

To: Tom Borden, Acting Director Highlands Water Protection and Planning Council

Fax- 908-879-4205

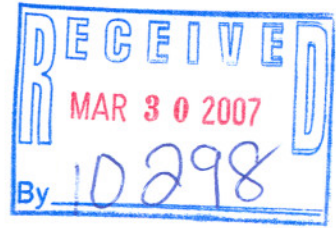
100 North Road, (Rt. 573)

Chester, NJ 07930

From: Dr. Adrienne Siegel, PO Box 28, Swartswood, NJ 07877 *AS*

Date: January 22, 2007

RE: Preserving Open Space in Hampton Township



I am writing this letter to bring to your attention a matter which I believe will have a devastating effect on the environment of New Jersey, Sussex County, and Hampton Township. I hope that as a result of becoming aware of this situation, you will be able to bring **into the jurisdiction of the Highlands Water Protection and Planning Act Hampton Township located in Sussex County and in particular Block 2002 and all undeveloped land in this site.**

It involves a zoning issue in Hampton Township in which the Zoning Board has granted variances for building new houses on three undeveloped lots (Block # 2002, Lot 7, Block # 2002, Lot 1 and Block #2002, Lot 4). Since 1962 there have been no new buildings erected on West Lakeside Lane. The area is a beautiful nature preserve with only fourteen houses. Homeowners purchased their property on the understanding that there would be no new development and that the zoning regulations had a history of being strictly enforced. However, within two weeks in December 2006 the Hampton Zoning Board has granted permission to build on the aforementioned lots, even though they lacked adequate road frontage, are on a privately maintained road(not on an approved street) and in one case (Lot 7) lack adequate depth, front yard setback, rear yard setback and side yard setbacks.

Allowing development on these lots disturbs the peace and quiet to which the existing homeowners are entitled. Residents on the West Shore of Little Swartswood Lake bought their homes with the understanding that further construction of new homes would be prohibited if they did not meet the zoning regulations of Hampton Township. Allowing these variances has violated the contract implied in the purchase the existing owners made of their residences. We believe that these variances set an extremely dangerous precedent. Anyone will now be able to build on a lot on undeveloped land which does not conform to existing zoning regulations.

When the members of the Little Swartswood Lake Landowners' Association chose to live on the West Shore of Little Swartswood Lake, it was because they were attracted to the rural beauty of this land. To open the door to new development will destroy the natural habitat. Even the bald eagle has chosen to nest here because it is peaceful and undisturbed. If new development is allowed on undersized lots, it will bring noise and crowding, something the current residents have chosen to reject. Many commute long distances because they cherish living in a rural environment. These variances have opened the door to others who will want to build on other sliver plots. Allowing the existing ordinances to be put aside sets a dangerous precedent for other developers to demand the same variances. Before long the eagle will be gone and Sussex County will become Bergen County.

The property surrounding Little Swartswood Lake is close to a sensitive wetlands area. Allowing development of more housing will endanger the environment and will cause more overflow of effluvia which will lead to further unwanted algae bloom on the Lake.

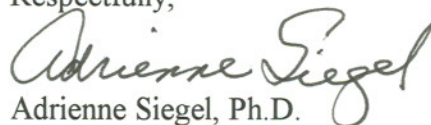
The grant of these three variances poses an imminent threat to the aquifer and menaces the water supply of the existing homeowners. Already there have been wells that have gone dry. Even wells that were recently dug had to go down as much as 500 feet and even at that depth still did not produce an adequate supply of water. We already know how the Lloyd aquifer on Long Island which was the island's oldest, deepest and purest supplier of water is now in danger of running dry from unchecked housing development. A most precious resources was squandered by allowing developers to have their way. Now Long Island faces the hugely expensive cost of more sewage, pumping water from other locales, purification plants as well as public health costs from contaminated water. Upstate New York has also faced this problem as its drinking water is getting muddier and more turbid from increasing runoff caused by overdevelopment. In the Catskills the clearing of land, paving over the road and building new homes all increased soil erosion, contributing to more runoff. This certainly seems to be a cautionary tale for responsible public officials in New Jersey to heed while they can still take measures which will head off a threat to the fragile environment of the wetlands and the supply of drinking water. When the Hampton Township Zoning Board was asked if they would make the developers financially and legally responsible for any harm their building would cause to the water supply of the existing residents, they said this could not be done.

The Little Swartswood Lake Landowners Association road has not been fully paved since 1984. Hampton Township has refused to take over this road and therefore its upkeep has become the burden of the existing homeowners. If heavy machinery is now brought in, it will do untold damage to a fragile road and will impose great financial costs on the Association.

Therefore, I am requesting you scrutinize the matter of these three variances on West Lakeside Lane granted in December 2006 in order to avoid permanent and irreversible damage to the environment. I urge you to use the recent landmark decision of the New Jersey Supreme Court in the Mount Laurel Case to block the aforementioned development under the right of eminent domain and set aside the undeveloped lots on Little Swartswood Lake for open space. As the majority of justices said, "The citizens of New Jersey have expressed a strong and sustained public interest in the acquisition and preservation of open space." We hope you will help us to allow the public interest to prevail over the selfish drive of developers and **thus bring Hampton Township (located in Sussex County) under the jurisdiction of the Highlands Water Protection and Planning Act.**

With deep appreciation for your willingness to use the power of the landmark Highlands Act to save our environment.

Respectfully,


Adrienne Siegel, Ph.D.