township residences are served by individual septic systems for sanitary sewage disposal.

Wastewater Management Planning

The current Sussex County wastewater management plan (WMP) was adopted December 14, 2001. The currently approved Future Wastewater Service Area Map (SSA) was adopted in 2014. The Township of Vernon has submitted an amendment for a municipal chapter to the Sussex County WMP, which is under review and will modify the approved SSA. In this review, vacant land within the currently approved SSA is being evaluated under the Landscape Project (Version 3.3) for eligibility to remain as SSA under the 25-acre composite ESA requirements of the WQMP rule. The SSA has no associated EPA grant conditions. At present, the sewer service area of the Township extends into environmentally sensitive areas. As part of its WMP update, the Township will need to remove areas with environmentally sensitive features from the sewer service area. The Township is working closely with the County Planning Department and NJDEP to try to ensure that the sewer service area for Vernon's Center continues to allow center-based development.

Vernon Twp., Sussex Proposed State Plan Center and Sewer Service Area with FEMA Flood Hazard Area





TRANSPORTATION

Circulation

State Highway Access Management Code – Access Levels and Desirable Typical Sections

The State Highway Access Management Code (SHAMC) has been reviewed to identify any potential changes the access classification of the Route 94 segments from mileposts 37.34 to 45.94 in Vernon Township that would result from the proposed Plan Endorsement (PE) request. More specifically, the SHAMC Appendix B segments of Route 94 have reviewed to identify if any of the access classification factors for the Appendix B segments of Route 94 would change as a result of the PE request; (namely, Environment, Access Class, Speed and Desirable Typical Section (DTS)) producing a change in the highway function. This review has identified that two (2) of the existing segments would change as a result of the PE request reflecting the change in Environment from Rural to Urban. Please note these changes do not produce a change in the Access Level of the subject highway segments. Thus, **there will be no change in the access or mobility functions of the highway as a result of the PE request.**

Congestion Management System

According to NJDOT, the Overall Congestion Assessment for **Route 94 is classified as Not Congested at the time recorded (2019).** The Overall Assessment is based on a review of Congestion Management System (CMS) and Probe Data Analytics (PDA) Suite Data (attached), showing weekdays of the year 2019. The congestion analysis is valid between October 2020 and October 2023. The PDA Suite was developed by the University of Maryland for the I-95 Corridor Coalition.

Rail and Truck Freight

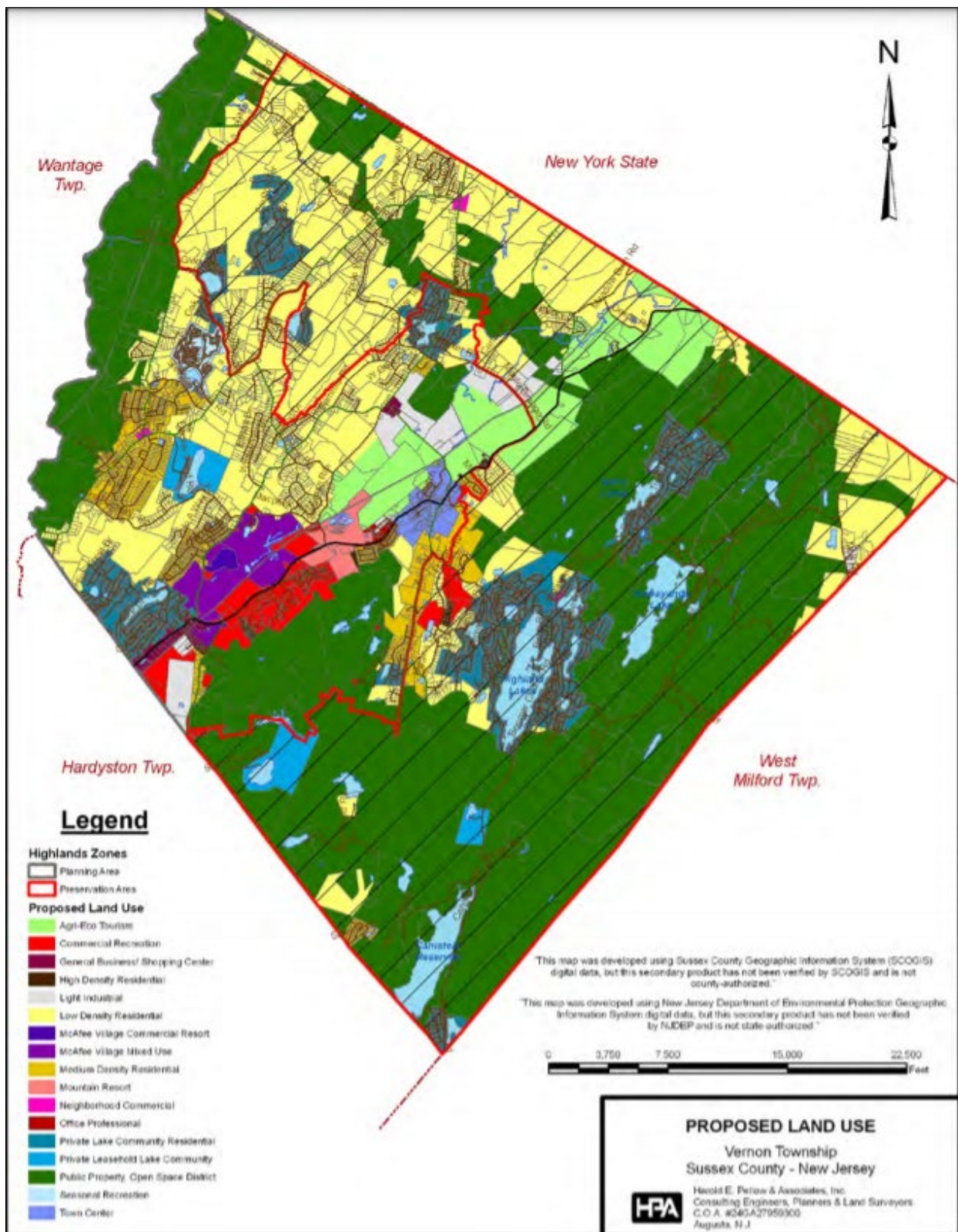
The New York, Susquehanna and Western Railway traverses Vernon Township. In past years, the Department funded numerous improvements on this line, including several in nearby Sparta. The NYS & W runs on the former Lehigh and Hudson River Line, with freight service only and is compliant with the 286,000-pound national standard for freight cars. If Vernon Township seeks future industrial development, this freight line could provide a prime location. There is a truck Weigh-in-Motion (WIM) on Route 94 in Hardyston Township, south of Hamburg and 3.7 miles south of the Vernon Township Line. Average of 46 large trucks (tractor-trailers) per day.

Designated Scenic Byways

The Western Highlands Scenic Byway travels north through Hardyston and Vernon Townships from Route 23 to the New Jersey-New York border. The Appalachian Trail crosses the route north of Vernon and there are spectacular views along this hiking trail. The Black Creek National Register Indian Site is one of only six Native American sites in New Jersey listed on the historic registers and also is located north of Vernon within the corridor. Several other historic sites are located along the Byway as well. For more information, please visit the NJDOT Scenic Byways Web page at:

<https://www.state.nj.us/transportation/community/scenic/western.shtm>

According to the 2009 Circulation Plan, Vernon Township is served by one State Road, Route 94, and nine County roads. These roads traverse the Township in a north-south direction respective of existing topography. Regional east-west access is limited by topographical constraints and Wawayanda State Park to the east. Route 94 intersects with State Highway Route 15 which is a dualized road that provides major access to the community. Otherwise, regional access is limited by the current two-lane design of Route 94 and county road network within the Township. While Route 94 is not classified as congested at this time, the traffic generated from adjacent and nearby resort-commercial uses, strains capacity during peak hours. Accordingly, any future development proposals for intensive land uses, such as fulfillment centers, should be scrutinized in recognition of the limited regional access system and existing conditions on Route 94 during peak hours.



PROPOSED LAND USE MAP - 2010 Master Plan Update

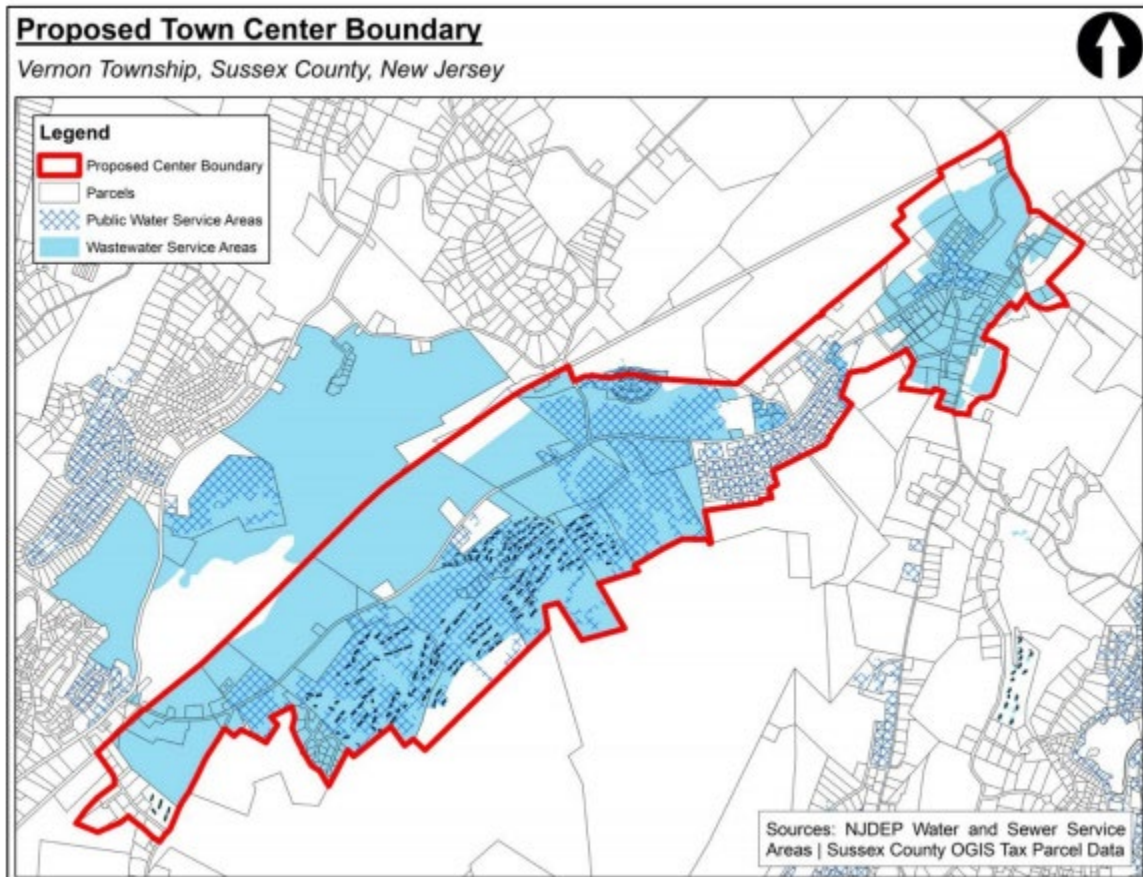
PROPOSED MAP AMENDMENTS

In 2003, the Commission designated 809.59-acre area of the Township as a Town Center. One of the key outcomes of completing the Plan Endorsement process, if approved by the Commission, will be the regulatory extension and physical expansion of the existing Town Center to accommodate acceptable levels of locally desired economic growth, redevelopment and infill, within accepted boundaries adjusted to remove environmentally constrained areas, such as Flood Hazard Areas and Wetlands, as well as ranked habitat designated under the Landscape Project. In addition, OPA proposes to modify the State Plan Policy Map to recognize updated information regarding designated Parkland and other protected open space under a variety of ownership.

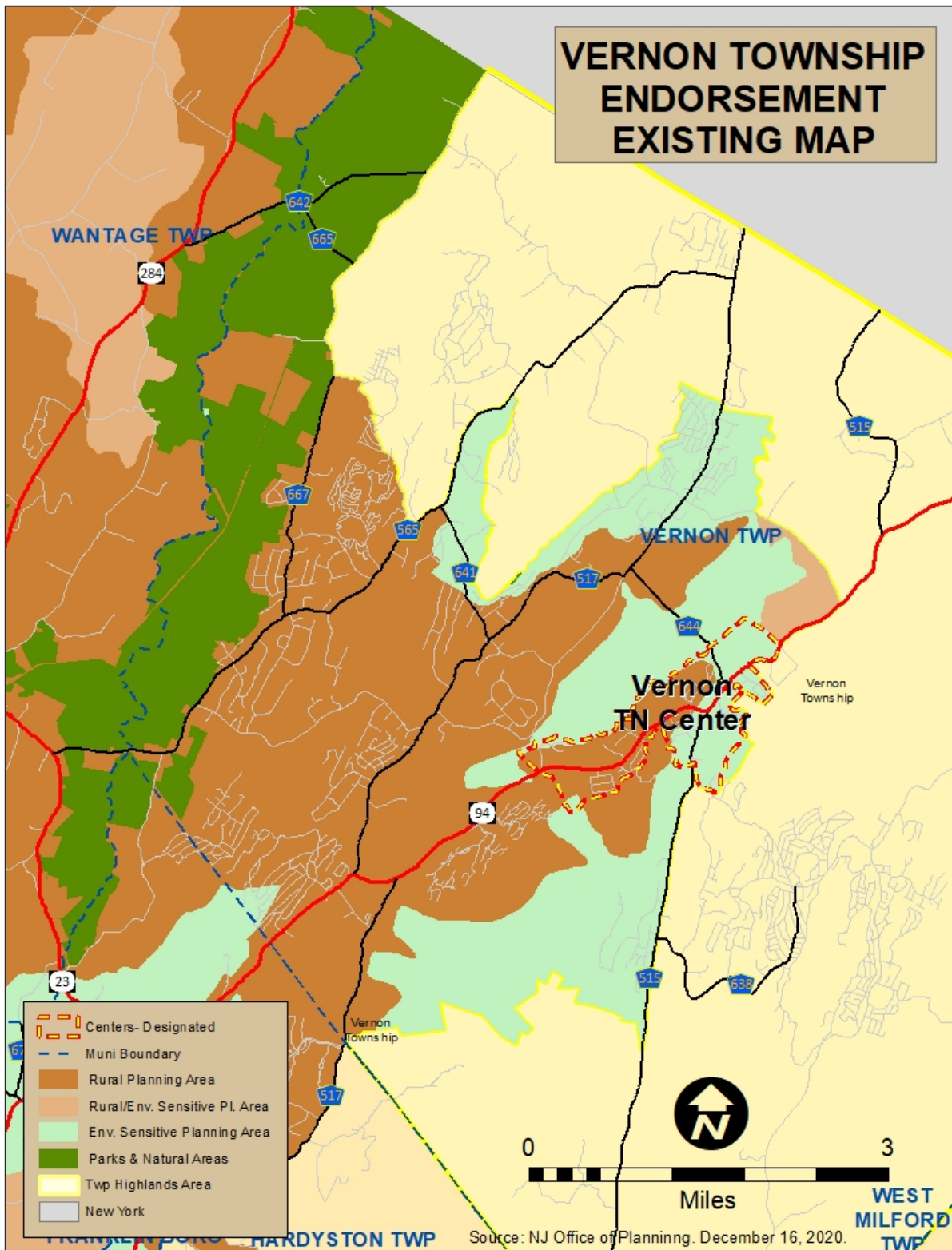
As part of its MSA Report, Vernon proposed to extend the existing Town Center from 1.27 square miles to a total area of 1.55 square miles. The proposal would expand the Town Center southwest to include a large townhouse development complex, and the Mountain Creek Resort area. To a large extent, the State Agencies involved in negotiations with the Petitioner, agreed to the proposed center boundaries with some exceptions to account for environmentally constrained areas and threatened and endangered species habitat, as designated under the Landscape Project. The details of this analysis, parcel specific considerations and mapping, are addressed in both the Opportunities and Constraints Analysis (OCA) reports, and to a larger extent, the Consistency Review reports, as submitted to the Township on January 8th and April 30th, 2021, respectively.

After much analysis and negotiations, the Township has tentatively agreed to the State Agency-proposed mapping changes depicted in the “Proposed Endorsement Maps”, as illustrated on pages 19 and 20. If approved by the Commission, the existing Town Center would increase from 809.59 acres to 992 acres in size. In addition to these changes, 3,040.92 acres of the planning area would be reclassified as Parks to account for parcels preserved since Town Center designation. As proposed, the Town Center boundaries recognize existing land use, anticipated future sewer service area boundaries, developable land and logical locations for infill and redevelopment that will enable Township to reach its planning and smart growth goals, consistent with the State Plan.

	NEW PAs	EXISTING PAs
Row Labels	Sum of ACRES	Sum of Acres
ENV SENS	2,555.23	4,229.83
HIGHLANDS	29,280.40	29,280.30
PARK	6,066.92	3,025.00
RURAL	6,824.99	7,989.97
RURAL ENV SEN	-	201.37
Grand Total	44,769.37	44,768.30
Town Center	809.59	992 or +182.41



Vernon proposed Town Center Boundary (August 31, 2020)





STATE PLAN GOALS (from MSA Report)

GOAL 1: REVITALIZE THE STATE'S CITIES AND TOWNS

- Adopted a comprehensive Economic Sustainability Plan in 2019 that included an analysis of socio-economic factors, the built environment, market analysis, and placemaking.
- The purpose of the Town Center District, as stated in the Township's ordinances, is to "create a mixed-use Town Center...which provides for commercial, residential and senior housing uses in a development pattern and with design guidelines that promote a pedestrian scale center that reinforces the unique sense of place of Vernon," in effect providing a higher density growth area within the Township.
- The Town Center District, along with four areas in several other zoning districts, have been declared an area in need of redevelopment with adopted plans in place.

GOAL 2: CONSERVE THE STATE'S NATURAL RESOURCES AND SYSTEMS

- The Township follows Highlands Preservation Area guidelines where required and encourages compact center development in the Planning Area. Additionally, the Township has large areas of land (more than 50% of the Township) that are preserved as parks and open space. The following goals of the 2016 Master Plan update apply to Goal 2:
- To preserve and protect Vernon's Natural Resources;
- Review existing environmental ordinances to ensure they are adequate to preserve environmentally sensitive areas.
- Adopt necessary protections in the Highlands Preservation Area to be consistent with the Highlands Regional Master Plan.
- Encourage clustering techniques for developments in order to preserve open space and farmland.
- Identify, preserve and protect open space areas with significant scenic views and/or important historical, cultural, environmental or agricultural significance.
- Ensure that ridgeline protection ordinances provide a clear definition and mapping of what is protected along with methods for ensuring protection of the resource.
- Minimize the impacts of development on environmentally sensitive areas such as wetlands, stream corridors, and aquifer recharge areas.
- Minimize the economic impact on the Private Lake Communities to ensure their continued viability
- To achieve a balance between continued development and the preservation of the extensive natural resources of the community;
- To direct the majority of future growth in the Township to the Vernon Center, Redevelopment Areas, and appropriate existing resort areas of the Township; and
- To ensure that land use and development activities within the Highlands Preservation Area of the Township occur only in a manner and location that is consistent with the Highlands Regional Master Plan.
- The Township has implemented ordinances that assist in preserving the State's natural resources and systems. In Article XIX – Highlands Preservation Area Land Use Ordinance, it is the Township's intent to provide for cluster and conservation design development ("cluster development"). This ordinance provides background and definitions for cluster

development and Article XI – Zoning applies these principles to districts within the Township. The stated purpose of Article XI - Zoning, and specifically § 330-201, is to promote the preservation of open space and to encourage, in connection with large tracts of land proposed for residential subdivision, the clustering of residences in order to accomplish the preservation of open space and natural resources. Non- contiguous clustering is permitted and encouraged where it affords a higher level of protection to Highlands Resource Areas than would otherwise be the case. Where residential cluster development is required, the minimum tract area shall be 20 acres and the minimum amount of open space to be set aside shall be 33% of the total tract area. All open space shall comprise a contiguous area of at least two acres.

- To redirect development into the Town Center and away from natural resources and Highlands Resource Areas, § 330-233.3 ensures that development in the Preservation Area occurs at densities and intensities that are appropriate to the water supply and wastewater treatment options available to support it. This ensures two things: 1) that development that occurs does not exceed the capacity of the land, resources, and infrastructure available to support it; and 2) that any land disturbance is minimized.
- The Township has an ordinance that defines protection standards for scenic views. Specifically, these standards address shoreline development for all lakes that have public access. The proposed development must demonstrate that the protection of visual and scenic resources in the Scenic Resource Tier is achieved through the requirements set forth in § 330-234.4.B.

GOAL 3: PROMOTE BENEFICIAL ECONOMIC GROWTH, DEVELOPMENT AND RENEWAL FOR ALL RESIDENTS OF NEW JERSEY

- Tourism is the primary industry in Vernon and the Township strives to be a four-season recreational community. The appeal of the Appalachian Trail, Wawayanda State Park, the Hamburg Mountain Wildlife Refuge and the Wallkill River Wildlife Refuge, draws visitors year- round. While outdoor activities are the centerpiece to Vernon’s tourism industry, the Township seeks to develop a balance with indoor fun and excitement, to promote a sustainable four-season recreational community. The following goals of the 2016 Master Plan update apply to Goal 3:
- To create a comprehensive economic development plan for the Township that promotes Vernon as a four-season recreation community while also identifying opportunities to diversify Vernon’s economy including the Private Lake Communities.
- To provide for economic development through the Commercial, Light Industrial, Commercial-Recreation, and Agri-Eco Tourism Zones;
- To encourage commercial and mixed-use development in a form, location and design that preserves and enhances the unique character and identity of Vernon Township;
- To direct the majority of future growth in the Township to the Vernon Center, Redevelopment Areas, and appropriate existing resort areas of the Township; and
- To create land use and development plans, policies, and ordinances that are predominantly consistent with the goals and policies of the State Development and Redevelopment Plan.
- To accomplish the goals listed above, the Township has implemented ordinances such as Chapter 476 – Short-Term Rentals, adopted in April 2020, which allows for a flexible housing supply that contributes to the local economy by promoting travel and tourism.

- Redevelopment planning efforts have also been used to promote beneficial economic growth, development, and renewal. In order to encourage economically viable commercial and industrial structures in otherwise underutilized areas, § 330-275.2 authorizes the utilization of up to 20 years of tax exemptions and abatements in areas in need of redevelopment.

GOAL 4: PROTECT THE ENVIRONMENT, PREVENT AND CLEAN UP POLLUTION

The following goals listed in the 2010 Master Plan update apply to recycling items in Goal 4:

- To plan consistently with the New Jersey Statewide Mandatory Source Separation and Recycling Act of 1987 as implemented by the NJDEP through the Sussex County Solid Waste Management Plan.
- To encourage use of alternate transportation modes (e.g. pedestrian, bicycles, local transit, commuter buses, rail) to lessen congestion and air pollution.
- Additionally, the Township has worked extensively on illegal dumping issues within the Township and working to clean up “dirty dirt” while raising awareness of residents of this issue. § 524 sets forth requirements for handling and disposing of used oil and reporting any oil spills that contaminate soil, surface water, or groundwater. § 275-5.1-3 requires that all new and replacement water supply systems shall be designed and approved by the Health Department or Utility Company to minimize or eliminate infiltration of flood waters into the system and discharge from the systems into flood waters.

GOAL 5: PROVIDE ADEQUATE PUBLIC FACILITIES AND SERVICES AT A REASONABLE COST

Center Designation offers many benefits such as the ability to work closely with State agencies and the ability to receive funding for special planning activities and infrastructure projects. As such, Vernon Township’s request for extension applies to Goal #5. Additionally, the following goals from the 2010 Master Plan update apply to this goal:

- To develop and improve a coordinated road system which enables the safe and efficient movement of people and goods;
- To separate local and through traffic to the maximum extent possible;
- To encourage use of alternate transportation modes (e.g. pedestrian, bicycles, local transit, commuter buses, rail) to lessen congestion and air pollution.
- Preserve the ability of the Private Lake Communities to maintain their road systems.
- To achieve a balance between continued development and the preservation of the extensive natural resources of the community;
- To ensure adequate infrastructure to accommodate the projected level of intensity of development;
- To direct the majority of future growth in the Township to the Vernon Center, Redevelopment Areas, and appropriate existing resort areas of the Township; and
- To ensure that land use and development activities within the Highlands Preservation Area of the Township occur only in a manner and location that is consistent with the Highlands Regional Master Plan.

- The Community Facilities Element of the Master Plan includes a community facilities inventory, and a description of all available public services. To meet the goal of providing adequate public facilities and services at a reasonable cost, the Township has adopted the following ordinances and resolutions:
- § 99-36, 37 provides for designated taxi stands and bus stops throughout the Township;
- Resolution #20-87, adopted February 2020, authorized an agreement with the Sussex County Department of Human Resources, Division of Social Services for transportation services for senior citizens and people with disabilities who reside in the Township; and
- § 330-233.3.7 prohibits new, expanded, or extended public water systems, wastewater collection and treatment systems, and community on-site treatment facilities unless approved through the issuance of either a Highlands Applicability Determination or a Highlands Preservation Area Approval with waiver

GOAL 6: PROVIDE ADEQUATE HOUSING AT A REASONABLE COST

The following goals from the 2010 Master Plan update apply to Goal #6:

- To encourage the development of a variety of housing types including workforce housing and affordable housing to meet the needs of the population within the Township of Vernon;
- To provide opportunities for rehabilitation and redevelopment of existing housing stock within the Township;
- To promote energy efficient construction, green building, sustainable design and alternative energy sources for housing in the Township to decrease long-term energy consumption and the cost of housing in the Township;
- To preserve the existing residential neighborhoods and Lake Communities;
- To ensure adequate infrastructure to accommodate the projected level of intensity of development; and
- To encourage commercial and mixed-use development in a form, location and design that preserves and enhances the unique character and identity of Vernon Township.

The Township is in the process of updating its Housing Element and Fair Share Plan for completion by end of 2021. The latest Housing Element and Fair Share Plan, dated January 2011, included a Third-Round obligation of 389 new construction units and 31 rehabilitation units. The Township proposed an inclusionary zone in the Town Center to provide for 265 new construction units, a 100 percent affordable project in the Town Center to provide for 97 units, and approvals for 27 units. In addition, in April 2021, the Township adopted Ord.#21-10, approving a redevelopment plan for the Town Center District, which includes an Inclusionary Zone with 20% affordable units for any residential project greater than 6 units per acres and a total of 6 or more units.

GOAL 7: PRESERVE AND ENHANCE AREAS WITH HISTORIC, CULTURAL, SCENIC, OPEN SPACE AND RECREATIONAL VALUE

A variety of efforts have been and continue to be made to preserve the rich and varied historical heritage of Vernon Township. The Vernon Township Historical Society, founded in 1970,

continues to be the driving force in preserving and protecting historical and cultural sites. There are two sites that are on the New Jersey and National Registers of Historic Places.

The following goal from the 2016 Master Plan update is applicable to historic items in Goal 7:

- To encourage commercial and mixed-use development in a form, location and design that preserves and enhances the unique character and identity of Vernon Township;

Vernon also aims to preserve and enhance the open space within the Township. The following goals from the 2016 Master Plan update apply to open space and recreational items in Goal 7:

- To achieve a balance between continued development and the preservation of the extensive natural resources of the community;
- To provide for economic development through the Commercial, Light Industrial, Commercial-Recreation, and Agri-Eco Tourism Zones;
- To encourage commercial and mixed-use development in a form, location and design that preserves and enhances the unique character and identity of Vernon Township; and
- To direct the majority of future growth in the Township to the Vernon Center, Redevelopment Areas, and appropriate existing resort areas of the Township

Vernon Township updated its Historic Preservation Element of the Master Plan in 2011. This update included a list of Historic Properties in the Township that have either been designated as historic on the National, State, and/or Township Register of Historic Places. The Historic Preservation Commission also has an inventory of several properties it is researching for possible preservation.

Open space preservation is discussed above in Goal #2

GOAL 8: ENSURE SOUND, INTEGRATED PLANNING AND IMPLEMENTATION STATEWIDE GOALS:

Vernon Township's 2016 Master Plan update includes identifying consistencies between regional comprehensive plans, including the Master Plan's relationship to plans of surrounding municipalities, Sussex County, and New Jersey. The following goals listed in the Master Plan apply to Goal 8:

- To ensure that land use and development activities within the Highlands Preservation Area of the Township occur only in a manner and location that is consistent with the Highlands Regional Master Plan;
- Pursue Plan Conformance for the Preservation Areas in the Township;
- To create land use and development plans, policies and ordinances that are predominantly consistent with the goals and policies of the State Development and Redevelopment Plan;
- Pursue Plan Endorsement from the State Planning Commission;
- To ensure sound and integrated planning and implementation State-wide, the Township is compliant with the following entities.

The Sussex County Strategic Growth Plan (“SGP”), adopted in February 2006 and endorsed by the State Planning Commission in May 2007, is based on the landscapes of Sussex County (rural agricultural; highlands; traditional centers; job creation centers; parks and wildlife management areas; lake communities). Vernon Township has elements of all of these landscapes. The Township seeks to continue implementing the principles of the SGP by focusing development within the center and preserving large tracts of open space and farmland;

The Township submitted a Petition for Plan Conformance for its Preservation Area and was approved by the Highlands Council on May 17, 2012; and

The Township received Center Designation from the State Planning Commission for a Town Center on July 16, 2003 and is in the process of extending its center designation.

STAFF RECOMMENDATION:

Since 1995 Master Plan and subsequent Town Center designation by the State Planning Commission in 2003, Vernon Township’s planning and implementation mechanisms have increasingly embraced the principles of smart growth and center-based development through a variety of planning initiatives, land development standards and programs that work to guide compact and mixed-use development and redevelopment into the Mountain Creek Village, Town Center districts and resort areas, while discouraging strip development and suburbanization in outlying areas. These efforts were significantly bolstered in 2017, when the Township attained Plan Conformance for the Preservation Area within the township, including adoption of a Highlands Master Plan Element and Land Development Ordinance. Through Plan Endorsement and implementation of the PIA, land use and zoning between the respective Highlands Planning and Preservation Areas will be brought into greater consistency with each other; resulting in greater overall protection to the underlying natural resources of importance. While the Township’s master plan elements and environmental ordinances demonstrate overall consistency with the goals of the State Plan, through implementation of the PIA, the majority of these plans and ordinances will be updated and brought into compliance with current State standards and/or program priorities as outlined in the recently updated Plan Endorsement Guidelines.

Based on this work and the petitioner’s commitment to implementing the PIA, the Township has demonstrated that their actions and plans are aligned with the principles and policies of the State Plan. It is my recommendation that the Commission adopt the resolution for Plan Endorsement, which will likewise extend and expand the existing Town Center as described above. Please see the attached Plan Implementation Agreement for details of their implementation agenda. In closing, the Township is to be commended for its efforts and leadership, with particular appreciation extended to Jessica Caldwell, PP, AICP, LEED, GA, for the extensive assistance provided to my planning staff in this effort.