



# State of New Jersey

Highlands Water Protection and Planning Council  
100 North Road (Route 513)  
Chester, New Jersey 07930-2322  
(908) 879-6737  
(908) 879-4205 (fax)  
[www.nj.gov/njhighlands](http://www.nj.gov/njhighlands)



**PHILIP D. MURPHY**  
Governor

**CARL J. RICHKO**  
Chairperson

**SHEILA Y. OLIVER**  
Lt. Governor

**LISA J. PLEVIN**  
Executive Director

## MEETING AGENDA Thursday, May 20, 2021 at 4pm

### Join Zoom Meeting:

<https://zoom.us/j/98059804107>

### Audio only:

Dial: 1-929-436-2866

Meeting ID: 980 5980 4107#

1. CALL TO ORDER
2. ROLL CALL
3. OPEN PUBLIC MEETINGS ACT STATEMENT
4. PLEDGE OF ALLEGIANCE
5. CHAIR'S REPORT
6. EXECUTIVE DIRECTOR'S REPORT
7. APPROVAL OF HIGHLANDS COUNCIL MINUTES – April 15, 2021
8. PLAN CONFORMANCE COMMITTEE – Committee Chair Dressler
  - CONSIDERATION OF RESOLUTION – Approval of the Petition for Plan Conformance for County of Hunterdon (*voting matter with public comment*)
9. BUDGET & FINANCE COMMITTEE – Committee Chair Holtaway
  - CONSIDERATION OF RESOLUTION – Approval of Plan Conformance Funding for Field Assessment and Engineering/Planting Design for Streambank Stabilization and Habitat Creation Measures Along the Section of the Musconetcong River Between Lake Hopatcong and Lake Musconetcong for Roxbury Township, Morris County (*voting matter with public comment*)
10. OLD & NEW BUSINESS
11. PUBLIC COMMENTS (*to ensure ample time for all members of the public to comment, we will respectfully limit comments to three (3) minutes. Questions raised in this period may not be responded to at this time but, where feasible, will be followed up by the Council and its staff.*)
12. EXECUTIVE SESSION, *if deemed necessary*
13. ADJOURN

## RESOLUTION 2021-12

### NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY

**WHEREAS**, the New Jersey Highlands Region (Highlands Region) is an area of over 859,358 acres that consists of 88 municipalities in parts of seven counties – Bergen, Hunterdon, Morris, Somerset, Somerset, Sussex and Warren; and

**WHEREAS**, the New Jersey Legislature found that the Highlands Region is an essential source of drinking water, providing clean and plentiful drinking water for one-half of the population of the State of New Jersey, and also contains other exceptional natural resources such as clean air, contiguous forest lands, agricultural lands, wetlands, pristine watersheds, and habitat for fauna and flora, as well as sites of historic significance and recreational opportunities; and

**WHEREAS**, the Legislature found that the Highlands Region also provides a desirable quality of life and place where people live and work, that it is important to ensure the economic viability of Highlands communities and that residential, commercial, and industrial development, redevelopment, and economic growth in certain appropriate areas of the Highlands are also in the best interests of all the citizens of the State, providing innumerable social, cultural, and economic benefits and opportunities; and

**WHEREAS**, the Legislature found that the Highlands Region contains agricultural lands in active production and that these lands are important resources of the State that should be preserved, that the agricultural industry in the Region is a vital component of the economy, welfare, and cultural landscape of the Garden State and that maintenance of agricultural production and a positive agricultural business climate should be encouraged to the maximum extent possible; and

**WHEREAS**, the Legislature found that the pace of development in the Highlands Region has dramatically increased, that the Region, because of its proximity to rapidly expanding suburban areas, is at serious risk of being fragmented and consumed by unplanned development and that the existing land use and environmental regulation system cannot protect the water and natural resources of the Highlands against the environmental impacts of sprawl development; and

**WHEREAS**, deeming protection of the Highlands Region an issue of State level importance, the Legislature enacted the Highlands Water Protection and Planning Act, N.J.S.A. 13:20-1 et seq. (Highlands Act), to establish a regional approach to land use planning for the Highlands Region to replace the uncoordinated land use decisions of 88 municipalities, seven counties and a myriad of private landowners; and

**WHEREAS**, the Highlands Act delineates two areas in the Highlands Region: a Preservation Area, containing approximately 415,000 acres, and a Planning Area, containing approximately 445,000 acres; and

**WHEREAS**, the Legislature created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council) to advance a new regional approach to land use planning and to prepare a Regional Master Plan to protect and enhance the significant values of the Highlands resources throughout the entire Highlands Region; and

## **RESOLUTION 2021-12**

### **NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY**

**WHEREAS**, the Preservation Area is an area with exceptional natural resource value that should be subject to stringent water and natural resource protection standards, policies, planning and regulation; and

**WHEREAS**, the Planning Area is the area outside of the Preservation Area that should likewise be part of a comprehensive planning approach that serves to protect the water and other significant resources of the entire Highlands Region while also accommodating appropriate patterns of development, redevelopment and economic growth; and

**WHEREAS**, the Highlands Act establishes development goals in the Preservation Area to prohibit or limit, to the maximum extent possible, construction or development which is incompatible with the Preservation Area; and

**WHEREAS**, the Highlands Act establishes development goals in the Planning Area, to encourage, consistent with the State Development and Redevelopment Plan and smart growth strategies and principles, appropriate patterns of compatible residential, commercial, and industrial development, redevelopment, and economic growth, in or adjacent to areas already utilized for such purposes, and to discourage piecemeal, scattered, and inappropriate development, in order to accommodate local and regional growth and economic development in an orderly way while protecting the Highlands environment from individual and cumulative adverse impacts; and

**WHEREAS**, the Highlands Act creates a bifurcated system for county conformance with the Regional Master Plan – mandatory Plan Conformance for any portion of a county located wholly or partially in the Preservation Area and voluntary Plan Conformance for the counties with lands in the Planning Area; and

**WHEREAS**, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance where counties, located wholly or partially in the Preservation Area, must revise and conform their county master plan and associated 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 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 county with lands in the Planning Area may voluntarily revise and conform their county master plans and associated regulations, as they relate to the development and use of land in the Planning Area, with the goals, requirements and provisions of the Regional Master Plan at any time; and

**WHEREAS**, pursuant to Sections 14 and 15 of the Highlands Act, the Highlands Council shall approve, reject, or approve with conditions the revised plan and associated regulations, as it deems appropriate, after public hearing, within 60 days after the date of submission thereof; and

**WHEREAS**, the Highlands Act provides that an approval of a Petition for Plan Conformance entitles the conforming county with specific benefits including: planning grants, technical assistance, state aid, priority for projects, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

## **RESOLUTION 2021-12**

### **NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY**

**WHEREAS**, the Highlands Council adopted Highlands Plan Conformance Procedures as an update to the Regional Master Plan as Addendum 2019-2 that provide guidelines for the submission, review, and approval of municipal and county Petitions for Plan Conformance; and

**WHEREAS**, the Plan Conformance Procedures contained in Addendum 2019-2 provide a process for Plan Conformance requiring the submission of plans and regulations that are immediately necessary to ensure protection of the Highlands resources and resource areas with more complex tasks to be completed in accordance with an Implementation Plan and Schedule as a condition of Plan Conformance; and

**WHEREAS**, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse counties for reasonable expenses associated with Plan Conformance; and

**WHEREAS**, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands counties to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

**WHEREAS**, under Resolution 2008-73, the Highlands Council authorized the Executive Director to develop and implement a process for the solicitation and distribution of the Plan Conformance Grants; and

**WHEREAS**, the County of Hunterdon has 128,934 acres in the Highland Region, with 64,945 acres in the Preservation Area and 63,989 acres in the Planning Area. Of the 15 Highlands municipalities within Hunterdon County, all but one are conforming for at least some of their land area, with one municipality's petition pending. Of those, 11 municipalities are conforming for the entirety of their land area; and

**WHEREAS**, on November 7, 2018, the Hunterdon County Commissioners adopted a Resolution to Petition the Highlands Council for Plan Conformance with the Highlands Regional Master Plan ("RMP"). On February 28, 2021, Hunterdon County submitted a complete package of Plan Conformance documents to support the County's Petition; and

**WHEREAS**, on March 1, 2021, the Executive Director deemed the Petition for Plan Conformance administratively complete and thereafter commenced staff review of the Petition for consistency with the Regional Master Plan; and

**WHEREAS**, on March 29, 2021, the Executive Director provided Hunterdon County with a Final Draft Consistency Review and Recommendations Report, which provides the staff's assessment of the Petition for Plan Conformance, the level of conformance with the Regional Master Plan, and recommendations for any further actions necessary for Plan Conformance; and

## RESOLUTION 2021-12

### NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY

**WHEREAS**, on March 29, 2021, the Executive Director completed the Final Draft Consistency Review and Recommendations Report, and posted a Public Notice, the Final Draft Consistency Review and Recommendations Report, and the complete Petition documents on the Highlands Council website for a public review and comment period with written comments due on or before April 29, 2021; and

**WHEREAS**, on May 14, 2021, the Executive Director posted the Final Consistency Review and Recommendations Report and Highlands Implementation Plan and Schedule on the Highlands Council website which addressed issues raised during the public comment period; and

**WHEREAS**, the Highlands Implementation Plan and Schedule includes an allocation of Plan Conformance grant funding in order to address the Highlands Act requirements for Plan Conformance funding; and

**WHEREAS**, on May 20, 2021, the Highlands Council held a public hearing on Hunterdon County's Petition for Plan Conformance and provided an opportunity for public comment; and

**WHEREAS**, the Highlands Council accepts the recommendation of the Executive Director as stated in the Final Consistency Review and Recommendations Report; and

**WHEREAS**, according to the Highlands Act and the Plan Conformance Procedures, Hunterdon County's compliance with an approved Consistency Review and Recommendations Report, the Highlands Implementation Plan and Schedule, and the Highlands Act shall maintain Hunterdon County's status as conforming to the Regional Master Plan and all statutory benefits associated with Plan Conformance; 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.

**NOW, THEREFORE, BE IT RESOLVED** that the Highlands Council hereby approves Hunterdon County's Petition for Plan Conformance with conditions as set forth in the Consistency Review and Recommendations Report and the Highlands Implementation Plan and Schedule; and

**BE IT FURTHER RESOLVED** that the Highlands Council hereby approves Hunterdon County's Highlands Implementation Plan and Schedule which includes an allocation of grant funding in order to address the Highlands Act requirements for Plan Conformance funding; and

**BE IT FURTHER RESOLVED** that the Executive Director is authorized to make any amendments and publicly release the Consistency Review and Recommendations Report, Highlands Implementation Plan and Schedule, and amend the Plan Conformance Grant Agreement consistent with direction from the Highlands Council, to properly effectuate the intent of the Council and thereafter execute the Report and Schedule on behalf of the Council; and

Pursuant to N.J.S.A.13:20-5j this Resolution shall have no force or effect until the completion of the Governor's review of the Highlands Council minutes

## RESOLUTION 2021-12

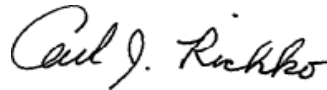
### NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL APPROVAL OF THE PETITION FOR PLAN CONFORMANCE FOR THE COUNTY OF HUNTERDON, STATE OF NEW JERSEY

**BE IT FURTHER RESOLVED**, that Hunterdon County is hereby entitled to the statutory benefits associated with Plan Conformance as detailed in the Highlands Act and the Regional Master Plan so long as Hunterdon County remains in conformance with the Regional Master Plan and to the extent such funds are made available by the State; and

**BE IT FURTHER RESOLVED**, the Executive Director is authorized, consistent with direction from the Council, to oversee and monitor Hunterdon County's compliance with this Resolution and to take any and all action necessary in coordination with the Highlands Council.

#### CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 20<sup>th</sup> day of May 2021.

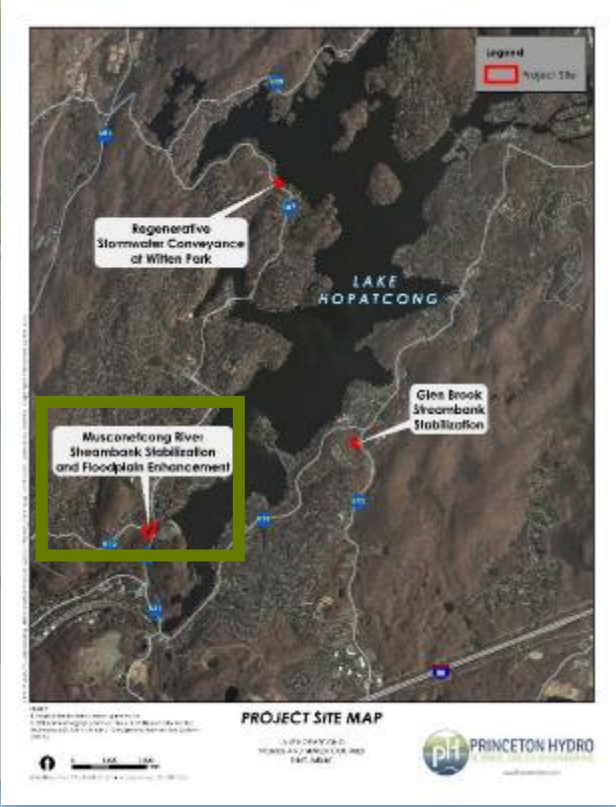
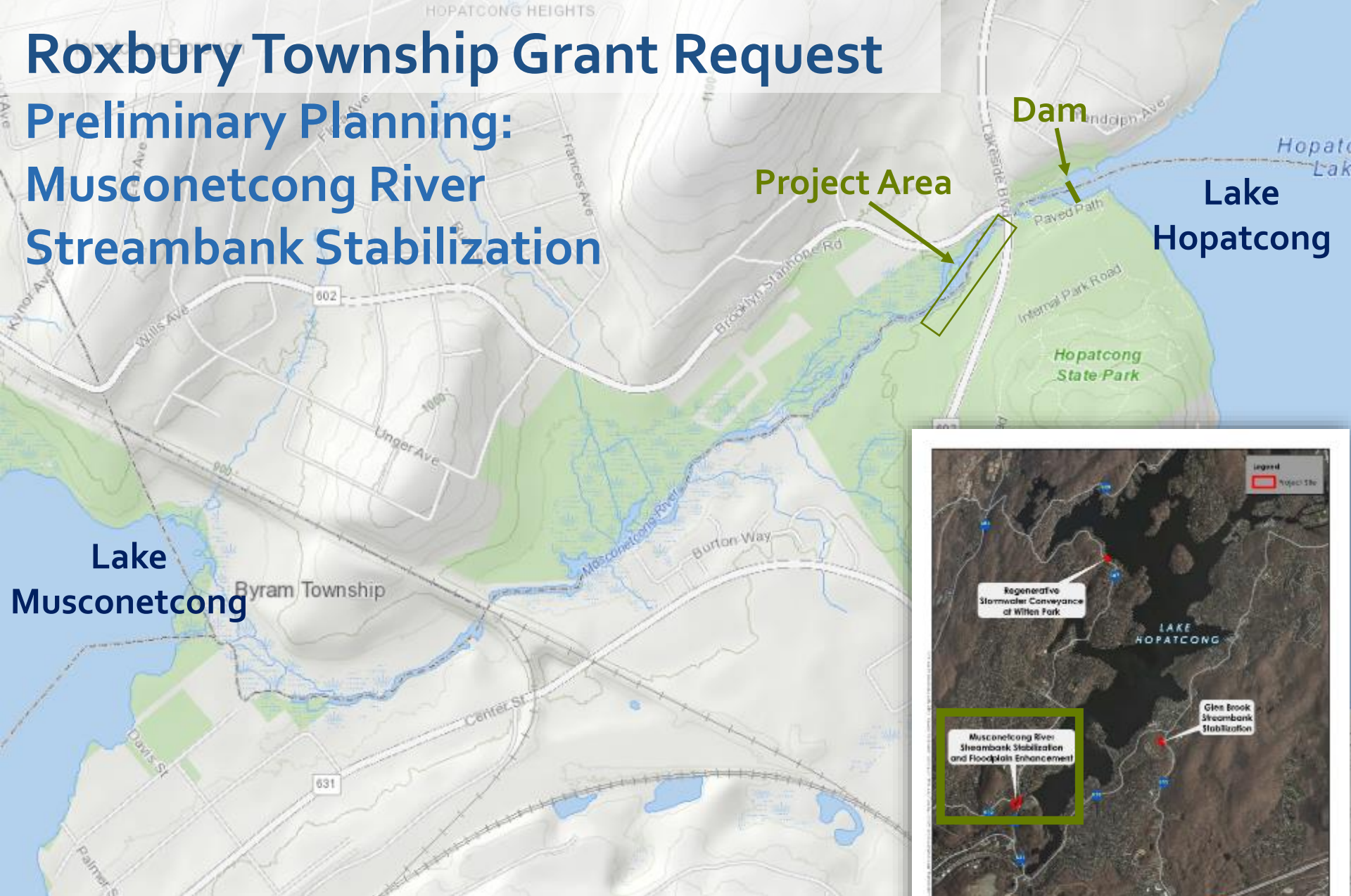


Carl J. Richko, Chairman

Vote on the Approval of The Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Dougherty						√
Councilmember Dressler						√
Councilmember Francis			√			
Councilmember Holtaway			√			
Councilmember James	√		√			
Councilmember Sebetich			√			
Councilmember Van Abs		√	√			
Councilmember Visioli			√			
Councilmember Vohden			√			
Chairman Richko			√			

# Roxbury Township Grant Request

## Preliminary Planning: Musconetcong River Streambank Stabilization



# National Fish and Wildlife Federation - Delaware Watershed Conservation Fund, 2021



3 streambank stabilization projects proposed for lake system

Grant request to NFWF: \$480,650.00

Contribution/Match: \$489,378.00

The entities who are matching with either in-kind or financial contribution:

- Roxbury Township
- Hopatcong Borough
- Mount Arlington Borough
- Morris County
- Sussex County
- Lake Hopatcong Commission
- Lake Hopatcong Foundation
- Princeton Hydro
- NJDEP/Hopatcong State Park
- Lake Hopatcong Historical Museum
- Rutgers University
- Musconetcong Watershed Association

# Current conditions of the Musconetcong River, immediately downstream of Lake Hopatcong Dam



## **RESOLUTION 2021-13**

### **APPROVAL OF PLAN CONFORMANCE FUNDING FOR FIELD ASSESSMENT AND ENGINEERING/PLANTING DESIGN FOR STREAMBANK STABILIZATION AND HABITAT CREATION MEASURES ALONG THE SECTION OF THE MUSCONETCONG RIVER BETWEEN LAKE HOPATCONG AND LAKE MUSCONETCONG FOR ROXBURY TOWNSHIP**

**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**, 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 under the Highlands Act; and

**WHEREAS**, Section 14 of the Highlands Act expressly requires mandatory Plan Conformance where municipalities, located wholly or partially in the Preservation Area, 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); 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 Regional Master Plan at any time; and

**WHEREAS**, the Highlands Act provides that an approval of a Petition for Plan Conformance entitles the conforming municipality with specific benefits including: planning grants, technical assistance, state aid, priority for projects, a strong presumption of validity and extraordinary deference in the event of legal challenge, and legal representation; and

**WHEREAS**, Section 18 of the Highlands Act obligates the Highlands Council to establish a grant funding program to reimburse municipalities for reasonable expenses associated with Plan Conformance; and

**WHEREAS**, on December 18, 2008, the Highlands Council approved Resolution 2008-73 to provide grant funding for the Highlands municipalities to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan; and

**WHEREAS**, the Highlands Council encourages every Highlands municipality to participate in the implementation of the Regional Master Plan and provides grants to assist Highlands municipalities in conforming with and implementing the goals, policies and objectives of the Regional Master Plan; and

**WHEREAS**, the Roxbury Township is in need of reimbursement-based grant funding for a project to conduct portions of a streambank stabilization and restoration project along the Musconetcong River, immediately downstream of the Lake Hopatcong dam but upstream of Lake Musconetcong, as listed below; and

**RESOLUTION 2021-13**

**APPROVAL OF PLAN CONFORMANCE FUNDING FOR FIELD ASSESSMENT AND ENGINEERING/PLANTING DESIGN FOR STREAMBANK STABILIZATION AND HABITAT CREATION MEASURES ALONG THE SECTION OF THE MUSCONETCONG RIVER BETWEEN LAKE HOPATCONG AND LAKE MUSCONETCONG FOR ROXBURY TOWNSHIP**

**Plan Conformance Funding (not-to-exceed amount):**

<b>Municipality/County</b>	<b>Purpose</b>	<b>Amount</b>
Roxbury Township	Streambank Stabilization and Habitat Creation	\$89,500
Total		\$89,500

**WHEREAS**, the Highlands Council staff recommends that the Highlands Council authorize the execution of a Plan Conformance Grant Agreement with the aforementioned municipality for the funding allotted to the above-referenced task in the amount so designated, not to exceed in the aggregate, \$89,500; and

**WHEREAS**, the above-referenced \$89,500 allocation is included in the FY 2021 Highlands Protection Fund Capital Budget; 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.

**NOW, THEREFORE, BE IT RESOLVED** that the Highlands Council hereby authorizes the Executive Director to execute a Plan Conformance Grant Agreement with the above-listed municipality, at the not-to-exceed dollar amount as set forth above; and

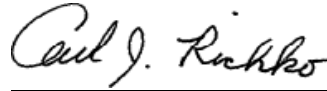
**BE IT FURTHER RESOLVED** that the Highlands Council hereby approves the above-referenced municipal funding in the Highlands Protection Fund Capital Budget for Fiscal Year 2021 in order to provide grant funding for Roxbury Township to cover the reasonable expenses associated with revisions to master plans, development regulations or other regulations to conform them to the Regional Master Plan, not to exceed \$89,500 in the aggregate.

**RESOLUTION 2021-13**

**APPROVAL OF PLAN CONFORMANCE FUNDING FOR FIELD ASSESSMENT AND  
ENGINEERING/PLANTING DESIGN FOR STREAMBANK STABILIZATION AND  
HABITAT CREATION MEASURES ALONG THE SECTION OF THE  
MUSCONETCONG RIVER BETWEEN LAKE HOPATCONG AND LAKE  
MUSCONETCONG FOR ROXBURY TOWNSHIP**

**CERTIFICATION**

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 20<sup>th</sup> day of May, 2021.



Carl J. Richko, Chairman

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



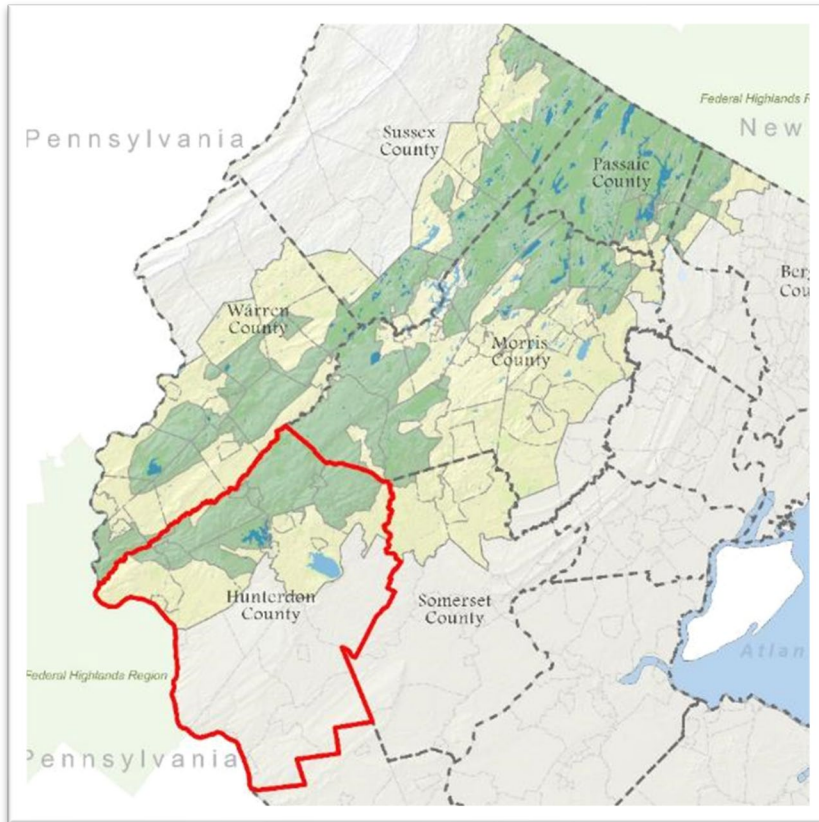
# Hunterdon County Petition for Plan Conformance

## Highlands Council Meeting

May 20, 2021



# Hunterdon County and Highlands RMP County Conformance



## Hunterdon County and the Highlands Council


- Increasing collaboration
- 2017 Tourism Grant (\$45k)
- 78/22 Coalition

## Amended Highlands Plan Conformance Procedures - 2019

- Streamlines County Conformance
- Focused on County role /activities
- Strengthens County, municipal,  
Highlands partnerships

**Hunterdon is first county petition under new procedures**

# Hunterdon County Petition

- Planning and Preservation Areas
- Submission: Feb 28, 2021
  - Resolution
  - Self-Assessment Report
  - Implementation Agenda
  - Highlands Master Plan Element 
- Staff Review
  - Consistency Review and Recommendations Report
- Public Comment: March 29 – April 29

Staff recommendation:

# Approve with Conditions

## County Priorities

- Historic Preservation Plan
- Hunterdon County Tourism Marketing
- Growth Management Plan

## Plan Conformance Implementation Requirements

- ✓ • County Highlands Master Plan Element
- ✓ • Highlands Notice Requirements
- County Stormwater Management Plan
- County Water Use and Conservation Management Plan

## Additional priorities in Implementation Plan



FY 2021

FY 2022-23



**Questions?**





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*Executive Director*

### MEMORANDUM

**To:** Budget & Finance Committee  
**From:** Lisa J. Plevin, Executive Director  
**Subject:** Committee Meeting Minutes – May 6, 2021  
**Date:** May 11, 2021

A Budget and Finance (B&F) Committee meeting was held on Thurs., May 6, 2021 at 2:30pm via teleconference.

*The following Committee Members and Highlands Council Staff were present:*

Committee: Committee Chair Holtaway, Council Chair Richko, and Members James and Visioli.

Highlands Staff: Lisa J. Plevin, James Humphries, Gabrielle Gallagher, Keri Green, Judy Thornton, Herb August, and Annette Tagliareni.

*Committee Chair Holtaway opened the meeting at 2:31pm.*

#### **Roxbury Township – “Field Assessment and Engineering/Planning Design Plans for Streambank Stabilization and Habitat Creation Measure along the Section of the Musconetcong River between Lake Hopatcong and Lake Musconetcong” - \$89,500**

Committee Chair Holtaway reported that Roxbury Township is requesting a grant in the amount of \$89,500 for the above project.

In response to the Chair’s request, Keri Green, Science Manager gave an overview of the grant application from Roxbury Township. Ms. Green noted that approximately 2 ½ years ago the Council funded a Watershed Implementation Plan (WIP), which was recently completed by the Lake Hopatcong Commission for the Upper Musconetcong Watershed, including Lake Hopatcong and Lake Musconetcong. The plan was developed in large part to address the phosphorus issue affecting these lakes and Highlands Council staff urged municipalities around the lakes to use grant funding to implement projects identified in the WIP.

Ms. Green noted that the requested grant funding will enable the first phase of a streambank stabilization and restoration project along the Musconetcong River, immediately downstream of the Lake Hopatcong dam but upstream of Lake Musconetcong. The outflowing river below the dam has multiple, braided channels and is quite forested. Ms. Green noted that 67% of total phosphorus introduced into Lake Musconetcong originates from the outfall from Lake Hopatcong. The WIP thus prioritizes this area for attention, recommending streambank stabilization and restoration as a goal. The full project will require significantly more funding to complete, which the Lake Hopatcong Commission is seeking through the National Fish and Wildlife Federal (NFWF). This Roxbury request will serve as a portion of the match funding needed for an NFWF grant.

Committee Member Visioli inquired if this project will serve as a match and will be the first step and required to do the larger stabilization plan. He also asked specifically how that would be accomplished. Ms. Green confirmed his understanding and added that is exciting and putting the WIP to work. The stabilization work will include significant plantings along the streambank. Other portions of the project include the removal of a concrete slab from the riverbank, and the improvement of public access for fishing.

Committee Chair Holtaway noted that the project proposal indicates that it would remove 114 pounds of total phosphorus, equivalent to just 2 bags of fertilizer. Ms. Green explained that a single pound of phosphorus can create 1,100 pounds of algal mass per year, which is a significant input to the ecosystem and a cause of Harmful Algal Blooms.

Committee Chair Holtaway asked what the distance is between the dam and Lake Musconetcong. Ms. Green responded approximately 7,000 feet.

Committee Chair Holtaway asked what percentage of the total project is represented by Roxbury Township's match. Ms. Green will provide confirmation of that figure but noted that the entire grant request to NFWF includes two other project areas in the lake system, and multiple entities are providing matches, in either in-kind services or financial contributions. They include:

Roxbury Township  
Hopatcong Borough  
Mount Arlington Borough  
Morris County  
Sussex County  
Lake Hopatcong Commission

Lake Hopatcong Foundation  
Princeton Hydro  
NJDEP/Hopatcong State Park  
Lake Hopatcong Historical Museum  
Rutgers University  
Musconetcong Watershed Association

Committee Member James noted that severe HAB problems are destroying local economies. He also asked if phosphorus-containing fertilizer is banned. Ms. Green noted that years ago phosphorus-containing fertilizers were banned from use, with an exception only for establishing a new lawn.

*Committee Chair Holtaway asked for a motion to move the Roxbury Township Grant to the Council for consideration. Member Visioli made a motion and Chair Richko seconded it. A roll call vote was taken and all were in favor.*

Ms. Plevin noted that a representative from Roxbury Township will be in attendance at the Council Meeting.

*Committee member Visioli made a motion to adjourn the meeting. Committee Member James seconded it.*

*The committee meeting adjourned at 2:46pm.*



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### MEMORANDUM

**To:** Plan Conformance Committee  
**From:** Lisa J. Plevin, Executive Director  
**Subject:** Committee Meeting Minutes – May 10, 2021  
**Date:** May 13, 2021

A Plan Conformance Committee meeting was held on Monday, May 10, 2021 at 2:30pm via Zoom teleconference.

Committee Members present were: Council Chair Richko, and Committee Members Van Abs and Vohden. Committee Chair Dressler was absent.

Staff Members present: Lisa J. Plevin, Christine LaRocca, James Humphries, Maryjude Haddock-Weiler, and Annette Tagliareni

*The meeting began at 2:31pm.*

Ms. Plevin opened the meeting by noting that Committee Chair Dressler was unable to attend the meeting but advised to have the meeting without him. Ms. Plevin noted that Chair Richko would fill in as the committee chair for today's meeting and also added that she would call Committee Chair Dressler to fill him in on any issues.

Chair Richko turned the meeting over to Planning Manager, Maryjude Haddock-Weiler to give an overview on Hunterdon County's Petition for Plan Conformance.

#### **Hunterdon County – Petition for Plan Conformance**

Ms. Haddock-Weiler gave a brief history on the Council's relationship with Hunterdon County which interestingly began with Hunterdon and Warren Counties suing the Highlands Council. Ms. Haddock-Weiler added that over time the relationship between the Council and Hunterdon County grew and improved. In 2017, Highlands Council approved a grant to fund a Tourism Study for Hunterdon County. Highlands Council staff has also participated in the County's 78/22 Corridor Coalition.

In 2019, the Highlands Council adopted new Plan Conformance Procedures for counties and municipalities. For counties, the Procedures are geared towards streamlining the Plan Conformance process and focusing on activities/roles that the county is best suited to. Such a partnership will allow the county to take a leadership role while advancing Highlands goals.

In February 2021, Hunterdon County submitted their Petition for Plan Conformation for the Planning and Preservation Areas. Hunterdon County is the first county to petition in the Planning Area. The Petition included:

- Resolution to Petition for Plan Conformance
- Self-Assessment Report – looks at Highlands documents and where they align with the Highlands Regional Master Plan.
- Implementation Agenda – County priorities and perspectives
- County Highlands Master Plan element – this is not required as part of the Petition, but is the first task in Plan Conformance implementation.

Hunterdon County intends to update their Hunterdon County Master Plan, also referred to as the Growth Management Plan. Tourism is one of Hunterdon County's economic engines and the County will be doing additional work to expand the tourism economy.

Council staff reviewed all materials and found the Petition to be complete. As part of Plan Conformance approval, the County will be required to do a Stormwater Management Plan and a Water Use and Conservation Management Plan (WUCMP).

The final Consistency Review and Recommendations Report was provided to the County and the County advised Council staff that they were satisfied and wanted to move forward with the Petition.

### **Member Comments**

Committee Member Vohden asked what impacts will there be on municipalities in the County who have not conformed for both, given that the County is conforming for both the Preservation and Planning Areas.

Ms. Haddock-Weiler responded that the majority of municipalities in the Hunterdon Highlands are already conforming. All Hunterdon Highlands municipalities, except Milford Borough, have been working with the Highlands Council, and in most cases the entirety of the towns have conformed. County conformance would be focused on county planning activities, such as management of the county road system and associated stormwater management. County plan conformance in the Planning Area would not change a municipality's plan conformance status if they have not opted into the Planning Area.

Committee Member Van Abs had a few questions/comments:

1) Regarding WUCMP, how would prior Water Allocation Approvals integrate with County's same issues? Ms. Haddock-Weiler responded that working on a county-wide WUCMP would facilitate water conservation planning in localities where no WUCMP is currently being developed.

2) Regarding towns like Califon Borough who have sewer issues, is Hunterdon County still the lead agency for Wastewater Management Plans (WMP)? Ms. Haddock-Weiler responded that Hunterdon

County is still the lead agency for WMPs. Ms. Haddock-Weiler added that Council staff has tried to work with Califon on wastewater alternative solutions, as well as participated in meetings with NJDEP about this as there are also other towns in the region with similar issues. Committee Member Van Abs noted that County could be a leader for USDA funding for sewer issues, as well as other programs.

3) Lastly on page 19 of the Consistency Review and Recommendations Report, mapping of Steep Slope Protection Areas shows no steep slopes in Hunterdon County. Committee Member Van Abs checked the interactive map and it said the same. Mr. Humphries thanked Member Van Abs for noticing and responded that maps will be fixed.

Lastly, Ms. Plevin highlighted that Maryjude has been instrumental in bringing Hunterdon County's Petition to this point. Ms. Plevin also noted as an agency the decision to provide funding to Hunterdon and Warren Counties was a policy decision. It has been a slower process with both Counties; however, the mindset has paid off. This action will help leverage municipalities and other counties, such as Warren, to conform.

*Council Chair Richko asked for a motion to move Hunterdon County's Petition for Plan Conformance to the full Council for consideration. Committee Member Van Abas made a motion, and Committee Member Vohden seconded it. A roll call vote was taken. All members voted to move Hunterdon County's Petition for Plan Conformance for Council consideration.*

*The meeting was adjourned at 2:53pm.*