Highlands Council Meeting
Thursday, September 20, 2012
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Executive Director’s Report
Plan Conformance Highlights

- **Wanaque Borough**, Passaic County
  - Petition for Plan Conformance deemed complete 8/10/12

- **Pohatcong Township**, Warren County
  - Planning Area Petition Ordinance passed 8/21/12
  - TDR feasibility grant application submitted 8/29/12

- **Roxbury Township**, Morris County
  - Received Municipal Response 8/16/12

- **Far Hills Borough**, Somerset County
  - Requested add’l time for Municipal Response (3/31/13)

- **Hopatcong Borough**, Sussex County
  - Public hearing tonight

- **Of 60 Petitions:** 42 Approved, 15 Complete and in Review Process; 3 Incomplete
## Implementation Status

<table>
<thead>
<tr>
<th>Implementation Status</th>
<th>#</th>
<th>Municipalities (new in bold)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Area Petition Ordinance</td>
<td>14</td>
<td>Alpha, Bethlehem, Byram, Clinton Town, Hackettstown, Hampton, High Bridge, Holland, Lebanon, Lopatcong, Mahwah, Oxford, Phillipsburg, Tewksbury</td>
</tr>
<tr>
<td>Master Plan Re-examination Report</td>
<td>12</td>
<td>Bethlehem, Byram, Franklin Twp, Hackettstown, High Bridge, Holland, Lebanon, Mahwah, Mount Olive, Tewksbury, West Milford, Ringwood</td>
</tr>
<tr>
<td>Environmental Resource Inventory</td>
<td>12</td>
<td>Byram, Califon, Franklin Twp, Hackettstown, High Bridge, Lebanon, Lopatcong, <strong>Mahwah, Mount Olive</strong>, Phillipsburg, Ringwood, Tewksbury</td>
</tr>
<tr>
<td>Highlands Master Plan Element</td>
<td>4</td>
<td>Califon, Franklin Twp, High Bridge, Lebanon Twp</td>
</tr>
<tr>
<td>Checklist Ordinance</td>
<td>8</td>
<td>Byram, Hackettstown, Holland, Mahwah, Mount Olive, <strong>Tewksbury</strong>, Ringwood, Washington Twp (Morris)</td>
</tr>
<tr>
<td>Highlands Land Use Ordinance</td>
<td>1</td>
<td>High Bridge (w/ zoning map)</td>
</tr>
</tbody>
</table>
Constituent Response

- Constituent Support Team responds to calls, emails, and walk-ins.
- Typically questions re: specific properties and/or possible projects.
- Provide clarification, direction.
- Since 2006, more than 2,000 cases.
- Average per month: 27 calls.
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Highlands Redevelopment Areas
Highlands Redevelopment Area Designation

- Highlands Act allows three types of waivers from NJDEP Preservation Area rules:
  - for public health and safety
  - for redevelopment areas identified by the Highlands Council
  - to avoid a taking of property without just compensation
Site Qualifications

• Limited to:
  – Previously developed lands with minimum of 70% existing impervious surface
  OR
  – Brownfields*

• Can be all or a portion of a parcel or parcels

• Projects that do not qualify for Highlands Act exemption

* NJDEP certification of brownfield required.
Process Overview

- Two-step process:
  1. Highlands Council designates Redevelopment Area
  2. NJDEP issues Highlands Preservation Area Approval (HPAA) with Redevelopment Waiver.
- If applying based on impervious surface, apply directly to Highlands Council.
- If applying for brownfield, NJDEP must first certify the site as an eligible brownfield.
Process Detail/Steps

1. Inquiry meeting
2. Applicant submits preliminary documents
3. Pre-application meeting
4. Applicant submits complete petition (application)
5. Highlands Council staff review and draft recommendations posted for public comment
6. Staff revised report to Council for vote.
7. Once Redevelopment Area designation approved, to NJDEP for HPAA with waiver.
Redevelopment Process Map

- Redevelopment qualifies under Exemption 4, 5, or 6?
  - Yes: NJDEP HAD Exemption
  - No: Brownfield

Brownfield
- NJDEP Brownfield Designation
  - Yes: 70% of area covered with impervious surface?
    - Yes: Coordinate with municipal redevelopment site area?
      - Yes: Inquiry Meeting
      - No: Not eligible for Preservation Area Redevelopment Process
    - No: NJDEP Brownfield Designation
  - No: Impervious surface

Impervious surface
- 70% of area covered with impervious surface?
  - Yes: Coordinate with municipal redevelopment site area?
    - Yes: Inquiry Meeting
    - No: Not eligible for Preservation Area Redevelopment Process
  - No: Petition for Redevelopment Area

Petition for Redevelopment Area
- Highlands Determination Appropriate Redevelopment Site?
  - Yes: NJDEP HPAA with Waiver
  - No: Not eligible for Preservation Area Redevelopment Process

Inquiry Meeting
- Pre-Application Meeting
- Petition for Redevelopment Area
Decision Criteria

- Does the site qualify based on impervious surface or certified brownfields?
- Will the Highlands Redevelopment Area avoid disturbance of Highlands resources, or minimize disturbance where waiver is sought?
- Is the Highlands Redevelopment Area consistent with RMP policies regarding such designations?
- Does sufficient water supply and wastewater capacity exist for the site?
- Is the site compatible with municipal zoning?
- Are there unique or mitigating criteria based on the RMP policies?
## Approved Projects to date

<table>
<thead>
<tr>
<th>Project/Redevelopment Area</th>
<th>Municipality</th>
<th>Approval Date</th>
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</thead>
<tbody>
<tr>
<td>Route 46/Mt Olive (Debeck)</td>
<td>Mount Olive</td>
<td>January 19, 2012</td>
</tr>
<tr>
<td>Former Fenimore Sanitary Landfill</td>
<td>Roxbury</td>
<td>October 13, 2011</td>
</tr>
<tr>
<td>Givaudan Fragrances Corporation</td>
<td>Mount Olive</td>
<td>August 3, 2011</td>
</tr>
<tr>
<td>Sand Shore Road/Mt Olive (Jehovah’s Witness)</td>
<td>Mount Olive</td>
<td>May 19, 2011</td>
</tr>
<tr>
<td>Goldmine Partners, L.L.C.</td>
<td>Mount Olive</td>
<td>August 19, 2010</td>
</tr>
<tr>
<td>Heath Village Retirement Community</td>
<td>Washington (Morris)</td>
<td>April 15, 2010</td>
</tr>
<tr>
<td>Borealis Compounds, L.L.C.</td>
<td>Mansfield</td>
<td>March 4, 2010</td>
</tr>
<tr>
<td>West Milford Municipal Complex and Public Library</td>
<td>West Milford</td>
<td>March 4, 2010</td>
</tr>
<tr>
<td>Oak Ridge Road Associates, L.L.C.</td>
<td>West Milford</td>
<td>June 25, 2009</td>
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More information

www.highlands.state.nj.us
  > Project Review
    > 3. Highlands Redevelopment Area Designation

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