



JON S. CORZINE
Governor

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.highlands.state.nj.us



JOHN R. WEINGART
Chairman

EILEEN SWAN
Executive Director

MEETING AGENDA

Thursday, December 17, 2009 - 1:00 p.m.

1. CALL TO ORDER
2. ROLL CALL
3. OPEN PUBLIC MEETINGS ACT
4. PLEDGE OF ALLEGIANCE
5. APPROVAL OF MINUTES – November 12, 2009
6. CHAIRMAN'S REPORT (and Council Member Reports)
7. COMMITTEE REPORTS
 - a. Personnel Committee – Chairman Weingart
8. EXECUTIVE DIRECTOR'S REPORT
 - a. Update on Highlands Plan Conformance
 - b. Update on 2009 Plan Conformance Grant Program
 - c. Update on Highlands TDR Program
 - d. Update on Highlands Project Review
9. CONSIDERATION OF RESOLUTION – *Approval of Certain Planning Assistance Grants - (voting matter with public comment)*
10. CONSIDERATION OF RESOLUTION – *Approval of 2010 Annual Meeting Schedule (voting matter with public comment)*
11. PUBLIC COMMENTS (*please note – the Council requests that public comments be limited to three (3) minutes per person. Questions raised in this period will 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

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MINUTES OF THE MEETING OF DECEMBER 17, 2009

PRESENT

JOHN WEINGART) CHAIRMAN

KURT ALSTEDDE) COUNCIL MEMBERS

MIMI LETTS)

MICHAEL FRANCIS)

TRACY CARLUCCIO)

JANICE KOVACH)

JACK SCHRIER)

BILL COGGER)

ABSENT

SCOTT WHITENACK)

GLEN VETRANO)

VIA TELECONFERENCE)

TAHESHA WAY

CALL TO ORDER

The Chairman of the Council, John Weingart, called the 90th meeting of the New Jersey Highlands Water Protection and Planning Council to order at 1:10 pm. He welcomed the new Council Member Robert F. Holtaway, Mayor of Bedminster.

ROLL CALL

The members introduced themselves.

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 or circulation throughout the State and posted on the Highlands Council website.

PLEDGE OF ALLEGIANCE was then recited.

SWEARING IN OF NEW COUNCIL MEMBER

Chairman Weingart administered the oath of office to Robert F. Holtaway, Mayor of Bedminster, who is the new Council Member representing Somerset County replacing Mikael Salovaara.

APPROVAL OF MINUTES OF November 12, 2009

Mr. Schrier introduced a motion to approve the minutes. Ms. Letts seconded it. Messrs. Whitenack and Vetrano were absent. All other members present voted to approve. The minutes were APPROVED 9-0.

CHAIRMAN'S REPORT

Chairman Weingart noted that the staff had prepared and the Council members were sent a Transition Report as requested by Governor-Elect Christie and his transition staff.

Mr. Schrier noted that this meeting marked the 5th anniversary of the beginning of the Highlands Council on December 16, 2004.

PERSONNEL COMMITTEE

Chairman Weingart announced that the Personnel Committee had reviewed and approved the Personnel Manual that had been updated to reflect new State Policies and it will be distributed to the staff shortly.

Chairman Weingart asked Ms. Swan to give her Executive Director's Report.

EXECUTIVE DIRECTOR'S REPORT

Ms. Swan welcomed Council Member Holtaway on behalf of the staff. Ms. Swan indicated that she would use a PowerPoint presentation to give an update on progress to date, but first she addressed a request from Mayor Paradis from Lebanon Borough asking the Council's support for an initiative to ask NJDOT to designate I-78 as a scenic byway. A total of 13 municipalities and 3 counties formed the I-78 Corridor and Scenic Byway Alliance for a section of I-78 from Pohatcong Township to Bedminster Township. She indicated that Maryjude Haddock-Weiler had reviewed the materials submitted to NJDOT and compared to the Regional Master Plan and found the submittals to be consistent with the Regional Master Plan. Ms. Swan noted that this is the first of this type of request.

Mr. Schrier introduced a motion to have Chairman Weingart send a letter of support on behalf of the Highlands Council. Ms. Carluccio seconded it. Ms. Letts asked what is involved in this type of protection. Ms. Swan indicated that there were protections afforded by this designation, for example, no billboards. She also emphasized the importance of this effort beginning with the municipalities. Ms. Carluccio commented that on Route 29 along the Delaware River received the first Scenic Byway in New Jersey, this same type of designation helped to leverage funding for Federal monies and was good for the preservation of lands along the corridor. She also mentioned that there was an element of architectural review depending on the municipal and county preference as well as successful beautification in Trenton. Mr. Holtaway commented that Bedminster Township strongly supported this effort. Chairman Weingart asked for public comment and hearing none asked for a vote. *All members voted to approve 9-0. Messrs. Whitenack and Vetrano were absent.*

Ms. Swan continued with her report beginning with Plan Conformance noting that the Highlands Act specified that 15 months from the adoption of the RMP petitions and resolutions for the Preservation Area were due and that date was December 8, 2009. She directed the Council's attention to the side tables that contained the extensive submissions from the Highlands municipalities. The Council received a total of 56 municipal submissions covering 95% of the Preservation Area and 35% of the Planning Area representing 395,660 acres in the Preservation Area and 153,942 acres in the Planning Area for a total acreage of 549,602 acres (or 64%) of the Highlands Region. She reiterated that the Planning Area petitions and resolutions are voluntary submissions and not binding until Council action and municipal ordinance. She also noted that two municipalities submitted Petition materials and had yet to adopt a resolution.

Ms. Swan continued showing a slide that illustrated the Preservation municipalities that had sent their Petitions and Resolutions. She then began a County by County summary of the municipalities that had submitted their documentation beginning with Bergen County. Mahwah submitted both the Preservation and Planning Area petitions and Oakland submitted for the Preservation Area only. These submissions represented 100% municipal conformance with the Act and 87% of the land area of Bergen County within the Highlands Region.

Hunterdon County, she noted, was also 100% municipal conformance with the Act with 99% of the land area represented by the following municipalities: Alexandria, Bethlehem, Bloomsbury, Califon, Clinton, Clinton Township, Glen Gardner, Hampton, High Bridge (ordinance), Holland, Lebanon Borough, Lebanon Township, Tewksbury, and Union.

Ms. Swan continued with Morris County whose municipalities are 100% in conformance with the Act and 64% of the land area. All Preservation Area unless noted represented by Boonton Twp., Chester Township (both), Denville (both), Jefferson, Kinnelon (both), Montville, Mt. Arlington, Mt. Olive, Pequannock, Randolph (both), Rockaway Twp. (both), Roxbury, Washington Twp. (both). There are no resolutions from Parsippany-Troy Hills or Wharton Borough, but they did submit their module materials. Ms. Swan commented that many Planning Area municipalities in Morris County are continuing to work with the Highlands Council under a Notice of Intent.

Passaic County was the next slide shown and a summary with 100% municipal conformance and 98% of the land area represented by Bloomingdale (both), Ringwood, Wanaque (both), and West Milford. She mentioned that Pompton Lakes is continuing to work in the Planning Area.

For Somerset County, Ms. Swan commented that there is a small portion of Bedminster in the Preservation Area and that petition was submitted. Far Hills submitted a petition and is entirely within the Planning Area making 100% municipal conformance with the Act.

Sussex County had 100% municipal conformance with the Act with all Preservation Area municipalities submitting their petitions as follows: Byram (both), Green, Hardyston, Hopatcong, Ogdensburg, Sparta, Stanhope (Planning Area), and Vernon.

Warren County had 71% municipal conformance with the Act with 11 out of 13 municipalities submitting Petitions for Plan Conformance. Independence and Mansfield are yet to Petition according to Ms. Swan. Those municipalities that did submit were (all Preservation Area unless noted): Allamuchy, Franklin, Greenwich (both), Hackettstown, Harmony, Liberty, Lopatcong (both), Oxford, Pohatcong (both), Washington Twp. (both), and White.

Ms. Swan concluded the review of Petitions received and spoke to the Plan Conformance in the Planning Area noting that Planning Area municipalities did not have a deadline and continue to work under a Notice of Intent. The next 2009 Plan Conformance Grant Program deadline is March 1, 2010 for Planning Area municipalities to prepare a draft Housing Element and Fair Share Plan in order to have adopted plans completed by June 8, 2010 (COAH's approved extension deadline). She commented that many of the municipalities that submitted a Petition just for the Preservation Area may still submit a Petition for the Planning Area representing approximately 130,000 acres. She summarized the Planning Area only municipalities numbering 18 that continue to work under a Notice of Intent including: Milford, Chester Borough, Hanover, Mendham Borough, Mendham

Twp., Mine Hill Twp., Morris Plains, Mountain Lakes, Riverdale, Pompton Lakes, Bernardsville, Franklin Borough, Hamburg, Alpha, Belvidere, Frelinghuysen, Phillipsburg, Washington Borough.

Ms. Swan reviewed the process for Municipal Petitions beginning with the submission date of December 8, 2009. She mentioned that staff had already begun the task of loading the electronic files and comparing them to the written material. The last petition was received at 11:26 pm on December 8, 2009 by Tewksbury Township. The next step will be within 60 days the staff will make a completeness determination and coordinate with municipal representatives for any missing documentation. Once a completeness determination is made, materials that have been submitted will be posted on the Council website. The next step will be, within 45-90 days, the issuance of a Draft Consistency Review and Recommendations Report. This Draft Report will be issued by staff for municipal review. She noted that there would be a Municipal Response Period that will allow the municipality to amend the Petition to address issues in the Draft Report. Ms. Swan explained that there had been prioritization requested by some municipalities and that staff would make every effort to accommodate those requests. After the steps outlined above are completed, there will be a Public Notice and a Final Report with Public Comment incorporated prepared by staff and presented to the Highlands Council for consideration.

Legislative update

Ms. Swan continued with the update noting that the Council had sent a letter on October 16th suggesting two legislative actions regarding the Highlands TDR Program and the GSPT dual appraisal program. She said that she had testified on behalf of the Highlands Council before the Senate Environment Committee regarding S-2639 which authorizes any municipality outside the Highlands Region to establish receiving zones for the Highlands TDR program and mentioned that the bill had been released. She also spoke about S-1875 which was released by the Senate Budget and Appropriations Committee which extends the expiration date of GSPT's dual appraisal process for Green Acres and Farmland Preservation programs to June 30, 2014.

Update on Mapping

Ms. Swan showed a slide showing the Land Use Change in the Highlands using the CRSSA data showing land use data and demonstrated the newest approach using LIDAR which was developed in conjunction with the US Army Corps of Engineers. She said that this new mapping showing the effect of the changes in the landscape will be used in the municipal presentations. In the future, this data will be useful to evaluate drainage area. The data can also generate a flyover which staff has developed and she showed the flyover for Hampton Borough giving the audience a good view of where development is and where the farms and open area are. She noted that this technique had been well received in Hampton Borough and High Bridge. Staff will continue to refine this new approach according to Ms. Swan.

Chairman Weingart complimented this accomplishment. Ms. Swan concluded her report saying that there were no grant applications to consider today.

I. CONSIDERATION OF RESOLUTION – Approval of 2010 Annual Meeting Schedule – (voting matter with public comment)

Mr. Schrier introduced a motion to approve this resolution. Ms. Kovach seconded it.

Chairman Weingart asked if there were any public comments and hearing none asked for a vote. Messrs. Whitenack and Vetrano were absent. All other members voted to approve 9-0. The resolution was APPROVED.

COUNCIL MEMBER COMMENTS

Mr. Alstede asked what the plan was for the final review for the TDR deeds of easements. Ms. Swan reiterated that she had resent the October 14th email containing final changes to the documents to Council Members prior to this meeting and that there had been, to date, 5 iterations. She noted that staff was still waiting for the Attorney General's office comments. Ms. Way left the call.

Ms. Swan continued explaining that the intent had been to finalize the Deeds of Easement after comments from the AG's office and that the Deeds had been sent after the October 15th meeting and that if any members had any changes they would be reviewed. She reviewed that Chairman Weingart had asked that they be distributed again. Mr. Alstede questioned whether there needed to be final approval from the Highlands Council. He raised the issue that if someone wanted to exercise an exemption if the house burns down – could the house be rebuilt. Mr. Borden responded that within the language there was a provision that activities allowed under the Highlands Act. Mr. LeJava also spoke noting that in the Paragraph 6 in the Non – Agricultural Deed of Easement which says: “Existing uses of land on the Property as identified on Schedule B may be continued, maintained and repaired, but may not be expanded unless authorized by an applicable Highlands Act exemption.” He also noted that Schedule B identifies the specific property and describes it.

Mr. Alstede continued to have concerns about the lack of formal action. Mr. Borden explained that these Deeds were a model and that there was a possibility that in practice there would be modifications at the request of a landowner or the Highlands Council to accommodate specific concerns. He explained that the role of the Attorney General's office was to approve the model. The discussion continued with Mr. Alstede asking who had the ultimate authority to approve the Deeds of Easement. It was decided that Ms. Swan would notify the Highlands Council when the response from the AG's office was received and Chairman Weingart said that a vote could be considered at the next Council Meeting.

Ms. Letts asked who files the Deeds of Easement. Mr. Borden said that the HDC Bank would file the Deeds and notify the municipality and county. There was additional discussion regarding the 4% growth area goal of receiving areas. Mr. LeJava indicated that 12,000 acres or 2.7% are shown to have potential and Ms. Swan added that 11 municipalities are looking at whether to become receiving areas, but that as of now, there were no receiving areas. She explained that the 2.7% is only within Highlands municipalities and that if the current legislation is passed, that would expand the opportunities for receiving areas greatly.

Ms. Swan reviewed that the HDC Estimator Tool was released November 5, 2009 and that the staff were receiving HDC Allocation applications. She noted that the tool only deals with residential properties in the Preservation Area and that there had been 400 plus hits to the website. She also mentioned that the HDC Bank had prioritized the applications for consideration for those who had failed to obtain and Exemption #3 and financial hardship, although all applications were being accepted.

Ms. Swan commented that if the dual appraisal methodology were extended that that action would be very helpful. Mr. Borden in response to questions mentioned that the hardship cases and

number of HDC credits were to be determined by staff. He spoke to the appeal process explained that the first option was to request to staff for reconsideration and if that were denied, an appeal to the Highlands Council.

Chairman Weingart reiterated that when the Attorney General's office responded with comments on the Deeds of Easement then the Council would decide whether to take action. Chairman Weingart mentioned that Ken Klipstein from the HDC Bank was in the audience.

PUBLIC COMMENT

Julia Somers, New Jersey Highlands Coalition

She commented that private investors were another source of funding for purchasing HDC credits and that it was done in the Pinelands where realtors were the largest holders. She congratulated the staff for the 64% Plan Conformance petitions received and mentioned that her group would work hard to support the March 1, 2010 deadline for municipalities to submit their Fair Share Plans. She also noted that the LIDAR mapping that Ms. Swan had presented was remarkable.

Mr. Alstede asked if Ms. Swan had been contacted by the transition committees. Ms. Swan indicated that she had a tentative date for December 21st for the Environment Transition Team and that the Authorities Transition Team had asked for a report and another supplemental report which had been submitted with a copy to the Environment Transition Team. Mr. Weingart had not been invited to the meeting for December 21st, but he had had conversations with the Transition Committees but not in his Highlands Council capacity.

Monique Purcell, New Jersey Department of Agriculture

She asked for clarification on the review of modules that contained the Agricultural management plans. Ms. Swan indicated that the basic Plan Conformance documents, the seven modules on the website, were currently being reviewed. She noted that clustering and detailed agricultural management planning would be handled more extensively in full Plan Conformance. Ms. Purcell thanked Mr. Weingart for his commitment and dedication in the last five years.

Helen Heinrich, New Jersey Farm Bureau

She echoed Ms. Purcell's compliment of Mr. Weingart's work. She expressed concern about the timing being May for review of details of plan conformance for Agricultural retention and farmland as well as the discussion that the Deeds of Easement were only models. She asked if LIDAR could be used for density calculations and hoped that the public could be educated about density using this tool.

Deborah Post, Chester Township

Ms. Post criticized the low price for the HDC Credits with respect to hardship cases. She also cited a letter that had been in the newspaper from Governor-elect Christie asking for all grant funding to be frozen. She commented that the funds expended for the LIDAR mapping were, in her opinion, wasteful. She reiterated a previous one page easement example that she had provided and expressed her view that the Deeds of Easement were too complicated.

Wilma Frey, New Jersey Conservation Foundation

She asked for the Deeds of Easement to be posted on the website before coming up for discussion again. She expressed concerns about the Deeds of Easement being characterized as models and does not believe that the restrictions should be negotiable.

David Shope, Long Valley

He recalled Ms. Post's submission of the one page easement and also believes that selling development credits should be simple. He believes attorney representation could affect the outcome. He reiterated his disapproval of the staff being shared by the Highlands Council and the Highlands Development Credit Bank. He asked why he did not receive a letter about HDC credits as Mr. Klumpp and Ms. Post received letters.

Eliot Ruga, New Jersey Highlands Coalition

He complimented the choice of Mayor Robert Holtaway for the Highlands Council.

Dave Peifer, ANJEC

He expressed his opinion that the degree to which the easements could be changed should be controlled. He also brought attention to the PAH's and heavy metals that were in old rail lines with respect to the Northeast Rail cutoff and asked that requests requiring a review include(Presence/Absence) determination for pollutants. He also asked for a determination to be made of how the constructors would control dust and migration in the disturbance.

Mr. Francis commented that he was encouraged with the progress of pursuing TDR on a statewide level and emphasized the importance to the success of the program.

Chairman Weingart announced that the next Council meeting will be January 21st, 2010 at 10 am. A motion was introduced and approved to adjourn at 2:30 pm.

CERTIFICATION

I hereby certify that the foregoing is a true copy of the minutes of the meeting of the Highlands Water Protection and Planning Council.

Date: 1/8/10

Name: Paula M. Dees
Paula M. Dees, Executive Assistant

TRUE COPY

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
 MINUTES OF THE MEETING OF DECEMBER 17, 2009

<u>Vote on the Approval of these minutes</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Councilmember Alstede			✓			
Councilmember Carluccio			✓			
Councilmember Cogger		✓	✓			
Councilmember Francis			✓			
Councilmember Holtaway			✓			
Councilmember Kovach	✓		✓			
Councilmember Letts			✓			
Councilmember Richko			✓			
Councilmember Vetrano						✓
Councilmember Visioli						✓
Councilmember Schrier			✓			

RESOLUTION 2009-58
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
ANNUAL MEETING SCHEDULE FOR 2010

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 Open Public Meetings Act directs public bodies to give adequate written advance notice of regular meetings and to establish and post an annual schedule of regular public meetings; and

NOW, THEREFORE, BE IT RESOLVED

1. The Highlands Council hereby adopts the following schedule of regularly scheduled meetings of the Highlands Council for the year 2010:

January 21, 10 a.m.
February 18, 1 p.m.
March 18, 4 p.m.
April 15, 10 a.m.
May 20, 1 p.m.
June 10, 4 p.m.
July 15, 10 a.m.
August 19, 1 p.m.
September 23, 4 p.m.
October 21, 10 a.m.
November 18, 1 p.m.
December 16, 4 p.m.

2. The Highlands Council's regular public meetings shall be held at the dates and times noted above at its office at 100 North Road, Chester, New Jersey, with the understanding that the Council may choose to make changes in location or time, but only with the provision of adequate advance public notice; and

3. The above schedule of regular public meetings, which may be amended and revised by the Executive Director as appropriate, shall be posted at the Highlands Council's office and on its web site.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 17th day of December, 2009.



John Weingart, Chairman

RESOLUTION 2009-58
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
ANNUAL MEETING SCHEDULE FOR 2010

<u>Vote on the Approval of this Resolution</u>	<u>Motion</u>	<u>Second</u>	<u>Yes</u>	<u>No</u>	<u>Abstain</u>	<u>Absent</u>
Councilmember Alstede			✓			
Councilmember Carluccio			✓			
Councilmember Cogger			✓			
Councilmember Francis			✓			
Councilmember Holtaway			✓			
Councilmember Kovach		✓	✓			
Councilmember Letts			✓			
Councilmember Schrier	✓		✓			
Councilmember Vetrano						✓
Councilmember Way			✓			
Councilmember Whitenack						✓
Councilmember Weingart			✓			



Highlands Council Meeting

December 17, 2009



Executive Director's Report

- Plan Conformance Update
- Legislative Update
- Mapping Updates

Plan Conformance

- Plan Conformance - 56 municipal submissions covering 95% of the Preservation Area and 35% of the Planning Area.
- 395,660 acres in the Preservation Area and 153,942 acres in the Planning Area for a total acreage of 549,602 acres (or 64%) of the Highlands Region.
- Planning Area petitions and resolutions are voluntary submissions and not binding until Council action and municipal ordinance.

Highlands Municipal Plan Conformance

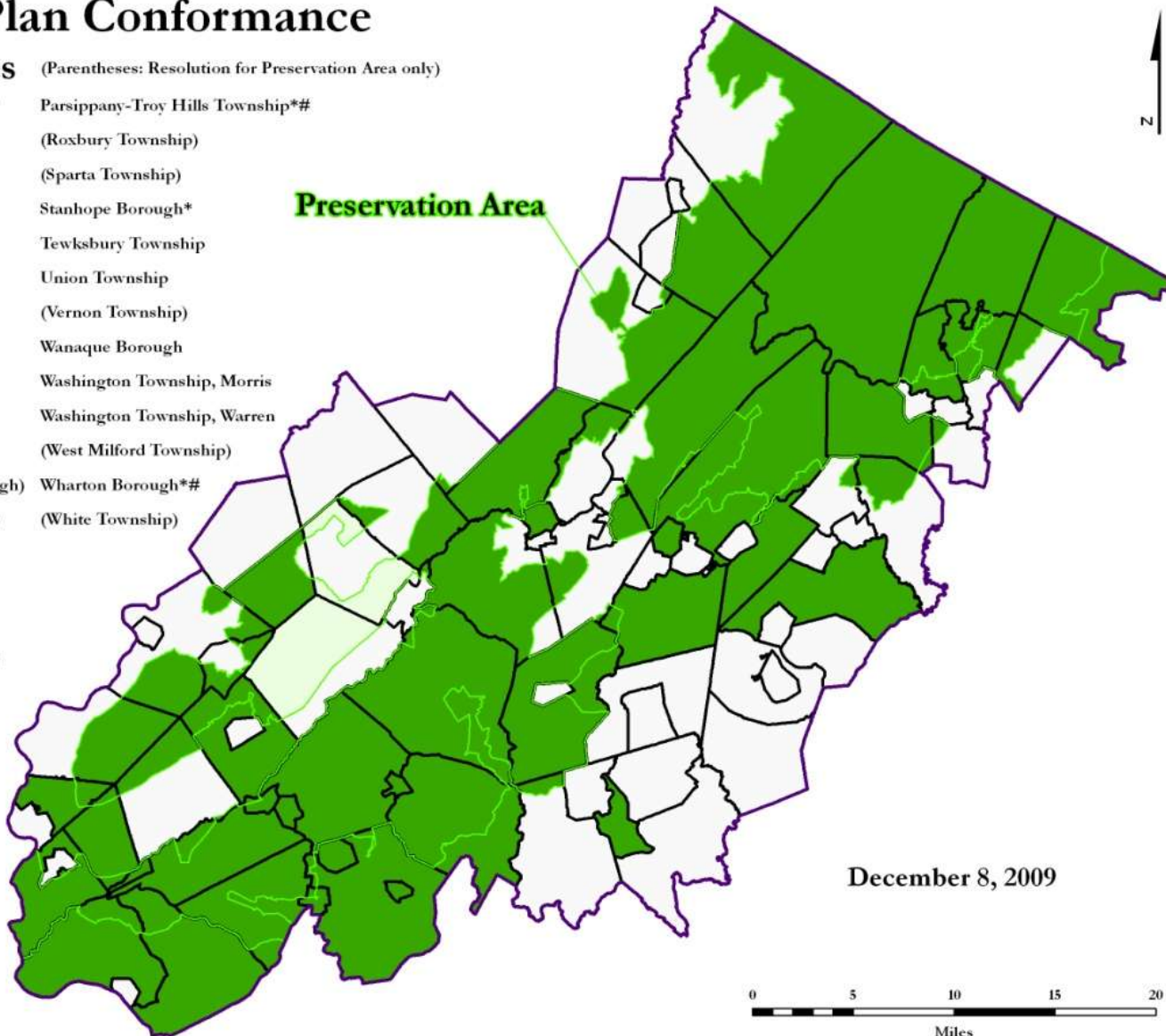
Petitioning Municipalities (Parentheses: Resolution for Preservation Area only)

- | | | |
|------------------------|---------------------------|----------------------------------|
| Alexandria Township | High Bridge Borough*^ | Parsippany-Troy Hills Township*# |
| (Allamuchy Township) | Holland Township | (Roxbury Township) |
| (Bedminster Township) | (Hopatcong Borough) | (Sparta Township) |
| Bethlehem Township | (Jefferson Township) | Stanhope Borough* |
| Bloomington Borough | Kinnelon Borough | Tewksbury Township |
| (Bloomsbury Borough) | Lebanon Borough* | Union Township |
| (Boonton Township) | Lebanon Township# | (Vernon Township) |
| Byram Township | (Liberty Township) | Wanaque Borough |
| (Califon Borough) | Lopatcong Township | Washington Township, Morris |
| Chester Township | Mahwah Township | Washington Township, Warren |
| Clinton Town | (Montville Township) | (West Milford Township) |
| Clinton Township | (Mount Arlington Borough) | Wharton Borough*# |
| Denville Township | (Mount Olive Township) | (White Township) |
| Far Hills Borough* | (Oakland Borough) | |
| (Franklin Township) | (Ogdensburg Borough) | |
| (Glen Gardner Borough) | (Oxford Township) | |
| (Green Township) | (Pequannock Township) | |
| Greenwich Township | Pohatcong Township | |
| (Hackettstown Town) | Randolph Township | |
| Hampton Borough | (Ringwood Borough) | |
| (Hardyston Township) | Rockaway Township | |
| (Harmony Township) | | |

* Municipalities entirely within Highlands Planning Area

^ Ordinance Introduced

Resolution not submitted with Petition



December 8, 2009

Bergen County

Preservation Area:	12,309	55%
Planning Area:	<u>10,089</u>	45%
Total	22,398	

Mahwah (both)	16,769
Oakland (Preservation)	<u>2,622</u>
Total	19,391

100% municipal conformance with Act

Bergen Plan Conformance: 87% (2 of 2)

Hunterdon County

Preservation Area:	64,925	50%
Planning Area:	<u>63,985</u>	50%
Total	128,910	

Alexandria, Bethlehem, Bloomsbury, Califon, Clinton, Clinton Twp., Glen Gardner, Hampton, High Bridge (ordinance), Holland, Lebanon, Lebanon Twp., Tewksbury, Union (all but Milford)

100% municipal conformance with Act
Hunterdon Plan Conformance: 99% (14 of 15)

Morris County

Preservation Area:	120,123	44%
Planning Area:	<u>155,486</u>	56%
Total	275,609	

All Preservation unless noted: Boonton Twp., Chester Twp. (both), Denville (both), Jefferson, Kinnelon (both), Montville, Mt. Arlington, Mt. Olive, Pequannock, Randolph (both), Rockaway Twp. (both), Roxbury, Washington Twp. (both)

No resolutions yet from Parsippany-Troy Hills or Wharton Borough

100% municipal conformance with Act

Morris Plan Conformance: 64% (13 of 32)

Passaic County

Preservation Area:	78,789	94%
Planning Area:	<u>5,063</u>	6%
Total	83,852	

Bloomingtondale (both), Ringwood, Wanaque (both), West
Milford

100% municipal conformance with Act
Passaic Plan Conformance: 98% (4 of 5)

Somerset County

Preservation Area:	1,011	2%
Planning Area:	<u>46,617</u>	98%
Total	47,628	

Bedminster Township (Preservation) and Far Hills
Borough

100% municipal conformance with Act
Somerset Plan Conformance: 9% (2 of 5)

Sussex County

Preservation Area:	70,773	54%
Planning Area:	<u>59,092</u>	46%
Total	129,865	

All Preservation unless noted: Byram (both), Green, Hardyston, Hopatcong, Ogdensburg, Sparta, Stanhope (Planning), Vernon

100% municipal conformance with Act
Sussex Plan Conformance: 56% (8 of 10)

Warren County

Preservation Area:	67,027	39%
Planning Area:	<u>104,066</u>	61%
Total	171,093	

All Preservation unless noted: Allamuchy, Franklin, Greenwich (both), Hackettstown, Harmony, Liberty, Lopatcong (both), Oxford, Pohatcong (both), Washington Twp. (both), White

71% municipal conformance with Act

11 municipalities out of 13

(Independence and Mansfield yet to Petition)

Warren Plan Conformance: 39% (11 of 19)

Plan Coformance – Planning Area

- Planning Area municipalities did not have a deadline and continue to work under a Notice of Intent.
- March 1, 2010 is the next deadline for Planning Area municipalities to prepare a draft Housing Element and Fair Share Plan in order to have adopted plans completed by June 2010.
- Many of the municipalities that submitted a Petition just for the Preservation Area may still submit a Petition for the Planning Area (approx. 130,000 acres).

Plan Coformance – Planning Area

- 18 Planning Area only municipalities continue to work under a Notice of Intent (over 65,000 acres).
- These include: Milford, Chester Borough, Hanover, Mendham Borough, Mendham Twp., Mine Hill, Morris Plains, Mountain Lakes, Riverdale, Pompton Lakes, Bernardsville, Franklin Borough, Hamburg, Alpha, Belvidere, Frelinghuysen, Phillipsburg, Washington Borough.

Review Process for Municipal Petitions

- ❑ December 8, 2009 – Petitions submitted
- ❑ Within 60 days – Completeness determination and coordination with municipal representatives. Once a completeness determination is made materials submitted will be posted on Council website
- ❑ Within 45-90 days – Draft Consistency Review and Recommendations Report issued by Highlands Council Executive Director
- ❑ Municipal Response Period – Allows the municipality to amend Petition to address issues in the Report
- ❑ Public Notice, Final Report, and Council consideration

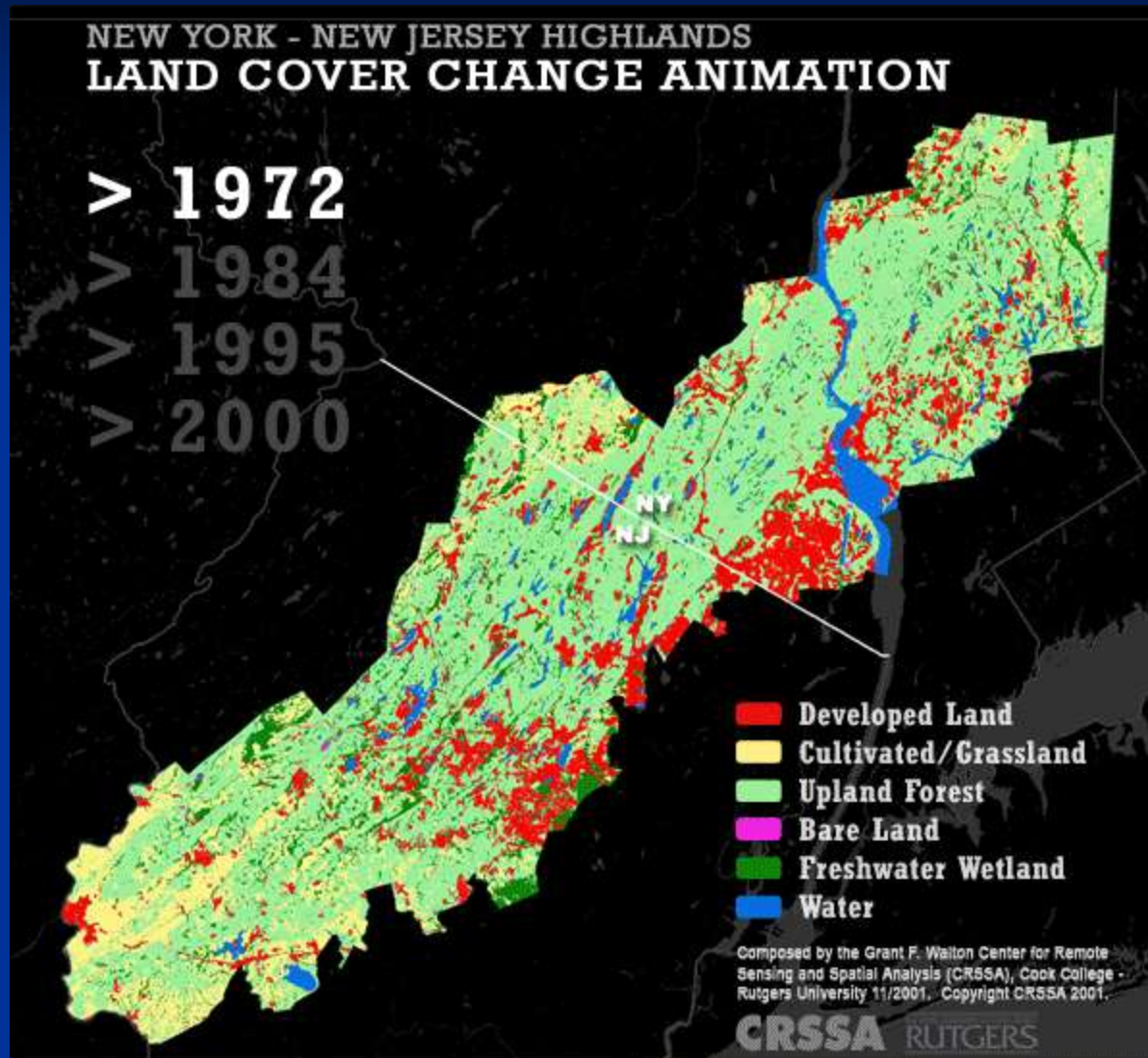
Legislative Update

- October 16th letter from the Highlands Council suggesting two legislative actions regarding the Highlands TDR Program and the GSPT dual appraisal program.
- Senate Environment Committee released S2639 which authorizes any municipality outside Highlands Region to establish receiving zones for Highlands TDR Program.
- Senate Budget and Appropriations Committee released S1875 which extends the expiration date of GSPT's dual appraisal process for Green Acres and Farmland Preservation programs to June 30, 2014.

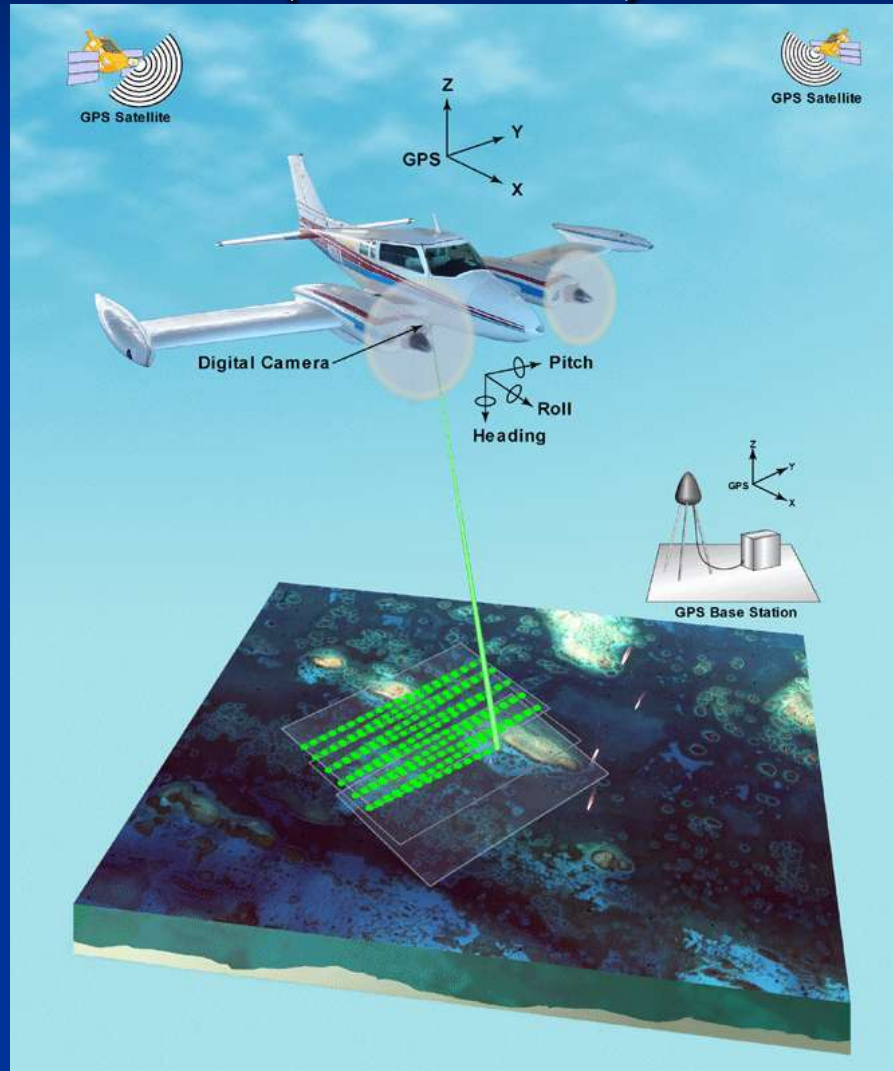
Updated Mapping

- Growth mapping
- Light Detection and Ranging
(LiDAR)

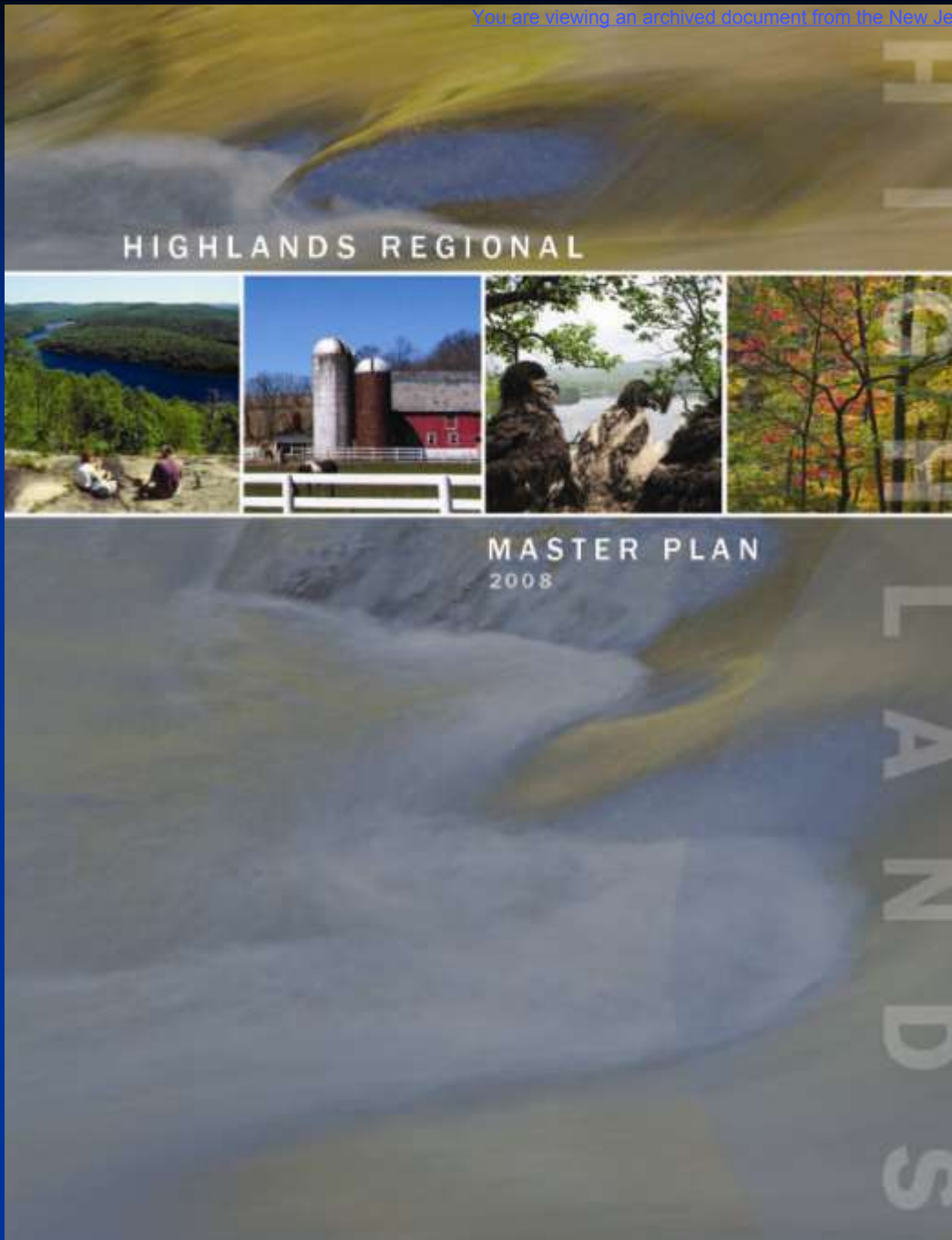
Land Use Change in the Highlands



Light Detection and Ranging (LiDAR)







Highlands Council Meeting

December 17, 2009

