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August 1, 2006

Eric K. Snyder, P.P. AICP, Planning Director
Sussex County Division of Planning
One Spring Street
Newton, New Jersey 07860

**Re: Sussex County Petition for Initial Plan Endorsement
Request for Additional Information and Extension of Consistency Review Period**

Dear Mr. Snyder:

The Office of Smart Growth (OSG) and our state agency partners have reviewed the Sussex County petition for Initial Plan Endorsement and would like to commend the County for its active participation and dedication to the Plan Endorsement process. However, consistency issues remain that need to be resolved before OSG can recommend this petition for endorsement by the State Planning Commission (SPC).

Overall, the County's plan was appropriate, comprehensive and well thought out. However, pursuant to N.J.A.C. 5:85-7.5(f), I would like to request additional information, as outlined within this letter. This request is made in order to clarify some concerns and assist with the evaluation of your petition for consistency with the goals, policies and strategies of the State Development and Redevelopment Plan (State Plan).

I am requesting that the County provide this additional information within 90 days. If this suggested amount of time is not sufficient, please let us know and we will work with you to establish a reasonable timeline for submission of the requested information. Once the Office of Smart Growth receives the requested information, we will renew our consistency review of the Sussex County petition and prepare a report for the State Planning Commission on the Petition's consistency with the State Plan within 45 days after receipt of the requested information.

Requested Additional Information

The Visioning Process & Local Participation

The petition describes in detail the steps undertaken by the Strategic Growth Advisory Committee to identify the goals which would enable the realization of the vision for Sussex County. The description of the process clearly emphasizes the involvement of the Committee and the represented municipalities, indicating the level of support and transparency in producing a foundation for the County Plan. Although participation and interest by the municipalities in the visioning process of the Strategic Growth Plan

(SGP) is noted, the petition lacks documentation of the support of the municipalities in the County's final Strategic Growth Plan and vision for the future of Sussex County. The County should provide supporting documents such as meeting minutes, resolutions and/or letters of support indicative of the municipalities' support of the County's Strategic Growth Plan.

Build-out and Capacity Analysis

The purpose of a build-out and capacity analysis is to determine future infrastructure needs based on current capacity at build-out with respect to estimated growth projections.

Although the description of the methodology used to determine the amount of developable land for each municipality is detailed, additional information is needed to clarify the County's findings. There does not appear to be an analysis of the results of the build-out, which would assist the municipalities in their future planning requirements for infrastructure and services. In addition, with respect to the Highlands Act, the build-out analysis does not currently include the implications of the Highlands Act and is used to support assumptions for sewer capacity, NJDEP permit limitations, maximum density and impervious cover. As part of a detailed narrative analyzing the results, the County should identify the timeframes of the build-out as well as clarify the extent of the Preservation and Planning areas at build-out within the municipalities listed in Appendix C.

Planning and Implementation Agreement (PIA)

General

- The Planning and Implementation Agreement (PIA) identifies how the petitioner will achieve the goals and vision described in the endorsed plan, provides a schedule for doing so, and describes how the State Planning Commission and state agencies will commit to providing technical and financial assistance to help advance the implementation of the endorsed plan.
- Generally, the PIA should be formatted by subject with timelines for completing each task. OSG will provide a template for this format. Sussex County should re-work its PIA to conform to the provided format. Examples of PIAs are available within petitions posted on the Plan Endorsement page of the OSG website at www.nj.gov/dca/osg/plan/endorsement.shtml.
- Through negotiations, the timeframes in the PIA may be revised to be more specific (i.e. time periods for completion of specific tasks).
- As we work with the County to develop an implementation strategy to address the items mentioned above, we will also discuss and identify tasks that may need to be added to the Planning and Implementation Agreement to achieve the goals established by Sussex County, such as coordination with the Highlands Council upon adoption of the Highlands Regional Master Plan.

Transportation

- During the visioning process, and throughout the Strategic Growth Plan (SGP), transportation issues were identified as most critical for Sussex County. Two major concerns noted by the County and municipalities are the reactivation of passenger rail service on the Lackawanna Cut-Off and on the NYS&W to Sparta. The Ten-Year Mobility Study conducted by the County provided an analysis of transportation data subsequently incorporated into the SGP. Strategies to address some of the issues identified in the analysis should be included in the SGP.
- The Plan should also include a section with a detailed analysis regarding freight issues including local deliveries and issues pertaining to warehouse concentrations.

- Connectivity within communities and centers, as well as between centers and adjoining towns should be focused upon when determining the location of new development and redevelopment. As part of the planning for new or expanded centers, attention to existing or proposed transit services should be emphasized allowing for the economic feasibility of the community to provide for transportation.
- Alternative financing methods for new or improvements to existing infrastructure should be explored.
- The County, with the assistance of NJDOT, should also adopt a County Access Code allowing the County to have control over access to roads other than state highways.
- For PIA entries that require NJDOT assistance, the state assistance column should have an asterisk denoting the following: “When requested, NJDOT will give priority consideration to providing technical assistance consistent with program requirements and subject to the availability of state resources.”

Clarification regarding proposed growth areas

I would like to thank the County for providing clarification regarding areas proposed for growth in the SGP. Although the SGP seeks to propose areas appropriate for potential growth, it is not seeking the designation of new centers.

Conclusion

Pursuant to N.J.A.C. 5:85-7.5 (f), the County must submit the additional requested information identified above in order for the petition to be evaluated for consistency with the goals, policies and strategies of the State Plan. OSG and our state agency partners will work with the County to revise the petition to include the items identified within this letter and help the County achieve Initial Plan Endorsement

Again, we look forward to meeting with you in the near future to discuss the next steps. Staff from OSG will contact you to arrange a meeting to establish a strategy to ensure that the County is able to address the consistency concerns described in this letter.

Thank you again for your commitment to the Plan Endorsement process. If you have any questions or concerns, please feel free to contact Ann Waters, Area Planner for Sussex County at (609) 633-6344 or via email at awaters@dca.state.nj.us.

Sincerely,



Eileen Swan
Executive Director

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