

## **RESOLUTION 2023-10**

### **APPROVAL OF MAP ADJUSTMENT FOR GLENLORA SITE FOR CHESTER TOWNSHIP (MORRIS COUNTY)**

**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); and

**WHEREAS**, Section 6.g the Highlands Act authorizes the Highlands Council to enter into any and all agreements or contracts and execute any and all instruments to carry out any power, duty or responsibility assigned to it under the Highlands Act; and

**WHEREAS**, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance for municipalities located wholly or partially in the Preservation Area, which must revise and conform their local master plan and development regulations, as they relate to development and use of land in the Preservation Area, with the goals, requirements, and provisions of the Regional Master Plan (RMP) within 15 months of adoption thereof, or December 8, 2009; and

**WHEREAS**, Section 15 of the Highlands Act provides for voluntary Plan Conformance where any municipality located wholly or partially in the Planning Area may voluntarily revise and conform their local master plans and development regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements, and provisions of the RMP at any time; and

**WHEREAS**, the RMP provides that Map Adjustments proposed to change Protection and Conservation Zones or the Environmentally-Constrained Sub-Zones may be approved by the Highlands Council where it finds that the petition does not result in deleterious impacts to the affected or adjacent Land Use Capability Zones or to RMP policies and objectives applicable to adjacent or nearby lands, and the petitioner demonstrates that the proposed adjustment: complies with the intent and purposes of the Highlands Act and the RMP and demonstrates that Highlands resource protection and smart growth planning principles have been addressed; and

**WHEREAS**, in December of 2022, the Township of Chester submitted an application for a proposed Map Adjustment to modify part of an existing area of Protection Zone to Existing Community Zone which would allow for a 100% Affordable Housing project; and

**WHEREAS**, on March 2, 2023, the Highlands Council posted a Review and Recommendations Report which recommended approval of the Map Adjustment with conditions; and

**WHEREAS**, on March 2, 2023, the Highlands Council posted a Public Notice seeking public comment for a period of 30-days on Chester Township's Map Adjustment Application; and

**WHEREAS**, no public comments were received; and

**WHEREAS**, the Highlands Council staff recommends that the Highlands Council approve Chester Township's Application for a Map Adjustment; and

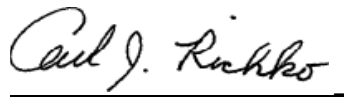
**WHEREAS**, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays, and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

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**TOWNSHIP (MORRIS COUNTY)**

**NOW, THEREFORE, BE IT RESOLVED** that the Highlands Council hereby authorizes the Highlands Council to amend its maps to reflect the Map Adjustment sought by Chester Township.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 18<sup>th</sup> day of May 2023.

  
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Carl J. Richko, Chairman

<b>Vote on the Approval of This Resolution</b>	<b>Motion</b>	<b>Second</b>	<b>Yes</b>	<b>No</b>	<b>Abstain</b>	<b>Absent</b>
Councilmember Alstede	✓		✓			
Councilmember Dougherty						✓
Councilmember Dressler			✓			
Councilmember Francis			✓			
Councilmember Holtaway			✓			
Councilmember James					✓	
Councilmember Sebetich			✓			
Councilmember Van Abs			✓			
Councilmember Visioli		✓	✓			
Councilmember Vohden			✓			
Chairman Richko			✓			