

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

PRESENT

CARL J. RICHKO) CHAIR
KURT ALSTEDE) VICE CHAIR
DANIEL BUSH) COUNCIL MEMBERS
TIMOTHY DOUGHERTY)
MICHAEL FRANCIS)
BRUCE JAMES)
DANIEL J. VAN ABS, PhD)
JAMES VISIOLI)
RICHARD VOHDEN)

VIA TELECONFERENCE:

MICHAEL DRESSLER)

ABSENT:

MICHAEL SEBETICH, PhD)

CALL TO ORDER 205TH meeting of the New Jersey Highlands Water Protection and Planning Council was called to order at 4:01pm at the Highlands Council Offices in Chester, NJ.

ROLL CALL

Roll call was taken. Member Sebetich was absent. All other Council Members were present. Member Dressler was present via teleconference. *The following staff members were present: Ben Spinelli, Gabrielle Gallagher, James Humphries, Corey Piasecki, Allison Bittner, Jocelyn van den Akker, Kelley Curran, Neda Hartman, Owen Selles, Annette Tagliareni, Carole Ann Dicton, Tom Tagliareni, and Karen Castanbas. Others present: Via teleconference – Jason Kane, Deputy Attorney General’s (DAG’s) office; and Alexis Franklin, Associate Counsel, Governor’s Authorities Unit (GAU).*

OPEN PUBLIC MEETINGS ACT was recited.

PLEDGE OF ALLEGIANCE was recited.

CHAIRMAN’S REPORT

There was no Chairman’s report.

EXECUTIVE DIRECTOR’S REPORT

Mr. Spinelli provided several updates:

1. On the agenda today: Lopatcong/Pohatcong Townships, Warren County amended Highlands Center Designation for Council’s consideration.

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- a. Last month's withdrawal of Lopatcong/Pohatcong Townships, Warren County Highlands redevelopment area designation.
2. On the agenda today: Affordable Housing RMP Amendment – for Council's consideration to release for public comment (60 days/6 public hearings)
 - a. New Legislation (Bill A4/S50) recognizes Highlands Act, Regional Master Plan (RMP), Land Use Capability Zones (LUCZ) when setting forth new requirements for municipalities related to their affordable housing obligations.
 - b. Met with Governor's Authorities Unit, Department of Community Affairs (DCA) and Fair Share Housing Center (FSHC).
 - c. Next steps:
 - i. Highlands Affordable Housing Implementation Report (not an RMP Amendment).
 - ii. Highlands Affordable Housing Grant Program and Build Out Instructions (not an RMP Amendment).
3. Contracts for Open Space & Recreation Plan (awarded to TPL) and Branding & Marketing Plan (awarded to Northstar). Both contracts are in attorney review.
4. On the agenda today: Adoption of two RMP Amendments for Council's consideration:
 - a. 2024-1: Standards for Warehousing in the NJ Highlands Region
 - b. 2024-2: LUCZ Map and Technical Report Update
5. On the agenda today: Highlands grants for Council's consideration:
 - a. Stormwater MS4 requirements
 - b. Phase 2 of Lake Management Plan (Vernon Township)
6. Highlands Protection Fund Capital (Grant) Budget – MS4 requirements and Affordable Housing plans will account for bulk of grant budget in next fiscal year. Closure letters were sent to municipalities regarding previously awarded grants that never became active projects (some as old as 2008) so that grant funding can be reallocated.
7. Plan to meet with NJDEP on State Water Supply Master Plan.
8. Met last week with NJDEP regarding amendments to Highlands DEP Rules and failing septic in the Highlands region. Reached out to Bloomsbury and Califon to discuss potential solutions.
9. 20th Anniversary of Highlands Act on August 10, 2024.
 - a. A Summit on the state of the Highlands and reflection on 20 years of protection will take place September 6, at the Frelinghuysen Arboretum.
 - b. Working with Kean University to hold a Highlands Region scientific symposium in October at the Kean Skylands campus in Jefferson.
10. Plan Conformance process – Harding Township and Mountain Lakes continue to show interest. Received additional inquiries due to the affordable housing legislation and anticipate additional towns will show interest in Plan Conformance.
11. Personnel – Allie Bittner promoted to Principal Planner. Advertised for Planning Associate 1 – Regional Planner which requires a Master's degree. Application process closes on May 15, 2024.
12. Contract with Integra on the municipal average value project has been cancelled as the project was not advancing. A new law allows SADC to conduct appraisals differently, which is likely to provide a solution to the issue of farmland valuation.
13. Continue to advocate for additional funding for four Highlands positions (Engineer, Agriculture, Restoration and Climate).
14. Continue to advocate for open space funding.
15. Highlands Website – update work continues – should see something soon.
16. Released 2023 Annual Report and March Monthly Report.

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17. Held meetings of Affordable Housing, Budget & Finance, Agricultural, RMP (closed & public), and Plan Conformance committees. Also attended NJ Agricultural Climate Summit at Duke Farms and Boonton Reservoir project event.

At this time, Chair Richko asked if any Council members had comments or questions on the Executive Director's report.

Council Comments

There was no Council comment.

APPROVAL OF HIGHLANDS COUNCIL MINUTES OF MARCH 21, 2024

Chairman Richko asked for a motion on the Council Minutes of March 21, 2024.

Vice Chair Alstede made a motion to approve the Highlands Council Minutes of March 21, 2024. Member Bush seconded it.

A roll call vote was taken. The Highlands Council Minutes of March 21, 2024, were APPROVED 9-0, with one abstention by Member James.

BUDGET & FINANCE COMMITTEE

Committee Chair Visioli reported that the Budget & Finance Committee met on April 2nd via Zoom and noted that the committee recommended grants to be considered by the full Council.

At this time Mr. Spinelli provided a presentation on all grant requests from municipalities for Council's consideration. The presentation may be found on Council's website at www.nj.gov/njhighlands/about/calend/2024/apr 18/Council_mtg_ppt_04182024.pdf.

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.

Member Van Abs moved the resolution. Member Visioli seconded it.

Council Comment

There was no Council comment.

Public Comment

There was no public comment.

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A roll call vote was taken. The resolution was APPROVED 10-0.

PLAN CONFORMANCE COMMITTEE

Committee Chair Dressler reported that the Plan Conformance Committee met April 2, 2024 regarding Lopatcong and Pohatcong Township's amended Highlands Center Designation.

Highlands staff member, James Humphries, Director of Planning, Science & GIS provided a presentation on Lopatcong and Pohatcong Township's amended Petition for Highlands Center Designation for Council's consideration. The presentation may be found on the Council's website at www.nj.gov/njhighlands/about/calend/2024/apr 18/Council_mtg_ppt_04182024.pdf.

Resolution – Approval of Amended Petition for Highlands Center Designation, Lopatcong and Pohatcong Townships, Warren County

Chairman Richko asked for a motion on the resolution.

Member Dressler moved the resolution. Member James seconded it.

Council Comment

Vice Chair Alstede asked a question about the withdrawn redevelopment area designation and how that project could continue. Mr. Spinelli clarified.

Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 10-0.

RMP AMENDMENT COMMITTEE

Highlands staff member Corey Piasecki, Principal Planner provided a presentation on the RMP Amendment: Standards for Warehousing in the NJ Highlands Region for Council's consideration for adoption. The presentation may be found on Council's website at www.nj.gov/njhighlands/about/calend/2024/apr 18/Council_mtg_ppt_04182024.pdf.

Resolution – Adoption of “RMP Addendum 2024-1: Standards for Warehousing in the NJ Highlands Region” As An Amendment Of, And Addendum To, The Highlands Regional Master Plan

Chairman Richko asked for a motion on the resolution.

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Member Alstede moved the resolution. Member James seconded it.

Council Comment

Member Visioli asked for an explanation of “Overburdened Communities.” Staff Member Piasecki clarified.

Public Comment

Hank Klumpp, Tewksbury – Mr. Klumpp questioned why the Highlands Council was getting involved in warehousing.

A roll call vote was taken. The resolution was APPROVED 10-0.

Mr. Humphries provided a presentation on the RMP Amendment: LUCZ Map and Technical Report Update for Council’s consideration for adoption. The presentation may be found on Council’s website at www.nj.gov/njhighlands/about/calend/2024/apr 18/Council_mtg_ppt_04182024.pdf.

Resolution – Adoption of “RMP Addendum 2024-2: Land Use Capability Zone Map and Technical Report Update” As An Amendment Of, And Addendum To, The Highlands Regional Master Plan

Chairman Richko asked for a motion on the resolution.

Member Alstede moved the resolution. Member Bush seconded it.

Council Comment

Member Van Abs acknowledged staff’s work on this project.

Public Comment

Julia Somers, New Jersey Highlands Coalition – Ms. Somers commented that the update to the LUCZ was timely in the context of the State Plan Update.

A roll call vote was taken. The resolution was APPROVED 10-0.

Mr. Humphries gave a presentation on the proposed Affordable Housing Amendment for Council’s consideration to release the proposed amendment to the public for a 60-day public comment period and six public hearings. The presentation may be found on Council’s website at www.nj.gov/njhighlands/about/calend/2024/apr 18/Council_mtg_ppt_04182024.pdf.

Resolution – Authorization For Highlands Council Staff To Release The Regional Master Plan (RMP) Amendment for Six Public Hearings And 60-Day Comment Period

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Chairman Richko asked for a motion on the resolution.

Member Visioli moved the resolution. Member Francis seconded it.

Council Comment

Member Van Abs commented on the benefits of having the Highlands Council acknowledged in the new affordable housing legislation.

Chairman Richko commented that as a former mayor he can imagine how helpful it would be to have the Highlands Council's help on this matter.

Council Member Bush commented that as a current mayor the timing of the affordable housing requirements converging with the new stormwater permit requirements (MS4) is very challenging for smaller towns.

Public Comment

There was no public comment.

A roll call vote was taken. The resolution was APPROVED 10-0.

OLD/NEW BUSINESS:

There was no old/new business.

Chair Richko opened the meeting for any public comment. Chair Richko noted that during this public portion of the meeting, the Council wants to hear comments/suggestions but is not a question-and-answer period. Chair Richko added that if a public member has any questions, they should please call the Highlands Council office at any time.

Public Comments

Hank Klumpp, Tewksbury, NJ – Mr. Klumpp commented on the origins of the Highlands Act and on funding for property owners.

George Cassa, New Jersey Highlands Coalition - Mr. Cassa supports the release of the RMP Amendment on Affordable Housing.

Richard Kelsky, Stillwater, NJ – Mr. Kelsky commented on the behavior of Council Members and staff at past Council meetings.

Chair Richko asked for a motion to adjourn the meeting.

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Member James made a motion to adjourn the meeting. Member Dougherty seconded it. All were in favor. The meeting was adjourned at 4:54pm.

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: 6/20/2024

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			√			