

**NEW JERSEY HIGHLANDS WATER PROTECTION  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007**

JOHN WEINGART ) CHAIRMAN  
ELIZABETH CALABRESE )  
TRACY CARLUCCIO ) COUNCIL MEMBERS  
TIM DILLINGHAM )  
JANICE KOVACH )  
MIMI LETTS )  
ERIK PETERSON )  
JACK SCHRIER )  
GLEN VETRANO )  
SCOTT WHITENACK )

**VIA TELECONFERENCE:**

DEBBIE PASQUARELLI )  
TAHESHA WAY )

**ABSENT**

MIKEAL SALOVAARA )

**CALL TO ORDER:**

The Chairman of the Council, John Weingart, called the 45<sup>th</sup> meeting of the New Jersey Highlands Water Protection and Planning Council to order at 4:08 p.m.

**ROLL CALL:**

The members of the Council introduced themselves.

**PLEDGE OF ALLEGIANCE:**

The Chairman asked those who wished to join in the Pledge of Allegiance.

**OPEN PUBLIC MEETINGS ACT:**

Chairman Weingart announced that the meeting was called in accordance with the Open Public Meetings Act, N.J.S.A. 10:4-6, and that the Highlands Council had sent written notice of the time, date and location of this meeting to pertinent newspapers of circulation throughout the State.

**MINUTES OF FEBRUARY 15, 2007:**

Mr. Jack Schrier made a motion to approve, Ms. Mimi Letts seconded, and the vote was unanimously APPROVED.

**CHAIRMAN'S REPORT:**

Chairman Weingart announced that a full Council meeting was being scheduled for April 5, 2007. He then mentioned there was no further progress on the appointment of the 15<sup>th</sup> member of the Council, Mr. William Cogger, of Chester Township, nominated by Governor

NEW JERSEY HIGHLANDS WATER PROTECTION  
You are viewing an archived document from the New Jersey State Library.  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007

Corzine. He explained that earliest the nomination could be considered now would be in May when the New Jersey Senate Judiciary Committee is likely to next meet.

Mr. Weingart then discussed the recent approval of federal monies allocated under the federal Highlands Conservation Act for Highlands' open-space preservation. Congress allocated of \$1.98M this year to be split among four states, including New Jersey. This information was published in local and national newspapers.

**EXECUTIVE DIRECTOR'S REPORT:**

Mr. Dante DiPirro reported that the Council has now held public hearings in all of the counties in the Highlands Region, with the last public hearing held Wednesday, March 21, 2007. To date, the Council had received nearly 700 comments on the draft of the Regional Master Plan. The staff has processed and made available for Council review approximately half of these so far. Of the comments: 10% reflected requests for an extension of the public comment period; a third were comments regarding the Land Use Capability Map (LUCM); and another 10% were from constituents concerned about their specific properties. All the detailed comments will be available after the conclusion of the public comment period, the date of which, would be discussed later in today's meeting.

Mr. DiPirro noted that there has been significant interest in the Council's website. Last year there were over 100,000 hits; most were hits for the legislation itself and to download information or to access technical information. Together, this all points to a huge amount of public interest in the activities of the Council.

Mr. DiPirro also discussed the Fiscal Year (FY) 08 State Budget Recommendations issued by Governor Corzine, which included two key components. First, the Council maintained another year of \$3 million in funding for Highlands Council operations, which did not reflect a decrease in funding as did many other state agencies. The 2008 State Budget has been very tight for all state agencies. Second, the FY08 State Budget recommends allocates another \$12 million in municipal aid from the Highlands Protection Fund. Together, these monies will be crucial as the Council moves from development of the Regional Master Plan to implementation. The \$3 million recommended in the FY08 State Budget for the Highlands Council will continue to fund the Council's operations as well as the adoption of the Regional Master Plan.

The November 2006 release of the draft Regional Master Plan marked a historic moment for the Council. The Plan outlines the regional land use policies and strategies required to satisfy the provisions of the Highlands Water Protection and Planning Act, and will guide future land use, water resource protection, land preservation, and economic development for the Highlands Region. The next phase of development includes completion of the final Plan, evaluation of municipal proposals and ordinances for 88 municipalities and seven counties to ensure conformance with the Plan, and project review. Successful implementation of the Plan is essential to the protection of nearly 860,000 acres of land in northern New Jersey.

On a personal note, Mr. DiPirro mentioned that it has been his "distinct privilege to work with this Council and to be part of the whole legislation and plan." He believes that the

NEW JERSEY HIGHLANDS WATER PROTECTION  
You are viewing an archived document from the New Jersey State Library.  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007

Highlands Act and the work of the council is a legacy project. Water really matters, and the challenges that have arisen come as a result of the need to protect the water. The Highlands Region supplies water for nearly half of all New Jersey residents. New Jersey depends on it for health, manufacturing, and economic growth. The council is made up of a diverse group of people with the goal of consensus building and having partnerships and open discussion.

Mr. DiPirro concluded his remarks by noting that, after years of intensive effort to preserve the Highlands Region, he was very pleased to see what had been accomplished thus far. He said that he would be moving on to pursue exiting new career opportunities and wished the Council and the staff every future success.

Chairman Weingart thanked Mr. DiPirro for all of his efforts on behalf of the Highlands and presented him with a gift from the Council of a framed photograph from the noted Highlands photographer Dwight Hiscano.

**COMMITTEE REPORTS:**

John Weingart requested reports from individual Council Members and committees.

Mr. Schrier began the discussion by mentioning the public hearing he and Councilmember Alstede attended with Tom Borden regarding reauthorization of the Garden State Preservation Trust. This hearing highlighted numerous requests for addressing the preservation needs of the Highlands Region. Mr. Schrier announced that the next public hearing regarding reauthorization was scheduled for March 28, 2007 in Princeton.

Ms. Elizabeth Calabrese discussed the activities of the **Audit Committee**. She extended thanks to Beth Gates of the New Jersey Water Supply Authority for providing assistance to the Committee regarding State audit requirements. Ms. Calabrese affirmed the need for a single audit, using government criteria, which the committee believes are sufficient to meet the Council's needs. Tracy Carluccio, Debbie Pasquarelli, and Scott Whitenack will initiate the audit selection process. Further updates will be forthcoming.

On behalf of the **Personnel Committee**, Chairman Weingart said that the search for a new Executive Director was well underway. The Personnel Committee met earlier in the day to discuss the matter and will meet several more times in the upcoming week. He stated that he hopes the selection process would be efficient and that the Committee would be able to make a recommendation to the full Council at its next meeting on April 5<sup>th</sup>.

Mr. Scott Whitenack reported that on January 22, 2007, members of the **TDR Committee** and Highlands staff met informally with the TDR advisory group. This meeting was followed up by a formal TDR Committee meeting on March 1, 2007. The goal of the March 1<sup>st</sup> meeting was to discuss scoping for a possible contract with a real estate resource company, which would help study how the Council can finalize credit allocation. There was no action on awarding that contract. Council staff members Jeff LeJava, Steve Balzano and Tom Borden would be working on that issue. He concluded by stating that the receiving zone feasibility grant program was on the Council's meeting agenda for discussion and approval.

NEW JERSEY HIGHLANDS WATER PROTECTION  
You are viewing an archived document from the New Jersey State Library.  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007

Ms. Debbie Pasquarelli provided an update on the activities of the **Budget and Finance Committee**. First, there was a Chair Report from the meeting held on March 19, 2007, in today's packet. The TDR Committee and the Plan Development Committee reviewed and recommended Council approval of the TDR receiving zone feasibility grant program. The Budget and Finance Committee reviewed the proposed \$1 million budget for this grant program and there are sufficient funds to cover the program. There was currently \$8 million dollars available in the Council's grant funds. The Committee also reviewed a draft of the financial statement which would be included in the Council's 2006 Annual Report. The financial statement is essentially a balance sheet. The Committee authorized the figures that were contained in that report, and this was also provided in the Council's meeting packet.

Chairman Weingart pointed out that most of the items that were discussed by the **Plan Development and Local Conformance Committee** at the March 19, 2007 Committee meeting were on today's agenda. Mr. Weingart stated that the Committee sent a letter to the State Planning Commission's Office of Smart Growth asking that it not take action on the petition for Plan Endorsement submitted by Holland Township prior to the adoption of the final Regional Master Plan. He noted that the Office of Smart Growth did not declare the Holland application complete and incorporated a number of specific references to the need for the Township to address consistency with the Highlands Plan.

Mr. Weingart explained that additional meetings had been held since the Council last met between the staff and county planning staffs so that together they could address regarding GIS data layer availability and mapping issues, and that further meetings were planned. Mr. Weingart noted that the Council's Director of GIS, Roger Keren, has been helpful in this affair.

Mr. Schrier then raised an issue that he wanted noted in the public record regarding a recent editorial from the local press. In the editorial, the author claimed that a requirement for the Council seat vacated by Ben Spinelli is that the person appointed must live in the Highlands Preservation Area. Mr. Schrier stated that there is no such requirement. The person to fill that vacancy must be a public official and must ensure a balance of political parties on the Council.

**CONSIDERATION OF RESOLUTION REGARDING THE TDR FEASIBILITY GRANTS PROGRAM:**

This resolution, "Consideration of Resolution Regarding the TDR Feasibility Grants Program", was introduced by staff member, Steve Balzano. This proposal was referred to the TDR Committee, Plan Development Committee and the Budget and Finance Committee. The resolution would put into place a grant program to assist municipalities in identifying and evaluating potential TDR receiving zones. The grant is available to all 218 municipalities in the seven Highlands counties. The goals of the grant program are two-fold: 1) to solicit input from potential receiving municipalities; and 2) to provide support to municipalities that have expressed interest in developing TDR receiving zones. A letter would be distributed to these municipalities specifically outlining the TDR receiving zone feasibility grant program requirements upon approval by Council.

NEW JERSEY HIGHLANDS WATER PROTECTION  
You are viewing an archived document from the New Jersey State Library.  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007

Mr. Whitenack made a motion for the resolution and it was seconded. Chairman Weingart pointed out the importance of this initiative and then asked for public comments.

**PUBLIC COMMENTS:**

**Ross Kushner, Pequannock River Coalition:**

His concern was that the Council should adhere to the letter of the law. He believes the law requires that the TDR areas be located outside of the Highlands Preservation Area. In the current draft of the Regional Master Plan, this is not explicitly stated. His organization does not want the TDR receiving areas end up in the Preservation Area. John Weingart said the Council must approve each municipality on a case-by-case basis.

**David Shope, Lebanon Township:**

Mr. Shope is concerned that the TDR program not become an ATM machine so that municipalities are pressured to opt-into the Highlands Plan. He expressed that he is against the TDR plan.

**Eric Snyder, Sussex County Planner:**

According to Mr. Snyder, TDR is one of the most important pieces of the Highlands Act. He urged the Council to do whatever it can as quickly as it can so that this program is up and running.

Council Member Tim Dillingham clarified that when the staff develops the program, each proposal must be sent out with guidelines to insure that townships will not be sent down blind alleys for no reason. Chairman Weingart said that the intention of the resolution would be for small grants of \$25,000 and if this is productive, larger grants would be made available.

Hearing no further comment Chairman Weingart asked for a vote on the resolution as drafted and the vote was unanimous and was APPROVED.

**CONSIDERATION OF THE RESOLUTION REGARDING THE FINAL EXTENSION OF THE PUBLIC COMMENT PERIOD:**

The "Resolution Regarding the Final Extension of the Public Comment Period," was introduced by Chairman Weingart. He stated that the existing public comment period was set to end on April 2, 2007 and said that most county planners and other interested parties have requested more time to review data and submit comments based on that. The Plan Development Committee and Local Conformance discussed this matter fully and agreed that an extension should be provided and recommended that the Council adopt an extension of the public comment period to May 11, 2007.

Mr. Schrier made a motion for the resolution which was seconded and Chairman Weingart asked for Councilmember comments.

Ms. Carluccio stated that she is against the resolution. She believes the Council's progress is falling behind, while bad projects are moving forward and gave the example of Holland

[You are viewing an archived document from the New Jersey State Library.](#)  
**NEW JERSEY HIGHLANDS WATER PROTECTION  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007**

Township. It's clear that the Regional Master Plan provides a tremendous amount of data, a natural resource inventory, the Land Use Capability Map, but the Holland Township project under consideration by township planners does not consider any of this. The Township is currently seeking State Plan endorsement and is not considering the data and information developed by the Council. She believes that one month may not produce a lot more public comments, and most people have already made all substantive comments, and would not be providing any new information.

Ms. Letts then spoke on behalf of the extension. The extension was requested by the county planners, who are getting data and an explanation of how that data was used in developing the Land Use Capability Map. She explained that the extension is necessary so that the county planners may utilize the data, pull down their overlays, do their own analysis, and report back to the Council. In terms of environmental groups, the testimony was split. She believes the county planners have a wealth of experience with these issues and their opinions are crucial to making this as correct as possible and that their input will be invaluable. One month is not too much to ask when this plan will be in effect for a long while.

Mr. Vetrano echoed Ms. Lett's comments by saying that the county planners have been consistent with their requests, and that he was grateful the Council has been providing the requested materials. Mr. Vetrano stated that the planners are professionals and that they understand the scientific data. There will be no closure until the Council has given these professionals time to review the materials. Mr. Vetrano reminded the Council Members that the county planners represent a large number of people.

Ms. Kovach stated that she planned to vote against the resolution. As far as she understands the process, if there are technical errors on the map, they can and will be addressed at a future date. There are multiple stake holders and all input is equally important, from landowners, environmental groups, etc. She believes it is time to put the pencils down, stay on track and get something out there.

Ms. Way stated that she planned to vote in favor of resolution because the county planners will be playing an integral role. According to Ms. Way, one month is not severe in order to get this as close to perfect as possible. The county planners' role and input, in addition to more public input, is necessary. She sees this as an opportunity to avoid further misunderstanding, and the extension is certainly warranted.

Ms. Pasquarelli spoke against the resolution because there needs to be an end point. She believes the process of the public comment period has been misunderstood. The comment period was to comment on the draft Plan and the technical reports and it was never intended to serve to amend the map. According to Ms. Pasquarelli, the Council never intended to look at every discrepancy at this stage in the process of developing the Regional Master Plan. She stated that by adding 5-1/2 weeks of public comment period, we have nothing to gain and something to lose.

You are viewing an archived document from the New Jersey State Library.  
**NEW JERSEY HIGHLANDS WATER PROTECTION  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007**

Ms. Calabrese stated that she planned to vote in favor of the resolution. She believes that if the county planners need more information, the Council would only be developing a better relationship with the counties. Closing them out might hurt the process in the end.

Mr. Dillingham stated that he planned to vote against the resolution. According to Mr. Dillingham, maps always draw a lot of attention, and the Council will be updating the land use based on the ground information for some time to come. Mr. Dillingham explained that the public has already had 160 days to provide comments. He stated that the public comments have been focused on a map that can and will be adjusted. However, he contended that implementation of the Council's RMP policies is suffering. He believes that a further extension would be a bad precedent. He views a further extension as bending over backwards to meet with the county planners as opposed to other constituencies.

Mr. Whitenack stated that he agreed with Ms. Carluccio's concerns about what a delay may do to the over schedule for final adoption. However, he stated that he would be voting for the resolution because, to him, what the county planners are asking for is understandable.

Mr. Peterson stated that he also planned to vote for the resolution. He believes that people need an opportunity to become part of the record, and there is no great harm in a slight extension. He stated that the county planners feel this it is important and they should be given that due consideration. According to Mr. Peterson, the meetings with the county planners that have occurred have been very productive and this would be a further showing of good will.

Mr. Schrier stated that the data underlying the zones was initially slow in being released. According to Mr. Schrier, the data is very complex and difficult for a professional planner to absorb easily. He stated that the county planners simply need time to understand why the overlay zones were created and how criteria used by the Council were weighted. He stated that the draft Regional Master Plan is not bad. However, the better input the Council receives, the better final plan will be. He expects there will be changes based on the county planners' input, and working with the county planners will increase the chance of them and their municipalities choosing to opt into the plan. He supported the resolution.

Chairman Weingart expressed his support for this resolution, and agreed with Mr. Peterson's comments believing that no harm will be done by granting one final extension. He clarified that if the resolution passes the public comment period would be extended for everyone and not just the county planners.

Chairman Weingart then asked for public comments but noted that all Council members had already expressed their positions on the resolution.

**PUBLIC COMMENTS:**

**Ray Zabihach, Morris County Planner:**

Mr. Zabihach stated that he was grateful to be able to meet with Council bi-weekly; not so much to correct maps, but for the county planners to see why and how the Council established the RMP planning zones. He believes that these meetings have been extremely

You are viewing an archived document from the New Jersey State Library.  
**NEW JERSEY HIGHLANDS WATER PROTECTION  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007**

helpful, and he can now see the process behind the mapping. He commended the staff for doing a stellar job in compiling and releasing the information. He has been asked by towns in Morris County what this means to them, and said that it has been embarrassing at times to say he doesn't understand this. He can't perceive that the public would have a better perspective.

**Ross Kushner, Pequannock River Coalition:**

Mr. Kushner said that the members of the environmental community struggle with the same problem that the counties have faced. They are particularly concerned with the criteria used to develop the planned community zones, and only one layer used in creating that zone has been released to the public: public wastewater. He explained that when they raised this issue, it was pulled from the website the next day. He believes that this information is public information and must be made available to everyone, not just the counties. He would like to see the resolution passed.

Council Member Kovach asked if the public gets all the same information as the counties, and Chairman Weingart affirmed that this will be so. The information is being incrementally released, the data layers are nearly completely released. All members of the public can access this information on the Highlands Council's website.

**Robert Fry, Warren County Planning Board:**

He spoke on behalf of the Warren County Planning Board, and stated that he was supporting the position of Warren County Planner for seeking a further extension. Ms Pasquarelli stated that this was not the position of the Warren County Planning Office.

Hearing no further public comment, Chairman Weingart called for a vote on the resolution. In favor of the resolution were Councilmembers Calabrese, Letts, Peterson, Schrier, Vetrano, Way, Weingart, and Whitenack and opposed were Council members Carluccio, Dillingham, Kovach, and Pasquarelli. Chairman Weingart noted the resolution was APPROVED with a vote of 8 to 4.

**PUBLIC COMMENTS:**

**JULIA SOMERS, New Jersey Highlands Coalition:**

Ms. Somers discussed the public hearing of the New Jersey Garden State Preservation Trust reauthorization where two people spoke against renewal of the Trust, but over thirty people spoke in favor of the trust. Passage is no sure thing. She would like to see the Highland Council pass a resolution that would include all municipalities for the "Keep it Green" legislation. Specific legislation has been introduced and is seeking support. The next public hearing is March 28, 2007.

Chairman Weingart pointed out there already has been a Highlands Council resolution that has passed in support of reauthorizing the Trust, and he noted that he will be testifying at the March 28<sup>th</sup> hearing.

**DAVID SHOPE, Lebanon:**

You are viewing an archived document from the New Jersey State Library.  
**NEW JERSEY HIGHLANDS WATER PROTECTION  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007**

Mr. Shope stated that he believes the Highlands Act is all about money, not water. He argued that water is collected and sold. According to Mr. Shope, if you're a water company your profit is assured, and no one assures the farmer's profit. He stated that he is a farmer. Water is monetarized by the environ-pros and said that the environmental movement is now a regular paycheck for environmentalists in the Highlands and the Pinelands, at the expense of farmers and individuals. He asked that the Council not let the environmentalists cloud the view for everyone.

**SUSAN GYARMATI, Ringwood:**

Ms. Gyarmati expressed concern over the overlay zoning in the Preservation Areas. She read from written comments stating that the Highlands Act is meant to safeguard the water supply. New Jersey has already done this in the Sterling Forest Region and it is operative now in the preservation with stringent land use controls. She has sat through many council meetings, most meeting focus on the mapping. Her concerns are the specially planned areas within purple areas in the Preservation Area. She feels that they don't meet the original intent of the Act or the criteria which is in the draft of the Regional Master Plan. This is obvious in Ringwood Borough. There is no justification to designate development zones as long as the requisite data is not available. The consequences of today's plans will not be obvious for years to come and conformance must reflect the sensitivity of all environmental criteria to protect the natural resources. Ringwood already fought not to put sewers in the lake areas. Please respect the townships' and public's right to voice their concerns and hold onto what they treasure.

**ANDREW DRYSDALE, Chester Township:**

Mr. Drysdale stated that he owns property in the Preservation Area. He has some idea that the lines drawn for the preservation area should include those who work for the Council and for the Department of Environmental Protection. It is his strong feeling that the Highlands Act is an assault on the rights of Americans. He believes the Act should be overturned, and it represents government corruption.

**SCOTT OLSON, Byram Township:**

Mr. Olson stated that he lives in the Preservation Area and has a high regard for the work done to protect this area. He thanked Dante DiPirro personally for the work he has done. Mr. Olsen is a private citizen and is not paid by any environmental groups. He has respect for preservation work.

**SUSAN BUCK, Oxford Township:**

Ms. Buck stated that she also attended the hearing regarding reauthorization of the Garden State Preservation Trust Fund. She wanted to clarify that she opposed the Highlands Council for a few different reasons. However, she explained that she is for reauthorization of the Garden State Preservation Trust. However, it does not reflect compensation for people in the Highlands. The compensation program is not there yet. Stewardship should be privately allowed through the Highlands Council, TDRs for individuals. Without these assets in the State's economy there will be a problem. She encouraged the Highlands Council to create a TDR pilot program for individuals. The State of New Jersey, as it stands right now, can still take people's land for free.

NEW JERSEY HIGHLANDS WATER PROTECTION  
AND PLANNING COUNCIL  
MEETING OF MARCH 22, 2007

**ROSS KUSHNER, Pequannock River Coalition:**

Mr. Kushner brought up the issue of impervious cover. He believes that the current draft RMP skirts the issue mandated by the Highlands Act for 70% or more of impervious cover. He doesn't believe the Highlands Council has mapped this appropriately. In addition, the Highlands Council should define what exactly is impervious cover in order to more clearly interpret this for policy uses and provide this data layer to public.

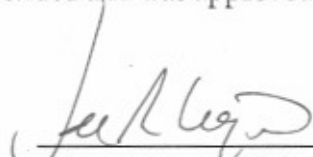
**MARION HARRIS, Chairman of the Morris County Trust for Historic Preservation:**

Ms. Harris represents a group of cultural resource preservationists who plan to file comments before the new deadline. One thing they are very concerned about is that the Highlands Council must have a greater list of data about cultural resources than what is currently supplied by the State Historic Office of Preservation. This list will most likely be doubled. Their staff would be happy to work with the Council to begin the process of gathering this information from local sources, and they will offer the resources of their staff in their comments.

**ADJOURN**

A motion was made to adjourn and was seconded and was approved unanimously at 5:40 pm.

4/6/07  
Dated:

  
\_\_\_\_\_  
John Weingart, Chairman

Vote on the Approval of  
the March 22, 2007 Minutes

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	<u>Recuse</u>
Council Member Alstede	_____	_____	✓	_____	_____
Council Member Calabrese	✓	_____	_____	_____	_____
Council Member Carluccio	✓	_____	_____	_____	_____
Council Member Dillingham	✓	_____	_____	_____	_____
Council Member Kovach	✓	_____	_____	_____	_____
Council Member Letts	_____	_____	_____	✓	_____
Council Member Pasquarelli	_____	_____	_____	✓	_____
Council Member Peterson	✓	_____	_____	✓	_____
Council Member Salovaara	_____	_____	_____	✓	_____
Council Member Schrier	✓	_____	_____	_____	_____
Council Member Vetrano	✓	_____	_____	_____	_____
Council Member Way	✓	_____	_____	_____	_____
Council Member Weingart	✓	_____	_____	_____	_____
Council Member Whitenack	✓	_____	_____	_____	_____

**PUBLIC COMMENTS SUBMITTED**

SUBMITTED AT  
COUNCIL MEETING  
ON MARCH 22, 2007

ANDREW DRYSDALE  
Land Surveyor  
32 East Fox Chase Road  
Chester, NJ, 07930  
Tel. 908-234-1079 Fax 908-234-1326

March 23, 2007

Highlands Council  
100 North Road  
Chester, NJ 07930

Good Afternoon,

My name is Andy Drysdale, my wife Lois and I live and own farmland at 32 East Fox Chase Road, Chester, NJ, our land is in the "Preservation Area" and some of it in the "Conservation Zone" of the Regional Master Plan.

Regarding the Regional Master Plan and the irresponsible Highlands Act that came before it, I have some ideas.

One idea is that if the line delineating the Preservation Area can not be removed, then it should be expanded to include the lands of all of the people involved in creating it. This idea however, is probably a bad one, because some good people could possibly be trapped by it and it is also very likely that many of the people, who are employed by the DEP, come over the bridge everyday from Pennsylvania and would not be affected.

A better and good idea would be to remove from office all those complicit in this assault on our rights that so many brave people have fought and died for over the years.

The problem with this good idea is that it will be very difficult to accomplish, but it must be done! We all need to pitch in and root out corruption!

Right now, in New Jersey we have government of the people, for the government, by the government. This is very dangerous! We must change that back to government of the people, for the people, by the people!

Thank You,

*Andrew Drysdale*  
Andrew Drysdale

SUBMITTED BY  
JULIA SOMERS TO COUNCIL  
MTG ON 3-22-07

Resolution No. \_\_\_\_\_-07  
**RESOLUTION SUPPORTING RENEWAL OF THE  
GARDEN STATE PRESERVATION TRUST**

**WHEREAS**, continued investment in open space and farmland preservation is vitally important to the state, as it enhances New Jersey's economy, safeguards its remaining natural, agricultural, recreational and cultural resources and preserves its character; **and**

**WHEREAS**, New Jersey continues to face incredible pressure from development, losing nearly 50 acres of open space daily to new development projects; **and**

**WHEREAS**, the Garden State Preservation Trust provides a match for open space taxes collected by all 21 counties and more than 225 municipalities; **and**

**WHEREAS**, protecting open spaces and improving urban natural areas stabilizes local property taxes and revitalizes communities; **and**

**WHEREAS**, since its creation in 1998, the Garden State Preservation Trust has enabled the State of New Jersey, its local governments, and nonprofits to acquire over 432,000 acres of parks, open space and farmland; **and**

**WHEREAS**, the Garden State Preservation Trust is essential not only to the State's conservation programs, but also to the work of counties, municipalities and nonprofit organizations by providing grants and low interest loans to help preserve land while protecting natural resources and farmland for future generations; **and**

**WHEREAS**, even many of the places already protected – our state and local parks – are threatened by inadequate levels of funding for operation, maintenance, and stewardship; **and**

**WHEREAS**, the Garden State Preservation Trust is virtually depleted, with funds to be completely exhausted in 2007 despite the continued need for the programs it makes possible;

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the municipality of (insert name of town), in the county of (insert name of county) and State of New Jersey as follows:

1. The municipality supports the renewal and strengthening of the Garden State Preservation Trust, to provide \$325 million annually for New Jersey to continue its programs to acquire open space and farmland and improve historic sites and preserved lands. This amount includes \$225 million a year for acquisition and \$100 million a year for capital projects, which could be provided by bonding an annual dedicated stream of approximately \$150 million.
2. The municipality supports the dedication of \$56 million annually to establish a stable source of funding for operation, maintenance, and stewardship for parks, recreation and natural areas.
3. The Municipal Clerk is hereby authorized to provide a copy of this Resolution to the following:

Duly authenticated copies of this Resolution shall be transmitted to:

The Honorable Jon Corzine, Office of the Governor, PO Box 001, Trenton, NJ 08625

State Senators

State Assemblypersons

Morris Land Conservancy, 19 Boonton Ave, Boonton, NJ 07005

New Jersey Conservation Foundation, Bamboo Brook, 170 Longview Road, Far Hills, NJ 07931

The Outdoor Recreation Alliance c/o N.J. Audubon Society, 142 W. State Street, Trenton, NJ  
08608

Daily and Weekly Newspapers

Adopted:

---

Municipal Clerk

Resolutions Passed by New Jersey Local Governments  
Supporting the Renewal of the Garden State Preservation Trust  
(As of March 22, 2007)

*Municipalities*

1. Alpha Borough
2. Atlantic Highlands, Borough of (Monmouth)
3. Bernards, Township of (Somerset)
4. Bernardsville, Borough of
5. Boonton, Township of (Morris)
6. Byram, Township of
7. Caldwell Borough (Essex)
8. Chatham Borough
9. Chester, Township of (Morris)
10. Delaware Township (Hunterdon)
11. East Amwell Township (Hunterdon)
12. East Windsor, Township of (Mercer)
13. Edison Open Space Advisory Committee
14. Florham Park, Borough of (Morris)
15. Fort Lee, Borough of (Bergen)
16. Frankford Township
17. Franklin Township (Somerset)
18. Franklin Township (Warren)
19. Franklin Township Open Space Committee (Somerset)
20. Frelinghuysen Township (Warren)
21. Fredon, Township of (Sussex)
22. Green Township
23. Greenwich Township (Warren)
24. Hampton, Township of (Sussex)
25. Hanover, Township of (Morris)
26. Harding, Township of (Morris)
27. Harmony Township (Warren)
28. Hazlet, Township of (Monmouth)
29. Hoboken, City of
30. Holland Township (Hunterdon)
31. Hopewell, Borough of (Mercer)
32. Hopewell, Township of (Mercer)
33. Kingwood, Township of (Hunterdon)
34. Lafayette Open Space Advisory Committee (Sussex)
35. Lafayette Township (Sussex)
36. Lawrence, Township of (Mercer)
37. Linwood, City of (Atlantic)
38. Long Hill Township (Morris)
39. Madison, Borough of (Morris)
40. Manalapan, Township of (Monmouth)
41. Mannington, Township of (Salem)
42. Mendham Township (Morris)
43. Millstone, Township of (Monmouth)
44. Mine Hill Township
45. Monroe
46. Montgomery, Township of

47. Montville, Township of (Morris)
48. Morris Township
49. Mount Olive Township (Morris)
50. Parsippany-Troy Hills, Township of (Morris)
51. Peapack and Gladstone, Borough of (Somerset)
52. Pennington, Borough of (Mercer)
53. Pilesgrove Township
54. Pittsgrove, Township of (Salem)
55. Randolph, Township of (Morris)
56. Ringwood, Borough of (Passaic)
57. Roxbury, Township of (Morris)
58. Stafford, Township of (Ocean)
59. Teaneck, Township of (Bergen)
60. Upper Freehold Township (Salem)
61. Upper Pittsgrove Township (Salem)
62. Washington Township (Morris)
63. West Amwell Township (Hunterdon)
64. Woodstown, Borough of (Salem)

#### *Counties*

1. Morris, Board of Chosen Freeholders County of
2. Sussex, Board of Chosen Freeholders County of
3. Monmouth County Board of Recreation Commissioners

#### *Environmental Commissions*

1. Bordentown City Environmental Commission
2. Woodstown-Pilesgrove Joint Environmental Commission (Salem)

SUSAN GYARMATI  
13 Forest Road  
Ringwood NJ 07456  
973-839-2031  
[s.gyarmati@worldnet.att.net](mailto:s.gyarmati@worldnet.att.net)

Chairman Weingart and Members of the Highlands Council:

Allow me in the 3 minutes that I think I get to expand on the comments I made at the February 22<sup>nd</sup> Passaic County hearing. My foremost concerns pertain to the overlay zoning that was sprung on us with the publication of the Land Use Capability Map and the seeming overriding of the provisions of the Highlands Act with respect to the Preservation Area.

The Highlands Act expresses first and foremost the interest of the State of New Jersey to safeguard the water supply for a healthy and vibrant economy. For that same reason, NJ contributed to the purchase of Sterling Forest [37% of the water flowing into WMA-3 watersheds originates in NY State] and in enacting the Highlands Act, created a Preservation Area with stringent land use controls.

Sitting through so many of the Council meetings and hearings I [undoubtedly naively] surmised that the "blind-to-the-line" conversations pertained to the mapping and protection of natural resources which the Act encourages. The purple areas on the LUCM occasioned a rude awakening. And I am referring to all purple areas, not only or primarily the lakes.

The Preservation Area provisions are absolutely clear in limiting development to the redevelopment of brownfield sites designated by the DEP or sites at which at least 70% of the area is covered with impervious surface. [And, of course, include all exempted and grandfathered categories or projects]. The purple areas in the Preservation Area, called **Specially Planned Areas**, a subcategory of the Planned Community Zone violate Preservation Area requirements. They don't even meet the criteria set for them in the RMP at page 50. Literally one look at the Ringwood map [Panel B9 of the LUCM Atlas] revealed lack of water, sewers or both and no proximity to transit, in other words, an absence of any basis for the mapping. Worst of all, the purple covers the principal water supply well of the Borough of Ringwood, even though a map of Highland Wells is included in the RMP on page 74. No need here to get into the complex issue of GIS data layers, this is a case of **no** application of data to a zoning determination.

There has never been a question, at least on my part, of the difficulties that lay ahead in procuring valid utility and utility capacity data and I will continue to be the last person to blame anybody for the absence of this data in the short run. I think it follows that there is absolutely no justification to designate development zones as long as the requisite capacity data is not available.

I also take issue with the fact that completely different criteria were used to define and justify the 3 overlay zones. The result of this process is that natural resource values and water supply considerations were ignored in all but the Protection Zone. This is a travesty, considering the intent behind the creation of the Preservation Area and the Highlands Act itself.

Finally, zoning overlays in the Preservation Area are unacceptable.

**Conformance and all regulations are mandatory in the Preservation Area.**

The explanation that it's all voluntary may apply to the Planning Area, it does not apply to the Preservation Area and we have a long history of protecting our natural resource environment. When attempts were made to lower our planning area status for parts of the town, we fought back and remained PA5. When both our Planning Board and Council voted to sewer our lake areas, we fought back. The protests began with the passage of the first bond ordinance in December 1969 and culminated in a referendum in November 1994 when 3,487 v. 1,000 residents chose to pay off a 9 million dollar sewer debt in preference to constructing sewers.[That's why there are no sewers for the purple blotches]. We also have a quarry in town and had to fight the State legislature in the course of the writing of the Highlands Act to protect one of the treasures of the Highlands—Saddle Mountain. So far we have succeeded. I believe you should respect that we know what we are talking about and have the tenacity to hold on to what we treasure.

Thank you. 3/22/07

**RESOLUTION 2007- 9**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**ESTABLISHMENT OF A HIGHLANDS TDR RECEIVING ZONE**  
**FEASIBILITY GRANT PROGRAM**

**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 13.a of the Highlands Act mandates that the Highlands Council establish a Transfer of Development Rights (TDR) Program for the entire Highlands Region; and

**WHEREAS**, Section 13.e of the Highlands Act directs the Highlands Council to assist municipalities in analyzing the capacity of potential voluntary receiving zones that may participate in the Highlands TDR Program; and

**WHEREAS**, Sections 13.k and l, and 18.b authorize the Highlands Council to provide grants to municipalities to assist them in the implementation of the TDR program; and

**WHEREAS**, Highlands Council staff has recommended development of a Highlands TDR Receiving Zone Feasibility Grant Program in the amount of \$1 million that will provide financial and technical assistance to municipalities wishing to explore the potential for designating and establishing a receiving zone within their jurisdiction; and

**WHEREAS**, the parameters for the Receiving Zone Feasibility Grant Program have been reviewed and approved by the Plan Development Committee on March 19, 2007; and

**WHEREAS**, the Budget and Finance Committee has reviewed and approved the establishment of a \$1 million Receiving Zone Feasibility Grant Program on March 19, 2007; and

**WHEREAS**, the Highlands Council established the TDR Committee as a standing committee in order to assist the Highlands Council and this Committee recommends the approval of the Receiving Zone Feasibility Grant Program to assist in the development of the Highlands TDR Program;

**NOW, THEREFORE, BE IT RESOLVED** by the Highlands Council:

1. That the TDR Committee is hereby authorized to develop and implement a process for the solicitation and distribution of grants and other support to municipalities within the seven Highlands counties in furtherance of the development of Highlands TDR Program, in an annual amount not to exceed \$1,000,000; and
2. That the Budget and Finance Committee is hereby authorized to review the proposed grants awards confirming the availability of funds for payment; and
3. The TDR Committee and the Budget and Finance Committee shall report their recommendations to the Highlands Council for final grant award decisions.

### CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 22nd day of March, 2007.

  
\_\_\_\_\_  
John Weingart, Chairman

<u>Vote on this Resolution</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	<u>Recuse</u>
Council Member Alstede	_____	_____	_____	✓	_____
Council Member Calabrese	✓	_____	_____	_____	_____
Council Member Carluccio	✓	_____	_____	_____	_____
Council Member Dillingham	✓	_____	_____	_____	_____
Council Member Kovach	✓	_____	_____	_____	_____
Council Member Letts	✓	_____	_____	_____	_____
Council Member Pasquarelli	✓	_____	_____	_____	_____
Council Member Peterson	✓	_____	_____	_____	_____
Council Member Salovaara	_____	_____	_____	✓	_____
Council Member Schrier	✓	_____	_____	_____	_____
Council Member Vetrano	✓	_____	_____	_____	_____
Council Member Way	✓	_____	_____	_____	_____
Council Member Weingart	✓	_____	_____	_____	_____
Council Member Whitenack	✓	_____	_____	_____	_____

**RESOLUTION 2007- 10**  
**NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL**  
**FINAL EXTENSION OF THE PUBLIC COMMENT PERIOD**

**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**, Sections 8 and 10 of the Highlands Act mandate that the Highlands Council prepare and adopt a Regional Master Plan with the goal of protecting and enhancing the significant values of the resources in the Highlands Region; and

**WHEREAS**, the Highlands Council has prepared a draft Regional Master Plan and supporting technical reports and guidelines; and

**WHEREAS**, on November 30, 2006, the Highlands Council adopted Resolution 2006-30 and thereby authorizing the Executive Director to publicly release the draft Regional Master Plan for public review and comment, publicly release the supporting technical reports and guidelines as these documents are completed, and issue a public notice and schedule for public hearings for public comment on the draft Regional Master Plan and the Council's technical reports; and

**WHEREAS**, the Executive Director issued public notice providing that the public comment period would expire on January 28, 2007 and this was subsequently extended by the Highlands Council to April 2, 2007; and

**WHEREAS**, numerous additional requests have been presented to the Highlands Council seeking a further extension of the public comment period; and

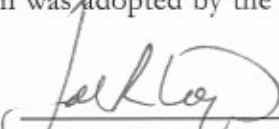
**WHEREAS**, on March 19, 2007, the Plan Development and Local Conformance Committee considered the request for an additional extension of time and approved a recommendation to extend the comment period to May 11, 2007 for public comment on the draft Regional Master Plan and the Council's technical reports; and

**WHEREAS**, the Plan Development and Local Conformance Committee approved a recommendation that this would be the final extension of the comment period; and

**NOW, THEREFORE, BE IT RESOLVED** by the Highlands Council that the public comment period shall be extended to May 11, 2007, to ensure that the public is provided sufficient time to comment on the draft Regional Master Plan and the Council's technical reports.

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its meeting held on the 22<sup>nd</sup> day of March, 2007.

  
\_\_\_\_\_  
John Weingart, Chairman

Vote on this Resolution

	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>	<u>Recuse</u>
Council Member Alstede	___	___	___	✓	___
Council Member Calabrese	✓	___	___	___	___
Council Member Carluccio	___	✓	___	___	___
Council Member Dillingham	___	✓	___	___	___
Council Member Kovach	___	✓	___	___	___
Council Member Letts	✓	___	___	___	___
Council Member Pasquarelli	___	✓	___	___	___
Council Member Peterson	✓	___	___	___	___
Council Member Salovaara	___	___	___	✓	___
Council Member Schrier	✓	___	___	___	___
Council Member Vetrano	✓	___	___	___	___
Council Member Way	✓	___	___	___	___
Council Member Weingart	✓	___	___	___	___
Council Member Whitenack	✓	___	___	___	___