

**APPENDIX E**

**PUBLIC COMMENTS/HIGHLANDS COUNCIL RESPONSES**

**Petition for Plan Conformance**

**Borough of Wharton, Morris County**

**Public Comment Period: July 8, 2011 to July 22, 2011**

## **PUBLIC COMMENTS RECEIVED**

Written comments regarding Wharton Borough's Petition for Plan Conformance were accepted by the Highlands Council through the close of the Public Comment period on July 22, 2011. Comments were provided by the following individuals/entities:

1. Helen Heinrich, on behalf of the New Jersey Farm Bureau
2. Erica Van Auken, on behalf of the New Jersey Highlands Coalition
3. Robert Freudenberg and Peter Kasabach, on behalf of Regional Plan Association and New Jersey Future

The comments are summarized in the section that follows, with Highlands Council responses provided below for each.

## **PUBLIC COMMENT/RESPONSE SUMMARY**

1. **Comment:** The New Jersey Farm Bureau expressed support for the development of a Highlands Center in the Borough of Wharton and encouragement for the proposed Center to include a Transfer of Development Rights (TDR) component.

**Response:** The Highlands Council acknowledges the support from the New Jersey Farm Bureau. The Highlands Implementation Plan and Schedule includes a funding allocation for studies associated with planning for the proposed Center, including a potential TDR initiative. Should the initial investigation reveal a realistic opportunity for a TDR program, the Borough may seek funding from the Highlands Council for a TDR Feasibility Grant. A TDR Feasibility Study would entail: 1) an assessment of available water and sewer capacity; 2) identification of potential receiving zone(s); 3) a description of the physical features of potential receiving area(s); 4) a real estate assessment; and 5) development of conceptual development scenarios.

2. **Comment:** The New Jersey Highlands Coalition supports the Borough of Wharton's Petition for Plan Conformance and encourages the Council to consider all the voluntary work done by the Borough to conform to the Highlands Act and the Regional Master Plan.

**Response:** The Highlands Council acknowledges the support of the New Jersey Highlands Coalition for the Wharton Petition for Plan Conformance.

3. **Comment:** The New Jersey Highlands Coalition expressed concern with the inclusion of Block 1603, Lot 14 within the proposed Wharton Highlands Town Center and its potential development with 73 residential units, 15 of which would be affordable units. The parcel contains environmental constraints and appears to not currently be connected to sewer service.

**Response:** The Highlands Council acknowledges the Coalition's concerns. The parcel in question has been included in the Borough's Housing Element and Fair Share Plan to meet the municipality's Prior Round Obligation. The Final Draft Consistency Review and Recommendations Report notes in section B.2.c. that the site, known as the Old Irondale Road site, contains Highlands resources and must be confirmed to have connections to water and sewer. It also notes that the Borough has maintained that connections do exist and careful planning will alleviate negative impacts on environmental resources.

The Highlands Council will work with the Borough to ensure conformance with the Regional Master Plan should the parcel ultimately be developed, including low impact development techniques and possible clustering.

4. **Comment:** Regional Plan Association and New Jersey Future encourage a favorable consideration by the Highlands Council of Wharton Borough's Petition for Plan Conformance and the center designation component which would help facilitate sustainable economic growth, development, and redevelopment.

**Response:** The Highlands Council acknowledges the support of the Regional Plan Association and New Jersey Future for Wharton Borough's Petition for Plan Conformance.

5. **Comment:** Regional Plan Association and New Jersey Future state that the Borough's Petition represents an important opportunity to advance the goals of the Highlands Water Protection and Planning Act and is key in implementing the Highlands Regional Master Plan.

**Response:** The Highlands Council acknowledges the comments submitted by Regional Plan Association and New Jersey Future.

6. **Comment:** Regional Plan Association and New Jersey Future believe that the Highlands Council's technical and financial support to municipal governments will help ensure the proper balance of environmental protection and responsible growth necessary for the long-term health of the Highlands Region, as well as the entire State of New Jersey.

**Response:** The Highlands Council acknowledges Regional Plan Association's and New Jersey Future's comments and concerns.