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# Planning Report

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## HIGHLANDS REGIONAL MASTER PLAN INITIAL ASSESSMENT STUDY

Township of Lopatcong  
Warren County New Jersey

Prepared for: The New Jersey Highlands Council

Under the supervision of:

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## **Introduction**

Lopatcong Township was awarded a grant by the New Jersey Highlands Water Protection and Planning Council (Highlands Council or Council) to perform preliminary municipal Plan Conformance activities for lands within the Preservation Area where conformance is mandatory as well as in the Planning Area where Plan Conformance is voluntary. The grant, known as the Highlands Initial Assessment Grant is to be used to fund the following activities:

- Assessment of the existing Township planning program for consistency with the Highlands Regional Master Plan (RMP or Plan).
- List recommendations for corrections needed to the RMP maps, tables and technical data.
- Evaluation of the needed amendments to the Township Master plan, zoning districts, land use plan, development regulations and natural systems inventory to achieve Plan Conformance.
- Evaluation of available Geographic Information System (GIS) data and updates required to reflect current conditions.
- Estimate the cost to achieve Plan Conformance.

Approximately 21.5 percent of Lopatcong Township is within the Preservation Area where Plan Conformance is mandatory. Conformance in the Planning Area is voluntary. The purpose of this report is to document the findings related to the grant activities specified by the Council. Deficiencies in the current zoning, planning and land use regulations have been identified and discussed in general terms. Specific amendments to the Township's Master Plan, Land Use Regulations and zoning districts will be accomplished during subsequent phases of the Plan Conformance process.

The analysis indicates that the Highlands zoning shown on the latest version of the Council's Land Use Capability Map (LUCM) is inconsistent with existing conditions for several locations in Lopatcong Township. The report identifies these areas and specifies adjustments that should be made to the LUCM to correct these deficiencies. It is our understanding that adjustments will be considered during Plan Conformance.

## **Goals, Policies and Objectives**

The Highlands Council approved the Highlands Regional Master Plan (RMP) on July 17, 2008. The RMP sets forth the goals, policies and objectives necessary to implement the Highlands Water Protection and Planning Act (Highlands Act or Act). Following is an initial assessment of those implementation techniques for specific elements of the RMP that include:

- Natural Resources.
- Water Resources and Water Utilities
- Agricultural Resources
- Historic, Cultural, Archaeological, and Scenic Resources
- Transportation
- Future Land Use

## **Natural Resources**

The RMP provides an evaluation of the effect of land development and other stresses on the natural and ecological resources of the Highlands Region, and establishes the overall strategies necessary to maintain and enhance their value. These resources include: a) Forest Resources; b) Highlands Open Waters and Riparian Areas; c) Steep Slopes; d) Critical Habitat; e) Land Preservation and Stewardship; f) Carbonate Rock (Karst) Topography; and g) Lakes, Ponds and Reservoirs (RMP p.53). All of these natural and ecological resources are present in Lopatcong Township.

To achieve Plan Conformance, municipalities must complete a thorough analysis of their natural resources and document the findings in a Natural Resource Inventory (NRI). The Council will provide guidance for completion of the NRI, which may be used as a stand alone document or incorporated into the Master Plan.

Carbonate rock or Karst topography is prevalent throughout Lopatcong Township. This geologic feature underlies approximately 73 percent of the Township and occurs in all areas except for the area associated with Scotts Mountain and Marble Hill.

Master Plan Analysis. Lopatcong Township has a natural resource inventory which was prepared for the 1989 Master Plan. The inventory, which delineates areas with steep slopes, limited depth to bedrock, limited depth to seasonal high water table and poor septic suitability, was included in the 1989 Master Plan to provide information on the physical limitations affecting development. The information is rudimentary and out-of-date.

Since completion of the Township's NRI in 1989 the DEP has updated its mapping of wetlands, floodplains, steep slopes, etc. and has added new data to its assessment of the State's natural resources. Furthermore, the Township has not documented the findings of the DEP's Landscape Project which includes critical habitat data for flora and fauna at risk. This information must be part of the Township's NRI.

Map Adjustments. The Township should update its mapping of environmentally sensitive lands. Wetlands mapping should reflect the most recent shape files provided by the Highlands Council. Mapping completed by the DEP that is depicted on Township maps should be updated to reflect recent revisions. Additionally, all mapping of wetlands and transition area buffers included in a Letter of Interpretation (LOI) that were party to subdivision and site plan approvals should be added to the inventory map if available.

Steep slopes should be mapped according to the Council's criteria. Steep slope protection areas are included in their mapping. They consist of a minimum of 5,000 square feet for any combination of the following categories of steep slopes: a) 10 % to less than 15 %, b) 15 % to less than 20 %, and c) 20 % and greater. The steepest slopes in Lopatcong Township occur adjacent to the Township's two most prominent land forms, Scotts Mountain and Marble Hill.

Forest resources in need of protection should be identified and mapped. The Council has spatially delineated a Forest Resource Area within the Highlands Region. This map element should be checked against existing conditions to identify areas that require adjustments.

Riparian Areas which are lands adjacent to Highlands Open Waters that include all springs, wetlands and other natural and manmade surface waters except swimming pools should be mapped using Highlands GIS data.

Land Use Regulations. Requirements regarding protection of forest resources should be added to the Township's land use regulations. The current steep slope regulations protect slopes of 15 percent or greater in both the preservation and planning areas. These regulations must be adjusted to meet the Highlands criteria for steep slope protection areas.

Zoning. It appears that conforming to the RMP requirements for a Natural Resource Inventory will necessitate zoning amendments. Presumably these amendments will be included with master plan elements provided by the Highlands Council.

### ***Water Resources and Water Utilities***

Roughly 90 percent of the Township's developed parcels are connected to a public water supply system installed and maintained by Aqua New Jersey Water Company. Property owners not connected derive their water from private wells. The Highlands Act was fundamentally enacted to protect water supplies within and outside the Highlands Region and the RMP provides guidance for water resource/quality protection, restoration, enhancement and management.

Master Plan Analysis. For Basic Plan Conformance, the Master Plan should incorporate by reference the Highlands Council maps of Net Water Availability by HUC14 and Existing Areas Served by Public Community Water Supply Systems, and the definitions of Ground Water Capacity, Ground Water Availability, Net Water Availability, Existing Constrained Areas, Conditional Water Availability and Current Deficit Areas. Further, the Master Plan should incorporate by reference the results of the Net Water Availability Analysis in the Water Resources Technical Report, Vol. 2.

Basic Plan Conformance Standards also require that the Township Master Plan includes the background statement of the RMP, Part 2. Water Resources, Subpart a. Water Quantity, Availability and Use. In the policies, goals, objectives section of the Master Plan, reference should be made to RMP Policies 2A2, 2B4 through 2B8, 2J2 and 2J4 through 2J7.

Plan Conformance Standards requires that the Township prepare a Water Use and Conservation Management Plan which will be adopted by the Township as an ordinance to be incorporated in the Land Use and Zoning ordinance. The Master Plan should include language that establishes the importance of water conservation and water deficit mitigation. This will form the basis for preparation and adoption of the Water Use and Conservation Management Plan ordinance.

Map Adjustments. Preliminary information provided by Aqua New Jersey water Company indicates that discrepancies may exist between their data and mapping prepared by the Council. A final determination regarding map adjustments is pending receipt and evaluation of more detailed information requested of the water purveyor.

Land Use Regulations. To implement the goals, objectives and policies of the RMP with regard to water use and conservation, the Township will prepare and adopt a Water Use

and Conservation Management Plan ordinance. The regulations will contain conservation and mitigation requirements that apply to a proposed development that meets or exceeds the threshold for disturbance as defined by the DEP Preservation Area rules at N.J.A.C. 7:38 for a major Highlands development.

Zoning. In the Preservation Area, adopt by reference the Highlands Land Use Capability Zones (LUCZ). Among the fundamental issues with regard to water resources, the RMP addresses “The management of land development patterns and densities to ensure that the carrying capacity of water resources are not exceeded;” (RMP, p. 158). To address this issue on a municipal level, permitted densities in LUCZ districts are based upon ground water availability as measured by the Council. The impact of water availability on zoning in Lopatcong Township cannot be determined at this time. Municipal zoning may need amendments if the Township conforms to the RMP for the Planning Area.

### ***Agricultural Resources***

Farming is not considered a major land use in Lopatcong Township. Only 69 parcels out of nearly 3,500 are devoted to agricultural uses. The acreage assessed as farmland (classification 3B) is about 1,400. Preservation of farmland has not been a major focus of the Township as evidenced by the complete lack of any preserved farms.

The majority of prime agricultural soils identified by the Highlands Council lie south of Route 57 which is located in the Township’s Highlands Planning Area. This area contains mostly high and moderate value agricultural lands which are used by the Council to determine the priority areas for farmland preservation (Agricultural Priority Areas).

The RMP recognizes the importance of providing for a sustainable land base required for a viable agricultural industry in the New Jersey Highlands. Indeed, preserving agricultural land and the viability of the agri-industry in the Highlands Region are two essential objectives of the Highlands Act. To this end, the Council has identified important farmland soils and has created Agricultural Priority Areas where non-agricultural development is discouraged.

Master Plan Analysis. The current Lopatcong Township Master Plan includes very little information regarding farmland and its preservation. Preparation of a farmland preservation element to the Master Plan was recommended in the 2000 Update and Reexamination Report. This subject should be given more attention during Plan Conformance. The importance given to this subject by the Highlands Council and State Legislature requires the establishment of a new master plan element, the Agriculture Retention/Farmland Preservation Plan.

The Agriculture Retention/Farmland Preservation Plan element shall be the depository for all information regarding farmland and farmland preservation in Lopatcong Township. It will be the basis for implementation of municipal ordinances that regulate the use of these lands.

Map Adjustments. It appears that the inventory of farms (3B) in Lopatcong Township prepared by the Highlands Council is lacking 13 parcels based upon initial review. These farms should be added to the Council’s inventory and mapping during Basic Plan Conformance.

The Council's mapping of Agricultural Priority Areas (APA) should be revised to reflect existing conditions with regard to land use and development. Many of the farms included in the APA map are fully or partially developed with both residential and non-residential uses.

Land Use Regulations. As noted above, lands within Agricultural Priority Areas require regulation to promote preservation and limit non-agricultural activities. The Township will be required to adopt new ordinances to implement the goals and policies of the RMP regarding agricultural resources for the Preservation Area.

Zoning. In the Preservation Area, the Highlands Land Use Capability Zones (LUCZs) will be adopted by reference. The LUCZ districts are overlay zones that are applicable for all properties that are not exempt from the Highlands Act. Where a parcel or group of parcels are found to be exempt from the Act, the underlying municipal zoning that existed prior to August 10, 2004 shall apply.

### ***Historic, Cultural, Archaeological, and Scenic Resources***

The RMP contains three goals that address the protection, preservation and enhancement of the Highlands Region's historic, cultural, archaeological and scenic resources:

- Goal 4A: Protection and preservation of the historic, cultural and archaeological resources of the Highlands Region.
- Goal 4B: Protection and enhancement of the scenic resources within the Highlands Region.
- Goal 4C: Conforming municipalities and counties include minimum standards for historic, cultural, archaeological and scenic protection in municipal and county master plans and development regulations.

Lopatcong Township has few sites of historic significance. Most prominent among historic features in Lopatcong Township are the remains of the Morris Canal. Several sections of the Canal have been protected with easements purchased by Warren County. The existing and former bed of the Morris Canal is on the State and National Register of Historic places. The Canal is located in the Morris Canal Historic District which passes through Lopatcong Township's southern tip from Greenwich Township to the Town of Phillipsburg. The entire Lopatcong Township portion of the Canal is located in the Planning Area.

There are no known archaeological resources in the Township. Scenic resources chiefly consist of distant views of Marble Hill and Scotts Mountain, which are currently protected by the Township's Ridgeline Protection Area ordinance.

Master Plan Analysis. The Lopatcong Township Master Plan is silent with regard to the preservation, protection and enhancement of the Township's historic, cultural and scenic resources. The RMP has as one of its policies "(t)o require that conforming municipalities and counties include a Historic, Cultural and Scenic Resource Protection Element in municipal and county master plans..." (RMP Policy 4C1, p. 184). This policy will require that the Township amend its master plan with regard to historic, cultural and scenic resources. The Highlands Council will provide the Township with a

Historic and Cultural Resources Inventory and a Highlands Scenic Resources Inventory, which will be incorporated into the Lopatcong Township Master Plan.

Map Adjustments. The Township’s historic, cultural and scenic resources have not been mapped by the Township. This mapping should be completed during Plan Conformance. Its preparation should be coordinated with data compiled by the Highlands Council in their Historic and Cultural Resources Inventory and Highlands Scenic Resources Inventory.

Land Use Regulations. The proposed master plan amendment discussed above will provide the planning background for preparation of development regulations aimed at the protection, enhancement and preservation of historic, cultural, archaeological and scenic resources in Lopatcong Township. The regulations are required pursuant to RMP Policy 4C1. Presumably, these regulations will follow models supplied by the Council for municipal use.

Lopatcong Township has established regulations that foster the protection and enhancement of the Morris Canal that lies within the Township’s borders. The Township should review the Highlands Council’s regulations regarding protection of historic resources and determine if the current Morris Canal Historic Preservation District ordinance needs amendment.

Zoning. The current Morris Canal Historic Preservation District is an overlay zone that includes all of the Canal and its right-of-way levels, prisms, basins, locks and inclines planes. It does not appear that amendments to the Township’s zoning districts will be necessary with regard to historic, cultural, archaeological and scenic resources.

### ***Transportation***

With regard to the RMP, the subject of transportation covers various modes of travel including private automobile, buses, truck, passenger and freight rail, airport, bicycle and walking. These transportation options are applicable to Lopatcong Township with two exceptions, passenger rail service and air travel. There are no active passenger rail lines or airports in Lopatcong Township where the primary means of transportation is via passenger vehicles.

The five RMP Goals with regard to transportation are:

- Goal 5A: Provision of safe and efficient mobility within the Highlands and between the Highlands and destinations outside of the Region.
- Goal 5B: Maintenance of a safe and efficient level of service on the existing Highlands road system without the use of capacity improvements that could trigger additional development in areas that are not appropriate for “growth inducing” land uses.
- Goal 5C: Transportation improvements within the Highlands Region that are consistent with the Highlands Regional Master Plan.
- Goal 5D: A multi-modal transportation system which facilitates the movement of people and goods within and through the Highlands Region without adversely affecting ecosystem integrity and community character.
- Goal 5E: Minimization of travel demand and vehicle miles of travel.

Master Plan Analysis. Lopatcong Township's Circulation Plan element text will be amended as needed so that it reflects additions to the public road system that results from development since completion of the master plan in 2004.

Map Adjustments. The Highlands Council transportation map for Lopatcong Township needs to be amended to include streets that have been added to the Township as a result of existing street extensions and new streets developed within approved subdivisions. These include three major subdivisions: Belview Estates, Delaware Crossing and Scenic Ridge Estates.

Land Use Regulations. Based upon initial assessment, it does not appear that Lopatcong Township will have the need for new regulations with regard to transportation mobility and circulation. The one possible exception may be protection of scenic view sheds. Lopatcong Township's character is a blend of urban, suburban and rural landscapes. It is in the sections of the Township that display a rural character that opportunities exist to view natural landscapes that may need protection or enhancement. This would support the RMP's objective to "(s)upport regional tourism through the recognition and protection of scenic resource view sheds along scenic byways and road corridors." (RMP Objective 5C4c.)

Zoning. The Township will adopt the Highlands LUCZ. No additional zoning amendments are anticipated at this time with regard to RMP conformance as it relates to the issue of transportation.

### ***Future Land Use***

Part 6 of Chapter 4 (Goals, Policies and Objectives) provides guidance for protection, preservation and enhancement of the ecological and agricultural resources within the Highlands Region. This is accomplished through a series of goals and objectives that set parameters for future development and redevelopment within the region.

Subpart A relates to the Land Use Capability Map Series (LUCM). The goals, policies and objectives are focused on establishment and use of the LUCM to direct where and how development should proceed within both the Preservation Area and Planning Area. It appears that Lopatcong Township, which has a long established goal of encouraging development, particularly non-residential development, will not easily conform to the RMP with regard to future land use in the Planning Area. The Township has delineated a Future Sewer Service Area that covers most of the undeveloped parcels that lie south of Route 57 within the Route 22 highway corridor. This area does not have sewer infrastructure at present but has long been identified in the Township's master plan as an appropriate area to accommodate future residential and non-residential development. The Township has sought to balance its economic base, which is necessary to meet present and future financial challenges, with expansion of development into this portion of the Township; an area that contains the majority of available undeveloped land in Lopatcong.

Current zoning in this area includes Highway Business (HB) and Research, Office and Manufacturing (ROM). The LUCM places most of these parcels in the Conservation Zone where non-agricultural development is discouraged. The RMP's conservation goals must be reconciled with the Township's desire to expand opportunities for economic

growth in this area of Lopatcong Township. How these competing objectives are resolved will play a significant role in the Township's decision to seek Plan Conformance in the Highlands Planning Area.

Master Plan Analysis. To achieve Basic Plan Conformance, the Lopatcong Township Master Plan needs amending to include the RMP Goals, Policies and Objectives regarding preservation, protection and enhancement of the Township's ecological functions and water resources. Further amendments are necessary to bring the Township's master plan into conformance with the RMP with regard to goals, policies and objectives related to agricultural uses.

Future land use in the Preservation Area of Lopatcong Township will be guided by the Highlands overlay zoning for new development and redevelopment on lands subject to the Highlands Act. For all lands that are exempt from the Act, including the Highlands Planning Area if the Plan Conformance option is not exercised, land use will comply with municipal zoning; thus, the master plan will retain goals and objectives that are consistent with Township policies regarding development.

Map Adjustments. The LUCM series will be incorporated into the Lopatcong Township Master Plan. This will occur after adjustments to correct or update factual information have been finalized. Map updates will be an ongoing activity as circumstances change regarding development activity such as subdivisions and increases or decreases of impervious cover.

It appears that adjustments to Highlands mapping within Lopatcong Township will be necessary to correct and update parcel attributes related to:

- Farms;
- open space;
- new parcels; and
- developed parcels.

Map adjustments will occur during completion of Module 1, the initial phase of Plan Conformance. As an example, the Highlands parcel map for Lopatcong Township lacks approximately 250 lots that have been created as a result of major and minor subdivisions. Notable among these is the Belview Estates subdivision (35 lots); the Delaware Crossing senior housing development the provided 158 residential units and 4 open space lots; and 54 lots in the Scenic Ridges Estates subdivision.

Land Use Regulations. The Highlands Council will supply municipalities with model ordinances to effectuate the Goals, Policies and Objectives of the RMP. Lopatcong Township will be tasked to modify these regulations to relate to local conditions. Requirements effecting development on parcels that meet any of the 17 exemptions to the Highlands Act shall not be subject to land use regulations adopted subsequent to August 10, 2004, the effective date of the Act.

Zoning. Future land use in Lopatcong Township's Preservation Area will be principally governed by aspects of the zoning imposed on lands subject to the Highlands Act. Conformance with the RMP invokes the Highlands zoning which acts as an overlay to

municipal zoning and includes primary zones and subzones. The RMP zoning applicable to Lopatcong Township is comprised of the following districts:

- Existing Community Zone;
- Existing Community Environmentally Constrained Subzone;
- Wildlife Management Area;
- Conservation Zone;
- Conservation Environmentally Constrained Subzone; and
- Protection Zone.

The Township may modify its underlying zoning; however, parcels that meet the requirements for any of the 17 exemptions to the Highlands Act shall not be subject to zoning changes adopted subsequent to August 10, 2004, the effective date of the Act.

### **Land Use Capability Map Adjustments**

As noted in the introduction to this report, the LUCM should be adjusted in several instances to accommodate actual existing conditions with regard to land use and planning in Lopatcong Township. Following is an analysis of the pertinent discrepancies uncovered during this initial assessment and the desired adjustments.

#### ***Phillipsburg High School Site.***

Lot 44 in Block 2 is the site of the future Phillipsburg High School. It was the subject of a redevelopment plan adopted by the Township in 2003. The site has been placed in the Conservation Zone by the Highlands Council. Construction has been started on this facility including clearing and grading, installation of access drives, site lighting and building foundations. The land use on this parcel should be changed to Existing Community Zone. The parcel is within the Township's existing Sewer Service Area (SSA) and the facilities are designed to be served by a public sewer system and public water supply system.

#### ***Scenic Ridge Estates***

Scenic Ridge Estates is a 55 lot residential subdivision that is under construction. The parent parcel is known as Lot 22 in Block 2. The subdivision created Lots 22.01 thru 22.54 (building lots); a lot dedicated to stormwater detention (Lot 22.55); and remaining Lot 22, which has been dedicated to the Township for open space and used for public purposes. Streets have been developed and several of the proposed homes have been constructed and are occupied. The new developed parcels should be changed to Existing Community and the open space lot should become Conservation. The residential parcels are within the Township's existing Sewer Service Area (SSA) and the development is designed to be served by a public sewer system and public water supply system.

#### ***Belview Crossing***

Lot 7 in Block 86 has been subdivided into 36 lots. All but one, Lot 107 in Block 86 that is an open space/detention basin lot, are residential building parcels. The development is under construction. The streets and one home has been developed and is occupied. This

parcel is shown as Conservation Environmentally Constrained Subzone on the current LUCM. It should be amended to Existing Community Zone.

### ***Delaware Crossing***

Located in the Morris Park section of Lopatcong Township, this 158-unit residential development is approximately a third complete. All of the residences are age-restricted for active older adults. Streets and the community center are constructed and several of the homes are occupied. The LUCM identifies the site of Delaware Crossing as Existing Community Environmentally Sensitive Subzone. There are no known environmental constraints on this site and it appears that the area should be reclassified as Existing Community only.

### ***Overlook at Lopatcong***

The Overlook development located in the eastern most corner of Block 99 is a residential condominium project developed in the early 2000's. It contains 385 residences, a community facility and common open space. The community is fully developed and meets the definition for an Existing Community Zone. The current LUCM indicates that this development is in the Conservation Zone. An adjustment is clearly needed to reflect the existing condition of the area. This development is within the SSA and served by public sewer and water.

### ***Strykers Road South***

Along Strykers Road south of Route 57 lie several parcels that are developed with commercial/industrial enterprises. Four of these developed parcels are shown on the LUCM as Conservation Zone. The effected parcels, which should have their LUCM Zone adjusted from Conservation to Existing Community, are in Block 99 as follows; Lots 2, 6.01, 6.02 and 6.04.

### ***Route 22 Corridor***

Four parcels located on the east side of Route 22 south of Route 57 are fully or partially developed. They are identified as Conservation Zone and Conservation Environmentally Constrained Subzone. It appears that the LUCM should be adjusted to Existing Community Zone for these parcels, all of which are located in Block 100. The effected parcels are as follows: Lots 2.03, 3, 4, and 6.05.

### ***Ingersoll Rand Redevelopment Area***

Lots 1 and 1.01 in Block 101 comprise a Township designated redevelopment area. A redevelopment plan for this area was adopted in 2006 pursuant to the New Jersey Local Redevelopment and Housing Law. Known locally as the Ingersoll Rand Redevelopment Area, which reflects the lands former owner (Ingersoll Rand Corporation), this area adjoins an officially designated Redevelopment Area in the Town of Phillipsburg. It is adjacent to a municipal sanitary sewer line and a public water supply system.

The site is located in Planning Area 2-Suburban (PA2) according to the State Plan Policy Map prepared by the New Jersey Office of Smart Growth. The State Development and Redevelopment Plan (SDRP) encourages development in PA2 that achieves densities which support the viability of Centers and public transit. The Town of Phillipsburg,

which adjoins the Ingersoll Redevelopment Area, is a metropolitan area and proposed Center. The current redevelopment plan for this site is consistent with the SDRP land use policies for Planning Area 2-Suburban.

Lopatcong Township has indicated in its Master Plan and Redevelopment Plan that these parcels are well suited for commercial development, which has been proposed by several interested developers. It is zoned Highway Business by the Township and represents a key development opportunity that will contribute greatly to the Township's economic base and financial stability.

The Highlands Council has labeled this redevelopment area as Conservation Environmentally Constrained Subzone. This represents a significant impediment to plan conformance for Lopatcong Township's governing body which would like to see the use adjusted to Existing Community to reflect its status as an official redevelopment area and allow for extension of the nearby sewer into this area.

## **Conclusion**

This initial assessment reveals that conformance to the Highlands Regional Master Plan will require master plan amendments, adjustments and updates to mapping of the Township's parcels, transportation routes, municipal zoning, etc., new and or amended land use regulations and zoning amendments. Conformance to the RMP for the Highlands Preservation Area advances Lopatcong Township's existing planning strategies to protect, preserve and enhance the natural resources and rural character exhibited in the Preservation Area.

The RMP policy to discourage non-agricultural development on lands included in the Conservation Zone is in direct conflict with the Township's long standing policy of encouraging non-agricultural development on the remaining farms located in the Planning Area south of Route 57. Resolution of the conflict between the Township, which has a desire to grow and support a more diverse economic base to provide financial stability, and the RMP's conservation goals, must be reconciled.

The Township will seek public input and recommendations from its professional consultants during the Plan Conformance process. It is anticipated that completion of Basic Plan Conformance documents and submission of the Township's petition to the Highlands Council will take several months ending no later than December 8, 2009.

The Highlands Council has distributed the work required to achieve Basic Plan Conformance among seven modules. Each module requires completion of the preceding module. Module 1, Build-out Analysis has begun in concert with this initial assessment and will be completed by the Highlands Council's February 27, 2009 deadline.

The cost to complete Basic Plan Conformance is estimated to range from \$50,000 to \$100,000. The actual cost will depend upon the time devoted to completion of all seven modules required for Plan Conformance in 2009.

## INITIAL ASSESSMENT GRANT REPORT ADDENDUM\_LOPATCONG TOWNSHIP

*Instructions: Complete chart below, indicating for each subject area, whether current municipal planning documents include language concerning the applicable topic (insert “yes,” “no,” or “N/A,” for not applicable), whether or not existing language covers and includes all RMP provisions (insert “yes,” “no,” or “N/A,” for not applicable), and what actions are needed for Plan Conformance (i.e., “revise applicable ordinance to include RMP provisions,” “develop new ordinance to address topic,” “supplement ERI, Master Plan and Ordinances to include topic and RMP provisions,” or “none”).*

|   | EXISTING ERI/NRI |                | EXISTING MASTER PLAN |                | EXISTING LAND USE ORDINANCES |                | Action(s) Required   |
|---|------------------|----------------|----------------------|----------------|------------------------------|----------------|--|
|   | Includes Topic?  | Addresses RMP? | Includes Topic?      | Addresses RMP? | Includes Topic?              | Addresses RMP? |  |
| <b>Forest Resources</b>                           | No               | No             | No                   | No             | Yes                          | No             | Supplement ERI, MP and LUO to include topic and incorporate RMP provisions. Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary. |
| <b>Highlands Open Waters &amp; Riparian Areas</b> | No               | No             | No                   | No             | No                           | No             | Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.  |
| <b>Steep Slopes</b>                               | Yes              | No             | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.   |
| <b>Critical Habitat</b>                           | No               | No             | No                   | No             | No                           | No             | Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.  |
| <b>Carbonate Rock</b>                             | Yes              | No             | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.   |
| <b>Lake Management</b>                            | N.A.             | N.A.           | N.A.                 | N.A.           | N.A.                         | N.A.           |  |
| <b>Water Resources Availability</b>               | No               | No             | No                   | No             | No                           | No             | Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.  |
| <b>Prime Groundwater Recharge</b>                 | No               | No             | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.   |
| <b>Water Quality</b>                              | No               | No             | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.   |
| <b>Wellhead Protection</b>                        | No               | No             | No                   | No             | No                           | No             | Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.  |
| <b>Stormwater Management</b>                      | N.A.             | N.A.           | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.   |

|   | EXISTING ERI/NRI |                | EXISTING MASTER PLAN |                | EXISTING LAND USE ORDINANCES |                | Action(s) Required  |
|---|------------------|----------------|----------------------|----------------|------------------------------|----------------|---|
|   | Includes Topic?  | Addresses RMP? | Includes Topic?      | Addresses RMP? | Includes Topic?              | Addresses RMP? |   |
| <b>Water/Wastewater Utilities</b>                   | N.A.             | N.A.           | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.  |
| <b>Septic Densities</b>                             | No               | No             | No                   | No             | No                           | No             | Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.   |
| <b>Low Impact Development</b>                       | N.A.             | N.A.           | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.  |
| <b>Transportation</b>                               | N.A.             | N.A.           | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.  |
| <b>Land Pres/Stewardship</b>                        | N.A.             | N.A.           | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.  |
| <b>Agricultural Resources</b>                       | No               | No             | Yes                  | No             | No                           | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary. Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.  |
| <b>Cluster Development</b>                          | N.A.             | N.A.           | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.  |
| <b>Community Facilities</b>                         | N.A.             | N.A.           | Yes                  | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary.  |
| <b>Sustainable Economic Development</b>             | N.A.             | N.A.           | Yes                  | No             | No                           | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary. Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.  |
| <b>Historic, Cultural, Archaeological Resources</b> | No               | No             | No                   | No             | Yes                          | No             | Revise ERI, MP and LUO to incorporate RMP provisions. Major/minor revisions necessary. Supplement ERI, MP and LUO to include topic and incorporate RMP provisions.. |