



State of New Jersey

Highlands Water Protection and Planning Council
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BENJAMIN L. SPINELLI, ESQ.
Executive Director

MEMORANDUM

TO: Plan Conformance Committee
FROM: Benjamin L. Spinelli, Esq., Executive Director
SUBJECT: Committee Meeting Minutes – March 7, 2024
DATE: March 12, 2024

A Plan Conformance Committee meeting was held on Thursday, March 7, 2024, at 2:00pm via Zoom teleconference.

Committee Members present: Committee Chair Dressler, Council Chair Richko, and Committee Member Van Abs.

Staff Members present: Ben Spinelli, Gabrielle Gallagher, Neda Hartman, James Humphries, Maryjude Haddock-Weiler, Carole Ann Diction, Roberta Burkhart, Linda Acker, and Karen Castanhas.

Governor's Authority Unit (GAU): Alexis Franklin, Associate Counsel.

Committee Chair Dressler opened the meeting at 2:01pm.

Highlands Redevelopment Area: Lopatcong and Pohatcong Townships, Warren County Block 102, Lots 9 and 9.01 (Lopatcong) and Block 1, Lots 1 and 1.01 (Pohatcong)

Mr. Humphries, Director of Planning, Science and GIS, gave a summary of the bifurcation of the previous joint petition from the Townships of Lopatcong and Pohatcong for Highlands Council approval of an amended Highlands Center Designation into two separate petitions. One petition is for the approval of a Highlands Center Designation and one petition is for the approval of a Highlands Redevelopment Area Designation.

Mr. Humphries gave a presentation in which he identified all the parcels included in the original joint petition for Highlands Center Designation, clarifying which parcels would now be included in each of the separate petitions. The affordable housing parcel in Pohatcong and the historic district along Lock Street remain as part of the Highlands Center Designation Petition.

Mr. Humphries indicated that the former Phillipsburg Mall property, as well as the vacant lots located behind the Phillipsburg Mall property, are now included in the new Highlands Redevelopment Area Designation petition which is the subject of today's meeting.

Mr. Humphries advised the committee that eleven public comments were received, and he summarized the public's primary concerns regarding the new Highlands Redevelopment Area Designation petition.

Mr. Humphries concluded that the new Highlands Redevelopment Area Designation petition meets the Highlands requirements and staff recommends the petition be approved with the following conditions:

- Stormwater Management:
 - 90% Recharge mitigation
 - 90% TSS Removal either on site or within the same watershed;
- Conservation Restriction (HERZ) for Lopatcong Creek Area;
- Mitigation for 55 acres of agricultural land, value based on SADC farmland data;
- Screening of surrounding properties with landscaping and sound wall;
- Conservation of Morris Canal Greenway.

Council Chair Richko asked what the buffer distance was from the site to Lopatcong Creek and if Lopatcong Creek is a C1 Stream.

Mr. Humphries shared his screen to review the map of the site area. The buffer is compliant with the Highlands requirements which are equal to the C1 Stream requirements.

Member Van Abs was concerned with the offsite recharge mitigation capabilities of the municipalities.

Mr. Humphries stated that the municipalities would not typically require mitigation, but the Highlands Council is requiring 90% Recharge Mitigation and 90% TSS Removal.

Member Van Abs also asked if there was any way of preserving the property.

Mr. Humphries stated that the property is not eligible for farmlands preservation and that both Lopatcong and Pohatcong are promoting the redevelopment of the property. He added that the current zoning would make preservation costly.

Council Chair Richko asked what the next steps would be should the petition be approved.

Mr. Humphries stated that the Highlands Council staff will review all site plans once they are submitted.

Council Chair Richko made a motion to move the Petition for Highlands Redevelopment Area Designation to the full Council and Member Van Abs seconded it. All were in favor.

Harding Township, Morris County

Mr. Humphries introduced the subject of Harding Township's petition for 100% Highlands Planning Area Conformance and added that a Consistency Report has been drafted with no issues identified. Highlands Council staff will forward the draft report next week for committee review.

Member Van Abs mentioned he would be unavailable next week but would review the following week.

Mr. Humphries asked the committee if the draft report could be posted for public comment prior to the next Plan Conformance Committee meeting.

Council Chair Richko agreed that it could be posted.

The meeting adjourned at 2:20pm.