

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
MEETING MINUTES OF MAY 18, 2023

**PRESENT**

CARL J. RICHKO ) CHAIR  
KURT ALSTEDE ) VICE CHAIR  
ROBERT HOLTAWAY ) COUNCIL MEMBERS  
MICHAEL FRANCIS )  
BRUCE JAMES )  
MICHAEL SEBETICH, PhD )  
JAMES VISIOLI )  
RICHARD VOHDEN )

**VIA TELECONFERENCE:**

MICHAEL DRESSLER )  
DANIEL J. VAN ABS, PhD )

**ABSENT:**

TIMOTHY DOUGHERTY )

**CALL TO ORDER** 197<sup>TH</sup> meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:00pm at the Highlands Council Offices in Chester, NJ.

**ROLL CALL**

Roll call was taken. Member Dougherty was absent. All other Council Members were present. Members Dressler and Van Abs were present via teleconference. *The following staff members were present: Ben Spinelli, Gabrielle Gallagher, James Humphries, Neda Hartman, Herb August, Annette Tagliareni, Carole Ann Dicton, Alex Hascha, Carolyn Klaube and Tom Tagliareni. Others present via teleconference: Jason Kane, Deputy Attorney General's (DAG's) office and Thomas F. Holl, Associate Counsel, Governor's Authorities Unit (GAU).*

**OPEN PUBLIC MEETINGS ACT** was recited.

**PLEDGE OF ALLEGIANCE** was recited.

**CHAIRMAN'S REPORT**

Chair Richko reported that the Council's June meeting is cancelled.

**EXECUTIVE DIRECTOR'S REPORT**

Mr. Spinelli provided a number of updates:

- Highlands guidance document entitled: Policy Standards for Warehousing in the Highlands Region
- Affordable Housing Request for Qualifications (RFQ) for legal and technical planning for upcoming fourth round obligations

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- Highlands Council awarded the federal Highlands Conservation Act (HCA) grant to prepare a Highlands Region Open Space/Recreation Plan
- Corporation Business Tax (CBT) funding for land preservation in the Highlands region

*Member James was present at 4:06pm.*

- Sparta Mountain staff site visit factual report – continue to do research and outreach for Forest Management Guidelines with a Highlands-specific approach
- Periodic (6-year) review of Highlands Regional Master Plan (RMP) in conjunction with the 20<sup>th</sup> Anniversary of Highlands Act and a state of the Highlands (successes and shortfalls)
- Day-to-day activities:
  - a. Stormwater requirements
  - b. Cannabis grow facilities
  - c. Climate initiative
  - d. Outreach to counties and municipalities, specifically Warren County
  - e. Harmful Algae Bloom (HAB) monitoring
  - f. Agriculture policies
  - g. Watershed improvement plans
  - h. Making sure the Highlands RMP is recognized and considered by state agency activities.

Mr. Spinelli added that everything we do is designed to make sure that our mission to protect the resources of the Highlands, implement the goals of the RMP, and see that the Highlands Act is appropriately applied within the region. Mr. Spinelli thanked Highlands staff and Council members for their efforts.

At this time, Chair Richko asked if any Council members had any comments or questions on the Executive Director's report.

#### Council Comments

Member Francis thanked Mr. Spinelli for his good leadership.

#### **APPROVAL OF HIGHLANDS COUNCIL MINUTES OF APRIL 20, 2023**

Chairman Richko asked for a motion on the Council Minutes of April 20, 2023.

*Member Alstede made a motion to approve the Highlands Council Minutes of April 20, 2023. Member James seconded it.*

*A roll call vote was taken. The Highlands Council Minutes of April 20, 2023 were APPROVED 8-0, with one abstention by Member Holtaway.*

#### **FORESTRY PRESENTATION**

Ben Spinelli, Executive Director reported that Highlands staff recently visited the Sparta Mountain Wildlife Management Area to see first-hand what was happening on the ground. Mr. Spinelli

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introduced Alex Hascha, Resource Management Specialist and Carolyn Klaube, Senior Resource Management Specialist who were part of the team. Mr. Hascha provided a presentation to Council and it may be found on the Highlands Council website at the link below:  
[www.nj.gov/njhighlands/about/calend/2023/may18/preso\\_may18.pdf](http://www.nj.gov/njhighlands/about/calend/2023/may18/preso_may18.pdf)

Mr. Spinelli emphasized that this site visit was a fact-finding mission.

At this time, Chair Richko asked if any Council members had any comments or questions about staff's presentation.

Member Sebetich thanked staff for the report and visiting the sites. Regarding regeneration of different species, Member Sebetich asked if the NJDEP has a report listing what the regeneration species are and any progress.

Mr. Hascha responded that he was not provided with that information and did not know if they have a report. Mr. Spinelli added that staff can find out if a report exists.

Vice Chair Alstede asked how big each treatment area is. Mr. Hascha responded that each treatment area is 10 acres.

Regarding Highlands Forest Management Guidelines, Member Vohden asked if Council staff will be incorporating the work of Senator Smith's Forest Task Force. Mr. Spinelli responded that we are creating our own Highlands-specific guidance, but similar to how the Highlands Warehouse Guidance was informed by the State Planning Commission guidance, our forestry guidance will be informed by the work of the task force.

## **PLAN CONFORMANCE COMMITTEE**

### **Resolution – Approval of Map Adjustment for Glenlora Site for Chester Township (Morris County)**

*Mr. Spinelli recused himself from any consideration/discussion on this agenda item.*

Chairman Richko asked for a motion on the resolution.

*Member Alstede moved the resolution. Member Visioli seconded it.*

Chair Richko noted that Mayor Inganamort and David Novak (Planner) were present at today's meeting and asked if they would like to comment.

Michael Inganamort, Mayor of Chester Township, gave some history of the Glenlora site, map adjustment and the Request for Proposal that will get them closer to their goal, if Highlands Council approves the resolution this evening. Mayor Inganamort thanked the Council for their consideration.

At this time, James Humphries, Director of Planning, Science and GIS provided a presentation about the map adjustment for Glenlora site for Chester Township (Morris County). The presentation may be found on the Highlands Council website at the link below:

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[www.nj.gov/njhighlands/about/calend/2023/may18/preso\\_may18.pdf](http://www.nj.gov/njhighlands/about/calend/2023/may18/preso_may18.pdf) (scroll to slide 11).

At this time, David Novak, Planner (Burgis Associates) thanked Highlands Council and staff. Mr. Novak gave an overview on potential affordable housing sites/properties in Chester Township as well as the history of the Glenlora site (owned by Chester Township). Mr. Novak concluded by stating that this RMP map adjustment, from a planning perspective, can provide a balance of affordable housing, protecting the rural nature of the community and addressing the overarching goals of the Highlands Council.

Council Comment

There was no Council discussion.

Public Comment

There was no public comment.

*Member Dressler was present at 4:32pm.*

*A roll call vote was taken. The resolution was APPROVED 9-0, with one abstention by Member James.*

**BUDGET & FINANCE COMMITTEE**

**Resolution – Approval of Fiscal Year 2023 Highlands Protection Fund Capital Budget for Plan Conformance Funding Grants**

Committee Chair Holtaway reported that the Budget and Finance Committee is recommending the approval of 4 grants totaling \$164,000. All grants are reimbursement-based with final budgeted amounts determined by approved scopes of work.

1. Town of Clinton, Hunterdon County is requesting \$75,000 to perform a traffic study that will help assess the nature and capacity of their roads. The purpose of the Phase One Traffic Study will be to complete an initial assessment of the current conditions. This may be used in the subsequent development of a plan to address traffic issues.
2. Town of Belvidere, Warren County is requesting \$15,000 for an initial assessment grant as a first step in the Plan Conformance process.
3. West Milford Township, Passaic County is requesting \$30,500 to prepare a Preservation Plan for the Wallisch Homestead Historic Site. The goal of the Preservation Plan is to identify and prioritize recommendations for restoration and/or stabilization projects associated with the Wallisch Homestead.
4. Jefferson Township, Morris County is requesting \$43,500 to complete a second year of study to define trout habitat and population dynamics at Lake Hopatcong. The present study focuses on water quality measures during peak summer conditions. The data generated may also inform other important lake management decisions such as watershed improvements, HAB management and aeration needs.

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Chairman Richko asked for a motion on the resolution.

*Member Holtaway moved the resolution. Member Visioli seconded it.*

*Member James recused himself from voting on the West Milford Township grant.*

At this time the following public/representatives commented on their proposed grant.

**Pat Decker, Friends of the Wallisch Homestead** – Ms. Decker expressed appreciation for the Highlands Council’s support and that the preservation of the property aligns with the Township’s Economic Development and Open Space Plans, as well as county and state concerns.

**Ron Perez, Board Member and Co-Chair of Friends of the Wallisch Homestead** – Mr. Perez stated that Phase 2 and the grant request for \$30,500 will address architectural, structural, and engineering details to restore heritage, history and encourage economic development and tourism.

Knowing the Wallisch family, Chair Richko stated that the family would be very happy about what is being done at their former estate.

**Fred S. Lubnow, PhD, Princeton Hydro** – Dr. Lubnow commented on the Jefferson Township grant stating this is part of a study that the Lake Hopatcong Knee Deep Club, Lake Hopatcong Foundation and Lake Hopatcong Commission have been doing for a population dynamic estimation of the carry over trout (specifically brown trout). These funds will be used to help assess habitat relative to the population data that we will be collecting. Those organizations paid for the trout that was stocked and they are collecting the data that is recaptured.

Council Comment

Member Sebetich asked if there is data that brown trout live year after year. Dr. Lubnow responded that that is the data being collected.

Public Comment

There was no public comment.

As a reminder, Ms. Gallagher, Chief Counsel, noted that Member James should abstain from West Milford grant, but can vote on the other grants.

*A roll call vote was taken. The resolution was APPROVED 10-0 for Town of Clinton, Town of Belvidere and Jefferson Township grants. For the West Milford grant, the resolution was APPROVED 9-0, with one abstention by Member James.*

**AFFORDABLE HOUSING COMMITTEE**

**Resolution – Approval of Contract for Affordable Housing Consultation**

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Committee Chair Visioli reported that the committee has been meeting since January and thanked the Council staff and Committee members. Committee Chair Visioli reported that there were five (5) respondent proposals received for the RFQ. The Committee interviewed three (3) of them on Council staff input and final interview was a couple weeks ago. The Committee recommends Colliers Engineering and Design based on their history, objectivity and presentation.

Chairman Richko asked for a motion on the resolution.

*Member Visioli moved the resolution. Member Francis seconded it.*

Chair Richko noted that the committee participated in all the interviews.

Council Comment

There was no Council discussion.

Public Comment

**Hank Klumpp, Tewksbury Township** – Mr. Klumpp asked what affordable housing has to do with water as he is more concerned with the golf courses.

Chair Richko asked Mr. Spinelli to sum up the involvement regarding affordable housing in the Highlands region.

Mr. Spinelli commented that development of affordable housing in the State as a whole, and particularly in the Highlands region, will generate a significant amount of new development. Mr. Spinelli added that to make sure that constitutional obligation to provide affordable housing is consistent with the goals of the RMP and the Highlands Act by making sure that the number of affordable units built in the region, where they are built and how they are built is consistent with those goals.

*A roll call vote was taken. The resolution was APPROVED 9-0, with one abstention by Member James.*

**OLD/NEW BUSINESS:**

Member Francis thanked the Council for their support of Lake Hopatcong Lake.

Vice Chair Alstede inquired about stormwater compliance and looks forward to hearing more on this topic. Mr. Spinelli responded that there will be more information at July's meeting.

Chair Richko opened the meeting for any public comment.

Public Comment

**Dylan Medici, Staff Member, New Jersey Highlands Coalition** - Mr. Medici commented that the Highlands Coalition finds that Chester's expansion of the ECZ area is largely consistent with the Highlands RMP due to Affordable Housing needs but added that the approval should be conditional

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based upon the developer fulfilling all commitments. Mr. Medici also commented on Sparta Mountain, noting that the Coalition is encouraged that the Council is taking an interest in activities there. He also believes that forest integrity and water quality are directly linked and the reason for the protection of the Highlands and the reason for the Highlands Council and the RMP. Mr. Medici noted that the impact to water quality by the logging plan and impact to forest soils should be a consideration going forward when assessing logging projects in the Highlands Region.

**Dorothy Stillinger, Chatham Township** - Ms. Stillinger commented that in the April Minutes of the Director's Report it states that the Highlands Council Science Staff submitted their Sparta Mountain Site Visit comments to the NJDEP. She would like to know how she can read the comments.

Ms. Gallagher responded that the comments are not being released but the Sparta Mountain Site Visit Report is based on those comments and will be released to the public after today's Council meeting. Ms. Stillinger thanked Ms. Gallagher and asked if the comments themselves are available. Ms. Gallagher advised that the comments are "advisory, consultative and deliberative" and not subject to public release, but the comments were based on the report being released.

**Nicholas Homyak, Parsippany-Troy Hills Township** – Mr. Homyak commented that he was disappointed with the Sparta Mountain Site Visit Report and that there was little mention of invasives intruding upon the disturbed area and that the oldest site was not regenerating. Mr. Homyak believes, in his opinion, there has been a violation of the Highlands Act on Sparta Mountain. Mr. Homyak submitted a Glossary of Scientific Terms and a map for the record.

**Hank Klumpp, Tewksbury Township** – Mr. Klumpp referred to the 2004 Senate Environment Committee, Assembly Environment and Solid Waste Committee Meeting bill, particularly Senator Smith's comment regarding (page 111) which Mr. Klumpp read into the record. Mr. Klumpp submitted the 2004 Senate Environment Committee, Assembly Environment and Solid Waste Committee bill for the record.

**Richard Kelsky, Vice President and Director, New Jersey Forestry Association** - Mr. Kelsky was pleased with the Sparta Mountain Site Visit Report and discussed two walks in which they, along with the invited public, toured all the sites and observed conditions similar to those mentioned in the Highlands Council's report. Mr. Kelsky stated that the regrowth is truly astounding and each site is progressing. He encouraged the Highlands Council to reach out to the New Jersey Forestry Association as a resource for scientifically based forest management and information about how it is applied.

**Julia Somers, New Jersey Highlands Coalition** - Ms. Somers commented that it is frustrating to hear that the NJDEP visits to Sparta Mountain do not include others with a different viewpoint and would like Highlands Coalition scientists included in future visits.

**David Shope, Lebanon Township** - Mr. Shope commented on a map of the Highlands Region, pointing out that it ends at the Massachusetts and Maryland borders. Mr. Shope spoke in opposition to this map and that it is not science-based. Mr. Shope submitted the map for the record.

Chair Richko asked for a motion to adjourn the meeting.

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*Member Holtaway made a motion to adjourn the meeting. Member Visioli seconded it. All were in favor. The meeting was adjourned at 5:12pm.*

**CERTIFICATION**

I hereby certify that the foregoing is a true copy of the minutes of the meeting of the Highlands Water Protection and Planning Council.

Date: 7/20/2023

Name: Annette Tagliareni

Annette Tagliareni, Executive Assistant

Vote on the Approval of Minutes	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty						√
Councilmember Dressler			√			
Councilmember Francis			√			
Councilmember Holtaway						√
Councilmember James		√	√			
Councilmember Sebetich						√
Councilmember Van Abs	√		√			
Councilmember Visioli			√			
Councilmember Vohden			√			
Chairman Richko			√			