



State of New Jersey

Highlands Water Protection and Planning Council
100 North Road (Route 513)
Chester, New Jersey 07930-2322
(908) 879-6737
(908) 879-4205 (fax)
www.highlands.state.nj.us



CHRIS CHRISTIE
Governor

JIM RILEE
Chairman

KIM GUADAGNO
Lt. Governor

EILEEN SWAN
Executive Director

LIBERTY TOWNSHIP COMPLETENESS DETERMINATION

Liberty Township’s Petition for Plan Conformance was submitted in part in December of 2009, with follow-up materials provided in March 2011. Upon consideration of the materials that were submitted, and of the special circumstances affecting Liberty Township’s Preservation Area, the Highlands Council staff determined that a simplified approach to Plan Conformance is appropriate for the Township, inclusive of a number of waivers and exceptions for items usually required for a finding of administrative completeness. As such, the Petition has been determined administratively complete.

The Township of Liberty petitioned the Highlands Council for Plan Conformance only with respect to lands within the Preservation Area. Development potential within the Township Highlands Preservation Area is extremely limited. The Area is not served by public water or sewer infrastructure and is subject to the New Jersey Department of Environmental Protection (NJDEP) Highlands Water Protection and Planning Act Rules (N.J.A.C. 7:38). The Highlands Council Build-Out Report, which provides an analysis of buildable lots in the municipality incorporating NJDEP Highlands Rule parameters, identifies the potential for just one additional dwelling unit in the Preservation Area outside of units that could potentially be constructed under Highlands Act exemptions. A significant portion of the Preservation Area, moreover, consists of preserved lands. Over 2,000 acres (nearly 30% of the Township Preservation Area) are in preservation, including over 1,800 acres of State parkland, farms and municipal parks.

Highlands Council staff anticipates that proposals for development in this area that do not qualify for Highlands Act exemptions will be very limited. Recognizing the constraints that already exist in the Preservation Area, staff proposed significant waivers and modifications to the standard requirements for municipal Plan Conformance, for application to the Township of Liberty. This approach permits the Township to adopt a significantly shortened Master Plan Highlands Element and a Highlands Preservation Area Checklist Ordinance, which would remain in effect indefinitely, in lieu of adopting the standard Highlands Preservation Area Land Use Ordinance. The use of the Highlands Preservation Area Checklist Ordinance in conjunction with the NJDEP Highlands Rules will ensure the protection of Highlands Resources in the Township while efficiently and appropriately implementing the Regional Master Plan (RMP) at the local level.

The items waived or otherwise provided by the Highlands Council to complete the Township’s Petition are listed below.

Completeness Items Waived or Provided

1. **Highlands Environmental Resource Inventory and Associated Figures** (Module 4). Due to the need for substantial revisions to incorporate new Highlands Council data as well as a wholly revised set of figures, the Highlands Council has provided these Module 4 components for the Township Petition.
2. **Master Plan Highlands Element Exhibits** (Module 5). A modified version of the Highlands Element is being provided by the Highlands Council (see discussion below). Also, consistent with the provision of revised Environmental Resource Inventory figures, a wholly revised set of exhibits has been provided by the Highlands Council for the Master Plan Highlands Element.
3. **Highlands Area Land Use Ordinance and Exhibits** (Module 6). Waived in keeping with the modified approach to Liberty Township Plan Conformance. (The Township submission did include a draft of the text portion of the Ordinance.)
4. **Submittal Checklist** (Module 7). Provided by the Highlands Council based on all items submitted by the Township or replaced/inserted to date by the Highlands Council, to complete the Petition.
5. **List of Current Planning/Regulatory Documents** (Module 7). Provided by the Highlands Council based on all planning/regulatory documents submitted by the Township to date and available on-line.
6. **Municipal Self Assessment Report** (Module 7). Waived, with acknowledgement of the Township's prior submission of an Initial Self Assessment Report and the Addendum thereto, based on the model provided by the Highlands Council. These submittals address this Module 7 requirement in large part, while the modified approach to Plan Conformance for the Township renders the submission unneeded, in any event.
7. **Highlands Implementation Plan and Schedule** (Module 7). Due to substantial revisions to the model Highlands Implementation Plan and Schedule since the time of the municipality's Petition submittal, this worksheet was prepared for the Township and included within the Petition by the Highlands Council.