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Highlands Water Protection and Planning Council
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JACK J. SCHRIER
Acting Chairman

EILEEN SWAN
Executive Director

February 8, 2010

The Honorable Kevin Cimei
Clinton Township
1225 Rt 31 South, Suite D
Lebanon, New Jersey 08833

Subject: Petition for Plan Conformance
2009 Plan Conformance Grant: Module 7
Clinton Township - Grant #09-033-011-1006

Dear Mayor Cimei:

Thank you for your municipality's submission of a Petition for Plan Conformance. On behalf of the Highlands Water Protection and Planning Council (Highlands Council), I am pleased to advise you that your municipality's Petition is Administratively Complete. Within 10 days of the date of this letter, the Highlands Council will provide public notice of and will post the complete Petition on the Highlands Council website at: www.highlands.state.nj.us/njhighlands/planconformance/.

After posting, the process of substantive review of the Petition will begin. We anticipate that this phase will require 45-90 days, culminating in preparation of a Draft Consistency Review and Recommendations Report. This Draft Report will provide a detailed assessment of the Petition for Plan Conformance and its level of consistency with the Highlands Regional Master Plan. The Draft Report will be provided to the municipality for review and consideration, with a municipal response period to follow, prior to any further official action. The Highlands Council will also begin consideration of any RMP Updates or Map Adjustments requested by the municipality. Depending upon the nature and complexity of these requests, their processing may occur on a different schedule than the development of the Draft Consistency Review and Recommendations Report. We will advise you regarding the schedules, process and information needs regarding such requests. The opportunity to request new or additional RMP Updates will continue throughout the Plan Conformance process via an automated process being developed for the Highlands Council website.

Please be advised that a finding of Administrative Completeness does not preclude the Highlands Council from requesting additional information, should it prove necessary during the process of substantive review, to clarify, complete, correct, or modify a Petition in the interest of ultimately achieving Plan Conformance.

Please note that this letter has been copied to all individuals on the enclosed Plan Conformance Service List, which was developed based on the most current municipal information available to the Highlands Council. The list should contain the names and contact information for the specific individuals designated by the municipality to receive copies of all direct communications from the Highlands Council regarding Plan Conformance. Please review the Plan Conformance Service List for inclusion of all appropriate individuals and for accuracy of contact information. To the extent feasible, we would prefer to send copies of the original paper communication to Service List representatives by e-mail. Please be aware that the Service List will become a public document, however, and should not contain personal e-mails that individuals may wish to

keep private. Should modifications to the Service List be necessary, please forward the requested changes by e-mail to your Highlands Council Staff Liaison, whose name and contact information is provided below. Please be advised that the Service List should be limited to municipal officials, staff representatives, and/or municipal professionals responsible for guiding or assisting in the Plan Conformance process. All other interested parties will have access to municipal Plan Conformance reports, status, and Petition materials via postings and tracking sheets to be incorporated into the Highlands Council website. The Service List is a subset of the complete municipal contact list maintained by the Highlands Council, which will be updated by the municipality on-line, as discussed in the Module 7 instructions for Municipal Petitions for Plan Conformance (see Part C, on page 6). Separate instructions have been provided to your Clerk for this update process in time to meet the February 15 and March 15, 2010 deadlines.

We are also pleased to advise that to the extent that you have not already done so, you may now submit all 2009 Plan Conformance Grant invoices accumulated through the date of submittal of your municipality's Petition for Plan Conformance, including costs regarding Modules 3 and 7, and any invoices for Modules 1, 2, 4, 5 and 6. All invoices should be grouped by Module and must be broken down by task, employee, date completed, hours spent, and applicable billable rate. As always, if the total amount of the requested reimbursement exceeds the base amount for a Plan Conformance Grant Program Module, please provide a letter substantiating the need for additional funding along with your invoices. All requests will be considered.

A Highlands Council Staff Liaison has been assigned to each municipality to coordinate interactions with municipal staff and consultants on any issues regarding Petitions for Plan Conformance. The Staff Liaison for your municipality is Chris Ross, Senior Resource Management Specialist, who may be reached by telephone at (908) 879-6737 ext. 116 or via e-mail at chris.ross@highlands.state.nj.us. Should any Liaison assignment or contact information change, we will notify you without delay. If you have questions or concerns regarding grants or invoices, please contact Herbert August, Manager of Grants Administration at (908) 879-6737 ext. 105, or via e-mail at herbert.august@highlands.state.nj.us. Should you or other elected or appointed officials have any other questions, I will also continue to be available to you for all Highlands matters and can be reached at (908) 879-6737 ext. 101, or via e-mail at eileen.swan@highlands.state.nj.us.

Thank you for partnering with the Highlands Council to address the mandates of the Highlands Act and to protect the unique qualities of the Highlands Region. We recognize the significant time and effort that have gone into development of your Petition for Plan Conformance and look forward to working with you to ensure a successful outcome.

Yours sincerely,



Eileen Swan
Executive Director

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New Jersey Highlands Council Administrative Completeness Review
Municipal Petition for Plan Conformance

Municipality: Clinton Township

Date: February 8, 2010

**OPTIONAL MUNICIPAL REQUESTS
RMP UPDATES/MAP ADJUSTMENTS**

Specific Municipal Requests: The Highlands Council has reviewed all requests for RMP Updates and Map Adjustments contained in Petitions for Plan Conformance. Where sufficient information was provided, the Highlands Council is proceeding to substantive review of the proposal, and will notify the municipality. However, in many cases either the municipality indicated an interest in pursuing an RMP Update or Map Adjustment at a later date, or proposed such a change with limited or no information to support it. In the latter case, additional information will be requested for the Highlands Council to consider the proposal.

Note to Preparer: Please be advised that the RMP Updates program provides for updates to all substantive components of the RMP based upon the receipt of new, corrected, or updated factual information and verification by the Highlands Council, when and where necessary to improve the accuracy of the RMP. An RMP Update may, but will not necessarily result in a change of Highlands Land Use Capability Map (LUCM) Zone or Sub-Zone designation. Map Adjustments, on the other hand, allow for limited changes to the Land Use Capability Zone Map based on local planning factors, compliance with the intent and purpose of the Highlands Act and the RMP, and no net loss of resources or resource values, among other limitations. In order to receive approval of a Map Adjustment the applicable Regional Master Plan (RMP) criteria must be met (please see RMP Map Adjustment Program, Regional Master Plan, p.377).

In certain cases, the municipality may wish to consider additions or modifications to the Highlands Area Land Use Ordinance or to the underlying municipal Zoning Ordinance to address such aims as enhancement of environmental protection, rather than pursuing a Map Adjustment. Highlands Protection Zone requirements (e.g., septic system density allowances), for example, could be applied to any underlying municipal zoning district, as the municipality wishes. All such amendments will be considered and upon Highlands Council approval as a component of Plan Conformance, would be entitled to the same level of legal protection as other regulatory changes that are required for Plan Conformance pursuant to the Highlands Act. Application forms for RMP Updates are available at the Highlands Council website. The Highlands Council encourages all municipalities seeking changes such as Map Adjustments, which are not strictly fact-based, to contact our offices to discuss the issues with the Executive Director and appropriate staff.

Submission Guidance: Further guidance will be provided shortly based on your municipality's specific request(s) and all information submitted thus far concerning RMP Updates and Map Adjustments.

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