

DRAFT FOR CONSIDERATION BY THE HIGHLANDS COUNCIL
AT THE JUNE 12, 2008 COUNCIL MEETING

Part 4. Historic, Cultural, Archaeological and Scenic Resources

Historic Resource Protection

Issue Overview

The Highlands is home to many and varied historic, archaeological and cultural resources, and the Highlands Act requires that the Regional Master Plan include measures in both the Preservation and Planning Areas to preserve these resources. With a long history dating back at least 11,000 years to the first Native American settlements, the area has figured prominently in the history of both the State and the country. Rich in valuable resources, the Region has attracted human settlement for thousands of years and been the site of changing technology and anthropology. The Highlands' character is indelibly marked by its history and benefits from vestiges of earlier days. These resources contribute to the community's character, its economic vitality, its potential for heritage tourism, and its sense of place and time. Their protection and enhancement can continue to support these important characteristics of the Highlands into the future.

The Highlands' historic, archaeological and cultural resources have been treated differently from town to town and county to county within the Region. In some communities these resources are appreciated, utilized and incorporated into the fabric of daily life. In other instances they are not identified and so opportunities to protect or rehabilitate are lost.

Although the State Historic Preservation Office, the New Jersey Historic Trust, and the Office of Smart Growth may offer technical and funding assistance, there is no comprehensive program in place to encourage local agencies to proactively identify, protect and enhance their historic, archaeological and cultural resources. Many localities are not aware of all of the resources that exist within their borders and may lack access to programs geared toward protection and enhancement of these resources, as well as the methods that can turn these resources into meaningful contributors to the economic health of the community.

Program Summary

The Historic Resource Protection program is designed to identify where historic, archaeological and cultural resources exist within the Highlands Region and to provide guidance and support to local government entities in managing and protecting the resources within their borders.

RMP Policies and Objectives Addressed

Policy 4A1. To maintain and periodically update the Highlands Region Historic and Cultural Resources Inventory.

Objective 4A1a. Encourage municipalities and counties to include a historic, cultural and archaeological survey(s) as part of the Historic Preservation Plan element of their master plans.

Policy 4A2. To provide a process whereby resources may be nominated, considered and included in the Highlands Historic and Cultural Resources Inventory.

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Objective 4A2a. Evaluate the cultural and historic significance of the concentration of abandoned mines within the Highlands Region.

Objective 4A2b. Consider the inclusion of cultural sites of regional significance due to their importance in the history of the region.

Policy 4A3. To ensure through local development review and Highlands Project Review that human development does not adversely affect the character or value of resources which are listed on the Highlands Historic and Cultural Resource Inventory to the maximum extent practicable.

Objective 4A3a. All development and redevelopment applications shall include submission of a report identifying potential historic, cultural and/or archaeological resources on the subject property or within the immediate vicinity.

Objective 4A3b. Historic, cultural and/or archaeological resources identified through the development review process shall be evaluated for inclusion in the Highlands Region Historic and Cultural Resources Inventory.

Policy 4A4. To require that the impact of proposed human development on the historic and cultural resources of the Highlands Region be addressed during local development review and Highlands Project Review and approval.

Objective 4A4a. All applications for site plan or subdivision approval shall include identification of any cultural, historic or archaeological resources in the Highlands Region which are listed on the Highlands Historic and Cultural Resource Inventory and may be affected by the proposed development.

Objective 4A4b. All development which affects identified cultural, historic or archaeological resources shall comply with minimum standards for the preservation of the affected resources.

Policy 4A5. To use the U.S. Secretary of the Interior's Standards for the Treatment of Historic Properties as the standard for municipal historic and cultural preservation review and include, at a minimum, the preservation and re-use of historic structures.

Policy 4A6. To coordinate the Highlands Council's activities with regard to the historic and cultural resources with the New Jersey Historic Trust and the State Historic Preservation Office.

Policy 4A7. To promote historic and cultural heritage tourism in the Highlands Region.

Policy 4A8. To encourage municipalities and counties to establish historic preservation commissions or boards to review applications for development which affect historic, cultural and archaeological resources listed on the Highlands Historic and Cultural Resources Inventory.

Policy 4A9. To advocate on the federal and state levels for grants and financial incentives to aid landowners in the preservation and maintenance of historic, cultural and archaeological resources.

Policy 4C1. To require that conforming municipalities and counties include a Historic, Cultural and Scenic Resource Protection Element in municipal and county master plans and development regulations and update the Historic and

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**Identification of
Historic, Archaeological
and Cultural Resources**

Cultural Resources Inventory through local development reviews.

Policy 4C2. To require that conforming municipalities and counties include minimum standards for the protection and enhancement of historic, cultural and archaeological resources listed in the Highlands Historic and Cultural Resources Inventory in their development regulations.

Municipalities are encouraged to use a range of methods to identify the historic, archaeological and cultural resources within their communities. They should require all development reviews to include identification of any relevant resources as part of their applications. Planning work sessions and checklists should include historic, archaeological and cultural resources as a review component. Sensitive treatment of existing resources and commitment to minimal negative impacts should be the standard for decision-making.

Municipalities and counties shall, as a requirement of conformance, include within their master plan a Historic Preservation Plan element that identifies the location and significance of known historic, archaeological and cultural resources within their borders and the immediate surrounding area, using accepted State or federal definitions of such resources. They should whenever appropriate conduct historic, archaeological and cultural survey(s) and include these as part of the Historic Preservation Plan element.

Historic, archaeological and cultural resources that are identified through surveys, preservation plans and development plans shall be provided to the Highlands Council and reviewed and evaluated for inclusion in the Highlands Region Historic and Cultural Resources Inventory. A procedure for conducting the reviews and evaluations shall be developed in coordination with the State Historic Preservation Office.

**Protection and
Management of
Historic Resources**

Municipalities will be encouraged to:

- establish a Historic Preservation Commission or similar entity to provide advice and recommendations on all land development applications and land planning decisions;
- adopt ordinances, zoning rules, development regulations and programs that protect the integrity of historic, archaeological and cultural resources and the integrity of their surroundings, and to address potential reuse and rehabilitation of historic structures;
- Consider alternative strategies to protect historic and cultural sites, such as allowing adaptive reuse to support their protection and maintenance;
- designate historic structures and their surrounding land as historic sites and permit clustering to help protect them within preserved lands or as open space to maintain the structures within their settings;
- allow density transfers to adjoining property as an incentive to preserve historic buildings and sites;
- allow mitigation of non-conforming status for historic structures by conditional use approvals; and
- adopt guidelines and/or regulations, where appropriate, to address the issue of teardowns, particularly in older, established lake communities (see the

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Lake Community Program) and historic downtown areas and residential neighborhoods.

In addition, both municipal and county governments will be encouraged and supported in advocating innovative methods to facilitate historic preservation within their communities, including purchase and use as public historic sites, easements, adaptive reuse, financial incentives and heritage tourism. (Heritage tourism opportunities will be developed as part of the economic vitality program.)

Municipal and county governments shall, as a requirement of conformance, impose a development review condition that all development proposals that may affect historic, archaeological or cultural resources shall demonstrate how such impacts will be avoided or minimized.

Counties shall, as a requirement of Plan Conformance, address historic transportation infrastructure within their county master plan and encourage them to develop a program to preserve the integrity of historic bridges that are part of their transportation system. (See the Transportation Program.)

**Education and
Outreach**

The Highlands Council, in coordination with the State Historic Preservation Office, will develop or adapt a historic preservation manual to provide guidance, technical assistance and information on potential funding sources for use by local government, non-profit and preservation entities. The manual will include strategies for promoting historic, archaeological and cultural resources as part of the economic vitality of the Highlands. It will include design standards to assist communities, landowners and developers in rehabilitation or adaptation of buildings to preserve and enhance their historic qualities. It will offer innovative methods for advocating and publicizing historic preservation efforts, such as historic marker campaigns, local signage programs, awards programs and similar efforts to build awareness for Highlands historic, archaeological and cultural resources. Heritage tourism programs will be promoted as a component of the historic preservation program and the economic vitality of the Highlands. (See heritage tourism opportunities in the *Sustainable Economic Development Program*.)

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Scenic Resource Protection

Issue Overview

Protecting scenic resources and maintaining the visual integrity and scenic beauty of noteworthy viewsheds and natural and cultural features of significance in the Highlands Region is a goal of the Highlands Act and the RMP. The essential character of the Highlands is intrinsically tied to the physical environment and how one element relates to another. The scenic character of the Highlands will be a major contributor to the Region's success as a recreation and tourism destination and its ability to generate economic activity in the form of agri-tourism, eco-tourism and heritage tourism. Preservation of that essential character can best be accomplished through a comprehensive approach to scenic resource protection. Other than a few scenic resource ordinances and even less scenic resource inventories, there has been no comprehensive attempt to address the issue of scenic resource protection in the Highlands Region.

Program Summary

The Scenic Resource Protection program establishes a procedure for identifying regionally significant scenic resources within the Highlands Region and provides methods to preserve these vistas, byways, ridgelines, rivers and streams, cultural landscapes and natural features. The program provides for input from local government entities as well as public participation.

RMP Policies and Objectives Addressed

Policy 4B1. To maintain and periodically update the Highlands Scenic Resources Inventory.

Objective 4B1a. Encourage municipalities, or groups of municipalities and/or counties, to conduct a scenic inventory(ies) to identify locally and regionally significant scenic resources, and involve local residents.

Policy 4B2. To provide a process whereby regionally significant resources may be nominated, considered and included in the Highlands Scenic Resources Inventory.

Policy 4B3. To ensure that human development does not adversely affect the character or value of resources which are listed on the Highlands Scenic Resources Inventory.

Policy 4B4. To establish minimum standards to ensure that Highlands Scenic Resources are not impaired by new human development.

Policy 4B5. To require that the impact of proposed human development on the scenic resources of the Highlands Region be addressed during local development review and Highlands Project Review and approval.

Objective 4B5a. All development applications shall include identification of any scenic resources in the Highlands Region that are listed on the Highlands Scenic Resources Inventory and may be affected by the proposed development.

Objective 4B5b. All development which affects identified scenic resources shall comply with minimum standards for the preservation of the affected resources.

Objective 4B5c. Any proposed action that requires federal permits, involves federal grants, or involves other federal actions that may impact the resource

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values of the Musconetcong National Scenic and Recreational River, pursuant to section 10(a) of the National Wild and Scenic Rivers Act, shall require review by the National Park Service, National Wild and Scenic Rivers Program.

Policy 4B6. To advocate on the federal and state levels for grants and financial incentives to aid landowners in the maintenance and protection of scenic resources.

Policy 4C1. To require that conforming municipalities and counties include a Historic, Cultural and Scenic Resource Protection Element in municipal and county master plans and development regulations and update the Historic and Cultural Resources Inventory through local development reviews.

Policy 4C3. To require that conforming municipalities and counties include minimum standards for the protection and enhancement of scenic resources listed in the Highlands Scenic Resources Inventory in their development regulations.

**Inventory of Highlands
Scenic Resources**

- Baseline Inventory – Having identified 131 publicly-owned potential scenic resources, the Highlands Council will evaluate the initial baseline sites, refine the list and seek to add to it through additional nominations.
- The Council will establish procedures for nomination, evaluation and inventory of Highlands regionally significant scenic resources.
- The Council will establish guidelines for the preparation of the scenic resource inventory, including modifications to the baseline inventory of 131 potential scenic resources.
- The Council will identify unique scenic vistas (big sky views) and protect them.
- Encourage municipalities and counties to conduct scenic resource inventories and relate them to their recreation and open space planning.
- Encourage municipalities and counties to work jointly with neighboring municipalities and counties to conduct the scenic resource inventories on a regional or sub-regional scale.
- Encourage municipalities and counties to include scenic resources in the open space and recreation plan elements of the municipal and county master plan.

**Scenic Resource
Protection Mechanisms**

- The Council will develop strategies to protect scenic ridgelines, including the identification of key provisions for a Ridgeline Protection Ordinance. The provisions may include location of buildings, preservation of trees up slope and down slope of structures, building colors and types of glass, and other siting techniques that would blend structures with the landscape.
- The Council will identify key provisions for scenic resource protection ordinances for use and adoption by municipal and county governments, either as part of Plan Conformance or through independent exercise of municipal and county authority.
- The Council will develop review procedures for consideration of scenic resources during Project Review.
- Municipalities and counties shall be encouraged to develop a Scenic Resources Management Plan for their jurisdictions or sub-regions.

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- Municipalities and counties will be encouraged to pursue designation of scenic byways, where appropriate, according to the New Jersey Scenic Byways Program.
- The Highlands Council will prepare a scenic resource protection model ordinance to serve as a template for use by the municipalities in drafting and adopting a local scenic resource protection ordinance.
- Municipalities, counties and other agencies will be encouraged to consider alternative strategies to protect scenic features, such as allowing adaptive reuse of existing agricultural structures to support their protection and maintenance.
- The Highlands Council will prepare guidelines to assist municipalities in drafting and implementation of scenic resource protection measures in the community, including scenic lake management.
- Municipalities shall be encouraged to advocate cluster development within rural areas, designing developments to fit within the character of the community and the rural landscape. Where land is in agricultural use, municipalities should retain this use along roads and locate development in locations that do no damage the scenic viewshed. Hedgerows, mature trees and other rural features should be protected.
- Relate scenic resource protection strategies and priorities to the open space and recreation component of the master plan and the expansion of recreation facilities.
- Establish road corridor guidelines that protect existing tree rows along scenic roads and require minimum buffer yards (e.g., 100 feet) to be left in natural vegetation, subject to safety considerations and environmental protection needs. Minimum landscape provisions of the buffer may be established for different types of roadside environments.