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Town of Clinton

Module 3: Addendum

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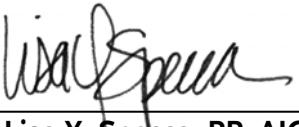
New Jersey Highlands Water Protection and Planning Council

January 2010

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Highlands Conformance: Module 3

Addendum

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Prior Round Affordable Housing Sites Highlands Consistency Review

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Twin Ponds Site

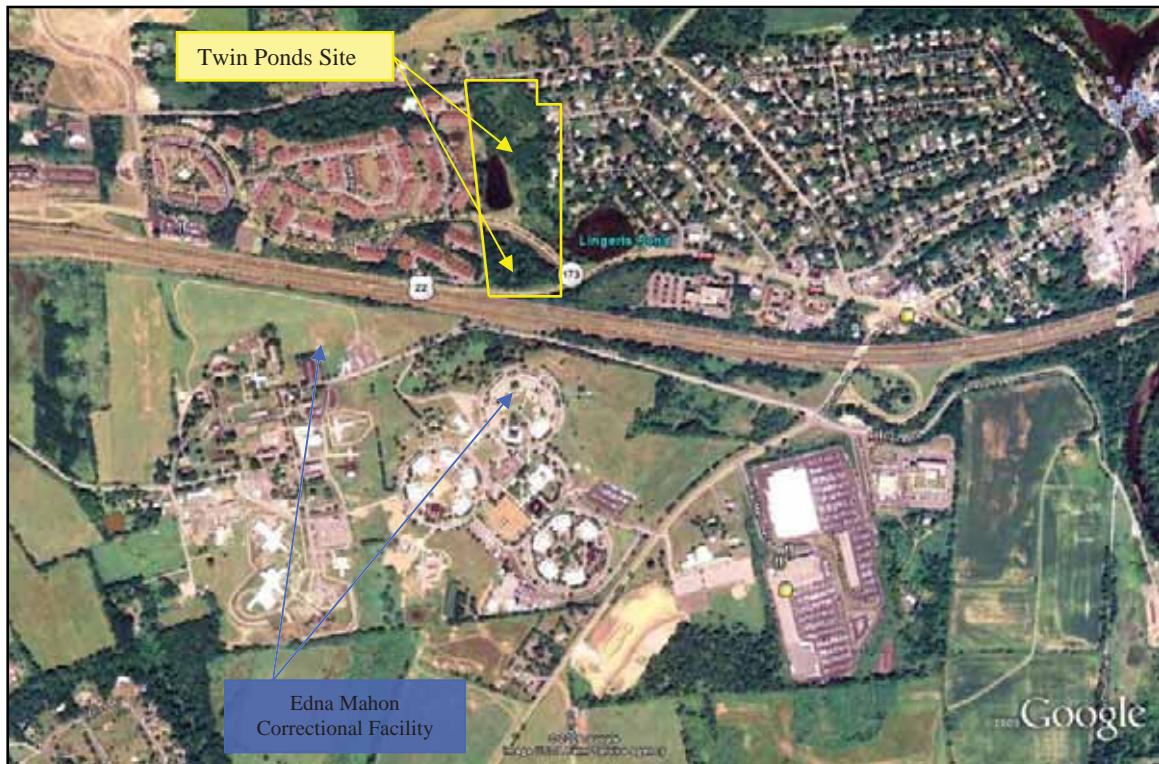
Block 1, Lots 60 and 60.02

Prior COAH Round Site Consistency Review- Twin Ponds

The Town of Clinton will address a portion of its prior round affordable housing obligation with the development of Country View Builder's Twin Ponds Development Project. The Twin Ponds Development site consists of two parcels (Block 1, Lot 60 measuring 11.9 acres and Lot 60.02 measuring 5.36 acres) located at the extreme western boundary of the Town adjacent to Union Township. The site is bounded by New Jersey State Highway Route 173 (Main Street) to the south and Rupell Road to the north. Village Road separates the two parcels. The applicant intends to develop only lot 60.02 the southern and smaller lot and permanently preserve the remaining larger parcel, lot 60, to the north.

Regional Context of the Site

The Twin Ponds site as depicted in the aerial photograph below is nearly surrounded by residential or institutional development with one exception to the east the Dumont Pond Park (labeled Lingerts Pond) a municipally protected park with public parking for the pond's visitors.



Aerial Photograph of Twin Ponds Site Block 1 Lots 60 and 60.02

Site History

The Twin Ponds site was the subject of a Mt. Laurel Builder's Remedy lawsuit in 1984. The resulting Settlement Agreement required the site be rezoned to a Planned Unit development (PUD) zone district which provided for a variety of residential units and a moderate amount of

nonresidential floor area, as well as 18 on-site affordable units. Subsequently, the site was rezoned to the PRD-P zone district, to account for the environmental constraints present on the site, and was approved for 48 multifamily market units and a payment in lieu of constructing 10 affordable units in the amount of \$200,000. Since that approval in 2002, the project's vested rights have expired. Subsequently, the Town adopted in 2007 a Reexamination Report and in 2008 a new Master Plan recommending increased density on the site to 3.60 dwelling units per acre with a 60 unit maximum and increased impervious coverage limitations to 65%. These Master Plan recommendations as well as all other recommended revisions to the municipal implementing ordinances were put "on hold" while the municipality was weighing the benefits of Highlands Conformance. On December 8, 2009, Clinton Town petitioned the Highlands Council for Conformance in both the Planning Area and the Preservation Area of the municipality. As a result, the applicant and the Town have been engaged in informal discussions to move the project forward. Currently, the applicant has informally agreed to provide 49 market rate residential units and 12 additional affordable units on-site in exchange for retention of the zoning density on the property. The Town views this development as a necessary and favorable means of meeting a portion of its affordable housing obligation as well as the terms of the Builder's Remedy.

Utility Infrastructure and Capacity

The Twin Ponds site is currently not listed as within the existing area served by either the Town of Clinton Highlands Domestic Sewerage Facility or the Town of Clinton Water Department; however, the site is adjacent to sites currently served and infrastructure extensions are readily available. The Highlands Council Utility Capacity Technical Report as well as the Highlands Conformance Module 2, Highlands Build-Out Report indicate the Town of Clinton has available potable water and sewer capacity to serve this site. The available wastewater capacity for Clinton Town is .135 MGD and potable water capacity is 5.42 MGM.

Site Suitability: Council on Affordable Housing "COAH"

Documentation of site suitability criterion and consistency with the State Development and Redevelopment Plan, "State Plan", are found in COAH's Third Round Substantive Rules at N.J.A.C. 5:97-3.13. The Twin Ponds site Block 1, Lot 60.02 is suitable to produce affordable housing as follows:

- There are no encumbrances which preclude the development of affordable housing on the property. The applicant has free and clear title.
- As noted above the site is adjacent to similar scale residential land uses and other compatible land uses and has access to appropriate streets. The site can be accessed by Rt. 173 (Main Street) and Village Road. A multi-family residential neighborhood is located to the west in Union Township and the east in Clinton Town is a single-family residential neighborhood, open space and commercial uses.

- As noted above, the site can adequately be served with potable water and wastewater using available capacity from the Town of Clinton Water Department and Clinton Highlands Domestic Sewerage Facility #0020389; the Clinton Water treatment Plant.
- The site can be developed consistent with the Residential Site Improvement Standards.
- The Site is located in Planning Area 2 of the adopted State Development and Redevelopment Plan Policy Map which is a preferred location for affordable housing. The site is therefore consistent with the State Plan.
- The site is located within the New Jersey Highlands Planning Area, Existing Community Sub-zone which is a preferred location for new development, utility extensions, and affordable housing. Further consistency discussion with the Highlands Water Protection and Planning Act will be provided in detail below.
- The site can be developed in accordance with all other state regulations such as those of the Department of Environmental Protection (“DEP”).
- There are no historically or architecturally important structures on the site, and the site is not part of an historic district. The development of the subject site will not have a negative impact on the Town’s historic sites or district.

Highlands Regional Master Plan Consistency Review

The Highlands Council has generated a consistency analysis tool which can detail site specific Highland's environmental constraints as outlined in the Highlands Regional Master Plan, (“RMP”). This Highlands Consistency Review Report is attached in its entirety as Appendix A. The following outline will discuss site consistency issues identified in the consistency report and provide initial ideas for addressing them. During the Plan Conformance process, the Town looks forward to working cooperatively with the Highlands Council and its staff to facilitate the development of this and other affordable housing sites in order to completely address the municipality's obligation.

Highlands Areas

The Twin Ponds Development site is located within the Highlands Planning Area and Existing Community Sub-zone. A portion of the northern parcel, Lot 60 which is to be preserved, is also located in the Lake Community Sub-zone due to its proximity to the Spruce Run Reservoir. The Existing Community Sub-zone is defined in the RMP as areas of regionally significant concentration signifying existing communities. This zone is intended to allow the expansion of public water and wastewater systems to serve new areas of development. Affordable housing projects where affordable units exceed 10% of the project are intended to have priority for capacity and expansion of public utility service areas. The Twin Ponds project is proposed to have 20% affordable housing set-aside.

The Highlands Consistency Report cites RMP policies and objectives specific to the Twin Ponds Site. Policy 6F3 seeks to ensure new development incorporates smart growth principles and does not adversely affect natural resources. The Town will seek to ensure the site's sensitive environmental development as much as is practicable and that the construction adheres to smart growth principles such as compact design and proximity to transportation infrastructure. Policy 6F4 and 6F5 seek to ensure new development is adequately served by public utilities and community facilities and that existing community character is maintained. The Town and the applicant will demonstrate the adequacy of both utility infrastructure and existing community facilities. The neighboring multi-family residential development in Union Township is of a similar character and density as the proposed development. Many of the other adjacent land uses are similarly residential. The Town supports the Twin Ponds Development as consistent with the existing community character.

Forest Resources

The Portion of the Twin Ponds Development Site, Block 1 Lot 60.02, which is to be developed as an inclusionary housing project hereinafter known as "the site" is wooded but is not identified as a Highlands Forest Resource Area. In addition, no Highlands Forest Resource Areas are located on any parcel adjacent to the site. None of the RMP Objectives or Policies regarding Forest Resource Areas pose limitations to development of the site. However, the site is included in the larger region as part of the High Integrity Forest Subwatershed. The RMP recognizes these wooded lands as valuable to the overall subwatershed even if they do not meet the criterion for Highlands Forest Resource Areas. RMP Policy 1B3 does apply to the site and requires limitation to the greatest extent practicable on deforestation of forested lands within the High Integrity Forest Subwatershed within the Existing Community Sub-zone. Development of the Twin Ponds site will require significant deforestation to accommodate the necessary density of housing. The Town and the applicant propose to mitigate the impact on the High Integrity Forest Subwatershed area by planting additional trees on the parcel to be permanently preserved to the north, Lot 60. The Town looks forward to working with the Highlands Council in planning for the resource enhancement and preservation of this parcel.

Highlands Open Waters Buffers and Riparian Areas

The site is approximately 75% encumbered by both Highlands Open Waters Buffers and Riparian Areas of Moderate Integrity. It appears that the open water features are the "twin" ponds in the region and possibly a channelized portion of an existing unnamed tributary of the South Branch of the Raritan. The Town and the applicant propose to accurately map the subject Highlands Open Water features on site and to obtain a NJDEP Wetlands Letter of Interpretation as documentation. A mitigation plan for on site disturbance of the buffers reliant upon RMP Objective 1D4H will be proposed and implemented. In addition, enhancement of the functional value of the existing buffers, water quality of existing open waters, and habitat value of the riparian area on the preserved Lot 60 will be explored in cooperation with the Highlands Council and staff.

Net Water Availability

The site is located in a water deficit area. The Net Water Availability by HUC 14 is identified as (-0.99) - (-0.10) MGD. The Town and the applicant propose to address the water deficit in concert with the municipality's Water Use and Conservation Plan, ("WUCP"). This Plan, a pilot program for the Highlands Area, is currently under development and will certainly be the first adopted in the region. If feasible and as directed by the WUCP, the inclusionary development on Lot 60.02 and the preservation of Lot 60 will help to mitigate the existing deficit in the subwatershed.

Well Head Protection Area

The site is within a Tier 1 Well Head Protection Area which means there exists a two year time of travel for ground water within this area to reach a public water supply well. RMP Objective 2H2a prohibits land uses which have significant potential to result in discharge of pathogens to ground water or to land surfaces within a tier 1 Well Head Protection Area. This Objective also requires construction of sewer lines to prevent seepage of untreated sewage into ground water. The Town and the applicant will comply with the requirements of this Objective.

Objective 2H4b encourages stormwater reuse to minimize stormwater discharge volume in a Tier 1 Well Head protection Area. The Town and the applicant will explore the reuse of stormwater from the development.

Objective 2H5c ensures development activities implement best management practices to protect the quality of ground water within Well Head Protection Areas. The Town and the applicant will explore best management practices for ground water protection.

Public Community Water Systems

The site is currently not connected to the public water system, but existing capacity is available and connections are convenient on adjacent parcels. The RMP limits extension of public water utilities; however, the site is located in the Existing Community Sub-zone where development at higher densities served by public utilities is encouraged. In addition, RMP Policy 2B6 requires interagency coordination including a Water Use and Conservation Plan for new or extended water service areas to eliminate new water deficit and where feasible help to mitigate existing deficits. The Town and the applicant will rely upon the WUCP when water service is extended to the site.

Agricultural Resource Area

The site is not within a Highlands Agricultural Resource Area.

Public Transit Sites

The Highlands RMP Objective 5E1b promotes a reduction in vehicle miles traveled by locating new development within close proximity to rail stations and along bus routes. The site is adjacent

to a private bus route although it is unclear if a stop is within $\frac{1}{2}$ mile of the site. The site is within a $\frac{1}{2}$ mile of a park and ride site.

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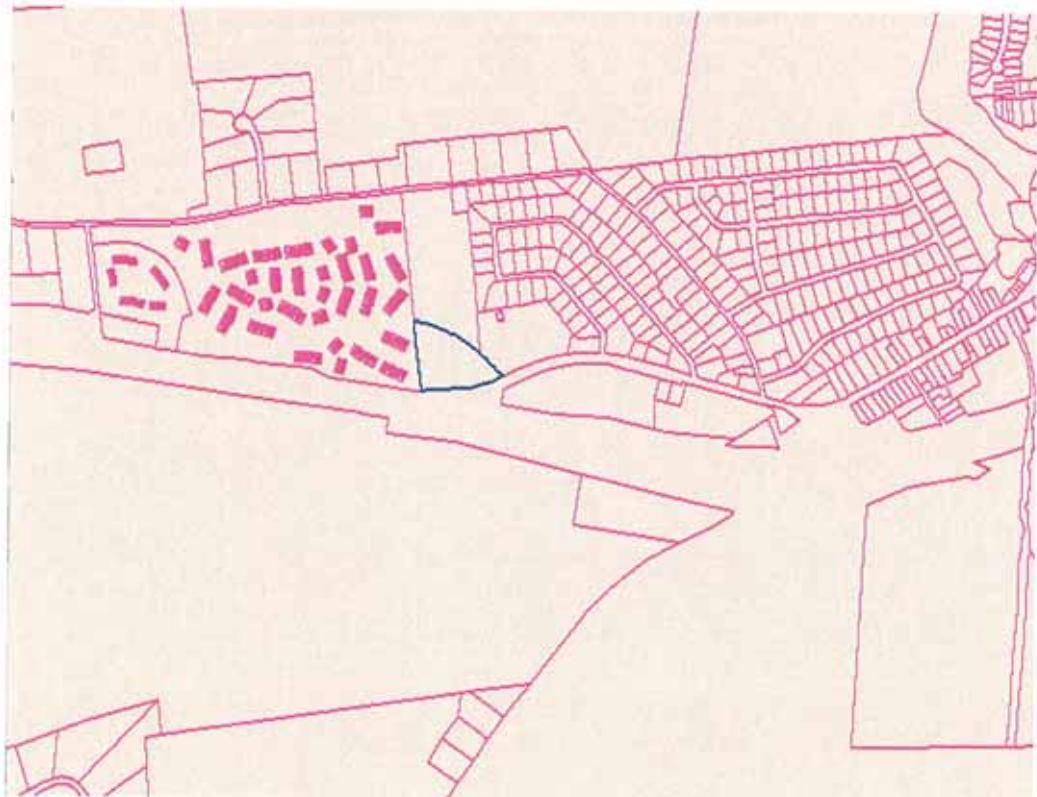
Appendix A: Highlands Regional Master Plan Consistency Report

Twin Ponds Inclusionary Housing Development

Town of Clinton : Block 1, Lot 60 to be preserved and 60.02 to be developed.

Disclaimer

Please be advised that any reports generated from the online Consistency Review Application do not constitute a formal Consistency Determination from the Highlands Council. The information contained therein is provided solely for informational purposes and is not to be construed as providing advice, recommendations, endorsements, representations or warranties of any kind whatsoever.

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02



Forest in High Integrity Forest Subwatershed and Existing Community Zone
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



Forest Outside of Forest Resource Area:■

Forest within Forest Resource Area:■

Land Use Capability:

■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Forest Integrity Value: ■ HIGH ■ MEDIUM ■ LOW

Forest in High Integrity Forest Subwatershed and Existing Community Zone data layer illustrates the intersection of High Integrity Forest Subwatershed and Existing Community Zones. The Regional Master Plans provides for the protection of these high quality forested lands by limiting deforestation.

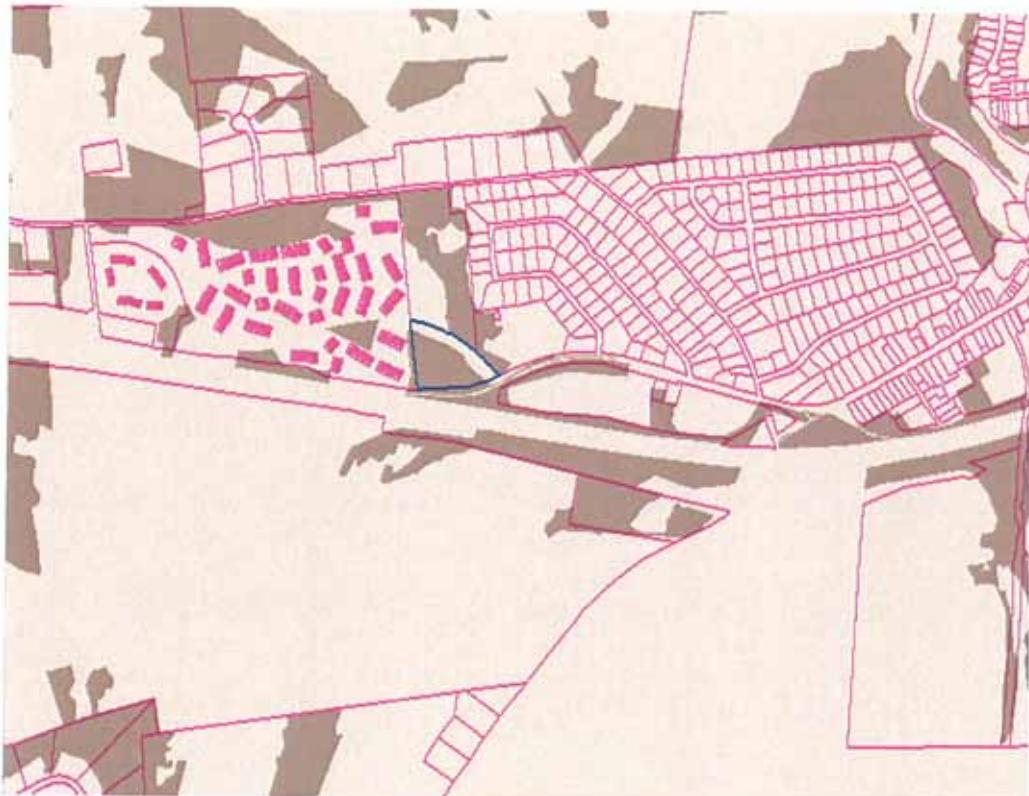
Policy 1B3: To limit through local development review and Highlands Project Review deforestation in the Forest Resource Area and forested lands within High Integrity Forest Subwatersheds within the Existing Community Zone to maximum extent practicable.



Forest Resources

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02

12/21/2009



Forest Outside of Forest Resource Area:

Forest within Forest Resource Area:

Forest Resources represents the Total Forest Area data layer that was extracted from the NJDEP 2002 draft Land Use Land Cover data. This data layer illustrates all upland and wetland forest and scrub/shrub categories (excluding old field) and represents all forested lands within the Region. The Regional Master Plan includes policies that limit clearing of trees within Forest Resources and that seek to protect overall forest resources integrity.

Objective 1B3a: Implementation through Plan Conformance of regulations, which limit the clearing of trees in conjunction with human development to circumstances where the clearing will not diminish the integrity of forest resources.

Policy 1B5: To ensure that forest resources are protected on a site specific basis during local development review and Highlands Project Review.

Objective 1B5a: Applications for local development review and Highlands Project Review require identification of any forest area on and adjacent to a site in accordance with the Highlands Council's Method for Identifying Upland Forest Areas in the Highlands Region.

Policy 1B7: To prohibit clear-cutting of forest lands except pursuant to an approved Forest Management Plan approved by the State Forester.

Policy 1C3: To require that conforming municipalities adopt a tree clearing ordinance consistent with an approved community forestry plan under the New Jersey Forest Service Community Forestry Program as part of the municipal master plan and local development regulations.

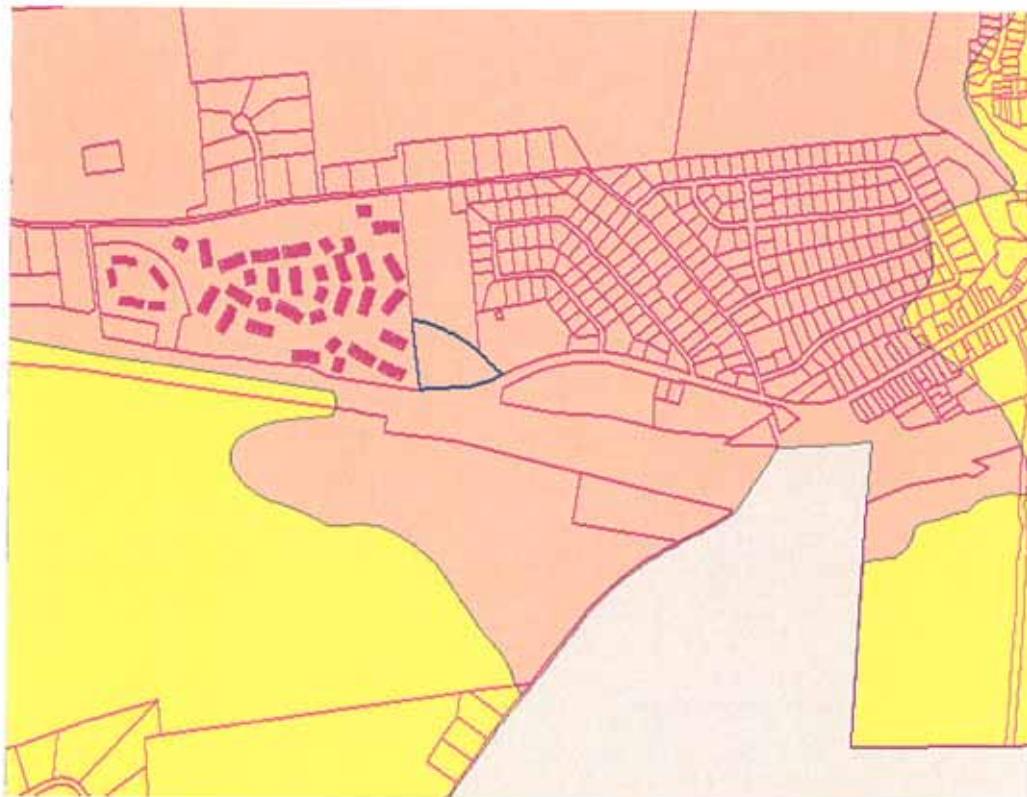
Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region.

including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

Policy 6N4: To require through Plan Conformance that municipalities and counties adopt LID best management practices where disturbance of Highlands resources is proposed, including but not limited to Steep Slopes, forest resources, Critical Habitat, Highlands Open Waters and Riparian Areas, and Prime Ground Water Recharge Areas.



High Integrity Forest Subwatershed
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



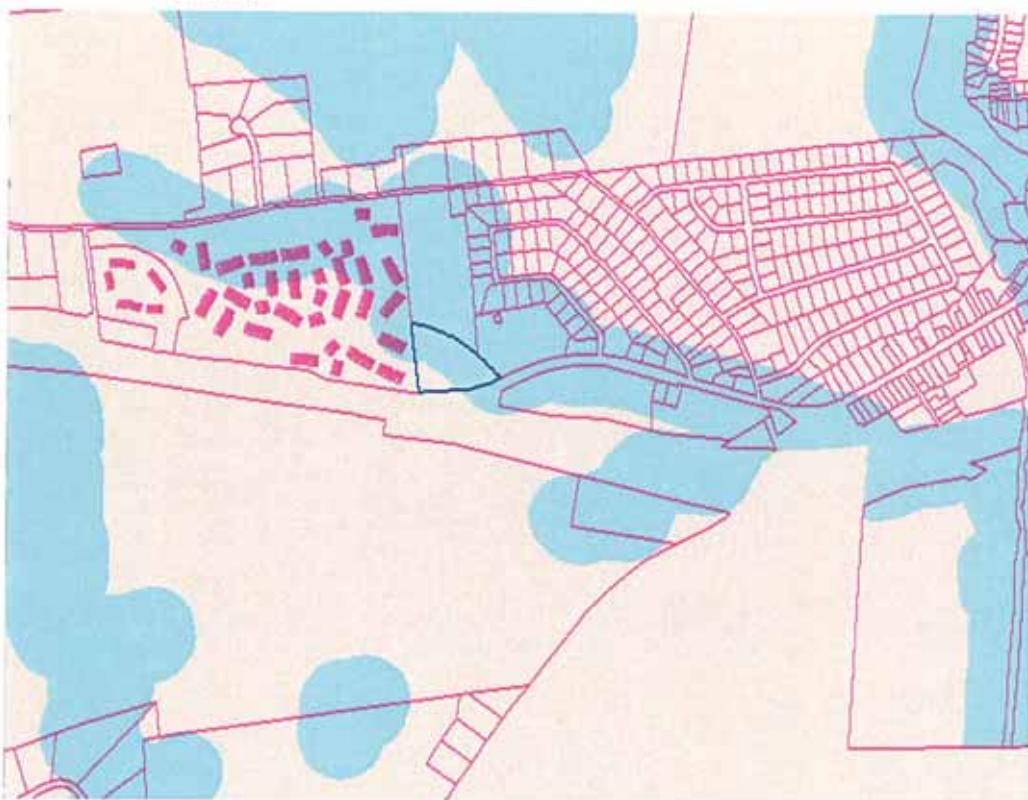
Forest Integrity Value: ■ HIGH ■ MEDIUM ■ LOW

High Integrity Forest Subwatershed is a component of the Forest Integrity Value data layer. This data layer represents forest cover integrity in the Region at the watershed level because forests are important for the protection of water quality and quantity.

Policy 1C1: To require that conforming municipalities and counties address the protection of forested portions of Forest Resource Areas and High Integrity Forest Subwatersheds in their master plans and development regulations.



Highlands Open Waters Protection Buffer
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



Open Water Protection Area: ■

Highlands Open Waters are defined by the Highlands Act as all springs, streams including intermittent streams, wetlands, and bodies of surface water, whether natural or artificial. The vegetated corridors adjacent to Highlands Open Waters are effective and important tools to protect water quality and aquatic habitat. Protection buffers safeguard Highlands Open Waters from the impacts of adjacent land use practices. The Regional Master Plan includes a protection buffer of 300 feet from the edge of the discernable bank of a Highlands Open Waters feature, or from the centerline where no discernable bank exists.

Policy ID4: Highlands Open Waters shall include a protection buffer of 300 feet from the edge of the discernable bank of the Highlands Open Waters feature, or from the centerline where no discernable bank exists. With respect to wetlands and other Highlands Open Waters features (e.g., seeps, springs, etc.), the feature shall include a protection buffer of 300 feet from the delineated Letter of Interpretation (LOI) line issued by the NJDEP for wetlands, or from a field-delineated boundary for other features. In areas where existing development or land uses within the protection buffers have reduced or impaired the functional values of the buffers, the Council will seek opportunities to restore the buffer and its functions. Any proposed disturbance shall, through local development review and Highlands Project Review, comply with Highlands Open Waters buffer standards. The protection buffer width for Category 2 streams in the Planning Area may be modified through a Stream Corridor Protection/Restoration Plan, as specified in Objective ID4i. In approved Redevelopment Areas, the Council may, at its discretion, modify the required buffer, upon a showing of no alternatives, no impact to the functional value of the buffer, and provision of alternative approaches to enhancing or protecting Highlands Open Waters and resources of the buffer area.

Objective ID4a: Require that all applications for approval through local development review and Highlands Project Review include the identification and mapping of Highlands Open Waters.

Objective ID4c: Require that proposed development within all Highlands Open Waters buffers (Preservation and Planning Areas) conforms through local development review and Highlands Project Review with the

buffer requirements of N.J.A.C. 7:8 (Stormwater Management Rules), N.J.A.C 7:13 (Flood Hazard Area Rules), and N.J.A.C. 7:7 (Freshwater Wetland Rules), and with any applicable requirements of a Regional Stormwater Plan adopted pursuant to N.J.A.C. 7:8 (Stormwater Management Rules).

Objective ID4i: Develop through Plan Conformance and implement stream corridor or subwatershed-based Stream Corridor Protection/Restoration Plans which shall include Steps 1, 2, and 3, and may include Steps 4 and 5: 1. Identify areas where existing development, land disturbances, or land uses are within Highlands Open Waters buffers have removed or substantially impaired natural vegetation communities, and have significantly reduced or impaired the functional values of Highlands Open Waters buffers. For purposes of this Objective when considering land for conversion to non-agricultural land uses, historic or current agricultural land uses shall not be considered pland improvements,q pdevelopment,q pland disturbances,q or pland usesq; 2. Identify and require opportunities for restoration of areas identified in Step 1 as part of mitigation requirements under a Highlands Act waiver or Objectives 1D4e and 1D4f, and public or nongovernmental restoration/stabilization projects; 3. Identify the extent of stream corridor features that are critical to supporting the functions of a healthy Highlands Open Waters buffer and that extend beyond the buffers required by Objectives 1D4b and 1D4c. The 300 foot buffer in these areas may be expanded to be most protective of these features which may include, but are not limited to, Critical Habitat, pollutant source areas identified through scientific techniques, and steep slopes; 4. Where Highlands Open Waters buffers include areas identified in Step 1, regarding Category 2 surface waters in the Planning Area only, the Stream Corridor Protection/Restoration Plan may identify where, based on scientific analysis of site-specific conditions (e.g., topography, vegetation cover type, habitat, soil type, upstream land uses and pollution inputs, width of floodplain, rate and volume of run-off), a buffer of less than the full 300 feet (but including the undisturbed buffer area at a minimum) is sufficient to maintain or improve the protection of Highlands Open Waters and Riparian Areas. The plan must identify alternative buffers that provide functional buffer values at least equivalent to existing conditions and are no less than 150 feet or no less than the extent allowed in State or municipal regulation (including Objectives 1D4b and 1D4c), whichever is greater. Further, the plan shall include a functional value assessment to ensure that there is no net loss in the overall functional value of the subwatershedos stream buffers. Buffers established through this process shall be determined based on site conditions rather than fixed distances, reflecting findings of the scientific analysis, and shall be used in the site design and development review process regarding determinations of restoration, continued use, or increased use of the disturbed buffer area. Buffer averaging for the purpose of accommodating development proposals is deemed not to meet the requirements of this provision; and 5. Where a proposed Highlands Redevelopment Area would not meet, in full, Objectives 1D4b through 1D4h but affects an undisturbed buffer area determined to not be necessary for the protection of the functional values for Highlands Open Waters buffer (as determined through scientific analysis of site-specific conditions), modification of the undisturbed buffer may be allowed to no less than the extent allowed in State or municipal regulation. However the Council shall first determine that there is no alternative to the proposed reduction of the buffer, and require a showing of no impact to the functional values of the buffer and provision of alternative approaches to enhancing or protecting the Highlands Open Waters and resources of the buffer area. Restoration or enhancement of buffer functional values shall be provided on-site or within the same stream reach to achieve a net improvement of existing buffer functional values.

Objective ID4j: The Highlands Council may require on a case-by-case basis, through Highlands Project Review, an expansion of the 300 foot buffer to protect the habitat of a water or wetlands-dependant rare, threatened or endangered species, to the minimum expansion necessary to achieve protection of that species.

Objective ID5b: Limit disturbance of existing natural vegetation or increases in impervious area within High and Moderate Integrity Riparian Areas in any Land Use Capability Zone to the minimum alteration feasible in areas beyond Highlands Open Waters buffer requirements; protect the water quality of adjacent Highlands Open Waters; and maintain or restore habitat value of the Riparian Area.

Objective 2D4a: Development shall not occur in Prime Ground Water Recharge Areas unless necessary to avoid Critical Habitat, Highlands Open Waters Buffers and Moderately and Severely Constrained Steep Slopes.

Objective 2I1b: The expansion or creation of public water supply systems, public wastewater collection and treatment systems and community on-site treatment facilities in the Preservation Area as approved through a HPAA with waiver pursuant to N.J.A.C. 7:38 and Policy 7G1 shall maximize the protection of sensitive environmental resources including avoidance of Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep

Slopes, Prime Ground Water Recharge Areas, and Critical Habitat.

Objective 2J4a: Prohibit new, expanded or extended public water systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The extension or creation of systems shall follow the requirements in Objective 2J4b (parts 2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from contaminated domestic and other on-site water supplies that is of sufficient scale to justify a public water supply and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. Such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2J4b.

Objective 2K3c: Prohibit new, expanded or extended public wastewater collection and treatment systems and community on-site treatment facilities within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The choice of extension or creation of systems shall follow the requirements in Objective 2K3d (2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from a pattern of failing septic systems (where the failing systems cannot reasonably be addressed through rehabilitation or replacement) or highly concentrated septic systems, where the threat is of sufficient scale to justify a public wastewater collection and treatment system or community on-site treatment facility and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. To address other issues of public health and safety, such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2K3d.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

Policy 6N4: To require through Plan Conformance that municipalities and counties adopt LID best management practices where disturbance of Highlands resources is proposed, including but not limited to Steep Slopes, forest resources, Critical Habitat, Highlands Open Waters and Riparian Areas, and Prime Ground Water Recharge Areas.

**Highlands Open Waters Buffers in Planning Area**

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02

12/21/2009



Open Water Protection Area:

Planning Area / Preservation Area: ■ Planning Area / ▨ Preservation Area

Includes all Highlands Open Waters protection buffers within the Planning Area

Objective ID4d: Structures or other land improvements existing within a Highlands Open Waters buffer of the Planning Area on August 10, 2004 may remain, provided that the area of disturbance shall not be increased unless approved through local development review or Highlands Project Review in compliance with RMP policies and objectives. For purposes of this Objective when considering land for conversion to non-agricultural land uses, historic or current agricultural land uses shall not be considered plan improvements,q pdevelopment,q pland disturbances,q or pland uses.q



Highlands Open Waters Protection Buffers in Existing Community Zone in Planning Area

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02

12/21/2009



Open Water Protection Area:

■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Land Use Capability:

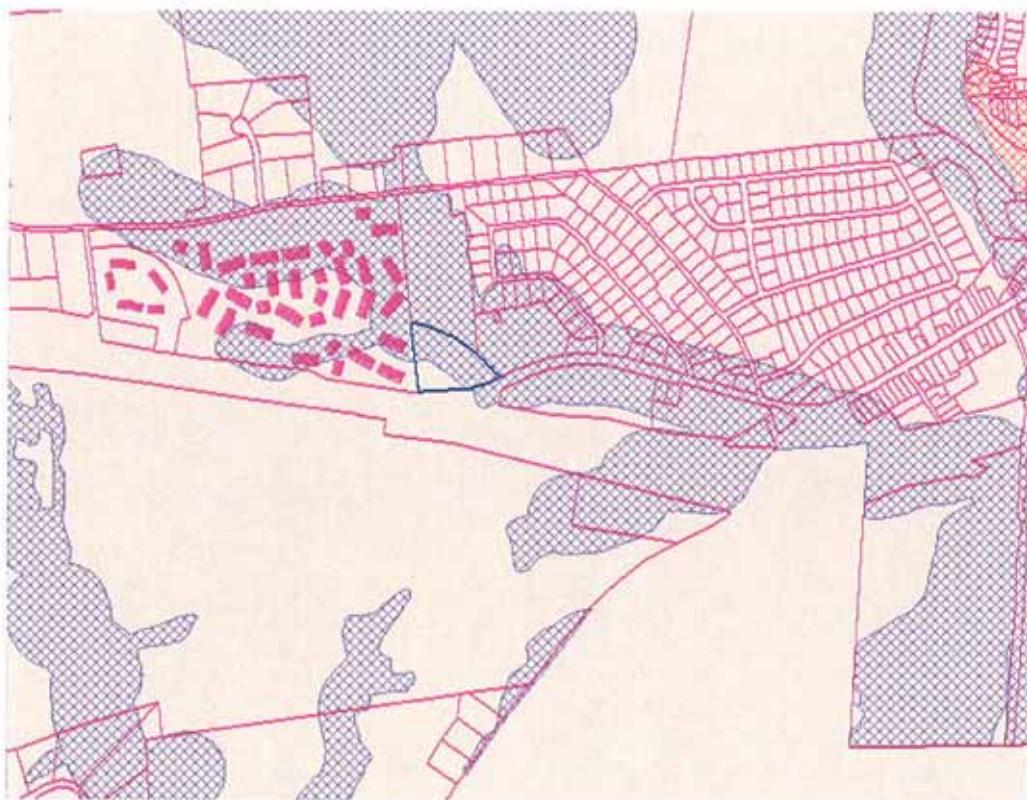
■ Planning Area / Preservation Area:	■ Planning Area / ■ Preservation Area
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Includes all Highlands Open Waters protection buffers within the Existing Community Zone of the Planning Area.

Objective 1D4f: In the Existing Community Zone of the Planning Area, proposed disturbances of Highlands Open Waters buffers shall only occur in previously disturbed areas, unless a waiver is granted by the Highlands Council under Policy 7G2 and the proposed disturbance complies with Objective 1D4c. For purposes of this Objective when considering land for conversion to non-agricultural land uses, historic or current agricultural land uses shall not be considered pland improvements,q pdevelopment,q pland disturbances,q or pland uses.q Such disturbances shall employ performance standards such that all proposed disturbances of Highlands Open Waters buffers shall employ Low Impact Development Best Management Practices to mitigate all adverse modification to Highlands Open Waters buffers so that there is no net loss of the functional value of the buffer, in compliance with Objective 1D4h.



Riparian Area
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



Riparian Corridor Integrity Score: ■ HIGH ■ MODERATE ■ LOW

Riparian Areas are areas adjacent to, and hydrologically interconnected with, rivers and streams. They are areas that exhibit periodic inundation or saturation of soils, are subject to periodic flooding, and include wildlife corridors within 300 feet of a surface water feature. Riparian Areas serve as an interface between surface water bodies and terrestrial ecosystems and play a critical role in maintaining the quality and ecological integrity of Highlands Open Waters.

Objective ID5b: Limit disturbance of existing natural vegetation or increases in impervious area within High and Moderate Integrity Riparian Areas in any Land Use Capability Zone to the minimum alteration feasible in areas beyond Highlands Open Waters buffer requirements; protect the water quality of adjacent Highlands Open Waters; and maintain or restore habitat value of the Riparian Area.

Objective ID5e: Implement Low Impact Development Best Management Practices for any development activity proposed within a Riparian Area, which minimize both alterations of natural vegetation and increases in impervious area, in compliance with Policies 6N3 and 6N4 and provide for mitigation through restoration of impaired Riparian Areas in the same HUC14 subwatershed.

Objective ID5f: Require that development within Riparian Areas conforms through local development review and Highlands Project Review to any applicable requirements of a Regional Stormwater Plan adopted pursuant to N.J.A.C. 7:8 (Stormwater Management Rules).

Objective ID5g: Require identification and implementation of opportunities where the restoration and enhancement of previously impaired Riparian Areas are feasible and appropriate as mitigation to any allowable modification to Riparian Area requirements.

Objective 211b: The expansion or creation of public water supply systems, public wastewater collection and treatment systems and community on-site treatment facilities in the Preservation Area as approved through a

HPAA with waiver pursuant to N.J.A.C. 7:38 and Policy 7G1 shall maximize the protection of sensitive environmental resources including avoidance of Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas, and Critical Habitat.

Objective 2J4a: Prohibit new, expanded or extended public water systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The extension or creation of systems shall follow the requirements in Objective 2J4b (parts 2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from contaminated domestic and other on-site water supplies that is of sufficient scale to justify a public water supply and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. Such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2J4b.

Objective 2K3c: Prohibit new, expanded or extended public wastewater collection and treatment systems and community on-site treatment facilities within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The choice of extension or creation of systems shall follow the requirements in Objective 2K3d (2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from a pattern of failing septic systems (where the failing systems cannot reasonably be addressed through rehabilitation or replacement) or highly concentrated septic systems, where the threat is of sufficient scale to justify a public wastewater collection and treatment system or community on-site treatment facility and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. To address other issues of public health and safety, such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2K3d.

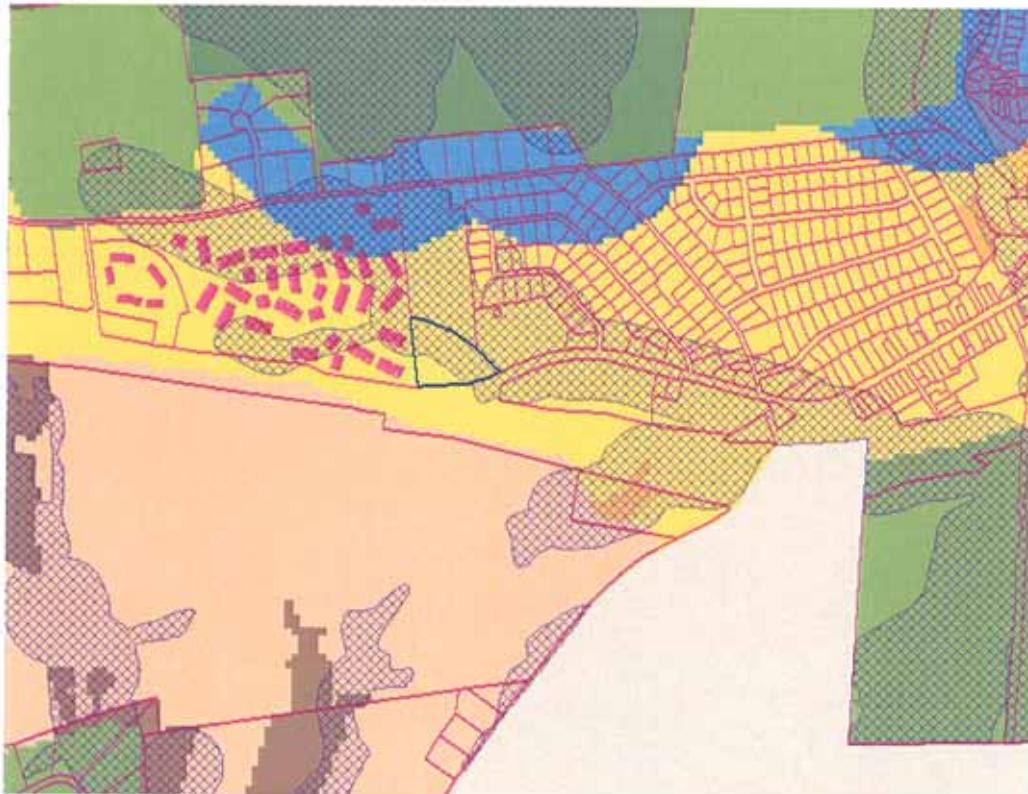
Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

Policy 6N4: To require through Plan Conformance that municipalities and counties adopt LID best management practices where disturbance of Highlands resources is proposed, including but not limited to Steep Slopes, forest resources, Critical Habitat, Highlands Open Waters and Riparian Areas, and Prime Ground Water Recharge Areas.

**Riparian Area in Existing Community Zone**

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02

12/21/2009



■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Land Use Capability:

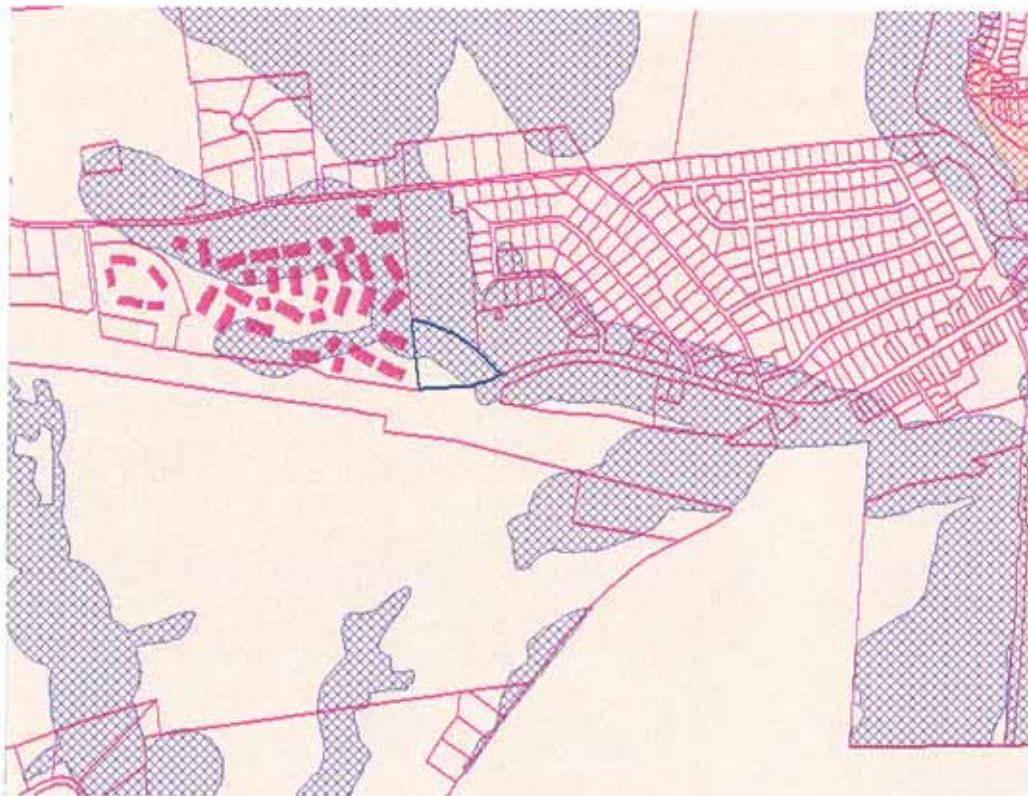
Riparian Corridor Integrity Score: ■ HIGH ■ MODERATE ■ LOW

Includes all Riparian Areas within the Existing Community Zone.

Objective 1D5d: Restrict modifications to Riparian Areas in the Existing Community Zone, other than those addressed by Objective 1D5b, that would alter or be detrimental to the water quality and habitat value of a Riparian Area.



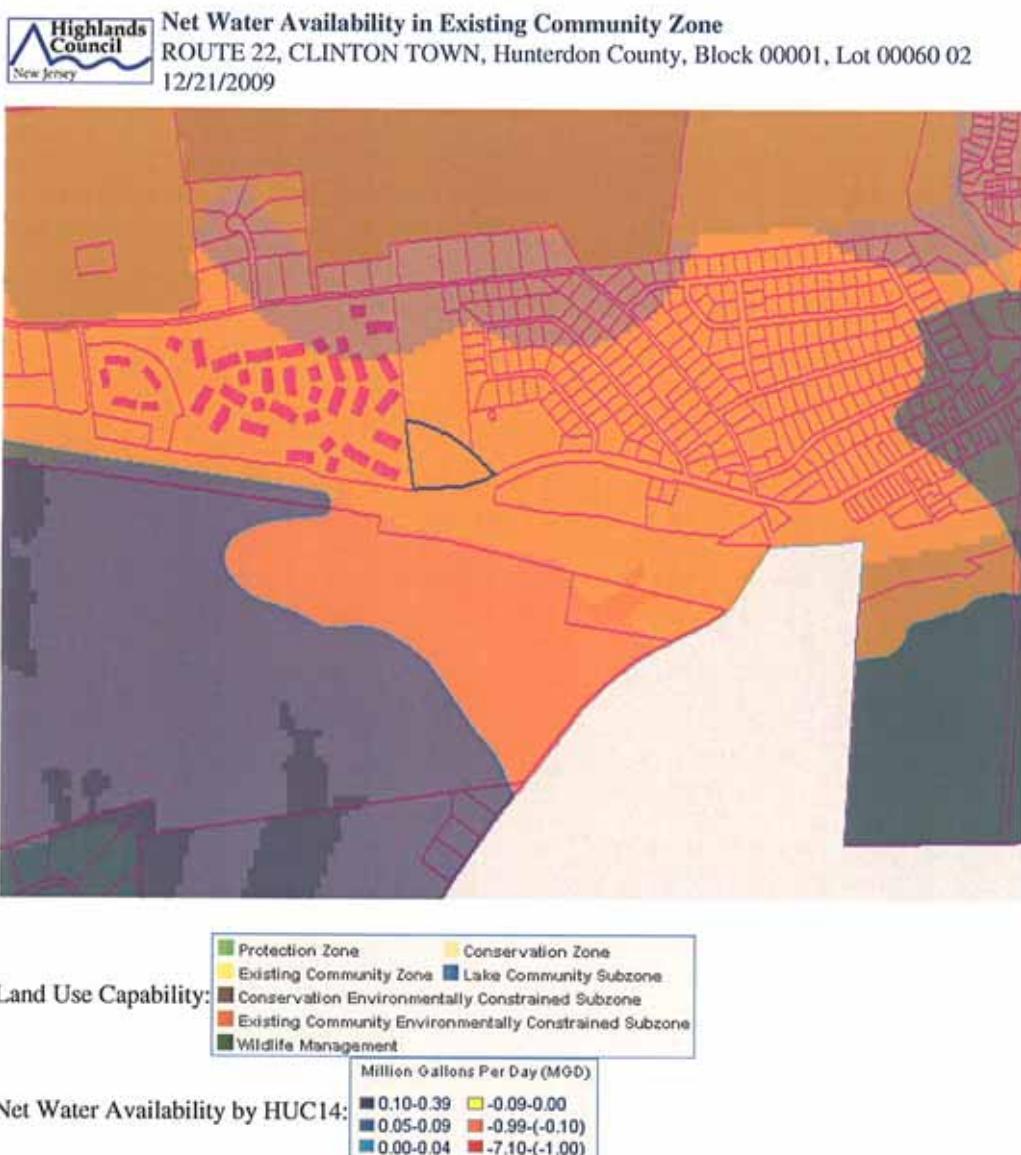
Riparian Corridor Integrity Score - Moderate
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



Riparian Corridor Integrity Score: ■ HIGH ■ MODERATE ■ LOW

These areas include watersheds with Riparian Areas that contain a higher incidence of impervious area, agricultural uses and/or road crossings (as compared to High Score) and a reduced proportion of natural vegetation including high quality habitat for rare, threatened, and endangered water/wetland dependent species.

Objective ID5b: Limit disturbance of existing natural vegetation or increases in impervious area within High and Moderate Integrity Riparian Areas in any Land Use Capability Zone to the minimum alteration feasible in areas beyond Highlands Open Waters buffer requirements; protect the water quality of adjacent Highlands Open Waters; and maintain or restore habitat value of the Riparian Area.



Identifies the portion of a HUC14 subwatershed within the Existing Community Zone.

Policy 2A2: To ensure that increasing water demands do not exceed Net Water Availability or exacerbate existing deficits of subwatersheds. Net Water Availability is affected at a subwatershed level by location and extent of Land Use Capability Zone Map and its status as Current Deficit Area or Existing Constrained Area.

Objective 2B4b: The highest priority for use of Net Water Availability or Conditional Water Availability within Existing Community Zone subwatersheds, through a Water Use and Conservation Plan developed under Objective 2B8c, local development review and Highlands Project review to serve documented threats to public health and safety from contaminated water supplies, designated TDR Receiving Zones, infill development, designated Highlands Redevelopment Area, affordable housing projects where at least 10% of the units are affordable, or new areas for development that meet all other requirements of the RMP.

Objective 2B4c: Establish and implement mandatory stormwater reuse for recreational and other non-agricultural irrigation, as well as other non-potable water purposes to minimize both the volume of stormwater discharges and water withdrawals for these purposes.

**Current Deficit Area**

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



Million Gallons Per Day (MGD)	
■ 0.10-0.39	■ -0.09-0.00
■ 0.05-0.09	■ -0.99-(-0.10)
■ 0.00-0.04	■ -7.10-(-1.00)

Net Water Availability by HUC14:

Identifies HUC14 subwatersheds that are in deficit of Net Water Availability.

Policy 2B6: To require through Plan Conformance (including through a Water Use and Conservation Plan developed under Objective 2B8c), local development review, Highlands Project Review, and interagency coordination that proposed public water supply and wastewater service areas, new or increased water allocations and bulk water purchases will not directly or indirectly cause or contribute to a Net Water Availability deficit, and where feasible will help mitigate any existing deficit.

Objective 2B6a: Areawide Water Quality Management Plans, Wastewater Management Plans or their amendments shall ensure that the proposed service area will not directly or indirectly cause or contribute to a Net Water Availability deficit, and shall be in conformance with any Water Use and Conservation Plan developed under Objective 2B8c.

Policy 2B8: To require through Plan Conformance, local development review, and Highlands Project Review the efficient and effective use of water availability, the planning for future water needs, the reduction and elimination of water deficits, and the mitigation of new consumptive or depletive use in any Current Deficit Areas or subwatersheds that could become deficit areas based on projected development and water uses, to ensure sustainable water supply, water resource and ecological values in conformance with RMP policies and objectives.

Objective 2B8a: Prevent net increases in consumptive or depletive water uses in Current Water Deficit Areas to prevent exacerbation of and help reduce or eliminate the deficit to ensure sustainable water supply, water resource and ecological values, emphasizing techniques including, but not limited to water reuse, recycling

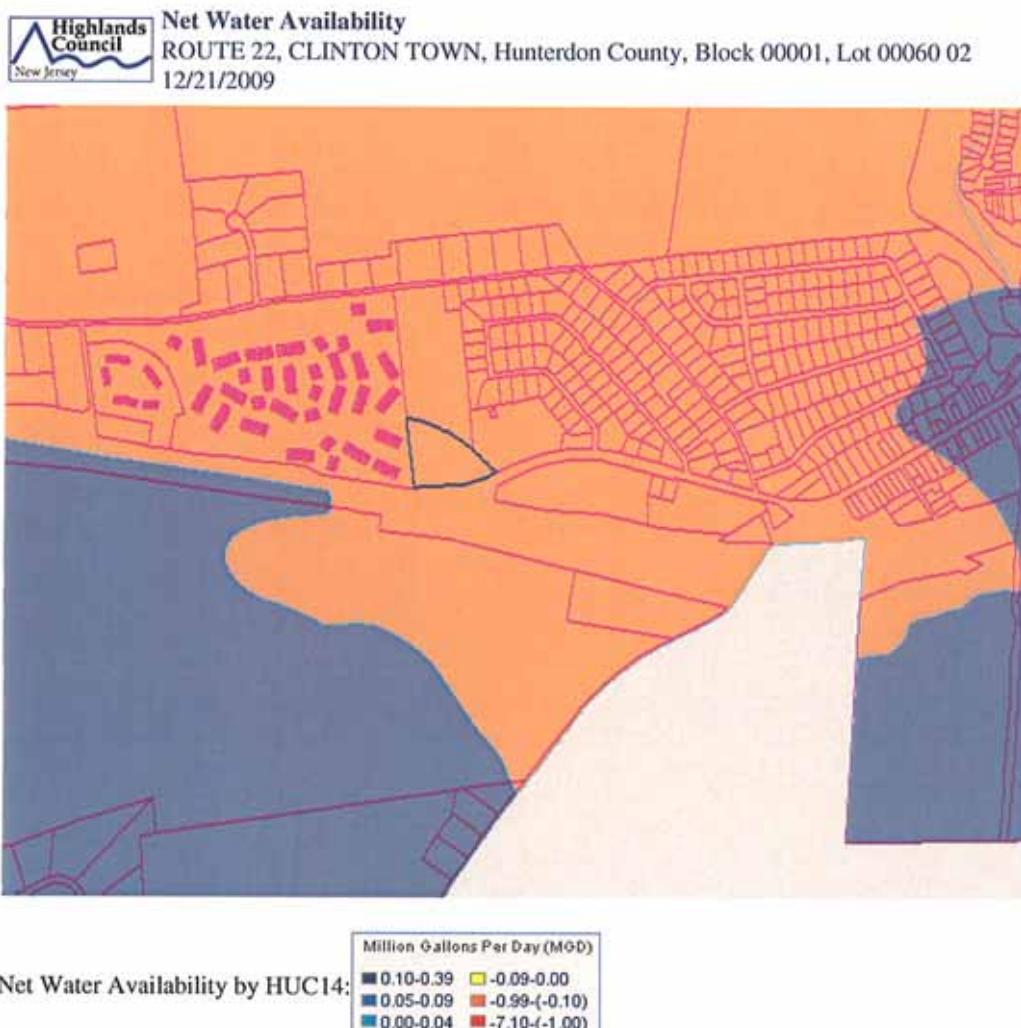
and conservation.

Objective 2B8b: Proposed new consumptive or depletive water uses within a Current Deficit Area shall only occur under the auspices of a Water Use and Conservation Management Plan approved under Objective 2B8c or through mitigation of the proposed consumptive or depletive use within the same HUC14 subwatershed through: a permanent reduction of existing consumptive and depletive water uses; ground water recharge in excess of the requirements of N.J.A.C. 7:8 (Stormwater Management Rules); or other permanent means. Where a Water Use and Conservation Management Plan has not been approved: 1. Each project shall achieve mitigation ranging from 125% to 200%, based on the severity of the Current Deficit and the amount of consumptive or depletive water use proposed; 2. Total consumptive and depletive water uses from any single project and all projects combined are not to exceed the Conditional Water Availability of Objectives 2B3a or 2B3b for any HUC14 subwatershed; 3. Mitigation shall be successfully completed prior to initiation of the water use, except as required by #4, below. Mitigation may be phased in keeping with project development; 4. For water uses where the combination of proposed consumptive and depletive water uses and current subwatershed deficit is high, according to a schedule established by the Highlands Council, off-site mitigation shall be successfully completed prior to any on-site construction. On-site mitigation shall be successfully completed prior to initiation of the water use but may be implemented concurrent with on-site construction. Mitigation may be phased in keeping with the level of consumptive or depletive water uses; and Mitigation plans for a project shall include: specific objectives for each mitigation component; monitoring and reporting requirements; methods by which shortfalls in meeting the mitigation objectives shall be addressed through additional action; and be guaranteed through performance bonds.

Objective 2B8c: Water Use and Conservation Management Plans shall be required through municipal Plan Conformance for all subwatersheds to meet the policies and objectives of Goal 2B, to ensure efficient use of water through water conservation and Low Impact Development Best Management Practices, and to avoid the creation of new deficits in Net Water Availability. Where developed for Current Deficit Areas, the plans shall include provisions to reduce or manage consumptive and depletive uses of ground and surface waters as necessary to reduce or eliminate deficits in Net Water Availability, or to ensure continued stream flows to downstream Current Deficit Areas from Existing Constrained Areas, to the maximum extent practicable within each HUC14 subwatershed. Water Use and Conservation Management Plans shall demonstrate through a detailed implementation plan and schedule how and when the current deficit will be resolved in a subwatershed prior to approval for new water uses in the subwatersheds with the most severe deficits (i.e., in excess of 0.25 million gallons per day), and the plan shall be implemented prior to initiation of new water uses.

Objective 2B8d: All water users within a Current Deficit Area shall seek funding and opportunities to meet the intent of Objective 2B4b.

Objective 2J2a: Limit future water system demand and reduce existing demand where feasible by water systems that are dependent on Current Deficit Areas or Existing Constrained Areas as a source of water.



Net Water Availability is calculated for each HUC14 subwatershed by deducting consumptive and depletive water uses from Ground Water Availability. The Regional Master Plan incorporates Net Water Availability as a capacity threshold on future water uses. Where Net Water Availability is positive, it is assumed there is water available beyond the existing demand. Where net water availability is negative, the subwatershed is in deficit and deemed to be a Current Deficit Area. In Current Deficit Areas where a Water Use and Conservation Management Plan has not yet been adopted, limited amounts of Conditional Water Availability are provided. The use of Net Water Availability or Conditional Water Availability is subject to Regional Master Plan policies.

Policy 2A2: To ensure that increasing water demands do not exceed Net Water Availability or exacerbate existing deficits of subwatersheds. Net Water Availability is affected at a subwatershed level by location and extent of Land Use Capability Zone Map and its status as Current Deficit Area or Existing Constrained Area.

Objective 2B4c: Establish and implement mandatory stormwater reuse for recreational and other non-agricultural irrigation, as well as other non-potable water purposes to minimize both the volume of stormwater discharges and water withdrawals for these purposes.

Policy 2B7: To ensure through Plan Conformance (including through a Water Use and Conservation Plan developed under Objective 2B8c), local development review, and Highlands Project Review that the use of Net Water Availability and Conditional Water Availability within each subwatershed supports development patterns that are in conformance with RMP policies and objectives.

Objective 2B8c: Water Use and Conservation Management Plans shall be required through municipal Plan

Conformance for all subwatersheds to meet the policies and objectives of Goal 2B, to ensure efficient use of water through water conservation and Low Impact Development Best Management Practices, and to avoid the creation of new deficits in Net Water Availability. Where developed for Current Deficit Areas, the plans shall include provisions to reduce or manage consumptive and depletive uses of ground and surface waters as necessary to reduce or eliminate deficits in Net Water Availability, or to ensure continued stream flows to downstream Current Deficit Areas from Existing Constrained Areas, to the maximum extent practicable within each HUC14 subwatershed. Water Use and Conservation Management Plans shall demonstrate through a detailed implementation plan and schedule how and when the current deficit will be resolved in a subwatershed prior to approval for new water uses in the subwatersheds with the most severe deficits (i.e., in excess of 0.25 million gallons per day), and the plan shall be implemented prior to initiation of new water uses.

Objective 2J2b: Limit future water system demands to levels that will not create a Current Deficit Area where one does not currently exist.

**Wellhead Protection Areas**

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02

12/21/2009



Wellhead Protection Area: ■ 2-Year Tier ■ 5-Year Tier ■ 12-Year Tier

A Wellhead Protection Area is a mapped area around a public water supply well that delineates the horizontal extent of ground water captured by a public water supply well pumping at a specific rate over a specific time. Wellhead Protection Areas consist of three tiers; the ground water within each tier takes a specified period of time to travel to the well: Tier 1 is a two-year time of travel; Tier 2 is equivalent to a five-year time of travel; Tier 3 is equivalent to a twelve-year time of travel. Wellhead Protection Areas are important areas for the protection of ground water quality.

Policy 2H2: To develop and implement, through Plan Conformance, local development review and Highlands Project Review, resource protection measures to protect and enhance ground water and water supply resources within Wellhead Protection Areas consistent with the source water assessments for each water supply source.

Objective 2H4a: Require site specific and municipal stormwater management plans to address wellhead protection requirements.

Policy 2H5: To require that conforming municipalities revise master plans and development regulations to address wellhead protection requirements.

Objective 2H5b: Restrict development activities that pose threats to the water quality of public water supply wells.

Objective 2H5c: Ensure that development activities and existing land use activities implement best management practices to protect the quality of ground water within Wellhead Protection Areas.

Objective 2H5d: Amend Areawide Water Quality Management Plans or Wastewater Management Plans for conforming municipalities and counties to ensure that any activity associated with the proposed service area

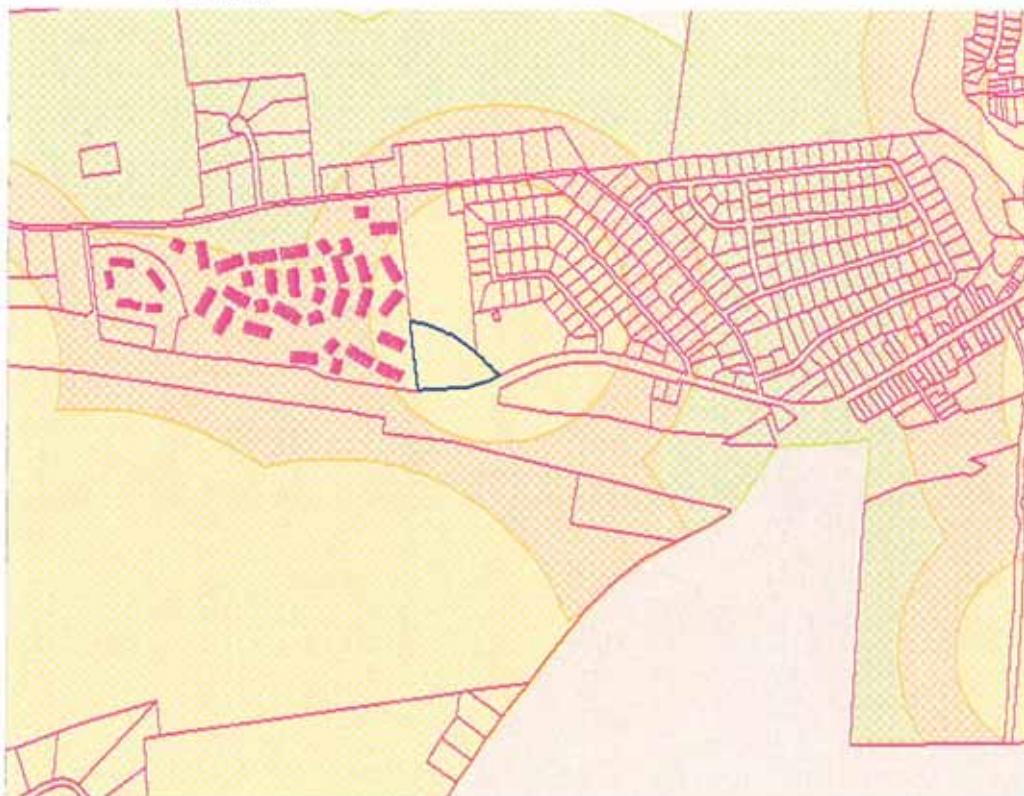
will not adversely affect a Wellhead Protection Area.

Objective 2G6c: Require conforming municipal and county master plans and development regulations to incorporate relevant TMDLs, additional water quality protection measures and wellhead protection for public water supply wells and nitrate standards as development standards.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.



Tier 1 Wellhead Protection Area
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



Wellhead Protection Area: ■ 2-Year Tier ■ 5-Year Tier ■ 12-Year Tier

Identifies the Tier 1 portion of a Wellhead Protection Area. The calculated time for ground water to travel to the well from this zone is two years.

Objective 2H2a: Prohibit land uses that have a significant potential to result in the discharge of pathogens (including, but not limited to, septic systems and engineered stormwater infiltration from surfaces with significant potential for contact with pathogenic contaminants) to ground water or to the land surface within a designated Tier 1 Wellhead Protection Area, such that they may degrade or contribute to the degradation of ground water quality. Require that the construction of sewer lines within Tier 1 of a Well Head Protection Area prevent seepage of untreated sewage into ground water.

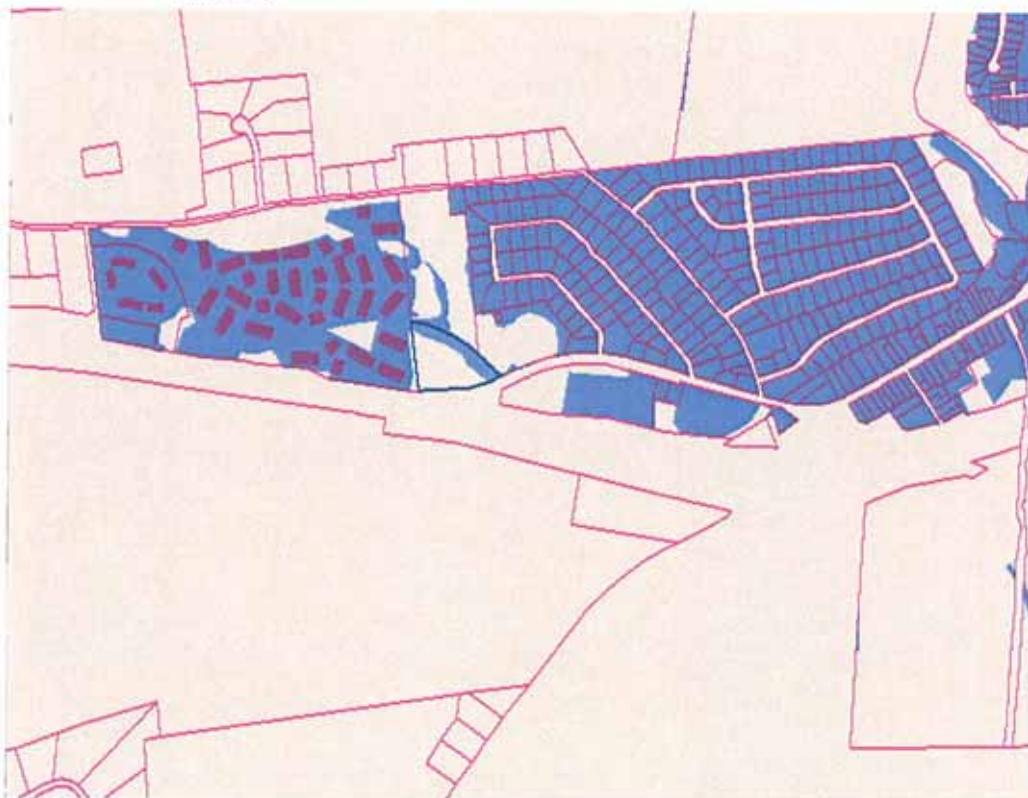
Objective 2H2b: Prohibit land uses that have a significant potential to result in the discharge of persistent organic or toxic chemicals sources (including but not limited to existing discharges of industrial or other non-sanitary wastewater effluent) to ground water or to the land surface within a designated Tier 2 Wellhead Protection Area, such that they may degrade or contribute to the degradation of ground water quality.

Objective 2H2c: Require that land uses that have a significant potential to result in major discharges of persistent organic or toxic pollutants to ground water or to the land surface (including but not limited to non-sanitary wastewater effluent and any major sources of potential discharges such as spills and leaks), such that they may degrade ground water quality within a designated Tier 3 Wellhead Protection Area, shall incorporate ongoing management of toxic chemical sources and prohibition of unregulated discharges, so that the potential for ground water contamination is minimized and the opportunity for discharge discovery and control is maximized.

Objective 2H4b: Encourage stormwater reuse for non-agricultural irrigation and other non-potable water purposes to minimize the volume of stormwater discharges (other than from clean sources) within a Tier 1 or Tier 2 Wellhead Protection Area.



Public Community Water Systems
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



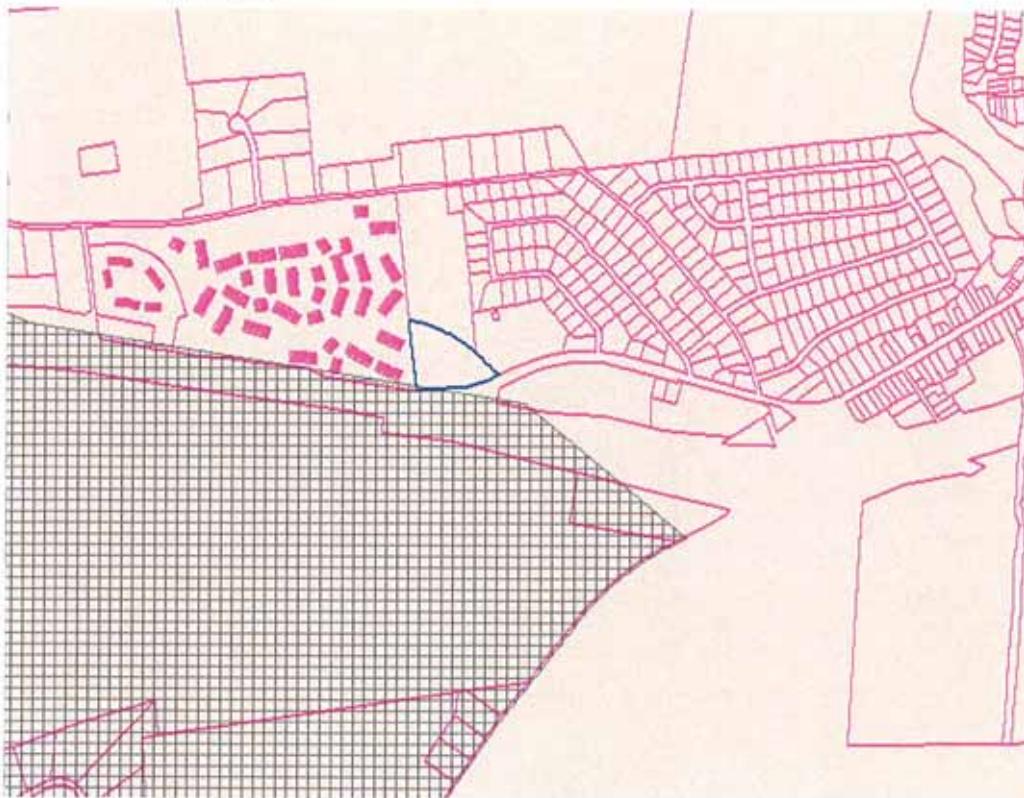
Public Community Water Systems:

Public Community Water Systems displays those areas served by selected public water systems. The map indicates areas that are actually connected to a water distribution system, not simply located in a water utility's franchise area. Smaller, non-community water systems like those serving private developments or schools are not typically included. The Regional Master Plan limits the creation or extension of public water utilities.

Policy 2J2: To ensure, through Plan Conformance and Highlands Project Review, that Highlands Public Community Water Systems conform with Policy 2B6.

Objective 2J2a: Limit future water system demand and reduce existing demand where feasible by water systems that are dependent on Current Deficit Areas or Existing Constrained Areas as a source of water.

Policy 2J6: To encourage water recycling/reuse measures, such as domestic and institutional gray water systems, where appropriate, to minimize water use in existing land uses.

**Agricultural Resource Area**ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009**Agricultural Resource Area:**

An intensity indicator that reflects areas in the Region with a prevalence of active farms and is based upon Contiguous Farms >250 acres, Important Agricultural Soils - Undeveloped, and Preserved Farms data layers.

Objective 1I3: To require conforming municipalities and counties to require conservation or land stewardship easements, enforceable by the Highlands Council and at least one of the following: the appropriate municipality, the County Agriculture Development Board, the SADC, Green Acres, or a non-profit land trust organized pursuant to 501 (c)(3) of the federal tax code and engaged in the protection of land for the purpose of providing long-term stewardship of important resources as a condition of development approval for lands within parcels proposed for development that are identified for preservation on a proposed site plan or subdivision plot.

Objective 2J4b: Clustered development served by public water supply within the Protection Zone, the Conservation Zone, and the Environmentally-Constrained Sub-zones of the Planning Area shall be approved only if the following conditions are met: 1. The development impacts are otherwise consistent with the requirements of the RMP, including provisions for mandatory clustering in Agricultural Resource Areas pursuant to Policy 3A5; 2. Extension of an existing public water system will occur only where the cluster development is within or immediately adjacent to an Existing Area Served with available capacity; 3. Creation of a new public water system will occur only where such development is not within or immediately adjacent to an Existing Area Served with available capacity; 4. The clustered development preserves at least 80% of the cluster project area in perpetuity for environmental protection or agricultural purposes. To the maximum extent feasible the developed portion (i.e., not including wetlands, Highlands Open Waters buffers, and recreational lands) occupies no more than 10% of the cluster project area if served by a public or community on-site wastewater system; and 5. Where the preserved land in the cluster project area is dedicated to agricultural purposes, the cluster development ordinance and an Agriculture Retention/Farmland Preservation Plan supports continued agricultural viability of the agricultural land and requires the implementation of best management practices, including development and implementation of a

Farm Conservation Plan that addresses the protection of water and soil resources prepared by the USDA Natural Resources Conservation Service (NRCS), Technical Service Provider (TSP), appropriate agent or NJDA staff, and approved by the local Soil Conservation District (SCD).

Objective 2J4d: All development within the Highlands Region, in areas that are not served by public water systems, shall be at a density that can be supported by on-site wells. Where cluster development in the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area will be served by on-site wells, and the undeveloped land is preserved for agricultural purposes in perpetuity, the cluster development in combination with the Agriculture Retention/Farmland Preservation Plan required by Objective 2J4b shall provide for best management practices that protect the on-site wells from contamination resulting from agricultural practices and shall include provisions to minimize or reduce net pollutant loadings from the total cluster project area including the preserved agricultural lands.

Objective 2K3d: Clustered development served by a public wastewater collection and treatment system or community on-site treatment facility within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area shall be approved only if the following conditions are met: 1. The development impacts are otherwise consistent with the requirements of the RMP, including provisions for mandatory clustering in Agricultural Resource Areas; 2. Extension of an existing public wastewater collection and treatment system will occur only where the cluster development is within or immediately adjacent to an Existing Area Served with available capacity; 3. Creation of a community on-site treatment facility will occur only where such development is not within or immediately adjacent to an Existing Area Served with available capacity, where the proposed system is designed, permitted, and constructed at a capacity limited to the needs of the clustered development, and where the system does not create the potential for future expansion into areas that are not the subject of cluster developments immediately adjacent to the initial cluster served; 4. The cluster development preserves at least 80% of the cluster project area in perpetuity for environmental protection or agriculture purposes. To the maximum extent feasible the developed portion of the project area (e.g., not including wetlands, Highlands Open Waters buffers, and recreational lands) occupies no more than 10% of the cluster project area if served by a public or community on-site wastewater system; and 5. Where the preserved land in the cluster project area is dedicated to agricultural purposes, the cluster development ordinance and an Agriculture Retention/Farmland Preservation Plan supports continued agricultural viability of the agricultural land and requires the implementation of best management practices, including development and implementation of a Farm Conservation Plan that addresses the protection of water and soil resources prepared by the USDA Natural Resources Conservation Service (NRCS), Technical Service Provider (TSP), appropriate agent or NJDA staff, and approved by the local Soil Conservation District (SCD).

Objective 2K3f: All development within the Highlands Region, in areas which are not served by public wastewater collection and treatment system or community on-site treatment facility, shall be at a density that can be supported by septic systems under Goal 2L. Where cluster development in the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-Zones of the Planning Area shall be served by on-site wells, and the undeveloped land is preserved for agricultural purposes in perpetuity, the cluster development and the Agriculture Retention/Farmland Preservation Plan required by Objective 2K3d in combination shall include provisions for best management practices that protect the on-site wells from contamination resulting from agricultural practices and shall include provisions to minimize or reduce net pollutant loadings from the total cluster project area including the preserved agricultural lands.

Objective 2L2e: New residential development using septic systems where clustering or conservation design techniques are employed shall have a gross density (for all parcels involved in the development proposal) based on the nitrate dilution target appropriate for the Land Use Capability Zone, but with the density for the developed portion of the site based on a nitrate dilution target not to exceed 10 mg/L or any more stringent requirement as required by N.J.A.C. 7:15.

Policy 3A5: Where it is not feasible to preserve agricultural lands within the ARA by such methods as fee simple acquisition, easement acquisition, or a TDR Program, require mandatory clustering through Municipal Plan Conformance, local development review and Highlands Project Review for residential development in an ARA. Cluster development within the Planning Area that incorporates public or community on-site wastewater utilities shall meet the requirements of Policy 2J4 with Objectives 2J4a through 2J4d, and Policy 2K3 with Objectives 2K3a through 2K3e, and within the Preservation Area shall meet the requirements of Policy 2I1 and Objectives 2I1a and 2I1b, and where reliant on septic systems shall meet the requirements of Objective 6I1a.

Objective 3A5a: Implement regulations requiring that cluster or conservation design development proposed within an Agricultural Resource Area support the preservation of farmland, avoid conflicts with agriculture, maintain and enhance the sustainability and continued viability of the agricultural industry, protect Important Farmland Soils, and meet resource management and protection requirements of the RMP.

Objective 3A5b: Implement regulations requiring that all cluster or conservation design development proposed in an Agricultural Resource Area be buffered appropriately with existing natural resources, such as hedgerows or trees, or with new buffers to avoid conflicts between non-agricultural development and agricultural activities, and to protect existing agricultural uses and sensitive environmental resources.

Objective 3A5c: Implement regulations requiring that all land preserved in perpetuity for environmental protection or agricultural purposes as a result of clustering be subject to a conservation easement enforceable by the Highlands Council and at least one of the following: the appropriate municipality, for agricultural purposes the County Agriculture Development Board or the SADC and for environmental purposes Green Acres or a qualified land trust non-profit organization.

Objective 3A5d: Where the preserved land in the cluster project area is dedicated to agricultural purposes support continued agricultural viability of the agricultural land, encourage that the original or new farmstead remain attached to the preserved land wherever feasible, and require the implementation of best management practices through the cluster development ordinance and an Agriculture Retention/Farmland Preservation Plan, including development and implementation of a Farm Conservation Plan that addresses the protection of water and soil resources prepared by the USDA NRCS, Technical Service Provider (TSP), appropriate agent or NJDA staff, and approved by the local Soil Conservation District (SCD).

Policy 3A6: To permit through local development review and Highlands Project Review limited development, including family and farm labor housing in Agricultural Resource Areas which are necessary to support the viability of the agricultural operation, in coordination with the NJDA and the SADC, and subject to compliance with the resource management and protection requirements of the RMP.

Objective 3A6a: Implement regulations allowing for construction of ancillary structures and family and farm labor housing that is necessary to support the viability of the agricultural operation, upon a demonstration that the proposed development is consistent with the resource management and protection requirements of the RMP.

Objective 6C1a: Centers in the Protection Zone, potentially including clustered development, shall be at densities appropriate to the Zone, the community character, the State Development and Redevelopment Plan, and the use of septic systems or community wastewater systems.

Objective 6D3b: Centers in the Conservation Zone, potentially including clustered development, shall be at densities appropriate to the Zone, the community character, the State Development and Redevelopment Plan, and the use of septic systems or community wastewater systems.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

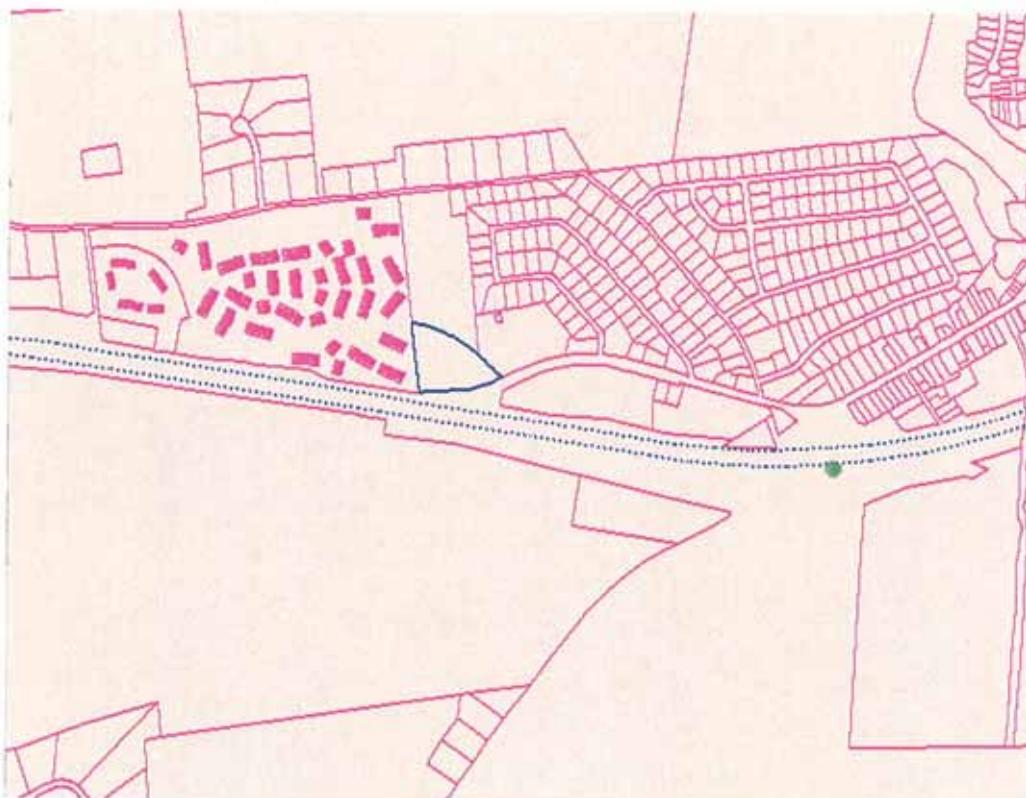
Objective 6H1d: Cluster and conservation design development plans and regulations shall consider existing community character, incorporate smart growth design principles, and require Low Impact Development including but not limited to: locating development adjacent to existing infrastructure such as water, wastewater, transportation, and public facilities to limit the degree of new impervious surface, and permitting smaller residential lots in order to incorporate community open space and existing natural resources into the design.

Policy 6H3: To require conforming municipalities and counties to include site development programs, such as clustering, to preserve land in perpetuity for environmental protection or agricultural purposes.

**Within One Mile of Rail Stations or Within Half Mile of Bus Routes or Park and Rides**

ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02

12/21/2009

**New Jersey Transit Bus Routes:-****Private Bus Routes:-**

● Bergen + Main Line

● Montclair Boonton Line

Rail Stations: ● Morris + Essex Line - Gladstone Branch

● Morris + Essex Line - Morristown Branch

● Raritan Valley Line

Park & Ride Sites: ●

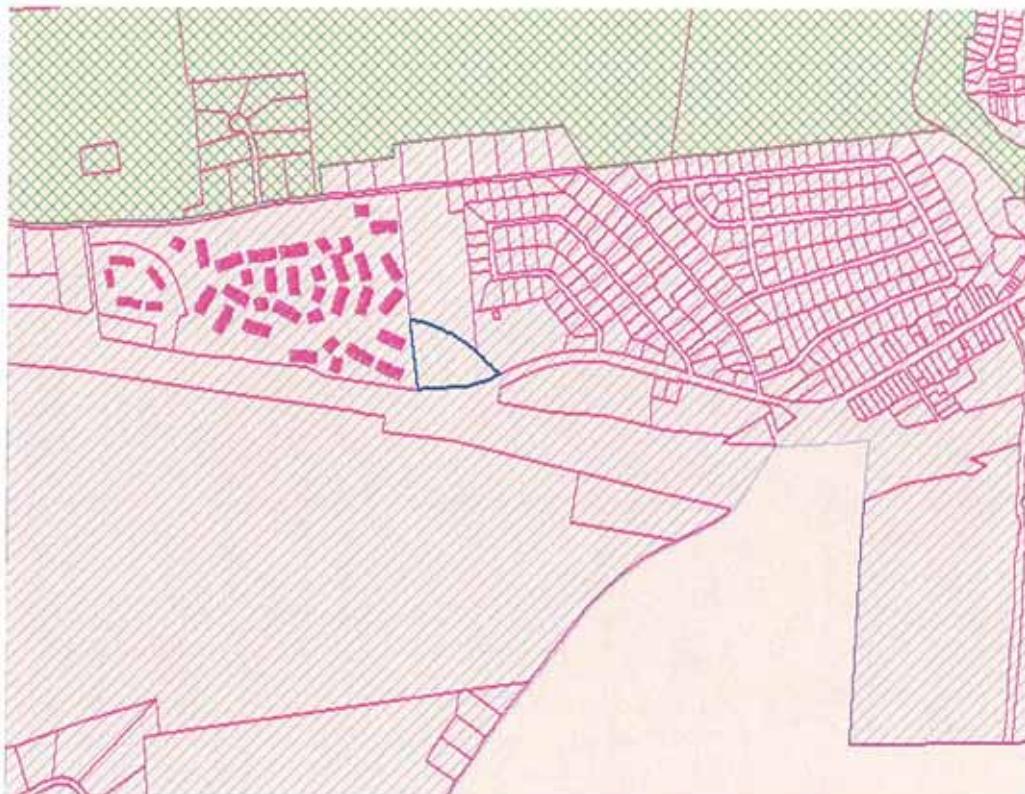
Includes all developed lands within a 1/2 mile buffer from all park and ride locations, rail stations, and NJ Transit public and major private bus routes in or within 1/2 mile of the Highlands Region.

Objective 5E1b: Development and redevelopment in close proximity to rail stations and along bus routes.

**Planning Area**

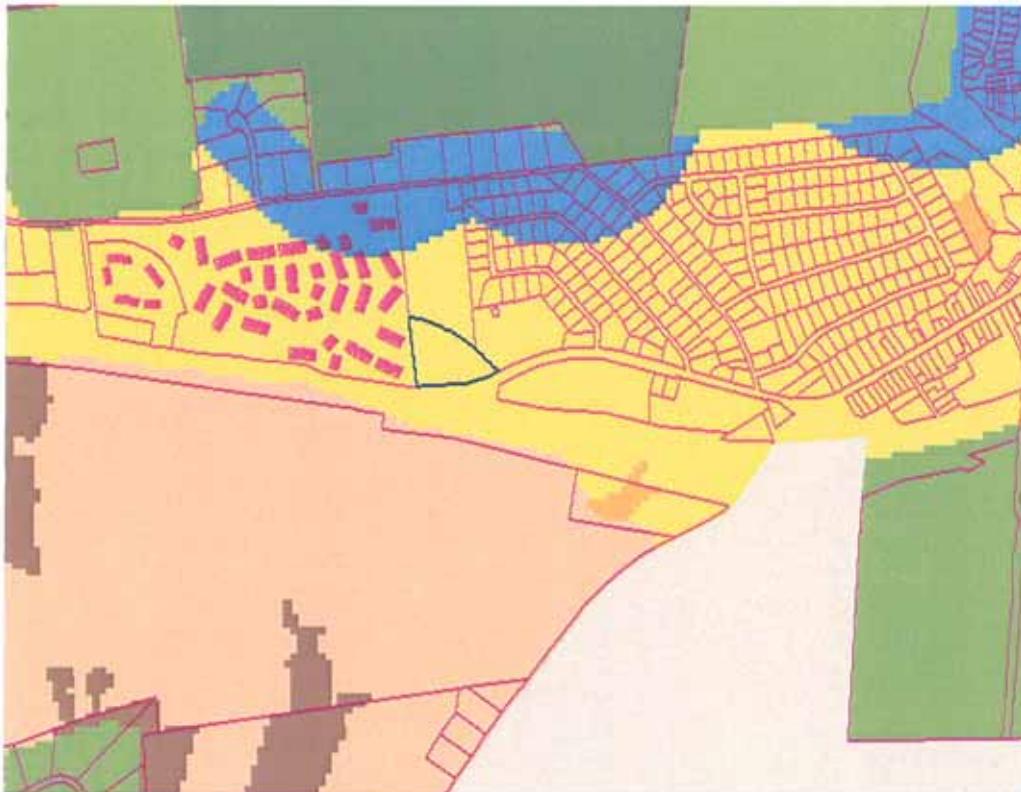
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02

12/21/2009

**Planning Area / Preservation Area:** ■ Planning Area / ■ Preservation Area

Means lands within the Highlands Region which are not within the Preservation Area.

Objective 7F1d: Planning Area exemptions, issued by the Highlands Council, shall be required, where appropriate, prior to consideration of a local development review or a Highlands Project Review. Guidance shall specify the exceptions where a review may proceed absent such an exemption determination. Applications for exemptions submitted to the Highlands Council shall be based upon the application requirements exemptions codified in N.J.A.C. 7:38.

**Existing Community Zone**ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009

	Protection Zone		Conservation Zone
	Existing Community Zone		Lake Community Subzone
	Conservation Environmentally Constrained Subzone		
	Existing Community Environmentally Constrained Subzone		
	Wildlife Management		

Land Use Capability:

- Protection Zone
- Existing Community Zone
- Lake Community Subzone
- Conservation Environmentally Constrained Subzone
- Existing Community Environmentally Constrained Subzone
- Wildlife Management

Consists of areas with regionally significant concentrated development signifying existing communities.

Objective 2J4c: Allow the expansion or creation of public water systems within the Existing Community Zone of the Planning Area, other than the Environmentally-Constrained Sub-zone, to serve lands which are appropriate for designated TDR Receiving Zones, infill or redevelopment, to meet needs and protection requirements equivalent to Objective 2J4a within the Existing Community Zone, or to serve new areas for development that meet all other requirements of the RMP. TDR Receiving Zones, affordable housing projects (where the affordable units exceed 10% of the total units), infill and redevelopment shall have higher priority for capacity than expansion of public water service areas within this Zone.

Objective 2K3e: Allow the expansion or creation of wastewater collection systems within the Existing Community Zone of the Planning Area, other than the Environmentally-Constrained Sub-zone, to serve lands which are appropriate for designated TDR Receiving Zones, infill or redevelopment, to meet needs and protection requirements equivalent to those provided at Objective 2K3c within the Existing Community Zone, or to serve new areas for development that meet all other requirements of the RMP. The highest priority for allocation of excess or additional wastewater treatment capacity is to areas where there are clusters of failed septic systems that are located within or adjacent to Existing Areas Served. TDR Receiving Areas, where designated, affordable housing projects (where the affordable units exceed 10% of the total units), infill and redevelopment shall have higher priority for capacity than other developments requiring expansion of sewer service areas.

Policy 6F3: To ensure that development activities within the Existing Community Zone are subject to standards and criteria which ensure that development and redevelopment incorporate smart growth principles

and do not adversely affect natural resources.

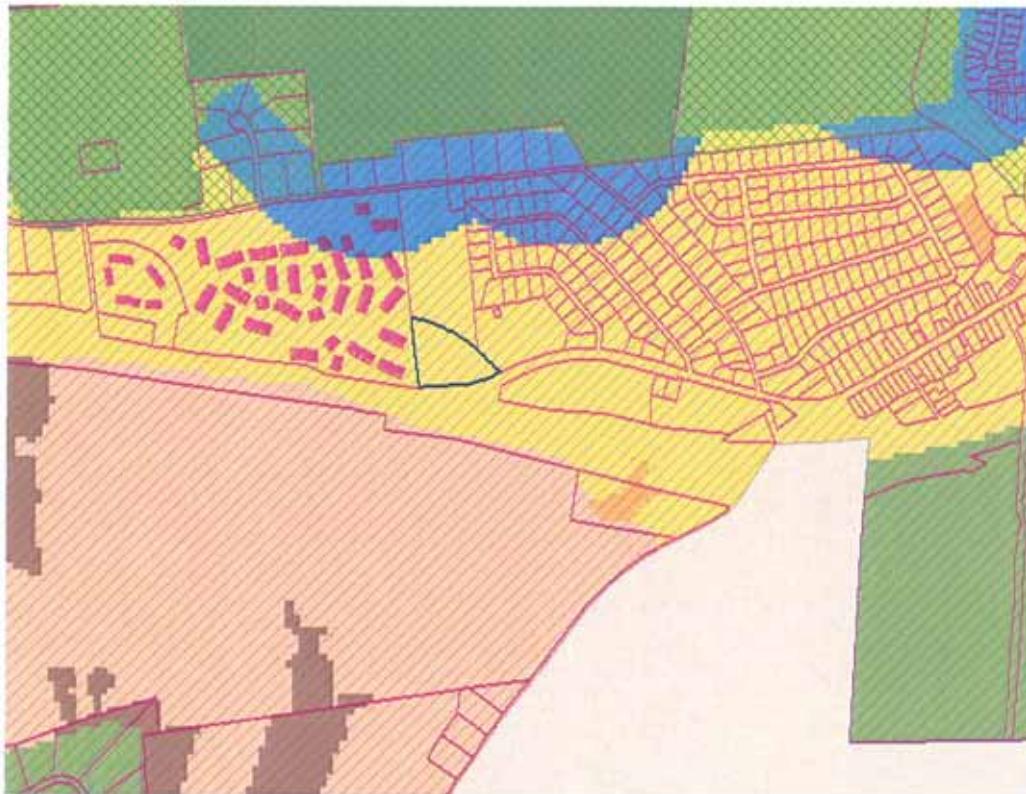
Policy 6F4: To ensure that development and redevelopment within the Existing Community Zone are served by adequate public facilities including water supply, wastewater treatment, transportation, educational and community facilities.

Policy 6F5: To ensure that development and redevelopment in the Existing Community Zone are compatible with existing community character.

Objective 6F6a: Center based development initiatives shall be planned within the Existing Community Zone at densities appropriate to the Zone, the community character, the State Development and Redevelopment Plan. Densities of five dwelling units and above are encouraged, and are required in areas designated as voluntary TDR Receiving Zones where TDR benefits are sought under the Highlands Act.



Existing Community Zone in Planning Area
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Land Use Capability:

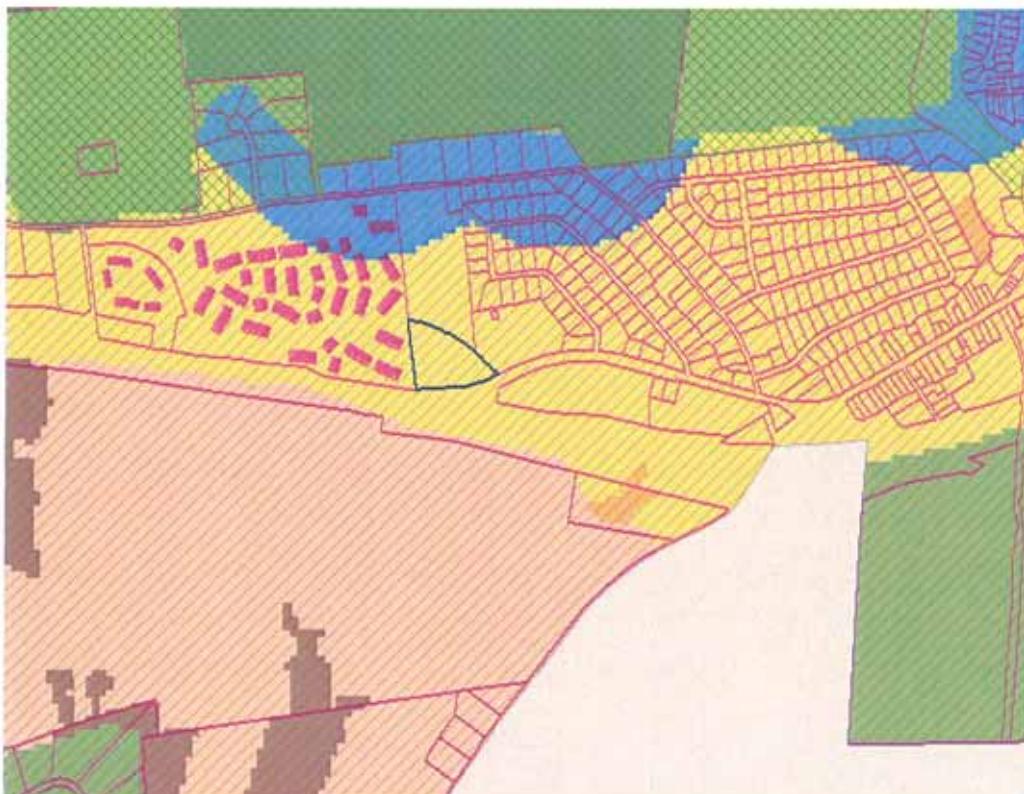
Planning Area / Preservation Area: ■ Planning Area / ■ Preservation Area

Includes the Existing Community Zone within the Planning Area.

Objective 2L2d: Use a nitrate target of 2 mg/L for the Existing Community Zone within Planning Area, on a project-by-project basis, where new development will rely on septic systems.

Policy 6J2: To encourage redevelopment in the Existing Community Zone in the Planning Area of brownfields, grayfields, and other previously developed areas that have adequate water, wastewater, transportation capacity, and are appropriate for increased land use intensity or conversion to greenfields, as approved through Plan Conformance or the Highlands Redevelopment Area Designation process.

**Protection Zone or Conservation Zone or Environmentally Constrained Sub-Zones in
Planning Area OR Existing Community Zone**
ROUTE 22, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060 02
12/21/2009



Land Use Capability:

■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Planning Area / Preservation Area: ■ Planning Area / □ Preservation Area

Includes the Protection Zone, Conservation Zone, Environmentally Constrained Sub-Zones and the Existing Community Zone within the Planning Area.

Policy 2J4: To minimize, through Plan Conformance, local development review and Highlands Project Review, the creation or extension of public water supply systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area, and to allow for the creation or extension of public water supply systems where appropriate within the Existing Community Zone.

**Policies and Objectives not Associated with Features**

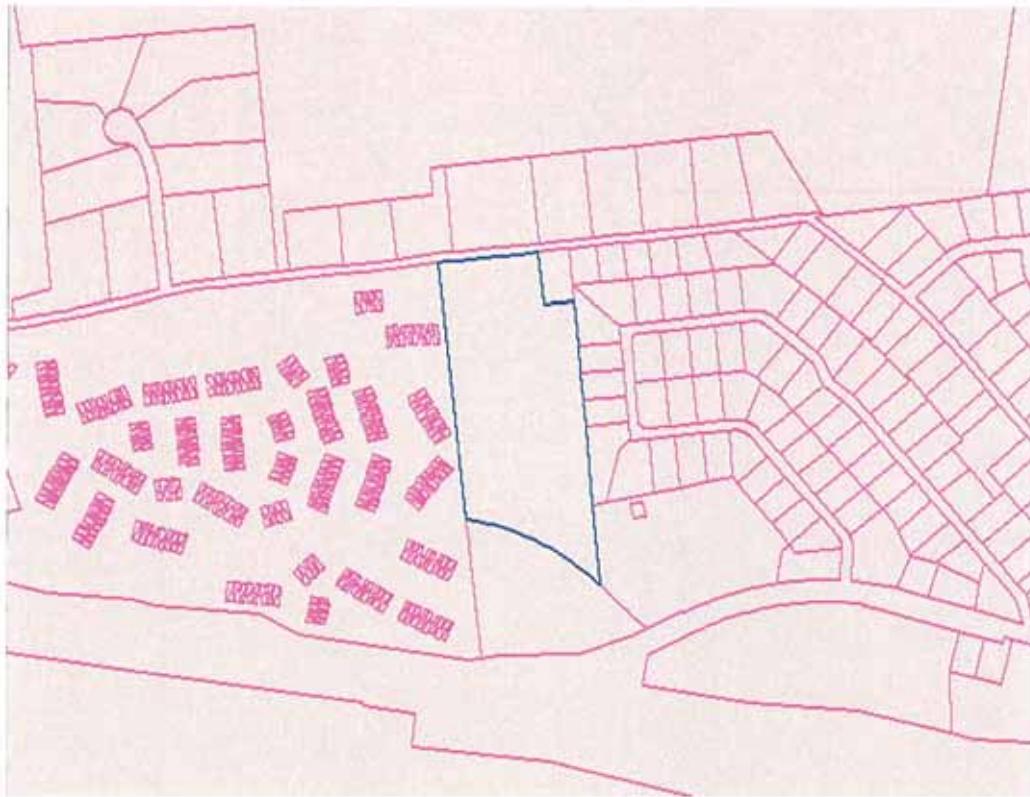
12/21/2009

Includes the Protection Zone, Conservation Zone, Environmentally Constrained Sub-Zones and the Existing Community Zone within the Planning Area.

Policy 2J4: To minimize, through Plan Conformance, local development review and Highlands Project Review, the creation or extension of public water supply systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area, and to allow for the creation or extension of public water supply systems where appropriate within the Existing Community Zone.

Disclaimer

Please be advised that any reports generated from the online Consistency Review Application do not constitute a formal Consistency Determination from the Highlands Council. The information contained therein is provided solely for informational purposes and is not to be construed as providing advice, recommendations, endorsements, representations or warranties of any kind whatsoever.

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060



Forest in High Integrity Forest Subwatershed and Existing Community Zone
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Forest Outside of Forest Resource Area:

Forest within Forest Resource Area:

- Protection Zone
- Conservation Zone
- Existing Community Zone
- Lake Community Subzone
- Conservation Environmentally Constrained Subzone
- Existing Community Environmentally Constrained Subzone
- Wildfire Management

Forest Integrity Value: ■ HIGH ■ MEDIUM ■ LOW

Forest in High Integrity Forest Subwatershed and Existing Community Zone data layer illustrates the intersection of High Integrity Forest Subwatershed and Existing Community Zones. The Regional Master Plans provides for the protection of these high quality forested lands by limiting deforestation.

Policy 1B3: To limit through local development review and Highlands Project Review deforestation in the Forest Resource Area and forested lands within High Integrity Forest Subwatersheds within the Existing Community Zone to maximum extent practicable.



Forest Resources

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009



Forest Outside of Forest Resource Area:

Forest within Forest Resource Area:

Forest Resources represents the Total Forest Area data layer that was extracted from the NJDEP 2002 draft Land Use Land Cover data. This data layer illustrates all upland and wetland forest and scrub/shrub categories (excluding old field) and represents all forested lands within the Region. The Regional Master Plan includes policies that limit clearing of trees within Forest Resources and that seek to protect overall forest resources integrity.

Objective 1B3a: Implementation through Plan Conformance of regulations, which limit the clearing of trees in conjunction with human development to circumstances where the clearing will not diminish the integrity of forest resources.

Policy 1B5: To ensure that forest resources are protected on a site specific basis during local development review and Highlands Project Review.

Objective 1B5a: Applications for local development review and Highlands Project Review require identification of any forest area on and adjacent to a site in accordance with the Highlands Council's Method for Identifying Upland Forest Areas in the Highlands Region.

Policy 1B7: To prohibit clear-cutting of forest lands except pursuant to an approved Forest Management Plan approved by the State Forester.

Policy 1C3: To require that conforming municipalities adopt a tree clearing ordinance consistent with an approved community forestry plan under the New Jersey Forest Service Community Forestry Program as part of the municipal master plan and local development regulations.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region.

including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

Policy 6N4: To require through Plan Conformance that municipalities and counties adopt LID best management practices where disturbance of Highlands resources is proposed, including but not limited to Steep Slopes, forest resources, Critical Habitat, Highlands Open Waters and Riparian Areas, and Prime Ground Water Recharge Areas.



High Integrity Forest Subwatershed
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Forest Integrity Value: ■ HIGH ■ MEDIUM ■ LOW

High Integrity Forest Subwatershed is a component of the Forest Integrity Value data layer. This data layer represents forest cover integrity in the Region at the watershed level because forests are important for the protection of water quality and quantity.

Policy 1C1: To require that conforming municipalities and counties address the protection of forested portions of Forest Resource Areas and High Integrity Forest Subwatersheds in their master plans and development regulations.

**Highlands Open Waters Protection Buffer**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009

**Open Water Protection Area:**

Highlands Open Waters are defined by the Highlands Act as all springs, streams including intermittent streams, wetlands, and bodies of surface water, whether natural or artificial. The vegetated corridors adjacent to Highlands Open Waters are effective and important tools to protect water quality and aquatic habitat. Protection buffers safeguard Highlands Open Waters from the impacts of adjacent land use practices. The Regional Master Plan includes a protection buffer of 300 feet from the edge of the discernable bank of a Highlands Open Waters feature, or from the centerline where no discernable bank exists.

Policy 1D4: Highlands Open Waters shall include a protection buffer of 300 feet from the edge of the discernable bank of the Highlands Open Waters feature, or from the centerline where no discernable bank exists. With respect to wetlands and other Highlands Open Waters features (e.g., seeps, springs, etc.), the feature shall include a protection buffer of 300 feet from the delineated Letter of Interpretation (LOI) line issued by the NJDEP for wetlands, or from a field-delineated boundary for other features. In areas where existing development or land uses within the protection buffers have reduced or impaired the functional values of the buffers, the Council will seek opportunities to restore the buffer and its functions. Any proposed disturbance shall, through local development review and Highlands Project Review, comply with Highlands Open Waters buffer standards. The protection buffer width for Category 2 streams in the Planning Area may be modified through a Stream Corridor Protection/Restoration Plan, as specified in Objective 1D4i. In approved Redevelopment Areas, the Council may, at its discretion, modify the required buffer, upon a showing of no alternatives, no impact to the functional value of the buffer, and provision of alternative approaches to enhancing or protecting Highlands Open Waters and resources of the buffer area.

Objective 1D4a: Require that all applications for approval through local development review and Highlands Project Review include the identification and mapping of Highlands Open Waters.

Objective 1D4c: Require that proposed development within all Highlands Open Waters buffers (Preservation and Planning Areas) conforms through local development review and Highlands Project Review with the

buffer requirements of N.J.A.C. 7:8 (Stormwater Management Rules), N.J.A.C 7:13 (Flood Hazard Area Rules), and N.J.A.C. 7:7 (Freshwater Wetland Rules), and with any applicable requirements of a Regional Stormwater Plan adopted pursuant to N.J.A.C. 7:8 (Stormwater Management Rules).

Objective 1D4i: Develop through Plan Conformance and implement stream corridor or subwatershed-based Stream Corridor Protection/Restoration Plans which shall include Steps 1, 2, and 3, and may include Steps 4 and 5: 1. Identify areas where existing development, land disturbances, or land uses are within Highlands Open Waters buffers have removed or substantially impaired natural vegetation communities, and have significantly reduced or impaired the functional values of Highlands Open Waters buffers. For purposes of this Objective when considering land for conversion to non-agricultural land uses, historic or current agricultural land uses shall not be considered pland improvements,q pdevelopment,q pland disturbances,q or pland usesq; 2. Identify and require opportunities for restoration of areas identified in Step 1 as part of mitigation requirements under a Highlands Act waiver or Objectives 1D4e and 1D4f, and public or nongovernmental restoration/stabilization projects; 3. Identify the extent of stream corridor features that are critical to supporting the functions of a healthy Highlands Open Waters buffer and that extend beyond the buffers required by Objectives 1D4b and 1D4c. The 300 foot buffer in these areas may be expanded to be most protective of these features which may include, but are not limited to, Critical Habitat, pollutant source areas identified through scientific techniques, and steep slopes; 4. Where Highlands Open Waters buffers include areas identified in Step 1, regarding Category 2 surface waters in the Planning Area only, the Stream Corridor Protection/Restoration Plan may identify where, based on scientific analysis of site-specific conditions (e.g., topography, vegetation cover type, habitat, soil type, upstream land uses and pollution inputs, width of floodplain, rate and volume of run-off), a buffer of less than the full 300 feet (but including the undisturbed buffer area at a minimum) is sufficient to maintain or improve the protection of Highlands Open Waters and Riparian Areas. The plan must identify alternative buffers that provide functional buffer values at least equivalent to existing conditions and are no less than 150 feet or no less than the extent allowed in State or municipal regulation (including Objectives 1D4b and 1D4c), whichever is greater. Further, the plan shall include a functional value assessment to ensure that there is no net loss in the overall functional value of the subwatershedos stream buffers. Buffers established through this process shall be determined based on site conditions rather than fixed distances, reflecting findings of the scientific analysis, and shall be used in the site design and development review process regarding determinations of restoration, continued use, or increased use of the disturbed buffer area. Buffer averaging for the purpose of accommodating development proposals is deemed not to meet the requirements of this provision; and 5. Where a proposed Highlands Redevelopment Area would not meet, in full, Objectives 1D4b through 1D4h but affects an undisturbed buffer area determined to not be necessary for the protection of the functional values for Highlands Open Waters buffer (as determined through scientific analysis of site-specific conditions), modification of the undisturbed buffer may be allowed to no less than the extent allowed in State or municipal regulation. However the Council shall first determine that there is no alternative to the proposed reduction of the buffer, and require a showing of no impact to the functional values of the buffer and provision of alternative approaches to enhancing or protecting the Highlands Open Waters and resources of the buffer area. Restoration or enhancement of buffer functional values shall be provided on-site or within the same stream reach to achieve a net improvement of existing buffer functional values.

Objective 1D4j: The Highlands Council may require on a case-by-case basis, through Highlands Project Review, an expansion of the 300 foot buffer to protect the habitat of a water or wetlands-dependant rare, threatened or endangered species, to the minimum expansion necessary to achieve protection of that species.

Objective 1D5b: Limit disturbance of existing natural vegetation or increases in impervious area within High and Moderate Integrity Riparian Areas in any Land Use Capability Zone to the minimum alteration feasible in areas beyond Highlands Open Waters buffer requirements; protect the water quality of adjacent Highlands Open Waters; and maintain or restore habitat value of the Riparian Area.

Objective 2D4a: Development shall not occur in Prime Ground Water Recharge Areas unless necessary to avoid Critical Habitat, Highlands Open Waters Buffers and Moderately and Severely Constrained Steep Slopes.

Objective 2I1b: The expansion or creation of public water supply systems, public wastewater collection and treatment systems and community on-site treatment facilities in the Preservation Area as approved through a HPAA with waiver pursuant to N.J.A.C. 7:38 and Policy 7G1 shall maximize the protection of sensitive environmental resources including avoidance of Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep

Slopes, Prime Ground Water Recharge Areas, and Critical Habitat.

Objective 2J4a: Prohibit new, expanded or extended public water systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The extension or creation of systems shall follow the requirements in Objective 2J4b (parts 2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from contaminated domestic and other on-site water supplies that is of sufficient scale to justify a public water supply and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. Such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2J4b.

Objective 2K3c: Prohibit new, expanded or extended public wastewater collection and treatment systems and community on-site treatment facilities within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The choice of extension or creation of systems shall follow the requirements in Objective 2K3d (2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from a pattern of failing septic systems (where the failing systems cannot reasonably be addressed through rehabilitation or replacement) or highly concentrated septic systems, where the threat is of sufficient scale to justify a public wastewater collection and treatment system or community on-site treatment facility and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. To address other issues of public health and safety, such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2K3d.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

Policy 6N4: To require through Plan Conformance that municipalities and counties adopt LID best management practices where disturbance of Highlands resources is proposed, including but not limited to Steep Slopes, forest resources, Critical Habitat, Highlands Open Waters and Riparian Areas, and Prime Ground Water Recharge Areas.



Highlands Open Waters Buffers in Planning Area
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Open Water Protection Area:

Planning Area / Preservation Area: ■ Planning Area / ■ Preservation Area

Includes all Highlands Open Waters protection buffers within the Planning Area

Objective 1D4d: Structures or other land improvements existing within a Highlands Open Waters buffer of the Planning Area on August 10, 2004 may remain, provided that the area of disturbance shall not be increased unless approved through local development review or Highlands Project Review in compliance with RMP policies and objectives. For purposes of this Objective when considering land for conversion to non-agricultural land uses, historic or current agricultural land uses shall not be considered plan improvements, pdevelopment, pland disturbances, or pland uses.

Highlands Open Waters Protection Buffers in Existing Community Zone in Planning Area
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Open Water Protection Area:

■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Land Use Capability:

■ Planning Area / Preservation Area:	■ Planning Area / ■ Preservation Area
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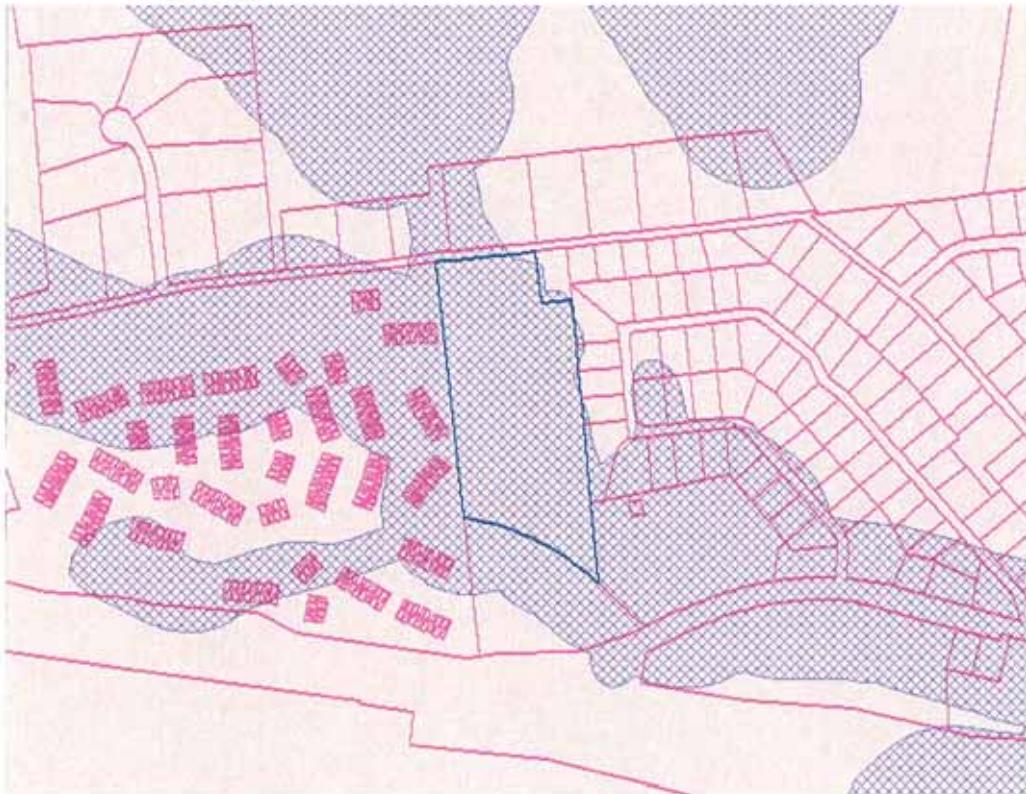
Includes all Highlands Open Waters protection buffers within the Existing Community Zone of the Planning Area.

Objective 1D4f: In the Existing Community Zone of the Planning Area, proposed disturbances of Highlands Open Waters buffers shall only occur in previously disturbed areas, unless a waiver is granted by the Highlands Council under Policy 7G2 and the proposed disturbance complies with Objective 1D4c. For purposes of this Objective when considering land for conversion to non-agricultural land uses, historic or current agricultural land uses shall not be considered plan improvements, plan development, plan disturbances, or plan uses. Such disturbances shall employ performance standards such that all proposed disturbances of Highlands Open Waters buffers shall employ Low Impact Development Best Management Practices to mitigate all adverse modification to Highlands Open Waters buffers so that there is no net loss of the functional value of the buffer, in compliance with Objective 1D4h.

**Riparian Area**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009



Riparian Corridor Integrity Score: ■ HIGH ■ MODERATE ■ LOW

Riparian Areas are areas adjacent to, and hydrologically interconnected with, rivers and streams. They are areas that exhibit periodic inundation or saturation of soils, are subject to periodic flooding, and include wildlife corridors within 300 feet of a surface water feature. Riparian Areas serve as an interface between surface water bodies and terrestrial ecosystems and play a critical role in maintaining the quality and ecological integrity of Highlands Open Waters.

Objective ID5b: Limit disturbance of existing natural vegetation or increases in impervious area within High and Moderate Integrity Riparian Areas in any Land Use Capability Zone to the minimum alteration feasible in areas beyond Highlands Open Waters buffer requirements; protect the water quality of adjacent Highlands Open Waters; and maintain or restore habitat value of the Riparian Area.

Objective ID5e: Implement Low Impact Development Best Management Practices for any development activity proposed within a Riparian Area, which minimize both alterations of natural vegetation and increases in impervious area, in compliance with Policies 6N3 and 6N4 and provide for mitigation through restoration of impaired Riparian Areas in the same HUC14 subwatershed.

Objective ID5f: Require that development within Riparian Areas conforms through local development review and Highlands Project Review to any applicable requirements of a Regional Stormwater Plan adopted pursuant to N.J.A.C. 7:8 (Stormwater Management Rules).

Objective ID5g: Require identification and implementation of opportunities where the restoration and enhancement of previously impaired Riparian Areas are feasible and appropriate as mitigation to any allowable modification to Riparian Area requirements.

Objective 211b: The expansion or creation of public water supply systems, public wastewater collection and treatment systems and community on-site treatment facilities in the Preservation Area as approved through a

HPAA with waiver pursuant to N.J.A.C. 7:38 and Policy 7G1 shall maximize the protection of sensitive environmental resources including avoidance of Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas, and Critical Habitat.

Objective 2J4a: Prohibit new, expanded or extended public water systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The extension or creation of systems shall follow the requirements in Objective 2J4b (parts 2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from contaminated domestic and other on-site water supplies that is of sufficient scale to justify a public water supply and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. Such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2J4b.

Objective 2K3c: Prohibit new, expanded or extended public wastewater collection and treatment systems and community on-site treatment facilities within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The choice of extension or creation of systems shall follow the requirements in Objective 2K3d (2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from a pattern of failing septic systems (where the failing systems cannot reasonably be addressed through rehabilitation or replacement) or highly concentrated septic systems, where the threat is of sufficient scale to justify a public wastewater collection and treatment system or community on-site treatment facility and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. To address other issues of public health and safety, such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2K3d.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

Policy 6N4: To require through Plan Conformance that municipalities and counties adopt LID best management practices where disturbance of Highlands resources is proposed, including but not limited to Steep Slopes, forest resources, Critical Habitat, Highlands Open Waters and Riparian Areas, and Prime Ground Water Recharge Areas.



Riparian Area in Existing Community Zone
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Land Use Capability:

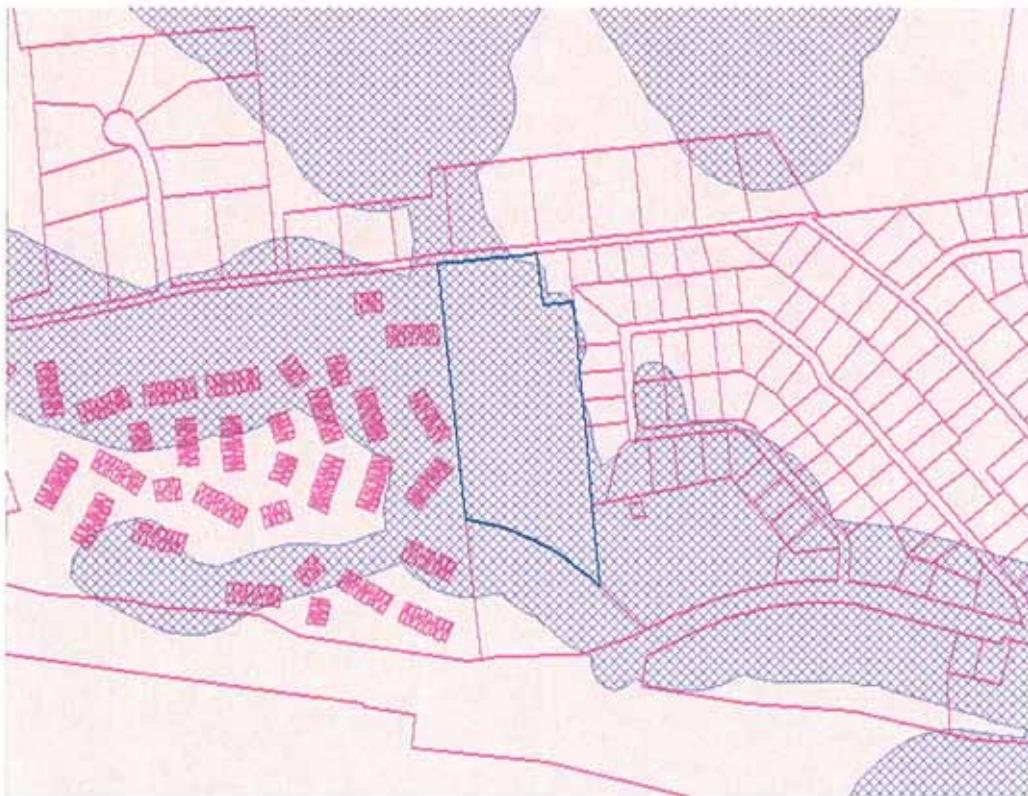
Riparian Corridor Integrity Score: ■ HIGH ■ MODERATE ■ LOW

Includes all Riparian Areas within the Existing Community Zone.

Objective 1D5d: Restrict modifications to Riparian Areas in the Existing Community Zone, other than those addressed by Objective 1D5b, that would alter or be detrimental to the water quality and habitat value of a Riparian Area.



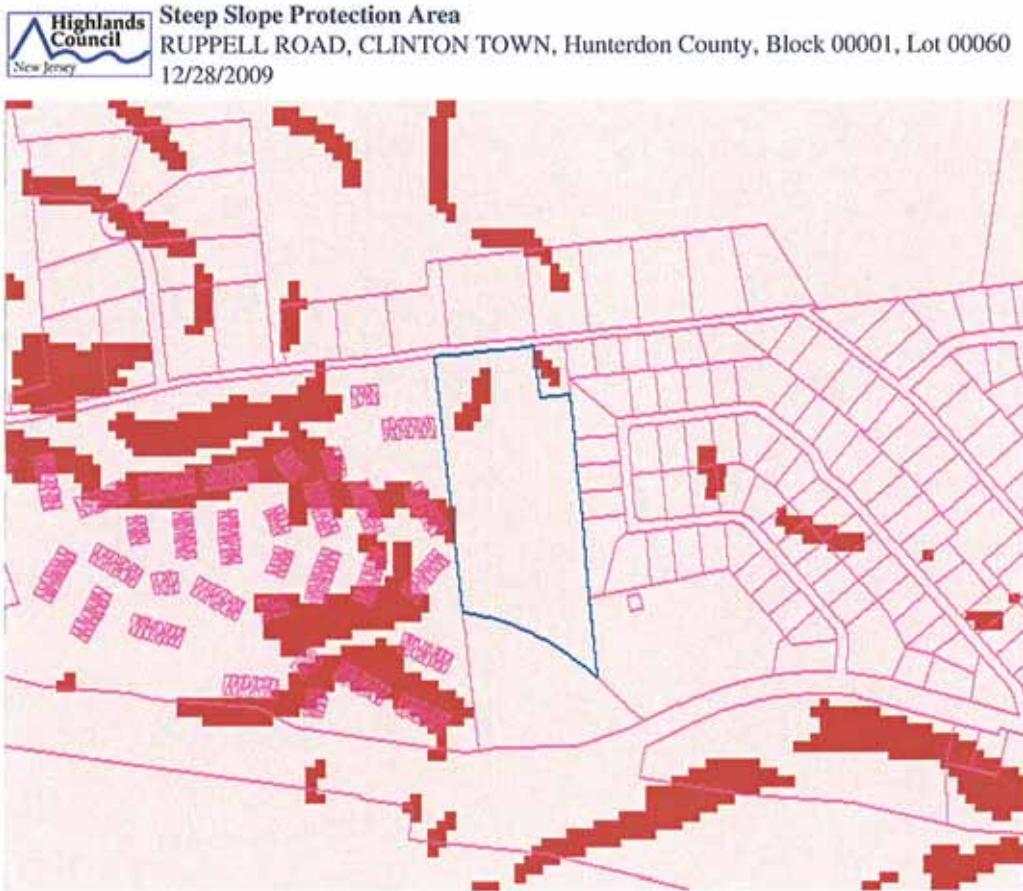
Riparian Corridor Integrity Score - Moderate
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Riparian Corridor Integrity Score: ■ HIGH ■ MODERATE ■ LOW

These areas include watersheds with Riparian Areas that contain a higher incidence of impervious area, agricultural uses and/or road crossings (as compared to High Score) and a reduced proportion of natural vegetation including high quality habitat for rare, threatened, and endangered water/wetland dependent species.

Objective 1D5b: Limit disturbance of existing natural vegetation or increases in impervious area within High and Moderate Integrity Riparian Areas in any Land Use Capability Zone to the minimum alteration feasible in areas beyond Highlands Open Waters buffer requirements; protect the water quality of adjacent Highlands Open Waters; and maintain or restore habitat value of the Riparian Area.



Steep Slope Protection Area:

Slope is a measurement of the steepness of terrain and is defined as the vertical change in elevation over a given horizontal distance. Disturbance of areas containing steep slopes can trigger erosion and sedimentation, resulting in the loss of topsoil. It can also result in the disturbance of habitats, degradation of surface water quality, silting of wetlands, and alteration of drainage patterns. The Highlands Council examined areas of slope in the Highlands Region that exhibited one of the following grade classifications and these grades were established as Steep Slope Protection Areas: 1) grades of slopes of 20% or greater; 2) grades of slope between 15 - 20%; and 3) grades of slope between 10 - 15% that occur within the Riparian Area.

Policy 1E6: To require through local development review and Highlands Project Review that applications for development include topographic information identifying the location of any Steep Slope Protection Areas located on the parcel proposed for development.

Policy 1E7: To require through local development review and Highlands Project Review that applications for development involving parcels of land with slopes of 10% or greater include identification of forested lands, areas which are highly susceptible to erosion, depth to bedrock and Soil Capability Classes.

Policy 1E10: To require that conforming municipalities and counties implement the steep slope protection provisions of Policies 1E2 through 1E9 through master plans and development regulations.

Objective 2I1b: The expansion or creation of public water supply systems, public wastewater collection and treatment systems and community on-site treatment facilities in the Preservation Area as approved through a HPAA with waiver pursuant to N.J.A.C. 7:38 and Policy 7G1 shall maximize the protection of sensitive environmental resources including avoidance of Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas, and Critical Habitat.

Objective 2J4a: Prohibit new, expanded or extended public water systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The extension or creation of systems shall follow the requirements in Objective 2J4b (parts 2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from contaminated domestic and other on-site water supplies that is of sufficient scale to justify a public water supply and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. Such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2J4b.

Objective 2K3c: Prohibit new, expanded or extended public wastewater collection and treatment systems and community on-site treatment facilities within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area unless they are shown to be necessary for and are approved by the Highlands Council for one or more of the purposes listed below. For approvals regarding parts 1, 2, and 3, the project must maximize the protection of sensitive environmental resources such as Highlands Open Waters buffer areas, Riparian Areas, the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, Steep Slopes, Prime Ground Water Recharge Areas and Critical Habitat. For approvals regarding part 3, the project must avoid disturbance of Highlands Open Waters buffer areas, Riparian Areas, Steep Slopes and Critical Habitat, and must minimize disturbance of the forested portion of the Forest Resource Area, agricultural lands of Agricultural Resource Areas, and Prime Ground Water Recharge Areas. The choice of extension or creation of systems shall follow the requirements in Objective 2K3d (2 and 3). The applicable purposes are: 1. To address through a waiver under Policy 7G1 or 7G2 a documented existing or imminent threat to public health and safety from a pattern of failing septic systems (where the failing systems cannot reasonably be addressed through rehabilitation or replacement) or highly concentrated septic systems, where the threat is of sufficient scale to justify a public wastewater collection and treatment system or community on-site treatment facility and where no alternative is feasible that would sufficiently assure long-term protection of public health and safety. To address other issues of public health and safety, such needs shall have highest priority for allocation of existing system capacity; 2. To address development permitted through a Highlands Redevelopment Area or takings waiver under Policy 7G1 or 7G2; or 3. To serve a cluster development that meets all requirements of Objective 2K3d.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.

Policy 6N4: To require through Plan Conformance that municipalities and counties adopt LID best management practices where disturbance of Highlands resources is proposed, including but not limited to Steep Slopes, forest resources, Critical Habitat, Highlands Open Waters and Riparian Areas, and Prime Ground Water Recharge Areas.



Severely or Moderately Constrained Slopes
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Moderately Constrained Slopes:■
Severely Constrained Slopes:■

Severely Constrained Slopes are all lands with slopes of 20% or greater and lands within Riparian Areas with slopes of 10% or greater. Moderately Constrained Slopes are all non-Riparian Area lands having a slope of 15% to less than 20% which are forested.

Policy 1E8: To prohibit through local development review and Highlands Project Review land disturbance within areas which are Severely Constrained Slopes and Moderately Constrained Slopes, except for linear development in both the Preservation and Planning Areas that meets the requirements of N.J.A.C. 7:38-3.8 (c)1-4.

Objective 2D4a: Development shall not occur in Prime Ground Water Recharge Areas unless necessary to avoid Critical Habitat, Highlands Open Waters Buffers and Moderately and Severely Constrained Steep Slopes.

**Lake Management Area**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009

**Lake Management Area:**

A Lake Management Area has been established around all Highlands Region lakes of greater than ten acres in size. The Lake Management Area encompasses four lake management tiers as follows: 1) Shoreland Protection Tier consisting of an area measured 300 feet to the shoreline of the lake; 2) Water Quality Management Tier consisting of an area measured 1,000 feet perpendicular from the shoreline of the lake; 3) Scenic Resources Tier consisting of an area measured 300 to 1,000 feet perpendicular from the shoreline of the lake; 4) Lake Watershed Tier consisting of the entire land area draining to the lake.

Policy IL2: To establish tiers of lake management appropriate to management strategies that help protect lake water quality and community value from the impacts of present and future development.

Objective IL2a: Lake management programs shall use the following management tiers around all Highlands Region lakes of greater than ten acres in size: 1. A Shoreland Protection Tier consisting of an area measured 300 foot or the first property line perpendicular from the shoreline of the lake; 2. A Water Quality Management Tier consisting of an area measured 1,000 foot perpendicular from the shoreline of the lake, including the shoreland protection tier; 3. A Scenic Resources Tier consisting of an area measured 300 to 1,000 foot perpendicular from the shoreline of the lake, scaled based upon the view distance from the opposite shoreline, and determined through the size and layout of the lake, with wider portions of lakes having longer view distances; and 4. A Lake Watershed Tier consisting of the entire land area draining to the lake, through the evaluation of drainage areas using LiDAR topographic analyses or other topographic data where LiDAR data are not available.

Policy IL4: To establish and implement management strategies to help protect lake water quality and ecosystem values from the impacts of present and future development for all lakes.

Policy IL6: To require that conforming municipalities develop and adopt lake restoration plans, with sufficient input from lake community residents and landowners, for each of the municipality's developed

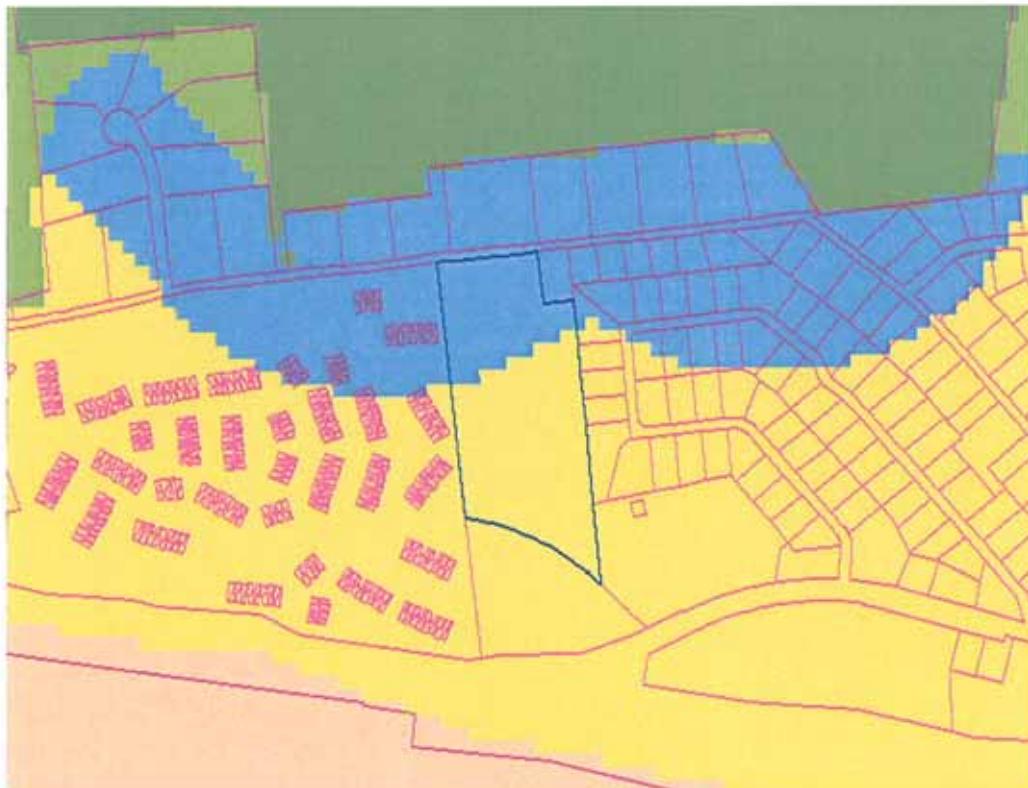
lakes that has been identified as water quality impaired, to include watershed delineation, description of point and nonpoint sources of pollution in the watershed, lake monitoring schedules, existing and proposed in-lake management techniques, and recommended watershed best management practices. TMDLs adopted by the NJDEP to address known pollution problems may be used as lake restoration plans. For lakes that are privately-held and managed by a single homeowners or lake community association, the municipality may require that the association share in or assume the costs of developing such plans.



Lake Community Sub-Zone

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009



■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

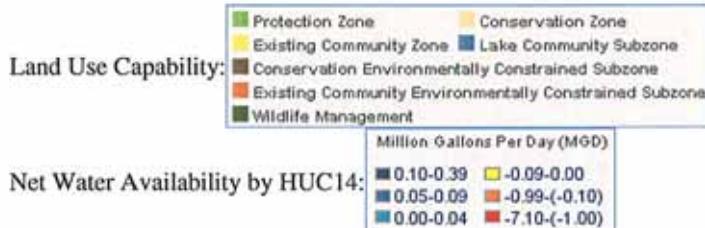
Land Use Capability:

Consists of patterns of community development that are within the Existing Community Zone within 1,000 feet of lakes that are 10 acres or greater.

Policy 1L3: To establish unique standards (as compared to lakes within the Protection and Conservation Zones) for the Lake Community Sub-Zone within the Existing Community Zone within 1,000 feet of lakes, particularly with respect to the Shoreline Protection Tier, to prevent degradation of water quality, harm to lake ecosystems, and promote aesthetic values within the Existing Community Zone.



Net Water Availability in Existing Community Zone
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Identifies the portion of a HUC14 subwatershed within the Existing Community Zone.

Policy 2A2: To ensure that increasing water demands do not exceed Net Water Availability or exacerbate existing deficits of subwatersheds. Net Water Availability is affected at a subwatershed level by location and extent of Land Use Capability Zone Map and its status as Current Deficit Area or Existing Constrained Area.

Objective 2B4b: The highest priority for use of Net Water Availability or Conditional Water Availability within Existing Community Zone subwatersheds, through a Water Use and Conservation Plan developed under Objective 2B8c, local development review and Highlands Project review to serve documented threats to public health and safety from contaminated water supplies, designated TDR Receiving Zones, infill development, designated Highlands Redevelopment Area, affordable housing projects where at least 10% of the units are affordable, or new areas for development that meet all other requirements of the RMP.

Objective 2B4c: Establish and implement mandatory stormwater reuse for recreational and other non-agricultural irrigation, as well as other non-potable water purposes to minimize both the volume of stormwater discharges and water withdrawals for these purposes.

**Current Deficit Area**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Net Water Availability by HUC14:

Million Gallons Per Day (MGD)	
■ 0.10-0.39	■ -0.09-0.00
■ 0.05-0.09	■ -0.99-(-0.10)
■ 0.00-0.04	■ -7.10-(-1.00)

Identifies HUC14 subwatersheds that are in deficit of Net Water Availability.

Policy 2B6: To require through Plan Conformance (including through a Water Use and Conservation Plan developed under Objective 2B8c), local development review, Highlands Project Review, and interagency coordination that proposed public water supply and wastewater service areas, new or increased water allocations and bulk water purchases will not directly or indirectly cause or contribute to a Net Water Availability deficit, and where feasible will help mitigate any existing deficit.

Objective 2B6a: Areawide Water Quality Management Plans, Wastewater Management Plans or their amendments shall ensure that the proposed service area will not directly or indirectly cause or contribute to a Net Water Availability deficit, and shall be in conformance with any Water Use and Conservation Plan developed under Objective 2B8c.

Policy 2B8: To require through Plan Conformance, local development review, and Highlands Project Review the efficient and effective use of water availability, the planning for future water needs, the reduction and elimination of water deficits, and the mitigation of new consumptive or depletive use in any Current Deficit Areas or subwatersheds that could become deficit areas based on projected development and water uses, to ensure sustainable water supply, water resource and ecological values in conformance with RMP policies and objectives.

Objective 2B8a: Prevent net increases in consumptive or depletive water uses in Current Water Deficit Areas to prevent exacerbation of and help reduce or eliminate the deficit to ensure sustainable water supply, water resource and ecological values, emphasizing techniques including, but not limited to water reuse, recycling

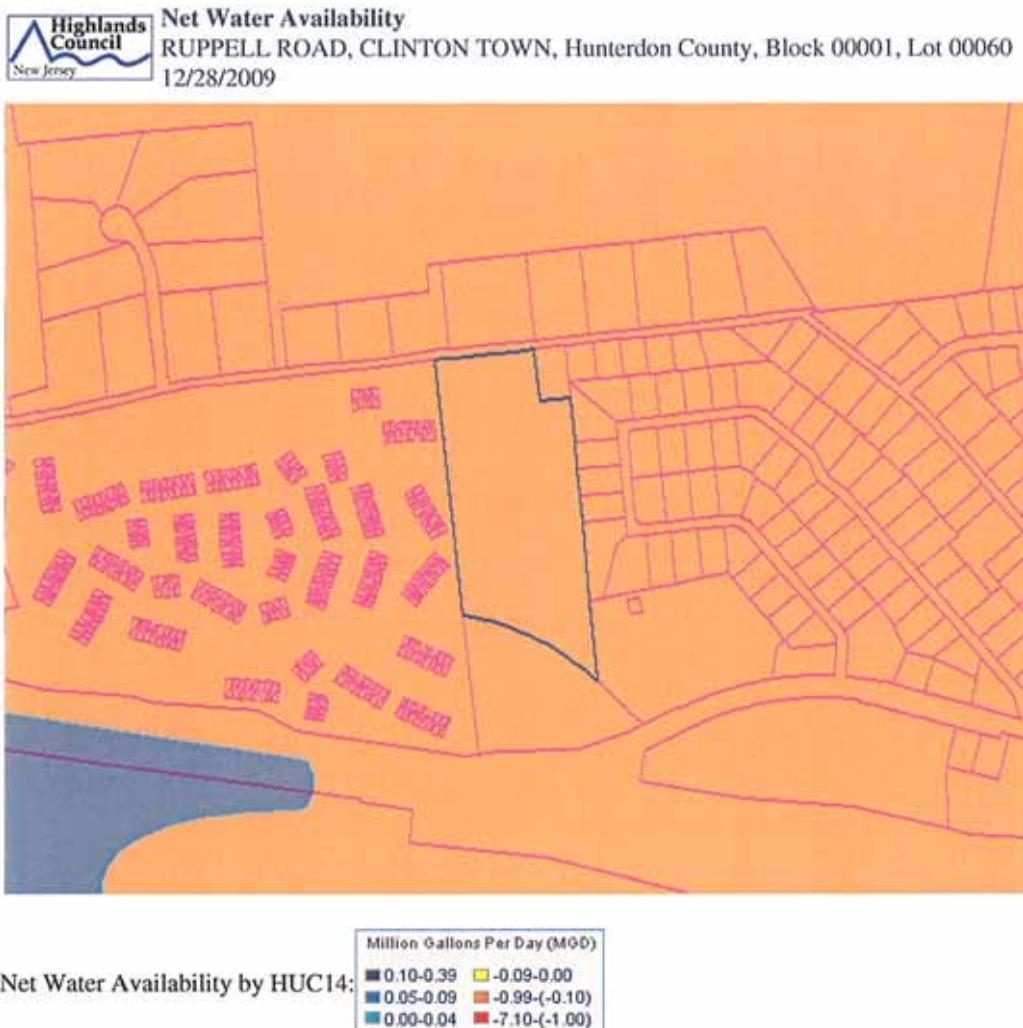
and conservation.

Objective 2B8b: Proposed new consumptive or depletive water uses within a Current Deficit Area shall only occur under the auspices of a Water Use and Conservation Management Plan approved under Objective 2B8c or through mitigation of the proposed consumptive or depletive use within the same HUC14 subwatershed through: a permanent reduction of existing consumptive and depletive water uses; ground water recharge in excess of the requirements of N.J.A.C. 7:8 (Stormwater Management Rules); or other permanent means. Where a Water Use and Conservation Management Plan has not been approved: 1. Each project shall achieve mitigation ranging from 125% to 200%, based on the severity of the Current Deficit and the amount of consumptive or depletive water use proposed; 2. Total consumptive and depletive water uses from any single project and all projects combined are not to exceed the Conditional Water Availability of Objectives 2B3a or 2B3b for any HUC14 subwatershed; 3. Mitigation shall be successfully completed prior to initiation of the water use, except as required by #4, below. Mitigation may be phased in keeping with project development; 4. For water uses where the combination of proposed consumptive and depletive water uses and current subwatershed deficit is high, according to a schedule established by the Highlands Council, off-site mitigation shall be successfully completed prior to any on-site construction. On-site mitigation shall be successfully completed prior to initiation of the water use but may be implemented concurrent with on-site construction. Mitigation may be phased in keeping with the level of consumptive or depletive water uses; and Mitigation plans for a project shall include: specific objectives for each mitigation component; monitoring and reporting requirements; methods by which shortfalls in meeting the mitigation objectives shall be addressed through additional action; and be guaranteed through performance bonds.

Objective 2B8c: Water Use and Conservation Management Plans shall be required through municipal Plan Conformance for all subwatersheds to meet the policies and objectives of Goal 2B, to ensure efficient use of water through water conservation and Low Impact Development Best Management Practices, and to avoid the creation of new deficits in Net Water Availability. Where developed for Current Deficit Areas, the plans shall include provisions to reduce or manage consumptive and depletive uses of ground and surface waters as necessary to reduce or eliminate deficits in Net Water Availability, or to ensure continued stream flows to downstream Current Deficit Areas from Existing Constrained Areas, to the maximum extent practicable within each HUC14 subwatershed. Water Use and Conservation Management Plans shall demonstrate through a detailed implementation plan and schedule how and when the current deficit will be resolved in a subwatershed prior to approval for new water uses in the subwatersheds with the most severe deficits (i.e., in excess of 0.25 million gallons per day), and the plan shall be implemented prior to initiation of new water uses.

Objective 2B8d: All water users within a Current Deficit Area shall seek funding and opportunities to meet the intent of Objective 2B4b.

Objective 2J2a: Limit future water system demand and reduce existing demand where feasible by water systems that are dependent on Current Deficit Areas or Existing Constrained Areas as a source of water.



Net Water Availability is calculated for each HUC14 subwatershed by deducting consumptive and depletive water uses from Ground Water Availability. The Regional Master Plan incorporates Net Water Availability as a capacity threshold on future water uses. Where Net Water Availability is positive, it is assumed there is water available beyond the existing demand. Where net water availability is negative, the subwatershed is in deficit and deemed to be a Current Deficit Area. In Current Deficit Areas where a Water Use and Conservation Management Plan has not yet been adopted, limited amounts of Conditional Water Availability are provided. The use of Net Water Availability or Conditional Water Availability is subject to Regional Master Plan policies.

Policy 2A2: To ensure that increasing water demands do not exceed Net Water Availability or exacerbate existing deficits of subwatersheds. Net Water Availability is affected at a subwatershed level by location and extent of Land Use Capability Zone Map and its status as Current Deficit Area or Existing Constrained Area.

Objective 2B4c: Establish and implement mandatory stormwater reuse for recreational and other non-agricultural irrigation, as well as other non-potable water purposes to minimize both the volume of stormwater discharges and water withdrawals for these purposes.

Policy 2B7: To ensure through Plan Conformance (including through a Water Use and Conservation Plan developed under Objective 2B8c), local development review, and Highlands Project Review that the use of Net Water Availability and Conditional Water Availability within each subwatershed supports development patterns that are in conformance with RMP policies and objectives.

Objective 2B8c: Water Use and Conservation Management Plans shall be required through municipal Plan

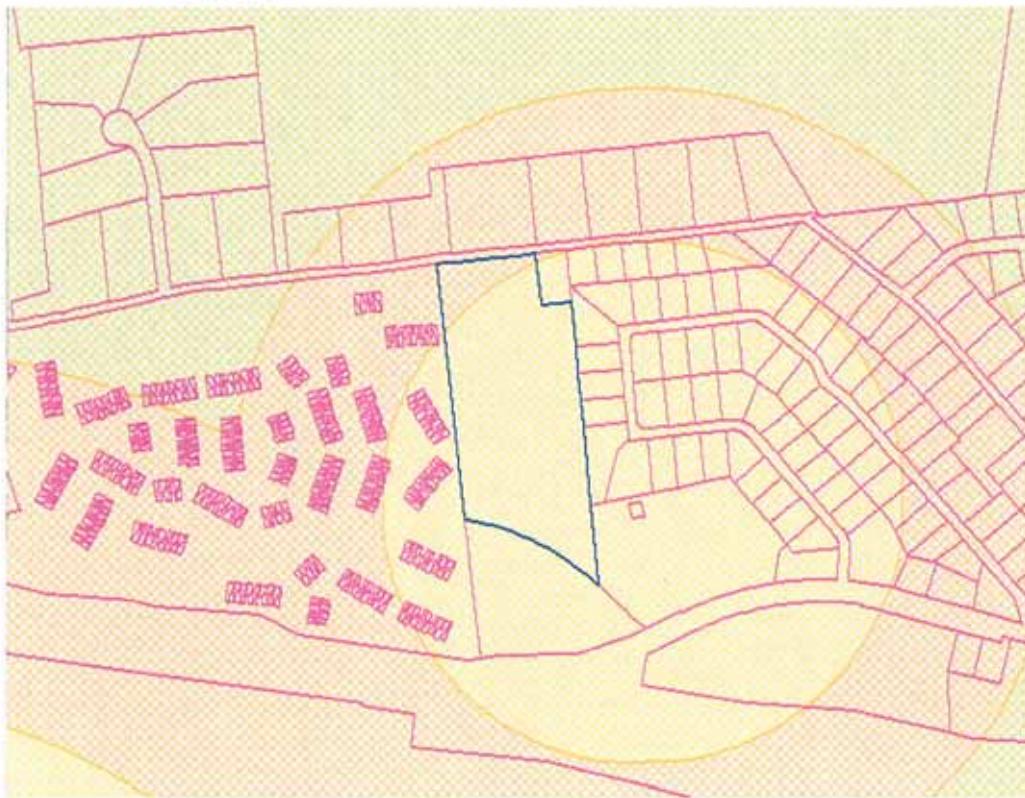
Conformance for all subwatersheds to meet the policies and objectives of Goal 2B, to ensure efficient use of water through water conservation and Low Impact Development Best Management Practices, and to avoid the creation of new deficits in Net Water Availability. Where developed for Current Deficit Areas, the plans shall include provisions to reduce or manage consumptive and depletive uses of ground and surface waters as necessary to reduce or eliminate deficits in Net Water Availability, or to ensure continued stream flows to downstream Current Deficit Areas from Existing Constrained Areas, to the maximum extent practicable within each HUC14 subwatershed. Water Use and Conservation Management Plans shall demonstrate through a detailed implementation plan and schedule how and when the current deficit will be resolved in a subwatershed prior to approval for new water uses in the subwatersheds with the most severe deficits (i.e., in excess of 0.25 million gallons per day), and the plan shall be implemented prior to initiation of new water uses.

Objective 2J2b: Limit future water system demands to levels that will not create a Current Deficit Area where one does not currently exist.

**Wellhead Protection Areas**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009



Wellhead Protection Area: ■ 2-Year Tier ■ 5-Year Tier ■ 12-Year Tier

A Wellhead Protection Area is a mapped area around a public water supply well that delineates the horizontal extent of ground water captured by a public water supply well pumping at a specific rate over a specific time. Wellhead Protection Areas consist of three tiers; the ground water within each tier takes a specified period of time to travel to the well: Tier 1 is a two-year time of travel; Tier 2 is equivalent to a five-year time of travel; Tier 3 is equivalent to a twelve-year time of travel. Wellhead Protection Areas are important areas for the protection of ground water quality.

Policy 2H2: To develop and implement, through Plan Conformance, local development review and Highlands Project Review, resource protection measures to protect and enhance ground water and water supply resources within Wellhead Protection Areas consistent with the source water assessments for each water supply source.

Objective 2H4a: Require site specific and municipal stormwater management plans to address wellhead protection requirements.

Policy 2H5: To require that conforming municipalities revise master plans and development regulations to address wellhead protection requirements.

Objective 2H5b: Restrict development activities that pose threats to the water quality of public water supply wells.

Objective 2H5c: Ensure that development activities and existing land use activities implement best management practices to protect the quality of ground water within Wellhead Protection Areas.

Objective 2H5d: Amend Areawide Water Quality Management Plans or Wastewater Management Plans for conforming municipalities and counties to ensure that any activity associated with the proposed service area

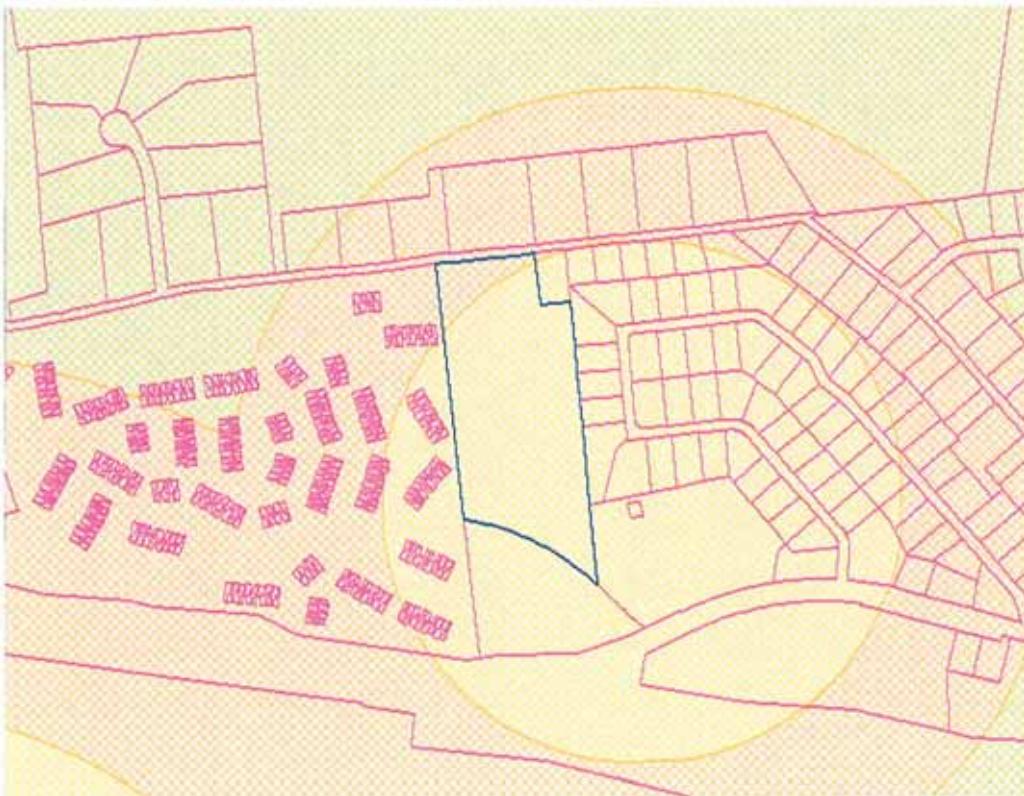
will not adversely affect a Wellhead Protection Area.

Objective 2G6c: Require conforming municipal and county master plans and development regulations to incorporate relevant TMDLs, additional water quality protection measures and wellhead protection for public water supply wells and nitrate standards as development standards.

Policy 6H1: To protect, restore, or enhance sensitive environmental resources of the Highlands Region, including but not limited to Forests, Critical Habitat, Highlands Open Waters and their buffers, Riparian Areas, Steep Slopes, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resource Areas.



Tier 1 Wellhead Protection Area
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Wellhead Protection Area: ■ 2-Year Tier ■ 5-Year Tier ■ 12-Year Tier

Identifies the Tier 1 portion of a Wellhead Protection Area. The calculated time for ground water to travel to the well from this zone is two years.

Objective 2H2a: Prohibit land uses that have a significant potential to result in the discharge of pathogens (including, but not limited to, septic systems and engineered stormwater infiltration from surfaces with significant potential for contact with pathogenic contaminants) to ground water or to the land surface within a designated Tier 1 Wellhead Protection Area, such that they may degrade or contribute to the degradation of ground water quality. Require that the construction of sewer lines within Tier 1 of a Well Head Protection Area prevent seepage of untreated sewage into ground water.

Objective 2H2b: Prohibit land uses that have a significant potential to result in the discharge of persistent organic or toxic chemicals sources (including but not limited to existing discharges of industrial or other non-sanitary wastewater effluent) to ground water or to the land surface within a designated Tier 2 Wellhead Protection Area, such that they may degrade or contribute to the degradation of ground water quality.

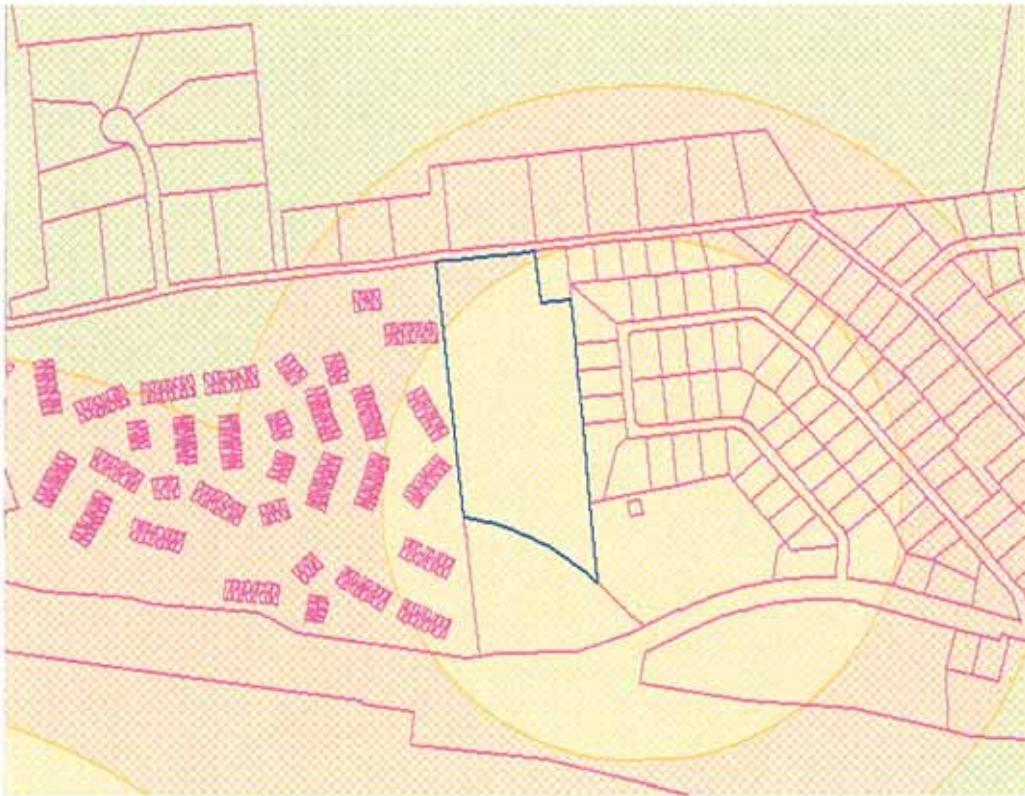
Objective 2H2c: Require that land uses that have a significant potential to result in major discharges of persistent organic or toxic pollutants to ground water or to the land surface (including but not limited to non-sanitary wastewater effluent and any major sources of potential discharges such as spills and leaks), such that they may degrade ground water quality within a designated Tier 3 Wellhead Protection Area, shall incorporate ongoing management of toxic chemical sources and prohibition of unregulated discharges, so that the potential for ground water contamination is minimized and the opportunity for discharge discovery and control is maximized.

Objective 2H4b: Encourage stormwater reuse for non-agricultural irrigation and other non-potable water purposes to minimize the volume of stormwater discharges (other than from clean sources) within a Tier 1 or Tier 2 Wellhead Protection Area.

**Tier 2 Wellhead Protection Area**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009



Wellhead Protection Area: ■ 2-Year Tier ■ 5-Year Tier ■ 12-Year Tier

Identifies the Tier 2 portion of a Wellhead Protection Area. The calculated time for ground water to travel to the well from this zone is five years. Tier 2 also includes the land area within Tier 1.

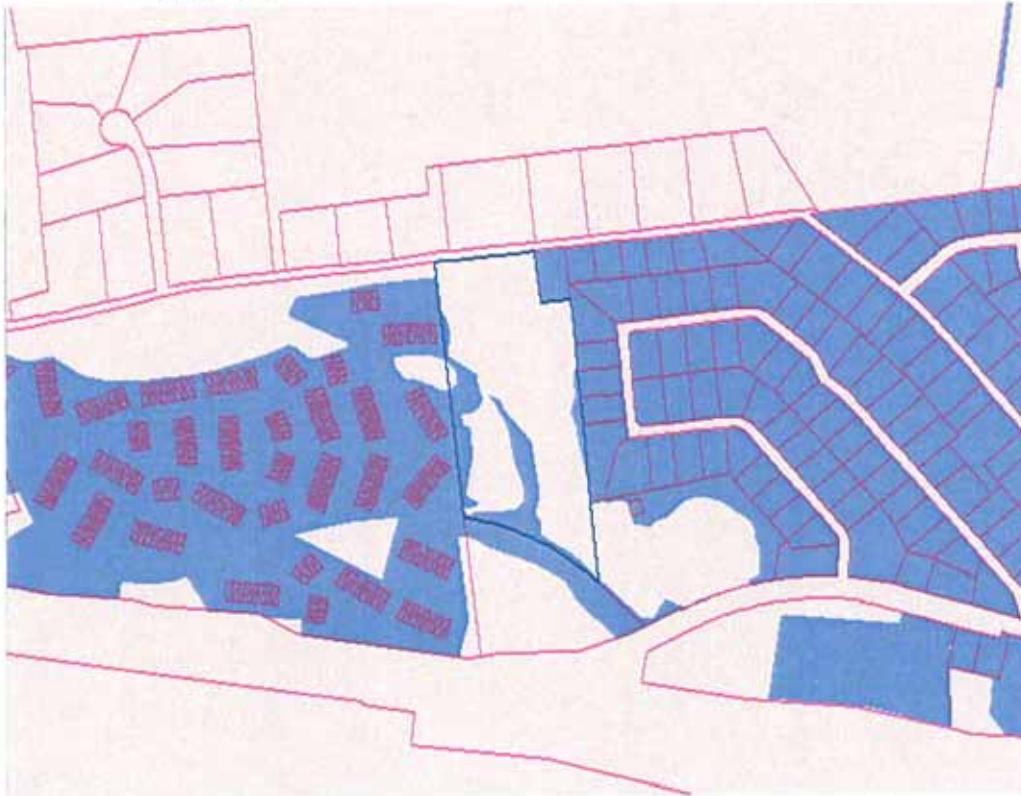
Objective 2H2b: Prohibit land uses that have a significant potential to result in the discharge of persistent organic or toxic chemicals sources (including but not limited to existing discharges of industrial or other non-sanitary wastewater effluent) to ground water or to the land surface within a designated Tier 2 Wellhead Protection Area, such that they may degrade or contribute to the degradation of ground water quality.

Objective 2H2c: Require that land uses that have a significant potential to result in major discharges of persistent organic or toxic pollutants to ground water or to the land surface (including but not limited to non-sanitary wastewater effluent and any major sources of potential discharges such as spills and leaks), such that they may degrade ground water quality within a designated Tier 3 Wellhead Protection Area, shall incorporate ongoing management of toxic chemical sources and prohibition of unregulated discharges, so that the potential for ground water contamination is minimized and the opportunity for discharge discovery and control is maximized.

Objective 2H4b: Encourage stormwater reuse for non-agricultural irrigation and other non-potable water purposes to minimize the volume of stormwater discharges (other than from clean sources) within a Tier 1 or Tier 2 Wellhead Protection Area.



Public Community Water Systems
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



Public Community Water Systems:

Public Community Water Systems displays those areas served by selected public water systems. The map indicates areas that are actually connected to a water distribution system, not simply located in a water utility's franchise area. Smaller, non-community water systems like those serving private developments or schools are not typically included. The Regional Master Plan limits the creation or extension of public water utilities.

Policy 2J2: To ensure, through Plan Conformance and Highlands Project Review, that Highlands Public Community Water Systems conform with Policy 2B6.

Objective 2J2a: Limit future water system demand and reduce existing demand where feasible by water systems that are dependent on Current Deficit Areas or Existing Constrained Areas as a source of water.

Policy 2J6: To encourage water recycling/reuse measures, such as domestic and institutional gray water systems, where appropriate, to minimize water use in existing land uses.

**Highlands Domestic Sewerage Facilities**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009

**Highlands Domestic Sewerage Facilities:** ■

Highlands Domestic Sewerage Facilities displays those areas served by public wastewater utilities. The map indicates areas that are actually connected into a public wastewater collection system, not simply located in a Sewer Service Area. Public sewer systems discharging less than 0.15 million gallons per day (MGD) to surface water or 0.075 MGD to ground water are not included. Private, on-site treatment facilities like a package treatment plant are also not included. The Regional Master Plan limits the creation or extension of public wastewater systems.

Objective 2J4b: Clustered development served by public water supply within the Protection Zone, the Conservation Zone, and the Environmentally-Constrained Sub-zones of the Planning Area shall be approved only if the following conditions are met: 1. The development impacts are otherwise consistent with the requirements of the RMP, including provisions for mandatory clustering in Agricultural Resource Areas pursuant to Policy 3A5; 2. Extension of an existing public water system will occur only where the cluster development is within or immediately adjacent to an Existing Area Served with available capacity; 3. Creation of a new public water system will occur only where such development is not within or immediately adjacent to an Existing Area Served with available capacity; 4. The clustered development preserves at least 80% of the cluster project area in perpetuity for environmental protection or agricultural purposes. To the maximum extent feasible the developed portion (i.e., not including wetlands, Highlands Open Waters buffers, and recreational lands) occupies no more than 10% of the cluster project area if served by a public or community on-site wastewater system; and 5. Where the preserved land in the cluster project area is dedicated to agricultural purposes, the cluster development ordinance and an Agriculture Retention/Farmland Preservation Plan supports continued agricultural viability of the agricultural land and requires the implementation of best management practices, including development and implementation of a Farm Conservation Plan that addresses the protection of water and soil resources prepared by the USDA Natural Resources Conservation Service (NRCS), Technical Service Provider (TSP), appropriate agent or NJDA staff, and approved by the local Soil Conservation District (SCD).

Policy 2J6: To encourage water recycling/reuse measures, such as domestic and institutional gray water systems, where appropriate, to minimize water use in existing land uses.

Objective 2I1a: Designated sewer service areas in the Preservation Area shall be restricted to the Existing Area Served as of August 10, 2004, except to serve development that is approved through a HAD or a HPAA with waiver pursuant to N.J.A.C. 7:38 and Policy 7G1.

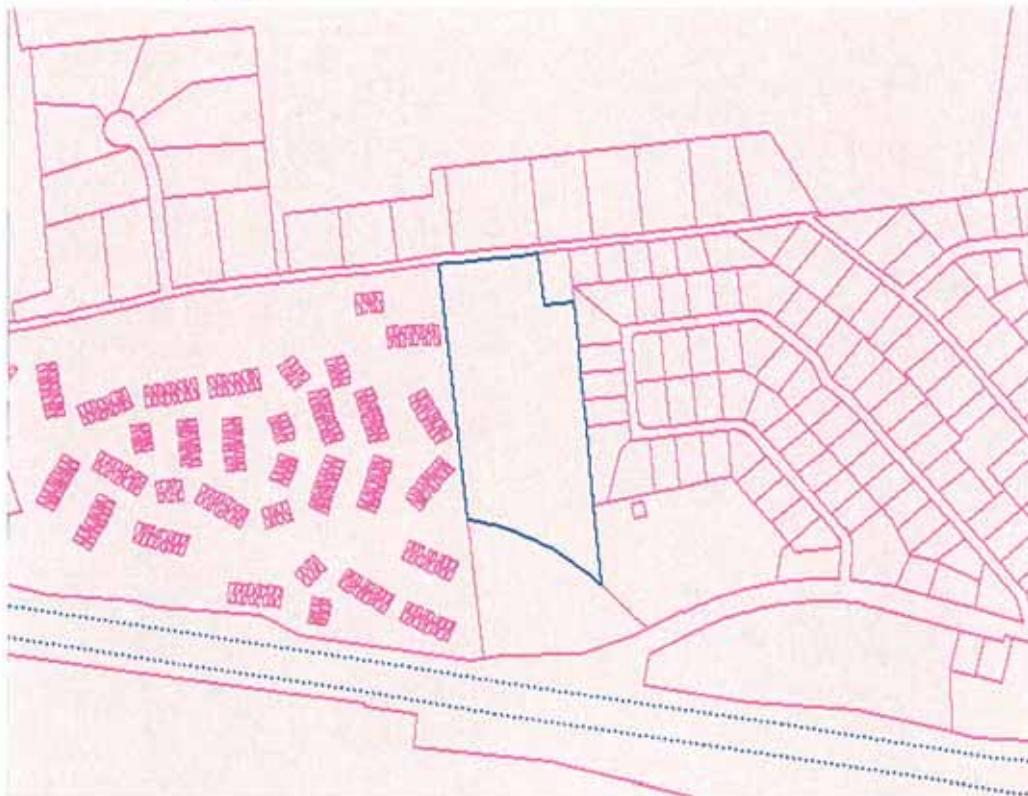
Policy 2K2: To base projected demand for current needs, appropriate economic revitalization and opportunities for designated TDR Receiving Zones within Existing Areas Served on existing maximum three month demands plus an estimate of redevelopment needs based on either Highlands Council regional analyses or more detailed local analyses, to assess whether there is adequate treatment capacity to encourage redevelopment.

Objective 2K3d: Clustered development served by a public wastewater collection and treatment system or community on-site treatment facility within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area shall be approved only if the following conditions are met: 1. The development impacts are otherwise consistent with the requirements of the RMP, including provisions for mandatory clustering in Agricultural Resource Areas; 2. Extension of an existing public wastewater collection and treatment system will occur only where the cluster development is within or immediately adjacent to an Existing Area Served with available capacity; 3. Creation of a community on-site treatment facility will occur only where such development is not within or immediately adjacent to an Existing Area Served with available capacity, where the proposed system is designed, permitted, and constructed at a capacity limited to the needs of the clustered development, and where the system does not create the potential for future expansion into areas that are not the subject of cluster developments immediately adjacent to the initial cluster served; 4. The cluster development preserves at least 80% of the cluster project area in perpetuity for environmental protection or agriculture purposes. To the maximum extent feasible the developed portion of the project area (e.g., not including wetlands, Highlands Open Waters buffers, and recreational lands) occupies no more than 10% of the cluster project area if served by a public or community on-site wastewater system; and 5. Where the preserved land in the cluster project area is dedicated to agricultural purposes, the cluster development ordinance and an Agriculture Retention/Farmland Preservation Plan supports continued agricultural viability of the agricultural land and requires the implementation of best management practices, including development and implementation of a Farm Conservation Plan that addresses the protection of water and soil resources prepared by the USDA Natural Resources Conservation Service (NRCS), Technical Service Provider (TSP), appropriate agent or NJDA staff, and approved by the local Soil Conservation District (SCD).

Objective 2K3e: Allow the expansion or creation of wastewater collection systems within the Existing Community Zone of the Planning Area, other than the Environmentally-Constrained Sub-zone, to serve lands which are appropriate for designated TDR Receiving Zones, infill or redevelopment, to meet needs and protection requirements equivalent to those provided at Objective 2K3c within the Existing Community Zone, or to serve new areas for development that meet all other requirements of the RMP. The highest priority for allocation of excess or additional wastewater treatment capacity is to areas where there are clusters of failed septic systems that are located within or adjacent to Existing Areas Served. TDR Receiving Areas, where designated, affordable housing projects (where the affordable units exceed 10% of the total units), infill and redevelopment shall have higher priority for capacity than other developments requiring expansion of sewer service areas.



Within One Mile of Rail Stations or Within Half Mile of Bus Routes or Park and Rides
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



New Jersey Transit Bus Routes:-

Private Bus Routes:-

- Bergen + Main Line
- Montclair Boonton Line

Rail Stations: ● Morris + Essex Line - Gladstone Branch
● Morris + Essex Line - Morristown Branch
● Raritan Valley Line

Park & Ride Sites: ●

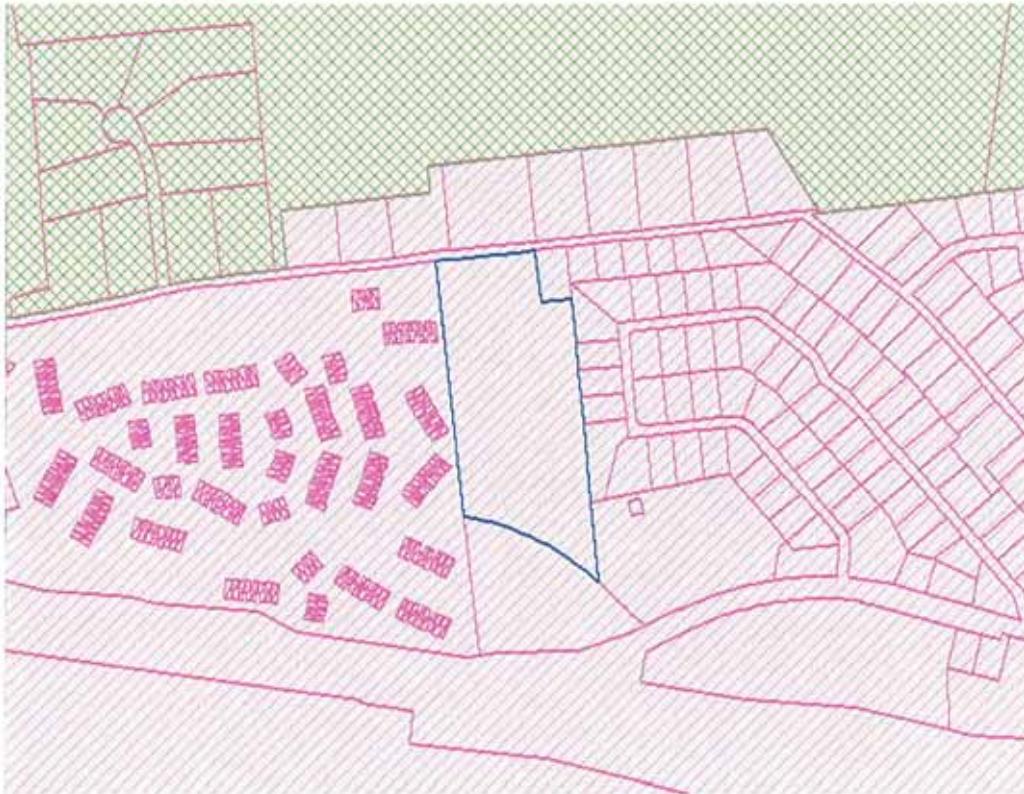
Includes all developed lands within a 1/2 mile buffer from all park and ride locations, rail stations, and NJ Transit public and major private bus routes in or within 1/2 mile of the Highlands Region.

Objective 5E1b: Development and redevelopment in close proximity to rail stations and along bus routes.

**Planning Area**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009



Planning Area / Preservation Area: ■ Planning Area / ▨ Preservation Area

Means lands within the Highlands Region which are not within the Preservation Area.

Objective 7F1d: Planning Area exemptions, issued by the Highlands Council, shall be required, where appropriate, prior to consideration of a local development review or a Highlands Project Review. Guidance shall specify the exceptions where a review may proceed absent such an exemption determination. Applications for exemptions submitted to the Highlands Council shall be based upon the application requirements exemptions codified in N.J.A.C. 7:38.

**Existing Community Zone**

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009

**Land Use Capability:**

■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Consists of areas with regionally significant concentrated development signifying existing communities.

Objective 2J4c: Allow the expansion or creation of public water systems within the Existing Community Zone of the Planning Area, other than the Environmentally-Constrained Sub-zone, to serve lands which are appropriate for designated TDR Receiving Zones, infill or redevelopment, to meet needs and protection requirements equivalent to Objective 2J4a within the Existing Community Zone, or to serve new areas for development that meet all other requirements of the RMP. TDR Receiving Zones, affordable housing projects (where the affordable units exceed 10% of the total units), infill and redevelopment shall have higher priority for capacity than expansion of public water service areas within this Zone.

Objective 2K3e: Allow the expansion or creation of wastewater collection systems within the Existing Community Zone of the Planning Area, other than the Environmentally-Constrained Sub-zone, to serve lands which are appropriate for designated TDR Receiving Zones, infill or redevelopment, to meet needs and protection requirements equivalent to those provided at Objective 2K3c within the Existing Community Zone, or to serve new areas for development that meet all other requirements of the RMP. The highest priority for allocation of excess or additional wastewater treatment capacity is to areas where there are clusters of failed septic systems that are located within or adjacent to Existing Areas Served. TDR Receiving Areas, where designated, affordable housing projects (where the affordable units exceed 10% of the total units), infill and redevelopment shall have higher priority for capacity than other developments requiring expansion of sewer service areas.

Policy 6F3: To ensure that development activities within the Existing Community Zone are subject to standards and criteria which ensure that development and redevelopment incorporate smart growth principles

and do not adversely affect natural resources.

Policy 6F4: To ensure that development and redevelopment within the Existing Community Zone are served by adequate public facilities including water supply, wastewater treatment, transportation, educational and community facilities.

Policy 6F5: To ensure that development and redevelopment in the Existing Community Zone are compatible with existing community character.

Objective 6F6a: Center based development initiatives shall be planned within the Existing Community Zone at densities appropriate to the Zone, the community character, the State Development and Redevelopment Plan. Densities of five dwelling units and above are encouraged, and are required in areas designated as voluntary TDR Receiving Zones where TDR benefits are sought under the Highlands Act.



Existing Community Zone in Planning Area

RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060

12/28/2009



■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Land Use Capability:

Planning Area / Preservation Area: ■ Planning Area / ■ Preservation Area

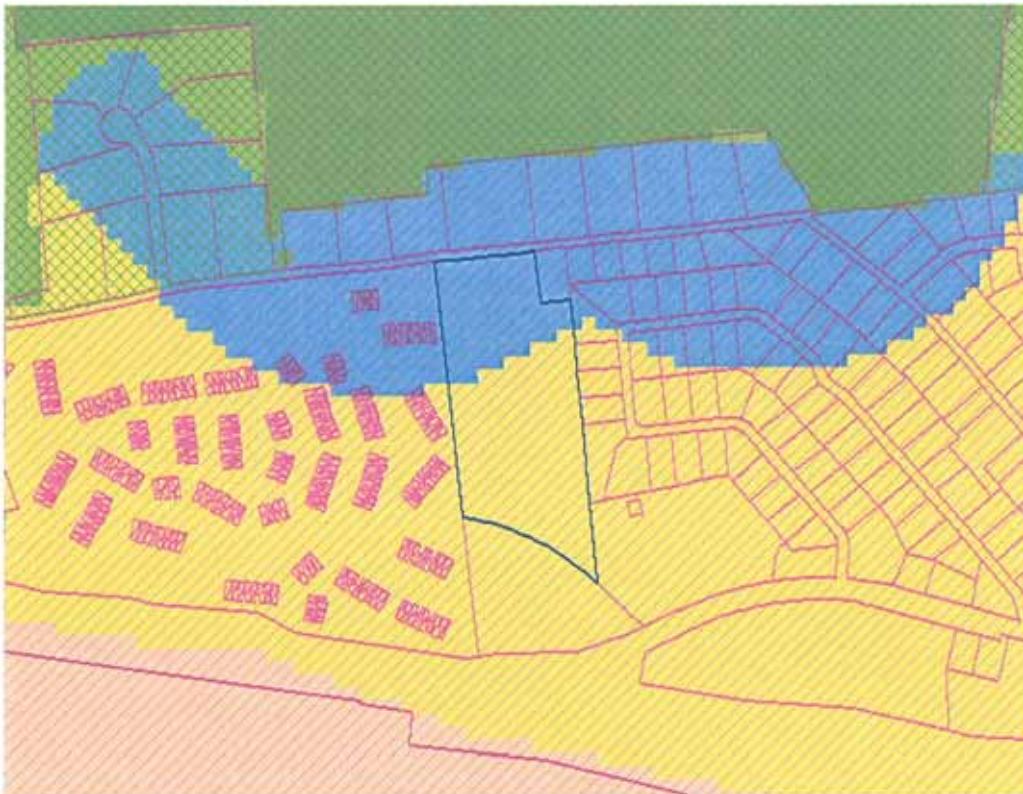
Includes the Existing Community Zone within the Planning Area.

Objective 2L2d: Use a nitrate target of 2 mg/L for the Existing Community Zone within Planning Area, on a project-by-project basis, where new development will rely on septic systems.

Policy 6J2: To encourage redevelopment in the Existing Community Zone in the Planning Area of brownfields, grayfields, and other previously developed areas that have adequate water, wastewater, transportation capacity, and are appropriate for increased land use intensity or conversion to greenfields, as approved through Plan Conformance or the Highlands Redevelopment Area Designation process.



Protection Zone or Conservation Zone or Environmentally Constrained Sub-Zones in
Planning Area OR Existing Community Zone
RUPPELL ROAD, CLINTON TOWN, Hunterdon County, Block 00001, Lot 00060
12/28/2009



■ Protection Zone	■ Conservation Zone
■ Existing Community Zone	■ Lake Community Subzone
■ Conservation Environmentally Constrained Subzone	
■ Existing Community Environmentally Constrained Subzone	
■ Wildlife Management	

Land Use Capability:
Planning Area / Preservation Area: Planning Area / Preservation Area

Includes the Protection Zone, Conservation Zone, Environmentally Constrained Sub-Zones and the Existing Community Zone within the Planning Area.

Policy 2J4: To minimize, through Plan Conformance, local development review and Highlands Project Review, the creation or extension of public water supply systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area, and to allow for the creation or extension of public water supply systems where appropriate within the Existing Community Zone.

**Policies and Objectives not Associated with Features**

12/28/2009

Includes the Protection Zone, Conservation Zone, Environmentally Constrained Sub-Zones and the Existing Community Zone within the Planning Area.

Policy 2J4: To minimize, through Plan Conformance, local development review and Highlands Project Review, the creation or extension of public water supply systems within the Protection Zone, the Conservation Zone and the Environmentally-Constrained Sub-zones of the Planning Area, and to allow for the creation or extension of public water supply systems where appropriate within the Existing Community Zone.
