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Municipalities, Highlands Council Consider 'Smart Growth' Planning

Projects may bring development and preserved lands to Pohatcong, Byram, Washington Twp

CHESTER, N.J. – At its meeting today, the New Jersey Highlands Water Protection and Planning Council approved a Highlands Redevelopment Area designation for a project in Washington Township (Morris County), and conceptually reviewed a Center Designation and a Map Adjustment, setting the stage for sustainable development while preserving natural resources in Byram (Sussex County) and Pohatcong (Warren County).

“These projects show that the Highlands Council is both a water protection Council and a planning Council,” Highlands Council Acting Chairman Jack Schrier said. “And that we will continue to follow the directives of the Highlands Act to direct sustainable growth in or adjacent to already developed areas while protecting contiguous areas for natural resources.”

Highlands Redevelopment Area for Heath Village Retirement Community

The Highlands Council approved a Highlands Redevelopment Area designation for the Heath Village Retirement Community in Washington Township, Morris County. Though the project is in the Preservation Area, the Highlands Act allows for redevelopment of sites that are already disturbed with impervious surfaces. The site consists of several contiguous parcels totaling 164 acres; however, the proposed redevelopment area is limited to 53 acres. Under the proposal, eight existing residential structures would be destroyed and replaced with four new buildings, and four one-story attached units would be built to replace an existing single-family home. No disturbance is proposed of the natural resources that exist on the site; however, two buildings encroach into a Highlands Open Water buffer, and one building is entirely within an already disturbed buffer area.

The Highlands Council recommended that the applicant develop a mitigation plan to protect the Highlands Open Water Buffer, and a stormwater management plan that includes directing rooftop

runoff into recharge basins to offset the increased water demand from an area already found to be in water deficit. The project now requires a Highlands Preservation Area Approval from the New Jersey Department of Environmental Protection (with any waivers the NJDEP considers to be appropriate) before it can proceed. The remainder of the property – 111 acres – will be deed restricted to prevent further development.

In March, the Highlands Council also approved two redevelopment projects: upgrades to the materials storage and handling capacity at Borealis Compounds, a plastic manufacturing facility in Mansfield Township; and a redevelopment of the municipal complex and construction of a new public library in West Milford.

“The project approved today, following the two redevelopment projects approved last month, show that the Highlands Council is a resource for municipalities to achieve sustainable growth in the Highlands Region, while preserving the open space and natural resources that are so important to Highlands residents and the State of New Jersey,” Highlands Council Executive Director Eileen Swan said.

Map Adjustment for Pohatcong Township

In a work session, the Highlands Council considered the possibility of a Map Adjustment for Pohatcong that was requested by the Township as part of the municipality’s Highlands Regional Master Plan Conformance Petition for both the Preservation Area and the Planning Area. The 170-acre site is in the Planning Area, but development opportunities were limited due to the presence of an Agricultural Resource Area, Carbonate Rock, Critical Habitat, Highlands Open Water buffers, and Wellhead Protection Area. However, the project also is part of the township’s Affordable Housing zoning district, which is the product of affordable housing litigation, and is a key component of the township’s current Affordable Housing Plan. Sewer capacity had been specifically reserved under a Court Order to serve this project.

The township already has given the project preliminary subdivision and site plan approval for both parcels, which would have allowed up to 401 single-family lots, two apartment buildings containing a total of 44 low and moderate-income affordable units, and one lot for future retail use. Under the original proposal, the development would have spread across 81 percent of the 170-acre property and generated 152,550 gallons per day of wastewater.

However, the project design was significantly revised in response to the September 23, 2008, consistency review by the Highlands Council, performed in consideration of the applicant’s proposed Water Quality Management Plan amendment by the New Jersey Department of Environmental Protection.

The new design uses a clustered development – 45 acres will be disturbed, with 125 acres preserved as open space (73.5 percent of the entire area) that may be used for agricultural purposes consistent with Highlands Council protections specified in the Regional Master Plan. The number of units also was reduced to 122 single family homes, 76 town homes, and 44 apartments that will be deed restricted for low/moderate income households. The projected wastewater flow is 69,750 gallons per day – a reduction of 82,800 gallons per day. The new site design also creates contiguous areas of open space that will benefit the Alpha Grasslands, a Natural Heritage Priority Site supporting

breeding and wintering grassland birds including state-endangered Vesper Sparrows, state-threatened Grasshopper Sparrows, and state-special concern Eastern Meadowlarks.

Center Designation for Byram Township

The Highlands Council also considered a proposed mixed-use development in Byram Township as part of a Center Designation. The development will incorporate housing (apartments, townhomes and single-family homes), including 44 affordable housing units, along with retail and office space plus civic space, parkland, and open space.

The Highlands Act supported the use of Center Designations to promote growth in or adjacent to developed areas. Byram Township has an existing Center approved by the State Planning Commission, but it expires May 19, 2010. As part of its Petition for Plan Conformance to the Highlands Council, Byram requested an extension/renewal of its Center Designation.

Byram Township had proposed, in 2002 and in 2008, a Village Center for the approximately 60-acre core area using a two-phased approach conditioned on future sewer capacity that included 130 homes and 110,000 square feet of retail and office space. The Highlands Council and Byram Township's professionals worked together and the resulting proposal, discussed today by the Highlands Council, includes 125 homes and 90,000 square feet of retail and office use, protects the Highlands Open Water Buffer area, minimizes disturbance in steep slope areas, and allows for 25 acres of contiguous forest and critical habitat lands to remain undisturbed.

The Highlands Council and Byram Township worked in partnership to re-configure the proposed developed area for the Village Center core. The new design would protect 50 percent of contiguous forested lands and also turn a two-phased development initiative into a single phase that not only meets the local desired homes, retail, office, civic space and affordable housing needs, but also is within existing water and sewer utility capacity conditions. The proposed Highlands Center identifies and protects Highlands Resources, allows for center-based development, promotes local economic development and supports Department of Transportation infrastructure investments.

“Byram and Pohatcong are to be congratulated on their work, which combined the protections of the Highlands Regional Master Plan while fulfilling initiatives identified in each municipality's local master plan,” Highlands Council Executive Director Eileen Swan said. “This is an example of how we can partner to plan for sustainable development and resource protection.”

More information about projects reviewed by the Highlands Council can be found on the Highlands website at: <http://www.highlands.state.nj.us/njhighlands/projectreview/>.