



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.nj.gov/njhighlands



PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
L. Governor

CARL J. RICHKO
Chairperson

LISA J. PLEVIN
Executive Director

MEMORANDUM

To: Budget & Finance Committee
From: Lisa J. Plevin, Executive Director
Subject: Committee Meeting Minutes – September 14, 2021
Date: September 20, 2021

A Budget and Finance (B&F) Committee meeting was held on Tuesday, September 14, 2021 at 10:00am via Zoom video conference.

Committee Chair Holtaway opened the meeting at 10:00am. The following participants were present:

Committee: Committee Chair Holtaway, Council Chair Richko, and Members James and Visioli.

Highlands Staff: Lisa J. Plevin, James Humphries, Maryjude Haddock-Weiler, Keri Green, Gabrielle Gallagher, Judy Thornton, Herb August, and Annette Tagliareni.

Governor's Authorities Unit: Jeffrey Nielsen, Associate Counsel

Angela Knowles was in the ZOOM waiting room.

Highlands Council FY2022 Highlands Protection Fund Grants:

Town of Phillipsburg (Warren County), Circulation Plan Element - \$50,000

Committee Chair Holtaway noted that during the Council's July 15 meeting the Plan Conformance grant funding request from Phillipsburg for completion of a Circulation Plan Element was not approved due to public comments suggesting that it may authorize a potential park encroachment.

Ms. Plevin gave an overview of what transpired during the July Council meeting regarding this agenda item. Ms. Plevin noted that members of the public expressed concerns and members of the Council had several questions - some of which Council staff could not immediately answer. The Resolution for Phillipsburg's Circulation Plan failed to pass. After the meeting, Council staff circled back to both Phillipsburg officials and members of the public to better understand the issues.

New Jersey is an Equal Opportunity Employer

Ms. Plevin noted that Angela Knowles, Phillipsburg Town Planner, was available (in the Zoom waiting room) if committee members had questions after staff's report-out presentation.

Ms. Plevin added that the Highlands Council is expected to reimburse for reasonable expenses of Plan Conformance provided they are in line with the goals, policies, and objectives of the Regional Master Plan (RMP). She indicated that Council staff is confident that Phillipsburg's proposed scope of work satisfies **Goal 5a: Transportation** of the RMP. Goals and recommendations include:

- Increased Mobility - within the Region and between the Region and outside destinations
- Increased public safety for pedestrians
 - Improving signing
 - Sidewalk improvements,
 - Additional pedestrian/bicycle signals
- Promoting a more efficient use of existing roadways through:
 - Roadway and circulation changes
 - Improved mass transit options

Ms. Plevin concluded by adding, while many of our municipalities retain primarily rural characteristics, Phillipsburg and its urban center has much to benefit from a review of their existing circulation plan. The proposed Circulation Plan will study ways to improve upon the existing transportation system.

At this time, Maryjude Haddock-Weiler, Planning Manager, gave more details on Phillipsburg's request for a Circulation Plan Element grant. Ms. Haddock-Weiler noted that the Circulation Plan element, as defined by the Municipal Land Use Law (MLUL), is a basic component of municipal master planning and an important tool in achieving and maintaining compliance with the Highlands RMP.

Ms. Haddock-Weiler added that on June 22, 2021, the Town of Phillipsburg submitted a letter and scope of work requesting grant funding to complete a Circulation Plan (the plan) element, particularly to identify the Town's desire to incorporate the plan into its ongoing redevelopment and revitalization efforts. The plan is intended to provide the Town with vital information to guide future land use and development decisions.

Ms. Haddock-Weiler then spoke about the potential development concept along Phillipsburg's riverfront area, which was the issue raised by members of the public during the July Council meeting. At that time, Highlands Council staff had not been notified by the Town of Phillipsburg or any regulating agency of the proposal. On July 22nd Highlands Council staff received a Permit Readiness Checklist from the NJDEP's Office of Permitting & Project Navigation for a project known as Peron Warehouse. This is typically the beginning of a pre-application meeting process for any NJDEP permits.

The project proposes a 420,000 square foot warehouse to be located on 170 Howard Street (Block 2102, Lots 2, 2.02 & 11). The proposed site is adjacent to the Delaware Riverfront Park (municipal park). The current proposal neither includes any incursions into the parkland, nor requires the diversion of any preserved lands.

Ms. Haddock-Weiler noted that the site in question is within a designated Highlands Center. The Town has not completed its center planning, nor adopted a center ordinance. The Town did, with Highlands Council funding however, adopt a Riverfront Redevelopment Plan in 2013 and amended it in 2017. Both versions of the Redevelopment Plan designated the site for “Riverfront Residential” The Plan is a component of the Town’s Center planning and implementation.

Ms. Haddock-Weiler then noted that a recent amendment to the Redevelopment Plan had been adopted by the Land Use Board and Town Council in March/April 2021 without any notice to or advisement from the Highlands Council. The amendment changed the designation of the subject parcels from Riverfront Residential to Riverfront Industrial. As a conforming municipality, the Town is required to submit any land use or zoning ordinance to the Highlands Council for a consistency determination with the RMP.

It was noted that the proposed warehouse site is a former railyard and is listed on the NJDEP’s “Known Contaminated Sites” List. The proposed site is also part of an Archaeologic Grid (AP94) and is adjacent to the historic Morris Canal. Much of the property (Lot 2) is in the Highlands Protection Zone and Existing Community Zone – Environmental Constrained, while most of the remainder (Lot 11) is designated Existing Community Zone.

In conclusion, Ms. Haddock-Weiler noted that Highlands staff have prepared comments regarding the project and submitted them to NJDEP based on Highlands resources. Staff will also be invited to attend the pre-application meeting with NJDEP and the applicant. This project is separate from the Circulation Plan and, as a Council, we do not have site plan review. The Council’s role is to provide our municipalities and counties with the tools to make smart land use decisions. The grant request is a planning opportunity to provide the Town with information to make future decisions.

Committee Chair Holtaway concluded that there was confusion at the July 15 Council meeting regarding a possible Green Acres diversion. Ms. Plevin added that the issues raised were not just related to Green Acres but also regarding warehouse siting concerns.

Chair Richko added that it might be helpful in the future for the public to contact Council staff prior to a meeting to raise such concerns. The Committee agreed that Staff was able to answer their questions, and that Ms. Knowles was not needed for additional clarification.

Committee Chair Holtaway asked for a motion to move the Town of Phillipsburg Circulation Plan Element grant in the amount of \$50,000 to the Council for consideration. Member James made a motion and Chair Richko seconded it. A roll call vote was taken, and all were in favor.

Hopatcong Borough (Sussex County), Field Assessment and Engineering Design Plan - \$54,000

Keri Green, Science Manager, gave an overview of Hopatcong Borough’s grant request for a Field Assessment and Engineering Design Plan for a project to improve stormwater conveyance within Witten Park, a municipal park that drains to Lake Hopatcong. This project was proposed in the Upper Musconetcong Watershed Implementation Plan (WIP), recently completed by the Lake Hopatcong Commission, and funded by the Highlands Council.

The project will stabilize and convert an existing drainage conveyance into a Regenerative Stormwater Conveyance (RSC) system, designed to treat, detain, and convey stormwater. This RSC system is part of a larger project for a complete restoration of Witten Park with contributions from Rutgers University and the Borough of Hopatcong. The scope of work includes a Topographic Survey, Field Assessments, Engineering Calculations and Designs, Development of Plans, Identification of Requirement Permits, integration of Rutgers design plan and a Final Report. The longer-term goal is to use the design of this project as in-kind support for a National Fish and Wildlife Foundation (NFWF) grant.

Ms. Plevin commented that this is an important continuation of Council's work.

Committee Chair Holtaway asked for a motion to move the Hopatcong Borough Field Assessment and Engineering Design Plan (\$54,000) to the Council for consideration. Member James made a motion and Member Visioli seconded it. A roll call vote was taken, and all were in favor.

West Milford Township (Passaic County), Regional Lake Management Plan Grant – Phase II - \$86,250

Keri Green, Science Manager, gave an overview of West Milford Township's request for Regional Lake Management Plan grant funding. Ms. Green noted that in October 2020, the Highlands Council awarded a Plan Conformance grant for Phase I of a Township-wide assessment of multiple watersheds involving more than 20 lakes in West Milford Township. The first phase of the project began during the field season of 2021 and significant work was accomplished to complete historic data collection, modelling of watersheds, identification, quantification, and prioritization of watershed-based factors.

Ms. Green added that Phase II, which covers in-lake quality monitoring, trophic state analyses and final reporting, will be completed in 2022 with the use of the grant.

Committee Chair Holtaway commented that if you do not have data, you cannot make decisions.

Chair Richko asked about the overall health of the lakes. Ms. Green responded that the monitoring would reveal the quality and age of the lakes.

Member Visioli added that the Council needs to be consistent with its approach.

Committee Chair Holtaway asked for a motion to move the West Milford Township grant for a Regional Lake Management Plan for a total amount of \$86,250 to the Council for consideration. Member Visioli made a motion and Chair Richko seconded it. A roll call vote was taken, and all were in favor.

The committee meeting adjourned at 10:33am.