

RESOLUTION 2013-7
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
APPROVAL OF SUPPLEMENTAL AMENDED PLAN CONFORMANCE GRANT
BOROUGH OF HIGH BRIDGE, HUNTERDON COUNTY

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts, execute any and all instruments to carry out any power, duty or responsibility under the Highlands Act; and

WHEREAS, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance where municipalities, located wholly or partially in the Preservation Area, must revise and conform their local master plan and development regulations, as they relate to development and use of land in the Preservation Area, with the goals, requirements and provisions of the Regional Master Plan within 15 months of adoption thereof, or December 8, 2009; and

WHEREAS, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may voluntarily revise and conform their local master plans and development regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan at any time; and

WHEREAS, the Highlands Act provides that an approval of a Petition for Plan Conformance entitles the conforming municipality with specific benefits including: planning grants, technical assistance, state aid, priority for projects, tax stabilization funds, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

WHEREAS, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities for reasonable expenses associated with Plan Conformance; and

WHEREAS, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands municipalities to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

WHEREAS, under Resolution 2008-73, the Highlands Council authorized the Executive Director to develop and implement a process for the solicitation and distribution of the Plan Conformance Grants in a total amount not to exceed \$7.5 million and up to a \$100,000 allocation for each individual municipality to address the immediate mandatory components of Plan Conformance; and

WHEREAS, in the Borough of High Bridge, there are no lands in the Preservation Area and 1558 134 acres are in the Planning Area; and

WHEREAS, High Bridge Borough submitted a Petition for Plan Conformance including an ordinance published on December 24, 2009 for all lands lying in the Planning Area; and

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WHEREAS, on December 17, 2010, the Executive Director completed the Final Draft Consistency Review and Recommendations Report, and posted a Public Notice, the Final Draft Consistency Review and Recommendations Report, and the complete Petition package on the Highlands Council website for a public review and comment period, with written comments due on or before January 5, 2011; and

WHEREAS, on January 14, 2011, the Executive Director posted the Final Consistency Review and Recommendations Report and Highlands Implementation Plan and Schedule on the Highlands Council website, which addressed issues raised during the public comment period; and

WHEREAS, on January 20, 2011, the Highlands Council held a public hearing on High Bridge Borough's Petition for Plan Conformance and provided an opportunity for public comment; and

WHEREAS, on January 20, 2011, after due consideration the Highlands Council approved High Bridge Borough's Petition for Plan Conformance with conditions as set forth in Resolution 2011-2, the Final Consistency Review and Recommendations Report and the Highlands Implementation Plan and Schedule; and

WHEREAS, the Highlands Council approval of Resolution 2010-9 authorized the Executive Director to amend the High Bridge Borough's Plan Conformance Grant Agreement consistent with direction from the Highlands Council; and

WHEREAS, the Highlands Council staff has reviewed the request submitted by High Bridge Borough and recommends the following tasks in order to facilitate the Borough in meeting its resource protection and economic sustainability goals:

1. Continued work on the Borough's Sustainable Economic Development Plan which will include:
 - a. Economic Profile that will serve as an effective tool for marketing the Borough and attracting new business;
 - b. Study for potential incubator spaces; and
 - c. Refining of the Borough's Zoning Ordinance;
2. Development of a Historic Preservation Plan Element; and
3. Development of a Lake Restoration Management Plan for Lake Solitude; and

WHEREAS, the Highlands Council staff recommends that the Highlands Council authorize the execution of an Supplemental Amended Plan Conformance Grant Agreement with High Bridge Borough to include the above-referenced tasks in the amount of \$101,100; and

WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

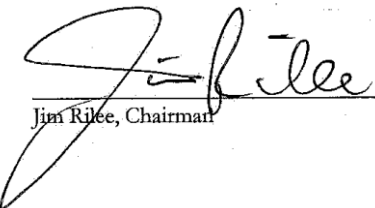
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NOW, THEREFORE, BE IT RESOLVED by the Highlands Council that the Executive Director, or his designee, is hereby authorized to amend the Plan Conformance Grant Agreement with High Bridge Borough to include the following tasks:

1. Continued work on the Borough's Sustainable Economic Development Plan which will include:
 - a. Economic Profile that will serve as an effective tool for marketing the Borough and attracting new business;
 - b. Study for potential incubator spaces; and
 - c. Refining of the Borough's Zoning Ordinance;
 2. Development of a Historic Preservation Plan Element; and
 3. Development of a Lake Restoration Management Plan for Lake Solitude; and
- in the amount of \$101,100 and provide technical assistance consistent with this Resolution.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21st day of February, 2013.


 Jim Rilee, Chairman

**Vote on the Approval of
This Resolution**

	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			✓			
Councilmember Carluccio			✓			
Councilmember Dougherty			✓			
Councilmember Dressler			✓			
Councilmember Francis	✓		✓			
Councilmember Holtaway			✓			
Councilmember James			✓			
Councilmember Mengucci						✓
Councilmember Richko			✓			
Councilmember Sebetich			✓			
Councilmember T'fank		✓	✓			
Councilmember Visioli			✓			
Councilmember Vohden			✓			
Councilmember Walton			✓			
Chairman Rilee			✓			