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REGIONAL MASTER PLAN UPDATE

Lebanon Borough, Hunterdon County
RMP Update Nos. 1018-UPD001-091028
1018-UPD002-100318

April 14, 2010

Overview of RMP Updates

The Highlands Regional Master Plan (RMP) addresses the requirements of the Highlands Act to provide guidance to municipalities and counties for the implementation of the resource protection and smart growth policies during Plan Conformance. The Highlands Water Protection and Planning Council (“Highlands Council”) recognizes that the RMP was created at a regional scale and that new, updated, or additional information available at the federal, State, county, municipal, or public level may become available. The RMP Updates Program provides a process for making RMP Updates to the numerous components of the RMP including the LUCM Series, other RMP maps, and supporting base data layers, and the tracking of these changes. Specifically, the RMP authorizes factual updates to the RMP, as follows:

Policy 6G1: To develop a program for RMP Updates for 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.

The RMP Updates Program is designed to facilitate and coordinate the exchange and verification of updated, relevant factual information. As a result the RMP will reflect the most current data for use during Plan Conformance. The RMP Updates Program is an iterative process with the exchange, verification, and administration of factual information between the Council and local government units. It is intended to enhance existing data necessary for local planning which results in up to date, reliable information to be used in municipal and county planning documents and the RMP. Chapter 6 of the RMP provides more detail regarding the intention of RMP Updates, as follows:

Subsequent to receipt of the RMP information and assistance regarding its use, municipalities and counties will assist the Council by examining the information used in the LUCM Series and other elements of the RMP and recommending RMP Updates as needed. Of specific interest will be updates on the following information:

- Development or other land use changes that have occurred and development proposals that have been built subsequent to the Land Use Land Cover aerial photography used in the LUCM Series (currently 2002) or are eligible for Highlands Act exemptions under Policy 7F1;
- Updates and corrections to the Existing Areas Served for both public community water supply systems and public wastewater treatment systems;
- Additional lands preserved for natural resource preservation, parks and recreational open space, historic preservation, farmland preservation, etc.;
- Modifications to stream and flood hazard delineation maps, including both additions and corrections to stream corridor locations;
- Jurisdictional wetlands and transition areas for which NJDEP has provided an updated Letter of Interpretation (LOI);
- Topographic mapping that will enable a more precise delineation of steep slopes;

- Additional NJDEP certified vernal pools, and proposed modifications to vernal pool buffers based on the criteria in the Goals, Policies, and Objectives and discussed in the *Critical Habitat Conservation and Management Program*;
- Modifications to critical habitat boundaries for rare, threatened and endangered wildlife species based on site-specific analyses using methods in Highlands Council guidance;
- Updates regarding transportation facilities that significantly alter the opportunity for multi-modal transportation connections and use; and
- Updates to water withdrawal, water use, and wastewater discharge volumes and locations that would result in a modification of the Water Availability values for HUC14 subwatersheds affecting the municipality, including information that results in recalculation of consumptive and depletive water uses for any subwatershed. In addition, information may be provided regarding specific contracts or rights to utility capacity by municipality, service area or contracted uses (e.g., committed but unconnected users) that will allow for more specific utility capacity determinations by municipality.

Proposed RMP Updates will be verified for accuracy by the Highlands Council and used to determine whether changes in any of the LUCM Series are appropriate. See the *RMP Updates Program* and the *Map Adjustments Program* for additional information.

The Highlands Council may also identify the need for RMP Updates on its own initiative. RMP Updates are approved by the Executive Director of the Highlands Council, with notification to affected municipalities, and to the public through the Highlands Council Web site.

Proposed RMP Update 1018-UPD001-091028

The RMP Update was requested by Lebanon Borough, as presented by Carl E. Hintz, P.P. of Clarke Caton Hintz, in a letter dated July 31, 2009. The request pertains to parcels designated by Borough Tax Maps as Lots 1.03 and 1.04* in Block 4. The parcels are currently owned by the Bellemead Development Corporation.

Originally a majority of Block 4 Lots 1.03 and 1.04 had been designated as Protection Zone as depicted in Figure 2. The RMP Update requested by the municipality was to change the designation from Protection Zone to Existing Community Zone. Examination of the 2002 aerial photograph, which was used as part of the basis for the Land Use Capability Map designation, indicates that the parcels were at that time wooded and part of a contiguous forest area. However, updated aerial photographs from 2008 indicate that substantial development has occurred to the overall site. Lots 1.03 and 1.04 have been cleared and graded. The existing disturbed areas were confirmed with Lisa Specca, P.P. of Clarke Caton Hintz as depicted in Figure 1.

The critical question for this RMP Update was the identification of the existing developed area on Block 4 Lots 1.03 and 1.04.

Highlands Council Evaluation

The 2002 Land Use Land Cover (LULC) data that were used to develop the RMP 2008 Land Use Capability Zones, indicate that Lot 1.03 was at that time primarily a Mixed Deciduous/Coniferous Brush/Shrubland, Code 4440. Lot 1.04 was primarily cropland and pastureland, Code 2100. Current (2009) aerial photography confirms that substantial disturbance has occurred on the two

parcels and that significant portions of the parcels are more accurately represented as LULC Industrial/Commercial Complexes, Code 1500.

The existing municipal zoning for the parcels is Office/Commercial; however, existing zoning did not form the basis for the RMP Land Use Capability Zones. The LULC Code 1500 “includes those industrial and commercial land uses that typically occur together or in close proximity. These areas are commonly referred to as ‘Industrial or Commercial Parks.’ The major types of business establishments located in these planned industrial and commercial parks are light manufacturing, administration offices, research and development facilities, and computer systems companies. Also found here are facilities for warehousing, wholesaling, retailing and distributing.” (Anderson et al, 1976)

Since only portions of Block 4 Lots 1.03 and 1.04 are developed, the Highlands staff digitized as LULC Code 1500 the disturbed areas using current aerial photography and the Stormwater Management Master Plan, Final Plat, and Grading and Drainage Plan provided with the July 31, 2009 letter.

In addition, while reviewing this request Highlands Council staff identified a change in the LULC of an adjacent parcel, Block 4 Lot 1.05. While this parcel was not specifically identified in the request, it appears that its current LULC may affect the parcels for which an RMP Update was requested. The Highlands Council included this area in this RMP Update since in 2002 the area was LULC Mixed Deciduous/Coniferous Brush/Shrubland, Code 4440 and it is clear from current (2009) aerial photography that it is now more appropriately classified as LULC Industrial/Commercial Complexes, Code 1500.

The RMP Municipal Build-Out Report results inform the COAH Workbook D Growth Share information and are therefore included in the evaluation of RMP Updates to ensure the proper reporting of Highlands COAH Growth Share projections. The results of the RMP Updates conducted for Block 4 lots 1.03 and 1.04 were evaluated and determined to have no RMP Municipal Build-Out implications. Block 4 Lot 1.03 (12.2 acres) and Lot 1.04 (10 acres) parcel status were each identified as “Developable with Final Approved Development” in the build-out analysis. The acres of Protection Zone that were updated to Existing Community Zone were considered part of the RMP build-out “environmental constrained Highlands Open Water buffer area” and were not included as part of the build-out developable area for these parcels in the RMP Build-Out Model. Block 5 Lot 1.05 (7.3 acres) parcel status was identified as “Not Developable”. Therefore, the zone update does not change the RMP build-out developable area results for these three parcels.

Highlands Council Conclusion

In evaluating the current and existing conditions and the additional documentation provided, the Highlands Council had sufficient information to identify the existing developed area of Block 4 Lots 1.03 and 1.04 and the adjacent Lot 1.05 as Land Use Land Cover Code 1500, Industrial/Commercial Complexes and as Existing Area Served with Wastewater. The LANDS model was rerun with this updated information and resulted in an RMP Update authorizing a Highlands Land Use Capability Zone change from Protection Zone to Existing Community Zone as represented in Figure 3.

Proposed RMP Update 1018-UPD002-100318

Pizzo and Pizzo Site: Borough of Lebanon Tax Block 3 Lot 1. This lot is designated as "Protection Zone" as established by the Highlands RMP 2008. Examination of the 2002 aerial photograph, which was used as part of the basis for the Land Use Capability Map designation, indicates the parcel at that time was wooded and part of a contiguous forest area (Figure 2). However, a site visit and photographs indicate substantial development has occurred to the overall site (Figure 4). The site is cleared and under construction for multi-family residential dwellings and construction is proceeding as of this date.

Highlands Council Evaluation

The 2002 Land Use Land Cover (LULC) data that were used to develop the RMP 2008 Land Use Capability Zones indicate that Block 3 Lot 1 was primarily Deciduous, Code 4110, at that time. Current (2009) photography, site plan and a site visit confirm that substantial development has occurred and is proceeding on significant portions of the parcel, which are now more accurately represented as LULC Residential High Density/Multiple Dwellings, Code 1110. Additional documentation includes a site plan for Pizzo & Pizzo, Inc. dated 5/27/2008. A site visit conducted by Highlands Council staff confirmed that construction on the site is nearly complete.

The RMP Municipal Build-Out Report results inform the COAH Workbook D Growth Share information and are therefore included in the evaluation of RMP Updates to ensure the proper reporting of Highlands COAH Growth Share projections. The results of the RMP Updates conducted for the Pizzo and Pizzo Site, Block 3 Lot 1 (7.3 acres) were evaluated and determined to have no RMP Municipal Build-Out implications. The parcel status was identified as "Not Developable due to existing development" in the build-out and was not included in the results. Therefore, the LUC Zone update does not change the RMP build-out developable area results for this parcel.

Summary of Approved RMP Updates

On behalf of the Highlands Council, the following RMP Updates are hereby approved:

1. Modification of the Land Use/Land Cover for the existing developed area of Borough of Lebanon Tax Block 4 Lots 1.03 and 1.04* and the adjacent Lot 1.05 to Land Use Land Cover Code 1500, Industrial/Commercial Complexes and as Existing Area Served with Wastewater.
2. Modification of the Land Use/Land Cover for the existing developed area of Borough of Lebanon Tax Block 3 Lot 1 to LULC Code 1110, Residential High Density/Multiple Dwellings.
3. Land Use Capability Zone Map change from Protection Zone to Existing Community Zone for relevant portions of Borough of Lebanon Tax Block 4 Lots 1.03 and 1.04, and Tax Block 3 Lot 1.

The LUC Zone updates do not change the RMP build-out results in the most current Highlands Municipal Build-Out Report.

4/14/2010
Date


Eileen Swan, Executive Director

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Figure 1



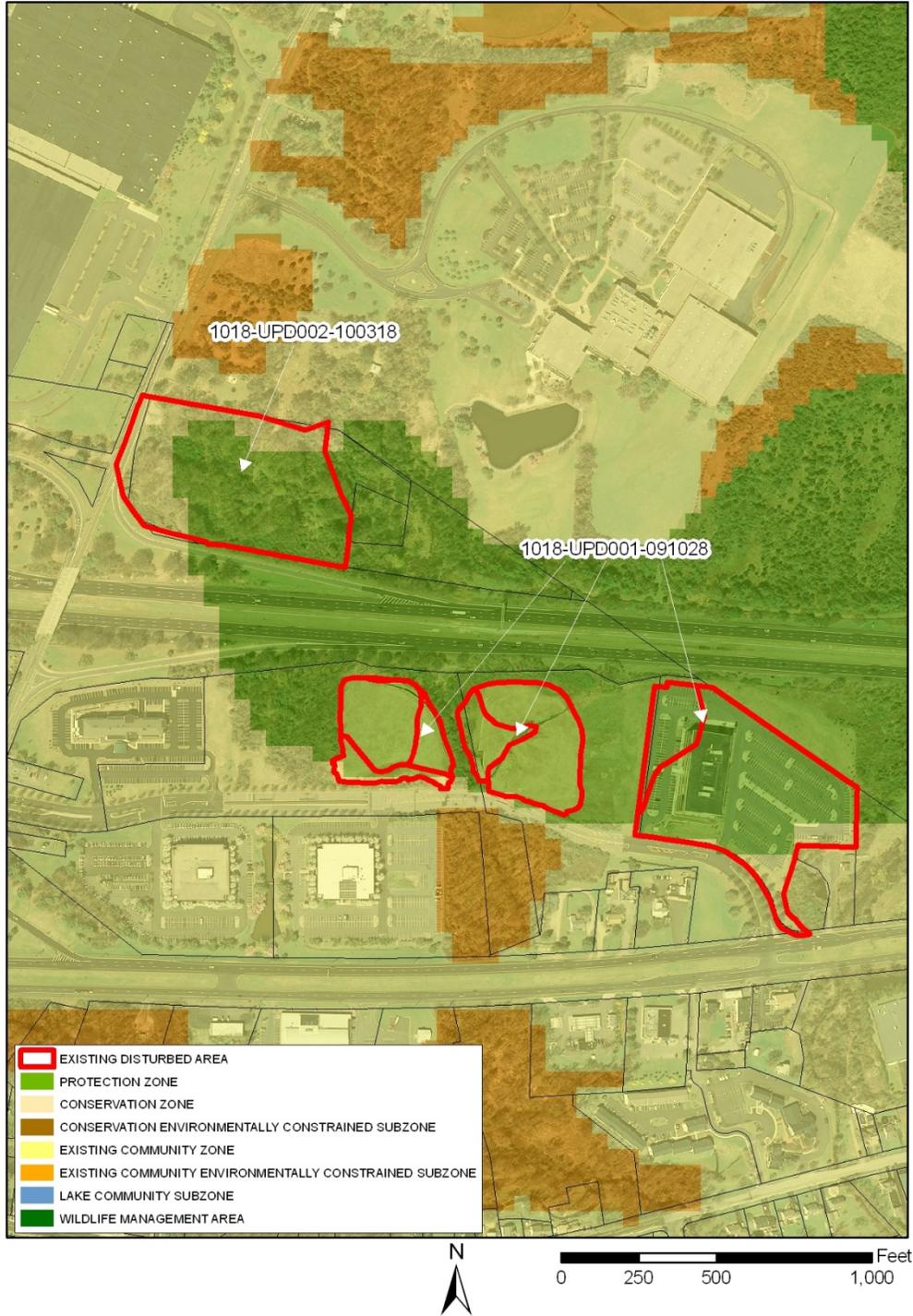
EXISTING DISTURBED AREA

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Regional Master Plan Updates Lebanon Borough, Hunterdon County 1018-UPD001-091028, 1018-UPD002-100318

Figure 2

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Figure 3

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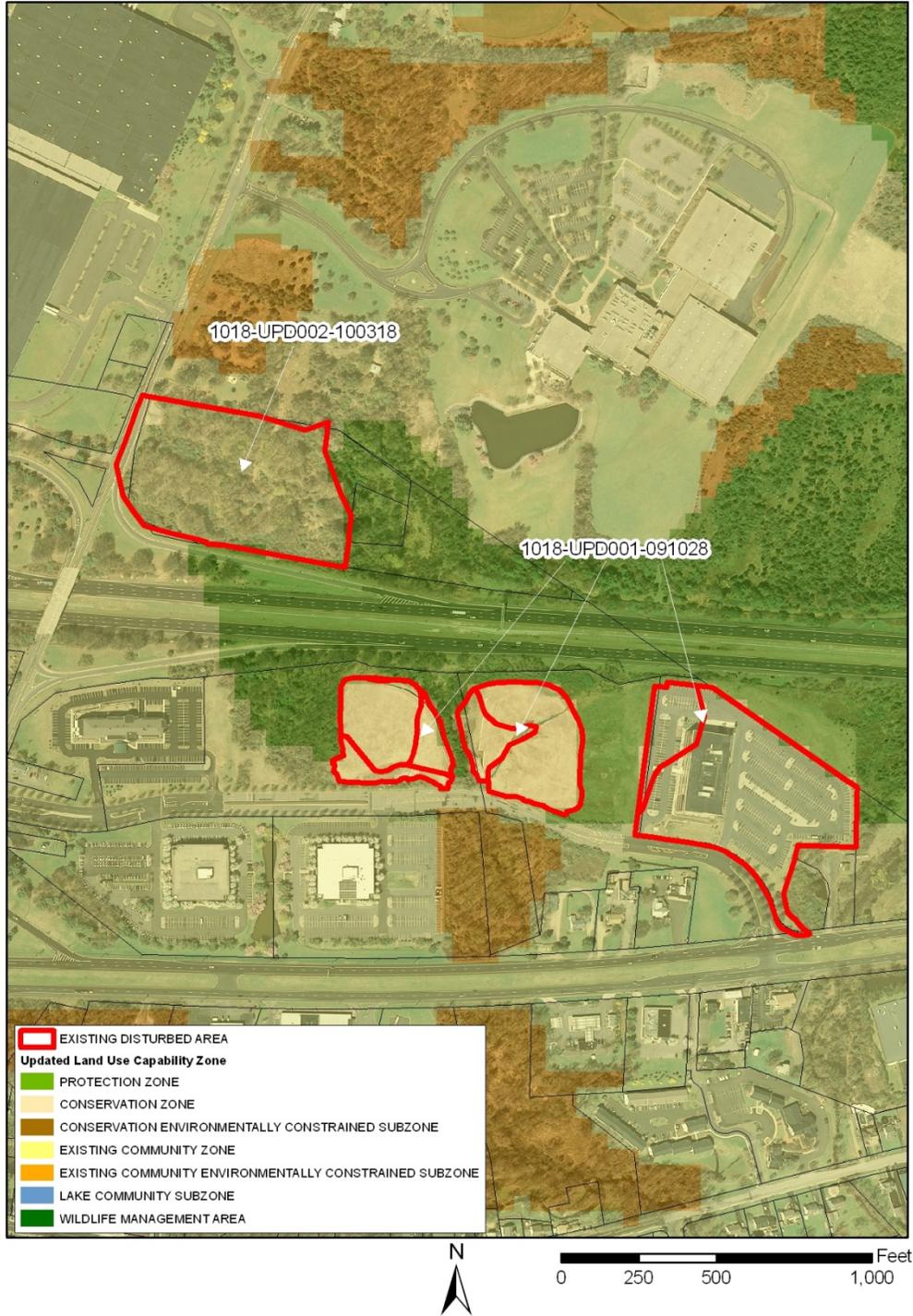


Figure 4



Cokesbury Road