



HUNTERDON COUNTY PLANNING BOARD

Hunterdon County Administration Building #1
Route 12 County Complex, PO Box 2900
Flemington, New Jersey 08822-2900
Telephone: 908-788-1490 Fax: 908-788-1662

Gregg Rackin
Chairman



Sue Dziamara, AICP/PP
Director of Planning

August 5, 2009

Herbert August, Manager of Grants Administration
New Jersey Highlands Water Protection and Planning Council
100 North Road, Route 513
Chester, NJ 07930-2322

Re: Highlands Council Grant Number: 09-033-010-1000
Initial Assessment Grant

Dear Mr. August,

Please find enclosed the Initial Assessment Grant Findings Report for Hunterdon County under the Initial Assessment Grant Program. The financial reporting documents for the tasks undertaken and completed under the above grant will be submitted within the requisite time frame as outlined in the grant. An electronic copy of the above documents will follow via email.

If you have any questions or concerns, please feel free to contact me.

Sincerely,
G. Sue Dziamara
Director of Planning

A handwritten signature in black ink, appearing to read "Bill Millette".

By: Bill Millette

Enclosures

CC: Sue Dziamara, Planning Director
Hunterdon County Planning Board

Hunterdon County Initial Assessment Grant Findings Report

In April 2009, Hunterdon County applied for and received an Initial Assessment Grant from the Highlands Council to review County planning documents for compliance with the Highlands Regional Master Plan (RMP) as adopted in July 2008. This report satisfies the required deliverables of that grant.

Hunterdon County is one of seven counties within the Highlands region. Of the County's 26 municipalities, 15 are located within the Highlands region. At this time it is Hunterdon County's intent to comply with the requirements of the RMP within the Preservation Area only.

The Hunterdon County Growth Management Plan (GMP) was adopted in 2007 while the RMP was still in the initial planning stages. Since the Highlands region is unique in its features and resources, the County's GMP includes most of the topics that were incorporated into the RMP. These same topics are required to be included in county planning documents in reference to the Preservation Area of the Highlands for compliance with the RMP. The GMP touched on or addressed the areas also noted in the RMP because of the nature of the land use and the natural resources located in the Highlands region of the County. However, the natural resource protection goals will require updates and modifications to comply with specific standards as outlined in the RMP. The attached table, titled Comparative Analysis of the Hunterdon County Growth Management Plan to the Highlands Regional Master Plan, outlines the topics that the RMP addresses and actions required for compliance.

The Highlands Act regards the Highlands region as important and unique, and the RMP addresses this view. Hunterdon County included similar topics when discussing this region in the County's GMP. The topics in the GMP reflect the same mindset and preservation goals that are found throughout the Highlands RMP. However, Hunterdon County's GMP was adopted prior to the RMP data being fully developed, therefore,

Hunterdon County
August 5, 2009

Hunterdon County will be adding or updating existing maps to incorporate the more accurate supporting data contained in the final adopted RMP.

The RMP also calls for greater oversight of land use regulations. Due to the limitations of the County Planning Act and the municipal role in regulations delineated by the Municipal Land Use Law, land use decisions are made and are held solely at the local level. The RMP has many regulations that have a direct effect on land use decisions and as such will have to be administered through the municipality. The County's GMP can be used as a guidance document and can assert the position of the County Planning Board when it comes to the County's views on land use decisions pertaining to the County as a whole. It is the GMP that Hunterdon County municipalities can reference to gain a broader understanding of how land use decisions affect the region as a whole.

One alternative to updates to the GMP for compliance with the RMP is to adopt the Model Highlands Element for County Master Plans. While modifying the County's GMP allows for a line by line analysis to ensure that all elements and areas of the plan conform with the RMP, the Model Highlands Element is a plug-and-play document that ensures that no topics are overlooked. Since this model was developed by the Highlands Council, it addresses all the areas needed to comply with the RMP. However, there are outstanding issues that have been raised regarding the language contained within the Model Element as it pertains to Board of Chosen Freeholder versus County Planning Board jurisdiction. Further review is needed to answer those questions raised regarding the proper entity to address those responsibilities as outlined in the RMP. At this time, the outstanding questions pertaining to the Model Highlands Element make it difficult to determine the appropriate direction for the County to take in bringing county documents into compliance with the RMP. This will need to be addressed as additional information and clarification is received.

In addition to the GMP, Hunterdon County will have to update the County's Land Development Standards (LDS). These standards dictate the methods used by the County for review of subdivisions as well as site plan applications for their impact to county-

Hunterdon County
August 5, 2009

owned drainage structures and county roads. The development review standards will have to include a provision that requires the applicant to submit and gain a Highlands Consistency Determination from the Highlands Council for any application that is located within the Highlands Region and is not subject to review and approval by a municipal land use board. The County will also have to ensure that any and all comments or conditions that result from the Highlands Consistency Determination review are complied with before the County gives unconditional approval of an application.

While Hunterdon County is on the leading edge of digital submission standards in the state, the County will have to modify its submission requirements in order to ensure that the Highlands Council is notified and has the appropriate documents submitted for their review as well. This will ensure that the most up to date and accurate digital information is shared between Hunterdon County and the Highlands Council. It also allows for greater accuracy in future planning and analysis at the parcel level, both by the Highlands Council and Hunterdon County.

The County's inventory of Open Space and Farmland Preservation easements will have to be updated and provided to the Highlands Council in order to achieve Basic Plan Conformance. While the County keeps in-house, up-to-date records of all its Open Space purchases and Farmland Easement projects, these lists will need to be made available for distribution to the Highlands Council.

The Highlands Act requires that all County Capital projects located within the preservation area be submitted to the Highlands Council for a Consistency Determination. In order to comply with this requirement, the Hunterdon County Board of Chosen Freeholders would need to adopt a new policy that outlines the procedure of submitting County Capital projects to the Highlands Council. The Hunterdon County Board of Chosen Freeholders have not elected to conform to the RMP within the Planning Area and therefore this provision would apply to the Preservation Area only.

Hunterdon County
August 5, 2009

The Hunterdon County Board of Chosen Freeholders are also required to adopt Resource Area and Supporting Requirements that regulate water and wastewater for County owned or operated facilities as appropriate within the Preservation Area according to the Highlands Act. The Highlands Council has indicated that these regulations and requirements will be provided by the Highlands Council for the County to review and adopt as appropriate.

The Highlands Council will also provide an Environmental Resource Inventory (ERI) that will include resource data on that portion of the County located within the Highlands Region. This will serve as a more accurate baseline of the critical resources inherent to the Highlands that are located within Hunterdon County. It is this data that will be added into the existing GMP or added to the Highlands Model Element for adoption, as appropriate.

In order to achieve full Plan Conformance within the preservation area, the County is required to prepare a County Self Assessment Report (CSA) that will be designed to lay out the necessary changes that need to be made to County documents. The CSA is also required to include a draft implementation schedule with timelines and milestones for which the County expects to complete the tasks outlined in the report to achieve full Plan Conformance in the Preservation Area. Hunterdon County expects the completion of full Plan Conformance to take 12 to 18 months and at a cost of approximately \$100,000.00. The County expects to utilize current staff at existing levels to complete this task.

Comparative Analysis of the Hunterdon County Growth Management Plan to the Highlands Regional Master Plan

	Hunterdon County Growth Management Plan			Highlands Regional Master Plan	Action(s) needed
	Includes Topic?	page(s)	Addresses RMP?		
Forest Resources	Yes	26	yes	identify forest resources in need of protection	none
			na	develop resource protection measures	none (municipal & BOCF)
			na	develop measurable criteria and indicators to better assess the health and sustainability of highlands forest resources	none (municipal & BOCF)
			na	integrate protection, resoration, mitigation, and enhancement of forest resources into forest management and stewardship policies and plans	none (municipal & BOCF)
Highlands Open Waters & Riparian Areas	Yes	16	no	identify low-high watershed and riparian area values	add
Steep Slopes	Yes	4	no	ID slopes 20% or greater	change identification breaks from 15-25%
			no	ID slopes between 15 and 20%	change identification breaks from 15-25%
			no	ID slopes between 10 and 15% that occur within Riparian area	add
Critical Habitat	yes	6	no	ID critical habitat areas	
				1) critial wildlife habitat	add highlands 1-3 rank
				2) significant natural areas	add
				3) vernal pools	add
			no	develop resource protection measures	none (municipal & BOCF)
		no	establish guidance for muni officials and landowners pertaining to Cirtical habitat conservation and management	add	
Carbonate Rock	Yes	3	yes	ID areas of carbonite rock	add map
Lake Management	No			ID lake resource areas	add map
Water Resources Availability	Yes	21	no	Low Flow Margin analysis based on HUC14	add map and analysis
Prime Groundwater Recharge	Yes	19, 136-strat, 20-map	yes	ID prime ground water recharge areas	add map of prime areas
Water Quality	Yes	23	no	ID surface water quality as set by DEP standards	add
			yes	ID aquifers	none
Wellhead Protection	No			ID wellhead protection areas	add
Stormwater Management	Yes	11, 34&73-strat	yes		none
Water/Wastewater Utilities	Yes	127	yes	ID areas served by Wastewater and Water utilities	none
Septic Densities	Yes	127	no	HUC-14 specific median nitrate concentrations	add
Low Impact Development	Yes	139-strat	no	limit permissible uses/allow for redevelopment/ avoid loss of forests / low impact stormwater standards	Update stormwater standards
Transportation	Yes	Element	no	project review by Highlands Council	update DRC standards
Land Pres/Stewardship	Yes	Element	yes		none
Agricultural Resources	Yes	Element	yes	ID ag lands	none
Cluster Development	Yes	Appendix C, 193, 198, 215, 155-strat	na	(municipal level)	none
Community Facilities	no		na	(municipal level)	none
Sustainable Economic Development	Yes	89	na	(municipal level)	none
Historic, Cultural, Archaeological Resources	Yes	163	no	ID historic properties and districts	add map