

RESOLUTION 2007-25
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
AUTHORIZATION TO RELEASE THE FINAL DRAFT OF THE HIGHLANDS
REGIONAL MASTER PLAN

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Sections 8 and 10 of the Highlands Act mandate that the Highlands Council prepare and adopt a Regional Master Plan with the goal of protecting and enhancing the significant values of the resources in the Highlands Region; and

WHEREAS, Sections 11 and 12 of the Highlands Act require that the Regional Master Plan be comprised of (a) a Resource Assessment that seeks to determine the amount and type of human development and activity that can be sustained by the Highlands Region ecosystem while maintaining the Region's overall ecological value; (b) a Financial Component that details the costs of implementing the Regional Master Plan, and details the sources of revenue for covering those costs; (c) a Local Participation Component that provides for the maximum feasible local government and public input; (d) a Coordination and Consistency Component that details the ways in which local, State, and federal programs and policies may be best coordinated to promote the goals, purposes, policies, and provisions of the Regional Master Plan; (e) a Transportation Component that provides a plan for transportation system preservation; (f) a Smart Growth Component that assesses opportunities for appropriate development, redevelopment, economic growth and a transfer of development rights program, and includes a Land Use Capability Map; and (g) a Land Use Capability Map for the Preservation Area; and (h) a statement of policies, including a preservation zone element that identifies zones within the Preservation Area where development shall not occur in order to protect water resources and environmentally sensitive lands and which shall be permanently preserved through use of a variety of tools, including but not limited to land acquisition and the transfer of development rights and minimum standards governing municipal and county master planning and development regulations; and

WHEREAS, in the course of developing the components of the Regional Master Plan, the Highlands Council has held fifty nine Council meetings and work sessions to gain insight from Highlands Council staff, State agencies, and other interested stakeholders, including the public, regarding various Plan elements; and

WHEREAS, as required by Section 9 of the Highlands, in developing the Regional Master Plan, the Highlands Council has consulted and coordinated with many State agencies and authorities, including the Department of Environmental Protection, the Department of Community Affairs, the State Planning Commission, the Department of Agriculture, the Departments of Transportation, Law and Public Safety, Banking and Insurance, and Treasury as well as the Council on Affordable Housing, the State Agriculture Development Committee, the New Jersey Pinelands Commission, the New Jersey Meadowlands Commission, the New Jersey Environmental Infrastructure Trust, the Garden State Preservation Trust, the State Transfer of Development Rights Bank, the Pinelands Development Credit Bank, the New Jersey Commerce Commission, the New Jersey Water Supply Authority, and the North Jersey Water Supply Commission; and

WHEREAS, the Highlands Council also established and met with eighteen Technical Advisory Committees comprised of professionals and other interested stakeholders whose input has been sought on various aspects of the Regional Master Plan, including Brownfield Redevelopment, Community Investment, Cultural and Historic Resources, Ecosystem Management, Eco-Tourism, Education, Geographic Information Systems, Green Construction, Housing, Land Preservation, Land Use Planning, Regional Development and Design, Sustainable Agriculture, Sustainable

Forestry, Transfer of Development Rights, Transportation, Utility Capacity, and Water Resource Management; and

WHEREAS, the Highlands Council also held numerous meetings with both elected and appointed county and municipal officials to discuss various aspects of Regional Master Plan development and to gain input from the county and municipal officials on plan implementation; and

WHEREAS, with input from the Highlands Council staff, State agencies, the Technical Advisory Committees, professional services firms, county and municipal officials, and the public, the Highlands Council prepared the Draft Regional Master Plan that incorporated the statutorily required components with the goal of protecting and enhancing the significant values of the resources in the Highlands Region; and

WHEREAS, along with the Draft Regional Master Plan, the Highlands Council prepared a Land Use Capability Map and statements of Plan's goals, policies, standards and requirements; and

WHEREAS, on November 30, 2006, the Highlands Council released the Draft Regional Master Plan for public and State agency comment; and

WHEREAS, the Highlands Council convened a public comment period lasting over one hundred sixty (160) days; and

WHEREAS, Section 8.a. of the Highlands Act requires that the Council "after holding at least five public hearings in various locations in the Highlands Region and at least one public hearing in Trenton, prepare and adopt a regional master plan for the Highlands Region;" and

WHEREAS, during the public comment period, the Highlands Council held nine public hearings, one in each of the seven Highlands counties and one in Trenton; and

WHEREAS, over the course of the public comment period the Highlands Council received in excess of 3,500 individual comments on the Draft Regional Master Plan from over 1,000 individuals and entities; and

WHEREAS, since release of the Draft Regional Master Plan, the Highlands Council has held numerous meetings with State agencies, county and municipal officials, and interested members of the public to gain further input on refining the Draft Regional Master Plan;

WHEREAS, in June 2007, the Highlands Council engaged the services of Charles L. Siemon, Esq. of Siemon & Larsen, P.A., a nationally recognized expert in land use planning and land use law to assist the Highlands Council with revising the Draft Regional Master Plan to be responsive to the comments from members of the public, State agencies, county and municipal officials, and other entities; and

WHEREAS, in light of the public comments and other input received from interested stakeholders, the Highlands Council has reexamined the Draft Regional Master Plan and has made changes to the Draft Regional Master Plan; and

WHEREAS, since August 2007, the Highlands Council staff has released various sections of the Final Draft Regional Master Plan for consideration by the Highlands Council and for review by the public, including sections regarding the Vision for the Highlands Region, the Goals, Policies and Objectives of the Regional Master Plan, numerous Regional Master Plan Programs, and a new Land Use Capability Map Series; and

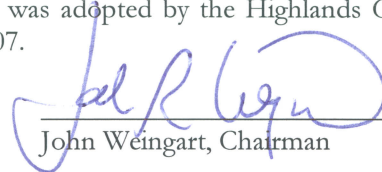
WHEREAS, the Highlands Council staff has also drafted a number of technical report addenda to address new or revised technical approaches to the previously prepared draft technical reports.

NOW, THEREFORE, BE IT RESOLVED by the Highlands Council that the Executive Director, or her designee, is directed to take the following actions:

1. Publicly release the Final Draft Regional Master Plan and draft technical report addenda, after making the changes identified by the Highlands Council, for public review and comment for a period of ninety (90) days from public release;
2. Transmit the Final Draft Regional Master Plan to New Jersey's Executive and Legislative branches of government;
3. Transmit the Final Draft Regional Master Plan to the governing body of every municipality and county located in the Highlands Region;
4. Call upon the Executive and Legislative branches to take the necessary steps to effectuate the landowner fairness provisions of the Highlands Act to provide a strong and significant commitment by the State to fund a reserve fund to capitalize the Highlands Transfer of Development Rights Program and the acquisition, by fee or easement, of exceptional natural resource value lands consistent with the goals and provisions of the Final Draft Regional Master Plan; and
5. Issue a public notice and schedule for three public hearings in February of 2008 on the Final Draft Regional Master Plan.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 19th day of November, 2007.


John Weingart, Chairman

Vote on the Approval of
this Resolution

| | <u>Yes</u> | <u>No</u> | <u>Abstain</u> | <u>Absent</u> |
|---------------------------|---------------|---------------|----------------|---------------|
| Councilmember Alstede | <u> </u> | <u>✓</u> | <u> </u> | <u> </u> |
| Councilmember Calabrese | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Carluccio | <u> </u> | <u>✓</u> | <u> </u> | <u> </u> |
| Councilmember Cogger | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Dillingham | <u> </u> | <u>✓</u> | <u> </u> | <u> </u> |
| Councilmember Kovach | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Letts | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Pasquarelli | <u> </u> | <u>✓</u> | <u> </u> | <u> </u> |
| Councilmember Peterson | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Schrier | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Vetrano | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Way | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Weingart | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |
| Councilmember Whitenack | <u>✓</u> | <u> </u> | <u> </u> | <u> </u> |