



2009 Plan Conformance Grant Program
Module 1.
Current Municipal Conditions and
Build-Out Analysis

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

January 2009

PLAN CONFORMANCE GRANT PROGRAM
MODULE 1: CURRENT MUNICIPAL CONDITIONS
AND BUILD-OUT ANALYSIS

1.0 Introduction

Documentation of Current Municipal Conditions

A build-out analysis requires that municipalities have complete and current information available regarding developable lands (including identification of preserved lands) and areas currently served with water supply and wastewater utility services. The Highlands Council will provide to each municipality the information available on these features, using a Municipal Build-Out Geodatabase. The Highlands Council will also provide preliminary information on current available capacity for both water supply and wastewater utility services in the municipality for verification by the municipality. Municipalities will then check the information and either accept it as sufficiently accurate for a build-out analysis, or prepare data reports on current municipal conditions that provide improved information.

Municipalities that participated in the Initial Assessment (IA) Grant Program have already begun compiling information on current municipal conditions. The Plan Conformance Grant program will make additional funding available to these municipalities, if needed, to complete the process for a build-out model, and for later submittal of formal RMP Updates for Council approval. Municipalities that did not take advantage of the IA Grant program will receive full funding through the Plan Conformance Grant Program to complete data reports on municipal conditions, and then to file RMP Updates. Data reports on municipal conditions (or verification that none are required) must be sealed by a licensed professional (planner, engineer, or attorney) and submitted in accordance with Highlands Council data specifications and requirements.

RMP Updates (see the relevant section in the Highlands Regional Master Plan) may be submitted at any time, with full verification in accordance with Highlands Council data specifications and requirements. Highlands Council approval of RMP Updates is not required for completion of the Municipal Conditions and Build-Out Analysis. However, data reports on current municipal conditions (or verification that none are required) that are sealed by a licensed professional and submitted in accordance with Highlands Council data specifications and requirements are required for this module.

Municipal Build-Out Analysis

After Highlands Council reviews the revised municipal conditions data, it will provide to each municipality a revised Municipal Build-Out Geodatabase and local build-out analysis based on existing conditions. The Council staff determination will specifically identify the

maximum build-out potential of a municipality based on available land, infrastructure and environmental carrying capacity, consistent with the RMP, with the latter two values being provided in gallons per day rather than development units. The municipality shall review the final results and identify any issues, including updated municipal conditions, for consideration by the Council.

The Plan Conformance Grant provides for up to \$15,000 to be used for the identification and submission of sealed data reports on municipal conditions and RMP Updates, and review and comment upon the Build-Out Analysis.

Additional Funding

Should a municipality find that additional funding is necessary in order to properly complete the Plan Conformance Module requirements, a written request should be submitted to the Executive Director providing a statement of need, the rationale for approval of such request, and the specific tasks for which such additional funding is required.

1.1 Detailed Scope of Work

Task 1: Municipalities will be required to submit a sealed data report on current municipal conditions using the Municipal Build-Out Geodatabase. The relevant information required for the data report is parcel based and includes the following:

- Preserved Lands/Open Space;
- Parcels served by utilities (water, sewer);
- Developed lands; and
- Lands available for development (developable lands).

Additional relevant information includes modifications to the preliminary information on current available capacity for both water supply and wastewater utility services in the municipality, specifically including whether regional utilities are committed to providing specific flow allocations to the municipality, rather than providing services within their service area on a first-come, first-served basis. The Highlands Council's preliminary information on current available capacity assumes that such contractual obligations do not exist.

The municipal conditions data report prepared for a municipal Build-Out does not represent a Highlands RMP Update until such time as full documentation has been provided and the information has been verified by the Highlands Council, which may occur subsequent to completion of the municipal Build-Out. Accordingly, municipalities may submit RMP Updates and support documentation to the Highlands Council for verification at a later date.

Task 2: Based on the data report the Highlands Council will provide the municipality a revised pre-populated Municipal Build-Out Geodatabase and build-out capacity conditions for developable parcels (i.e., a land-based build-out assuming no constraints other than location within wastewater/water supply utility service areas, or for those lands not within a

wastewater utility service area, the Septic System Yield based upon Land Use Capability Map Zone policies). The Highlands Council will also provide revised values (in gallons per day) for Wastewater Utility current available capacity or Public Community Water Supply Utility current available capacity. Where the build-out results indicate that the Municipal land-based build-out potential exceeds the HUC 14 Water Availability for that municipality, the Highlands Council will also provide Water Availability values (in gallons per day).

The Municipality may review the provided Municipal Build-Out Geodatabase, land-based Build-Out and capacity constraints provided by the Highlands Council and either accept the results as sufficient for the municipal build-out or provide an updated sealed data report on current municipal conditions using the Municipal Build-Out Geodatabase.

1.2 Technical Proficiency

Due to the technical nature of the RMP Update and Build-Out Analysis procedures, these tasks must be completed by individual(s) meeting, at a minimum, the qualifications outlined below. All applications must include certification of the technical proficiency of the professional(s) selected or assigned to complete these tasks (use attached *Statement of Technical Proficiency*).

In the event a municipality is for any reason unable to assign or otherwise engage individual(s) qualified as provided herein below, the Highlands Council will provide the technical analysis and will not fund the municipality to complete the technical portions of this Plan Conformance Module.

System Requirements: ESRI ArcGIS Desktop 9.3 (ArcInfo or Arc Editor Editions)

The data review portion of this process is intended for proficient Geographic Information System (GIS) users with the appropriate software and hardware for editing both tabular and spatial attributes in personal (single user) geodatabases. Operations include overlaying spatial data, appending, joining and relating tables, heads-up digitizing, structured query language and importing/exporting to/from Microsoft Access and Excel applications.

Professional Staff or Consultant Requirements:

Proficient with system requirements specified above. Requires New Jersey Professional Planning or Professional Engineering License for verification of land use conditions represented in the build-out analysis. Lead consultant must be both familiar and experienced with parcel based build-out analysis as a means to evaluate public water and sewer utility service capacity conditions and the evaluation of developable lands for septic system yield analysis. Familiarity also required with the tax assessor MOD IV data, municipal zoning and land use ordinances, NJDEP Land Use/Land Cover data and open space/preserved lands related to all levels of government, non-profit organizations and water supply authorities. Familiarity is required with the NJDEP regulations at N.J.A.C. 7:10, 7:9A, and 7:15 regarding drinking water, subsurface disposal system, and water quality management planning, respectively.

Local knowledge of parcel based land use conditions, water and wastewater utility service providers, open space/preserved lands and municipal owned lands required for analysis of developable lands that inform the build-out and capacity condition evaluation.

1.3 Schedule for Completion

Municipalities will be expected to complete these Plan Conformance Module Tasks in accordance with the schedule below. **Please note: this grant program includes stringent timelines to facilitate municipal completion of planning to meet the timelines established in the Highlands Act and the timelines for completion of Fair Share planning.**

Deliverables will include the sealed data reports to modify the Municipal Build-Out Geodatabase. In order to coordinate the Highlands Council’s review of the municipal data reports, the deadline for completion of Task 1 will depend on the scope of the modifications to the Municipal Build-Out Geodatabase. Municipalities with minor modifications are encouraged to submit, on or before February 6, 2009, sealed data reports with the modifications or verification that no modifications are required. By making application to the Highlands Council for Plan Conformance Grant funding under this Module, all applicants will be considered to understand and to be committed to the time schedule for completion and submission of grant deliverables.

	Task 1	Task 2
Minor Modifications to Municipal Build-Out Geodatabase	Feb 6, 2009	15 working days from receipt of Council Build-Out results
Major Modifications to Municipal Build-Out Geodatabase Required	Feb 27, 2009	15 working days from receipt of Council Build-Out results

STATEMENT OF TECHNICAL PROFICIENCY

I certify that the individual(s) assigned/engaged or to be assigned/engaged to complete the tasks set forth in Highlands Council Plan Conformance Module 1: Municipal Conditions and Build-Out Analysis, meets or will meet the qualifications outlined therein under Section 1.2.

Name of Municipality

Name of Professional

Firm/Organization

Authorized Signature (Governing Body)

Title

Date