RESOLUTION 2010-5

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
DESIGNATION OF HIGHLANDS REDEVELOPMENT AREA
GOLDMINE PARTNERS, LLC (MOUNT OLIVE)

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) has created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, Section 9 and 11 of the Highlands Act, N.J.S.A. 13:20-9.b. and N.J.S.A. 13:20-11.a.(6)(h), specifies that in preparing the Highlands Regional Master Plan (RMP), the Highlands Council may, in conjunction with municipalities in the Preservation Area, identify areas in which redevelopment shall be encouraged and shall identify areas appropriate for redevelopment in order to promote the economic well-being of the municipality, provided that the redevelopment conforms with the goals of the Preservation Area and the Highlands Act, with the rules and regulations adopted by the Department of Environmental Protection (NJDEP), and any area so identified for possible redevelopment shall be either a brownfield site designated by the NJDEP or a site at which at least 70% of the area thereof is covered with impervious surface; and

WHEREAS, Section 35 of the Highlands Act, N.J.S.A. 13:20-33.b.(2), authorized NJDEP to grant a waiver of any provision of a Highlands permitting review on a case-by-case basis for redevelopment in certain previously developed areas in the Preservation Areas identified by the Highlands Council pursuant to Section 9.b. or Section 11.a.(6)(h); and

WHEREAS, the NJDEP had adopted rules at N.J.A.C. 7:38-1.1 et seq. (Highlands Rules) governing the NJDEP's review of projects in the Highlands Region; and

WHEREAS, the Highlands Rules, at N.J.A.C. 7:38-6.4, specifies that as provided for in Highlands Act, the NJDEP may waive any provision of the rules for redevelopment in certain previously developed areas in the Preservation Area identified by the Highlands Council pursuant to the Highlands Act; and

WHEREAS, the Highlands Council prepared and adopted Procedures for Highlands Redevelopment Areas Designation (Procedures) by Resolution 2008-43 dated October 30, 2008; and

WHEREAS, the Applicant, Goldmine Partners, LLC, Mount Olive Township, Morris County, Block 4500, Lot 3, submitted a Petition for Highlands Redevelopment Area Determination; and

WHEREAS, on June 10, 2009, Highlands Council staff met with Goldmine Partners' consultant's to discuss the project and the redevelopment process and on September 10, 2009 an onsite Pre-Application was held; and

WHEREAS, the Highlands Council released the Highlands Council Staff Draft Recommendation Report dated July 1, 2010 for public comment; and

WHEREAS, the Highlands Council held a public comment period concerning the proposed Highlands Redevelopment Area Designation commencing July 1, 2010 and ending July 26, 2010; and

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WHEREAS, the Highlands Council staff duly considered the Draft Recommendation Report and all public comments; and

WHEREAS, after Highlands Council staff review, staff recommended that the Highlands Council approve the proposed Highlands Redevelopment Area Designation with conditions set forth in the Highlands Council Staff Final Recommendation Report dated August 19, 2010;

NOW, THEREFORE, BE IT RESOLVED, the Highlands Council hereby approves of the Goldmine Partners, LLC Highlands Redevelopment Area Designation with conditions as set forth in the Final Recommendation Report and authorizes the Executive Director to prepare a document so informing the NJDEP of the Highlands Redevelopment Area Designation.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its meeting held on the 19th day of August, 2010.

Jack J. Schrier, Acting Chairman

Vote of the Approval of These Minutes	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede		√	√			
Councilmember Carluccio				√		
Councilmember Cogger	√		√			
Councilmember Francis			√			
Councilmember Holtaway			√			
Councilmember Kovach			√			
Councilmember Letts			√			
Councilmember Richko			√			
Councilmember Vetrano			√			
Councilmember Visioli			√			
Councilmember Schrier			√			