

**FOR CONSIDERATION AT THE OCTOBER 13, 2011 MEETING OF THE  
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL  
Petition for Plan Conformance – Final Consistency Review and Recommendations Report**

**APPENDIX C**

**PUBLIC COMMENTS/HIGHLANDS COUNCIL RESPONSES**

**Petition for Plan Conformance**

**Town of Phillipsburg, Warren County**

**Public Comment Period: September 21 2011 – October 6, 2011**

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**PUBLIC COMMENTS RECEIVED**

Written comments regarding Town of Phillipsburg Petition for Plan Conformance were accepted by the Highlands Council through the close of the Public Comment period on October 6, 2011. Comments were provided by the following individuals/entities:

1. David Maski, Director of Planning Services, Van Cleef Engineering Associates, on behalf of Phillipsburg Mayor Wyant. (Municipal Comment)
2. Erika Van Auken, Campaign and Grassroots Coordinator, on behalf of the NJ Highlands Coalition
3. Wilma Frey, Senior Policy Manager, New Jersey Conservation Foundation

The comments are summarized below with Highlands Council responses provided for each.

**MUNICIPAL COMMENT/RESPONSE SUMMARY**

**Comment:** Please be advised that Phillipsburg is hereby requesting that the Highlands Council designate the entire Town of Phillipsburg a Highlands growth area pursuant to the Permit Extension Act. This is consistent with Phillipsburg's request that the entire Town be designated a Highlands Center.

**Response:** The Highlands Council recognizes the Town of Phillipsburg has a long industrial and commercial history and is embarking on extensive redevelopment efforts focused on former industrial properties near the Delaware riverfront and other interior properties. Designation of the entire municipality as a Highlands Center and area designated for growth pursuant to the Permit Extension Act of 2008 will result in significant planning and technical support for environmentally-sensitive redevelopment activities geared to achieve a sustainable economy. In the case of Phillipsburg it is appropriate to consider the Highlands Center designation also an area designated for growth in the Highlands Region pursuant to the Permit Extension Act of 2008 and in accordance with the Regional Master Plan.

**PUBLIC COMMENT/RESPONSE SUMMARY**

**A. Erika Van Auken, Campaign and Grassroots Coordinator, NJ Highlands Coalition**

**Comment:** The New Jersey Highlands Coalition supports Phillipsburg's petition for plan conformance. Phillipsburg's petition includes many elements that will complement the goal of becoming a Highlands Center. The proposal to designate the entire municipality as a Highlands Center is sensible as Phillipsburg is nearly built out. This proposal coupled with the Sustainable Economic Development Plan, the Conservation Plan Element and the Development Transfer Plan Element demonstrates that Phillipsburg is going to consider all aspects of growth when planning the future of their town.

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We are pleased to see that the Highlands Council will be initiating coordination between Phillipsburg's neighboring towns of Pohatcong, Lopatcong, Greenwich, and Alpha to ensure the availability of water and wastewater treatment in the region. Although it would be above and beyond conformance to the RMP, we think it would be greatly beneficial for Phillipsburg to also coordinate its plans with Easton across the Delaware River in Pennsylvania. We hope that the town and the Council will address traffic issues and transit opportunities as Phillipsburg and its neighboring towns move forward with development and redevelopment.

We would be remiss if we overlooked the concerns of Karst particularly in the southwestern region of the Highlands. Phillipsburg's proposal to become a town-wide Highlands Center could be problematic if the issue of extensive Karst is not addressed through careful inspection and Karst-specific mitigation techniques.

**Highlands Council Response:** The Highlands Council acknowledges and appreciates the support of the NJ Highlands Coalition in regard to Phillipsburg's Petition for Plan Conformance. The Highlands Council is aware of Karst in the municipality, as well as the Town's important role regarding wastewater treatment and proximity to Pennsylvania. The Plan Conformance process includes recognition of the Carbonate Rock Area and includes support for development of a Wastewater Management Plan. The Sustainable Economic Plan includes an evaluation of local and regional conditions.

**B. Wilma Frey, Senior Policy Manager, New Jersey Conservation Foundation**

**Comment:** New Jersey Conservation Foundation supports Phillipsburg's Petition for Plan Conformance and its goal of revitalizing this historic community. Phillipsburg is rich in historic resources, and we would like the Plan Conformance process to require additional emphasis on their protection. Protection, enhancement and adaptive re-use of historic structures and components will provide the proposed center with unique qualities and individuality. In addition to specific features such as the Morris Canal and the waterfront, many of Phillipsburg's residential and commercial streets and structures have historic values, some of which have been hidden from view by more recent renovations.

Major elements are already listed on the State and/or National Registers of Historic Places, including the Phillipsburg Commercial Historic District, the U.S. Post Office, the Morris Canal and several structures, indicating that a good deal of work in this regard has already been done. Other historic areas and individual buildings, including the Ingersoll-Rand Corporation Complex, have been deemed eligible. We urge the Town to continue to pursue listings, and ask that Phillipsburg be strongly encouraged to prepare a Historic Preservation Element as part of its Plan Conformance and Center designation. This should be supported by an ordinance creating a Historic Preservation Commission, which would evaluate each development application in accordance with professionally prepared design guidelines written especially for this town. Such a process ensures that new architecture complements and reflects its historic context in form, volume and materials.

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In planning as a designated center, Phillipsburg must contend with, plan and design appropriately for a number of serious constraints to development. The most serious constraint is that the entire municipality, some 2100 acres in size, is located in a carbonate rock area. Development sites must be carefully assessed and any development designed so as to prevent creation of sinkholes, contamination of ground water, and potential structural collapse. In addition, nearly 300 acres of the municipality are located on steep slopes, of which the majority is Severely Constrained Slopes. Finally, part of the Town is located in a deficit watershed area, again making careful planning and mitigation necessary. Some of the best design occurs when it is limited by constraints. We hope this will be the case with Phillipsburg.

**Highlands Council Response:** The Highlands Council acknowledges and appreciates the support of the New Jersey Conservation Foundation in regard to Phillipsburg's Petition for Plan Conformance. The Highlands Council is aware of the Karst topography, steep slope areas, historic features, and water availability conditions in the Town of Phillipsburg. The Plan Conformance process includes recognition of the Carbonate Rock Area and will include protective requirements, and the Highlands Center designation considers utility capacity conditions as part of the planning process. The Sustainable Economic Plan moreover, includes an evaluation of local and regional conditions particularly related to historic and cultural features and enhanced tourism to recognize the unique history of the Town. The Highlands RMP and Plan Conformance process recognizes the importance of historic resources and looks forward to working with the Town of Phillipsburg in support of these unique features.