



# State of New Jersey

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*Chairperson*

**LISA J. PLEVIN**  
*Executive Director*

## CONSISTENCY REVIEW AND RECOMMENDATIONS REPORT

**INCORPORATED BY REFERENCE INTO  
HIGHLANDS COUNCIL RESOLUTION 2020-20**

**PETITION FOR PLAN CONFORMANCE:  
PARSIPPANY-TROY HILLS, MORRIS COUNTY**

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

**DECEMBER 3, 2020**

**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**Petition for Plan Conformance – Consistency Review and Recommendations Report**

**PETITION SUMMARY**

<b>Municipality:</b>	<u>Township of Parsippany-Troy Hills</u>
<b>Date of Petition Submission:</b>	<u>June 23, 2020</u>
<b>Conformance Area:</b>	<u>Planning Area</u>
<b>Staff Recommendation:</b>	<u>Approve Petition with Conditions</u>

**Summary of Petition Submittal**

1. Planning Area Petition Ordinance, Ordinance #2020:13, adopted April 21, 2020.
2. Township of Parsippany-Troy Hills, NJ – Highlands Council Plan Conformance Petition, dated June 17, 2020.
  - Overview of Parsippany-Troy Hills Master Plan
  - Resource Inventory of the Township’s natural and cultural resources
  - Summary of developable and re-developable lands within the Township
  - Land Use Capability Zone designations within the Township

The Township of Parsippany-Troy Hills, located in Morris County, has 16,223 acres in the Planning Area of the Highlands Region where Plan Conformance is voluntary. Parsippany-Troy Hills is a suburban community with many distinct residential neighborhoods and a concentration of commercial activities. The Township is intersected by a number of major roadways, Interstates 80, 280 and 287, State Routes 10, 46, 53 and 202. Along with these land uses, approximately 1/3 of the Township is categorized as open space and recreation.

In 2018, the Township launched an effort to create a new master plan for the community. After an extensive process of public outreach and planning analysis, the 2020 Master Plan was adopted. The Master Plan establishes a series of goals, strategies and recommendations for the Township’s future. The goals include preservation of community character, mitigation of transportation problems, enhancement of parks and open spaces, protection of environmental features, utilization of sustainable development practices, wise management of water and sewer services, protection of cultural and historic resources, and support for regional growth management planning. In general, the Parsippany-Troy Hills 2020 Master Plan is in alignment with the Highlands Regional Master Plan.

In accordance with Section 15 of the Highlands Act (N.J.S.A. 13:20-15) the Township has indicated its intent to revise its master plan and development regulations, as applicable to the development and use of land in the planning area, to conform with the goals, requirements, and provisions of the regional master plan. The Township shall proceed in revising its master plan and development regulations in accordance with the Highlands Council’s adopted Plan Conformance Procedures (RMP Addendum 2019-2). There will be additional opportunities to more firmly align the overall planning with specific regulations and policies of the RMP as noted in this recommendation report.

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These opportunities will be pursued as implementation of Plan Conformance proceeds. The Plan Conformance tasks outlined below facilitate these efforts.

On December 18, 2018, Parsippany-Troy Hills passed a resolution indicating the municipality's intention "to revise its master plan and development regulations for Plan Conformance to the Highlands Council" and on April 21, 2020 the Township adopted the Planning Area Petition Ordinance. Together these two actions, along with the goals of their recently adopted master plan, confirm the Township's commitment to engage in the Highlands plan conformance process.

**Staff Recommendation**

On the basis of the components of the Conformance Petition, outlined above, and the adoption of the Township's Planning Area Petition Ordinance, Highlands Council Staff recommends that the Petition for Plan Conformance and Implementation Plan and Schedule for the Township of Parsippany-Troy Hills be approved with conditions as outlined below. The mandatory conditions will bring the Township into conformance with the Highlands Plan Conformance Procedures, the Highlands Regional Master Plan (RMP) and the Highlands Act.

1. **Adoption of Highlands Referral Ordinance** – The municipality shall adopt the Highlands Referral Ordinance, implementing the Land Use Capability Zones of the Highlands Regional Master Plan (RMP). Adoption of the Referral Ordinance institutes a requirement that development applications be deemed incomplete by the reviewing board or applicable municipal authority until or unless accompanied by a Highlands Council Consistency Determination indicating that the application is consistent, or can and will be made consistent, with the RMP. The Highlands Resource Maps are attached as Appendix B.
2. **Adoption of Approved Highlands ERI** – The Township shall review the Highlands Interactive Environmental Resource Inventory (ERI) as it relates to municipal resources and notify the Council of any necessary updates. Upon conclusion that the ERI is accurate, the municipal Environmental Committee shall provide for and complete the required process of formal adoption of the ERI. At the conclusion of the process, a copy of the minutes of the meeting(s) shall be provided to the Highlands Council.
3. **Adoption of Approved Master Plan Highlands Element** – The municipality shall prepare the Master Plan Highlands Element and submit it to the Highlands Council for final approval. Upon receipt of final Highlands Council approval, the municipal Planning Board shall arrange for the required process of scheduling, notice, public hearing, consideration, and formal adoption of the Highlands Element by the municipal Planning Board. At the conclusion of the process, a certified copy of the adopted Highlands Element shall be provided to the Highlands Council.

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4. **Adoption of Approved Highlands Area Land Use Ordinance** – The municipality shall prepare the Highlands Area Land Use Ordinance and submit it to the Highlands Council for final approval. Upon receipt of final Highlands Council approval, the municipal Governing Body shall arrange for the required process of scheduling, notice, public hearing, consideration, and formal adoption of the Highlands Area Land Use Ordinance by the municipal Governing Body. At the conclusion of the process, a certified copy of the adopted Highlands Area Land Use Ordinance shall be provided to the Highlands Council with notice of its effective date.
  - a. **Adoption of Updated Zoning Map** – The municipality shall prepare an updated Municipal Zoning Map which shall be adopted immediately following or at the time of adoption of the Highlands Area Land Use Ordinance, to reflect the new overlay Highlands Zones and Sub-Zones. The adoption process shall mirror that outlined above for the Highlands Area Land Use Ordinance.
  
5. **Approval of Housing Element & Fair Share Plan** – The Township of Parsippany-Troy Hills has recently prepared and approved a Housing Element and Fair Share Plan. The Plan has been submitted to the Special Master and/or the Court for review and approval. The approved Plan shall be submitted to the Highlands Council as a component of Plan Conformance Implementation. Any subsequent revision to the Housing Element and Fair Share Plan shall be submitted to the Highlands Council for review.
  - a. **Adoption of Ordinance Implementing Fair Housing Act** – As required by the Fair Housing Act (N.J.S.A. 52:27D-329.9), the Township shall adopt an ordinance requiring that any development consisting of newly-constructed residential units shall reserve for occupancy at least 20 percent of the residential units constructed for low or moderate income households, where economically feasible.
  
6. **Stormwater Management Plan** – The municipality shall prepare an updated Stormwater Management Program to include 3 components: 1) GIS mapping of stormwater outfalls; 2) Amend municipal stormwater control ordinance; and 3) Adoption of a stormwater mitigation plan.
  
7. **Water Use and Conservation Management Plan** – The municipality shall prepare a Water Use and Conservation Management Program to include 4 components: 1) Update/revise net water availability calculations for relevant subwatersheds; 2) Develop municipal-wide Water Use and Conservation Management Plan; 3) Implement water conservation/deficit mitigation strategies identified in the Plan; and 4) Monitor, review and update Plan as necessary.

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**Highlands Implementation Plan & Schedule.** The municipality is strongly encouraged to complete all Plan Conformance activities listed in the attached Implementation Plan & Schedule and summarized below. The Highlands Council is available to provide technical assistance and guidance through the adoption of any of the below listed plans. The Highlands Council is committed to providing financial support for all Plan Conformance activities.

1. **Highlands Master Plan Element** – Adoption of Highlands Master Plan element and reexamination report.
2. **Highlands Land Use Ordinances** – Conduct a full review of municipal ordinances to gauge effectiveness of protections/management for stream corridors, tree removal, conservation easements, ridgeline and steep slope protection and other environmental and cultural resources.
3. **Highlands Referral Ordinance** – Adopt the Highlands Referral Ordinance as an interim measure to put in place Highlands protections before adoption of the full Highlands Land Use Ordinance.
4. **Municipal Exemption Determination Ordinance** – Adopt the Highlands Municipal Exemption Determination Ordinance and designate municipal officials to serve as exemption designee(s).
5. **Stormwater Management Plan** – Preparation of an updated Stormwater Management Program.
6. **Water Use and Conservation Management Plan** – Preparation of a Water Use and Conservation Management Program.
7. **Historic Preservation Plan Element** – Update existing Historic Preservation Plan element, including current inventory.
8. **Open Space and Trails Planning** – Facilitate the planning, design and engineering of the Boonton Reservoir Trail, including preliminary site assessment to determine the exact route of the 8 mile loop trail, trail and water quality improvements, and connectivity with adjacent trails in both Parsippany-Troy Hills and the Town of Boonton.
9. **Highlands Center Planning** – Investigate the feasibility of Highlands center designation in various parts of the Township, including Lake Hiawatha and Mount Tabor. The feasibility analysis will include infrastructure availability, transportation elements, revitalization planning, historic resources and other relevant topics.
10. **Transfer of Development Rights** – Conduct a Phase 1 Transfer of Development Rights (TDR) feasibility analysis. If warranted, Phases 2-4 will follow.

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**Summary of Municipal Comments**

**Municipal Comments:** In a memorandum dated July 17, 2020, Parsippany-Troy Hills Township stated they concur with the comments and recommendations contained within the Draft Consistency Review and Recommendations Report. The Township commented on each of the required components of Plan Conformance and provided a suggested timeframe for action on each implementation task. The Township further noted that “where Highlands funding is anticipated, the timing is also dependent on the availability of such funding, i.e., it is not anticipated that the Township would initiate these activities until Highlands funding is released.”

In a letter dated September 30, 2020, the Mayor of Parsippany-Troy Hills stated that, as part of Plan Conformance implementation, the Township would study the feasibility of Highlands Center designation for one or more areas and would study the feasibility for establishing a Transfer of Development Rights receiving location within the Township.

**Highlands Council Response:** The Highlands Council acknowledges and appreciates the Township’s comments and commitment to the Plan Conformance implementation tasks. The Highlands Council recognizes the importance of grant funding to support the range of planning activities necessary to implement the Regional Master Plan at the local level and reiterates its commitment to providing financial support for all Plan Conformance activities. Additionally, Highlands Council staff is available to provide technical assistance and guidance for any of the tasks, as appropriate.

**Comments From the Public**

The Draft Consistency Review and Recommendations Report was posted to the Highlands Council website for review and comment by the general public.

A number of comments were received during the period established by the Highlands Council for receipt of written public comment (July 24, 2020 – August 24, 2020). A second public comment period occurred from October 13, 2020 - November 13, 2020. Several comments were received during the second public comment period. The comment/response document is attached to this document at Appendix C.

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**APPENDIX A**

**HIGHLANDS COUNCIL REVIEW**  
**REQUESTS FOR RMP UPDATES**  
**Parsippany-Troy Hills Township, Morris County**

Summary of Municipal Requests and Highlands Council Staff Findings

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**RMP Updates**

Municipally requested RMP Updates are intended to update the Land Use Capability Zone Map to reflect current conditions. The Land Use Capability Zones were determined based on available data at the time the Highlands Regional Master Plan was developed. The following Updates were requested by Parsippany-Troy Hills to recognize current development conditions.

*#1 Municipal Request:* A number of parcels in the established Troy Hills Neighborhood, west of South Beverwyck Road, contain existing single family homes. These parcels are currently designated Protection Zone and should be changed to Existing Community Zone or Existing Community Zone-Environmentally Constrained. The rear portions of lots 11, 12, 36 & 37 are wetlands and floodplain areas. Lots 11 and 12 are currently Existing Community Zone-Environmentally Constrained. Lots 13, 14 & 15 are fully developed and not environmentally constrained.

Block	Lot	Address	Update
734	11	8 Edgewood Court	No change
734	12	7 Edgewood Court	No change
734	13	5 Edgewood Court	No change
734	14	3 Edgewood Court	No change
734	15	540 South Beverwyck Rd	No change
734	36	23 Morgan Road	No change
734	37	26 Morgan Road	No change

*Highlands Council Findings for #1:* The parcels are each developed with a single family home and are currently designated either Existing Community Zone or Existing Community Zone-Environmentally Constrained. The rear portions of lots 11, 12, and 37 are designated Existing Community Zone-Environmentally Constrained to reflect the environmental resources located there. None of the parcels are currently designated Protection Zone. No updates are necessary for any of these lots.



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*#2 Municipal Request:* The Forge Pond Townhome development was built between 2017 and 2018 and is currently designated Protection Zone. The developed units and associated streets should be changed to Existing Community Zone or Existing Community Zone-Environmentally Constrained. The open space which exists on lots 68.09 and 68.40 should remain in the Protection Zone.

Block	Lot	Address	Update
734	68.04	8 DiEdwardo Court	Existing Community Zone
734	68.05	10 DiEdwardo Court	Existing Community Zone
734	68.06	12 DiEdwardo Court	Existing Community Zone
734	68.07	14 DiEdwardo Court	Existing Community Zone
734	68.08	16 DiEdwardo Court	Existing Community Zone
734	68.09	30 DeCroce Court	Existing Community Zone
734	68.10	32 DeCroce Court	Existing Community Zone
734	68.11	34 DeCroce Court	Existing Community Zone
734	68.12	36 DeCroce Court	Existing Community Zone
734	68.13	38 DeCroce Court	Existing Community Zone
734	68.14	40 DeCroce Court	Existing Community Zone
734	68.15	42 DeCroce Court	Existing Community Zone
734	68.16	44 DeCroce Court	Existing Community Zone
734	68.17	45 DeCroce Court	Existing Community Zone
734	68.18	43 DeCroce Court	Existing Community Zone
734	68.19	41 DeCroce Court	Existing Community Zone
734	68.20	39 DeCroce Court	Existing Community Zone
734	68.21	37 DeCroce Court	Existing Community Zone
734	68.22	35 DeCroce Court	Existing Community Zone
734	68.23	33 DeCroce Court	Existing Community Zone
734	68.24	31 DeCroce Court	Existing Community Zone
734	68.25	29 DeCroce Court	Existing Community Zone
734	68.26	27 DeCroce Court	Existing Community Zone
734	68.27	25 DeCroce Court	Existing Community Zone
734	68.28	23 DeCroce Court	Existing Community Zone
734	68.29	21 DeCroce Court	Existing Community Zone
734	68.30	19 DeCroce Court	Existing Community Zone
734	68.31	17 DeCroce Court	Existing Community Zone
734	68.32	15 DeCroce Court	Existing Community Zone
734	68.33	13 DeCroce Court	Existing Community Zone
734	68.34	11 DeCroce Court	Existing Community Zone
734	68.35	9 DeCroce Court	Existing Community Zone

*Highlands Council Findings for #2:* **Upon receipt of supporting digital files**, the developed parcels and street system within the Forge Pond Townhome development will be updated to reflect the Existing Community Zone designation. See table above.

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*#3 Municipal Request:* The Preserve at Mazdabrook was constructed around 2004 to 2006 and a portion of the development is currently designated Protection Zone. The residential lots should be designated Existing Community Zone or Existing Community Zone-Environmentally Constrained. The open space which exists on lots 69 and 69.01 should remain in the Protection Zone.

Block	Lot	Address	Update
734	79	41 Leah Way	Existing Community Zone
734	80	47 Leah Way	Existing Community Zone
734	81	53 Leah Way	Existing Community Zone
734	82	59 Leah Way	Existing Community Zone
734	83	65 Leah Way	Existing Community Zone
734	84	71 Leah Way	Existing Community Zone
734	85	77 Leah Way	Existing Community Zone
734	86	83 Leah Way	Existing Community Zone
734	87	89 Leah Way	Existing Community Zone
734	88	95 Leah Way	Existing Community Zone
734	89	101 Leah Way	Existing Community Zone
734	90	107 Leah Way	Existing Community Zone
734	91	113 Leah Way	Existing Community Zone
734	92	119 Leah Way	Existing Community Zone
734	99	113 Janelle Blvd	Existing Community Zone
734	100	119 Janelle Blvd	Existing Community Zone
734	101	125 Janelle Blvd	Existing Community Zone
734	105	365 Raymound Blvd	No Change
734	106	359 Raymound Blvd	No Change
734	107	353 Raymound Blvd	No Change
734	108	347 Raymound Blvd	No Change
734	109	341 Raymound Blvd	No Change
734	110	335 Raymound Blvd	No Change
734	111	329 Raymound Blvd	No Change
734	112	323 Raymound Blvd	No Change
734	113	317 Raymound Blvd	No Change
734	114	311 Raymound Blvd	No Change
734	115	305 Raymound Blvd	No Change
734	116	299 Raymound Blvd	No Change
734	117	293 Raymound Blvd	No Change
734	118	287 Raymound Blvd	No Change
734	119	281 Raymound Blvd	No Change
734	120	275 Raymound Blvd	No Change
734	121	269 Raymound Blvd	No Change
734	122	263 Raymound Blvd	No Change
734	123	257 Raymound Blvd	No Change
734	124	251 Raymound Blvd	No Change
734	125	245 Raymound Blvd	No Change
734	126	239 Raymound Blvd	No Change
734	127	233 Raymound Blvd	No Change
734	128	227 Raymound Blvd	No Change
734	129	221 Raymound Blvd	No Change

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734	130	215 Raymound Blvd	No Change
734	131	209 Raymound Blvd	Existing Community Zone
734	132	203 Raymound Blvd	Existing Community Zone
734	133	197 Raymound Blvd	Existing Community Zone
734	134	191 Raymound Blvd	Existing Community Zone
734	135	185 Raymound Blvd	Existing Community Zone
734	136	179 Raymound Blvd	Existing Community Zone

*Highlands Council Findings for #3:* The residentially developed parcels within the Preserve at Mazdabrook that are located adjacent to current Existing Community Zone lots have been updated to reflect the Existing Community Zone designation. Block 734, Lots 105 through 130 are disconnected from Existing Community Zone in a 1.6 acre area and are surrounded by Protection Zone. The mapping protocols for the Land Use Capability Zones require a minimum 2 acre area to support a different Zone designation; therefore, these lots remain designated Protection Zone. See table above. The open space lots (on lots 69 and 69.01) are unchanged and remain Protection Zone.

*#4 Municipal Request:* One parcel in South Hall Court, Block 764, Lot 63.06, is designated Protection Zone, but is developed with a single family house and should be changed to Existing Community Zone, as are all the other parcels in this development.

*Highlands Council Findings for #4:* Block 764, Lot 63.06 has been updated to reflect its developed condition, matching that of the rest of the existing development at South Hall Court.

*#5 Municipal Request:* Waterview Boulevard (Block 421, Lot 29) is designated Existing Community Zone-Environmentally Constrained. Now known as “Waterview Marketplace,” the property has been subdivided and developed as a shopping center. The developed portion is now Lot 29.03 and the wooded, undeveloped area is Lot 29.04. The developed Lot 29.03 should be changed to Existing Community Zone. A day care facility has been approved for the northern portion of Block 421, Lot 29.2, with a section to a preserved wooded buffer along the northern property line. The day care portion of the lot should be Existing Community Zone and the buffer should be Existing Community Zone-Environmentally Constrained.

*Highlands Council Findings for #5:* Block 421, Lot 29.03 has been updated to reflect the development of the shopping center and is now designated Existing Community Zone. Lot 29.02 has been updated to Existing Community Zone to reflect the proposed daycare portion of the lot.

*#6 Municipal Request:* In the vicinity of Cherry Hill Road and Upper Pond Road, Block 136, Lots 43.3, 44 and 76 are designated Existing Community Zone and Existing Community Zone-Environmentally Constrained. Lot 43.3 has been developed as a UPS Innovation Center and the lot should be changed to Existing Community Zone. Lot 44 was previously developed with an office building which has since been demolished. Lot 44 along with Lot 76 have been approved for a 325-unit residential development; however, no development is proposed to occur on Lot 76. Lot 44 should be designated Existing Community Zone and Lot 76 should stay Existing Community Zone-Environmentally Constrained.

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*Highlands Council Findings for #6:* Block 136, Lot 43.3 has been updated to reflect the development of the UPS Innovation Center. **Upon receipt of supporting digital files**, the developed parcel Lot 44 will reflect the approved development and Lot 76 will remain Existing Community Zone-Environmentally Constrained. and approved development lots will be updated.

*#7 Municipal Request:* In the Wildlife Preserves Subdivision, Block 765, Lot 81.09 is designated Protection Zone. The lot has been approved for a four-lot subdivision to create three new buildable lots and one lot for a detention basin. The new lots are known as Lot 43.12, 43.13, 43.14 and 43.15. Since the new lots have not yet been perfected, the entire Block 765, Lot 81.09 should be changed to Existing Community Zone.

*Highlands Council Findings for #7:* There is currently insufficient information to process a change for Block 765, Lot 81.09. An RMP Update will be considered when additional information is available.

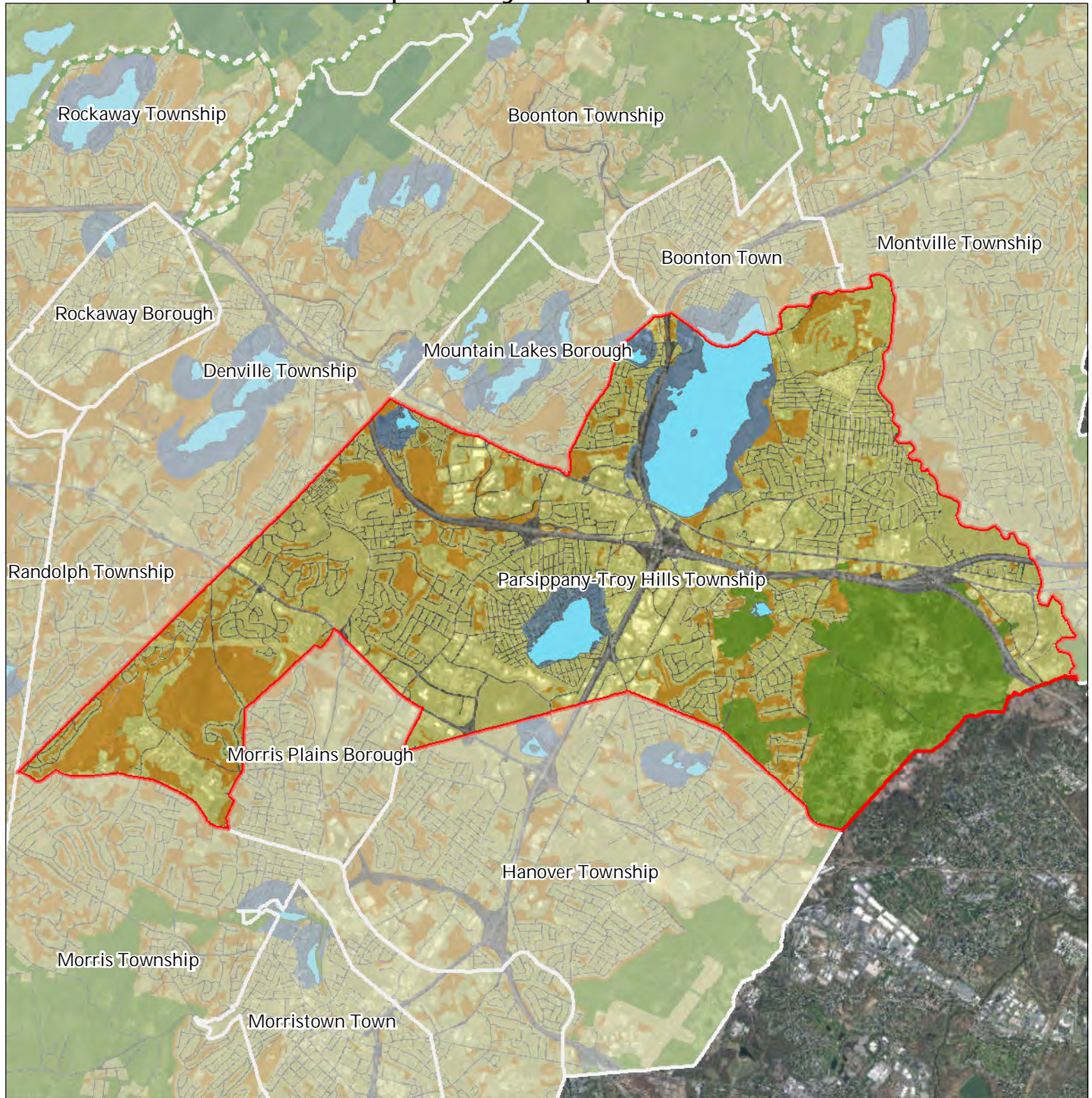
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
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**APPENDIX B**










**HIGHLANDS RESOURCE MAPS**  
**Parsippany-Troy Hills Township, Morris County**



# Exhibit 1: Land Use Capability Map Zones

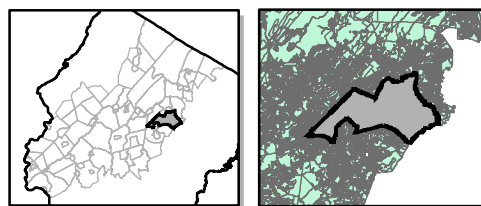


## Regional Master Plan Overlay Zone Designation

Zone	Sub-Zone
 Protection	 Existing Community
 Existing Community	 Environmentally Constrained
	 Lake Community
	 Wildlife Management
 Preservation Area	 Lakes Greater Than 10 acres
 Municipal Boundaries	

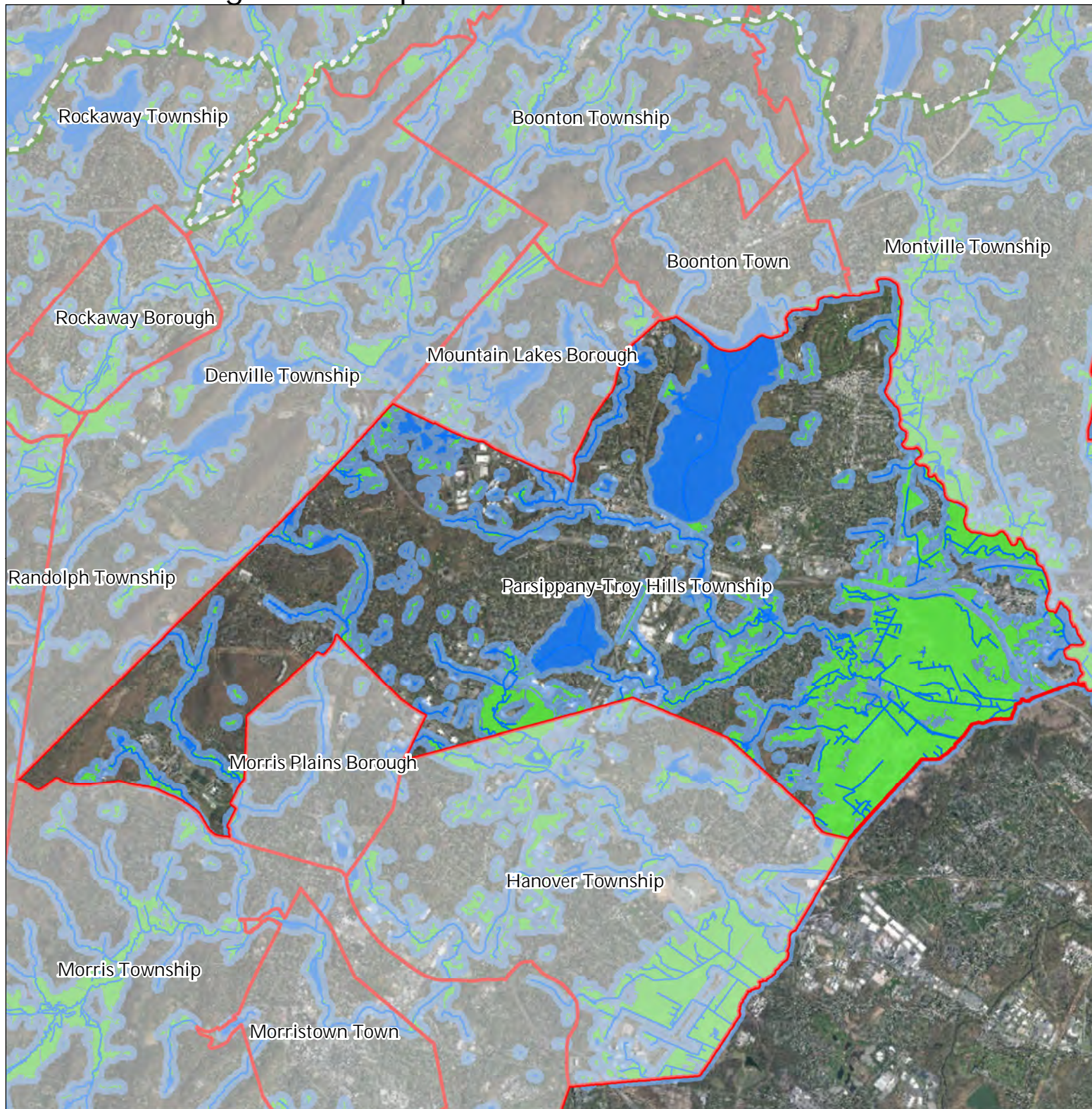
## Parsippany-Troy Hills Township


1 inch = 1.28 miles





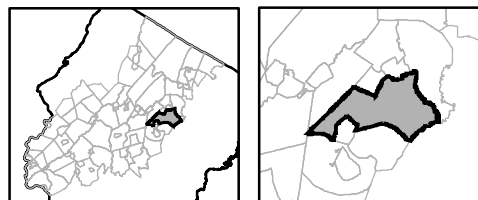
## Exhibit 2: Highlands Open Waters



-  Highlands Open Water Buffers (300ft)
-  Streams
-  Wetlands
-  Lakes & Ponds
-  Preservation Area
-  Municipal Boundaries

### Parsippany-Troy Hills Township

1 inch = 1.279 miles

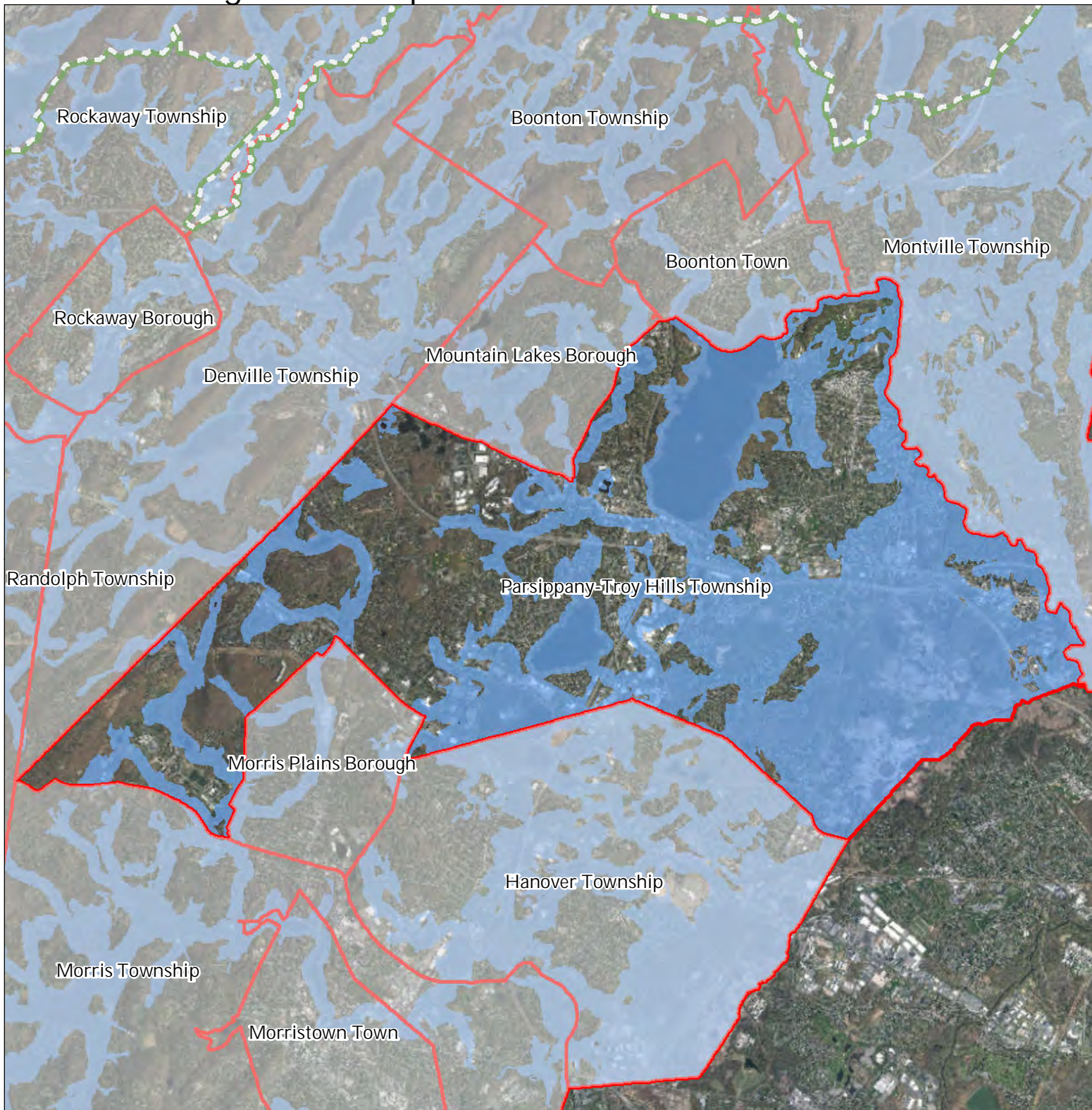


**Highlands Council**  
New Jersey  
July 2020








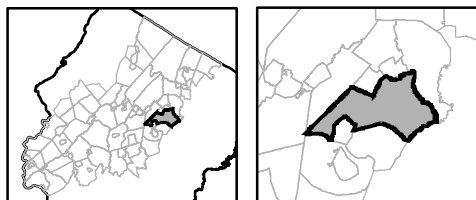
# Exhibit 3: Highlands Riparian Areas



## Parsippany-Troy Hills Township

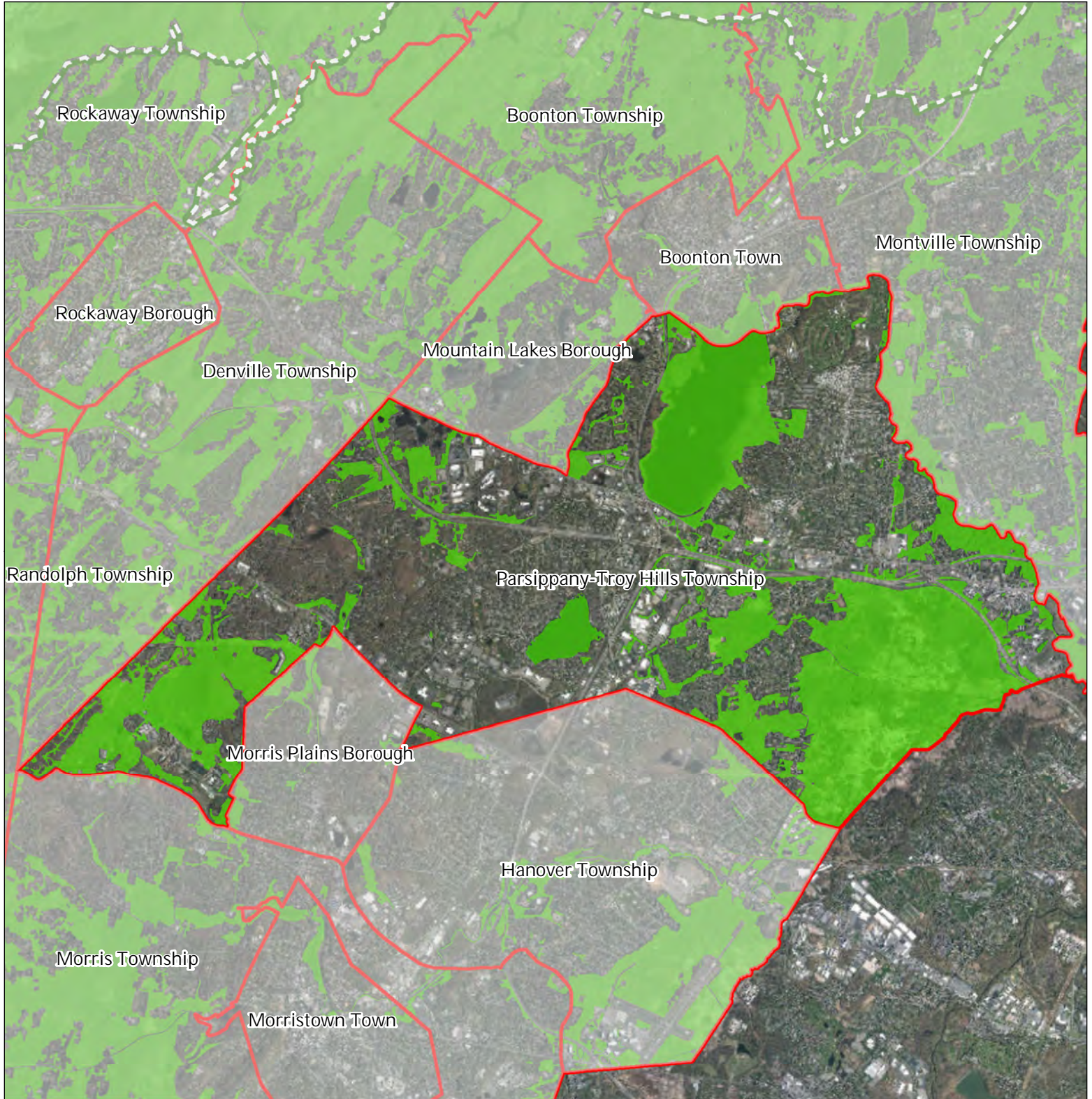
1 inch = 1.28 miles

-  Riparian Area
-  Preservation Area
-  Municipal Boundaries








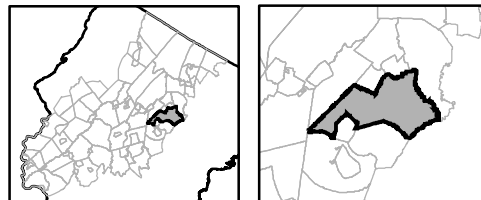
# Exhibit 4: Critical Wildlife Habitat



## Parsippany-Troy Hills Township

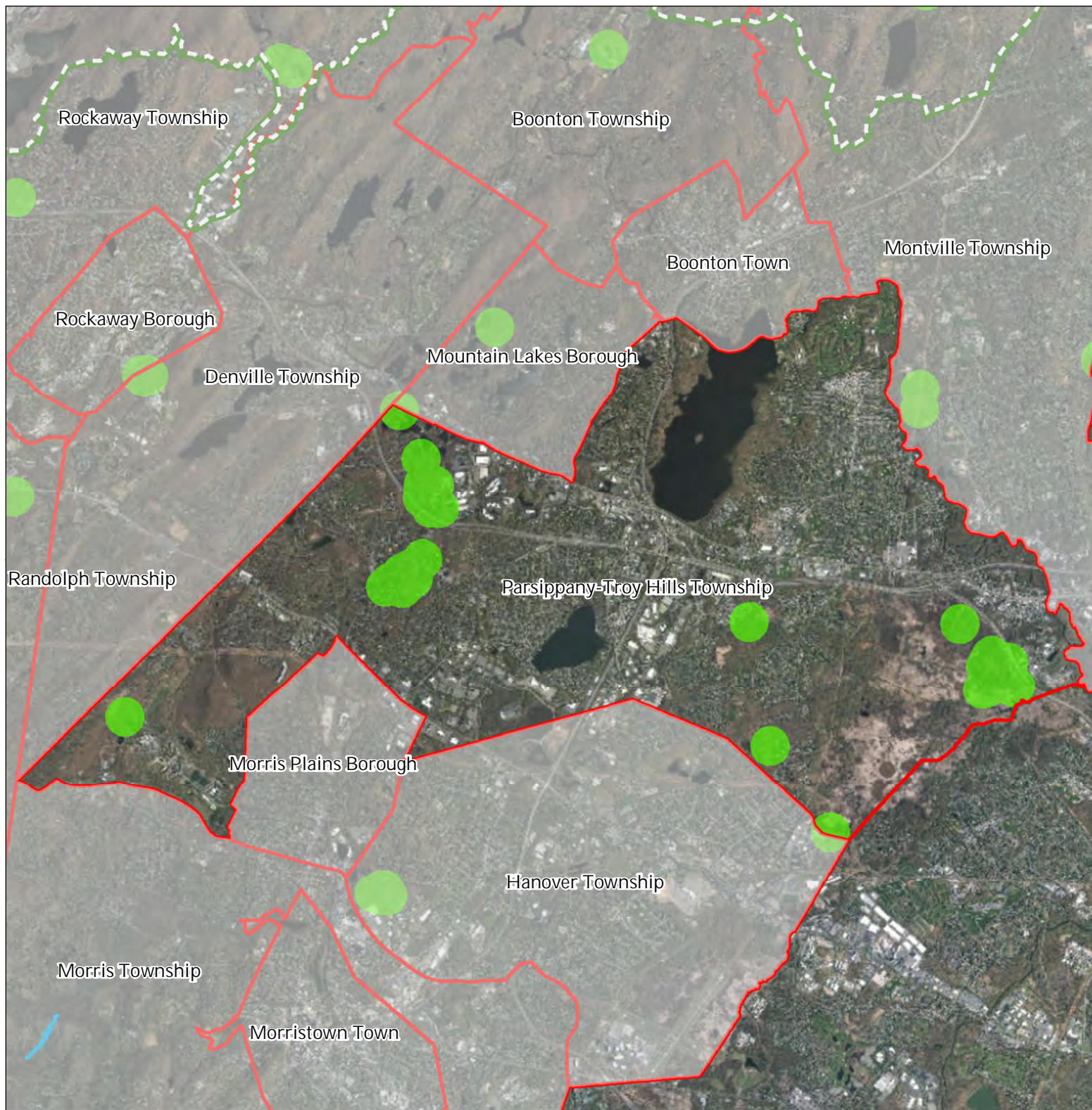
1 inch = 1.282 miles

-  Critical Wildlife Habitat
-  Preservation Area
-  Municipal Boundaries





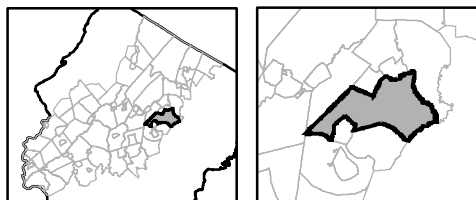
# Exhibit 5: Vernal Pools



## Parsippany-Troy Hills Township

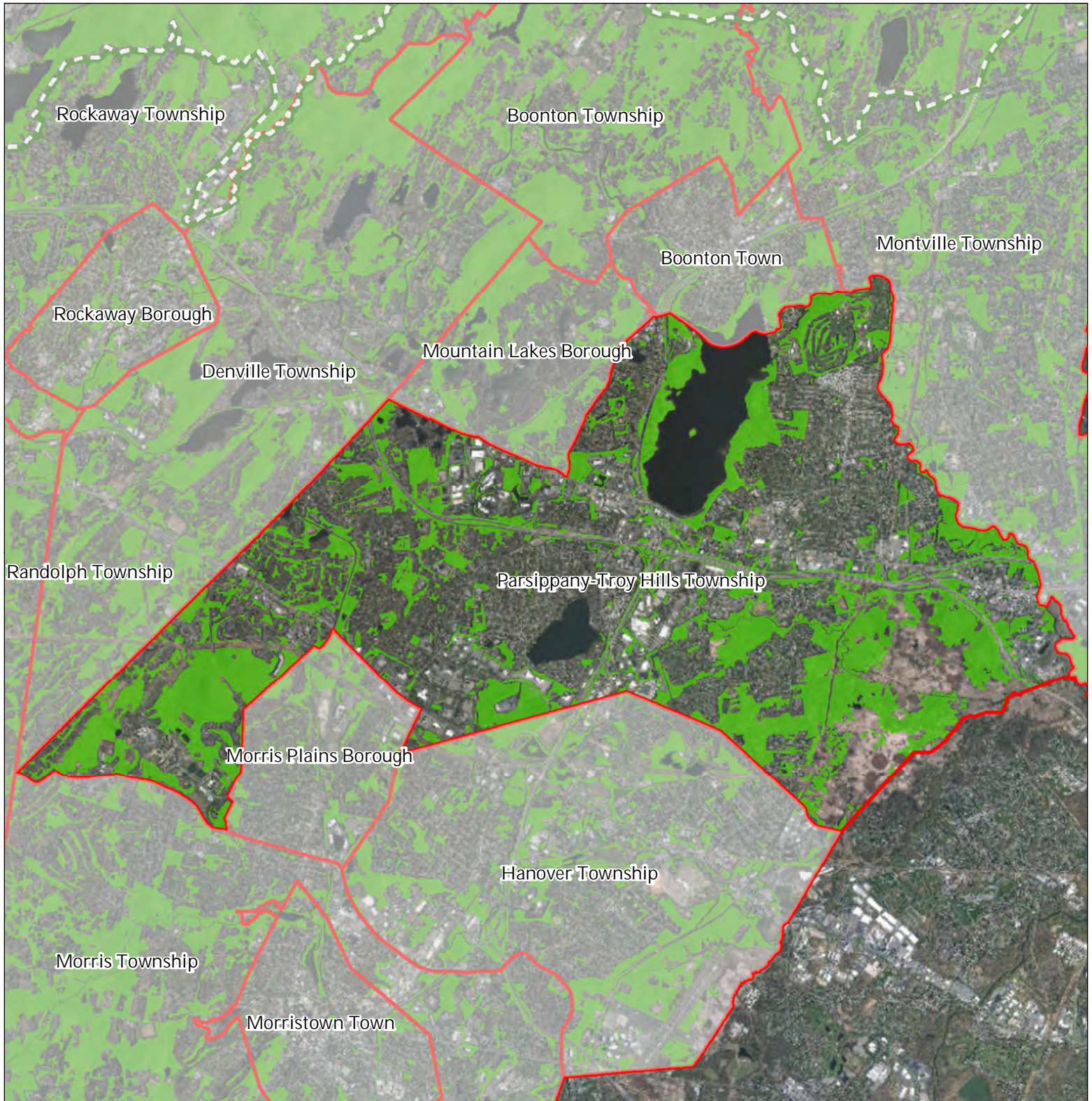
1 inch = 1.279 miles

- Vernal Pools + 1000ft Buffer
- Critical Freshwater Mussel Habitat
- Preservation Area
- Municipal Boundaries








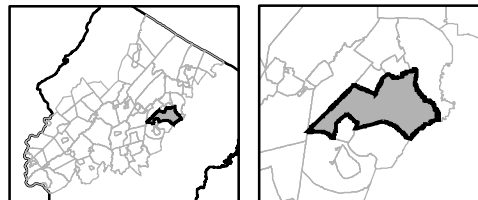
# Exhibit 6: Total Forest Area



## Parsippany-Troy Hills Township

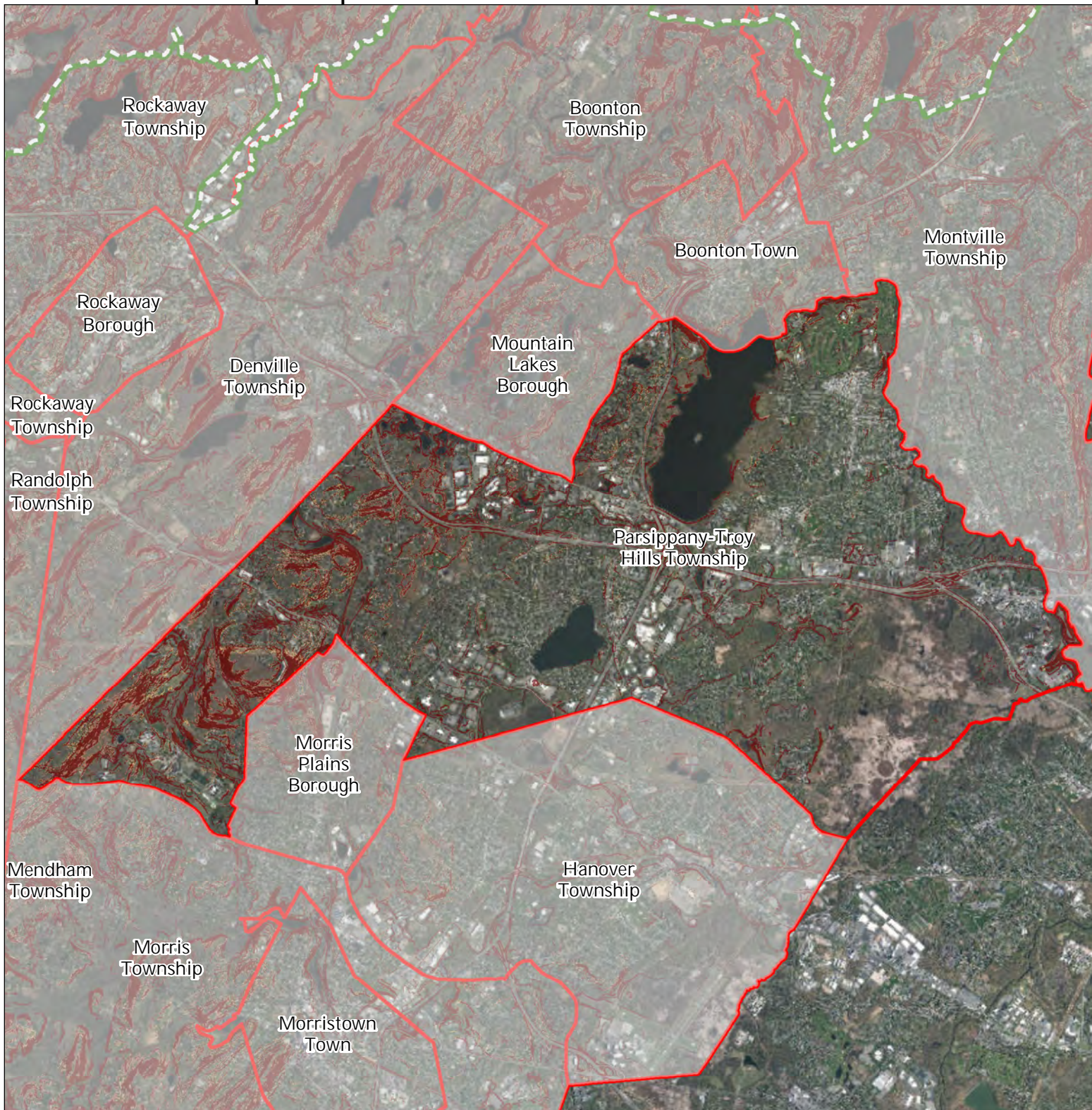
1 inch = 1.279 miles

-  Forested Areas
-  Preservation Area
-  Municipal Boundaries





# Exhibit 7: Steep Slope Protection Areas



### Steep Slopes

 Moderate

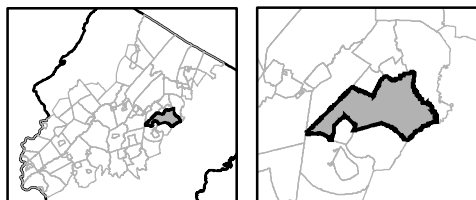
 Severe

 Preservation Area

 Municipal Boundaries

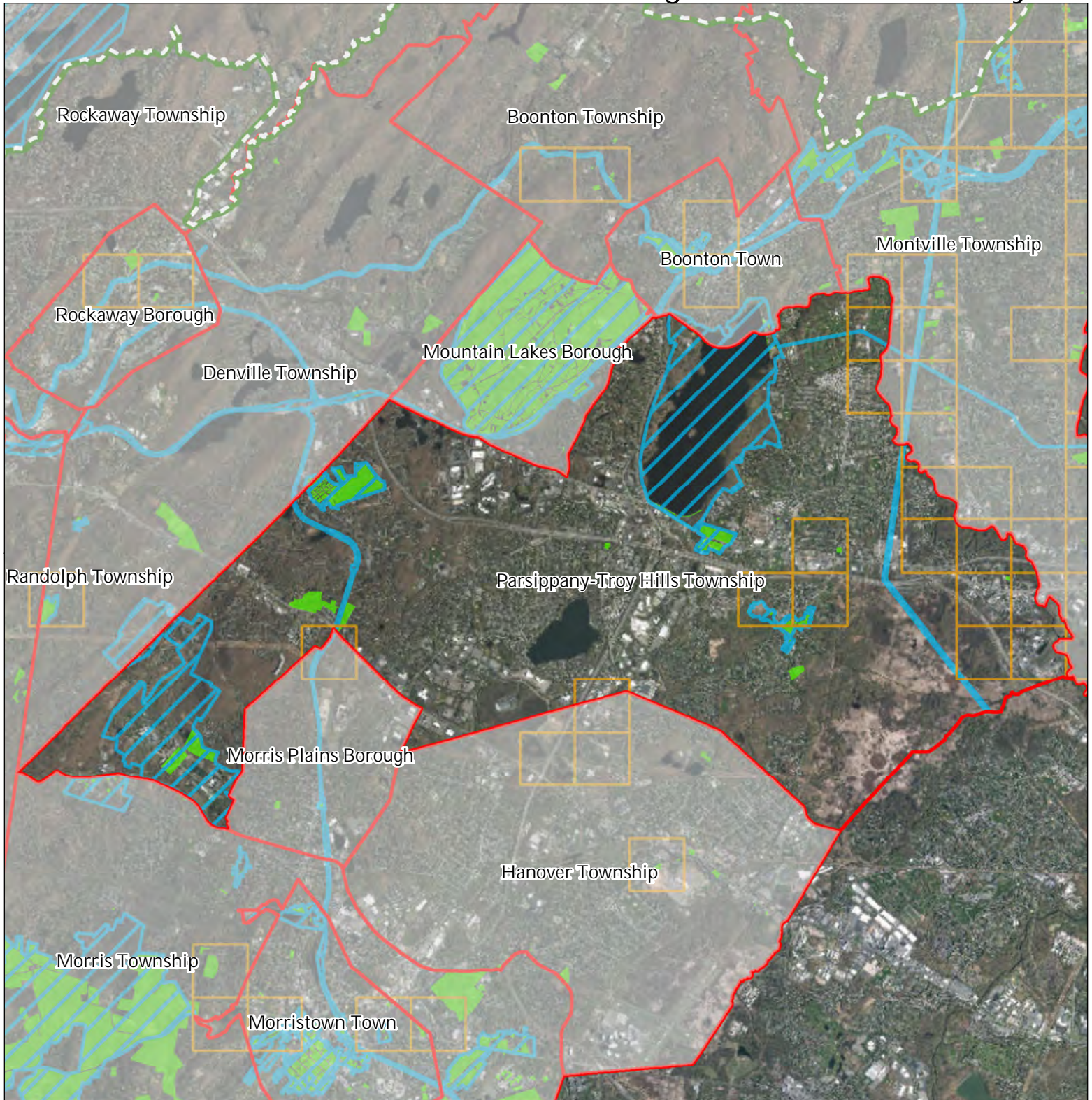
## Parsippany-Troy Hills Township





1 inch = 1.282 miles





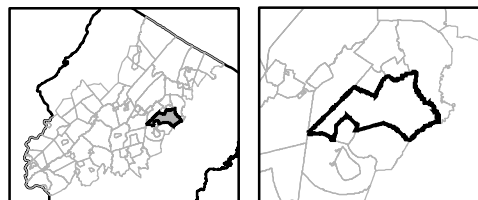
# Exhibit 8: Historic, Cultural, and Archaeological Resource Inventory



-  Preservation Area
-  Municipal Boundaries
-  Archaeological Grids (1 sq mi)
-  NJ Historic Districts
-  Historic Property Polygons

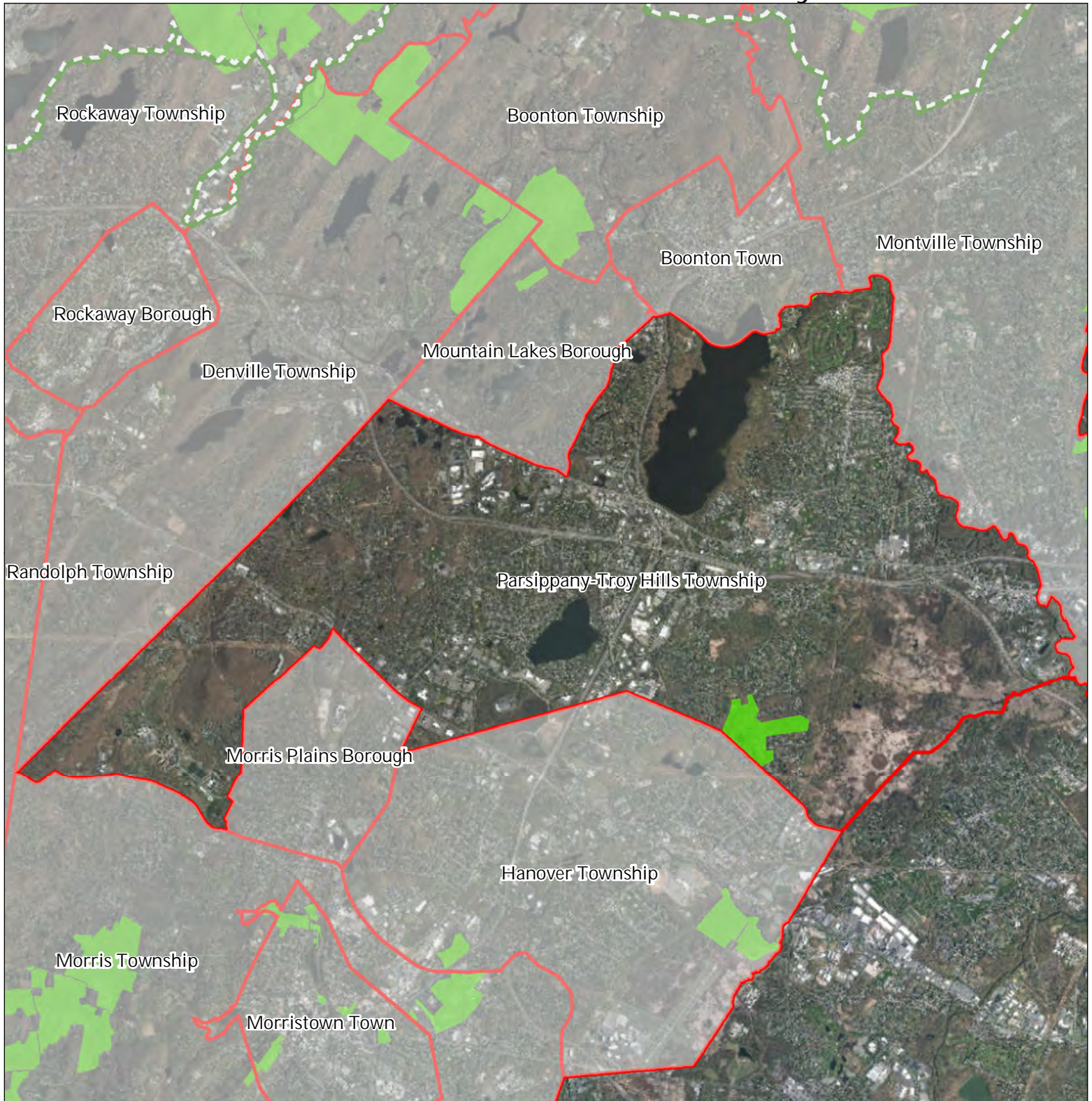
## Parsippany-Troy Hills Township

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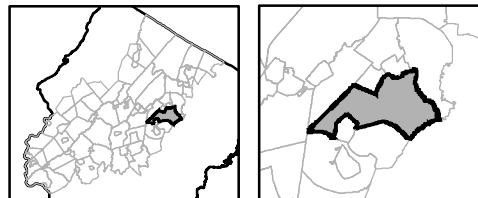
# Exhibit 9: Baseline Scenic Resources Inventory



## Parsippany-Troy Hills Township

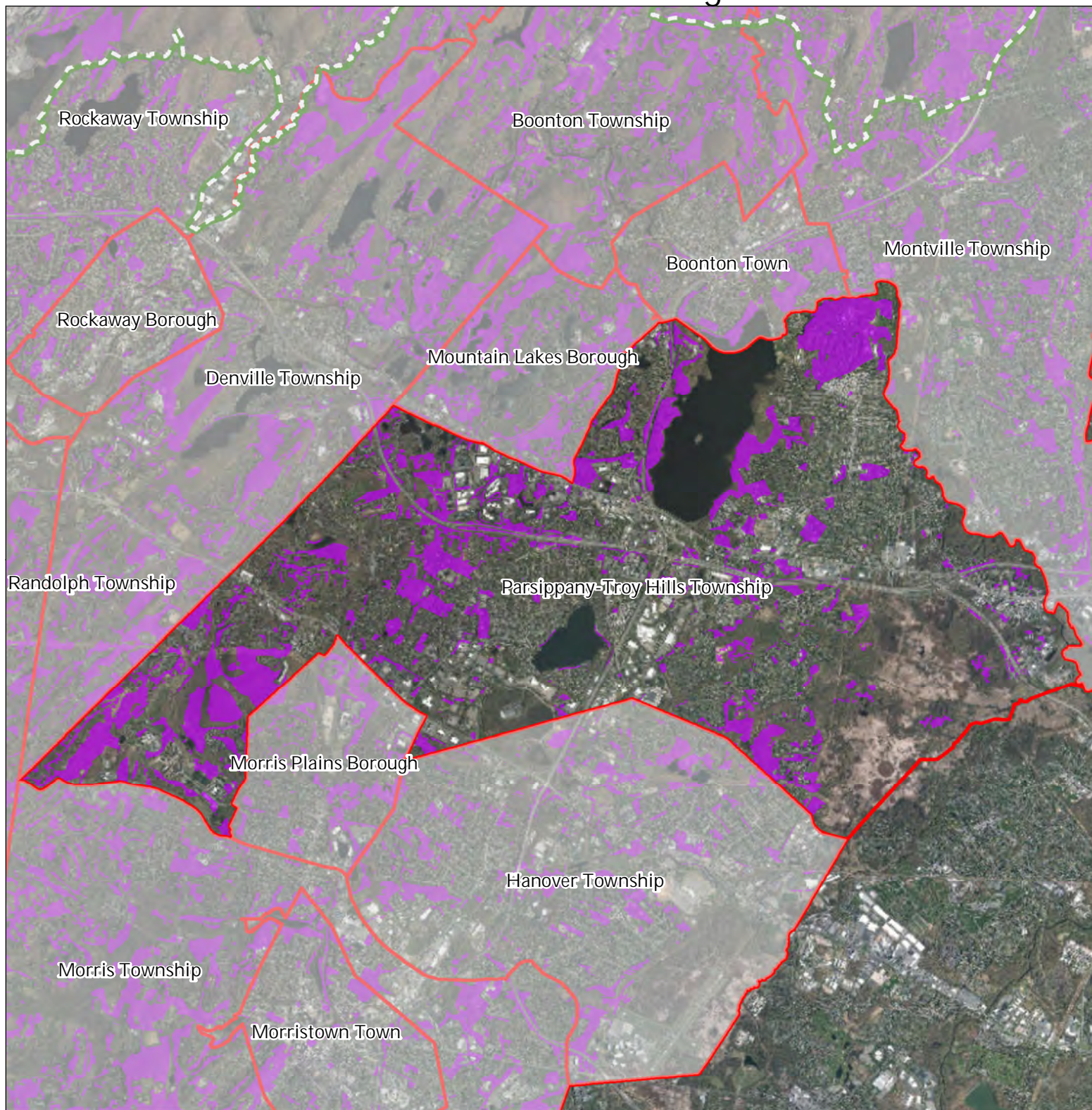
1 inch = 1.28 miles

-  Scenic Resources
-  Municipal Boundaries
-  Preservation Area








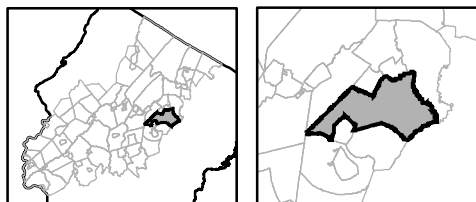
# Exhibit 10: Prime Ground Water Recharge Areas



## Parsippany-Troy Hills Township

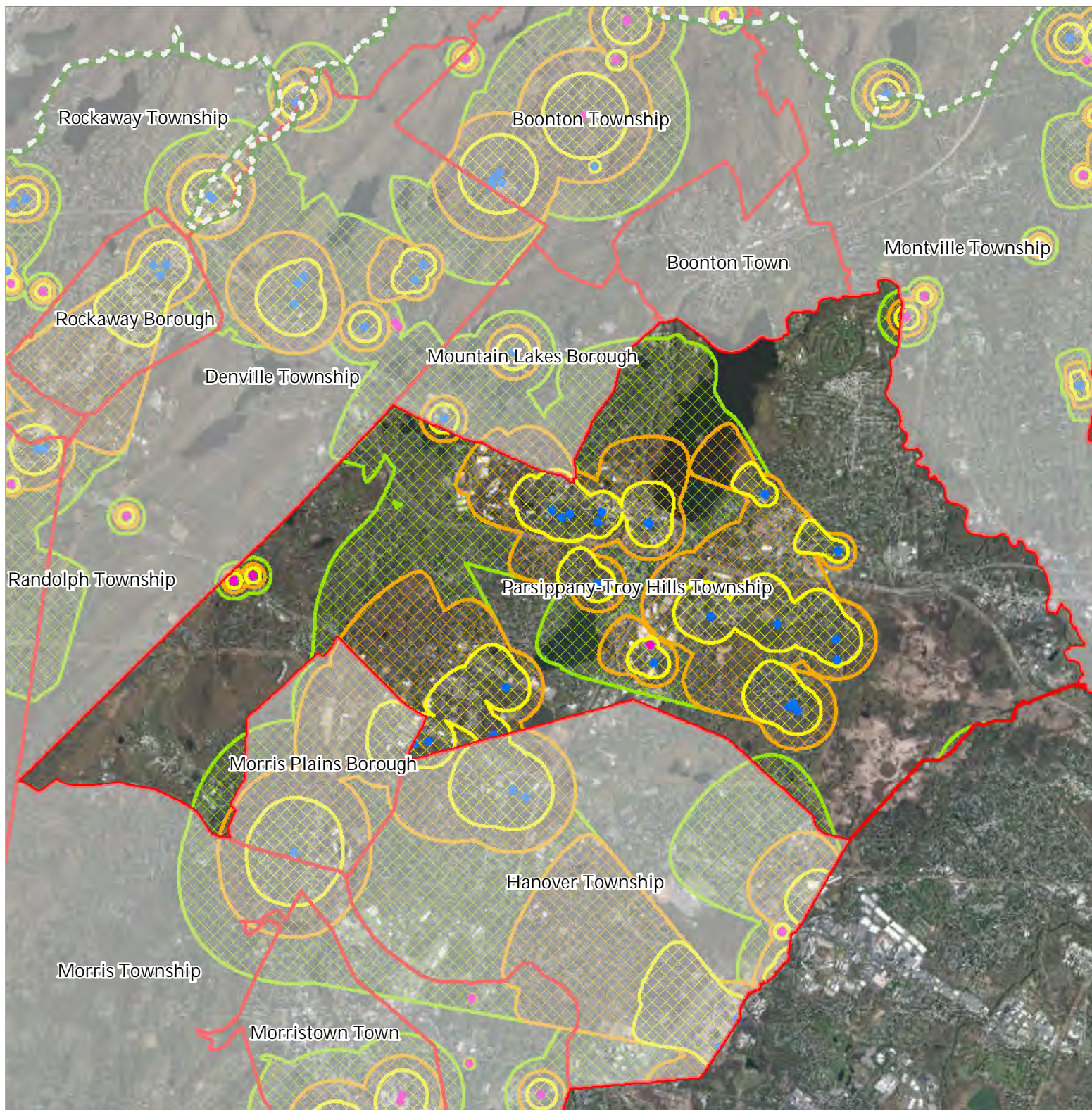
1 inch = 1.282 miles

-  Prime Groundwater Recharge Areas
-  Preservation Area
-  Municipal Boundaries





# Exhibit 11: Wellhead Protection Areas



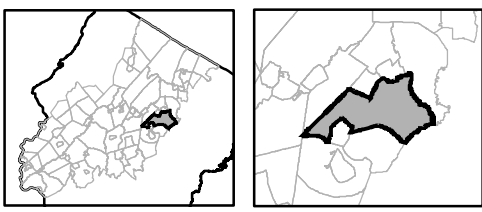
- Public Community Wells
- Public Non-Community Wells
- ▭ Preservation Area
- ▭ Municipal Boundaries

**Wellhead Protection Areas**

- ▨ 2 - Year Tier
- ▨ 5 - Year Tier
- ▨ 12 - Year Tier

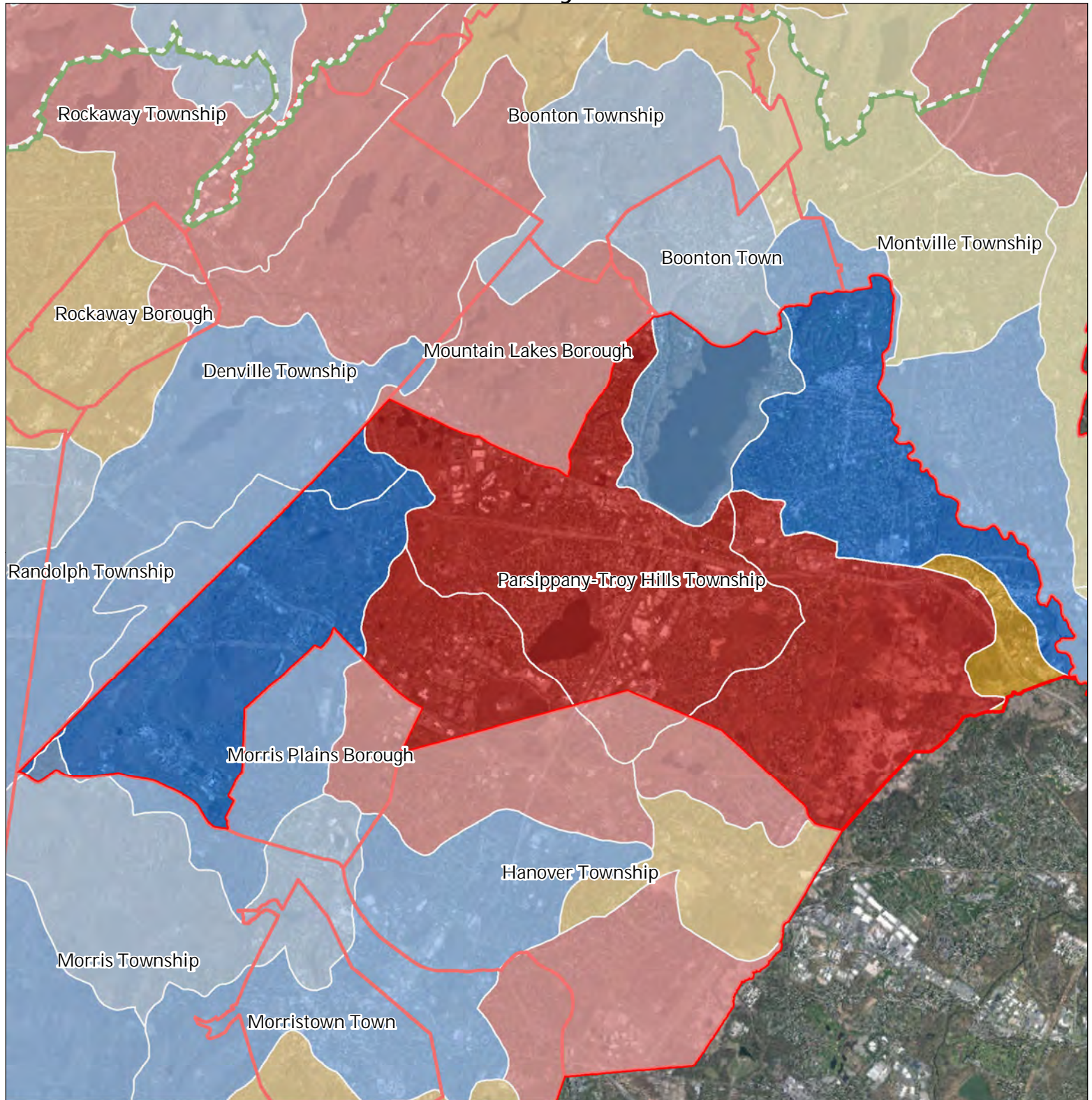
## Parsippany-Troy Hills Township

1 inch = 1.28 miles





# Exhibit 12: Net Water Availability



Net Water Availability By HUC14

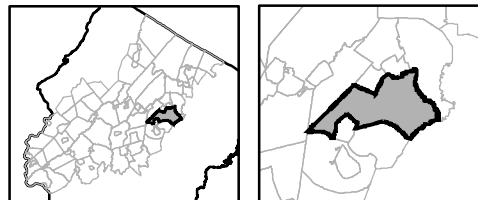
Million Gallons Per Day (MGD)

- 0.10 - 0.39
- 0.05 - 0.09
- 0.00 - 0.04
- 0.09 - 0.00
- 0.99 - -0.10
- 7.10 - -1.00

- Preservation Area
- Municipal Boundaries

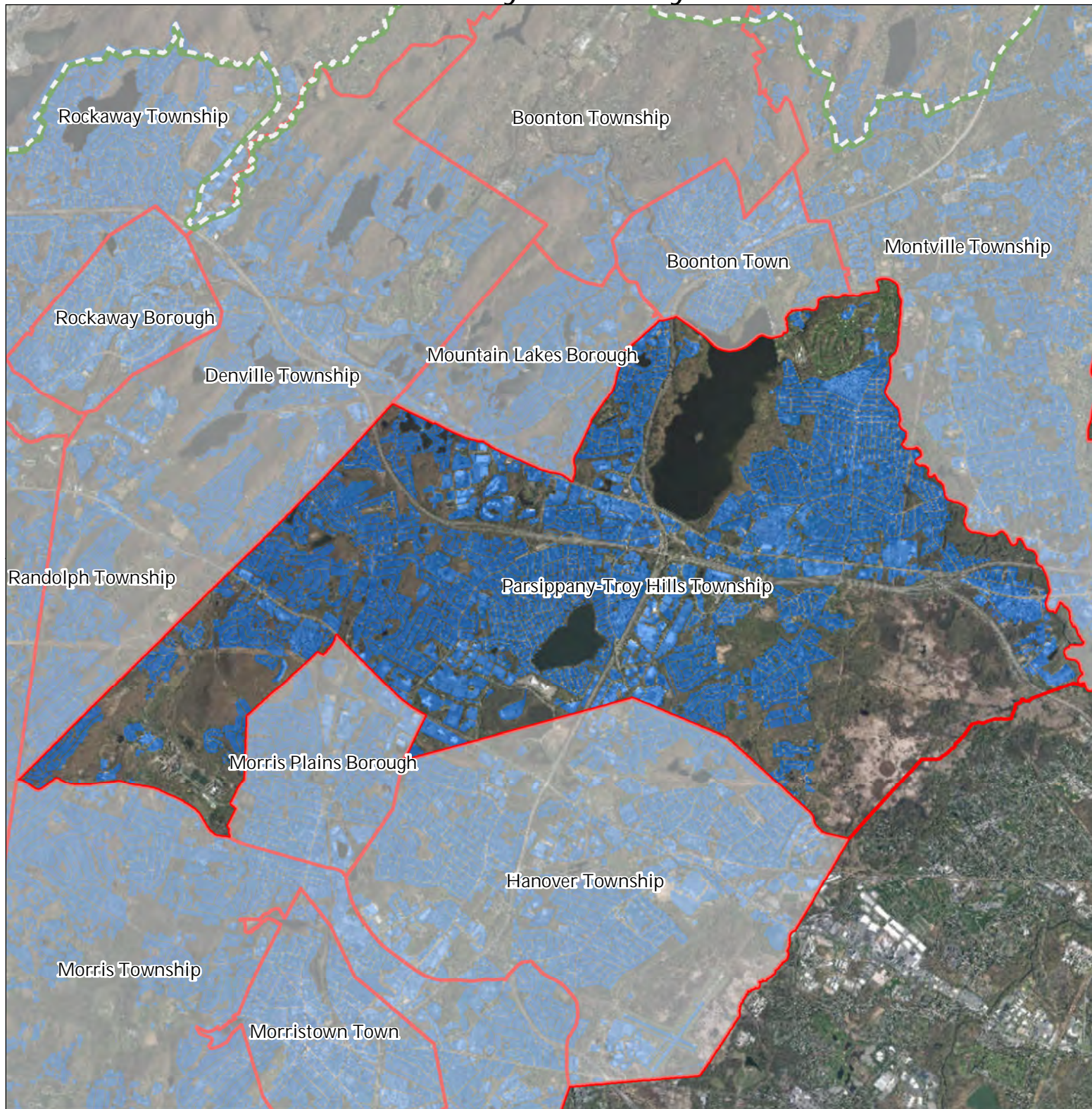
## Parsippany-Troy Hills Township

1 inch = 1.278 miles








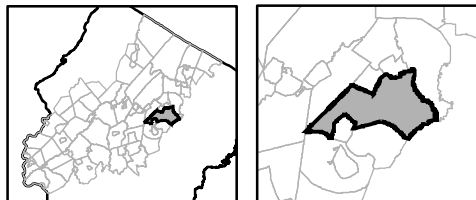
# Exhibit 13: Public Community Water Systems



## Parsippany-Troy Hills Township

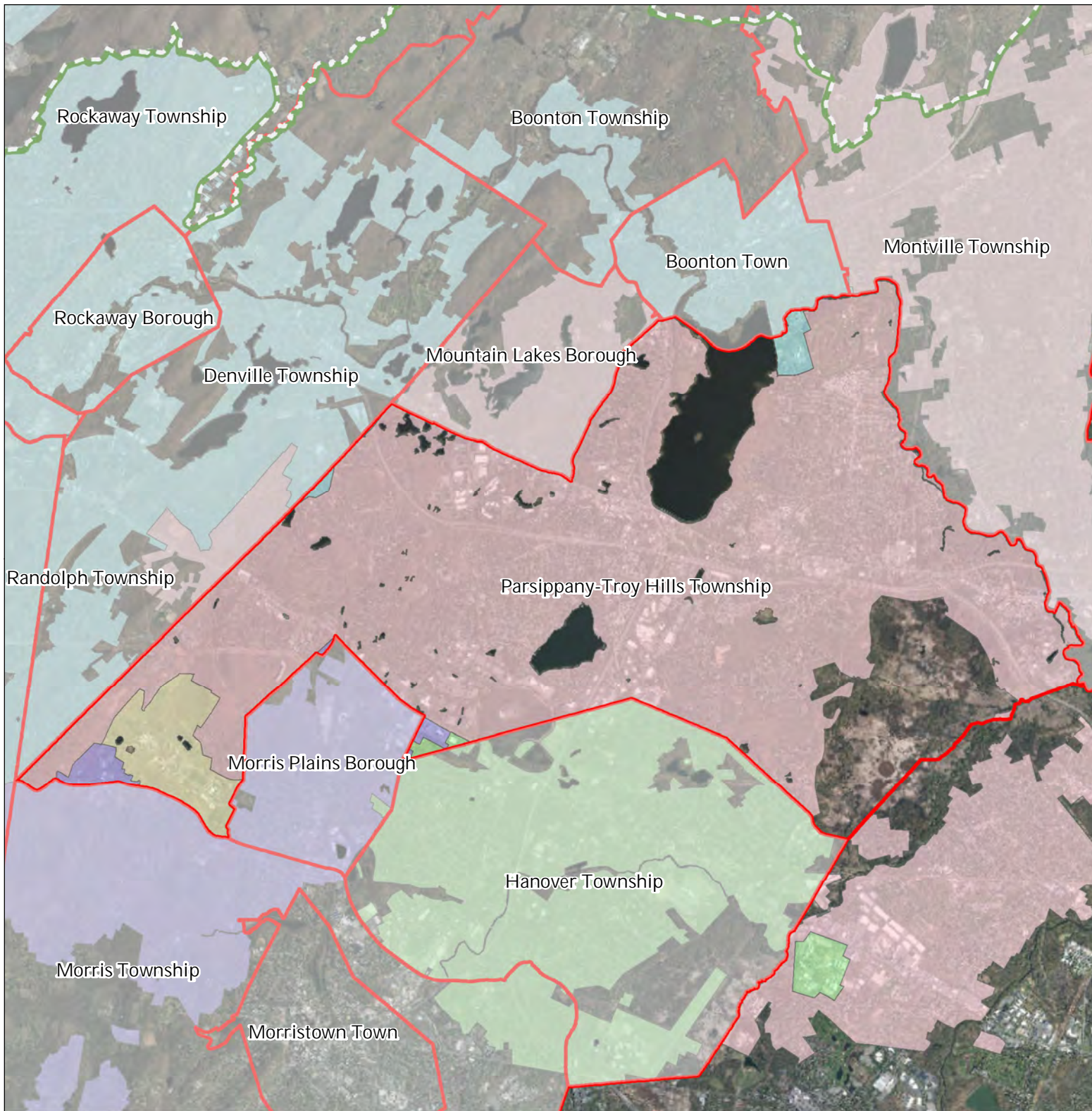
1 inch = 1.278 miles

-  Public Community Water Systems
-  Preservation Area
-  Municipal Boundaries





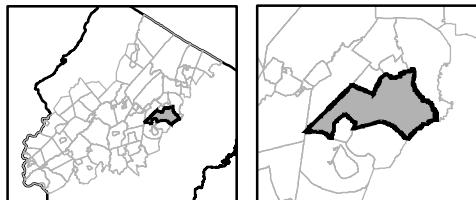
# Exhibit 14: Sewer Service Area



-  Preservation Area
-  Municipal Boundaries
- Assigned Sewer Service Areas (Facility Name)**
-  Butterworth STP
-  Greystone Park Pysch Hospital STP
-  Hanover SA WWTP
-  Parsippany Troy Hills STP
-  Rockaway Valley Regional SA

## Parsippany-Troy Hills Township

1 inch = 1.28 miles



**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**Petition for Plan Conformance – Consistency Review and Recommendations Report**

**APPENDIX C**

**PUBLIC COMMENTS/HIGHLANDS COUNCIL RESPONSES**  
**Petition for Plan Conformance**  
**Parsippany-Troy Hills Township, Morris County**

**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
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**PUBLIC COMMENTS RECEIVED**

Written comments regarding Parsippany-Troy Hills Township's Petition for Plan Conformance were accepted by the Highlands Council through the close of the Public Comment period on August 24, 2020. An additional Public Comment period occurred from October 13, 2020 to November 13, 2020. Comments were provided by the following individuals/entities:

1. Nicholas Homyak, Resident of Parsippany-Troy Hills
2. Ken Dolsky, Resident of Parsippany-Troy Hills
3. Steve Gershberg, Resident of Parsippany-Troy Hills
4. Robert J. Peluso, Resident of Parsippany-Troy Hills
5. Laura McCluskey, Chair of Parsippany-Troy Hills Environmental Advisory Committee
6. Len Fariello, Land Manager of Wildlife Preserves, Inc.
7. Elliott Ruga, Policy & Communications Director, New Jersey Highlands Coalition

The comments are summarized below with Highlands Council responses provided for each.

**PUBLIC COMMENT/RESPONSE SUMMARY**

1. **Comment:** A comment questioned why the 2009 Highlands Review was more detailed than the 2020 Consistency Review and Recommendations Report?

**Response:** The Highlands Council adopted new Plan Conformance Procedures in July 2019 and the Consistency Review and Recommendations Report reflects those changes. Conformance with the goals, policies, and objectives of the Highlands Regional Master Plan remain the same.

2. **Comment:** A comment questioned the status of an Environmental Resource Inventory (ERI) for 2020?

**Response:** The Consistency Review and Recommendations Report contains the Highlands Resource Maps (see Appendix B). These maps represent Highlands Resources as currently available, but the Highlands Council is developing an interactive Environmental Resource Inventory (ERI) which will be more accurate and constantly updated. Once the interactive ERI is available, Parsippany-Troy Hills will adopt it as part of Plan Conformance implementation.

3. **Comment:** A comment questioned why development at 700 Mountain Way was not mentioned in the Report?

**Response:** The Consistency Review and Recommendations Report provides a summary review of the Township's role in implementing Plan Conformance at the local level. The Report is not intended to review every development proposal within the municipality.

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Those properties that were specifically addressed were the subject of requests by the Township for RMP Updates. These RMP Updates appear in Appendix A.

4. **Comment:** A comment raised concern that proposed affordable housing developments will cause over-development and put additional strain on the Township’s water supply. Additionally, there was concern related to protection of groundwater resources and adequate recharge. The comment suggests the formation of a municipal “groundwater protection committee” to work in coordination with the Highlands Council.

**Response:** Highlands Council acknowledges the comment and anticipates working closely with the Township in development of a Water Use and Conservation Management Plan.

5. **Comment:** A comment raised concern that the Township’s aquifer is susceptible to contamination because of over-development, road salts, and stormwater runoff.

**Response:** Highlands Council acknowledges the comment and notes that one of the Plan Conformance implementation tasks is the preparation of a revised Stormwater Management Plan. The Highlands Council also is developing a program to address snow and ice management.

6. **Comment:** Comments were received regarding the Township’s need for improved stormwater management. Photos were included of a proposed storm drain design, a storm inlet littered with debris, and stormwater runoff and litter in the vicinity of Troy Meadows.

**Response:** The Township’s stormwater system is regulated by the NJDEP under the Township’s NJPDES Permit, and therefore it is the Township’s responsibility to maintain their stormwater infrastructure, including inlets. The Highlands Council could potentially provide funding through a plan conformance grant to help the Township inventory and map their inlets (as well as other stormwater facilities) and include a plan for retrofitting inlets based on a conditions survey. Other potential projects may involve development of an outreach and education program focused on pollution prevention, a study on plastic pollution source tracking and/or ordinance development (i.e., additional single-use plastics bans, and polluter enforcement).

7. **Comment:** Several comments were received regarding the issue of single use plastics and poor litter and trash maintenance at commercial complexes, drainage ditches and storm drains.

**Response:** Highlands Council acknowledges the comment.

8. **Comment:** Several comments were received suggesting some lands in the Township that are currently designated Existing Community Zone should more appropriately be designated Existing Community Zone – Environmentally Constrained because of the presence of wetlands, flood prone conditions and forest cover.

**Response:** Highlands Council acknowledges the comment. The Township of Parsippany-Troy Hills may request RMP (Regional Master Plan) Map Updates to change Land Use Capability Zones when more accurate information is available that supports such changes. The RMP Updates may occur at any time in the future and do not need to happen during the Petition process.

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9. **Comment:** Comments were received regarding the requirement in the Housing Element & Fair Share Plan for at least 20 percent of the residential units of any newly-constructed residential development to be set aside for low or moderate income households, where economically feasible. It was suggested that a more appropriate and reasonable approach would be for the Township and the Highlands Council to work together to determine a mutually agreeable plan.

**Response:** The requirement referenced in the comment is from the State’s Fair Housing Act and specifically applies to regional planning entities such as the Highlands Council. Any modification of this requirement would require an amendment to the Fair Housing Act and therefore is beyond the scope of this review.

10. **Comment:** Comments were received regarding the preparation of a Water Use and Conservation Management Plan and a suggested requirement that limitations be placed on all development in order to meet conservation and mitigation targets and policies. Additionally, the comment suggests the inclusion of plans to prevent water pollution from chemicals, pesticides, herbicides, and insecticides, particularly in aquifer recharge areas and wellhead protection areas.

**Response:** Highlands Council acknowledges the comments. A variety of implementation methods will be considered when the Water Use and Conservation Management Plan is prepared.

11. **Comment:** Comments were received regarding the need to protect aquifer recharge areas and wellhead protection areas. It was suggested that these protections should apply regardless of ownership, such as utilities.

**Response:** Highlands Council acknowledges the comment.

12. **Comment:** Comments were received pointing out that Exhibit 11: Wellhead Protection Areas in Appendix B of the Draft Consistency Review and Recommendations Report does not show the protection zones for public community wells.

**Response:** Highlands Council acknowledges and appreciates the comment. Highlands Council staff investigated the issue and discovered that the mapping symbology had been modified and some details were hidden. The Wellhead Protection Areas map has been corrected by applying the appropriate symbology. Appendix B contains the corrected map.

13. **Comment:** A comment was received pointing out that the Township has an ongoing water deficit due to inefficient recharge, depletion and consumption. Protection of groundwater resources is critical in providing potable water and ensuring public health, safety and welfare of the community.

**Response:** Highlands Council acknowledges the comment and anticipates these concerns will be fully addressed in the preparation of a Water Use and Conservation Management Plan, which is a requirement of Plan Conformance.

**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
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**14. Comment:** A comment was received advocating protection of Wellhead Protection Areas in order to ensure continued availability of clean drinking water and prevent groundwater contamination.

**Response:** The Highlands Regional Master Plan includes Wellhead Protection Areas which map three tiers (2-, 5- and 12-year time of travel) around public wells to prevent pollutants from reaching groundwater.

**15. Comment:** A comment was received suggesting endangered plant and animal species be documented according to proper seasons and a wildlife list should accompany any Environmental Impact Surveys.

**Response:** Highlands Council acknowledges the comment and is prepared to assist the Township in adopting these practices.

**16. Comment:** A comment was received regarding the need for a wetlands inventory that includes a full bloom survey during Spring and early Summer and protections for federal and State endangered or protected species.

**Response:** Highlands Council acknowledges the comment and may be able to assist the Township in pursuing such a goal.

**17. Comment:** Comments were received pointing out the environmental sensitivity and flood prone nature of the area near Arlington Plaza and suggesting that any development proposed for this area be given careful consideration and that any development be limited.

**Response:** The implementation of plan conformance for the Township will include the preparation and adoption of an enhanced stormwater management plan and ordinance, a water use and conservation management plan and additional environmental resource protections.

**18. Comment:** A comment suggested that the “Ecology Flag” be flown in conjunction with the US and State flag to raise awareness of the ecological benefits of nature.

**Response:** Highlands Council acknowledges the comment.

**19. Comment:** Comments were received suggesting all/some of the lands within the Township that are currently designated Existing Community Zone and have steep slope areas and vernal pool buffers should be designated Existing Community Zone - Environmentally Constrained. Maps were attached to illustrate the comment.

**Response:** Highlands Council acknowledges the comment and notes that the Monitoring Program and Recommendation Report (MPRR) includes a recommendation to update the Land Use Capability Zones (LUCZ) with new data. Such an update would require an RMP Amendment. Alternatively, the Township may request specific RMP updates based on identified resources.

**20. Comment:** A comment was received applauding the Township’s recognition that their local goals and objectives are in alignment with the Highlands Regional Master Plan.

**Response:** Highlands Council acknowledges the comment.



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**21. Comment:** A comment was received that the Township would look to the Highlands Council for support in balancing economic development with natural resource protection.

**Response:** Highlands Council acknowledges the comment and is prepared to provide the necessary support and guidance.

**22. Comment:** A comment was received fully supporting the Township's Petition for Plan Conformance.

**Response:** Highlands Council acknowledges and appreciates the comment.

**23. Comment:** A comment was received suggesting that the Township should consider adoption of Dark Sky Ordinances to allow residents to experience the natural night sky. A copy of a model ordinance was attached.

**Response:** Highlands Council acknowledges the comment.

**24. Comment:** A comment was received suggesting the Township would benefit from the grants and expertise available from the Highlands Council, as well as the interactive environmental resource inventory.

**Response:** Highlands Council acknowledges and appreciates the comment.

**25. Comment:** A comment was received asserting that the Township's recently adopted Master Plan is aligned with the Highlands Regional Master Plan and conformance is the obvious and appropriate next step in implementing the vision of the Master Plan.

**Response:** Highlands Council acknowledges and appreciates the comment.

**26. Comment:** A comment was received questioning whether the changes that have been proposed would delay the Township's Plan Conformance process.

**Response:** As noted in previous responses, the suggested modifications to Land Use Capability Zones may occur separate from the Petition approval and need not delay the Plan Conformance process. Additionally, Plan Conformance implementation tasks occur after the approval of the Petition.

**27. Comment:** A comment was received that supports the Township's protection of land, water and open space through Highlands Plan Conformance.

**Response:** Highlands Council acknowledges and appreciates the comment.

**28. Comment:** A comment was received pointing out that Wildlife Preserves, Inc. is the largest vacant landowner in the Township and the primary owner of Troy Meadows, having managed it for 70 years. Troy Meadows is located in the Protection Zone on the Highlands Land Use Capability Zone Map.

**Response:** Highlands Council acknowledges the comment.

**29. Comment:** A comment was received requesting that Wildlife Preserves be included in the planning process for their properties.

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**Response:** Highlands Council staff have met (virtually) with representatives of Wildlife Preserves and will continue to engage them in the planning associated with Troy Meadows.

- 30. Comment:** A comment was received requesting modifications to the Land Use Capability Zone designations on lands on the edge of Troy Meadows. A map was attached illustrating the proposed changes.

**Response:** Highlands Council acknowledges the comment. The Township of Parsippany-Troy Hills may request RMP (Regional Master Plan) Map Updates to change Land Use Capability Zones when more accurate information is available that supports such changes. The RMP Updates may occur at any time in the future and do not need to happen during the Petition process.

- 31. Comment:** A comment was received noting that the lands that comprise Troy Meadows are zoned Recreation, Conservation, Wildlife (RCW). The zoning was adopted in May 2018, settling a longstanding zoning dispute. The RCW Zone permits certain uses, specifically an environmental education center, a maintenance garage, and a ranger station. Consideration should be given to these permitted uses. The comment also noted that the area where the environmental education center is planned is the site of previously existing structures and the foundations and driveway remains, providing sufficient existing impervious cover to qualify for an exemption.

**Response:** Highlands Council acknowledges the comment and will continue to work with Wildlife Preserves to plan for their lands. Given the existence of impervious surfaces on the proposed environmental education center site, the project may be eligible for an exemption 4 and therefore would not be subject to Highlands Regional Master Plan standards or Highlands Council review.

- 32. Comment:** A comment was received urging the Township to consider the applicability of the Highlands Open Water buffers as they may relate to the public benefit uses planned for the Troy Meadows properties prior to coming into Plan Conformance and adopting a Highlands Land Use ordinance.

**Response:** The purpose of Highlands Open Water buffers is to provide enhanced protection to critical environmental resources such as Troy Meadows. It is the Highlands Council's belief that plan conformance can only strengthen the protection of the unique environmental resource of Troy Meadows.

- 33. Comment:** A comment was received noting that a portion of Troy Meadows operates as Troy Meadows Wetlands and Riparian Mitigation Bank and enhancement and expansion of the Bank should be protected.

**Response:** Highlands Council acknowledges the comment and supports the ecological benefits associated with Troy Meadows and the Mitigation Bank .

- 34. Comment:** A comment was received requesting a delay in approving the Township's Petition for Plan Conformance until RMP Updates could be processed to modify the Protection Zone designation of certain Wildlife Preserves landholdings.

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**Response:** Highlands Council acknowledges the comment and notes that in order to process an RMP Update there must be supporting information to justify the change. Ultimately the appropriate Land Use Capability Zone will be based on the resources that exist on the property. The Township of Parsippany-Troy Hills may request RMP Updates to change Land Use Capability Zones when more accurate information is available that supports such changes. The RMP Updates may occur at any time in the future and do not need to happen during the Petition process.

- 35. Comment:** A comment referenced a book, “The Ecology of Eden,” by Evan Eisenberg, noting that humans do not care about protecting nature. The comment further stated that local decisions about land use are too focused on development and not enough on what is good for the citizens of the community.

**Response:** Highlands Council acknowledges the comment.

- 36. Comment:** A comment remarked that the amount of under-utilized existing development in Parsippany-Troy Hills makes it a de facto transfer zone and additional new development should not be necessary. The comment further stated that the Township is relying on Highlands conformance to protect their resources.

**Response:** Highlands Council acknowledges the comment. Redevelopment of existing under-utilized buildings is encouraged and supported by Highlands policies.

- 37. Comment:** A comment pointed out that the passage of the Highlands Act is a very important piece of environmental legislation. The comment raised concerns regarding possible conflicts/competitions of interest by Councilmembers who do not fully support its mission.

**Response:** Highlands Council acknowledges the comment.