



2009 Plan Conformance Grant Program
Module 7.
Municipal Self-Assessment Report
Borough of Wharton, Morris County

Prepared by the State of New Jersey Highlands Water Protection and
Planning Council in Support of the Highlands Regional Master Plan

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MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

PLAN CONFORMANCE GRANT PROGRAM MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

Introduction

The purpose of this Municipal Self-Assessment (MSA) Report is to provide municipalities with a template for the narrative portion of the MSA Report described in the Module 7 Instructions (Section B. 9). The MSA Report summarizes all draft changes to the municipal planning and regulatory programs to date (based at a minimum on the results of Modules 2 through 6 of the 2009 Plan Conformance Grant Program) and all changes that will remain necessary after Basic Plan Conformance to achieve Full Plan Conformance with the Highlands Regional Master Plan (RMP). The MSA Report should consist of a brief narrative only, with the assessment reliant substantially upon inclusion of completed checklists for the MSA Report and the draft Highlands Implementation Plan and Schedule, which were provided as Appendix A with the Module 7 Instructions.

The MSA Report Checklist provides a list of Basic Plan Conformance submission items for the municipal Petition for Plan Conformance. The MSA Report below follows the sequence of the checklist and provides narrative to assist municipalities in completing this MSA Report and the Checklist. The MSA Report Checklist asks the municipality to indicate if the level of preparation of the submission item addresses Basic or Full Plan Conformance. Items denoted by the checkmark box indicate those required to achieve Basic Plan Conformance unless otherwise noted.

Each item in the MSA Report asks for a Status update, as does the MSA Report Checklist. The status in the MSA Report should indicate for each item, whether it is complete as provided in the petition, or will require additional work under Full Plan Conformance. It should also indicate whether an existing document has been included as a substitution for a Module or section of any Module. This would apply for example, if the municipality provided an existing Environmental Resource Inventory (ERI) with edits to achieve consistency with the RMP instead of the Highlands Module 4 ERI. Another example would be where a municipality provides existing municipal regulations for a specific natural resource, such as steep slopes, as a substitute for the Module 6 model Highlands Land Use Ordinance provisions relative to the natural resource. This should be noted as appropriate in the MSA Report and in the status column of the MSA Report Checklist.

The Highlands Implementation Plan and Schedule Checklist includes all tasks that are not required for Basic Plan Conformance and are not indicated as having been completed in the MSA Report Checklist. For each of these tasks, the Highlands Implementation Plan and Schedule Checklist ask for an “anticipated completion date.” The anticipated completion date shall be calculated based on the date of the Highlands Council’s approval of the Petition for Plan Conformance. For example, if the approval of the Petition for Plan Conformance is granted on April 1, 2010, the anticipated completion date for tasks on the Highlands Implementation Plan and Schedule for the requirements of Full Plan Conformance would begin after April 1, 2010. The anticipated completion date for most of these tasks should fall into the range of six (6) to fifteen (15) months from the approval of the Petition for Plan Conformance. However, some tasks (e.g., Water Use and Conservation Management Plans) may require a longer timeframe. The Highlands Implementation Plan and Schedule submitted with the Petition is considered a draft to be finalized only after discussion between the Highlands Council staff and the municipality prior to the Highlands Council approval of the Petition. The final Implementation Plan and Schedule will not only guide the municipality’s Full Plan Conformance activities, but will identify the need for future Plan Conformance grant funding.

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

MUNICIPAL SELF-ASSESSMENT REPORT

Borough of Wharton, Morris County



1. Modules 1 and 2: Highlands Municipal Build-Out Report

The final Highlands Municipal Build-Out Report and supporting documents and files were prepared by the Highlands Council, provided to the municipality, and posted on the Highlands Council website. The Report may be incorporated by reference in the petition. The Highlands Council is providing these reports, so the status in the MSA Report Checklist is complete except where this report is still in development. If relevant, provide comments in the narrative to supplement the final Report.

Status: This item has been completed and as mentioned above, a copy of the final build out report can be obtained from Highlands Council Website. <http://www.highlands.state.nj.us/njhighlands/planconformance/buildoutreports.html>



2. Module 3: Housing Element and Fair Share Plan

The Highlands Council has developed a timeline for the preparation and submission of petitions for substantive certification based on the COAH deadline extension of June 8, 2010. At minimum, the December 8, 2009 petition must include the following: a. Summary of Housing Obligations, b. Summary and Consistency Review of Proposed Prior Round Sites, and c. Housing Partnership Program narrative (including proposed participation in the Regional Affordable Housing Development Partnership Program or RAHDPP, where applicable). The Module 3 Instructions provide narrative on these submission requirements. The municipality should provide status comments in the narrative to supplement submission items a. through c. as appropriate. [NOTE: Additional submittals are required as of March 1, 2010 (due: draft Housing Element and Fair Share Plan) and June 8, 2010 (due: final versions of each), resulting in submittal of an adopted Housing Element and completed Fair Share Plan by the latter date.]

Status: The submission includes items as required per December 8, 2009 submission.

Item (a) -a summary of housing obligation is provided.

Item (b)-The Borough meets its prior round obligation through two built projects and one unbuilt projects. A summary and consistency review of the proposed site is provided.

Item (c)- The Borough is currently in the process of reviewing the guidelines of the Housing Partnership Program and is not participating in the Housing Partnership Program at this time.

The current submission also includes Workbook D per the Highlands Growth Share calculator. Additional documents shall be submitted as required on March 1, 2010 and June 8, 2010.



3. Module 4: Highlands Environmental Resource Inventory (ERI)

The requirements for Basic Plan Conformance include supplementing a municipality's existing ERI to include all Highlands resource information (or adopting a new ERI if none exists). The Highlands Council provided a model Highlands ERI along with tabular data, which may be used as either a supplement to an existing municipal ERI or as a stand-alone ERI, where the municipality has not previously adopted one. Please indicate in the narrative below whether the Highlands Model will be incorporated into an existing ERI or Natural Resource Inventory, or will be used as a stand-alone document. For municipalities that have already submitted a draft ERI, please

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

indicate whether Highlands Council staff comments and edits have been addressed in the final draft ERI or if outstanding issues need consideration.

Status: The Borough submitted its initial draft Environmental Resource Inventory (ERI) on June 24, 2009. Attached is the final draft of the Environmental Resource Inventory addressing the September 30, 2009 Highlands Council comments. The ERI is a stand-alone document as the Borough does not have any such existing ERI document.



4. **Module 5: Highlands Element of Municipal Master Plan**

The requirements for Basic Plan Conformance include revisions to municipal master plans that will bring them into alignment with the Highlands RMP. The Highlands Council provided a Model Municipal Master Plan “Highlands Element” to assist municipalities in addressing the mandatory master plan requirements necessary to achieve Basic Plan Conformance. The Highlands Element is intended to be used as a supplement to existing municipal master plans for application to land use and development in that portion of the municipality for which Plan Conformance is sought. Each section of the Highlands Element is referenced below, and it is noted in the narrative if requirements are for Basic or Full Plan Conformance. For municipalities that have already submitted a draft Highlands Element, please indicate whether Highlands Council staff comments and edits have been addressed in the final draft Highlands Element or if outstanding issues need consideration. [NOTE: Under 4.a through 4.i below, where an item is listed as a “Basic Plan Conformance requirement” all of the necessary information has already been provided to the municipality as part of the Model Highlands Element prepared by the Highlands Council. Inclusion of the text in the draft municipal Highlands Element submitted with the petition constitutes completion of the requirement.]

- a. **Statement of Policies, Goals and Objectives:** Basic Plan Conformance requirement.
- b. **Land Use Plan Element:** Basic Plan Conformance requirement. However, an up-to-date Land Use Inventory (inventory) is not a requirement for Basic Plan Conformance. The municipality should submit their most current inventory. If the inventory requires updates it will be a Full Plan Conformance requirement. If an up-to-date inventory has been completed and submitted with the petition; it should be noted as “Full” in the level of preparation column in the MSA Report Checklist.
- c. **Housing Plan Element:** Included in the Module 3 submission.
- d. **Conservation Plan Element:** Basic Plan Conformance requirement.
- e. **Utility Services Plan Element:** Basic Plan Conformance requirement.
- f. **Circulation Plan Element:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. Where no Plan exists; one will be developed and adopted as a Full Plan Conformance task.
- g. **Land Preservation and Land Stewardship Plan Element including updated preserved land inventory and map:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. Where no Plan exists; one will be developed and adopted as a Full Plan Conformance task. The updated preserved land inventory and map is a Full Plan Conformance task.
- h. **Agriculture Retention/Farmland Preservation Plan Element (if applicable) including updated preserved land inventory and map:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. Where no Plan exists; one will be developed and adopted as a Full Plan Conformance task. The updated preserved farmland inventory and map is a Full Plan Conformance task.

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

- i. **Community Facilities Plan Element:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. Where no Plan exists; one will be developed and adopted as a Full Plan Conformance task.
- j. **Sustainable Economic Development Plan Element:** Basic Plan Conformance requirement.
- k. **Historic Preservation Plan Element:** Basic Plan Conformance requirement. This Plan supplements an existing municipal Element, as applicable to goals and objectives for the Highlands Area. Where no Plan exists; one will be developed and adopted as a Full Plan Conformance task.
- l. **Relationship of Master Plan to State/Regional/Local Plans:** Basic Plan Conformance requirement.
- m. **Development Transfer Plan Element:** Optional

Status: The Borough has submitted its draft on September 2, 2009. The Borough recently received its comments on the draft on November 25, 2009. The Borough is currently editing the draft per the received comments. As indicated, the edited copy is not submitted with the December 8, 2009 as it is not required. However, the Borough will be submitting the draft over the coming days.

5. **Module 6: Highlands Land Use Ordinance**

The requirements of Basic Plan Conformance include the regulation of new development through a Highlands Land Use Ordinance. The Highlands Council developed a model Highlands Land Use Ordinance, including language addressing all requirements applicable to Basic Plan Conformance. In accordance with instructions provided for Module 6; the municipality should submit an edited version of the model Highlands Land Use Ordinance and if applicable, may submit existing municipal ordinances that are more restrictive or more comprehensive with respect to certain resources. [Note: Development of additional municipal regulations concerning the prevention of pollution and public health threats from existing land uses will be required as a component of Full Plan Conformance in the years 2010 and beyond. As such, these are not included in the MSA Report Checklist, but do appear in the Highlands Implementation Plan and Schedule.]

Status: Attached with this submission is the Module 6- Draft Highlands Land Use Ordinance for Borough of Wharton. The draft ordinance is based on the model Planning Area Draft Highlands Land Use Ordinance.

6. Redevelopment and Rehabilitation Plans (Adopted or Proposed)

Redevelopment and Rehabilitation Plans are not a requirement of Basic Plan Conformance. The municipality may choose to incorporate narrative on adopted or proposed redevelopment and rehabilitation plans to supplement the Petition for Plan Conformance.

Status: *This item has not been provided as not a requirement of Basic Plan Conformance.*

7. Management Plans and Ordinances

Management plans and ordinances are not a requirement for Basic Plan Conformance. The municipality may wish to supplement their Petition for Plan Conformance with available draft plans or ordinances, such as a Wastewater Management Plan or a Stormwater Management Plan.

Status: *This item has not been provided as not a requirement of Basic Plan Conformance.*

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

8. Discretionary Items, List (Optional)

Discretionary items are not a requirement of Basic Plan Conformance. These are additional materials beyond those required for a Petition for Plan Conformance that the municipality believes will support the petition. For example, a draft or adopted municipal ordinance that supports the Petition for Plan Conformance.

Status: *This item has not been provided as not a requirement of Basic Plan Conformance.*

Draft Highlands Implementation Plan and Schedule Checklist – Full Plan Conformance Tasks

Municipalities shall also include a draft Highlands Implementation Plan and Schedule Checklist, which provides a listing of items from the MSA Report Checklist that are not required for Basic Plan Conformance and are not indicated by the municipality as having been completed. To the extent known, the municipality should insert a brief narrative below indicating the anticipated approach (not including budget estimates) to achieving the tasks listed in the draft Highlands Implementation Plan and Schedule Checklist. For example: preparation of incomplete portions of the Highlands Element will be developed by the municipality's professional planner; conservation management plans will be developed following receipt of guidance from the Highlands Council, with assistance from professionals having specialized expertise in each area. The municipality may prioritize Full Plan Conformance tasks based upon municipal interest and the Highlands Council will work to assist in addressing those priorities.

The actual schedule for Full Plan Conformance will be developed by the municipality and the Highlands Council during the review of the Petition for Basic Plan Conformance.

Status: Status: As shown above, the Borough has completed its seven modules required towards Basic Plan Conformance. The Borough being completely in a planning area has the option of deciding whether to opt in or not to the Highlands Regional Master Plan. As mentioned in the cover letter, the Borough is currently reviewing the pros and cons of opting in the Regional Master Plan. The Borough has however submitted an implementation schedule per Appendix A. As shown in the Implementation schedule, the Borough needs to complete several of the modules including:

1. Housing Element and Fair Share Plan (due June 8, 2010) - Burgis Associates (Borough's Planners) will prepare the Housing Element for the Borough. If conforming the Borough will have to address 16 unit growth share obligation via various affordable housing mechanisms as highlighted in the COAH third round rules.
2. Environmental Resource Inventory (ERI): As indicated before, the Borough does not have an adopted ERI, the draft prepared based on model Highlands ERI would serve as the basis for the ERI. The draft needs to be updated and tailored to the specifics of the Borough. Burgis Associates shall work in collaboration with the Highlands in drafting of this document.
3. Highlands Element Master Plan- The Borough has created a draft Highlands Element Master Plan based on the Model Highlands Master Plan Element dated July 2009. The Borough held a public meeting on August 11, 2009 to discuss the element as per the Highlands Council requirement. The Borough's most recent adopted document is the 2005 Master Plan Re-examination Report and Land Use Element. The Borough may consider adopting a comprehensive Master Plan and various elements in order to incorporate the Highlands Element Master Plan.
4. Board of Health Ordinances- The Borough's Board of Health along with Highlands Plan Conformance will prepare these ordinances.

MODULE 7: MUNICIPAL SELF-ASSESSMENT REPORT

5. Management Plans and Ordinances- Burgis Associates will work with the Borough in preparing various management ordinances based on Highlands Council guidance. This may include preparing Water Use and Conservation Management Plans.
6. Resource Management Plans- Based on the final ERI, the Borough in collaboration with the Highlands will prioritize the various resources and prepare resource management plans.
7. RMP Updates/ Map adjustments: As indicated, the Borough currently requests two RMP updates. The Borough may in future seek further map adjustments and RMP updates.

There are several other documents that would need to be revised or amended **if the Borough considers conforming to the Highlands Regional Master Plan**. These documents may include regulatory documents, redevelopment plans and may also include RMP updates and Map adjustments. The Borough in consultation with the Borough Planner, Borough Engineer and other such experts shall work with the Highlands Council to achieve its Plan Conformance based on the Borough's decision.