

**New Jersey Highlands Council  
Chair Report for Plan Development Committee Meeting  
of July 14, 2005**

On July 14, 2005, the Plan Development Committee held a meeting at the Highlands Office in Chester. Notice of the meeting was provided to the public on the Highlands Council's web site. Council members present at the meeting were: John Weingart, Chair (via conference), Eileen Swan, Ben Spinelli, Debbie Pasquarelli and Tim Dillingham (via conference). Council staff members present were: Tom Borden, Steve Balzano, Chuck Gallagher, Jeff LeJava and Maryjude Haddock-Weiler.

The purpose of the meeting was to discuss Preservation Area boundary issues, MP3 case studies, grant procedures, and the selection of consultants for the data management system and the water resource assessment. An executive session was anticipated for the discussion of consultant contracts.

Boundary Issues - Steve Balzano explained that a number of boundary issues have already been resolved, but three three remain: 1) Picatinny Arsenal property in Rockaway Township and Jefferson Township in Morris County; 2) Spruce Run Park / Route 31 Area in Clinton Township and Lebanon Township in Hunterdon County; 3) Allamuchy State Park in Mount Olive Township in Morris County.

First, the Highlands Act excludes Picatinny Arsenal from the Preservation Area by design but provides that the land should be treated as Preservation if it is no longer used for military purposes. Morris County contacted the Council to support that one additional lot, Block 265, Lot 6 in Jefferson Township, which amounts to 431.86 acres, is part of the Arsenal and therefore should be reflected on the DEP iMap as in the Planning Area. After review of the Act and tax maps, the Plan Development Committee concurred.

Second, the Highlands Act's description of the Preservation Area boundary in the vicinity of Spruce Run Park / Route 31 Area provides as follows: starting where Route 31 intersects "with the Spruce Run Reservoir boundary; thence southerly and westerly on the Spruce Run Reservoir boundary to its intersection with Rupell Road; thence westerly on Rupell Road . . ." A private landowner suggested that the intersection with the Reservoir property should be considered to be at a different location than the one shown on the NJDEP's iMap, which would exclude Block 2, Lot 3 in Lebanon Township from the Preservation Area, as well as additional privately-owned lots along Route 31 further south. The DEP believes the DEP iMap as drawn is correctly and Highlands staff agrees. The monument in the field shows that Block 2, Lot 3 does not intersect with the Route 31 R.O.W. In addition, the Spruce Run Reservoir boundary proceeds northerly and westerly from Block 2, Lot 3 where as the statutory description provides that the preservation area boundary is to go "southerly and westerly" along the Spruce Run Reservoir boundary to its intersection with Rupell Road. The Plan Development Committee concurred with staff's recommendation.

Third, the Allamuchy State Park boundary issue is a case where the description within the Act is internally inconsistent. The boundary description states that the line should go from the intersection of International Drive and Waterloo Valley Road *easterly* to the intersection of Allamuchy State Park, but it is not possible to go easterly and intersect with the Park. Staff suggested that in order to intersect the Park, it appears that the Legislature intended to boundary to proceed *westerly* (rather than easterly) from the intersection of International Drive and Waterloo Valley Road. The Plan Development Committee concurs. Additionally, there was an issue as to where the preservation area line goes "southerly" (after going westerly on Waterloo Valley Road). The DEP iMap currently shows the preservation area boundary moving southerly along forested property just east of the Park. A private party has suggested that the boundary should go southerly at a point farther west, namely along the actual property boundary of Allamuchy State Park. The Morris County Municipal Utilities Authority (MUA), that owns an affected property, supports the boundary line as shown on the DEP iMap. The Morris County Planning Department supports the private landowner's recommendation that the line be changed. The Plan Development Committee determined to recommend to the full council that the recommendation of the private party and Morris County Planning Department be followed. Since this issue requires the Council to take a formal position interpreting the Highlands Act, the matter will be presented to the full Council.

Municipal Partnership Pilot Projects (MP3) - Steve Balzano explained that the staff has recommended pursuing a number of case studies in coordination with municipalities to investigate key areas of concern in developing the Highlands Regional Master Plan. Seven (7) case studies have been proposed including eight (8) municipalities.

Byram Township – Lake management and center development  
Dover Town – Transit village development  
Greenwich Township – Growth management and COAH  
Oxford Township – Brownfields  
Randolph Township – Growth management  
Washington Boro – Redevelopment, growth area, possible TDR  
West Milford Township/Ringwood Boro – Redevelopment within a Preservation Area and eco-tourism

Grant Procedures – Based on the approval of the Council's budget with the recent budget adoption, staff has prepared a proposed grant program for funds to municipal and county governments.

1.) Municipal Partnership Pilot Projects (MP3) – Grant to municipalities to support the MP3 Case Studies on targeted master planning issues. \$450,000

2.) Zoning and Parcel Analysis – Grant to municipalities to integrate MOD4 and zoning data on municipal parcel maps for inclusion in GIS data management system \$250,000

- 3.) Digital Elevation Analysis – Grant to counties to prepare an updated and accurate digital model of the Highlands to identify steep slopes. -\$250,000
- 4.) Wastewater Capacity Analysis - Grant to municipalities and counties to inventory wastewater capacity of existing sewage treatment plants and anticipated capacity. \$250,000
- 5.) Council on Affordable Housing Planning – Grant to all 88 Highlands Region municipalities to prepare housing plans. Grants would assist municipalities in meeting the December 2005 COAH deadline for third round analysis. \$600,000
- 6.) Planning Board Approved Projects - Grant to all 88 Highlands Region municipalities to inventory approved subdivisions and site plans. \$400,000

Additionally the grant program provides for a reserve of \$450,000 for additional grant opportunities to be allocated by the Plan Development Committee and the Budget and Finance Committee at a later date.

John Weingart suggested that the staff prepare a grant procedure proposal for consideration by the full Council. A special meeting of the full Council may be held to consider the grant procedures and consultant contracts.

Tom Borden explained that because of the voluntary nature of compliance with the Regional Master Plan by Planning Area towns that the grants are meant to help move the process forward. The first step is to have municipalities and counties give input into the development of the Regional Master Plan. The second step will be for municipalities and counties to come into compliance with the Regional Master Plan once it is adopted.

Jeff LeJava explained that he had looked at the grant programs administered by the DEP, the Meadowlands Commission, and the Economic Development Authority as a guide in preparing a grant program for the Highlands Council. The general framework for grant programs is on a reimbursement basis. Planning grants and grants to implement the transfer of development rights would provide for technical assistance, consultant fees, and legal services. The terms would cap grants at \$100,000 per year per municipality. Each grant would have to be accompanied by a grant agreement, a description of what is to be accomplished and a set of deliverables. Grant approval would be done through the Plan Development Committee and the Budget and Finance Committee.

Selection of Consultants – A proposal for consultant services to complete the Regional Master Plan was outlined at previous Plan Development Committee meetings. The most immediate needs are for the Water Resource Assessment, Updating of the 2002 Forest Study, Development of conservation strategies, and a Data Management System.

The Plan Development Committee went into executive session to discuss terms and conditions of four consultant proposals received to date.