

RESOLUTION 2026-14
NEW JERSEY HIGHLANDS WATER PROTECTION AND PLANNING COUNCIL
DETERMINATION ON APPLICATION FOR
HIGHLANDS REDEVELOPMENT AREA DESIGNATION FOR
PHILLIPSBURG MALL - TOWNSHIP OF LOPATCONG, WARREN COUNTY,
BLOCK 102, LOTS 9, 9.01 AND 9.03
AND TOWNSHIP OF POHATCONG, WARREN COUNTY,
BLOCK 1, LOT 1.01

WHEREAS, the Highlands Water Protection and Planning Act (Highlands Act) created a public body corporate and politic with corporate succession known as the Highlands Water Protection and Planning Council (Highlands Council); and

WHEREAS, the Highlands Regional Master Plan (RMP) Policy 7G2 states that for both the Preservation Area and the Planning Area, a waiver may be issued by the Highlands Council on a case-by-case basis from the requirements of the RMP or any amendments to a master plan, development regulations, or other regulations adopted by a local government unit specifically to conform them with the RMP: for redevelopment in certain previously developed areas as identified by the Highlands Council; and

WHEREAS, the Highlands Council adopted “RMP Addendum 2019-1 Procedures for Highlands Redevelopment Area Designation,” as an addendum to the RMP on March 21, 2019; and

WHEREAS, Lopatcong Township and Pohatcong Township have submitted a joint application a for a Highlands Redevelopment Area designation for Block 102, Lots 9, 9.01 and 9.03 in Lopatcong Township and Block 1, Lot 1.01 in Pohatcong, Township, Warren County; and

WHEREAS, Lopatcong Township is the primary applicant for the Highlands Redevelopment Area designation, with Pohatcong Township having provided a letter indicating they do not object to Lopatcong Township taking the lead role in the application. This position was re-affirmed by the submission of letters from both municipalities in July of 2025; and

WHEREAS, in accordance with the Highlands Council’s adopted Redevelopment Area Designation Procedures (RMP Addendum 2019-1), the Township and Highlands Council staff held Highlands Redevelopment Area pre-application meetings on November 22, 2023, and December 21, 2023. Highlands Council staff conducted site visits on September 21, 2023, December 15, 2023, and July 30, 2025 to document current conditions and examine the area proposed for redevelopment; and

WHEREAS, the Highlands Council’s review of the previously proposed Highlands Redevelopment Area was published for a 30-day public comment period on January 22, 2024. After the public comment period ended, the Township of Pohatcong withdrew their support for the application. After subsequent modifications to the development footprint, which removed Block 1 Lot 1 (Pohatcong), the application was resubmitted and reviewed by the Highlands Council after a new 30-day public comment period; and

WHEREAS, the Highlands Council subsequently voted on the matter (in the same form as it is presented in this report) at the October 17, 2024 Council meeting. The application did not receive sufficient votes to be approved; and

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WHEREAS, the applicant has resubmitted the application for redevelopment area designation for reconsideration and the Highlands Council held a public comment period commencing October 7, 2025 and ending November 7, 2025, during which time eight comments were received; and

WHEREAS, the Highlands Council duly considered the Draft Recommendation Report and all public comments on the proposed Highlands Redevelopment Area Designation; and

WHEREAS, after Highlands Council staff review, staff recommended that the Highlands Council approve the proposed Highlands Redevelopment Area Designation with the conditions set forth in the Highlands Council Staff Final Recommendation Report, which is incorporated by reference into this Resolution; and

WHEREAS, pursuant to N.J.S.A. 13:20-5.j, no action authorized by the Highlands Council shall have force or effect until ten (10) days, Saturdays, Sundays and public holidays excepted, after a copy of the minutes of the meeting of the Council has been delivered to the Governor for review, unless prior to the expiration of the review period the Governor shall approve same, in which case the action shall become effective upon such approval.

NOW, THEREFORE, BE IT RESOLVED, the Highlands Council hereby

- (1) Adopts the findings of fact and conclusions based thereon set forth in the Final Recommendation Report; and
- (2) Based on said findings of fact and conclusions, approves the Block 102, Lots 9, 9.01 and 9.03 (Lopatcong), Warren County; and Block 1, Lot 1.01 (Pohatcong), Warren County, with conditions as set forth in the Final Recommendation Report.

CERTIFICATION

I hereby certify that the foregoing Resolution was adopted by the Highlands Council at its regular meeting held on the 21st day of May, 2026.



Carl J. Richko, Chairman

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Vote on the Approval of Resolution	Motion	Second	Yes	No	Abstain	Absent
Councilmember Alstede			√			
Councilmember Amoroso			√			
Councilmember Basralian				√		
Councilmember Bush			√			
Councilmember Dougherty						√
Councilmember James						√
Councilmember Kibler				√		
Councilmember Koop			√			
Councilmember Le Frois			√			
Councilmember Marano				√		
Councilmember Oswald	√		√			
Councilmember Smith		√	√			
Councilmember Van Abs			√			
Councilmember Visioli			√			
Chairman Richko			√			