

NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
MEETING MINUTES OF JANUARY 18, 2024

PRESENT

CARL J. RICHKO) CHAIR
KURT ALSTED) VICE CHAIR
TIMOTHY DOUGHERTY) COUNCIL MEMBERS
MICHAEL SEBETICH, PhD)
DANIEL J. VAN ABS, PhD)
JAMES VISIOLI)
RICHARD VOHDEN)

VIA TELECONFERENCE:

MICHAEL FRANCIS)

ABSENT:

MICHAEL DRESSLER)
BRUCE JAMES)

CALL TO ORDER 202nd meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:00pm at the Highlands Council Offices in Chester, NJ.

ROLL CALL

Roll call was taken. Members Dressler and James were absent. All other Council Members were present. Member Francis was present via teleconference. *The following staff members were present: Gabrielle Gallagher, James Humphries, Maryjude Haddock-Weiler, Kelley Curran, Jocelyn van den Akker, Judy Thornton, Corey Piasecki, Neda Hartman, Owen Selles, Karolyn Garcia, Annette Tagliareni, Carole Ann Dicton, Tom Tagliareni, and Karen Castanbas. Others present: Via teleconference - Jason Kane, Deputy Attorney General's (DAG's) office; in person - Alexis Franklin, Associate Counsel, Governor's Authorities Unit (GAU).*

OPEN PUBLIC MEETINGS ACT was recited.

PLEDGE OF ALLEGIANCE was recited.

CHAIRMAN'S REPORT

Chair Richko welcomed Alexis Franklin, Associate Counsel, the Council's new representative from the Governor's Authorities Unit who was present at the meeting.

At this time, Chair Richko asked for nominations for the next two resolutions.

Resolution – Election of Vice Chair

Member Visioli nominated Kurt Alstede as Vice Chair and moved the resolution.

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Public Comment

There was no Public Comment

A roll call vote was taken. The resolution was APPROVED 8-0.

Resolution – Election of Treasurer

Vice Chair Alstede nominated James Visioli as Treasurer and moved the resolution.

Public Comment

There was no Public Comment

A roll call vote was taken. The resolution was APPROVED 8-0.

At this time and due to Member Visioli's nomination as Treasurer of the Council, Chair Richko appointed Member Visioli as the new Chair of the Budget & Finance Committee.

Lastly, Chair Richko announced the retirement of Principal Planner, Judy Thornton. Chair Richko thanked Ms. Thornton for her 16 years of service to the Council. Ms. Thornton thanked the Council for the opportunity to serve our important mission.

EXECUTIVE DIRECTOR'S REPORT

There was no Executive Director's report.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF DECEMBER 14, 2023

Chairman Richko asked for a motion on the Council Minutes of December 14, 2023.

Vice Chair Alstede made a motion to approve the Highlands Council Minutes of December 14, 2023. Member Van Abs seconded it.

A roll call vote was taken. The Highlands Council Minutes of December 14, 2023 were APPROVED 8-0.

BUDGET & FINANCE COMMITTEE

Chair Richko provided his Budget & Finance Committee report:

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The Budget and Finance Committee is recommending the approval of five (5) grants totaling \$333,500. All grants are reimbursement-based with final budgeted amounts determined by approved scopes of work.

1 & 2. The Highlands Council currently has approximately seven (7) municipalities in the queue who have requested funding to comply with the enhanced regulations of the NJDEP Municipal Separate Storm Sewer System (MS4) Permit. Two (2) of which are ready to go. Highlands Council grant funding will be used to supplement NJDEP grant funding. Grant request amounts vary depending on municipal needs.

Mendham and Pohatcong Townships are requesting funding for Stormwater Management Planning. Mendham is requesting \$145,000; and Pohatcong is requesting \$98,500. Both Townships have applied for the NJDEP grant funding (\$25,000).

3. Netcong Borough, Morris County is requesting \$25,000 to prepare a Plan Conformance Petition with Highlands Center Designation for the entire Borough. The Borough is located entirely in the Planning Area of the Highlands. This petition will be considered by the full Council in the future.
4. Mountain Lakes Borough, Morris County is requesting \$15,000 to prepare a Plan Conformance Petition. The Borough is located entirely in the Planning Area of the Highlands. This petition will be considered by the full Council in the future.
5. Town of Clinton, Hunterdon County is requesting \$50,000 to revise the town's Land Use Plan Element to incorporate a Climate Hazard Vulnerability Assessment.

Resolution – Approval of Fiscal Year 2024 Highlands Protection Fund Capital Budget for Plan Conformance Funding Grants

Chairman Richko asked for a motion on the resolution.

Vice Chair Alstede moved the resolution. Member Dougherty seconded it.

Council Comment

Member Van Abs agreed with all the grant requests, however, expressed concern regarding the stormwater grant funding and asked if Council staff has extrapolated the amount of funds needed. Mr. Humphries responded that we know which towns will need the funding and can only estimate and take the scopes of works and phase them in annually regarding the funding.

Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 8-0.

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REGIONAL MASTER PLAN (RMP) AMENDMENT COMMITTEE

Vice Chair/Committee Chair Alstede reported that the RMP Amendment Committee held a public meeting early today to review two (2) Amendments to the RMP:

- 1) Standards for Warehousing in the New Jersey Highlands Region; and
- 2) Land Use Capability Zone (LUCZ) Map and Technical Report Update.

Committee Chair Alstede reported that the Committee unanimously recommended to forward both Amendments to the full Council for consideration to authorize the Highlands Council staff to release the RMP Amendments for six (6) public hearings and a 60-day public comment period.

At this time, Highlands Council staff (Corey Piasecki, Principal Planner; James Humphries, Director of Planning, Science & GIS; and Jocelyn van den Akker, GIS Manager) gave a presentation on the amendment process and the 2 Amendments. The presentation may be found on the Highlands Council's website at the following link:

www.nj.gov/njhighlands/about/calend/2024/jan18/mtg_ppt.pdf

Mr. Humphries reported that the RMP Amendment Committee recommended one change to the LUCZ Map and Technical Report as it was currently presented to the Council. On page 1 the second inserted paragraph in red ("This update is based upon the most recent data available at the time of adoption...") will be removed from the document that goes out for public comment. That section was intended to allow an update to the draft data, but that draft data has been subsequently finalized and the section is no longer needed. The second insertion before the comment period is a table of change showing the percentages and areas of each LUCZ - the original vs. the new.

Resolution – Authorization for Highlands Council Staff to Release the RMP Amendments for Six Public Hearings and 60-day Comment Period

Chairman Richko asked for a motion on the resolution.

Vice Chair Alstede moved the resolution. Member Sebetich seconded it.

Council Comment

Member Visioli asked how Council staff will handle variances regarding warehousing. Mr. Humphries responded that they would be handled through waivers that exist in the RMP and through Highlands Redevelopment Areas, Highlands Centers, or RMP Update or Map Adjustment processes.

Public Comment

George Cassa, Highlands Coalition, Member – Mr. Cassa asked if the amendment map data will be integrated into the Highlands Interactive Map at the parcel level and is there a timeline.

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Mr. Humphries responded that in the public notice there will be a link to the Highlands Interactive Map to show the new layer to compare against the old one.

Hank Klumpp – Mr. Klumpp asked how warehousing affects the water.

Richard Kelsky, Stillwater Township – Mr. Kelsky was glad to hear that the RMP Amendment Committee removed the paragraph in the LUCZ report giving the Executive Director authorization to update the LUCZ without the need for a RMP Amendment. Mr. Kelsky spoke in opposition to any amendment to the RMP process other than a formal amendment to that process itself.

In response to Mr. Klumpp's comment, Chair Richko responded that the Highlands is a special resource area so we have to be concerned with any kind of development, especially with something as large as warehouses.

A roll call vote was taken. The resolution was APPROVED 8-0.

OLD/NEW BUSINESS:

There was no Old/New Business.

Chair Richko opened the meeting for any public comment.

Public Comment

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented on golf courses and their use of water which the Highlands Council protects.

Bill Kibler, Raritan Headwaters Association – Mr. Kibler responded to Mr. Klumpp's comment on golf courses and agreed with him. Mr. Kibler also noted the amount of gallons of water a golf course in Bedminster uses.

Richard Kelsky, Stillwater – Mr. Kelsky spoke in opposition of the rules governing the RMP Amendment process referring to the RMP Amendment Committee minutes of November 27, 2023. Mr. Kelsky asked the Council to provide to the public the three (3) Amendments that were delivered/discussed at the RMP Amendment Committee at that time.

Wenke Taule, Ringwood Borough – Ms. Taule commented that for about eight years Ringwood Borough Council has been trying to push high-density housing in Ringwood's Preservation Area. Ms. Taule asked about the Council's commitment to the Preservation Area and water protection for Ringwood and New Jersey.

Chair Richko responded that we have no development proposals from Ringwood Borough.

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At this time, Gabrielle Gallagher, Chief Counsel gave an explanation on the RMP Amendment process.

Mr. Piasecki provided the dates, times, and locations for all six public hearings for the RMP Amendments.

February 12, 2024 - 10:30am
New Jersey Department of Environmental Protection
1st Floor Public Hearing Room
401 E. State Street, Trenton, NJ 08625

February 21, 2024 – 10:00am
New Jersey Highlands Council
100 North Road (Route 513), Chester, NJ 07930

February 12, 2024 - 4:00pm
New Jersey Highlands Council
VIRTUAL

February 21, 2024 – 5:00pm
Town of Clinton Municipal Building
43 Leigh Street, Clinton, NJ 08809

February 20, 2024 – 5:00pm
West Milford Public Library
1470 Union Valley Rd, West Milford, NJ 07480

February 22, 2024 – 5:00pm
Warren County Northeast Branch Library
40 US Hwy 46 West, Independence Township, NJ 07840

Chair Richko asked for a motion to adjourn the meeting.

Member Van Abs made a motion to adjourn the meeting. Member Dougherty seconded it. All were in favor. The meeting was adjourned at 4:48pm.

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: 2/15/2024

Name: Annette Tagliareni
Annette Tagliareni, Executive Assistant

| Vote on the Approval of Minutes | Motion | Second | Yes | No | Abstain | Absent |
|---------------------------------|--------|--------|-----|----|---------|--------|
| Councilmember Alstede | | | √ | | | |
| Councilmember Bush | | | | | √ | |
| Councilmember Dougherty | √ | | √ | | | |
| Councilmember Dressler | | | √ | | | |
| Councilmember Francis | | | √ | | | |
| Councilmember James | | | √ | | | |
| Councilmember Sebetich | | √ | √ | | | |
| Councilmember Van Abs | | | √ | | | |
| Councilmember Visioli | | | √ | | | |
| Councilmember Vohden | | | √ | | | |
| Chairman Richko | | | √ | | | |