

RESOLUTION 2008-1

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL RECOMMENDATION ON PROPOSED WATER QUALITY MANAGEMENT PLAN AMENDMENT FOR HUNTINGTON KNOLLS

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);

WHEREAS, the New Jersey Department of Environmental Protection (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. 7:38-1.1, specifies that pending completion of the Regional Master Plan, NJDEP shall not approve a Water Quality Management Plan (WQMP) amendment for a project proposed in the Planning Area or Preservation Area of the Highlands Region without first obtaining a recommendation from the Highlands Council; and

WHEREAS, the Highlands Rules, at N.J.A.C. 7:38-1.1, were adopted in accordance with the Highlands Act as well as the Water Quality Management Act which specifically requires a continuing planning process to coordinate and integrate water quality management plans with related Federal, State, regional and local comprehensive land use, functional and other relevant planning activities; and

WHEREAS, the Huntington Knolls project is located at Block 24, Lots 3 and 13 in Holland Township, Hunterdon County and consists of the construction of 29 residential buildings which will contain 38 one-bedroom units and 78 two-bedroom units, a clubhouse, an assisted living unit with 50 beds, group home, 10,000 square feet of office space, and 17,000 square feet of retail space (Huntington Knolls Project); and

WHEREAS, the sponsors of the Huntington Knolls Project have sought an amendment to the Upper Delaware WQMP that would expand the sewer service area of the Milford Sewage Treatment Plant to include the Huntington Knolls Project; and

WHEREAS, the NJDEP has proposed adoption of the amendment for the Huntington Knolls Project through publication of a notice in the New Jersey Register and is seeking a recommendation from the Highlands Council in accordance with the Highlands Rules at N.J.A.C. 7:38-1.1; and

WHEREAS, consistent with NJDEP's Highlands Rules at N.J.A.C. 7:38-1.1, and the procedures adopted by the Highlands Council pursuant to Resolution 2007-18 for review of WQMP amendments for a proposed project, Highlands Council staff conducted a review of the WQMP amendment for the Huntington Knolls Project based upon the standards and policies set forth in the Final Draft Highland Regional Master Plan (Final Draft RMP); and

WHEREAS, the review of the Huntington Knolls Project revealed a number of inconsistencies with the Final Draft RMP, including policies and standards relating to steep slopes, Highlands Open Waters Protection Areas, Riparian Areas, Critical Habitats, Forests, Prime Ground Water Recharge Areas, Wellhead Protection Areas, and Agricultural Resources; and

WHEREAS, the Highlands Council staff presented the results of its review and recommendation regarding the Huntington Knolls Project to the Natural Resources Committee at the Committee's December 6, 2007 meeting; and