



Highlands Council Meeting

September 15,
2011



Plan Conformance Update

Plan Conformance Update

Petitions Submitted: 65 (60 Municipalities and 5 Counties). Of these, 53 have been deemed Administratively Complete & posted to the Highlands Council website (including 2 Counties). Of these, 28 municipal Petitions and 2 county Petitions have been approved:

Townships (16) – Bethlehem, Byram, Chester, Denville, Franklin (Warren), Green, Holland, Lopatcong, Mahwah, Mount Olive, Oxford, Pohatcong, Rockaway, Tewksbury, Washington (Morris), West Milford;

Boroughs (10) – Alpha, Bloomsbury, Bloomingdale, Califon, Glen Gardner, Hampton, High Bridge, Kinnelon, Lebanon, Wharton;

Towns (2) – Clinton, Hackettstown;

Counties (2) - Passaic and Somerset

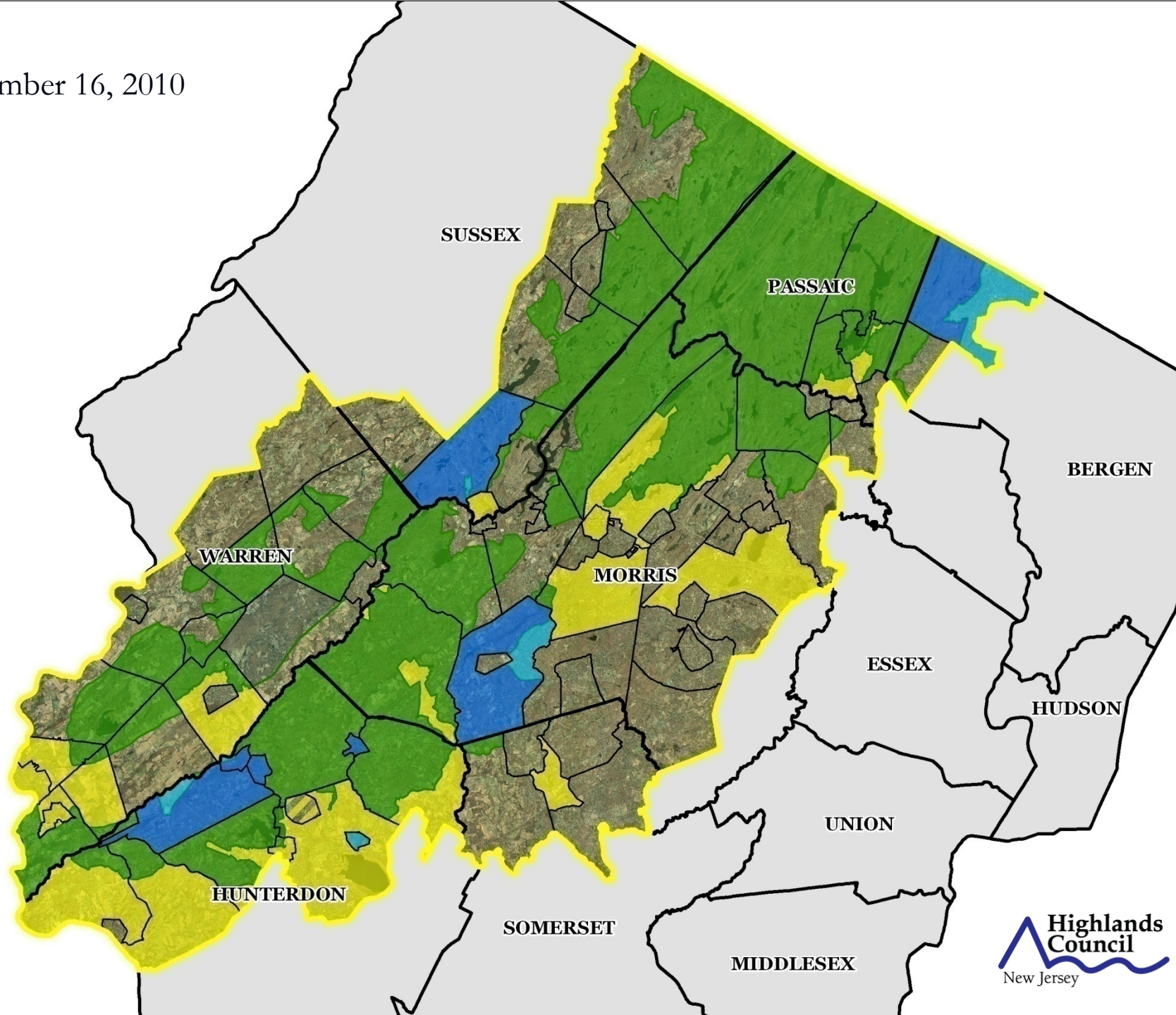
Plan Conformance Update

Pending Petitions:

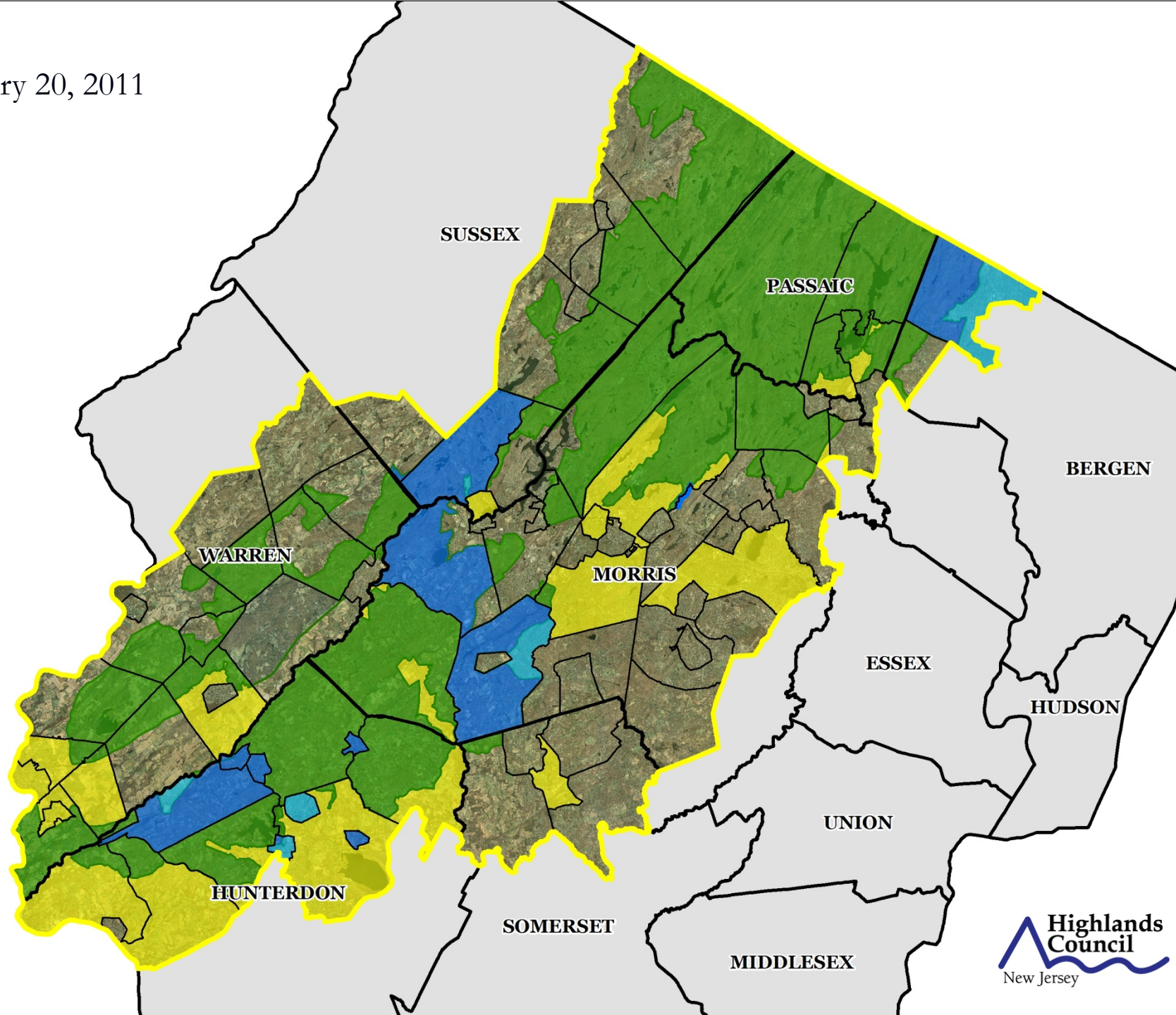
Today's Meeting: Sparta and Hardyston Townships (conforming for the Preservation Area only). Should the Council approve these two Petitions, the Council will have approved 30 of the 60 municipal Petitions (50% of the total Petitions and nearly 60% of the complete Petitions).

Upcoming Petitions: Townships of Lebanon, Bedminster, Parsippany-Troy Hills and Washington (Warren), Ringwood Borough and the Town of Philipsburg.

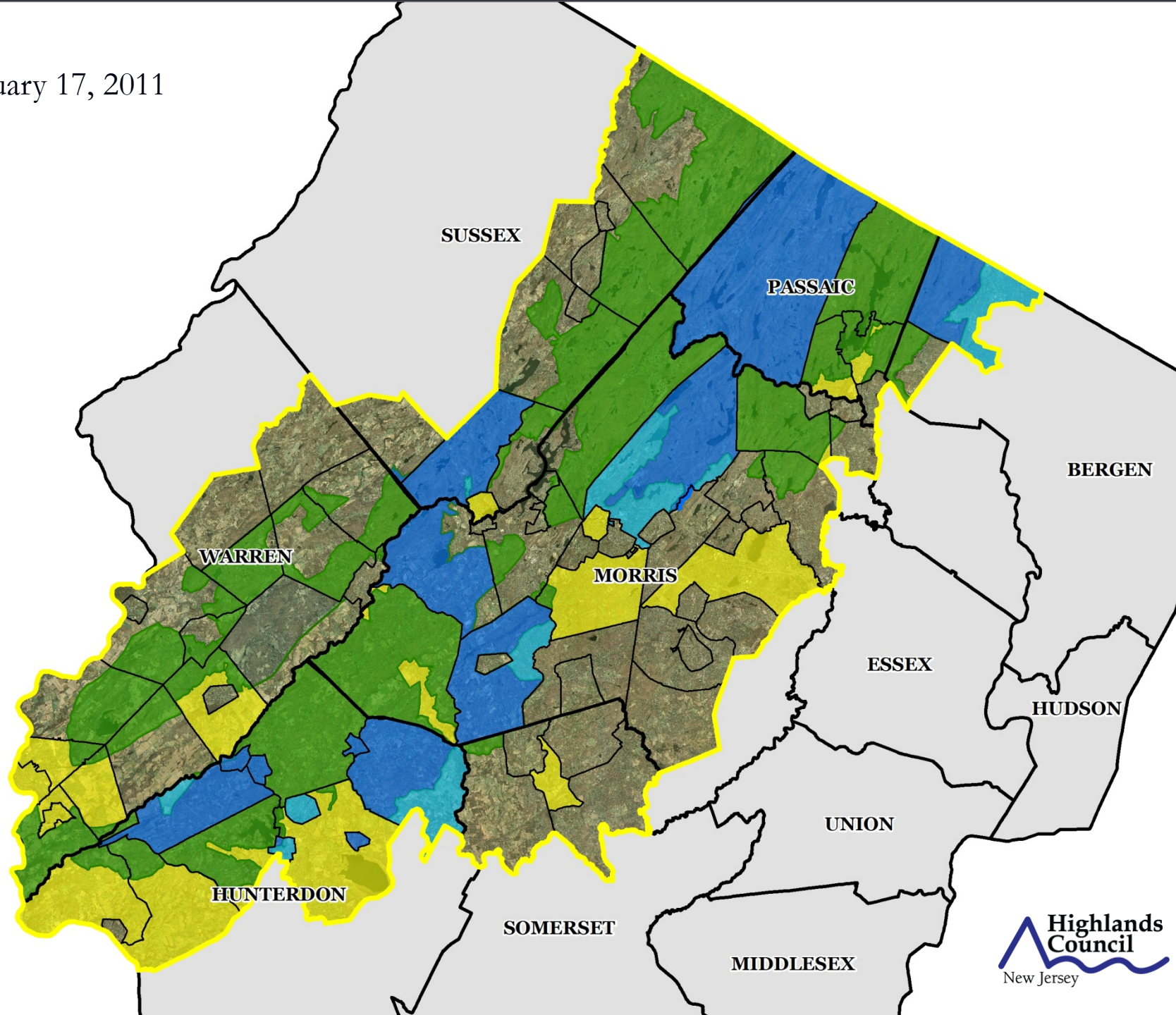
December 16, 2010



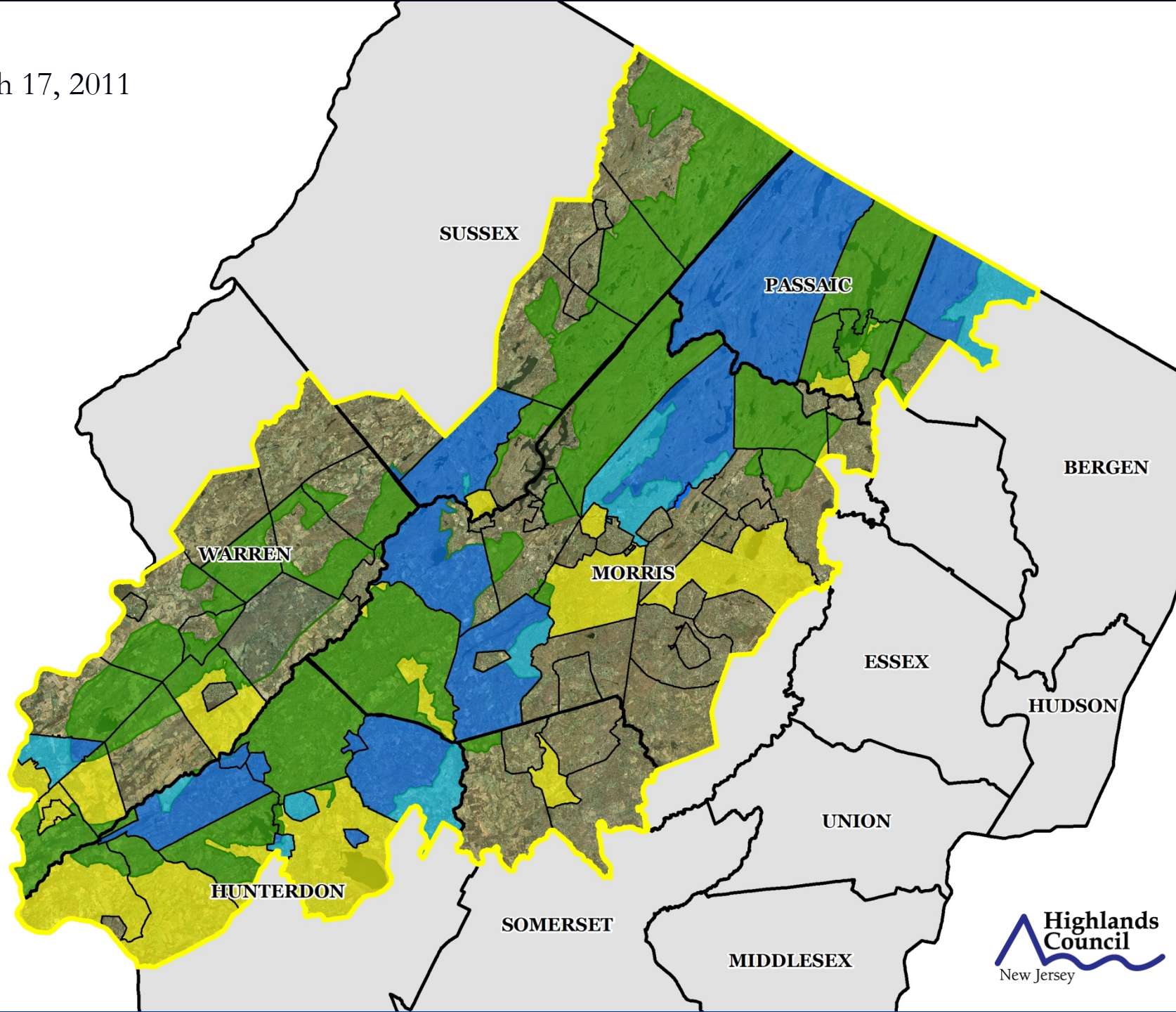
January 20, 2011



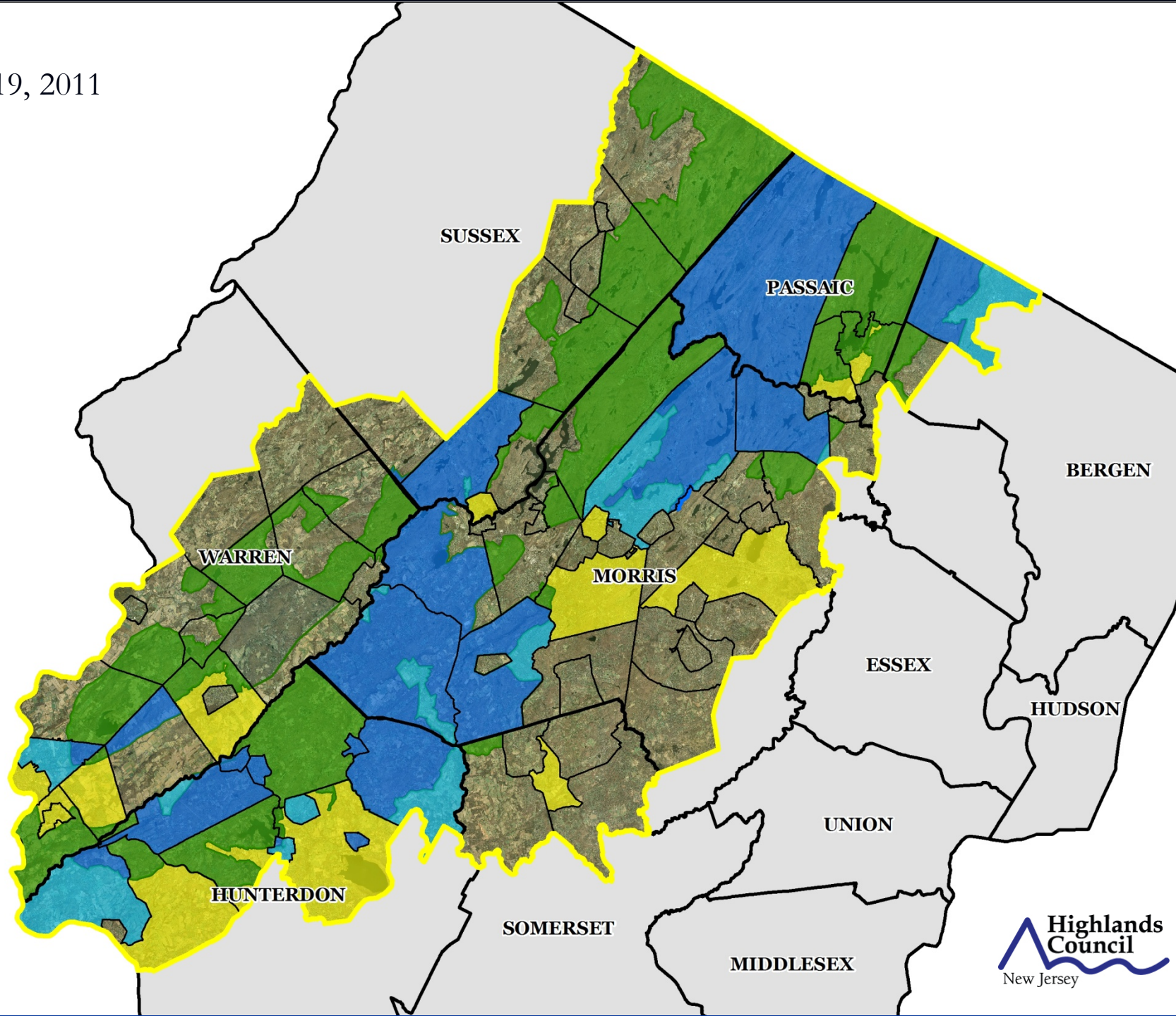
February 17, 2011



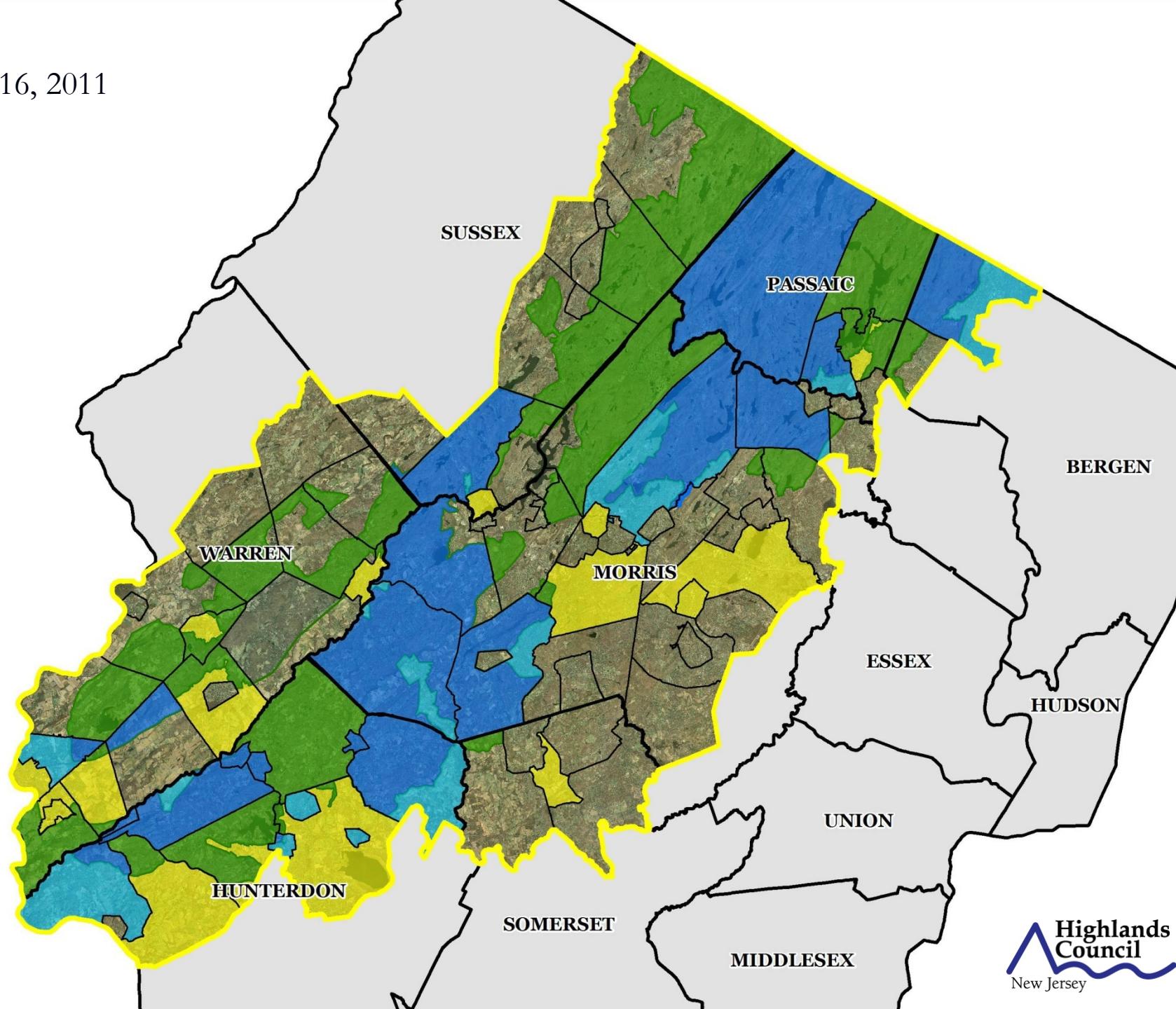
March 17, 2011



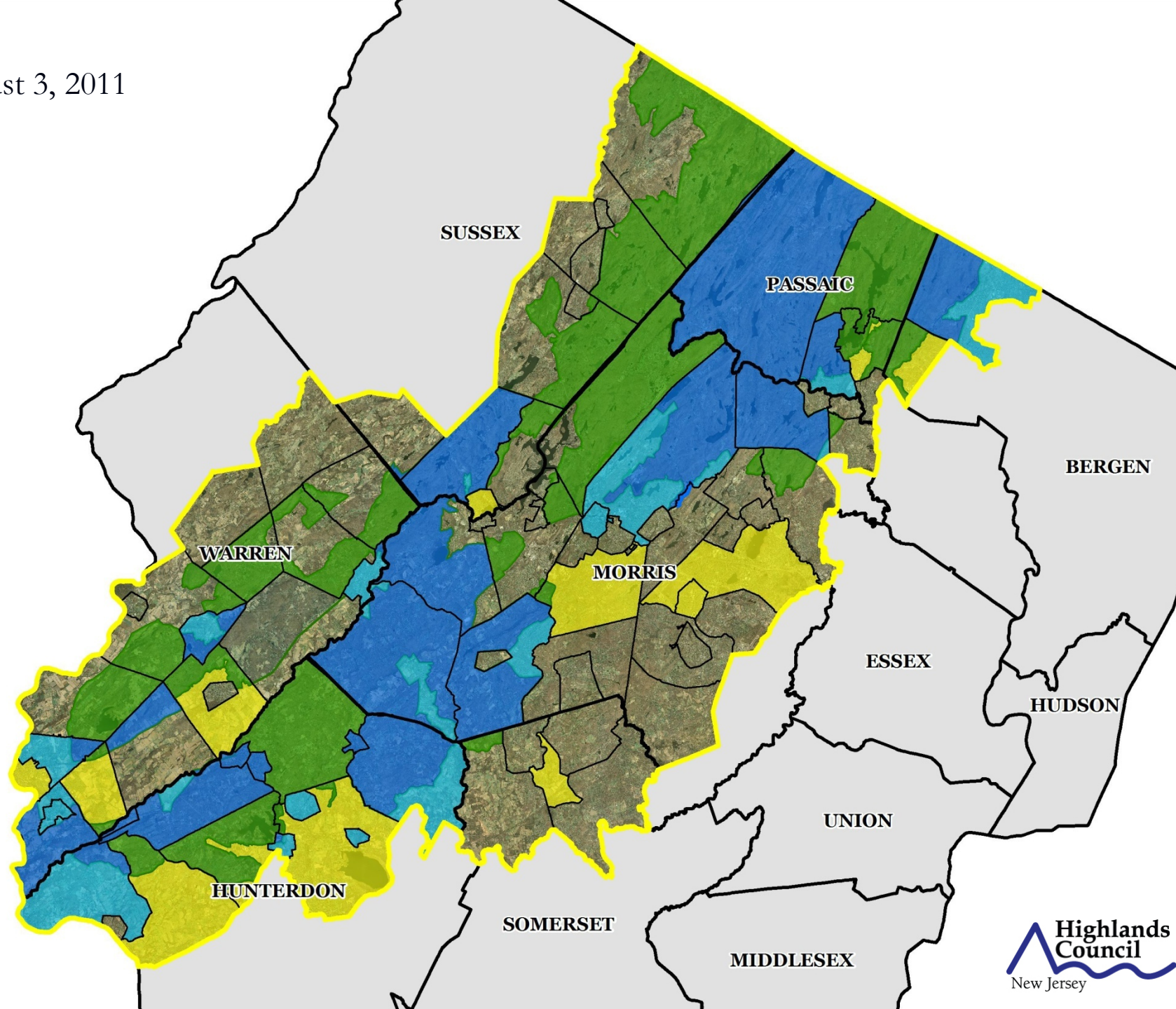
May 19, 2011



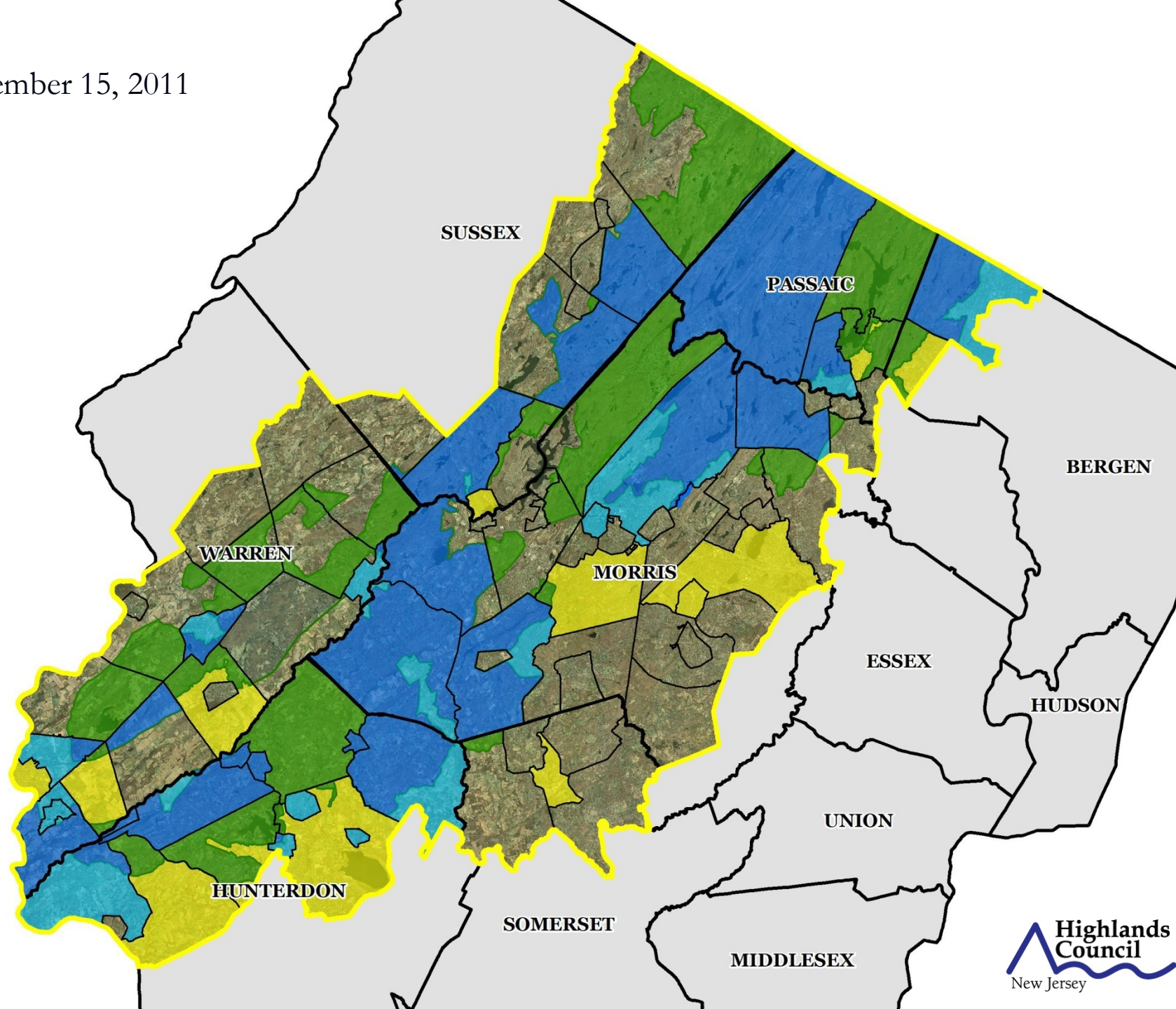
June 16, 2011



August 3, 2011



September 15, 2011



Plan Conformance Update

Modules 1 & 2:

The Highlands Municipal Build-Out Report uses a Limiting Factor Analysis to examine Land-Based, Resource-Based, and Utility-Based Capacities. **72 build-out reports have been completed.**

Module 3:

The Housing Element and Fair Share Plan is a required element of conformance; however, conditional approvals are being issued pending the New Jersey Supreme Court's review of the growth share rules. **72 Fair Share Plans have been completed.**

Module 4:

The Highlands Environmental Resource Inventory (ERI) describes and illustrates Highlands Resources, Resource Areas, and Special Protection Areas. **The Highlands ERIs have been revised to include updated data and mapping. This new information will be provided to all 88 Highlands municipalities.**

Plan Conformance Update

Module 5:

The Highlands Element for the Municipal Master Plan incorporates RMP Goals & Objectives into local planning and provides basis for effectuation of RMP. **62 Highlands Elements have been submitted. Updated data and exhibits are being provided.**

Module 6:

The Highlands Land Use Ordinance sets forth regulatory provisions that protect Highlands Resources and effectuate the policies, goals and objectives of RMP at the local level. **56 Highlands Land Use Ordinances have been submitted. Updated exhibits are being provided.**

Module 7:

The Petition includes a Resolution, Self-Assessment Report, list of Current Planning Documents and Highlands Implementation Plan & Schedule. **Of the 60 municipal Petitions, 51 have been deemed complete.**

Plan Conformance Update

- ❑ The updated data, figures and exhibits are essential to ensure that the municipal **ERI, Highlands Element and Land Use Ordinance** are based upon the most up to date information.
- ❑ The **major data updates** include:
 - 2009 County Parcels (updated parcels for ordinance mapping)
 - Highlands 2008 Light Detection and Ranging (LIDAR) Topographic Data
 - 2007 NJDEP Land Use Land Cover (updated numerous maps)
 - NJDEP Landscape Project Version 3.0
 - Highlands Municipal Build-Out - Preserved Lands
 - Highlands Municipal Build-Out - Utility Data (wastewater and water supply)
 - 2006 Soil Survey Geographic Database (for Warren County)
 - State Historic and Preservation Office 2010 Historic Properties, Districts and Archeological grids
 - 2009 NJDEP Known Contaminated Sites list.

Plan Conformance Update

In the development of the Regional Master Plan the Highlands Council used the 2002 Land Use Land Cover Data. The Council has updated base data layers using the 2007 Land Use Land Cover Data.

Land-Use/Land-Cover Type Acres 2007 to 1972

Land Use Type	2007	2002	1995	1986	1972	Change in Acres	Percent Change
AGRICULTURE	105,979	109,678	120,152	142,154	158,712	-52,733	-33%
FOREST	391,754	399,260	405,983	408,353	462,022	-70,267	-15%
URBAN	232,126	219,229	201,015	187,740	98,386	133,741	136%
WETLANDS	88,454	89,216	92,184	82,961	111,410	-22,956	-21%

Plan Conformance Update

Land Cover Change In the New Jersey Highlands

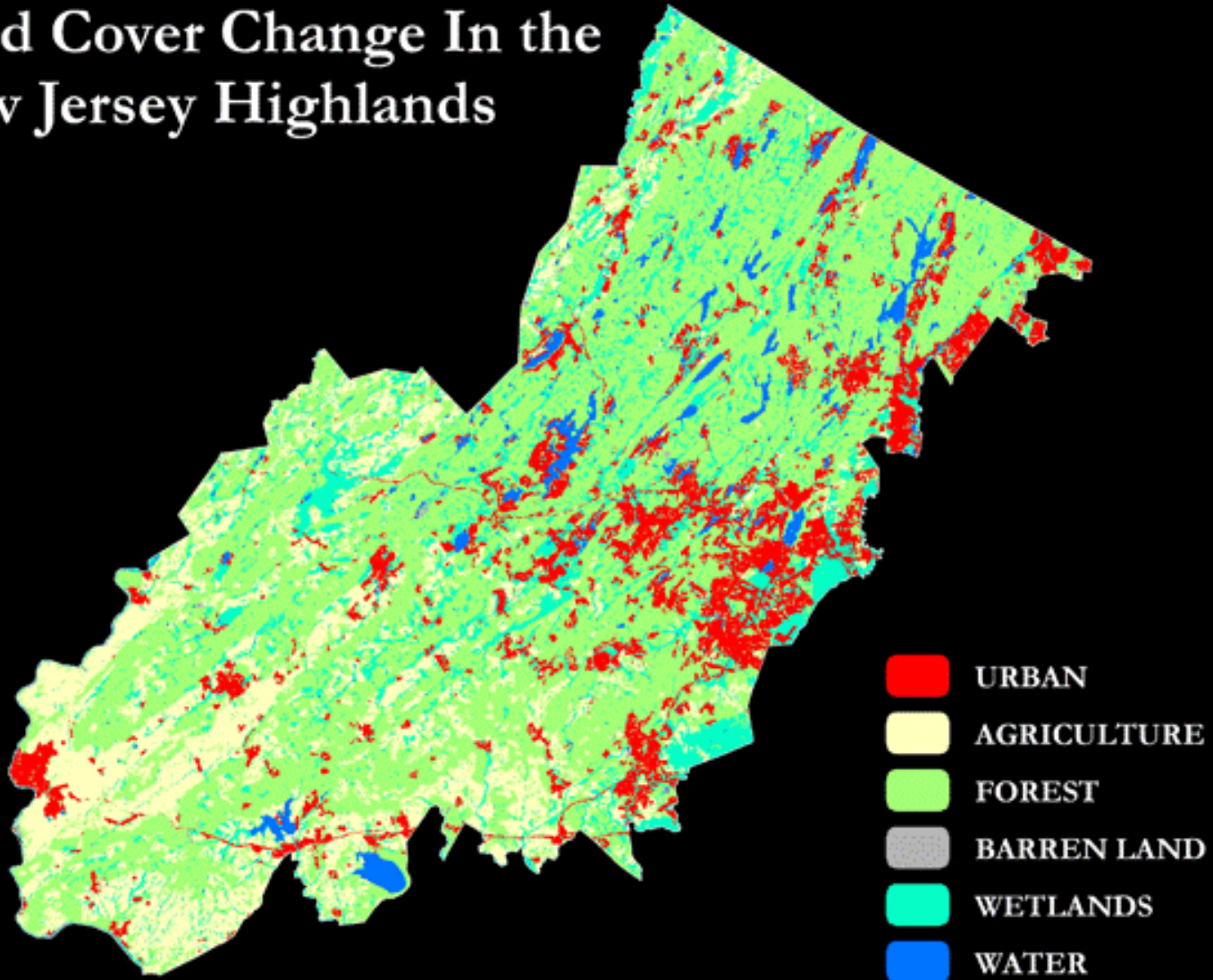
1972

1984

1995

2002

2007



Plan Conformance Update

- Municipalities are now starting to receive updated map sets. They also are receiving revised ERI text, reflecting the updated information.
- With these new products, approved municipalities can begin the adoption process. Municipalities with approved Petitions were previously notified to defer action until the maps were provided, to avoid having to revise adopted documents.
- Petition documents will include the new map sets and revised documents.
- The new GIS data will be available for download soon, and will be added to the Interactive Mapping program this calendar year.

Plan Conformance Update

Implementation of Approved Petitions:

Bethlehem – Planning Area Petition Ordinance

Byram – Planning Area Petition Ordinance, Highlands ERI, and Wastewater Management Plan

Califon – Highlands ERI and Master Plan Highlands Element

High Bridge – Planning Area Petition Ordinance, Master Plan Re-examination Report, Master Plan Highlands Element, Highlands ERI and Highlands Area Land Use Ordinance

Holland – Master Plan Re-examination Report

Lopatcong – Highlands ERI

Passaic County – Highlands ERI and Master Plan Highlands Element, introduced Land Development and Land/Facilities Regulations.

Plan Conformance Update

Plan Conformance Grant Program: Following are the average amounts requested for reimbursement by municipalities that are participating in Plan Conformance grant activities:

<u>Towns</u>	<u>Base Amount</u>	<u>Average</u>	<u>Number</u>
Module 1	\$15,000	\$13,839	73
Module 2	\$10,000	\$ 6,784	72
Module 3	\$ 7,500	\$15,343	62
Module 4	\$ 2,000	\$ 3,141	63
Module 5	\$ 2,500	\$ 6,884	54
Module 6	\$ 5,000	\$ 4,450	53
<u>Module 7</u>	<u>\$ 8,000</u>	<u>\$ 7,492</u>	50
Module Subtotal	\$50,000	\$59,933	
<u>Municipal Response Costs</u>	<u>\$ 8,000</u>	<u>\$ 7,441</u>	20
Plan Conformance Cost	\$58,000	\$65,344	

Plan Conformance Update

Plan Conformance Amended Grant Agreements: Following are the average award amounts for implementation plans based on approved Highlands Implementation Plan and Schedules:

<u>Implementation Plans</u>	<u>Average Amount</u>	<u>Number</u>
Highlands Center/Redevelopment Plan	\$15,000	17
Sustainable Economic Development Plan	\$15,455	11
Wastewater Management Plan	\$ 3,500	27
Stream & Lake Protection Plan	\$28,575	24
Water Use & Conservation Management Plan	\$60,769	13
Habitat Conservation & Management Plan	\$18,111	18
Agriculture Retention/Farm Preservation Plan	\$10,458	12

Public Hearing

Sparta Township Petition for Plan Conformance for the Preservation Area

Introduction to Sparta Township



Sparta Township

Background Statistics

- Incorporated: 1845
- Population (2009 est.): 19,225
- Land Area: 24,823 ac/
38.78 sq. mi.
- Preserved Lands: 5,888 acres
- Wetlands: 2,994 acres
- Total Forest: 14,096 acres
- Farmland: 1,227 acres



Sparta Township

Significant Highlands Statistics

- Planning Area Lands: 13,335 acres – 54%
- Preservation Area Lands: 11,488 acres – 46%
- Protection Zone – 18,970 acres – 76%
- Existing Community Zone – 2,997 acres – 12% (Roads 4%)
- Conservation Zone – 1,815 acres – 7%
- Highlands Open Water Protection – 14,870 acres – 60%
- Agricultural Resource Area – 4,229 acres – 17%
- Agricultural Priority Areas – 2,294 acres – 9%
- Special Environmental Zone: 858 acres – 3%

Sparta Township

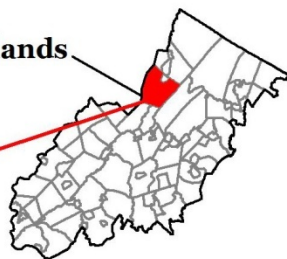
Background Statistics – Land Use



NJDEP Land Use/Land Cover (2007)	Plan	Pres	Percent
Residential (Single & Multi Family)	3,398	1,604	20.2%
Commercial (Retail)	351	27	1.5%
Industrial & Transportation & Utilities	241	360	2.4%
Agriculture (Crops & Plantations)	1,031	101	4.6%
Recreational Lands (Public & Private)	381	10	1.6%
Extractive Mining	207	19	0.9%
Other Urban or Built-Up Land	422	163	2.4%
Subtotal Developed Lands	6,031	2,283	33.5%
Mixed Forest	3,996	7,351	45.7%
Shrub & Scrub	429	54	1.9%
Mixed Wetlands	1,645	1,327	12.0%
Barren Lands	123	60	0.7%
Water	1,111	413	6.1%
Subtotal Natural Lands	7,304	9,205	66.5%
Total	13,335	11,488	100.0%



New Jersey Highlands



Sparta
Township



Hardyston
Township

Franklin
Borough

Hardyston
Township

Ogdensburg
Borough

Sparta
Township

Jefferson
Township

Byram
Township

Hopatcong
Borough

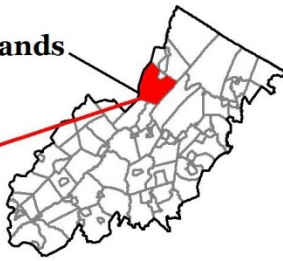


Legend

-  Municipal Boundaries
-  Parcel Boundaries
-  Highlands Planning Area
-  Highlands Preservation Area
-  Lakes Greater Than 10 Acres
- Land Use Capability Zone**
 -  Protection
 -  Conservation
 -  Existing Community
- Land Use Capability Sub-Zone**
 -  Existing Community
 -  Environmentally Constrained Conservation
 -  Lake Community
 -  Wildlife Management

New Jersey Highlands

Sparta Township



Hardyston Township

Franklin Borough

Hardyston Township

Ogdensburg Borough

Sparta Township

Jefferson Township

Byram Township

Hopatcong Borough

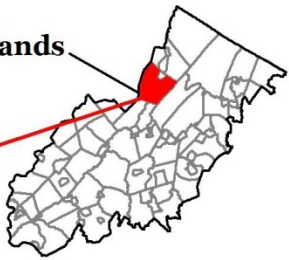


Legend

-  Municipal Boundaries
-  Lakes & Ponds
-  Streams
-  Wetlands
-  Highlands Open Water Buffers (300ft)
-  Lake Management Areas
- Watershed Values
By HUC-14 Subwatershed**
 -  Moderate
 -  High



New Jersey Highlands



Sparta
Township



Hardyston
Township

Franklin
Borough

Hardyston
Township

Ogdensburg
Borough

Sparta
Township

Jefferson
Township

Byram
Township

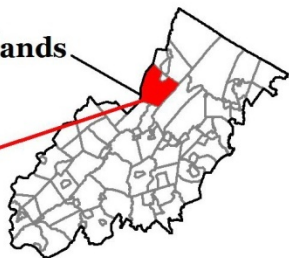
Hopatcong
Borough



Legend

-  Municipal Boundaries
-  Lakes Greater Than 10 Acres
-  Vernal Pools + 1000ft Buffer
-  Significant Natural Areas
-  Critical Wildlife Habitat

New Jersey Highlands



**Sparta
Township**



**Hardyston
Township**

**Franklin
Borough**

**Hardyston
Township**

**Ogdensburg
Borough**

**Sparta
Township**

**Jefferson
Township**

**Byram
Township**

**Hopatcong
Borough**



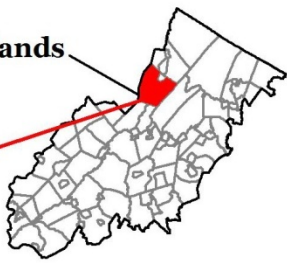
Legend

- Municipal Boundaries
- Lakes Greater Than 10 Acres
- Existing Area Served for:**
 - Public Community Water Systems
 - Highlands Domestic Sewerage Facilities
 - Highlands Domestic Sewerage Facilities and Public Community Water Systems

**Net Water Availability
By HUC14 Subwatershed
Million Gallons Per Day (MGD)**

- 0.00 - 0.04
- 0.09 - -0.01
- 0.99 - -0.10

New Jersey Highlands



Sparta
Township

Hardyston
Township

Franklin
Borough



Hardyston
Township

Ogdensburg
Borough





Sparta
Township

Jefferson
Township

Byram
Township

Hopatcong
Borough

Legend

-  Municipal Boundaries
-  Conservation Priority Areas
High
-  Preserved Lands
-  Lakes Greater Than 10 Acres



Plan Conformance Modules

Petition Requirements	Consistent with the RMP	Specific Issues
Modules 1-2 Municipal Build-Out Report	X	
Module 3 Housing Element/Fair Share Plan	X	
Module 4 Environmental Recourse Inventory	X	
Module 5 Highlands Element	X	
Module 6 Land Use Ordinance	X	
Module 7 Petition for Plan Conformance	X	

Sparta's Petition for Plan Conformance

Public Comments Received

- The public comment period for Sparta's Petition for Plan Conformance opened August 12, 2011 and closed August 30, 2011. Notice was given in area newspapers as well as on the Highlands Council website and through the Highlands Council e-mail alert system.

Comments received from:

- Helen Heinrich, on behalf of the New Jersey Farm Bureau
- Erica Van Auken, on behalf of the New Jersey Highlands Coalition

Recommendation

Sparta's Petition for Plan Conformance

Staff Recommendation: **APPROVE (LISTING MAJOR CONDITIONS)**

- Adoption of Checklist Ordinance
- Adoption of Completed ERI, Highlands Element and Land Use Ordinance
- Compliance with Fair Housing Act
- Sustainable Economic Development Plan
- Agriculture Retention Plan
- Habitat Conservation and Management Plan
- Stream Corridor Protection & Restoration Plan
- Green Building/Environmental Sustainability Element

Council Deliberation



Sparta Township

Public Hearing

Hardyston Township Petition for Plan Conformance for the Preservation Area

Introduction to Hardyston Township



Hardyston Township

Background Statistics



- Incorporated: 1798
- Population (2009 est.): 8,325
- Land Area: 20,885 acres/
32.6 sq. mi.
- Preserved Lands: 9,790 acres
- Wetlands: 3,448 acres
- Total Forest: 14,552 acres (70%)

Hardyston Township

Significant Highlands Statistics

- Planning Area Lands: 8,278 acres – 40%
- Preservation Area Lands: 12,607 acres – 60%
- Protection Zone: 14,745 acres – 70.5%
- Conservation Zone: 3,655 acres – 17.5%
- Existing Community Zone: 1,924 acres – 9% (Roads 3%)
- Highlands Open Water Protection: 12,895 acres – 62%
- Forest Resource Area: 18,132 acres – 87%
- Conservation Priority Areas: 5,795 acres – 28%
- Special Environmental Zone: 122 acres - 0.6%

Hardyston Township

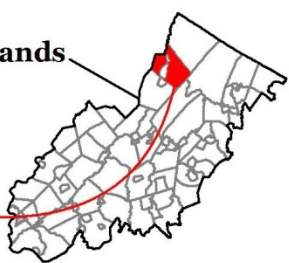
Background Statistics – Land Use



NJDEP Land Use/Land Cover (2007)	Plan	Pres	Percent
Residential (Single & Multi Family)	950	809	8.4%
Commercial (Retail)	118	43	0.8%
Industrial & Transportation & Utilities	132	153	1.4%
Agriculture (Crops & Plantations)	1,090	104	5.7%
Recreational Lands (Public & Private)	596	109	3.4%
Extractive Mining	241	0	1.2%
Other Urban or Built-Up Land	235	13	1.2%
Subtotal Developed Lands	3,361	1,230	22.0%
Mixed Forest	2,555	8,985	55.3%
Shrub & Scrub	604	119	3.5%
Mixed Wetlands	1,605	1,812	16.4%
Barren Lands	84	2	0.4%
Water	72	456	2.5%
Subtotal Natural Lands	4,920	11,373	78.0%
Total	8,281	12,603	100.0%

New Jersey Highlands

Hardyston
Township



Vernon
Township

Hamburg
Borough

West Milford
Township

Hardyston
Township

Franklin
Borough

Ogdensburg
Borough

Sparta
Township

Legend

- Municipal Boundaries
- Parcel Boundaries
- Highlands Planning Area
- Highlands Preservation Area
- Lakes Greater Than 10 Acres
- Land Use Capability Zone
 - Protection
 - Conservation
 - Existing Community
- Land Use Capability Sub-Zone
 - Existing Community
 - Environmentally Constrained Conservation
 - Environmentally Constrained
 - Lake Community
 - Wildlife Management

New Jersey Highlands

Hardyston
Township



Vernon
Township

Hamburg
Borough

Hardyston
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Ogdensburg
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Sparta
Township

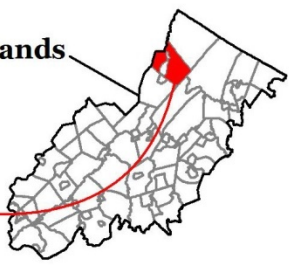
Jefferson
Township
Highlands
Council
New Jersey

Legend

- Municipal Boundaries
- Lakes & Ponds
- Streams
- Wetlands
- Highlands Open Water Buffers (300ft)
- Lake Management Areas
- Watershed Values
By HUC-14 Subwatershed
 - High

New Jersey Highlands

Hardyston
Township



Vernon
Township

Hamburg
Borough

West Milford
Township

Hardyston
Township

Franklin
Borough

Ogdensburg
Borough

Sparta
Township

Jefferson
Township
Highlands
Council
New Jersey

Legend

-  Municipal Boundaries
-  Lakes Greater Than 10 Acres
- Steep Slope Protection Area
 -  Severely Constrained
 -  Moderately Constrained
 -  Constrained/Limited Constrained

New Jersey Highlands

Hardyston
Township



Vernon
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Borough

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Township

Franklin
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Ogdensburg
Borough

Sparta
Township

Legend

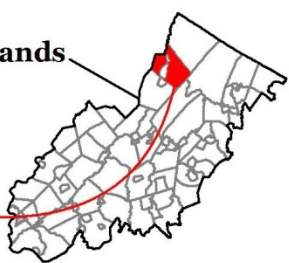
- Municipal Boundaries
- Lakes Greater Than 10 Acres
- Carbonate Rock Areas
- Prime Ground Water Recharge Areas

Wellhead Protection Areas

- (Tier 1) 2-Year
- (Tier 2) 5-Year
- (Tier 3) 12-Year

New Jersey Highlands

Hardyston
Township



Vernon
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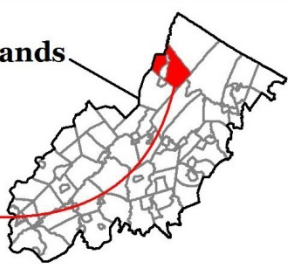
Sparta
Township

Legend

- Municipal Boundaries
- Lakes Greater Than 10 Acres
- Existing Area Served for:
 - Public Community Water Systems
 - Highlands Domestic Sewerage Facilities
 - Highlands Domestic Sewerage Facilities and Public Community Water Systems
- Net Water Availability
By HUC14 Subwatershed
Million Gallons Per Day (MGD)
 - 0.00 - 0.04
 - 0.09 - -0.01
 - 0.99 - -0.10

New Jersey Highlands

Hardyston
Township



Vernon
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Hardyston
Township

Franklin
Borough

Ogdensburg
Borough

Sparta
Township


Legend


 Municipal Boundaries

Conservation Priority Areas

 Moderate

 High

 Preserved Lands

 Lakes Greater Than 10 Acres

Plan Conformance Modules

Petition Requirements	Consistent with the RMP	Specific Issues
Modules 1-2 Municipal Build-Out Report	X	
Module 3 Housing Element/Fair Share Plan	X	
Module 4 Environmental Recourse Inventory	X	
Module 5 Highlands Element	X	
Module 6 Land Use Ordinance	X	
Module 7 Petition for Plan Conformance	X	

Hardyston's Petition for Plan Conformance

Public Comments Received

- The public comment period for Hardyston's Petition for Plan Conformance opened August 12, 2011 and closed August 30, 2011. Notice was given in area newspapers as well as on the Highlands Council website and through the Highlands Council e-mail alert system.

Comments received from:

- Helen Heinrich, on behalf of the New Jersey Farm Bureau
- Erica Van Auken, on behalf of the New Jersey Highlands Coalition

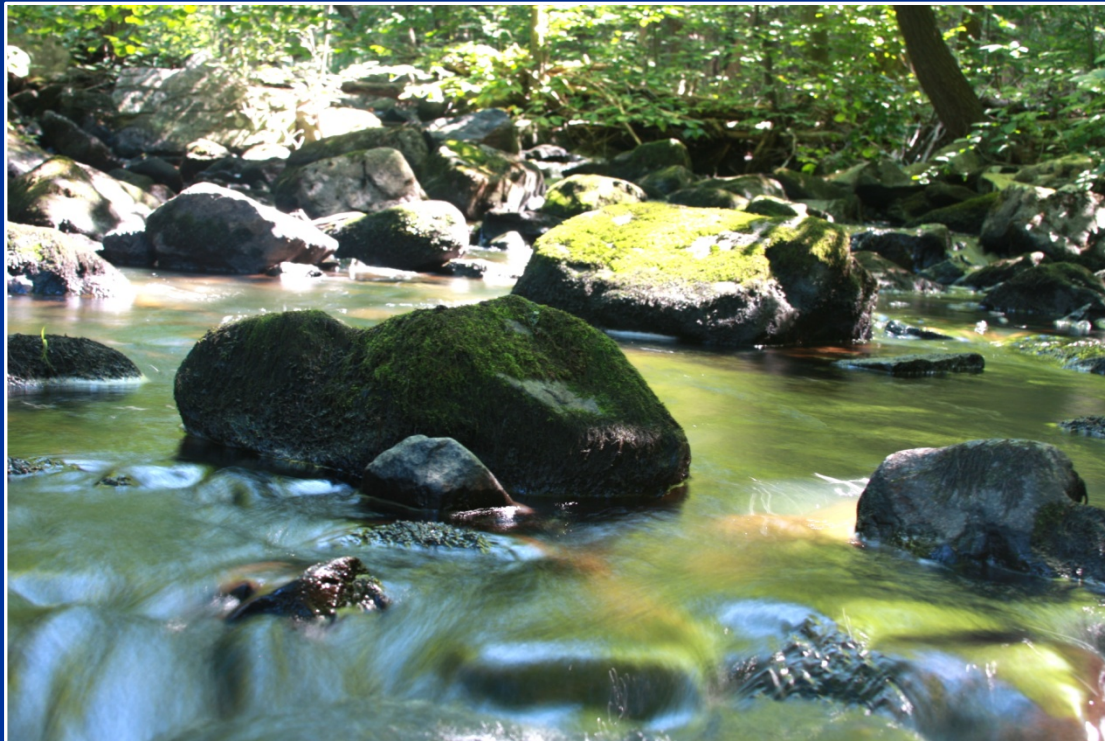
Recommendation

Hardyston's Petition for Plan Conformance

Staff Recommendation: **APPROVE (LISTING MAJOR CONDITIONS)**

- Adoption of Checklist Ordinance
- Adoption of Completed ERI, Highlands Element and Land Use Ordinance
- Compliance with Fair Housing Act (substantive certification granted)
- Water Use and Conservation Management Plan
- Agriculture Retention Plan
- Habitat Conservation and Management Plan
- Stream Corridor Protection & Restoration Plan

Council Deliberation



Hardyston Township

Resolution

Authority for Plan Conformance and Highlands Project Review



Highlands Council Meeting

September 15,
2011

