



DRAFT

**Borough of Mount Arlington
Highlands Preservation Area
Master Plan Element**

Prepared by the State of New Jersey Highlands Water Protection and Planning Council in Support of the Highlands Regional Master Plan

October 2011

DRAFT FOR PUBLIC COMMENT

Please Note:

This document should be read in concert with the Final Draft Consistency Review and Recommendations Report prepared by the Highlands Council Staff for the Borough of Mount Arlington.

Prior to adoption, this cover page will be replaced in its entirety with one using the municipal logo and formatting; minor items (highlighted) within the document will be addressed and finalized; and all instructional text will be removed.

HIGHLANDS ELEMENT
MASTER PLAN SUPPLEMENT
BOROUGH OF MOUNT ARLINGTON
MORRIS COUNTY, NEW JERSEY

FOR SUBMISSION TO THE NEW JERSEY HIGHLANDS WATER
PROTECTION AND PLANNING COUNCIL TOWARD ACHIEVING
PLAN CONFORMANCE WITH THE HIGHLANDS REGIONAL
MASTER PLAN

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The Land Use Board presented, discussed, and accepted public comment on this draft Master Plan supplement at its duly-noticed public meeting of December 8, 2010. Copies of the document were made available for review by the public at least 10 days prior to that meeting, and adequate notice of the meeting advising that the Highlands Element was on the agenda for discussion and public comment, was provided.

This document is based on a model Highlands Element prepared and provided to the Borough by the New Jersey Highlands Water Protection and Planning Council. Modifications required to tailor it for application to the Borough of Mount Arlington were provided by the individual indicated below.

PREPARED BY:

**BOROUGH OF MOUNT ARLINGTON
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INTRODUCTION

The Borough of Mount Arlington is located in the New Jersey Highlands Region. It is one of 88 municipalities protected by and subject to the provisions of the Highlands Water Protection and Planning Act (“Highlands Act,” N.J.S.A. 13:20-1 et seq.). The Highlands Act was enacted by the State Legislature on August 10, 2004 for the purpose of protecting, enhancing, and restoring Highlands natural resources, in particular water resources, which provide drinking water to over 5 million New Jersey residents. The Highlands Act created the Highlands Water Protection and Planning Council (the “Highlands Council”) and charged it with crafting a comprehensive master plan for the Highlands Region.

The Highlands Regional Master Plan (RMP) was adopted by the Highlands Council on July 17, 2008, and became effective on September 8, 2008. As the product of a long-term, participatory, and region-wide planning effort, the RMP is representative of the collective response of the wider community to the Legislature’s call for a Highlands comprehensive master plan. The Borough places value in the regional planning process that was undertaken to fully develop the RMP and acknowledges its role in furthering the vision that it represents. The Highlands Region encompasses some 1,343 square miles in the northwest part of New Jersey. The Highlands Act designates about half of the seven-county Region as Preservation Area (415,000 acres) and the other half as Planning Area (444,000 acres). The Act requires that jurisdictions having lands in the Preservation Area conform to the Highlands RMP with respect to that area, while for lands located in the Planning Area, conformance is voluntary.

The Borough of Mount Arlington is located, partially in each, the Preservation and Planning Area. The municipality affirmatively seeks to align its land use planning program with the provisions of the RMP with respect to that portion of the municipality located only within the Preservation Area (see Exhibit A, Borough Highlands Preservation Area).

The Preservation Area in the Borough of Mount Arlington consists of 132 acres, encompassing just 7% of the municipality’s total land area. A detailed review of the properties located within the Borough’s Preservation Area indicates that there is extremely limited development potential. The area consists of developed residential properties, an existing public school, preserved municipal open space (70.5 acres), a former landfill that is the subject of a Highlands Redevelopment Area study (35.6 acres), and approximately 12 acres of developable land divided among six parcels, the largest of which is slightly more than 5 acres in area. Municipal zoning for most of the area (including all of the larger lots) requires 40,000 square feet per residential unit.

The Borough recognizes the unique value of the Highlands Preservation Area and seeks to protect and enhance that portion located within the municipality, in keeping with the Highlands Act and the RMP. Accordingly, the Highlands Element sets forth the policies that shall guide future land use and development (to the extent applicable) within the Borough Highlands Preservation Area. It provides the rationale and the framework for the adoption of land use requirements that are protective of Highlands resources and consistent with the Highlands RMP. In large part, these policies will be effectuated by adoption of a “Highlands Checklist Ordinance.” This ordinance will require that applicants seeking development approvals for projects within the Preservation Area either provide confirmation of a Highlands Act exemption (pursuant to N.J.S.A. 13:20-28), as demonstrated by

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issuance of a Highlands Applicability Determination from the NJDEP; or obtain evidence of RMP-compliance in the form of: a) a Consistency Determination from the Highlands Council, or b) a Highlands Preservation Area Approval from the NJDEP. The Borough anticipates that all or nearly all proposals for development in this area will qualify for Highlands Act exemptions. Development not covered by such exemptions will, as applicable, be subject to the provisions of the Regional Master Plan, or the New Jersey Department of Environmental Protection (NJDEP) “Highlands Water Protection and Planning Act Rules” (N.J.A.C. 7:38-1 et seq), or both.

The Highlands Checklist Ordinance and any other regulatory requirement deemed necessary to effectuate these Highlands land use policies, shall apply to non-exempt land use activities in the Highlands Preservation Area. “Non-exempt” land use and development refers to uses, activities, and development projects not expressly listed as exemptions in the Highlands Act (N.J.S.A. 13:20-28). Land use activities, improvements, and development projects that are exempt from the Highlands Act shall remain subject to all other applicable provisions of the underlying municipal Master Plan, Zoning and Land Use Ordinances, and Development Regulations.

The Highlands Element amends or creates in limited form (where not already existing), a limited set of components to supplement the existing Mount Arlington Master Plan, as provided in the sections that follow. The Highlands Element is intended to apply in conjunction with the language of the existing Borough Master Plan to the maximum extent feasible. In the event of conflicts between the two, the Highlands Element shall supersede, unless the existing municipal Master Plan provisions are more restrictive.

POLICIES, GOALS & OBJECTIVES

The overarching land use policy with respect to the Borough Highlands Preservation Area is to place priority emphasis on the protection, enhancement and restoration of Highlands natural and cultural resources while ensuring that land use and development activities within the Preservation Area occur only in a manner and location that is consistent with the Highlands Regional Master Plan.

Detailed information concerning Highlands resources within Mount Arlington, is provided in the Borough Highlands Environmental Resource Inventory (ERI), prepared by _____, and dated October 2011. Herewith incorporated by reference, the ERI includes all of the information available through the Highlands Regional Master Plan and supporting technical documents, which document the wide array of natural and cultural resources that characterize the New Jersey Highlands Region.

To ensure the protection, enhancement and restoration of Highlands natural and cultural resources, the Borough incorporates herewith as its own, the applicable goals and objectives of the Highlands Act and Highlands RMP with respect to the Preservation Area. Specifically, the following goals are embraced by the municipality and shall guide future land use and development within the Borough Highlands Preservation Area:

A. PRESERVATION AREA GOALS

1. To protect, restore, and enhance the quality and quantity of surface and ground waters;
2. To preserve extensive and, to the maximum extent possible, contiguous areas of land in its natural state, thereby ensuring retention of the unique and significant natural, scenic, and other resources representative of the Borough Highlands Preservation Area;
3. To protect the natural, scenic, and other resources of the Borough Highlands Preservation Area, including but not limited to contiguous forests, wetlands, vegetated stream corridors, steep slopes, and critical habitat for fauna and flora;
4. To preserve farmland, historic sites, and other historic resources;
5. To preserve outdoor recreation opportunities on publicly owned land;
6. To promote conservation of water resources;
7. To promote Brownfield remediation and redevelopment, where applicable;
8. To promote compatible agricultural, horticultural, recreational, and cultural uses and opportunities within the framework of protecting the environment of the Borough Highlands Preservation Area; and
9. To prohibit or limit to the maximum extent possible construction or development which is incompatible with preservation of this unique area.

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B. RELATIONSHIP BETWEEN HIGHLANDS ACT & MLUL

The Municipal Land Use Law gives authority to New Jersey municipalities to govern land use and development within their borders. The Highlands Act augments that authority to allow municipalities the power to enforce the goals, policies, objectives, and programs of the Highlands Regional Master Plan. The Highlands Act and the RMP together provide the regional perspective from which local decisions and actions will emanate.

As a result of the passage of the Highlands Act, the future of land use planning has significantly changed for both municipalities and counties in the Highlands Region. The New Jersey Supreme Court, in upholding the constitutionality of the Highlands Act in OFP, LLC v. State, 197 N.J. 418 (2008), affirmed the Appellate Division's decision, which emphasized the broad scope of the Highlands Act to protect the natural and agricultural resources of the Highlands through a coordinated system of regional land use controls. The Highlands Act creates a system in which a regional plan is designed to be implemented primarily through local government units. The net effect is that the statutory authority of local government units in the Highlands Region, inclusive of that provided under the Municipal Land Use Law (MLUL), is not preempted by the Highlands Act, but rather is supplemented through the passage of the Highlands Act and the adoption of the Highlands Regional Master Plan. The Highlands Act provides, through the conformance of municipal master plans and ordinances with the Highlands RMP, authorities for municipal regulation that are in addition to those of the MLUL.

Accordingly, the criteria for approval of development applications under the ordinances that ultimately effectuate this Highlands Element (specifically including the aforementioned Highlands Checklist Ordinance) will incorporate aspects of both the Municipal Land Use Law and the Highlands Act.

1. **Non-Major Highlands Development.** A waiver may be issued or authorized by the Highlands Council on a case-by-case basis from the requirements of the RMP or any amendments to a master plan, development regulations, or other regulations adopted by a local government unit specifically to conform them with the RMP: 1) if determined to be necessary in order to protect public health and safety; 2) for redevelopment in accordance with a Highlands Redevelopment Area Designation; or 3) in order to avoid the taking of property without just compensation. Any waiver issued shall be conditioned upon a determination that the proposed development meets the requirements prescribed for a finding as listed in Section 36.a of the Highlands Act to the maximum extent possible. Waivers to requirements of the RMP are addressed separately from New Jersey Department of Environmental Protection (NJDEP) waivers to its Highlands Preservation Area regulations at N.J.A.C. 7:38.
2. **Major Highlands Development.** The Highlands Council will coordinate with NJDEP during Highlands permit review for any major Highlands development including the review of waivers on a case-by-case basis: 1) if determined to be necessary in order to protect public health and safety; 2) for redevelopment in accordance with a Highlands Redevelopment Area Designation (see Redevelopment Planning); or 3) in order to avoid the taking of property without just compensation.

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LAND PRESERVATION AND LAND STEWARDSHIP PLAN

A mapped inventory of Preserved Lands in the Borough Highlands Preservation Area, current through 2011, appears at Exhibit B, “Preserved Lands” (duplicated from the ERI). This Plan in addition incorporates (from the ERI) Exhibit C, “Highlands Conservation Priority Areas.” This Plan recognizes and incorporates the definitions, derivations and delineations used to develop these maps, as provided in the ERI.

Preserved Lands in the Borough Highlands Preservation Area primarily consist of lands under ownership by the municipality (70.5 acres). In total, the maps indicate 79 acres of Preserved Lands with 100% set aside for other preservation purposes, including passive recreational uses.

Highlands Conservation Priority Area lands are those designated a high priority for preservation due to exceptional water and ecological resource value. The priority order derives from the Highlands Council Resource Assessment methodology, which identifies and ranks Highlands lands based on a combination of indicators, including but not limited to: watershed conditions, Highlands Open Waters, riparian areas, prime ground water recharge areas, forests, critical habitat and steep slopes. As indicated in Exhibit C, the Borough Highlands Preservation Area contains 16 acres of land within the Highlands Conservation Priority Area.

The following goals and objectives will guide the future identification, prioritization, dedication, and stewardship of Preserved Lands in the Borough Highlands Preservation Area: *[Municipality to select either item #1 or #2 to retain, not both, and delete the other for completion of this section.]*

1. To apply Highlands Council prioritization criteria in making determinations regarding non-agricultural Land Preservation (whether by fee simple or easement dedication), which are ordered as follows:
 - a. Lands within Highlands Conservation Priority Areas; and
 - b. Lands within Highlands Resource Areas generally, including but not limited to forested portions of Forest Resource Areas, Critical Habitat Areas, and Riparian Areas, particularly any portion of a Resource Area designated as “High Integrity” or “High Resource Value” (all Resource Areas and classifications referring to those as defined, discussed, and illustrated in the RMP and Borough Highlands ERI).
2. To recognize and consider Highlands Council prioritization criteria in addition to existing Borough criteria, in making determinations regarding non-agricultural Land Preservation (whether by fee simple or easement dedication). Highlands priorities are ordered as follows:
 - a. Lands within Highlands Conservation Priority Areas; and
 - b. Lands within Highlands Resource Areas generally, including but not limited to forested portions of Forest Resource Areas, Critical Habitat Areas, and Riparian Areas, particularly any portion of a Resource Area designated as “High Integrity” or “High Resource Value” (all Resource Areas and classifications referring to those as defined, discussed, and illustrated in the RMP and Borough Highlands ERI).

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3. To maintain a current Recreation and Open Space Inventory (ROSI) where required by the New Jersey Department of Environmental Protection Green Acres Program.
4. To seek ways to establish and fund local land acquisition for preservation and stewardship programs or to expand existing open space and stewardship programs.
5. To identify lands subject to stewardship programs within this Land Preservation and Land Stewardship Plan and to provide that information to the Highlands Council.
6. To require that conservation or land stewardship easements imposed during the course of development applications be enforceable by the Highlands Council and at least one of the following entities, as qualified and amenable in accordance with the particular circumstances: the Borough, the County Agriculture Development Board, the State Agriculture Development Committee, Green Acres, or a non-profit land trust organized pursuant to § 501 (c)(3) of the federal tax code and engaged in the protection of land for the purpose of providing long-term stewardship of land resources.
7. To establish a stewardship and monitoring program for preserved lands owned by or dedicated to the Borough. This objective may be accomplished with the assistance of a non-profit land trust organized pursuant to § 501 (c)(3) of the federal tax code and engaged in the protection of land for the purpose of providing long-term stewardship of land resources.
8. To develop and implement a Forest Management Plan or Forest Stewardship Plan consistent with the standards of the NJ Forest Stewardship Program for application to municipally-owned forest lands.
9. To ensure periodic monitoring of easement restrictions protecting Critical Habitat Areas, associated species and ecological communities from any changes in land use or management practices that would impair these resources.
10. To implement Riparian Area restoration practices on Preserved Lands that give priority to ecological and watershed protection measures.
11. To identify and preserve opportunities for outdoor recreation, including a variety of active and passive recreation options, in such locations and in such manner as to ensure environmental resource protections, while addressing the needs of the local population for physical activity, social interaction, connection with nature and the natural environment, and enjoyment of the outdoors.

REDEVELOPMENT PLANNING

The Land Use Board has examined the potential for redevelopment opportunities within the Highlands Preservation Area. The term “redevelopment” is used herein to refer to reconstruction or re-use of previously developed and underutilized properties (which include Preservation Area sites having 70% or more area in impervious surface), and to the rehabilitation and re-use of “brownfield” sites (identified as such by New Jersey Department of Environmental Protection). Unless specifically stated otherwise, neither the term “redevelopment,” nor the phrase “in need of redevelopment” is used herein to invoke the definitions, processes, powers or any other facet of the provisions of the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

Rather, Highlands Preservation Area redevelopment planning refers to the identification of previously developed areas that: a) are suitable for re-use and/or reconstruction, or reversion to “greenfields,” such as parklands, conservation areas, or open space; and/or b) may be eligible for designation by the Highlands Council as Highlands Redevelopment Areas. Highlands Redevelopment Areas are typically characterized by ready access to or potential for water and wastewater utility infrastructure (and available or potential capacities); existing transportation infrastructure and/or services with links to viable transportation networks; proximity to supporting community facilities and services; and suitability for increased development intensity in keeping with smart growth planning principles. Where brownfields are involved, the New Jersey Department of Environmental Protection identification of the brownfield site is a necessary step prior to Highlands Council designation of a Highlands Redevelopment Area. Subsequent to such designations, applications for any Major Highlands Development must be submitted to the New Jersey Department of Environmental Protection for a Highlands Preservation Area Approval (HPAA) with Redevelopment Waiver.

It is the intent of this Plan to encourage redevelopment where appropriate within the Highlands Preservation Area, to ensure optimal and efficient use of land. By maximizing the use of previously developed areas and areas in need of environmental clean-up or other improvements, the municipality may provide for desirable new development (or new green spaces), while protecting lands that contain sensitive environmental features and important Highlands resources. This approach is intended to guide development toward the most suitable locations in the municipality, to encourage environmental clean-up where needed, and to maximize the use of existing infrastructure to meet future needs.

Redevelopment projects and activities that conform to density/intensity allowances and meet all other requirements (specifically including the Highlands Preservation Area Rules at N.J.A.C. 7:38), do not require Highlands Redevelopment Area designation and may proceed as of right in accordance with all municipal procedural requirements. Any municipally-sponsored redevelopment project proposed pursuant to N.J.S.A. 40A:12A, while perhaps also requiring Highlands Council designation of a Highlands Redevelopment Area, must be advanced in accordance with all applicable statutory requirements, including preparation and adoption by the Governing Body of a Redevelopment Plan. The Land Use Board, in making any Highlands Preservation Area determination of “area in need of redevelopment” pursuant to N.J.S.A. 40A:12A, will incorporate the

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considerations listed below for Highlands Redevelopment Area designations in evaluating the applicable criteria under N.J.S.A. 40A:12A-5.

1. Definitions.

- a. A “brownfield” site consists of a commercial or industrial site that is currently vacant or underutilized and on which there has been or is suspected to have been, a contaminant discharge.
- b. A “grayfield” site consists of a site supported by existing infrastructure that contains an industrial or commercial facility (not excluding one having a residential component) exhibiting signs of abandonment or underutilization, but without evidence or expectation of contamination.
- c. A “redevelopment project” or “redevelopment activity” refers to the re-use, reconstruction, or conversion to alternate use, of a brownfield site, a grayfield site, or a previously developed site that is currently vacant or underutilized in the Highlands Preservation Area. Redevelopment projects and activities may include but are not limited to: removal, reconstruction, or adaptive reuse of existing buildings and other structures; construction of new buildings and other structures; and conversion/restoration of a site or portions of a site for open space, recreation or conservation purposes of any kind.
- d. A “Highlands Redevelopment Area” consists of a property or group of properties designated as such by the Highlands Council, and which includes one or more of the following: a) a brownfield site; b) a grayfield site; and c) any previously developed site in the Highlands Preservation Area. A Highlands Redevelopment Area may include the intervening or surrounding lands which are significantly affected by or are necessary to support such sites, and will be subject to a Highlands Council-approved redevelopment plan setting forth the full scope and details of the proposed redevelopment project(s) and/or activities.

2. Redevelopment Projects and Activities.

- a. Redevelopment projects and activities that comply with all applicable land use ordinances (specifically including those developed for the Highlands Preservation Area) are encouraged in all Areas, Zones, and Subzones of the Highlands Preservation Area. Such projects and activities are also subject to all applicable county, state, and federal regulatory requirements.
- b. Redevelopment projects and activities involving conversion to greenfields are particularly encouraged in environmentally constrained areas, where compliance with Highlands Preservation Area ordinance provisions for new development may not be feasible.
- c. In consideration of the foregoing, the Board recommends that be considered for potential Highlands Redevelopment Area designation in accordance with all Highlands

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Council and NJDEP requirements. This site is located in the Preservation Area at the northeast corner of Berkshire Avenue and Southard Road, opposite Valley Road and occupies 35.64 acres.

- d. In consideration of the foregoing, the Board recommends that the site of the former Mount Arlington landfill (at Block 8 Lot 3), believed to constitute a brownfield, be considered for potential redevelopment projects and/or activities in accordance with all applicable regulatory requirements. This site is located in the Preservation Area at the northeast corner of Berkshire Avenue and Southard Road, opposite Valley Road. It occupies 35.64 acres.
3. **Highlands Redevelopment Areas.** In assessing the potential for Highlands Redevelopment Area designations, the Land Use Board incorporates the following relevant considerations:
- a. Highlands Redevelopment Area designation in the Preservation Area is confined to: a) sites having 70% or greater impervious coverage, and/or b) sites designated as “Highlands brownfields” in accordance with New Jersey Department of Environmental Protection Preservation Area Rules (at N.J.A.C. 7:38-6.6). In addition to Highlands Council approval, a waiver is required from the New Jersey Department of Environmental Protection in conjunction with a Highlands Preservation Area Approval (HPAA).
 - b. Highlands Redevelopment Area designation will only be considered where lands are particularly suited to the proposed redevelopment plan, by virtue of a preponderance of existing characteristics such as, but not limited to: appropriate community location; availability of water and wastewater utility infrastructure and capacity; access to transit and/or other suitable transportation systems and networks; suitability for increased land use intensity or conversion to greenfields, as applicable; extensive coverage by impervious surfaces; proximity to community facilities and services; potential to embody and/or further smart growth principles; opportunity to protect resources; and potential to contribute to a sustainable local and/or regional economy.
 - c. Any redevelopment project or activity permitted under the auspices of Highlands Redevelopment Area redevelopment plan must be designed and developed in accordance with smart growth and Low Impact Development principles, consistent with the RMP.
 - d. In consideration of the foregoing, the Board recommends that the site of the former Mount Arlington landfill (at Block 8 Lot 3), believed to constitute a brownfield, be considered for potential Highlands Redevelopment Area designation in accordance with all Highlands Council and NJDEP requirements. This site is located in the Preservation Area at the northeast corner of Berkshire Avenue and Southard Road, opposite Valley Road and occupies 35.64 acres.

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HOUSING PLAN

It is the intent of the Borough of Mount Arlington to comply with the requirements of the Fair Housing Act. At the present time given the on-going changes in Housing Regulations and Policies, the Borough is deferring the adoption of an overall Housing Element and Fair Share Plan. The Borough recognizes that the main component of the Council on Affordable Housing (COAH)'s Third Round rules was invalidated in 2010 and an appeal of that invalidation is pending in the New Jersey Supreme Court; that COAH's Guidance for Highlands Municipalities that Conform to the Highlands Regional Master Plan was invalidated by the Appellate Division of the Superior Court; that significant changes to State laws pertaining to the provision of affordable housing are being considered; and that Governor Christie has approved Reorganization Plan No. 001-2011, which eliminates COAH, transferring its functions and duties to the Department of Community Affairs (DCA). Accordingly, although the Borough recognizes that it has a constitutional obligation to provide, through its land use regulations, a realistic opportunity for provision of a fair share of its region's present and prospective needs for housing for low- and moderate-income families; the preparation and adoption of a Housing Element and Fair Share plan is being deferred until such time as these outstanding issues have been resolved.

RELATIONSHIP OF MASTER PLAN TO STATE/REGIONAL/LOCAL PLANS

By adoption of this Highlands Element, the Borough Master Plan is brought into alignment with the Highlands Regional Master Plan. The Highlands Element incorporates all of the policies, goals, and objectives of the Highlands Regional Master Plan that are relevant to the use and development of land in the Borough Highlands Preservation Area. The Highlands Element calls for the development and adoption of specific regulatory provisions, land preservation/stewardship planning, redevelopment planning, and housing planning, which together will effectuate its vision and in so doing, advance the intents and purposes of the Highlands Regional Master Plan.

The Highlands Act provides that any portion of a municipality located in the Highlands Preservation Area is exempt from the State Planning Commission Plan Endorsement process. It provides further that once the Regional Master Plan has attained Plan Endorsement from the State Planning Commission for the Planning Area, Highlands Council approval of Plan Conformance with respect to lands in the Planning Area shall be deemed the equivalent of Plan Endorsement.

By aligning the municipal Master Plan with the Highlands Regional Master Plan, its consistency with the State Development and Redevelopment Plan (SDRP) is achieved. A map depicting the municipality's SDRP Planning Areas appears at Exhibit D. The Highlands Element furthers State Development and Redevelopment Plan policies, goals, and objectives in many ways, not least of which are the following:

1. Seeking to protect, preserve, restore, and enhance the natural resources of the Highlands Preservation Area;
2. Encouraging the use of smart growth principles in locations of the Area deemed appropriate for development and/or redevelopment;
3. Protecting historic, cultural and aesthetic resources;
4. Encouraging a sustainable local economy;
5. Protecting agricultural resources, supporting local agricultural businesses, and promoting sustainable agricultural practices;
6. Preserving open space and providing for an array of active and passive recreational opportunities; and
7. Ensuring a viable and well-integrated transportation network that incorporates and encourages multi-modal options and efficiency of land use.

The Highlands Element modifies the relationship of the Borough development plan to those of the county and contiguous municipalities insofar as it affects the intents for land use and development within the Borough Highlands Preservation Area. Given that the Highlands Element introduces a number of new constraints to development based on environmental resources and carrying capacities, it is anticipated that the future impacts from development of the Highlands Preservation Area will be reduced from previous trends. Moving forward, it will be important to understand which of the adjoining municipalities conform to the Highlands Regional Master Plan and for what portions of their land areas. The land uses, the permitted densities and intensities of development, and the locations and extent of anticipated growth in neighboring Highlands communities that are also

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pursuing conformance with the Regional Master Plan are all subject to change. Until information is available concerning such decision-making, a comparison between these master plans will not be meaningful. Further discussion of these aspects will therefore be provided in the next amendment to the Master Plan.

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EXHIBITS

- A.** Borough Highlands Preservation Area
- B.** Preserved Lands
- C.** Highlands Conservation Priority Areas
- D.** SDRP Planning Areas